

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING
OCTOBER 11, 1999

FROM: CITY MANAGER _____

1. ROLL CALL: 7:34 p.m.

COUNCIL MEMBERS PRESENT: Mayor George Miller, Vice-Mayor Janet Marcus, Council Members Jose J. Ibarra, Jerry Anderson, Shirley C. Scott, Steve Leal and Fred Ronstadt, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: Luis G. Gutierrez, City Manager
John Nachbar, Deputy City Manager
Thomas J. Berning, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Judith B. Smith, Christ Church United Methodist, after which the Pledge of Allegiance was led by Cub Scout Troop #712, Den 5.

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

Council Member Leal **MOVED, SECONDED** by Council Member Ibarra, that Mayor and Council go into Executive Session to discuss **Item #11 - (HPZ 99-16) Historic Preservation Zone Demolition Application for Contributing Historic Structure Located at 252 North Main Avenue** – for discussion or consultation for legal advice with the attorneys for the City of Tucson pursuant to Arizona Revised Statutes Section 38-431.03(A)(3) and discussion or consultation with the attorneys for the City of Tucson in order to discuss its position and instruct its attorneys regarding the City of Tucson’s position pursuant to Arizona Revised Statutes Section 38-431.03(A)(4).

Motion **PASSED** by a vote of 7 to 0.

Executive Session was held from 7:37 p.m. to 8:12 p.m.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>RECESS: 8:12 P.M. RECONVENE: 8:13 P.M. MAYOR AND COUNCIL: ALL PRESENT (EXCEPT COUNC. IBARRA ABSENT/EXCUSED) STAFF: ALL PRESENT</p>	
<p>5. ZONING: (C9-99-18) CHRISTOPHER CITY – COLUMBUS BOULEVARD, SR AND C-1 TO R-2 AND C-1, REQUEST FOR FEE WAIVER BY THE UNIVERSITY OF ARIZONA - OCT11-99-528</p> <p>This item was continued indefinitely at the request of the University of Arizona.</p>	<p><u>DIR. OF PLANNING</u> <u>AGENDA COMMITTEE</u></p>
<p>3. <u>CONSENT AGENDA</u></p> <p>A. INTERGOVERNMENTAL AGREEMENT: WITH ARIZONA BOARD OF REGENTS ON BEHALF OF THE UNIVERSITY OF ARIZONA FOR JOINT USE OF 800 MEGAHERTZ DATA RADIO NETWORK – OCT11-99-522</p> <p>RESOLUTION NO. 18408</p>	<p><u>POLICE CHIEF</u></p>
<p>B. TRANSPORTATION: AUTHORIZATION FOR SPECIFICALLY LICENSED SIGNS PROPOSED AS A RESULT OF THE DOWNTOWN COMPREHENSIVE SIGNAGE PROGRAM DEVELOPED FOR THE DOWNTOWN BUSINESS AND ARTS DISTRICT (CONTINUED FROM THE MEETING OF AUGUST 2, 1999) OCT11-99-524</p> <p>RESOLUTION NO. 18364</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>C. REAL PROPERTY: VACATION, EXCHANGE AND CONVEYANCE OF PORTIONS OF WALNUT STREET, UTAH STREET, FORGEUS AVENUE AND TREAT AVENUE RIGHTS-OF-WAY TO PEPPER-VINER COMPANY AND CALVARY EVANGELISTIC CENTER IN CONNECTION WITH PHYLLIS ADDITION PLAT – OCT11-99-527</p> <p>ORDINANCE NO. 9295</p>	<p><u>DIR. OF TRANS</u></p>
<p>D. LIQUOR LICENSES – OCT11-99-521</p> <p>City No. T096-99 City No. T086-99 City No. T103-99 City No. T106-99 City No. T107-99 City No. 077-99 City No. 078-99 City No. 080-99 City No. EP52-99</p>	<p><u>CITY CLERK</u></p>
<p>E. PLATS: (S99-021) FINAL PLAT – CIVANO I, LOTS 166 THROUGH 527, BLOCKS 1 AND 2 AND COMMON AREAS “A” (PRIVATE STREETS, OPEN SPACE/DRAINAGE AND PEDESTRIAN PATH), “B” (OFF-STREET PARKING) AND “C” (RECREATION AREA) – OCT11-99-533</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>F. ASSURANCE AGREEMENT: CIVANO I, LOTS 166 THROUGH 527, BLOCKS 1 AND 2 AND COMMON AREAS “A”, “B” AND “C” (S99-021) – OCT11-99-534</p> <p>RESOLUTION NO. 18413</p>	<p><u>DIR. OF TRANS</u></p>
<p>Council Member Leal MOVED, SECONDED by Council Member Anderson, that items on the Consent Agenda be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Ibarra absent/excused).</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. ZONING: (C9-83-09) RA HOMES – HOUGHTON ROAD, C-1 ZONE, CORRECTION OF ORDINANCE NO. 9147 – OCT11-99-529

ORDINANCE NO. 9297

Vice-Mayor Marcus MOVED, SECONDED by Council Member Scott, that Mayor and Council pass and adopt Ordinance No. 9297 with the following change:

1-d strike the first five words..."if feasible the possibility of..."

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

DIR. OF PLANNING

7. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE LAND USE CODE RELATING TO NATIVE PLANT PRESERVATION (CONTINUED FROM THE MEETING OF JUNE 28, 1999) – OCT11-99-525

ORDINANCE NO. 9246

Council Member Scott MOVED, SECONDED by Council Member Leal, that Mayor and Council close the public hearing.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

Council Member Anderson MOVED, SECONDED by Vice-Mayor Marcus, to pass and adopt Ordinance No. 9246 and direct staff to address the issues the NPPO Task Force addressed in their position letter and return in two years with any impact.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

DIR. OF PLANNING

8. PUBLIC HEARING: ZONING (C9-98-25) STARR PASS AND MOUSSA – STARR PASS BOULEVARD, SR AND R-1 TO C-1 AND R-1 TO SR, ZONING EXAMINER’S REPORT (CONTINUED FROM THE MEETING OF FEBRUARY 22, 1999) – OCT11-99-526

This item was continued to October 25, 1999 at the request of Council Member Ibarra on behalf of the applicant.

DIR. OF PLANNING
AGENDA COMMITTEE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: ZONING (C9-99-SP-7) LA ESTANCIA SPECIFIC PLAN, SH, C-2 AND I-1 TO SP-7 ZONE, ZONING EXAMINER'S REPORT AND ORDINANCE ADOPTION – OCT11-99-530

ORDINANCE NO. 9298

Council Member Scott MOVED, SECONDED by Council Member Leal, that Mayor and Council close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council pass and adopt Ordinance No. 9298.

Vice-Mayor Marcus offered an amendment to the motion to strike references to large signs.

Amendment acceptable to the maker and applicant.

Motion PASSED, as amended, by a vote of 6 to 1 (Council Member Anderson dissenting).

(Council Member Ronstadt departed at 8:28 p.m. and returned at 8:30 p.m.)

(Council Member Ibarra arrived at 8:52 p.m.)

DIR. OF PLANNING

Mayor and Council returned to Executive Session to discuss **Item #11 - (HPZ 99-16) Historic Preservation Zone Demolition Application for Contributing Historic Structure Located at 252 North Main Avenue.**

Executive Session was held from 9:30 p.m. to 9:40 p.m.

RECESS: 9:40 P.M.

RECONVENE: 9:41 P.M.

MAYOR AND COUNCIL: ALL PRESENT

STAFF: ALL PRESENT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. PUBLIC HEARING: (HPZ 99-16) HISTORIC PRESERVATION ZONE DEMOLITION APPLICATION FOR CONTRIBUTING HISTORIC STRUCTURE LOCATED AT 252 NORTH MAIN AVENUE (CONTINUED FROM THE MEETING OF OCTOBER 4,1999) – OCT11-99-531

This item was continued for one week.

DIR. OF PLANNING
AGENDA COMMITTEE

4. TUCSON CODE: AMENDING (CHAPTER 11) RELATING TO REGULATIONS OF SMOKING IN RESTAURANTS – OCT11-99-532

ORDINANCE A - NO. 9299
ORDINANCE B - NO. 9300
ORDINANCE C - NO. 9301
ORDINANCE D - NO. 9302

Vice-Mayor Marcus MOVED, SECONDED by Council Member Scott, to table proposed Ordinances A, B & C and adopt Ordinance D – No. 9302.

Motion PASSED by a vote of 6 to 1 (Council Member Leal dissenting).

On a second roll call vote for the sole and separate purpose of amending the ordinance to include the emergency clause the vote was 7 to 0.

CITY ATTORNEY

10. PUBLIC HEARING: ZONING (C9-86-33) ENTERPRISE GROWTH GROUP – TUCSON BOULEVARD, O-3 AND R-3 ZONE, CHANGE OF CONCEPT PLAN, CONDITIONS OF REZONING AND ORDINANCE ADOPTION – OCT11-99-520

ORDINANCE NO. 9296

Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Ronstadt MOVED, SECONDED by Council Member Leal, that Mayor and Council pass and adopt Ordinance No. 9296 with the changes suggested by the developer to conditions 1-c and 1-f.

DIR. OF PLANNING

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>10. PUBLIC HEARING: ZONING (C9—86-33) ENTERPRISE GROWTH GROUP – TUCSON BOULEVARD, O-3 AND R-3 ZONE, CHANGE OF CONCEPT PLAN, CONDITIONS OF REZONING AND ORDINANCE ADOPTION – OCT11-99-520 (CONTINUED)</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – OCT11-99-523</p> <p>None.</p>	<p><u>CITY CLERK</u></p>
<p>13. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK</p> <p>a. Todd Blasak, Festival of Hope, addressed the Mayor and Council requesting police presence (2 uniformed officers) at their festival to be held on October 15-16, 1999.</p> <p>The City Attorney advised that this item be scheduled for October 18, 1999 to accommodate the request retroactively.</p>	<p><u>POLICE CHIEF</u></p>
<p>14. ADJOURNMENT: 10:00 P.M.</p> <p>The next regularly scheduled meeting of the Mayor and Council will be held on Monday, October 18, 1999, at 2:00 p.m., in the Mayor and Council Chambers, 255 West Alameda, Tucson, Arizona.</p>	