



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on September 16, 2008

Date of Meeting: May 20, 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 5:34 p.m., on Tuesday, May 20, 2008, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Pro Tempore Trasoff 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	Mayor Pro Tempore, Council Member Ward 6

Absent/Excused:

Shirley C. Scott	Council Member Ward 4
Robert E. Walkup	Mayor

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 C. Martin Stevens, Veterans' Affairs Committee, after which the Pledge of Allegiance was led by the entire assembly.

Presentations:

- a. Mayor Pro Tempore Trasoff proclaimed May 18, 2008, to May 24, 2008, to be "Public Works Week." Jim Glock and Andrew Quigley accepted the proclamation.

Roger W. Randolph, 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 Pro Tempore Trasoff announced City Manager's communication number 230, dated May 20, 2008, was received into and made a part of the record. She 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 Uhlich announced that the *Business Development Outlook* magazine conducted a survey and ranked Tucson eighth on a list of cities based on where CEO's should consider when expanding or relocating their companies.

Council Member Uhlich announced Ward 3 was recruiting youths between the ages of fourteen to twenty-two to participate on a youth panel to help decide how Ward 3 Youth Funding Opportunities and Investments would be allocated.

Council Member Uhlich announced on May 24, 2008, the 1st Annual Historic Open House and Tour of the Oracle Road historical properties would be held.

Council Member Uhlich announced that her seventeen-year-old niece, Samantha Novak, was visiting from Missoula, Montana, and she was very happy to be able to spend time with her.

- b. Council Member Leal announced that on May 18, 2008, a tour bus from Northern Arizona brought faculty and administrators from various Arizona colleges to Tucson to see the Cesar Chavez Bridge.

Council Member Leal announced that in response to a request from the Ward 5 office, five local school districts would hand out Voter Registration forms to over 6,000 new graduates along with their High School Diploma.

- c. Mayor Pro Tempore Trasoff announced on May 25, 2008, the *Phoenix Mars Landing Mission* being led by Peter H. Smith, of the University of Arizona, would be shown live on CNN. The University of Arizona was the first public university to lead a mission to Mars.

Mayor Pro Tempore Trasoff announced students in the ESL (English learning) program at Catalina Magnet High School created an Art Exhibit consisting of photographs and essays about Immigration that was made into a book. The book would be displayed in the Rotunda of the Russell Senate Office Building in Washington, D.C. from June 2, 2008, through June 6, 2008.

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

Mayor Pro Tempore Trasoff announced City Manager's communication number 231, dated May 20, 2008, was received into and made a part of the record. She 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 Pro Tempore Trasoff announced City Manager's communication number 232, dated May 20, 2008, was received into and made a part of the record. She asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Applications

New License(s)

- 1. Fuku Sushi & Teppan, Ward 6
940 E. University Blvd.
Applicant: Andrew J. Adey
Series 12, City 31-08
Action must be taken by: June 6, 2008
Revenue Investigations 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.

This item was considered separately.

Person/Location Transfer(s)

2. Maynards' Trackside Market & Eatery, Ward 6
400 N. Toole Avenue
Applicant: Richard Samuel Oseran
Series 7, City 29-08
Action must be taken by: May 29, 2008
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event(s)

1. Tucson's Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Kelly Burke Perks
City T39-08
Date of Event: June 6, 2008
(To promote community event in downtown Tucson)
Staff has indicated the applicant is in compliance with city requirements.
2. Tucson Breakfast Lions Club (TBLC), Ward 5
4823 S. 6th Ave.
Applicant: Wayne Francis Locke
City T40-08
Date of Event: June 13 and June 14, 2008
(Fundraiser)
Staff has indicated the applicant is in compliance with city requirements.
3. Tucson Museum of Art, Ward 1
140 N. Main Ave.
Applicant: Katherine A. Wesolowski
City T41-08
Date of Event: June 6, 2008
(Exhibition Opening Reception)
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.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Scott and Mayor Walkup absent/excused), to forward liquor license applications 5b2, and 5c1, 5c2 and 5c3 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

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Applicant: Andrew J. Adey
Series 12, City 31-08
Action must be taken by: June 6, 2008
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Tucson Police Department has indicated the applicant is not in compliance with city requirements.

Roger W. Randolph, City Clerk, said the application to be considered separately was Item 5b1, Fuku Sushi & Teppan, located in Ward 6

Mayor Pro Tempore Trasoff asked if the member of the Tucson Police Department was present to give their report.

Lieutenant Mike Pryor, Tucson Police Department, said this report would be regarding the liquor license application located at 940 E. University Boulevard. The Police Department conducted an investigation of the applicant, and they determined the following incidents. In 2000, the applicant was cited for assault in Ontario, Canada. In 2001, he was later detained for a breach of probation in Canada, as a result of that event. In July of 2004, the applicant was involved in a bar fight at 536 N. Fourth Avenue in Tucson. In this situation, he was fighting with bouncers, and responding officers noted signs and symptoms of intoxication of the applicant. The applicant continued to try to escalate the situation, even after officers had responded. On August 22, 2007, in Tucson, the applicant was involved in another bar fight at the Bashful Bandit Bar. According to the perception of other bar patrons, the fight started because the applicant was being inappropriate to some females inside of the bar, resulting in a fight. On January 19, 2008, the applicant was involved in a disturbance as a suspect, which involved reckless driving. Tucson police officers contacted the applicant, and even though he was not driving at the time, the officers noted signs and systems of extreme intoxication. The applicant was also uncooperative, and confrontational with police.

Lieutenant Pryor said based on these incidents, the Tucson Police Department believed the applicant established a history of incidents that involved intoxication, poor judgement resulting in violence, and a lack of cooperation with police investigations. Based on these factors, the Tucson Police Department found the capability, qualifications, and reliability of the application had not been established.

Mayor Pro Tempore Trasoff asked if the applicant was present. Hearing no response, she asked if there was a motion.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Scott and Mayor Walkup absent/excused), to forward liquor license application 5b1 to the Arizona State Liquor Board with a recommendation of denial.

6. CALL TO THE AUDIENCE

Mayor Pro Tempore Trasoff 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. The call to the audience was scheduled to last thirty minutes.

- a. Michael Toney spoke regarding the Tucson Police Officers Association (TPOA) and how dissatisfied the officers were with the budget. He said he would like to see Tucson Police Department have an increase in pay.
- b. Bishop Chicago spoke about the drug problems in Tucson, and his support of the Tucson Police Department.
- c. Robert Reus thanked Council Member Glassman for his support that future department heads live within city limits. He also spoke about his presentation regarding Mexico, which would broadcast on a local radio station.
- d. Karlen Ross spoke about the meeting that was held between the downtown business owners and the Tucson Downtown Business Alliance regarding problems the business owners encountered with the recent downtown construction that affected their business.
- e. Richard DeBernardis representing the League of American Bicyclists, thanked the Mayor and Council, City Manager, and the Department of Transportation Director for their support of the cyclist community and the El Tour de Tucson.

7. CONSENT AGENDA – ITEMS A THROUGH J

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

- A. **PROCUREMENT: EXTENDING THE SUNSET DATE OF THE MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE PROGRAM**
 1. Report from City Manager MAY20-08-236 CITY-WIDE

2. Ordinance No. 10528 relating to the Minority and Women-Owned Business Enterprise (MWBE) Program; extending the Minority and Women-Owned Business Enterprise (MWBE) Program through December 31, 2008; and declaring an emergency.
- B. PARKS AND RECREATION: NAMING THE SENIOR CENTER BUILDING IN MORRIS K. UDALL PARK THE “CAROL W. WEST SENIOR CENTER”
1. Report from City Manager MAY20-08-238 WARD 2
 2. Resolution No. 20951 relating to Parks and Recreation; authorizing and approving naming the Senior Center Building at Morris K. Udall Park/Center the “Carol W. West Senior Center”; and declaring an emergency.
- C. PARKS AND RECREATION: NAMING MISSION MANOR PARK FIELD #1 THE “ARNOLD GATES FIELD”
1. Report from City Manager MAY20-08-237 WARD 1
 2. Resolution No. 20953 relating to Parks and Recreation; authorizing and approving naming Field #1 in Mission Manor Park the “Arnold Gates Field”; and declaring an emergency.
- D. DEVELOPMENT SERVICES: CERTIFICATE OF OCCUPANCY DISCLOSURE
1. Report from City Manager MAY20-08-245 City-Wide
- This item was continued at the request of staff.
- E. REAL PROPERTY: CONVEYANCE OF RIGHT-OF-WAY VIA THE PAPER PLAT PROCESS AND AUTHORIZING AN AGREEMENT WITH PIMA COUNTY FOR OPEN SPACE ACQUISITION
1. Report from City Manager MAY20-08-234 WARD 1
 2. Ordinance No. 10534 relating to real property; vacating and declaring a portion of City-owned right-of-way located within the 36th & Mission Subdivision to be surplus property; authorizing the conveyance thereof at no cost to Pima County pursuant to the Mayor and Council paper plat policy; authorizing an agreement with Pima County for open space acquisition; and declaring an emergency.

- F. FINAL PLAT: (S07-092) BARRIO MADERA, A CONDOMINIUM PROJECT, UNITS 1 TO 12, AND COMMON ELEMENT “A” AND LIMITED COMMON ELEMENTS
1. Report from City Manager MAY20-08-235 WARD 6
 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.
- G. FINANCE: SALE OF WATER SYSTEM REVENUE BONDS, SERIES 2005-C
1. Report from City Manager MAY20-08-244 CITY-WIDE
 2. Ordinance No. 10520 an ordinance relating to finance; authorizing the issuance and sale of City of Tucson, Arizona, Water System Revenue and Refunding Bonds, Series 2005-C (2008), in a principal amount not to exceed \$20,425,000; providing for the payment of principal and interest thereon; providing certain terms, covenants and conditions relating to the Series 2008 Bonds; appointing a bond registrar, transfer agent and paying agent for the Series 2008 Bonds; authorizing the execution and delivery of a Depository Trust Agreement and appointing a depository trustee with respect to the bonds to be refunded; authorizing the preparation and delivery of an official statement with respect to the Series 2008 Bonds; ordering the sale of the Series 2008 Bonds; authorizing the execution and delivery of a Continuing Disclosure Undertaking with respect to the Series 2008 Bonds; and declaring an emergency.
- H. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR FIXED ROUTE EXPANSION AND REPLACEMENT BUSES
1. Report from City Manager MAY20-08-242 CITY-WIDE AND OUTSIDE CITY
 2. Resolution No. 20954 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for Regional Transit Service Improvements: Projects P-46 and P-49 – Fixed Route Expansion and Replacement Buses; and declaring an emergency.

I. RELATING TO PERSONNEL: AMENDING TUCSON CODE (CHAPTER 2 AND CHAPTER 10), ADOPTING RESIDENCY REQUIREMENTS FOR CERTAIN CITY OFFICERS AND EMPLOYEES

1. Report from City Manager MAY20-08-246(2) CITY-WIDE
2. Ordinance No. 10536 relating to administration and civil service; revising Tucson Code Chapter 2, Article I. to add a residency requirement for certain City officers and employees; and revising Tucson Code Chapter 10, Article I. relating to rules adopted by the Civil Service Commission; and declaring an emergency.

Roger W. Randolph, City Clerk, announced this item would be considered separately at the request of Vice Mayor Trasoff.

J. BOARDS, COMMITTEES AND COMMISSIONS: APPOINTMENTS TO THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT BOARD

1. Report from City Manager MAY20-08-247(2) CITY-WIDE
2. Resolution No. 20955 relating to Rio Nuevo Multipurpose Facilities District; appointing Anne-Marie Russell and Jeff DiGregorio to the Board of Directors; and declaring an emergency.

Mayor Pro Tempore Trasoff asked if there was a motion.

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

Mayor Pro Tempore Trasoff asked if there was any discussion. Hearing none, she asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Consent Agenda Items A through J, with the exception of Item D, which was continued, and with the exception of Item I, which would be considered separately, were declared passed and adopted by a roll call vote of 5 to 0.

7. CONSENT AGENDA – ITEM I

I. RELATING TO PERSONNEL: AMENDING TUCSON CODE (CHAPTER 2 AND CHAPTER 10), ADOPTING RESIDENCY REQUIREMENTS FOR CERTAIN CITY OFFICERS AND EMPLOYEES

1. Report from City Manager MAY20-08-246(2) CITY-WIDE
2. Ordinance No. 10536 relating to administration and civil service; revising Tucson Code Chapter 2, Article I. to add a residency requirement for certain City officers and employees; and revising Tucson Code Chapter 10, Article I. relating to rules adopted by the Civil Service Commission; and declaring an emergency.

Mayor Pro Tempore Trasoff said she asked for this item to be pulled. She said although there was considerable discussion at Study Session, and although she absolutely respected her colleagues, especially Council Member Glassman for bringing this forward, she respected and agreed with the many reasons for doing this. However, her concern was that there was a need to have an exception made, or perhaps an allowance for an exception for people who have served the City, or currently serving the City. This would allow the employees to have an opportunity. She said that was the reason she would not be able to vote for this, although in spirit, she certainly agreed with it.

Mayor Pro Tempore Trasoff asked if there was a motion.

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

Mayor Pro Tempore Trasoff asked if there was any discussion. Hearing none, she asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;

Nay: Mayor Pro Tempore Trasoff

Absent/Excused: Council Member Scott and Mayor Walkup

Consent Agenda Item I, was declared passed and adopted by a roll call vote of 4 to 1.

8. PUBLIC HEARING: *NORTHMANOR ANNEXATION DISTRICT*

Mayor Pro Tempore Trasoff announced City Manager's communication number 239, dated May 20, 2008, was received into and made a part of the record. She also announced this was the time and place legally advertised for a public hearing on a proposed annexation district located in the vicinity of River Road and First Avenue. She said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Karen Larkin said she was not a City of Tucson resident, but she had been a resident of Northmanor for thirty-nine years. She said when she moved to Northmanor, it was a very rural area and far from everything. When she wanted to buy their house, her husband was concerned because it was so far to get to work everyday and he worked at Stone Road and Fort Lowell Road. That was the perception of the area at that time, but today, it was considered nothing to travel that distance. Annexation was discussed from time to time, but the City of Tucson was not very interested and they still felt rural. She said she remembered one resident who fought annexation was a City of Tucson fireman. The residents of Northmanor were not ready for annexation at that time, but the area grew. Walmart replaced the swimming pool, and then Tucson Mall came. Sam's Club was another addition. The Rillito River Park became an amenity that everyone loved and needed, because the natural area surrounding them had disappeared. The Tucson Heart Hospital was then built. However, all the growth benefited the area in one way or another. Their children got jobs at the mall, and she saw many people frequent the Rillito River Park daily. She said her neighbor's daughter was medevaced to Phoenix from the Tucson Heart Hospital in an attempt to save her life, and she grew up in that neighborhood. She said they were no longer a rural area.

Ms. Larkin explained that three years ago, there was a meeting at Wood's Library regarding annexation. All kinds of experts from the City of Tucson and Pima County came to explain the pros and cons of annexation and many residents attended. A new homeowner asked for reasons why they should not be annexed, and no one could answer him. She asked why should annexation proceed at this time.

Ms. Larkin explained that fire protection was one of the reasons why they should proceed with the annexation. Very few residents would ever have the need for a real fireman in the traditional sense, but with the station immediately across the street; the need for paramedics was very important. Unfortunately, she had seen that need personally with her mother. She wished it had been quicker and there had been a closer fire station.

Ms. Larkin said garbage service was another benefit, and understood the controversy about garbage service, but what she liked was the brush and bulky service. Going to the dump was easy thirty-nine years ago; no traffic; no houses, and it was easy. But that was not true today. What was presently happening was the residents had to pile junk and stuff in the alleys, or their yards, and that was not a good thing. Nobody wanted to do that, but that was why the Northmanor Neighborhood needed the garbage service.

Ms. Larkin said the Rillito Park would soon be redeveloped. It would be nice to have a center for children to use; or a place for seniors to gather; or playgrounds and ramadas; or a place for neighborhood meetings. It would be more than soccer fields. She did not want to pay more or wait to use this park just because she was not a City of Tucson resident.

Ms. Larkin also said her civic duty issue was the most important and she wanted to have the opportunity to vote in City of Tucson Elections. Tucson was her home. She said she wanted to have a voice in how the City of Tucson would be run and how it would grow because it was her responsibility. As a Pima County resident, she did not have that say. She said she could not stand in front of elected officials as a City of Tucson resident to give her opinion. She wanted to be heard and she said it was finally time for the annexation because they were no longer rural, they were now urban. She concluded by saying she favored the annexation and thanked the Mayor and Council.

John Stair said it was a pleasure to sit in the Chambers and see the proceeding. He was glad that democracy was still alive, and commented that the Mayor and Council listened to everybody. He said he had been a resident of Northmanor Neighborhood since November of 1962. Before that, in 1953, he was a resident of Tucson while attending the University of Arizona graduate school. He then moved to Phoenix, but wanted to move back to Tucson. They finally came back to Tucson in 1961. He said both his wife and himself were 110% in favor of the annexation. He said he circled undecided on the call to the audience card, because there were a couple of strings that needed to get straightened out.

Mr. Stair said he attended all of the public meetings, along with two prior meetings in which the City of Tucson Planning Department also attended to discuss annexation. He said he realized there were a lot of people who were opposed to the annexation for various reasons, which speakers would discuss later. One of the reasons was the helicopter problem at the Tucson Heart Hospital. The City of Tucson told the neighborhood they would not have helicopters, and he was also told the same thing by the Chairman of the Board of Directors, Doctor Katzenburg, because the Tucson Heart Hospital was not a place for trauma or emergency action on a heart patient. He said last Saturday proved him wrong because there were two helicopter landings there.

Mr. Stair said another string was that the residents were told at a hearing held by the Planning Department, that there would be no tall buildings to be built south of the subdivision, but they were built later. Unfortunately, some of the tall buildings were next to a fence, which made it look like they lived next to a warehouse district, because the residents faced the back part of those buildings that did not have very many windows. He said he recalled the objection at that time from the people who lived in that area. They were against two or three story homes being built adjacent to the subdivision because people would be able to look into the backyards. It was a privacy issue. Apparently, it had all been forgotten. He was unsure if that would be a violation of the City Code, or the helicopter issue at the Tucson Heart Hospital would be a violation of the City Code. He was not sure, but suspected they would be violations.

Mr. Stair said his involvement with the Northmanor Homeowners Association went back a considerable amount of time. The neighborhood received some grant money over five years ago that paid for roll-off dumpsters to come into the subdivision, and they cleaned up the neighborhood. He said last Saturday, Pima County provided another roll-off dumpster, which was located on Bromley Street, and it was filled within a couple of hours. He understood the City of Tucson would provide dumpsters twice a year. He had not seen that policy in writing, but would like to see it. He said he thought the Northmanor residents would receive better service for trash pickup in the subdivision from the City of Tucson, and said he hoped they would. He lived in Phoenix for ten years from 1978 to 1987, and when they first bought their home, it was located in the County, and later moved into the City limits. He said his brother still lived in the City of Phoenix as a president of a homeowner association and was very happy with what happened there. For example, instead of streetlights, the City saved money by providing each homeowner with motion detector floodlights for their front porch or garage, and it worked fine. He had also had acquired one and it worked great. He said there were solutions to some of the problems that people had with streetlights.

Mr. Stair said that traffic bumps were another issue, and was not aware what the City of Tucson policy was on that topic, but he was interested to find out. He said he had two personal situations happen. One situation was when his neighbor across the street approached him and asked him if he was aware there was a fire behind their homes. He said it took Northwest Fire a half an hour to get to the fire, and now there was a fire department across the street. He said he had an attack, presumed to be a stroke and it took twenty minutes for the paramedics to respond. Now, there was a fire station with a response time of five minutes. He said he was all for that. However, this time, he wanted to make sure that the City of Tucson would put in writing all the services the Neighborhood were requesting and would receive.

Bruce Hilpert said he lived in the Northmanor Neighborhood in Pima County. He said he was the founder and area leader of their neighborhood watch group that included one hundred and fifty out of two hundred and twenty five Northmanor households, but was not speaking in behalf of that group. He was speaking as a resident who had been involved in that group. As an out growth of the neighborhood watch group and independent of the annexation process, a group of residents met for the last six weeks to reform the Northmanor Improvement Association, a neighborhood association founded in 1962. Mr. Hilpert said he was also instrumental in that process. He said they were planning to have a neighborhood wide organizational meeting on May 31, 2008, which would begin the process of the election for board of directors and officers. Enthusiasm for that organization was high and they expected to be fully functional within a month or two. Annexation was an issue of highest concern to their residents and the association. He asked the Mayor and Council to postpone the annexation petition process until the group could organize and address the issue of a pre-annexation agreement.

Mr. Hilpert said he wanted to echo the sentiments and comments of John Stair, who faithfully had served as an officer of the Northmanor Association in the past. There

were several important issues that faced their neighborhood that could significantly be effected by the annexation, such as the landings of helicopters at the Tucson Heart Hospital unzoned heliport, and the possible future extension of Bromley Street through to Stone Avenue. This was just one of the number of issues they should have the opportunity to address. They deserved the opportunity to address those issues among themselves and then negotiate with the City of Tucson to shape their future. The Northmanor Improvement Association was the proper forum to address those issues and negotiate an agreement with the City of Tucson that would protect their community interests. Such an opportunity could only positively effect individual decisions about annexation. For example, he was currently opposed to annexation but had supported annexation on numerous counts. He had some concerns, with all due respect, concerning the Tucson Police Department policies versus the policies of Pima County Sheriff's Department. However, if a pre-annexation agreement could be forged that would take care of several issues within their neighborhood that should be addressed and addressed adequately, that could certainly sway him to become an avid supporter of annexation. He said he was sure it would also do the same for many other residents.

Mr. Hilpert said he understood the Mayor and Council might decide to make a decision to move the process further that evening, and asked to have adequate time, which would be a couple of months, to reorganize their community neighborhood association and be able to discuss those issues among themselves. He said he believed the Mayor and Council would find, as the Northmanor residents had found, that there was considerable amount of diversity of opinion and very strong opinions held. The Mayor and Council might even prefer that the Association sorted out the issues rather than the issues being sorted out before the City Council. He asked again to please give them adequate time to consider the issues and hopefully negotiate a pre-annexation agreement with the City of Tucson. He thanked the Council for their consideration.

Michael Toney said that a previous speaker, Ms. Larkin, had mentioned that the City had a lot of diversified surroundings and some of the surroundings were rural where people could ride horses. He said Pima County did not want a big build out at River Road. This was also City wide. He asked about the integration of the conservation land system into the City of Tucson. Apparently, the City had not seriously contemplated putting the conservation land system through, which he said made sense, because Arizona was geographically one as the planet was basically geographically one, just go across the Aleutian Chain Islands to the other continent.

Mr. Toney said nobody had mentioned that Citizen's would have their rents increased and said he guessed that perhaps it did not matter too much to them. No one had yet had an in depth meeting, and like Mayor Walkup said, we should get our feet into this water issue. However, it had not happened.

Mr. Toney commented the water level of Lake Meade was about two feet lower than it was at its lowest point in November 2007, and presently it had about 1109.3 feet. He commented that Tucson would get short changed once the water level of Lake Meade went down, because only 8.23 million acre feet of water per year was being pumped from

Lake Powell to Lake Mead. Lake Powell was rising, but it was guaranteed that the upcoming summer heat was going to evaporate and stir up all the water, and Lake Powell would not get the gain that was predicted. He said as the water levels of the lakes decrease, energy would also be lost and that would cost money. He recalled David Modeer, the previous Department of Water Director, saying that lost energy cost two hundred million to three hundred million dollars a year. He said construction occupancy permits should not be issued. Some of the impacts that had happened as a result of the lost energy were contingent upon the hundred-year water supply which was a very nebulous concept because in Phoenix, the water supply goes down further about a thousand feet. He said the hundred-year water supply and ninety percent of the rivers and streams were already dried up in Arizona. He asked where the zero point should be drawn, was it from ten years ago or where it was natural.

Mr. Toney said if the annexation would go forward, he thought it would be equitable to consider the people who had been living there for a long period of time and said he thought everyone would just forget the American Indians on whom genocide and ethnicide were perpetrated. It also resulted in things like the contamination of the Copper Queen, which was a continued mess and it would stay that way as long as the community would continue to build their science centers. The neighborhood could petition if their requests were not made and once the annexation agreement went forward, they would have what they wanted because sometimes things like this often get lost. He said for the greater good of the whole, things end up being compromised until the last vestiges of the natural desert landscape would disappear. He said the general plan gave direction regarding the preservation of the natural desert landscape and government funds were also available for the enhancement of desert landscaping. He said it was in the general plan, as Council Member Uhlich remarked, that was approved by the voters, which may not be what the City Council would follow. The perfect example was the ten year cut of the Rio Nuevo TIF (Tax Incremental Financing) fund which was suppose to end in the year 2013. The preservation of rural areas also involved the preservation of the density ratio called floor area ratio. He said one would need to look at the surrounding area and not disturb it just because it was allowed. They needed to do what was equitable in the situation, and not wipe everything out with asphalt and ground cover causing a heat island effect.

Dan Quinn, resident of Northmanor Neighborhood, said he marked undecided on the call to the audience card because of a couple of issues that were already heard. Regarding the heliport at the Tucson Heart Hospital, he said he understood that there would be certain circumstances when the helicopters would need to fly into the Tucson Heart Hospital, such as, if the other hospital emergency rooms were full, and they were bringing in a patient; they should be able to land there. However, the helicopters that landed on the south side of the Tucson Heart Hospital were less than fifty feet from the bedroom windows of some of the residents. If a change could be made to close Stone Road for a half an hour to allow the helicopters to land on the west side of the Tucson Heart Hospital, it would create a buffer to the residents living there that were trying to sleep. That issue needed to be resolved. He said there was a definite need for it, but needed to be controlled as best as possible.

Mr. Quinn said, with regard to streetlights, he hoped they would not have any. He said he was a Tucson building inspector and enforced the *City of Tucson/Pima County Outdoor Lighting Code* everyday. He personally thought there should be a City wide drive to cover all the exterior lights. He would prefer not to have streetlights. The idea about lights in every home was great, but the lights needed to be directed at a forty-five degree angle or less. He suggested the community should try to get outdoor lights under control.

Mr. Quinn said, with regard to speed bumps, he would rather not have them. The Tucson Fire Department and paramedics across the street were the reason he really wanted this annexation. However, he did not want the speed bumps if the Tucson Fire Department had to double their response time to get into the neighborhood. The speed bumps would cause them to slow down to almost a stop to save their vehicles, which they should.

Mr. Quinn said, with regard to alleys, the upkeep of the alleys needed to be determined ahead of time. He said he did not know if the City residents were responsible for the alleys or the City itself, but would like to find out the details on that. Presently, the Northmanor Neighborhood alleys were in such poor shape, the Department of Neighborhood Resources would have a field day if they inspected those alleys. He said their numbers would go through the roof.

Mr. Quinn said there were a couple of problem drainage systems and also a wash that flowed through it. A few years back, Pima County put in a new drainage system on the north side, and it was almost completely clogged, but that was another issue. He did not know if Pima County would maintain the drainage systems, or the City of Tucson would get involved. Those were issues that should be thought about.

Mr. Quinn said he loved the brush and bulky curbside pickup service that happened twice a year and commented that the service could not be beat. Since the fire department and paramedics would be across the street, there would be no question that the response time would be much, much faster than the units located in Pima County, who needed to travel from the Shannon Road area. He thanked the Mayor and Council for listening to his thoughts and concerns and wished them a good night.

John Gentile thanked the Council for allowing him to speak and said he and his wife were twenty-year residents of Northmanor Neighborhood. He said he was undecided about the annexation in some ways because he needed to see more information and make a decision based on information provided. One of the areas he looked at was the aspect of law enforcement. He said presently, the Pima County Sheriffs Department was servicing his area. Several years ago they were burglarized and someone kicked their front door open. It took around forty to forty-five minutes before someone came out and it was a very sloppy investigation. He said he understood that many burglaries get pushed aside, but after time, he did not hear much about the burglary. It was kind of swept away. He said his wife owned a gallery in the City of Tucson and it was also burglarized one evening. The Tucson Police responded within five minutes. The

response time was amazing. One of his questions, in regard to law enforcement was, could the residents expect the same type of response time in the Northmanor Neighborhood as his wife experienced in the City of Tucson. He said he would like that issue addressed and would like to hear more about it.

Mr. Gentile said he was also concerned about the helicopter landings. He worked in the health care field as a home health physical therapist and assisted people who were in medical situations fairly regularly. He said he fully understood the need for prompt response. He was concerned, from a homeowner's standpoint, what would happen to the property values when helicopter landings occurred within fifty feet of peoples' homes, like the gentleman before him had said. The area south of the Tucson Heart Hospital, which was a par course where the helicopters were landing, was a trash dump and not well maintained. There was garbage, rags and all kinds of detritus lying around. When the helicopters would land, all the detritus would blow into the yards of the residents and created a hazard, as well as, dust, noise and everything else. He said he understood the need for emergency situations and emergency landings, but there needed to be respect for the people who lived in those homes and invested money into those homes near the Tucson Heart Hospital. He said it was important that those issues be considered and would like those issues addressed before he voted for the annexation.

Mr. Gentile asked how the annexation would effect the tax structure. Based on the fact that the City of Tucson had a budget deficit right now, he wanted to know how the annexation would effect the residents of the Northmanor Neighborhood. He asked if their property taxes would increase and how much would they go up based on the services provided. He said before he cast his vote, he wanted answers to those questions. He then thanked the Council for their time.

Mark O'Hare said he resided in the Northmanor Neighborhood and the location of his bedroom was less than one hundred feet from the illegal-landing zone at the Tucson Heart Hospital. He then asked if he could hand out a map and a picture of one of the helicopter landings.

Mayor Pro Tempore Trasoff asked Mr. O'Hare to hand the map to the City Clerk.

Mr. O'Hare continued and asked the Council to look at his handout of the map. He gave a brief description of where the helicopter landed. He said it landed in a par course which was three helicopter lengths long, two helicopter lengths wide, and was surrounded by trees. He said it was a very dangerous situation when a helicopter would land there. His house was so close to this illegal helicopter landing site that last Saturday afternoon there was a helicopter that landed, and like most of the landings, dirt and other debris showered his bedroom window.

He said Council Member Uhlich's office last heard from him about April 23, 2008, when he complained again about another helicopter flight. A helicopter landed at 11:50 p.m. on Sunday night and took off at 1:30 a.m. Monday morning. He said, one could only imagine the Monday that he and his neighbors had at work with little or no

sleep. Mr. O'Hare said he probably had two hours sleep. The question regarding what the City of Tucson would do about the illegal helicopter landings had been asked many times by the residents of Northmanor and they continued to ask. In order for the helicopters to land into the very, very small par course area, they needed to fly and circle over the Northmanor Neighborhood. He said Staff had ignored their questions and the reason the questions were ignored and not responded to, was to say the least, this was a hot button issue with the neighborhood. He said today's Mayor and Council communication from the City Manager's office mentioned nothing about the Tucson Heart Hospital helicopter landings. The City of Tucson changed their position concerning the illegality of the landings in January of 2007. He said he complained to the City of Tucson Zoning violation office about the landings and they said they would investigate. He then complained again after two landings and they told him, as far as they were concerned, the case was closed and they would take no further information about the landings.

Mr. O'Hare said he wanted to read from a Mayor and Council communication dated September 8, 1997, that dealt with an attempt from the Tucson Heart Hospital to get a legal helipad. He said before he read the communication, he wanted to provide some background. The Tucson Heart Hospital opened in 1996, and before having their zoning approved, the Hospital promised the neighbors that there would be no helicopter flights into their properties including emergencies. If there were emergencies, the Tucson Heart Hospital said the helicopters would fly to sites off its property. When the Tucson Heart Hospital was built and opened, the Tucson Heart Hospital immediately applied for a helipad. This was not the area where the par course was now. He referred to the map and explained the location of Stone Avenue, the Tucson Heart Hospital and his house. He said his house was six hundred feet from the Tucson Heart Hospital building. He pointed out the location of the par course area where the helicopters would land which was a vacant area or drainage area, and also where the Tucson Heart Hospital wanted to put in a helicopter pad in 1997. He showed where the Tucson Heart Hospital cut two curb cuts into the curbs and was illegally parking in that area. He said he wanted to quote from the communication that concerned the application from 1997. He read "When the Hospital was first proposed for this site, a major area of discussion with the neighborhood was the possibility of a helipad." He continued, "Neighborhood support was conditioned on the agreement that no helipad would be required by the Hospital. The noise and other hazards of a helipad in such close proximity to residential development can not be mitigated." Unquote. Staff did not support the change of the zoning condition and recommended that alternative sites be found. He said, you could imagine the neighborhood opposition when the neighbors were deceived by the Tucson Heart Hospital, when they withdrew their application before the Mayor and Council could vote on it.

Mayor Pro Tempore Trasoff asked Mr. O'Hare to wrap up.

Mr. O'Hare said okay, and continued. He said many of the neighbors who would favor the annexation would not sign the petition unless the illegal helicopter flights were finally ended. He repeated they flew and circled over the neighborhood and said the

Hospital could find safer alternatives when there were true emergencies. He said the staff knew the strength of the neighborhood opposition to the flights and was trying to rush through this annexation.

Mayor Pro Tempore Trasoff reminded Mr. O'Hare of the time limit.

Mr. O'Hare asked if he could please have one minute.

Mayor Pro Tempore Trasoff stated that he was already well over the time and to please wrap it up quickly.

Mr. O'Hare continued. He said the Mayor and Council needed to start the process over and postpone their decision to authorize the mailing of petitions until all the questions were answered by City of Tucson staff. The neighborhood wanted the helicopters finally ended and the City of Tucson needed to show good faith to allow the newly, to be revitalized, neighborhood association to negotiate a pre-annexation agreement before the Mayor and Council authorized the petition. He thanked the Council.

Mayor Pro Tempore Trasoff announced there were no more cards and asked if there was anyone else wishing to be heard on this item.

John Stair asked if he could make a second remark and it would be very short.

Mayor Pro Tempore Trasoff repeated to make his remark very short.

John Stair said, in addition to what Mr. O'Hare had said, Doctor Katzenburg assured him there would be no helicopters because there was no need for helicopters. The Tucson Heart Hospital did not have a trauma center and the emergency center was not really adequate. However, the main reason was that helicopters carried patients from rural areas, from highway accidents, and came from out of town in most cases. He said they were circled by hospitals on all sides of the City and the helicopters would probably land on outlining hospitals before ever thinking about bringing patients into the Tucson Heart Hospital.

Mayor Pro Tempore Trasoff asked for a motion to close the public hearing.

It was moved by Council Member Leal, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Scott and Mayor Walkup absent/excused), to close the public hearing.

Mayor Pro Tempore Trasoff asked the Council's pleasure and recognized Council Member Uhlich.

Council Member Uhlich said she appreciated everybody that came to speak and heard concerns that were perfectly appropriate and questions asked that were legitimate and needed to be answered. She said she wanted to focus on the process, and wanted to

confirm with the City of Tucson Attorney and Mr. Howard if proceeding at this point would preclude a pre-annexation agreement or discussion with the neighborhood.

Michael Rankin, City Attorney, advised that proceeding at this point would not preclude anything in terms of answering questions, providing information, and negotiating on the issues raised. This would just allow staff to proceed into the next phase of the statutory annexation process, which meant that over the next year would be the time to collect signatures of the requisite number of property owners and owners of assessed value property.

Council Member Uhlich said she wanted to be clear in asking this question, she was not necessarily going to advocate for or against a pre-annexation agreement at this time. She said her question was very specific. If the Mayor and Council were to proceed tonight to allow for petitioning, would that preclude the City of Tucson from actually having a signed agreement with this neighborhood and area.

Mr. Rankin answered no, it would not preclude that.

Council Member Uhlich said the reason she preferenced her question was because she did not want to raise expectations, and she needed to better understand the implications of having a formalized agreement of this kind. She said to imagine a city the size of Tucson, as Tucson would grow and annex, the complications that would arise by trying to formulate separate agreements with various areas. She was not going to take a position for or against that approach but wanted to make sure by voting on this, the City of Tucson was not precluding that opportunity for negotiation with the neighborhood. She said that was one point she definitely wanted to make very clear.

Council Member Uhlich said the other issues she wanted to make clear, and knowing her colleagues heard the concerns as well, were the concerns about the Tucson Heart Hospital. She said she had been in communication with the Tucson Heart Hospital regarding their responsibility in administering their services and being responsive to area residents' concerns. She explained the City of Tucson recently went through an intensive process with Davis Monthan Air Force Base regarding the landing of their jets into that facility. She was confident that the City of Tucson would be able to come up with something better by way of communication, and even try to pursue better solutions with the Tucson Heart Hospital, the Northmanor Neighborhood, and other residents in that area. This was the way she hoped it would proceed. She added that she was aware that there were other questions raised regarding the levels of service and what was appropriate to expect. She commented that the City of Tucson had improved services dramatically and was proud of the work of City staff, which included everything from garbage service, to public safety, to street paving. She said the residents and future residents, who would have the need to come into the City of Tucson, needed to be persuaded that there were quality services for our residents and it was the commitment of the City of Tucson to sustain and even improve services over time. She was looking forward to continuing that conversation in this process.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Scott and Mayor Walkup absent/excused), to proceed with the *Northmanor Annexation District* process by gathering the necessary property owner signatures, and returning to the Mayor and Council.

9. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 27), RELATING TO AN INCREASE IN WATER RATES

Mayor Pro Tempore Trasoff announced City Manager's communication number 241, dated May 20, 2008, was received into and made a part of the record. She also announced this was the time and place legally advertised for a public hearing on the adoption of an increase in water fees. She said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Dick Basye, Tucson resident, said the City of Tucson needed to keep in consideration the high price of gas and other costs. He was not sure this would change anything, but it raised some concerns. He said he lived in a house that was built in the late forty's and believed it had the same water meter for over fifty years. About four years ago, the Tucson Water Company said the meters were not accurate and they were replaced. He said then a year and a half later, the meters were replaced again. He calculated if there were one hundred thousand homes in Tucson with meters of that general age, it would cost fifteen million dollars to replace them, and he said he thought that was unnecessary. He did not know if someone was not doing their job right to authorize meter replacements twice within a two-year span, but would like to know more about that before the public gave Tucson Water any more money.

Mr. Basye added there was a plan in the past to provide low flow toilets to low income homeowners, and said he believed that would be a possibility for the future. It would be a good idea if there was a water shortage, but the State of Arizona said there was all the water we could ever want including ten thousand acre feet a year for the Rosemont Mine. He asked if we needed to pay all that money for low flow toilets, or was the State correct in saying there was more water than we knew what to do with. He said he was opposed to the Rosemont Mine, but there was some sort of a hypocrisy there.

Mr. Basye said in this land of "We the people," as Lincoln said, people should be drinking the best water and the pecan trees could do very well, as they did in California with Colorado River water. He asked why must water be extracted out of Lake Havasu that was so contaminated that years ago no one was allowed to swim in the lake. He said houseboats were dumping their "honey buckets" into the lake and it polluted the water so badly that people could not swim in it. Lake Havasu was never drained or cleaned, it just became less toxic than what it was, and that was the water being pumped to us. The water would get recharged on to the desert, some evaporated, it was cleaned further, and then the water would be brought into our taps all at a great cost. He said it was far more logical to recharge it on to the pecan trees because there was already a pipe there. He said citizens needed to talk to their State Legislators to change that procedure. He attended a meeting at the East Side City Hall, where the Water Department said it would

cost three hundred and twenty million dollars of additional money to take the allotment of Colorado River water, recharge it, bring it out of the ground, and purify it. The advantage would be if the water would go onto agricultural land. The Bureau of Reclamation said that water was exempt from all the interest payments on capital projects to create the (CAP) Central Arizona Project. It would reduce the price enough where the City could subsidize a small difference between the farmers pumping cost and the cost for the Colorado River water, so the citizens could drink the good water. He said that was something that needed to be looked into with our Legislatures in the future. He thanked the Mayor and Council.

Jenny Neeley said she was a resident of Tucson and represented the *Sierra Club of Tucson*, which consisted of over thirty-five hundred members of Southern Arizona, many of which lived in the city limits. She thanked the City Council to have considered including a dedicated fund for water conservation in the current rate increase. The *Sierra Club of Tucson* supported the rate increase, but only if money would be set aside for water conservation. She said the future of the community depended on good stewardship of our water resources and this was a good first step in implementing meaningful water conservation measures. But make no mistake, this was a small step and must be just the beginning for this Council because water conservation measures alone would not fully address the hard reality that we lived in the desert, and our water was limited and finite. She said, regardless of what the State said, there was not alot of water. There was not enough water for the City's growth or the City's current needs and considering the rate of growth that the City of Tucson was experiencing, there was not enough water. There was not enough water for mines or for new development, and the City of Tucson needed to start planning accordingly.

Ms. Neeley said the *Sierra Club of Tucson* urged the City of Tucson to adopt land use policies that would link development with water availability. The projected growth in this City, to date, had seared land use policy and it was long past time to plan for the future based on the true resource constraints the City of Tucson was facing. Taking in account the environmental considerations, such as riparian restoration and ground water dependant eco systems, creating this fund would facilitate moving a few of these important issues forward. It was a small, but important step that needed to be followed up with bold measures by this Council that would fully acknowledge the tenuous nature of our water supply. She said this community needed strong leadership on this issue, almost more than any other, and she encouraged the Mayor and Council to do the responsible thing by creating this dedicated fund. She thanked the Mayor and Council.

Paul Green said he was the Executive Director of Tucson Audubon Society and represented about four thousand households in the Tucson area. The Tucson Audubon Society wanted to thank the Council for being proactive in establishing a conservation fund for water. He said they would support a rate increase if it would include a specific conservation element. It was important to invest today in water conservation in order to avoid extra costs in the future, which would come from the need to acquire new water resources. He said he understood that this could be done for just thirty-six cents a month on an average bill and that made great sense. He said there continued to be questions on

supply, especially from the Central Arizona Project, which would increase demand for ground water. He said the pumping of shallow aquifers in the region caused environmental degradation and the killing of trees, for example, decreased the quality of life for everyone that lived here.

Mr. Green explained the increase of pumping would cause more subsidence and heard that the figures would be between one and four feet over the next thirty years which would clearly cause a lot of damage to our infrastructure as well as a lot of expense to the City of Tucson. He explained every drop of water consumed had some negative environmental impact, so every drop of water that we would save through conservation clearly would be a good thing. Tucson Audubon Society strongly supported the creation of the conservation fund and supported the rate increase. He thanked the Mayor and Council

Nancy Laney said she was a City resident and the Executive Director of the Tucson Botanical Gardens. She was here as someone who had worked professionally in the area of water policy for twenty five to thirty years, had published a number of articles and completed research in the area of water policy, and represented the Tucson Botanical Gardens. She said the Tucson Botanical Gardens had forty five hundred members, and about one hundred thousand annual visitors and part of their mission statement was to promote the appropriate use of plants and water in a desert environment. She commended staff for including the proposed dedicated fund for water conservation as part of the rate increase. She said she personally fully supported the rate increase, because water rates in Tucson were very low compared to most parts of the Country, and water rates were an important indicator of the value of a resource to us. By passing this increase, the City of Tucson would really demonstrate the commitment of our leaders to this vital issue and would truly be an investment in the future of our community. Water conservation today was a saving for the future, so additional resources would be created by effective water conservation.

Ms. Laney said the Tucson Botanical Gardens had a big stake in water conservation because about forty percent of current water use of their delivered potable water was used outdoors. That meant in the future when supply would be scarce and there was a need to place restrictions on use, the obvious first place would be outdoor water use. She said there were wonderful opportunities for increasing water conservation in outdoor uses of water. She said they were promoting sustainable landscaping, which would totally change the way they now used water for their landscaping. She explained the main source of water would be rainwater through water harvesting, the secondary source of water would be greywater use, and potable water would be a supplemental use. She said they have found there was an incredible grass roots enthusiasm about water harvesting among the community and every time they offered a class, it filled up immediately. On this issue, in some ways, it was almost as if the people were leading the leaders. She said, with no intentions to criticize Tucson Water, everyone needed to realistically understand that Tucson Water was a utility that delivered a commodity and that meant Tucson Water looked at water they control as a commodity to assure that they

would be able to deliver that commodity to the customers in the future. Things like water harvesting did not fit into that because it could not be controlled by Tucson Water.

Ms. Laney said it was important that the community be sure there would be a way to increase research, to increase knowledge, and increase the use of things like rainwater harvesting thorough out our community. Rainwater harvesting was an incredible resource that really could account for much more of the outdoor water needs than it did presently. She said this dedicated fund was a wonderful opportunity for the community to step up again. Casa del Aqua used to be a wonderful place for people to be able to learn more about water conservation. The Tucson Botanical Gardens was planning a new demonstration garden called, *Plant the Rain*. This was a sustainable landscape at a home scale which would show people how to collect rain water from their roof and use it as greywater to have a gorgeous garden with primary native plants that one could be proud of and keep Tucson beautiful. She said she strongly encouraged Mayor and Council to adopt this dedicated fund. She concluded by thanking the Mayor and Council.

Jay Tripp of the United Association of Plumbers and Steamfitters, Local 469, commented that it was a strange paradox that the United Association of Plumbers and Steamfitters came to speak on behalf of a rate increase. He said for years, they have supported water conservation in Southern Arizona and had ongoing programs and training for their work force. The United Association of Plumbers and Steamfitters were active participants in the adoption of policy through code interpretation and code policies within the City of Tucson. He said they were also participants on the Greywater Oversight Committee to study greywater and rainwater harvesting.

Mr. Tripp said that they stood in support of this proposal tonight for the simple fact that they were funding another portion regarding water conservation issues, and that was one of their biggest hurdles to overcome in the area. Being a construction industry trade group, he said he would do whatever it would take to utilize the present water resources, and not stop building, because that would put three thousand families out of a job, just from their membership and in their jurisdiction.

Mr. Tripp announced the United Association of Plumbers and Steamfitters were in support of the rate increase and wanted to make sure that water conservation was one of the top issues. He added they were going to take it a step further. With this proposal, there were water conserving issues about the low water consumption toilets, the low flow showerheads, and other similar items. He said they were willing and would volunteer their membership and some of their community associates to provide all the labor for installation on the pilot program for the first eighty low water consumption toilets, the low flow showerheads, and other things that they had talked to City staff about, in order to make this the best proposal for the residents and though out the City of Tucson. He said he did a little number crunching, and knew the first thought from the City Manager would be the amount it would cost the City of Tucson. He assured the Mayor and Council that it would not cost the City a dime because the United Association of Plumbers and Steamfitters would donate their labor. He added for just the eighty toilets mentioned in the proposal, the labor would be one hundred and ninety nine dollars for

each piece. This calculated to be a little over sixteen thousand dollars as one contribution from the United Association of Plumbers and Steamfitters, because they believed in water conservation and believed it was their future here in Tucson. He concluded by stating that he appreciated the Mayor and Council's support on this proposal.

Kevin Koch said he was a resident of Tucson in the Dunbar Springs Neighborhood, and also ran a business that did some rainwater harvesting called *Technicians for Sustained Ability*. He said it seemed like a lot was already said, so he would keep his presentation short. From their prospective, they were interested in promoting sustainable resource use. He said he saw seen an increase in water rates, and particularly tiered water rates as something that was going to increase conservation without the conservation fund, but just in itself. He actually could see steeper tiered rates that he said would help out in that regard, particularly in the residential side.

Mr. Koch said he also wanted to speak in support of the conservation fund. He gave examples of several results of how the rate increase would help with moving toward a more sustainable use of water. These examples were educational efforts, leak detection and analysis of potential leak detention efforts, and the low water use fixtures and appliances that could be installed as a result of the program. He said they would also certainly support some of the other things that were mentioned tonight that were beyond the scope of the rate increase such as outdoor water use being principally from rainwater, secondarily from greywater, and only lastly from municipal water usage. He concluded by saying he was in support of the water rate increase.

Michael Toney said he was a resident of Tucson. He said that Council Member Trasoff was talking about Mars and he considered her to be the czarist of Mars and not the Ward Six Council Member. He said the honorable Chris Avery was a water savant in water and could make a lot more money as a movie star.

Mr. Toney said he wanted to mention again the subject of the Central Arizona Project (CAP) projections. He said, again this subject went back to what Mayor Walkup said that the community needed to get their feet in this issue and proceed, and it had not happened. He said he did not know what was going to happen to the prior annexation issue that Council Member Uhlich wanted to move through. He saw things were falling apart simply from the passing of time and things that grew like in 1984, murky and forgotten. He said first, there were other things that needed to happen. The question that Council Member Leal stressed regarding the totality question was quite important. Inviting pharmaceutical companies to Tucson was something that was going to help generate the contamination of the ground water. He stated it was a bad idea and did not care for the institutionalized drug. Something needed to happen in conjunction with this issue and one was just dealing with a fragment that was not going to solve any problems.

For conserving water, Mr. Toney said he would like to see an extra incentive or something similar, rather than increasing the water rate. To a certain extent it was equitable, but when one included system equity fees, he said it seemed to him that someone had found out there was some kind of linkage to a system equity fee building

for the future. There was building for expansion that was going to people who were not part of the expansion. He said technically, it was a legal flaw to try to have the rates calibrated off of the present clientele in order to pay for those who were not here yet. He said it was somewhat a legal taboo.

Mr. Toney said, as far as the conservation fund was concerned, it was a very apropos idea. The CAP water situation was grossly handled by the CAP agency at the State level who had presumed everything was hunky dory, until the Scripps Institute of Oceanography stated otherwise by confirming we were in a drought. He said the water level at Lake Mead has continued to go down and by November 2008, he presumed it would be below one thousand, one hundred feet, but would see what would happen in the future. He said Lake Powell would not be higher either.

Mr. Toney said that Chuck Huckleberry had an idea regarding the Orange County situation. If pharmaceuticals were to be cut back, and reclaimed water from effluent were taken seriously, it would be part of the big picture as far as the conservation fund went. He said the City of Tucson could work in conjunction with Pima County to get this together.

Mr. Toney said that someone had told him the American Indian used five gallons of water a day and Americans typically used two hundred gallons to two hundred and fifty gallons of water a day. There was a huge amount of water that was actually lost. He said, actually, it looked like what was happening was that a fancy Lear jet was being built that would have everything done, engineering wise, in order to have the water flushed off, go where it would need to go, purified and would clean up the cities, etc. He said a lot of water that had been lost and perhaps in the future, some things like the fancy Lear jet could be built with the conservation fund. He hoped everyone would recognize that the trend was that Tucson was losing a lot of water and technically as the law was set up, the City was going to get cut off, especially if there was only a twenty year reserve, which nobody else had.

Emily Brott, a resident of Tucson, said she wanted to echo the comments of the individuals that had already had spoken in behalf of the conservation fund. Particularly, the element that included the increase of rates to support conservation that was a reflection of the communities values for water in the desert environment. She also wanted to echo the comment that she encouraged the leadership in this regard and said it was a phenomenal step forward. She said she also echoed the comments regarding linking water and land use policies, which was extremely important, the increase of tiered water rates, and the changes in the outdoor use of water. She concluded by thanking the Mayor and Council.

Mayor Pro Tempore Trasoff announced that was the final card and asked if there was anyone else wishing to be heard on this item. She recognized the next speaker.

Robert Reus said he arrived in Tucson seven and a half years ago from Arkansas with a real Arkansas attitude regarding water. He made a mistake of buying a house with

a swimming pool. He planted some citrus trees which he flooded for the first four years and he wasted quite a bit of water. He said he had a little grassy area, which he would water with the sprinkler, but he had cut way back in his outdoor water use, partly because it was costing him money. He said he thought the biggest bills he ever had were fifty-five to maybe sixty dollars. He said he just about gave up on the swimming pool because a thousand dollars in pool chemicals and water a year were just killing him. After four years, the water in the pool became pretty toxic due to the pool chemicals and he did not dare go in the pool. He also did not have the heart to dump twenty six thousand gallons of water on the street, then pay one hundred and thirty dollars to refill the pool, which he said he was not going to use anymore. He put his irrigation on drip but his citrus trees were not happy because they were now using a tiny fraction of what they used to use, and the trees preferred that he still flood them. The trees he planted were planted in such a way that when it rained an inch or more, they would get flooded, and they were good for three or four weeks. He said he thought everyone in the City should keep rainwater irrigation in mind. In this desert environment, if trees were planted low enough so they observe the runoff from the yard and the roof, it would cut irrigation needs about fifty percent. He said his winter water use, which reflected what he used in his home for bathing, washing clothes, dishes, and things like that, was down to fifteen hundred gallons a month, which was fifty gallons a day for one person. He explained that was way below the average and half of the average here in Tucson, so water conservation could be done with a little thought.

Mr. Reus said another issue he wanted to cover, which was an issue he had talked about before and that the Mayor and Council was aware of how he stood on the subject, was the issue of using reclaimed water to supplement the drinking water supply. He said he was against doing that for health reasons. However, there were hundreds of thousands of acre-feet of water that would come down from our mountains every year. It was the purist possible water that was given to us by God, from the Catalina mountains, from the Rincon mountains, and from the Tanque Verde mountains. He said we needed to take steps to capture that water and put it in the ground. That water was the purist possible source of water and the cheapest possible source of water for the City of Tucson. It was our future. We could not continue to go trampling further into the twenty first century, ignore our best source of water and continue to depend on Colorado River water, because it was low grade and would come in shorter supply as the decades progressed. He suggested to the Mayor and Council that they consider ways of capturing more of our mountain water to improve the quality of our drinking water instead of doing other things, which would allow the water source to degrade. He thanked the Mayor and Council.

Mayor Pro Tempore Trasoff asked if there was anyone else wishing to be heard on this item. Hearing no one, she asked for a motion to close the public hearing.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Scott and Mayor Walkup absent/excused), to close the public hearing.

Mayor Pro Tempore Trasoff asked if there was a motion.

Council Member Glassman said prior to making the motion, he wanted to point something that was in the staff report. He said seventy-eight percent of Tucson Water single family customers' used less than fifteen Ccf's (a water billing unit that equals one hundred cubic feet or 748 gallons) of water each month. This meant the staff's recommendation for the average Tucson household was a dollar and eighteen cents increase per month. Additionally, for the first time in Tucson's history, we were creating a dedicated funding source for water conservation. A fund that could be adjusted and targeted in perpetuity, and would provide future generations of Tucsonians with the real opportunity to control and determine our own water future.

It was moved by Council Member Glassman, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Scott and Mayor Walkup absent/excused), to pass and adopt Ordinance 10535.

Mayor Pro Tempore Trasoff announced she was a little out of order and asked the City Clerk to read Ordinance 10535 by number and title only.

Ordinance No. 10535 relating to water; amending Tucson Code, Chapter 27, Article II, Rates and Charges, Section 27-32, Charges for water service, Section 27-32.1, Monthly reclaimed water service charges, Section 27-33, Monthly potable water service charges and Section 27-34, Charges for fire protection service; setting an effective date and declaring an emergency.

Mayor Pro Tempore Trasoff asked if there was further discussion.

Council Member Leal said he wanted to thank all of the speakers that came, the work provided by City staff, and the work that Council Member Glassman's office had done to get the Mayor and Council to this point. The creation of a fund would give the City the ability to act on an ethic, develop skills and practices that would become more common knowledge within the community. A number of the speakers said the City needed to connect land use planning to water use planning, and that would be the real connection. That would allow Tucson to have security for the future, because the fund by itself would not create that security. Right now there were two prongs. One prong dealt with water and conservation, but unless the City completed the land use part, our conservation would really just get used against the City, and would enable sprawl to go further unchecked. He said he read an article in the newspaper about Sahuarita wanting to build fifteen thousand more homes. He said the community was still a little schizophrenic. He explained, there were a good bunch of folks on one side and a community that wanted to do water conservation. He said he figured it would amount to eight thousand-acre feet a year. Tucson needed to be really diligent about hooking up the land use planning issue, and water conservation use, so water conservation would really mean conservation. The Council was really committed, and understood that concept. Phase two would be where Tucson would need to go to make this real. He said he was very grateful to Council Member Glassman, and his staff for getting us to this juncture.

Council Member Glassman wanted to publicly thank the Citizens Water Advisory Committee for taking a really bold step with the proposed rate structure, and aggressively charging the largest water users significantly more. That was what the community wanted to see. Additionally, he wanted to thank the members of the environmental community who really worked with all the Council offices to move forward with the progressive agenda. Regarding sustainability and creating plans, he said he wanted to personally thank Katie Bolger, his Ward 2 environmental aid, who worked with the other offices to make sure that everyone was in communication. He also thanked Karen Masbruch from the City Manager's office for doing such a nice job to bring their visions to fruition, and creating actual policy. He asked staff, especially in light of Jay Tripps very nice offer to have the plumbers and pipe fitters participate in utilizing the conservation fund, to return to the Mayor and Council in six months to bring the Council up to date on the balance of the dedicated funding source for water conservation, and more important, share with the Council the positive impact it had on this important issue.

Council Member Leal said an agenda item would be added for a future Study Session, that given the bearing and significance of the evening's conversation, he wanted to throw the issue into public conversation. It was a little bit of a dilemma and the Council needed to figure it out. He said, he had seen fuel costs increased food costs some thirty five percent, and some cases, forty percent. America has had a dramatic increase in the number of families that do vegetable gardening. The president of *Burpee Seed* just announced seed sales went up thirty percent just this year. He expected Tucson families to start gardening. The Water Director said water usage would go down and Council Member Leal said maybe it would or maybe it would not. If water usage would increase, would it be because people were being irresponsible or would it be because they were engaged in a more complete kind of sustainability. When American's realized how dangerous genetically modified seeds were, he said more people were likely to start vegetable gardening at home, which would effect the cost of water. He said this was a conversation that would need to get played out in policy, and the rate table, because this was about real sustainability. He said they needed to help people get there without hurting them, or persecuting them for it. This was going to be a complicated conversation, but believed the Mayor and Council would do justice to it.

Council Member Romero said she wanted to thank the environmental community for helping the Mayor and Council get to this point. She said this was a wonderful thing being done regarding conservation. They were also trying to couple conservation with people in need. The Mayor and Council tried to partner the Community Services Department with the Water Department to assist low-income citizens with services such as the replacement of toilets and to make sure the people who needed these services were being prioritized. She said she was proud of that service and also thanked Mac Hudson from her office, and Katie Bolger in assisting with this project. She said they were not only conserving, but also prioritizing the needs of those people who needed those services. She thanked everyone and said she was looking forward to the next step.

Mayor Pro Tempore Trasoff asked if there was any further discussion. Hearing none, she asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Ordinance 10535 was declared passed and adopted by a roll call vote of 5 to 0.

Mayor Pro Tempore Trasoff announced the next item would be continued at the applicant's request, but the public hearing would be heard.

10. PUBLIC HEARING: APPLICATION BY TUCSON GREYHOUND PARK FOR AN OFF-TRACK BETTING SITE LOCATED AT THE OLIVER R. TWIST CAFÉ, 4915 EAST SPEEDWAY BOULEVARD

Mayor Pro Tempore Trasoff announced City Manager's communication number 240, dated May 20, 2008, was received into and made a part of the record. She announced this was the time and place legally advertised for a public hearing on a request for a new off-track betting site located at the Oliver R. Twist Café. She said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Mayor Pro Tempore Trasoff also announced that a request from the applicant was received earlier in the day for the continuance of this item until August, 2008. He wanted to have the opportunity to meet with the neighbors to get their input and feedback before returning to Mayor and Council. She apologized for not making this announcement earlier during the meeting, and asked the first speaker to come forward.

Lori Riegel said she lived and worked within the City limits near the proposed location. She worked at the Arizona Jewish Post, taught Hebrew at Temple of Emanuel and lead worship services at Handmaker on Friday afternoons. So, she would wear a different hat depending on what day of the week it was. She said tonight, she was speaking as a parent and a local educator. She then introduced her daughter Logan.

Ms. Riegel said she wanted to share what she thought was the message being sent to children about the humane treatment of animals. The way animals were treated was an overall reflection of how we treat each other and how we saw humanity. This was something taught to children along with trying to instill a value of kindness to animals. She said by letting this proposition go forward, it would really send a negative message that it was alright to exploit animals, it was alright to profit from animals, and it was

alright to use animals for our own recreational purposes with no consideration to their treatment and purpose.

Ms. Riegel said this was gambling in her community and she was strongly opposed to that. She was raising a child here in Tucson and she did not approve of gambling in her neighborhood or near her neighborhood. She urged the Mayor and Council to do their homework before considering a proposal that would allow the Tucson Greyhound Park to increase their profits. She explained the Tucson Greyhound Park was exempt from taxes, which the Mayor and Council would hear more about, and she did not think a new way to increase profits was necessary. She said she brought a few items to distribute to the Mayor and Council for their perusal. Included was an article written about animal rescue in the *Arizona Jewish Post* this past Fall. It was an extremely popular article and it mentioned greyhounds. She also brought a picture to show the Mayor and Council of one of her greyhounds that had passed away in the summer. She said her greyhound was a retired racer and was very cute. She could not stand the thought of people earning profits from her exploitation. Since then, she had adopted another retired racer who, between the age of two and four, had raced here in Tucson one hundred and sixty five times over a two-year period, which was more than three times a week. When the greyhound retired, she adopted her. She said that was horrific in her mind. She urged the Mayor and Council to consider who was ultimately profiting in allowing the off track betting and did we really want the off track betting near a residential neighborhood. She said she did not really want off track betting near a residential neighborhood and would love to find out when the meeting would be held between the applicant and the neighbors, because she would like to be there and lived very close to the proposed site. She thanked the Mayor and Council for their time and patience and for listening to both sides of the issue.

Mayor Pro Tempore Trasoff asked Ms. Riegel to get in touch with her office to make sure she would be notified of the upcoming meeting.

Jamie Massey said he lived in Ward Two and volunteered as an office manager for Tucson Dog Protection, which he wanted to talk about. He explained he spent ten years of his life working to outlaw cock fighting. He was the person that organized the 1998 band. When that succeeded, he was asked by the media what his next project would be. He said at that time, he could not think of anything that was more outrageously cruel than cock fighting. He then became aware of greyhound racing. There was nothing wrong with greyhound racing, but the lives the dogs lead were horrendous.

Mr. Massey said the Tucson Dog Protection was in the process of putting a measure in the ballot in South Tucson and they already had enough signatures. They expected the measure would be in the November ballot. He explained this was not just a South Tucson issue, but also a Tucson issue. The Tucson Greyhound Park made their money here in town from off track betting and virtually nobody went to the track. He said he considered dog racing to be a moral issue like cock fighting was. Razors would get strapped to the birds and the birds would often get drugged to see which ones would live and which ones would die. In this case, the females were drugged and sometimes the

males. There were no blades, but they lived and died. The greyhound dogs that would not win races would not last very long and all of them were virtually abandoned by the age of five years old, to either to a new home or to death. Gone were the days that the pound would kill them for five dollars a piece, but they still disappear and many with several injuries.

Mr. Massey said he was not addressing all of that, but wanted to address three items regarding greyhound dog racing that the Mayor and Council should be aware of. He explained if the Mayor and Council would vote to extend the permit of the Tucson Greyhound Park, and allow them to further operate in Tucson, the Council would be supporting those activities. He said he was at a South Tucson City Council meeting last night and the head of the Tucson Greyhound Park argued that dogs did not like to be outside. The dogs would spend twenty-three hours a day in small cages in windowless rooms. He repeated, twenty-three hours a day. He said the Tucson Dog Protection asked him to limit the dogs confinement to eighteen hours, which would be maximum, and they fought that. He said they also asked that the young female dogs not get anabolic steroids, which were basically male sex hormones. He said he was not a veterinarian but so far in the one-month, while seeking endorsements, they had sixty-four veterinarians from Tucson alone who had endorsed the steroid issue. He explained steroids were not good for anybody, but especially anabolic steroids were prohibited. Veterinarians use other steroids for other purposes, and those were still being allowed. In the olden days, the male dogs would be separated from the female dogs. He explained the Tucson Greyhound Park were distributing steroids to the females dogs to prevent them from going into heat, which was not anything that any veterinarian in town would recommend to any pet because it created reproductive and genital problems.

Mr. Massey said the third part of the ballot initiative had to do with the meat being fed to the dogs. He said he was not exaggerating by explaining the type of meat that the dogs were feed and the Greyhound Park defended that too. He explained the Tucson Greyhound Park said the food was the cheapest thing they had and they would go out of business if they had to buy the dogs 'kibble.' The meats were called the four-d meats, and described them as diseased, dying, dead upon arrival and disabled. The diseased meat was ground up and served raw to dogs. Road kill. Mr. Massey said the FDA (Federal Food and Drug Administration) did tests and found that a majority of the samples had salmonella, a majority of the samples had E. Coli, and they did not even want to cook it because it was too much trouble.

Mr. Massey said in 1953, the Tucson City Council outlawed cock fighting well before the rest of the State of Arizona, and that took backbone. Back bone that the State Legislature did not have. He said the State Legislature would not touch it because it took a vote of the people. So, the Tucson Dog Protection was going to the people of South Tucson and asked the Mayor and Council not to cut them off at the knees by endorsing this behavior. He concluded by thanking the Mayor and Council.

Sukey Waldenberger said she lived in the Ward 6 City limits and thanked the Mayor and Council for the opportunity to speak. She said she was involved with

greyhound rescue for ten years and knew the problems the Tucson Greyhound Park had created. She said Mr. Massey was correct. This was not just a South Tucson problem, it was a Tucson problem because it was Tucson Greyhound Park.

Ms. Waldenberger said every time a scandal would hit the national news, and it happened amazingly regularly, it would be Tucson that would be associated with the Tucson Greyhound Park. In 2005, the employees of Tucson Greyhound Park overloaded a dog trailer for a trip across the Arizona desert in the summer. Ten dogs died and this made the news. Not too much later, the Pima County Animal Control raided a kennel leased to Tucson Greyhound Park, and the interior which was so foul that the officers had to wear hazmat suits as they went in and out of the building. That made the national news. In 2006, banner year, over one hundred and seventy dogs disappeared and no one could account for them. Tucson Greyhound Park paid a hauler to take away the dogs and they were never found. The hauler was fined one hundred and forty thousand dollars that was not paid. June 2007, there was a series of drug busts. In August 2007, a dog broke her leg. Her name was Paz, Ms. Make a Mess. An adoption group representative was on her way to to pick up the dog to provide rehabilitation and adoption. The current manager of Tucson Greyhound Park denied entry to the representative and had the dog put down. In October, more dogs were hauled away and there was no account of where they went. She said they found out later that the dogs were sold as coyote hunter dogs in California and against the wishes of the owners of those dogs. The only thing that was keeping Tucson Greyhound Park operating was off track betting because no one would go to the track anymore. Residents of Tucson vote with their feet, and did not vote for Tucson Greyhound Park. She said if another off track betting site would be opened, it would mean more support to keep those scandals going and every single time it would be Tucson that would be blackened by its association. She asked the Mayor and Council to please divorce Tucson from that business. It was long past its time and asked to keep the Tucson Greyhound Park from embarrassing Tucson again. She concluded by thanking the Mayor and Council.

Elizabeth Mead said she lived in the City limits and was happy to have an opportunity to talk about pari-mutuel betting in the City of Tucson. Many times, things that would happen at the Tucson Greyhound Park were considered the problem of South Tucson and nothing would get done, which included problems such as all the scandals and abuse of dogs. However, this was something the Mayor and Council could do something about by not allowing parimutual betting to sprawl in the City of Tucson. There were already eight off track betting facilities and there was not a need to make an excuse for anymore. She said there were enough facilities and in reality, it was not good for the neighborhoods, because it lowered property values, and that type of environment brought crime. It also brought drugs and the gambling was not good for neighborhoods or for children to be around.

Ms. Mead said the next thing she wanted to bring up was the revenue issue regarding Tucson Greyhound Park. She said she was a business owner on Congress Street in the Tucson downtown area. As discussed in open session, Congress was facing a hardship and yet, business owners in that area did not receive hard ship tax breaks.

Since 1995, Tucson Greyhound Park had grossed more than 59.1 million dollars and yet they received tax breaks as a hard ship credit. She said she received no such hard ship tax breaks nor had she expected to receive hard ship tax breaks, but she definitely was in a hard ship area and in an empowerment zone.

Ms. Mead said she wanted to talk briefly about was her adopted greyhounds. One of her greyhounds, named Lace, she had for ten years. She was found in a dumpster at Triple-T Truck Stop with head trauma. Then there was Whiskey, who died of a neurological disorder that the veterinarians thought was because he was producing too much brain fluid due to steroids. She said her third dog was named Ryder. She currently had him and he had undergone treatment for E. Coli poisoning. Her new greyhound was named Opal. She had two broken legs that were never set by a veterinarian, a painful urinary track infection from not being turned out and kept in a crate and had a dislocated jaw with missing teeth. She explained those were her dogs that were ex-racers. She said she hoped for better treatment for the dogs. If Tucson would take a stand and would not allow this to proliferate into our community, it would help everyone. She concluded by thanking the Mayor and Council for allowing her to speak tonight.

Mayor Pro Tempore Trasoff asked if there was anyone wishing to speak on this item. Hearing none, she asked for a motion to continue the public hearing to the date of August 5, 2008.

It was moved by Council Member Uhlich, duly seconded, to continue the public hearing until August 5, 2008.

Mayor Pro Tempore Trasoff asked if there was any discussion.

Council Member Uhlich thanked the audience who took the time and waited to speak.

Roger W. Randolph, City Clerk, clarified the motion, which was to continue the Public Hearing to August 5, 2008, to the Mayor and Council Chambers located at 255 West Alameda, Tucson, Arizona, at or after 5:30 p.m.

Mayor Pro Tempore Trasoff asked for a roll call.

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Motion passed by a roll call vote of 5 to 0 to continue the public hearing until August 5, 2008.

11. CITY MAGISTRATES: APPOINTMENTS OF SPECIAL CITY MAGISTRATES

Mayor Pro Tempore Trasoff announced City Manager's communication number 243, dated May 20, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinances 10529, 10530, 10531, 10532, 10533 by number and title only.

Ordinance No. 10529 relating to City Magistrates; appointing Stacey A. Hayes as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.

Ordinance No. 10530 relating to City Magistrates; appointing Paul Julien as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.

Ordinance No. 10531 relating to City Magistrates; appointing Stephen T. Portell as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.

Ordinance No. 10532 relating to City Magistrates; appointing Stellisa Scott as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.

Ordinance No. 10533 relating to City Magistrates; appointing Clinton R. Stinson as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; and declaring an emergency.

Mayor Pro Tempore Trasoff asked what was the Council's pleasure.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10529.

Mayor Pro Tempore Trasoff asked if there was any discussion.

Mayor Pro Tempore Trasoff said she had one question directed to either the City Manager or City Attorney. She asked when fixing compensation was said, did it imply fixing it at the standard rate and there would be no increase in compensation.

Michael Rankin said that was correct, it did not include any increase.

Mayor Pro Tempore Trasoff said if there was no further discussion, she asked for a roll call.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Ordinance 10529 was declared passed and adopted by a roll call vote of 5 to 0.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10530.

Mayor Pro Tempore Trasoff asked if there was any discussion. Hearing none, she asked for a roll call.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Ordinance 10530 was declared passed and adopted by a roll call vote of 5 to 0.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10531.

Mayor Pro Tempore Trasoff asked if there was any discussion. Hearing none, she asked for a roll call.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Ordinance 10531 was declared passed and adopted by a roll call vote of 5 to 0.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10532.

Mayor Pro Tempore Trasoff asked if there was any discussion. Hearing none, she asked for a roll call.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Ordinance 10532 was declared passed and adopted by a roll call vote of 5 to 0.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10533.

Mayor Pro Tempore Trasoff asked if there was any discussion. Hearing none, she asked for a roll call.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Leal;
Mayor Pro Tempore Trasoff

Nay: None

Absent/Excused: Council Member Scott and Mayor Walkup

Ordinance 10533 was declared passed and adopted by a roll call vote of 5 to 0.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Pro Tempore Trasoff announced City Manager's communication number 233, dated May 20, 2008, was received into and made a part of the record. She asked if there were any personal appointments to be made at this time.

There were none.

13. ADJOURNMENT: 7:51 p.m.

Mayor Pro Tempore Trasoff announced the next regularly scheduled meeting of the Mayor and Council would be held on June 3, 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 20th day of May 2008, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:ccs:jr