

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY SEPTEMBER 12, 2006

FROM: CITY MANAGER 

1. ROLL CALL: 5:34 p.m.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Carol West, Council Members Jose J. Ibarra, Karin Uhlich, Shirley Scott (electronic attendance), Steve Leal and Nina J. Trasoff, Roger Randolph, Deputy City Clerk

STAFF MEMBERS: Mike Hein, City Manager  
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

\* The invocation was given by Roger Phillips, City Clerk's Office, after which the Pledge of Allegiance was presented by the entire assembly.

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

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT12-06-483</p> <p>Vice-Mayor West announced her yearly Back to Basics funding grants to improve the ward infrastructure, and that they will be used in different areas. This year's Ward II allocation is being used for:</p> <ul style="list-style-type: none"><li>• Ft. Lowell Rd. Sidewalk Improvements</li><li>• Grady Street Improvements</li></ul> <p><b>* REVISION</b></p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT12-06-483 (Continued from previous page)

- Additional entrance to Udall Park to coordinate with the installation of a new traffic signal at Tanque Verde and Rancho Esperanza
- Shade Structure for the Udall Dog Park
- Landscape for the new west entrance to Udall Park
- Housing rehabilitation assistance for elderly and low income residents
- Median Artwork at Pantano and Wrightstown Roads
- Partnership with TUSD's Davidson Elementary School - design is underway for a park at the new school location

Vice-Mayor West thanked Mayor Walkup for contributing \$50,000 Back to Basics funds this year to the Davidson Elementary School ADA playground. The dedication will be held September 27<sup>th</sup> and she hoped that the Mayor will be in attendance.

Vice-Mayor West invited the public to attend a Town Hall on September 13<sup>th</sup> at 7pm on the topic of the Cox Cable license re-negotiation, and to take this opportunity to provide input. The Town Hall will be held at the Ward II office at 7575 E. Speedway.

Council Member Trasoff announced that on September 21<sup>st</sup>, after the Rio Nuevo Subcommittee meeting, Ward VI will be holding a reception to honor the artists from Art Fair whose works are on display in the Ward VI community room. The reception will be held from 6:30 – 7:30 PM and the public is invited to attend, enjoy the art and meet the artists.

Council Member Trasoff announced that recently, herself and Council Member Ibarra accompanied the Fire Department and their honor guard to attend the 9/11 tribute and memorial in Phoenix. The ceremony was very moving and the memorial is quite an accomplishment, and well worth visiting.

Council Member Trasoff announced her Youth Enrichment Funds for Ward VI and they are as follows:

- Sonoran Glass Art Academy - 18 Tucson high school students will be offered the chance to learn glass blowing under Tom Philabaum

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT12-06-483 (Continued from previous page)

- Raices Taller 222 – support of the New Visions art exhibition by young people
- Tu Nidito Children and Family Services – sponsoring 10 participants in the Seasons of Hope conference which helps children dealing with life threatening illnesses and family loss
- Ballet Tucson – sponsorship of a dancer, Isaac Shirat, to be their apprentice
- Handi-Dog - Training of a service animal for a twelve year old boy in Ward VI who has Cerebral Palsy

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS SEPT12-06-484

Council Member Scott is having a meeting next Monday, September 18<sup>th</sup> at the Clements Center 7:00 PM to have an open discussion about a potential incinerator that the Davis-Monthan Air Force Base has suggested. All interested parties are welcome to attend and participate in the discussion.

5. LIQUOR LICENSE APPLICATIONS – SEPT12-06-490

- ROSATI’S ON 6<sup>TH</sup>, CITY 85-06  
 ASCOLESE’S ITALIAN RISTORANTE, CITY 87-06  
 GREAT WALL OF CHINA RESTAURANT, CITY 86-06  
 TUCSON BOTANICAL GARDENS, CITY T39-06  
 ARIZONA THEATRE COMPANY, CITY T40-06  
 ARTSAKE FOUNDATION, CITY T41-06  
 ST. MARGARET MARY ROMAN CATHOLIC PARISH,  
 CITY T48-06  
 IT’S HAPPENING DOWNTOWN, INC., CITY T50-06  
 TUCSON MUSEUM OF ART, CITY T51-06  
 TUCSON OPTIMIST CLUBS, CITY T53-06  
 OUR LADY QUEEN OF SAINTS ROMAN CATHOLIC CHURCH,  
 CITY T54-06

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – SEPT12-06-490 (Continued from previous page)

Council Member Leal 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.

5c4. KINGDOM INVESTMENT FOUNDATION OF TUCSON, CITY T42-06 (Continued from 9/6/06 meeting)

5c5. KINGDOM INVESTMENT FOUNDATION OF TUCSON, CITY T43-06 (Continued from 9/6/06 meeting)

5c6. KINGDOM INVESTMENT FOUNDATION OF TUCSON, CITY T44-06 (Continued from 9/6/06 meeting)

Council Member Trasoff MOVED and it was duly seconded to direct staff to forward 5c4 to the State Liquor board with a recommendation for DENIAL and continue items 5c5 and 5c6.

Motion PASSED by a vote of 7 to 0.

*(this item taken out of order)*

7. CALL TO THE AUDIENCE

Michael Toney spoke about the MOU with the University of Arizona, and the process for design and development of the University of Arizona Science Center.

Russ Dove spoke about illegal immigration, the deportation of illegal immigrants and the laws associated with illegal immigration.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. CONSENT AGENDA

\*\* ITEM "F" WAS DELETED FROM THE CONSENT AGENDA \*\*

A. LIBRARY SERVICES: INTERGOVERNMENTAL AGREEMENT AMENDMENT WITH PIMA COUNTY FOR IMPROVEMENTS TO THE MIDTOWN LIBRARY – SEPT12-06-486

RESOLUTION NO. 20451

DIR. OF COMMUNITY SERVICES

B. TUCSON CODE: AMENDING (CHAPTER 7B), RELATING TO LIMITED POINT- OF- PRESENCE TELECOMMUNICATIONS LICENSES – SEPT12-06-487

ORDINANCE NO. 10317

DIR. OF INFORMATION TECHNOLOGY

C. REAL PROPERTY: ACQUISITION OF EASEMENT FOR A WATER FACILITY LOCATED AT CRAYCROFT ROAD AND CAMINO DEL CELADOR – SEPT12-06-489

RESOLUTION NO. 20452

DIR. OF UTILITY SERVICES

D. INTERGOVERNMENTAL AGREEMENT: WITH ORO VALLEY FOR FIXED-ROUTE BUS SERVICE AND ADA ELIGIBILITY CERTIFICATION – SEPT12-06-488

RESOLUTION NO. 20453

DIR. OF TRANSPORTATION

E. REAL PROPERTY: VACATION AND SALE OF A PORTION OF JUHAN PARK TO LEGACY BUSINESS PROPERTIES, LLC – SEPT12-06-498

ORDINANCE NO. 10319

DIR. OF TRANSPORTATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

Council Member Trasoff MOVED and it was duly seconded that items on the Consent Agenda (Except "F") be approved and/or adopted and proper action taken.

Motion PASSED by a vote of 7 to 0.

F. MAYOR AND COUNCIL: AMENDMENT TO MAYOR AND COUNCIL RULES AND REGULATIONS RELATING TO ELECTRONIC ATTENDANCE - SEPT12-06-500

RESOLUTION NO. 20457

Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20457.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

8. PUBLIC HEARING: FEDERAL TRANSIT ADMINISTRATION SECTION 5309 CAPITAL INVESTMENT GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2006 – SEPT12-06-491

RESOLUTION NO. 20455

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

Motion PASSED by a vote of 7 to 0.

Council Member Uhlich MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20455.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANSPORTATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: FEDERAL TRANSIT ADMINISTRATION SECTION 5307 FORMULA GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2006 – SEPT12-06-492

RESOLUTION NO. 20454

Council Member Trasoff 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. 20454.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANSPORTATION

10. APPEAL: (S-06-09) APPEAL OF THE SIGN CODE ADVISORY AND APPEALS BOARD DECISION – FIRST AND RIVER STORAGE, LLC, FIRST AND RIVER SELF-STORAGE (CITY APPEAL NO. S-06-002) – SEPT12-06-494

Council Member Uhlich MOVED and it was duly seconded to uphold the decision of the Board.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

11. APPEAL: (S-06-10) APPEAL OF THE SIGN CODE ADVISORY AND APPEALS BOARD DECISION – TITLE GUARANTY AGENCY OF AZ AND QUIK MART (CITY APPEAL NO. S-06-003) – SEPT12-06-495

Council Member Scott MOVED and it was duly seconded to uphold the decision of the Board.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. APPEAL: (S-06-10) APPEAL OF THE SIGN CODE ADVISORY AND APPEALS BOARD DECISION – TITLE GUARANTY AGENCY OF AZ AND QUIK MART (CITY APPEAL NO. S-06-003) – SEPT12-06-495 (Continued from previous page)

Council Member Scott MOVED to direct Staff to meet with the private sector and the Sign Code Advisory Committee to review and update the Scenic Corridor Ordinance through extensive public input and review by the Transportation and Environmental Planning Subcommittee, and to expedite appointments to the Sign Code Advisory Appeals Board.

After some discussion, the motion was WITHDRAWN.

12. APPEAL: (S-06-11) APPEAL OF THE SIGN CODE ADVISORY AND APPEALS BOARD DECISION – PYRAMID CREDIT UNION AND DESERT DENTAL GROUP (CITY APPEAL NO. S-06-004) SEPT12-06-496

Council Member Scott MOVED and it was duly seconded to uphold the decision of the Board.

Motion PASSED by a vote of 7 to 0.

At this time Mayor Walkup re-opened the Call to the Audience.

DIR. OF DEVELOPMENT SERVICES

7. CALL TO THE AUDIENCE (Continued from earlier in the meeting)

Mark Mayer spoke about the ordinance that governs the composition of the Sign Code Advisory and Appeals Board and feels that this contributes to the insufficient number of appointees to that board. He further feels that the ordinance should be amended so it is the same kind of system as the one that governs the Board of Adjustment.

Barry Kitay stated that because of the insufficient number of appointees to the Sign Code Advisory and Appeals Board there are often lack of quorums to conduct business so decisions are delayed. He also feels the Scenic Corridor Ordinance should be reviewed to see if it needs to be modified.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

13. APPEAL: (S-06-12) APPEAL OF THE SIGN CODE ADVISORY AND APPEALS BOARD DECISION – TUCSON BROADWAY OFFICE PLAZA AND NOVA FINANCIAL CENTER (CITY APPEAL NO. S-06-005) – SEPT12-06-497

Council Member Trasoff MOVED and it was duly seconded to uphold the decision of the Board.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

14. ZONING: (C9-03-16) SWIERGOL – FORT LOWELL ROAD, MH-1 TO O-2, ORDINANCE ADOPTION – SEPT12-06-482

ORDINANCE NO. 10318

Vice-Mayor West MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10318.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

15. ZONING: (C9-02-18) FORT LOWELL REAL ESTATE – FORT LOWELL ROAD, MH-1 TO P, ORDINANCE ADOPTION – SEPT12-06-481

ORDINANCE NO. 10312

Vice-Mayor West MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10312.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

16. ZONING: (C9-05-04) P & L GROUP – AJO WAY, R-1 TO R-3 ZONING, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN – SEPT12-06-493

Council Member Ibarra MOVED and it was duly seconded to approve the change of conditions and preliminary development plan as presented by staff.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

17. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – SEPT12-06-485

No appointments.

CITY CLERK

18. RECONSIDERATION OF RESOLUTION 20435, ADOPTED SEPTEMBER 6, 2006, TO ENABLE AN EARLIER EFFECTIVE DATE – SEPT12-06-499

RESOLUTION NO. 20435

Council Member Leal MOVED and it was duly seconded to reconsider Resolution No. 20435, adopted September 6, 2006 to enable an earlier effective date.

Motion PASSED by a vote of 6 to 0 (Council Member Uhlich abstaining due to a conflict of interest).

Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20435.

Motion PASSED by a vote of 6 to 0 (Council Member Uhlich abstaining due to a conflict of interest).

DIR. OF BUDGET AND RESEARCH

19. ADJOURNMENT: 7:31 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, September 19, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.