



AGENDA ITEM /PUBLIC HOUSING AUTHORITY ACTION

STAFF ACTION

3. PUBLIC HOUSING AUTHORITY: APPROVAL OF REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN – SEPT6-06-468

RESOLUTION NO. PHA 2006-017

Commissioner Payne MOVED and it was duly seconded to PASS and ADOPT Resolution No. PHA 2006-017.

Motion WITHDRAWN for discussion and clarification of elements of the plan.

Commissioner Payne MOVED and it was duly seconded to PASS and ADOPT Resolution No. PHA 2006-017.

Motion PASSED by a vote of 8 to 0.

DIR. OF COMMUNITY SERVICES

4. APPROVAL OF MINUTES – SEPT6-06-460

Commissioner Trasoff MOVED and it was duly seconded to approve the minutes for the meeting of the Board of Commissioners held on June 13, 2006 as presented.

Motion PASSED by a vote of 8 to 0

CITY CLERK

5. ADJOURNMENT: 5:58 p.m.

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY SEPTEMBER 6, 2006

FROM: CITY MANAGER



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1. ROLL CALL: 6:05 p.m.

COUNCIL MEMBERS PRESENT: Mayor Pro Tempore Carol West, Council Members Jose J. Ibarra, Karin Uhlich, Shirley Scott (electronic attendance), Steve Leal and Nina J. Trasoff, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Mayor Robert E. Walkup

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Alonzo Garcia, St. Augustine Cathedral, after which the Pledge of Allegiance was led by Girl Scout Troop 120.

### PRESENTATION

- a. Proclaiming October to be "Meth Free Month".

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT6-06-448	
Council Member Uhlich announced that Wards III and VI are co-hosting a Welcome Reception for the new President of the University of Arizona, Dr. Robert Shelton. The event will take place on September 25 <sup>th</sup> at 5:00 PM at the Northwest Community Center, and the public is invited to attend.	
Council Member Scott thanked the Council and staff for making it possible for her to attend by electronic means.	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – SEPT6-06-448 (Continued from previous page)

Council Member Trasoff announced that she misses Council Member Scott and hopes to see her soon.

Council Member Trasoff offered her congratulations to Division Champs the Tucson Sidewinders and wishes them well as they continue on in their tourney.

Mayor Pro Tempore 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 public input. The Town Hall will be held at the Ward II office at 7575 E. Speedway.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS SEPT6-06-449

City Manager Mike Hein announced that the water dancing program at the Edith Ball Adaptive Recreation Center in Tucson has received a 2006 Outstanding Aquatics Program Award. This is a new and innovative water dancing program which is part of the Parks and Recreation leisure class curriculum. The class is a dance based resistance workout designed for individuals of all ability levels.

City Manager Mike Hein announced that Channel 12 has won “Station of the Year” honors for the 8<sup>th</sup> time in 11 years at the 2006 NATPA conference held recently in Orlando. Tucson 12 was presented with 11 additional awards including: 1<sup>st</sup> Place in Public Education for “Tucson Recycles: Blue Barrel 101,” and 1<sup>st</sup> Place in Community Awareness for “The Beat”.

City Manager Mike Hein announced that Tucson 12 is now offering a new service to the community. Viewers can chose S.A.P. audio on the remote control to hear a live Spanish translation of Mayor and Council meetings.

City Manager Mike Hein announced that the Tucson 12 University of Arizona student intern, Chanel Eakin, recently accepted a job as an editor at ESPN Sports Center.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS  
– SEPT6-06-449 (Continued from previous page)

City Manager Mike Hein provided an update on the health status of firefighters and police officers that were injured during the course of duty over the weekend.

5. LIQUOR LICENSE APPLICATIONS – SEPT6-06-446

PARK AVE SHELL, CITY 81-06  
ARCO AM/PM, CITY 84-06  
ST. DEMETRIOS GREEK ORTHODOX CHURCH, CITY T35-06  
ST. MELANY BYZANTINE CATHOLIC CHURCH, CITY T36-06  
ESCARAMUZA “FLOR DE PRIMAVERA”, CITY T37-06  
TUCSON LESBIAN & GAY ALLIANCE, INC. D.B.A. TUCSON  
PRIDE INC., CITY T49-06

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 6 to 0 (Mayor Walkup absent/excused).

LOS BETO’S MEXICAN FOOD, CITY 82-06

\* Council Member Scott MOVED and it was duly seconded to direct staff to forward this application to the State Liquor Board with NO RECOMMENDATION.

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

KINGDOM INVESTMENT FOUNDATION OF TUCSON,  
CITY T42-06  
KINGDOM INVESTMENT FOUNDATION OF TUCSON,  
CITY T43-06  
KINGDOM INVESTMENT FOUNDATION OF TUCSON,  
CITY T44-06

CITY CLERK

\* REVISION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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5. LIQUOR LICENSE APPLICATIONS - SEPT6-06-446 (Continued from previous page)

Council Member Trasoff MOVED and it was duly seconded to continue these three items to the meeting of September 12, 2006.

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

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

\*\*\* ITEMS "C", "D", "E", "Q", "V", "W", "X", AND "Y" WERE DELETED FROM THE CONSENT AGENDA \*\*

A. SURPLUS PROPERTY: DONATION OF BICYCLES TO THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY – SEPT6-06-447

DIR. OF PROCUREMENT

B. SURPLUS PROPERTY: DONATION OF MISCELLANEOUS SURPLUS PROPERTY TO THE MEDICAL RESERVE CORPS OF SOUTHERN ARIZONA – SEPT6-06-445

DIR. OF PROCUREMENT

F. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH SOUTH TUCSON AND THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR SIDEWALK MAINTENANCE ON SIXTH AVENUE SOUTH OF THE I-10 BRIDGE – SEPT6-06-443

DIR. OF TRANSPORTATION

RESOLUTION NO. 20436

G. REAL PROPERTY: VACATION AND SALE OF PORTIONS OF ORACLE ROAD, DRACHMAN STREET, AND ALLEY RIGHT OF WAY TO SKYLIGHT PRODUCTIONS, LLC – SEPT6-06-455

DIR. OF TRANSPORTATION

ORDINANCE NO. 10314

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON CACTUS SENIOR SOFTBALL LEAGUE TO ASSIST IN PAYING FOR PARKS AND RECREATION EXPENSES – SEPT6-06-457</p> <p>RESOLUTION NO. 20437</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>I. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE COMMUNITY SUPPORT FUND FOR THE 5<sup>TH</sup> ANNUAL BUDDY WALK – SEPT6-06-458</p> <p>RESOLUTION NO. 20438</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>J. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE COALITION FOR AFRICAN AMERICAN HEALTH AND WELLNESS TO HELP DEFRAY COSTS FOR THE PEOPLE OF COLOR HEALTH CARE FESTIVAL – SEPT6-06-459</p> <p>RESOLUTION NO. 20439</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>K. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION HIGH INTENSITY DRUG TRAFFICKING AREA MULTI-AGENCY SURVEILLANCE TEAM – SEPT6-06-464</p> <p>RESOLUTION NO 20440</p>	<p><u>POLICE CHIEF</u></p>
<p>L. ZONING: (C9-06-22) DRACHMAN/ORACLE PAD – ORACLE ROAD, C-3 TO PAD-15, WAIVER OF MINIMUM ACREAGE REQUIREMENT FOR PAD DISTRICT – SEPT6-06-465</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>M. BOARDS, COMMITTEES AND COMMISSIONS: AMENDING THE MEMBERSHIP REQUIREMENTS FOR THE TECHNOLOGY POLICY ADVISORY COMMITTEE – SEPT6-06-466</p> <p>ORDINANCE NO. 10315</p>	<p><u>CITY CLERK</u></p>
<p>N. REAL PROPERTY: FIRST AMENDMENT TO THE LEASE AGREEMENT WITH SILVERBELL HOMES LIMITED PARTNERSHIP – SEPT6-06-467</p> <p>ORDINANCE NO. 10316</p> <p>The City Clerk read the following corrections into the record on the Legal Description, Exhibit A of the First Amendment to the Silverbell Ground Lease: Lot 19 was removed and Lot 29 inserted.</p>	<p><u>DIR. OF COMMUNITY SERVICES</u></p>
<p>O. GRANT APPLICATION: SUBMISSION OF A GRANT APPLICATION TO THE PASCUA YAQUI TRIBE – REVENUE SHARING PROGRAM – SEPT6-06-469</p> <p>RESOLUTION NO. 20441</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>P. GRANTS: ACCEPTANCE OF A GRANT FROM THE PASCUA YAQUI TRIBE FOR NEIGHBORHOOD CENTER COMPUTER LABS – SEPT6-06-470</p> <p>RESOLUTION NO. 20442</p>	<p><u>CITY ATTORNEY</u></p>
<p>R. LIBRARY SERVICES: INTERGOVERNMENTAL AGREEMENT WITH THE PIMA COUNTY FREE LIBRARY DISTRICT FOR EL PUEBLO LIBRARY MAINTENANCE SERVICES – SEPT6-06-472</p> <p>RESOLUTION NO. 20444</p>	<p><u>CITY MANAGER</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>S. LIBRARY SERVICES: ASSIGNMENT OF THE INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF ORO VALLEY TO THE PIMA COUNTY FREE LIBRARY DISTRICT – SEPT6-06-473</p> <p>RESOLUTION NO. 20445</p>	<p><u>CITY MANAGER</u></p>
<p>T. DEVELOPMENT AND PURCHASE AGREEMENT: WITH TOWN WEST DESIGN DEVELOPMENT, INC. – SEPT6-06-474</p> <p>RESOLUTION NO. 20450</p>	<p><u>RIO NUEVO</u></p>
<p>U. APPROVAL OF MINUTES – SEPT6-06-475</p>	<p><u>CITY CLERK</u></p>
<p>Council Member Uhlich MOVED and it was duly seconded that items on the Consent Agenda (Except “C”, “D”, “E”, “Q”, “V”, “W”, “X”, and “Y”) be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	
<p>C. ASSURANCE AGREEMENT: (S05-071) LOFTS AT FIFTH AVENUE, A SUBDIVISION, 130 CONDOMINIUM UNITS AND COMMON ELEMENTS “A”, “B-1” TO “B-7” AND LIMITED COMMON ELEMENTS “C-1” TO “C-7” – SEPT6-06-453</p> <p>RESOLUTION NO. 20434</p> <p>D. FINAL PLAT: (S05-071) LOFTS AT FIFTH AVENUE, A SUBDIVISION, 130 CONDOMINIUM UNITS AND COMMON ELEMENTS “A”, “B-1” TO “B-7” AND LIMITED COMMON ELEMENTS “C-1” TO “C-7” – SEPT6-06-452</p> <p>These items were continued pending completion of the appeal process.</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>E. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON-PIMA ARTS COUNCIL – SEPT6-06-454</p> <p>RESOLUTION NO. 20435</p> <p>Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20435.</p> <p>Motion PASSED by a vote of 5 to 0 (Mayor Walkup absent/excused, Council Member Uhlich not voting due to a conflict of interest).</p>	
<p>Q. ENVIRONMENT: ENDORSEMENT OF THE U.S. MAYORS’ CLIMATE PROTECTION AGREEMENT – SEPT6-06-471</p> <p>RESOLUTION NO. 20443</p> <p>Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20443.</p> <p>Motion PASSED by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>OFFICE OF CONSERVATION AND SUSTAINABLE DEVELOPMENT</u></p>
<p>V. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO BUDDY WALK OF SOUTHERN ARIZONA FOR THE TUCSON BUDDY WALK 2006 COMMUNITY EVENT – SEPT6-06-477</p> <p>RESOLUTION NO. 20449</p> <p>Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20449 with the following amounts added to the original funding request by Council Member Uhlich for \$500.00:</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

V. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO BUDDY WALK OF SOUTHERN ARIZONA FOR THE TUCSON BUDDY WALK 2006 COMMUNITY EVENT – SEPT6-06-477 (Continued from previous page)

- Mayor - \$100
- Ward 2- \$100
- Ward 4- \$100

Bringing the total amount to \$800.00.

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

W. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO PLANNED PARENTHOOD OF SOUTHERN ARIZONA FOR THE *REAL LIFE. REAL TALK.* PROGRAM – SEPT6-06-478

RESOLUTION NO. 20446

Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Resolution NO. 20446 with the following amounts added to the original funding request by Council Member Uhlich for \$200.00:

- Ward 1 - \$100
- Ward 2 - \$100
- Ward 4 - \$100
- Ward 5 - \$200
- Ward 6 - \$100

Bringing the total amount to \$800.00.

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

DIR. OF BUDGET  
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

X. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO COX CHARITY FOR THE COX ROX! CONCERT FOR A YOUTH DRUG PREVENTION PROGRAM – SEPT6-06-479

RESOLUTION NO. 20447

Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20447 with the following amounts added to the original funding request by Council Member Uhlich for \$100.00:

- Ward 4 - \$100

Bringing the total amount to \$200.00.

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

DIR. OF BUDGET  
AND RESEARCH

Y. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS FOR THE 18TH ANNUAL YOUTH LEADERSHIP CONFERENCE – SEPT6-06-480

RESOLUTION NO. 20448

Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20448 with the following amounts added to the original funding request by Council Member Uhlich for \$200.00:

- Mayor - \$200
- Ward 1 - \$100
- Ward 2- \$500
- Ward 4 - \$100
- Ward 6 - \$100

Bringing the total amount to \$ 1,200.00 .

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

DIR. OF BUDGET  
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. CALL TO THE AUDIENCE

Ken Scoville spoke about Consent Item G, vacation and sale of portions of Oracle Road and Drachman Street, and stated that as this intersection is a historic gateway, he volunteers to be involved in the design of the project.

Charles Alexander spoke about Consent Item T, the development agreement with Town West, and the importance of the Toole Avenue area to the arts and warehouse district. He requested that the Mayor and Council protect the other buildings in this district and use the Warehouse Arts District Master Plan for guidance.

Colleen Crowninshield thanked the Mayor and Council for passing Consent Item Q, the Endorsement of the U.S. Mayors' Climate Protection Agreement, and supports their commitment to the topic.

Russ Dove spoke about and disagrees with the City process for providing permits for public events.

Michael Toney spoke about the Town West development agreement, the design of the Post project, and his opposition to the planned location of the University of Arizona Science Center.

Wanda Felix feels that City employees work hard and feels that the Environmental Services Department employees were not 'buddy punching' or cheating the city.

Robert Urbina spoke in support of Richard Garza and feels that he was a good supervisor.

Don Slayman spoke about how the 'buddy punching' system evolved and feels that employees should be rewarded for completing their duties.

Alan Lee spoke about the 13 sanitation workers who he feels were unfairly condemned over Environmental Services practices.

Natasha Winnik spoke about Consent Item T, the development agreement with Town West, and disagrees with the Council over allowing the largest parcel in the Warehouse Arts District to be used for non arts district purposes.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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

Tom Spangler agreed with the comments made by Natasha Winnick and feels that the Warehouse Arts District Master Plan needs to be upheld.

8. PUBLIC HEARING: CHANGE OF PROJECT SCOPE – ARROYO CHICO WASH IMPROVEMENT (CONTINUED FROM THE MEETING OF AUGUST 8, 2006) – SEPT6-06-444

RESOLUTION NO. 20410

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

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

Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Resolution No. 20410.

Motion PASSED by a vote of 6 to 0 (Mayor Walkup absent/excused)

DIR. OF PARKS  
AND RECREATION

9. PUBLIC HEARING: ZONING (C9-00-36) LEWIS FAMILY LLC – IRVINGTON ROAD R-1 AND R-2 TO C-2, REACTIVATION AND TIME EXTENSION – SEPT6-06-461

Council Member Leal MOVED and it was duly seconded to close the Public Hearing.

Motion PASSED by a vote of 5 to 1 (Council Member Ibarra dissenting, Mayor Walkup absent/excused).

Council Member Leal MOVED and it was duly seconded to continue the request for a time extension to a future meeting date.

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

DIR. OF DEVELOPMENT  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. ZONING: (C9-89-20) ESTES – VALENCIA ROAD, O-3 TO C-1, CHANGE OF CONDITION AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION (CONTINUED FROM THE MEETING OF AUGUST 8, 2006) – SEPT6-06-451

ORDINANCE NO. 10307

Council Member Ibarra moved and it was duly seconded to PASS and ADOPT Ordinance No. 10307.

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

DIR. OF DEVELOPMENT SERVICES

11. ZONING: (C9-06-10) LLDN – VALENCIA ROAD, R-2 TO C-1, CITY MANAGER’S REPORT – SEPT6-06-463

Council Member Ibarra MOVED and it was duly seconded to remand this case back to the Zoning Examiner as recommended by Staff.

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

DIR. OF DEVELOPMENT SERVICES

12. ZONING: (C9-02-32) A-C INVESTMENT – AJO WAY, R-1/R-2 AND I-1 TO I-1, ORDINANCE ADOPTION – SEPT6-06-456

ORDINANCE NO. 10313

Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Ordinance No. 10313.

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

DIR. OF DEVELOPMENT SERVICES

13. ZONING: (C9-06-13) BRAKE MASTERS – HARRISON ROAD, C-1 TO C-2, CITY MANAGER’S REPORT – SEPT6-06-462

Council Member Scott MOVED and it was duly seconded to authorize the request for rezoning as presented.

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

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – SEPT6-06-450

Council Member Scott MOVED and it was duly seconded to ratify the appointment of Isabella Soto and Samantha Paz as the Youth Members of the Pima County/Tucson Women’s Commission, and appoint Mary Ellen Wooten to the Tucson Pima Arts Council.

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

CITY CLERK

15. ADJOURNMENT: 7:50 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, September 12, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.