

**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, JANUARY 11, 2007**

**Agenda**

**I. CALL TO ORDER**

Pledge of Allegiance  
Moment of Silence

**II. ROLL CALL**

Mayor Fred Waterman  
Councilmember Xavier Bedolla  
Councilmember Roy Delgado  
Councilmember William Conner

Vice Mayor Michele Kern  
Councilmember Roger Cleveland  
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 Regular Council minutes of December 14, 2006.
2. Consideration and action regarding the second reading of Ordinance No. O06-11-20, relating to the Privilege License Tax; adopting "The 2007 Amendments to the Tax Code of the City of El Mirage" by reference; establishing an effective date; providing for the severability and providing penalties for violations.
3. Consideration and action to approve the destruction of records which have surpassed their retention period as determined by the Arizona State Library, Archives and Public Records – Records Management Division.
4. Consideration and action amending the Memorandum of Understanding, 2006-2009 between the City of El Mirage and the El Mirage Fire Fighters Association (EMFFA) Chapter of the Northwest Valley Firefighters Local 4361.

5. Consideration and action regarding the approval of a Professional Services Contract with Jan Fontana, dba Kay Consulting for Fire Code Plan Review Services.

#### **IV. MAYOR'S COMMENTS**

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

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

- A. Consideration and action regarding convening into Public Hearing for the purpose of hearing public comment regarding an Acquisition of Control by Lia Tran for the liquor license for Star Mini Mart, 11817 W. Thunderbird Rd., El Mirage, AZ 85335.
- B. Consideration and action regarding closing the Public Hearing and reconvening into Regular Session.
- C. Consideration and action regarding Acquisition of Control by Lia Tran for the liquor license for Star Mini Mart, 11817 W. Thunderbird Rd., El Mirage, AZ 85335.
- D. Consideration and action regarding opening public hearing on zoning cases:
  1. Request for a 2,668 sq. ft. garage/game-room in R-43/75 db at 10840 N. 125<sup>th</sup> Ave.
  2. Request for a plumbing contractor's yard in I-2/65 db at 8625 N. 125<sup>th</sup> Ave. [Revised]
- E. Consideration and action on closing public hearing on zoning items.
- F. Consideration and action on request by George & Elida Traslavina for conditional use permit to allow a 2,668 sq. ft. garage/game-room in R-43/75 db at 10840 N. 125<sup>th</sup> Ave.
- G. Consideration and action on request for site plan approval for a plumbing contractor's yard in I-2/65 db at 8625 N. 125<sup>th</sup> Ave. in Luke Industrial Park. [Revised & Re-submitted]

- H. Consideration and action regarding convening as the Board of Adjustment to consider a requested variance from the Zoning Ordinance.
- I. Consideration and action regarding closing the public hearing of the Board of Adjustment and reconvening as the Board of Adjustment.
- J. Consideration and action regarding a request by Royal Sign Co., agent for Barnett Management for a variance to allow a 20' high (vs. 16') freestanding sign and 6' ht. (vs. 5') menu boards in I-2/65 db for proposed Burger King located at 12280 W. Olive Ave. [NEC of Olive Ave. & El Mirage Rd]
- K. Consideration and action regarding closing the Board of Adjustment and reconvening into Regular Session.

#### **VI. COUNCIL 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. 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. EXECUTIVE SESSION**

Discussion and consultation for legal advice and to consider the City's position and instruct its attorneys regarding pending litigation, including the possible filing of an appeal: City of El Mirage v. City of Glendale, CV 2005-009579. A.R.S. 38-431.03(A)(3) and (4).

**REGULAR SESSION**

- L. Consideration and action regarding filing of appeal in pending litigation: City of El Mirage v. City of Glendale, CV 2005-009579.

**X. 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 JANUARY 11, 2007**

I hereby certify that this agenda was posted by 5:00 p.m. on the 10<sup>th</sup> day of January, 2007 at the following locations: 1) City Water Department, 12145 N.W. Grand Ave., Suite 3; 2) City Public Works Department, 12145 N.W. Grand Ave., Suite 8; 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