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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
On June 16, 2003 \_\_\_\_\_

Date of Meeting: January 6, 2003

The Mayor and Council of the city of Tucson met in regular session, in the Mayor and Council Chambers, in City Hall, 255 West Alameda, Tucson, Arizona, at 2:04 p.m., on Monday, January 6, 2003, all members having been notified of the time and place thereof.

### 1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

José J. Ibarra	Council Member Ward 1
Carol W. West	Council Member Ward 2
Kathleen S. Dunbar	Council Member Ward 3
Shirley C. Scott	Vice Mayor Ward 4
Steve Leal	Council Member Ward 5
Fred Ronstadt	Council Member Ward 6
Robert E. Walkup	Mayor
Deborah Rainone	Assistant City Clerk

Absent/Excused:

None

Staff Members Present:

James Keene	City Manager
Mike Letcher	Deputy City Manager
Officer Jeannie Nagore	Tucson Police Department
James Glock	Transportation Director

Michael House	City Attorney
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Barbara Aragón	City Clerk's Office
Rebecca Partin	Recording Secretary
Nora Dunn	Recording Secretary
Sandra Slate	Recording Secretary

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Pastor Nathan Whittom, Mt. Calvary Baptist Church, after which the pledge of allegiance was presented by the entire assembly.

### **Presentation: Tucson Police Department**

Mayor Walkup presented a certificate of appreciation to Sergeant James Stoutmeyer, Tucson Police Department, for his dedication and devotion to making Tucson a better place.

## **3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRNT EVENTS**

Mayor Walkup announced that city manager's communication number 17, dated January 6, 2003, would be received into and made a part of the record. He also announced that this was the time for any member of the council to report on current events and asked if there were any reports.

### **A. Budget Hearing**

Council Member Dunbar invited everyone to a budget hearing at her office on Wednesday, January 8, 2003. She, the mayor, and the city manager would be there to hear any budget questions or concerns.

### **B. Tax Forms**

Council Member West announced that federal income tax forms would be available at the ward two council office after January 20. After February 5, 2003, the American Association of Retired Persons would provide tax preparation on Wednesdays and Fridays.

Mayor Walkup asked if there were any other reports.

### **C. Apology**

Council Member Ronstadt said a couple of weeks ago the council had a fiery discussion regarding personal city vehicles that he thought was embarrassing to a lot of people in the community. He wanted to take this opportunity to apologize for his behavior. He knew it had not moved the issue of the budget forward in any substantive way. The city is projecting a \$35 million budget shortfall for next year that will be compounded in the following two years and that type of "tit for tat" behavior does not benefit the community. He had apologized to individuals and wanted to apologize to the community for his behavior.

## **4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced that city manager's communication number 18, dated January 6, 2003, would be received into and made a part of the record. He also announced that this was the time for the city manager to report on current events and asked for that report.

## **A. SAHBA Award**

James Keene, city manager, acknowledged Ernie Duarte, acting development services director, and announced that on January 4, the Southern Arizona Homebuilders Association had honored him with the “Non-Elected Public Official of the Year” award”. Mr. Keene said the award was a result of Mr. Duarte’s achievement in raising the level of service the development services department provides to the home building industry and customers in the community at large.

Mr. Duarte said he was honored and humbled by the award and accepted it on behalf of the city, the mayor and council, and the 112 employees of the department.

## **B. Rio Nuevo**

Mr. Keene advised that the first “Rio Nuevo Run” was held on New Year’s Eve. It was a delightful outing for families to celebrate New Year’s Eve in a safe and sane environment. Attendance was up from last year; more than 700 people participated. Besides the 5K run and fun walk there were tricycle races, jumping castles, face painting and so forth. Tucson Clean and Beautiful sponsored the event and members of the Boy Scouts cleaned up the run route along the Santa Cruz River. He thanked Sean Calandine (ph) of Tucson Clean and Beautiful, Andrew Brown of the Tucson Convention Center, Peg Weber of parks and recreation, Wilson Hughes of solid waste, and Trek Tank (ph) of the transportation department.

## **C. Top Ten City of Tucson**

Lastly, Mr. Keene said Tucson had received another top ten city recognition from *Men’s Fitness Magazine*. Tucson ranked number nine and is the only Arizona City in the top 25. Part of that was due to Mayor Walkup and Council Member Ibarra. Categories used to rank cities were risk factors or relevant environmental determinants affecting obesity and health. Cities were also contacted to obtain new or updated information on smoking issues, parks and recreation facilities, total number of clubs, gyms, fitness studios for 100 thousand population. He quoted from the article, “Tucson ranked very high for its air quality and outdoor space, number of health food outlets and swimming facilities.” He said the magazine had not found Tucson perfect though. It noted the citizenry’s fondness for pizza and ice cream. The article also listed America’s fattest cities and Phoenix is number 14. That concluded his report.

## **5. CALL TO THE AUDIENCE, for persons desiring to speak**

Mayor Walkup announced that this was the time any member of the audience was allowed to address the mayor and council on any issue that was not on the agenda. He said there would also be a call to the audience at the end of the meeting. He had received three-written requests to speak. He would limit this item to 20-minutes. He asked that speakers come forward as he called their names, which he would do in the order in which he received the requests.

## **A. 2003-2004 City Budget**

Richard Cook, representing the American Federation of State, County, and Municipal Employees, Local 449, said he had some problems with the proposed budget, as he was sure many of the council members also had. Earlier in the day Mr. Keene spoke to him and asked that they meet to get together and understand some of the issues. Mr. Cook hoped Mr. Keene would hold to that idea. He said he would let the council know the outcome.

## **B. City Budget**

Linda Bohlke, representing AFSCME and the blue-collar workers of the city, said she was present to address the issue of process. She was glad to hear at the council's study session the discussion about town hall meetings, and she thought they were critically important to give the public, as well as city employees, an opportunity to address the council. However, she hoped that as the council goes through the budget process that they would also look at ways to open it to employees within the council's meetings. The council had a discussion on December 9 about when it is appropriate for the public to address the mayor and council and how to do so and on behalf of AFSCME she requested that that issue be put on an agenda for future discussion. She thought it was clear on December 9, that when given an opportunity, people who are in the audience do like to talk to the council directly. She understood that there are other avenues such as town hall meetings and the mayor and council's comment line, however, the comment line is one of the things that is proposed to be cut as a result of the budget crises. She asked that that be placed on an agenda for future discussion and that a provision be found to open the budget process and make it truly democratic.

As the budget process goes forward, she asked also that the town hall meetings be opened to the unions that represent city employees. She was very disconcerted by the fact that not only were the unions not invited to the previous town hall meetings, they received a letter from the city manager's office that expressly prohibited them from attending the meetings. She thought Council Member West had a very important point that city employees have very valuable input, as do their unions and she asked that they be included in that process.

She hoped that as the city goes through this very difficult budget year a way would be found to improve labor/management relations in order to come up with some creative responses, so that city employees and public services are not once again bearing the brunt of balancing the budget. She hoped everyone would look toward collectively working together to save state revenue sharing and address some of the issues of the imbalance in the formulas to increase revenue in the city of Tucson that serves the public and enables the employees to provide services that are so desperately needed.

## **C. City Hall Security Entry Policy**

Bill Katzel, thanked the mayor, his staff, and other city staff for extricating him from the list of people not allowed to enter city hall and apologizing for any inconvenience that resulted from the original error of putting him on the list. He appreciated that the mayor publicly recognized him for his hard work on behalf of the community and he appreciated the mayor's public statement rendering restrictive procedures to city hall for citizens who pose no danger as inappropriate.

He has reviewed the December 23, 2002, city hall security interim procedure and finds it inadequate for addressing the underlying issue of the list. He provided the mayor's chief of staff a December 30, 2002, detailed note critiquing the interim procedure as a list in another form. In his review he recommended by name an oversight committee composed of private citizens, an elected official, and civil servants to formulate the final city hall security procedure.

The mayor and council needed to take his recommendation to heart, appoint such a committee, assign a deadline for submission of a final procedure and conduct a public hearing with discussion, modification, and adoption of the final city hall security procedure. This procedure must not only provide security of city hall, it must also protect the civil rights of citizens to do legitimate business with their government. To do otherwise invites the issue to linger into the new year and mayor and council to be accused of the fox guarding the chicken house phenomena. He looked forward to working with the mayor and council in formulating the final procedure for city hall security.

Mayor Walkup asked if anyone else wished to address the council. There was no one.

## **6. CONSENT AGENDA – ITEMS A THROUGH Q**

Mayor Walkup announced that the reports and recommendations from the city manager on the consent agenda items would be received into and made a part of the record. He asked the city clerk to read the consent agenda items.

- A. ASSURANCE AGREEMENT: (S01-031) DESERT WILLOW ESTATES LOTS 1 TO 110 AND COMMON AREAS "A-9" – "A-12", "A-14" – "A-16", "A-20" – "A-22", "A-24", "A-25", "B-7", "B-9" AND "B-12"
- (1) Report from City Manager JAN6-03-10 WIV
  - (2) Resolution No. 19466 relating to planning; authorizing the Mayor to execute an assurance agreement securing the completion of improvements required in connection with the approval of a final plat for the Desert Willow Estates Subdivision, Lots 1 to 110 and Common Areas "A-9" – "A-12", "A-14" – "A-16", "A-20" – "A-22", "A-24", "A-25", "B-7", "B-9" and "B-12"; and declaring an emergency.
- B. FINAL PLAT: (S01-031) DESERT WILLOW ESTATES LOTS 1 TO 110 AND COMMON AREAS "A-9" – "A-12", "A-14" – "A-16", "A-20" – "A-22", "A-24", "A-25", "B-7", "B-9" AND "B-12"
- (1) Report from City Manager JAN6-03-1 WIV
  - (2) The City Manager recommends that after the approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

- C. REAL PROPERTY: CONVEYANCE OF CITY OWNED PROPERTY ON WEST NIAGARA STREET TO CHICANOS POR LA CAUSA
  - (1) Report from City Manager JAN6-03-9 WI
  - (2) Ordinance No. 9802 relating to real property; dedicating certain city-owned property in the 1600 block of West Niagara Street as public right-of-way; vacating and declaring certain city-owned property in the 1600 block of West Niagara Street to be surplus; authorizing the conveyance thereof to Chicanos Por La Causa; and declaring an emergency.
  
- D. TUCSON CODE: AMENDING CHAPTER 11, RELATING TO THE DISCHARGE OF FIREWORKS WITHIN CITY LIMITS
  - (1) Report from City Manager JAN6-03-8 CITY-WIDE
  - (2) Ordinance No. 9803 relating to crimes and offenses; amending the Tucson Code Chapter 11, Section 11-22 fireworks-discharging; and declaring an emergency.
  
- E. REAL PROPERTY: ACQUISITION OF RIGHT-OF-WAY AT THE NORTHWEST CORNER OF WEST 21<sup>ST</sup> STREET AT KROEGER LANE FOR PUBLIC STREET ACCESS
  - (1) Report from City Manager JAN6-03-5 WI
  - (2) Resolution No. 19467 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property for right-of-way purposes at the northwest corner of West 21<sup>st</sup> Street at Kroeger Lane; and declaring an emergency.
  
- \* F. INTERGOVERNMENTAL AGREEMENT: WITH TOWN OF ORO VALLEY FOR PURCHASE OF REPLACEMENT TRANSIT VANS AND COMPUTER EQUIPMENT
  - (1) Report from City Manager JAN6-03-4 CITY-WIDE
  - (2) Resolution No. 19468 relating to intergovernmental agreements; approving and authorizing the intergovernmental agreement with the Town of Oro Valley providing for the purchase of replacement transit vans and equipment; and declaring an emergency.
  
- G. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH NORTHWEST, GOLDBER RANCH, AVRA VALLEY, PICTURE ROCKS AND THREE POINTS FIRE DISTRICTS FOR FIRE AND EMERGENCY MEDICAL DISPATCHING SERVICES

- (1) Report from City Manager JAN6-03-14 CITY-WIDE & OUTSIDE
  - (2) Resolution No. 19471 relating to intergovernmental agreements; approving and authorizing amendment No. one to the intergovernmental agreement with the Northwest Fire District, Golder Ranch Fire District, Avra Valley Fire District, Picture Rocks Fire District and Three Points Fire District; and declaring an emergency.
- H. ASSURANCE AGREEMENT: (S02-011) BROADWAY PANTANO CENTER, LOTS 1 TO 6
- (1) Report from City Manager JAN6-03-21 WII
  - (2) Resolution No. 19476 relating to planning: authorizing the Mayor to execute an assurance agreement securing the completion of improvements required in connection with the approval of a final plat for the Broadway Pantano Center Subdivision, Lot 1 to 6; and declaring an emergency.
- I. FINAL PLAT: (S02-005) BROADWAY PANTANO CENTER, LOTS 1 TO 6
- (1) Report from City Manager JAN6-03-3 WII
  - (2) The City Manager recommends that after approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- J. ASSURANCE AGREEMENT: (S02-005) BARRIO SOLANA, LOTS 1 TO 42, AND COMMON AREAS "A" AND "B"
- (1) Report from City Manager JAN6-03-15 WII
  - (2) Resolution No. 19472 relating to planning; authorizing the Mayor to execute an assurance agreement securing the completion of improvements required in connection with the approval of a final plat for Barrio Solana, Lots 1-42 and Common Areas "A" and "B"; and declaring an emergency.
- K. FINAL PLAT: (S02-005) BARRIO SOLANA, LOTS 1 TO 42, AND COMMON AREAS "A" AND "B"
- (1) Report from City Manager JAN06-03-12 WII
  - (2) The City Manager recommends that after the approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- L. ASSURANCE AGREEMENT: (S98-074) D.F. GARDENS II, LOTS 1 TO 9; TIME EXTENSION

- (1) Report from City Manager JAN6-03-11 WV
- (2) Resolution No. 19473 relating to planning: authorizing the Mayor to execute a time extension for construction of subdivision improvements required in connection with a plat for D F Gardens II, Lots 1-9; and declaring an emergency.

M. PUBLIC IMPROVEMENTS: SILVERCROFT ADDITION DISTRICT LIGHTING IMPROVEMENT

- (1) Report from City Manager JAN6-03-6 WI
- (2) List of Unpaid Assessments
- (3) Resolution No. 19463. Resolution providing for the issuance of City of Tucson Improvement Bond, Series No. 814, for the "Silvercroft Addition District Lighting Improvement".

N. PUBLIC IMPROVEMENTS: KOLB ROAD, SPEEDWAY BOULEVARD TO 22<sup>ND</sup> STREET DISTRICT LIGHTING IMPROVEMENT

- (1) Report from City Manager JAN6-03-13 WII
- (2) List of Unpaid Assessments
- (3) Resolution No. 19462. Resolution providing for the issuance of City of Tucson Improvement Bond, Series No. 813, for the "Kolb Road, Speedway Boulevard to 22<sup>nd</sup> Street District Lighting Improvement."

\* O. FINANCE: SALE OF JUNIOR LIEN HIGHWAY USER REVENUE REFUNDING BONDS, SERIES 2002 (CONTINUED FROM THE MEETING OF DECEMBER 9, 2002)

- (1) Report from City Manager JAN6-03-19(2) City-Wide

P. ASSURANCE AGREEMENT: (S02-002) SILVER CREEK II, LOTS 289 TO 356, PARCEL "A" AND COMMON AREAS "A" AND "B"

- (1) Report from City Manager JAN6-03-22 WI
- (2) Resolution No. 19475 relating to planning: authorizing the Mayor to execute an assurance agreement securing the completion of improvements required in connection with the approval of a final plat for Silver Creek II Subdivision, Lots 289 to 356, Parcel "A", and Common Areas "A" and "B"; and declaring an emergency.

Q. FINAL PLAT: (S02-002) SILVER CREEK II, LOTS 289 TO 356, PARCEL "A" AND COMMON AREAS "A" AND "B"

\*Continued to January 13, 2003, at the request of staff

- (1) Report from City Manager JAN6-03-20 WI
- (2) The City Manager recommends that after the approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

Mayor Walkup asked the council's pleasure.

It was moved by Council Member Leal, seconded by Vice Mayor Scott, that consent agenda items A through Q, with the exception of items F and O, be passed and adopted and the proper action taken.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Dunbar, Leal, and Ronstadt;  
Vice Mayor Scott and Mayor Walkup

Nay: None

Absent/Excused: None

Consent agenda items A through Q, with the exception of items F and O, were declared passed and adopted by a roll call vote of 7 to 0.

## 6. **CONSENT AGENDA – ITEM F**

- F. INTERGOVERNMENTAL AGREEMENT: WITH TOWN OF ORO VALLEY FOR PURCHASE OF REPLACEMENT TRANSIT VANS AND COMPUTER EQUIPMENT

Resolution No. 19468

Relating to intergovernmental agreements; approving and authorizing the intergovernmental agreement with the Town of Oro Valley providing for the purchase of replacement transit vans and equipment; and declaring an emergency.

Mayor Walkup asked the council's pleasure.

Council Member West said she took this item off the consent agenda because she thinks it is noteworthy. The council has heard often from the public that they want the council to move to more of a regional approach on many issues. This agreement is a regional approach in that the city of Tucson is the designated recipient of federal transportation grant funds, meaning that the city serves as a pass through to the town of Oro Valley to allow the purchase of some replacement transit vans for their Coyote Run. This agreement is something she thought the public should be aware of, which is why she removed it from the consent agenda. She asked if there was anything the council could add to further promote this wonderful regional opportunity.

James Glock, director of transportation, said this was an example of where the city of Tucson does serve a regional role with respect to providing transit services. There are a number of other entities that are third party sub recipients, most notably, the Old Pueblo Trolley. The city of Tucson, as the recognized federal grant recipient by the federal transit administration, was prepared to support those organizations that wanted to step forward and offer other systems.

It was moved by Council Member West, seconded by Council Member Leal, that resolution no. 19468 be passed and adopted.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Dunbar, Leal, and Ronstadt;  
Vice Mayor Scott and Mayor Walkup

Nay: None

Absent/Excused: None

Resolution no. 19468 was declared passed and adopted by a roll call vote of 7 to 0.

## 7. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced that city manager's communication number 2, dated January 6, 2003, would be received into and made part of the record. He asked the city clerk to read the liquor license agenda.

### (b) Liquor License Applications

#### New License(s)

- |   |   |
|---|---|
| (1) HOWARD JOHNSON MIDTOWN<br>1010 S. Freeway<br>Applicant: Manohar Lal<br>City #097-02, located in Ward 1<br>Series #11<br>Action must be taken by: January 13, 2003                             | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
| (2) UNIVERSITY GAS AND FOOD MART<br>2402 N. 1 <sup>st</sup> Avenue<br>Applicant: Leonor P. Peterson<br>City #099-02, located in Ward 3<br>Series #10<br>Action must be taken by: January 17, 2003 | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
| (3) FIRST AVE 76<br>2710 N. First Avenue<br>Applicant: Bahaa S. Tawadros<br>City #100-02, located in Ward 3<br>Series #10   | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance                                |

Action must be taken by: January 18, 2003

- \* (4) THE B LINE  
621 N. 4<sup>th</sup> Avenue  
Applicant: David K. Wilke  
City #101-02, located in Ward 6  
Series #12  
Action must be taken by: January 24, 2003  
Public Opinion: Support Filed  
Protest Filed
- Staff Recommendation  
Police: In Compliance  
DSD: In Compliance  
Bus. License: In Compliance
- (5) BEST WESTERN INN AT THE AIRPORT  
7060 S. Tucson Blvd.  
Applicant: Amy S. Nations  
City #103-02, located in Ward 5  
Series #11  
Action must be taken by: January 25, 2003
- Staff Recommendation  
Police: In Compliance  
DSD: In Compliance  
Bus. License: In Compliance
- \* (6) FIREFLY FOOD & SPIRITS  
509 N. 4<sup>th</sup> Avenue  
Applicant: Sharon A. Ludwig  
City #104-02, located in Ward 6  
Series #12  
Action must be taken by: January 25, 2003  
Public Opinion: Protest Filed
- Staff Recommendation  
Police: In Compliance  
DSD: In Compliance  
Bus. License: In Compliance

Person/Location Transfer(s)

- \*\* (7) MONTEREY MARKET  
4129 E. 29<sup>th</sup> Street  
Applicant: William B. Billieros  
City #098-02, located in Ward 5  
Series #9  
Public Opinion: Protests Filed
- Staff Recommendation  
Police: Review In Process  
DSD: In Compliance  
Bus. License: In Compliance

Deborah Rainone, assistant city clerk, advised that protests had been filed against The B Line and Firefly Food & Spirits, so they would need to be considered separately. The applicant of Monterey Market had withdrawn that application, so no action was necessary on it.

It was moved by Council Member Ronstadt, seconded by Vice Mayor Scott, and carried by a voice vote of 7 to 0, that liquor licenses applications city #097-02, city #099-02, city #100-02, and city #103-02, be forwarded to the state department of liquor licenses and control with a recommendation for approval.

\* See page 12

\*\* Application withdrawn by the applicant

**7. LIQUOR LICENSE APPLICATION – (b)(4)**

(b) New License(s)

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|--|---|
| (4) THE B LINE<br>621 N. 4 <sup>th</sup> Avenue<br>Applicant: David K. Wilke<br>City #101-02, located in Ward 6<br>Series #12<br>Action must be taken by: January 24, 2003<br>Public Opinion: Support Filed<br>Protest Filed | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
|--|---|

Mayor Walkup asked the council's pleasure.

Council Member Ronstadt noted that he has said in the past that the council had established criteria for granting liquor licenses on Fourth Avenue and in the downtown. The B Line is a series #12 license, which is a restaurant and requires serving food, and it has the full support of the West University Neighborhood Association. He asked if the protester was present. There was no one.

It was moved by Council Member Ronstadt, seconded by Council Member Leal, and carried by a voice vote of 7 to 0, to forward liquor license application for The B Line, city #101-02, to the state department of liquor licenses and control with a recommendation of approval.

**7. LIQUOR LICENSE APPLICATION – (b)(6)**

(b) New License(s)

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|---|---|
| (6) FIREFLY FOOD & SPIRITS<br>509 N. 4 <sup>th</sup> Avenue<br>Applicant: Sharon A. Ludwig<br>City #104-02, located in Ward 6<br>Series #12<br>Action must be taken by: January 25, 2003<br>Public Opinion: Protest Filed | <u>Staff Recommendation</u><br><br>Police: In Compliance<br>DSD: In Compliance<br>Bus. License: In Compliance |
|---|---|

Mayor Walkup asked the council's pleasure.

Council Member Ronstadt said the protest against this application was filed because the applicant did not have time to sit down with representatives from the neighborhood association. The application is for a series #12, which the neighborhood has historically supported, as it is a restaurant activity.

It was moved by Council Member Ronstadt, seconded by Council Member Leal, and carried by a voice vote of 7 to 0, to continue this item for one week.

**8A. BOARDS, COMMISSIONS, AND COMMITTEES: APPOINTMENT TO THE CIVIL SERVICE COMMISSION (CONTINUED FROM THE MEETING OF DECEMBER 16, 2002)**

Mayor Walkup announced that city manager's communication number 7, dated January 6, 2003, would be received into and made a part of the record. He asked the city clerk to read resolution no. 19450 by number and title only.

Resolution No. 19450

Relating to the Civil Service Commission; appointing a commissioner; fixing annual compensation, and declaring an emergency.

It was moved by Council Member Ibarra, seconded by Vice Mayor Scott, that resolution no. 19450, appointing Lydia K. Kennedy to the civil service commission, be passed and adopted.

Mayor Walkup asked if there was any discussion. There was none.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Dunbar, Leal, and Ronstadt;  
Vice Mayor Scott and Mayor Walkup

Nay: None

Absent/Excused: None

Resolution no. 19450 was declared passed and adopted by a roll call vote of 7 to 0.

**8B. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

Mayor Walkup announced that city manager's communication number 16, dated January 6, 2003, would be received into and made a part of the record. He asked if there were any personal appointments by any member of the council. There were none.

Mayor Walkup announced his personal appointment of Tillie Arvizu to the rio nuevo citizens advisory committee.

**9. LIQUOR LICENSE: RECONSIDERATION OF CITY NO. 089-02, ACTION TAKEN ON DECEMBER 16, 2002, REGARDING GO! GO! MART**

Mayor Walkup announced that city manager's communication number 23, dated January 6, 2003, would be received into and made a part of the record. He asked the council's pleasure.

Council Member Leal said he asked that this application be reconsidered because any concerns and/or outstanding issues that existed had been answered satisfactorily.

It was moved by Council Member Leal, seconded by Vice Mayor Scott, to reconsider liquor license application city #89-02.

Mayor Walkup asked if there was any discussion.

Council Member Ronstadt asked Council Member Leal to explain what issues had been resolved. He requested a copy of the verbatim transcript because he was concerned about the location and the saturation in the area. He quoted Council Member Leal's comment, "This location is one that we have dealt with (inaudible) three or four times, I think, in the last, I don't know, four or five years. We just turned down an applicant in the area where there were eight licenses in a half-mile radius, in this one there's 15. We have turned down this location on issues of convenience every time it has come forward. There is significant saturation in this area that the criteria to satisfy convenience for the adjacent area isn't one that exists because there is currently no inconvenience."

Council Member Ronstadt said he was unwilling to reconsider his vote because it was based on the saturation issue and he did not believe any licenses had been given up that would have changed that. He asked Council Member Leal to respond.

Council Member Leal said there are a number of vacant buildings in the subject area and there was some confusion as to which building the application was for. The one he thought it was, which is very close to the subject building, is a location that the Red Cross and Miles School had protested and because of their protests, because of the issues of transients and alcohol in the alleys close to the school, he recommended against the request. There was confusion that it was that same location, but it is not. It is a different location and that is why he decided to bring the request back.

Council Member Ronstadt said he still did not see that there had been any change. The council's vote to deny was based on saturation and that issue had not changed and neither would his vote.

Mayor Walkup asked if there was any further discussion.

Council Member Dunbar said she was confused as to which location the request was for. She remembered the night the neighborhood association came forward with the map, which showed all locations in the area and that is why she voted no.

Council Member Leal said he had two maps, and one showed the location by the Red Cross and Miles School. The other map shows the location at Plumer, which is the location where the applicant is actually going to be.

Mayor Walkup noted that Council Member Leal had stated all of the problems had been worked out between his office and the applicant.

Council Member Leal said that was right.

Mayor Walkup asked for a roll call on the motion to reconsider liquor license application city #089-02.

Upon roll call, the results were:

Aye: Council Member Leal; Vice Mayor Scott and Mayor Walkup

Nay: Council Members Ibarra, West, Dunbar, and Ronstadt

Absent/Excused: None

The motion failed by a roll call vote of 3 to 4.

**10. CALL TO THE AUDIENCE**, for persons desiring to speak

Mayor Walkup announced that this was the time members of the audience could address the mayor and council on any issue. Speakers would be limited to three-minute presentations. He asked if anyone in the audience wished to address the mayor and council.

**A. Budget Cuts – Urban Fishing Program**

Dave Davis, said on December 14, 2002, an article in the newspaper about the budget said the city was going to quit stocking the urban lakes. The council was trying to cut 27,000 from the city budget. He said 9,000 people enjoy urban fishing, 30% of whom are senior citizens and handicapped, and a lot of minors who are not even licensed by the state enjoy urban fishing. The 27,000 that the council would like to cut out of the budget is less than the price of a car and he wanted to know why the council wanted to do that when urban fishing brings in \$1.4 million to the city.

Mayor Walkup said the council would be discussing the budget during its study session after this meeting. He asked if anyone else wished to address the council.

**B. City Budget – Urban Fishing**

Chuck Hudspeth, said he was also concerned about the urban fishing program. He said troubling economic times are nothing new to American cities, but how the cities respond to their own individual hardships separate the winners from the losers. If Tucson is going to rise to its challenges it must be creative, diligent, and have the trust and support of its citizens. A city's greatness is measured not only by its staff or the size of its buildings, but buy its history, culture, and the welfare of its people. When the allegation of city funds are to projects that do not make sense and programs of great social importance are cut the common man must ask why. What mind would consider cutting a program of 27 thousand that generates revenues of between \$1.2 million and \$1.5 million for city businesses? At this juncture of Tucson's history the city has the opportunity, more importantly, the responsibility to listen to the will of the people, to understand the implications of cutting social programs, both now and in the future and not to put Tucson's welfare on the bottom line.

**C. City Budget – Urban Fishing**

Daniel Sheehan, said he likes to fish, his mother cannot always drive him far away and he can ride is bicycle to Kennedy Lake. He likes to eat the

fish that he catches. The urban stocking program brings people together because everyone goes to the lake to fish. He meets all kinds of people. If the city stops stocking the lake he will have a tackle box full of stuff that he cannot use. He asked the council to keep the urban stocking program.

#### **D. City Budget – Urban Fishing**

Michael Sheehan, said if the city takes the urban stocking program away, he will not be able to fish because only the smart ones will be left. The local bait and tackle shops will suffer because people will not be buying tackle. He asked the council to continue the urban fishing program.

Mayor Walkup said the council appreciated the input from the audience and recognized the city manager.

James Keene, city manager, said he wanted to clarify where staff is in the budget process. He knew the council was going to be talking about the budget and they would discuss a range of options, not necessarily the urban fishing program. He thought it would be helpful to state where the process is. He said everything that has been in the media or that the council is discussing is options that departments have submitted to him for consideration. He has not even put together the city manager's recommended budget, which will go to the council in March. After that, the council will actually be making changes and adopting a budget, so it is too early to say what is in the budget. One of the things about the council's work session is that they have been able to discuss items in the public eye so they are getting public comment, and that helps staff factor in concerns and perspectives before he makes his recommendation. He said he would take the comments from the public into consideration.

Mayor Walkup wanted the audience to know that the council takes all of the public input very seriously and the council was considering options, it has not made any decision yet as to what to do. They really appreciate that kind of input and they need to have the judgement of the cost that generates revenue. It was not something that any member of the council was not going to consider seriously. He thought the speakers had made some valid points and they really appreciated the manner in which they had offered the information.

#### **11. ADJOURNMENT: 2:45 p.m.**

Mayor Walkup announced that the council would stand adjourned until it's next regularly scheduled meeting to be held on Monday, January 13, 2003, at 7:30 p.m., in the Mayor and Council Chambers in City Hall, 255 W. Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the city of Tucson, Arizona, held on the 6<sup>th</sup> day of January, 2003, and do hereby certify that it is an accurate transcription of the magnetic tape record of said meeting.

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OFFICE SUPERVISOR

KSD:DA:DP:mjv  
pr agnst tp:ss