

**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, January 24, 2008**

Minutes

I. CALL TO ORDER – The meeting was called to order by Mayor Fred Waterman at 6:01 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 Roger Cleveland, Councilor William Conner, Councilor Roy Delgado, Councilor Adam Super. Excused: Councilor Xavier Bedolla.

III. CONSENT AGENDA

Mayor Fred Waterman removed Consent Agenda item three (3) and said that it will not be heard tonight.

Councilor Delgado removed Consent Agenda item four (4) and moved it to the Regular Agenda.

- 1. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, January 10, 2008.**
- 2. Consideration and action to award a three (3) year landscape maintenance contract to Somerset Landscape Maintenance, Inc.**
- 3. Consideration and action to approve an Intergovernmental Agreement with the City of Surprise setting forth the terms and conditions for the City of El Mirage to continue providing municipal water services to customers in the Original Townsite are of the City of Surprise.**
- 4. Consideration and action to authorize the City Manager to execute an IGA contract with Maricopa County to provide animal control services to the City of El Mirage.**

Councilor Super made a motion to approve Consent Agenda items 1 and 2; seconded by Councilor Conner.

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

IV. REGULAR AGENDA

4. **Consideration and action to authorize the City Manager to execute an IGA contract with Maricopa County to provide animal control services to the City of El Mirage.**

Councilor Delgado asked whether or not the contract includes animal patrols.

Police Chief Michael Frazier stated that the contract does include animal patrol services.

Along with patrols, the County will also provide spaying and neutering services for free or for a reduced fee.

Vice Mayor Kern made a motion to approve the GA with Maricopa County for animal control services; seconded by Councilor Super.

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

- A. **Public Hearing to receive Citizen input regarding the possibility of asking the voters to approve a Single year Exception to the State Imposed Expenditure Limitation for FY 08-09.**

Mayor Waterman opened the public hearing.

El Mirage citizen Robert Jones asked for clarification regarding the Single Year Exception to the State Imposed Expenditure Limitation for FY 08-09. Mr. Jones also asked if more information could be made available to the public.

Mayor Waterman closed the public hearing.

B. Consideration and action to adjourn into a Special Council Meeting to approve Resolution #R08-01-02, seeking voter approval for a Single Year Exception to the State Imposed Expenditure Limitation for FY 08-09, and that this proposal be submitted to the voters at a Special All-Mail Election on May 20, 2008.

Councilor Conner made a motion to adjourn into a Special Session; seconded by Vice Mayor Kern.

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

Mayor Waterman closed the Special Session and reconvened into Regular Session.

Vice Mayor Kern made a motion to approve Resolution R08-01-02; seconded by Councilor Super.

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

C. Public Hearing to receive citizen comments regarding a request for liquor license from Festival Seafood and Steak at 12313 NW Grand Avenue Suite G.

Mayor Waterman opened the public hearing.

Police Chief Michael Frazier commented that after the background investigation, there was no reason found to deny the applicant the license.

Mayor Waterman closed the public hearing.

D. Consideration and action regarding making a recommendation to the Arizona Department of Liquor Licenses & Control on the request from Festival Seafood and Steak, 12313 NW Grand Avenue Suite G.

Councilor Super made a motion to approve the liquor license for the Festival Seafood and Steak located at 12313 NW Grand Ave Suite G; seconded by Councilor Conner.

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

E. Consideration and action to exercise “first right of refusal” and not renew the Community Action Program (CAP) IGA contract for FY 2008/09 between Maricopa County Human Services Department (MCHSD) and City of El Mirage.

Community Development Director George Flores said that the total cost of running the program exceeds the amount of funds received by Maricopa County Human Services. If the City chooses to not renew the CAP program, the County will look for another service provider in a neighboring city.

City resident Robert Jones commented that the City has spent over \$500,000 since FY 1999-2000 to pick up the shortfall in funding for the CAP program. Mr. Jones would like to see the County pay for the entire cost of administering the program, or the County should look for another service provider.

Councilor Conner made a motion to uphold the “first right of refusal” and not renew the CAP program for FY 2008-2009; seconded by Councilor Super.

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

F. Consideration and action regarding the adoption of phone-in protocols for attendance at Council Meetings.

Councilor Conner made a motion to approve the adoption of phone-in protocols; seconded by Councilor Cleveland.

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

G. Consideration and action regarding the adoption of Committee formation procedures.

Councilor Conner made a motion to approve the adoption of Committee formation procedures; seconded by Councilor Super.

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

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

Councilor Conner commented that even though liquor licenses are first brought before the City Council for a vote, it is the Arizona Department of Liquor that has the final say on whether or not a liquor license is approved/disapproved. There is currently a House Bill pending that would require a super-majority vote to approve a liquor license that has been denied by a City Council.

Councilor Super thanked everyone who helped with the APC Committee. Councilor Super handed out plaques to Mr. Robert Jones, Councilor William Conner, City Attorney Rick Flaaen, City Clerk Richard Saathoff and Intergovernmental Relations Director Pat Dennis.

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall said that the Glendale Annexation lawsuit will be heard Wednesday, January 30, 2008 at 11:00 a.m.

VII. CALL TO THE PUBLIC

No comments were received.

VIII. ADJOURNMENT

Mayor Waterman adjourned the meeting at 6:41 p.m.


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 January 24, 2008 and a quorum was present.


Richard Saathoff, City Clerk