



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Tuesdays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

5:30 p.m. session [Order of business]

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor license applications
- Consent Agenda

- Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing.
- Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour.
- Other Mayor and Council business as listed on the agenda for the meeting.

Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site. : www.tucsonaz.gov/agdocs

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

Spanish language interpreting assistance is available during the meeting. If you need assistance, contact the Council Reporter located near the front, right side of the Chambers.

PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name, address, whether you reside in the City of Tucson and whom you represent, before proceeding. Any person who is representing people 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".
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, www.tucsonaz.gov/agdocs. Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor
Steve Leal – Vice Mayor

Council Members

José J. Ibarra **Ward 1**
Carol W. West **Ward 2**
Karin Uhlich **Ward 3**

Shirley C. Scott **Ward 4**
Steve Leal **Ward 5**
Nina J. Trasoff **Ward 6**

**Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639), FAX: 791-4017 or WEB SITE: www.tucsonaz.gov/agdocs, 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12. In addition, replays of the meetings are cablecast on Tucson 12 as follows:
Wednesdays – 9:00 p.m. Thursdays – 9:00 a.m. Sundays – 9:00 a.m.
VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.**



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 MEETING

**TUESDAY, MAY 2, 2006 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Gustavo Arce, Central Christiano Nueva Creación

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

a. Proclaiming April 24 to April 30 to be “Steppin’ Out” Medical Fitness Week

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

a. Report from City Manager MAY2-06-215 CITY-WIDE

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

a. Report from City Manager MAY2-06-216 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager MAY2-06-209 CITY-WIDE
- b. Liquor License Applications

New License

- 1. Catalina Mart, Ward 3
15 W. Grant Rd.
Applicant: Steven Gorton Spiece
Series 10, City 25-06
Action must be taken by: May 20, 2006

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

- 2. Circle K Store #1957, Ward 2
6700 E. Tanque Verde Rd.
Applicant: Kim Kenneth Kwiatkowski
Series 09, City 23-06
Action must be taken by: May 12, 2006

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

PUBLIC OPINION: PROTEST FILED

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 Events

- 1. Tucson Children’s Museum, Ward 6
200 S. Sixth Ave.
Applicant: Nansi Naranjo
City T22-06
Date of Event: May 19, 2006
Raise Funds for Museum

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

2. One-On-One Partners, Inc., Ward 6
300 E. University
Applicant: Margarita “Margie” Dominguez
City T26-06
Date of Event: May 13, 2006
Fundraiser

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

- d. Agent Changes

NOTE: There are no agent changes scheduled for this meeting.

6. CONSENT AGENDA – ITEMS A THROUGH F

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.

7. 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, address, 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".

8. PUBLIC HEARING: CITY OF TUCSON RECOMMENDED BIENNIAL BUDGET FOR FISCAL YEARS 2007 AND 2008

- a. Report from City Manager MAY2-06-213 CITY-WIDE
- b. Hearing. This is the first of two public hearings to be held on the City’s Recommended Biennial Budget for Fiscal Years 2007 and 2008. This hearing is to allow the public an opportunity to comment on the budget prior to the beginning of the Mayor and Council budget review process. The second public hearing is scheduled for June 13, 2006.

9. PERSONNEL MATTERS: REAPPOINTMENT OF THE CITY ATTORNEY

- a. Report from City Manager MAY2-06-214 CITY-WIDE
- b. Ordinance No. 10271 relating to the City Attorney; appointing the City Attorney; and declaring an emergency.

10. CITY MAGISTRATES: APPOINTING A CITY MAGISTRATE

- a. Report from City Manager MAY2-06-211 CITY-WIDE
- b. Ordinance No. 10273 relating to City Magistrates; appointing Kate Dawes as City Magistrate of the City of Tucson; fixing compensation; and declaring an emergency.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager MAY2-06-210 CITY-WIDE

12. RECONSIDERATION OF ORDINANCE 10270 AND RESOLUTIONS 20320, 20327, 20328, 20330 AND 20331, ADOPTED APRIL 25, 2006, TO ENABLE AN EARLIER EFFECTIVE DATE

- a. Report from City Manager MAY2-06-220 CITY-WIDE
- b. Ordinance No. 10270 relating to business licenses; amending the Tucson Code, Chapter 7, Article X by adding Section 7-211(e) relating to criminal background checks for applicants for adult entertainment licenses; and declaring an emergency.
- c. Resolution No. 20320 relating to Rio Nuevo Multipurpose Facilities District; approving and authorizing a Development Agreement with BP Post Investors, L.L.C., and the Rio Nuevo Multipurpose Facilities District for the development of the Post Development Project; and declaring an emergency.
- d. Resolution No. 20327 relating to transportation; authorizing and approving the grant agreement with the Governor's Office of Highway Safety for purchase of notebook computers in support of Tucson City Court's Probation Unit; and declaring an emergency.
- e. Resolution No. 20328 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for Fiscal Year 2006 for joint funding of the Tucson-Pima County Historical Commission; and declaring an emergency.
- f. Resolution No. 20330 relating to planning; authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S04-107 of a final plat for the El Rancho Merlita Subdivision, Lots 1 to 16 and Common Areas "A" – "C"; and declaring an emergency.

- g. Resolution No. 20331 relating to the Rio Nuevo Multipurpose Facilities District; approving an expenditure of funds by the Rio Nuevo Multipurpose Facilities District for the improvement of the Rialto Theatre; and declaring an emergency.

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, May 9, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.