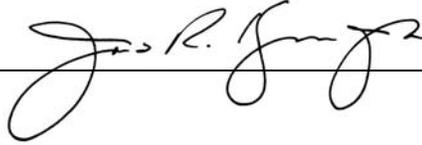


# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAY 12, 2003

FROM: CITY MANAGER



1. ROLL CALL: 7:36 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Vice-Mayor Shirley Scott

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 Bishop Thomas W. Nelson, The Church of Jesus Christ of Latter-Day Saints, after which the Pledge of Allegiance was presented by the entire assembly.

### PRESENTATIONS:

- a. Proclaiming April 5 to June 1, 2003 as Safety Awareness Family Education (S.A.F.E) Days.
- b. Recognition of George Yslave for receipt of the "Youth of the Year Award – Arizona Boys and Girls Club".
- c. Presentation by Ward 3 of Community Response Training certificates.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MAY12-03-284 <ol style="list-style-type: none"><li>a. Council Member Dunbar announced the joint Townhall with Wards 3 and 6 has been rescheduled to Wednesday, June 11, 2003, 6:30 p.m. at the Ward 3 Council Office. Topics are: the reversible lane on Grant, Light at Dodge and Grant, and Pedestrian Flashers.</li></ol>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS  
MAY12-03-285

City Manager, James Keene, announced:

- a. University of Arizona and City of Tucson leadership and staff met at the Manning House on Tuesday May 6, 2003 to review collaborations over the last year.
- b. On Saturday, May 10, 2003, the El Presidio Neighborhood hosted a celebration of the El Presidio Enhancements – utility undergrounding.
- c. The recent George Lopez concert at the Tucson Convention Center was not only a sellout, but it was the largest crowd of the comedian’s career.
- d. Government and Technology Magazine has an article on “The New Public Square” and highlights Tucson’s “Budget Forum” on the City’s Internet Site.

5. CALL TO THE AUDIENCE

- a. Robert Black thanked the Mayor for the banner supporting our troops and presented each member of the Mayor and Council with a T-shirt; Mr. Black then noted a concern with the Patriot Act.
- b. Bill Katzel addressed the Mayor and Council with many concerns regarding the Patriot Act and urged the legislative body to thoroughly the document.
- c. Andrea Robson challenged the Mayor and Council to be leaders and encouraged a budget not balanced on the backs of the working class.

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

\*\* ITEM “A” WAS DELETED FROM THE CONSENT AGENDA \*\*

B. FINANCE: CONTINGENCY FUND TRANSFER FOR  
FAMILY COUNSELING AGENCY – MAY12-03-290

RESOLUTION NO. 19584

DIR. OF BUDGET  
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>C. FINANCE: CONTINGENCY FUND TRANSFER FOR RITA RANCH ANNUAL FAMILY FUN DAY – MAY12-03-289</p> <p>RESOLUTION NO. 19585</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>D. FINANCE: CONTINGENCY FUND TRANSFER TO SUPPORT A BEAU BRUMMEL CLUB FUNDRAISER FOR THE DUNBAR COALITION PROJECT – MAY12-03-288</p> <p>RESOLUTION NO. 19586</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>E. FINANCE: CONTINGENCY FUND TRANSFER FOR BACK TO SCHOOL BASH 2004 – MAY12-03-287</p> <p>RESOLUTION NO. 19587</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>F. FINANCE: CONTINGENCY FUND TRANSFER TO SUPPORT THE HUMANE SOCIETY OF SOUTHERN ARIZONA – MAY12-03-286</p> <p>RESOLUTION NO. 19588</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>G. FINANCE: CONTINGENCY FUND TRANSFER FOR SOVEREIGN ARTS SOCIETY, INC. – MAY12-03-295</p> <p>RESOLUTION NO. 19592</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>Council Member Dunbar MOVED, SECONDED by Council Member West that items on the Consent Agenda be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Scott absent/excused)</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>A. MEMORIAL: RELATING TO THE GRANTING OF AN APPLICATION FOR A CENTENNIAL PROJECT GRANT FOR A NATIONAL HERITAGE AREA ALONG THE SANTA CRUZ RIVER VALLEY – MAY12-03-281</p> <p>This item was withdrawn at the request of staff.</p>	<p><u>COMP. PLANNING</u> <u>TASK FORCE</u></p>
<p>7. LIQUOR LICENSE APPLICATIONS – MAY12-03-280</p> <p>WILD WINGS, CITY # 020-03 CITY LIMITS, CITY # 021-03 RONALD MCDONALD HOUSE CHARITIES, CITY # T041-03 ROADRUNNER CIVITAN CLUB, CITY # T042-03 SANTA RITA EXCHANGE CLUB, CITY # T043-03 SHARKY’S URBAN SPORTS GRILL, INC. DBA – FAT TUESDAY, CITY # EP18-03</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ronstadt that staff be directed to forward these applications to the State Liquor Board with recommendations for approval.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Scott absent/excused).</p>	<p><u>CITY CLERK</u></p>
<p>8. SOLID WASTE MANAGEMENT: PROPOSED REFUSE COLLECTION RATES AND MISCELLANEOUS REFUSE FEES – MAY12-03-293</p> <p>RESOLUTION NO. 19590</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt to pass and adopt Resolution No. 19590, as amended by the City Clerk.</p> <p>Motion <u>PASSED</u> by a vote of 4 to 2 (Council Members Ibarra and Leal dissenting, Vice-Mayor Scott absent/excused).</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 Scott absent/excused).</p>	<p><u>DIR. OF SOLID</u> <u>WASTE</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. SOLID WASTE MANAGEMENT: AUTHORIZING THE “TUCSON CLEAN PROGRAM” AND APPROVING THE SOLID WASTE COLLECTION SERVICES RULES AND PROCEDURES – MAY12-03-294

RESOLUTION NO. 19591

Council Member West MOVED, SECONDED by Council Member Ronstadt to pass and adopt Resolution No. 19591.

Motion PASSED by a vote of 4 to 2 (Council Members Ibarra and Leal dissenting, Vice-Mayor Scott absent/excused).

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 Scott absent/excused).

DIR. OF SOLID WASTE

10. DEVELOPMENT SERVICES: AMENDING DEVELOPMENT SERVICES FEES FOR CODES AND PERMITS – MAY12-03-291

ORDINANCE NO. 9848

Council Member Leal MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 9848.

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

DIR. OF DEV. SERVICES

11. WATER: ADOPTION OF WATER SYSTEM EQUITY FEE (CONT'D FROM MEETING OF MAY 5, 2003) – MAY12-03-292

ORDINANCE NO. 9842

Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt to pass and adopt Ordinance No. 9842 with the following additional conditions:

DIR. OF WATER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. WATER: ADOPTION OF WATER SYSTEM EQUITY FEE  
(CONT'D FROM MEETING OF MAY 5, 2003) – MAY12-03-292  
(CONT'D)

1. All houses currently in escrow or lots that have water service connection applications on record prior to August 11, 2003 shall not be charged the fee.
2. The Water Equity Fee shall not be collected until August 11, 2003.
3. The Water Equity Fee shall be brought back to Mayor and Council when a more comprehensive study of all proposed impact fees is considered. We cannot look at these water fees in isolation from the other impact fees the City may charge.
4. City staff will ensure that the homebuilder community will be consulted in the development of all proposed impact fees.
5. City staff shall be directed to design a mechanism whereby these fees can be placed as a separate item on the home purchaser's closing statement.
6. City staff shall be directed to continue to explore providing credits for water users who are currently (and have been) paying into the water system.

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

11A. TUCSON CODE: AMENDING (CHAPTER 21) RELATING TO  
CHARGES FOR PARKS AND RECREATION FACILITIES AND  
PROGRAMS – MAY12-03-296

ORDINANCE NO. 9850

Council Member West MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance No. 9850 as amended by the City Clerk.

Motion PASSED by a vote of 4 to 2 (Council Members Ibarra and Leal dissenting, Vice-Mayor Scott absent/excused).

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 Scott absent/excused).

DIR. OF PARKS  
AND RECREATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11B. TUCSON CODE: AMENDING (CHAPTER 8) ESTABLISHING AN ADMINISTRATIVE COST RECOVERY FEE FOR CITY COURTS – MAY12-03-297

ORDINANCE NO. 9851

Council Member West MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 9851.

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

CITY COURT  
ADMINISTRATOR

12. ZONING: (C0-03-01) WPI KOLB AND I-10 LLC – KOLB ROAD, RX-1 TO R-1, CITY MANAGER’S REPORT – MAY12-03-282

Council Member Dunbar MOVED, SECONDED by Council Member Leal to approve the request for rezoning as recommended by the Zoning Examiner and City Manager.

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

DIR. OF DEV.  
SERVICES

13. REAL PROPERTY: ACQUISITION OF PROPERTY AT 1310 W. MIRACLE MILE FOR A TUCSON POLICE DEPARTMENT SUBSTATION – MAY12-03-276

RESOLUTION NO. 19589

Council Member Dunbar MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 19589.

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

CITY MANAGER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

AGENDA ITEM /MAYOR AND COUNCIL ACTION	STAFF ACTION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. PUBLIC HEARING: TUCSON CODE (CHAPTER 19) AMENDING THE MODEL CITY TAX CODE - MAY12-03-279

ORDINANCE NO. 9841

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

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

Council Member Ronstadt MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 9841, as amended by the City Clerk.

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

Council Member Ronstadt requested staff bring back the Model Tax language regarding Triple Taxation.

DIR. OF FINANCE

DIR. OF FINANCE  
Is responsible

15. PUBLIC HEARING: TUCSON CODE (CHAPTER 23) AMENDING THE *LAND USE CODE* RELATING TO SALVAGING AND RECYCLING – MAY12-03-283

ORDINANCE NO. 9843

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

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

(Council Member Ibarra departed at 9:02 p.m. and returned at 9:16 p.m.)

Council Member West MOVED, SECONDED by Council Member Leal to remand this item back to the Planning Commission.

Council Member Leal offered an amendment to ask the Planning Commission to include a review of limiting this type of activity to C-1 and C-2 on major arterials only thus not allowing the activity within the body of a neighborhood.

COMP. PLANNING  
TASK FORCE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

Amendment acceptable to maker.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

15. PUBLIC HEARING: TUCSON CODE (CHAPTER 23) AMENDING THE *LAND USE CODE* RELATING TO SALVAGING AND RECYCLING – MAY12-03-283 (CONT'D)

Motion, as amended, PASSED by a vote of 6 to 0 (Vice-Mayor Scott absent/excused).

16. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – MAY12-03-277

Council Member West MOVED, SECONDED by Council Member Leal that Mayor and Council: appoint Bob Richardson to the Citizens Transportation Advisory Committee; and reappoint Patricia Weidhopf (Libraries/Museums/Arts) to the Metropolitan Education Commission.

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

Council Member Dunbar announced her personal appointment of Judi Stern to the Public Art and Community Design Committee.

Council Member West announced her personal appointment of Don Windmiller to the Small Business Commission.

CITY CLERK

17. CALL TO THE AUDIENCE

No speakers.

18. ADJOURNMENT: 9:47 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 19, 2003, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.