

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY DECEMBER 16, 2008

FROM: CITY MANAGER



1. ROLL CALL: 5:36 p.m.

OFFICIAL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice Mayor Karin Uhlich, Council Members Regina Romero, Rodney Glassman, Shirley C. Scott, Steve Leal and Nina J. Trasoff, and Roger Randolph, City Clerk

STAFF MEMBERS: Mike Hein, City Manager, Mike Letcher, Deputy City Manager and Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Dr. William H. Knight, Water of Life Metropolitan Community Church, after which the Pledge of Allegiance was led by the entire assembly.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – DEC16-08-669 Council Member Romero invited the public to attend the First Annual Mercado Holiday Bazaar taking place December 12 – 24 from 2pm to 8pm (11am to 9pm Friday – Sunday) on Congress street west of I-10 at Avenida del Convento. The event includes cultural events and demonstrations, works of local artists and craftspeople, products from local merchants and businesses, entertainment, and holiday displays. Council Member Scott announced that last week there was groundbreaking ceremony for the El Rio Community Health Center Southeast and that it is expected to be complete by September 2009. Council Member Trasoff reported on the activities and events at the 4th Avenue Street fair. Council Member Trasoff congratulated Council Member Romero for receiving the Women on the Move award from the YMCA.	

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3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – DEC16-08-669 (continued from previous page) Council Member Trasoff announced that Hanukkah begins this weekend, and wished everyone a Happy Holiday. Council Member Trasoff announced that the City has sold over \$70 million in bonds for Rio Nuevo, which is a great achievement in this volatile economy.	
4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS - DEC16-08-670 Assistant City Manager Richard Miranda introduced the new Chief Public Defender Stephanie Meade.	
5. LIQUOR LICENSE APPLICATIONS – DEC16-08-671 b. Liquor License Application(s) Person Transfer(s) 1. TaTas, City 76-08 c. Special Event(s) 1. Arizona Theatre Company, City T86-08 2. Rialto Theatre, City T103-08 d. Agent Change/Acquisition of Control/Restructure 1. Kampai, City AC6-08 Council Member Leal MOVED and it was duly seconded to forward Items 5b1, 5c1-2 and 5d1 to the State Liquor Board with a recommendation for APPROVAL. Motion PASSED by a vote of 7 to 0.	<u>CITY CLERK</u>
6. CALL TO THE AUDIENCE The following people spoke at the Call to the Audience: Robert Reus, Ken Scoville and Joe Sweeney.	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
7. CONSENT AGENDA	
A. FINAL PLAT: (S08-075) T.A. MILLER CONDOMINIUM DEVELOPMENT, UNITS 1 TO 6, COMMON AREA "A" AND LIMITED COMMON ELEMENT "B" - DEC16-08- <u>673</u>	<u>DEV. SERVICES</u>
B. APPROVAL OF MINUTES - DEC16-08- <u>683</u>	<u>CITY CLERK</u>
C. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE SANTA RITA EAGLE VARSITY CLUB FOR TRANSPORTATION TO THE STATE CHAMPIONSHIP FOOTBALL GAME -DEC16-08- <u>684</u> Resolution No. <u>21174</u>	<u>BUDGET & RESEARCH</u>
D. TUCSON CODE: AMENDING (CHAPTER 2) RELATING TO CITY CLERK RECORDS MANAGEMENT - DEC16-08- <u>685</u> Ordinance No. <u>10615</u>	<u>CITY CLERK</u>
E. WATER: EXCHANGE OF WATER RIGHTS ASSOCIATED WITH SEVERAL PROPERTIES IN AVRA VALLEY FOR GROUNDWATER PUMPING CREDITS - DEC16-08- <u>686</u> Resolution No. <u>21175</u>	<u>WATER</u>
F. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE HARRISON EAST-SOUTH NEIGHBORHOOD ASSOCIATION FOR PURCHASE OF MATERIALS TO BEAUTIFY THE NEIGHBORHOOD - DEC16-08- <u>692</u> Resolution No. <u>21176</u>	<u>BUDGET & RESEARCH</u>

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G. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE GROVES-LINCOLN NEIGHBORHOOD ASSOCIATION FOR AN URBAN FORESTRY WORKSHOP - DEC16-08-<u>689</u> Resolution No. <u>21177</u>	<u>BUDGET & RESEARCH</u>
H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE CORBETT NEIGHBORHOOD ASSOCIATION FOR THE CORBETT ELEMENTARY SCHOOL BASKETS - DEC16-08-<u>690</u> Resolution No. <u>21178</u>	<u>BUDGET & RESEARCH</u>
I. MAYOR AND COUNCIL: MEETING SCHEDULE FOR 2009 - DEC16-08-<u>687</u> Ordinance No. <u>10617</u>	<u>CITY MANAGER</u>
K. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE RITA RANCH NEIGHBORHOOD ASSOCIATION FOR “FAMILY FUN DAY” - DEC16-08-<u>691</u> Resolution No. <u>21180</u>	<u>BUDGET & RESEARCH</u>
L. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY RELATING TO THE TUCSON MODERN STREET CAR PROJECT - DEC16-08-<u>693</u> Resolution No. <u>21181</u>	<u>CITY MANAGER</u>
M. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO DOWNTOWN TUCSON PARTNERSHIP FOR THE FIRST NIGHT FESTIVAL TUCSON 2009 - DEC16-08-<u>695</u> Resolution No. <u>21183</u>	<u>BUDGET & RESEARCH</u>

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Council Member Trasoff MOVED and it was duly seconded that Consent Agenda Items A - M, with the exception of J, be approved and/or adopted and proper action taken. Motion PASSED by a vote of 7 to 0.	
J. DEVELOPMENT AGREEMENT AMENDMENT: WITH 5151 EAST, LLC AND TUCSON RETAIL, LLC FOR DEVELOPMENT OF THE "SINCLAIR" PARCEL AT 36TH STREET AND KINO PARKWAY - DEC16-08-<u>688</u> Resolution No. <u>21179</u> Council Member Leal MOVED and it was duly seconded that Consent Agenda Item J be approved and/or adopted and proper action taken. Motion PASSED by a vote of 7 to 0.	<u>CITY MANAGER</u>
8. PUBLIC HEARING: NOGALES HIGHWAY, IRVINGTON ROAD TO DREXEL ROAD DISTRICT LIGHTING IMPROVEMENT - DEC16-08-<u>675</u> Resolution No. <u>21172</u> Council Member Trasoff MOVED and it was duly seconded to CLOSE the public hearing. Motion PASSED by a vote of 7 to 0. Council Member Leal MOVED and it was duly seconded to PASS and ADOPT Resolution No. <u>21172</u>. Motion PASSED by a vote of 7 to 0.	<u>FINANCE</u>

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9. PUBLIC HEARING: ADOPTION OF THE JEFFERSON PARK NEIGHBORHOOD PLAN - DEC16-08-<u>676</u> Resolution No. <u>21173</u> Council Member Trasoff MOVED and it was duly seconded to CLOSE the public hearing. Motion PASSED by a vote of 7 to 0. Vice-Mayor Uhlich MOVED and it was duly seconded to PASS and ADOPT Resolution No. <u>21173</u>. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>
10. PUBLIC HEARING: ZONING (C9-06-24) ALTA VISTA COMMUNITIES – KOLB ROAD, O-3 TO OCR-1, CHANGE OF PRELIMINARY DEVELOPMENT PLAN AND CHANGE OF CONDITIONS - DEC16-08-<u>682</u> Condition #13 has been amended to read as amended as follows: Solid Waste pick-up shall be limited to 7:00 AM to 7:00 PM. Other deliveries are subject to: a) all deliveries shall be through the front door, b) no idling of delivery vehicles is permitted, c) vendor parking shall only be permitted adjacent to non-residential uses and d) signs advising vendors of items (a) – (c) shall be conspicuously posted on the property. Council Member Trasoff MOVED and it was duly seconded to CLOSE the public hearing. Motion PASSED by a vote of 7 to 0. Council Member Glassman MOVED and it was duly seconded to APPROVE the requested change of preliminary development plan and change of conditions subject to certain conditions as recommended by * staff, including amended condition #13. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>

*REVISED

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11. PUBLIC HEARING: ZONING (C9-03-05) COSTCO – GRANT ROAD, R-3 TO P, REACTIVATION, TIME EXTENSION, CHANGE OF CONDITIONS, AND CHANGE OF PRELIMINARY DEVELOPMENT PLAN - DEC16-08-<u>677</u> Council Member Trasoff MOVED and it was duly seconded to CLOSE the public hearing. Motion PASSED by a vote of 7 to 0. Council Member Glassman MOVED and it was duly seconded to reactivate the subject rezoning case, APPROVE the requested five-year time extension, from September 15, 2008, to September 15, 2013 and APPROVE the requested change of preliminary development plan and change of conditions subject to certain revised conditions as recommended by staff. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>
12. ZONING: (C9-08-12) ROMANO REAL ESTATE – BROADWAY BOULEVARD, C-1 TO C-2, CITY MANAGER’S REPORT - DEC16-08-<u>678</u> Council Member Glassman MOVED and it was duly seconded to AUTHORIZE the rezoning request as recommended by the Zoning Examiner. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>
13. ZONING: (C9-08-13) MIRADOR GROUP, LLC – PIMA STREET, R-3 TO O-1, CITY MANAGER’S REPORT -DEC16-08-<u>679</u> Council Member Trasoff MOVED and it was duly seconded to AUTHORIZE the rezoning request as recommended by the Zoning Examiner. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>

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14. ZONING: (C9-06-16) WEINBERG – MARY ANN CLEVELAND WAY, MH-1 TO R-2 (MH-1 TO R-1 AUTHORIZED), ORDINANCE ADOPTION - DEC16-08-<u>681</u> Ordinance No. <u>10614</u> Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10614</u>. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>
15. ZONING: (C9-06-15) SHIPLEY – MARY ANN CLEVELAND WAY, MH-1 TO R-2 (MH-1 TO R-1 AUTHORIZED), ORDINANCE ADOPTION - DEC16-08-<u>680</u> Ordinance No. <u>10616</u> Council Member Scott MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10616</u>. Motion PASSED by a vote of 7 to 0.	<u>URBAN PLANNING & DESIGN</u>
16. PREDEVELOPMENT AGREEMENT: WITH THE DOWNTOWN TUCSON DEVELOPMENT COMPANY LLC FOR THE EAST CONGRESS STREET AREA - DEC16-08-<u>694</u> Resolution No. <u>21182</u> City Attorney Mike Rankin announced that the following sentence has been added to Section 8.2.1: In no event shall the damages payable by the City exceed NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00). Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Resolution No. <u>21182</u> as amended. Motion PASSED by a vote of 7 to 0.	<u>CITY MANAGER</u>

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17. MAYOR AND COUNCIL: SELECTION OF VICE-MAYOR - DEC16-08-<u>674</u> Resolution No. <u>21171</u> Council Member Glassman MOVED and it was duly seconded to PASS and ADOPT Resolution No. <u>21171</u>. Motion PASSED by a vote of 7 to 0.	<u>CITY CLERK</u>
18. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS - DEC16-08-<u>672</u> Council Member Romero MOVED and it was duly seconded, to direct staff to return with a resolution appointing Fred Ronstadt to the Civil Service Commission. Motion PASSED by a vote of 7 to 0. Council Member Romero MOVED and it was duly seconded to appoint Robert Hastings Jr. and Carl Ewing to the Fort Lowell Historic Zone Advisory Board. Motion PASSED by a vote of 7 to 0.	<u>CITY CLERK</u>
19. ADJOURNMENT: 7:40 p.m. The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, January 6, 2009, 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.	