



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 Mondays 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).

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
Fred Ronstadt – Vice Mayor

Council Members

José J. Ibarra	Ward 1	Shirley C. Scott	Ward 4
Carol W. West	Ward 2	Steve Leal	Ward 5
Kathleen Dunbar	Ward 3	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 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:
 Tuesdays – 9:00 p.m. Wednesdays – 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

REGULAR MEETING

**MONDAY, OCTOBER 25, 2004 – 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 Jim Corley, Crosspoint Community Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- (a) Proclamation – Proclaiming the week of October 18, 2004 to be Arizona Cities and Towns Week 2004
- (b) Recognition of Christine Conte, as an “Extraordinary Citizen”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT25-04-591 CITY-WIDE

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

- (a) Report from City Manager OCT25-04-592 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- (a) Report from City Manager OCT25-04-587 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

- (1) SUPER STOP #870 Staff Recommendation
3102 E. 22nd Street
Applicant: Rodney S. Herbert
City #066-04, Ward 5
Series #10
Action must be taken by: October 30, 2004
Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance

PUBLIC OPINION: PROTESTS FILED

- (2) CHUY'S MESQUITE BROILER Staff Recommendation
4490 N. 1st Avenue
Applicant: Mark A. Aguirre
City #067-04, Ward 3
Series #12
Action must be taken by: November 1, 2004
Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance

- (3) NOTHING BUT NOODLES Staff Recommendation
2500 N. Silverbell Road #100
Applicant: Donald T. Klump
City #070-04, Ward 1
Series #12
Action must be taken by: November 7, 2004
Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance

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 community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person/Location Transfer(s)

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|---|---|
| (4) CREATE CAFE
5553 E. Grant Road
Applicant: Lauri Fay Marks Kaye
City #069-04, Ward 2
Series #7
Action must be taken by: November 5, 2004 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
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NOTE: For a person and location transfer, Mayor and Council may consider the applicant's capability, qualifications, reliability and location issues.

(c) Special Event(s)

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| (1) LEAGUE OF MEXICAN
AMERICAN WOMEN
900 S. Randolph Way
Applicant: Gloria H. Rodriguez
City #T087-04, Ward 6
Date of Event: 11/14/04
(Community Fundraiser) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (2) CONGRESS HISTORIC
THEATRES FOUNDATION
Congress between 4th & 6th, 5th between
Congress & Broadway
Applicant: Douglas W. Biggers
City #T092-04, Ward 6
Date of Event: 10/30/04
(Fundraiser) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (3) GLASSMAN FOUNDATION
6503 E. Tanque Verde Road
Applicant: Don W. Haskell
City #T094-04, Ward 2
Date of Event: 11/7/04
(Raise funds for Pima County Children's Charities) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

6. CONSENT AGENDA – ITEMS A THROUGH L

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 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: TUCSON CODE (CHAPTER 21) RELATING TO THE TUCSON CITY GOLF BUSINESS PLAN

- (a) Report from City Manager OCT25-04-601 CITY-WIDE
- (b) Hearing on the approval of the Tucson City Golf Business Plan
- (c) Ordinance No. 10070 relating to parks & recreation; amending fees for play and equipment rental at municipal golf courses by amending the Tucson Code Chapter 21 Parks and Recreation, Article II City Municipal Golf Courses, Sections 21-22 Rates for City Carts; Rental Agreement Required, 21-23 Rates for Use of Private Carts, Subsections 21-23.1 Driving Range Golf Ball Rental Fees, 21-25.1 Regular Greens Fees, 21-25.2 Retired City Employees, 21-25.3 Resident Golfer, 21-25.4 Resident Senior Citizen Golfer, and 21-25.6 Resident Greens Fees; providing effective dates for Subsections 21-25.1 Regular Greens Fees and 21-25.6 Resident Greens Fees; adding new Subsection 21-25.11 authorizing the establishment of frequent user discount policy; deleting and reserving Subsection 21-29 Locker Rental Fees; and declaring an emergency.

9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE LAND USE CODE (LUC); REGARDING AIRPORT ENVIRONS ZONE (AEZ)

- (a) Report from City Manager OCT25-04-602 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.

10. PUBLIC HEARING: ZONING (C9-96-01) TACK ROOM – SABINO CANYON ROAD, C-1 ZONING, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION

- (a) Report from City Manager OCT25-04-598 W2
- (b) Hearing on a request for a change of conditions to allow residential development of the Tack Room site located between Placita Rancho La Cholla and Vuelta Rancho Mesquite. The revised preliminary development plan is for 20 single family detached residential units on 3.85 acres. Applicant: James C. Summerset on behalf of the property owner, AmericaBuilt Construction.
- (c) Ordinance No. 10068 relating to zoning: amending Ordinance No. 8991 to amend conditions in the area located approximately 1,300 feet east of Sabino Canyon Road in case C9-96-01, Tack Room – Sabino Canyon Road, C-1; and declaring an emergency.

The City Manager recommends approval of the requested change of conditions and preliminary development plan subject to the conditions provided in the attached ordinance.

11. REAL PROPERTY: APPROVING LEASE AGREEMENT AND BILLBOARD REMOVAL WITH CLEAR CHANNEL OUTDOOR, INC.

- (a) Report from City Manager OCT25-04-603 W6
- (b) Ordinance No. 10071 relating to real property; authorizing and approving the extension of a lease of certain city owned real property south of the southeast corner of Stone Avenue and Sixth Street to Clear Channel Outdoor, Inc. and declaring an emergency.

12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager OCT25-04-593 CITY-WIDE

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, November 1, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.