



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]

- 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).

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.

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, 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 and 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/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
Steve Leal – Vice Mayor

Council Members

José J. Ibarra **Ward 1**
Carol W. West **Ward 2**
Karin Uhlich **Ward 3**

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 5:00 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, JANUARY 24, 2006 – 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 John W. Miller, Northwest Bible Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

- 3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**
 - a. Report from City Manager JAN24-06-34 CITY-WIDE

- 4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS**
 - a. Report from City Manager JAN24-06-35 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- a. Report from City Manager JAN24-06-31 CITY-WIDE
- b. Liquor License Applications

New License

- 1. Nonie, Ward 6
2526 E. Grant Road
Applicant: Michael Lee Dixon
Series 12, City 107-05
Action must be taken by: February 13, 2006

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

- 1. North Fourth Avenue Merchants Association, Ward 6
329 E. 7th Street
Applicant: Daniel George Matlick
City T117-05
Date of Event: March 24, 25, 26, 2006
Fundraising Civic Event

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

- 2. Tucson Metropolitan Com. Chorus dba Desert Voices, Ward 6
738 N. 5th Avenue
Applicant: Rebecca H. Cohen
City T118-05
Date of Event: February 4, 2006
Fundraising-Silent Auction/Cabaret

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

3. The University of Arizona Alumni Association, Ward 6
1303 E. University Blvd.
Applicant: Angela Christine Ballard
City T120-05
Date of Event: February 11, 2006
Award Ceremony to honor U of A Alumni

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

d. Agent Change

1. Mariscos Playa Mazatlan, Ward 5
4547 S. 6th Avenue
Applicant: Elizabeth La Madrid
City AC21-05
Action must be taken by: February 4, 2006

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

NOTE: The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

6. CONSENT AGENDA – ITEMS A THROUGH I

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: C9-02-12 OCHOA – ST. MARY’S ROAD R-2 TO O-2, ORDINANCE ADOPTION

- a. Report from City Manager JAN24-06-42 WARD 1
- b. Ordinance No. 10240 relating to zoning: amending zoning district boundaries in the area located at the northeast corner of St. Mary’s Road and Westmoreland Avenue in Case C9-02-12, Ochoa – St. Mary’s Road, R-2 to O-2; and setting an effective date.

9. ZONING: C9-04-11 LANDMARK SERIES 1 – FIRST AVENUE, MH-1 TO C-1, ORDINANCE ADOPTION

- a. Report from City Manager JAN24-06-45 WARD 3
- b. Ordinance No. 10241 relating to zoning: amending zoning district boundaries in the area located at the northeast corner of First Avenue and Limberlost Drive in Case C9-04-11 – Landmark Series 1 – First Avenue, MH-1 to C-1; and setting an effective date.

10. ZONING: C9-05-26 CONTINENTAL 61 FUND – 1ST AVENUE, MH-1 TO C-1 AND C-2, CITY MANAGER’S REPORT, ORDINANCE ADOPTION

- a. Report from City Manager JAN24-06-43 WARD 3
- b. Report from Zoning Examiner dated December 23, 2005
- c. Request to rezone approximately 4.66 acres from MH-1 (Low-density Mobile Home) to C-1 and C-2 (Low-intensity Commercial/General Commercial) zoning. Applicant: Kimberly Grimm of Continental 61 Fund LLC.

The rezoning site is located approximately 600 feet north of the intersection of Limberlost Road and First Avenue. The owner/developer intends to assemble this property with the adjacent 9.78 acre site to the south (C9-04-11).

The Zoning Examiner recommends approval of C-1 and C-2 zoning subject to the recommended conditions.

Zero (0) written approvals and zero (0) written protests have been received.

- d. Ordinance No. 10243 relating to zoning: amending zoning district boundaries in the area located on the east side of 1st Avenue approximately 600 feet north of Limberlost Road in Case C9-05-26, Continental 61 Fund – 1st Avenue, MH-1 to C-1 and C-2; and setting an effective date.

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

11. ZONING: (SE-05-23) JDL – LITTLETOWN ROAD, I-2 ZONING, SPECIAL EXCEPTION LAND USE, ORDINANCE ADOPTION, CITY MANAGER’S REPORT

- a. Report from City Manager JAN24-06-44 WARD 4
- b. Report from Zoning Examiner dated December 30, 2005
- c. This is a Special Exception Land Use request to develop an I-2 zoned property with a wholesale landscape materials facility that also manufactures concrete paving blocks and other concrete items. Applicant: Robert Conant of Planning Resources, on behalf of the property owners, Rex Funk of JDL & Co. LLC.

A wholesale landscape materials facility is allowed in the I-2 zone but the concrete manufacturing portion is classified as a Primary Manufacturing use in the *Land Use Code (LUC)* that requires a special exception.

The site is located on the north side of Littletown Road approximately one-half mile east of Wilmot Road.

The Zoning Examiner recommends approval of the special exception land use request. Development Services recommends approval of the requested special exception subject to the conditions provided in the ordinance.

Zero (0) written approvals and zero (0) written protests have been received.

- d. Ordinance No. 10242 relating to zoning; a special exception land use – primary manufacturing use – JDL Littletown Rd – approving with conditions the development of a primary manufacturing use in the I-2 zone – Case SE-05-23; and setting an effective date.

A simple majority vote will be necessary to approve the special exception land use.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager JAN24-06-36 CITY-WIDE

13. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, February 7, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.