

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING

DECEMBER 11, 2000

FROM: CITY MANAGER _____

1. ROLL CALL: 7:37 P.M.

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

ABSENT/EXCUSED: Vice-Mayor Jerry Anderson

STAFF MEMBERS: James Keene, City Manager
Michael House, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Tom Savage, Amphitheater Bible Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Presentation of Aidswalk 2000 awards.

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
DEC11-00-726

City Manager, James Keene announced:

- 1. Community Relations and Video Productions will be relocated to their new address at 100 North Stone on December 15 and December 16, 2000.
- 2. The new Southeast Center (Ward 4) has won a second Governor's Award for energy efficient buildings.
- 3. Henry Cisneros will give a speech tomorrow at 10:30 a.m. at Leo Rich Theatre.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>4. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK</p> <p>1. Rosanna Flores, Christine Salrin and Rosanna Martinez spoke in support of the Mayor and Council action regarding the Depot and the 1941 Re-use Option.</p> <p>2. Ken Rineer presented a petition requesting repeal of the ordinance governing firearms in libraries.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>5. <u>C O N S E N T A G E N D A</u></p> <p>A. REAL PROPERTY: AMENDMENT TO OFFER TO PURCHASE WITH YWCA FOR LOT 11 OF THE DOWNTOWN COMMERCE PARK – DEC11-00-727</p> <p>ORDINANCE NO. 9495</p>	<p><u>CITY MANGER</u></p>
<p>B. ASSURANCE AGREEMENT: PIMA POINTE SUBDIVISION, LOTS 1 THROUGH 10 (S00-012) – DEC11-00-728</p> <p>RESOLUTION NO. 18788</p>	<p><u>DIR. OF TRANS</u></p>
<p>C. ASSURANCE AGREEMENT: MESQUITE CORPORATE CENTRE CONDOMINIUMS SUBDIVISION, UNITS 100 THROUGH 122, 200 THROUGH 215 AND COMMON AREA “A” (S00-032) – DEC11-00-729</p> <p>RESOLUTION NO. 18789</p>	<p><u>DIR. OF TRANS</u></p>
<p>D. FINAL PLAT: (S00-012) PIMA POINTE SUBDIVISION, LOTS 1 THROUGH 10 (A RESIDENTIAL CLUSTER PROJECT) – DEC11-00-731</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>E. FINAL PLAT: (S00-032) MESQUITE CORPORATE CENTRE CONDOMINIUMS SUBDIVISION, UNITS 100-122, 200-215 AND COMMON AREA “A” – DEC11-00-732</p>	<p><u>DIR. OF DEV. SERVICES</u></p>

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<p>F. PARKS AND RECREATION: NAMING THE FACILITIES LOCATED IN WARD 3 AT 2536 N. CASTRO THE BALBOA HEIGHTS NEIGHBORHOOD PARK, THE MARTY BIRDMAN NEIGHBORHOOD CENTER AND THE ERIC MESA PLAYGROUND – DEC11-00-733</p> <p>RESOLUTION NO. 18790</p>	<p><u>DIR. OF PARKS & RECREATION</u></p>
<p>G. ELECTIONS: AMENDING RULES AND REGULATIONS REGARDING THE CAMPAIGN FINANCE ADMINISTRATION PUBLIC MATCHING FUNDS PROGRAM – DEC11-00-735</p> <p>RESOLUTION NO. 18791</p>	<p><u>CITY CLERK</u></p>
<p>H. TELECOMMUNICATIONS: ISSUANCE OF A NON- EXCLUSIVE RIGHT-OF-WAY LICENSE TO VALLEY TELEPHONE COOPERATIVE, INC., FOR LONG DISTANCE TELECOMMUNICATIONS SERVICES – DEC11-00-736</p> <p>ORDINANCE NO. 9496</p>	<p><u>DIR. OF INFO. TECHNOLOGY</u></p>
<p>I. MAYOR AND COUNCIL MEETING SCHEDULE: CANCELLATION OF CERTAIN MAYOR AND COUNCIL MEETINGS DURING 2001 – DEC11-00-740</p> <p>ORDINANCE NO. 9497</p>	<p><u>ALL DEPTS. AND OFFICES</u></p>
<p>J. INTERGOVERNMENTAL AGREEMENTS: WITH PIMA COUNTY FOR THE BRAVO PARK AND THE MIRACLE MANOR NEIGHBORHOOD REINVESTMENT PROJECTS – DEC11-00-737</p> <p>RESOLUTION NO. 18792</p>	<p><u>DIR. OF PARKS & RECREATION</u></p>

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<p>K. TUCSON CODE: AMENDING (CHAPTER 21) PARKS AND RECREATION, PROVIDING FOR CITY OF TUCSON GOLF EMPLOYEE GREENS FEE RATE – DEC11-00-744</p> <p>ORDINANCE NO. 9499</p>	<p><u>DIR. OF PARKS & RECREATION</u></p>
<p>L. FINAL PLAT: (S99-005) MISSION DE ORO, LOT 1 (A RESIDENTIAL CLUSTER PROJECT) (CONTINUED FROM THE MEETING OF NOVEMBER 6, 2000) – DEC11-00-745</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>M. ASSURANCE AGREEMENT: MISSION DE ORO SUBDIVISION, LOT 1 (S99-005) (CONT'D FROM THE MEETING OF NOVEMBER 6, 2000) – DEC11-00-746</p> <p>RESOLUTION NO. 18755</p>	<p><u>DIR. OF TRANS</u></p>
<p>Council Member Leal MOVED, SECONDED by Council Member West 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 (Vice-Mayor Anderson absent/excused).</p>	
<p>6. LIQUOR LICENSE APPLICATIONS – DEC11-00-743</p> <p>City # 126-00 City # 127-00 City # 129-00</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Ibarra that staff be directed to forward applications b(1), b(2) and b(3) to the State Liquor Board with a recommendation for approval.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).</p>	<p><u>CITY CLERK</u></p>

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6. LIQUOR LICENSES APPLICATIONS – DEC11-00-743 (CONT'D)

B(4) 5150, 5150 E. SPEEDWAY BLVD., APPLICANT: SUE F. GONG, CITY # 128-00, WARD 6

Council Member Ronstadt **MOVED, SECONDED** by Council Member Scott 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 0 (Vice-Mayor Anderson absent/excused).

7. ANNEXATION: RESOLUTION DECLARING INTENT TO ANNEX PROPERTY KNOWN AS THE STATE LAND II ANNEXATION DISTRICT (CONTINUED FROM THE MEETING OF DECEMBER 4, 2000) – DEC11-00-738

RESOLUTION NO. 18794

Council Member Scott **MOVED, SECONDED** by Council Member Leal that Mayor and Council pass and adopt Resolution No. 18794.

Motion PASSED by a vote of 5 to 1 (Council Member Ibarra dissenting, Vice-Mayor Anderson absent/excused).

On a second roll call vote for the sole and separate purpose of amending the resolution to include the emergency clause the vote was 6 to 0 (Vice-Mayor Anderson absent/excused).

OFFICE OF SPECIAL PROJECTS

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8. TUCSON CODE: AMENDING (CHAPTER 4) ANIMALS AND FOWL RELATING TO OPEN RANGE GRAZING ON STATE LAND WITHIN THE CITY – DEC11-00-741

ORDINANCE NO. 9498

Council Member West MOVED, SECONDED by Council Member Scott that Mayor and Council pass and adopt Ordinance No. 9498 as amended, with the correct 4-24, which now reads as follows:

Sections 4-21, 4-22, and 4-23 shall not apply to land annexed into the city after December 1, 2000 that is (a) owned and held in trust by the State of Arizona as state trust land pursuant to Arizona Revised Statutes Title 37, Chapter 2, or (b) land for which the State land patent provides for continued use as open range.

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused)

OFFICE OF SPECIAL PROJECTS

9. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH ARIZONA STATE LAND DEPARTMENT FOR THE STATE LAND II ANNEXATION DISTRICT (CONT'D FROM THE MEETING OF DECEMBER 4, 2000) – DEC11-00-739

RESOLUTION NO. 18795

Council Member Scott MOVED, SECONDED by Council Member West that Mayor and Council pass and adopt Resolution No. 18795 with the changes read by the City Clerk (including those from Item #8) as follows:

Recital D – eliminate “natural” in the first sentence:

The State and the City believe that the State Land provides the area for future growth of the City of Tucson and that the annexation of this area at the present time will provide the best opportunity for long range land use planning and growth management that is consistent with recently enacted state laws and with the goals of maintaining Tucson as a sustainable, livable community.

OFFICE OF SPECIAL PROJECTS

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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9. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH ARIZONA STATE LAND DEPARTMENT FOR THE STATE LAND II ANNEXATION DISTRICT (CONT'D FROM THE MEETING OF DECEMBER 4, 2000) – DEC11-00-739 (CONT'D)

Section 3.1.1 – Eliminate “by the State”

Attempt to enforce zoning requirements to exclude the mining operations on the State Land.

Section 3.2 – final sentence now reads:

The State to consult with the City prior to the awarding of future mineral leases and to consider any further requests for specific conditions that may be submitted by the City within the 30 day state comment period prior to awarding leases.

Section 3.4 – eliminate last “state” in first sentence

The State shall not be required by this Agreement to submit the Annexation to the Selection Board until after the City has adopted an amendment to the Tucson Code to permit open Range grazing by the State on land within the Annexation District.

Final paragraph Article 6 – corrected misspelling of “party”

Article 7.5 – corrected arising and the middle initial E. was added to Mayor Walkup’s name.

Motion PASSED by a vote of 5 to 1 (Council Member Ibarra dissenting, Vice-Mayor Anderson absent/excused).

On a second roll call vote for the sole and separate purpose of amending the resolution to include the emergency clause the vote was 6 to 0 (Vice-Mayor Anderson absent/excused).

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10. PUBLIC HEARING: ZONING (C9-00-25) POINCIANA VENTURES POINCIANA DRIVE, SR TO R-1, ZONING EXAMINER'S REPORT DEC11-00-725

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

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

Council Member Ronstadt MOVED, SECONDED by Council Member West that staff be directed to prepare an ordinance rezoning the property from SR to R-1 subject to conditions listed in the City Manager's recommendation.

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

DIR. OF PLANNING

11. PUBLIC HEARING: ZONING (C9-95-21) LEVIS – SWAN ROAD, SR TO C-1, TIME EXTENSION AND CHANGE OF PRELIMINARY DEVELOPMENT PLAN – DEC11-00-734

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

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

Council Member West MOVED, SECONDED by Council Member Scott to grant the time extension and change of preliminary development plan with the following amendments:

Condition 5:

Prepare and submit for approval a detailed drainage report which addresses detention/retention and 5-year threshold retention. The twenty feet wide retention/detention area shown at the west property line may not be sufficient to detain/retain developed runoff plus offsite flows entering the site from Swan Road and Camp Lowell Road.

DIR. OF PLANNING

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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11. PUBLIC HEARING: ZONING (C9-95-21) LEVIS – SWAN ROAD, SR TO C-1, TIME EXTENSION AND CHANGE OF PRELIMINARY DEVELOPMENT PLAN – DEC11-00-734 (CONT'D)

Condition 12:

Should read 2006, not 2001

Added Condition 14 should be amended to “Provide drainage improvements along the west side of the property to direct the outflow from this development to a logical point of discharge, consistent with City of Tucson drainage standards and regulations.

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

12. PUBLIC HEARING: RINCON SOUTHEAST SUBREGIONAL PLAN AMENDMENT – HARRISON/I-10 LOW INTENSITY RURAL TO URBAN INDUSTRIAL – DEC11-00-742

RESOLUTION NO. 18793

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

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

Council Member Scott MOVED, SECONDED by Council Member Ronstadt that Mayor and Council pass and adopt Resolution No. 18793.

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

DIR. OF PLANNING

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13. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – DEC11-00-730

Council Member Leal MOVED, SECONDED by Council Member West that Mayor and Council reappoint Mr. Wade Doyle, Mr. Steven Herzog, Mr. Dick Palmer and Ms. Lynn Kastella to the Fire Code Review Committee; and reappoint Gordon Packard (Advocate – Neighborhood/Community), Ross McCallister (Developer/Builder), Tom Cowdry (Advocate – Neighborhood/Community) and Jesus Briones (Developer/Builder) to the Metropolitan Housing Commission.

Motion PASSED by a vote of 6 to 0 (Vice-Mayor Anderson absent/excused).

Council Member West announced her personal appointment of Frances Miller to the Community Development Advisory Committee.

CITY CLERK

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

- a. Al Wiruth thanked Council Member Scott and Dan Felix, Director of Parks and Recreation, for Purple Heart Park.
- b. Dan Elder spoke on behalf of the Stormwater Technical Advisory Committee and encouraged their participation in the planning of the recently annexed State land.

15. ADJOURNMENT: 9:18 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, December 18, 2000 at 2:00 p.m. in the Mayor and Council Chambers, 255 West Alameda, Tucson, Arizona.