



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 22, 2008

Date of Meeting: December 3, 2007

The Mayor and Council of the City of Tucson met in regular session, at the Fox Tucson Theatre, 17 West Congress Street, Tucson, Arizona, at 10:12 a.m., on Monday, December 3, 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:

Mike Hein	City Manager
Michael Rankin	City Attorney
Kathleen S. Detrick	City Clerk
Mike Letcher	Deputy City Manager

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

2. INVOCATION/PLEDGE OF ALLEGIANCE

Reverend Lujet McCullough, First United Methodist Church, and Cantor Ivor Lichterman, Congregation Anshei Israel each gave an invocation, after which the Pledge of Allegiance was presented by the entire assembly.

3. AWARDS/COMMENTS

Mayor Walkup presented copper letters of appreciation to Council Member Ibarra and Council Member West in recognition of their service to the City of Tucson.

Council Member Ibarra thanked all those present for their attendance. He said he was very humble and grateful to have been elected as a Council Member.

Council Member Ibarra thanked all City employees, whom he felt, were the best employees. They were all very dedicated, very helpful, and always helped out his office, his family, and himself. He thanked the community, the neighborhoods, and his constituents. This was the city he was born and raised in, and he loved it very much. He said he would always be in Tucson and thanked everyone for giving him the opportunity to serve as a council member. Tucson meant a lot to him. He thanked his staff and everyone who had worked for him for their hard work and hours of dedication. He thanked his family: his mom and dad; two sisters; a brother; and all his nieces and nephews. They all had been through much, and he said he wanted to thank them, especially his mom and dad for always supporting him. He said the last person he wanted to thank was his beautiful wife Monica. She had always been there for him. They had started this journey together when they first started dating. He said he did not know if it was a good or a bad thing, but it worked out. He thanked her for putting up with him and for always being supportive and stated he loved her.

Council Member Ibarra also thanked all his colleagues and said this was the best City Council in the world. He wished them the best of luck, but he knew they did not need luck because they had the vision, dedication, and the heart to continue to make Tucson the best city in the world. He thanked everyone again.

Council Member West stated all good things came to an end. On Saturday morning her husband remarked since she was retiring, she could take over the grocery shopping. She stated it had been a privilege to be one of Tucson's public servants.

Council Member West especially wanted to thank, as Council Member Ibarra had, her staff, who were wonderful, and her colleagues. They had a good working relationship. She thanked the City Manager and his staff for working with the Mayor and Council. Together they had a partnership she said she thought had been very effective.

Council Member West said she believed good things had been accomplished. Downtown was progressing, the City's revenues were diversified, and housing trust funds had been established. She remarked she felt whenever there was a new Mayor and Council, there was a feeling of optimism and excitement, but local government was still the place where dreams could come true and progress was made. She said she knew the community would work with the Mayor and Council to see that life continued to improve for all Tucsonans.

Council Member West stated she especially wanted to congratulate Council Member-Elect Romero. She said she knew Council Member-Elect Romero had many good plans in mind for Ward 1.

Council Member West added she wished Council Member-Elect Glassman the best. She said she liked what he said in the newspaper about the importance of economic sustainability, planning response to growth, and taking care of those already in Tucson. She said she relinquished her crown as the landfill queen. There was now a landfill king. She said Council Member-Elect Glassman did not yet quiver at the sight of a cross section of a landfill, but she thought that would come. She said she was pleased he visited the landfill with her. She told Council Member-Elect Glassman she tried very hard to get it all done, but she had to leave a little work for him and wished him the best.

4. OATH OF OFFICE

The Honorable Judge Carmen Dolny administered the Oath of Office to newly elected Council Member Regina Romero, Ward 1. The Honorable Justice Scott Bales administered the Oath of Office to newly elected Council Member Rodney Glassman, Ward 2. The Honorable Judge Paul Tang administered the Oath of Office to Council Member Shirley C. Scott, Ward 4. The Honorable Justice Stanley G. Feldman (Retired) administered the Oath of Office to Mayor Robert E. Walkup.

Council Member Uhlich, Vice Mayor Scott, Council Member Leal, and Council Member Trasoff commended outgoing City Council Members Ibarra and West for their dedicated service, integrity, and for putting the interests of Tucsonans first.

5. ORGANIZATION OF THE COUNCIL

A. ROLL CALL

Mayor Walkup asked for a roll call. Upon roll call those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused: None

B. MAYOR AND COUNCIL: SELECTION OF VICE MAYOR

Mayor Walkup announced City Manager’s communication number 662, dated December 3, 2007, was received into and made a part of the record. He asked the City Clerk to read Resolution 20837 by number and title only.

Resolution No. 20837 relating to the Vice Mayor of the Mayor and Council; selecting a Vice Mayor.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Resolution 20837, naming Council Member Trasoff as Vice Mayor.

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

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, Leal, Trasoff; and Mayor Walkup

Nay: None

Resolution 20837 was declared passed and adopted by a roll call vote of 7 to 0.

Mayor Walkup announced the Council would stand recessed until 4:30 p.m., for study session, and 5:30 p.m., for the regular session in the Mayor Council Chambers at City Hall.

RECESS: 10:53 a.m.

RECONVENE: 5:36 p.m.

The Mayor and Council reconvened regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona.

6. ROLL CALL

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

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karen Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Vice Mayor, Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused: None

7. PRESENTATIONS

- a. Mayor Walkup and Ann Strine, Information Technology Director, presented National Programming Awards to Channel 12. Gene Einfrank and Mitch Riley received an award for “The Mission,” Lety Bazurto-Matthews received an award for “Formula for Success,” and Mitch Riley received an award for “I am Tucson.”
- b. Mayor Walkup, Council Member Uhlich, Levonne Gaddy as the Community Services/Neighborhood Resources Manager, and Barbara Lehman as the President of the Dodge Flower Neighborhood Association, presented a Certificate of Appreciation and a Good Neighbor Award to Robert Sheinaus for his efforts in graffiti removal.
- c. Mayor Walkup and Andrea Ibañez, Deputy Director of the Neighborhood Resources Department, presented a Certificate to Alexis Walton for naming the graffiti mascot “Mr. Tuffy.”

8. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 665, dated December 3, 2007, was received into and made a part of the record. He also announced that this was the time for any member of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Uhlich announced that the non-profit organization Tucson Clean and Beautiful had recognized the Dodge Flower Neighborhood for their adoption of Dodge Boulevard and Flower Street. The neighborhood residents went out once a month to clean the streets and kept the transportation department informed of problems with the streets. Council Member Uhlich acknowledged her appreciation to the people involved and stated this was an example of the kind of leadership the citizens in Ward 3 were offering.

Council Member Uhlich also congratulated Mayor Walkup on his election as Vice President of the Arizona League of Cities and Towns.

- b. Council Member Leal announced a groundbreaking ceremony was held on December 3, 2007, at the Quincie Douglas Neighborhood Center area for a significant senior housing project in conjunction with the Tucson Urban League. There were plans for classes, exercise rooms, meal programs, and possibly free Wi-Fi access.

9. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 666, dated December 3, 2007, was 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 his report.

No report was given.

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

10. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager’s communication number 663, dated December 3, 2007, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Application (s)

NOTE: There are no applications for licenses scheduled for this meeting.

c. Special Event(s)

1. The Drawing Studio, Inc., Ward 6
33 S. 6th Ave.
Applicant: Lynn M. Fleischman
City T98-07
Date of Event: January 10, 2008
(Opening Reception and Gala Fundraiser for Faculty Art Show and Auction)
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change(s)

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license application 10c1 to the Arizona State Liquor Board with a recommendation for approval.

11. 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. Speakers were limited to three-minute presentations.

- a. Don Foster announced his candidacy for President of the United States and discussed his platform and solutions to world problems.
- b. Michael Toney spoke about the situation with Rio Nuevo going back to 1999. He said the tax incremental financing (TIF) for the Rio Nuevo sporting and entertainment arena was unconstitutional.
- c. Robert Reus discussed the election figures based on low voter turnout. He said any steps to change Tucson's water system would result in an initiative to change the present City government with a recall election.

12. CONSENT AGENDA – ITEMS A THROUGH I

A. MAYOR AND COUNCIL: MEETING SCHEDULE FOR 2008

1. Report from City Manager DEC3-07-655 CITY-WIDE
2. Ordinance No. 10484 relating to administration; establishing the meeting dates of the Mayor and Council for 2008; and declaring an emergency.

- B. FINAL PLAT: (S05-193) SAN SIMEON, UNITS 1 TO 70, LIMITED COMMON ELEMENTS “B” AND “P”, AND COMMON ELEMENT “A”
1. Report from City Manager DEC3-07-656 WARD 4
 2. Staff recommends that the Mayor and Council approval the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- C. FINAL PLAT: (S06-228) BROADWAY – HARRISON SHOPPING ENTER, LOTS 1 TO 3
1. Report from City Manager DEC3-07-657 WARD 2
 2. Staff recommends that 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.
- D. FINAL PLAT: (S06-183) PEBBLE CREEK CONDOMINIUMS, UNITS 1 TO 107, COMMON ELEMENTS AND LIMITED COMMON ELEMENTS “A”, “B” AND “C”
1. Report from City Manager DEC3-07-658 WARD 4
 2. Staff recommends that 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.
- E. TRANSPORTATION: SUBMISSION OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION FOR THE MODERN STREETCAR
1. Report from City Manager DEC3-07-659 CITY-WIDE
 2. Resolution No. 20840 relating to transportation; authorizing the submission of a Small Starts Application with the Federal Transit Administration (FTA) on behalf of the City of Tucson; and declaring an emergency.

This item was initially removed from the Consent Agenda for separate consideration, but was later included with the passage and adoption of the Consent Agenda.

F. GRANT AGREEMENT: WITH THE STATE OF ARIZONA FOR THE URBAN AND COMMUNITY FORESTRY PROGRAM

1. Report from City Manager DEC3-07-660 CITY-WIDE
2. Resolution No. 20836 relating to grants; approving the acceptance of the Office of the State Forester Community Challenge Grant; and declaring an emergency.

G. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE TUCSON VETERAN AFFAIRS COMMITTEE

1. Report from City Manager DEC3-07-667 WARD 5
2. Resolution No. 20841 relating to Finance; approving and authorizing the allocation of Two Hundred Dollars (\$200) from the Ward 5 Office Community Support Fund, Account No. 001-183-1898-268, to the Tucson Veteran Affairs Committee for the Christmas Exodus at the Tucson International Airport; and declaring an emergency.

This is a request by Council Member Leal. Allocation of funds is as follows:
Council Member Leal - \$200.00

Kathleen S. Detrick, City Clerk, announced Resolution 20841 would be amended to include additional contributions of one hundred dollars from Council Member Uhlich; two hundred dollars from Council Member Scott; two hundred dollars from Vice Mayor Trasoff; and two hundred dollars from Mayor Walkup to Council Member Leal's original contribution of two hundred dollars, for a total of nine hundred dollars.

H. AGREEMENT: WITH THE UNITED STATES GEOLOGICAL SURVEY TO MONITOR SUBSIDENCE AND CHANGE IN AQUIFER STORAGE

1. Report from City Manager DEC3-07-668 CITY-WIDE AND OUTSIDE CITY
2. Resolution No. 20842 relating to water; authorizing a three year continuation of an Agreement between the United States Geological Survey and the City of Tucson to monitor subsidence and change in aquifer storage; and declaring an emergency.

I. AGREEMENT: WITH THE UNITED STATES GEOLOGICAL SURVEY TO MONITOR STREAM FLOWS, SUBSIDENCE AND CHANGE IN AQUIFER STORAGE

1. Report from City Manager DEC3-07-669 CITY-WIDE AND OUTSIDE CITY

2. Resolution No. 20843 relating to water; approving and authorizing a five year continuation of an Agreement between the United States Geological Survey and the City of Tucson to monitor stream flows, subsidence, and change in aquifer storage; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, that Consent Agenda Items A through I, with the possibility of amending Item A to remove the December 23, 2008, Mayor and Council meeting from the meeting schedule, and with the amendment to Item G, be passed and adopted and the proper action taken.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Consent Agenda Items A through I, with the possibility of amending Item A to remove the December 23, 2008, Mayor and Council meeting from the meeting schedule, and with the amendment to Item G, were declared passed and adopted by a roll call vote of 7 to 0.

13. PRE-ANNEXATION AND DEVELOPMENT AGREEMENTS: AMENDING THE VALENCIA RESERVE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH THE STATE OF ARIZONA TO EXTEND THE DEADLINE FOR ADOPTION OF CITY ZONING

Mayor Walkup announced City Manager's communication number 661, dated December 3, 2007, was received into and made a part of the record.

David Jacobs, Assistant Arizona Attorney General, representing the Arizona State Land Department, declared the Department's position was to agree to the submission of the resolution to the Mayor and Council for an extension. However, the resolution was still subject to the State Land Commissioner's approval. This approval, in turn, was subject to the parties making strides and agreeing on certain conditions, particularly the drainage and riparian habitat conditions that were a part of the pre-annexation and development agreement. At that time, the State Land Department did not want to mislead the Mayor and Council that this was a done deal as far as the Commissioner was concerned. There were some serious disagreements regarding how these conditions were to be framed. However, if the parties involved did not make significant progress in the coming week, the Commissioner might withhold his agreement to extend the deadline.

Council Member Leal said there had been numerous meetings concerning the number of imbedded issues, and headway had been made on several of them. However, there were still a couple of issues that required resolution. He said staff had been diligent in pursuing this and he would continue to press the issue. He said Mr. Jacobs was welcome to participate in the meetings being held.

Mr. Jacobs thanked Council Member Leal for whatever participation the Land Department could have.

Vice Mayor Trasoff clarified what they were doing was extending the deadline for this item.

Council Member Leal added this was only an extension with no commitments beyond time.

Mayor Walkup asked the City Clerk to read Resolution 20838 by number and title only.

Resolution No. 20838 relating to pre-annexation and development agreements; authorizing the amendment to a provision of the Valencia Reserve Pre-Annexation and Development Agreement; to change the deadline for the adoption of the Specific Plan and the Original City Zoning for the annexation area; and declaring an emergency.

It was moved by Council Member Leal, duly seconded, to pass and adopt Resolution 20838.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott, and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Resolution 20838 was declared passed and adopted by a roll call vote of 7 to 0.

14. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Mayor Walkup announced City Manager's communication number 664, dated December 3, 2007, was received into and made a part of the record. He asked if there were any personal appointments to be made.

Council Member Scott announced her appointment of Al Wiruth to the Board of Adjustment; Cindy Schiesel to the Citizen's Police Advisory Review Board; Michael W. Block to the Environmental Services Advisory Committee;

Michael Keith Mandel to the Pima County/Tucson Women's Commission; James E. Watson to the Planning Commission; Michael Tone to the Rio Nuevo Citizen's Advisory Committee; Larry K. Roberts to the Stormwater Advisory Committee; Jim Kuliesh to the Tucson Convention Center Commission; Frank Salbego to the Tucson Greens Committee; Wayne Cullop to the Tucson-Pima County Bicycle Advisory Committee; Jan Gordley to the Small Business Commission; Lisa Contreras to the Public Education and Government (PEG) Television Channel Task Force; Steve Anderson to the Parks and Recreation Commission; Bill Hughey to the Rio Nuevo Citizen's Advisory Committee; and Charles L. Sherman II to the Tucson Rodeo Grounds/Parade Citizens' Oversight Committee.

Council Member Scott also announced her reappointment of Peter M. Booth, Ph.D., to the Tucson-Pima County Historical Commission, and Steve Ellis to the Tucson Rodeo Grounds/Parade Citizens' Oversight Committee.

Council Member Uhlich announced her appointment of Thomas J. Porter to the Stormwater Advisory Committee, and reappointment of John Peter Wilhite to the Tucson Commission on Gay Lesbian Bisexual and Transgender Issues.

Vice Mayor Trasoff said sundown December 4, 2007, marked the beginning of Hanukkah, an eight-day festival that was the celebration of freedom and the right to self-determination. These were issues that the Council celebrated every time they had a meeting and were celebrated in the United States.

15. ADJOURNMENT: 6:10 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, December 11, 2007, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West 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 3rd day of December 2007, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:tl:rm:kad