



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

**MONDAY, MARCH 24, 2003 – 7:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Victor Crews, Tucson Independent Baptist Church

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager MARCH24-03-179 CITY-WIDE

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

(a) Report from City Manager MARCH24-03-180 CITY-WIDE

5. CALL TO THE AUDIENCE:

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on tonight's agenda*. 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."

(d) Extension of Premises

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| (1) | CHINA COAST
2544 S. Kolb Road
Applicant: Junting Lei
City #EP07-03, located in Ward 4
Type: Permanent | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (2) | KICKSTART GRILL
8987 E. Tanque Verde Road, Suite 335
Applicant: John W. Fahlberg
City #EP14-03, located in Ward 2
Date of Event: April 4, 2003
April 19, 2003
May 2, 2003
Type: Temporary | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

8. TUCSON CODE: AMENDING (CHAPTER 22) RELATING TO CITY EMPLOYEE PENSIONS, RETIREMENT AND GROUP INSURANCE – PROVIDING AN EARLY RETIREMENT OPTION AND RETIREMENT INCENTIVE OPTIONS FOR TUCSON SUPPLEMENTAL RETIREMENT SYSTEM MEMBERS

- (a) Report from City Manager MARCH24-03-178 CITY-WIDE
- (b) Ordinance No. 9826 relating to pensions, retirement and group insurance; providing a 2003 early retirement option by amending the Tucson Code, Chapter 22, Pensions Retirement and Group Insurance, Article III, Tucson Supplemental Retirement System by amending Section 22-50 Early Retirement Option; providing retirement incentives; and declaring an emergency.

9. INTERGOVERNMENTAL AGREEMENT: WITH MULTIPLE PARTIES FOR MANAGED IN-CHANNEL RECHARGE OF EFFLUENT IN THE SANTA CRUZ RIVER CHANNEL

- (a) Report from City Manager MARCH24-03-175 CITY-WIDE & OUTSIDE CITY
- (b) Resolution No. 19542 relating to water; approving and authorizing the Intergovernmental Agreement Regarding Permitting and Operating Managed In-Channel Recharge of Effluent in the Santa Cruz River Channel; and declaring an emergency.

10. SOLID WASTE MANAGEMENT: PROPOSED FISCAL YEAR 2003 DISPOSAL RATES AT LOS REALES LANDFILL

- (1) Report from City Manager MARCH24-03-177 CITY-WIDE
- (2) Resolution No. 19544 relating to solid waste management and finance; approving the addition of a new Section 4.7 (“Credit System Customer Rates”) to the Director of Solid Waste Management’s charges and fees for the City’s collection, recycling, and disposal of refuse, and ancillary services; making new Section 4.7 effective upon passage and adoption; and declaring an emergency.

11. PUBLIC HEARING: CITY OF TUCSON AND PIMA COUNTY 2003 PUBLIC HOUSING AGENCY’S ANNUAL PLAN

- (a) Report from City Manager MARCH24-03-184 CITY-WIDE
- (b) Hearing. Public comment is request on the Public Housing Agency’s Annual Plan submission for FY2003 – 2004. Adoption of the plan is required for the City and County to continue to receive Federal Public Housing and Section 8 funds.
- (c) The City Manager recommends that Mayor and Council direct staff to return with a resolution adopting the FY2003 - 2004 Public Housing Agency Plan.

FOR ITEM 12 ONLY, THE MAYOR AND COUNCIL, PURSUANT TO TUCSON CODE SECTION 26-12, WILL ACT AS THE CITY’S FLOODPLAIN BOARD IN HEARING AN APPEAL OF A DECISION OF THE CITY ENGINEER UNDER THE CITY’S FLOODPLAIN AND EROSION HAZARD AREA REGULATIONS

12. PUBLIC HEARING: APPEAL TO THE FLOODPLAIN BOARD OF THE DECISION OF THE CITY ENGINEER - VARIANCE TO CITY OF TUCSON FLOODPLAIN ORDINANCE FOR CABEZON EQUESTRIAN CENTER, 4885 S. HOUGHTON ROAD

- (a) Report from City Manager MARCH24-03-176 W4
- (b) This is a request from the owner of the Cabezon Equestrian Center, 4885 S. Houghton Road for variance from the City of Tucson Floodplain Ordinance.

There are two requests of the Floodplain Board:

- (1) to waive the finished floor elevation requirement for the already-erected horse stable.
- (2) to waive the erosion setback requirement as it applies to the construction of structures adjacent to major watercourses.

Based on the information provided, City's Stormwater Technical Advisory Committee recommends that:

- (1) a variance not be granted from the provisions of Section 26-5.2(9) because the request does not meet any of the standards for granting a variance found in Section 26-12(b) of the City Code.
- (2) a variance not granted from the provisions of Section 26-7 of the City Code because the request does not meet any of the standards for granting a variance found in Section 26-12(b) of the City Code.

The City Manager recommends upholding recommendation by Development Services staff and the City's Stormwater Technical Advisory Committee to deny the variance requests.

13. PUBLIC HEARING: *LAND USE CODE (LUC)* AMENDMENT – LARGE RETAIL ESTABLISHMENTS (“BIG BOX” REGULATIONS) – ORDINANCE ADOPTION

- (a) Report from City Manager MARCH24-03-187 CITY-WIDE

Material for this item can be accessed 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 MARCH24-03-185 CITY-WIDE

15. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. 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."

16. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, April 7, 2003, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.