



# Mayor & Council Meeting Notice & Agenda

## REGULAR MEETING

MONDAY, OCTOBER 28, 2002 – 7:30 P.M.  
MAYOR AND COUNCIL CHAMBERS  
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

**1. ROLL CALL**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION – Pastor Trevor Hubbs, Manor Baptist Church

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

(a) Report from City Manager OCT28-02-651 CITY-WIDE

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

(a) Report from City Manager OCT28-02-654 CITY-WIDE

**5. CALL TO THE AUDIENCE:**

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on tonight's agenda*. 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."

6. 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 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. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager OCT28-02-652 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

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| (1) | ILSA’S AND NUELLE’S<br>GARDEN RESTAURANT<br>186 N. Meyer Avenue<br>Applicant: Jean M. Copeland<br>City #073-02 located in Ward 1<br>Series #12<br>Action must be taken by: November 12, 2002 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
| (2) | TOUCHDOWNS RESTAURANT & BAR<br>6366 E. Broadway<br>Applicant: Vincent C. Errico<br>City #074-02, located in Ward 4<br>Series #12<br>Action must be taken by: November 13, 2002               | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |

NOTE: State law provides that a new license, “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)

- (3) MARIACHI LOCO RESTAURANT      Staff Recommendation  
106 W. Drachman  
Applicant: Marco Bermudez-Dominguez      Police: **DENIED**  
City #072-02, located in Ward 6      DSD: In Compliance  
Series #6      Bus. License: In Compliance  
Action must be taken by: November 10, 2002  
Public Opinion:      **PROTESTS FILED**

NOTE: For a person to person transfer, the State Liquor Board will not hold a hearing to consider a protest of location or permit testimony against the location at a hearing scheduled to evaluate the personal qualification of the applicant.

(c) Special Event(s)

- (1) TUCSON BOTANICAL GARDENS      Staff Recommendation  
2150 N. Alvernon Way  
Applicant: Michelle G. Conklin      Police: In Compliance  
City #T083-02, located in Ward 6      DSD: In Compliance  
Date of Event: December 5, 2002

- (2) LEAGUE OF MEXICAN      Staff Recommendation  
AMERICAN WOMEN  
900 S. Randolph Way      Police: **Review In Process**  
Reid Park Bandshell      DSD: In Compliance  
Applicant: Bertha A. Soto      Parks: In Compliance  
City #T099-02, located in Ward 6  
Date of Event: November 3, 2002

(d) Extension of Premises

- (1) CONGRESS TAP ROOM, INC.      Staff Recommendation  
311 E. Congress Street  
Applicant: Richard S. Oseran      Police: **DENIED**  
City #EP50-02, located in Ward 6      DSD: In Compliance  
Date of Event: October 31, 2002  
Type: Temporary

**8. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 6) RELATING TO BUILDING SAFETY, REPEALING THE BUILDING CONSERVATION CODE AND ADOPTING THE 1999 EDITION OF THE NEW JERSEY REHABILITATION SUBCODE WITH MODIFICATIONS**

- (a) Report from City Manager OCT28-02-650 CITY-WIDE
- (b) Hearing: Adoption of the 1999 Edition of the New Jersey Rehabilitation Subcode with modifications. The proposed code modifications and amendments represent changes to the code, which take local conditions into consideration.
- (c) Ordinance No. 9786 relating to building safety; amending the Tucson Code, Chapter 6, buildings, electricity, plumbing and mechanical code by repealing Article IX, Building Conservation Code consisting of Section 6-191 through Section 6-193; adopting the New Jersey Rehabilitation Code; setting penalties for violations and declaring an emergency.

**9. PUBLIC HEARING: CASE NATURAL RESOURCES PARK; BOND FUNDING CLARIFICATION**

- (a) Report from City Manager OCT28-02-662 WII
- (b) Hearing: For the purpose of clarification of bond funding associated with the Case Natural Resources Park project.
- (c) Resolution No. 19410 relating to finance; reaffirming that the Fiscal Year 2000 bond election proceeds for Case Park are allocated according to the City's Year 2000 Capital Improvement Funded Program (CIFP2000) to fund Phase I Improvements of the Case Parks Master Plan; and declaring an emergency.

**10. PUBLIC HEARING: *LAND USE CODE* AMENDMENT – AIRPORT ENVIRONS ZONE/DAVIS MONTHAN AIR FORCE BASE (CONTINUED FROM THE MEETING OF OCTOBER 14, 2002)**

- (a) Report from City Manager OCT28-02-661 CITY-WIDE
- (b) Hearing.
- (c) Ordinance No. 9781 relating to planning and zoning; amending certain portions of the Tucson Code, Chapter 23, *Land Use Code*, Article II, Zones, Division 8, Overlay Zones; Article III, Development Regulations, Division 2, Development Criteria; and setting an effective date.

**11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- (a) Report from City Manager OCT28-02-649 CITY-WIDE

**12. CALL TO THE AUDIENCE**

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**13. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, November 4, 2002, at 2:00 p.m., in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.