



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. A member of the Mayor and Council may be present and participate in a meeting of the governing body by electronic attendance, subject to the conditions included in the Mayor and Council Rules and Regulations.

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

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor License Applications
- 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.

- Consent Agenda
- 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. 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).

Spanish language interpreting assistance is available during the meeting. If you need assistance, contact the Council Reporter located near the front, right side of the Chambers.

SAP in Spanish is now available for Mayor & Council meetings on channel 12. You can change your TV to the SAP function (check your remote control instructions) and listen to the Mayor & Council meetings translated in Spanish.

PARTICIPATION BY THE PUBLIC

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, whether you reside in the City of Tucson and whom you represent, before proceeding. Any person who is representing people other than themselves and is receiving compensation to influence an action by the Mayor & Council, shall, before speaking, identify themselves as a "retained speaker".
- 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. 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. Please turn off or put in vibrate mode all pagers and cell phones. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor		Karin Uhlich – Vice Mayor	
<u>Council Members</u>			
Regina Romero	Ward 1	Karin Uhlich	Ward 3
Rodney Glassman	Ward 2	Shirley C. Scott	Ward 4
		Steve Leal	Ward 5
		Nina J. Trasoff	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 5:00p.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:
Wednesday – 9:00 p.m. **Thursday – 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 AGENDA

**TUESDAY, NOVEMBER 25, 2008 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 W. ALAMEDA, TUCSON, AZ)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Rabbi Samuel Cohon, Temple Emanu-El

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS:

- a. Presentation of certificates to the International School of Tucson and their students for being named the “Worldwide Partner School”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager NOV25-08-630 CITY-WIDE

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

- a. Report from City Manager NOV25-08-631 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager NOV25-08-632 CITY-WIDE
- b. Liquor License Applications

New License(s)

- 1. The Cheesecake Factory, Ward 3
60 W. Wetmore Road
Applicant: Debbie Lynn Reiners
Series 12, City 70-08
Action must be taken by: December 6, 2008

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)

- c. Special Event(s)

- 1. Our Lady of Lavang Parish, Ward 5
800 S. Tucson Blvd.
Applicant: Anton Trung Tran
City T94-08
Date of Event: January 24, 2009 - January 25, 2009
(Vietnamese New Year festival)

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

Public Opinion: Written Argument Opposed Filed
Written Argument In Favor Filed

- 2. Tucson’s Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Megan Leslee Pellman
City T99-08
Date of Event: December 5, 2008
(To promote community event in downtown Tucson)

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

3. Order of AHEPA, Chapter #275, Ward 3
1145 E. Ft. Lowell Rd.
Applicant: George A. Makris
City T100-08
Date of Event: December 14, 2008
(Fundraising/Parishioner Christmas Party)

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

4. Kokopelli Winery, Ward 6
536 N. 4th Ave.
Applicant: Dennis M. Minchella
City T101-08
Date of Event: December 12, 2008 - December 14, 2008
(4th Avenue Street Fair)

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

5. Microbusiness Advancement Center, Ward 1
East corner of West Congress and South Avenida del Convento
Applicant: Kira Oliver Dixon-Weinstein
City T102-08
Date of Event: December 12, 2008 - December 21, 2008
(Community fundraiser for local charities and provide a holiday shopping/entertainment destination)

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

- d. Agent Change/Acquisition of Control

NOTE: There are no 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 Q**

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: (SE-08-12) HOLY RESURRECTION – 5TH STREET, R-1 ZONING, SPECIAL EXCEPTION – APPEAL OF ZONING EXAMINER’S DECISION**

- a. Report from City Manager NOV25-08-644 Ward 6
- b. Hearing on an appeal of the Zoning Examiner’s decision in special exception case SE-08-12 Holy Resurrection – 5th Street. The appeal has been filed by three property owners of parcels located on the north side of 5th Street, across from the proposed special exception site.

The preliminary development plan proposes a Byzantine style church with a central dome, approximately 43 feet in height on the southeast corner of Fifth Street and Sahuara Avenue.

The Zoning Examiner held a public hearing on this matter and on August 14, 2008, issued a decision approving the special exception application. Staff recommends the Zoning Examiner’s decision be affirmed and the appeal be denied.

9. **ZONING: (C9-05-21) 4-D PROPERTIES – GOLF LINKS ROAD, RX-1 TO O-3, C-1 AND C-2, ORDINANCE ADOPTION**

- a. Report from City Manager NOV25-08-645 WARD 4
- b. Ordinance No. 10608 relating to zoning: amending zoning district boundaries in the area located on the south side of Golf Links Road, between Langley Avenue and the Alamo Wash in Case C9-05-21, 4-D Properties – Golf Links Road, RX-1 to O-3, C-1 and C-2; and setting an effective date.

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

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager NOV25-08-633 CITY-WIDE

11. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, December 9, 2008, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.