

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

JULY 1, 2002

FROM: CITY MANAGER _____

1. ROLL CALL: 2:52 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, C.P. Copperthite, Assistant 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 C.P. Copperthite, Assistant City Clerk, after which the Pledge of Allegiance was led by young men from the "Fraternal Order of DeMolay".

PRESENTATIONS:

- a. Certificates of Appreciation to City employees that assisted at the Thomas Price Memorial Golf Tournament (cont'd from the meeting of June 17, 2002).

| AGENDA ITEM/MAYOR AND COUNCIL ACTION | STAFF ACTION |
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| <p>3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS JULY1-02-379</p> <p>City Manager, James Keene, announced:</p> <p>a. The 2002 Trip Reduction Survey kicks off this week with 75,000 surveys. The City of Tucson experiences a 40% usage of alternate modes, which is 5% greater than the amount required by law.</p> <p>b. With the monsoon season approaching (hopefully), the Streets Division's Operation Splash is evaluating road conditions and planning for barricading streets and washes that may become hazardous during thunderstorms.</p> | |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
JULY1-02-379

- c. Ward 4 will hold a Transportation Town Hall on Wednesday, July 24th, from 7-8:30 at Clements Multipurpose Room – 8155 E. Poinciana Drive (791-3199).
- d. Three firefighters were recently honored: Greg Napier – Firefighter of the Year; Larry Burkett – Lifetime Achievement, 27 years; Roger Wright – elected Secretary / Treasurer of the United Firefighters of Southern Arizona.
- e. The July 4th celebration will provide attractions and entertainment for kids of all ages. Opening ceremony is at 5:45 p.m. with a patriotic laser show at 9:00 p.m.
- f. Mayor Walkup noted the success of Tucsonan Don Pooley, U.S. Seniors Open Champion.

4. CALL TO THE AUDIENCE

- a. Susan Wilson thanked the Mayor and Council, the community, James Keene and Dan Felix for the support offered to the Humane Society that allowed them to house animals affected by the Show Low fire.
- b. Dan Harrigan apologized to the Mayor and Council for comments made by ACCESS Tucson board members, then lodged complaints himself.
- c. D'Herrera Tapia encouraged the Mayor and Council to establish after-hours in Tucson.

5. CAP WATER LITIGATION – JULY1-02-414

This item was not discussed.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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

*****ITEMS “W”, “X”, “Z” AND “FF” WERE DELETED FROM THE
CONSENT AGENDA *****

A. INTERGOVERNMENTAL AGREEMENT AMENDMENT:
 WITH PIMA COUNTY SUPERIOR COURT AND
 CONSOLIDATED JUSTICE COURTS FOR ARRAIGNMENTS
 AND INITIAL APPEARANCES – JULY1-02-405

RESOLUTION NO. 19277

CITY COURT
ADMINISTRATOR

B. INTERGOVERNMENTAL AGREEMENT AMENDMENT:
 WITH PIMA COUNTY SUPERIOR COURT TO PROVIDE
 JURORS TO THE TUCSON CITY COURT – JULY1-02-396

RESOLUTION NO. 19274

CITY COURT
ADMINISTRATOR

C. INTERGOVERNMENTAL AGREEMENT AMENDMENT:
 WITH PIMA COUNTY SUPERIOR COURT TO PROVIDE
 PRETRIAL SERVICES – JULY1-02-406

RESOLUTION NO. 19276

CITY COURT
ADMINISTRATOR

D. INTERGOVERNMENTAL AGREEMENT AMENDMENT:
 WITH THE ARIZONA DEPARTMENT OF ECONOMIC
 SECURITY FOR TITLE XX SOCIAL SERVICES BLOCK
 GRANT FUNDS – JULY1-02-387

RESOLUTION NO. 19261

DIR. OF COMM.
SERVICES

E. INTERGOVERNMENTAL AGREEMENT AMENDMENT:
 WITH PIMA COUNTY FOR YOUTH OPPORTUNITY
 PROGRAM – JULY1-02-388

RESOLUTION NO. 19262

DIR. OF COMM.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>F. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON PIMA ARTS COUNCIL FOR YOUTH SUMMER EMPLOYMENT – JULY1-02-404</p> <p>RESOLUTION NO. 19266</p> | <p><u>DEPT. OF NEIGH. RESOURCES</u></p> |
| <p>G. ASSURANCE AGREEMENT: (S01-025) WEST UNIVERSITY COURT, LOTS 1-7 BLOCKS “A” AND “B” AND COMMON AREAS “A” AND “B” – JULY1-02-386</p> <p>RESOLUTION NO. 19263</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>H. FINAL PLAT: (S01-025) WEST UNIVERSITY COURT, LOTS 1-7, BLOCKS “A” AND “B” AND COMMON AREAS “A” AND “B” – JULY1-02-384</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR A LOW-INCOME WATER BILL ASSISTANCE PROGRAM – JULY1-02-407</p> <p>RESOLUTION NO. 19278</p> | <p><u>DIR. OF WATER</u></p> |
| <p>J. INDUSTRIAL DEVELOPMENT AUTHORITY: ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY JOINT SINGLE FAMILY MORTGAGE REVENUE BONDS – JULY1-02-389</p> <p>RESOLUTION NO. 19264</p> | <p><u>DIR. OF ECON. DEVELOPMENT</u></p> |
| <p>K. INTERGOVERNMENTAL AGREEMENT: WITH ARIZONA AIR NATIONAL GUARD RELATING TO COMMUNICATION EQUIPMENT FOR THE METROPOLITAN MEDICAL RESPONSE SYSTEM – JULY1-02-378</p> <p>RESOLUTION NO. 19273</p> | <p><u>FIRE CHIEF</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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| <p>L. REAL PROPERTY: AUTHORIZATION TO ACQUIRE PROPERTY NEAR FIRST AVENUE AND RIVER ROAD FOR A FIRE STATION SITE – JULY1-02-383</p> <p>RESOLUTION NO. 19260</p> | <p><u>FIRE CHIEF</u></p> |
| <p>M. MEMORIAL: URGING THE UNITED STATES CONGRESS TO CONTINUE FINANCIAL SUPPORT FOR AMTRAK – JULY1-02-421</p> | <p><u>CITY ATTORNEY</u></p> |
| <p>N. REAL PROPERTY: VACATION AND SALE OF PROPERTY LOCATED AT 1251 SOUTH GECKO ROAD TO ERIK J. MAZUR – JULY1-02-385</p> <p>ORDINANCE NO. 9728</p> | <p><u>DIR. OF TRANS</u></p> |
| <p>O. REAL PROPERTY: EXCHANGE AGREEMENT BETWEEN CITY OF TUCSON AND SCOTT AND BRIAN CUMMINGS JULY1-02-420</p> <p>ORDINANCE NO. 9731</p> | <p><u>DIR. OF TRANS</u></p> |
| <p>P. WATER: AMENDMENT TO DOVE MOUNTAIN RECLAIMED WATER SERVICE AGREEMENT – JULY1-02-397</p> <p>RESOLUTION NO. 19272</p> | <p><u>DIR. OF WATER</u></p> |
| <p>Q. INTERGOVERNMENTAL AGREEMENT: WITH TOWN OF ORO VALLEY FOR WATER SERVICE – JULY1-02-402</p> <p>RESOLUTION NO. 19268</p> | <p><u>DIR. OF WATER</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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| <p>R. PROFESSIONAL SERVICES AGREEMENT: WITH SACKS TIERNEY P.A. FOR REPRESENTATION ON WATER ISSUES – JULY1-02-377</p> <p>RESOLUTION NO. 19279</p> | <p><u>DIR. OF WATER</u></p> |
| <p>S. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH UNITED STATES GEOLOGICAL SURVEY TO EXPAND SAMPLING OF GROUNDWATER FOR PHARMACEUTICAL COMPOUNDS – JULY1-02-403</p> <p>RESOLUTION NO. 19267</p> | <p><u>DIR. OF WATER</u></p> |
| <p>T. AGREEMENTS: LICENSE AGREEMENT WITH TUCSON ZOOLOGICAL SOCIETY FOR THE USE OF REID PARK ZOO, AND A DEVELOPMENT AGREEMENT FOR EXPANSION OF THE REID PARK ZOO POLAR BEAR EXHIBIT – JULY1-02-390</p> <p>RESOLUTION NO. 19265</p> | <p><u>DIR. OF PARKS AND RECREATION</u></p> |
| <p>U. GRANT APPLICATION AND AGREEMENT: WITH THE ARIZONA DEPARTMENT OF LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR ARIZONA BOOKS FOR CHILDREN IN POVERTY PROGRAM – JULY1-02-395</p> <p>RESOLUTION NO. 19275</p> | <p><u>DIR. OF LIBRARY</u></p> |
| <p>V. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COMMUNITY COLLEGE FOR JOINT DEVELOPMENT AND USE OF LINCOLN PARK/WILLIAM CLEMENTS CENTER COMPLEX PHASE II – JULY1-02-415</p> <p>RESOLUTION NO. 19282</p> | <p><u>DIR. OF PARKS AND RECREATION</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>Y. FINANCE: CONTINGENCY FUND TRANSFER FOR SUMMER YOUTH EMPLOYMENT – JULY1-02-382</p> <p>RESOLUTION NO. 19259</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>AA. FINANCE: CONTINGENCY FUND TRANSFER FOR INSTALLATION OF A PARK SWING AT VILLA SERENAS PARK – JULY1-02-398</p> <p>RESOLUTION NO. 19269</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>BB. FINANCE: CONTINGENCY FUND TRANSFER FOR A COMMUNITY BACK TO SCHOOL BASH – JULY1-02-401</p> <p>RESOLUTION NO. 19281</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>CC. FINANCE: CONTINGENCY FUND TRANSFER TO THE PROTECT POLICE CANINE (K-9) CAMPAIGN FOR A BULLETPROOF VEST – JULY1-02-399</p> <p>RESOLUTION NO. 19270</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>DD. AGREEMENTS: WITH EVERGREEN MORTUARY FOR MAINTENANCE OF VETERANS’ CEMETERY PLOTS – JULY1-02-419</p> <p>RESOLUTION NO. 19283</p> | <p><u>CITY MANAGER’S OFFICE</u></p> |
| <p>EE. APPROVAL OF MINUTES</p> <p>NOVEMBER 20, 2000 NOVEMBER 27, 2000 APRIL 2, 2001 APRIL 9, 2001 APRIL 16, 2001 APRIL 23, 2001 MAY 7, 2001</p> | <p><u>CITY CLERK</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>GG. FINAL PLAT: (S01-042) REFLECTION VISTA, LOTS 1 – 5 – JULY1-02-423</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>HH. ASSURANCE AGREEMENT: (S01-013) RIVER VIEW ESTATES, LOTS 1 – 101, AND COMMON AREAS “A”, “B”, AND “C” – JULY1-02-427</p> <p>RESOLUTION NO. 19285</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>II. FINAL PLAT: (S01-013) RIVER VIEW ESTATES LOTS 1-101 AND COMMON AREAS “A”, “B” AND “C” (A RESIDENTIAL CLUSTER PROJECT) – JULY1-02-426</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>JJ. ASSURANCE AGREEMENT (CORRECTED): (S00-019) CYPRESS VILLAGE SUBDIVISION, LOTS 1 TO 11, AND COMMON AREA “A” – JULY1-02-430</p> <p>RESOLUTION NO. 19286</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>Council Member Leal MOVED, SECONDED by Council Member Ibarra that items on the Consent Agenda (Except “W”, “X”, “Z”, and “FF”) be approved and 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

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Z. FINANCE: CONTINGENCY FUND TRANSFER FOR SOUTHERN ARIZONA CENTER AGAINST SEXUAL ASSAULT – JULY1-02-400

DIR. OF BUDGET AND RESEARCH

RESOLUTION NO. 19271

Council Member Leal MOVED, SECONDED by Vice-Mayor West to pass and adopt Resolution No. 19271 with allocations as follows:

- Ward 2 - \$7,000
- Ward 3 - \$7,000
- Ward 5 - \$7,000
- Ward 6 - \$7,000
- Mayor - \$1,978

Total: \$29,978

Motion PASSED by a vote of 7 to 0.

W. REAL PROPERTY: ACQUISITION OF PROPERTY FOR THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT (CONT'D FROM THE MEETING OF JUNE 24, 2002) – JULY1-02-410

RIO NUEVO OFFICE

RESOLUTION NO. 19253

Council Member Scott MOVED, SECONDED by Council Member Dunbar to pass and adopt Resolution No. 19253.

Motion PASSED by a vote of 7 to 0.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>X. REAL PROPERTY: LEASE OF OFFICE SPACE FOR THE RIO NUEVO OFFICE AND THE PLANNING TASK FORCE (CONT'D FROM THE MEETING OF JUNE 24, 2002) – JULY1-02-409</p> <p>RESOLUTION NO. 19254 RESOLUTION NO. 19255</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to pass and adopt Resolution Nos. 19254 and 19255.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 1 (Council Member Leal dissenting).</p> | <p><u>RIO NUEVO OFFICE</u></p> |
| <p>FF. ASSURANCE AGREEMENT: (S01-042) REFLECTION VISTA, LOTS 1 – 5 – JULY1-02-424</p> <p>RESOLUTION NO. 19284</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to pass and adopt Resolution No. 19284.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>7. LIQUOR LICENSE APPLICATIONS – JULY1-02-380</p> <p>ON THE WAY, CITY # 046-02 ON THE WAY, CITY # 047-02 LAS VIGAS STEAK RANCH, CITY # 050-02 OUTBACK STEAKHOUSE #9, CITY # 051-02 PIZZA HUT #8, CITY # 052-02 SOUTH TUCSON LIONS, CITY # T053-02 CHUY'S, CITY # EP29-02 TUCSON CONVENTION CENTER, CITY # EP33-02 FIRECRACKER, CITY # EP34-02 Council Member Ronstadt MOVED, SECONDED by Council Member Leal to direct staff to forward these applications to the State Liquor Board with recommendations for approval.</p> | <p><u>CITY CLERK</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. LIQUOR LICENSE APPLICATIONS – JULY1-02-380 (CONT'D)

Motion PASSED by a vote of 7 to 0.

(b)(3) XEL-HA, CITY # 048-02

Vice-Mayor West MOVED, SECONDED by Council Member Ibarra to direct staff to forward this application to the State Liquor Board with no recommendation.

Motion PASSED by a vote of 7 to 0.

(b)(6) BUNNY RANCH, CITY # 042-02

Council Member Ronstadt MOVED, SECONDED by Council Member Leal 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.

(b)(7) LIBERTY MARKET, CITY # 043-02

This application was withdrawn.

(b)(8) SANTA FE BAR & GRILL, CITY # 049-02

Council Member Ibarra MOVED, SECONDED by Council Member Leal 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.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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8. ZONING: (C15-02-02) ESTABLISHING ORIGINAL CITY ZONING FOR THE HUGHES ACCESS ROAD/STATE LAND ANNEXATION DISTRICT (CONT'D FROM MEETING OF JUNE 24, 2002) – JULY1-02-411

ORDINANCE NO. 9692

Council Member Leal MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9692 and to add a zoning buffer of 300 feet on the western portion.

Motion PASSED by a vote of 7 to 0.

DIR. OF PLANNING

9. PUBLIC HEARING: FLOWING WELLS ROAD, ROGER ROAD TO MIRACLE MILE DISTRICT SIDEWALK IMPROVEMENT – JULY1-02-381

RESOLUTION NO. 19234

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

Motion PASSED by a vote of 7 to 0.

Council Member Dunbar MOVED, SECONDED by Vice-Mayor West to pass and adopt Resolution No. 19234.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANS

10. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JULY1-02-413

Council Member Leal MOVED, SECONDED by Council Member Ibarra to:

appoint David Hensley to the Gay, Lesbian, Bisexual and Transgender Commission (GLBT); and

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JULY1-02-413 (CONT'D)

reappoint Anne Lawrence (Armory Park Neighborhood Association), Mindy Bernstein (West University Neighborhood), David Hoyt Johnson (Tucson-Pima Arts Council), Bruce Edmunds (Pie Allen Neighborhood Association), David Bachman-Williams (Tucson-Pima Bicycle Advisory Committee), John Coinman (Iron Horse Neighborhood Association), Christopher F. Carroll (El Presidio Neighborhood Association), John A. Sedwick (Fourth Avenue Merchants Association), Gerald Juliani (Tucson-Pima County Historical Commission), Richard Oseran (Tucson Downtown Alliance), Eugene Caywood (Old Pueblo Trolley), Dora Estela Dalton (Barrio Anita Neighborhood), John Crow (Barrio Historico Neighborhood), Michael Jamison Sumner (Citizens Transportation Advisory Committee), and Claudia Jespersion (Arts District) to the Barraza/Aviation Parkway – Downtown, Citizens Advisory Committee.

Motion PASSED by a vote of 7 to 0.

AT THIS TIME MAYOR AND COUNCIL RECESSED THE REGULAR MEETING AND RECONVENED AT 7:30 P.M.

RECESS: 4:07 P.M.
ROLL CALL: 7:45 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: FLOWING WELLS ROAD, ROGER ROAD TO MIRACLE MILE DISTRICT SIDEWALK IMPROVEMENT – JULY1-02-381 (CONTINUED)

Council Member Ibarra MOVED, SECONDED by Council Member Ronstadt to reconsider the Flowing Wells/Roger Road District Sidewalk Improvement.

Motion PASSED by a vote of 7 to 0.

Council Member Ibarra MOVED, SECONDED by Council Member Scott to pass and adopt Resolution No. 19234.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANS

11. PUBLIC HEARING: TRUTH IN TAXATION FOR THE PRIMARY AND SECONDARY PROPERTY TAX; NOTICE OF RATE INCREASE FOR THE PRIMARY PROPERTY TAX AND A CORRESPONDING DECREASE IN THE SECONDARY PROPERTY TAX – JULY1-02-393

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

Motion PASSED by a vote of 7 to 0.

Council Member Ronstadt requested staff provide detailed financial information by memorandum regarding the 53% tax levy.

DIR. OF BUDGET
AND RESEARCH

12. PUBLIC HEARING: 2003 BUDGET AS TENTATIVELY ADOPTED ON JUNE 17, 2002 – JULY1-02-391

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

Motion PASSED by a vote of 7 to 0.

DIR. OF BUDGET
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

**AT THIS TIME THE MAYOR AND COUNCIL RECESSED THE
REGULAR MEETING AND CONVENED A SPECIAL MEETING FOR
THE PURPOSE OF BUDGET ADOPTION.**

1. ROLL CALL: 8:57 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

2. FINANCE: FINAL BUDGET ADOPTION FOR FISCAL YEAR 2003
JULY1-02-392

RESOLUTION NO. 19256

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor West to
pass and adopt Resolution No. 19256.

Motion PASSED by a vote of 4 to 3 (Council Members Ibarra, Scott and
Leal dissenting).

DIR. OF BUDGET
AND RESEARCH

3. ADJOURNMENT: 9:03 P.M.

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

ROLL CALL: 9:03 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

13. PUBLIC HEARING: (C9-56-01, C9-74-34 AND C9-88-12) TARGET – EL CON MALL, R-1, R-2, C-1, C-2 AND C-3 ZONING, CHANGE OF DEVELOPMENT PLAN – ORDINANCE ADOPTION (CONT'D FROM MEETING OF JUNE 24, 2002) – JULY1-02-412

ORDINANCE NO. 9726

(Council Member Ibarra declared a potential conflict of interest; departed at 9:04 p.m. and returned at 9:20 p.m.)

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

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

NOTE: No action taken on Ordinance No. 9726.

14. ZONING: (C9-56-01, C9-74-34 AND C9-88-12) KRISPY KREME – EL CON MALL, R-1, R-2, C-1, C-2 AND C-3 ZONING, CHANGE OF CONDITION AND ORDINANCE ADOPTION - JULY1-02-416

ORDINANCE NO. 9730

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor West to pass and adopt Ordinance No. 9730 including scrivener error noted by the City Clerk.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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15. ZONING: (SE-01-28), C9-78-36, C9-87-50 AND C9-00-39) HOME DEPOT – BROADWAY, C-1 AND C-2, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – JULY1-02-417

ORDINANCE NO. 9733

ORDINANCE NO. 9734

ORDINANCE NO. 9735

Vice-Mayor West MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance No. 9733.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

Vice-Mayor West MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9734.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

Vice-Mayor West MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9735.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

DIR. OF DEV.
SERVICES

16. ZONING: (C9-01-31) KB HOME – ALVERNON WAY, I-1 TO R-2, ORDINANCE ADOPTION – JULY1-02-418

ORDINANCE NO. 9736

Council Member Leal MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 9736.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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RECESS: 9:25 P.M.
RECONVENE: 9:35 P.M.
MAYOR AND COUNCIL: ALL PRESENT (COUNCIL MEMBER DUNBAR
ARRIVED AT 9:48 P.M.)
STAFF: ALL PRESENT

17. PUBLIC HEARING: (SE-01-01) BARCLAY GROUP – 22ND AND
HARRISON (TARGET) SPECIAL EXCEPTION LAND USE – JULY1-
02-394

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

Motion PASSED by a vote of 7 to 0.

Vice-Mayor West MOVED, SECONDED by Council Member Ronstadt to
approve the special exception land use as recommended by the Zoning
Examiner and create a committee to oversee compliance with the conditions.

Council Member Ibarra MOVED, SECONDED by Council Member Scott
to substitute the motion to remand this case back to the Zoning Examiner to
see if this can be worked out. Item should return on August 5, 2002.

Council Member Scott amended the return date to the first available meeting
in September and requested both parties pledge to come to an agreement in
writing.

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

Main motion PASSED by a vote of 4 to 3 (Council Members Ibarra, Leal
and Scott dissenting).

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

18. PUBLIC HEARING: AMENDMENTS TO KINO AREA PLAN AND WESTERN HILLS/PUEBLO-SUNLAND GARDENS NEIGHBORHOOD PLAN FOR LIGHT INDUSTRIAL, NORTHEAST CORNER OF AJO WAY AND KINO PARKWAY – JULY1-02-408

RESOLUTION NO. 19280

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

Motion PASSED by a vote of 7 to 0.

Council Member Leal MOVED, SECONDED by Council Member Ibarra to pass and adopt Resolution No. 19280.

Motion PASSED by a vote of 7 to 0.

DIR. OF PLANNING

19. ZONING: (C9-02-08) PRIME SCHOOL – BROADWAY BOULEVARD, R-3 TO C-1, ORDINANCE ADOPTION – JULY1-02-422

ORDINANCE NO. 9732

Council Member Ronstadt MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 9732.

Motion PASSED by a vote of 6 to 0 (Council Member Dunbar absent/excused).

(Council Member Dunbar departed at 11:20 p.m. and returned at 11:22 p.m.).

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

20. ZONING: (C9-01-26) KB HOME – COLUMBUS BOULEVARD, RX-1 AND C-1 TO R-2, ORDINANCE ADOPTION – JULY1-02-425

DIR. OF DEV.
SERVICES

ORDINANCE NO. 9737

(Council Member Ibarra noted a potential conflict of interest and departed at 11:24 p.m. and returned at 11:25 p.m.)

(Council Member Ronstadt departed at 11:22 p.m. and returned at 11:24 p.m.)

Vice-Mayor West MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9737 with changes to conditions 1.g and 20:

1.g. A minimum setback of at least twenty-five (25) feet from the top of the Christopher City Wash back to any individual platted lot except for lots 21 and 22 which may encroach up to 15 feet in depth for a length not to exceed 150 feet. The owner/developer will provide additional common area landscaping on both sides of the wash exceeding requirements of the Tucson Land Use Code and subject to the approval of Tucson Parks and Recreation Department. Excess area currently within lots 47, 48, 49, and 50 on the north side of the wash will also be included in common area landscaping to provide maximum meandering of the pedestrian trail.

20. The owner/developer shall provide an eight (8) foot wide publicly-accessible pedestrian trail along the ~~west~~ east side of Columbus Boulevard. The trail shall connect with the trail along Christopher City Wash and the Rillito River park trail. The specific design of the trail including trail paving, placement, signage, maintenance, fencing and lighting restrictions are subject to approval by Tucson Parks and Recreation.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

21. ZONING: (C9-01-10) GREENE – RIVER ROAD, SR TOR-3,
ORDINANCE ADOPTION – JULY1-02-428

DIR. OF DEV.
SERVICES

ORDINANCE NO. 9738

Council Member Dunbar MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 9738 with a new condition #9:

9. The owner/developer shall provide or verify the existence of a recorded public access easement providing for a minimum twenty-five (25) foot wide equestrian trail corridor along the east property line of the overall development either on or off the development site **prior to issuance of a grading permit or any development of the site.** The equestrian trail corridor shall connect the trail crossing at Hacienda del Sol with the Rillito River Park. **Any road crossings shall be marked for safety and landscaping shall be provided as required by the Parks and Recreation Department.**

Motion PASSED by a vote of 7 to 0.

22. ZONING: (Co9-95-22) STORMS – RIVER ROAD, SR TO R-3 AND
O-3, ORDINANCE ADOPTION – JULY1-02-429

DIR. OF DEV.
SERVICES

ORDINANCE NO. 9739

Council Member Dunbar MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 9739 with 1 new condition # 9:

9. The owner/developer shall provide or verify the existence of a recorded public access easement providing for a minimum twenty-five (25) foot wide equestrian trail corridor along the east property line of the overall development either on or off the development site **prior to issuance of a grading permit or any development of the site.** The equestrian trail corridor shall connect the trail crossing at Hacienda del Sol with the Rillito River Park. **Any road crossings shall be marked for safety and landscaping shall be provided as required by the Parks and Recreation Department.**

Motion PASSED by a vote of 7 to 0.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

23. CALL TO THE AUDIENCE

- a. Al Wyruth addressed the Mayor and Council regarding concerns with recycling, twice-weekly garbage pickup, and planning for the Houghton Corridor.
- b. Ray Figueroa requested the Mayor and Council allocate contingency funds to Brewster Center.
- c. Linda Bohlke expressed a concern with today's meeting , urged the Mayor and Council to create a task force for pay issues and encouraged the Mayor and Council to allocate contingency funds to Brewster Center.
- d. Richard Cook addressed the Mayor and Council and requested higher pay for City employees.
- e. James Modiset addressed the Mayor and Council and requested higher pay for City employees.
- f. Janet Cyril addressed the Mayor and Council and requested higher pay for City employees.
- g. Kenneth Kitch addressed the Mayor and Council in opposition to a development called Houghton Village.
- h. Linda Jo Campbell addressed the Mayor and Council and requested higher pay for City employees.

24. ADJOURNMENT: 11:53 p.m.

A special meeting of the Mayor and Council will be held on July 8, 2002, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona. The next regularly scheduled meeting of the Mayor and Council will be held on Monday, August 5, 2002, at 2:00 p.m., in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.