

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY MARCH 20, 2007

FROM: CITY MANAGER



1. ROLL CALL: 5:35 p.m.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Carol West, Council Members Jose J. Ibarra, Karin Uhlich, Shirley Scott, 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 Ceci Sotomayor, City Clerk's Office, after which the Pledge of Allegiance was led by Jesus Rodriguez and Michael Fields, YouthWorks honor students.

PRESENTATIONS:

- a. Proclaiming March 13 through April 28, 2007, as "Arizona Multihousing Association Project S.A.F.E. Month".

The City Clerk announced that Danitza Elias is available to provide Spanish language assistance for anyone who needs it.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MARCH20-07-131	
Vice-Mayor West congratulated Council Member Uhlich for receiving the Vibrant Economy Award from the Sonoran Institute for continuous engagement in research, education and advocacy to strengthen local economies by mobilizing and protecting marginalized people, holding corporations and industries accountable to communities, and cultivating support for good business practices.	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
MARCH20-07-130

No report.

5. LIQUOR LICENSE APPLICATIONS – MARCH20-07-137

WILKO, CITY 11-07

THE RUMRUNNER, CITY 5-07

THE RUMRUNNER, CITY 6-07

TUCSON BREAKFAST LIONS CLUB (TBLC), CITY T11-07

TUCSON MUSEUM OF ART, CITY T14-07

Council Member Trasoff 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.

LA MOVIDA, CITY 8-07

Council Member Leal 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 by a vote of 7 to 0.

CITY CLERK

6. CALL TO THE AUDIENCE

Mrs. Day thanked the Council for their assistance last year regarding inappropriate late fees charged by Cox Cable, and feels this is only one of many reasons why oversight of the cable franchise is necessary.

Stuart Thomas stated that the cable access programs are important to the community, serving as a tool for democracy, and requests that the Mayor and Council continue to support Access Tucson.

Drew Phillips stated that Cox Cable has not been negotiating fairly and feels that the cable access channels should be protected, and that the Mayor and Council should negotiate harder to keep them.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. CALL TO THE AUDIENCE (Continued from previous page)

Jon Read stated how important Access Tucson is in promoting new, creative and innovative ideas, and would like the cable access channels preserved.

Rob Reus spoke about cable access programs and stated that this is the only reason he has Cox Cable.

Joyce Smith stated that promoting the general public welfare is more important than corporate profits and feels that Access Tucson deserves to be protected.

Mary Lopez, representative of AFSCME, spoke about the compensation plan recommendations and stated she appreciates the cooperation from the City Manager's office staff and looks forward to working with the City on the plan.

Michael Toney would like to see more effort being put towards projects like the proposed Arena and the Tucson Convention Center and that such project would provide access to entertainment by all Tucsonans.

Bishop Chicago voiced his concern about liquor stores near schools and feels that the priorities of Tucson are not being addressed.

Carl Fiske requested that the Mayor and Council support Access Tucson because it provides an outlet for freedom of speech.

Daniel Dougherty also requested support for Access Tucson as it is part of the public domain, and believes it would be wrong to take these channels away for private profit.

Russ Dove stated his opinion that laws at all levels of government are being selectively enforced, and also thanked the council for not giving into the demands of Cox Cable.

Roy Warden spoke about his recent arrests and feels he is being persecuted by the government and the media.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. CALL TO THE AUDIENCE (Continued from previous page)

Robert Shatz thanked the council for the proclamation for the upcoming Peace Walk, an event on March 25th to break down the barriers between Jewish and Muslim people and call for alternatives to military or violent solutions to the problems in the Middle East and elsewhere in the world.

7. CONSENT AGENDA

*****ITEMS "A", "D", "H" AND "J" WERE CONSIDERED SEPARATELY*****

B. FINANCE: CHANGE OF PURPOSE OF ORIGINAL ALLOCATION FROM THE COMMUNITY SUPPORT FUND TO THE "A" MOUNTAIN COMMUNITY HOUSE – MARCH20-07-136

RESOLUTION NO. 20600

DIR. OF BUDGET AND RESEARCH

C. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE HIGHLAND VISTA NEIGHBORHOOD ASSOCIATION MARCH20-07-135

RESOLUTION NO. 20601

DIR. OF BUDGET AND RESEARCH

E. COOPERATIVE PURCHASING AGREEMENT: WITH HARRIS COUNTY, TEXAS TO USE TUCSON'S PUBLIC SURPLUS CONTRACT FOR ONLINE AUCTIONS – MARCH20-07-133

RESOLUTION NO. 20603

DIR. OF PROCUREMENT

F. TRANSPORTATION: AUTHORIZING THE FILING OF GRANT APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION – MARCH20-07-139

RESOLUTION NO. 20604

DIR. OF TRANSPORTATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>G. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE NAVAJO WASH DRAINAGE IMPROVEMENT PROJECT – MARCH20-07-140</p> <p>RESOLUTION NO. 20605</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE BARRIO HOLLYWOOD NEIGHBORHOOD REINVESTMENT PROJECT – MARCH20-07-146</p> <p>RESOLUTION NO. 20607</p>	<p><u>DIR. OF NEIGHBORHOOD RESOURCES</u></p>
<p>K. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE DIVISION FOR PEACE OFFICER CANDIDATE TRAINING – MARCH20-07-144</p> <p>RESOLUTION NO. 20608</p>	<p><u>POLICE CHIEF</u></p>
<p>L. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE MYERS NEIGHBORHOOD REINVESTMENT PROJECT – MARCH20-07-147</p> <p>RESOLUTION NO. 20610</p>	<p><u>DIR. OF NEIGHBORHOOD RESOURCES</u></p>
<p>M. AMENDED FINAL PLAT: (S06-136) VISTA POINTE CONDOMINIUMS, UNITS 101 TO 168, UNITS 201 TO 268, EXCLUSIVE USE ELEMENTS Y101 TO Y168 AND COMMON AREA “A” – MARCH20-07-148</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>N. APPROVAL OF MINUTES – MARCH20-07-149</p>	<p><u>CITY CLERK</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

O. TUCSON CODE: AMENDING (CHAPTER 27)
IMPLEMENTING THE TUCSON WATER DEPARTMENT
DROUGHT PREPAREDNESS AND RESPONSE PLAN –
MARCH20-07-129

ORDINANCE NO. 10380

DIR. OF WATER

Council Member Ibarra MOVED and it was duly seconded that items on the Consent Agenda, except “A”, “D”, “H”, and “J” which were considered separately, be approved and/or adopted and proper action taken.

Motion PASSED by a vote of 7 to 0.

A. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO
THE SOUTHERN ARIZONA AIDS FOUNDATION FOR THE
19TH ANNUAL AIDSWALK – MARCH20-07-134

DIR. OF BUDGET
AND RESEARCH

RESOLUTION NO. 20599

Vice-Mayor West MOVED and it was duly seconded to PASS and ADOPT Consent Item A with the following additions to the \$1000 allocated by Council Member Trasoff:

Mayor - \$500
Council Member Ibarra - \$250
Vice-Mayor West - \$350
Council Member Scott - \$250

This brings the total amount to \$2,350.00.

Motion PASSED by a vote of 7 to 0.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

D. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON CENTERS FOR WOMEN AND CHILDREN – MARCH20-07-138

RESOLUTION NO. 20602

Vice-Mayor West MOVED and it was duly seconded to PASS and ADOPT Consent Item D with the following additions to the \$500 allocated by Vice-Mayor West:

Council Member Scott - \$250
Council Member Trasoff - \$250

This brings the total amount to \$1,000.00.

Motion PASSED by a vote of 7 to 0.

DIR. OF BUDGET AND RESEARCH

H. TUCSON CODE: AMENDING (CHAPTER 27) TO ESTABLISH THE TERMS OF MEMBERS OF THE CITIZENS' WATER ADVISORY COMMITTEE NOMINATED BY THE CITY MANAGER – MARCH20-07-141

ORDINANCE NO. 10379

Council Member Ibarra MOVED and it was duly seconded to PASS and ADOPT Consent Item H.

Motion PASSED by a vote of 5 to 2 (Vice Mayor West and Council Member Leal dissenting).

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

CITY ATTORNEY

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

J. FINANCE: COMMUNITY SUPPORT FUND TRANSFER
FOR ARTWORKS! ACADEMY – MARCH20-07-142

RESOLUTION NO. 20606

Vice-Mayor West MOVED and it was duly seconded to PASS
and ADOPT Consent Item J with the following additions to the
\$250.00 allocated by Mayor Walkup and the \$250.00 allocated
by Council Member Trasoff:

Vice-Mayor West - \$100

This brings the total amount to \$600.00.

Motion PASSED by a vote of 7 to 0.

DIR. OF BUDGET AND
RESEARCH

8. PUBLIC HEARING: GRANT-ALVERNON AREA PLAN
AMENDMENT – PA-07-01; ALVERNON WAY/LEE STREET-
COMMERCIAL – MARCH20-07-143

RESOLUTION NO. 20609

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

Motion PASSED by a vote of 7 to 0.

Council Member Trasoff MOVED and it was duly seconded to PASS
and ADOPT Resolution No. 20609.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING
AND DESIGN

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23) THE LAND USE CODE; ADDING A NEIGHBORHOOD PRESERVATION ZONE OVERLAY – MARCH20-07-150

ORDINANCE NO. 10381

Council Member Uhlich MOVED and it was duly seconded to direct staff to work with the council and bring this item back on the Study Session of April 17th for final discussion, and to return as a Public Hearing and for Ordinance Adoption on the April 24, 2007.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN PLANNING
AND DESIGN

RECESS: 8:24 P.M.
RECONVENE: 8:39 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

13. CABLE COMMUNICATIONS: COX COMMUNICATIONS CABLE LICENSE RENEWAL – MARCH20-07-152

RESOLUTION NO. 20615

This item was taken out of order.

Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20615.

Motion PASSED by a vote of 7 to 0.

CITY ATTORNEY

12. BUILDING AND DEVELOPMENT: NOTICE OF INTENT TO ADOPT DEVELOPMENT IMPACT FEES FOR POLICE, FIRE, AND PUBLIC FACILITIES AND SCHEDULING A PUBLIC HEARING FOR MAY 22, 2007 – MARCH20-07-151

RESOLUTION NO. 20611

This item was taken out of order.

DIR. OF URBAN PLANNING
AND DESIGN

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

12. BUILDING AND DEVELOPMENT: NOTICE OF INTENT TO ADOPT DEVELOPMENT IMPACT FEES FOR POLICE, FIRE, AND PUBLIC FACILITIES AND SCHEDULING A PUBLIC HEARING FOR MAY 22, 2007 – MARCH20-07-151 (Continued from previous page)

Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20611.

Motion PASSED by a vote of 7 to 0.

10. PUBLIC HEARING: INCREASE IN THE WATER SYSTEM EQUITY FEE – MARCH20-07-145

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

Motion PASSED by a vote of 7 to 0.

DIR. OF WATER

11. PUBLIC HEARING: ESTABLISHING A CAP WATER RESOURCE FEE – MARCH20-07-128

Council Member Ibarra left at 8:48 p.m. and returned at 8:50 p.m.; Council Member Ibarra left at 8:56 p.m. and returned 8:57 p.m.

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

Motion PASSED by a vote of 7 to 0.

Council Member Scott MOVED and it was duly seconded to direct staff to return on April 4th with an Ordinance to adopt the CAP Water Resource Fee of \$202 for a standard residential meter, and that the \$42 interest component portion of the CAP Water Resource Fee is to be considered separately.

DIR. OF WATER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. PUBLIC HEARING: ESTABLISHING A CAP WATER RESOURCE FEE – MARCH20-07-128 (Continued from previous page)

Motion PASSED by a vote of 7 to 0.

Council Member Uhlich offered a subsequent motion to have staff include in the Ordinance the \$42 interest component portion of the CAP Water Resource fee with a sunset clause that would eliminate this fee when the Mayor and Council adopt a forward looking infrastructure and water resource fee which has been discussed, and when that fee does include the \$42 interest rate component.

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

14. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS - MARCH20-07-132

CITY CLERK

Council Member Trasoff MOVED and it was duly seconded to appoint Carl Bedford, and re-appoint Koreen Johannessen, Jan Blaser-Upchurch to the Pima County/City of Tucson Commission on Addiction, Prevention and Treatment.

Motion PASSED by a vote of 7 to 0.

Council Member Trasoff MOVED and it was duly seconded to direct staff to return with a Resolution appointing José A. Ramirez to the Civil Service Commission.

Motion PASSED by a vote of 6 to 1 (Mayor Walkup dissenting).

15. ADJOURNMENT: 9:12 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, March 27, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.