

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY JUNE 19, 2007

FROM: CITY MANAGER  _____

1. ROLL CALL: 5:40 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 Melinda Nay, Center for Joyful Living, after which the Pledge of Allegiance was presented by the entire assembly.

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
<ol style="list-style-type: none">3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JUNE19-07-346 Council Member Uhlich congratulated the Amphitheater School District for receiving a teacher incentive grant from the US Department of Education to provide incentives for teachers and principals advancing the education of students. Mayor Walkup reported that the Arizona Department of Transportation announced that the I10 widening project is ahead of schedule, and that ramp closures between Prince Road and 29th Street previously scheduled for June 29-July 1, 2007, has been incorporated into June 22-24 work, which eliminates the need for the complete temporary closure of I-10 on that third weekend.	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
JUNE19-07-347

No report.

5. LIQUOR LICENSE APPLICATIONS – JUNE19-07-348

7-ELEVEN # 17403 H, CITY 33-07
7-ELEVEN # 23347 J, CITY 36-07
7-ELEVEN # 18602 M, CITY 37-07
7-ELEVEN # 13048 H, CITY 38-07
QUIK MART, CITY 39-07
DRAGON VIEW RESTAURANT, CITY 41-07
GEM CENTER @ CONFERENCE HALL, CITY 35-07
SERINAS DEL MAR, CITY T46-07

Vice-Mayor Scott 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.

THE FIRKIN & FRIAR, CITY 31-07

No action needed. Application withdrawal filed with the State by the applicant on June 14, 2007.

VILA THAI CUISINE, CITY 34-07

Council Member Trasoff MOVED and it was duly seconded to continue this item to the meeting of June 26th, 2007.

Motion PASSED by a vote of 7 to 0.

CLUB SOCIAL, CITY 40-07

Council Member Ibarra 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 a vote of 7 to 0.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. CALL TO THE AUDIENCE

Randy Ford spoke about El Ojito Springs being evicted after investing money in the building, and also requested more support for the arts in Tucson.

Jack Strausburg supports the public/private sector partnership for Rio Nuevo but would like more opportunities for participation by lower and middle income people.

Michael Toney spoke about the proposed University of Arizona Science Center and downtown arena and the timing of the projects.

Robert Reus spoke about the upcoming Democratic Primary and General Election.

Joe Sweeney spoke about the letter he is sending to the President of Mexico regarding illegal immigration.

Larry Lopez spoke about the Compensation Plan and stated that he did not like the progress of the negotiations in the early stages.

Roger Tamietti requested a moment of silence to remember the fallen firefighters in South Carolina and thanked the City for their hard work with the Tucson Firefighters during the budget and compensation process.

7. CONSENT AGENDA

*** ITEM "C" WAS CONSIDERED SEPARATELY ***

A. TUCSON CODE: (CHAPTER 11) REPEALING PROVISIONS REGULATING SMOKING IN RESTAURANTS IN ORDER TO CONFORM TO THE SMOKE-FREE ARIZONA ACT – JUNE19-07-350

ORDINANCE NO. 10421

CITY ATTORNEY

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>B. FINAL PLAT: (S05-129) WESTMORELAND, LOTS 1 TO 14 AND COMMON AREAS “A”, “B”, “C” AND “D” – JUNE19-07-351</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>D. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE ARIZONA GAME AND FISH COMMISSION RELATING TO HABITAT CONSERVATION – JUNE19-07-353</p> <p>RESOLUTION NO. 20691</p>	<p><u>CONSERVATION AND SUSTAINABLE DEVELOPMENT</u></p>
<p>E. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO GRIJALVA PARK – JUNE19-07-354</p> <p>RESOLUTION NO. 20692</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>F. REAL PROPERTY: CONVEYANCE OF CITY-OWNED PROPERTY VIA THE PAPER PLAT PROCESS FOR THE RITA 244 SUBDIVISION – JUNE19-07-355</p> <p>ORDINANCE NO. 10424</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>G. REAL ESTATE: PURCHASE OF PROPERTY RELATING TO THE LA PALOMA RECLAIMED WATER RESERVOIR FACILITIES – JUNE19-07-365</p> <p>RESOLUTION NO. 20694</p>	<p><u>DIR. OF WATER</u></p>
<p>H. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR BIO-TERRORISM PREPAREDNESS AND RESPONSE GRANT – JUNE19-07-344</p> <p>RESOLUTION NO. 20695</p>	<p><u>FIRE CHIEF</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS – JUNE19-07-364</p> <p>RESOLUTION NO. 20696</p>	<p><u>POLICE CHIEF</u></p>
<p>J. APPROVAL OF MINUTES – JUNE19-07-366</p>	<p><u>CITY CLERK</u></p>
<p>K. INTERGOVERNMENTAL AGREEMENT: WITH PIMA ANIMAL CARE CENTER FOR FISCAL YEAR 2007 – JUNE19-07-367</p> <p>RESOLUTION NO. 20697</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>L. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE PORTABLE PRACTICAL EDUCATIONAL PREPARATION, INC. – JUNE19-07-368</p> <p>RESOLUTION NO. 20698</p> <p>The City Clerk read into the record the following additions, to be taken from FY 07 Community Support funds, to the original \$500 allocated by Council Member Leal, which is coming from FY08 Community Support funds:</p> <ul style="list-style-type: none">• Council Member West \$100• Vice-Mayor Scott \$100• Council Member Uhlich \$100• Mayor Walkup \$250• Council Member Ibarra \$100 <p>The new total is \$1,150.00. In addition to these allocations, another \$500 will be forthcoming from Council Member Trasoff on next week’s meeting to bring the grand total for this request to \$1,650.00.</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

L. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE PORTABLE PRACTICAL EDUCATIONAL PREPARATION, INC. – JUNE19-07-368 (Continued from previous page)

City Attorney Mike Rankin announced that the Resolution will be modified to indicate that the funds allocated will be going to the Tucson Convention Center to help cover the cost of the event.

Council Member Leal MOVED and it was duly seconded that items on the Consent Agenda, except “C” which was considered separately, and Item “L” as amended be approved and/or adopted and proper action taken.

Motion PASSED by a vote of 7 to 0.

C. PARKS AND RECREATION: RENAMING THE ATTURBURY BIRD & ANIMAL SANCTUARY THE “ATTURBURY/LYMAN BIRD & ANIMAL SANCTUARY” – JUNE19-07-352

RESOLUTION NO. 20689

Vice-Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Consent Item C.

Motion PASSED by a vote of 7 to 0.

DIR. OF PARKS AND RECREATION

8. PUBLIC HEARING: PANTANO WASH, NORTH OF BROADWAY BOULEVARD DISTRICT BANK PROTECTION IMPROVEMENT – JUNE19-07-356

RESOLUTION NO. 20659

Council Member West MOVED and it was duly seconded to CLOSE the Public Hearing.

DIR. OF FINANCE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: PANTANO WASH, NORTH OF BROADWAY BOULEVARD DISTRICT BANK PROTECTION IMPROVEMENT – JUNE19-07-356 (Continued from previous page)

Motion PASSED by a vote of 7 to 0.

Council Member West MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20659.

Motion PASSED by a vote of 7 to 0.

9. PUBLIC HEARING: *WEST VALENCIA ANNEXATION DISTRICT* AND APPROVAL OF A PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH JVBM PROPERTIES, LLC – JUNE19-07-345

RESOLUTION NO. 20693

The City Clerk read the following clerical correction into the record:

On page 1 of the Communication, in the section titled Background, the last sentence incorrectly reads, "If Mayor and Council adopt the annexation ordinance, the annexation district will officially become part of the City of Tucson 45 days after ordinance adoption." It should read **30** days.

Council Member Ibarra MOVED and it was duly seconded to CLOSE the Public Hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Ibarra MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20693.

Motion PASSED by a vote of 7 to 0.

Council Member Ibarra MOVED and it was duly seconded to direct staff to proceed with the West Valencia Annexation District by gathering the necessary property owners signatures and return to the Mayor and Council with a proposed ordinance annexing the property.

ANNEXATION PROGRAM

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>9. PUBLIC HEARING: <i>WEST VALENCIA ANNEXATION DISTRICT AND APPROVAL OF A PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH JVBM PROPERTIES, LLC – JUNE19-07-345</i> (Continued from previous page)</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>10. PUBLIC HEARING: <i>MAJOR STREETS AND ROUTES PLAN AMENDMENT – SOUTHEAST MAJOR ROADWAYS – JUNE19-07-357</i></p> <p>ORDINANCE NO. 10427</p> <p>Council Member Trasoff MOVED and it was duly seconded to CLOSE the Public Hearing.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Council Member Leal MOVED and it was duly seconded to re-open the Public Hearing and to continue the hearing to the July 10th meeting and to schedule this item on the June 26th Study Session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF URBAN PLANNING & DESIGN</u></p>
<p>11. PUBLIC HEARING: ZONING (C9-00-23) RITA 244 LLC – RITA ROAD, RX-1, I-1, AND I-2 TO C-2 AND I-1, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – JUNE19-07-358</p> <p>ORDINANCE NO. 10420</p> <p>Vice-Mayor Scott MOVED and it was duly seconded to CLOSE the Public Hearing.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Vice-Mayor Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10420</u>.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF URBAN PLANNING & DESIGN</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

12. ZONING: (C9-07-08) STETSON/LOHMAN – BROWN STREET, SR TO RX-1, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION – JUNE19-07-359

ORDINANCE NO. 10422

Council Member West MOVED and it was duly seconded to AUTHORIZE the request and PASS and ADOPT Ordinance No. 10422.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

13. ZONING: (C9-07-06) SAFEWAY – BROADWAY BOULEVARD, C-1 TO C-2, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION – JUNE19-07-360

ORDINANCE NO. 10423

City Clerk read the following change into the record:

Exhibit A to the Ordinance, Condition #14 previously read “Five years are allowed from the date of Ordinance Adoption if such adoption occurs the day as the initial authorization” and it should read “if such adoption occurs the **same** day as the initial authorization”

Council Member West MOVED and it was duly seconded to AUTHORIZE the request for rezoning as recommended by the Zoning Examiner and PASS and ADOPT Ordinance No. 10423, as amended.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

14. ZONING: (C9-06-04) CHIRCO - 22ND STREET, C-1 TO C-2, REQUEST FOR TIME EXTENSION – JUNE19-07-361

Council Member West MOVED and it was duly seconded to APPROVE the request as presented by Staff.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING & DESIGN

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

15. TUCSON CODE: AMENDING (CHAPTER 22) REGARDING THE BENEFITS FOR EMPLOYEES OF THE CITY OF TUCSON – JUNE19-07-362

ORDINANCE NO. 10425

Council Member Ibarra MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10425.

Motion PASSED by a vote of 7 to 0.

DIR. OF HUMAN RESOURCES

16. TUCSON CODE: ADOPTION OF THE ANNUAL COMPENSATION PLAN FOR EMPLOYEES OF THE CITY OF TUCSON – JUNE19-07-363

ORDINANCE NO. 10426

Council Member West MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10426.

Motion PASSED by a vote of 7 to 0.

DIR. OF HUMAN RESOURCES

17. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – JUNE19-07-349

Council Member Trasoff MOVED and it was duly seconded to appoint Marisela Mariscal and Joseph Bass to the Pima County-City of Tucson Commission on Addiction, Prevention and Treatment.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

18. ADJOURNMENT: 6:51 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, June 26, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.