



MAYOR & COUNCIL MEETING NOTICE & AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting, which will be open to the public:

REGULAR AGENDA

**TUESDAY, MAY 1, 2007 – 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 – Pastor Mark Harris, The Oasis Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATION

- a. Proclaiming May to be “Motorcycle Safety and Awareness Month.”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager MAY1-07-253 CITY-WIDE

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

- a. Report from City Manager MAY1-07-254 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager MAY1-07-251 CITY-WIDE
- b. Liquor License Applications

New License(s)

- 1. Oishi Sushi & Teriyaki, Ward 4
7002 E. Golf Links Rd.
Applicant: Rae Sul Pak
Series 12, City 22-07
Action must be taken by: May 21, 2007

Staff has indicated the applicant is in compliance with city requirements.

- 2. Bum Steer, Ward 3
1910 N. Stone Ave.
Applicant: Heiko Henning Willhelm Langrehr
Series 12, City 23-07
Action must be taken by: May 21, 2007

Review in process.

Public Opinion: Written Arguments Opposed Filed

- 3. Wing Factory, Ward 4
6330 E. Golf Links Rd. #132
Applicant: Sunny Misook Jang
Series 12, City 24-07
Action must be taken by: May 25, 2007

Staff has indicated the applicant is in compliance with city requirements.

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)

Person Transfer(s)

4. Sapphire Lounge, Ward 6
61 E. Congress St.
Applicant: Thomas Robert Aguilera
Series 6, City 21-07
Action must be taken by: May 19, 2007

Review in process.

NOTE: State law provides that for a person to person transfer, Mayor and Council may consider the applicant's capability, qualifications and reliability. (A.R.S. Section 4-203)

- c. Special Event(s)

NOTE: There are no applications for Special Events scheduled for this meeting.

- d. Agent Change

NOTE: There are no applications for Agent Changes scheduled for this meeting.

6. 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".

7. 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 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.

8. PUBLIC HEARING: RENEWAL OF CABLE TELEVISION LICENSE WITH COX COMMUNICATIONS

- a. Report from City Manager MAY1-07-248 CITY-WIDE
- b. Hearing on a proposed renewal of cable television license with Cox Communications. This hearing is being held in accordance with Arizona Revised Statutes Section 9-507(B).
- c. Resolution No. 20650 relating to cable communications; approving and authorizing execution of a nonexclusive cable license between the City of Tucson and Coxcom, Inc., doing business as Cox Communications Tucson; and declaring an emergency.

9. WATER: NOTICE OF INTENTION TO INCREASE CERTAIN TUCSON WATER RATE COMPONENTS AND FEES, AND SCHEDULING A PUBLIC HEARING FOR JUNE 5, 2007

- a. Report from City Manager MAY1-07-252 CITY-WIDE AND OUTSIDE CITY
- b. Resolution No. 20651 relating to water; authorizing the CWAC Rate Recommendations; approving the publication of a Notice of Intention to increase certain water rates and fees; scheduling a public hearing on the above referenced rates and fees; and declaring an emergency.

Staff recommends that the Mayor and Council review the Citizens Water Advisory Committee's (CWAC) report and initiate the legal process to increase water rates by:

- adopting by resolution the Notice of Intention to increase water rates;
- as required by State law, filing CWAC's report, including the proposed rate schedule, with the City Clerk as the report supporting the rate increases; and
- establishing June 5, 2007, as the date for a public hearing on the CWAC recommended rate schedule.

10. ZONING: (C9-06-19) PROSPERITY LOOP, LLC - 22ND STREET, SR TO R-1, ORDINANCE ADOPTION

- a. Report from City Manager MAY1-07-249 WARD 2
- b. Ordinance No. 10399 relating to zoning: amending zoning district boundaries in the area located at the northeast corner of 22nd Street and Bonanza Avenue in Case C9-06-19, Prosperity Loop, LLC – 22nd Street, SR to R-1, and setting an effective date.

11. ZONING: (SE-07-01) TARGET – ORACLE ROAD, C-2 ZONING, SPECIAL EXCEPTION LAND USE, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION

- a. Report from City Manager MAY1-07-240 WARD 3
- b. Report from Zoning Examiner dated April 13, 2007.
- c. This is a Special Exception Land Use request to allow construction of a large retail establishment located on the northeast corner of Oracle Road and Roger Road. Applicant: Thomas Sayler-Brown, on behalf of the property owners, Target Corporation.

The subject site is a prime retail/commercial location. The existing C-2 zoning allows intensive commercial use of the site to continue indefinitely without any substantive upgrades to public infrastructure or the property itself. This special exception request presents an opportunity to improve the function of the site, and visual character of the area, by applying current codes and design standards which would not otherwise be applicable.

The Zoning Examiner recommends approval of the special exception land use request.

Staff recommends approval of the special exception land use request subject to the conditions in the ordinance provided.

Three (3) written approvals and zero (0) written protest have been received.

- d. Ordinance No. 10400 relating to zoning; a special exception land use – large retail establishment – SE-07-01 Target – Oracle Road, northeast corner of Oracle Road and Roger Road; approving with conditions development of a large retail establishment in the C-2 Zone – Case SE-07-01; and setting an effective date.

A simple majority vote will be necessary to approve the rezoning ordinance.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager MAY1-07-239 CITY-WIDE

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, May 15, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

The meeting of May 8, 2007 has been canceled.