



# MAYOR & COUNCIL MEETING NOTICE & AGENDA

## REGULAR MEETING

MONDAY, APRIL 28, 2003 – 7:00 P.M.

TUCSON CONVENTION CENTER – GRAHAM/GREENLEE ROOMS  
260 S. CHURCH, TUCSON, ARIZONA

**1. ROLL CALL**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION – Pastor Nathan Whittom, Mount Calvary Baptist Church

PLEDGE OF ALLEGIANCE – Led by Vice Mayor Scott, followed by a medley sung by the Desert Willow Freedom Choir

PRESENTATIONS

- (a) Presentation to students in the University of Arizona International Student Programs
- (b) Proclaiming April 27 – May 4, 2003 as "Days of Remembrance"
- (c) Presentation to Mayor and Council regarding – "Gifts of Life, Gifts of Love" Organ, Tissue Donation

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

- (a) Report from City Manager APRIL28-03-237 CITY-WIDE

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

- (a) Report from City Manager APRIL28-03-238 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 E

**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 APRIL28-03-246 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

**NOTE: There are no applications for licenses scheduled for this meeting.**

(c) Special Event(s)

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| (1) | SOUTH TUCSON LIONS CLUB<br>4823 S. 6 <sup>th</sup> Avenue<br>Applicant: Fernando Acevedo<br>City #T033-03, located in Ward 5<br>Date of Event: May 10, 2003<br>May 11, 2003 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Parks & Rec.: In Compliance |
| (2) | TUCSON JEWISH COMMUNITY CENTER<br>3800 E. River Road<br>Applicant: Sally A. Marchalonis<br>City #T034-03, located in Ward 2<br>Date of Event: May 4, 2003                   | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: <b>Review in process</b>                     |
| (3) | TUCSON MUSEUM OF ART<br>140 N. Main Avenue<br>Applicant: Charlie E. Bodden<br>City #T035-03, located in Ward 1<br>Date of Event: May 9, 2003                                | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance                                |
| (4) | THETA NU XI MULTICULTURAL<br>SORORITY, INC.<br>516 N. 5 <sup>th</sup> Avenue<br>Applicant: Sutopa Barua<br>City #T039-03, located in Ward 6<br>Date of Event: May 3, 2003   | <u>Staff Recommendation</u><br><br>Police: <b>Review in process</b><br>DSD: In Compliance                     |

(5) CONGREGATION OR CHADASH Staff Recommendation  
419 E. Limberlost Drive,  
Las Candelas Rental Hall  
Applicant: Diane K. Kerrihard  
City #T040-03, located in Ward 3  
Date of Event: May 3, 2003  
Police: In Compliance  
DSD: In Compliance

(d) Extension of Premises

(1) THE CANDY STORE Staff Recommendation  
1104 S. Craycroft  
Applicant: Steven M. Carringer  
City #EP15-03, located in Ward 6  
Date of Event: May 3, 2003  
Type: Temporary  
Series #6  
Police: In Compliance  
DSD: In Compliance

(2) CONGRESS TAP ROOM, INC. Staff Recommendation  
311 E. Congress  
Applicant: Richard S. Oseran  
City #EP16-03, located in Ward 6  
Date of Event: May 2, 2003  
May 3, 2003  
May 4, 2003  
Type: Temporary  
Series #6  
Police: In Compliance  
DSD: In Compliance

(3) CHUY'S MESQUITE BROILER Staff Recommendation  
7101 E. 22<sup>nd</sup> Street  
Applicant: James "Brian" Latta  
City #EP17-03, located in Ward 2  
Date of Event: May 2, 2003  
Type: Temporary  
Series #12  
Police: In Compliance  
DSD: **Review in process**

**8. REAL PROPERTY: ACQUISITION OF PROPERTY IN THE WAREHOUSE DISTRICT FROM THE STATE OF ARIZONA AND APPLICATION FOR HISTORIC PRESERVATION FUNDS**

- (a) Report from City Manager APRIL28-03-251 W1, W5 AND W6
- (b) Resolution No. 19569 relating to historic preservation; authorizing and approving the application for historic preservation funds for repairs to properties located within 1 to 31 East Toole Ave., Tucson, AZ, and declaring an emergency.

- (c) Resolution No. 19570 relating to real property; authorizing the City Manager to accept the no cost transfer of certain parcels of real property located within the Downtown Warehouse District from the State of Arizona to the City of Tucson; and declaring an emergency.

**9. PLANNING: ADOPTING THE HOUGHTON AREA PERFORMANCE POLICIES AND REZONING PREREQUISITES**

- (a) Report from City Manager APRIL28-03-247 CITY-WIDE
- (b) Resolution No. 19567 relating to planning and zoning; adopting the Houghton Area Master Plan Model Framework for the Citizens Review Committee and interim Master Planning Policies implementing policies of the Tucson General Plan and setting the policy for accepting rezoning applications for the evolving edge areas south of Irvington; and declaring an emergency.

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

- (a) Report from City Manager APRIL28-03-248 CITY-WIDE

This item has been scheduled should the governing body wish to consider the following items as well as any personal appointments to boards, commissions and committees.

**11. PUBLIC HEARING: (C15-02-03) ESTABLISHING ORIGINAL CITY ZONING FOR THE MARVIN ANNEXATION DISTRICT**

- (a) Report from City Manager APRIL28-03-239 W3
- (b) Hearing
- (c) Ordinance No. 9834 relating to zoning; establishing original city zoning for approximately 6.54 acres generally located on the south side of River Road one-half mile east of Campbell Avenue, which was annexed to the City of Tucson by Ordinance No. 9765 adopted on October 7, 2002; and setting an effective date.

**12. PUBLIC HEARING: (C9-98-08) WILMOT/INTERSTATE 10 PARTNERSHIP—  
WILMOT ROAD RV AND SH TO MH-2, TIME EXTENSION FOR MH-2  
PORTION ONLY**

- (a) Report from City Manager APRIL28-03-245 W4
- (b) Hearing on a request for a time extension on a portion of a previously approved rezoning. The applicant is Don Laidlaw, on behalf of the property owners, Ross M. Cooper and VM Tucson LLC. The rezoning site is located southeast of Wilmot Road and Interstate 10.

On February 27, 2003, Don Laidlaw, submitted a request for a five year time extension on the MH-2 portion of the site. The *Rincon Southeast Subregional Plan* and the *General Plan* continue to support the proposed use. Approval of the requested time extension is appropriate.

Three written approvals and zero written protests were received for this case prior to the Zoning Examiner's public hearing July 27, 1998.

A simple majority vote will be necessary to approve the five-year time extension.

**13. PUBLIC HEARING: TRUTH IN PROPERTY TAXATION**

- (a) Report from City Manager APRIL28-03-240 CITY-WIDE
- (b) Truth in Taxation Hearing on property tax changes.

**14. PUBLIC HEARING: 2004 BUDGET AS TENTATIVELY ADOPTED ON  
APRIL 21, 2003**

- (a) Report from City Manager APRIL28-03-249 CITY-WIDE
- (b) Hearing

**AT THIS TIME MAYOR AND COUNCIL  
WILL RECESS THE REGULAR MEETING AND  
CONVENE A SPECIAL MEETING FOR THE PURPOSE  
OF BUDGET ADOPTION**

# **SPECIAL MAYOR & COUNCIL MEETING**

**MONDAY, APRIL 28, 2003 – 7:00 P.M.  
TUCSON CONVENTION CENTER – GRAHAM/GREENLEE ROOMS  
260 S. CHURCH, TUCSON, ARIZONA**

**1. ROLL CALL**

**2. FINANCE: FINAL BUDGET ADOPTION FOR FISCAL YEAR 2004**

- (a) Report from City Manager APRIL28-03-250 CITY-WIDE
- (b) Resolution No. 19568 relating to finance; finally determining and adopting estimates of proposed expenditures by the City of Tucson for the Fiscal Year beginning July 1, 2003 and ending June 30, 2004, and declaring that together said expenditures shall constitute the budget of the City of Tucson for such fiscal year.

**3. ADJOURNMENT**

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**AT THIS TIME THE MAYOR AND COUNCIL WILL RECONVENE THEIR REGULAR MEETING**

## RECONVENE THE REGULAR SESSION

### ROLL CALL

#### 15. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. 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."

#### 16. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 5, 2003, at 2:00 p.m., in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.