



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 21, 2009 – 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 – Pastor Bob Auberry, New Life Church

PLEDGE OF ALLEGIANCE – Led by Council Member Scott, Ward 4 in conjunction with the University of Arizona Color Guard

PRESENTATIONS:

- a. Proclaiming the month of April to be the “Month of the Young Child”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager APR21-09-206 CITY-WIDE

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

- a. Report from City Manager APR21-09-207 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

a. Report from City Manager APR21-09-208 CITY-WIDE

b. Liquor License Applications

New License(s)

1. Sahara Tobacco Smoke Shop, Ward 3
3415 N. 1st Ave.
Applicant: Munir Ghaleb Hassan
Series 10, City 11-09
Action must be taken by: April 27, 2009

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

Public Opinion: Written Arguments Opposed Filed

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)

2. Asylum, Ward 6
121 E. Congress St.
Applicant: Kevin Arnold Kramber
Series 6, City 13-09
Action must be taken by: April 27, 2009

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

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)

3. Rax, Ward 4
2560 S. Kolb Rd.
Applicant: Davis Carl Ryle
Series 6, City 12-09
Action must be taken by: April 26, 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. Tucson Kitchen Musicians Assoc., Ward 1
160 W. Alameda St.
Applicant: Susan Marie Liechti
City T28-09
Date of Event: May 2, 2009 - May 3, 2009
(Tucson Folk Festival)

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

2. Tucson Kitchen Musicians Assoc., Ward 1
140 N. Main Ave.
Applicant: Susan Marie Liechti
City T29-09
Date of Event: May 2, 2009 - May 3, 2009
(Tucson Folk Festival)

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

3. Tucson's Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Megan Leslee Courtney
City T31-09
Date of Event: May 1, 2009
(To promote community event in downtown Tucson)

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

4. Downtown Tucson Partnership, Ward 6
110 S. Church Ave.
Applicant: Brandi Renee Haga
City T32-09
Date of Event: May 1, 2009 - May 2, 2009
(To create a festive spirit of community & promote downtown)

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

Public Opinion: Written Argument Opposed Filed

5. Satori, Inc., Ward 3
3727 N. 1st Ave.
Applicant: Phyllis L. Gold
City T33-09
Date of Event: May 2, 2009
(Annual fundraiser silent & live auction)

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

6. St. Cyril of Alexandria School, Ward 6
4725 E. Pima St.
Applicant: Elizabeth W. Naughton
City T37-09
Date of Event: April 25, 2009
(School fundraiser)

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

d. Agent Change/Acquisition of Control/Restructure

1. Sushi Cho, Ward 5
1830 E. Broadway Blvd.
Applicant: Nguu Du
Series 7, City AC2-09
Action must be taken by: April 27, 2009

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. 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 G**

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: AMENDING TUCSON CODE (CHAPTER 15) TO ALLOW WASTE DISPOSAL AGREEMENTS**

- a. Report from City Manager APR21-09-218 CITY-WIDE
- b. Hearing on proposed amendment to Chapter 15 of the Tucson Code to allow the Director of Environmental Services to enter into Waste Delivery/Disposal Agreements for the Los Reales Landfill and setting associated fees.
- c. Ordinance No. 10654 relating to environmental services; adding new Section 15.34.8 to Chapter 15 of The Tucson Code; giving the Director of Environmental Services authority to enter into disposal services contracts; establishing an effective date; and declaring an emergency.

9. **PUBLIC HEARING: *ESTATES AT STARR PASS ANNEXATION DISTRICT***

- a. Report from City Manager APR21-09-217 WARD 1
- b. Hearing on proposed annexation district located along the south side of Anklam Road extending westward adjoining the City along its southern boundary adjacent to Starr Pass. The proposed annexation district is 51.3 acres or 0.0016 square miles.

The City Manager recommends that the Mayor and Council direct staff to proceed with the *Estates at Starr Pass Annexation District*.

10. **TUCSON CODE: AMENDING (CHAPTERS 10B AND 23A) REORGANIZING THE COMMUNITY SERVICES, URBAN PLANNING AND DESIGN, AND DEVELOPMENT SERVICES DEPARTMENTS (CONTINUED FROM THE MEETING OF APRIL 14, 2009)**

- a. Report from City Manager APR21-09-219 CITY-WIDE

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 APR21-09-209 CITY-WIDE

12. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, April 28, 2009, at 5:30 p.m. in the Meeting Rooms at the Tucson Convention Center, 260 S. Church Avenue, Tucson, Arizona.