

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE MUNICIPAL COURT/CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
6:00 P.M., THURSDAY, SEPTEMBER 10, 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.

**Amended 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, August 27, 2009.
2. Consideration and action approving Resolution R09-09-32, to approve extending Presiding Judge James Mapp's term for ninety (90) days to allow sufficient time for the Judicial Advisory Review Board to evaluate the performance of the City's Judicial Officer and to integrate their findings within their recommendations to the City Council as to the potential action to be taken by the Council regarding reappointment of the seated judicial officer, Judge James Mapp.

3. Consideration and action approving an Intergovernmental Agreement between the State of Arizona Department of Public Safety (DPS) and the City of El Mirage Police Department to fund 75% of the payroll expenses for one El Mirage police officer assigned to the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Task Force. Participation with GIITEM was first initiated in July, 2008.

#### **IV. REGULAR AGENDA**

- A. Public Hearing - Consideration and action to approve Resolution R09-09-31, approving the City of El Mirage's Five Year Consolidated Plan for FY 2010-2014.
- B. Consideration and action to give signature authority to the City Manager to award the contract for the Thunderbird Road and Dysart Road Intersection Improvements (PW09-ST01) to DCS Contracting, Inc. in the amount of \$1,846,822.38 and approve a 10% contingency in the amount of \$184,682.24. The total amount requested is \$2,031,504.62.

#### **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**

The City Council shall consider and vote to hold an executive session immediately after adjournment of this meeting in the El Mirage City Hall Administration Conference Room, located at 12145 N.W. Grand Avenue, El Mirage, Arizona, for the following purposes:

1. To consult with the City's attorney and the members of the Special Subcommittee of the El Mirage City Council to receive legal advice, to receive an update, to consider the City's position, and to provide direction in negotiations regarding the City of El Mirage's sustainability and quality of life in the vicinity of a military air base. (A.R.S. § 38-431.03 (A)(3)(4)(6)(7))

2. **To obtain legal advice from the City's attorney regarding protocol and requirements of Council members during council meetings. (A.R.S. § 38-431.01(A)(3))**

**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 SEPTEMBER 10, 2009.**

I hereby certify that this agenda was posted by 5:00 p.m. on September 9, 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.

  
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Michael Standish, Deputy City Clerk