

**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, DECEMBER 11, 2008**

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, Councilmember Xavier Bedolla, Councilmember William Conner, Councilmember Roger Cleveland, Councilmember Adam Super.
Excused: Councilmember Roy Delgado

- III. **CONSENT AGENDA – MINUTE APPROVAL**
 1. **Consideration and action approving the minutes of the Regular Council Meeting of November, 13, 2008.**

 2. **Consideration and action approving the minutes of the Special Council Meeting of November, 25, 2008.**

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

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

IV. **SWEARING IN AND SEATING OF COUNCIL MEMBERS**

3. **Presentation of the Oath of Office to Bill Conner, Roy Delgado, and David Shapera.**

Councilmember William Conner and Councilmember David Shapera took the Oath of Office administered by Judge Mapp.

Mayor Fred Waterman presented Councilmember Xavier Bedolla with an appreciation plaque for his exemplary service as Councilmember from May, 2004 to December, 2008.

4. **Seating of Council**

Councilmember William Conner and Councilmember David Shapera took their seats.

V. CONSENT AGENDA

- 5. Consideration and action approving the renewal of an Intergovernmental Agreement with the City of Glendale allowing El Mirage Police Officers to provide law enforcement and security services at event on the University of Phoenix Stadium through February 15, 2012.**
- 6. Consideration and action accepting a grant in the amount of \$9,300.00 from the Arizona Criminal Justice Commission to funded overtime associated with DUI enforcement efforts.**
- 7. Consideration and action approving Resolution R08-12-37, accepting dedication of public utility easements from Dysart Unified School Distract at Dysart Elementary School #20 (Riverview Elementary School).**
- 8. Consideration and action approving Resolution R08-12-40, approving the plat of El Mirage Market Place located at the southwest corner of Cactus Road and El Mirage Road.**
- 9. Consideration and action to give signature authority to the City Manager to award the Construction Manager at Risk Construction Services contract for the Heritage Park Phase II (Project No. PW07-PK01) to Low Mountain Construction, Inc in the amount of \$2,420,008.00.**
- 10. Consideration and action requesting the Mayor and Council to give signature authority to the City Manager to award the contract for crack sealing streets to Tucson Asphalt in the amount of \$99,553.37.**
- 11. Consideration and action approving an IGA between the City of El Mirage and the Dysart School District to fund a School Resource Officer.**
- 12. Consideration and action approving and acceptance of dedication and gift of real property by Manya Long, Shirley Long and Jacob Long for use as a park and other permitted municipal uses, subject to the restrictions set forth in the Memorandum of Gift.**

Councilor Cleveland made a motion to approve Consent Agenda items 5 through 12; seconded by Councilor Super.

VOTE: Yea: Cleveland, Conner, Kern, Shapera, Super, Waterman
Nay: None
Absent: Delgado
Motion: Carried

VI. REGULAR AGENDA

- A. Public Hearing – to encourage citizen participation regarding priorities for funding under the Community Development Block Grant (CDBG) program, the Home Investment Partnership (HOME) program, and related programs for Urban County communities for the FY 2009/10 grant cycle.**

Mayor Waterman opened the public hearing.

No comments were received.

Mayor Waterman closed the public hearing.

- B. Consideration and action approving Resolution R08-12-38, authorizing the City to submit to Maricopa County Community Development (MCCD) for Community Development Block Grant (CDBG) funds, Small Cities Transportation Assistance Program (SCTAP) funds, and related grant application, and to execute award agreements.**

Vice Mayor Kern made a motion to approve R08-12-38; seconded by Councilor Super.

VOTE: Yea: Cleveland, Conner, Kern, Shapera, Super, Waterman
Nay: None
Absent: Delgado
Motion: Carried

- C. Consideration and action approving Resolution R08-12-39, authorizing the City to submit applications to Maricopa County Community Development (MCCD) for Home Investment Partnership (HOME) projects and related grant applications, and to execute award agreements.**

Vice Mayor Kern made a motion to approve R08-12-39; seconded by Councilor Super.

VOTE: Yea: Cleveland, Conner, Kern, Shapera, Super, Waterman
Nay: None
Absent: Delgado
Motion: Carried

- D. Public Hearing – to receive citizen input regarding the proposed annexation of BNSF Railroad property abutting the boundaries of the City of El Mirage northwest of Thompson Ranch Road, southeast of Greenway and adjacent to the east side of Grand Avenue.**

Mayor Waterman opened the public hearing.

No comments were received.

Mayor Waterman closed the public hearing.

- E. Consideration and action approving Resolution R08-12-35, authorizing the application to the Greater Arizona Development Authority (GADA) for a general obligation bond financing loan in the amount of \$16,000,000.00. The voters approved the loan on November 4, 2008 for street improvements; phase II of the new Community Park; and a new Fire Station. GADA requires that the Resolution be approved with an Emergency clause.**

Councilor Super made a motion to approve R08-12-35 with the emergency clause; seconded by Councilor Cleveland.

Vice Mayor Kern asked why GADA requires that the resolution be approved with an emergency clause.

Finance Director Larry Price said that GADA requires the emergency clause so that once they receive the application, it is ready to go and can't be changed.

VOTE: Yea: Cleveland, Conner, Kern, Shapera, Super, Waterman
Nay: None
Absent: Delgado
Motion: Carried

- F. Consideration and action regarding the appointment of the Vice Mayor as per El Mirage City Code, Chapter 2, Section 2-2-2 Vice Mayor.**

Councilor Super nominated Vice Mayor Kern to remain as the Vice Mayor; seconded by Councilor Conner.

VOTE: Yea: Cleveland, Conner, Kern, Shapera, Super, Waterman
Nay: None
Absent: Delgado
Motion: Carried

- G. Consideration and action to approve the appointments of three Planning and Zoning Commission vacancies. The nominated candidates to serve the two year terms ending June 30, 2010 are Hugh Flisyn and Doug Doede. The nominated candidate to complete the term ending June 30, 2009 is Michael Barvitz.**

Vice Mayor Kern made a motion to approve the appointments of Hugh Flisyn, Doug Doede, and Michael Barvitz to the Planning and Zoning Commission; seconded by Councilor Conner.

VOTE: Yea: Cleveland, Conner, Kern, Shapera, Super, Waterman
Nay: None
Absent: Delgado
Motion: Carried

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

Mayor Waterman congratulated William Conner for receiving a certificate of achievement for completing the Leadership Training Institute from the National League of Cities and Towns.

Mayor Waterman attended two foreclosure workshops this last week. Both events were well attended and had excellent speakers. Many legislators, bankers and people from the State were in attendance. One of the main problems that was brought up was the fact that the banks don't want to work with the borrower until they are at least three months behind in their payments. Mayor Waterman would like to see some type of assistance before it gets to that point.

VIII. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager BJ Cornwall thanked the John F. Long family for donating 4.6 million dollars worth of land to the City of El Mirage for use of the new Community Park and future City buildings.

Channel 11 has been updated and is very impressive. City Manager BJ Cornwall thanked JoAnne Garrett and the IT department for all of their hard work with redesigning Channel 11.

City Manager BJ Cornwall wished happy holidays to the City Council, staff and the public.

IX. CALL TO THE PUBLIC

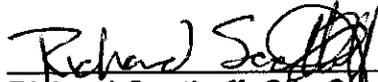
No comments were received.

X. ADJOURNMENT

Mayor Waterman adjourned the meeting at 6:23 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 December 11, 2008 and a quorum was present.


Richard Saathoff, City Clerk