

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

MARCH 24, 2003

FROM: CITY MANAGER



1. ROLL CALL: 7:34 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Shirley Scott, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Steve Leal, and Fred Ronstadt, 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 Pastor Victor Crews, Tucson Independent Baptist Church, after which the Pledge of Allegiance was presented by the entire assembly.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MARCH24-03-179</p> <ul style="list-style-type: none"><li>a. Council Member Dunbar announced Ward 3 will be hosting Certified Emergency Response Training (CERT) at the Ward 3 Council Office, Saturday March 29, 2003 from 8:00 a.m. – 5:00 p.m.</li><li>b. Vice-Mayor Scott announced Ward 4 will be hosting a “Budget Townhall” at the Clements Center on Wednesday March 26, 2003 at 7:00 p.m.</li><li>c. Mayor Walkup provided an update on the “Mayor’s Weight Challenge”.</li></ul>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS  
MARCH24-03-180

City Manager, James Keene, announced that on Tuesday, March 25, 2003 the Colorado Rockies will honor the memory of the late Parks and Recreation Director, Dan Felix, at the last home Spring Training game of 2003. Pre-game ceremonies will begin at 12:40 p.m., game time is 1:05 p.m.

5. CALL TO THE AUDIENCE

- a. Bill Katzel addressed the Mayor and Council in support of the "Clean Air Fiesta" campaign.
- a. Bill Rizner addressed the Mayor and Council and noted a concern with the level of police response to recent, anti-war marches and protests.
- b. Richard cook addressed the Mayor and Council and requested a copy of the "Alternate Budget" presented by Council Member Leal.

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

\*\*\*\*\*ITEMS "C", "E" AND "G" WERE DELETED FROM THE  
CONSENT AGENDA \*\*\*\*\*

- A. PARKS AND RECREATION: RENAMING NORTH  
CENTRAL DISTRICT PARK TO RIO VISTA NATURAL  
RESOURCE PARK – MARCH24-03-174

RESOLUTION NO. 19541

DIR. OF PARKS  
AND RECREATION

- B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA  
COUNTY AND TUCSON UNIFIED SCHOOL DISTRICT  
FOR THE OLD PASCUA NEIGHBORHOOD  
REINVESTMENT PROJECT – MARCH24-03-173

RESOLUTION NO. 19543

DIR. OF NEIGH.  
RESOURCES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>D. COMMUNITY SERVICES: SUBMISSION OF THE FISCAL YEAR 2004 LOW-RENT PUBLIC HOUSING PROGRAM OPERATING SUBSIDY REQUEST – MARCH24-03-182</p> <p>RESOLUTION NO. 19546</p>	<p><u>DIR. OF COMM. SERVICES</u></p>
<p>F. FINANCE: CONTINGENCY FUND TRANSFER FOR SENIOR SOFTBALL – MARCH24-03-183</p> <p>RESOLUTION NO. 19547</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>Council Member Ibarra MOVED, SECONDED by Council Member West that items on the Consent Agenda (Except “C”, “E” and “G”) be approved and/or adopted.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>C. REAL PROPERTY: ACQUISITION OF LAND FOR THE CONSTRUCTION OF ENTRANCE AND RECYCLING FACILITIES FOR LOS REALES LANDFILL – MARCH24-03-181</p> <p>RESOLUTION NO. 19545</p> <p>Vice-Mayor Scott MOVED, SECONDED by Council Member Ibarra to pass and adopt Resolution No. 19545.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF SOLID WASTE</u></p>
<p>E. ANNEXATION: VALENCIA/CRAYCROFT ANNEXATION DISTRICT – MARCH24-03-171</p> <p>ORDINANCE NO. 9822</p> <p>This item was continued to April 7, 2003 at the request of staff.</p>	<p><u>COMP. PLANNING TASK FORCE AGENDA COMMITTEE</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>G.     PARKS &amp; RECREATION: APPROVAL OF A USE AGREEMENT WITH THE TUCSON CONQUISTADORES FOR THE FIRST TEE PROGRAM AT THE TRINI ALVAREZ-EL RIO GOLF COURSE – MARCH24-04-186</p> <p>          This item was continued to April 7, 2003 at the request of staff.</p>	<p><u>DIR. OF PARKS AND RECREATION AGENDA COMMITTEE</u></p>
<p>7.     LIQUOR LICENSE APPLICATIONS – MARCH24-03-172</p> <p>          TUCSON BREAKFAST LIONS CLUB, CITY # T021-03           FOX TUCSON THEATRE FOUNDATION, CITY # T022-03           RIALTO FOUNDATION, CITY # T023-03           CHINA COAST, CITY # EP07-03           KICKSTART GRILL, CITY # EP14-03</p> <p>          Council Member Ibarra MOVED, SECONDED by Council Member West to direct staff to forward these applications to the State Liquor Board with recommendations for approval.</p> <p>          Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY CLERK</u></p>
<p>8.     TUCSON CODE: AMENDING (CHAPTER 22) RELATING TO CITY EMPLOYEE PENSIONS, RETIRMENT AND GROUP INSURANCE – PROVIDING AN EARLY RETIREMENT OPTION AND RETIREMENT INCENTIVE OPTIONS FOR TUCSON SUPPLEMENTAL RETIREMENT SYSTEM MEMBERS – MARCH24-03-178</p> <p>          ORDINANCE NO. 9826</p> <p>          Council Member Leal MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 9826.</p> <p>          Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>ALL DEPTS AND OFFICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. INTERGOVERNMENTAL AGREEMENT: WITH MULTIPLE PARTIES FOR MANAGED IN-CHANNEL RECHARGE OF EFLUENT IN THE SANTA CRUZ RIVER CHANNEL – MARCH24-03-175

RESOLUTION NO. 19542

Council Member West MOVED, SECONDED by Council Member Dunbar to pass and adopt Resolution No. 19542.

Motion PASSED by a vote of 7 to 0.

DIR. OF WATER

10. SOLID WASTE MANAGEMENT: PROPOSED FISCAL YEAR 2003 DISPOSAL RATES AT LOS REALES LANDFILL – MARCH24-03-177

RESOLUTION NO. 19544

Council Member West MOVED, SECONDED by Council Member Leal to continue this item to the meeting of April 7, 2003 to allow the Solid Waste Advisory Committee an opportunity to review the proposal and to solicit their input regarding commercial recycling.

Motion PASSED by a vote of 7 to 0.

Council Member Scott added that outreach efforts should take place to solicit input from affected groups.

DIR. OF SOLID WASTE

11. PUBLIC HEARING: CITY OF TUCSON AND PIMA COUNTY 2003 PUBLIC HOUSING AGENCY'S ANNUAL PLAN – MARCH24-03-184

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

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

DIR. OF COMM. SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. PUBLIC HEARING: CITY OF TUCSON AND PIMA COUNTY 2003 PUBLIC HOUSING AGENCY'S ANNUAL PLAN – MARCH24-03-184 (CONT'D)

Council Member Leal MOVED, SECONDED by Vice-Mayor Scott to direct staff to return with a resolution adopting the FY2003-2004 Public Housing Agency Plan.

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

(Council Member Ronstadt departed at 8:30 p.m. and returned at 8:35 p.m.)

DIR. OF COMM.  
SERVICES

**FOR ITEM 12 ONLY, THE MAYOR AND COUNCIL, PURSUANT TO TUCSON CODE SECTION 26-12, WILL ACT AS THE CITY'S FLOODPLAIN BOARD IN HEARING AN APPEAL OF A DECISION OF THE CITY ENGINEER UNDER THE CITY'S FLOODPLAIN AND EROSION HAZARD AREA REGULATIONS**

12. PUBLIC HEARING: APPEAL TO THE FLOODPLAIN BOARD OF THE DECISION OF THE CITY ENGINEER – VARIANCE TO CITY OF TUCSON FLOODPLAIN ORDINANCE FOR CABEZON EQUESTRIAN CENTER, 4885 S. HOUGHTON ROAD – MARCH24-03-176

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

Motion PASSED by a vote of 7 to 0.

Vice-Mayor Scott MOVED, SECONDED by Council Member Dunbar to approve the request for a variance because the requirements have been satisfied.

Motion PASSED by a vote of 6 to 1 (Council Member West dissenting).

DIR. OF DEV.  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

13. PUBLIC HEARING: *LAND USE CODE (LUC)* AMENDMENT –  
LARGE RETAIL ESTABLISHMENTS (“BIG BOX”  
REGULATIONS) ORDINANCE ADOPTION – MARCH24-03-187

ORDINANCE NO. 9827

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

Motion PASSED by a vote of 7 to 0.

Council Member West MOVED, SECONDED by Council Member Leal to not approve the City Manager’s recommendation and not pass, nor adopt Ordinance No. 9827.

Council Member Ronstadt MOVED, SECONDED by Council Member Dunbar to substitute the motion to approve the recommendations presented by the Planning Commission’s Subcommittee and to pass and adopt Ordinance No. 9827.

Substitute motion FAILED by a vote of 2 to 5 (Mayor Walkup, Vice-Mayor Scott, Council Members West, Leal and Ibarra dissenting).

Main motion PASSED by a vote of 5 to 2 (Council Members Ronstadt and Dunbar dissenting).

Council Member West MOVED, SECONDED by Vice-Mayor Scott to direct staff to:

- Work on the design and operations features of this ordinance
- Expand the scope to address the rest of the “commercial” in the LUC
- The Special Exception process for Big Boxes should not change, and
- The Grocery Store limits should remain.

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

COMP. PLANNING  
TASK FORCE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – MARCH24-03-187

There were no appointments at this meeting.

CITY CLERK

15. CALL TO THE AUDIENCE

- a. Bill Katzel addressed the Mayor and Council and commented on the cancellation of the townhall and the public hearing regarding the Parade Ordinance. Mr. Katzel also commented on current bike ordinances.
- b. Bill Dupont addressed the Mayor and Council and spoke fondly of the late Parks and Recreation Director, Dan Felix.

16. ADJOURNMENT: 10:46 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, April 7, 2003, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.