

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY NOVEMBER 7, 2006

FROM: CITY MANAGER  _____

1. ROLL CALL: 5:36 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

The City Clerk announced that Susie Rogers is available to provide Spanish language translation for anyone who needs it.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Patrick Gavin, Sacred Heart Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS

- a. Proclaiming November 2006 as “National Hospice Month”.
- b. Presentation of award to Jennie Grabel, as an “Extraordinary Citizen”.

| AGENDA ITEM/MAYOR AND COUNCIL ACTION | STAFF ACTION |
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| <p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – NOV7-06-586</p> <p>Vice-Mayor West congratulated Ward III citizens in the Dodge Flower Neighborhood and Captain David Neri for receiving a Common Ground Award from the Metropolitan Pima Alliance for their work to make their neighborhood methamphetamine free. The Ward II office also won a Common Ground Award for the Rillito Crossing commercial development and the Davidson School re-development.</p> | |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – NOV7-06-586 (Continued from previous page)

Vice-Mayor West invited the public to attend a Town Hall on Thursday November 16th at 7:00 PM at East Side City Hall. The subject is the Parks and Recreation Department, and part of the event will be an exchange of ideas with Citizens on what they would like to see offered through Parks and Recreation on the East Side – changes, additions updates, and values.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS NOV7-06-587

No report.

5. LIQUOR LICENSE APPLICATIONS – NOV7-06-585

C. I. CHU’S MONGOLIAN BARBEQUE, CITY 101-06
LE DELICE BAKERY & CAFÉ, CITY 104-06
CHUY’S MESQUITE BROILER, CITY 105-06
WALGREENS #9953, CITY 107-06
NORTH FOURTH AVENUE MERCHANTS ASSOCIATION,
CITY T71-06
SOUTHERN ARIZONA AIDS FOUNDATION (SAAF), CITY T82-06

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.

ICE, CITY 103-06

This application was withdrawn.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. CALL TO THE AUDIENCE

Lori Lustig spoke about the Interim Watercourse Preservation Policy.

Greg Shinn spoke about the Interim Watercourse Preservation Policy, and feels that the Development Standard is not clear and spoke about specific washes he feels are not being addressed sufficiently.

Ramon Gaanderse spoke about the Interim Watercourse Preservation Policy and feels that the additions to this item are new regulation standards. He requested that this item be sent to a Citizens Advisory Committee for further review.

Jim Porter spoke about development projects that may be adversely impacted if the Interim Watercourse Preservation Policy passes.

Frank Bangs spoke about the enforceability of the Interim Watercourse Preservation Policy and does not feel it would sustain a legal challenge.

Ann Mehochoko spoke about the Interim Watercourse Preservation Policy and feels that there has not been enough time to address the questions on this item

Diana Rhoades spoke about the Interim Watercourse Preservation Policy and stated that this is only an interim policy and that she supports passing this item while an ordinance is being developed with all stakeholder input.

Michael Toney stated that he supports passing the Interim Watercourse Preservation Policy, and also spoke the curbs in front of Enoteca that he feels are unsafe.

Russ Dove spoke about an event that he feels he was unfairly ejected from, and believes that a Special Use Permit was misused in this event.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. CONSENT AGENDA

*****ITEMS 'K', 'L', 'N', 'T', AND 'S' WERE DELETED
FROM THE CONSENT AGENDA *****

- A. PROFESSIONAL SERVICES AGREEMENT: FOR LEGAL SERVICES WITH JONES, SKELTON & HOCHULI, P.L.C. – NOV7-06-589

RESOLUTION NO. 20489

CITY ATTORNEY

- B. INTERGOVERNMENTAL AGREEMENT: WITH TUCSON UNIFIED SCHOOL DISTRICT FOR IMPROVEMENTS TO THE RECREATIONAL FACILITIES AT DAVIDSON ELEMENTARY SCHOOL – NOV7-06-590

RESOLUTION NO. 20488

The City Clerk read the following corrections into the record:

On Page 1 of the Communication, under Financial Considerations, it states that “Ward 2 will contribute \$300,000 towards the project” and it should state that “Ward 2 will contribute \$250,000 and the Mayor's office will contribute \$50,000 towards the project.”

On the Intergovernmental Agreement, Exhibit A to Resolution No. 20488, Page 3, Section 5 under Funding it states that “City Council - Ward 2 will contribute \$300,000 towards the project” and it should state that “Ward 2 will contribute \$250,000 and the Mayor's office will contribute \$50,000 towards the project.”

DIR. OF PARKS AND RECREATION

- C. GRANT AWARD: ACCEPTANCE OF GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE FOR “COPS” 2006 METHAMPHETAMINE INITIATIVE – NOV7-06-591

RESOLUTION NO. 20490

POLICE CHIEF

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>D. REAL PROPERTY: CONVEYANCE OF CITY-OWNED PROPERTY VIA THE PAPER PLAT PROCESS FOR THE PROPOSED RESUBDIVISION OF THE LA ESTANCIA DE TUCSON SUBDIVISION – NOV7-06-592</p> <p>ORDINANCE NO. 10335</p> | <p><u>DIR. OF TRANSPORTATION</u></p> |
| <p>E. ASSURANCE AGREEMENT: (S06-067) LA ESTANCIA DE TUCSON SUBDIVISION, LOTS 331 TO 410, AND COMMON AREA “A” – NOV7-06-593</p> <p>RESOLUTION NO. 20494</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |
| <p>F. FINAL PLAT: (S06-067) LA ESTANCIA DE TUCSON SUBDIVISION, LOTS 331 TO 410, AND COMMON AREA “A” – NOV7-06-594</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |
| <p>G. ASSURANCE AGREEMENT: (S06-071) LA ESTANCIA DE TUCSON SUBDIVISION, LOTS 411 TO 664, AND COMMON AREAS “A” AND “B” – NOV7-06-595</p> <p>RESOLUTION NO. 20491</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |
| <p>H. FINAL PLAT: (S06-071) LA ESTANCIA DE TUCSON SUBDIVISION, LOTS 411 TO 664, AND COMMON AREAS “A” AND “B” – NOV7-06-596</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |
| <p>I. ASSURANCE AGREEMENT: (S05-098) LA ESTANCIA DE TUCSON SUBDIVISION, LOTS 1 TO 330, COMMON AREAS “A”, COMMON AREAS “B”, AND BLOCKS A, B, C, D, AND E – NOV7-06-597</p> <p>RESOLUTION NO. 20493</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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| <p>J. FINAL PLAT: (S05-098) LA ESTANCIA DE TUCSON SUBDIVISION, LOTS 1 TO 330, COMMON AREAS "A", COMMON AREAS "B", AND BLOCKS A, B, C, D, AND E – NOV7-06-598</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |
| <p>M. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO TRAFFICADE SERVICES, INC. FOR THE TERRA DEL SOL NEIGHBORHOOD ASSOCIATION'S 50TH ANNIVERSARY CELEBRATION – NOV7-06-602</p> <p>RESOLUTION NO. 20496</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>O. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE TUCSON FIRE FIGHTERS ASSOCIATION – NOV7-06-604</p> <p>RESOLUTION NO. 20503</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>P. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE VETERANS' AFFAIRS COMMITTEE FOR OPERATION EXODUS – NOV7-06-605</p> <p>RESOLUTION NO. 20500</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>Q. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE KEELING NEIGHBORHOOD ASSOCIATION – NOV7-06-606</p> <p>RESOLUTION NO. 20497</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>R. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE GAY, LESBIAN, BISEXUAL, TRANSGENDER (GLBT) COMMISSION – NOV7-06-607</p> <p>RESOLUTION NO. 20504</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>U. APPROVAL OF MINUTES – NOV7-06-609</p> | <p><u>CITY CLERK</u></p> |
| <p>V. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE GAY, LESBIAN, BISEXUAL, TRANSGENDER (GLBT) COMMISSION – NOV7-06-611</p> <p>RESOLUTION NO. 20501</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>Council Member Ibarra MOVED and it was duly seconded that items on the Consent Agenda, except “K”, “L”, “N”, “T” which were considered separately, and “S” which was continued, be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 7 to 0.</p> | |
| <p>K. PARKS AND RECREATION: NAMING SENIOR BASEBALL FIELD #7 IN RUDY GARCIA PARK THE “ALEX ‘GORDO’ SANTA CRUZ” BASEBALL FIELD – NOV7-06-599</p> <p>RESOLUTION NO. 20492</p> <p>Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20492</p> <p>Motion PASSED by a vote of 7 to 0.</p> | <p><u>DIR OF PARKS AND RECREATION</u></p> |
| <p>L. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON FIRE FIGHTERS ASSOCIATION – NOV7-06-601</p> <p>RESOLUTION NO. 20502</p> <p>Vice-Mayor West MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20502 with the following addition to the \$500 from Mayor Walkup, \$500 from CM Ibarra, \$200 from CM Uhlich and \$500 from CM Scott, bringing the grand total to \$2,700.</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

L. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON FIRE FIGHTERS ASSOCIATION – NOV7-06-601 (Continued from previous page)

- Vice Mayor West - \$500
- Council Member Trasoff - \$500

Motion PASSED by a vote of 7 to 0.

N. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE VETERANS' AFFAIRS COMMITTEE FOR OPERATION EXODUS – NOV7-06-603

RESOLUTION NO. 20499

Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20499 with the following addition to the \$200 from CM Scott, bringing the grand total to \$700.00.

- Council Member Ibarra - \$100
- Vice Mayor West - \$100
- Council Member Uhlich - \$100
- Council Member Trasoff - \$200

Motion PASSED by a vote of 7 to 0.

DIR. OF BUDGET
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>T. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO CHAMBER MUSIC PLUS SOUTHWEST – NOV7-06-608</p> <p>RESOLUTION NO. 20498</p> <p>Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20498 with the following addition to the \$750 from Mayor Walkup, bringing the grand total to \$1500.</p> <ul style="list-style-type: none">• Council Member Scott - \$750 <p>Motion PASSED by a vote of 7 to 0.</p> | <p><u>DIR. OF BUDGET AND RESEARCH</u></p> |
| <p>S. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE HIGHLAND VISTA/CINCO VIA NEIGHBORHOOD REINVESTMENT PROJECT – NOV7-06-612</p> <p>This item was continued.</p> | <p><u>DIR. OF NEIGHBORHOOD SERVICES</u></p> |
| <p>8. PUBLIC HEARING: ZONING (C9-01-05) WILMOT SHELL LLC - INTERSTATE 10, SH TO C-2, REACTIVATION, TIME EXTENSION, CHANGE OF CONDITIONS, AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – NOV7-06-600</p> <p>ORDINANCE NO. 10336</p> <p>The City Clerk read a correction into the record that Condition #26 on the Exhibit to Ordinance No. <u>10336</u> is being replaced with a new condition #26:</p> <p>“Owner/Developer shall design and build-out the west half of the MS&R Plan improvements to Wilmot Road (along the Wilmot Road frontage of the site) including appropriate pavement transitions beyond the limits of the improved section, 6’ wide sidewalks and curbing along the west side of Wilmot Road, turn lanes (as required by TDOT) and extension of the 48 inch CMP with RCP to the west right-of-way-line. Said improvements shall be coordinated with any improvements required by ADOT.”</p> | <p><u>DIR. OF DEVELOPMENT SERVICES</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: ZONING (C9-01-05) WILMOT SHELL LLC - INTERSTATE 10, SH TO C-2, REACTIVATION, TIME EXTENSION, CHANGE OF CONDITIONS, AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION – NOV7-06-600 (Continued from previous page)

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

Motion PASSED by a vote of 7 to 0.

Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10336.

Motion PASSED by a vote of 7 to 0.

9. FLOODPLAIN, STORMWATER, AND EROSION HAZARD MANAGEMENT: INTERIM WATERCOURSE PRESERVATION POLICY (CONTINUED FROM THE MEETING OF OCTOBER 17, 2006) – NOV7-06-610

RESOLUTION NO. 20505

Council Member Uhlich MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20505.

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

CONSERVATION AND SUSTAINABLE DEVELOPMENT

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – NOV7-06-588

No appointments.

CITY CLERK

11. ADJOURNMENT: 7:00 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, November 14, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.