



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.

- 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).

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 and address before proceeding.
- 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
Kathleen Dunbar – Vice Mayor

Council Members

José J. Ibarra **Ward 1**
Carol W. West **Ward 2**
Kathleen Dunbar **Ward 3**

Shirley C. Scott **Ward 4**
Steve Leal **Ward 5**
Fred Ronstadt **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, OCTOBER 18, 2005 – 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 Otis F. Brown, Jr., Siloam Freewill Church

PLEDGE OF ALLEGIANCE – The Pledge will be led by the Cub Scout Pack 211

PRESENTATIONS

- a. Proclaiming the value of the National Incident Management System in our community.
- b. Proclaiming October 20 to be Lights on After School Day
- c. Proclaiming the month of October to be National Down Syndrome Awareness Month.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager OCT18-05-558 CITY-WIDE

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

- a. Report from City Manager OCT18-05-559 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager OCT18-05-560 CITY-WIDE

b. Liquor License Applications

New License

1. Stopani's, Ward 4
5754 E. 22nd Street
Applicant: Joseph Charles Gurrola
Series 12, City 77-05
Action must be taken by: October 20, 2005

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

2. Chipotle Mexican Grill #0668, Ward 3
235 W. Wetmore Road, #101
Applicant: H. J. Lewkowitz
Series 12, City 79-05
Action must be taken by: October 24, 2005

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

3. Neo of Melaka, Ward 3
1765 E. River Road, Suite 131
Applicant: Hock Chuan Yap
Series 12, City 80-05
Action must be taken by: October 29, 2005

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

4. Montana Ave, Ward 2
6390 E. Grant Road
Applicant: Randy D. Nations
Series 12, City 83-05
Action must be taken by: October 30, 2005

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/Person Transfer

5. Alfie's Pub, Ward 5
3940 E. 29th Street
Applicant: Johnnie Ray Mauldin
Series 06, City 82-05
Action must be taken by: October 31, 2005

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

PUBLIC OPINION: SUPPORT 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)

c. Special Event

1. Vietnam Veterans of America, Inc., Tucson Chapter 106, Ward 6
900 S. Randolph Way
Applicant: Juan Rodriguez
City T89-05
Date of Event: October 30, 2005
To Honor the Armed Forces and it's Veterans

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

2. Tucson Community School Inc., Ward 3
3201 E. Presidio
Applicant: Catherine Linda Mahoney
City T91-05
Date of Event: October 29, 2005
To Raise Money For Programs Offered By TCS

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

3. St. Ambrose Catholic School, Ward 6
300 S. Tucson Blvd.
Applicant: Leslie Ann Shultz-Crist
City T93-05
Date of Event: October 29, 2005
Fundraiser

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

PUBLIC OPINION: PROTEST FILED

4. Saints Peter and Paul Catholic School, Ward 6
1436 N. Campbell Ave.
Applicant: Paul V. Leonardi
City T94-05
Date of Event: October 29, 2005
School Fundraiser

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

PUBLIC OPINION: PROTEST FILED

5. League of Mexican American Women, Ward 6
900 S. Randolph Way
Applicant: Maria Zenaida Sanchez
City T101-05
Date of Event: October 23, 2005
Community Fundraiser

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

6. It's Happening Downtown Inc., Ward 1
Jacome Plaza
Applicant: Barbara A. Zelano
City T102-05
Date of Event: October 29, 2005
Community Cultural Event

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

d. Agent Change

1. Target #855, Ward 2
6500 E. Grant Road
Applicant: John Edward Schlieper
City AC02-05
Action must be taken by: October 30, 2005

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

2. Target #1316, Ward 1
1225 W. Irvington Road
Applicant: John Edward Schlieper
City AC03-05
Action must be taken by: October 30, 2005

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

3. Target #179, Ward 6
5255 E. Broadway Blvd.
Applicant: John Edward Schlieper
City AC04-05
Action must be taken by October 30, 2005

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

4. Target #1439, Ward 6
3699 E. Broadway Blvd.
Applicant: John Edward Schlieper
City AC05-05
Action must be taken by: October 30, 2005

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

NOTE: The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

6. CONSENT AGENDA – ITEMS A THROUGH O

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. TUCSON CODE: AMENDING (CHAPTER 11) RELATING TO CRIMES AND OFFENSES, REGULATING THE MANNER OF SALE OF PRODUCTS CONTAINING PSEUDOEPHEDRINE

- a. Report from City Manager OCT18-05-574 CITY-WIDE
- b. Ordinance No. 10211 relating to Crimes and Offenses; regulating the manner of sale of products containing pseudoephedrine; providing for the seizure and disposal of improperly displayed products; and providing for the refusal to sell pseudoephedrine products under suspicious circumstances; by amending Chapter 11, Article II, of the Tucson Code, by adding Sections 11-71 through 11-72; establishing an effective date; and declaring an emergency.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager OCT18-05-561 CITY-WIDE

10. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, November 1, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.