

**SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, FEBRUARY 22, 2011**

Minutes

I. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 5:04 P.M. The Council led the public in the Pledge of Allegiance and a Moment of Silence.

II. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor David Shapera, Councilor Roy Delgado, Councilor Jim McPhetres, Councilor Jack Palladino.

Excused: Councilor Joe Ramirez, Councilor Lynn Selby.

III. SPECIAL SESSION

1. Discussion and possible action regarding claim of Roy Delgado pertaining to Notice of Claim letter dated January 28, 2011.

City Attorney Hall presented a brief history of the Notice of Claim and possible lawsuit.

Vice Mayor Shapera made a motion to pay the claim as negotiated to the amount of \$45,000; seconded by Councilor Palladino. Motion Carries 4-0-1 (Delgado abstained).

Mayor Mook read a prepared statement.

“Tonight, this Council has taken a step to resolve one of several issues remaining for the previous leadership. While the action taken is no cause for celebration, settling Mr. Delgado’s claim is without a doubt, a step in the right direction.

Mr. Delgado’s claim stems from how he was treated before and during an investigation launched by a former Mayor and two former members of the Council, none of whom are still with us. Roy has had an outstanding claim with the City for several months.

Between 2009 and 2010, Mr. Delgado was accused of violating numerous ethics policies and, as a result, the City expended considerable time and city money to investigate the allegations before ultimately deciding to drop all of the charges.

As I mentioned, the three who instigated are no longer on Council but the problems they left behind are still with us. Mr. Delgado's claim was for legal fees and compensation for emotional stress suffered while defending himself. We took the opportunity to resolve this matter so this Community can continue moving forward. Had we denied Mr. Delgado's claim we would have had to litigate this matter, which would have been a lengthy, costly, and divisive process.

This settlement represents a compromise between the parties and a desire, on the part of everyone involved, to move forward in a positive and professional manner, placing this issue behind us once and for all."

2. Discussion and possible action adopting Resolution R11-02-05, adopting Council goals for 2011.

Vice Mayor Shapera made a motion to adopt Resolution R11-02-05, setting the Council goals for 2011 as presented; seconded by Councilor Delgado. Motion Carries 5-0.

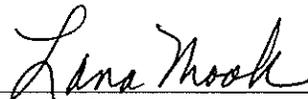
3. Presentation – Red Oak Consulting – results/findings of the independent assessment of utility services.

Pat Walker of Red Oak consulting made a presentation regarding the results/findings of their independent assessment of the City's utility services.

Discussion was held regarding the cost and possible alternatives to curbside recycling and the water reclamation project including the costs associated with the Original Town site in Surprise and the Dysart Ranchettes

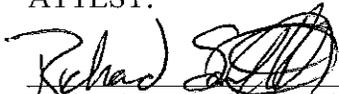
IV. ADJOURNMENT

Mayor Mook adjourned the meeting at 6:16 P.M.



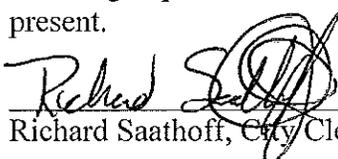
Lana Mook, Mayor

ATTEST:



Richard Saathoff, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Special Council Meeting held February 22, 2011 and a quorum was present.



Richard Saathoff, City Clerk