

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY AUGUST 6, 2007

FROM: CITY MANAGER 

1. ROLL CALL: 5:39 p.m.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice Mayor Shirley C. Scott, Council Members Jose J. Ibarra, Carol West, Karin Uhlich, Steve Leal and Nina J. Trasoff, 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 the City Clerk, after which the Pledge of Allegiance was presented by the City Clerk.

PRESENTATIONS

- a. Proclaiming August 20, 2007, to be the "232nd Anniversary of Tucson"
- b. Proclaiming August 24, 2007, to be "Project PPEP Day"
- c. Proclaiming September 2 to 8, 2007, to be "Venom Week 2007"
- d. Presentation of award to Chris Mitchell, as an "Extraordinary Citizen"
- e. Presentation by the American Gem Trade Association to the Arizona Law Enforcement Torch Run for Special Olympics

The City Clerk announced that Susie Rogers is available to provide Spanish language assistance for anyone who needs it

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – AUG6-07-433</p> <p>Vice Mayor Scott announced that the Ward IV office is still participating in a Cell Phones for Soldiers program and is accepting used cell phones and pagers that will be sold and the proceeds used to</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – AUG6-07-433 (Continued from previous page)

buy pre-paid calling cards and videophones for soldiers overseas. Donations will be accepted at the Ward IV office at 8123 E. Poinciana Drive and attendees of the August 11<sup>th</sup> Back to School Bash can bring any donations then.

Council Member West announced that she received the Arizona NARO and Arizona Housing Authority Award as an advocate for housing in 2006.

Council Member West announced that on August 4<sup>th</sup> she welcomed thirteen Udall Scholars on the conclusion of their 2-week journey across the United States to promote public service in the legacy of the late Congressman Udall – the “Udall Legacy Biodiesel Bus Tour” of which the City of Tucson was a sponsor.

Council Member Uhlich announced that the Cabrini neighborhood is honoring Mark Haberman for his work on the Neighborhood Watch program.

Council Member Uhlich thanked the City Parks and Recreation and Public Safety Departments for their work on the Mud Monster event.

Council Member Trasoff announced that two local businesses have received honors. The Royal Elizabeth Bed and Breakfast was named the nation’s 4<sup>th</sup> best B&B in a survey of business travelers conducted by bedandbreakfast.com and that Athens on 4<sup>th</sup> restaurant was named #67 on City Magazine’s 101 favorite restaurants.

Council Member Trasoff announced that the Ward VI office is hosting the 2<sup>nd</sup> annual “Go Green” sustainability resource fair on August 21<sup>st</sup> at 3202 E. 1<sup>st</sup> street.

Council Member Trasoff spoke about the businesses on 4<sup>th</sup> Avenue that sustained serious flood damage last week.

Council Member Leal announced his office will be meeting this week with the City and the County on the topic of flooding.

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4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS  
AUG6-07-434

City Attorney Mike Rankin made the following announcements:

- As part of the celebration of the City's 232nd Anniversary, the Southern Arizona Watercolor Guild is presenting an exhibit of its permanent collection at the City Attorney's Office (main conference room, City Hall, 7th Floor). The exhibit also celebrates the Guild's 40th anniversary and is offered in thanks to the Mayor and Council for its support of the Tucson arts community. The exhibit will run through August.
- On July 20, 2007, Frederick S. (Fred) Dean passed away. Mr. Dean served as the Tucson City Attorney from 1977 to 1994. His 17+ year term as City Attorney is far and away the longest term of any City Attorney in the City's history. Mr. Dean exemplified the finest qualities of the legal profession, and will always be remembered.
- On July 31, 2007, Chief Deputy City Attorney Brad Detrick retired. Our gratitude goes to Brad for his many contributions during his 32 years of public service as an attorney in the City Attorney's Office.

5. LIQUOR LICENSE APPLICATIONS – AUG6-07-435

BEVMO!, CITY 49-07  
LIVORNO IMPORTS, CITY 51-07  
THE FIRKIN & FRIAR, CITY 52-07  
CVS/PHARMACY # 07841, CITY 53-07  
CVS/PHARMACY # 07855, CITY 54-07  
ROBERT SCHLESINGER FOUNDATION, CITY T24-07  
ST. DEMETRIOS GREEK ORTHODOX CHURCH, CITY T47-07  
OUR LADY QUEEN OF ALL SAINTS CHURCH, CITY T48-07  
TUCSON BREAKFAST LIONS CLUB (TBLC), CITY T51-07  
LAS CAZUELITAS DE TUCSON, CITY AC4-07

CITY CLERK

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5. LIQUOR LICENSE APPLICATIONS – AUG6-07-435 (Continued from previous page)

Council Member Trasoff MOVED and it was duly seconded to direct staff to forward these applications to the State Liquor Board with recommendations for APPROVAL.

Motion PASSED by a vote of 7 to 0.

SPEAK EASY, CITY 50-07

Council Member Trasoff MOVED and it was duly seconded to direct staff to forward this application to the State Liquor Board with a recommendation for DENIAL.

Motion PASSED by a vote of 7 to 0.

6. CALL TO THE AUDIENCE

Cassie Wingert spoke about her experiences working at Eastside City Hall as part of the Youth Enrichment Program.

Alice O. Ritter spoke in support of the Nuclear Disarmament Memorial.

Connie Graves and others sung an anti-nuke song.

Pat Bernie spoke in support of the Nuclear Disarmament Memorial

Michael Toney spoke about the Nuclear Disarmament Memorial and also the University of Arizona Science Center.

Lori Lustig spoke about the Impact Fee ordinance, and urged its adoption with a requested modification.

Joe Sweeney spoke about the effects of illegal immigration on local resources.

Ron McLoughlin spoke about Tucson's Birthday celebrations and feels it is offensive to the indigenous people that used to inhabit this area.

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

A. ASSURANCE AGREEMENT: (S06-018) ALAMO LOFTS CONDOMINIUMS SUBDIVISION, UNITS 1 TO 22, COMMON ELEMENTS "A", "B", AND "C", AND LIMITED COMMON ELEMENTS "A-1" TO "A-22" – AUG6-07-429

RESOLUTION NO. 20725

DIR. OF DEVELOPMENT SERVICES

B. FINAL PLAT: (S06-018) ALAMO LOFTS CONDOMINIUMS SUBDIVISION, UNITS 1 TO 22, COMMON ELEMENTS "A", "B", AND "C", AND LIMITED COMMON ELEMENTS "A-1" TO "A-22" – AUG6-07-430

DIR. OF DEVELOPMENT SERVICES

C. PUBLIC IMPROVEMENT: BROADWAY BOULEVARD, KOLB ROAD TO PANTANO ROAD DISTRICT LIGHTING IMPROVEMENT – AUG6-07-431

RESOLUTION NO. 20690

DIR. OF FINANCE

D. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE SOUTHERN ARIZONA AIDS FOUNDATION – AUG6-07-437

RESOLUTION NO. 20724

The City Clerk announced the following additional allocations to the original \$1000 from Ward 5:

- Mayor \$ 350
- Ward 2 \$ 350
- Ward 3 \$1,000
- Ward 4 \$ 500

The new grand total for this item is \$3,200.

DIR. OF BUDGET AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>E. REAL PROPERTY: ACQUISITION OF PROPERTY FOR THE ROCKCLIFF WATER BOOSTER STATION – AUG6-07-438</p> <p>RESOLUTION NO. 20726</p>	<p><u>DIR. OF WATER</u></p>
<p>F. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE ANGEL CHARITY FOR CHILDREN, INC. – AUG6-07-439</p> <p>RESOLUTION NO. 20727</p> <p>The City Clerk announced the following additional allocations to the original \$500 from Ward 2:</p> <ul style="list-style-type: none"><li>• Mayor \$500</li><li>• Ward 4 \$500</li><li>• Ward 6 \$1000</li></ul> <p>The new grand total for this item is \$2,500</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>G. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE CATALINA MAGNET SCHOOL/STRATEGIC ALTERNATIVE LEARNING TECHNIQUES PILOT PROJECT – AUG6-07-440</p> <p>RESOLUTION NO. 20728</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE TUCSON SENIOR SOFTBALL LEAGUE – AUG6-07-441</p> <p>RESOLUTION NO 20729</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>I. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR IMPLEMENTATION OF THE SPEEDWAY BOULEVARD, CAMINO SECO TO HOUGHTON ROAD PROJECT – AUG6-07-442</p> <p>RESOLUTION NO. 20730</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>J. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR IMPLEMENTATION OF THE AMERICANS WITH DISABILITIES ACCESSIBILITY IMPROVEMENT PROJECTS – AUG6-07-444</p> <p>RESOLUTION NO. 20731</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>K. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR IMPLEMENTATION OF BICYCLE LANE PROJECTS – AUG6-07-445</p> <p>RESOLUTION NO. 20732</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>L. BOARDS, COMMITTEES, AND COMMISSIONS: MODIFYING THE GRANT ROAD CORRIDOR PLANNING TASK FORCE – AUG6-07-446</p> <p>RESOLUTION NO. 20733</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>M. REAL PROPERTY: ACQUISITION OF PROPERTY LOCATED AT 39 WEST WETMORE ROAD – AUG6-07-447</p> <p>RESOLUTION NO. 20734</p>	<p><u>DIR. OF TRANSPORTATION</u></p>

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<p>N. TRANSPORTATION: AUTHORIZATION FOR THE TRANSPORTATION DEPARTMENT TO SUBMIT FEDERAL TRANSPORTATION ENHANCEMENT PROPOSALS – AUG6-07-448</p> <p>RESOLUTION NO. 20735</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>O. REAL PROPERTY: TRANSFER OF SURPLUS CITY-OWNED PROPERTY LOCATED AT SWEETWATER DRIVE AND SILVERBELL ROAD FOR THE PIMA ANIMAL CARE CENTER – AUG6-07-443</p> <p>ORDINANCE NO. 10439</p>	<p><u>DIR. OF WATER</u></p>
<p>P. GRANT AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL’S OFFICE FOR THE VICTIMS’ RIGHTS IMPLEMENTATION ASSISTANCE PROGRAM – AUG6-07-452</p> <p>RESOLUTION NO. 20736</p>	<p><u>CITY ATTORNEY</u></p>
<p>Q. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT – AUG6-07-451</p> <p>RESOLUTION NO. 20737</p>	<p><u>CITY ATTORNEY</u></p>
<p>R. ELECTIONS: DESIGNATING POLLING PLACES AND APPOINTING ELECTION BOARDS FOR THE CITY ELECTIONS TO BE HELD SEPTEMBER 11, AND NOVEMBER 6, 2007 – AUG6-07-456</p> <p>RESOLUTION NO. 20738 RESOLUTION NO. 20739</p>	<p><u>CITY CLERK</u></p>
<p>S. APPROVAL OF MINUTES – AUG6-07-458</p>	<p><u>CITY CLERK</u></p>

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<p>T. GRANT AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL'S OFFICE FOR THE VICTIMS' RIGHTS PROGRAM – AUG6-07-449</p> <p>RESOLUTION NO. 20740</p>	<p><u>POLICE CHIEF</u></p>
<p>U. GRANT AGREEMENT: WITH THE STATE OF ARIZONA FOR THE OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE GRANT PROGRAM – AUG6-07-454</p> <p>RESOLUTION NO. 20741</p>	<p><u>POLICE CHIEF</u></p>
<p>V. GRANTS: WITHDRAWAL FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REVOLVING LOAN FUND – AUG6-07-459</p> <p>RESOLUTION NO. 20742</p>	<p><u>DIR. OF ENVIRONMENTAL SERVICES</u></p>
<p>W. INTERGOVERNMENTAL AGREEMENTS: WITH PIMA COUNTY FOR 88-CRIME AND THE VICTIM WITNESS PROGRAM – AUG6-07-461</p> <p>RESOLUTION NO. 20743</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>X. ELECTION: RESOLUTION OF INTENTION TO HOLD A CHARTER AMENDMENT SPECIAL ELECTION BY INITIATIVE PETITION ON NOVEMBER 6, 2007 – AUG6-07-455</p> <p>RESOLUTION NO. 20744</p>	<p><u>CITY CLERK</u></p>

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<p>Y. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE 2007 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – AUG6-07-462</p> <p>RESOLUTION NO. 20745</p>	<p><u>POLICE CHIEF</u></p>
<p>Z. INTERGOVERNMENTAL AGREEMENT: WITH THE UNIVERSITY OF ARIZONA FOR WATER EDUCATION FOR TEACHERS – AUG6-07-460</p> <p>RESOLUTION NO. 20749</p>	<p><u>DIR. OF WATER</u></p>
<p>AA. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR HOMICIDE SURVIVORS, INC. FOR FAMILY AND FRIENDS OF MURDER VICTIMS – AUG6-07-466</p> <p>RESOLUTION NO. 20746</p> <p>The City Clerk announced the following additional allocations to the original \$250 from Ward 1:</p> <ul style="list-style-type: none"><li>• Ward 3 \$100</li></ul> <p>The new grand total for this item is \$350</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>BB. WATER: FIRST AMENDMENT TO AGREEMENT WITH B.K.W. FARMS, INC., FOR GROUNDWATER SAVINGS PROJECTS – AUG6-07-465</p> <p>RESOLUTION NO. 20747</p>	<p><u>DIR. OF WATER</u></p>
<p>CC. REAL PROPERTY: AMENDED LEASE AGREEMENT WITH ST. JOHN THE EVANGELIST PARISH FOR THE DEVELOPMENT OF ST. JOHN’S PARK – AUG6-07-457</p> <p>RESOLUTION NO. 20748</p>	<p><u>CITY MANAGER</u> <u>DIR. OF PARKS AND RECREATION</u></p>

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<p>DD. MEMORIAL: URGING THE UNITED STATES CONGRESS TO SUPPORT HOUSE RESOLUTION 68 CALLING FOR A COMPREHENSIVE NUCLEAR DISARMAMENT PROGRAM – AUG6-07-468</p>	<p><u>CITY ATTORNEY</u></p>
<p>EE. MEMORIAL: URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO REPEAL THE “DON’T ASK, DON’T TELL” POLICY IN THE NATIONAL DEFENSE REAUTHORIZATION ACT OF 1994 – AUG6-07-469</p>	<p><u>CITY ATTORNEY</u></p>
<p>FF. INTERGOVERNMENTAL AGREEMENT AMENDMENT AND RESTATEMENT: WITH THE UNIVERSITY OF ARIZONA AND THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR THE DEVELOPMENT OF A SCIENCE CENTER AND STATE MUSEUM – AUG6-07-470</p> <p>RESOLUTION NO. 20750</p>	<p><u>CITY MANAGER’S OFFICE</u></p>
<p>GG. DEVELOPMENT AGREEMENT: WITH R&amp;A DEVELOPMENTS, LLC FOR THE FIVE POINTS GATEWAY PLAZA PROJECT – AUG6-07-471</p> <p>RESOLUTION NO. 20751</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>HH. EMERGENCY MANAGEMENT: REQUESTING THE GOVERNOR OF ARIZONA DECLARE A STATE OF EMERGENCY IN THE CITY OF TUCSON AS A RESULT OF RECENT STORM DAMAGES – AUG6-07-473</p> <p>RESOLUTION NO. 20752</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>Council Member Ibarra MOVED and it was duly seconded that items on the Consent Agenda, with amendments to Items “D”, “F”, and “AA”, be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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8. PUBLIC HEARING: ZONING (C9-07-03) HSL PROPERTIES – PANTANO ROAD, SR TO P, CITY MANAGER’S REPORT – AUG6-07-453

Vice Mayor Scott MOVED and it was duly seconded to CLOSE the Public Hearing.

Motion PASSED by a vote of 7 to 0.

Vice Mayor Scott MOVED and it was duly seconded to AUTHORIZE the request for rezoning as recommended by the Zoning Examiner.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

9. ZONING: (C9-05-12) RB PRICE – HERMAN’S ROAD, SH/C-2 TO R-1, ORDINANCE ADOPTION – AUG6-07-450

ORDINANCE NO. 10440

Vice Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10440.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

10. ZONING: (C9-07-07) WASHINGTON FEDERAL SAVINGS – BROADWAY BOULEVARD II, R-3 TO C-1, CITY MANAGER’S REPORT – AUG6-07-432

Council Member Trasoff MOVED and it was duly seconded to AUTHORIZE the request for rezoning as recommended by the Zoning Examiner.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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11. ZONING: (C9-06-13) BRAKE MASTERS – HARRISON ROAD, C-1 TO C-2, ORDINANCE ADOPTION – AUG6-07-463

ORDINANCE NO. 10441

Vice Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10441.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

12. ZONING: (C9-07-12) CITY OF TUCSON - SILVERBELL ROAD, SR, R-1 AND R-3 TO OS, ORDINANCE ADOPTION – AUG6-07-464

ORDINANCE NO. 10443

Council Member Ibarra MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10443.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

13. BUILDING AND DEVELOPMENT: AMENDING THE TUCSON CODE (CHAPTER 23A), IMPACT FEES FOR POLICE, FIRE, AND PUBLIC FACILITIES (CONTINUED FROM THE MEETING OF JULY 10, 2007) – AUG6-07-467

ORDINANCE NO. 10442

Council Member Uhlich MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10442.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

14. BOARDS, COMMITTEES AND COMMISSIONS – AUG6-07-436

Council Member West MOVED and it was duly seconded to re-appoint Jeffrey B. Blau, P.E and Lori Jones Woods to the Stormwater Advisory Committee.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. BOARDS, COMMITTEES AND COMMISSIONS – AUG6-07-436  
(Continued from previous page)

Motion PASSED by a vote of 7 to 0.

Council Member Uhlich appointed Jennifer Lopez to the Citizens Police Advisory Review Board.

Council Member Leal appointed Ryan Bruce to the PEG Committee.

15. ZONING: (C9-01-33) LODGE ON THE DESERT – ALVERNON WAY, O-3 TO C-1, ORDINANCE ADOPTION – AUG6-07-472

ORDINANCE NO. 10444

Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10444.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

16. ADJOURNMENT: 7:37 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on *Wednesday, September 5, 2007*, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.