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, MAY 24, 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, Vice Mayor Michele Kern, Councilor Xavier Bedolla, Councilor Roy Delgado, Councilor Roger Cleveland, Councilor Bill Conner (via phone), Councilor Adam Super.

Present were: City Manager B.J. Cornwall, Attorney Cliff Mattice, Police Chief Ken Holmes, 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 Richard Saathoff. Excused: Fire Chief Scott Alvord

III. **CONSENT AGENDA**

1. **Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, May 10, 2007.**

2. **Consideration and action regarding Ordinance No. O07-05-02, amending Chapter 3 "Administration", Section 3-4-4 "Expenditures; signatures on checks and ratification".**

Councilor Delgado made a motion to approve the consent agenda items; seconded by Councilor Super.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman
Nay: none
Motion: Carried

IV. **MAYOR'S COMMENTS**

Mayor Fred Waterman and other City staff visited the El Mirage Elementary school and presented the administration and students with an award for helping to fight graffiti in the community.

V. REGULAR AGENDA

Mayor Fred Waterman stated that he will recuse himself for regular agenda items D, E, and F.

A. Consideration and action approving Resolution R07-05-09, authorizing an application to the Greater Arizona Development Authority (GADA) for voter approved street improvement general obligation bond financing loan in the amount of $1,145,000.

Finance Director Larry Price stated that on May 20, 2003, the City of El Mirage voters approved general obligation bonds payable by a secondary property tax totaling $6,000,000 for street improvement projects and $2,000,000 for a new City Hall. The City subsequently secured a $4,855,000 general obligation bond loan from GADA for street projects.

The City was unable at the time to borrow the full 6 million for the fact that in the state of Arizona, Cities are limited as to how much general obligation debt they can have outstanding at any point in time.

Councilor Delgado asked if the City will have to go back to the voters in order to secure more funds for the construction of a new City Hall and what type of an interest rate will the City get today rather than back in 2003.

Finance Director Larry Price stated that the funds approved for City Hall will be available until actually used and as for interest rates, the exact rate at that time was not known off the top of his head, but the difference between the rate then and now is not substantial.

Councilor Super made a motion to approve Resolution R07-05-09; seconded by Councilor Cleveland.

VOTE: Yea: Bedolla, Cleveland, Connor, Delgado, Kern, Super, Waterman
Nay: none
Motion: Carried

B. Consideration and action regarding approval and authorizing the signing of a Intergovernmental Agreement with Maricopa County Division of Human Services for Fiscal Year 2007-08 for the CAP Program in the amount of $137,505.00.

City Manager BJ Cornwall stated that this issue was previously brought before Council asking for the full funding of approximately $162,090. The

County came back and offered to fund $137,505. City Manager BJ Cornwall recommended approval for fiscal year 2007-08 in the amount of $137,505.

Vice Mayor Michele Kern made a motion to approve item B; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman
Nay: none
Motion: Carried

C. Consideration and action approving Resolution R07-05-08, approving and adopting the Tentative Budget for fiscal year 2007-08.

Finance Director Larry Price stated that the tentative budget sets the upper limit for the City's expenditures for fiscal year 2007-08. Upon adoption, the resolution and schedules A-E will be published once-a-week for two consecutive weeks in the newspaper.

Councilor Delgado exclaimed that it was nice to see a budget that was broken down and easy to understand.

Councilor Delgado made a motion to approve the tentative budget for fiscal year 2007-08; seconded by Vice Mayor Michele Kern.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman
Nay: none
Motion: Carried

D. Consideration and action regarding opening a Public Hearing to hear a request from Niels Charles Roberts, Coyote Grill, for a liquor license at 11201 N. El Mirage Road.

Councilor Super made a motion to open a public hearing; seconded by Councilor Bedolla.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super
Nay: none
Motion: Carried

Police Chief Ken Holmes said that the background investigations from DPS, FBI, and City of El Mirage Police Department did not find anything that would cause denial.

E. Consideration and action to close the Public Hearing.

Councilor Super made a motion to close the public hearing; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super
Nay: none
Motion: Carried

F. Consideration and action regarding a request from Niels Charles Roberts, Coyote Grill, for a liquor license at 11201 N. El Mirage Road.

Councilor Conner asked if Mr. Niels was aware of a situation last year at the St. Tersita golf outing in which a minor was serving alcohol.

Mr. Niels stated that he was unaware at the time that it was illegal for an 18-19 year old to serve alcohol.

Councilor Conner asked what corrective measures have been taken since the incident.

Consultant Teresa Moores, on behalf of Mr. Niels said that the establishment had taken and completed additional alcohol educational classes to ensure future compliance with the laws.

Councilor Conner asked whether or not the underage server had been fired.

Consultant Teresa Moores said that she was terminated.

Councilor Bedolla made a motion to approve the liquor license at 11201 N. El Mirage Rd.; seconded by Councilor Delgado.

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

G. Consideration and action regarding approval of two positions on the CDAC Committee. A primary representative and an alternate representative are required.

Councilor Conner thanked Councilor Delgado for the great work that he has done with CDAC.

Councilor Conner made a motion to nominate Adam Super as the CDAC representative and Councilor Delgado as the alternate; seconded by Councilor Cleveland.

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

Councilor Delgado stated that he was going to be on the steering committee to change the by-laws but the alternate position nomination has knocked him out. He asked the Mayor if he could be completely taken off.

Councilor Conner made a motion to nominate Vice Mayor Michele Kern as the CDAC alternate; seconded by Councilor Delgado.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman
Nay: none
Motion: Carried

VI. COUNCIL SUMMARY OF CURRENT EVENTS

Councilor Super said that there will be two more Junior Councilmember's for the month of June and then the program will be on hiatus until September.

Councilor Super announced the start of another pilot program called "The Executive Shadowing Program". With help from the Community Development Director George Flores, a student from the El Mirage Elementary school will have the opportunity to "shadow" Mr. George Flores during a normal work day.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall stated that the Wal-mart construction is still on schedule for the opening on July 18.

The road projects around the City are going well.

Police hiring is going well. The new recruits are still going through background, polygraph and psychological testing.

The next testing date for new police recruits will be on June 2nd.

VIII. CALL TO THE PUBLIC

No comments.

IX. EXECUTIVE SESSION

No Executive Session has been requested.

X. ADJOURNMENT

Councilor Delgado made a motion to adjourn at 6:34 p.m.; seconded by Vice Mayor Michele Kern.

VOTE: Yea: Bedolla, Cleveland, Conner, Delgado, Kern, Super, Waterman
Nay: none
Motion: Carried

Fred Waterman, Mayor

ATTEST:

Richard Saathoff, 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 May 24, 2007 and a quorum was present.

Richard Saathoff, City Clerk