



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on November 1, 2005

Date of Meeting: October 4, 2005

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, October 4, 2005, 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:

José J. Ibarra	Council Member Ward 1
Carol W. West	Council Member Ward 2
Kathleen Dunbar	Vice Mayor, Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Fred Ronstadt	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Kathleen S. Detrick	City Clerk
Michael Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor John Fairchild, Hope United Methodist Church, after which the Pledge of Allegiance was presented by the entire assembly.

Presentation:

- a. Mayor Walkup proclaimed October to be “Disability Awareness Month.” Barton Beck, Commission On Disability Issues Chairman, and Tracy Williams, Commission Member, accepted the proclamation.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 544, dated October 4, 2005, would be 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 West invited citizens to a Town Hall on the Alternative to the Expenditure Limit – Home Rule, on October 6, 2005 at Eastside City Hall. This would be Proposition 400 on the ballot. Council Member West also announced she was leading the thirteenth tour of the landfill and recycling center on October 15, 2005. The tour would leave from Eastside City Hall. Additionally, Council Member West mentioned a Senior Women’s Conference that would be held on October 28, 2005, at Catalina United Methodist Church.
- b. Council Member Ronstadt announced he would be hosting a forum on the Alternative to the Expenditure Limit – Home Rule on October 5, 2005 at the Ward 6 office. Council Member Ronstadt also announced a Tucson Clean Cities celebration of the one billionth gallon of alternative fuel pumped on October 14, 2005 at El Presidio Park.

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

Mayor Walkup announced City Manager’s communication number 545, dated October 4, 2005, would be received into and made a part of the record. He asked for the City Manager’s report.

Mike Hein, City Manager, reported:

- a. For the seventh time in the past ten years, Channel 12 has been named Government Station of the Year. The award was presented at the September 20, 2005 Annual Convention of the National Association of Telecommunications Consultants and Advisors. Channel 12 received six other first place awards for programming.

- b. Voter registration cut off for the General Election would be October 10, 2005. Early voting would begin on October 6, 2005. Over sixteen thousand early mail in ballots had already been requested. Contact the Clerk's Office at 884-VOTE for more information or www.tucsonaz.gov/clerks for more information.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 543, dated October 4, 2005, would be 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

- 1. Mariscos Chihuahua #8, Ward 5
435 W. Irvington Road
Applicant: Elizabeth Ochoa Montijo
Series 12, City 72-05
Action must be taken by: October 10, 2005
(Continued from the Mayor and Council meeting of September 20, 2005)
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Protests Filed

- Considered separately.

- 2. Giant #926, Ward 1
6500 S. 12th Avenue
Applicant: Carlos Antonio Guerra
Series 10, City 73-05
Action must be taken by: October 10, 2005
(Continued from the Mayor and Council meeting of September 20, 2005)
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Protest Filed

- Considered separately.

- 3. Mustang #6925, Ward 1
1202 W. Ajo Way
Applicant: Carlos Antonio Guerra
Series 10, City 74-05
Action must be taken by: October 10, 2005
(Continued from the Mayor and Council meeting of September 20, 2005)
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Protest Filed

- Considered separately.

- 4. El Mariachi Restaurant, Ward 3

106 W. Drachman Street
Applicant: Marco A. Bermudez Dominguez
Series 12, City 76-05
Action must be taken by: October 17, 2005
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Support Filed

c. Special Event

1. Southern Arizona Blues Heritage Foundation, Ward 6
900 S. Randolph Way
Applicant: Patrick J. Desmond
City T84-05
Date of Event: October 16, 2005
Blues Festival/Fundraising
Staff has indicated the applicant is in compliance with city requirements.
2. Beowulf Alley Theatre Company, Ward 6
11 S. 6th Avenue
Applicant: Ruth S. Baron
City T88-05
Date of Event: October 16, 2005
Fundraising
Staff has indicated the applicant is in compliance with city requirements.
3. Kokopelli Winery, Ward 3
4502 N. 1st Avenue
Applicant: Dennis M. Minchella
City T100-05
Date of Event: October 8 & 9, 2005
Wine Festival
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change

1. Courtyard by Marriott, Ward 6
201 S. Williams Blvd.
Applicant: Sandra Denise Hallinan
Series 11, City AC01-05
Action must be taken by: October 10, 2005
Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member Ronstadt, duly seconded, and carried by a voice vote of 7 to 0 that liquor license applications 5b4, 5c1 through 5c3, and 5d1 be forwarded to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

b. New License

1. Mariscos Chihuahua #8, Ward 5
435 W. Irvington Road
Applicant: Elizabeth Ochoa Montijo
Series 12, City 72-05
Action must be taken by: October 10, 2005
(Continued from the Mayor and Council meeting of September 20, 2005)
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Protests Filed

Kathleen S. Detrick, City Clerk, announced Item 5b1, a request for a new license, would be considered separately. The license had a protest filed and is located in Ward 5. Staff indicated the applicant was in compliance with City requirements.

Council Member Leal asked if the applicant or a representative was present.

Elizabeth Ochoa Montijo, the applicant, indicated she does not speak English. Council Member Ibarra volunteered to translate for the applicant.

Council Member Leal asked if she had met with the various neighborhood associations in her area.

Ms. Montijo replied that she had met with the associations to see what the motivation was in opposing the license. She said one person could not attend and they could not find one person.

Council Member Leal asked which neighborhoods they contacted.

Ms. Montijo indicated she spoke with Ms. Herrera-LaFond of the Sunnyside Neighborhood Association who said she was too busy to talk to her and Ms. Montijo could not contact Ms. Nunez.

Council Member Leal confirmed that the applicant was not sure what questions the neighborhoods had because Ms. Montijo was not able to contact them.

Ms. Montijo felt one of the issues was parking, in terms of ingress and egress, and the proximity of the restaurant to the houses. Ms. Montijo tried to convince the neighborhood that there has never been a problem with parking at this location.

Council Member Leal thanked Ms. Montijo and asked that she have a seat and let Ms. LaFond comment and then Ms. Montijo would be able to respond to Ms. LaFond.

Yolanda Herrera-LaFond, Sunnyside Neighborhood Association President, said the association had some great concerns with this location. Ms. Herrera-LaFond did not speak to the applicant directly, but spoke with the owner of the property, who could not be on the license because he only has a work permit. The issue was how it was going to

impact the Sunnyside Neighborhood Association and the surrounding neighborhood associations. You could not draw a line in the sand and think that nothing was going to cross over that. Ms. Herrera-LaFond stated that on August 2, 2005, the Council denied a license to a location right next door to this one. The association had the same concerns there, it became a safety factor. Irvington Road receives in excess of thirty-one thousand vehicles per day. You add alcohol to an individual trying to get in or out of Irvington and it would create a safety hazard, not just for the residents but the restaurant goer. On the City's website it showed that this area had fifteen liquor establishments. To add another one or two was only going to add more stress, more crime, and they were already battling under age drinking issues. She was sure that the Mayor and Council had seen the "Underage Drinking Call to Action" to reduce underage drinking in Pima County. The neighborhood was basing this on the fact that one of the goals was to reduce the number of establishments, which would reduce access to alcohol to the youth. There were many restaurants around Tucson, many in Ward 1, that have been around for generations that do not serve alcohol. If the food was good enough, the people would come. The neighborhood had a real concern of the split of the restaurant being forty percent food and sixty percent alcohol. There was no way to monitor that. Ms. Herrera-LaFond said for those reasons she would like the Council to honor the request of the Sunnyside Neighborhood Association to deny this application for a liquor license.

Ms. Montijo stated that in her restaurant there was not a problem with underage drinking. There had never been an issue in her other restaurants, it was a family atmosphere, and they don't sell beer to underage persons. In the training they give their employees, they make sure they do not oversell beer. Their hours of business were from nine to nine. They do not sell alcohol after nine when they think the problem occurs.

Filberto Garcia, owner of Mariscos Chihuahua, stated he had been manager of the restaurant on Sixth Avenue for nine years and they have a liquor license over there. They do everything they can, and they have never had a problem. He wanted the Council to know that he was the owner and Ms. Montijo was the manager, he was not a United States citizen and that was why his name was not on the application, but he does have experience with restaurants.

Council Member Leal stated that they have seen the growth to where the licenses in this area had reached fifteen in a fairly concentrated area. One of the problems the City had was that, currently in the State, a number twelve liquor license was not just beer and wine, it was also hard liquor. He had heard some locations say that they do not want it for hard liquor, they just want it for beer and wine, but when they have not done well they sold hard liquor to make ends meet. One of the other dilemmas in having liquor sales in this concentration, was the number of banners and signs that end up outside and on the street and it created a kind of a skid row atmosphere. Mainly for the issue of concentration, Council Member Leal recommended this be sent for denial.

It was moved by Council Member Leal, duly seconded, and carried by a voice vote of 7 to 0 that liquor license application 5b1, Mariscos Chihuahuas be forwarded to the Arizona State Liquor Board with a recommendation for denial.

5. LIQUOR LICENSE APPLICATIONS

b. New License

2. Giant #926, Ward 1
6500 S. 12th Avenue
Applicant: Carlos Antonio Guerra
Series 10, City 73-05
Action must be taken by: October 10, 2005
(Continued from the Mayor and Council meeting of September 20, 2005)
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Protest Filed

Kathleen S. Detrick, City Clerk, announced Item 5b2, a request for a new license, would be considered separately. The license had a protest filed and is located in Ward 1. Staff indicated the applicant was in compliance with City requirements.

Council Member Ibarra asked for the applicant to come forward and after that, Yolanda Herrera-LaFond.

Keith Kells, Giant Industries Sales Manager, stated that also with him was Diane Rodriguez, the Facility Manager and a life long resident. He stated that she was there for any questions.

Yolanda Herrera-LaFond, Sunnyside Neighborhood Association President, and a member of SNAPP (Southside Neighborhood Association Presidential Partnership) said one of the SNAPP members was the El Vira Neighborhood Association. They were a sister neighborhood, as was Midvale Neighborhood Association. Between the three associations they represented about forty five thousand citizens. Ms. Herrera-LaFond mentioned these associations because they were the ones going to be impacted if the Council granted this liquor license. Ms. Herrera-LaFond had spoken to the applicant and the manager. She said even though the manager had lived in the area for eight years, she had never been to any association meetings so she did not know what they were experiencing and what the challenges were in this area. She stated there were some discrepancies in the application and that was a cause for concern. The intersection of Twelfth Avenue and Valencia was heavily congested, without adding additional liquor establishments. The associations knew that this would be packaged to go and that people do not wait until they get home to open their beers. If they did, our streets would be cleaner than they were. Across the street, the Walgreens that does not have a liquor license, was already experiencing trash, beer bottles and people hanging out and drinking. She said she felt this license would encourage this. She did speak with the applicant about people asking for money and people selling who knows what out of a bag. The area was congested already, because it was a gas station, one of the few in the area, it was hard enough getting in and out of that location just to get gas without encouraging people to come in to get their liquor to go. Even though the applicant said they were going to have chips and milk and soda, there was a grocery store right across the street, there was a Walgreens right across the street. We do not need to be encouraging people to drink and

drive. She also wanted to mention again the underage drinking. When stores offer alcohol in a situation like this one, there was no way you can know who else was in that vehicle, you may as well have a drive through liquor establishment and the Council knew what drive through liquors encourage. For those reasons, the neighborhood associations requested that the Council deny this application, because the needs and convenience would not be better served with another issuance of a liquor license in this area. The associations ask that the Council honor that and deny this application.

Mr. Kells stated they did talk to the neighborhood association and they would do some restrictive things for alcohol that they do not do for the other stores. They offered security, removed forty ounce glass containers and may have different hours of operation. They had offered things to the Sunnyside Neighborhood Association that they do not do in most of their stores. He stated that the company was very proud of their record with alcohol. There are eight stores in the Tucson market and they have never had a violation with alcohol since 1998 that they could find in their records. They took alcohol seriously and they had a lot of training in place. They had no bad records and they were a good corporate citizen. He also felt they would like to take the leadership in offering new services to the community by doing the right thing with the right training.

Diane Rodriguez, Giant #6926 Facility Manager, said she had been in the area and manager for a little over eight years. She had never been to a Sunnyside Neighborhood Association meeting, but that did not mean she was not active in the neighborhood. She stated she was proud of being the manager in that area, she knew a lot of her customers by name and exactly what they want when they come into her establishment. Ms. Rodriguez also did the Tobacco, Alcohol Management (TAM) training for Giant stores. To be Arizona State certified, the class should last about two and one half-hours but her class lasts about four hours. She stated she was very thorough and she was very proud of her record. She covers all the rules and regulations according to Arizona State law. No one left her class without a full understanding of the rules and regulations. She stated she had kids and understood about the underage drinking. She thought if they were responsible, they could cut down on underage drinking. They have external and internal controls and they go the extra mile to make sure their employees were complying with the rules. Giant offers their employees different incentives to make sure everyone was carding. Their carding procedures are such that if there were two people in the car, they would card both people.

Council Member West stated that she was bothered by the fact that someone could walk in this establishment and buy one beer.

Mr. Kells told Council Member West that, at this store, they were going to restrict the purchase of the single serve forty ounce cans and go with the big packs that people would take home.

It was moved by Council Member Ibarra, duly seconded, and carried by a voice vote of 7 to 0 that liquor license applications 5b2, Giant #926 be forwarded to the Arizona State Liquor Board with a recommendation for denial.

5. LIQUOR LICENSE APPLICATIONS

b. New License

3. Mustang #6925, Ward 1
1202 W. Ajo Way
Applicant: Carlos Antonio Guerra
Series 10, City 74-05
Action must be taken by: October 10, 2005
(Continued from the Mayor and Council meeting of September 20, 2005)
Staff has indicated the applicant is in compliance with city requirements.
Public opinion: Protest Filed

Kathleen S. Detrick, City Clerk, announced Item 5b3, request for a new license, would be considered separately. The license had a protest filed and is located in Ward 1. Staff indicated the applicant was in compliance with City requirements

Council Member Ibarra stated his staff had spoken with the protester and the protester had withdrawn the protest.

It was moved by Council Member Ibarra, duly seconded, and carried by a voice vote of 7 to 0 that liquor license applications 5b3, be forwarded to the Arizona State Liquor Board with a recommendation for approval.

6. CONSENT AGENDA ITEMS A THROUGH E

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

- A. PUBLIC IMPROVEMENTS: GOLF LINKS ROAD, PANTANO PARKWAY TO BONANZA AVENUE DISTRICT PAVING AND LIGHTING IMPROVEMENT
 1. Report from City Manager OCT4-05-547 WARD 4
 2. Resolution No. 20194. Resolution fixing the time when Mayor and Council of the City of Tucson will hear and pass upon the assessments and proceedings theretofore had and taken for the improvement known as the "Golf Links Road, Pantano Parkway to Bonanza Avenue District Paving and Lighting Improvement" in the City of Tucson, Arizona.
- B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY WASTEWATER MANAGEMENT FOR IMPROVEMENTS TO THE DAVID BELL BIKE PATH
 1. Report from City Manager OCT4-05-546 WARDS 5 AND 6

2. Resolution No. 20195 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the funding and reconstruction of the David Bell Bike Path; and declaring an emergency.
- C. REAL PROPERTY: FIRST AMENDMENT TO A LEASE AGREEMENT WITH L. P. & G., INC., FOR PROPERTY LOCATED WITHIN THE HISTORIC TRAIN DEPOT
1. Report from City Manager OCT4-05-541 WARD 6
 2. Ordinance No. 10205 relating to real property; authorizing and approving the First Amendment to Lease with L.P. & G., Inc. an Arizona Corporation, of certain city-owned real property located at 400 North Toole Avenue, Suite 280 of the Historic Train Depot Complex; and declaring an emergency.
- D. ELECTIONS: DESIGNATING POLLING PLACES AND APPOINTING ELECTION BOARDS FOR THE NOVEMBER 8 GENERAL AND SPECIAL ELECTIONS
1. Report from City Manager OCT4-05-553 CITY-WIDE
 2. Resolution No. 20196 relating to elections; designating the polling places where votes may be cast in the City of Tucson's November 8, 2005 General and Special Elections; listing precincts combined for the General and Special Elections, with one designated polling place lying within their combined precinct boundaries; listing precincts combined for the General and Special Elections but having polling places within adjacent precincts outside their combined precinct boundaries because no suitable polling place is available within their combined precinct boundaries; listing precincts not combined with any other precincts but having polling places within adjacent precincts because no suitable polling place is available within their own boundaries; and declaring an emergency.
 3. Resolution No. 20197 relating to elections; appointing officials who will serve as members of the precinct election boards, early ballot processing boards, and other election boards required for the City of Tucson's November 8, 2005 General and Special Elections; and declaring an emergency.
- E. FINAL PLAT: (S05-086) MOONRISE AT STARR PASS CONDOMINIUMS SUBDIVISION
1. Report from City Manager OCT 4-05-554 WARD 1

2. The City Manager 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.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Scott, Leal; and Ronstadt
Vice Mayor Dunbar and Mayor Walkup

Nay: None

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

7. 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 would be limited to three-minute presentations. He said call to the audience would last for fifteen minutes.

- a. Michael Toney spoke about the use of accelerator colliders for creating Electrical Energy. He also stated the need for a uniform approach to maintaining palm trees at various places in the City.
- b. Reverend Servant Bishop Chicago spoke about celebrating the life of Shawntinice Polk. He also mentioned that the University of Arizona campus had a problem with the gaps between the rich and the poor.
- c. Dr. David Giles stated the funds requested by Ward 3 to be used on software to educate users on the effects of methamphetamines could be better spent on treatment and prevention and on youth activities to divert them from using.
- d. Dick Bayse wanted the City's Real Estate Department to exercise their option for first buy back of the property located at Sixth Street and Fourth Avenue. He wanted to see this facility acquired and saved as it was. He also stated there was a meeting of the Pima Interfaith Council at the El Pueblo Neighborhood center to request that one percent of City funds go to youth programs.

8. PUBLIC HEARING: CONTRACTOR'S WAY ANNEXATION DISTRICT

Mayor Walkup announced City Manager's communication number 548, dated October 4, 2005, would be received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on the proposed Contractor's Way Annexation District. The public hearing was scheduled to last for no more than one hour. Speakers would be limited to five-minute presentations.

Mayor Walkup asked if anyone wished to address the Council on this item. There was no one.

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

It was moved by Council Member Leal, duly seconded, and carried by a voice vote of 7 to 0 to direct staff to proceed with the Contractor's Way Annexation District.

9. PUBLIC HEARING: TUCSON CODE, AMENDING CHAPTER 4, RELATING TO LICENSING, MICROCHIPPING, AND TATTOOING OF DANGEROUS, VICIOUS AND DESTRUCTIVE ANIMALS

Mayor Walkup announced City Manager's communication number 552, dated October 4, 2005, would be received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on the adoption of provisions regarding dangerous animals. The public hearing was scheduled to last for no more than one hour. Speakers would be limited to five-minute presentations.

Mayor Walkup asked if anyone wished to address the Council on this item. There was no one.

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

It was moved by Vice Mayor Dunbar, duly seconded, to pass and adopt Ordinance 10206.

Mayor Walkup asked the City Clerk to read Ordinance 10206 by number and title only.

Ordinance No. 10206 relating to animals and fowl; providing for microchipping and tattooing of dangerous, vicious and destructive animals; establishing a license fee for dangerous, vicious and destructive dogs; and providing for microchipping of impounded dogs; by amending Tucson Code Sections 4-7(3); 4-11(f); 4-13; 4-82; 4-95; 4-97(4); 4-98 and 4-99(2); and declaring an emergency.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Scott, Leal and Ronstadt;
Vice Mayor Dunbar and Mayor Walkup

Nay: None

Ordinance 10206 was declared passed and adopted by a roll call vote of 7 to 0.

10. PUBLIC HEARING: ZONING (C9-02-32) A-C INVESTMENTS – AJO WAY, R-1/R-2/I-1 TO I-1, CHANGE OF PRELIMINARY DEVELOPMENT PLAN (CONTINUED FROM THE MEETING OF AUGUST 2, 2005)

It was moved by Council Member Ibarra, duly seconded, and carried by a voice vote of 7 to 0 to continue this item to November 1, 2005, as requested by the applicant.

11. ZONING: (C9-01-11) SUNNY DAY INVESTMENTS – STELLA ROAD, RX-1 TO R-1, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 550, dated October 4, 2005, would be received into and made a part of the record. He asked the City Clerk to read Ordinance 10204 by number and title only.

Ordinance No. 10204 relating to zoning: amending zoning district boundaries in the area located at the southwest corner of Stella Road and Sarnoff Drive in Case C9-01-11, Sunny Day Investments – Stella Road, RX-1 to R-1; and setting an effective date.

It was moved by Council Member Scott, duly seconded, to pass and adopt Ordinance 10204.

Mayor Walkup asked if there were any discussions. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Scott, Leal and Ronstadt;
Vice Mayor Dunbar and Mayor Walkup.

Nay: None

Ordinance 10204 was declared passed and adopted by a roll call vote of 7 to 0.

12. ZONING: (C9-01-05) WILMOT SHELL LLC – INTERSTATE 10, SH TO C-2, ORDINANCE ADOPTION

Mayor Walkup announced City Manager’s communication number 551, dated October 4, 2005, would be received into and made a part of the record. He asked the City Clerk to read Ordinance 10203 by number and title only.

Ordinance No. 10203 relating to zoning: amending zoning district boundaries in the area located on the west side of Wilmot Road south of Interstate 10 in Case C9-01-05 Wilmot Shell LLC – Interstate 10, SH to C-2; and setting an effective date.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10203.

Mayor Walkup asked if there were any discussion. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Scott, Leal and Ronstadt;
Vice Mayor Dunbar and Mayor Walkup.

Nay: None

Ordinance 10203 was declared passed and adopted by a roll call vote of 7 to 0.

13. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Mayor Walkup announced City Manager’s communication number 542, dated October 4, 2005, would be received into and made a part of the record. He asked if there were any personal appointments to be made.

Council Member West announced her personal appointment of Steven W. Hill, to serve as the Ward 2 representative to the Board of Adjustment.

14. ADJOURNMENT 6:30 p.m.

Mayor Walkup announced the Council would stand adjourned until its next regularly scheduled meeting to be held on Tuesday, October 18, 2005 at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. 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 4th day of October, 2005, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:dc/cf