

**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, FEBRUARY 11, 2010**

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.

Revised 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 Ben Lewis
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, January 14, 2010.
2. Consideration and action approving the Minutes of the Work Session Meeting held Thursday, January 28, 2010.
3. Consideration and action to amend the FY 2009/10 contract between the City of El Mirage and the RPTA (Regional Public Transportation Authority). The amendment adds Section 18: Employment of Aliens on Public Works Projects, Section 19: E-verify, and Section 20: Legal Compliance and replaces and supersedes an existing section that

stipulates the amount of eligible reimbursement funds available in FY 2009/10 contract term.

IV. EXECUTIVE SESSION

4. Council will vote to consider convening in executive session to discuss personnel matters and to receive legal advice from the City's attorneys regarding such matters, in accordance with A.R.S. §38-431/01(A)(1) and (A)(3). No action shall be taken by Council in executive session on any matter discussed. The two items that may be discussed by Council in executive session are:
 - a. Possible reappointment of James Mapp to the position of Presiding Judge of the El Mirage Municipal Court and salary, if reappointed.
 - b. Consideration of investigative report regarding allegations that Councilmember Roy Delgado violated provisions of the City Council Code of Ethics and possible actions, if any, based on the results of the investigative report.

V. REGULAR AGENDA

- A. Public Hearing to receive citizen comments regarding a request for a liquor license from Remon Mansour, R & G Mini Mart, 12239 NW Grand Avenue.
- B. Consideration and action regarding making a recommendation to the Arizona Department of Liquor Licenses & Control on the request from Remon Mansour, R & G Mini Mart, 12239 NW Grand Avenue.
- C. Consideration and action to appoint to the City of El Mirage's Planning & Zoning Commission: Mary Koestner to the unexpired term expiring on June 30, 2010 and Beth Simek to the unexpired term expiring June 30, 2011, as per the recommendation of the Commission Review Board.
- D. Consideration and action regarding the reappointment of James Mapp to a second two-year term based upon the findings and recommendation of the Judicial Selection Advisory Review Board.
- E. Consideration and action approving Ordinance O10-01-01, amending the Code of the City of El Mirage, Sections 154.128 to 154.130 on Sign Regulations.
- F. Consideration and action adopting Ordinance O10-02-05, approving the adoption of the first annual supplement to the City's Code.

- G. Public Hearing on proposed Ordinance O10-02-03, amending the Code of the City of El Mirage Sections 154.052(A)(2) and 154.067(C) to add "Boarding of Horses; 1 acre lot minimum; not more than 2 per acre, to a maximum of 5 horses" as a conditionally permitted use in the R-43 district.
- H. Consideration and action approving Ordinance O10-02-03, amending the Code of the City of El Mirage Sections 154.052(A)(2) and 154.067(C) to add "Boarding of Horses; 1 acre lot minimum; not more than 2 per acre, to a maximum of 5 horses" as a conditionally permitted use in the R-43 district.
- I. Public Hearing on proposed Ordinance O10-02-04, amending the Code of the City of El Mirage to add section 154.089 establishing an Artist Live/Work Overlay District downtown.
- J. Consideration and action approving Ordinance O10-02-04, amending the Code of the City of El Mirage to add section 154.089 establishing an Artist Live/Work Overlay District downtown.
- K. Consideration of investigative report regarding allegations that Councilmember Roy Delgado violated provisions of the City Council Code of Ethics and possible actions, if any, based on the results of the investigative report.
- L. **Consideration and action approving Resolution R10-02-04, Supporting and urging the inclusion of noise as a major factor in the Environmental Impact Statement Analysis of the F-35 Joint Striker being based at Luke Air Force Base and that the environmental and operational factors be given equal weight in the consideration of basing the F-35 at Luke AFB.**

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 arranging. 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 FEBRUARY 11, 2010

I hereby certify that this agenda was posted by 5:00 p.m. on February 10, 2010 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