



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, Tucson, Arizona.

5:30 p.m. session [Order of business]

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor license applications
- Consent Agenda

- 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.tucsonaz.gov/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.tucsonaz.gov/agdocs. 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**
Carol W. West **Ward 2**
Kathleen Dunbar **Ward 3**

Shirley C. Scott **Ward 4**
Steve Leal **Ward 5**
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.tucsonaz.gov/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, MAY 17, 2004 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – President Gary D. Rasmussen, Tucson Arizona Stake, The Church of Jesus Christ of Latter-Day Saints

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

(a) Presentation of awards from the Southern Arizona Branch of the State of Arizona Chapter of the American Public Works Association

(b) Proclamation – Proclaiming May 16 through 22 to be Public Works Week

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager MAY17-04-237 CITY-WIDE

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

(a) Report from City Manager MAY17-04-238 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager MAY17-04-236 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

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| (1) C.I. CHU'S MONGOLIAN BARBEQUE
4540 E. Broadway Blvd.
Applicant: Calvin I. Chu
City #025-04, located in Ward 6
Series #12
Action must be taken by: June 6, 2004 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus.: License: In Compliance |
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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 community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

(c) Special Event(s)

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| (1) SOUTH TUCSON LIONS
3700 S. La Cholla Blvd.
Applicant: Fernando Acevedo
City #T048-04, located in Ward 1
Date of Event: May 30, 2004
(Fundraiser) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks & Rec.: In Compliance |
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6. CONSENT AGENDA ITEMS A THROUGH C

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 no 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. 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. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a "retained speaker". 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 23) THE *LAND USE CODE (LUC)*; DEVELOPMENT COMPLIANCE REVIEW CODES; THE WATERCOURSE AMENITIES, SAFETY AND HABITAT REGULATIONS; AND THE DEVELOPMENT STANDARDS

- (a) Report from City Manager MAY17-04-241 CITY-WIDE
- (b) Hearing on amendments to the Tucson Code that consolidate the legislative, administrative and appeal procedures for land use and development approvals. Changes are proposed in the *Land Use Code (LUC) (Chapter 23)*; the Development Compliance Review codes (*Chapter 23A*); and the Watercourse Amenities, Safety and Habitat (WASH) regulations (*Chapter 29*). The Development Standards are also amended to conform to the code amendments.
- (c) Ordinance No. 9967 relating to planning and zoning; consolidating the procedures for implementation of development regulations, including the legislative, administrative and appeal procedures in the Land Use Code, Development Compliance Review Code, and Watercourse Amenities, Safety and Habitat Code; making necessary technical and conforming amendments; amending Tucson Code Chapter 23, the Land Use Code by amending Article I, General provisions, Divisions 1, Introduction, 2, Interpretation, and 3 Mapping; Article II, Zones, Divisions 2, Rural Residential Zones, 3, Urban Residential Zones, 4, Office Zones, 5, Commercial Zones, 6, Mixed Use Zones, 7, Industrial Zones, and 8, Overlay Zones; Article III, Development Regulations, Divisions 1, General Provisions, 2, Development Criteria, 5, Performance Criteria, 6, Development Incentives, 7, Landscaping and Screening Regulations, and 8, Native Plant Preservation; Article IV, Subdivisions, Divisions 1, Generally, 2, Minor Subdivisions, and 3, Land Splits; Article V, Administration, Divisions 1, Powers and Duties, 2, Special Planning Documents, 3, Special Development Applications, 4, Procedures, and 5, Compliance and Enforcement; and Article VI, Definitions, Division 2, Listing of Words and Terms; amending Tucson Code Chapter 23A, to retitle Chapter 23A as the “Development Compliance Code”; and repealing current Article II, Review Procedures and adding a new Article II, Review Procedures, consisting of Divisions 1, General Zoning Review Procedure, 2, Special Zoning Review-Limited Notice Procedure, 3, Special Zoning Review-Full Notice Procedure, and 4, Appeal Procedures; and amending Article III, Definitions, Division 2, Listing of Words and Terms; amending Tucson Code Chapter 29, Energy and Environment, Article VII, Watercourse Amenities, Safety and Habitat, Sections 29-13, Definitions, 29-15, Development in the Study Area, 29-16, Development Requirements for Resource Areas, 29-17, Review and approval, 29-18, Violation Declared a Civil Infraction, and 29-19, Appeals and Variances; declaring an emergency and setting an effective date.

9. MAGISTRATES: APPOINTMENT OF CITY MAGISTRATES

- (a) Report from City Manager MAY17-04-242 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

10. MAGISTRATES: APPOINTMENT OF LIMITED SPECIAL CITY MAGISTRATES

- (a) Report from City Manager MAY17-04-243 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

11. MAGISTRATES: APPOINTMENT OF SPECIAL CITY MAGISTRATES AND SELECTION PROCESS FOR TUCSON CITY COURT SPECIAL MAGISTRATES

- (a) Report from City Manager MAY17-04-244 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

12. TUCSON CODE: AMENDING (CHAPTER 8) PROVIDING FOR THE APPOINTMENT OF JUSTICES OF THE PEACE TO PERFORM WEEKEND ARRAIGNMENTS AND INITIAL APPEARANCES

- (a) Report from City Manager MAY17-04-245 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

13. CITY COURT: APPOINTMENT OF JUSTICES OF THE PEACE TO PERFORM WEEKEND ARRAIGNMENTS AND INITIAL APPEARANCES

- (a) Report from City Manager MAY17-04-246 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

14. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager MAY17-04-235 CITY-WIDE

15. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 24, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.