



## 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](http://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](http://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

<b>José J. Ibarra</b>	<b>Ward 1</b>	<b>Shirley C. Scott</b>	<b>Ward 4</b>
<b>Carol W. West</b>	<b>Ward 2</b>	<b>Steve Leal</b>	<b>Ward 5</b>
<b>Kathleen Dunbar</b>	<b>Ward 3</b>	<b>Fred Ronstadt</b>	<b>Ward 6</b>

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](http://www.cityoftucson.org/agdocs)), 9<sup>th</sup> 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, APRIL 26, 2004 – 5:30 P.M.  
TUCSON CONVENTION CENTER  
260 SOUTH CHURCH AVENUE, TUCSON, ARIZONA  
BALLROOM (USE WEST ENTRANCE ON GRANADA AVENUE)

**1. ROLL CALL**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION – Pastor Bill Kemmeries, Jr., Shalom Mennonite Fellowship

PLEDGE OF ALLEGIANCE – Led by Council Member Scott with students from the Desert Willow Freedom Choir

PRESENTATIONS

- (a) Presentation by Bob Jones to the Mayor and Council of copies of the book *Fifty Years of Tucson Gem and Mineral Show History*
- (b) Presentation of certificates to students from the University of Arizona International Student Programs Office

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

- (a) Report from City Manager APRIL26-04-195 CITY-WIDE

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

- (a) Report from City Manager APRIL26-04-196 CITY-WIDE

**5. LIQUOR LICENSE APPLICATIONS**

(a) Report from City Manager APRIL26-04-193 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

(1) SAUCE PIZZA AND WINE 5285 E. Broadway Blvd. Suite A Applicant: Samuel W. Fox City #016-04, located in Ward 6 Series #12 Action must be taken by: May 6, 2004	<u>Staff Recommendation</u>  Police: In Compliance DSD: In Compliance Bus. License: In Compliance
---	---

(2) BANGKOK CAFE 2511 E. Speedway Blvd. Applicant: Adej Chotichuti City #017-04, located in Ward 6 Series #12 Action must be taken by: May 9, 2004	<u>Staff Recommendation</u>  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 the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

(c) Special Event(s)

(1) TANQUE VERDE SCHOOLS EDUCATION ENRICHMENT FOUNDATION 2454 N. Woodland Road Applicant: Dorthea A. Jones City #T042-04, located in Ward 2 Date of Event: May 7, 2004 (Spring event silent auction fundraiser)	<u>Staff Recommendation</u>  Police: In Compliance DSD: In Compliance
---	--

(2) CATHOLIC FOUNDATION FOR THE DIOCESE OF TUCSON 181 W. Broadway Blvd. Applicant: Martin Camacho City #T043-04, located in Ward 6 Date of Event: May 7, 2004 (Annual Benefit Dinner)	<u>Staff Recommendation</u>  Police: In Compliance DSD: In Compliance
---	--

- |     |   |  |
|-----|---|--|
| (3) | TUCSON MUSEUM OF ART<br>140 N. Main Avenue<br>Applicant: Charlie E. Bodden<br>City #T044-04, located in Ward 1<br>Date of Event: May 7, 2004<br>(Exhibition opening, concert, and fundraiser) | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance |
| (4) | FOX TUCSON THEATRE FOUNDATION<br>192 S. Stone Avenue<br>Applicant: Herb R. Stratford<br>City #T045-04, located in Ward 6<br>Date of Event: May 8, 2004<br>(Annual Fundraiser)                 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance |
| (5) | CONGREGATION CHAVERIM<br>5901 E. Second Street<br>Applicant: Shelly A. Schwartz<br>City #T046-04, located in Ward 6<br>Date of Event: May 1, 2004<br>(Wine and cheese tasting fundraiser)     | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance |

**PUBLIC OPINION: SUPPORT FILED**

**6. CONSENT AGENDA ITEMS A THROUGH F**

**A. PROFESSIONAL SERVICES CONTRACT: WITH HEINFELD, MEECH & CO. FOR AUDIT SERVICES FOR FISCAL YEAR 2004**

- (1) Report from City Manager APRIL26-04-197 CITY-WIDE
- (2) Resolution No. 19814 relating to finance; authorizing and approving the execution of the independent auditor contract with Heinfield, Meech & Co., P.C. for 2004 Fiscal Year; and declaring an emergency.

**B. WARD REDISTRICTING: APPOINTMENT TO THE 2004 REDISTRICTING ADVISORY COMMITTEE**

- (1) Report from City Manager APRIL26-04-199 CITY-WIDE
- (2) Resolution No. 19815 relating to the 2004 Redistricting Advisory Committee; appointing Paul Rubin to replace the initial Ward Five appointment made on February 23, 2004 in Resolution 19778; ratifying and reaffirming Resolution 19778 in all other respects; and declaring an emergency.

**C. INTERGOVERNMENTAL AGREEMENT: WITH THE CITY OF SOUTH TUCSON FOR FIXED-ROUTE AND PARATRANSIT SERVICES TO SOUTH TUCSON RESIDENTS**

- (1) Report from City Manager APRIL26-04-198 CITY-WIDE
- (2) Resolution No. 19816 relating to Intergovernmental Agreements; approving and authorizing the Intergovernmental Agreement between the City of Tucson and the City of South Tucson for the Provision of Fixed-Route Bus and ADA Paratransit Services; ADA certification and voucher sales to South Tucson residents, and declaring an emergency.

**D. INTERGOVERNMENTAL AGREEMENT: WITH THE CITY OF SOUTH TUCSON FOR ACCESS TO THE CITY OF TUCSON'S INSTITUTIONAL NETWORK**

- (1) Report from City Manager APRIL26-04-201 CITY-WIDE
- (2) Resolution No. 19817 relating to the Institutional Network; authorizing and approving an Intergovernmental Agreement between the City of South Tucson, Arizona (South Tucson) and the City of Tucson, Arizona (Tucson) for access to the institutional network and use of South Tucson rights-of-way by Tucson; and declaring an emergency.

**E. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO FREEDOM PARK CENTER**

- (1) Report from City Manager APRIL26-04-192 W5
- (2) Resolution No. 19818 relating to Intergovernmental Agreements; approving and authorizing execution of the first amendment to the Intergovernmental Agreement with Pima County for Improvements to Freedom Park Center; and declaring an emergency.

**F. GRANT AWARD: ACCEPTANCE OF GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE "COPS" 2003 TECHNOLOGY INITIATIVE**

- (1) Report from City Manager APRIL26-04-205 CITY-WIDE
- (2) Resolution No. 19819 relating to Law Enforcement; approving and authorizing execution of a grant award between the City of Tucson and the U.S. Department of Justice, funding COPS 2003 Technology Initiative in the amount of \$1,987,000.00; and declaring an emergency.

**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: (C15-04-01) ESTABLISHING ORIGINAL CITY ZONING FOR THE VILLAGE AT ORILLA DEL RIO ANNEXATION DISTRICT**

- (a) Report from City Manager APRIL26-04-203 W3
- (b) Hearing on the establishment of original City zoning for the Village at Orilla del Rio Annexation District. The property is approximately 12.87 acres generally located on the south side of River Road, approximately one mile east of Campbell Avenue. The current County zoning is SR. The appropriate City zoning is SR (Very Low Density Residential). The City Manager recommends that the Mayor and Council adopt the proposed ordinance establishing original City zoning of SR.
- (c) Ordinance No. 9959 relating to zoning; establishing original City zoning for approximately 12.87 acres generally located on the south side of River Road, approximately one mile east of Campbell Avenue, which was annexed to the City of Tucson by Ordinance No. 9849, adopted on February 2, 2004; designating the extension of the Scenic Route; and setting an effective date.

**9. PUBLIC HEARING: CITY OF TUCSON RECOMMENDED BIENNIAL BUDGET FOR FISCAL YEARS 2005 AND 2006**

- (a) Report from City Manager APRIL26-04-194 CITY-WIDE
- (b) Hearing. This is the first of two public hearings to be held on the City's Recommended Biennial Budget for Fiscal Years 2005 and 2006. This hearing is to allow the public an opportunity to comment on the budget prior to the beginning of the Mayor and Council budget review process. The second public hearing is scheduled for June 21, 2004.

**10. ZONING: (C9-02-23) LEVIS/SUTTON – CAMP LOWELL DRIVE SR/RX-1 TO C-1 ZONING, ORDINANCE ADOPTION**

- (a) Report from City Manager APRIL26-04-204 W2
- (b) Ordinance No. 9958 relating to zoning: amending zoning district boundaries in the area located at the southwest corner of Camp Lowell Drive and Swan Road in Case C9-02-23, Levis/Sutton – Camp Lowell Drive, SR/RX-1 to C-1; and setting an effective date.

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

**11. CITY MAGISTRATES: APPOINTMENT OF SPECIAL CITY MAGISTRATES**

- (a) Report from City Manager APRIL26-04-200 CITY-WIDE
- (b) Ordinance No. 9952 relating to City Magistrates; appointing Stacey Hayes, Paul Julien, Stellisa Scott, Wendy Anne Hernandez, Stephen T. Portell, and Clinton Ray Stinson as Special City Magistrates to serve upon call by the Chief Executive Officer of the Court; fixing compensation and declaring an emergency.

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

- (a) Report from City Manager APRIL26-04-202 CITY-WIDE

**13. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 3, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.