

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE MUNICIPAL COURT
14010 N. EL MIRAGE ROAD
6:00 P.M., THURSDAY, APRIL 26, 2007**

Minutes

- I. **CALL TO ORDER** – The meeting was called to order by Mayor Fred Waterman at 6:00 p.m. Council led the public in the Pledge of Allegiance and a Moment of Silence.
- II. **ROLL CALL** – Present were: Mayor Fred Waterman, Councilor Xavier Bedolla, Councilor Roy Delgado, Councilor Roger Cleveland, Councilor Adam Super, Councilor Bill Conner (via phone). Excused: Vice Mayor Michele Kern.

Present were: City Manager B.J. Cornwall, Attorney Fredda Bisman, City Engineer Chris Young, Police Chief Ken Holmes, Fire Chief Scott Alvord, Finance Director Larry Price, Community Development Director George Flores, Human Resources Director Toni Brown, Technology Services Director Pat Timlin, Public Works Director Lance Calvert, City Clerk Edith Hoover.

III. **CONSENT AGENDA**

1. **Consideration and action to approve the regular Council Minutes of April 12, 2007.**
2. **Consideration and action regarding the destruction of records that have surpassed their retention period as determined by the Arizona State Department of Records Management.**
3. **Consideration and action proclaiming the first full week of May as Elks National Youth Week, to honor America's Junior Citizens for their accomplishments and to give fitting recognition of their services to the community, State and Nation.**
4. **Consideration and action regarding a contract amendment for the extension of time for employment of Judge Michael Lester.**

Councilor Super made a motion to approve the Consent Agenda items; seconded by Councilor Bedolla.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Super, Waterman
Nay:
Absent: Kern
Motion: Carried

IV. MAYOR'S COMMENTS

Mayor Fred Waterman said that he enjoys working with the Elks and that he is happy to proclaim the first full week of May as "Elks National Youth Week".

The Mayor stated that he is looking forward to discussing road projects that need to get done in the City.

V. REGULAR AGENDA

A. Consideration and action regarding giving the City Manager signature authority to enter into a contract with the BNSF for a not to exceed amount of \$250,000 (including a 10% contingency).

Councilor Super asked if the contingency amount is incorporated in the price of \$250,000. City Engineer Chris Young stated that it is.

Councilor Delgado made a motion to approve Regular Agenda item A; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Super, Waterman
Nay:
Absent: Kern
Motion: Carried

B. Consideration and action regarding Mayor and Council approval of entering into a contract with the United States Government, and the CAWCD to provide a yearly allocation from CAP for 508 acre-feet of water and approving Resolution R07-04-06 approving this subcontract and authorizing the execution of this subcontract by the Council.

City Engineer Chris Young said that the contract will provide 508 acre-feet of water per year, for the next 100 years for a one-time cost of \$337,000.

Councilor Delgado made a motion to approve Regular Agenda item B; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Super, Waterman
Nay:
Absent: Kern
Motion: Carried

- C. Consideration and action regarding giving the City Manager signature authority to enter into a contract for the second phase of improvements at the intersection of Dysart and Thunderbird, project #PW07-TS02, for a not to exceed amount of \$425,000 (this includes a 10% contingency).**

City Engineer Chris Young said that there were two bidders for the project and that Banicki Construction submitted the lowest bid at \$303,000.

This project has a completion date of July 1, 2007 in order to meet the traffic demands once the new Wal-mart opens.

Councilor Delgado made a motion to approve Regular Agenda item C with the stipulation that a report of the progress and actual costs be submitted to Council at a later date; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Super, Waterman
Nay:
Absent: Kern
Motion: Carried

- D. Consideration and action regarding awarding the contract for City project PW07-ST03 to J. Banicki Construction, Inc. in the amount of \$692,725.89 and approving a 10% contingency in the amount of \$69,273.00 for a total amount requested of \$761,998.89.**

City Engineer Chris Young exclaimed that this project is basically three small projects in one. It includes roadway milling, paving, striping and related work on Dysart Rd. from Peoria Ave. to Laurel Ln. (northbound lane), the intersection of El Mirage Rd. and Thunderbird Rd. and Santa Fe Ln. from El Mirage Rd. to Grand Ave.

Councilor Super made a motion to approve Regular Agenda item D; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Super, Waterman
Nay:
Absent: Kern
Motion: Carried

- E. Consideration and action regarding approval of Resolution R07-04-07, authorizing the submittal of a funding application in the amount of \$162,090 to the Maricopa County Division of Human Services for Fiscal Year 2007-2008.**

City Manager BJ Cornwall said that the City is submitting a funding application to Maricopa County Division of Human Services in the amount of \$162,090 because this amount reflects the true cost to the City to run the CAP program.

Margarita Leyvas from the Maricopa County Division of Human Services said that the original amount negotiated in January and February for the CAP program was for a total amount of \$111,245.

Margarita Leyvas said that she does not believe that the County will be able to pick up the difference of \$50,845 because funds have already been allocated and that there is not much time before July 1, 2007 to submit these new amounts to the Board and have a contract in place before the FY 2007-2008.

Mayor Fred Waterman made a motion to approve the submittal of a funding application in the amount of \$162,090 to the Maricopa County Division of Human Services for Fiscal Year 2007-2008; seconded by Councilor Bedolla.

VOTE: Yea: Bedolla, Cleveland, Conner, Super, Waterman
Nay: Delgado
Absent: Kern
Motion: Carried

VI. COUNCIL SUMMARY OF CURRENT EVENTS

The Council had no comments.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall said that there will be an upcoming Wal-mart job fair during a week day and a weekend to ensure El Mirage residents have a chance to apply at Wal-mart.

City Manager BJ Cornwall exclaimed that he met with Post-Master Ken Kirkland and discussed issues that need to be fixed at the post office.

Regarding the Las Brisas school site, attorneys are currently reviewing information.

The El Mirage Police Department had 20 new recruits show up for testing. The results should be available soon.

City Manager BJ Cornwall introduced the new City Clerk Richard Saathoff and the new Intergovernmental Affairs Coordinator Pat Dennis.

New site plans have been submitted for the Southwest corner of Cactus and El Mirage Rd. as well as the Southeast corner of Dysart and Cactus.

VIII. CALL TO THE PUBLIC

There were no comments from the public.

IX. EXECUTIVE SESSION

No Executive Session has been requested.

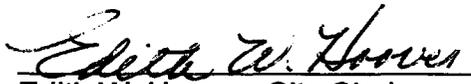
X. ADJOURNMENT

Councilor Super made a motion to adjourn at 6:55 p.m.; seconded by Councilor Delgado.

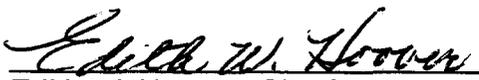
VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Super, Waterman
Nay:
Absent: Kern
Motion: Carried


Fred Waterman, Mayor

ATTEST:


Edith W. Hoover, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held on April 26, 2007 and a quorum was present.


Edith W. Hoover, City Clerk