



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 22, 2008

Date of Meeting: December 18, 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 5:32 p.m., on Tuesday, December 18, 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:

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

Absent/Excused:

Shirley C. Scott	Council Member Ward 4
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Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	Chief Deputy City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Christopher Peña, Tucson Fire Department, Station 20, after which the Pledge of Allegiance was led by the Tucson Jewish Community Center Youth Group.

Presentations:

- a. Mayor Walkup and Council Member Uhlich presented certificates to Every Voice in Action Foundation, Susan Perkins-Fry, and to the youth panel for their assistance with the Ward 3 Youth Funders Group.

Roger W. Randolph, Chief Deputy City Clerk, announced Susie Rogers would be assisting with 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 683, dated December 18, 2007, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Romero invited the public to an open house at the Ward 1 office on January 9, 2008.
- b. Council Member Glassman invited the public to an open house at the Ward 2 office on January 11, 2008.
- c. Council Member Leal reported on the opening of a new handball court at Freedom Park on 29th Street, and noted two of the children hired as instructors were from the Pueblo Gardens neighborhood and were also national champions.

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

Mayor Walkup announced City Manager's communication number 684, dated December 18, 2007, was 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.

Mike Hein, City Manager, announced:

- a. Skip Woodward was working his last Mayor and Council Meeting after having been with the Tucson Police Department for thirty-five years.

- b. Michael Rankin, City Attorney, thanked Tobin Rosen, Principal Assistant City Attorney for twenty-six years of service and congratulated him on being chosen as the Town Attorney for the Town of Oro Valley.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 685, dated December 18, 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 Applications

New License(s)

- 1. Taqueria Jenny's, Ward 5
4207 S. 6th Ave.
Applicant: Juana Camacho
Series 12, City 84-07
Action must be taken by: December 20, 2007
Development Services has indicated the applicant is not in compliance with city requirements.
Tucson Police Department and Revenue have indicated the applicant is in compliance with city requirements.
Public Opinion: Written Argument Opposed Filed

Item 5b1 was withdrawn at the request of the applicant.

- c. Special Event(s)

- 1. Tucson's Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Kelly Burke Perks
City T100-07
Date of Event: January 4, 2008
(To promote community event in downtown Tucson)
Staff has indicated the applicant is in compliance with city requirements.

- d. Agent Change/Acquisition of Control

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

e. Reconsideration of Liquor License Application, City 73-07

1. Zona 78, Ward 2
7302 E. Tanque Verde
Applicant: Richard Paul Fink
Series 12, City 73-07
Action must be taken by October 28, 2007
Staff has indicated the applicant is in compliance with city requirements.

This item was considered separately.

It was moved by Council Member Leal, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to forward liquor license application 5c1 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

e. Reconsideration of Liquor License Application, City 73-07

1. Zona 78, Ward 2
7302 E. Tanque Verde
Applicant: Richard Paul Fink
Series 12, City 73-07
Action must be taken by October 28, 2007
Staff has indicated the applicant is in compliance with city requirements.

Roger W. Randolph, Chief Deputy City Clerk, explained this application was considered by the Mayor and Council on October 23, 2007, and was forwarded to the Arizona State Liquor Board with no recommendation. At that time, the applicant had not completed the mitigation plan required for liquor license applications on C-1 zoning. The Development Services Department had advised the mitigation plan had been approved. The applicant had requested the Mayor and Council reconsider this application.

It was moved by Council Member Leal, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused), to reconsider Item 5e1.

It was moved by Council Member Glassman, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused), to forward Item 5e1 to the Arizona State Liquor Board with a recommendation for approval.

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. Speakers were limited to three-minute presentations.

- a. Michael Toney stated the appellate court had dismissed his case in regards to the extension of tax incremental financing (TIF) bonds for the Rio Nuevo Project. He also suggested the City adopt the County's water plan.
- b. Robert Reus reminded the Mayor and Council of the loss of businesses on Fourth Avenue due to construction. He suggested signage along Speedway Boulevard could help the situation.

Vice Mayor Trasoff directed Mike Hein, City Manager, to advise Mr. Reus a sign had been ordered and should be installed on Speedway Boulevard, pointing toward 4th Avenue, by the end of 2007. She also asked Mr. Hein to advise Mr. Reus that business consultants were available to anyone on 4th Avenue because the City understood while construction continued, it impacted the businesses. She added Mr. Hein might also provide Mr. Reus the construction schedule, as there was a lot of work being done on the 4th Avenue underpass.

Council Member Leal added many businesses were unaware they were in the Federal empowerment zone and did not know how to complete the appropriate paperwork. This was a significant resource that might help the businesses financially. Council Member Leal directed staff to work with 4th Avenue and downtown businesses regarding Federal empowerment zone incentives.

- c. Robin Gomez spoke about Davis-Monthan Air Force Base's plan for noise reduction of aircraft across the City.
- d. Joe Sweeney spoke about the consequences of illegal immigration.
- e. Geoff Gonzales, on behalf of the Southern Arizona Network for Downs Syndrome (SANDS), thanked the City for recognizing and acknowledging their cause. He updated the Mayor and Council on some of the accomplishments of the organization.
- f. Glenn Webber spoke about his concerns and disappointments regarding the City of Tucson's End of Service program and process.

Council Member Uhlich requested Mike Hein, City Manager, provide an update to the Council offices with an explanation of how the criteria applied for those taking advantage of the End of Service incentives.

- g. Ed Flanick stated the computer room at the El Rio Senior Center used to be a wonderful place to do research on the internet, but had recently changed due to people playing games on the computers.

Council Member Leal directed Mike Hein, City Manager, to contact Fred Gray, Director, Parks and Recreation Department, regarding this issue.

7. CONSENT AGENDA – ITEMS A THROUGH I

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda Items were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

A. ASSURANCE AGREEMENT: (S04-173) LA TRINIDAD ESTATES SUBDIVISION, LOTS 1 TO 14, AND COMMON AREAS “A” AND “B”

1. Report from City Manager DEC18-07-686 WARD 5
2. Resolution No. 20852 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. S04-173 of a Final Plat for La Trinidad Estates Subdivision, Lots 1 through 14 & Common Areas “A” and “B”; and declaring an emergency.

B. FINAL PLAT: (S04-173) LA TRINIDAD ESTATES SUBDIVISION, LOTS 1 TO 14, AND COMMON AREAS “A” AND “B”

1. Report from City Manager DEC18-07-687 WARD 5
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.

C. FINANCE: UNCOLLECTIBLE ACCOUNTS RECEIVABLE

1. Report from City Manager DEC18-07-688 CITY-WIDE
2. Resolution No. 20853 relating to finance; authorizing the write-off of certain uncollectible accounts; and declaring an emergency.

D. REAL PROPERTY: APPROVING A LEASE AGREEMENT WITH THE BREWSTER CENTER FOR VICTIMS OF FAMILY VIOLENCE

1. Report from City Manager DEC18-07-689 WARD 6
2. Ordinance No. 10486 relating to real estate; authorizing and approving the lease of certain City-owned real property located at 2711 East Broadway Boulevard to Brewster Center for Victims of Family Violence; and declaring an emergency.

E. GRANT APPLICATION: TO THE ARIZONA STATE PARKS BOARD FOR THE SANTA CRUZ CATHOLIC CHURCH

1. Report from City Manager DEC18-07-690 WARD 5
2. Resolution No. 20854 relating to historic preservation; approving the application for Historic Preservation Funds on behalf of the Diocese of Tucson for the repair of the roof trusses at Santa Cruz Catholic Church; and declaring an emergency.

F. WATER: ACQUISITION OF RINCON RANCH ESTATES WATER COMPANY

1. Report from City Manager DEC18-07-691 OUTSIDE CITY
2. Resolution No. 20855 relating to water; authorizing and approving an agreement between the Rincon Ranch Estates Water Company, Inc. and the City of Tucson for the purchase and sale of business assets of Rincon Ranch Estates Water Company; and declaring an emergency.

This item was continued at the request of staff.

G. LICENSE AGREEMENT: SECOND SUPPLEMENT TO THE 1979 LICENSE AGREEMENTS WITH PIMA COUNTY

1. Report from City Manager DEC18-07-692 CITY-WIDE AND OUTSIDE CITY
2. Resolution No. 20856 relating to water and transportation; authorizing and approving a Second Supplement to the 1979 License Agreements between the City of Tucson and Pima County; and declaring an emergency.

H. DEVELOPMENT SERVICES: EXTENDING THE SOLAR FEE CREDIT INCENTIVE PROGRAM

1. Report from City Manager DEC18-07-697 CITY-WIDE
2. Resolution No. 20857 relating to development; reauthorizing the construction permit fee credit program for installation of certain solar energy systems; amending Resolution 20193; and declaring an emergency.

I. BOARDS, COMMISSIONS AND COMMITTEES: EXTENDING THE SUNSET DATE OF THE DAVIS-MONTHAN AIR FORCE BASE ALTERNATIVE ENERGY SOLUTIONS TASK FORCE

1. Report from City Manager DEC18-07-698(2) CITY-WIDE

2. Resolution No. 20858 relating to Boards and Commissions; extending the sunset date of the Davis-Monthan Air Force Base Alternative Energy Solutions Task Force Committee; amending Resolution No. 20468; and declaring an emergency.

Roger W. Randolph, Chief Deputy City Clerk, announced a correction to Resolution 20858 into the record. The word "Committee" was removed from the title of the resolution.

It was moved by Vice Mayor Trasoff, duly seconded, that Consent Agenda Items A through I, with the exception of Item F, which was continued, 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 Romero, Glassman, Uhlich, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Scott

Consent Agenda Items A through I, with the exception of Item F, which was continued, were declared passed and adopted by a roll call vote of 6 to 0.

8. ANNEXATION: WEST VALENCIA ANNEXATION, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 693, dated December 18, 2007, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10487 by number and title only.

Ordinance No. 10487 relating to annexation; extending and increasing the corporate limits of the City of Tucson, Pima County, Arizona pursuant to the provisions of Title 9, Chapter 4, Arizona Revised Statutes, by annexing the property at the southwest corner of Valencia Road and Valley Indian Agency Connect Road, more particularly described in the body of this ordinance; and establishing original City zoning classifications for the annexation area.

Council Member Romero thanked JVBM Properties for their outreach to the Midvale Park Neighborhood Association. She said this annexation was in the right location. The property was in the middle of the City and had been part of the county. She said this was the right thing to do.

Council Member Romero commended JVBM Properties for listening to the neighbors' concerns and incorporating them in the project. She said this project would add approximately one hundred to one hundred fifty new jobs to the City, and would hopefully provide job opportunities to local youths. She also commended the developers for using water harvesting techniques on the property.

It was moved by Council Member Romero, duly seconded, to pass and adopt Ordinance 10487.

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

Upon roll call, the results were:

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

Nay: None

Absent/Excused: Council Member Scott

Ordinance 10487 was declared passed and adopted by a roll call vote of 6 to 0.

9. ZONING: (C15-07-01) ESTABLISHMENT OF ORIGINAL CITY ZONING FOR THE WEST VALENCIA ANNEXATION DISTRICT, COUNTY SH TO CITY SH, CITY MANAGER'S REPORT, AND ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 694, dated December 18, 2007, was received into and made a part of the record. He said this was a request to establish original City zoning for the West Valencia Annexation District. He asked the City Clerk to read Ordinance 10488 by number and title only.

Ordinance No. 10488 relating to zoning; establishing original City zoning for approximately 13.37 acres generally located at the southwest corner of West Valencia Road and Valley Indian Agency Connect Road, which was annexed to the City of Tucson by Ordinance No. 10487, adopted on December 18, 2007; and specifying an effective date.

It was moved by Council Member Romero, duly seconded, to approve the request for rezoning as recommended by the Zoning Examiner and pass and adopt Ordinance 10488.

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

Upon roll call, the results were:

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

Nay: None

Absent/Excused: Council Member Scott

Ordinance 10488 was declared passed and adopted by a roll call vote of 6 to 0.

10. ZONING: (C9-07-20) JVBM PROPERTIES – VALENCIA ROAD, SH TO C-2, CITY MANAGER’S REPORT

Mayor Walkup announced City Manager’s communication number 695, dated December 18, 2007, was received into and made a part of the record. He said this was a request to rezone property located at the southwest corner of West Valencia Road and Valley Indian Agency Connect Road. He said the Zoning Examiner and staff recommended authorization of the rezoning subject to certain conditions. He asked if the applicant was present, to state their name and address for the record, and to state if they were agreeable to the proposed requirements.

Mike Grassinger, The Planning Center, stated they were in agreement with the proposed requirements and complimented City staff, in particular Byron Howard and his staff, for an efficient and satisfactory process.

It was moved by Council Member Romero, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused), to authorize the request for rezoning as recommended by the Zoning Examiner.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager’s communication number 696, dated December 18, 2007, was received into and made a part of the record. He asked if there were any personal appointments to be made.

Council Member Romero announced her reappointment of Bob Rodriguez to the Tucson Parks and Recreation Commission; Diane Castro to the Small Business Commission; and Steve Bresler to the Tucson-Pima County Bicycle Advisory Committee. She also announced her appointments of Noell Rodriguez to the Minority and Women Business Enterprise Commission; and Mari Helen High to the Out of School Program/KIDCO Task Force. She also urged the other Council Members to make their appointments to the Out of School Program/KIDCO Task Force by January 2008.

Council Member Glassman announced his reappointment of M. Joe Yee, to the Human Relations Commission and Robert Kattnig to the Tucson Rodeo Grounds/Parade Citizens' Oversight Committee. He also announced his appointment of Gary Rasmussen to the Tucson Convention Center Commission; Rick Grinnell to the Rio Nuevo Citizens' Advisory Committee; Neil Markowitz to the Public Education and Government (PEG) Television Channel Task Force; and Sami Hamed to the Citizen Transportation Advisory Committee.

12. ADJOURNMENT: 6:22 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, January 8, 2008, 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 18th day of December, 2007, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:yl:rm:kad