

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 PM – WEDNESDAY, JULY 13, 2016**

Members of the El Mirage City Council will attend either in person or by telephone conference call.

Please silence all electronic communication devices (including cell phones and pagers) before the meeting is called to order. Thank you.

Note: The Common Council of the City of El Mirage, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. Section 38.431.03 including legal advice from the City Attorney.

Agenda

I. ROLL CALL

Mayor Lana Mook
Councilmember Roy Delgado
Councilmember Jack Palladino
Councilmember David Shapera

Vice Mayor Joe Ramirez
Councilmember Bob Jones
Councilmember Lynn Selby

II. CALL TO ORDER

Pledge of Allegiance
Moment of Silence
Silence Cell Phones & Pagers

III. PROCLAMATIONS

- P1.** Proclamation to support Drowning Impact Awareness Month, August, 2016 (Fire Department)
- P2.** Proclamation to recognize Child Support Awareness Month, August, 2016 (Administration)

IV. PRESENTATION

- P3.** Presentation by Banner Boswell Medical Center CEO Dave Cheney to inform the Mayor and Council about recent hospital improvements (Administration)

V. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of *the Call to the Public*, individual City Council Members may (1) respond to criticism made by those who

have spoken (2) direct staff to review or respond to the matter, and/or (3) direct that the matter be put on a future agenda.

VI. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, June 21, 2016, the Special Council Meeting held Tuesday, June 28, 2016, and the Special Council Meeting held Wednesday, July 6, 2016. (City Clerk)
2. Consideration and action to apply, accept, and implement, if awarded, FY 2016/17 DPS/VOCA renewal grant funds for the Police Victim Assistance Unit. (Police Department)

VII. REGULAR AGENDA

- A. Public hearing, closure of public hearing, followed by consideration and action to approve a Conditional Use Permit for a mural at the Dysart Community Center located at 14414 N. El Mirage Road. (Development & Community Services)
- B. Consideration and action to authorize the City Manager to enter into a construction contract with RK Sanders, Inc. to construct three (3) new sanitary sewer stubs along El Mirage Road between Olive Avenue and Mountain View Road in an amount of \$54,075 including contingency. (Development & Community Services)
- C. Consideration and action authorizing a special committee for the purpose of working with staff to review the Dysart Ranchettes irrigation system. (Administration)

VIII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:

1. New Employees – Police

IX. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

X. ADJOURNMENT

Accommodations for Individuals with Disabilities - Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 12145 NW Grand Avenue, El Mirage, Arizona, (623) 876-2943, TDD (623)933-3258, or FAX (623) 876-4603. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

AFFIDAVIT OF POSTING – CITY COUNCIL MEETING OF JULY 13, 2016

I hereby certify that this agenda was posted by 5:00 p.m. on July 11, 2016 at the following locations:
1) the City of El Mirage Exterior Bulletin Board at 12145 N.W. Grand Avenue, and 2) the City of El Mirage website at www.cityofelmirage.org.


Sharon Antes, City Clerk

*Office of the Mayor
City of El Mirage*

**PROCLAMATION
DROWNING IMPACT AWARENESS MONTH**

AUGUST, 2016

WHEREAS, Arizona's future prosperity depends upon the long-term health, safety, and well-being of the nearly two million children and teens in our state; and

WHEREAS, drowning is a top cause of injury and death for children and teens in Arizona, affecting not only the victims, but also families, emergency personnel, and our society as a whole; and

WHEREAS, child drownings are nearly 100 percent preventable, including drownings which are classified as maltreatment and make up an average of one in four cases in Arizona; and

WHEREAS, research-proven strategies can save lives, including constant and capable supervision, restricting access to water, use of life jackets, swimming lessons for adults and children at the appropriate age, rapid emergency response, including CPR, and safe, stable and nurturing relationships and communities to break the cycle of maltreatment; and

WHEREAS, awareness of the problem is just the first step; evidence-based programs to bring these strategies to families is the best way to save lives; and

WHEREAS, during the month of August, Phoenix Children's Hospital, in collaboration with state and local governments, community organizations, and private citizens, will be engaging communities throughout Arizona in a coordinated and comprehensive response,

NOW, THEREFORE, I, Lana Mook, Mayor of El Mirage do hereby proclaim August 2016 as Drowning Impact Awareness Month and urge all communities and citizens of Arizona to participate in efforts to reduce drowning risk, strengthen families, and protect children and teens.

IN WITNESS THEREOF, I, Mayor Lana Mook, have hereunto set my hand and cause the Seal of the City of El Mirage to be affixed this 13th day of July, 2016 and thereby make this proclamation public.

Lana Mook, Mayor

ATTEST:

Sharon Antes, City Clerk

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: <u>06/20/2016</u> DATE ACTION REQUESTED: <u>07/13/2016</u> <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT	TYPE OF ACTION: <input type="checkbox"/> RESOLUTION # _____ <input type="checkbox"/> ORDINANCE # _____ <input checked="" type="checkbox"/> OTHER: Proclamation	SUBJECT: Proclamation to recognize Child Support Awareness Month, August, 2016
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TO: Mayor and Council
FROM: Amber Wakeman, ^R Intergovernmental and Public Relations Manager
RECOMMENDATION: N/A
PROPOSED MOTION: N/A
ATTACHMENTS: Proclamation to recognize Child Support Awareness Month, August, 2016.

DISCUSSION: The Department of Economic Security, Division of Child Support Services, has asked cities and counties in the State of Arizona to recognize the month of August, 2016 as Child Support Awareness month. The Division of Child Support Services is committed to assisting parents in realizing their financial responsibilities, updating and maintaining open, continuous, consumer-friendly communications, and engaging with parents and diverse family structures, to assist them towards greater self-sufficiency to attain the best results for Arizona's children. This proclamation increases the awareness of bettering the lives of children and making sure they have the tools they need to succeed. Proclamations will be on display at the Department of Economic Security.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Deputy City Manager/Finance Director:

Robert Nilles 7/11/16
 Robert Nilles Date

Approved as to form:

Robert M. Hall 7/11/16
 Robert M. Hall, City Attorney Date

City Manager:

Dr. Spencer A. Isom 7/11/16
 Dr. Spencer A. Isom Date

*Office of the Mayor
City of El Mirage*

**PROCLAMATION
CHILD SUPPORT AWARENESS MONTH
AUGUST 2016**

WHEREAS, the safety and well-being of children is paramount and families need financial means and stability to protect and assist their children; and

WHEREAS, providing resources to aid parents in succeeding can make a difference in helping to promote long-term security and enriching a child's life will make our children stronger; and

WHEREAS, parents and/or caretakers, through a strong work ethic and personal responsibility, can provide a stable foundation for life to children who are dependent upon them for their daily financial, emotional, and physical growth; and

WHEREAS, collaborative community partnering with parents can assist in identifying valuable resources that may be necessary to achieve self-sufficiency, including employment, education, parenting time, health care, and other services, to obtain the best possible outcomes; and

WHEREAS, recognizing that education plays a critical role in improving Arizona's opportunities for growth and prosperity for parents as well as children and ensures children are well-equipped for school and achieve academic success at all levels; and

WHEREAS, the Department of Economic security, Division of Child Support Services, is committed to assisting parents in realizing their financial responsibilities, updating and maintaining open, continuous, consumer-friendly communications, and engaging with parents and diverse family structures, to assist them towards greater self-sufficiency to attain the best results for Arizona's children,

NOW, THEREFORE, the City of El Mirage proclaims the month of August, 2016 as **CHILD SUPPORT AWARENESS MONTH**.

IN WITNESS THEREOF, I, Mayor Lana Mook, have hereunto set my hand and cause the Seal of the City of El Mirage to be affixed this 13th day of July, 2016.

Lana Mook, Mayor

REQUEST FOR COUNCIL ACTION

<p>DATE SUBMITTED: <u>07/07/2016</u></p> <p>DATE ACTION REQUESTED: <u>07/13/2016</u></p> <p><input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> CONSENT</p>	<p>TYPE OF ACTION:</p> <p><input type="checkbox"/> RESOLUTION # _____</p> <p><input type="checkbox"/> ORDINANCE # _____</p> <p><input checked="" type="checkbox"/> OTHER: <u>Approval of Minutes</u></p>	<p>SUBJECT: Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, June 21, 2016, the Special Council Meeting held Tuesday, June 28, 2016, and the Special Council Meeting held Wednesday, July 6, 2016. (City Clerk)</p>
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<p>TO: Mayor and Council</p>
<p>FROM: Sharon Antes, City Clerk <i>Sharon</i></p>
<p>RECOMMENDATION: Approve minutes of the Regular Council Meeting held Tuesday, June 21, 2016, the Special Council Meeting held Tuesday, June 28, 2016, and the Special Council Meeting held Wednesday, July 6, 2016.</p>
<p>PROPOSED MOTION: I move to approve minutes of Council meetings as presented.</p>
<p>ATTACHMENTS: Draft Minutes</p>

DISCUSSION: Draft minutes are attached for Council's review and approval.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Deputy City Manager/Finance Director:

Robert Nilles
Robert Nilles

7/11/16
Date

Approved as to Form:

Robert M. Hall 7/11/16
Robert M. Hall Date

City Manager:

Dr. Spencer A. Isom
Dr. Spencer A. Isom

7/11/16
Date

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 PM - TUESDAY, JUNE 21, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

II. CALL TO ORDER

The meeting was called to order at 6:00 pm.

Pledge of Allegiance

Moment of Silence

Silence Cell Phones & Pagers

III. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and/or (3) direct that the matter be put on a future agenda.

Alyson Cline, President of the Friends of the Surprise Library, addressed Council to advise them of an upcoming campaign to purchase new books that will revitalize the El Mirage Elementary School Library. She noted that since 2006, Friends of the Surprise Library has donated \$5,642.55 to public schools located within the City of El Mirage. Working together with the El Mirage Elementary School PTO, funds are being collected through the month of August for this cause and the Friends of the Library encourage the Council to actively support this campaign by helping get the information out to residents and local business owners using existing communication channels.

IV. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, June 7, 2016. (City Clerk)

2. Consideration and action to authorize the City Manager to enter into various Public Works sole source, State covered, or cooperative purchasing FY 2016-17 contracts. (Public Works)
3. Consideration and action to adopt Resolution R16-06-16 setting miscellaneous fees and service charges. (Finance)
4. Consideration and action to approve a Cisco network maintenance agreement renewal with the National Intergovernmental Purchasing Alliance (IPA) contract vendor, CDWG, in an amount not to exceed \$40,000 for FY 2016-17. (Information Technology)
5. Consideration and action to approve the FY 2016-17 Transit Services Intergovernmental Agreement (IGA) between the City and Valley Metro/Regional Public Transit Authority (RPTA) for Dial-a-Ride Services. (Administration)
6. Consideration and action to reappoint Nancy Persichilli to the Public Safety Personnel Retirement System (PSPRS) Local Boards of the Police and Fire Department for a four-year term ending February 20, 2020. (Human Resources)

Vice Mayor Ramirez moved to approve all items listed on the Consent Agenda as presented; seconded by Councilor Palladino. Motion carried unanimously (7/0).

V. REGULAR AGENDA

- A. Consideration and action to fill two vacant Planning & Zoning Commission seats for two year terms ending June 30, 2018. (Mayor)

A question was raised by Councilor Delgado about the members who served on the Review Committee to interview and make recommendations for filling the two vacant Planning & Zoning Commission seats believing he had previously been appointed and should have been on the committee reviewing candidates for this year's recommendations. Mayor Mook responded that she has made many appointments to sub-committees over the last six years and did not believe that the review committee for P & Z vacancies was a standing committee with permanent committee member appointments. She apologized for any misunderstanding regarding this matter but stated that staff, in fact, reported that the sub-committee last year, who recommended the reappointment of Frank Carnal and Justin McCarty and the appointment of Martin Crosby to fill three vacant P&Z Commission seats in 2015, was comprised of the same committee members who reviewed applications received this year to fill two vacant positions.

City Attorney Robert Hall provided Council with three possible scenarios to clarify the situation if one was needed. Councilor Shapera believed that sub-committees need to be approved by Council and that the guide book should be followed but he also believed the recommended candidates are a good selection. City Attorney Hall advised that the City Code takes precedent over a guide book and confirmed committees are created by Council, but further stated the Code is silent on timelines, terms of appointments, etc. Councilor Delgado stated he did not want staff to spend any more time on the matter and wanted to move forward. Mayor Mook requested Staff to review and make Code recommendations to clarify this matter.

Vice Mayor Ramirez moved to fill two vacant Planning & Zoning Commission seats for two year terms ending June 30, 2018; seconded by Councilor Shapera. Motion carried unanimously (7/0).*

**Names of Commissioners identified at subsequent meeting.*

- B.** Consideration and action to approve Ordinance O16-06-05 adopting the City's property tax levies for Fiscal Year 2016-2017. The Primary Property Tax Levy is \$1,654,937 and the Secondary Tax Levy is \$2,030,000. The total levies for FY 2016-2017 are \$3,684,937. The total estimated combined property tax rate is \$3.7834. (Finance)

Deputy City Manager (DCM)/Finance Director Robert Nilles reported the tax levy is the last step in the budget process, advised there are no increases, and the levy is the same as last year.

Councilor Delgado asked if the Primary or the Secondary was being reduced to which Mr. Nilles responded that they both reduced this year because the assessed valuations went up. The State, however, passed a law that limits how much property tax evaluations can go up so rates dropped only a small amount; they would have dropped much more if actual property valuations were used.

Vice Mayor Ramirez moved to approve Ordinance O16-06-05 adopting the City's property tax levies for Fiscal Year 2016-2017 with the Primary Property Tax Levy at \$1,654,937 and the Secondary Tax Levy at \$2,030,000 for a combined total levy for FY 2016-2017 of \$3,684,937; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- C.** Consideration and action to approve Resolution R16-06-17 amending Chapter 30, Sections §30.20 – §30.35 **Purchasing** of the City Code and declaring the Resolution and update included in Exhibit "A" as a public record for publishing per A.R.S. §9-802. (Finance)

DCM/Finance Director Robert Nilles reported the proposed changes to the Purchasing code clarifies purchases under \$30,000 and addresses a number of transparency issues. He introduced Purchasing Administrator Cadle Collins who reviewed the code updates for Council. The changes identify the purpose of the purchasing code which is to direct City personnel regarding expenditures and separate authority. The City Manager has the authority to approve "informal" purchases up to \$30,000 and "formal" purchases over \$30,000 require Council approval. Mr. Collins explained the procurement process over \$30,000 noting that no splitting of projects or purchases was allowed to circumvent the process and that the City Manager may increase a Council approved PO up to an additional \$30,000. Councilor Shapera stated he was not familiar with that practice and asked if it happened often. Mr. Collins responded it is not a frequent occurrence but that if an item does exceed the approved amount, it must currently go back to Council for approval; this proposed code provides for efficiency when the overage could be something as simple as taxes or freight not accounted for in the original amount approved by Council. Mr. Collins further explained the Sole Source Exclusions from Council approval which includes payments for utilities, debt, employee costs, employer-provided benefits, insurance, banking fees and charges, pass through payments, reimbursements, taxes and assessments, and payments to other governments. Mr. Nilles explained that even though budgeted, these types of payments, which routinely exceed \$30,000, are technically code violations as the code is currently written if not first approved by Council. This code revision will clarify that matter. Councilor Selby asked if these technical violations impacted the City's audit results and Mr. Nilles responded that by identifying and clarifying this matter, there is no room to contend there is a violation.

The Code further defines professional services, emergency purchases, cooperative purchases, sole source selections and use of city personal for municipal construction projects as stipulated in A.R.S. Mayor Mook asked for an explanation regarding use of city personnel and was advised by Mr Nilles that A.R.S. caps the amount of a project that would allow use of city personnel versus the amount that would require a bid process.

Two of four authorized signatures are required on checks and backup for City expenditures except two of three authorized signatures are required for Court expenditures. Mr. Collins explained about bid protests and appeals as well as disposition of surplus city property.

Vice Mayor Ramirez moved to approve Resolution R16-06-17 amending Chapter 30, Sections §30.20 – §30.35 *Purchasing* of the City Code and declaring the Resolution and update included in Exhibit "A" as a public record for publishing per A.R.S. §9-802; seconded by Councilor Delgado. Motion carried unanimously (7/0).

D. Consideration and action to approve Ordinance O16-06-06 amending Chapter 30, Section §30.20 – §30.35 *Purchasing* and adopting and making a part of

the El Mirage City Code that certain document titled "Chapter 30, ADMINISTRATION GENERALLY, *Purchasing*" and declared to be a public record by reference in Resolution R16-06-17. (Finance)

Mr. Nilles stated this item is the Ordinance that will be published by reference to the Resolution previously approved.

Councilor Delgado asked when this item would appear in the Code Books and was advised by City Clerk Antes that the Ordinance is required to first be published for 30 days prior to becoming effective and would then be submitted to the publishing company who codifies all ordinances. Once processed by the publishing company, the ordinance would be inserted into the code books and the on-line code as well.

Vice Mayor Ramirez moved to approve Ordinance O16-06-06 amending Chapter 30, Section §30.20 – §30.35 *Purchasing* and adopting and making a part of the El Mirage City Code that certain document titled "Chapter 30, ADMINISTRATION GENERALLY, *Purchasing*" and declared to be a public record by reference in Resolution R16-06-17; seconded by Councilor Delgado. (7/0)

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:

1. New Employees

Acting Public Works Director Nick Russo introduced Uriel Ramirez who is the newest member of the Parks Team. He comes originally from California and brings with him a good deal of experience; his first two weeks has been working on irrigation systems. Mr. Russo stated Uriel has a great attitude and fits in really well with the team. Mr. Ramirez stated he has seen the recent growth of the City and is happy and excited to work for the City of El Mirage.

2. Future Employee

IT Director Tom Bacome introduced his son Jacob, representing Boy Scouts' Troup 938 and attending this City Council Meeting to work on his Citizenship Merit Badge. Part of his badge requirements included interviewing a City staff member; Jacob interviewed GIS/Planner Jose Macias regarding bicycle paths. Tom then introduced his wife Christine, also in attendance.

3. El Mirage Fire Department Promotion Ceremony

Dr. Isom again invited everyone to attend the El Mirage Fire Department Promotion Ceremony for individuals being promoted to the positions of Battalion Chief and Captain. This event will be held Thursday, June 23, 2016 at 10:30 AM at 13601N. El Mirage Road with lunch served immediately following the ceremony. The promotions will be presented to David Cleveland, Joe Fusco, Jeffrey Kinkade, Joseph Rivera, Chris Richardson and Darrell Tirpak.

VII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

Councilor Shapera thanked the City Manager for moving the Cactus Road and 127th Avenue crosswalk project ahead of schedule.

Councilor Delgado seconded his thanks for moving the crosswalk project forward as well. He then reported on the Summer Reading Program at the El Mirage Library that currently has 52,159 readers participating in the program who have accumulated 209,365 points to win badges and prizes.

Vice Mayor Ramirez commended the Finance Department for identifying and improving transparency issues with the procurement code and showing that the City is good stewards of taxpayers' dollars.

Councilor Jones thanked the Public Works staff for working outside in these extremely hot temperatures which is difficult and shows their pride of service. He also thanked the Police and Fire Departments for their service and responses during these extreme temperatures as well.

VIII. ADJOURNMENT - The meeting was adjourned at 6:54 pm.

ATTEST:

Lana Mook, Mayor

Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular City Council Meeting held on Tuesday, June 21, 2016 and a quorum was present.

Sharon Antes, City Clerk

**SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
4:00 PM - TUESDAY, JUNE 28, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilor Bob Jones (via phone)

Excused: Councilmember David Shapera

II. CALL TO ORDER

The meeting was called to order at 4:00 pm.

Pledge of Allegiance

Moment of Silence

Silence Cell Phones & Pagers

III. CALL TO THE PUBLIC

No Comment Cards were received.

IV. CONSENT AGENDA

1. Consideration and action to clarify Council's June 21, 2016 motion to include the names of Monica Dorcey and Robyn Freberg as commissioners to fill two vacant Planning & Zoning Commission seats for two year terms ending June 30, 2018. (City Clerk)

Vice Mayor Ramirez moved to approve all items listed on the Consent Agenda as presented; seconded by Councilor Delgado. Motion carried unanimously (6/0).

V. REGULAR AGENDA

- A. Consideration and action to approve Resolution R16-06-18 to enter into an Intergovernmental Agreement (IGA) with the City of Tolleson to provide police dispatch services. (Police Department)

Police Chief Terry McDonald explained the proposed IGA with the City of Tolleson will provide police dispatch services 24/7 and will receive both emergency 911 calls and non-emergency calls. The current IGA with the City of Surprise will terminate in January 2017 upon approval of the IGA before Council tonight. He thanked City Manager Isom for his foresight in this matter, Professional Standards Manager Michael Ashley who

represented the Police Department in the research and negotiations with Tolleson, Information Technology Director Tom Bacome who handled all the I.T. issues, and Deputy City Manager/Finance Director Robert Nilles who assisted with the finance portion of the process.

He then introduced Michael Ashley who stated this particular IGA will allow for better control of the records management system, improve capabilities including updated field reporting, email and internet access in the patrol cars and flexibility in the storage and retrieval of data. It will also provide connectivity to Tolleson and the Department of Public Safety and the City of El Mirage Police Department will also have influence regarding improvements and upgrades.

IT Director Tom Bacome reported on the overall costs; estimated startup costs would be \$123,000 with an estimated annual cost of \$47,000. The servers and software will be the City's responsibility in order to securely get the patrol vehicles to communicate with the records management system. The Motorola console is a dispatch work station purchased by the City in 2009 which is currently in the City of Surprise; El Mirage will pay a third party company to physically move the console.

Councilor Delgado asked if we would be able to retrieve the system we paid for from Surprise and was advised that yes, a third party with whom the City has previously worked with on police vehicles will to move the console at an expense of \$5,000.

DCM/Finance Director Robert Nilles reported this is a 10-year agreement with increases determined by the lesser of 3% or the CPI, additional personnel needs, major capital needs and software licenses. Start-up costs are estimated not to exceed \$155,264. The current City of Surprise contract requires a 180-day prior notice, therefore, the anticipated go live date is January/February 2017. The City of Tolleson is in agreement with the proposal and the Tolleson Council is considering simultaneous approval at their meeting tonight.

Councilor Delgado asked about support and backup for El Mirage officers and was advised by Chief McDonald that he had assurances of cooperation and support from Chief Young in the City of Surprise in addition to the City of Tolleson. Councilor Delgado asked about what the non-emergency phone number would be and was advised by Mr. Bacome that the current number would be retained. Councilor Delgado further inquired of Chief McDonald about the cost for the City of El Mirage to operate its own system. Chief McDonald reported there are different schools of thought but currently regional dispatch is the direction municipalities are using and Mr. Nilles added that the current Police station was designed and has the capability to convert if that is considered in the future.

Vice Mayor Ramirez thanked Chief McDonald and everyone involved with the transition. He is looking forward to better service and cost savings and thanked everyone for the team effort.

Councilor Selby stated his finance questions have been answered but was still concerned about backup for El Mirage officers. Tolleson is under no obligation to provide back up

for anything and should there be a catastrophic event what agency would be called. Chief McDonald responded that the City has Intergovernmental Response Agreements and Maricopa County Sheriffs, City of Surprise, City of Peoria, among others, would respond if needed. Councilor Selby asked if fees are charged for other agencies assistance and was advised by Chief McDonald there have not been any charges in the past.

Mayor Mook commended all staff involved in the research of this large project and for negotiating such a comprehensive and beneficial contract, both in covering items of concern as well as cost.

Councilor Jones expressed his concern for officer back up and asked for clarification. Dr. Isom asked Chief McDonald if there was any indication from the City of Surprise that they would not respond if El Mirage officers needed assistance and Chief McDonald reported that quite to the contrary, City of Surprise Chief Young assured him that moving forward, they would maintain their professional relationship and continue working together. By the same token, the City of El Mirage would support the City of Surprise if needed.

Dr. Isom paid tribute and thanked the entire staff from the top down stating they worked together to find a solution to a problem. The City of Tolleson has always been a partner of El Mirage; in fact, the El Mirage Police station is modeled after Tolleson's station.

Vice Mayor Ramirez moved to approve Resolution R16-06-18 to enter into an Intergovernmental Agreement (IGA) with the City of Tolleson to provide police dispatch services; seconded by Councilor Delgado. (6/0)

VI. **ADJOURNMENT** - The meeting was adjourned at 4:35 pm.

Lana Mook, Mayor

ATTEST:

Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate account of the El Mirage City Council Special Meeting held on June 28, 2016 and a quorum was present.

Sharon Antes, City Clerk

**SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
4:00 PM – WEDNESDAY JULY 6, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

II. CALL TO ORDER

The meeting was called to order at 4:00 pm.
Pledge of Allegiance
Moment of Silence

III. SPECIAL AGENDA

- A.** Consideration and action to adopt the Arbitrator's June 20, 2016 recommendation in the matter of arbitration on wages (only) between the El Mirage Police Employee's Association (EMPEA) and the City of El Mirage. (Administration)

City Manager Dr. Spencer Isom reported he is presenting the Arbitrator's Report on the final year of the Memorandum of Understanding (MOU) for the EMPEA. There was a disagreement regarding wages that went to arbitration. The comprehensive Arbitrator's Report is self-explanatory. Council is to review and adopt the recommendations which are consistent with Council's previous action within the budget process that recommends a 3.33% one-time increase for the EMPEA. He stated that he and Deputy City Manager/ Finance Director Robert Nilles are available to answer any questions.

Councilor Shapera stated he believed the Arbitrator's report to be very comprehensive and very fairly done. He asked about the compression for some of the officers like the Fire Department had and believed the City Manager has taken care of that matter. Dr. Isom reported an agreement was reached with the Fire Department MOU for the upcoming years. Dr. Isom reported they addressed the compression with the Fire Department the same as they did with all other City employees. Councilor Shapera stated he agrees 100% with the Arbitrator's report.

Vice Mayor Ramirez moved to adopt the Arbitrator's June 20, 2016 recommendation in the matter of arbitration on wages (only) between the El Mirage Police Employee's Association (EMPEA) and the City of El Mirage; seconded by Councilor Jones. Motion carried unanimously (7/0).

IV. ADJOURNMENT

The meeting was adjourned at 4:04 pm.

Lana Mook, Mayor

ATTEST:

Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the El Mirage City Council Special Meeting held on July 6, 2016 and a quorum was present.

Sharon Antes, City Clerk



REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: <u>06/27/2016</u>	TYPE OF ACTION: <input type="checkbox"/> RESOLUTION # _____ <input type="checkbox"/> ORDINANCE # _____ <input checked="" type="checkbox"/> OTHER: Grant Application	SUBJECT: Consideration and action to apply, accept, and implement, if awarded, FY 2016/17 DPS/ VOCA renewal grant funds for the Police Victim Assistance Unit.
DATE ACTION REQUESTED: <u>07/13/2016</u>		
<input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> CONSENT		

TO: Mayor and Council
FROM: Janeen K. Gaskins, Grant Writer Assistant to the City Manager
RECOMMENDATION: Approve application submittal, award acceptance, and program implementation of renewal grant funds from DPS/VOCA in an amount not to exceed \$125,000 for October 1, 2016 through September 30, 2017.
PROPOSED MOTION: I make a motion to approve the application, acceptance and implementation of the DPS/VOCA FY17 Grant as presented.
ATTACHMENTS: None

DISCUSSION: Each year, DPS/VOCA opens a competitive grant process to eligible government and nonprofit agencies for the purpose of funding crime victim services. If awarded, these renewal funds will support salaries, employee related expenses, training and software licensing for the Victim Assistance Unit. All match requirements are met with existing grant funds. This City Council request is for approval to submit an application in an amount not to exceed \$125,000; to accept the grant funds if awarded; and, to implement the grant by executing all documents related to grant activities.

FISCAL IMPACT: None

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Deputy City Manager/Finance Director:

_____ 7/11/16
 Robert Nilles Date

Approved as to form:

_____ 7/11/16
 Robert M. Hall, City Attorney Date

City Manager:

_____ 7/11/16
 Dr. Spencer A. Isom Date



WHITE TANK MOUNTAIN
REGIONAL PARK

**CITY OF EL MIRAGE
PLANNING & ZONING CASE APPLICATION**

Check One: TAC Review Application Development Application

ACTION REQUESTED (Check all that apply):

CASE NO: P216.05.08

- Major General Plan Amendment
- Rezoning (Map Amendment)
- Planned Area Development (PAD)
- Conditional Use Permit (CUP)
- Variance(s) from Zoning Text
- Subdivision Preliminary Plat

- Minor General Plan Amendment
- Zoning Text Amendment
- PAD Amendment
- Site Plan Approval
- Administrative Appeal
- Subdivision Final Plat
- Other: _____

PROPERTY INFORMATION:

Property Address/Location: 14414 N. El Mirage Rd., El Mirage, AZ 85335

Assessor's Parcel Number: 501-31-021B

APPLICANT / OWNER INFORMATION:

Applicant: Dysart Community Center Owner: _____

Address: 14414 N. El Mirage Rd. Address: _____

City/ST/Zip: El Mirage, AZ 85335 City/ST/Zip: _____

Phone: (623) 249-3812 Phone: _____

Email: mike.cassidy@dysartcommunitycenter.org Email: _____

Signature:  Signature: _____

(Agreement to act as agent for owner)

(Authorization for agent to act for owner)

**TAC REVIEW
APPLICATION
REQUIREMENTS**

**DEVELOPMENT
APPLICATION
REQUIREMENTS**

- Planning & Zoning Application Form
- Project Narrative
- Site Plan
- Exterior Elevations
- Drainage Statement
- Traffic Impact Study
- Filing Fee (\$500.00)

- Planning & Zoning Application Form
- Comprehensive Site Plan
- Deed and/or Title Report
- Drainage Report
- A.L.T.A. Survey
- Phase I Environmental Site Assessment
- Preliminary Landscape Plans
- Filing Fee (see latest fee schedule)

Official Use:

Date Received: 5.16.2016

TAC Review: 5.24.16

P&Z Meeting: 6.14.2016

CC Meeting: _____

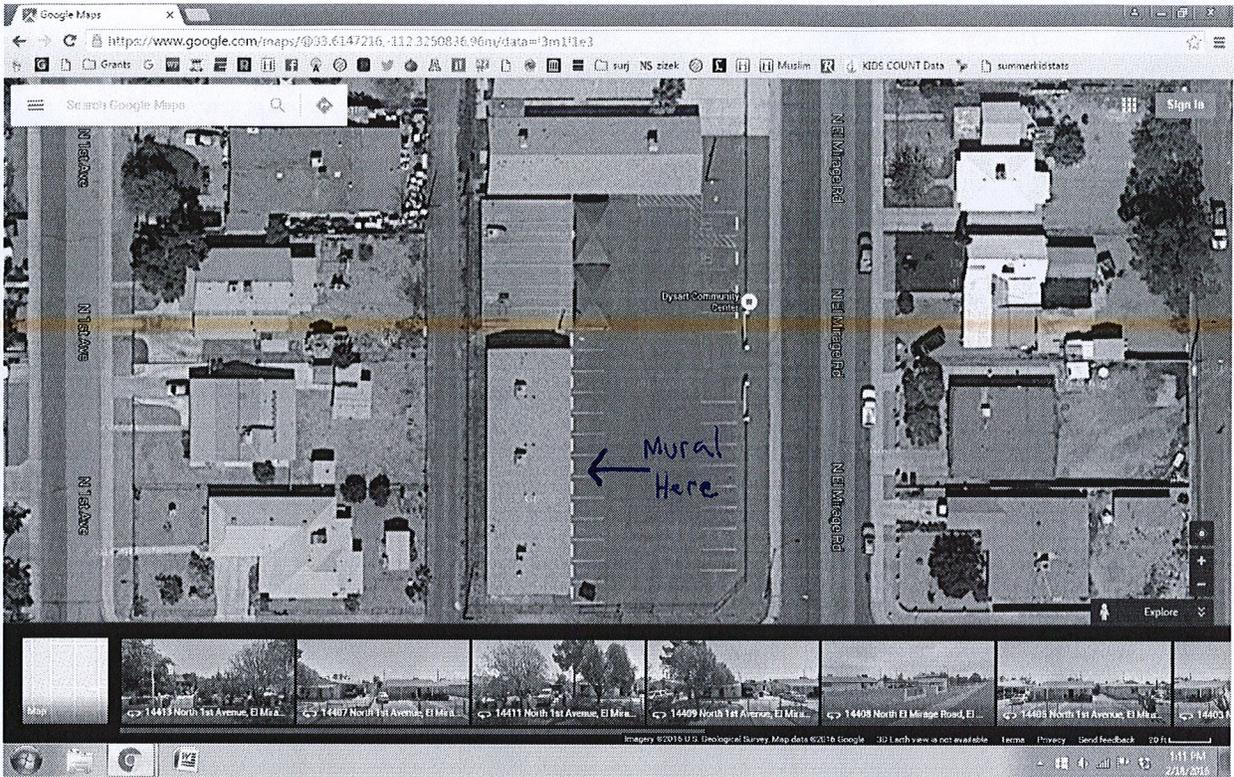
Cases which are not active within six (6) months from TAC Review Comments will be considered inactive and closed by staff.

Dysart Community Center
Planning & Zoning Case Application
Project Narrative

Dysart Community Center (DCC) and its Teen Arts and Action Program (TAAP) are requesting approval for the creation of a mural celebrating the rich history and the bright future of the city of El Mirage. The mural will be completed in collaboration with TAAP members, local teens in El Mirage, West Valley Arts Council, and professional muralist, Hugo Medina. The mural will represent the teens' vision of El Mirage's "Grand Heritage", rooted in humble migrant beginnings, and the promise of a "Bright Future" through the education and development of our youth.

Through the process of designing and completing this mural, 12-15 local teens will build leadership, teamwork, project planning, and artistic skills which will benefit them in school and in the workplace. Under the guidance of DCC staff and the project muralist, teens will complete a piece of art that will serve as a source of pride in our community. Finally, we plan to document the process through film and host a ribbon cutting event to unveil the final product. This will allow us to incorporate local residents and garner greater exposure for the teens' work. We hope that you will support our efforts to complete this positive and enriching project.

Site Plan



Dysart Community Center mural

To whom it my concern,

Arizona is becoming a mecca for murals and community projects where non artists and artistic citizens have worked tirelessly to create a destination that rivals other states. The art scene here tells this diverse multi-cultural story of not only present day inhabitants, but also the rich heritage that is a narrative in color. These stories also provide material for a vibrant visual art scene and assist artists in setting trends that are shaping the identity of the great state.

Murals are a visual way of telling stories, a form of communication as old as humankind. From the 1st cave painting to the newest Banksy, artists are telling a story. Being an avid reader, and history buff, when I am not painting, my head is constantly buried in a book. I share this with you because. I believe reading brings stories, and history to live. A mural that promotes and shares these stories add dramatic colors, and vivid images that will not only honor the past, but also tell a story that helps define the future.

I am recognized for my work in a wide range of multicultural projects which have given a voice to our state through artistic expression utilizing line, shape, color, form and space. I have worked together with the community to create a conduit not only for art, but for cultural discussion that tells a story of this vibrant cultural state. I am an accomplished artist who has a wide range of talent stemming from a 30 year career of teaching, coordinating and managing community art projects, fabrication with various materials, murals and educating citizens in arts related projects.

I feel that my experience and ability to work with the community, bring them together to design, paint and execute a mural that they helped design. They helped paint. A mural that tells their story, for their children to see and learn from. For them to walk by and be proud of. To be honored by. This will bring the community, the different generation's together to create history, their history.

The students have come up with an amazing idea, and concept that does just that, honor their history and looks to the future. They want to incorporate the idea of a puzzle symbolizing that we are all pieces of a puzzle and play a vital role in bring our community together. The mural will show a scene of migrant workers laboring in the fields representing the history of the city and their ancestors. In the middle they want to show a migrant laborer passing tools (Passing of the torch) to the future. Symbolizing the support, knowledge and values that have been passed to them so that they can create a better life for themselves, and their community. Followed by a scene showing future generations using the tools and creating their future. They are also exploring the idea of having words on some pieces of the one puzzle "education", "equality", and "opportunity" as examples.

Attached are samples of some of my past work, bio, and resume. Also included is the preliminary draft of the mural (very rough as we are still working out the design) I look forward to continue working with the students to finalize the story we are telling. I feel that they have develop concepts and designs for a mural that will not only honor the rich history, but also add to its aesthetics, and visibility. Thank you in advance for your consideration.

Hugo Medina

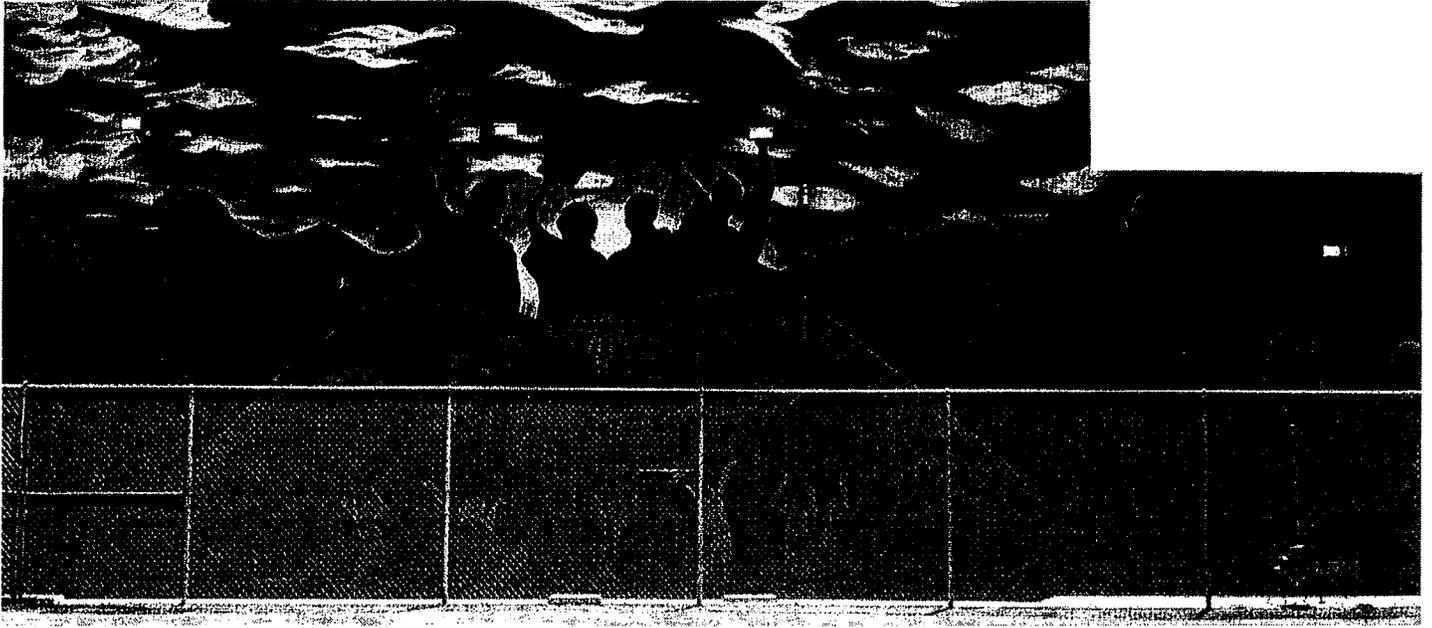
Image list



Hamilton elementary School mural
12 ft tall x 40 ft long



Friends Helping Friends
Department of Economic Security building
40ft tall by 90 ft long (hands are ~5ft tall and 4-5" off the wall)



Holiday Park Elementary School Mural
30 ft tall x 50 ft long



Checkmate
24x24
Acrylic / Aerosol on Canvas



Old School
24x24
Acrylic / Aerosol on Canvas

Resume

- 2009- Current • **Hugos Art, Phoenix, AZ**
Self-employed Artist / owner
- 2015- Current • **Phoenix College – Adjunct Faculty, Art History**
- 2013- 2015 • **Arizona State University School of Art – Faculty Assoc.**
- 2012- 2014 • **The Coe House Gallery, Curator**
- 2010- 2014 • **Calle 16 Mural Project, Phoenix, AZ**
Co-founder / Artist
- 2012- 2014 • **Artlink Board member**
- 2010- 2014 • **City of Phoenix Commission of Arts and Culture Board member**
- 2007- 2010 • **IronCo Enterprises, Phoenix, AZ**
Sales Engineer, PM Special Projects, Solar division designer, Artist

Education

- 3/06 • **University of Phoenix, Phoenix, AZ.**
Masters of Arts In Education with a Specialization in Curriculum and Instruction
- 1/98 • **Long Island University/C.W. Post Campus Brookville, NY**
Bachelor of Fine Arts Degree with a Teaching Certificate

Teaching Experience

- 2005-2007 • **Madison Park School, Phoenix, AZ**
- 2000-2002 • **Squaw Peak Elementary School, Phoenix, AZ**

Honors/ Awards

- 2016 • **Governor's Art award – Nominee**
- 2012 • **Mayor's Art award – Public Art**
- 2012 • **Cox Communications Hispanic Heritage month Honoree**

Exhibitions

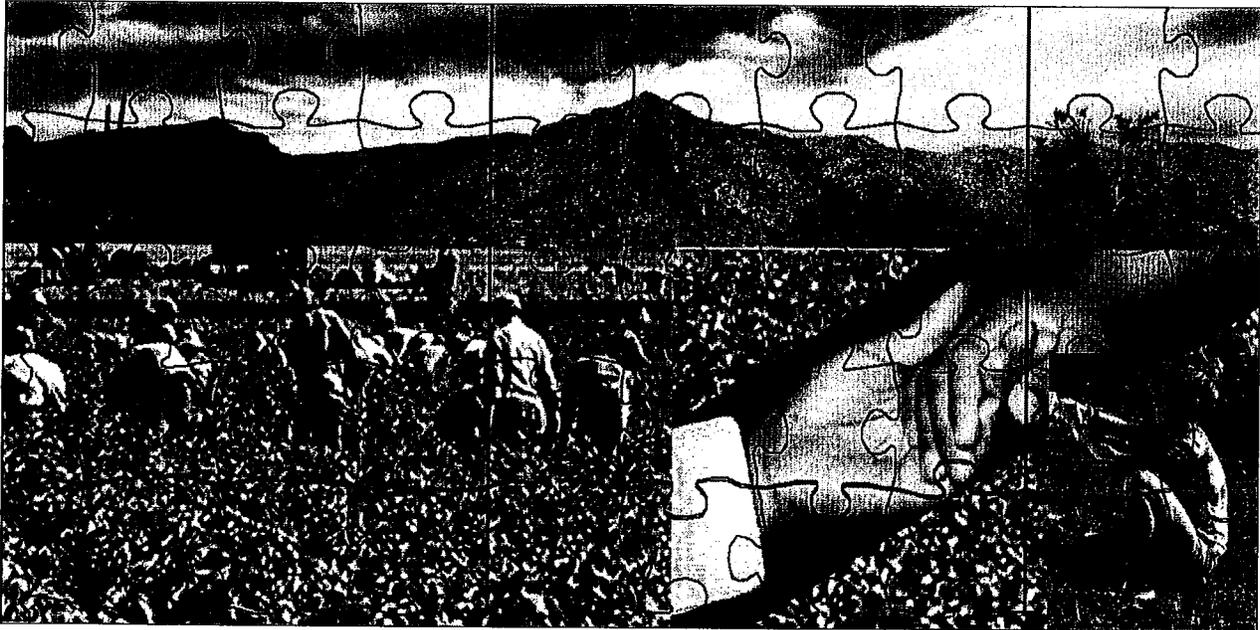
- 2009 • **Canciones de mi padre - Barrio Cafe**
- 2010 • **Cigar Rollers Barrio Cafe**
- 2010 • **Father / Daughter show The Ice House**
- 2010 • **Cigar Rollers, The Series Cubanos Cigar Lounge**
- 2010 • **SB1070 | An Artist Point of View" Arizona Latino Arts & Cultural Center**
- 2010 • **chair - Group Show Jones Studio**
- 2010 • **Cigar Rollers – Portraits Paisley Violin**
- 2010 • **Dollar Days Barrio Cafe**
- 2010 • **Con Passion Gallo Blanco**
- 2010 • **Sabor! Guitaras, Cigaros, Y Tequila! First Studio**
- 2010 • **Quick before it melts! , The Ice House**
- 2011 • **Sabor! Revisited Barrio Cafe**
- 2011 • **Reception to Benefit Greg Stanton for Phoenix Mayor, Kitchen Sink Studios, Inc.**

- 2011 • "Caras Amadas" Xico galería,
- 2012 • UNION: ELECTRO MUSIC SHOWCASE Push Gallery
- 2012 • Cigar series – Grand Havan Cigar Club – Beverly Hills
- 2012 • "Mi Tierra" Paintings and Photos of Bolivia Barrio Cafe,,
- 2012 • The Great Paint Escape – Part 2 – 335 west McDowell
- 2012 • Guitars – new series – Gallo Blanco
- 2013 • Cigar Magazine west coast event – Newport Beach Calif.
- 2013 • Teritro Wine bar – Mi Tierra
- 2013 • The Renaissance Hotel - cigars
- 2013 • Willo North Gallery – Solo show, La Figura
- 2014 • MonOrchid Gallery – Solo show, "Home"
- 2014 • MonOrchid Gallery – Group show,
- 2015 • Luna cultural lab opening – Group Show, - Phoenix
- 2016 • Solo Show at the Olney Gallery at Trinity Cathedral

Murals

- 2010 • El Jimador Barrio Cafe
- 2011 • The Lot: What Should go Here
- 2011 • Youth At Risk Community Mural – Phoenix
- 2012 • DIY Community Mural - Phoenix
- 2012 • The Great Paint Escape – harper developments, Phoenix
- 2012 • Wallance and Ladmo – First studio, Phoenix
- 2012 • Hispanic Heritage Month Mural – ASU West Phoenix
- 2012 • DES mural – Mesa
- 2012 • Mural at Vovomeena – Phoenix
- 2012 • Phoenix Festival of the Arts Community Mural - Phoenix
- 2013 • Singh Farms Mural – Scottsdale
- 2013 • Global day of discovery Mural –The Renaissance Hotel – Phoenix
- 2013 • Hispanic Heritage Month Mural - ASU West Phoenix
- 2013 • Cigar Mural – Breadfruit / Rum Bar
- 2013 • Phoenix Festival of the Arts Community Mural - Phoenix
- 2013 • Miles Davis Mural - Avondale
- 2013 • Teddy Roosevelt Mural – Marque Apartments
- 2013 • 300 ft long fountain Hills Mural – fountain Hills, AZ
- 2013 • Hispanic Heritage Month Mural – Mesa Community College
- 2013 • Good things grow Mural – South Phoenix
- 2013 • Crockett Elementary school mural – Phoenix
- 2013 • Goodyear pool Mural – Goodyear
- 2013 • Keith Haring tribute mural / Kaboom build day - Phoenix
- 2014 • Holiday Park Elementary school mural - Phoenix
- 2014 • Hispanic Heritage Month Mural – ASU West
- 2014 • Phoenix Festival of the Arts Community Mural – Phoenix
- 2014 • Author M Hamilton Elementary school Mural – Phoenix
- 2014 • Influx cycle 5 Mural - Tempe
- 2015 • DeSoto building mural and signs – Phoenix
- 2015 • Somos Familia - A queer & Mexican/Chicano/Latino community mural – Phoenix
- 2015 • Phoenix Photo District Mural – Phoenix
- 2015 • Fate Brewing company Mural – Phoenix
- 2015 • Mesa Community College Mural– Mesa

Preliminary mural design







D&CS-Planning & Zoning
12145 NW Grand Avenue, El Mirage 85335
623-876-2996; Fax 623-876-4605; TDD 623-933-3258
www.cityofelmirage.org

Please Process

GL Acct. #: 10-340-100 (Planning and Zoning)
Description: Conditional Use Permit
Application – Dysart Community Center

Fee: \$1450.00

DYSART COMMUNITY CENTER
P O BOX 716
EL MIRAGE, AZ 85335-0716
PH. 623-583-0016

WELLS FARGO BANK, N.A.
www.wellsfargo.com
91-527/1221

5247

2/17/2016

PAY TO THE ORDER OF City of El Mirage

\$ **1,450.00

One Thousand Four Hundred Fifty and 00/100*****

DOLLARS

City of El Mirage
P.O. Box 52679
Phoenix, AZ 85072-2679

COPY

MEMO
Teen Mural Application

Louisa Williams
MP
AUTHORIZED SIGNATURE

⑈0000005247⑈ ⑆122105278⑆ 2500902008⑈

Security Features Included

Please send me a receipt.

Thank You,

Jose A. Macias
GIS/Development Services Coordinator
Community & Development Services, Planning-GIS



COUNCIL REQUEST REVIEW

July 13, 2016

APPLICANT INFORMATION

Case: PZ16-05-08
Owner: Dysart Community Center
Agent: Michael Cassidy
Request (s): Conditional Use Permit/Site Plan for an Mural

PROPERTY INFORMATION

Parcel(s): APN501-31-021B
Address: 14414 N El Mirage Rd
Property History: Current Zoning: MU (9/22/2011)
Land Area: Total lot area: 39,814 sq. Ft. (0.91 acres)
Building Area: Existing building:

ZONING / LAND USES

Existing Zoning: MU Mixed Urban
Proposed Zoning: MU Mixed Urban
Noise Zone: No
Flood Zone: No

SURROUNDING PROPERTY

North: MU Mixed Urban – Single Family Residential
East: MU Mixed Urban – Single Family Residential
South: MU Mixed Urban – Single Family Residential
West: SN Suburban Neighborhood – Single Family Residential

COMMUNITY SERVICES

Water: City of El Mirage
Sewer: City of El Mirage
Electric: APS
Police: City of El Mirage [3.0 miles]
Fire: City of El Mirage [0.5 miles]

ACCESS

Road: El Mirage Road
Class: Major Arterial
Improvements: Paved 4-lane
Condition: Good

SCHOOLS

District: Dysart Unified School District
Elementary: El Mirage Elementary School
High School: Dysart High School

STAFF REPORT

Compliance with General Plan: The General Plan designates this site as part of The Mixed-Use District Planning Area. Where a Mural is compatible with the General Plan. The mural requires a Conditional Use Permit (CUP) approval from City Council.

Considerations: The Dysart Community Center (DCC) and Teen Arts and Action Program (TAAP) are proposing to paint a twelve (12) foot by twenty (20) foot mural celebrating the City of El Mirage rich history and bright future. The mural will be located on the east wall of the classroom portion of the complex. The proposed mural will be completed in collaboration with West Valley Arts Council and professional muralist, Hugo Medina.

Public Hearing Notices have been mailed out and published in a local newspaper as required by State Statute. The Planning staff has received no public comments regarding this application.

The Planning and Zoning Commission held a public hearing on June 14, 2016, where they recommend approval of the Conditional Use Permit with a 3-0 vote.

Recommendations: City staff does not object to the application and recommends approval.

Stipulations: None

Attachment June 14, 2016 Minutes

**CITY OF EL MIRAGE
PLANNING AND ZONING COMMISSION
MEETING MINUTES
JUNE 14, 2016**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Planning and Zoning Commission Vice-Chairman Monica Dorsey called the meeting to order at 6:00 p.m. & led the Pledge of Allegiance.

II. ROLL CALL

Members present were Commission Chairperson Frank Carnal, Commission Members Martin Crosby and Robyn Freberg, Vice-Chairperson Monica Dorsey and Commission Member Justin McCarty were both excused. City staff present, Jorge Gastelum, Director of Development & Community Services/City Engineer, Jose A. Macias, Development Services Coordinator/GIS and Tom Doyle, Economic Development Specialist.

III. APPROVAL OF THE MINUTES OF MAY 12, 2016

There being no quorum for voting on the May 12, 2016 meeting minutes, Commission Chairperson Carnal tabled the item for the next Planning and Zoning Meeting.

IV. OLD BUSINESS

None

V. NEW BUSINESS/PUBLIC HEARING ITEM

1. Public hearing, discussion, & recommendation for a Conditional Use Permit for a Mural at the Dysart Community Center, 14414 N. El Mirage Road El Mirage, Arizona, 85335.

Chairperson Carnal opened the public hearing; Macias presented the report to the Commission Members and audience. Carnal asked Mike Cassidy to speak regarding the project. Mike Cassidy, Dysart Community Center, Executive Director, provided a background on the proposed project and other programming at the Community Center. Cassidy explained concept of the art work, and participated in the planning process. Cassidy explained the funding efforts and spoke about the artist who will be assisting with the mural. Carnal asked when the project will start once approved by Council, Cassidy stated they would like to start as soon as possible and it will only take two (2) weeks. Carnal asked if the teens raised the funds by themselves, Cassidy stated they raised the funds as group effort between the community center and other center partners hosting car washes, basketball tournaments and bake sales. Martin asked if the colors were going to match the colors in the application submittal, Cassidy stated yes, that they were going to match the colors as best they can to look just like to proposal. Freberg made some suggestions to make the mural more accurate with the farming tools, Cassidy thanked Freberg for the advice and he would look into it. Carnal asked for comments from the public, there being none, Carnal closed the public hearing and asked for a discussion and motion. Martin made the motion to approve the conditional

Use Permit for the mural, seconded by Freberg, motion passed with a 3-0 vote.

VI. DISCUSSION ITEM

None

VII. STAFF REPORT

Gastelum reported on the following items; 1) the Planning and Zoning item from the May Planning and Zoning meeting where approved by the Council at the June 7, 2016 City Council meeting. The items were Pro-Petroleum, El Mirage Business Center and Storage and the Burger King site plan.

VIII. COMMISSIONER COMMENTS

No comments.

IX. ADJOURNMENT

Planning and Zoning Commission Chairperson Frank Carnal adjourned the commission meeting at 6:18 p.m.

Jose A. Macias, DSC/GIS

Frank Carnal, Chairperson

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: <u>07/01/2016</u>	TYPE OF ACTION:	SUBJECT: Consideration and action to authorize the City Manager to enter into a construction contract with RK Sanders, Inc. to construct three (3) new sanitary sewer stubs along El Mirage Road between Olive Avenue and Mountain View Road in an amount of \$54,075 including contingency.
DATE ACTION REQUESTED: <u>07/13/2016</u>	___ RESOLUTION # _____ ___ ORDINANCE # _____ <u>X</u> OTHER: Contract	
<u>X</u> REGULAR ___ CONSENT		

TO: Mayor and Council
FROM: Jorge Gastelum, P.E., Director of Development and Community Services/City Engineer 
RECOMMENDATION: Approval to authorize the City Manager to enter into a construction contract with RK Sanders, Inc. to construct three (3) new sanitary sewer stubs along El Mirage Road between Olive Avenue and Mountain View Road in an amount of \$54,075 including contingency.
PROPOSED MOTION: I move we approve entering into a contract with RK Sanders, Inc. as recommended.
ATTACHMENTS: RK Sanders, Inc. Offer and Bid Tabulation, Addendum #1, (Plans and City Specifications for this project are on file in the City Clerk's office for review)

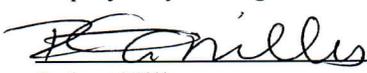
DISCUSSION: This project will install one 12-inch and two 8-inch sanitary sewer stubs along El Mirage Road to provide sewer service for future development within the John F. Long property. Four bids were received and RK Sanders, Inc. is the lowest responsible bidder for the project. The amount requested will allocate \$49,075 for construction and \$5,000 in contingency.

FISCAL IMPACT: \$54,075

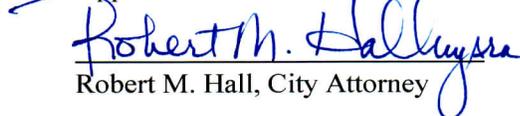
DEPARTMENT LINE ITEM ACCOUNT: 54-408-674

BALANCE IN LINE ITEM IF APPROVED: \$850,925

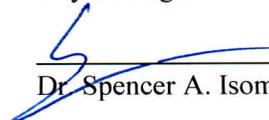
Deputy City Manager/Finance Director:


 Robert Nilles
7/11/16
 Date

Approved as to form:


 Robert M. Hall, City Attorney
7/11/16
 Date

City Manager:


 Dr. Spencer A. Isom
7/11/16
 Date

EL MIRAGE RD SANITARY SEWER STUB INSTALLATION

Project Number EM16-WW01

Bid Opening: Thursday, July 7, 2016 - 1:00AM

VENDOR	TOTAL BID	RANK
RK SANDERS	\$53,275.00	1
AXIOM	\$74,392.00	2
TEAM FISHEL	\$77,393.00	3
TIFFANY CONSTRUCTION	\$204,263.00	4



Sharon Antes, City Clerk

 7/7/2016

Cadle Collins, Purchasing Admin.



City of El Mirage, Arizona



Notice of Invitation to Bid

Invitation to Bid No: **EM16-WW01** Bid Due Date: **July 7, 2016**
 Materials and/or Services: **El Mirage Road Sanitary Sewer Stub Installation** Time: **1:00 p.m., Arizona time**
 Bid Location: **City Hall** Contact: **Cadle Collins**
12145 NW. Grand Ave Email: ccollins@cityofelmirage.org
El Mirage, Arizona 85335

In accordance with City of El Mirage Procurement Code competitive sealed bids for the material or services specified will be received by the City of El Mirage DCS - Engineering at the specified location until the date and time cited above. Bids received by the correct date and time shall be publicly opened and the bid price read. Bids shall be in the actual possession of the City of El Mirage DCS - Engineering on or prior to the exact date and time indicated above. Late bids will not be considered, except as provided in the City of El Mirage Procurement Code. *Bids shall be submitted in a sealed envelope with the Invitation to Bid number and the bidder's name and address clearly indicated on the front of the envelope.* All bids shall be completed in ink or typewritten. Bidders are strongly encouraged to carefully read the *entire* Invitation to Bid Package.

OFFER

To the City of El Mirage:

The undersigned hereby offers and agrees to furnish materials and/or services in compliance with all terms, conditions, specifications and amendments in the Notice of Invitation to Bid except for any written exceptions in the offer. The signature below also certifies his or her understanding and compliance with paragraph one of The City of El Mirage Standard Terms and Conditions.

Arizona Transaction (Sales) Privilege Tax License Number: 2025573

For clarification of this offer contact:
Name: BOB SANDERSON

Federal Employer Identification Number: 26 0596452

Telephone: 602 316 8700

RK SANDERSON INC
Company Name

Robert K Sanderson
Authorized Signature for Offer

PO Box 6686
Address

Robert K SANDERSON
Printed Name

Pe AZ 85005
City State Zip Code

Pres
Title

ACCEPTANCE OF OFFER AND CONTRACT AWARD (For City of El Mirage Use Only)

Your offer is hereby accepted. The Contractor is now bound to sell the materials and/or services listed by the attached award notice based upon the solicitation, including all terms conditions, specifications, amendments, etc., and the Contractor's offer as accepted by the City. The Contractor is hereby cautioned not to commence any billable work or provide any material, service or construction under this contract until Contractor receives an executed *Purchase Order*.

Attested by:

Sharon Antes, City Clerk

City of El Mirage, Arizona. Eff. Date: _____

Approved as to form:

Robert Hall, City Attorney

Awarded on _____

Dr. Spencer A. Isom, City Manager

City Seal



QUESTIONNAIRE

DCS – Engineering

12145 NW Grand Avenue
El Mirage, AZ 85335

Solicitation Number: EM16-WW01

Phone: (623) 876-2956
Fax: (623) 972-8110

Please list a minimum of three (3) references whom the DCS – Engineering Department may contact:

1. Company: See Attached
Contact: _____
Address: _____
Phone: _____

2. Company: _____
Contact: _____
Address: _____
Phone: _____

3. Company: _____
Contact: _____
Address: _____
Phone: _____



P. O. Box 6686 • Phoenix, AZ 85005-6686
 3028 W. Lincoln Street • Phoenix, AZ 85009
 (602) 233-0808 Phone • (602) 233-0807 Fax
 General Engineering A- ROC242681 • Commercial Building B-01 ROC242682

Project References

WIP

Public Owner City of Casa Grande
Project Name Peters Road Water Main
Project Location Casa Grande
Contract Price \$ 628,929.00
Project Started 2/23/2015 **Completed** 5/10/2015
Owner's Representative Bill Collings **Rep's Phone** 602-271-9911
Scope of Project 27" Watermain, Mass excavation Deep dig 24', asphalt
Percent Complete 100%

Public Owner Lake Havasu City
Project Name Water Mains Replacement
Project Location Lake Havasu City
Contract Price \$ 1,002,582.00
Project Started 6/30/2014 **Completed** 11/14/2014
Owner's Representative Richard Wells **Rep's Phone** 928.855.0336
Scope of Project 12,000 LF Watermain, 86,000sf driveways, 2300sy asphalt
Percent Complete 100%

Public Owner Town of Buckeye
Project Name CDBG Waterline Improvement
Project Location Buckeye, AZ
Contract Price \$ 828,122.00
Project Started 11/4/2013 **Completed** 198 Days
Owner's Representative Chris Williams **Rep's Phone** 623-349-6225
Scope of Project 6,8,12" Waterline installation including, concrete, asphalt repairs
Percent Complete 100%



QUESTIONNAIRE

DCS – Engineering

12145 NW Grand Avenue
El Mirage, AZ 85335

Solicitation Number: EM16-WW01

Phone: (623) 876-2956
Fax: (623) 972-8110



Attach a copy of your Contractor's License to your bid submittal.

IMPORTANT NOTICE

YOU MUST:

- 1.) REPORT DISSOCIATION OF QUALIFYING PARTY **IN WRITING** WITHIN 15 DAYS. [SEE A.R.S. § 32-1154(A)(18)]
- 2.) REPORT A CHANGE OF ADDRESS **IN WRITING** WITHIN 30 DAYS. [SEE A.R.S. § 32-1122(B)(1)]
- 3.) REPORT ANY TRANSFER OF OWNERSHIP OF 50% OR MORE IMMEDIATELY [SEE A.R.S. § 32-1151.01]
- 4.) REPORT ANY CHANGE IN LEGAL ENTITY, SUCH AS ANY CHANGE OF THE OWNERSHIP IN A SOLE PROPRIETORSHIP OR CHANGE OF A PARTNER IN A PARTNERSHIP OR THE CREATION OF A NEW CORPORATE ENTITY. [SEE A.R.S. § 32-1124(B)(F) § RULE R-4-9-110]

R K Sanders Inc

PO Box 6686
Phoenix, AZ 85005-6686

THIS IS YOUR IDENTIFICATION CARD
DO NOT DESTROY



LICENSE EFFECTIVE THROUGH: 03/31/2018
STATE OF ARIZONA
Registrar of Contractors CERTIFIES THAT



R K Sanders Inc

CONTRACTORS LICENSE NO. 242681 CLASS A

General Engineering

THIS CARD MUST BE
PRESENTED UPON DEMAND

JEFF FLEETHAM, DIRECTOR

IMPORTANT NOTICE

YOU MUST:

- 1.) REPORT DISSOCIATION OF QUALIFYING PARTY **IN WRITING** WITHIN 15 DAYS. [SEE A.R.S. § 32-1154(A)(18)]
- 2.) REPORT A CHANGE OF ADDRESS **IN WRITING** WITHIN 30 DAYS. [SEE A.R.S. § 32-1122(B)(1)]
- 3.) REPORT ANY TRANSFER OF OWNERSHIP OF 50% OR MORE IMMEDIATELY [SEE A.R.S. § 32-1151.01]
- 4.) REPORT ANY CHANGE IN LEGAL ENTITY, SUCH AS ANY CHANGE OF THE OWNERSHIP IN A SOLE PROPRIETORSHIP OR CHANGE OF A PARTNER IN A PARTNERSHIP OR THE CREATION OF A NEW CORPORATE ENTITY. [SEE A.R.S. § 32-1124(B)(F) § RULE R-4-9-110]

R K Sanders Inc

PO Box 6686
Phoenix, AZ 85005-6686

THIS IS YOUR IDENTIFICATION CARD
DO NOT DESTROY



LICENSE EFFECTIVE THROUGH: 03/31/2018
STATE OF ARIZONA
Registrar of Contractors CERTIFIES THAT



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BID SCHEDULE

City of El Mirage

**El Mirage Road Sanitary Sewer Stub Installation
(Project No. EM16-WW01)**

Pursuant to request for bids to be opened on the July 7, 2016 at 1:00 p.m., Arizona Time, at the City of El Mirage City Hall 12145 NW Grand Avenue, El Mirage, AZ, for the above project, the Contractor proposes to complete work, including furnishing all labor and materials, per the Specifications and Plans at the Following prices.

This Schedule of Items and Prices shall be completed in ink or typed by the Bidding Contractor. In case of discrepancy between the unit cost and extended amount, the unit cost shall control and a new extended amount shall be determined. Corrections to the unit price or extended amount made prior to submitting the bid are acceptable provided the amount to be replaced is struck through and the replacement value clearly written and initialed; except that Allowance Items shall not be adjusted.

Prices must be entered for each item and the appropriate subtotal and total blank shall be filled out.

Bidder agrees to perform all the necessary work to complete the **El Mirage Road Sanitary Sewer Stub Installation (Project No. EM16-WW01)**.

Bid Schedule of unit price(s) for items of work are included on the following pages. The unit prices shall include the cost of insurance, bonds, permits, taxes, and other necessary fees to perform this work.



BID BOND

DCS - Engineering
12145 NW Grand Avenue
El Mirage, AZ 85335

Solicitation Number: EM16-WW01

Phone: (623) 876-2956
Fax: (623) 972-8110

KNOW ALL PERSONS BY THESE PRESENTS:

THAT, R. K. Sanders, Inc.
(hereinafter called Principal), as Principal, and Western National Mutual Insurance Company
Minnesota, a corporation organized and existing under the laws of the State of
Minneapolis, MN with its principal office in the City of
(hereinafter called the Surety), as Surety, are held and firmly
bound unto the City of El Mirage, (hereinafter called the Obligee) in the penal sum of Ten Percent (10%) of Bid Amount,
Ten Percent of Bid (Dollars) (\$ **10% of bid**) lawful money of the United States of America, to be paid
to the order of the City of El Mirage, for the payment whereof, the said Principal and Surety bind themselves, and their heirs,
administrators, executors, successors and assigns, jointly and severally, firmly by these presents and in conformance with A.R.S.
Section 34-201.

WHEREAS, the Principal has submitted a bid/proposal for:

El Mirage Road Sanitary Sewer Stub Installation

NOW THEREFORE, if the Obligee shall accept the proposal of the Principal and the Principal shall enter into a contract
with the Obligee in accordance with the terms of the proposal and give the Bonds and Certificates of Insurance as specified in the
Standard Specifications with good and sufficient surety for the faithful performance of the contract and for the prompt payment
of labor and materials furnished in the prosecution of the contract, or in the event of the failure of the Principal to enter into the
contract and give the Bonds and Certificates of Insurance, if the Principal pays to the Obligee the difference not to exceed the
penalty of the Bond, between the amount specified in the bid/proposal and such larger amount for which the Obligee may in
good faith contract with another party to perform the work covered by the bid/proposal, then this obligation is void. Otherwise it
remains in full force and effect provided, however, that this Bond is executed pursuant to the provisions of Section 34-201,
Arizona Revised Statutes, and all liabilities on this Bond shall be determined in accordance with the provisions of the section to
the extent as if it were copied at length herein.

The prevailing party in a suit on this bond shall recover as part of his judgment such reasonable attorneys' fees as may be
fixed by a judge of the Court.

Witness our hands this 7th day of July 2016

R. K. Sanders, Inc.

Principal Seal

BY:

Western National Mutual Insurance Company

Surety Seal

BY:

Gregory P. Griffith, Attorney-in-Fact
Constructors Bonding, Inc. of Nevada

Agency of Record

P. O. Box 36797, Las Vegas, NV 89133-6797



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Western National Mutual Insurance Company, a Minnesota mutual insurance company, does make, constitute and appoint: Crysta J. Powell; Gregory P. Griffith (Constructors Bonding Inc. of Nevada #009260)

Its true and lawful Attorney(s)-in-Fact, with full power and authority for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto (if a seal is required) bond, undertakings recognizances or other written obligations in the nature thereof, **(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, hazardous waste remediation bonds or black lung bonds)**, as follows:

All written instruments in an amount not to exceed an aggregate of Seven Million Five Hundred Thousand and 00/100 (\$7,500,000) for any single obligation, regardless of the number of instruments issued for the obligation.

and to bind Western National Mutual Insurance Company thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a meeting held on September 28, 2010. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of Western National Mutual Insurance Company on September 28, 2010:

RESOLVED that the president, any vice president, or assistant vice president in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the Company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, Western National Mutual Insurance Company has caused these presents to be signed by its proper officer and its corporate seal to be affixed this 16th day of December, 2015.

Jon R. Hebeisen

Jon R. Hebeisen, Secretary

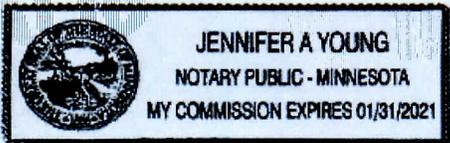


Larry A. Byers

Larry A. Byers, Sr. Vice President

STATE OF MINNESOTA, COUNTY OF DAKOTA

On this 16th day of December, 2015, personally came before me, Jon R. Hebeisen and Larry A. Byers and to me known to be the individuals and officers of the Western National Mutual Insurance Company who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally dispose and say; that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Jennifer A. Young

Jennifer A. Young, Notary Public
My commission expires January 31, 2021

CERTIFICATE

I, the undersigned, assistant secretary of the Western National Mutual Insurance Company, a Minnesota corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

Jennifer A. Young

Signed and sealed at the City of Edina, MN this 7th day of July, 2016

Jennifer A. Young, Assistant Secretary





BID SCHEDULE
EL MIRAGE ROAD SANITARY SEWER STUB
INSTALLATION

Solicitation Number: EM16-WW01

DCS - Engineering Department
 12145 NW Grand Avenue
 El Mirage, AZ 85335
 Phone: (623) 876-2974
 Fax: (623) 933-8418

Due: July 7, 2016
 1:00 PM, Arizona Time
 El Mirage Road Sanitary
 EM16-WW01

ITEM No.	DESCRIPTION	UNIT	QUANTITY	UNIT COST IN WRITING	UNIT COST IN FIGURES	TOTAL
1	105.01 CONS	LS	1		3500	3500
2	107.01 COMM	ALLOW	1	Two Thousand Dollars	\$2,000.00	\$2,000.00
3	109.01 MOBILI 2" AC F	LS	1		6,000	6,000
4	336.01 PLAN S EXISTII	SY	70		85	5950
5	336.02 PLAN S	SY	135		15	2025
6	350.01 SAWC PAVEM	SY	70		40	2800
7	350.02 REMOV AREA	SY	135		25	3375
8	350.03 REMOV TO EXI	EA	2		1500	3000
9	350.04 CORE E NEW/M	EA	1		1500	1500
10	401.01 TRAFFI CONCR	LS	1		4500	4500
11	610.01 1.404-2	LF	22		100	2200
12	615.01 8" PVC	LF	165		65	10,725
13	615.02 12" PVC	LF	60		70	4200
14	615.03 PLUG S	EA	3		500	1500
Contractor's Name: <i>RK SANDERS INC</i>						
TOTAL BASE BID						\$ 53,275



CITY OF EL MIRAGE

ADDENDUM 1
El Mirage Road Sanitary Sewer Stub Installation
EM16-WW01

**DCS – Engineering
Procurement**

12145 N.W. Grand Ave.
El Mirage, Arizona 85335
Telephone: (623) 933-8318
Fax: (623) 933-8418

EM16-WW01

Solicitation Description: El Mirage Road Sanitary Sewer Stub Installation
City Project No. EM16-WW01

Issue Date: July 8, 2016

Addendum No. 1 includes the following revisions to the Bid Schedule:

1. Bid Schedule, Item 107.01, Line 2, shall be stricken from the bid schedule:

Item Description - *Community Relations Support*

2. Bid Schedule, Item 610.01, Line 11, shall be stricken from the bid schedule:

Item Description – *Concrete Encase Sewer Main Per MAG STD. DET. 404-1, 404-2, & 404-3*

3. Bid Schedule, **Total Base Bid**, Shall be amended to include the previous removed Items from the bid schedule, the amended **Total Base Bid** shall be:

\$49,075.00

RK Sanders, INC. acknowledges receipt of Addendum No. 1:

Authorized Signature: *Robert K Sanders* Date: *7/11/16*
Printed Name: *Robert K Sanders* Authorized Offer Title: *Pres*

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: <u>07/06/2016</u>	TYPE OF ACTION: ___ RESOLUTION # _____ ___ ORDINANCE # _____ <u>X</u> OTHER: Special Committee	SUBJECT: Consideration and action authorizing a special committee for the purpose of working with staff to review the Dysart Ranchettes irrigation system. (Administration)
DATE ACTION REQUESTED: <u>07/13/2016</u>		
<u>X</u> REGULAR ___ CONSENT		

TO: Mayor and Council
FROM: Dr. Spencer A. Isom, City Manager
RECOMMENDATION: Create a special committee to work with staff to review the Dysart Ranchettes irrigation system.
PROPOSED MOTION: I move to create a special committee for the purpose presented.
ATTACHMENTS: N/A

DISCUSSION: The Dysart Ranchettes irrigation system is a series of aging structures with related issues. A resident has made an inquiry and staff is preparing to research the matter. Staff would appreciate the establishment of a special committee to have the benefit of their perspectives.

FISCAL IMPACT: N/A

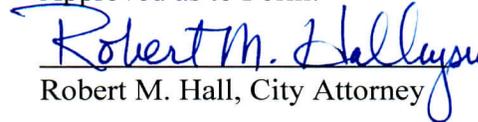
DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

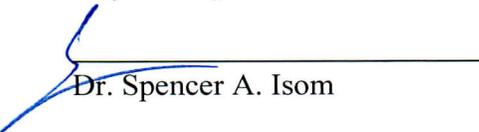
Deputy City Manager/Finance Director:

 7/11/16
 Robert Nilles Date

Approved as to Form:

 7/11/16
 Robert M. Hall, City Attorney Date

City Manager:

 7/15/16
 Dr. Spencer A. Isom Date