

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

APRIL 8, 2002

FROM: CITY MANAGER \_\_\_\_\_

1. ROLL CALL: 7:40 p.m.

COUNCIL MEMBERS PRESENT: Vice-Mayor Carol West, Council Members Jose J. Ibarra, Kathleen Dunbar, Shirley C. Scott, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Mayor Robert Walkup

STAFF MEMBERS: James Keene, City Manager  
Mike Letcher, Deputy City Manager  
Michael House, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Mike Petzer, Victory Bible Church, after which the Pledge of Allegiance was presented by the entire assembly.

### PRESENTATIONS:

- a. Vice-Mayor West proclaimed April 7 – 14, 2002 to be “Days of Remembrance” honoring those lost in the Holocaust and presented the proclamation to Ray Davies and Martha Taylor.
- b. Vice-Mayor West proclaimed April 8 – 12, 2002 to be “Strong Cities and Towns Week” and presented the proclamation to James Keene, City Manager.
- c. Joan Lionetti presented a Tucson Clean and Beautiful Certificate designating the eucalyptus on Congress Street as one of the “Great Trees of Arizona” to Vice-Mayor Carol West.

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<p>3. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS – APRIL8-02-197</p> <p>City Manager, James Keene, announced:</p> <ol style="list-style-type: none"><li>1. Mayor Walkup traveled to Washington, D.C. to meet with federal legislators to discuss important Tucson initiatives, then traveled to Knoxville, Tennessee and met with President Bush regarding “Emergency Preparedness at the Local Level.”</li><li>2. The recognition of Roy Martinez, a Solid Waste employee, who</li></ol>	

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was credited with saving the life of a citizen.	
<p>3. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS – APRIL8-02-197 (CONT’D)</p> <p>3. The selection of the Department of Neighborhood Resource’s, Arlene Armenta Lopez, as a “Shero”. Arlene is one of six women recognized.</p> <p>4. In the April Forbes Magazine, Tucson is included in a list of favorable cities to live.</p>	
<p>4. CALL TO THE AUDIENCE</p> <p>1. Bill Katzel addressed the Mayor and Council regarding the dedication of the Diamondback Bridge: “Opportunity Only Knocks Once”.</p> <p>2. David Apgar urged the Mayor and Council to support an aggressive spay and neuter program, strengthen the IGA with Pima Animal Control regarding this, and to not reduce funding to Pima Animal Control.</p> <p>3. Linda Bohlke addressed the Mayor and Council and noted concerns with the recommendations of the class and compensation study presented to Mayor and Council earlier in the day.</p> <p>4. James Modiset addressed the Mayor and Council and noted concerns with the recommendations of the class and compensation study presented to Mayor and Council earlier in the day.</p> <p>5. Deherrera Tapia urged the Mayor and Council to accept after hours at bars and restaurants.</p> <p>6. Brian E. McCarthy noted a concern to the Mayor and Council regarding a news story stating the City would evict low-income tenants from the Martin Luther King apartments.</p>	
<p>5. <u>C O N S E N T   A G E N D A</u></p> <p>**ITEM “G” WAS DELETED FROM THE CONSENT AGENDA**</p> <p>A. ASSURANCE AGREEMENT: (S01-022) HACIENDA DEL SOL, LOTS 1 – 69 AND COMMON AREAS “A”, “B” AND “C” – APRIL8-02-192</p>	<p><u>DIR. OF DEV. SERVICES</u></p>

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RESOLUTION NO. 19169	
B. FINAL PLAT: (S01-022) HACIENDA DEL SOL, LOTS 1- 69 AND COMMON AREAS "A", "B" & "C" – APRIL8-02-193	<u>DIR. OF DEV. SERVICES</u>
C. REAL PROPERTY: ACQUISITION OF PROPERTY FOR THE EXPANSION OF FORT LOWELL PARK – APRIL8-02-199  RESOLUTION NO. 19175	<u>DIR. OF TRANS</u>
D. WATER: 2002 MISCELLANEOUS WATER FEES, NOTICE OF INTENTION TO INCREASE CERTAIN FEES AND SCHEDULING A PUBLIC HEARING FOR MAY 13, 2002 – APRIL8-02-200  RESOLUTION NO. 19174	<u>DIR. OF WATER</u>
E. FINANCE: CONTINGENCY FUND TRANSFER TO COMMUNITY HEALTH FAIR – APRIL8-02-206  RESOLUTION NO. 19176	<u>DIR. OF BUDGET AND RESEARCH</u>
F. FINANCE: CONTINGENCY FUND TRANSFER FOR CITY MEDIAN BEAUTIFICATION – APRIL8-02-205  RESOLUTION NO. 19177	<u>DIR. OF BUDGET AND RESEARCH</u>
H. COMMUNITY SERVICES: SUBMISSION OF THE CITY OF TUCSON AND PIMA COUNTY CONSORTIUM PUBLIC HOUSING AUTHORITY ANNUAL AGENCY PLAN FOR FISCAL YEAR 2003 (CONTINUED FROM MEETING OF APRIL 1, 2002) – APRIL8-02-201  RESOLUTION NO. 19167	<u>DIR. OF COMM. SERVICES</u>

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<p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal that items on the Consent Agenda (Except “G”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	
<p>G. MEMORIAL: URGING THE U.S. SENATE TO RATIFY THE PRESIDENTIAL APPOINTMENT OF DR. RICHARD CARMONA AS THE U.S. SURGEON GENERAL – APRIL8-02-207</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal to forward this memorial to the U.S. Senate.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>CITY ATTORNEY</u></p>
<p>6. LIQUOR LICENSE APPLICATIONS – APRIL8-02-194</p> <p>YOSHI MATSU HEALTHY JAPANESE FOOD &amp; CAFÉ, CITY #016-02 BELUSHE’S, CITY # 017-02 VEGA’S MEXICAN FOOD, CITY #018-02 RIALTO FOUNDATION, CITY # T026-02 ARIZONA CENTER FOR MEDIA ARTS, CITY #T031-02 TUCSON BLUES SOCIETY, INC., CITY #T032-02 PLUSH, CITY #EP12-02 BISON WITCHES BAR &amp; DELI, CITY #EP15-02 CONGRESS TAP ROOM, INC., CITY # EP16-02</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt that staff be directed to forward these applications to the State Liquor Board with recommendations for approval.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>CITY CLERK</u></p>

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<p>(d)(4) O'MALLEYS ON FOURTH, CITY #EP17-02</p> <p>This application was withdrawn.</p>	
<p>7. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY SOLID WASTE DISPOSAL REVENUE BONDS – APRIL8-02-204</p> <p>RESOLUTION NO. 19178</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to continue this item for two weeks to April 22, 2002.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>DIR. OF ECON. DEVELOPMENT</u></p>
<p>8. ZONING: (HPZ 01-34) APPEAL OF THE PLANNING DIRECTOR'S DECISION – KEMMERLY COMPANIES, 824 N. SECOND AVENUE (CONTINUED FROM THE MEETING OF MARCH 25, 2002) – APRIL8-02-202</p> <p>Council Member Ibarra MOVED to reverse the decision of the Planning Director for reasons stated by the West University Neighborhood Association and the West University Historic Zone Advisory Board.</p> <p>Motion <u>DIED</u> for lack of a second.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Dunbar to uphold the decision of the Planning Director and approve the project.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>RECESS: 9:45 P.M. RECONVENE: 9:53 P.M. MAYOR AND COUNCIL: ALL PRESENT (EXCEPT MAYOR WALKUP ABSENT/EXCUSED) STAFF: ALL PRESENT</p>	

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9. PUBLIC HEARING: APPLICATIONS BY TUCSON GREYHOUND  
PARK FOR OFF-TRACK BETTING SITES – APRIL8-02-198

RESOLUTION NO. 19171

RESOLUTION NO. 19172

RESOLUTION NO. 19173

Council Member Ibarra MOVED, SECONDED by Council Member  
Ronstadt to close the public hearing.

Motion PASSED by a vote of 6 to 0 (Mayor Walkup absent/excused).

Council Member Ronstadt MOVED, SECONDED by Council Member  
Leal to pass and adopt Resolution No. 19171.

Motion PASSED by a vote of 4 to 2 (Vice-Mayor West and Council  
Member Dunbar dissenting, Mayor Walkup absent/excused).

On a second roll call vote for the sole and separate purpose of amending  
the resolution to include the emergency clause, the vote was 5 to 1  
(Council Member Dunbar dissenting, Mayor Walkup absent/excused).

Council Member Leal MOVED, SECONDED by Council Member  
Ronstadt to pass and adopt Resolution No. 19172 without the  
emergency clause.

Motion PASSED by a vote of 4 to 2 (Vice-Mayor West and Council  
Member Dunbar dissenting, Mayor Walkup absent/excused).

Council Member Ronstadt MOVED, SECONDED by Council Member  
Scott to pass and adopt Resolution No. 19173 without the emergency  
clause.

Motion PASSED by a vote of 4 to 2 (Vice-Mayor West and Council  
Member Dunbar dissenting, Mayor Walkup absent/excused).

CITY CLERK

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<p>10. PUBLIC HEARING: ESTABLISHING ORIGINAL CITY ZONING FOR THE HUGHES ACCESS ROAD/STATE LAND ANNEXATION DISTRICT (C15-02-02) – APRIL8-02-195</p> <p>ORDINANCE NO. 9692</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Ronstadt to close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ibarra to continue this item to May 13, 2002 and request staff contact the landowner regarding possible downzoning.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>11. PUBLIC HEARING: GRANT/ALVERNON AREA PLAN AMENDMENT, FORT LOWELL ROAD/SYCAMORE AVENUE – APRIL8-02-203</p> <p>RESOLUTION NO. 19179</p> <p>This item was withdrawn at the request of the applicant.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – APRIL8-02-196</p> <p>No appointments.</p>	
<p>13. CALL TO THE AUDIENCE</p> <p>No speakers.</p>	
<p>14. ADJOURNMENT: 10:14 P.M.</p>	

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The next scheduled meeting of the Mayor and Council will be held on Monday, April 15, 2002, at 2:00 p.m. in the Mayor and Council Chambers, 255 W. Alameda, Tucson, Arizona.