



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, OCTOBER 7, 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 – Council Member Rodney Glassman, Ward 2

PLEDGE OF ALLEGIANCE – Boy Scout Troop 102

- 3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**
 - a. Report from City Manager OCT7-08-529 CITY-WIDE

- 4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS**
 - a. Report from City Manager OCT7-08-530 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

a. Report from City Manager OCT07-08-531 CITY-WIDE

b. Liquor License Applications

New License(s)

1. My Big Fat Greek Restaurant, Ward 2
7131 E. Broadway Blvd.
Applicant: Lauren K. Merrett
Series 12, City 60-08
Action must be taken by: October 12, 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. Rotary Club of Tucson, Ward 2
3231 N. Craycroft Rd.
Applicant: William P. Patton
City T70-08
Date of Event: October 18, 2008
(Car show fund raiser for reading seed literacy program)

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

2. Southern Arizona Blues Heritage Foundation, Ward 6
900 S. Randolph Way
Applicant: Patrick J. Desmond
City T73-08
Date of Event: October 19, 2008
(Promote blues & heritage music within the community)

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

3. Saints Peter and Paul Catholic School, Ward 6
1436 N. Campbell
Applicant: Ralph C. Nunez
City T76-08
Date of Event: November 1, 2008
(School fund raiser/funds are utilized to enhance facility and grounds)

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

4. University of Arizona, Ward 6
1303 E. University
Applicant: Daniel N. Adams
City T80-08
Date of Event: October 25, 2008
(University of Arizona homecoming)

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

5. The University of Arizona Alumni Association, Ward 6
1303 E. University
Applicant: Nancy D. Yaeli
City T81-08
Date of Event: October 23, 2008
(UA class of 1958 golden reunion)

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

6. Arizona Theatre Company, Ward 6
330 S. Scott Avenue
Applicant: Bevan A. Bluemer
City T82-08
Date of Event: October 23, 2008
(Promotional/marketing event/“girls night out”)

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

7. Tucson Culinary Festival, Ward 6
400 N. Toole Avenue, Ste 100
Applicant: Maya T. Luria
City T83-08
Date of Event: October 23, 2008
(To showcase Tucson as the margarita capital of the U.S.)

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 K

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. CITY MAGISTRATES: APPOINTING MITCHELL ALAN KAGEN AS A LIMITED SPECIAL CITY MAGISTRATE AND FIXING COMPENSATION

- a. Report from City Manager OCT7-08-542 CITY-WIDE
- b. Ordinance No. 10589 relating to City Magistrates; appointing Mitchell Alan Kagen Limited Special City Magistrate of the City of Tucson; fixing compensation; and declaring an emergency.

9. TUCSON CODE: AMENDING (CHAPTER 8) INCREASING THE ADMINISTRATIVE CASE PROCESSING FEE FOR CITY COURT

- a. Report from City Manager OCT7-08-541 CITY-WIDE
- b. Ordinance No. 10585 relating to City Court; amending the Tucson Code Chapter 8, City Court, Article I, In General, Section 8-6.5, Case processing fee; setting an effective date; and declaring an emergency.

10. ZONING: (C9-07-10) ARGO PROPERTIES – ALVERNON WAY, R-2 TO O-2, ORDINANCE ADOPTION

- a. Report from City Manager OCT7-08-539 WARD 6
- b. Ordinance No. 10586 relating to zoning: amending zoning district boundaries in the area located at the northwest corner of Lee Street and Alvernon Way in Case C9-07-10, Argo Properties – Alvernon Way, R-2 to O-2; and setting an effective date.

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

11. ZONING: (C9-08-08) WESTERN INTERNATIONAL – WILLIAMS BOULEVARD, PAD-1, CITY MANAGER’S REPORT AND DIRECT ORDINANCE ADOPTION

- a. Report from City Manager OCT7-08-540 WARD 6
- b. Ordinance No. 10587 relating to zoning: amending zoning district boundaries in the area located at 384 South Williams Boulevard, within the *Williams Addition* Planned Area Development (PAD) in Case C9-08-08, Western International - Williams Boulevard, PAD-1 Zone; and setting an effective date.

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

12. ZONING: (C9-08-07) CITY OF TUCSON – CONGRESS STREET, C-1 TO OCR-2, CITY MANAGER’S REPORT AND DIRECT ORDINANCE ADOPTION

- a. Report from City Manager OCT7-08-538 WARD 6
- b. Report from Zoning Examiner dated July 11, 2008.
- c. Request to rezone property located at the southeast corner of Sixth Avenue and Pennington Street from C-1 to OCR-2 zoning. Applicant: City of Tucson. The proposal is to begin to unify downtown zoning and to provide the most flexibility with regard to the future uses of the property.

The *El Centro Redevelopment Plan* and the *General Plan* provide relevant policy guidance for the requested rezoning.

The Zoning Examiner and staff recommend the approval of OCR-2 zoning.

- d. Ordinance No. 10592 relating to zoning: amending zoning district boundaries in the area located at the southeast corner of Sixth Avenue and Pennington Street Case C9-08-07, City of Tucson – Congress Street, C-1 to OCR-2; and setting effective date.

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

13. ZONING: (C9-08-06) HISTORIC DEPOT AREA – TOOLE AVENUE, I-1 TO OCR-2, CITY MANAGER’S REPORT AND DIRECT ORDINANCE ADOPTION

- a. Report from City Manager OCT7-08-537 WARD 6
- b. Report from Zoning Examiner dated July 11, 2008.
- c. Request to rezone property bounded to the north by the Union Pacific Railroad tracks and right-of-way, to the south by the diagonal Toole Avenue, to the west by 6th Avenue and to the east by the 4th Avenue underpass from I-1 to OCR-2 zoning. Applicant: City of Tucson. The proposal is to begin to unify downtown zoning and to create greater flexibility in the allowed land uses for future development.

The *El Centro Redevelopment Plan* and the *General Plan* provide relevant policy guidance for the requested rezoning.

The Zoning Examiner and staff recommend the approval of OCR-2 zoning.

- d. Ordinance No. 10588 relating to zoning: amending zoning district boundaries in the area bounded to the north by the Union Pacific Railroad tracks and right-of-way, to the south by the diagonal Toole Avenue, to the west by 6th Avenue and the east by the 4th Avenue underpass in Case C9-08-06, Historic Depot Area - Toole Avenue, I-1 to OCR-2; and setting effective date.

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

14. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager OCT7-08-532 CITY-WIDE

15. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, October 14, 2008, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.