



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 Tuesdays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

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

- | | |
|--|---|
| <ul style="list-style-type: none"> Invocation and Pledge of Allegiance Presentations Summary of Current Events Liquor license applications Consent Agenda | <ul style="list-style-type: none"> 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
Kathleen Dunbar – 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.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. In addition, replays of the meetings are cablecast on Tucson 12 as follows:
 Wednesdays – 9:00 p.m. Thursdays – 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

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 MEETING

**TUESDAY, FEBRUARY 8, 2005 – 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 Ben Shunko, Beginnings Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- a. Proclamation – Proclaiming February 14 – 18, 2005 to be “Homes for Arizonans Week”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager FEB8-05-62 CITY-WIDE

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

- a. Report from City Manager FEB8-05-63 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager FEB8-05-60 CITY-WIDE
- b. Liquor License Applications

New License

- 1. Wok N' Sushi, Ward 5
4802 S. 6th Avenue
Applicant: Larry R. Lopez
Series 12, City 06-05
Action must be taken by: March 7, 2005

Staff Recommendation: Police, Development Services, and Revenue 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)

Person Transfer

- 2. Wildcat Market & Liquor, Ward 3
3996 N. 1st Avenue
Applicant: Ketankumar G. Patel
Series 9, City 105-04
Action must be taken by: February 18, 2005

Staff Recommendation: Police, Development Services, and Revenue in compliance.

PUBLIC OPINION: PROTESTS FILED

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

1. Pima Youth Partnership, Ward 1
3700 S. La Cholla Blvd.
Applicant: Luan E. Wagner
City T01-05
Date of Event: February 20, 2005
Fundraiser

Staff Recommendation: Police, Development Services, and Parks in compliance.

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 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. ZONING: (C9-02-13) PUEBLO MORTGAGE – SWAN ROAD, R-1 TO O-2, REACTIVATION, TIME EXTENSION AND ORDINANCE ADOPTION

- a. Report from City Manager FEB8-05-58 Ward 6
- b. Request for a time extension for rezoning property located on the east side of Swan Road between Cooper Street and Broadway Boulevard. Applicant: Carl Winters of Planning Resources. The approved development plan is for a 1,776 square foot professional office building on 0.19 acres. Because the rezoning case has expired, it must be reactivated prior to any action.

The City Manager recommends the Mayor and Council reactivate the case and approve a time extension from February 8, 2005 to February 8, 2006.

- c. Ordinance No. 10114 relating to zoning: amending zoning district boundaries in the area located on the east side of Swan Road between Cooper Street and Broadway Boulevard in case C9-02-13, Pueblo Mortgage – Swan Road, R-1 to O-2; and setting an effective date.

9. ZONING: (C9-91-14) CIVANO/PULTE – BILBY ROAD, R-2 AND C-2 ZONING, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION

- a. Report from City Manager FEB8-05-59 Ward 4
- b. This is a request for a change of conditions for property located at the northeast corner of Bilby Road and Houghton Road. Applicant: Mary Beth Savel of Lewis and Roca, LLP, on behalf of property owner Pulte Home Corporation.

The requested change is limited to a modification of energy conservation requirements.

- c. Ordinance No. 10115 relating to zoning: amending Ordinance No. 9919 to amend rezoning conditions by amending the R-2, RCP Energy Conservation Criteria for the area located at the northeast corner of Bilby Road and Houghton Road in case C9-91-14, Civano/Pulte – Bilby Road, R-2 and C-2 zoning; and declaring an emergency

10. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. Report from City Manager FEB8-05-64 CITY-WIDE

11. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, February 15, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.