

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING

JUNE 26, 2000

FROM: CITY MANAGER _____

1. ROLL CALL: 7:39 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Council Members Jose J. Ibarra (Arrived at 7:41 p.m), Carol West, Jerry Anderson, Shirley C. Scott and Fred Ronstadt, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Vice-Mayor Steve Leal

STAFF MEMBERS: Luis G. Gutierrez, City Manager
Brad Detrick, Deputy City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Gilbert Levario, St. Margaret's Church, after which the Pledge of Allegiance was presented by the entire assembly.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. <u>C O N S E N T A G E N D A</u></p> <p>*****ITEMS "C" and "J(9)" WERE DELETED FROM THE CONSENT AGENDA *****</p> <p>A. ASSURANCE AGREEMENT: WINDOW ROCK EAST – UNIT 2, LOTS 120-239 AND COMMON AREAS "E", "F", "G" AND "H" (S99-030) – JUNE26-00-365</p> <p>RESOLUTION NO. 18635</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS IN PIMA COUNTY DETENTION CENTER – JUNE26-00-366</p> <p>RESOLUTION NO. 18636</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>D. FINANCE: CONTINGENCY FUND TRANSFER TO OUR TOWN FAMILY CENTER FOR REPLACEMENT OF CARPET – JUNE26-00-370</p> <p>RESOLUTION NO. 18638</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>E. REAL PROPERTY: QUIT CLAIM OF PROPERTY TO MICHAEL R. BUTLER AND DECLARATION OF EASEMENT FOR EXISTING UTILITY FACILITIES – JUNE26-00-371</p> <p>ORDINANCE NO. 9409</p>	<p><u>DIR. OF TRANS</u></p>
<p>F. FINAL PLAT: (S99-030) WINDOW ROCK EAST – UNIT 2, LOTS 120 THROUGH 239 AND COMMON AREAS “E”, “F”, “G” AND “H” – JUNE26-00-364</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>G. CONTRACT RENEWAL: WITH PIMA COUNCIL ON AGING FOR PROVISION OF SERVICES UNDER A SOCIALIZATION AND NUTRITION GRANT – JUNE26-00-376</p> <p>RESOLUTION NO. 18640</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>H. PROFESSIONAL SERVICES CONTRACT: WITH SACKS TIERNEY P.A., ATTORNEYS AT LAW, FOR REPRESENTATION ON WATER ISSUES – JUNE26-00-379</p> <p>RESOLUTION NO. 18641</p>	<p><u>DIR. OF WATER</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY AND THE PIMA COUNTY LIBRARY DISTRICT FOR A PUBLIC LIBRARY AT THE EL PUEBLO NEIGHBORHOOD CENTER – JUNE26-00-384</p> <p>RESOLUTION NO. 18644</p>	<p><u>DIR. OF LIBRARY</u></p>
<p>J. LIQUOR LICENSES – JUNE26-00-373</p> <p>City No. EP29-00 City No. T059-00 City No. 058-00 City No. 059-00 City No. 060-00 City No. 062-00 City No. 063-00</p>	<p><u>CITY CLERK</u></p>
<p>K. FINANCE: CONTINGENCY FUND TRANSFER TO OTT FAMILY YMCA FOR FUNDING A COMBINATION BOWL AREA WITH RETAINING WALLS FOR SKATERS – JUNE26-00-386</p> <p>RESOLUTION NO. 18647</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>L. ASSIGNMENT AGREEMENT: WITH THE TUCSON DOWNTOWN ALLIANCE AND THE NATIONAL BANK OF TUCSON TO FACILITATE A COMMERCIAL SECURITY AGREEMENT – JUNE26-00-388</p> <p>RESOLUTION NO. 18648</p>	<p><u>CITY MGR'S OFFICE</u></p>
<p>M. GRANT APPLICATION: TO THE SUBSTANCE ABUSE AND MENTAL HEALTH ADMINISTRATION FOR FUNDING THE YOUTH SUICIDE PREVENTION PROJECT JUNE26-00-389</p> <p>RESOLUTION NO. 18652</p>	<p><u>GRANTS OFFICE</u></p>
<p>Council Member Ronstadt MOVED, SECONDED by Council Member</p>	

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<p>Scott that items on the Consent Agenda (Excepting “C” and “J(9)” be approved and/ or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	
<p>C. FINANCE: CONTINGENCY FUND TRANSFER TO BALLET FOLKLORICO LA PALOMA TO PERFORM IN THE SUMMER OLYMPICS IN SYDNEY, AUSTRALIA – JUNE26-00-369</p> <p>RESOLUTION NO. 18637</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott that Mayor and Council pass and adopt Resolution No. 18637.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused)</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>I. LIQUOR LICENSES – JUNE26-00-373</p> <p>(9) BIG A, APPLICANT: KEITH A. BOYETTE, 2033 E. SPEEDWAY BLVD., NEW LICENSE, SERIES 12, CITY NO. 056-00, WARD 6 (CONT’D FROM THE MEETING OF JUNE 19, 2000)</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Ibarra that staff forward this application to the State Liquor Board with a recommendation for approval contingent upon the payment of back taxes.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	<p><u>CITY CLERK</u></p>
<p>4. PUBLIC IMPROVEMENT: AJO WAY, LA CHOLLA BOULEVARD</p>	<p><u>DIR. OF TRANS</u></p>

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<p>TO SANTA CRUZ RIVER DISTRICT LIGHTING IMPROVEMENT JUNE26-00-367</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Ronstadt that the contract be awarded to Han Mar Energy, Inc.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	
<p>5. ECONOMIC DEVELOPMENT: CITY FUNDING FOR TUCSON TECHNOLOGY INCUBATOR AND MEMORANDUM OF UNDERSTANDING WITH THE UNIVERSITY OF ARIZONA REGARDING ANNEXATION OF THE UNIVERSITY OF ARIZONA SCIENCE AND TECHNOLOGY PARK – JUNE26-00-380</p> <p>RESOLUTION NO. 18642</p> <p>Council Member West suggested that the two issues for this item (City funding for the Tucson Technology Incubator and the MOU for pre-annexation) be considered separately.</p> <p>Luis G. Gutierrez, City Manager, advised that in the past these two issues have been considered together.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Ronstadt that Mayor and Council pass and adopt Resolution No. 18642 with the caveat that the annexation proceed as quickly as possible.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 1 (Council Member Anderson dissenting, Vice-Mayor Leal absent/excused).</p> <p>Kathleen S. Detrick, City Clerk, clarified that the motion included both issues.</p> <p>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 Leal absent/excused).</p>	<p><u>OFFICE OF SPECIAL PROJECTS</u></p>
<p>6. FINANCE: CONTINGENCY FUND TRANSFER FOR SCRAPPY'S</p>	<p><u>DIR. OF BUDGET</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>COMMUNITY YOUTH CENTER TO APPLY TOWARD A WORK PROGRAM – JUNE26-00-381</p> <p>RESOLUTION NO. 18643</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Scott that Mayor and Council pass and adopt Resolution No. 18643 authorizing the transfer of \$10,000 from the Contingency Fund for Scrappy’s Community Youth Center.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	<p><u>AND RESEARCH</u></p>
<p>7. FINANCE: CONTINGENCY FUND TRANSFER FOR FEE WAIVERS RELATING TO THE PROFESSIONAL BOWLING ASSOCIATION TUCSON OPEN – JUNE26-00-385</p> <p>RESOLUTION NO. 18649</p> <p>Council Member Scott MOVED, SECONDED by Council Member Anderson that Mayor and Council pass and adopt Resolution No. 18649 authorizing the transfer of \$ 2,170 from the Contingency Fund for the Professional Bowling Association Tucson Open.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>8. CITY MAGISTRATES: APPOINTMENT OF A LIMITED SPECIAL MAGISTRATE – JUNE26-00-383</p> <p>ORDINANCE NO. 9414</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt that Mayor and Council pass and adopt Ordinance No. 9414.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p> <p>Council Member West requested that in the future staff address the issue of whether limited special magistrates should be required to be attorneys.</p>	<p><u>CITY CLERK</u> <u>CITY ATTORNEY</u></p>
<p>9. TUCSON CODE: IMPLEMENTING (CHAPTER 25) CHANGING THE NAME OF “BOGGIE DRIVE” TO “CAMP LOWELL DRIVE”</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>(C14-00-02) – JUNE26-00-377</p> <p>ORDINANCE NO. 9412</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott that Mayor and Council pass and adopt Ordinance No. 9412.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	
<p>10. ZONING: (C9-00-06) REGINA CLERI – 22ND STREET, RX-1 TO O-3, ZONING EXAMINER’S REPORT – JUNE26-00-363</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt that Mayor and Council approve the request for rezoning and staff be authorized to prepare an ordinance rezoning the property from RX-1 to O-3 subject to conditions listed in the City Manager’s recommendation.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused.)</p>	<p><u>DIR. OF PLANNING</u></p>
<p>11. ZONING: (C9-99-26) MARSHALL FOUNDATION – PARK AVENUE, C-1 TO C-3, ZONING EXAMINER’S REPORT AND ORDINANCE ADOPTION – JUNE26-00-375</p> <p>ORDINANCE NO. 9411</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt that Mayor and Council pass and adopt Ordinance No. 9411.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>12. ZONING: (C9-00-10) TMC HEALTHCARE – WYATT DRIVE, R-1 TO O-3, ZONING EXAMINER’S REPORT – JUNE26-00-378</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>Council Member West MOVED, SECONDED by Council Member Scott that Mayor and Council approve the request for rezoning and staff be authorized to prepare an ordinance rezoning the property from R-1 to O-3 subject to conditions listed in the City Manager’s recommendation.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	
<p>13. PUBLIC HEARING: ZONING (C9-84-05) PULTE HOME CORPORATION/K & S COMPANY – HOUGHTON ROAD, C-1 ZONE, CHANGE OF CONCEPT PLAN – JUNE26-00-374</p> <p>ORDINANCE NO. 9410</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt that Mayor and Council close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p> <p>Council Member Scott MOVED, SECONDED by Council Member Anderson that Mayor and Council :</p> <ol style="list-style-type: none">1. Approve the change of concept plan.2. Pass and adopt Ordinance 9410 with conditions 1 – 14 being not applicable, except for standard requirements.3. Delete conditions 17 & 18. <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>14. PUBLIC HEARING: ZONING (C15-97-03) ESTABLISHING ORIGINAL CITY ZONING FOR THE RIO VISTA ANNEXATION</p>	<p><u>DIR. OF PLANNING</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>DISTRICT AND ESTABLISHING A SCENIC ROUTE DESIGNATION FOR RIVER ROAD WITHIN THE ANNEXATION AREA – JUNE26-00-382</p> <p>ORDINANCE NO. 9413</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt that Mayor and Council close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West that Mayor and Council pass and adopt Ordinance No. 9413.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	
<p>15. PUBLIC HEARING: PROPOSED MIBBIE LANE ANNEXATION DISTRICT – JUNE26-00-368</p> <p>Council Member Scott MOVED, SECONDED by Council Member West that Mayor and Council close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott that staff be directed to pursue the proposed annexation district.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).</p>	<p><u>DIR. OF SPECIAL PROJECTS</u></p>
<p>16. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JUNE26-00-372</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt that Mayor and Council appoint Patricia J. Fong to the Citizen’s Transportation Advisory Committee.</p> <p>Council Member Anderson requested the inclusion in the motion of his appointment of Jack Kelly to the Landscape Advisory Committee.</p> <p>Council Member Scott agreed.</p> <p>16. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JUNE26-00-372</p>	<p><u>CITY CLERK</u></p>

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

Council Member West announced her personal appointments of Dale Faulkner to the Growth Study Commission and Gino Migliazza to the TPD Youth Advisory Committee.

17. FINANCE: CONTINGENCY FUND TRANSFER TO THE TUCSON HOUSE/UNIVERSITY OF ARIZONA COLLEGE OF NURSING'S ACADEMIC NURSING CLINIC FOR HEALTHCARE SERVICES AT THE TUCSON HOUSE – JUNE26-00-387

RESOLUTION NO. 18650

Council Member Ronstadt MOVED, SECONDED by Council Member Scott that Mayor and Council pass and adopt Resolution No. 18650 authorizing the transfer of \$4,263 from the Contingency Fund for the Tucson House/University of Arizona College of Nursing's Academic Nursing Clinic with the remaining amount of \$5,737 to come from the Ward 1 Council Office budget for a total of \$10,000.

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

DIR. OF BUDGET
AND RESEARCH

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

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<p>A. Robin Elaine Ahng addressed the Mayor and Council regarding homelessness.</p> <p>B. Brent Sandweiss addressed the Mayor and Council regarding Regular Agenda Item #13 “Public Hearing: Zoning Case C9-84-05” wishing to receive confirmation that all 3 issues he addressed during discussion of this item were included in the motion and approved.</p> <p>Council Member Scott clarified the intent of the motion and said they were included.</p>	
<p>19. ADJOURNMENT: 9:07 P.M.</p> <p>The next regularly scheduled meeting of the Mayor and Council will be held on Monday, July 10, 2000, at 2:00 p.m. and continued at 7:30 p.m. in the Mayor and Council Chambers, 255 W. Alameda, Tucson, Arizona.</p>	