



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, MAY 20, 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 – C. Martin Stevens, Veteran’s Affair Committee

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS:

- a. Proclaiming May 18 to May 24 to be “Public Works Week”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager MAY20-08-230 CITY-WIDE

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

- a. Report from City Manager MAY20-08-231 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager MAY20-08-232 CITY-WIDE
- b. Liquor License Applications

New License(s)

- 1. Fuku Sushi & Teppan, Ward 6
940 E. University Blvd.
Applicant: Andrew J. Adey
Series 12, City 31-08
Action must be taken by: June 6, 2008

Revenue Investigations and Development Services have indicated the applicant is in compliance with city requirements.

Tucson Police Department has indicated the applicant is not 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)

- 2. Maynards’ Trackside Market & Eatery, Ward 6
400 N. Toole Avenue
Applicant: Richard Samuel Oseran
Series 7, City 29-08
Action must be taken by: May 29, 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. Tucson’s Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Kelly Burke Perks
City T39-08
Date of Event: June 6, 2008
(To promote community event in downtown Tucson)

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

2. Tucson Breakfast Lions Club (TBLC), Ward 5
4823 S. 6th Ave.
Applicant: Wayne Francis Locke
City T40-08
Date of Event: June 13 and June 14, 2008
(Fundraiser)

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

3. Tucson Museum of Art, Ward 1
140 N. Main Ave.
Applicant: Katherine A. Wesolowski
City T41-08
Date of Event: June 6, 2008
(Exhibition Opening Reception)

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 J

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: *NORTHMANOR ANNEXATION DISTRICT*

- a. Report from City Manager MAY20-08-239 WARD 3
- b. Hearing on proposed annexation district located in the vicinity of River Road and First Avenue. The proposed annexation district is 70 acres or 0.109 square miles.

The City Manager recommends that the Mayor and Council direct staff to proceed with the *Northmanor Annexation District*.

9. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 27), RELATING TO AN INCREASE IN WATER RATES

- a. Report from City Manager MAY20-08-241 CITY-WIDE & OUTSIDE CITY
- b. Hearing on the adoption of an increase in water rates.
- c. Ordinance No. 10535 relating to water; amending Tucson Code, Chapter 27, Article II, Rates and Charges, Section 27-32, Charges for water service, Section 27-32.1, Monthly reclaimed water service charges, Section 27-33, Monthly potable water service charges and Section 27-34, Charges for fire protection service; setting an effective date and declaring an emergency.

The proposed ordinance includes a July 7, 2008 effective date.

10. PUBLIC HEARING: APPLICATION BY TUCSON GREYHOUND PARK FOR AN OFF-TRACK BETTING SITE LOCATED AT THE OLIVER R. TWIST CAFÉ, 4915 EAST SPEEDWAY BOULEVARD

- a. Report from City Manager MAY20-08-240 WARD 6
- b. Hearing on a request by Tucson Greyhound Park for a new off-track betting site located at the Oliver R. Twist Café, 4915 East Speedway Boulevard.
- c. Resolution No. 20949 relating to off-track betting facilities; approving Oliver R. Twist Café, 4915 East Speedway Boulevard, Tucson, Arizona, as an off-track betting site for horse and dog racing for the Tucson Greyhound Park; and declaring an emergency.

11. CITY MAGISTRATES: APPOINTMENTS OF SPECIAL CITY MAGISTRATES

- a. Report from City Manager MAY20-08-243 CITY-WIDE
- b. Ordinance No. 10529 relating to City Magistrates; appointing Stacey A. Hayes as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.
- c. Ordinance No. 10530 relating to City Magistrates; appointing Paul Julien as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.
- d. Ordinance No. 10531 relating to City Magistrates; appointing Stephen T. Portell as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.
- e. Ordinance No. 10532 relating to City Magistrates; appointing Stellisa Scott as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.
- f. Ordinance No. 10533 relating to City Magistrates; appointing Clinton R. Stinson as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager MAY20-08-233 CITY-WIDE

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, June 3, 2008, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.