



## 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](http://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](http://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](http://www.tucsonaz.gov/agdocs), 9<sup>th</sup> 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, JUNE 6, 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 – Chaplain Gary Coleburn, Davis-Monthan Air Force Base

PLEDGE OF ALLEGIANCE – Led by participants from Youth on Their Own

PRESENTATIONS

- a. Proclaiming June 6 to be “National Hunger Awareness Day”
- b. Presentation of award to Carlon Gossett, as an “Extraordinary Citizen”

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

- a. Report from City Manager JUNE6-06-258 CITY-WIDE

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

- a. Report from City Manager JUNE6-06-259 CITY-WIDE

**5. LIQUOR LICENSE APPLICATIONS**

- a. Report from City Manager JUNE6-06-266 CITY-WIDE
- b. Liquor License Applications

New License

- 1. Sheraton Tucson Hotel and Suites, Ward 2  
5151 E. Grant Rd.  
Applicant: Mark Allen Piatkowski  
Series 11, City 39-06  
Action must be taken by: June 8, 2006

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

- 2. Sakura Teppan Steak & Seafood Restaurant, Ward 2  
6534 E. Tanque Verde Rd.  
Applicant: Christina An  
Series 07, City 40-06  
Action must be taken by: June 11, 2006

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

- 3. Arco AM PM, Ward 3  
2800 N. Oracle Rd.  
Applicant: Harpreet Ka Singh  
Series 10, City 44-06  
Action must be taken by: June 16, 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)

Person Transfer

- 4. Rooster Inn, Ward 5  
5122 S. Nogales Hwy.  
Applicant: Jose Narciso Quiroz-Miranda  
Series 06, City 41-06  
Action must be taken by: June 16, 2006

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

5. Bo Jangles, Ward 5  
5244 S. Nogales Hwy.  
Applicant: Jose Narciso Quiroz-Miranda  
Series 06, City 42-06  
Action must be taken by: June 16, 2006

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

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. Tucson Breakfast Lions Club, Ward 5  
4823 S. 6th Ave.  
Applicant: Wayne Francis Locke  
City T30-06  
Date of Event: June 16 & 17, 2006  
Fundraiser

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

d. Agent Change/Restructure

1. Airport Inn, Ward 5  
2303 E. Valencia  
Applicant: Rosina Fleck  
Series 06, City AC10-06  
Action must be taken by: June 10, 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 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.

**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. PUBLIC HEARING: PIMA STREET, SWAN ROAD TO CRAYCROFT ROAD DISTRICT PAVING IMPROVEMENT**

- a. Report from City Manager JUNE6-06-264 WARD 6
- b. Hearing: This is the final hearing for the project. Interested parties may present objections to the legality of the assessment or any of the previous proceedings, or present evidence that the construction was not performed according to the contract.
- c. Resolution No. 20344 approving assessment and previous proceedings for the “Pima Street, Swan Road to Craycroft Road District Paving Improvement,” in the City of Tucson, Arizona.

**9. PUBLIC HEARING: ZONING (C9-01-02) TUCSON ELECTRIC POWER COMPANY – RITA ROAD, RH TO I-2, REQUEST FOR TIME EXTENSION**

- a. Report from City Manager JUNE6-06-260 WARD 4
- b. Hearing: on a request for a five-year time extension for the completion of the rezoning conditions for the property located on the west side of Rita Road south of Nogales – Old Vail Road Connection. Applicant: Tucson Electric Power, the property owner. The preliminary development plan proposes adding a gas turbine electric generation plant on 64.6 acres to the existing regional electric substation. An additional 10.1 acres in the northeast area are designated for future solar power generation.

The original five-year authorization expires on August 6, 2006. A public hearing is required because the request, if approved, will extend the time for completion of rezoning conditions more than five (5) years from the date of the last public hearing.

Staff recommends the approval of the requested time extension and does not recommend any additional conditions of rezoning at this time. Condition 21 to be amended as follows (new text is underlined, deleted text is ~~strikethrough~~):

...

- 21. ~~Five years are allowed in which to comply~~ Compliance with all Code requirements and conditions of rezoning by August 6, 2011.

Zero (0) written approvals and two (2) written protests have been received for this case. In addition, a number of protests were received via the Mayor and Council Citizen comment line in the summer of 2001. These approvals and protests are not counted in the final total since they were not signed.

A simple majority vote will be necessary to approve the requested time extension.

**10. WATER: ADOPTING THE TUCSON WATER FINANCIAL PLAN FOR FISCAL YEARS 2006 THROUGH 2011 AND INITIATING THE PROCESS TO INCREASE WATER RATES**

- a. Report from City Manager JUNE6-06-279 CITY-WIDE and OUTSIDE CITY
- b. Resolution No. 20355 relating to water; authorizing and adopting the Tucson Water Financial Plan for the period from fiscal year 2006 to fiscal year 2011; and declaring an emergency.

- c. Resolution No. 20356 relating to water; approving and authorizing the CWAC rate recommendations; approval of Notice of Intent to increase certain water rate components and fees; to schedule a public hearing; and declaring an emergency.

Staff recommends adoption of the Financial Plan and initiation of the process to increase water rates and set the Public Hearing date for July 6, 2006.

**11. ZONING: (C9-06-05) LOS REALES LANDFILL PAD – LOS REALES ROAD, SH, R-1, AND I-2 TO PAD-14, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION**

- a. Report from City Manager JUNE6-06-277 WARD 5
- b. Ordinance No. 10285 relating to zoning: amending zoning district boundaries in the area located east of the Swan Road alignment and on the north and south sides of Los Reales Road in Case C9-06-05, Los Reales Landfill Planned Area Development (PAD) – Los Reales Road, SH (Low Density, Large Lot Residential), R-1 (Low Density Residential) and I-2 (Heavy Industrial) to PAD-14 (Planned Area Development); and setting an effective date.

**12. ZONING: (C15-05-04) ESTABLISHING ORIGINAL CITY ZONING FOR THE MISSION PLACE NO. 1 ANNEXATION DISTRICT, COUNTY SH AND TR TO CITY SH AND O-3, EXTENSION OF HILLSIDE DEVELOPMENT ZONE (HDZ), EXTENSION OF SCENIC CORRIDOR ZONE (SCZ), CITY MANAGER’S REPORT AND ORDINANCE ADOPTION**

- a. Report from City Manager JUNE6-06-278 WARD 1
- b. Report from Zoning Examiner dated May 5, 2006
- c. This is a request to establish original City zoning for 61.4 acres from County SH (Suburban Homestead) and County TR (Transitional) to City SH (Suburban Homestead) and O-3 (Mid-rise Office/Residential).

The zoning site is located on the west side of Mission Road, between Irvington Place and Ajo Way.

The Zoning Examiner recommends approval of SH zoning and O-3 zoning, extending the Hillside Development Zone (HDZ), and extending the Scenic Corridor Zone (SCZ) within the Mission Place No. 1 Annexation District, subject to the recommended conditions as amended.

Staff recommends adoption of the ordinance and conditions establishing original City zoning of SH and O-3, extending the Hillside Development Zone (HDZ), and extending the Scenic Corridor Zone (SCZ) within the Mission Place No.1 Annexation District.

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

- d. Ordinance 10282 relating to zoning; establishing original City zoning for approximately 61.4 acres generally located on the west side of Mission Road, between Irvington Place and Ajo Way, which was annexed to the City of Tucson by Ordinance No. 10213, adopted on November 1, 2005; and specifying an effective date.

A simple majority vote will be necessary to pass and adopt the ordinance

**13. ZONING: (C9-06-03) LARSEN BAKER – GOLF LINKS ROAD, SR TO C-1, CITY MANAGER’S REPORT**

- a. Report from City Manager JUNE6-06-271 WARD 4
- b. Report from Zoning Examiner dated May 5, 2006
- c. Request to rezone approximately 18.73 acres from SR (Suburban Ranch) to C-1 (Neighborhood Commercial) zoning. Applicant: Thomas Saylor-Brown of Saylor-Brown Bolduc Lara Architects, on behalf of property owners, George Larsen and Don Baker.

The rezoning site is located at the southwest corner of Golf Links and Houghton Road.

The *South Pantano Area Plan* and the *General Plan* provide policy direction for this site. The rezoning site is located within Subarea 7 of the *South Pantano Area Plan*. Policies in Subarea 7 support commercial development at major intersections along Houghton Road, provided the final development design is sensitive to existing natural topography and that cut, fill and site grading is kept to a minimum. The *South Pantano Area Plan* emphasizes compatibility of new development with existing residential uses through the incorporation of appropriate design elements such as fences; walls and landscaping elements when locating uses near established residential neighborhoods. The property is surrounded by single-family residential uses to the south and west, an existing commercial use to the east across Houghton Road and vacant residential to the north across Golf Links Road. A small natural drainageway also crosses through the property.

The Zoning Examiner and staff recommend authorization of C-1 zoning. Should the Mayor and Council choose to approve the rezoning request, it is recommended that the following conditions be included:

1. A development plan in substantial compliance with the preliminary development plan dated January 20, 2006, Design Compatibility Report, landscape plan, and conceptual site plan for Sorrento Square Shopping Center is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
2. The owner/developer will be responsible for the design and construction of the south half of Golf Links Road and the west half of Houghton Road as required by the *Major Streets and Routes Plan* or as approved by the City Engineer. Said improvements shall be installed along the entire length of the Golf Links Road and Houghton Road street frontages and shall include appropriate pavement transitions beyond the limits of the site, curbing, six-foot wide sidewalks, median islands, five-foot wide bike lanes, necessary traffic signal modifications and 100-year storm capacity reinforced concrete drainage structures.
3. Except for one, new 12-foot wide vehicular travel lane on Houghton Road, the above-mentioned improvements are for the immediate benefit of the developing site and/or are considered safety improvements rather than capacity improvements, and are therefore not eligible for impact fee offsets.
4. The owner/developer shall contribute towards the development of the Houghton Greenway in the vicinity of the project in the amount of \$25 per linear foot of frontage on Houghton Road. Contribution to be made within 120 days of adoption of rezoning.
5. There shall be no access points within 200 feet of the centerline intersection of Golf Links Road and Houghton Road.
6. One foot no access easement along the west and south perimeter of the project.
7. No rear vehicular access to the five buildings along the west and southwest side of the project.
8. The owner/developer shall submit an approved Category III Traffic Impact Analysis at the time of development plan review.
9. The northern-most access point proposed from Houghton Road to the rezoning site shall align with the existing access to the commercial use on the east side of Houghton Road.

10. The owner/developer shall install a right turn/deceleration lane at all proposed access points to the site.
11. The southern-most access point on Houghton Road shall be designed and constructed by the owner/developer as a full access with an appropriate left turn lane or shall be restricted to right-in/right-out with the installation of a median of sufficient length to preclude turning movements.
12. Houghton Road frontage shall be designed to comply with SCZ landscape criteria.
13. All buildings within 200 feet of the south property line and west property line excluding building 9 are limited to a maximum 20 feet in height. All other buildings are limited to 30 feet in height. A variety of rooflines shall be utilized in the architectural design.
14. Project lighting shall be of metal halide design. Lights shall not exceed twenty (20) feet at the front of the five buildings along the west and southwest side of the project.
15. The 100-year floodplain shall be preserved in its natural state as shown on the preliminary development plan.
16. There shall be a pedestrian path along the natural drainage way on the property located on the southeast portion of the site. Pedestrian path shall be constructed of natural materials such as crushed aggregate and shall incorporate benches and trash containers to be maintained by developer/property manager.
17. Developer/property manager shall remove any landscaping that should die on the site within thirty (30) days and replace it within sixty (60) days.
18. Developer shall provide enhanced landscaping along the west and southwest perimeter wall to enhance screening and discourage vandalism.
19. A minimum 20-foot wide landscape area adjacent to the south and west property lines shall be provided. Detention/retention basins may be located within the landscape area if landscaped appropriately.
20. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.

21. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
22. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin side slopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
23. All detention/retention basins shall be designed with minimum ten-foot radius curves and with slopes no steeper than 4:1.
24. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.
25. All security barriers and screening for detention/retention basins shall meet Safe by Design guidelines.
26. Dumpster locations and loading zones shall be located a minimum of 50 feet from all residentially used or zoned property.
27. Hours of operation, along with loading and delivery times shall be restricted to between 7:00 A.M. and 11:00 P.M. for the five buildings along the west and southwest side of the project.
28. All walls visible from a public right-of-way and/or adjacent to existing residential development shall be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations. All evidence of graffiti shall be removed within 48 hours by the property management company.
29. Four (4) inch or less fence block shall not be used for perimeter walls or dumpster enclosures.
30. Project shall include a six foot high masonry wall, along the south and west perimeter.
31. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are

discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.

32. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
33. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
34. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.
35. Developer agrees to work with adjacent neighborhoods to mitigate sign pollution. This shall be accomplished by hours of operation, orientation or both. Neighborhoods shall make their concerns known to developer.
36. Larsen & Baker (developer) shall be the contact party during the rezoning and construction process and will be property manager of subject property. Neighborhoods will be provided with contact information, including telephone numbers.
37. Any and all community agreements shall be made in writing between the developer and affected neighborhood associations and shall be recorded with the Pima County Recorder’s Office.
38. Any and all community agreements shall be recorded with the Pima County Recorder’s Office against subject property, in the event the rezoning request is approved.

Five (5) written approvals and nine (9) written protests were received prior to the Zoning Examiner’s public hearing on April 20, 2006, at that time requiring a three-fourths majority vote of Mayor and Council to adopt a rezoning ordinance. Subsequent to the Zoning Examiner’s public hearing, three (3) additional written approvals and zero (0) additional written protest were received, and two (2) written protests were rescinded. Currently there are eight (8) written approvals and seven (7) written protests on file for this case. Five (5) of the protests are within the 150 foot area, representing a 32 percent protest by area to the south. The protests generally allude to increase in traffic and noise, concern with drainage from the site, and decrease in existing residential property values.

#### **14. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

- a. Report from City Manager JUNE6-06-265 CITY-WIDE

**15. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, June 13, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.