



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 20, 2010

Date of Meeting: December 15, 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 5:47 p.m., on Tuesday, December 15, 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	Vice Mayor, Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

None

Staff Members Present:

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Chaplain Doug Hess, Davis-Monthan Air Force Base, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup presented the National Association of Social Workers Citizen of the Year – Arizona Chapter Award to Donna Liggins.
- b. Mayor Walkup proclaimed Tucson to be an “Electric Vehicle Friendly Community.” Colleen Crownshield, Manager of Clean Cities Program, accepted the proclamation.
- c. Mayor Walkup presented copper plaques to the family members of Roy Cooksey and Frank Pesqueira, Sr. in their memory.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 620, dated December 15, 2009, was received into and made 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. Vice Mayor Glassman reminded citizens that the Ward 2 office was hosting a welcoming celebration on December 16, 2009, for new Council Members Richard G. Fimbres and Steve Kozachik.

Vice Mayor Glassman thanked employee Geoffrey Kuhn, Tucson Water, for his assistance with a constituent’s water problem.

He also announced the Humana Arizona Holiday Get Moving Challenge with the Tucson Unified School District (TUSD). He said the TUSD Governing Board and the Mayor and Council would count their steps for the next few weeks. Humana Arizona would donate \$1,000 to the winning team’s non-profit organization of choice. This challenge was to inspire Tucson families to focus on healthy lifestyles and to get moving. Members of Humana Arizona spoke about the challenge, as well as, Bruce Burke, TUSD Governing Board member, who accepted the challenge.

- b. Council Member Scott wished everyone in the community a happy and healthy holiday season.

- c. Council Member Fimbres congratulated John C. Scott and Jesse Lugo on handing out five hundred bicycles to needy students and Tucson Medical Center for providing the helmets for them to ride safely.

Council Member Fimbres also issued a challenge by Ward 5 challenge to the other Ward Offices to raise food donations for the Community Food Bank. He said a dollar raised was equal to nine dollars to the Community Food Bank.

- d. Council Member Kozachik announced the Ward 6 Council Office was a collection center for the Marine Corps' Toys For Tots Campaign.
- e. Council Member Romero announced the Sunnyside Neighborhood Association was holding their annual "Walk for Peace" on December 19, 2009, and invited everyone to "Walk for Peace."
- f. Vice Mayor Glassman thanked Mayor Walkup for attending the naming of "Laszlo Veres Amphitheater" dedication event in Ward 2.

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

Mayor Walkup announced City Manager's communication number 621, dated December 15, 2009, was received into and made 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.

- a. Mike Letcher, City Manager, reported that Jack Redavid, former Human Resources Director, passed away on December 3, 2009. He invited Human Resources employees to speak about him and give information on an award that was created in his honor.

Cindy Bezaury, Human Resources Director, Lynn Greenwalt and Betsy Conroy, Human Resources Staff, commended Mr. Redavid's contributions to the City of Tucson. They also announced the creation of the "Jack F. Redavid Award of Supervisory Excellence", which would be given to worthy graduates of the Supervisory Core Series in his honor.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 622, dated December 15, 2009, was received into and made part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Application(s)

New License(s)

1. Pioneer, Ward 2
7095 E. 22nd St.
Applicant: Suresh Kumar Thathi
Series 10, City 83-09
Action must be taken by: December 27, 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. Tucson Sunshine Kiwanis, Ward 2
2959 N. Swan Rd.
Applicant: Lon Thomas Wirtz
City T101-09
Date of Event: January 17, 2010
(Raise funds for Tucson Boy Scouts of America & Beads of Courage)

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

2. The Drawing Studio, Inc., Ward 6
33 S. 6th Ave.
Applicant: Lynn M. Fleischman
City T102-09
Date of Event: January 7, 2010
(Art exhibit preview and annual benefit)

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

Public Opinion: Written Argument In Favor Filed

d. Agent Change/Acquisition of Control/Restructure

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

It was moved by Council Member Fimbres, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1, 5c1 and 5c2 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. Robert Black spoke about his concerns with the proposed budget cuts within the Tucson Police Department and Tucson Fire Department.
- b. Larry Lopez, President of the Tucson Police Officers Association, spoke in opposition to the proposed fifteen percent budget cuts and layoffs to the Tucson Police Department. He urged the Mayor and Council to maintain the minimum staffing levels within the Tucson Police and Fire Departments.
- c. Rich Harper, Chairman for the Tucson Police Foundation, and retired City employee, spoke in opposition to any plans to layoff police officers and firefighters. He urged the Mayor and Council to direct staff to find creative alternatives, such as looking at City assets, to solve the budget problems, and to maintain the priority of public service.
- d. Joe Sweeney spoke about the problem with illegal aliens in the community and money spent on homeland security.
- e. Arlinda Walker spoke in opposition to proposed budget cuts in public safety.
- f. Robert Mayer, Founder of the Tucson Tea Party, urged the Mayor and Council not to cut funding for public safety and streets. He also spoke about the need to bring new businesses into Tucson.
- g. Vanessa Friedman spoke in opposition to proposed budget cuts to public safety.
- h. Keith G. Van Heyningen spoke in opposition to proposed funding cuts to the Tucson Police Department and the Tucson Fire Department.

7. CONSENT AGENDA – ITEMS A THROUGH K

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

- A. FINANCE: WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE
 - 1. Report from City Manager DEC15-09-625 CITY-WIDE

2. Resolution No. 21456 relating to finance; authorizing the write-off of certain uncollectible accounts, and declaring an emergency.

Roger W. Randolph, City Clerk, announced this item was considered separately at the request of Council Member Romero.

B. REAL PROPERTY: APPROVING A LEASE AGREEMENT AMENDMENT WITH THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK) FOR PROPERTY IN THE HISTORIC DEPOT PLAZA

1. Report from City Manager DEC15-09-627 WARD 6
2. Ordinance No. 10739 relating to Real Property; authorizing and approving the Lease Amendment with the National Railroad Passenger Corporation (a.k.a. Amtrak) for space located in the Historic Depot at 400 North Toole Avenue; and declaring an emergency.

C. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR DISTRIBUTION OF GAMING REVENUE TO THE SAN MIGUEL CATHOLIC COLLEGE AND CAREER PREPARATORY HIGH SCHOOL

1. Report from City Manager DEC15-09-632 CITY-WIDE
2. Resolution No. 21457 relating to Intergovernmental Agreements; authorizing and approving an Intergovernmental Agreement between the Pascua Yaqui Tribe and the City of Tucson for distribution of state gaming compact contribution to San Miguel Catholic College and Career Preparatory High School; and declaring an emergency.

D. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR DISTRIBUTION OF GAMING REVENUE TO THE TUCSON POLICE ACTIVITIES AND ATHLETICS LEAGUE

1. Report from City Manager DEC15-09-628 CITY-WIDE
2. Resolution No. 21458 relating to Intergovernmental Agreements; authorizing and approving an Intergovernmental Agreement between the Pascua Yaqui Tribe and the City of Tucson authorizing disbursement of state gaming compact contribution to the Tucson Police Activities and Athletic League; and declaring an emergency.

E. APPROVAL OF MINUTES

1. Report from City Manager DEC15-09-635 CITY-WIDE

2. Approval of minutes for the regular meeting of the Mayor and Council held on June 16, 2009.
- F. FINAL PLAT: (S09-016) HEDRICK CONDOMINIUMS UNITS 1 TO 10, COMMON ELEMENTS “A” TO “F” AND LIMITED COMMON ELEMENTS “1” TO “10”
1. Report from City Manager DEC15-09-633 WARD 3
 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. FINAL PLAT: (S09-003) PRINCE ROMERO BUSINESS PARK CONDOMINIUMS UNITS 1 TO 20, COMMON ELEMENTS “A” TO “F” AND LIMITED COMMON ELEMENTS “1” TO “20”
1. Report from City Manager DEC15-09-634 WARD 3
 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.
- H. ASSURANCE AGREEMENT AND FINAL BLOCK PLAT: (S08-100) THE BRIDGES BLOCKS 1 TO 15
1. Report from City Manager DEC15-09-638 WARD 5
 2. Resolution No. 21459 relating to Planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements and approving the final block plat in Case No. S08-100, The Bridges Blocks 1-15; and declaring an emergency.
 3. Staff recommends that the Mayor and Council approve the assurance agreement and the final block 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.
- I. INTERGOVERNMENTAL AGREEMENT: WITH VARIOUS OUTSIDE AGENCIES FOR USE OF AMERICAN RECOVERY AND REINVESTMENT ACT JUSTICE ASSISTANCE GRANT PROGRAM AWARD
1. Report from City Manager DEC15-09-641 CITY-WIDE

2. Resolution No. 21462 relating to Intergovernmental Agreements; authorizing and approving execution of an Intergovernmental Agreement between the City of Tucson, Pima County, City of South Tucson and the towns of Oro Valley, Sahuarita and Marana for the 2009 American Recovery and Reinvestment Act (ARRA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award; and declaring an emergency.

J. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY AND THE CITY OF SOUTH TUCSON FOR THE 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD

1. Report from City Manager DEC15-09-640 CITY-WIDE
2. Resolution No. 21461 relating to Intergovernmental Agreements; authorizing and approving execution of an Intergovernmental Agreement between the City of Tucson, Pima County and the City of South Tucson for the Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award; and declaring an emergency.

K. POLICE: APPROVING AND AUTHORIZING THE TUCSON POLICE CHIEF TO SERVE AS FIDUCIARY FOR THE SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA ARIZONA REGION

1. Report from City Manager DEC15-09-639 CITY-WIDE
2. Resolution No. 21460 relating to law enforcement; approving and authorizing the Tucson Police Chief to serve as fiduciary for the High Intensity Drug Trafficking Area Program (HIDTA); and declaring an emergency.

It was moved by Council Member Kozachik, duly seconded, that Consent Agenda Items A through K, with the exception of Item A, which was considered separately, be passed and adopted and the proper action taken.

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

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, Fimbres, and Kozachik;
Vice Mayor Glassman and Mayor Walkup

Nay: None

Consent Agenda Items A through K, with the exception of Item A, which was considered separately, were declared passed and adopted by a roll call vote of 7 to 0.

7. CONSENT AGENDA – ITEM A

A. FINANCE: WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE

1. Report from City Manager DEC15-09-625 CITY-WIDE
2. Resolution No. 21456 relating to finance; authorizing the write-off of certain uncollectible accounts, and declaring an emergency.

Roger W. Randolph announced this item was being considered separately at the request of Council Member Romero.

Council Member Romero asked if staff from the City's Finance Department could walk through or explain this item. She commented that earlier during study session there were conversations about the City's budget deficit, and then an item such as this appears on the Consent Agenda without any type of explanation to Mayor and Council. She said a five million dollar write-off was hard to accept. She asked the Finance Department what the process was and the City's legal recourse, and what the City was actively doing to pursue the five million dollars if all recourses had been exhausted.

Silvia Amparano, Finance Deputy Director, explained the write-offs of uncollectible accounts was a routine practice by the City. The request for write-offs was a common practice that came before the Mayor and Council twice a year, in December and in June. It was also a good practice because it valued the City's accounts receivable at a level that was correct, instead of overstating the accounts receivable. Ms. Amparano said there were various reasons why accounts were on the list to be written off. These included accounts they were unable to locate because whoever had the account was either deceased or bankrupt.

Ms. Amparano also said the write-offs were not just with the General Fund, but City-wide and also included enterprise accounts. She said the biggest amount being written off was with City Court, which was a routine item as well. Each department had different practices they followed. City Courts used the FAIR Program, which was a state program used to collect accounts. Ms. Amparano said she wanted to put it in perspectives that the General Fund collects over four hundred million dollars in revenues, and the Tucson Water Department collects over one hundred million dollars in revenues. So this was a small percentage compared to the total revenues that the City collected.

Ms. Amparano added that the City used outside collection agencies before accounts are written off. The City has two contracts with outside collection agencies. One handles strictly water accounts, and the other handles all other City accounts. She said the collection agencies pursue them for seven years before they are turned over. She said that in the court system, the accounts written off had at least three years where there was no activity, where they could not locate the person, or they had no response from the person that owed the debt. This did not include Driving Under the Influence (DUI) cases, which were five years or longer. She said that was an overview of the write-off of

uncollectible accounts, and asked if the Mayor and Council had any specific questions she could address.

Vice Mayor Glassman said he met with the City Manager the previous week, and asked him to share with the rest of the Mayor and Council what other cities did in regards to collecting some of the fees. He asked the City Manager to share ideas and policies other communities had in regards to these collections, especially in the area of the courts. He asked Mr. Letcher what recourses other communities took, since he worked in other cities and everyone might not be aware.

Mike Letcher, City Manager, said when Ms. Amparano mentioned the FAIR Program, some members of the Council might not be aware of how the FAIR Program worked. He gave the example that if he had a fine of one hundred dollars that he owed the courts, and he was going to get four hundred dollars back on his state income tax, he would only get three hundred dollars back. He said there was “teeth” in the program to make people pay.

Mr. Letcher said he spoke to Vice Mayor Glassman and also to Richard Miranda, Deputy City Manager, about a booting program which was done in Vermont that might work in Tucson. He explained the program, stating it was very effective in certain areas with individuals and their fines, where they could not move their vehicles in the morning until they paid their fine. He said there was a city in Vermont that had some severe delinquencies, and they instituted a boot program. He said there was an expense to that type of program, but it was something they could potentially address. Mr. Letcher said they could look at that if the Mayor and Council wanted them to. He said the program has been looked at before in Tucson and there was some consideration of the program, but it was an expensive program. He said the program dealt with organizational changes that the City would have to make, but said they would be more than happy to bring that back as a proposal for the budget for next year.

Vice Mayor Glassman said another concept put forth by Doug Martin, an owner of radio stations and a newspaper in Tucson, was the idea of a “day” where citizens throughout the community could come and pay their fine, or a portion of their fines, as a way to collect revenues before the end of the fiscal year or the physical year. Vice Mayor Glassman said Mr. Martin offered to participate to help promote it and noted that the Deputy City Manager was nodding his head, because he thought Mr. Martin was a mutual friend as well. He asked what the appropriate process would be to bring that to the Mayor and Council for discussion, before the Council approves writing off additional receivables. He said some of those individuals might be interested in such a program.

Mr. Letcher replied they could bring that up as a study session item. He said the City did have an amnesty program that worked extremely well, and said Ms. Amparano could give a brief background on that program. He said his preference would be to continue down those lines, but he would be more than happy to bring that to the Mayor and Council as a study session item.

Ms. Amparano gave the Mayor and Council a brief background on the Tax Amnesty Program. She said the program was to give businesses an opportunity to get current on their delinquent sales tax. The program ran in May and June, and they received requests for five hundred ninety waivers. They collected over eight hundred thousand dollars in taxes. She said the program was successful, it was a lot of work, but they did receive a lot of money for that.

Ms. Amparano said they also looked into the idea recently about coming in to pay fines for a reduced amount, and they had discussions about that with Joan Harphant, City Court Administrator. However, there were restrictions on what they could do, so they would have to do some research with the state courts to see what was allowed.

Vice Mayor Glassman asked, in regards to the idea of a tax amnesty, would it be possible for the Mayor and Council to direct staff to work with the courts and the City Attorney to come back with a proposal for a similar amnesty/collections program for these receivables and additional receivables before they write accounts off. He said now more than ever, they should be trying to capture whatever dollars they could.

Michael Rankin, City Attorney, said they could certainly come back to the Mayor and Council and describe the descriptions on reducing fines and fees. He said it was important to keep in mind that the proposed action about writing off uncollectible accounts would not waive or reduce fines, and would not end collection efforts. He said those efforts would continue forward. It was more of an accounting measure so that the City's financial statement would accurately reflect accounts receivable that the City believed they had a realistic opportunity to recover. He emphasized that collection efforts would continue.

Mr. Letcher added that by writing off the uncollectible accounts, they would not overstate their receivables on the balance book. He said the City would continue to collect the debts, so he was not recommending that the Mayor and Council not take action on this. He said it would not bode well to overstate the City's receivables.

Council Member Romero asked if it was the City Manager's recommendation to move on this item, because it would not forgive the debt.

Mr. Letcher replied that was correct.

Council Member Romero asked if it was possible just to jump on Vice Mayor Glassman's idea to possibly come up with the boot program the City Manager suggested, and maybe an amnesty program for these types of uncollectibles. She asked if it was possible for staff to bring forward creative ideas to bring some of the money back into the receipt of the City of Tucson.

Mr. Letcher replied that was possible, and they would schedule it for study session.

Council Member Romero said that would be appreciated.

Council Member Scott said she had some specific questions about City Court fines. She asked if a person was found guilty and fined with civil sanctions, criminal misdemeanors and all the rest, would their name pop up if they applied for any other services. At that time the person could be notified that there was a fine that they needed to pay. She asked if that came up at all.

Ms. Amparano replied “no.” She said the data bases were not linked where they could look at a certain taxpayer or property owner to figure out what other bills they owed the City.

Council Member Scott then asked, if in regards to public housing vacated accounts, could former residents who no longer lived in public housing file again for new housing if they did not pay what they needed to pay before they left.

Ms. Amparano replied that if it was within the same department, the department would have access to information on who owed them for prior services. So, they would be able to look up that information before giving them additional services.

Council Member Scott said in regards to a public utility billing, these were final billings to people who were no longer getting City water or refuse service. She said technically speaking; these people might still be in the area. She asked if there was some way to coordinate new connects, if they signed up to get water at a new location after they did not pay their last bill. She asked if that would be too complicated.

Ms. Amparano replied that the Water Department had access to people who owed the City, and they looked at activities that were owed if it was the same person applying for a new account.

Council Member Scott said that was good. She asked if former delinquent business owners in some tax areas could get new licenses with regard to the sales taxes, liquor licenses, etc.

Ms. Amparano replied that if it was the same person applying, they had access to the information and would do a search on that person’s information. They would have to pay what they owed before getting a new license.

Council Member Scott said she just wanted clarification that there were mechanisms within the systems to coordinate these activities. She said in Section 8 Housing, there have been fraud reimbursements. She asked if there were consequences for those involved in this kind of fraud.

Ms. Amparano replied she was not sure about that.

Council Member Scott said with regards to Sun Tran accounts, amongst the various things, damage to Sun Tran busses and bus shelters, also included billings for bus pass sales. She asked if there were any non-profits or other organizations in the City that received City money, but then may not also be paying for bus fares or bus passes.

Ms. Amparano said she did not know, but they could look into that.

Council Member Scott said if an organization was receiving City money so they could hand out bus passes, but in their case they had to reimburse the City at some level, it seemed to her that should be noted. In closing, Council Member Scott thanked the Tucson Convention Center, stating they did not have any uncollectibles in this particular round.

It was moved by Council Member Scott, duly seconded, that Resolution 21456 be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any further discussion.

Council Member Kozachik asked Ms. Amparano to describe the incentives built into some of the collection agency contracts, so there was more than just licking a stamp and sending out a three by five to someone notifying them they owed money.

Ms. Amparano said with the contracts as they currently existed, collection agencies were paid on a commission basis, and also charged a fee on top of what was owed to the City. It would not cost the City anything out of pocket. The City would still get the revenues due to them and the collection agencies would collect on top of that.

Council Member Kozachik said Council Member Scott commented about the damage to busses. He asked why damage to capital assets was called uncollectible debts.

Ms. Amparano said an example would be if someone had property damage to the City, the City still repaired that asset and then charged the person that made that damage, subrogation. So sometimes they had to take legal action to do that and they might not be successful in collecting.

Council Member Kozachik said his next question would be best for the City Attorney, with respect to Section 8 Housing. In part of the documentation the Mayor and Council had to review, some of the overpayments were to landlords who had tenants vacate without notifying the City and for fraud. He asked about those debts being collected by the City Attorney through legal action, if it was fraud. He asked why it would just appear as an uncollectible.

Mr. Rankin replied he did not know what the Community Services Department did in connection with the instances of fraud that might come up. He said he would follow up on that and report back to the Mayor and Council on what process was in place

and what ability the City Attorney's Office had to bring actions in an attempt to recover those debts.

Mayor Walkup advised the new members on the Council that every December, the Mayor and Council discuss the write off of uncollectible accounts, and they have been doing it for about ten years. He noted that the City keeps getting better at collecting the debts. He asked what the median value was of the uncollectible. He asked if it was a large number, or a fairly small number, which meant there were a lot of people who owed a very small debt.

Ms. Amparano replied she did not have that information readily available.

Mayor Walkup said one wonders diminishing returns, which was the only reason he asked that question. He said there was a fairly low median value of bad debt; that meant there were a lot of people out there that owed very small amounts. He wondered if they did the analysis on receiving eighty percent of uncollectibles with twenty percent of the people that owed money. He said it would be one of those statistical issues, but they would continue to talk about that every year to see if any progress has been made.

Mayor Walkup asked for a roll call vote on the motion.

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, Fimbres, and Kozachik;
Vice Mayor Glassman and Mayor Walkup

Nay: None

Consent Agenda Item A was declared passed and adopted by a roll call vote of 7 to 0.

8. ZONING: (C9-09-05) P&H CONTRACTING – GLENN STREET, MH-1 to I-1, CITY MANAGER'S REPORT

Mayor Walkup announced City Manager's communication number 629, dated December 15, 2009, was received into and made part of the record. He also announced this was a request to rezone property located on the north side of Glenn Street west of Fairview. The Zoning Examiner and staff recommended authorization of the rezoning subject to certain conditions. He asked if the applicant was present and if they were agreeable to the proposed requirements.

Robin Large, The Planning Center, said they were agreeable to all the conditions outlined in the staff report.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to authorize the request for rezoning as recommended by the Zoning Examiner.

9. ZONING: (C15-09-02) ESTATES AT STARR PASS ANNEXATION DISTRICT, COUNTY SR ZONE TO CITY SR ZONE, CITY MANAGER'S REPORT, DIRECT ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 630, dated December 15, 2009, and the report from the Zoning Examiner were received into and made part of the record. He also announced this was a request to rezone the recently annexed property located on the south side of Anklam Road one mile west of Greasewood Road. The Zoning Examiner and staff recommended approval subject to certain conditions. He asked if the applicant was present.

Staff advised Mayor Walkup that the City of Tucson was the applicant.

Mayor Walkup asked the City Clerk to read Ordinance 10740 by number and title only.

Ordinance No. 10740 relating to zoning: establishing original City zoning in the area located on the south side of Anklam Road approximately one mile west of Greasewood Road in Case C15-09-02, Estates at Starr Pass Annexation District, which was annexed to the City of Tucson by Ordinance No. 10670, adopted on July 16, 2009, County SR to City SR; and setting an effective date.

It was moved by Council Member Romero, duly seconded, to approve the request for original City zoning as recommended by the Zoning Examiner, and pass and adopt Ordinance 10740.

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

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, Fimbres, and Kozachik;
Vice Mayor Glassman and Mayor Walkup

Nay: None

Ordinance 10740 was declared passed and adopted by a roll call vote of 7 to 0.

10. ZONING: (C9-09-12) TUCSON COMMUNITY CENTER – PLANNED AREA DEVELOPMENT (PAD-5) AMENDMENT, CITY MANAGER’S REPORT, DIRECT ORDINANCE ADOPTION

Mayor Walkup announced City Manager’s communication number 636, dated December 15, 2009, was received into and made part of the record. He also announced this was a request to amend the Tucson Community Center PAD-5 zoning for the property located on the northwest corner of Church Avenue and Cushing Street. The Zoning Examiner and staff recommended authorization of the rezoning. He asked if the applicant or representative were present, and if they were agreeable to the proposed requirements.

The applicant stated he was agreeable to the proposed requirements.

Mayor Walkup asked the City Clerk to read Ordinance 10743 by number and title only.

Ordinance No. 10743 relating to zoning: amending Resolution No. 14130 by amending portions of the Tucson Community Center Planned Area Development (PAD-5) Zoning District in the area located on the northwest corner of Church Avenue and Cushing Street in Case C9-09-12; and setting an effective date.

It was moved by Council Member Kozachik, duly seconded, to approve the request as recommended by the Zoning Examiner and pass and adopt Ordinance 10743.

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

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, Fimbres, and Kozachik;
Vice Mayor Glassman and Mayor Walkup

Nay: None

Ordinance 10743 was declared passed and adopted by a roll call vote of 7 to 0.

11. CITY MAGISTRATES: APPOINTING JEFFREY A. KLOTZ AND MARGARITA B. BERNAL AS CITY MAGISTRATES AND FIXING COMPENSATION

Mayor Walkup announced City Manager’s communication number 631, dated December 15, 2009, was received into and made a part of the record. He asked the City Clerk to read Ordinances 10741 and 10742 by number and title only.

Ordinance No. 10741 relating to City Magistrates; appointing Jeffrey A. Klotz as City Magistrate of the City of Tucson; fixing compensation; and declaring an emergency.

Ordinance No. 10742 relating to City Magistrates; appointing Margarita B. Bernal as City Magistrate of the City of Tucson; fixing compensation; and declaring an emergency.

It was moved by Vice Mayor Glassman, duly seconded, to pass and adopt Ordinance 10741, appointing Jeffrey A. Klotz as City Magistrate.

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

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, Fimbres, and Kozachik;
Vice Mayor Glassman and Mayor Walkup

Nay: None

Ordinance 10741 was declared passed and adopted by a roll call vote of 7 to 0.

It was moved by Vice Mayor Glassman, duly seconded, to pass and adopt Ordinance 10742, appointing Margarita B. Bernal as City Magistrate.

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

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, Fimbres, and Kozachik;
Vice Mayor Glassman and Mayor Walkup

Nay: None

Ordinance 10742 was declared passed and adopted by a roll call vote of 7 to 0.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 623, dated December 15, 2009, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Romero, duly seconded and carried by a voice vote of 7 to 0, to approve the appointment of Christa St. Peter and reappointment of Robert A. Blizzard Sr. to the Commission on Disability Issues.

Mayor Walkup asked if there were any personal appointments to be made.

Vice Mayor Glassman announced his personal appointment of Joan Riley to the Tucson Greens Committee.

Council Member Uhlich announced her personal appointments of Chandra Purnell-Bond to the Commission on Disability Issues and Richard Rehse to the Tucson Commission on Gay, Lesbian, Bisexual, and Transgender Issues.

13. ADJOURNMENT: 7:15 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, January 5, 2010, 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 15th day of December 2009, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:sac:gg