

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

APRIL 21, 2003

FROM: CITY MANAGER



1. ROLL CALL: 2:44 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Shirley Scott, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: James Keene, City Manager  
Mike Letcher, Deputy City Manager  
Michael House, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor David Houchin, 22<sup>nd</sup> Street Baptist Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Proclaiming the week of April 21 to April 27, 2003 as "Community Development Week" and April 25, 2003 as the "Community Development Week Day of Celebration".
- b. Presentation Recognizing Public Access Grant Award Winners.

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<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – APRIL21-03-218</p> <ol style="list-style-type: none"><li>a. Vice-Mayor Scott thanked the citizens who attended the Ward 4 Budget Townhalls.</li><li>b. Council Member West announced a townhall to discuss the increasing cost of prescription drugs on Friday, April 25, 2003, 2:00 –3:30 p.m. at the Fellowship Square – 8111 E. Broadway.</li><li>c. Council Member Ronstadt announced that a fundraiser for the Southern Arizona Center Against Sexual Assault (SACASA) called "Dine out for Safety" will take place on Wednesday, April 23, 2003.</li></ol>	

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4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS  
APRIL21-03-218

City Manager, James Keene, announced:

- a. The AWPCA has selected Tucson Water as the 2003 Environmental Educator of the Year and will present the award at their annual meeting to be held in Tucson.
- b. This Thursday, April 24, 2003, the city will participate in and sponsor "Take Our Daughters and Sons to Work". This year's theme is "A New Generation at Work".
- c. The Department of Transportation has been honored with three recent awards for:
  1. Pantano: Golf Links to Escalante
  2. Solar panels at the Pantano Wash @ Harrison
  3. The Diamondback Bridge
- d. "Flavors of the Desert" was the theme of a dinner at the Tucson Convention Center honoring the success of Native Seeds.
- e. The Mariachi Conference has returned to the Tucson Convention Center and will begin tomorrow.

5. CALL TO THE AUDIENCE

- a. Ray Figueroa addressed the Mayor and Council in opposition to the increased fees for Kidco and urged the Council to allow the AFSCME compensation dispute to continue.
- b. Elezabeth Cameron addressed the Mayor and Council in opposition to the \$75 dog license fee and urged the formation of a citizens group to review the dog license ordinance and vicious animal laws.
- c. Benny White addressed the Mayor and Council and noted a concern with a memorandum from the City Attorney's Office relating to candidates and talk shows.
- d. Judy Stern expressed concern to the Mayor and Council regarding the process for public art.
- e. Diana Henderson addressed the Mayor and Council and stated her opposition to increased fees at the Tucson Convention Center for non-profit groups.

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<p>5. CALL TO THE AUDIENCE (CONT'D)</p> <p>f. Margaret Avery Moon addressed the Mayor and Council in opposition to SB1103 – Massage Therapists.</p> <p>g. Victoria Dance addressed the Mayor and Council in opposition to SB1103 – Massage Therapists.</p>	
<p>6. <u>C O N S E N T A G E N D A</u></p> <p>**ITEM “J” WAS DELETED FROM THE CONSENT AGENDA **</p> <p>A. ELECTION: CALLING A PRIMARY ELECTION ON SEPTEMBER 9, 2003 AND A GENERAL ELECTION ON NOVEMBER 4, 2003 – APRIL21-03-220</p> <p>ORDINANCE NO. 9832</p>	<p><u>CITY CLERK</u></p>
<p>B. ASSURANCE AGREEMENT: (S02-029) DESERT WILLOW ESTATES PHASE II LOTS 111 TO 232, 338, 339, AND COMMON AREAS “A-8”, “A-13”, “A-17” TO “A-19”, “A-23”, “B-3”, “B-6, “B-8”, “B-10” TO “B-13” AND BLOCKS A TO D – APRIL21-03-221</p> <p>RESOLUTION NO. 19556</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>C. FINAL PLAT: (S02-029) DESERT WILLOW ESTATES PHASE II LOTS 111 TO 232, 338, 339, AND COMMON AREAS “A-8”, “A-13”, “A-17” TO “A-19”, “A-23”, “B-3”, “B-6, “B-8”, “B-10” TO “B-13” AND BLOCKS A TO D – APRIL21-03-222</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>D. ASSURANCE AGREEMENT: (S02-030) DESERT WILLOW ESTATES PHASE III LOTS 233 TO 337, 340 TO 353, AND COMMON AREAS “A-1” TO “A-10”, “B-1” TO “B-5” AND BLOCKS A TO D – APRIL21-03-223</p> <p>RESOLUTION NO. 19557</p>	<p><u>DIR. OF DEV. SERVICES</u></p>

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<p>E. FINAL PLAT: (S02-030) DESERT WILLOW ESTATES PHASE III LOTS 233 TO 337, 340 TO 353, AND COMMON AREAS "A-1" TO "A-10", "B-1" TO "B-5" AND BLOCKS A TO D – APRIL21-03-224</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>F. ASSURANCE AGREEMENT: (S02-023) HOUGHTON VILLAGE LOTS 1 TO 55, AND COMMON AREA "A" – APRIL21-03-225</p> <p>RESOLUTION NO. 19558</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>G. FINAL PLAT: (S02-023) HOUGHTON VILLAGE, LOTS 1 TO 55, AND COMMON AREA "A" – APRIL21-03-226</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>H. AGREEMENT: AMENDMENT TO PARTIAL SETTLEMENT AND WORK SHARING AGREEMENT WITH THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE WESTERN CONTAINMENT SYSTEM AT THE BROADWAY NORTH LANDFILL – APRIL21-03-229</p> <p>RESOLUTION NO. 19559</p>	<p><u>DIR. OF ECON. DEVELOPMENT</u></p>
<p>I. PUBLIC IMPROVEMENTS: PANTANO ROAD, GOLF LINKS ROAD TO ESCALANTE ROAD DISTRICT PAVING IMPROVEMENT – APRIL21-03-231</p> <p>RESOLUTION NO. 19549</p>	<p><u>DIR. OF TRANS</u></p>
<p>K. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR SOCIAL SERVICES BLOCK GRANT FUNDS – APRIL21-03-234</p> <p>RESOLUTION NO. 19561</p>	<p><u>DIR. OF COMM. SERVICES</u></p>

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<p>Council Member West MOVED, SECONDED by Council Member Ibarra, that items on the Consent Agenda (Except “J”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>J. GRANT APPLICATION: FEDERAL TRANSIT ADMINISTRATION CAPITAL GRANT APPLICATION FOR FISCAL YEAR 2003 – APRIL21-03-230</p> <p>RESOLUTION NO. 19560</p> <p>This item was continued to April 28, 2003 at the request of staff.</p>	<p><u>DIR. OF TRANS</u> <u>AGENDA COMMITTEE</u></p>
<p>7. LIQUOR LICENSE APPLICATIONS – APRIL21-03-227</p> <p>GARCIA’S MEXICAN RESTAURANT, CITY # 013-03 STRENGTH BUILDING PARTNERS, CITY # T026-03 CODAC BEHAVIORAL HEALTH SERVICES, INC., CITY # T027-03 SANTA CRUZ CATHOLIC CHURCH, CITY # T028-03 ST. JOSEPH’S PARISH FIESTA, CITY # T023-03</p> <p>Vice-Mayor Scott MOVED, SECONDED by Council Member West to direct staff to forward these applications to the State Liquor Board with recommendations for approval.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>PARILLA DEL REY, CITY # 018-03</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ibarra to direct staff to forward this application to the State Liquor Board with a recommendation for denial.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>(Council Member Ronstadt departed at 3:30 p.m. and returned at 3:31 p.m.)</p>	<p><u>CITY CLERK</u></p>

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<p>8. ZONING: (C9-02-06) WALGREEN'S – ALVERNON WAY, 0-3 TO C-1, ORDINANCE ADOPTION – APRIL21-03-228</p> <p>ORDINANCE NO. 9833</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member West to pass and adopt Ordinance NO. 9833.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Ibarra absent/excused).</p> <p>(Council Member Ibarra departed at 3:57 p.m. and returned at 4:04 p.m.)</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>9. WATER: ADOPTION OF WATER SYSTEM EQUITY FEE (CONTINUED FROM MEETING OF APRIL 7, 2003) – APRIL21-03-233</p> <p>ORDINANCE NO. 9828</p> <p>Council Member West MOVED to continue this item for one week.</p> <p>Motion <u>DIED</u> for lack of a second.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 9828.</p> <p>Motion <u>FAILED</u> by a vote of 3 to 4 (Vice-Mayor Scott, Council Members Ibarra, Dunbar and Leal dissenting).</p>	<p><u>DIR. OF WATER</u></p>
<p>10. FINANCE: TENTATIVE ADOPTION OF THE FISCAL YEAR 2004 BUDGET – APRIL21-03-235</p> <p>RESOLUTION NO. 19562</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member West to pass and adopt Resolution No. 19562 increasing the amount in the resolution by \$550,000.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 2 (Council Members Ibarra and Leal dissenting).</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

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<p>11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – APRIL21-03-232</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Scott to appoint Sam J. Rugel to the Electrical Code Committee (Joint City/County).</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY CLERK</u></p>
<p>12. CALL TO THE AUDIENCE</p> <ul style="list-style-type: none"><li>a. Elezabeth Cameron urged the Mayor and Council make her street a “legal street”.</li><li>b. Ray Figueroa urged the Mayor and Council to allow the AFSCME compensation dispute to continue.</li><li>c. Richard Cook urged the Mayor and Council to allow the AFSCME compensation disputes to continue.</li><li>d. Alan Levine addressed the Mayor and Council in opposition to a Water System Equity Fee.</li></ul>	
<p>13. ADJOURNMENT: 4:43 P.M.</p> <p>The next regularly scheduled meeting of the Mayor and Council will be held on Monday, April 28, 2003, at 7:00 p.m. at the Tucson Convention Center – Graham/Greenlee Rooms, 260 S. Church, Tucson, Arizona.</p>	