



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, FEBRUARY 3, 2003 – 2:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Steve Collins, Flowing Wells Assembly of God 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 FEB3-03-58 CITY-WIDE

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

(a) Report from City Manager FEB3-03-73 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 M**

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 FEB3-03-69 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

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| (1) KOKOBANA MEXICAN GRILL
3022 E. Broadway Blvd.
Applicant: Daniel E. Lopez, Jr.
City #110-02, located in Ward 6
Series #12
Action must be taken by: February 14, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
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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 Transfer(s)

- | | |
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| (2) PHO 88
2746 N. Campbell Avenue
Applicant: Jason Lam
City #109-02, located in Ward 3
Series #7
Action must be taken by: February 17, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
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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 qualifications of the applicant.

(c) Special Event(s)

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| (1) DESERT VOICES
6245 E. Bellevue
Applicant: John M. Kissler
City #T004-03, located in Ward 6
Date of Event: February 22, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
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(d) Extension of Premises

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| (1) R & D MARKET
7280 S. 12 th Avenue
Applicant: Patel V. Sanjay
City #EP58-02, located in Ward 1
Type: Permanent | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (2) VILLA CAMPANA RETIREMENT
RESIDENCE
6653 E. Carondelet Drive
Applicant: Frances P. Donnellan
City #EP59-02, located in Ward 2
Type: Permanent | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |

8. APPEAL: (S-02-23) APPEAL OF THE SIGN CODE ADVISORY AND APPEALS BOARD DECISION – 3215-3315 N. SWAN ROAD, SWAN PARTNERS

- (a) Report from City Manager FEB3-03-59 WII
- (b) Applicant/Appellant: Darren Burke, of Park West Development Company; representing the applicant Swan Partners, “McDonald’s”.

This is an appeal of a decision of the Sign Code Advisory and Appeals Board to deny a request for variance to Swan Partners to allow for the placement of one additional freestanding sign. The requested variance would allow the applicant to exceed the number of freestanding signs allowed (by one), and not require the sign to identify the name of the shopping center or be a tenant directory sign.

Applicant appealed the Building Official’s determination that the McDonald’s parcel is not a separately owned “premise.”

The Sign Code Advisory and Appeals Board upheld the Building Official's determination that the McDonald’s parcel is not a separately owned premise, and denied the applicant’s requested variance.

The applicant is appealing the Board's decision to the Mayor and Council.

The City Manager recommends that the Mayor and Council consider the merits of the appeal and vote to uphold the decision of the Board.

9. WATER: ACQUISITION OF MIDVALE FARMS WATER COMPANY

- (a) Report from City Manager FEB3-03-57 WI
- (b) Resolution No. 19498 relating to water; approving and authorizing the acquisition of Midvale Farms Water Company; and declaring an emergency.

10. WATER: APPROVAL OF SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT AMENDMENT AND SETTLEMENT AGREEMENT

- (a) Report from City Manager FEB3-03-76 CITY-WIDE AND OUTSIDE THE CITY

11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager FEB3-03- 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, February 10, 2003, at 7:30 p.m., in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.