



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on May 19, 2009

Date of Meeting: March 10, 2009

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:38 p.m., on Tuesday, March 10, 2009, all members having been notified of the time and place thereof.

1. ROLL CALL

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

Present:

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

Absent/Excused: None

Staff Members Present:

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Lee Morris May, Prince Chapel African Methodist Episcopal Church, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup proclaimed March 15 to April 15 to be “Earned Income Tax Credit Awareness Month.” Mayor Walkup and Vice Mayor Uhlich presented the proclamation to Rachael Gildea, Strengthening Families Program Manager for United Way, and Jim Glock, Department of Transportation Director.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 128, dated March 10, 2009, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Romero invited everyone to the final City of Tucson public open house for Sentinel Peak / “A” Mountain Park on March 19, 2009 at the Ward 1 Office. Possible improvements to the park included improved trails, restored natural environment, more shade, and interpretation of Tucson’s history.

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

Mayor Walkup announced City Manager’s communication number 129, dated March 10, 2009, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager’s communication number 130, dated March 10, 2009, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. Eastern Buffet & Sushi, Ward 6
2419 E. Broadway Blvd.
Applicant: Wah Yuk Cheung
Series 12, City 86-08
Action must be taken by: February 9, 2009

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

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

c. Special Event(s)

1. Museum of Contemporary Art (MOCA), Ward 6
110 E. Pennington St.
Applicant: Melissa Marion Gibbs
City T6-09
Date of Event: March 28, 2009
(Fundraising/educational: MOCA Local Genius Gala)

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

2. St. Joseph Education Foundation (St. Joseph School), Ward 6
215 S. Craycroft Rd.
Applicant: Timothy J. Stilb
City T10-09
Date of Event: April 25, 2009
(Fundraiser)

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

3. Kokopelli Winery, Ward 6
536 N. 4th Ave.
Applicant: Dennis M. Minchella
City T11-09
Date of Event: March 20, 2009 - March 22, 2009
(4th Avenue Street Fair)

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

4. Live Acoustic Venue Association (LAVA), Ward 4
4450 S. Houghton Rd.
Applicant: Bonnie J. Vining
City T16-09
Date of Event: March 22, 2009
(Boogie Blues Festival to promote the advancement of live music performance)

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

5. Tucson Breakfast Lions Club, Ward 5
4823 S. 6th Ave.
Applicant: Wayne Francis Locke
City T17-09
Date of Event: April 3, 2009 - April 4, 2009
(Fundraiser)

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

6. Sonoran Art Foundation, Inc., Ward 6
633 W. 18th St.
Applicant: Alexandra S. Berger
City T25-09
Date of Event: March 21, 2009
(Fundraiser)

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

- d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no agent change(s) scheduled for this meeting.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 and 5c1 through 5c6 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

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

- a. Les Hall, a retained speaker for National Van Lines and client Troy Emerson, urged Mayor and Council to consider reducing or eliminating impact fees to encourage people to move to Tucson, instead of going to Florida.
- b. Nubia Chacon asked the Mayor and Council not to cut funding for the Pima County / Tucson Women's Commission, which provided important services to women and girls in Tucson.

- c. Joe Sweeney spoke about the selection of a new Tucson Police Chief and the effect of the Mayor and Council's directions to leave immigration issues to the federal government.

7. CONSENT AGENDA – ITEMS A THROUGH I

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

A. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE ARMORY PARK TRANSPORTATION ENHANCEMENT PROJECT

- 1. Report from City Manager MAR10-09-132 WARDS 5 AND 6
- 2. Resolution No. 21236 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement for Transportation Funding between the Regional Transportation Authority of Pima County and the City of Tucson for the Armory Park Transportation Enhancement Project; and declaring an emergency.

B. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR PRE-DESIGN FUNDING FOR TRANSPORTATION ENHANCEMENT PROJECTS

- 1. Report from City Manager MAR10-09-133 CITY-WIDE
- 2. Resolution No. 21237 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement for Transportation Funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson for Pre-Design Funding for Transportation Enhancement Projects; and declaring an emergency.

C. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE CHURCH AVENUE AND FRANKLIN STREET ISLAND MODIFICATION IMPROVEMENT PROJECT

- 1. Report from City Manager MAR10-09-134 WARD 1
- 2. Resolution No. 21238 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement for Transportation Funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson for the Church/Franklin Island Modification Improvement Project; and declaring an emergency.

D. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE 2ND AVENUE AND SPEEDWAY BOULEVARD PEDESTRIAN IMPROVEMENT PROJECT

1. Report from City Manager MAR10-09-135 WARD 6
2. Resolution No. 21239 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement for Transportation Funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson for the 2nd Avenue/Speedway Boulevard Pedestrian Improvement Project; and declaring an emergency.

E. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR IMPLEMENTATION OF APPROVED SIDEWALK PROJECTS

1. Report from City Manager MAR10-09-136 WARDS 1, 2, 5, AND 6
2. Resolution No. 21240 relating to Intergovernmental Agreements; approving and authorizing execution of Amendment No. 1 to the Intergovernmental Agreement for Transportation Funding between the City of Tucson and the Regional Transportation Authority of Pima County (RTA) for construction of the Sidewalks Package 2 Project; and declaring an emergency.

F. ZONING: APPROVING THE APPOINTMENT OF JAMES GRESHAM AS THE DESIGN PROFESSIONAL AND DESIGN EXAMINER FOR THE CITY OF TUCSON

1. Report from City Manager MAR10-09-139 CITY-WIDE
2. Resolution No. 21241 relating to Zoning; appointing the Design Professional and Design Examiner; and declaring an emergency.

G. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR DISTRIBUTION OF GAMING REVENUE TO THE TUCSON CHILDREN'S MUSEUM

1. Report from City Manager MAR10-09-140 CITY-WIDE
2. Resolution No. 21242 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and the Pascua Yaqui Tribe to provide \$15,000 in gaming revenues for use by the Tucson Children's Museum to support exhibit upgrades and free health and wellness tours; and declaring an emergency.

H. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE AND SUNNYSIDE UNIFIED SCHOOL DISTRICT FOR DISTRIBUTION OF GAMING REVENUE

1. Report from City Manager MAR10-09-141 CITY-WIDE
2. Resolution No. 21243 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson, the Pascua Yaqui Tribe and Sunnyside Unified School District #12 (SUSD) to provide \$32,000 in gaming revenues for use by SUSD for the Digital Advantage Program that provides laptop computers to Freshman students; and declaring an emergency.

I. EMERGENCY PLANNING AND PREPAREDNESS: INCORPORATING THE MASS EVACUATION AND SHELTER PLANS INTO THE CITY OF TUCSON EMERGENCY OPERATIONS PLAN

1. Report from City Manager MAR10-09-142 CITY-WIDE
2. Ordinance No. 10640 relating to emergency planning and preparedness; approving the “City of Tucson Emergency Evacuation Plan” and the “City of Tucson Shelter Management Guidelines (Including Special Needs Populations) For Mass Evacuation, Reception”; incorporating both of these plans into the City’s Emergency Operations Plan; and declaring an emergency.

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

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

Upon roll call, the results were:

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

Nay: None

Consent Agenda Items A through I were declared passed and adopted by a roll call vote of 7 to 0.

Council Member Trasoff asked the City Manager if his office could provide a summary of the final mass evacuation and shelter plan at a future Mayor and Council Study Session.

Mike Hein, City Manager, said a summary would be provided.

8. PUBLIC HEARING: COSTCO ANNEXATION DISTRICT

Mayor Walkup announced City Manager's communication number 137, dated March 10, 2009, was received into and made a part of the record. He also announced it was the time and place legally advertised for a public hearing for the proposed Costco Annexation District. He said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Mayor Walkup asked if there was anyone wishing to be heard on this item.

Kim Sanford, a development director with Costco Wholesale, said she was there to answer any questions. She thanked the Mayor and Council for their consideration and said Costco looked forward to many more successful years in Tucson.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0 to close the public hearing.

It was moved by Council Member Glassman, duly seconded, and carried by a voice vote of 7 to 0 to proceed with the *Costco Annexation District*.

9. ZONING: (C9-05-10) ORACLE/INA LLC – VALENCIA ROAD, C-1 TO C-1/C-2, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 138, dated March 10, 2009, and the report from the Zoning Examiner were received into and made a part of the record. He asked the City Clerk to read Ordinance 10639 by number and title only.

Ordinance No. 10639 relating to zoning: amending zoning district boundaries in the area located at the southwest corner of Valencia Road and Headley Road in Case C9-05-10, Oracle/Ina LLC – Valencia Road, C-1 to C-1/C-2; and setting an effective date.

Mayor Walkup asked if there was any discussion.

Council Member Romero thanked the Jim Click Group for approaching her office at the conception of the project and for annexing into the City of Tucson. She said the project used sustainable design and fully complied with the City's water-harvesting ordinance going into effect in 2010.

It was moved by Council Member Romero, duly seconded, to pass and adopt Ordinance 10639.

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

Upon roll call, the results were:

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

Nay: None

Ordinance 10639 was declared passed and adopted by a roll call vote of 7 to 0.

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 131, dated March 10, 2009, was received into and made a part of the record. He asked if there were any personal appointments to be made.

No appointments were made.

11. ADJOURNMENT: 6:03 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, March 24, 2009, 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 10th day of March 2009, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:jr:ds