



MAYOR & COUNCIL MEETING NOTICE & AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting, which will be open to the public:

REGULAR AGENDA

TUESDAY, APRIL 28, 2009 – 5:30 P.M.
MEETING ROOMS, TUCSON CONVENTION CENTER
(260 S. CHURCH AVENUE, TUCSON, AZ)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Leondra Price, Office of Equal Opportunity Programs

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS:

- a. Presenting a Copper Plaque in memory of Marcella Grace Eiler
- b. Proclaiming May 6 to be “Outstanding Teen Citizen Day”
- c. Presentation of the “Crystal Apple Youth Award” and “Outstanding Teen Certificates”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager APR28-09-220 CITY-WIDE

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager APR28-09-221 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager APR28-09-222 CITY-WIDE
- b. Liquor License Applications

New License(s)

- 1. Wingstop, Ward 1
2500 N. Silverbell Rd., Suite 140
Applicant: Nicholas Carl Guttilla
Series 12, City 15-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.
- 2. Wingstop, Ward 1
1710 W. Valencia Rd.
Applicant: Nicholas Carl Guttilla
Series 12, City 16-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.
- 3. Wingstop, Ward 2
7940 E. Broadway Blvd., Suite 102
Applicant: Nicholas Carl Guttilla
Series 12, City 17-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.
- 4. Wingstop, Ward 3
3122 N. Campbell Ave., Suite 130
Applicant: Nicholas Carl Guttilla
Series 12, City 18-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.

5. QuikTrip #1452, Ward 6
5151 E. Speedway Blvd.
Applicant: Kelly Paul Vaughan
Series 10, City 19-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.

Public Opinion: Written Argument Opposed Filed

6. QuikTrip #1453, Ward 5
1884 S. Craycroft Rd.
Applicant: Kelly Paul Vaughan
Series 10, City 20-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.

7. QuikTrip #1493, Ward 2
1925 N. Kolb Rd.
Applicant: Kelly Paul Vaughan
Series 10, City 21-09
Action must be taken by: May 9, 2009

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a new license application, “In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license”. (A.R.S. Section 4-201)

Person/Location Transfer(s)

8. El Super #10, Ward 5
3372 S. 6th Ave.
Applicant: Randy D. Nations
Series 9, City 14-09
Action must be taken by: May 4, 2009

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant’s capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

c. Special Event(s)

1. Opening Minds through the Arts, Ward 6
330 S. Scott Ave.
Applicant: Donn Poll
City T34-09
Date of Event: May 9, 2009
(Annual fundraiser event)

Staff has indicated the applicant is in compliance with city requirements.

2. Sonoran Art Foundation, Inc., Ward 5
633 W. 18th St.
Applicant: Alexandra Suzanne Berger
City T35-09
Date of Event: May 16, 2009
(Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

3. Metropolitan Pima Alliance, Ward 1
100 S. Avenida del Convento
Applicant: Michael Shawn Guymon
City T36-09
Date of Event: May 7, 2009
(2009 MPA Wild Ride)

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no agent change(s) scheduled for this meeting.

6. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a "retained speaker." Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

7. **CONSENT AGENDA – ITEMS A THROUGH E**

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent Agenda and will be considered separately.

8. **PUBLIC HEARING: CITY OF TUCSON RECOMMENDED ANNUAL BUDGET FOR FISCAL YEAR 2010**

- a. Report from City Manager APR28-09-230 CITY-WIDE
- b. Hearing: This is the first of three public hearings on the Fiscal Year 2010 budget. Its purpose is to provide the public with an opportunity to comment on the recommended budget prior to the beginning of the Mayor and Council budget review process. The second hearing is scheduled for May 5, 2009 and a third hearing is scheduled for June 9, 2009.

9. **TUCSON CODE: AMENDING (CHAPTER 22) TUCSON SUPPLEMENTAL RETIREMENT SYSTEM**

- a. Report from City Manager APR28-09-225 CITY-WIDE
- b. Ordinance No. 10657 relating to Tucson Supplemental Retirement System; Tucson Code Chapter 22, Pensions, Retirement, Group Insurance, Leave Benefits and Other Insurance Benefits, Article III, Tucson Supplemental Retirement System, Division 1 Types of Retirement and Benefits, adopting new Section 22-30, Definitions; Section 22-31, Trust Fund; Section 22-32, Exclusive Benefit; and Section 22-33, Membership; renaming and amending Sections 22-34, Membership Contributions; Section 22-35, City Contributions; Section 22-36, Accumulation of Credited Service; Section 22-37, Retirements; Section 22-38, End of Service Program; Section 22-39, Disability Retirement; Section 22-40, Death Benefits; Section 22-41, Refund of Accumulated Contributions Accounts; Transfers to Other Systems; Section 22-42, Retirement Benefit Payment Options; Section 22-43, Administration of Benefit Payments; Benefit Calculations; adding Section 22-43.1, System Approved Domestic Relations Orders; Division 2 administration of the system, amending Section 22-44, Board of Trustees; Section 22-45, Investments; Section 22-46, Finance Director Duties; and Section 22-47, Human Resources Director Duties; renaming and amending Section 22-48, System Administrator; Section 22-49, Indemnification; Section 22-50, Miscellaneous Administrative Provisions; Section 22-51, Alteration, Amendment, Repeal of the System; and Section 22-52, Effective Date; repealing Section 22-53, End of Service Incentive; Section 22-54, City of Tucson 401(a) Supplemental Retirement Plan; and Section 22-55, Purchase of Permissive Service Credits (now in Section 22-36 f); and setting an effective date.

10. WATER: INITIATION OF WATER RATE REVISION PROCESS

- a. Report from City Manager APR28-09-231 CITY-WIDE & OUTSIDE CITY

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager APR28-09-223 CITY-WIDE

12. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, May 5, 2009, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.