

**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 23, 2009**

Members of the El Mirage City Council will attend either in person or by telephone conference call.

Please silence all electronic communication devices (including cell phones and pagers) before the meeting is called to order. Thank you.

Note: The Common Council of the City of El Mirage, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. Section 38.431.03 including legal advice from the City Attorney.

Agenda

I. CALL TO ORDER

Pledge of Allegiance
Moment of Silence

II. ROLL CALL

Mayor Fred Waterman	Vice Mayor Michele Kern
Councilmember Roger Cleveland	Councilmember William Conner
Councilmember Roy Delgado	Councilmember David Shapera
Councilmember Adam Super	

III. 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 Thursday, April 9, 2009.
2. Consideration and action approving awarding a contract for the purchase of tertiary filter cloth at the Water Reclamation Plant to Aqua Aerobic Systems in the amount of \$31,776.28.
3. Consideration and action proclaiming the week of May 3 through May 9, 2009 as Building Safety Week in the City of El Mirage.
4. Consideration and action to approve and adopt Resolution R09-04-11, approving and declaring as a public record that document titled "Amendments to the 2006 Edition of the International Fire Code."

5. Consideration and action approving Resolution R09-04-12 of the Mayor and Council of the City of El Mirage, a Municipal Corporation of Arizona, to authorize the application for a CWSRF Loan for the Water Infrastructure Finance Authority of Arizona (WIFA) for an amount not to exceed \$1,500,000.00.
6. Consideration and action approving Resolution R09-04-13 of the Mayor and Council of the City of El Mirage, a Municipal Corporation of Arizona, to authorize the application for a DWSRF Loan for the Water Infrastructure Finance Authority of Arizona (WIFA) for an amount not to exceed \$1,300,000.00.
7. Consideration and action requesting that the Mayor and City Council give signature authority to the City Manager to sign the agreement with APS to provide electric distribution and street lighting to Cinnabar Avenue for \$135,647.79.
8. Consideration and action to give signature authority to the City Manager to award the Construction Manager at Risk Construction Services contract for the Phase III of Heritage Park Project No. PW07-PK01 to Low Mountain Construction, Inc in the amount of \$400,000.00.

IV. REGULAR AGENDA

- A. Public Hearing for comments on proposed assessment of new and/or modified development fees and the proposed adoption of an Infrastructure Improvement Plan (IIP) and Development Fee Report (DFR) to modify development (impact) fees pursuant to the TischlerBise Infrastructure Improvements Plan and Development Fee Report dated October 30, 2008.
- B. Consideration and action to adopt Ordinance No. O09-04-04, approving and adopting by reference as part of the Fire Code of the City of El Mirage (1) Appendices B, C, D, E, F, and G of the International Fire Code, 2006 edition, and (2) that document titled "Amendments to the 2006 Edition of the International Fire code" approved by Resolution No. R09-04-11.
- C. Consideration and action adopting Ordinance O09-04-05, approving the adoption of the City Code and Ordinances in codified form and an emergency is being declared.

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

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

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

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

VII. CALL TO THE PUBLIC

Items related under this portion of the agenda cannot be discussed or acted upon by the Common Council of the City of El Mirage until the provisions of the Open Meeting Law have been complied with.

VIII. EXECUTIVE SESSION

D. Consideration and vote to hold an executive session to discuss the City's position regarding potential litigation and to provide direction to the City's Attorney.

IX. ADJOURNMENT

If, because of a disability, you need a reasonable accommodation to participate equally in this Council Meeting, or any public hearing or any City program, activity, or service, please contact the City of El Mirage at 623-876-2925 (TDD 623-933-3258) with your needs. Many accommodations such as auxiliary aids and services, alternate format material, or changing facilities, require in excess of 72 hours to arrange. In order for this department to provide timely accommodations, please notify us as far in advance as possible. The City of El Mirage does not discriminate in admission or access to, treatment or employment in, its federally assisted programs and activities.

AFFIDAVIT OF POSTING – CITY COUNCIL MEETING OF APRIL 23, 2009

I hereby certify that this agenda was posted by 5:00 p.m. on April 22, 2009 at the following locations: 1) City of El Mirage Lobby Area, 12145 N.W. Grand Ave. 2) City of El Mirage City Clerk's Office, 12145 N.W. Grand Ave. 3) City Community Services Department, 14010 N. El Mirage Road; and 4) Maricopa County Library, 14011 N. First Avenue, El Mirage.



Michael Standish, Deputy City Clerk