





# 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 8, 2008 – 5:30 P.M.  
MAYOR AND COUNCIL CHAMBERS  
(CITY HALL, 255 W. ALAMEDA, TUCSON, AZ)**

- 1. ROLL CALL**
  
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**  
  
INVOCATION – Rabbi Stephanie Aaron, Congregation Chaverim  
  
PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance
  
- 3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**
  - a. Report from City Manager APRIL8-08-145 CITY-WIDE
  
- 4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS**
  - a. Report from City Manager APRIL8-08-146 CITY-WIDE

**5. LIQUOR LICENSE APPLICATIONS**

a. Report from City Manager APRIL8-08-148 CITY-WIDE

b. Liquor License Applications

New License(s)

1. Daglio's Cheesesteaks and Hoagies, Ward 2  
250 N. Pantano Rd. #200  
Applicant: Charles D. Stopani  
Series 12, City 6-08  
Action must be taken by: March 28, 2008

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

(CONTINUED FROM MAYOR AND COUNCIL MEETING OF MARCH 25, 2008)

2. Wings Pizza N Things, Ward 2  
8838 E. Broadway  
Applicant: Kathryn Lillian Wattering  
Series 12, City 10-08  
Action must be taken by: April 4, 2008

Tucson Police Department and Revenue have indicated the applicant is in compliance with city requirements.

Development Services has indicated the applicant is not in compliance with city requirements.

(CONTINUED FROM MAYOR AND COUNCIL MEETING OF MARCH 25, 2008)

3. Casa Don Carlos, Ward 3  
1103 W. Prince Rd.  
Applicant: Carlos Maldonado Lopez  
Series 12, City 11-08  
Action must be taken by: April 4, 2008

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

(CONTINUED FROM MAYOR AND COUNCIL MEETING OF MARCH 25, 2008)

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 Transfer(s)

4. Henry's Market, Ward 5  
3051 E. 36th Street  
Applicant: Chung Ming Lee  
Series 9, City 13-08  
Action must be taken by: April 18, 2008

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

Public Opinion: Written Argument In Favor Filed

NOTE: State law provides that for a person to person transfer, Mayor and Council may consider the applicant's capability, qualifications and reliability. (A.R.S. Section 4-203)

Person/Location Transfer(s)

5. Wal-Mart Neighborhood Market #4603, Ward 4  
5500 E. 22nd Street  
Applicant: Clare Hollie Abel  
Series 9, City 14-08  
Action must be taken by: April 19, 2008

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

Public Opinion: Written Argument Opposed Filed

6. BevMo!, Ward 3  
4646 N. Oracle Rd., Suite 130  
Applicant: Randy D. Nations  
Series 9, City 15-08  
Action must be taken by: April 18, 2008

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

7. BevMo!, Ward 3  
4646 N. Oracle Rd., Suite 130  
Applicant: Randy D. Nations  
Series 7, City 16-08  
Action must be taken by: April 18, 2008

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

8. Total Wine & More #1005, Ward 3  
4328 N. Oracle Road  
Applicant: Nicholas Carl Guttilla  
Series 6, City 17-08  
Action must be taken by: April 18, 2008

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. Carondelet Foundation, Inc. (dba The Centurions), Ward 5  
2500 E. Ajo Way (Tucson Electric Park)  
Applicant: Jan Fiakas  
City T12-08  
Date of Event: May 17, 2008  
(Fund raising to benefit Carondelet St. Mary's Hospital)

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

2. Comite de Festividades Mexicanas, Ward 1  
3700 S. La Cholla Blvd.  
Applicant: Mercedes M. Guerrero  
City T15-08  
Date of Event: May 3 & May 4, 2008  
(To celebrate 5 de Mayo)

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

3. La Frontera Tucson International Mariachi Conference, Inc., Ward 6  
900 S. Randolph Way  
Applicant: Alfonso Dancil  
City T17-08  
Date of Event: April 26, 2008  
(Fundraising)

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

4. The Junior League of Tucson, Inc., Ward 6  
900 S. Randolph Way (Hi Corbett Field)  
Applicant: Amy J. Bhola  
City T23-08  
Date of Event: April 25, 2008  
(Fundraiser)

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

5. Artsake Foundation, Ward 6  
Congress St. between 4th Ave. & 6th Ave.,  
5th Ave. between Broadway & Toole  
Applicant: Jeb Bley Schoonover  
City T26-08  
Date of Event: April 19, 2008  
(Fundraiser)

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

- d. Agent Change/Acquisition of Control

NOTE: There are no agent changes 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, 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”.

## 7. CONSENT AGENDA – ITEMS A THROUGH N

### **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: EUCLID AVENUE, BROADWAY BOULEVARD TO SPEEDWAY BOULEVARD, DISTRICT SIDEWALK AND LIGHTING IMPROVEMENT**

- a. Report from City Manager APRIL8-08-156 WARD 6
- b. Hearing: This is the final hearing for the project. Interested parties may present objections to the legality of the assessment or any of the previous proceedings, or present evidence that the construction was not performed according to the contract.
- c. Resolution No. 20915 relating to transportation; approving assessment and previous proceedings for the “Euclid Avenue, Broadway Boulevard to Speedway Boulevard District Sidewalk and Lighting Improvement,” in the City of Tucson, Arizona.

Staff recommends that the Mayor and Council adopt the attached Resolution Approving Assessments and Previous Proceedings.

**9. ZONING: (C9-06-14) PARK PLACE MALL – WILMOT ROAD, C-1 TO C-2, ORDINANCE ADOPTION**

- a. Report from City Manager APRIL8-08-157 WARD 6
- b. Ordinance No. 10513 relating to zoning: amending zoning district boundaries in the area located on the north side of Park Place Drive, approximately 750 feet west of Wilmot Road, at Park Place Mall in Case C9-06-14, Park Place Mall – Wilmot Road, C-1 to C-2; and setting an effective date.

A simple majority vote will be necessary to adopt the ordinance.

**10. CITY MAGISTRATES: APPOINTING MICHAEL P. POLLARD AS A CITY MAGISTRATE AND FIXING COMPENSATION**

- a. Report from City Manager APRIL8-08-163 CITY-WIDE
- b. Ordinance No. 10516 relating to City Magistrates; appointing a 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 APRIL8-08-147 CITY-WIDE

**12. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, April 15, 2008, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.