



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on June 3, 2008

Date of Meeting: February 26, 2008

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 5:38 p.m., on Tuesday, February 26, 2008, 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
Karin 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:

Rodney Glassman	Council Member Ward 2
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Staff Members Present:

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Draigg Phillips, after which the Pledge of Allegiance was led by the entire assembly.

Presentations:

- a. Council Member Scott announced that Civano Community School was named “The Greenest Grade School in America.” Pam Bateman, Lead Teacher at Civano Community School accepted the certificate.
- b. Mayor Walkup proclaimed the week of February 25 to March 3, 2008 as “Peace Corps Week.” Leslie Newman, University of Arizona Peace Corps Recruiter, accepted the proclamation.

Roger W. Randolph, City Clerk, announced Delfina Kerdels 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 83, dated February 26, 2008, 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 announced there would be an Education Town Hall held on March 1, at the Cholla High School Library.
- b. Council Member Scott invited the public to attend the Civano North Ridge Green Expo to be held on March 1 and March 2. There would be demonstrations and speakers on green home technologies.
- c. Mayor Walkup thanked all involved in the Rodeo Parade including the Police, Parade Committee, volunteers and attendees for helping make the Parade safe and successful. He announced along with the Accenture Golf Tournament, the entire month of February was a success and brought revenue to the City.

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

Mayor Walkup announced City Manager’s communication number 84, dated February 26, 2008, 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.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 86, dated February 26, 2008, 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

Person Transfer(s)

1. Driftwood, Ward 4
2001 S. Craycroft Rd.
Applicant: Gerard L. Coffey
Series 6, City 2-08
Action must be taken by: March 6, 2008

Staff has indicated the applicant is in compliance with city requirements.

c. Special Event(s)

1. St. Patrick's Day Parade of Tucson, Inc., Ward 6
221 S. 6th Ave.
Applicant: Andrew Jacob Brown
City T4-08
Date of Event: March 16, 2008
(Celebrate Irish Culture & Heritage)

Staff has indicated the applicant is in compliance with city requirements.

2. Southern Arizona Aids Foundation (SAAF), Ward 6
1303 E. University Blvd.
Applicant: Jessica L. Celentano
City T5-08
Date of Event: March 9, 2008
(Fundraiser - 5th Annual Möda Provocateur)

Staff has indicated the applicant is in compliance with city requirements.

3. Tucson's Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Kelly Burke Perks
City T6-08
Date of Event: March 7, 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

1. Maverick King of Clubs, Ward 2
6622 E. Tanque Verde Rd.
Applicant: Debera Jean Bannister
Series 6, City AC1-08
Action must be taken by: March 7, 2008

Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Glassman absent/excused), to forward liquor license applications 5b1, 5c1 – 5c3, and 5d1 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 except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

- a. Daniel Hatcher spoke about women in leadership.
- b. Ellis C. Herman spoke about the foreclosure of his home and asked for the City's help.

Council Member Leal asked Mr. Hein, City Manager, to get Mr. Herman's information and see if the City could help. Council Member Leal asked staff for a report on the outcome.

- c. Michael Toney spoke about low-income housing and what Rio Nuevo could do to help.

7. CONSENT AGENDA – ITEMS A THROUGH G

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

A. WARD REDISTRICTING: CREATION OF THE 2008 REDISTRICTING ADVISORY COMMITTEE

1. Report from City Manager FEB26-08-87 CITY-WIDE

2. Resolution No. 20892 relating to the redistricting of wards; creating the 2008 Redistricting Advisory Committee, pursuant to Tucson Charter Chapter XVI, Section 8.1 and Tucson Code Section 12-9; and declaring an emergency.

Roger W. Randolph, City Clerk, read into the record the names of the appointed members to the Redistricting Committee:

- Mayor – Paul Loucks
- Ward 1 – Esteven Rodriguez
- Ward 2 – Ted Prezelski
- Ward 3 – Mohur Sidhwa
- Ward 4 – Georgia C. Brousseau
- Ward 5 – Eddie M. Flores
- Ward 6 – Lawrence Lucero

B. APPROVAL OF MINUTES

1. Report from City Manager FEB26-08-93 CITY-WIDE
2. Approval of minutes for the regular meetings of the Mayor and Council held on August 6, 2007 and September 5, 2007.

C. ASSURANCE AGREEMENT: (S05-155) VILLAS ESCALANTE SUBDIVISION (RCP), LOTS 1 TO 51 AND COMMON AREAS “A” AND “B”

1. Report from City Manager FEB26-08-90 WARD 4
2. Resolution No. 20893 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. S05-155 of a final plat for the Villas Escalante Subdivision, Lots 1 to 51 and Common Areas “A” and “B”; and declaring an emergency.

D. FINAL PLAT: (S05-155) VILLAS ESCALANTE SUBDIVISION (RCP), LOTS 1 TO 51 AND COMMON AREAS “A” AND “B”

1. Report from City Manager FEB26-08-91 WARD 4
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.

E. FINANCIAL PARTICIPATION AGREEMENT: WITH PIMA ASSOCIATION OF GOVERNMENTS FOR THE TUCSON SOLAR INITIATIVE

1. Report from City Manager FEB26-08-92 CITY-WIDE AND OUTSIDE CITY
2. Resolution No. 20894 relating to Financial Participation Agreement for fiscal years 2008 and 2009; approving and authorizing execution of the Financial Participation Agreement between the City of Tucson and the Pima Association of Governments to help implement the 2-year grant-funded Tucson Solar Initiative; and declaring an emergency.

F. PARKS AND RECREATION: NAMING FIELD NUMBER 2 IN FREEDOM PARK THE "JOHN HILL FIELD"

1. Report from City Manager FEB26-08-89 WARD 5
2. Resolution No. 20895 relating to Parks and Recreation; authorizing and approving naming field #2 in Freedom Park the "John Hill Field"; and declaring an emergency.

G. PERSONNEL: ADOPTING A REVISED DEFERRED COMPENSATION PROGRAM FOR COMMISSIONED FIRE DEPARTMENT EMPLOYEES

1. Report from City Manager FEB26-08-95 CITY-WIDE
2. Resolution No. 20896 relating to personnel; adopting the Nationwide Retirement Solutions Inc. Deferred Compensation Plan, Trust and administrative agreement for commissioned Fire Department employees represented by the Local Union of the International Association of Firefighters; and declaring an emergency.

Roger W. Randolph, City Clerk, stated that staff was still waiting for a signature page from Nationwide Retirement Solutions and when received, that page would replace it in the final version of the contract.

It was moved by Council Member Scott, duly seconded, that Consent Agenda Items A through G, be passed and adopted and the proper action taken.

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, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Glassman

Consent Agenda Items A through G, were declared passed and adopted by a roll call vote of 6 to 0.

8. PUBLIC HEARING: TUCSON CODE – AMENDING THE *LAND USE CODE*; PLANNED COMMUNITY DEVELOPMENT DISTRICT AND ORDINANCE ADOPTION

Mayor Walkup announced City Manager’s communication number 88, dated February 26, 2008, was 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 *Land Use Code* Amendment to establish a process for rezoning for Master Planned Communities. He said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Mayor Walkup asked if anyone wished to address the Council on this item.

Michael Toney stated he had attended the Planning Commission meetings over a period of a few years and watched various things being put together. He said he showed the Planning Commission a chart of the situation with Lake Mead but they were not interested. He thought it was in their scope to look beyond the confines of Tucson to influential factors such as water availability and water resources in terms of those types of explosive build-outs in Tucson.

Mr. Toney stated as Lake Mead and Lake Power’s water levels were going down, at 2.5 million acre feet per year, at that rate, in ten years there would be no more power generated. He mistakenly thought Lake Mead was below the spillway and there was no power being generated. Actually, Lake Mead was generating twenty-five percent of its power, which was 2.1 billion watt hours per day and 4 trillion watt hours per year which would have an impact financially, not directly related to water. The way planned community developments were set up and the broken fragmented structure of the ground water replenishment districts credits, it was a fact that one could take water out and put water back in downstream which meant if it were near the Town of Sahuarita and the Rosemont area, those areas would go dry. There was a great deal of inequity in that, meaning the City of Tucson and other jurisdictions, as well as Pima County, should work with the State Legislature to try to do something that would be true sustainability

concerning groundwater, being the crucial issue of the future concerning six hundred thousand people in the south land in twenty or thirty years.

Mr. Toney stated Tucson Water's Central Arizona Project (CAP) allocation would have to go down in the next few years. He said that in ten years there would be no more electricity and much less power. Hydroelectric power was related to the height of the water before it hits the generators. If the water were one hundred feet up there would be about five thousand pounds per square foot pushing the turbines. If it were just a couple of feet of water there would be about one hundred pounds of pressure. The beauty of hydroelectric power was that it did not create pollution.

Mr. Toney said the form of development and the intention to put in man-made water canals after the devastation which had happened to the environment, everyone should realize that with the State Land Commissioner and the Constitutional Federal and State Mandate, everyone should try to do as much as they can with the land that was now one hundred years old and did not embrace the contradictions of time. The planned community development was much too explosive. The State Land Commissioner could handle affairs with State land in ten-acre parcels. The State Land Commissioner did not have to go to those extremes. Everything was not ironed out and becoming moot, as time passed and as growing smarter had become moot since Lake Mead has plummeted.

Mayor Walkup asked if there was anyone else in the audience wishing to be heard on this item. Hearing none, he asked for a motion to close the public hearing.

It was moved by Vice Mayor Trasoff, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Glassman absent/excused), to close the public hearing.

Mayor Walkup asked the City Clerk to read Ordinance 10503 by number and title only.

Ordinance No. 10503 relating to planning and zoning; amending certain portions of the Tucson Code, Chapter 23, *Land Use Code*, Article II, Zones, Division 6, Mixed Use Zones, by adding a new Section 2.6.5; Planned Community Development (PCD) District; amending Article V, Administration, Division 4, Procedures; and setting an effective date.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10503.

Mayor Walkup asked if there was any discussion.

Council Member Uhlich said there was one point of clarification she had discussed with Michael Rankin, City Attorney, and staff and she offered an amendment to the motion. She stated Item B, page 5 in the attachment, which was the actual language of Ordinance 10503, states "The Master Development Plan (MDP) shall include a land use plan, a resource and infrastructure plan, a development agreement, if

applicable, and a phasing plan to be conducted in the Planned Community Development (PCD) District. The MDP shall be in compliance with the purpose statement of the PCD District”, as set forth in section 2.6.5.1. This would assure when applications were received, they would speak of the purposes set forth in Ordinance 10503 as to why the City allowed Planned Community Development.

Council Member Leal said the amendment would make it more internally consistent.

Michael Rankin, City Attorney, stated the only new language that was being proposed was the “as set forth” and then providing the cross reference to the purpose statement in the ordinance of 2.6.5.1.

Council Member Leal said he was happy with the amendment to the motion.

Upon roll call, the results were:

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

Nay: None

Absent/Excused: Council Member Glassman

Ordinance 10503, was declared passed and adopted by a roll call vote of 6 to 0.

9. ZONING: (C9-06-20) ARNELL – FORT LOWELL ROAD, SR TO R-2, ORDINANCE ADOPTION

Mayor Walkup announced City Manager’s communication number 94, dated February 26, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10502 by number and title only.

Ordinance No. 10502 relating to zoning: amending zoning district boundaries in the area located on the north side of Camp Lowell Road, 600 feet west of Swan Road in Case C9-06-20, Arnell – Fort Lowell Road, SR to R-2; and setting an effective date.

It was moved by Vice Mayor Trasoff, duly seconded, to pass and adopt Ordinance 10502.

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

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

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

Nay: None

Absent/Excused: Council Member Glassman

Ordinance 10502, was declared passed and adopted by a roll call vote of 6 to 0.

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager’s communication number 85, dated February 26, 2008, was received into and made a part of the record. He asked if there were any personal appointments to be made.

There were none.

11. ADJOURNMENT: 6:17 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on March 4, 2008, 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 26th day of February 2008, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:kad:nc