

**SPECIAL 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, MAY 21, 2013**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilor Roy Delgado, Councilor David Shapera Councilor Jim McPhetres, Councilor Jack Palladino, Councilor Lynn Selby.

II. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:00 p.m. The Council led the public in the Pledge of Allegiance and a Moment of Silence.

III. SPECIAL MEETING AGENDA

- A. Public Hearing to discuss and consider an FY 2013-14 Primary Property Tax Levy of \$1,654,937 plus a Secondary Property Tax Levy of \$1,960,000; combined with a Public Hearing to discuss adoption of the Final Budget for FY 2013-14.

Finance Director Robert Nilles gave a short overview presentation on highlights of the proposed final FY 2013-14 budget. There were no public comments.

- B. Consideration and action adopting Resolution R13-05-15 adopting the spending limitation and budget of the City of El Mirage for the fiscal year 2013-14.

City Manager Dr. Spencer Isom gave a summary of the budget process and final proposed budget; he also recognized Finance Director Robert Nilles and Accounting Manager Christy Eusebio for their dedicated efforts in preparing this year's budget.

Vice Mayor Ramirez moved to approve Resolution R13-05-15 adopting the spending limitation and budget of the City of El Mirage for the fiscal year 2013-14; seconded by Councilor Shapera. Motion carries unanimously.

VI. ADJOURNMENT

Mayor Mook adjourned the Special Meeting of the City Council at 6:08 PM. Regular meeting of the City Council immediately followed.

**REGULAR MEETING OF THE COMMON COUNCIL
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Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilor Roy Delgado, Councilor David Shapera Councilor Jim McPhetres, Councilor Jack Palladino, Councilor Lynn Selby.

II. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:08 p.m.

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 (3) direct that the matter be put on a future agenda.

Resident Dan Reilly advised the Council of a Sunland Memorial Service being held in Marley Park in Surprise on Monday, May 27, 2013 to honor all veterans.

Resident Laurie Carnal reported that the Friends of the Library began with very few members several years ago which has steadily grown over recent years. Their goal is to fund the summer library reading program; last year they donated \$800 and for 2013 they are donating \$1000 for the program showing steady progress. Mayor Mook stated the City is very proud of the efforts of the Friends of the Library.

Resident Beth Simek spoke on behalf of the Surprise Elementary PTA Council regarding their January, 2013 5K fund-raising event. In 2012 there were 137 participants and in 2013, even in the rain, there were 387 participants. She thanked the El Mirage Police Department for their assistance in keeping all safe during the rainy 5K in January and presented the department with a check for \$500 toward the purchase of a bullet-proof vest for Police Dog "DAX"; she also noted that she personally was contributing an additional \$250 toward the vest and stated that Dax was more than a police dog, he is "our Police dog." Mayor Mook asked and was advised that the total cost of the vest was \$1000 and she stated she would donate the remaining \$250 to purchase Dax's vest.

Assistant Police Chief Terry McDonald thanked Beth and the Mayor for their support of the department and contribution toward purchasing the bullet-proof vest.

Resident Amy Heusted reminded everyone to sign up for the upcoming Cancer Relay for Life event to be held at Gateway Park September 21, 2013. To date, two Council members and Dr. Isom have formed teams and she encouraged all Council members as well as Friends of the Library to accept team packages and become active.

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, May 7, 2013. (City Clerk)
2. Consideration and action to approve Council Resolution R13-05-17 allowing the City to submit grant applications to the Gila River Indian Community (Sacaton, Arizona) under the Tribe's 12% Shared Revenue Grant Program, for further development of the children's section of the El Mirage Community Garden and a heart monitor for the City of El Mirage Fire Department. (Administration)
3. Consideration and action to adopt a notice of intention to increase water fees, publishing the notice pursuant to A.R.S. Section 9-511.01 and setting a public hearing on the proposed rate increase for June 20, 2013 or a date thereafter. (Finance)
4. Consideration and possible action by the Mayor and Council of the City of El Mirage, Arizona regarding the adoption of revised financial management policies. (Finance)

Vice Mayor Ramirez moved to approve the consent agenda items as presented; seconded by Councilor Delgado. Motion carries unanimously.

V. REGULAR AGENDA

- A. Public Hearing to discuss Resolution R13-05-18 setting miscellaneous fees and services.

There were no comments from the public.

- B. Consideration and action to approve Resolution R13-05-18 setting miscellaneous fees and service charges.

Councilor McPhetres asked to clarify that the water fees were meant to be increased this year and not increased for the next five years. Councilor Selby added that his understanding was correct barring any unforeseen emergency.

Vice Mayor Ramirez moved to approve the Resolution R13-05-18 setting miscellaneous fees and services; seconded by Councilor Palladino. Motion carries unanimously.

- C. Consideration and action to approve Resolution R13-05-19 amending the Council Code of Ethics relative to a dollar amount of gift disclosure by Council Members.

Mayor Mook explained the background and basis for establishing a gift disclosure limit. There is no limit in the current Code of Ethics and a \$50 limit for personal gifts is consistent with other cities in the area. A disclosure over \$50 is believed to be prudent for Council transparency.

Vice Mayor Ramirez moved to adopt Resolution R13-05-19 to amend the Council Code of Ethics to include a \$50.00 limit relative to gift disclosure requirements for Council Members; seconded by Councilor Selby. Motion carries unanimously.

- D. Consideration and action to award a contract for the reconstruction of Cactus Road to Standard Construction Company, Inc. in an amount not to exceed \$113,003.84 and authorizing a transfer in the amount of \$13,100.00 from Council Contingency.

Public Works Director Larry Dobrosky gave a PowerPoint presentation regarding the bid process and area to be reconstructed along Cactus Road just west of El Mirage Road.

Councilor Shaper asked when the project was expected to be completed and was advised by Larry that the bid requirement was June 30, 2013. Councilor Delgado indicated the reconstruction seemed a “band aid” approach and why not raise the road level at this time. City Manager Isom clarified that this area is identified as a low water crossing and that raising would be a multi-million dollar improvement. Council did not identify raising this road as a goal and funds are not available at this time. Mayor Mook stated, and Vice Mayor confirmed that raising this area would cost approximately \$2-3 million. Councilor McPhetres stated it may be a band aid approach but it was a good band aid for now. Councilor Selby asked and was assured by PW Director Dobrosky that the project was up to City standards and light posts would not be moved. PW Director Dobrosky also clarified for Vice Mayor Ramirez that there would be curb and gutter only on one side which would not impeded the flow of water over the low water crossing area.

Vice Mayor Ramirez moved to award a contract for reconstruction of Cactus Road to Standard Construction Company, Inc. as presented; seconded by Councilor Shaper. Motion carries unanimously.

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

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

City Manager Dr. Isom called on Human Resources Director Sandra King to report on an update for the Judicial Selection Committee. HR Director King reported that the Judicial Selection Advisory and Review Board, as established by Chapter 33 of the City Code, is comprised of seven voting members - the Presiding Judge of the Superior Court of Maricopa County (or his or her designee), a member of the Maricopa County Bar Association, a Presiding Judge of a West

Valley Municipal Court, the City of El Mirage Human Resources Director, and three public members who are residents of the City of El Mirage. At the March 5th Council Meeting, the three public members were appointed by the City Council for three-year terms beginning March 8, 2013 through March 7, 2016. At that time, staff informed Council that the replacements for the judicial vacancies would be confirmed at a later date. She reported that the final replacements were confirmed as follows: The Honorable Michael Gordon is the designee for the Presiding Judge of the Superior Court of Maricopa County; Fredda J. Bisman is the member of the Maricopa County Bar Association; and the Honorable Richard T. Lynch is the Presiding Judge of the Avondale City Court.

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

Councilor Selby advised that the Council Revitalization Committee had recently partnered with a volunteer group and that plans would be made over the summer to begin home revitalizations in the fall. He also informed Council that this committee had received paint from Habitat for Humanity toward this work.

Councilor Palladino reminded all that the ribbon cutting for the Community Garden would be held on Friday, May 24, 2013 at 10:00 a.m.

Vice Mayor Ramirez spoke as an El Mirage resident encouraging as many as possible to participate in the upcoming Cancer Relay for Life event to be held at Gateway Park on September 21, 2013.

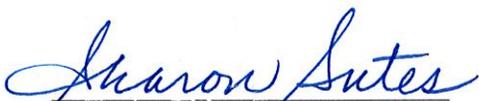
VIII. ADJOURNMENT

Mayor Mook adjourned the meeting at 6:49 p.m.



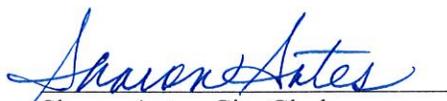
Lana Mook, Mayor

ATTEST:



Sharon Antes, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held May 21, 2013 and a quorum was present.



Sharon Antes, City Clerk