

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING
DECEMBER 10, 2001

FROM: CITY MANAGER _____

1. ROLL CALL: 7:43 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Carol West, Council Members Jose J. Ibarra, Kathleen Dunbar, Shirley C. Scott, 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 Warren Swanson, Body of Christ Free Lutheran Church, after which the Pledge of Allegiance was led by Boy Scout Troop 101.

PRESENTATIONS:

- a. Certificates of Appreciation were presented to the National Crisis Response Team that responded to victims of the September 11th terrorist attacks in New York City.
- b. Certificates of Appreciation were presented to three participants of the Diabetes Walk held October 9, 2001, Gloria Wilson, Lezlie Johnson, and Don Featherstone, who attempted to save the life of Glen Jenkins.
- c. Certificates of Appreciation were presented to the members of the Citizens Advisory Committee for Tucson's Transportation Future.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS DEC10-01-657</p> <p>City Manager, James Keene, announced:</p> <ul style="list-style-type: none">1. The holiday "Stuff-a-Bus" sponsored by KGUN will begin collecting toys for the Salvation Army toy drive and Christmas Angels. Also, Sun Tran will kick off its annual holiday coach on Wednesday, December 12, 2001.	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
DEC10-01-657 (CONT'D)

2. City Court will hold a grand-reopening for their newly remodeled lobby and security area on Wednesday, December 12, 2001 at 10:30 a.m.
3. Entry forms for the Parks and Recreation sponsored Senior Olympics are now available. The Olympics will be held January 26, 2002 to February 3, 2002.

4. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK

1. Captain Patrick Bunker thanked the Mayor and Council for the newly approved Military Leave policy.
2. Ruth Stokes addressed the Mayor and Council in opposition to the plan for the proposed Transportation sales tax and noted that she felt the citizen outreach was limited.

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

*****ITEM "G" WAS DELETED FROM THE CONSENT
AGENDA *****

- A. FINANCIAL PARTICIPATION AGREEMENT: WITH
MIRACLE ON CHURCH STREET FOR FISCAL YEAR 2002
DEC10-01-659

RESOLUTION NO. 19077

DIR. OF BUDGET
AND RESEARCH

- B. AGREEMENT: WITH THE STATE HISTORIC
PRESERVATION OFFICE AND ADVISORY COUNCIL ON
HISTORIC PRESERVATION PROVIDING FOR LOCAL
REVIEW OF PROJECTS FUNDED BY THE U.S.
DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT – DEC10-01-660

RESOLUTION NO. 19075

HISTORIC PRES.
OFFICE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>C. GRANT: AUTHORIZING THE CITY TO SUBMIT A THERAPEUTIC RECREATION GRANT FOR YOUTH WITH DEVELOPMENTAL DISABILITIES – DEC10-01-661</p> <p>RESOLUTION NO. 19076</p>	<p><u>PARKS AND RECREATION</u></p>
<p>D. REAL PROPERTY: VACATING STREET RIGHTS-OF-WAY IN THE MESQUITE RANCH SUBDIVISION – DEC10-01-667</p> <p>ORDINANCE NO. 9639</p>	<p><u>DIR. OF TRANS</u></p>
<p>E. FINAL PLAT: (S01-004) REVISED FINAL PLAT (REPLAT) MESQUITE RANCH, LOTS 1 – 619 AND COMMON AREAS “A” THROUGH “L” (AN R.C.P. SUBDIVISION) – DEC10-01-670</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>F. TUCSON CODE: AMENDING (CHAPTER 10) RELATING TO COMPENSATION – ADDING SUPPLEMENT TO MILITARY PAY FOR CITY EMPLOYEES – DEC10-01-671</p> <p>ORDINANCE NO. 9641</p>	<p><u>ALL DEPTS. AND OFFICES</u></p>
<p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal that items on the Consent Agenda (Except “G”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>G. ELECTIONS: SPECIAL ELECTION ON MAY 21, 2002 FOR FUNDING FOR TRANSPORTATION PURPOSES – DEC10-01-672</p> <p>RESOLUTION NO. 19081 ORDINANCE NO. 9642</p> <p>Vice-Mayor West MOVED, SECONDED by Council Member Scott to pass and adopt Resolution No. 19081 and Ordinance No. 9642.</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

G. ELECTIONS: SPECIAL ELECTION ON MAY 21, 2002, FOR FUNDING FOR TRANSPORTATION PURPOSES – DEC10-01-672 (CONT'D)

Council Member Ibarra MOVED to substitute the motion to follow the 50%, 38%, 42% recommendation.

Motion DIED for lack of a second.

Main motion PASSED by a vote of 7 to 0.

RECESS: 9:06 P.M.
RECONVENE: 9:18 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

6. LIQUOR LICENSE APPLICATIONS – DEC10-01-658

TEXACO STAR MART, CITY # 110-01
TEXACO STAR MART, CITY # 112-01
PANTANO EXXON, CITY # 114-01
7-ELEVEN STORE #21815D, CITY # 116-01
SOUTHERN ARIZONA LEGAL AID, INC., CITY # T134-01
CHUY'S, CITY # EP63-01

Council Member Ibarra MOVED, SECONDED by Council Member Scott that staff be directed to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

(b)(2) SHARKY'S URBAN SPORTS GRILL, CITY # 111-01

Council Member Ronstadt MOVED, SECONDED by Council Member Ibarra that staff be directed to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 6 to 1 (Vice-Mayor West dissenting).

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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6. LIQUOR LICENSE APPLICATIONS – DEC10-01-658 (CONT'D)

(b)(6) LESTER STREET STATION, CITY # 115-01

Council Member Dunbar MOVED, SECONDED by Council Member Leal that staff be directed to forward this application to the State Liquor Board with no recommendation.

Council Member Dunbar MOVED, SECONDED by Council Member Leal to substitute the motion to continue this item for one week.

Substitute motion PASSED by a vote of 7 to 0.

7. CITY MAGISTRATES: APPOINTMENT OF CITY MAGISTRATE
DEC10-01-665

ORDINANCE NO. 9636

Vice-Mayor West MOVED, SECONDED by Council Member Ibarra to approve Ordinance No. 9636 with a clerical correction to include an annual salary of \$92,373.

Motion PASSED by a vote of 7 to 0.

CITY COURT

8. ZONING: (C9-00-37) HELEN HARRIS TRUST – KOLB ROAD, RX-
2 TO O-2, ORDINANCE ADOPTION – DEC10-01-666

ORDINANCE NO. 9638

Vice-Mayor West MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9638.

Motion PASSED by a vote of 7 to 0.

DIR. OF PLANNING

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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9. ZONING: (C9-01-19) CRETCHER DESIGNS LLC – OLD SPANISH TRAIL, SR TO C-1 – DEC10-01-662

Vice-Mayor West MOVED, SECONDED by Council Member Scott to continue this item at the request of the developer.

Motion PASSED by a vote of 7 to 0.

DIR. OF PLANNING

10. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE *LAND USE CODE*, CONCERNING ANNEXATION ZONING PROCEDURES AND ORDINANCE ADOPTION – DEC10-01-655

ORDINANCE NO. 9637

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 Leal MOVED, SECONDED by Council Member Ronstadt to pass and adopt Ordinance No. 9637.

Motion PASSED by a vote of 7 to 0.

DIR. OF PLANNING

11. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE *LAND USE CODE* CONCERNING REGULATORY AUTHORITY FOR PROTECTED DEVELOPMENT RIGHTS AND ORDINANCE ADOPTION – DEC10-01-664

ORDINANCE NO. 9635

Council Member Ronstadt MOVED, SECONDED by Council Member Scott to close the public hearing.

Motion PASSED by a vote of 7 to 0.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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11. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE *LAND USE CODE* CONCERNING REGULATORY AUTHORITY FOR PROTECTED DEVELOPMENT RIGHTS AND ORDINANCE ADOPTION – DEC10-01-664 (CONT'D)

Council Member Ronstadt MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9635.

Motion PASSED by a vote of 7 to 0.

12. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE *LAND USE CODE*, CONCERNING MICROBREWERIES/PERISHABLE GOODS MANUFACTURING AND ORDINANCE ADOPTION – DEC10-01-663

ORDINANCE NO. 9634

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 Leal MOVED, SECONDED by Council Member Ronstadt to pass and adopt Ordinance No. 9634.

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

13. PUBLIC HEARING: TUCSON CODE, (CHAPTER 23), THE *LAND USE CODE* AMENDMENT REGARDING REGULATION OF PERSONAL STORAGE AND ORDINANCE ADOPTION (CONT'D FROM THE MEETING OF NOVEMBER 26, 2001) – DEC10-01-669

ORDINANCE NO. 9631

Council Member Ronstadt MOVED, SECONDED by Council Member Scott to close the public hearing.

Motion PASSED by a vote of 7 to 0.

DIR. OF PLANNING

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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13. PUBLIC HEARING: TUCSON CODE, (CHAPTER 23), THE *LAND USE CODE* AMENDMENT REGARDING REGULATION OF PERSONAL STORAGE AND ORDINANCE ADOPTION (CONT'D FROM THE MEETING OF NOVEMBER 26, 2001) – DEC10-01-669 (CONT'D)

Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 9631 with the caveat of limiting size to three acres in a C-1 zone.

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

14. PUBLIC HEARING: SUBMISSION OF A FEDERAL TRANSIT ADMINISTRATION SECTION 5307 CAPITAL GRANT APPLICATION FOR FY 2002 – DEC10-01-656

RESOLUTION NO. 19078

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 Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Resolution No. 19078.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANS

15. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – DEC10-01-668

Council Member Dunbar announced her personal appointments of Ann Holden to the Board of Adjustment, Vicki Hart to the Citizen's Police Advisory Committee, Maenelle Fleming to the Community Development Advisory Committee, Paloma Boykin to the Youth Police Advisory Committee, Jade Stokes to the Telecommunications & Police Advisory Committee, Colette Endrizzi to the United Way City/SAC, Sandee Brooke to the Tucson/Pima County Historical Commission and Kathy Kea to the Small Business Commission.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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15. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – DEC10-01-668 (CONT'D)

Council Member Ronstadt announced his personal appointments of D. Douglas Metcalf and Michael Crawford to the Citizens' Blue Ribbon Charter Advisory Committee.

16. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK

No speakers.

17. ADJOURNMENT: 10:32 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, December 17, 2001 at 2:00 p.m. in the Mayor and Council Chambers, 255 West Alameda, Tucson, Arizona.