



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.

5:00 p.m. session [Order of business]

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor license applications
- Consent Agenda
- Meeting will recess until 6:00 p.m.

6:00 p.m. session

- 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.cityoftucson.org/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.cityoftucson.org. 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.cityoftucson.org/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, MARCH 15, 2004 – 5:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Major William L. Hodge, The Salvation Army

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- (a) Proclamation – Proclaiming March 21, 2004 to be Tucson Muslim/Jewish Peace Walk Day

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager MARCH15-04-104 CITY-WIDE

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

- (a) Report from City Manager MARCH15-04-105 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- (a) Report from City Manager MARCH15-04-107 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

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| <p>(5) KOKOPELLI WINERY
 546 N. 4th Avenue
 Applicant: Dennis Minchella
 City #T023-04, located in Ward 6
 Date of Event: March 19, 2004
 March 20, 2004
 March 21, 2004
 (Fourth Avenue Street Fair)</p> | <p><u>Staff Recommendation</u>

 Police: In Compliance
 DSD: In Compliance</p> |
| <p>(6) HANDMAKER JEWISH SERVICES
 FOR THE AGING
 2221 N. Rosemont
 Applicant: Lee H. Olitzky
 City #T033-04, located in Ward 6
 Date of Event: March 20, 2004
 (Fundraiser)</p> | <p><u>Staff Recommendation</u>

 Police: In Compliance
 DSD: In Compliance</p> |

6. CONSENT AGENDA ITEMS A THROUGH O

A. REAL PROPERTY: APPROVING A SUBLEASE BY THE TUCSON MUSEUM OF ART OF A PORTION OF THE OLD CITY COURTS BUILDING TO DOWL ENGINEERS, LLC

- (1) Report from City Manager MARCH15-04-110 W1
- (2) Ordinance No. 9940 relating to real property; authorizing and approving the sublease by the Tucson Museum of Art of a portion of City-owned real property located at 166 W. Alameda, Tucson, Arizona, to Dowl Engineers LLC; and declaring an emergency.

B. REAL PROPERTY: AUTHORIZATION TO ACQUIRE EASEMENTS ALONG FIRST AVENUE FROM RIVER ROAD TO PRINCE ROAD FOR DISTRICT LIGHTING AND SIDEWALK IMPROVEMENTS

- (1) Report from City Manager MARCH15-04-109 W3
- (2) Resolution No. 19787 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain easements over, on, and under real property located on First Avenue between River Road and Prince Road, Tucson, Arizona, for District Lighting and Sidewalk Improvements; and declaring an emergency.

C. SURPLUS PROPERTY: DONATION OF OFFICE EQUIPMENT TO VOICES, INC. TO SUPPORT TRAINING OF COMMUNITY YOUTH IN DOCUMENTARY ARTS

(1) Report from City Manager MARCH15-04-112 CITY-WIDE

D. ASSURANCE AGREEMENT: (S03-039) ICE HOUSE LOFTS CONDOMINIUMS, UNITS 1 TO 51 AND COMMON AREAS “A” AND “B”

(1) Report from City Manager MARCH15-04-117 W5

(2) Resolution No. 19788 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S03-039 of a final plat for the Ice House Lofts Condominiums Subdivision, Lots 1 to 51 and Common Areas “A” and “B”; and declaring an emergency.

E. FINAL PLAT: (S03-039) ICE HOUSE LOFTS CONDOMINIUMS, UNITS 1 TO 51 AND COMMON AREAS “A” AND “B”

(1) Report from City Manager MARCH15-04-113 W5

(2) The City Manager recommends that, after the approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

F. ASSURANCE AGREEMENT: (S03-017) EARLY BIRD SUBDIVISION, LOTS 1 TO 6 AND COMMON AREAS “A” AND “B”

(1) Report from City Manager MARCH15-04-116 W3

(2) Resolution No. 19789 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S03-017 of a final plat for the Early Bird Subdivision, Lots 1 to 6 and Common Areas “A” and “B”; and declaring an emergency.

G. FINAL PLAT: (S03-017) EARLY BIRD SUBDIVISION, LOTS 1 TO 6 AND COMMON AREAS “A” AND “B”

- (1) Report from City Manager MARCH15-04-115 W3
- (2) The City Manager recommends that, after the approval of the Assurance Agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

H. ASSURANCE AGREEMENT: (S03-020) AMHERST SOUTH II, LOTS 1 TO 19 AND COMMON AREAS “A”, “B” AND “C”

- (1) Report from City Manager MARCH15-04-118 W5
- (2) Resolution No. 19790 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S03-020 of a final plat for the Amherst South II Subdivision, Lots 1 to 19 and Common Areas “A” - “C”; and declaring an emergency.

I. FINAL PLAT: (S03-020) AMHERST SOUTH II, LOTS 1 TO 19 AND COMMON AREAS “A”, “B” AND “C”

- (1) Report from City Manager MARCH15-04-114 W5
- (2) The City Manager recommends that, after the approval of the Assurance Agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

J. FINANCIAL PARTICIPATION AGREEMENT: WITH PIMA COMMUNITY COLLEGE FOR AEROSPACE TRAINING FUNDED BY THE ARIZONA COMMERCE AND ECONOMIC DEVELOPMENT COMMISSION

- (1) Report from City Manager MARCH15-04-120 CITY-WIDE
- (2) Resolution No. 19791 relating to economic development; authorizing and approving the agreement between the City of Tucson and Pima Community College (PCC); ratifying the acceptance of a grant from the Arizona Commerce and Economic Development Commission (CEDC) for aerospace training; and declaring an emergency.

K. PUBLIC IMPROVEMENTS: ELIMINATION OF THE IMPROVEMENT DISTRICT REQUIREMENTS FOR IMPROVEMENTS TO WETMORE ROAD - FAIRVIEW AVENUE TO ORACLE ROAD

(1) Report from City Manager MARCH15-04-119 W3

L. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR ACQUISITION OF PROPERTY FOR THE JULIAN WASH CULTURAL RESOURCE PARK (CONTINUED FROM THE MEETING OF MARCH 1, 2004)

(1) Report from City Manager MARCH15-04-121 W1

(2) Resolution No. 19758 relating to transportation; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and the State of Arizona for the Julian Wash Project; and declaring an emergency.

M. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR FISCAL YEAR 2004 YOUTH ENRICHMENT AND EMPLOYMENT PROGRAMS

(1) Report from City Manager MARCH15-04-122 CITY-WIDE

(2) Resolution No. 19792 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement with Pima County for School Year and Summer Enrichment and Employment Programs FY04; and declaring an emergency.

N. INTERGOVERNMENTAL AGREEMENT: WITH TUCSON UNIFIED SCHOOL DISTRICT FOR THE PRESERVATION AND RESTORATION OF VISTA DEL RIO ARCHEOLOGY PARK

(1) Report from City Manager MARCH15-04-123 W2

(2) Resolution No. 19793 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement with the Tucson Unified School District for the preservation, restoration and transfer of ownership of the Vista del Rio Archeology park; and declaring an emergency.

O. INTERGOVERNMENTAL AGREEMENT: WITH TUCSON UNIFIED SCHOOL DISTRICT FOR THE TEEN EMPLOYMENT AND DEVELOPMENT PROGRAM

- (1) Report from City Manager MARCH15-04-126 CITY-WIDE
- (2) Resolution No. 19794 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement with Tucson Unified School District No. 1 (TUSD) for development and operation of a teen employment and development program; and declaring an emergency.

RECESS

At the conclusion of Item 6, the Mayor and Council and a Resident Appointee will act as the City of Tucson Public Housing Authority Board of Commissioners.

MEETING WILL RECONVENE AT 6:00 P.M.

RECONVENE (6:00 P.M.)

ROLL CALL

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. 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 (AMENDING CHAPTER 4) RELATING TO THE LICENSE FEE FOR UNALTERED DOGS

- (a) Report from City Manager MARCH15-04-124 CITY-WIDE
- (b) Hearing regarding proposed changes to Tucson Code, Chapter 4, Article V, Section 4-82, "License Fee," reducing the unaltered dog license fee from \$75.00 to \$40.00. The unaltered dog license fee for seniors and persons with a disability will remain at \$12.00.
- (c) Ordinance No. 9942 relating to Animals and Fowl; providing for a reduction in the license fee for unaltered dogs; amending the Tucson Code by amending Section 4-82; and declaring an emergency.

This is the second of two Public Hearings on this topic. The first hearing was held on Oct. 27, 2003. Following the Public Hearing, the City Manager recommends adoption of Ordinance No. 9942.

9. ZONING: (C9-02-17) BROWN – CAMINO SECO, SR TO R-2, ORDINANCE ADOPTION

- (a) Report from City Manager MARCH15-04-111 W4
- (b) Ordinance No. 9941 relating to zoning: amending zoning district boundaries in the area located south of Golf Links Road between Camino Seco and the Pantano Wash in Case C9-02-17, Brown – Camino Seco Road, SR to R-2; and setting an effective date.

A simple majority vote will be necessary to adopt the ordinance presented.

10. PUBLIC IMPROVEMENTS: NOGALES HIGHWAY, IRVINGTON ROAD TO DREXEL ROAD DISTRICT STREET LIGHTING IMPROVEMENT

- (a) Report from City Manager MARCH15-04-108 W5
- (b) Declaration of bids received by the City Clerk on February 10, 2004. Recommendation of award of contract provided by the Superintendent of Streets.
- (c) Award of Construction contract to Mountain Power.

11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager MARCH15-04-106 CITY-WIDE

12. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, March 22, 2004, at 5:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.