



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on June 21, 2004

Date of Meeting: October 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 2:05 p.m. on Monday, October 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

Carol West

Kathleen Dunbar

Shirley C. Scott

Steve Leal

Fred Ronstadt

Robert E. Walkup

Kathleen S. Detrick

Council Member Ward 1

Council Member Ward 2

Council Member Ward 3

Vice Mayor Ward 4

Council Member Ward 5

Council Member Ward 6

Mayor

City Clerk

Absent/Excused:

None

Staff Members Present:

James Keene

Mike Letcher

James Glock

City Manager

Deputy City Manager

Director of Transportation

Michael House

City Attorney

Suzanne Mesich

Ceci Sotomayor

Sandra Slate

City Clerk's Office

Recording Secretary

Recording Secretary

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Vincent DeCarolis of the Church of the Cosmic Christ, after which the pledge of allegiance was presented by the entire assembly.

Presentations

A. Greater Tucson Area's Best Workplace for Commuters Award

Mayor Walkup presented the "Greater Tucson Area's Best Workplace for Commuters" award to James Keene, city manager, and James Glock, transportation director.

B. Minority Enterprise Development Week

Mayor Walkup proclaimed the week of October 6 to October 10, 2003 as "Minority Enterprise Development Week". Ernest Webster and Debbie Turner of the Small Business Commission accepted the proclamation.

Mr. Webster announced that there would be a celebration on October 9, 2003, at the Hilton East, 7600 E. Broadway.

C. Safe Operation of Heavy Construction Equipment Competition Prize

Mayor Walkup presented a belt buckle, the prize for placing first in the statewide Safe Operation of Heavy Construction Equipment Competition, to Michael Stanford of the Transportation Department.

James Keene, city manager, said this was the first time the city participated in the rodeo and Mr. Stanford beat 600 other participants from Arizona and New Mexico by navigating a larger load through a winding obstacle course without hitting any barricades. He congratulated Mr. Stanford.

D. American Public Works Association Award

Mayor Walkup presented the American Public Works Association award to the city of Tucson Transportation Department for the Diamondback Bridge. He said most of the people he knows think the Diamondback Bridge is a real asset to the city of Tucson and a lot of people nationally believe that the architectural design style and what it has done for the intersection of Broadway and Kino Boulevard is a very pleasant thing for the community. He congratulated everyone who made it happen through the design, the construction, and reconstruction.

E. Future Leaders Exchange Program

Mayor Walkup recognized students of the Future Leaders Exchange Program from Armenia, Russia, and the Ukraine. The Future Leaders Exchange Program is an international program and the students would be in Tucson for a year.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced that city manager's communication number 521, dated October 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. Rio Nuevo Tour

Council Member West invited the public to take a free bus trip to see Rio Nuevo. She thinks it is time that people, especially on the eastside of town, venture out; so on Saturday, October 11, 2003, she would lead a group on a bus from Eastside City Hall on a windshield tour of what is happening with Rio Nuevo. There would also be a no host luncheon and reservations were required.

B. Cleanup of Rosehill Wash

Council Member Ronstadt said over the weekend one of his ward's neighborhood associations had a wash clean up. The members of Tucson Utility Contractors Association organized the effort and he wanted to thank Ken Damgaard, David Hayes, and Steve Barlow. He named and thanked the numerous construction companies involved as well as Steve Pageau of the city's department of transportation and the new registrar of contractors, Jim Jaster. All tolled in human and mechanical capital, the Utility Contractors Association spent \$8,000 cleaning up a significant portion of a very messed up wash. The things that were taken out of the wash were amazing, which included mattresses and diving boards. He thanked the people who helped and said the private sector pulled a really nice trick with the investment of \$8,000 in the neighborhood.

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

Mayor Walkup announced that city manger's communication number 524, dated October 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. Walk to School Day

James Keene, city manager, said the city of Tucson Department of Transportation would be participating in the international "Walk to School Day" on Wednesday, October 8. They would be donating promotional materials and helping to coordinate the event. Approximately 18 Tucson schools registered to participate in the event, which was aimed at bringing attention to the need to reduce air pollution, ease congestion, and promote exercise. He thanked the department's staff for that.

B. West Side Coalition Weed and Seed

The West Side Coalition Weed and Seed received official recognition status from the United States Department of Justice and would host a ceremony on Tuesday, October 7, at the El Rio Neighborhood Center. He said in 2003 the coalition competed with over 150 sites for official recognition and they are one of 30 that received that designation. He congratulated them.

C. Voter Registration

Mr. Keene announced that this was the last day to register to vote in the General and Special Elections on November 4, 2003. Office hours would be extended today at each of the six ward offices and the city clerk would offer curbside voter registration from 5:00 p.m. to midnight at 115 N. Church Avenue, in front of the Pima County Court House.

D. Police Chief Recognition

Mr. Keene noted that this was Richard Miranda's 5th year as police chief and said he thought Chief Miranda was doing a great job. The city was extremely fortunate to have someone with his dedication and qualities.

E. Groundbreaking Ceremonies

Mr. Keene announced that the parks and recreation department would be holding two groundbreaking ceremonies this week. The first would be the Udall Center Senior Addition, on October 7. These phase two improvements to the Udall Center included a 9,000 square-foot addition on the west end of the existing center. The \$2 million expansion was funded by the city of Tucson 2000 voter approved bonds.

The second groundbreaking was for the adaptive recreation center, which would be held on Thursday, October 9. The new facility would be located just across from the entrance to Reid Park Zoo and would feature an indoor temperature controlled therapeutic pool and outdoor recreational pool. It was a \$6,230,000 project funded by city of Tucson voter approved bond money, community development block grant funds, and energy efficiency and auxiliary funds. The facility provides needed recreational facilities for many people in the community who typically do not get that access. Mr. Keene said that concluded his report.

5. CALL TO THE AUDIENCE

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. Speakers would be limited to three-minute presentations. He said he had received two written requests from people wishing to speak and called on the first.

A. Jewish Holidays and the Bill of Rights

Bill Katzel, read from a fifth grade text from Tully Elementary: "Yom Kippur comes exactly ten days after Rosh Hashanah. It is the holiest day of all the high holidays. On this day, Jews believe God decides on the kind of life each man will have for the year to come."

He wished everyone another year in the book of life. His second item came from a text that is recited each day at Tully Elementary. It read, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That the securities rights governments are instituted among men deriving just powers from the consent of the governed."

B. Changing Tucson's Government

Robert Reus, said he came to address the governing body's three-minute rule for call to the audience. The agenda says there is a five-minute limit as do the request to speak cards that the public is asked to fill out. He said he moved to Fayetteville, Arkansas, which had a city manager form of government. After about eight years the population of the city was 45,000, the system was breaking down badly and tens of millions of dollars were being wasted. There was no respect for the opinions of the city's voters and residents. In 1990, he sponsored a petition to change to an aldermanic type of government. It was thrown out on the claim that it was five signatures short. In 1992, he submitted a new petition, an election was held, his group won the election and changed the form of government. An administrative mayor was elected to replace the ceremonial mayor and the city manager was fired. The difference was like night and day. It was a different world. Suddenly, his people, the people of Fayetteville, were running the city. Don Tyson and Sam Walton were no longer running the city, the people were. He still says that in the first eight years \$100 million was saved. He had watched people line up to speak on every issue for hours and the city council listened respectfully.

He moved back to Tucson and it has a city manager form of government. It was like moving backwards through time. There were problems, crime, streets falling apart and the city has a ceremonial mayor who, despite written rules that say five minutes, only allows three minutes for citizens to address the council. Item by item goes by without the citizens who attend the meetings being allowed to say a single word. While the bulk of the situation is caused by the fact that the city has a city manager government, he had to say that a lot of the problem rests with the ceremonial mayor administration. The coming election has become a plebiscite on whether the citizens who attend the meetings are going to be heard. He gave the city manager government a failing grade as he did the mayoral administration and said he was asking the citizens of the city to choose a new mayor and move forward, and restore the people's right to speak at the election on November 4.

6. CONSENT AGENDA ITEMS A THROUGH G

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 by letter and title only, without objection.

- * A. FINANCE: CONTINGENCY FUND TRANSFER FOR THE FESTIVAL OF HOPE 2003
 - (1) Report from City Manager OCT6-03-525 CITY-WIDE

- (2) Resolution No. 19688 relating to finance; approving and authorizing the transfer of Six Hundred Dollars (\$600.00) from the Contingency Fund to Organization 001-183-1838-268, for the Festival of Hope 2003; and declaring an emergency.

* See page 7

* B. TRANSPORTATION: RENAMING THE 22ND STREET BRIDGE OVER MISSION ROAD AS THE RUBEN ROMERO BRIDGE

- (1) Report from City Manager OCT6-03-527 W1
- (2) Resolution No. 19687 relating to transportation; renaming the Twenty-second Street Bridge at the Mission Road Intersection as the "Ruben Romero" Bridge; and declaring an emergency.

C. REAL PROPERTY: CONVEYANCE OF SURPLUS PROPERTY AT THE CORNER OF LAGUNA STREET AND BALBOA AVENUE TO HABITAT FOR HUMANITY

- (1) Report from City Manager OCT6-03-526 W3
- (2) Ordinance No. 9903 relating to real property; vacating and declaring certain city-owned real property at the southeast corner of Laguna Street and Balboa Avenue to be surplus, and authorizing the sale thereof to Habitat for Humanity, Inc.; and declaring an emergency.

D. ELECTIONS: DESIGNATING POLLING PLACES AND APPOINTING ELECTION BOARDS FOR THE NOVEMBER 4, 2003 GENERAL AND SPECIAL ELECTIONS

- (1) Report from City Manager OCT6-03-530 CITY-WIDE
- (2) Resolution No. 19689 relating to elections; designating the polling places where votes may be cast in the City of Tucson's November 4, 2003 General and Special Elections; listing precincts combined for the General and Special Elections, with one designated polling place; listing precincts whose designated polling place is located within an adjacent precinct; and declaring an emergency.
- (3) Resolution No. 19690 relating to elections; appointing officials who will serve as members of the precinct election boards, early ballot processing boards, and other special election boards for the City of Tucson's November 4, 2003 General and Special Elections; and declaring an emergency.

E. DOWNTOWN TUCSON ENHANCED MUNICIPAL SERVICES IMPROVEMENT DISTRICT: RENEWAL AGREEMENT WITH THE TUCSON DOWNTOWN ALLIANCE

- (1) Report from City Manager OCT6-03-532 W1, W5, W6

- (2) Resolution No. 19691 relating to the Downtown Enhanced Services Improvement District; authorizing and approving the first renewal of the Downtown Tucson Enhanced Services Agreement between the Tucson Downtown Alliance and the city of Tucson; and declaring an emergency.

* See page 9

F. FINANCE: TRANSFER OF FUNDS FOR THE RED CROSS BONE MARROW DRIVE

- (1) Report from City Manager OCT6-03-531 CITY-WIDE
- (2) Resolution No. 19692 relating to finance; approving and authorizing the transfer of Two Hundred Eighty-Two Dollars and Eighty-Six Cents (\$282.86) from the Contingency Fund to Organization 001-183-1838-268, for a Red Cross Bone Marrow Drive; and declaring an emergency.

G. RESOLUTION OF SUPPORT: FOR THE 2003 IMMIGRANT WORKERS FREEDOM RIDE

- (1) Report from City Manager OCT6-03-533 CITY-WIDE
- (2) Resolution No. 19693 relating to immigrant workers; expressing the support of the Mayor and Council of the City of Tucson for the 2003 Immigrant Workers Freedom Ride; and declaring an emergency.

Mayor Walkup asked the council's pleasure.

Council Member Ibarra asked if consent agenda item F needed to be considered separately.

James Keene, city manager, noted that the item was specific as presented.

It was moved by Council Member Ibarra, seconded by Council Member West, that consent agenda items C through G, with the exception of items A and B, be passed and adopted and the proper action taken.

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

Upon roll call, the results were:

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

Nay: Council Member Dunbar

Absent/Excused: None

Consent agenda items A through G, with the exception of items A and B, were declared passed and adopted by a roll call vote of 6 to 1.

6. CONSENT AGENDA – ITEM A

A. FINANCE: CONTINGENCY FUND TRANSFER FOR THE FESTIVAL OF HOPE 2003

Resolution No. 19688

Relating to finance; approving and authorizing the transfer of Six Hundred Dollars (\$600.00) from the Contingency Fund to Organization 001-183-1838-268, for the Festival of Hope 2003; and declaring an emergency.

Mayor Walkup asked for input on this item.

Don Vick, executive director of Mission Tucson, introduced two board members, Jim Smith, CEO of Airtronics and the director of the Festival of Hope, and Carl Blascak, logistics coordinator. Mission Tucson is a facilitator of citywide events and projects that bring together the diverse Christian community and sometimes many secular organizations as well for some really special events, such as the Festival of Hope. The Festival is in its 6th year and would be held on Saturday at the Tucson Convention Center. It is an outpouring of compassion for the less fortunate living in the city and the surrounding area. This year there were more than 80 different service providing agencies, including the Salvation Army, the Citizens Corps, World Care, Feed the Children, Job Corp, the American Red Cross, and Jobs Partnership. They would be available to the anticipated 10 to 15 thousand honored guests who come in need of the free services. This year they anticipated giving out more than \$500,000 dollars in free goods and services. He invited the council members to join them at the event. They give food and clothing, and provide free medical and dental, give free haircuts, makeovers and much, much more, including free activities and entertainment for the thousands of individuals, families and children who are in need of a helping hand. This year more than 200 dentists and technicians had committed to the event. Dental care was one of the greatest needs the people have since there are not many programs that provide dental care. He was sure the council was aware also that according to the federal government database, Pima County has over 80,000 residents living below the poverty level and many of those are in very serious need of compassion and care.

The goal of the Festival of Hope was to connect with those people in dignity, to offer them genuine hope by letting God touch them through the compassion of his people. The festival is not about one particular organization or church group; it is about community and serving the needs of those who sincerely need a helping hand. He was asking the council to support the event because almost all of the goods and services needed for the event are donated by some truly wonderful Tucsonans. They have learned that a person does not often receive until they ask. He asked for the council's help with a few things that are related to the Festival of Hope, such as parking and police patrol. They have paid the city \$8,000 for the use of the community center for the day and they would greatly appreciate it if their guests and volunteers could use the Tucson Convention Center parking lots without being charged the extra fees that day. The city's help with parking and police patrol would go a long way

toward easing some of the burden of their budget. He reiterated his invitation for the mayor and council to participate, or they could simply attend and check the festival out. He understood the mayor and his wife would be attending and looked forward to having them. He extended the invitation to all members of the council and sincerely hoped to see them at the festival.

Mayor Walkup said the Festival of Hope was a wonderful organization that really served the community well, as anyone who attended would understand. He asked the council's pleasure.

It was moved by Council Member Ronstadt, seconded by Vice Mayor Scott, that resolution 19688 be passed and adopted and the proper action taken.

Council Member Ibarra said he would support the motion because of what the organization does for the community.

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 19688 was declared passed and adopted by a roll call vote of 7 to 0.

6. CONSENT AGENDA – ITEM B

B. TRANSPORTATION: RENAMING THE 22ND STREET BRIDGE OVER MISSION ROAD AS THE RUBEN ROMERO BRIDGE

Resolution No. 19687

Relating to transportation; renaming the Twenty-Second Street Bridge at the Mission Road Intersection as the "Ruben Romero" Bridge; and declaring an emergency.

Mayor Walkup asked the council's pleasure.

Council Member Ibarra asked Ms. Romero to comment.

Margaret Romero, the widow of Ruben Romero, said their daughter, Margo, was present as were Mr. Romero's sisters, Virginia and Rosa, along with good friends Elsa and Fernie, plus nephews. She thanked the council for bestowing this honor on her late husband. She knew he worked very hard to get the bridge and he would be proud to have it named after him. She thanked Council Member Ibarra for all he had done to further the proposed resolution. She was very happy that he had. She thanked the mayor and council members for

the job they do for the citizens of Tucson. She remembered when her husband was a council member and how hard he had to work. Thick notebooks arrived every weekend for the council meetings and she remembered how he used to study the material, the many meetings he attended, and the time he was away from home while still supporting her and their three children. She really appreciated the council's dedication. She knew no one ever thanked them for the good things they do and that people are quick to complain, so she thanked them.

It was moved by Council Member Ibarra, seconded by Vice Mayor Scott, to pass and adopt resolution 19687.

Council Member Ibarra said he was honored to make the motion. Ruben Romero was a great man and a great leader with a lot of vision and dedication to the community. He asked staff to comment.

James Glock, director of transportation, displayed the signs that people would see as they came from either the east or west, and said they were in place.

Council Member Ibarra asked that the sign displayed by Mr. Glock be given to Mr. Romero's family.

Mayor Walkup asked for a roll call on the motion.

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 19687 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 522, dated October 6, 2003, would be received into and made a part of the record. He asked the city clerk to read the liquor license agenda.

(c) Special Event(s)

- | | | |
|-----|--|--|
| (1) | SALPOINTE CATHOLIC HIGH SCHOOL
1545 E. Copper Street
Applicant: Margaret L. Gessner
City #T070-03, located in Ward 3
Date of Event: October 25, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (2) | BOOTSTRAPS TO SHARE
dba BICAS
Southeast corner of 4 th Avenue and 5 th Street | <u>Staff Recommendation</u>

Police: In Compliance |

- | | |
|---|--|
| <p>Applicant: Diane P. Daly
 City #T080-03, located in Ward 6
 Date of Event: October 25, 2003</p> | <p>DSD: In Compliance</p> |
| <p>(3) SAINTS PETER AND PAUL
 CATHOLIC CHURCH AND SCHOOL
 1436 N. Campbell Avenue
 Applicant: Paul V. Leonardi
 City #T083-03, located in Ward 6
 Date of Event: October 18, 2003</p> | <p><u>Staff Recommendation</u></p> <p>Police: In Compliance
 DSD: In Compliance</p> |
| <p>(4) MARCH OF DIMES
 288 N. Church
 Applicant: Nadine C. Hanson
 City #T086-03, located in Ward 1
 Date of Event: October 16, 2003</p> | <p><u>Staff Recommendation</u></p> <p>Police: In Compliance
 DSD: In Compliance</p> |
| <p>(5) TUCSON PRIDE, INC.
 900 S. Randolph, Reid Park DeMesster Center
 Applicant: Wendy J. Bailey
 City #T090-03, located in Ward 6
 Date of Event: October 11, 2003</p> | <p><u>Staff Recommendation</u></p> <p>Police: In Compliance
 DSD: In Compliance</p> |
| <p>(6) TUCSON PARKS & RECREATION
 3400 E. Camino Campestre,
 Hi Corbett Field
 Applicant: Robert L. Martin
 City #T099-03, located in Ward 6
 Date of Event: October 12, 2003</p> | <p><u>Staff Recommendation</u></p> <p>Police: In Compliance
 DSD: In Compliance
 Police: In Compliance</p> |

Mayor Walkup asked the council's pleasure.

Kathleen S. Detrick, city clerk, said on the afternoon agenda, there were no requests for new licenses, however, there were six requests for special events. All had a staff recommendation for approval so the appropriate motion would be to forward application 7c(1) through 7c(6) to the state with a recommendation for approval.

Mayor Walkup recognized Vice Mayor Scott.

It was moved by Vice Mayor Scott, seconded by Council Member Leal, and carried by a voice vote of 7 to 0, to forward liquor license applications city #T070-03; city #T080-03; city #T083-03; city #T086-03; city #T090-03; and city #T099-03, to the state department of liquor licenses and control with a recommendation for approval.

8. ZONING: (C9-03-16) SWIERGOL – FORT LOWELL ROAD, MH-1 TO O-2, CITY MANAGER'S REPORT

Mayor Walkup announced that city manager's communication number 528, dated October 6, 2003, would be received into and made a part of the record. He also announced that this was a request to rezone property located south of Fort Lowell Road at the Longfellow Avenue alignment, north of the Blackledge Wash. The zoning examiner and the city manager recommend approval of O-2 zoning, subject to certain conditions. He asked if the applicant or a representative was present and if so, were they aware of and amenable to the standard conditions recommended by the city manager.

Ron Asta, zoning consultant for Jack and Mary Swiergol, thanked staff for their positive recommendations and said they accepted the conditions.

Mayor Walkup asked the council's pleasure.

It was moved by Council Member West, seconded by Council Member Leal, and carried by a voice vote of 7 to 0, that in zoning case C9-03-16, staff be directed to prepare an ordinance rezoning the subject property from MH-1 to O2, subject to the standard conditions recommended by the city manager.

9. ZONING: (C9-97-08) HOUGHTON - IRVINGTON LP – IRVINGTON ROAD, MH-1 ZONING, CHANGE OF CONDITIONS

Mayor Walkup announced that city manager's communication number 529, dated October 6, 2003, would be received into and made a part of the record. He asked the city clerk to read ordinance 9904 by number and title only.

Ordinance No. 9904

Relating to zoning: amending Ordinance No. 9858 to amend condition 1(C) for approval of the zoning district boundaries in the area located at the northwest corner of Houghton Road and Irvington Road in Case C9-97-08, Houghton/Irvington LP–Irvington Road, SR to MH1; and declaring an emergency.

Mayor Walkup asked the council's pleasure.

It was moved by Vice Mayor Scott, seconded by Council Member West, that ordinance 9904 be passed and adopted.

Mayor Walkup asked if there was any discussion.

Council Member West asked why the property owner was requesting the change of height from 20 feet to 25 feet. She could not find anything in the material that explained that.

Michael Shipione, Full Circle Engineering, design engineers for the project, said the property was originally rezoned in 1997 and was designated at that time to be a mobile home park. The development plan was approved and since then it has been made into a for sale subdivision at the request of a potential buyer of the property. The purpose of the

request for a change of conditions was to allow the two-story structures to be built on part of the property.

Mayor Walkup asked for the roll call.

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

Ordinance 9904 was declared passed and adopted by a roll call vote of 7 to 0.

10. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Mayor Walkup announced that city manager's communication number 523, dated October 6, 2004, would be received into and made a part of the record. He asked the council's pleasure.

It was moved by Council Member Leal, seconded by Vice Mayor Scott, and carried by a voice vote of 7 to 0, to appoint Brenda Kazen and reappoint Nancy Robinett to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender Issues; to appoint Carole Baumgarten to the Metropolitan Housing Commission; and Katherine Jacobs and Stephen Bresler to the Citizens' Transportation Advisory Commission.

Mayor Walkup asked if there were any additional appointments.

Council Member West announced her personal appointment of Shannon McBride Olsen to the city of Tucson Planning Commission.

Council Member Dunbar announced her personal appointment of Fred D. Johnson to the Minority and Women Business Enterprise Commission.

11. CALL TO THE AUDIENCE

Mayor Walkup announced that this was the time any member of the public was allowed to address the mayor and council on any issue and asked that speakers limit their comments to three-minute presentations. He asked if anyone wished to be heard.

A. Gasoline Pipeline Rupture at Grant & Silverbell

Robert Reus, said none of the public had been allowed to address this issue and it was not on the agenda, but the rupture of the gasoline pipeline this past summer was a warning from God. It was fortunate that there was no one in the homes that were affected because a pilot light or something else could have sparked a catastrophe. If the pipeline is

not rerouted tens of thousands of Tucsonans will be subject to decades of risk. He said he is not a lawyer, but he understood that if the pipeline is rebuilt in the same right-of-way and there is a disaster in the future not only is it a risk to the people that live in that right-of-way, but the city may have some legal liability. If the council does anything less than protect the health and safety of everyone in the city, particularly those who live within the right-of-way, it may come back to haunt them in the future. There may be a lawsuit against Kinder Morgan with the citizens of the city as codefendants. He asked the council to think very carefully about this issue and recommended that the line be rerouted whatever short-term trouble it may cause. In the long-term, it is going to protect all of the citizens of the city.

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

12. ADJOURNMENT: 2:34 p.m.

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

MAYOR

ATTEST:

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 6th day of October, 2003, and do hereby certify that it is an accurate transcription of the magnetic tape record of said meeting.

MANAGEMENT ASSISTANT

KSD:SM:DD:DP:mjv
Pr agnst tp:rp