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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on August 6, 2007

Date of Meeting: June 26, 2007

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 Street, Tucson, Arizona, at 5:43 p.m. on Tuesday, June 26, 2007 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
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Vice Mayor, Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

None

Staff Members Present:

Michael Rankin	City Attorney
Kathleen S. Detrick	City Clerk
Karen Masbruch	Assistant City Manager
Liz R. Miller	Assistant City Manager

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

(Note: The Invocation and Pledge of Allegiance were taken out of order and conducted at the Public Housing Authority meeting, which was held at 5:30 p.m.)

Kathleen S. Detrick, City Clerk, announced Susie Rogers would assist anyone in the audience needing Spanish language translation for items listed on the agenda.

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 371, dated June 26, 2007 would be received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Vice Mayor Scott announced that Ward 4 was participating in a Cell Phones for Soldiers Program, and were accepting used cell phones and pagers that would be sold and the proceeds used to buy pre-paid calling cards and videophones for soldiers overseas. They had filled one box so far and donations were being accepted at the Ward 4 Office.
- b. Council Member Trasoff announced that Ward 6 continued to host the exhibition of photography and essays by Catalina Magnet High School students on being an immigrant teenager in Tucson which was still at the Office. The exhibit was free and open to the public through July 31, 2007.

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

Mayor Walkup announced City Manager's communication number 372, dated June 26, 2007 would be received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

**5. LIQUOR LICENSE APPLICATIONS**

Mayor Walkup announced City Manager's communication number 318, dated June 5, 2007 would be received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. Vila Thai Cuisine, Ward 6  
972 E. University Blvd.  
Applicant: Vila Destanii Jarrell  
Series 12, City 34-07  
Action must be taken by: July 2, 2007  
Staff has indicated the applicant is in compliance with city requirements.

(CONTINUED FROM THE MAYOR AND COUNCIL MEETING OF JUNE 19, 2007.)

2. Cafe Ramey, Ward 6  
1661 N. Swan Rd., Suite 120  
Applicant: Richard W. Andersen  
Series 12, City 42-07  
Action must be taken by: July 12, 2007  
Staff has indicated the applicant is in compliance with city requirements.

3. China Thai Cuisine, Ward 2  
6502 E. Tanque Verde Rd.  
Applicant: Tongbai Woods  
Series 12, City 43-07  
Action must be taken by: July 13, 2007  
Staff has indicated the applicant is in compliance with city requirements.

4. My Big Fat Greek Restaurant, Ward 3  
95 W. River Rd.  
Applicant: Lauren Kay Merrett  
Series 12, City 44-07  
Action must be taken by: July 20, 2007  
Staff has indicated the applicant is in compliance with city requirements.

5. El Cachanilla Mexican & Sea Food Grill, Ward 3  
2530 N. First Avenue  
Applicant: Felipe Sanchez  
Series 12, City 45-07  
Action must be taken by: July 14, 2007  
Revenue and Development Services have indicated the applicant is in compliance with city requirements.  
Tucson Police Department has indicated the applicant is not in compliance with city requirements.

Considered separately.

c. Special Event(s)

NOTE: There are no applications for special events scheduled for this meeting.

d. Agent Change/Acquisition of Control

1. Arizona Plaza Hotel, Ward 3  
1601 N. Oracle Rd.  
Applicant: H. J. Lewkowitz  
Series 11, City AC3-07  
Action must be taken by: July 13, 2007  
Staff has indicated the applicant is in compliance with city requirements.  
Considered separately.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0 to forward liquor licenses 5b1 through 5b4 to the Arizona State Liquor Board with a recommendation for approval.

## 5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Applications

5. El Cachanilla Mexican & Sea Food Grill, Ward 3  
2530 N. First Avenue  
Applicant: Felipe Sanchez  
Series 12, City 45-07  
Action must be taken by: July 14, 2007  
Revenue and Development Services have indicated the applicant is in compliance with city requirements.  
Tucson Police Department has indicated the applicant is not in compliance with city requirements.

Kathleen S. Detrick, City Clerk, announced the first item to be considered separately was 5b5, El Cachanilla Mexican & Sea Food Grill, located in Ward 3. The Tucson Police Department had indicated that the applicant was not in compliance. It did not have any protests filed.

Council Member Uhlich invited the applicant to come forward.

Felipe Sanchez, the applicant, stated that he told the Police Department about all of the reports. He said he had no reason to hide anything, because all they needed to do was push a button to have all of the information. He thought there must be some misunderstanding.

Sergeant Stoutmeyer, Tucson Police Department Vice Unit, stated that he knew that some of the incidents were old felony charges. However, the applicant had to prove

that he was capable, qualified and reliable and due to his old charges, he did not believe that burden of proof had been met.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0 to forward liquor licenses 5b5 to the Arizona State Liquor Board with a recommendation for denial.

## **5. LIQUOR LICENSE APPLICATIONS**

### **d. Agent Change/Acquisition of Control**

1. Arizona Plaza Hotel, Ward 3  
1601 N. Oracle Rd.  
Applicant: H. J. Lewkowitz  
Series 11, City AC3-07  
Action must be taken by: July 13, 2007  
Staff has indicated the applicant is in compliance with city requirements.

Kathleen S. Detrick, City Clerk, announced the final item to be considered separately was 5d1, Agent Change/Acquisition of Control for the Arizona Plaza Hotel. Staff had indicated the applicant was in compliance and it is located in Ward 3.

Council Member Uhlich asked if the applicant or representative was present. There was no one.

It was moved by Council Member Uhlich duly seconded, and carried by a voice vote of 7 to 0 to forward liquor license 5d1 to the Arizona State Liquor Board with no recommendation.

## **6. CALL TO THE AUDIENCE**

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations.

- a. Don Foster said citizens needed to be more involved in law enforcement and homeland security and the City should create a paid position to coordinate such involvement.
- b. Michael Toney spoke about integrated fiber optics.
- c. James King, a City employee, spoke about the American Federation of State, County and Municipal Employees (AFSCME) agreement and that the negotiations had gone well.
- d. Alan Lee spoke about the AFSCME agreement and thanked the City and the Human Resources staff for their hard work.

- e. Ken Scoville spoke about the Oracle/Drachman realignment and urged the council to cancel the contract that would convey this area to a developer, and instead use this area for open space for the neighborhood.

Council Member Uhlich asked the City Attorney to be allowed to respond to Ken Scoville, as she was directly addressed during his comments. She stated that although the property had not been officially conveyed, the City had already committed to it and was bound to keep their promise to the developer.

- f. Karlen Ross spoke about the Fourth Avenue underpass construction, pedestrian traffic and the destruction of planters in that area.
- g. Joe Sweeney spoke about checking voter eligibility in order to keep non-citizens from voting.

**7. CONSENT AGENDA – ITEMS A THROUGH N**

Mayor Walkup announced 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.

**A. TUCSON CODE: IMPLEMENTING (CHAPTER 22) TUCSON SUPPLEMENTAL RETIREMENT SYSTEM REGARDING A BENEFIT INCREASE FOR CITY EMPLOYEES WHO RETIRED PRIOR TO JULY 1, 2004**

- 1. Report from City Manager JUNE26-07-378 CITY-WIDE
- 2. Ordinance No. 10428 relating to Pensions, Retirement and Group Insurance; implementing Article III, Tucson Supplemental Retirement System, Section 22-41 (a) *Increase in Retirement Allowance of Retired Members* by providing a benefit increase; and declaring an emergency.

**B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR TUCSON CHILDREN'S MUSEUM RENOVATIONS**

- 1. Report from City Manager JUNE26-07-379 WARD 6
- 2. Resolution No. 20699 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County for Tucson Children's Museum Renovations; and declaring an emergency.

- C. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR ELECTION SUPPORT SERVICES
1. Report from City Manager JUNE26-07-375 CITY-WIDE
  2. Resolution No. 20700 relating to elections; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County relating to support services provided by the Pima County Elections Division for the 2007 City of Tucson Primary, General, and Special Elections; and declaring an emergency.
- D. ASSURANCE AGREEMENT: (S05-117) YAVAPAI CONDOMINIUMS, UNITS 1 TO 8, AND COMMON ELEMENTS "A", "B", AND "C"
1. Report from City Manager JUNE26-07-376 WARD 3
  2. Resolution No. 20701 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S05-117 of a final plat for the Yavapai Condominiums, Units 1 to 8 and Common Elements "A" - "C"; and declaring an emergency.
- E. FINAL PLAT: (S05-117) YAVAPAI CONDOMINIUMS, UNITS 1 TO 8, AND COMMON ELEMENTS "A", "B", AND "C"
1. Report from City Manager JUNE26-07-377 WARD 3
  2. Staff 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.
- F. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA FOR TRAFFIC SIGNALS ALONG STATE ROUTES WITHIN THE CITY
1. Report from City Manager JUNE26-07-380 CITY-WIDE
  2. Resolution No. 20702 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and the State of Arizona for operations and maintenance of traffic signals along state routes within the City limits; and declaring an emergency.

G. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE DOWNTOWN LINKS PROJECT

1. Report from City Manager JUNE26-07-381 WARDS 1, 5, AND 6
2. Resolution No. 20703 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and the Regional Transportation Authority (RTA) of Pima County for Downtown Links; and declaring an emergency.

H. LABOR AGREEMENT: WITH THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, COUNCIL 97

1. Report from City Manager JUNE26-07-370 CITY-WIDE
2. Resolution No. 20704 relating to employee relations; authorizing the City Manager to execute an agreement between the City of Tucson and the American Federation of State, County and Municipal Employees (AFSCME) to be in effect from July 1, 2007 through June 30, 2010; and declaring an emergency.

Item H was considered separately at the request of the Mayor.

I. FINANCE: ALLOCATION OF PROCEEDS FROM SALE OF JUHAN PARK FOR THE FIRST TEE YOUTH LEARNING & LIFE SKILLS CENTER AT EL RIO GOLF COURSE

1. Report from City Manager JUNE26-07-369 WARD 1
2. Resolution No. 20705 relating to finance; approving and authorizing the allocation of One Hundred Thousand Dollars (\$100,000) from the proceeds of the sale of Juhan Park to the Tucson Conquistadores for use in completing the First Tee Youth Learning & Life Skills Center at El Rio Golf Course; and declaring an emergency.

J. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE PUBLIC, EDUCATION AND GOVERNMENT TELEVISION CHANNEL ADVISORY COMMITTEE (PEG)

1. Report from City Manager JUNE26-07-389 CITY-WIDE
2. Resolution No. 20706 relating to Boards and Commissions; creating the Public Education and Government Television Channel Advisory Committee; and declaring an emergency.

- K. TUCSON CODE: AMENDING (CHAPTER 4) RELATING TO PIMA ANIMAL CARE CENTER FEES
1. Report from City Manager JUNE26-07-390 CITY-WIDE
  2. Ordinance No. 10430 relating to animals and fowl; revising Tucson Code Chapter 4 Article V to increase fees related to vaccination, license, impoundment, and boarding for dogs; amending Tucson Code Chapter 4 Article V Sections 4-78 Regulations governing vaccinations; 4-82 License fee; 4-87 When fees delinquent; delinquency penalty; 4-90 Duplicate license tags; 4-91 Transfer of licenses; 4-99 Impoundment time, notice and costs; and declaring an emergency.
- L. MAYOR AND COUNCIL: AMENDING THE 2007 MAYOR AND COUNCIL MEETING SCHEDULE
1. Report from City Manager JUNE26-07-391 CITY-WIDE
  2. Ordinance No. 10431 relating to administration; amending Section 2 of Ordinance 10352, which approved a schedule of Mayor and Council regular meeting dates for 2007, to add a regular meeting date on July 10, 2007; and declaring an emergency.
- M. FINANCE: TRANSFER OF FUNDS FROM THE WARD 6 OFFICE BUDGET TO THE LOFT CINEMA AND PORTABLE PRACTICAL EDUCATIONAL PREPARATION, INC.
1. Report from City Manager JUNE26-07-393 WARD 6
  2. Resolution No. 20708 relating to finance; authorizing and approving the reallocation of One Thousand Dollars (\$1,000) to the Community Support Fund for the benefit of the Loft Cinema for the Grease Sing-A-Long to be held on Friday, August 24, 2007 and Five Hundred Dollars (\$500) to the Community Support Fund for the benefit of the Portable Practical Educational Preparation, Inc. (PPEP) to assist in their costs for their 40<sup>th</sup> Anniversary Appreciation Day to be held on August 24, 2007, for a total amount of Fifteen Hundred Dollars (\$1,500) from the Ward Six Council Office; and declaring an emergency.
- N. FINANCE: TRANSFER OF FUNDS FROM THE WARD 1 OFFICE BUDGET TO THE UNIVERSITY OF ARIZONA STRATEGIC ALTERNATIVE LEARNING TECHNIQUES CENTER, PLANNED PARENTHOOD OF SOUTHERN ARIZONA AND THE DAVIS ELEMENTARY MURAL PROJECT

1. Report from City Manager JUNE26-07-394 WARD 1
2. Resolution No. 20707 relating to finance; authorizing and approving the reallocation of Twenty Thousand Dollars (\$20,000) to the Community Support Fund for the benefit of the University of Arizona Strategic Alternative Learning Techniques Center for funding and supporting the Catalina Magnet School programs; Two Thousand Dollars (\$2,000) to the Community Support Fund for the benefit of the Planned Parenthood of Southern Arizona to help cover costs for continued quality health care, training, and parental education; and Two Thousand Dollars (\$2,000) to the Community Support Fund for the benefit of the Davis Elementary Mural Project to help cover costs for needed supplies, for a total amount of Twenty Four Thousand Dollars (\$24,000) from the Ward One Council Office; and declaring an emergency.

It was moved by Council Member Ibarra, duly seconded, that Consent Agenda Items A through N, with the exception of Item H, which would be considered separately, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

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

Nay: None

Consent Agenda Items A through N, with the exception of Item H, which would be considered separately, were declared passed and adopted by a roll call vote of 7 to 0.

**7. CONSENT AGENDA – ITEM H**

**H. LABOR AGREEMENT: WITH THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, COUNCIL 97**

1. Report from City Manager JUNE26-07-370 CITY-WIDE
2. Resolution No. 20704 relating to employee relations; authorizing the City Manager to execute an agreement between the City of Tucson and the American Federation of State, County and Municipal Employees (AFSCME) to be in effect from July 1, 2007 through June 30, 2010; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced that Item H was to be considered separately at the request of the Mayor.

Mayor Walkup stated that he removed this item from the Consent Agenda so that he could take a moment to thank Cindy Bezaury, Human Resources Director and Alan Lee of AFSCME. He said the Council was very pleased with the sincerity, directness and the compromises that were made during the negotiation process.

It was moved by Council Member Trasoff, duly seconded, that Consent Agenda Item H be passed and adopted and the proper action taken.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

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

Nay: None

Consent Agenda Item H was declared passed and adopted by a roll call vote of 7 to 0.

**8. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 3) ADOPTING A REVISED SIGN CODE**

Mayor Walkup announced City Manager's communication number 388, dated June 26, 2007, would be received into and made a part of the record. He announced this was the time and place legally advertised for a public hearing on amending the Sign Code. He announced the public hearing was scheduled to last for no more than one hour and speakers would be limited to five-minute presentations.

Mayor Walkup stated that the public hearing would be continued to the meeting to be held on July 10, 2007. He told the public that since it was posted they would have the option to speak that evening and/or on July 10, 2007. If they elected not to speak that evening, he would hold their cards for the meeting on July 10, 2007.

Council Member Trasoff suggested that it might be helpful to explain about the discussion that took place in Study Session and the reason for the delay.

Council Member West explained that at Study Session she suggested that they continue the public hearing to July 10, 2007. She said that they asked the Citizen Sign Code Committee to take back the document and to remove any substantive changes. The Council would work on those separately. At this time, the Council only wanted to consider the housekeeping changes and the reformatting of the document so that it would

be more user friendly. She said that it was good that the citizens were there to relay their concerns and that she and other Council Members would be taking notes. They wanted to hear any suggestions that they had to offer and they could come back and speak on July 10, 2007 if they desired. This would be a work in progress for some time.

David Sitton, Vice President of Clear Channel Outdoor, asked the Council to consider the fact that Clear Channel was one of the major players in outdoor advertising in the community and that they were not invited to any of the Sign Code change meetings. Customarily across the country, when significant sign changes were being considered, the sign industry would be invited. He said that he had talked to other members of the industry and they also felt that they had not been invited. If there were going to be continued talks about code changes, he asked that the Sign Code Committee include industry leaders. They were very interested in what happens with the Sign Code and eager to be part of the public process. They hope to be included in the future.

Evelyn Rick stated that she would prefer to defer her comments until the July meeting.

Ruth Beeker stated that she had listened to the Study Session and she commended them for their decision. However, she came down that evening anyway because she was concerned about the process. She tied it into an experience that she had two weeks ago at the sustainability forum that the local architects had. They had an assessment team come in from all over the United States to listen to the people, see what was going on in Tucson, and make findings, and then they would be making recommendations. She said one of their findings was particularly disturbing, and that was that citizens in the community did not trust their government. It was the last item listed in the article in the paper. She said she had wondered why they had that distrust. Then the sign code ordinance came along and they were shooting themselves in the foot again, because there were two major key ideas missing in what has occurred. She said she heard the Council use those two magic words that afternoon during Study Session: transparency and participation. Ms. Beeker said that the community must communicate to the staff that those are key words. She did not know how to go about doing that, but it seemed like each time she came to a Council meeting, she was complaining about something that they had never heard about. She asked the Council to go one step beyond what they had already done, by remanding the whole thing back to committee. She also asked the City Manager take a really in-depth look at why they were having so much trouble in this community, in this city government, having things be transparent and having things be open for participation.

John Hart, Citizen Sign Code Committee Chairperson, said he had served on the Committee for a number of years. He explained that Citizen Sign Code Committee members are appointed by the Mayor and Council, one for each of the wards, and four from the City Manager's Office. Therefore, they represent the Council Members, and they also, as members of a broad cross section of the community, represent the community.

Mr. Hart stated that this particular issue was brought to them about five or six years ago as an emergency situation. The situation was that the City had two sign codes running in parallel. One was the 1987 code that may have had some of the amendments incorporated in it, and was distributed by the City Clerk's Office. The other one was housed in Development Services Office, and incorporated all of the changes that the Council had made. This was a terrible inconvenience for anybody trying to use the code because they went to the City Clerk's Office to get a copy of the code in order to develop a plan. Then to get their permit they would go over to the Development Services and they may well find that they had wasted all their time.

Mr. Hart said the committee went to work on the project and had been working on it all these years. They had been through various members on the committee and worked with just about everybody in the City Attorney's Office, including the City Attorney himself when he was a staff attorney. They did everything in accordance with the law. They had open meetings that were noticed to the public. He said that if anybody in the public said they did not know about it, that was because they did not read the public notices in the paper. Every one of them was noticed properly. Mr. Hart said members of the sign industry had addressed the Committee. Several different companies had been there, including Clear Channel. They had also taken input from private citizens, from neighborhood associations and from the industry. Even some of the City staff members had been to the meetings and participated. And in all these years, they worked to put together a code that would be usable, practical and fair for this community.

Mr. Hart said they used to say it was time to shoot the engineers and get on with production. And that was what happened earlier this year. We kept getting input and making changes until the committee finally said, "Let's shoot the engineers and get on with production." They voted unanimously to not accept any more changes until such time as they could bring the document to the Council for review and approval.

Mr. Hart stated the Sign Code Committee had held its own public hearing and only three people from the public showed up. He said at the Study Session it was mentioned that the Council had received a lot of input over the last couple of weeks. He asked where that input was when the committee was doing its job on your behalf. They did not come to the Committee's public hearing. And now the Council was saying, "Take it back, folks, and do it over." He said he believed that was terribly unfair to the people that they had selected to represent them and the community, to tell them to take it back and do it over. He said he hoped that they would trust in the Committee that they had appointed to do a job for them and for the community to pass and adopt this ordinance. He reminded the Council that the Committee was not an ad hoc committee. They would continue to work. They would continue to take input from the committee and offer proposed changes.

Ron Spark thanked the Council for the opportunity to address this issue. He said he sympathized greatly with the gentleman that just spoke. They had done due diligence. However, the process had failed, and even that gentleman admitted the process had failed because they had come up with changes. He said in his opinion, these changes were a

degradation of what they already had. There was a special sense of place in Tucson, and that included the sign code that they had. He said he felt that they all shared in the change that was being proposed. Everyone at the grassroots level was going to be impacted. He saw some very adverse changes. He said that maybe it took a crisis to get people involved, and motivated. They had an alert citizen, member of this group that alerted that these changes were coming. He had lived in Tucson for thirty-four years, and he said he knew that notoriously in June, some very dark things happen at City Council. That was what Ruth Beeker was talking about. The changes could have occurred without anybody knowing about it, because half of Tucson might have been away.

Mr. Spark said they were talking about transparency, process and trust. He beseeched the Council to undo the damage, it was not too late. He asked for a public process, to get some input and some open discussion about some of the changes. He said he did not want Tucson to be an ugly place. They had done a great job with a lot of the signage and billboards. He said he was very proud of what we had and he thought they could do a better job, but they needed to have a public process.

Joana Damos said her roots in Tucson were deep and long. Her father arrived in 1910. If he were alive, he would remember a Tucson that did not exist anymore. She had also seen so many changes occur. She said she had been a downtown property owner, with some property at Stone and Congress, which was a theater built by her father and his brothers. She said she was serving as the United States Attorney when the mother of the two victims of the Pied Piper of Tucson came to her office trying to get the FBI involved. But at any rate, that publicity brought all these people to Tucson and Speedway became known nationally as the ugliest street in Tucson. Later they formed the Downtown Advisory Committee from which sprang the Downtown Development Corporation and the City Industrial Development Authority and they did a lot of nice things with that. They introduced bankers to the south and west sides of Tucson where it was safe for them to build apartments and houses. Alene Dunlap-Smith served on the Downtown Advisory Committee and one night Alene was thrilled because they had developed a sign code that was going to clean up Tucson. That would do away with the name the Ugliest Street in the Country, and so that ordinance was passed. Some chipping away was done in 1986, but basically it has remained the same. She said she disagreed with the Chairman of the Sign Code Committee because introducing large signs on office buildings was not her idea of cleaning up the code and cleaning up Tucson. Ms. Damos said this was a community they all cared about. It was very special but it was losing its identity. She said they could take parts of Tucson and set it any place else in the country, and they would not know the difference. Some of the ambience was still here. And this proposed sign code would do away with what was left of the ambience. She asked the Council to please keep in mind they did not want the ugliest city in the country when they were considering the changes.

Jean-Paul Bierny said he was there to voice his opposition to the automatic adoption of the reformatting of the sign code as proposed by the Sign Code Committee. He reminded the Council about Speedway being called the ugliest street in America, and said that was clearly because it was a forest of commercial signs. They would not see

that in England, in France or in most civilized places. He said the sign code, as it was, now does away with most of that visual blight. However, the proposed reformatting would indeed bring it back. He said an example was that the reformatting would allow electronic signs on scenic routes. Right now the sign code mandated that old tall post signs should be brought down in height and size at the time of the change in their commercial use. The current suggestion was to do away with that: in other words, to keep and rejuvenate those old tall signs and make sure that Speedway remained what it used to be. Also, at this point, there were not supposed to be any signs for non-residential users in single-family residential zones. Again, that would go away and it would allow for signage in those single-family residential areas. He said he could very easily imagine the uproar in his own neighborhood if this was to be the case. He said he agreed, as the Council suggested, that they really needed to continue this topic and to have it transparent, have the participation of the community, and of people in the community who are knowledgeable on the issue.

Chris Tanz said that by going through the terms of the proposed changes she could see that in almost every zone of urban life these proposals would allow for great expansion of signage, zone after zone after zone – from single-family residential to medical complexes, to construction zones, to scenic routes. It was such an unmodulated picture; everywhere it would be expansion. And that should give them an idea of what was driving it. The Tucson Citizen had given a lot of prominence to the Mayor's global vision for Tucson, and she said she could not believe that the sign code changes were what the Mayor meant by having a global vision for Tucson. There was talk in the article about playing up natural and cultural resources. These kinds of signs would not play up our natural resources, they would diminish them. There was talk about representing the collective decisions of a diverse community, and many people have mentioned the feeling was that the diverse community had not been engaged in this process. She asked if the changes would contribute to the highest possible quality of life for all of Tucson's people, or if they would guarantee the highest possible level of visual litter for all of Tucson's people. Over the years, they had overcome the stigma of having the ugliest street in America, but the sign code revisions made it look like they were working very hard to earn that notoriety again. She said she hoped that they would go through a process of looking at the changes very carefully and backing away from many of them.

Pat Martin said she was representing the Myers Neighborhood where she had lived since 1961. She said she was very involved in the neighborhood and in the 29th Street Corridor Communities and she was the liaison to business and government. For the 29th Street Corridor Communities, she was sort of their speaker a lot of the times, and also their secretary. She said they were working really hard every day to make the community better and safer for the neighbors. And some of the sign proposals would negate a lot of the things they had been doing. She said she would not talk about very many, and there were a couple that would cause serious problems.

Ms. Martin said if signage was increased within the non-residential uses, into single-family residential zones, such as churches and charter schools, this would make her neighborhood very ugly. A-frames and portable signs would really cause distraction

to drivers, and they also would increase the ugliness of the area. Banners were one of the things they had really fought. Banners needed to be limited as to the size and limited as to how long they could be in place, no matter what the purpose of them. Balloon signs and pennants were the same kind of thing. They also needed to be limited.

Ms. Martin said she agreed with the previous speakers that more work needed to be done. Input was needed from a lot more people. She said she had attended the public hearing of the Sign Code Committee and was one of two people who spoke. So it had not been advertised in a way that would stimulate people to be there and represent their neighborhoods.

Mark Mayer said he had recently been thinking, with all of the public hearings and different proceedings over the last couple of years, that maybe there had been overuse of the issue about Speedway being the ugliest street in America. However, in the last few days he said he had come to the conclusion it had not been talked about enough. They would not be in the situation that they were in today if more heed had been paid to where they were at when that Life magazine article came out. The fact was that it took ten years to adopt what they might refer to as the modern sign code. Now, twenty-seven years later after that was adopted, there was a code before them that would be the weakest code for general business signage in the last twenty-seven years, the very weakest. They needed to be finding ways to improve the visual in urban environments, not to further degrade it.

Mr. Mayer stated, regarding the specifics, he was not going to try and go through all of those. Some of the other speakers had touched on a number of them, but he said he brought copies of thirteen items that would all make the code less restrictive, or in a few cases, there was lack of clarity of what it would do. But if it went in one direction, it would be to make the code less restrictive. He challenged the Council to find the statistician or actuary that could say, of all the possible changes, how the code could be coming before them. And every change of some substance called for more signs, taller signs, bigger signs, and signs closer to the roadway. He submitted the list of substantive changes to the Clerk's Office to be provided to the Council.

Mr. Mayer said that he was very grateful that there seemed to be a sentiment on the Council to separate out the substantive changes. He suggested they use the list he provided as the touchstone. He said he thought there had also been some discussion of a few legal ramifications on a few of the issues. He noted that he wanted to say very pointedly, if that claim was being made or if there was some suggestion that there was some way that what they or their predecessors had adopted might not be quite the full authority to retain a particular provision, then staff and those in the community needed an opportunity to ask what were the alternatives to achieve the policy objective that that code provision represented.

Mr. Mayer gave one example that he said he thought was instructive of everything that had happened. One of the code provisions was adopted in 1987. It was actually suggested by a member of the sign industry who was on the Citizen Sign Code

Committee at that time. And that was when a change of use took place in the business, the underlying business use of a property, then the signs would have to be brought into conformance. Well, that came in with a parallel provision. That provision also allowed for other businesses where that change had not occurred, the opportunity to build slightly downsized signs, or new signs, but they would be potentially much larger than the code provision allowed. He asked why, on the one hand, were there some suggestions or problems with one provision, but no one was saying, okay, the two came in together. If they were not going to have one, let's not have both. But the other one allows new signs to be built that were much larger than the code provides and nobody was saying a word about that. He said he would leave them with that one example.

Mr. Mayer stated he had concerns about the discussion of the item coming back only in fourteen days. He said he thought because of some of the discussion that had happened by some of the other speakers, he questioned whether if it came back in fourteen days there would be full confidence that what came back was truly only the technical and reformatting changes. He sought the Council's cooperation in being assured that that was the case.

Mr. Mayer said he believed that the attorney's office and staff that had worked on the code had done an excellent job in terms of the consistency and technical changes with one glaring exception. Within the last six weeks, there was a change made that came in sort of in the Trojan horse fashion where the sign types, and the regulations for each one, are repeated over and over again in the code. It had ballooned the code from sixty pages to one hundred fourteen in just the last couple of months. He said he was calling it the Son of L-U-C, and it was very difficult to use.

Stacey Snider-Simon spoke representing Luz Southside Coalition which she said was a community-based coalition that addressed issues of substance abuse, violence and economic self-sufficiency in the south side of Tucson. She said they had concerns about the proposed changes in the sign code. They were concerned about the expansion and signage. One of the reasons that they were concerned about this was because they do a lot of work on underage drinking. And one of the things that they knew was that increased advertising of alcohol leads to increased youth alcohol use. Mexican-American communities, like the south side of Tucson, already had five times the number of alcohol ads as minority-dominant communities. She said they were concerned that this expansion of signage would further damage the community. Pima County and Tucson had a horrible rate of underage drinking. Fifty percent of twelfth grade kids in Pima County were drinking alcohol in the last month. She reiterated that they were really concerned about expanding the signage, expanding the advertising because research showed that this led to increased youth drinking. That was the issue that they were there to address.

Lee Oler, representing the Rincon Group of the Sierra Club, said the Rincon Group was the Southern Arizona part of the Sierra Club statewide. They represented everybody in Southern Arizona and also the City. She said she wanted to mention a few things, but would not mention the Life magazine issue, because that had been mentioned.

She thanked Ms. West for her motion, whatever it was at the beginning, because that was exactly what she was going to say and now she did not have to. On her way to the meeting she said she went by probably a dozen big billboards coming from Grant and Stone, and she would love to see those shrink, speaking as a citizen. The Sierra Club would love to see them shrink, too. But they were concerned about the whole sign code. She said she would not take any more time that night. She said that the things that Pat Martin mentioned, the balloons, banners, some of these going out of business sales that have been going on for over a year, she would love to see those things erased. She said she thought they were probably against the law when they were hanging them up, but she would hate to see them have that ability to hang those things up forever. She asked the Council to please consider redoing the revision.

Thomas Warne said he was there in regards to a house-cleaning item, and that was having neon signs in the historic district. One part of the code said that they were allowed, and one part said they were not. He said he was the developer of the main gate area outside the University and part of that area was historic and part of it was not. They had a problem with some of the tenants that want historic signs and want exposed neon. One tenant actually waited two years because this process was going on, as the gentleman mentioned, it had been going on for quite some time. He said he was a very successful franchisee, and the franchiser sent him a registered letter and said, "You're in default because you don't have the sign," and the franchiser wanted to take the business over. They had worked with City staff and got that worked out. He said he just wanted to point out that there were repercussions from it.

Mr. Warne said he supported the Fox Theater, obviously. The Rialto, Hotel Congress, and the Geronimo Hotel, which was built in the 1920's and was the first motor lodge in Arizona, had a neon sign. It was a blade sign coming off the corner. So there were a lot of precedents, and that was truly part of historic Tucson. He asked the Mayor and Council to support that, because he would be out of the state during the hearing on July 10, 2007.

Mr. Warne said he respected their dilemma, and knew it was a really fine balance. For a while, if you can believe it or not, from Johnny Rocket's to Gentle Ben's, which was a historic strip in the main gate area, they were restricted to white channel reverse letters in an historic area, which were back-lit. He said he did not think there was one sign in Arizona in the historic areas, that were built in the 20's and 30's, with white aluminum reverse channel letters. So there really was a balance and he respected the decisions that they were going to have to make on the other items, but his basically was a housekeeping item.

Kathleen McLaughlin stated she was a member of the Citizen Sign Code Committee, and she was a little bit frustrated. She had served on the Citizen Sign Code Committee from 1985 to 1998, and then was appointed again last year. She had a little bit of history and real interest in signage. She was an architect by profession and the urban environment had always been interesting to her. She said the problems she had with the sign code were in two areas.

Ms. McLaughlin said she needed to briefly tell the Council that when she was appointed, October 2006 was her first meeting. She was pretty much kept from bringing up anything that either had been already discussed or anything that the committee felt was substantive. They were supposed to limit their changes to the code reformat. However, it seemed like whenever the sign staff or whenever someone else, except me, had an issue with the code, that could be discussed. But she was pretty much systematically turned down when she brought stuff up. She said she could discuss what was already on the agenda and she happily did so. But it was a little bit difficult for her not being able to review. She had been given a copy of the code, which she showed to the Council. She said they could see she had made all kinds of notations in it, and many of them she was not able to discuss.

Ms. McLaughlin said there were mistakes in the code that bothered her. One big one was one that Mr. Mayer had mentioned. She said she had asked specifically what happened to the change of use language, and she was told it was in there, but it was not. She said she would like to see that revisited. The electronic message centers would be allowed in the scenic zones because her motion at the public hearing would not have passed if she did not take that district out of her motion. The sign staff had indicated that there were three districts that were erroneously allowed electronic message centers that were not in the old code and had never been discussed. She said the rest of the Committee would not vote for her motion unless she took the scenic district out of her motion so they could now have electronic message centers, which they had never been allowed before.

Ms. McLaughlin said there were huge changes to the medical district offices, a huge difference in what they had been allowed and what they would be allowed. And the banners would become permanent signage under the new code. She said she felt like, in terms of the banners and also in terms of construction signage, which she thought was also grossly over-allowed in terms of the amount of signage, that it was just an income stream for the sign department. It bothered her because now enforcement had been divorced from the sign department and there was no accountability. She said they change the sign code and all she heard people complain about was the lack of enforcement.

Ms. McLaughlin said the code was so unwieldy, as Mr. Mayer mentioned, it increased from sixty pages to one hundred fourteen. She said she could not find anything she was looking for, either in the last meeting of the committee or in the public hearing two weeks before due to the repetitiveness of the sign types and all of that, she would encourage the City to look for an editor and a publisher who did codes. She said she thought the attorneys had done an excellent job with the language of the codes but it was not at all user friendly. She would like the Council to visit that issue as well.

Michael Toney stated what could happen with the committees was that there was a splitting in the attempt at objective analysis of the committee from the Chair's perspective and then from the other people who were not on the committee and then from an alienated committee member. He said he hoped she did not mind that he said she was

alienated about that particular situation with the income stream. He said the intention to take out the billboards that were prevalent in the Dunbar-Ronstadt era had simply disappeared.

Mr. Toney said he did not know if the intention of the Sign Code Committee was to streamline it or to take out any kind of inconsistency in the sign code because they did not really streamline it. He said he did go to a Sign Code Committee meeting once and there were not that many members there. He said he did not know what the quorum was. However, unless there was contact with the people who were on the committee and the wards and the Mayor's Office, there was not going to be any kind of linkage between what they say the general intent was, or was supposed to be and what the priorities were for what was happening in Tucson with signs. The sign code was rather unwieldy, like the *Land Use Code*. He acknowledged the fact that there was the consideration of doing a little remodeling on the *Land Use Code*. He said if they shaved it down a little bit, they might be able to find the environmental considerations on the front burner and consider those kinds of situations, as in this instance it would be did they want the tree, or did they want a sign out there. The fact that so many people have mentioned that they had kind of made a sunset on the small size signs because if there were a change in usage that the signs would not drop down and there was so much leeway to increase the signage.

Mr. Toney said he also agreed with the lady on the drinking signs in the southern part of Tucson and the drinking problem. He added that some people consider billboards to be graffiti, and not only billboards but also the bench ads and the ads on the buses, etc. These are income streams and so therefore there was a position where they were talking about some sort of fairly transcendental public consideration, which even the Sierra Club joined in on, that they did not want to see these billboards and signs, etc. in flagrant contradiction with what was happening.

Mr. Toney stated it would be quite interesting, regarding the lady who had made the substantive suggestions, that if it was really in concert with the will of the people to reduce the signs down. He asked what was the purpose of advertising to make it contingent upon major transportation corridors. If that was the means by which people were going to find their way to where they wanted to go, it was pretty much a contradiction with the way that it could possibly go by word of mouth, or saying "this is a good place," etc. He suggested that substantive changes be taken into consideration too. He said it was quite well that Michael Rankin had said they should get on with the public hearing, because obviously it was what the people wanted to do. They wanted to get involved early. They wanted a venue where they would have a chance of being listened to and where other members of the public could see them, and they don't always get that in a committee.

Brent Davis, representing the American Institute of Architects (AIA), Southern Arizona Chapter said he had just come from an AIA board meeting, and they had discussed this very issue. It was the consensus of the members of the board that they would support postponement so that they could actively analyze the substantive changes that have been offered in the sign code. He said the feeling was that it was one thing to

rewrite a sign code and clean it up administratively, but it was another to have four or five or six or seven, maybe not major, but certainly substantial changes in the sign code while they were doing that cleanup. Therefore, his organization would like an opportunity to review this over the next thirty or so days, and make comments on the issues that have been put in the rewrite by staff and by the Sign Code Committee.

Mr. Davis said he was no stranger to signs. Anything they could do to simplify or to perhaps make the signage control and the inspections easier would be good. However, he said he did not want anybody to sneak in any substantive changes without the public understanding and the design profession's understanding that there were some of those issues. He reiterated that the AIA would support a postponement and then they would like to come back formally and present some comments on those changes.

Mayor Walkup asked if there was anyone else who would like to address the Mayor and Council at that time on that subject.

Cele Petersen said she had watched Tucson grow for the past seventy-six years and they had fought to make it a beautiful community. She said that many may remember that Speedway was the ugliest city in the world because of all of its signs. They had really tried so hard to keep the signs down. She said she did not know why the sign people expected everybody to look at a bunch of billboards, one after another, that had no significance and did nothing but make it ugly. She said she really believed that they had fought to keep Tucson a wonderful, beautiful community and not just another city anywhere. If the City had signage control, if they kept it down, they would continue to keep this a love of a city. She said they plant trees and do everything they could to do all the best they could for the community. She said she thought that the Council, the Mayor, all of them had the community at heart.

Vice Mayor Scott thanked Mr. Duarte and staff for the hard work they have done in reformatting the sign code. She said she had been reassured by her staff and members of the public that the changes were indeed going to make the sign code easier to understand and work with. She also commended the Sign Code Advisory Committee for the excellent work they had done. It was a project that had evolved over seven years and was near completion. The changes would ultimately be a credit to staff and to the Committee for all their good work.

Vice Mayor Scott stated that she had been in touch with Ernie Duarte and Mike Rankin and had also met with Mark Mayer, Pat Martin, and Brent Davis, along with another member of the Committee. She said she believed they had reached an acceptable compromise about how to proceed, and she would put it forth in the form of a motion. However she first wanted to explain to her colleagues that the purpose of the motion was to send the reformatted sign code back to staff and ask them to make the necessary adjustments to reflect reformatting changes only, and no changes to the substance of the code. Housekeeping changes were also acceptable, but she asked that a list of those be included separately so the Mayor and Council could quickly identify them. Secondly, that any changes of substance to the code be returned to the Sign Code Advisory

Committee for purpose of reaffirming their proposed changes and confirming input by stakeholder groups wanting to be involved. After that was done, then the item should be set for Study Session so the Mayor and Council could discuss the proposed changes before sending them to a public hearing and subsequent adoption.

It was moved by Vice Mayor Scott, duly seconded, to continue the public hearing to the July 10, 2007 meeting and that staff bring forth the reformatted Sign Code with no substantive changes, including those that had been objected to. Also, a Study Session was to be scheduled for the August 7, 2007 meeting to give staff time to effect the reformatting of the code prior to the public hearing, so that Mayor and Council could further discuss the changes that have been made. The reformatting should be to keep the original substance of the Sign Code and eliminate any unnecessary repetitive language on the regulations for each sign type, keeping it direct, easy to understand and as easy to use as possible. Furthermore all proposed changes of substance that alter the code's requirements should not be included in the reformatted document and instead be remanded to the City Sign Code Committee for further review. Any recommended changes of substance to the code should follow the standard ordinance procedure and include full public review, to include all stakeholders.

Council Member Leal thanked Vice Mayor Scott for setting out the parameters. He said he wanted to mention just a few things and one was he was assuming that the list of points that Mr. Mayer submitted would be factored into the review. Secondly, two or three years ago he had brought up the issue of historic neon, wanting that resolved so we were not deprived of having that. There was also the discussion about historic wall signs that were on buildings where that the business in question was no longer there. But there was a beautiful, faded Mayflower Moving sign or something, and people were not allowed to repaint them so as not to lose them because they were going to be penalized for using advertising square footage. He said he did not know if they had addressed that in that. But as long as they were going to do the good work that was being done, he would like for them to figure out a way to have that, because it was another part of the historic fabric that we should not lose.

Council Member Leal said the last thing he wanted to bring up was that he was particularly disturbed by one of the comments. Ms. McLaughlin from the Citizen Sign Code Committee stated that she was disallowed from raising issues. He said he did not know whether that was simply ignorance on the part of those interpreting Robert's Rules of Order, or a way to muzzle her, but he wanted that looked into. He wanted to know what happened and if she was, in fact, told that. He said he also wanted how Roberts Rules of Order work explained to the people on the Committee: that it was simply not acceptable and that would not happen at the Mayor and Council. It should have not happened to her. He asked for whatever was the appropriate department, he would like that looked into and to send them back some kind of report.

Mayor Walkup asked for a voice vote on the motion.

The motion was declared passed and adopted by a voice vote of 7 to 0.

Kathleen S. Detrick, City Clerk, announced that the continued public hearing would be held on Tuesday, July 10, 2007, in the Mayor and Council Chambers, at City Hall, 255 West Alameda, Tucson, Arizona, at or after 5:30 p.m.

**9. PUBLIC HEARING: ZONING (C9-07-05) DESERT TOYOTA – 22<sup>ND</sup> STREET, R-2 AND C-1 TO C-2, CITY MANAGER’S REPORT**

Mayor Walkup announced City Manager’s communication number 382, dated June 26, 2007 would be received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on a request to rezone property located on the south side of Twenty-second Street, east of Prudence Road. The Zoning Examiner and staff recommend authorization of the rezoning subject to certain conditions.

Mayor Walkup asked if the applicant or a representative was present.

Robert Conant, Planning Center, stated that they were in agreement with all of the conditions and he thanked Vice Mayor Scott’s aide, Max Torres, for working with them and helping them come to an agreement.

Mayor Walkup announced speakers would be limited to five-minute presentations and asked them to come forward when he called their names. He asked if there were any cards. There were none.

Mayor Walkup asked if there was anyone who wanted to speak on the item at that time.

Michael Toney reminded the Council of the intention of the General Plan to be encouragement of new development while preserving vegetation. He said he did not know if that had occurred with this item. He wondered if it was necessary for car dealerships to have xeroxed duplication of models out on the lot. It seems that they had quite a number of cars that were the same model. He also said he wondered what was happening with the reheat island effect and if there was going to be some kind of shading. As Tucson covered itself with cement and asphalt and buildings, it was losing its aquifer recharge because water runs off. He said they were at a point where the level of the aquifer was coming up and they would not be mining ground water after twenty-five years. They would need to take most optimal advantage of where the aquifer was going to be. So much native vegetation had been lost to planning that they needed to move in the opposite direction and bring more greenery with the new developments. He said if a person had vested development rights there was not much they could do, unless it came up for an extension. He said he was leaving it up to the representatives of the City to decide if that was what they wanted to do. He said he felt the need for careful consideration, or a Study Session on the environmental section of the General Plan, which was voted for by the public. It was something of great concern.

Mayor Walkup asked if there was anyone else who wanted to speak. Hearing no one, he asked for a motion to close the public hearing.

It was moved by Vice Mayor Scott, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Mayor Walkup asked if there was further discussion.

Vice Mayor Scott thanked Max Torres and all of the parties involved for coming to a wonderful solution to an ongoing issue that had now been solved.

It was moved by Vice Mayor Scott, duly seconded, and carried by a voice vote of 7 to 0 to authorize the request for rezoning as recommended by the Zoning Examiner.

**10. ZONING: (C9-07-11) GAUL – STEFAN ROAD, SR TO RX-1, CITY MANAGER’S REPORT**

Mayor Walkup announced City Manager’s communication number 383, dated June 26, 2007 would be received into and made a part of the record. He announced this was a request to rezone property located on the southwest corner of Harrison and Stefan Roads. The Zoning Examiner and staff recommend authorization of the rezoning subject to certain conditions.

Mayor Walkup asked if the applicant or representative was present and if they were aware of and agreeable to the proposed requirements.

Don Laidlaw, representing the applicant, stated they were agreeable to all of the conditions.

It was moved by Council Member West, duly seconded, and carried by a voice vote of 7 to 0 to authorize the request for rezoning as recommended by the Zoning Examiner.

**11. ZONING: (C9-07-10) ARGO PROPERTIES – ALVERNON WAY, R-2 TO O-2, CITY MANAGER’S REPORT**

Mayor Walkup announced City Manager’s communication number 384, dated June 26, 2007 would be received into and made a part of the record. He said this was a request to rezone property located on the northwest corner of Lee Street and Alvernon Way. The Zoning Examiner and staff recommend authorization of the rezoning subject to certain conditions.

Mayor Walkup asked if the applicant or representative was present and if they were aware of and agreeable to the proposed requirements.

Christos Vlahos, representing the applicant, stated they agreed to all of the conditions.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0 to authorize the request for rezoning as recommended by the Zoning Examiner.

**12. FINANCE: FIXING AND LEVYING THE PRIMARY AND SECONDARY PROPERTY TAXES FOR FISCAL YEAR 2008**

Mayor Walkup announced City Manager's communication number 385, dated June 26, 2007 would be received into and made a part of the record. He asked the City Clerk to read Ordinance 10416 by number and title only.

Ordinance No. 10416 relating to taxation; fixing, levying, and assessing primary and secondary property taxes for the City of Tucson upon the assessed valuation of the property within the City of Tucson subject to taxation, each in a certain sum upon each One Hundred Dollars of valuation, sufficient to raise the amount estimated to be required in the annual budget, less the amounts estimated to be received from other sources of revenue and unencumbered balances from the previous fiscal year; providing funds for various purposes, all for the fiscal year ending June 30, 2008; and declaring an emergency.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Ordinance 10416.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

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

Nay: None

Ordinance 10416 was declared passed and adopted by a roll call vote of 7 to 0.

**13. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Walkup announced City Manager's communication number 374, dated June 26, 2007 would be received into and made a part of the record. He asked for a motion to approve the appointments in the report.

Mayor Walkup announced this time had been set aside to appoint the members of the Tucson Housing Trust Fund Citizen Advisory Committee.

Council Member West stated that the Children, Families and Seniors Subcommittee suggested this item be brought forward to the Council tonight with the intention of making the appointments on July 10, 2007. If someone was ready tonight that would be fine, but there was some confusion about how it was supposed to work. She asked the Director of Community Services to explain whether the Mayor and Council would ratify the entire group.

Emily Nottingham, Community Services Department Director, said when the Council adopted the ordinance creating the Tucson Housing Trust Fund Citizen Advisory Committee, staff was asked to do some outreach and bring forward some potential members. They had specifically asked that there be enough so that they would have some choice and that they may want to provide names themselves. They had forwarded a list of potential members with their resumes to the Council. The Council could appoint some or all of them at their discretion.

Ms. Nottingham explained that it was a fifteen-member committee including one ex-officio member from the Tucson Housing Commission. Seven would represent certain industries in the community and the other seven would be at-large. All of the members were to be appointed by the full Mayor and Council but the seven at-large were to be recommended individually by the Mayor and Council Members.

Council Member Trasoff said she appreciated that they were brought a variety of names, more than they needed, and that the resumes were included. She asked how they determined who went in a category or was on the "at large" list, because Gary Hardy was listed "at-large" but he was a broker or realtor. It seems he should be one of the names they would consider in the Real Estate Sales category. Similarly, Tom Doucette, who was a developer, should have been under Land/Developer/Building Construction, instead of being "at-large." She said it concerned her that they would be upsetting the balance that they needed to achieve in the Affordable Housing Trust Fund to have someone "at-large" who truly was in one of the other categories. She said she was not sure she was ready for the Council to move forward with this list. She asked for it to be reformatted so that no one in the at-large category should be in one of the others. They could act as a body on July 10, 2007 to make the appointments.

Council Member Leal said he agreed with Council Member Trasoff. The Council had for some time embraced a policy that Boards, Commissions and outside agencies should reflect the diversity of the community. Sometimes they evolved away from that and the Council had to rein it in and fix it. They were at the onset of creating something and he did not know if they had paid adequate attention to that. He asked the Council to focus on it in the interim, both with regard to men and women, but also ethnic diversity.

Council Member Trasoff added that they should also pay attention to socioeconomic diversity.

Council Member Ibarra suggested the item be put on both Study and Regular Session on the July 10, 2007 meeting. The Council could discuss the candidates in Study

Session, then vote on them during the Regular Session. If the names could just be listed, the Council could decide where they fit, instead of staff deciding the definitions.

Council Member West said they were not planning on appointing that evening and they should not chastise staff, but rather themselves, since they had asked for the list of names. This was the list of people who had signified interest in sitting on the Committee and it was the Council's prerogative to decide whether or not they do that. They may all have their own names of people whom they may want to suggest. She said she hoped that understanding was given to the people who expressed their interest.

Council Member Trasoff said it was not her intention to chastise, she only wanted to clarify. She said a Study Session was an excellent suggestion. She asked for the names to be in categories by profession so that the Council would know who and what they were and could work it through and make selections. She reiterated that each of them had the opportunity to suggest additional names or have staff seek additional input.

Vice Mayor Scott asked staff to let them know if the July 10, 2007 agenda would need to have the time adjusted in order to accommodate all of the new items.

Kathleen S. Detrick, City Clerk, asked if there was a motion on the table.

It was moved by Council Member Ibarra, duly seconded, and carried by a voice vote of 7 to 0, to schedule a discussion of the appointment of members to the Tucson Housing Trust Fund Citizens Advisory Committee on Study Session and also on the Appointments to Boards, Committees and Commissions Item on the July 10th, 2007 meeting.

Mayor Walkup asked if there were any personal appointments to be made.

Council Member Leal announced his personal appointment of Cyndi Segroves to the Commission on Disability Issues.

Council Member Trasoff announced her appointment of Faye DeHoff to the Tucson Rodeo Grounds/Parade Citizens' Oversight Committee and Randy Dorman to the Parkwise Commission.

Council Member Uhlich announced her personal appointment of Stephen Young to the Parkwise Commission.

**14. ADJOURNMENT: 7:33 p.m.**

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, July 10, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West 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 26<sup>th</sup> day of June 2007, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

KSD:cf:nc