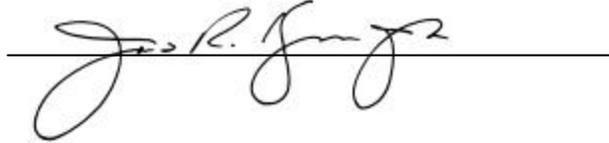


# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

JANUARY 26, 2004



FROM: CITY MANAGER

1. ROLL CALL: 7:42 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Fred Ronstadt, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Shirley Scott, and Steve Leal, 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 President Gary Lundstrom, Tucson Arizona North Stake, The Church of Jesus Christ of Latter-day Saints, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATION

- a. Presentation of an Award of Appreciation and Recognition to Lloyd W. Aultman IV as an Outstanding Citizen and Caring Brother.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JAN26-04-31</p> <ul style="list-style-type: none"><li>a. Mayor Walkup announced the new meeting time of 5:00 p.m. for the Regular Meeting would begin next Monday, February 2, 2004.</li><li>b. Council Member Dunbar highlighted the 2003 accomplishments of Ward 3.</li></ul>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JAN26-04-31 (CONT'D)

- c. Council Member West announced two State of the Ward (Ward 2) meetings to be held Tuesday, January 27, 2004 at 7:00 p.m. and Wednesday, January 28, 2004 at 1:30 p.m. at Eastside Cityhall. A survey of Ward 2 needs will be conducted. Also, there will be a tour of Rio Nuevo on Saturday, January 31, 2004; call Ward 2 at 791-4687 for reservations.
- d. Mayor Walkup announced the State of the City will be Friday, January 30, 2004 at 11:30 a.m. at the Tucson Convention Center.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS JAN26-04-32

City Manager, James Keene, announced:

- a. Tucson Water has been named a finalist in the "Workplace Excellence Awards".
- b. At their annual banquet, the Southern Arizona Homebuilders Association named Director of Development Services, Ernie Duarte, the Non-Elected Official of the Year and Ward 3 Council Member, Kathleen Dunbar, as Elected Official of the Year.
- c. The Senior Olympics kicked off last Saturday with a gala event. Council Member Shirley Scott spoke at the opening ceremonies. There are over 1800 athletes competing in over 3500 events.
- d. The City's Internet Site now features information on the Earned Income Tax Credit on the "Hot Topics" page.
- e. This month's Southwest Contractors Magazine has an article on positive things happening in Tucson, featuring the new service center and the Depot project. The cover of the magazine features the Patrick Hardesty Midtown Center.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. CALL TO THE AUDIENCE

- a. Marty Vargas addressed the Mayor and Council and argued that the concept of an arena directly conflicts with the vision of Rio Nuevo.
- b. Michael Tony addressed the Mayor and Council and suggested that the planetarium should focus on astrophysics so we could study the structure of the universe.
- c. Ed Plett complained to the Mayor and Council regarding the “solution” to the retention/detention situation at Butterfield Ranch and commented that the homeowners should not be responsible for maintenance.
- d. Ryan Adams also addressed the Mayor and Council regarding retention/detention concerns at Butterfield Ranch and encouraged the Mayor and Council to direct staff to develop an acceptable long-term solution.
- e. Kevin Tarbuck addressed the Mayor and Council as a representative of US Home and committed to continue to work on an acceptable resolution to the concerns at Butterfield Ranch.

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

**\*\*ITEM “D” WAS DELETED FROM THE CONSENT AGENDA \*\***

- A. ASSURANCE AGREEMENT: (S03-005) BARRIO RINCON LOTS 1 TO 82, AND COMMON AREAS “A” AND “B” – JAN26-04-34

RESOLUTION NO. 19762

DIR. OF DEV.  
SERVICES

- B. FINAL PLAT: (S03-005) BARRIO RINCON LOTS 1 TO 82 AND COMMON AREAS “A” AND “B” – JAN26-04-33

DIR. OF DEV.  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>C. REAL PROPERTY: ACQUISITION OF PROPERTY FOR A WATER BOOSTER STATION FOR SIERRITA FOOTHILLS ISOLATED WATER SYSTEM – JAN26-04-38</p> <p>RESOLUTION NO. 19764</p>	<p><u>DIR. OF WATER</u></p>
<p>E. AGREEMENT: FACILITIES DEVELOPMENT AGREEMENT FOR JACOBS PARK LITTLE LEAGUE BASEBALL FIELD – JAN26-04-37</p> <p>RESOLUTION NO. 19770</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>F. ANNEXATION: CORRECTING AN ERROR IN RESOLUTION 19761 RELATING TO THE VILLAGE AT ORILLA DEL RIO PRE-ANNEXATION AGREEMENT ADOPTED JANUARY 12, 2004 – JAN26-04-44</p> <p>RESOLUTION NO. 19771</p>	<p><u>COMP. PLANNING TASK FORCE</u></p>
<p>Council Member Ibarra MOVED, SECONDED by Council Member West that items on the Consent Agenda (Except “D”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Ronstadt absent/excused).</p> <p>(Vice-Mayor Ronstadt departed at 8:17 p.m. and returned at 8:19 p.m.)</p>	
<p>D. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION FOR ACQUISITION OF PROPERTY FOR THE JULIAN WASH CULTURAL RESOURCE PARK (CONTINUED FROM THE MEETING OF JANUARY 12, 2004) - JAN26-04-45</p> <p>This item was continued at the request of Council Member Ibarra.</p>	<p><u>COMP. PLANNING TASK FORCE AGENDA COMMITTEE</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. LIQUOR LICENSE APPLICATIONS – JAN26-04-30

LA RANCHERITA MEXICAN FOOD, CITY # 112-03  
SA-ING THAI CUISINE, CITY # 113-03  
SADDLEHORN SALOON, CITY # 115-03  
WINDSOR DRIVE-IN LIQUORS, CITY # 116-03

Council Member West MOVED, SECONDED by Council Member Scott 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.

IGUANA CAFÉ, CITY # 111-03

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Ibarra to direct staff to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 7 to 0.

LA INDIA BONITA MEXICAN RESTAURANT, CITY # 114-03

Council Member Leal MOVED, SECONDED by Council Member Scott 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.

CITY CLERK

8. MEMORIAL: HONORING THE MEMORY OF LONG-TIME  
ARIZONA LEGISLATOR EDWYNNE C. "POLLY" ROSENBAUM  
JAN26-04-46

RESOLUTION NO. 19765

Council Member Scott MOVED, SECONDED by Council Member West to pass and adopt Resolution No. 19765.

Motion PASSED by a vote of 7 to 0.

CITY ATTORNEY

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>8. MEMORIAL: HONORING THE MEMORY OF LONG-TIME ARIZONA LEGISLATOR EDWYNNE C. "POLLY" ROSENBAUM JAN26-04-46 (CONT'D)</p> <p>Council Member Leal requested staff send a copy of the resolution to the City of Globe Mayor and Council, the Historical Society and the family of Ms. Rosenbaum.</p>	<p><u>CITY CLERK</u> Is responsible</p>
<p>9. TUCSON CODE: AMENDING (CHAPTER 10) RELATING TO THE CITIZEN POLICE ADVISORY REVIEW BOARD – JAN26-04-35</p> <p>ORDINANCE NO. 9928</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 9928 with the changes to Section 10A paragraph "G" clarifying "against the citizen" that were read into the record by the City Clerk.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY MANAGER</u></p>
<p>10. REAL PROPERTY: INTERIM RELOCATION OF GREYHOUND STATION – JAN26-04-39</p> <p>ORDINANCE NO. 9931</p> <p>This item was continued to the meeting of February 9, 2004 at the request of staff.</p>	<p><u>RIO NUEVO</u> <u>AGENDA COMMITTEE</u></p>
<p>11. ZONING: (C9-03-21) ECKERD DRUGS – BROADWAY BOULEVARD, SR AND C-1 TO C-2, CITY MANAGERS' REPORT JAN26-04-40</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt to approve the request for rezoning in the case of C9-03-21 Eckerd Drugs, as recommended by the Zoning Examiner with an added condition that limits the hours of operation to 10:00 p.m.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF DEV.</u> <u>SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

12. ZONING: (C9-03-22) MOUSSA – CLEARWELL ROAD, SR TO R-1, CITY MANAGER’S REPORT – JAN26-04-41

Council Member Ibarra MOVED, SECONDED by Council Member Leal to approve the request for rezoning in the case of C9-03-22 Moussa-Clearwell, as recommended by the Zoning Examiner and with the deletion of condition #2 and the understanding that when impact fees are implemented, the developer will pay his fair share.

Council Member West MOVED, SECONDED by Vice-Mayor Ronstadt to substitute the motion to continue this request for rezoning until such time as the issues are worked out.

Substitute motion FAILED by a vote of 3 to 4 (Mayor Walkup, Council Members Ibarra, Scott and Leal dissenting).

Main motion FAILED by a vote of 3 to 4 (Vice-Mayor Ronstadt, Council Members West, Dunbar and Leal dissenting).

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Dunbar to approve the request for rezoning in the case of C9-03-22 Moussa-Clearwell, as recommended by the zoning Examiner.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.  
SERVICES  
DIRS. OF TRANS  
AND WATER  
Are informed

13. PUBLIC HEARING: ZONING (C9-98-01) LAWYERS TITLE TR 7685 – MISSION ROAD, MH2 TO C-1 AND C-2, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN – JAN26-04-42

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member West to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Ibarra MOVED, SECONDED by Council Member Scott to pass and adopt Case C9-98-01 as presented.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. PUBLIC HEARING: APPLICATION BY GREYHOUND PARK FOR  
OFF-TRACK BETTING SITES – JAN26-04-43

RESOLUTION NO. 19767

RESOLUTION NO. 19768

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member West 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 Resolution No. 19767.

Motion PASSED by a vote of 5 to 2 (Council Members West and Dunbar  
dissenting).

On a second roll call vote for the sole and separate purpose of amending the  
Resolution to include the emergency clause the vote was 7 to 0.

Council Member Leal MOVED, SECONDED by Vice-Mayor Ronstadt to  
pass and adopt Resolution No. 19768.

Motion PASSED by a vote of 5 to 2 (Council Members West and Dunbar  
dissenting).

On a second roll call vote for the sole and separate purpose of amending the  
Resolution to include the emergency clause the vote was 7 to 0.

CITY CLERK

15. PUBLIC HEARING: INCREASE IN SANTA RITA BEL AIR  
ISOLATED WATER SYSTEM FEE (CONT'D FROM THE MEETING  
OF JANUARY 12, 2004) – JAN26-04-47

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Dunbar  
to close the public hearing.

Motion PASSED by a vote of 7 to 0.

DIR. OF WATER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

16. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JAN26-04-36

Council Member Leal MOVED, SECONDED by Council Member Scott to appoint Martha Davila-Hall to the Committee of Massage Examiners and appoint Fred Ronstadt to the Tucson Fire and Police Public Safety Personnel Retirement System Boards.

Motion PASSED by a vote of 7 to 0.

Council Member Scott announced her personal appointments of Barton Beck to the Commission on Disability Issues and Mitchell Dorson to the Human Relations Commission.

Council Member West announced her personal appointment of Larry Hecker to the Redistricting Advisory Committee 2004.

CITY CLERK

17. CALL TO THE AUDIENCE

No speakers.

18. ADJOURNMENT: 10:02 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, February 2, 2004 at 5:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.