

**MAYOR AND COUNCIL - REGULAR MEETING**  
**ADMINISTRATIVE ACTION REPORT AND SUMMARY**

JULY 7, 2010

MAYOR AND COUNCIL CHAMBERS – CITY HALL

255 W. ALAMEDA, TUCSON, AZ

1. ROLL CALL: 5:45 p.m.

OFFICIAL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice Mayor Shirley C. Scott, Council Members Regina Romero, Paul Cunningham, Karin Uhlich, Richard G. Fimbres and Steve Kozachik

STAFF MEMBERS: Mike Letcher, City Manager, Mike Rankin, City Attorney and Roger W. Randolph, City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Harry Ledwith, St. Pius Catholic Church, after which the Pledge of Allegiance was led by the entire assembly.

PRESENTATIONS:

- a. Presentation of certificates of appreciation and recognition to Erik and Jodi Lunsford and to Gary and Jessie Menard for their commitment and dedication to helping low income citizens in Ward 3.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JUL7-10-332</p> <p>Current Event reports were provided by Council Members Romero, Cunningham, Fimbres and Kozachik and Vice Mayor Scott.</p>	
<p>4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS – JUL7-10-333</p> <p>No report was given.</p>	

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<p>5. LIQUOR LICENSE APPLICATIONS – JUL7-10-334</p> <p>c. Special Event(s) 1. Industria Studios, Inc., City T54-10</p> <p>d. Agent Change/Acquisition of Control/Restructure 1. Wingstop, City AC3-10, City AC4-10, City AC5-10, City AC6-10,</p> <p>Council Member Cunningham MOVED and it was duly seconded to forward Items 5c1 and 5d1 to the State Liquor Board with a recommendation for APPROVAL.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>b. Liquor License Application(s) New License(s) 1. Pizza Plus #1, City 28-10</p> <p>Council Member Kozachik MOVED and it was duly seconded to forward Item 5b1 to the State Liquor Board with a recommendation for APPROVAL.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY CLERK</u></p>
<p>6. CALL TO THE AUDIENCE</p> <p>The following people spoke at the Call to the Audience: Shannon Cain, Charlotte Beecher, Dick Wilke, Andy Marshall, Steve Mitchell, Nicole Templeton, Peter Likens, Calvin Ducas, Judy Leone, Ericka Gonzalez, Joe Sweeney, Mark Heckeke, Mitch Cocker, Frankie Kinarski and Bonita Baltazar.</p>	
<p>7. CONSENT AGENDA ITEMS A - P</p> <p>A. HUMAN RESOURCES: AMENDMENT AND RESTATEMENT OF THE CITY OF TUCSON’S SECTION 125 PLAN TO COMPLY WITH THE INTERNAL REVENUE CODE - JUL7-10-336</p> <p>Resolution No. <u>21584</u></p>	<p><u>HUMAN RESOURCES</u></p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>B. INTERGOVERNMENTAL AGREEMENTS: WITH THE UNIVERSITY OF ARIZONA FOR "PROJECT WET" YOUTH EDUCATION PROGRAMS AND THE RINSESMART PROGRAM - JUL7-10-339</p> <p>Resolution No. 21585</p> <p>Resolution No. 21586</p>	<p><u>WATER</u></p>
<p>C. TUCSON CODE: AMENDING (CHAPTER 10) RELATING TO SUPPLEMENTAL MILITARY PAY - JUL7-10-341</p> <p>Ordinance No. <u>10814</u></p>	<p><u>HUMAN RESOURCES</u></p>
<p>D. APPROVAL OF MINUTES - JUL7-10-342</p>	<p><u>CITY CLERK</u></p>
<p>E. GRANT APPLICATION: TO THE FEDERAL TRANSIT ADMINISTRATION FOR THE JOB ACCESS AND REVERSE COMMUTE PROGRAM - JUL7-10-349</p> <p>Resolution No. <u>21587</u></p>	<p><u>TRANSPORTATION</u></p>
<p>F. GRANT APPLICATION: TO THE FEDERAL TRANSIT ADMINISTRATION FOR THE NEW FREEDOM PROGRAM - JUL7-10-348</p> <p>Resolution No. <u>21588</u></p>	<p><u>TRANSPORTATION</u></p>
<p>G. TRANSPORTATION: SUPPORT OF THE AMTRAK PASSENGER RAIL SYSTEM - JUL7-10-345</p> <p>Resolution No. <u>21589</u></p>	<p><u>TRANSPORTATION</u></p>
<p>H. TRANSPORTATION: TO SUBMIT FEDERAL TRANSPORTATION ENHANCEMENT PROJECT PROPOSALS - JUL7-10-346</p> <p>Resolution No. <u>21590</u></p>	<p><u>TRANSPORTATION</u></p>

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<p>I. INTERGOVERNMENTAL AGREEMENT: WITH THE UNIVERSITY OF ARIZONA FOR THE SMARTSCAPE PROGRAM - JUL7-10-343</p> <p>Resolution No. <u>21591</u></p>	<p><u>WATER</u></p>
<p>J. MEMORIAL: SUPPORTING THE FEDERAL PREDATORY LENDING SUNSET ACT - JUL7-10-353</p>	<p><u>CITY ATTORNEY</u></p>
<p>K. INTERGOVERNMENTAL AGREEMENT: WITH THE MARICOPA COUNTY SHERIFF'S OFFICE FOR THE URBAN AREA SECURITY INITIATIVE GRANT PROGRAM - JUL7-10-351</p> <p>Resolution No. <u>21592</u></p>	<p><u>POLICE</u></p>
<p>L. INTERGOVERNMENTAL AGREEMENT: WITH THE MARICOPA COUNTY SHERIFF'S OFFICE FOR THE STATE HOMELAND SECURITY GRANT PROGRAM - JUL7-10-352</p> <p>Resolution No. <u>21593</u></p>	<p><u>POLICE</u></p>
<p>M. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE REGIONAL TRANSPORTATION DATA NETWORK TECHNICAL EXPANSION CONTRACT - JUL7-10-344</p> <p>Resolution No. <u>21594</u></p>	<p><u>TRANSPORTATION</u></p>
<p>O. REAL PROPERTY: AUTHORIZATION TO ACQUIRE REAL PROPERTY FOR THE STONE AVENUE: DRACHMAN STREET TO SPEEDWAY BOULEVARD INTERSECTION AND ROADWAY IMPROVEMENTS PROJECT - JUL7-10-355</p> <p>Resolution No. <u>21595</u></p>	<p><u>TRANSPORTATION</u></p>

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<p>P. PARKS AND RECREATION: NAMING THE LA ESTANCIA DE TUCSON, BLOCK 31, THE "ROBERT A. PRICE, SR. PARK" - JUL7-10-356</p> <p>Resolution No. <u>21596</u></p>	<p><u>PARKS &amp; REC.</u></p>
<p>Council Member Uhlich MOVED and it was duly seconded that Consent Agenda Items A - P, with the exception of Item N, be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>N. REAL PROPERTY: VACATION AND CONVEYANCE OF VAN BUREN AVENUE RIGHT OF WAY FROM ELVIRA ROAD TO INTERSTATE 10 - JUL7-10-354</p> <p>Ordinance No. <u>10819</u></p> <p>This item was continued at the request of staff.</p>	<p><u>REAL ESTATE</u></p>
<p>This item was taken out of order.</p> <p>11. PUBLIC HEARING: REFERRAL OF CORE SERVICES TAX TO NOVEMBER 2010 BALLOT - JUL7-10-357</p> <p>Vice Mayor Scott MOVED and it was duly seconded to CLOSE the public hearing.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Ordinance No. <u>10820</u></p> <p>Council Member Uhlich MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10820</u>.</p> <p>Council Member Romero requested a friendly amendment to add required quarterly reporting to the oversight committee and to change the language "Maintenance of City Streets" to "Transportation."</p> <p>Amendment ACCEPTED by the maker.</p> <p>Motion PASSED by a vote of 5 to 2 (Council Members Cunningham and Kozachik dissenting).</p>	<p><u>BUDGET &amp; INTERNAL AUDIT</u></p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>8. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE LAND USE CODE; RELATING TO RENEWABLE ENERGY GENERATION - JUL7-10-347</p> <p>Vice Mayor Scott MOVED and it was duly seconded to CLOSE the public hearing.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>ORDINANCE NO. <u>10818</u></p> <p>Council Member Kozachik MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10818</u>.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>PLANNING &amp; DEV. SERVICES</u></p>
<p>9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE LAND USE CODE; RELATING TO ZONING COMPLIANCE FOR SITE IMPROVEMENTS IN EXISTENCE ON MAY 1, 2005 - JUL7-10-338</p> <p>Vice Mayor Scott MOVED and it was duly seconded to CLOSE the public hearing.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>ORDINANCE NO. <u>10815</u></p> <p>Council Member Fimbres MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10815</u>.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>PLANNING &amp; DEV. SERVICES</u></p>
<p>10. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE IMPACT FEE PROJECTS PLAN - JUL7-10-350</p> <p>Council Member Romero MOVED and it was duly seconded to CLOSE the public hearing, approve the amendment to the Impact Fee Projects Plan and direct staff to incorporate the amended projects into the upcoming Capital Improvement Program.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>TRANSPORTATION</u></p>

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<p>12. CITY CLERK: APPOINTMENT OF THE CITY CLERK</p> <p>Ordinance No. <u>10817</u></p> <p>Vice Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10817</u>.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>13. REFERRAL OF CHARTER AMENDMENTS TO THE CITY ELECTORS: MAYORAL PARITY; DESIGNATING CERTAIN OFFICERS AS OUTSIDE OF CIVIL SERVICE; INDEXING MAYOR AND COUNCIL SALARIES TO THAT OF THE PIMA COUNTY BOARD OF SUPERVISORS; MODIFYING THE MAYOR AND COUNCIL ELECTION CYCLE; AND ESTABLISHING A REVENUE SOURCE RULE - JUL7-10-358</p> <p>Ordinance No. 10821 Ordinance No. 10822</p> <p>Vice Mayor Scott MOVED and it was duly seconded to refer the proposed City Charter amendments to the November 2010 ballot and PASS and ADOPT Ordinance No. <u>10821</u> with the following options: that deputy directors be included together with the directors in the amendments removing them from the civil service and that appointment and removal authority of appointed officers shall be as recommended by the TC3 coalition.</p> <p>Council Member Uhlich made a SUBSTITUTE motion and it was duly seconded to amend the matrix in instances where the City Manager is solely noted as having hiring and firing authority to include the consent of the Mayor and Council.</p> <p>Substitute Motion FAILED by a vote of 3 to 4 (Council Members Cunningham and Kozachik, Vice Mayor Scott and Mayor Walkup dissenting).</p> <p>Council Member Uhlich made a SUBSTITUTE motion and it was duly seconded to refer the City Charter amendments to the ballot as individual measures.</p> <p>Substitute Motion FAILED by a vote of 3 to 4 (Council Members Cunningham and Kozachik, Vice Mayor Scott and Mayor Walkup dissenting).</p>	<p><u>CITY CLERK</u></p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION

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13. REFERRAL OF CHARTER AMENDMENTS TO THE CITY ELECTORS: MAYORAL PARITY; DESIGNATING CERTAIN OFFICERS AS OUTSIDE OF CIVIL SERVICE; INDEXING MAYOR AND COUNCIL SALARIES TO THAT OF THE PIMA COUNTY BOARD OF SUPERVISORS; MODIFYING THE MAYOR AND COUNCIL ELECTION CYCLE; AND ESTABLISHING A REVENUE SOURCE RULE - JUL7-10-358 (continued from the previous page)

Council Member Romero made a SUBSTITUTE motion and it was duly seconded to require Mayor and Council consent regarding the appointment and removal of the Core Services Department Directors and the Superintendent of Water.

Substitute Motion FAILED by a vote of 3 to 4 (Council Members Cunningham and Kozachik, Vice Mayor Scott and Mayor Walkup dissenting).

Council Member Kozachik made a SUBSTITUTE motion and it was duly seconded to grandfather in deputy directors over a three years period.

Substitute Motion PASSED by a vote of 7 to 0.

Vice Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10821 including the TC3 recommendation for the appointment and removal of department directors.

Motion PASSED by a vote of 4 to 3 (Council Members Romero, Uhlich and Fimbres dissenting).

City Attorney Mike Rankin read into the record the options for Ordinance No. 10821 that would be moving forward as a result of the successful motions.

Vice Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10822.

Motion was withdrawn by the maker.

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14. ZONING: (C9-10-01) ROAD MACHINERY – 44TH STREET, R-1 TO I-2, CITY MANAGER’S REPORT, DIRECT ORDINANCE ADOPTION - JUL7-10-337

Ordinance No. 10816

Council Member Fimbres MOVED and it was duly seconded to APPROVE the request as recommended by the Zoning Examiner and PASS and ADOPT Ordinance No. 10816.

Motion PASSED by a vote of 7 to 0.

PLANNING & DEV. SERVICES

15. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Vice Mayor Scott MOVED and it was duly seconded to approve the appointments in the report.

Motion PASSED by a vote of 7 to 0.

Council Member Fimbres announced his personal appointments of Karen Falkenstrom to the Parkwise Commission.

Council Member Cunningham announced his personal appointments of Dante Archangeli to the Citizen Sign Code Committee, Sami Hamed to the Citizens Transportation Advisory Commission, John Hingle to the Environmental Services Advisory Committee, Moon Joe Yee to the Human Relations Commission, Joseph Higgins to the Small, Minority, Women-Owned Business Commission, Joycen Boyle to the Pima County/Tucson Women’s Commission, Shannon McBride-Olsen to the Planning Commission, Sue Bentanzos to the Public Art and Community Design Committee, Les Krambeal to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender Issues, Gary Rasmussen to the Tucson Convention Center Commission, Frank Salbeo to the Tucson Greens Committee, Ian Johnson to the Tucson-Pima County Bicycle Advisory Committee and Eileen Warshaw to the Tucson-Pima County Historical Commission.

CITY CLERK

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16. ADJOURNMENT: 10:08 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Wednesday, August 4, 2010, 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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