

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY OCTOBER 10, 2006

FROM: CITY MANAGER  _____

1. ROLL CALL: 5:31 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 Letcher, Deputy City Manager
Mike Rankin, City Attorney

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Doctor Michael D. Berdine, *Dialogue ... pathways to human understanding*, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS

- a. Presentation of award to Lori Lippman, as an “Extraordinary Citizen”.
- b. Proclaiming October 2006 as “National Down Syndrome Awareness Month”.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – OCT10-06-540</p> <p>Vice-Mayor West announced that she will be having a Town Hall at 7:00 PM on October 11th at Eastside City Hall on the Long Range Water Plan. There will also be an opportunity to for the public to taste the CAP water blends and provide input. The Ward II office is located at 7575 E. Speedway.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – OCT10-06-540 (Continued from previous page)

Council Member Trasoff announced that on October 18th from 6:30 – 8:30 PM the Ward VI office is holding a forum on the measures on the November Election Ballot. The forum is sponsored by the League of Women Voters and will be a non-partisan and unbiased presentation of the measures. The Ward VI office is located at 3202 E. 1st Street.

Council Member Trasoff announced some Youth Employment and Empowerment funding grants, which include:

- Chamber Music Plus program for the Love of Words and Sounds
- Voices, a program for teenagers, for photography equipment and supplies
- SharMoore Children’s Productions to co-sponsors two Stories that Soar – a program that brings storytelling to elementary schools

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS OCT10-06-541

Deputy City Manager Mike Letcher announced that Dan Uthe, Deputy Chief for the Tucson Fire Department, has been named to a prestigious national committee for the National Fire Protection Administration. The national committee will write the standard for the professional qualifications for Fire Marshals across the United States and will also be authoring the test that will be used nationwide.

Deputy City Manager Mike Letcher announced that the City Fleet Services Division has been conducting a Biodiesel (B-20) fuel pilot program at one of its fueling facilities on a select number diesel trucks since July 17, 2006 with no reported vehicle performance or maintenance issues. Biodiesel is a clean burning alternative fuel produced from domestic, renewable resources. It contains no petroleum, but can be blended at any level with petroleum diesel to create a Biodiesel blend. The pilot program has been deemed a success and the

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
OCT10-06-541 (Continued from previous page)

City intends to convert the vast majority of its diesel vehicle fleet to B-20. A new fuel contract was awarded to Pro Fuels effective October 1, 2006. The benefits of B-20 include reduced dependence on foreign oil, lower vehicle emissions, improved fuel lubricity and lower cost.

Deputy City Manager Mike Letcher announced that today was the first day that users of the Joel Valdez Main Library once again received parking validation. Library staff reports that the first day is going well and that people are pleased and excited about the revived program. He acknowledged the leadership of Council Member Nina Trasoff and Supervisor Richard Elias in getting this back up and running, and he thanked the rest of the Mayor and Council for their support.

5. LIQUOR LICENSE APPLICATIONS – OCT10-06-543

BAMBOO CLUB, CITY 91-06
CASA BLANCA MEDITERRANEAN CUISINE, CITY 92-06
EL TACO TOTE REAL MEXICAN GRILL, CITY 93-06
MERCADO Y CARNICERIA EL HERRADERO, CITY 94-06
ELBOW ROOM, CITY 95-06
TUCSON FIREFIGHTER'S ASSOC. CHILI COOK-OFF,
CITY T56-06
ESCARAMUZA FLOR DE PRIMAVERA, CITY T60-06
BORDERLANDS THEATER, CITY T63-06
VIETNAM VETERANS OF AMERICA, INC. TUCSON
CHAPTER 106, CITY T64-06
JASON'S, CITY AC19-06

Council Member Uhlich 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.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – OCT10-06-543 (Continued from previous page)

SAINTS PETER AND PAUL CATHOLIC SCHOOL, CITY T62-06

Council Member Trasoff MOVED and it was duly seconded to direct staff to forward this application to the State Liquor Board with a recommendation for APPROVAL.

Motion PASSED by a vote of 7 to 0.

6. CALL TO THE AUDIENCE

Bishop Chicago spoke about the recent Club Crawl event and would like more events like these.

Tim Vanderpool spoke about the ongoing issue with large trucks driving through the Armory Park neighborhood and the traffic problems they are causing. He requests City assistance to determine the correct way to address this issue, enforcement or traffic engineering, and to resolve the problem.

Michael Toney spoke about Rio Nuevo Western Cultural Campus and disagrees with charging an entry fee. He also complained about the lack of Bicycle accommodation on Congress.

James Kuliesh spoke about the Subcontractor List Ordinance, and thanked the Council for their actions as he supports the removal of the requirement to list sub subs and material suppliers on the bid materials.

Ivy Schwartz spoke about Proposition 107 and feels that there would be negative consequences that would hurt the health of our community and take away many rights of our citizens. She thanked the Council for reaffirming the City's policy to provide domestic partner benefits to City Employees and the Domestic Partner Registry.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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

Pam Liberty thanked the City Council for the leadership they have shown on issues related to the GLBT community in the last 30 years and for reaffirming the City’s policy to provide domestic partner benefits to City Employees. She also expressed her concern over the psychological effects that would occur if Proposition 107 passes.

Carrie Fairchild spoke about the City’s reaffirmation of the policy to provide domestic partner benefits to City Employees, and thanked the Council for these benefits which she relies on, and stated she is proud to work for the City.

Jeff Wer spoke about the parking needs he has for a restaurant he is opening downtown, and also voiced his concerns about the Town West development and the safety of their residents.

7. CONSENT AGENDA

** ITEM “F” WAS DELETED FROM THE CONSENT AGENDA **

A. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON YOUTH DEVELOPMENT, INC. FOR SCHOOL PLUS JOBS PROGRAM - OCT10-06-547

DIR. OF BUDGET AND RESEARCH

RESOLUTION NO. 20469

B. ASSURANCE AGREEMENT: (S05-077) FONTANA ESTATES, LOTS 1 TO 16, AND COMMON AREA “A” – OCT10-06-544

DIR. OF DEVELOPMENT SERVICES

RESOLUTION NO. 20471

C. FINAL PLAT: (S05-077) FONTANA ESTATES, LOTS 1 TO 16, AND COMMON AREA “A” – OCT10-06-545

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>D. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA GAME AND FISH COMMISSION FOR THE URBAN FISHING PROGRAM – OCT10-06-546</p> <p>RESOLUTION NO. 20470</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>E. REAL ESTATE: AUTHORIZING THE FINANCING AND REDEVELOPMENT OF THE MARTIN LUTHER KING, JR. APARTMENTS MIXED-FINANCE REDEVELOPMENT PROJECT – OCT10-06-548</p> <p>RESOLUTION NO. 20472</p>	<p><u>DIR. OF COMMUNITY SERVICES</u></p>
<p>G. HUMAN RELATIONS: REAFFIRMING THE CITY’S POLICIES ON DOMESTIC PARTNER BENEFITS AND ANTI-DISCRIMINATION – OCT10-06-550</p> <p>RESOLUTION NO. 20474</p>	<p><u>CITY ATTORNEY</u></p>
<p>Council Member Scott MOVED and it was duly seconded that items on the Consent Agenda, except “F” which was considered separately, be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 7 to 0</p>	
<p>F. TUCSON CODE: AMENDING (CHAPTER 28), THE PROCUREMENT CODE, REMOVING THE REQUIREMENT FOR BIDDERS TO LIST SUB-SUBCONTRACTORS AND MATERIAL SUPPLIERS – OCT10-06-539</p> <p>ORDINANCE NO. 10328</p> <p>The City Attorney read into the record an addition to Ordinance <u>10328</u>, a new 2nd paragraph under Section 28-48 subparagraph 2:</p>	<p><u>DIR. OF PROCUREMENT</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

F. TUCSON CODE: AMENDING (CHAPTER 28), THE PROCUREMENT CODE, REMOVING THE REQUIREMENT FOR BIDDERS TO LIST SUB-SUBCONTRACTORS AND MATERIAL SUPPLIERS – OCT10-06-539

“If failure to comply with this subsection would result in the rejection of the lowest responsive bid, and the next lowest responsive bid is 5% higher or more than the lowest responsive bid, the Director shall allow the lowest responsive bidder an additional 2 days from the time of bid opening, to submit the required subcontractor list.”

Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10328 with the included changes.

Motion PASSED by a vote of 7 to 0.

8. PUBLIC HEARING: ESTABLISHMENT OF A CITY OF TUCSON HOUSING TRUST FUND AND POTENTIAL FUNDING SOURCES – OCT10-06-549

RESOLUTION NO. 20473

Vice-Mayor West MOVED and it was duly seconded to close the Public Hearing.

Motion PASSED by a vote of 7 to 0.

Vice-Mayor West MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20473, and approve the recommendations presented, with the addition of a Developer/Builder category to the Governing Board Composition.

Motion PASSED by a vote of 7 to 0.

DIR. OF COMMUNITY SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: ESTABLISHMENT OF A CITY OF TUCSON HOUSING TRUST FUND AND POTENTIAL FUNDING SOURCES – OCT10-06-549 (Continued from previous page)

Council Member Uhlich MOVED and it was duly seconded that any unexpended funds from the one million dollar Utility Services Department Environmental Services Low Income Assistance Program set aside be allocated at the end of the Fiscal Year to the City's Housing Trust Fund, and further direct the City Manager to include this funding mechanism in future budgets for consideration and approval by the Mayor and Council each Fiscal Year.

Motion PASSED by a vote of 7 to 0.

At this time this item was reconvened.

F. TUCSON CODE: AMENDING (CHAPTER 28), THE PROCUREMENT CODE, REMOVING THE REQUIREMENT FOR BIDDERS TO LIST SUB-SUBCONTRACTORS AND MATERIAL SUPPLIERS – OCT10-06-539

Council Member Leal MOVED and it was duly seconded to amend Ordinance No. 10328 so that the addition to the Ordinance sunsets in 6 months. To accommodate this direction, the City Attorney read into the record a new Section to Ordinance 10328:

SECTION 6. The provisions of Section 2 of this Ordinance, providing for a new subsection 28-48(4), shall expire on April 13, 2007.

Motion PASSED by a vote of 7 to 0.

DIR. OF BUDGET
AND RESEARCH

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – OCT10-06-542

Council Member Leal MOVED and it was duly seconded to appoint Toby Ford and Neil Hejny to the Technology Policy Advisory Committee.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – OCT10-06-542 (Continued from previous page)

Motion PASSED by a vote of 7 to 0.

Council Member Uhlich appointed Katie Bolger to the Planning Commission and Evelyn Alvarez to the Citizens Police Advisory Review Board.

10. ADJOURNMENT: 6:44 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, October 17, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.