

**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, NOVEMBER 12, 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 Michele Kern	Vice Mayor David Shapera
Councilmember Roger Cleveland	Councilmember William Conner
Councilmember Roy Delgado	Councilmember Adam Super

**III. PRESENTATION**

1. Oath of Office and the swearing in of the newly appointed Councilor.
2. Presentation by Cub Scout Pack 922 to members of the El Mirage Police and Fire Departments.

**IV. 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.

3. Consideration and action approving the Minutes of the Special Council Meeting held Thursday, October 1, 2009.
4. Consideration and action approving the Minutes of the Regular Council Meeting held Thursday, October 8, 2009.
5. Consideration and action approving an IGA between the City of El Mirage and the Dysart School District to fund a School Resource Officer.

6. Consideration and action approving Resolution R09-11-36, extending Presiding Judge James Mapp's term to April 8, 2010, to allow sufficient time for the Judicial Selection and Advisory Review Board (JSARB) to gather additional information to evaluate the Judge's performance.
7. Consideration and action regarding making a recommendation to the Arizona Department of Liquor Licenses and Control regarding the extension of premises at the Festival Seafood Restaurant at 12313 NW Grand Avenue.
8. Consideration and action authorizing the purchase of a Ferrara Custom Pumper Truck from Badlands Fire Apparatus, at a cost not to exceed \$578,558.11 (including sales tax).
9. Consideration and action approving Resolution R09-11-37, authorizing the City Manager to enter into a lease/purchase agreement with Kansas State Bank of Manhattan for a manufactured building to be used for the storage of evidence and property in the possession of the City of El Mirage Police Department

#### **V. REGULAR AGENDA**

- A. Public Hearing to receive citizen comments regarding the request for a liquor license from Jose Perez Gutierrez at 11709 W. Thunderbird Rd.
- B. Consideration and action regarding making a recommendation to the Arizona Department of Liquor Licenses and Control regarding the request for liquor license from Jose Perez Gutierrez at 11709 W. Thunderbird Rd.
- C. Public Hearing to encourage citizen participation regarding the 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 2010/11 grant cycle.
- D. Consideration and action to approve Resolution R09-11-38, a resolution authorizing the City of El Mirage to submit an application to the Maricopa County Human Services Department, Community Development Division for FY 2010/11 Community Development Block Grant (CDBG) funds and related funding opportunities, and to execute subsequent award agreements.
- E. Consideration and action to approve Resolution R09-11-39, a resolution authorizing the City of El Mirage to submit applications to the Maricopa County Human Services Department, Community Development Division for FY 2010/11 Home Investment Partnership (HOME) program and related funding opportunities, and to execute award agreements.

- F. Public Hearing to receive public comments on amending the General Plan designation and the rezoning of the northwest corner of El Mirage Road and Desert Cove.
- G. Consideration and action approving Resolution R09-11-35, amending the General Plan designation of the northwest corner of El Mirage Road and Desert Cove from Rural Density Residential to Neighborhood Commercial.
- H. Consideration and action approving Ordinance O09-11-13, rezoning of the northwest corner of El Mirage Road and Desert Cove from R-43 Single Family Residential to B-1 Neighborhood Business.
- I. Consideration and action approving Ordinance O09-11-11, an ordinance fixing the dates, times and location of the 2010 City Council meetings.

**VI. 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.

**VII. 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.

**VIII. 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.

**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 NOVEMBER 12, 2009**

I hereby certify that this agenda was posted by 5:00 p.m. on November 10, 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