

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

AUGUST 2, 2005

FROM: CITY MANAGER



1. ROLL CALL: 5:30 P.M.

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

STAFF MEMBERS: Mike Hein, City Manager
Mike Letcher, Deputy City Manager
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Melinda Nay, Center for Joyful Living, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Proclamation presented to Randy Ogden of the Tucson Fire Department - August to be "Drowning Impact Awareness Month".
- b. Proclaiming August 20, 2005 to be the 230th Anniversary of the founding of the City of Tucson.

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – AUG2-05-418

- a. Council Member Scott announced Ward IV's 5th annual Back to School Bash will be held Saturday August 13th at the Clements Center.
- b. Council Member Ronstadt announced the FTA bill passed by Congress will result in \$100 million in funding to the City of Tucson for various Transportation projects.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS
AUG2-05-419

City Manager Mike Hein announced:

- a. Tucson Water was recognized by the Arizona Planning Association with a 2005 Water Planning Award for the Water Plan 2000-2050.
- b. Tucson Water was featured on Discovery Channel Canada Special, which broadcast a 3-hour documentary on global water issues last May. Tucson was featured in the third segment that showcased innovative solutions to water resource issues.
- c. Tucson Water also received a special achievement award from GIS (Geographic Information Systems) for innovative use of GIS as part of the valve map conversion process. They were one of 150 sites selected for the award from more than 100,000 sites around the world.
- d. Several members of the Rollings Family will be honored with the “Heart of Downtown” Award on August 4th.
- e. Tucsonans battled heat and rain to show their support at two Sun Tran “Stuff-the-Bus” events held Friday, July 22 and Friday, July 29. Total donations included 21,499 pounds of food and an unsurpassed \$12,921 in cash to benefit the Tucson Community Food Bank.
- f. Sun Tran was named 2005 American Public Transit Association’s Outstanding Transit System for systems carrying 4 million to 30 million passengers
- g. Finally Ann Strine was welcomed as the City of Tucson’s new Director of Information Technology/ Chief Information Officer.

5. LIQUOR LICENSE APPLICATIONS – AUG2-05-425

- LAS INDIAS BONITAS, CITY # 49-05
- BLOO FISH, CITY # 50-05
- SAUCE PIZZA & WINE, CITY # 51-05
- CHICKEN DADDY’S, CITY # 52-05
- J & B MARKET, CITY # 57-05
- REPUBLIC BEVERAGE COMPANY, CITY # 59-05
- SPORTYS CAFÉ & LOUNGE, CITY # 60-05

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – AUG2-05-425 (Continued from previous page)

MICHA'S DEL NORTE, CITY # 61-05
FERRANTI'S FINE FOODS, CITY # 54-05
HIDEOUT BAR & GRILL, CITY # 47-05
BEST WESTERN EXECUTIVE INN, CITY # 48-05
THE CRISTIANI FOUNDATION, CITY # T50-05
SUN SOUNDS OF ARIZONA, CITY # T51-05
ST. DEMETRIUS GREEK ORTHODOX CHURCH, CITY # T52-05
CONGRESS STREET HISTORIC THEATRES FOUNDATION,
CITY # T54-05
COMITÉ DE FESTIVIDADES DES MEXICANAS, CITY # T55-05
TUCSON BREAKFAST LIONS CLUB (TBLC), CITY # T56-05
SANTA RITA EXCHANGE CLUB, CITY # T57-05
SAAVI – SOUTHERN ARIZONA ASSOCIATION FOR THE
VISUALLY IMPAIRED, CITY # T58-05
THE CHURCH OF ST. MICHAEL AND ALL ANGELS,
CITY # T59-05

Council Member Ibarra MOVED, SECONDED by Council Member Scott to direct staff to forward the above liquor licenses to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 7 to 0.

BARGAIN WAREHOUSE, CITY # 55-05

Council Member Leal MOVED, SECONDED by Vice-Mayor Dunbar to direct staff to forward the above liquor license to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

TORTILLERIA JALISCO & RESTAURANT, CITY # 56-05

Council Member Leal MOVED, SECONDED by Council Member Ibarra to direct staff to forward the above liquor license to the State Liquor Board with a recommendation for denial.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – AUG2-05-425 (Continued from previous page)

Motion PASSED by a vote of 4 to 3 (Vice-Mayor Dunbar, Council Members West and Ronstadt dissenting).

IN-OUT MINI MARKET, CITY # 58-05

Vice-Mayor Dunbar MOVED, SECONDED by Council Member Scott to direct staff to forward the above liquor license to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

BEVERAGE HOUSE, CITY # 53-05

Council Member Leal MOVED, SECONDED by Council Member Ibarra to direct staff to forward the above liquor license to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

ST. MELANY BYZANTINE CATHOLIC CHURCH, CITY # T53-05

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Dunbar to direct staff to forward the above liquor license to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 7 to 0.

6. C O N S E N T A G E N D A

*****ITEMS “B”, “X”, “Y”, AND “AA” WERE DELETED FROM THE CONSENT AGENDA *****

A. AWARD AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL FOR A VICTIMS’ RIGHTS IMPLEMENTATION ASSISTANCE PROGRAM – AUG2-05-426

RESOLUTION NO. 20141

CITY ATTORNEY

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>C. APPROVAL OF MINUTES – AUG2-05-416</p>	<p><u>CITY CLERK</u></p>
<p>D. FINANCIAL PARTICIPATION AGREEMENT: WITH THE GRAFFITI ABATEMENT PROGRAM IN TUCSON (GAPIT) FOR GRAFFITI ABATEMENT SERVICES – AUG2-05-429</p> <p>RESOLUTION NO. 20143</p>	<p><u>DIR. OF COMMUNITY SERVICES</u></p>
<p>E. MEMORANDUM OF UNDERSTANDING: WITH THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY, THE CITY OF PHOENIX, AND THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA FOR THE ENVIRONMENTAL PROTECTION AGENCY’S BROWNFIELDS REVOLVING LOAN FUND PROGRAM – AUG2-05-428</p> <p>RESOLUTION NO. 20144</p>	<p><u>DIR. OF ENV. SERVICES</u></p>
<p>F. TRANSPORTATION: AUTHORIZATION FOR THE TRANSPORTATION DEPARTMENT TO SUBMIT FEDERAL TEA-21 TRANSPORTATION ENHANCEMENT PROPOSALS – AUG2-05-421</p> <p>RESOLUTION NO. 20145</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>G. AGREEMENT: BETWEEN BLUE CROSS AND BLUE SHIELD OF ARIZONA, AND TUCSON FIRE FOR PAYMENT OF AMBULANCE TRANSPORTS – AUG2-05-417</p> <p>RESOLUTION NO. 20146</p>	<p><u>FIRE CHIEF</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>H. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY JUNIOR LIEN EXCISE TAX REVENUE BONDS (RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT – FOX TUCSON THEATRE PROJECT) TAXABLE SERIES 2005 – AUG2-05-432</p> <p>RESOLUTION NO. 20147</p>	<p><u>RIO NUEVO</u></p>
<p>I. TUCSON CODE: AMENDING (CHAPTER 20) CONVERTING FROM ONE-WAY TO TWO-WAY TRAFFIC ON PENNINGTON STREET BETWEEN SCOTT AVENUE AND SIXTH AVENUE - AUG2-05-433</p> <p>ORDINANCE NO. 10181</p>	<p><u>DIR.OF TRANSPORTATION</u></p>
<p>J. AGREEMENT: WITH PIMA ASSOCIATION OF GOVERNMENTS FOR TRANSPORTATION PLANNING AND PROFESSIONAL SERVICES FOR FISCAL YEAR 2006 AUG2-05-427</p> <p>RESOLUTION NO. 20148</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>K. FINANCIAL PARTICIPATION AGREEMENTS: WITH VARIOUS OUTSIDE AGENCIES FOR FISCAL YEAR 2006 AUG2-05-434</p> <p>RESOLUTION NO. 20149</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>L. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT – AUG2-05-435</p> <p>RESOLUTION NO. 20150</p>	<p><u>CITY ATTORNEY</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>M. FINANCE: REQUESTING EXEMPTION FROM POSTING SECURITY FOR SELF-INSURED WORKERS' COMPENSATION CLAIMS – AUG2-05-438</p>	<p><u>DIR. OF FINANCE</u></p>
<p>N. GRANT APPLICATION AND AGREEMENT: WITH THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR LIVE ONLINE HOMEWORK HELP – AUG2-05-439</p> <p>RESOLUTION NO. 20151</p>	<p><u>DIR. OF LIBRARY</u></p>
<p>O. TUCSON CONVENTION CENTER: APPROVAL OF A USE AGREEMENT WITH THE SOUTHERN ARIZONA HOME BUILDERS ASSOCIATION (SAHBA) FOR HOME SHOWS – AUG2-05-441</p> <p>RESOLUTION NO. 20152</p>	<p><u>DIR. OF TUCSON CONVENTION CENTER</u></p>
<p>P. ELECTIONS: DESIGNATING POLLING PLACES AND APPOINTING ELECTION BOARDS FOR THE SEPTEMBER 13 PRIMARY ELECTION – AUG2-05-431</p> <p>RESOLUTION NO. 20153 RESOLUTION NO. 20154</p>	<p><u>CITY CLERK</u></p>
<p>Q. ASSURANCE AGREEMENT: (S04-032) TANQUE VERDE PLACE SUBDIVISION, LOTS 1 TO 58 AND COMMON AREAS “A-1” TO “A-3”, “B-1” AND “B-2”, AND “C-1” AND “C-2” – AUG2-05-440</p> <p>RESOLUTION 20155</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>R. FINAL PLAT: (S04-032) TANQUE VERDE PLACE SUBDIVISION, LOTS 1 TO 58 AND COMMON AREAS "A-1" TO "A-3", "B-1" AND "B-2", AND "C-1" AND "C-2" – AUG2-05-424</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>S. REAL PROPERTY: VACATION AND SALE OF SURPLUS PROPERTIES LOCATED AT 309 WEST SIXTH STREET, 375 NORTH MAIN AVENUE, AND 433 NORTH MAIN AVENUE – AUG2-05-415</p> <p>ORDINANCE NO. 10185 ORDINANCE NO. 10186 ORDINANCE NO. 10187</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>T. REAL PROPERTY: DEVELOPMENT AND EXCHANGE AGREEMENT WITH LOFTS AT FIFTH AVENUE LLC FOR PROPERTY LOCATED AT FIFTH AVENUE AND SIXTH STREET – AUG2-05-449</p> <p>ORDINANCE NO. 10191</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>U. AGREEMENTS: WITH THE TUCSON AUDUBON SOCIETY AND OTHER ORGANIZATIONS TO CONDUCT HABITAT RECOVERY AND RESTORATION PROJECTS IN AVRA VALLEY – AUG2-05-448</p> <p>RESOLUTION NO. 20161</p>	<p><u>CITY ATTORNEY</u></p>
<p>V. ASSURANCE AGREEMENT: (S04-102) ALLEN ROAD TOWNHOMES SUBDIVISION (RCP), LOTS 1 TO 18 AND COMMON AREAS "A", "B", "C" AND "D" – AUG2-05-451</p> <p>RESOLUTION NO. 20162</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>W. FINAL PLAT: (S04-102) ALLEN ROAD TOWNHOMES SUBDIVISION (RCP), LOTS 1 TO 18 AND COMMON AREAS "A", "B", "C" AND "D" – AUG2-05-452</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>Z. REAL PROPERTY: RIGHT-OF-WAY ACQUISITION – GRANT ROAD/ALVERNON WAY FOR SIDEWALK ACCESS RAMPS AND BUS SHELTERS – AUG2-05-455</p> <p>RESOLUTION NO. 20156</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>BB. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH ARIZONA GAME AND FISH FOR THE HABITAT CONSERVATION PLAN GRANT – AUG2-05-447</p> <p>RESOLUTION NO. 20158</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>CC. TRANSPORTATION: RATIFICATION OF EASEMENT AND TEMPORARY ACCESS AND CONSTRUCTION LICENSE AGREEMENT FOR A BUS SHELTER LOCATED ON CAMPBELL AVENUE – AUG2-05-457</p> <p>RESOLUTION NO. 20159</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>DD. AGREEMENT: WITH THE PIMA COUNTY FLOOD CONTROL DISTRICT AND THE U.S. ARMY CORPS OF ENGINEERS FOR THE EL RIO MEDIO FEASIBILITY STUDY OF THE SANTA CRUZ RIVER – AUG2-05-450</p> <p>RESOLUTION NO. 20160</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>Council Member West MOVED, SECONDED by Council Member Ronstadt that items on the Consent Agenda (Except "B", "X", "Y", and "AA") be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>B. FINANCE: CONTINGENCY FUND TRANSFER FOR SUN SOUNDS RADIO READING SERVICES ANNUAL FUNDRAISING FESTIVAL – AUG2-05-446</p> <p>RESOLUTION NO. 20142</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Dunbar to pass and adopt Resolution No. 20142 which was amended as follows: Ward 2 adding \$100, and Ward 3 adding \$300 for a total contribution of \$700.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>X. ASSURANCE AGREEMENT: (S02-035) TANQUE VERDE LA RIENDA SUBDIVISION, LOTS 1 TO 6 AND COMMON AREAS “A” TO “E” - AUG2-05-453</p> <p>RESOLUTION NO. 20163</p> <p>Y. FINAL PLAT: (S02-035) TANQUE VERDE LA RIENDA SUBDIVISION, LOTS 1 TO 6 AND COMMON AREAS “A” TO “E” – AUG2-05-454</p> <p>Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to continue Consent Agenda items “X” and “Y” to the meeting of September 7, 2005.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u> <u>AGENDA COMMITTEE</u></p> <p><u>DIR. OF DEVELOPMENT SERVICES</u> <u>AGENDA COMMITTEE</u></p>
<p>AA. FINANCE: CONTINGENCY FUND TRANSFER TO THE VIETNAM VETERAN’S OF AMERICA, ARIZONA CHAPTER 106, FOR THE ANNUAL NAM JAM – AUG2-05-456</p> <p>RESOLUTION NO. 20157</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

AA. FINANCE: CONTINGENCY FUND TRANSFER TO THE VIETNAM VETERAN’S OF AMERICA, ARIZONA CHAPTER 106, FOR THE ANNUAL NAM JAM – AUG2-05-456
(Continued from previous page)

Council Member West MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 20157 which was amended as follows: Ward 5 adding \$250, Ward 4 adding \$100, Ward 3 adding \$250 and The Mayor’s Office adding \$250 for a total contribution of \$1100.

Motion PASSED by a vote of 7 to 0.

7. CALL TO THE AUDIENCE

- a. Ben Tollis addressed the Mayor and Council with concern regarding alley trash pickup, conversions to curb pick up, and a perception of discrimination.
- b. Michael Toney addressed the Mayor and Council with concerns regarding the University of Arizona and the Downtown Science Center.
- c. Ben Young addressed the Mayor and Council in opposition to Consent item “T” relating to DEVELOPMENT AND EXCHANGE AGREEMENT WITH LOFTS AT FIFTH AVENUE LLC FOR PROPERTY LOCATED AT FIFTH AVENUE AND SIXTH STREET.
- d. Dick Basey addressed the Mayor and Council regarding various plans for the completion of the final mile of Barraza-Aviation and requested staff look into inaccurate traffic counts.
- e. Evelyn Yanigahashi addressed the Mayor and Council in opposition to Consent item “T” relating to DEVELOPMENT AND EXCHANGE AGREEMENT WITH LOFTS AT FIFTH AVENUE LLC FOR PROPERTY LOCATED AT FIFTH AVENUE AND SIXTH STREET.
- f. Chris Diaz addressed the Mayor and Council in opposition to Consent item “T” relating to DEVELOPMENT AND EXCHANGE AGREEMENT WITH LOFTS AT FIFTH AVENUE LLC FOR PROPERTY LOCATED AT FIFTH AVENUE AND SIXTH STREET.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: PROPOSED ALTERNATIVE EXPENDITURE LIMITATION – HOME RULE OPTION – AUG2-05-458

DIR. OF BUDGET AND RESEARCH

Council Member Leal MOVED, SECONDED by Council Member West to close the Public Hearing.

Motion PASSED by a vote of 7 to 0.

AT THIS TIME THE MAYOR AND COUNCIL RECESSED THE REGULAR MEETING AND CONVENED A SPECIAL MEETING

RECESS: 7:10 P.M.

1. ROLL CALL: 7:11 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

2. BUDGET AND RESEARCH: APPROVING THE PROPOSED ALTERNATIVE EXPENDITURE LIMITATION – HOME RULE OPTION, CALLING A SPECIAL ELECTION FOR THE PROPOSAL FOR NOVEMBER 8 AND SPECIFYING THE FORM OF BALLOT – AUG2-05-461

DIR. OF BUDGET AND RESEARCH

ORDINANCE NO. 10193

Council Member Ronstadt MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 10193.

Motion PASSED by a vote of 7 to 0.

3. ADJOURNMENT: 7:14 P.M.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

**AT THIS TIME MAYOR AND COUNCIL RECONVENED THE
REGULAR MEETING**

ROLL CALL: 7:24 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

9. PUBLIC HEARING: BINGO LICENSE – ESTES GARDENS
RESIDENT ACTIVITIES, 6251 S. COMMERCE COURT, CITY
NUMBER 196 – AUG2-05-436

Council Member Ronstadt MOVED, SECONDED by Council Member
Scott to close the Public Hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Ibarra MOVED, SECONDED by Council Member West
to forward the application to the State Tax Commission with a
recommendation for approval.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

10. PUBLIC HEARING: TUCSON CODE (CHAPTER 6) ADOPTION OF
THE 2003 INTERNATIONAL MECHANICAL CODE WITH LOCAL
AMENDMENTS, THE 2003 INTERNATIONAL FUEL GAS CODE,
AND THE 2003 STATE PLUMBING CODE – AUG2-05-442

ORDINANCE NO. 10182
ORDINANCE NO. 10183
ORDINANCE NO. 10184

Council Member Ronstadt MOVED, SECONDED by Council Member
Scott to continue this item to the meeting of September 7, 2005.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT
SERVICES
AGENDA COMMITTEE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. PUBLIC HEARING: ZONING (C9-02-32) A-C INVESTMENT – AJO WAY, R-1, R-2 AND I-1 TO I-1, CHANGE OF PRELIMINARY DEVELOPMENT PLAN (CONTINUED FROM THE MEETING OF JULY 6, 2005) – AUG2-05-423

Council Member Leal MOVED, SECONDED by Council Member Scott to continue this item for 60 days.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES
AGENDA COMMITTEE

12. ZONING: (C9-97-21) DEGRAZIA – SWAN ROAD, O-2 ZONING, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – AUG2-05-443

ORDINANCE NO. 10190

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to pass and adopt Ordinance No. 10190 relating to zoning: amending rezoning conditions in the area located at the southeast corner of Camp Lowell Drive and Swan Road in Case C9-97-21, DeGrazia – Swan Road, O-2 zoning; and declaring an emergency.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

13. ZONING: (C9-05-05) VILLAGE OFFICES – SWAN ROAD, O-2 TO O-3, CITY MANAGER’S REPORT, ORDINANCE ADOPTION – AUG2-05-444

ORDINANCE NO. 10189

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to pass and adopt Ordinance No. 10189 with an amendment to condition #3, exhibit A to Ordinance to 10189 adding the date, June 21, 2005 (date the building permit was issued); additionally it should be noted that any change should be considered significant in order to trigger neighborhood notification.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. ZONING: (C9-05-04) P&L GROUP – AJO WAY, R-1 TO R-3, CITY MANAGER’S REPORT – AUG2-05-430

Council Member Ibarra MOVED, SECONDED by Council Member Scott to approve the request for rezoning as recommended by the Zoning Examiner.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

15. ZONING: (C9-01-01) TMCARE – WYATT DRIVE, R-1 TO O-3, ORDINANCE ADOPTION – AUG2-05-445

ORDINANCE NO. 10188

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to pass and adopt Ordinance No. 10188 relating to zoning: amending zoning district boundaries in the area located on the west side of Wyatt Drive approximately 300 feet south of Glenn Street in Case C9-01-01, TMCare – Wyatt Drive, R-1 to O-3; and setting an effective date.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

16. ZONING: (C9-05-09) M&B MECHANICAL – MOUNTAIN AVENUE, R-2 TO C-3, CITY MANAGER’S REPORT – AUG2-05-437

Council Member Leal MOVED, SECONDED by Council Member West to approve the request for rezoning as recommended by the Zoning Examiner.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

17. ZONING: RECONSIDERATION OF ORDINANCE 10162 RELATING TO (C9-03-24) ABRAMS/ACEDO – 4TH STREET – AUG2-05-459

ORDINANCE NO. 10162

Council Member Leal MOVED, SECONDED by Council Member Scott to continue this item to September 7, 2005, to allow the applicant time to prepare a revised tentative plat in compliance with the four points (conditions) that were the basis for the request to reconsider Ordinance No. 10162.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES
AGENDA COMMITTEE

18. IMPROVEMENT DISTRICTS: PARK AVENUE, IRVINGTON ROAD TO VALENCIA ROAD DISTRICT STREET LIGHTING AND SIDEWALK IMPROVEMENT – AUG2-05-422

Council Member Leal MOVED, SECONDED by Council Member Scott to award the Contract to West Point Contractors, Inc.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANSPORTATION

19. ZONING: (C9-00-21) BROADWAY HARRISON LLC – HARRISON ROAD, SR TO R-2, ORDINANCE ADOPTION – AUG2-05-460

ORDINANCE NO. 10192

Council Member West MOVED, SECONDED by Council Member Leal to continue this item to the meeting of September 7, 2005 to allow time to work out the issue of one-story versus two-story buildings.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES
AGENDA COMMITTEE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

20. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – AUG2-05-420

Vice-Mayor Dunbar MOVED, SECONDED by Council Member Scott to:

Appoint Joel M. Greenberg (Fleet Reserve Association) to the Veterans' Affairs Committee;

Appoint Marion K. Hook to the Small Business Commission; and

Reappoint Jack Kelly (Educator) to the Landscape Advisory Committee.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

21. ADJOURNMENT: 7:49 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Wednesday, September 7, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.