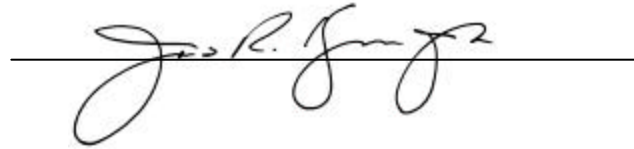


# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

DECEMBER 20, 2004

FROM: CITY MANAGER



1. ROLL CALL: 5:35 P.M.

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

ABSENT/EXCUSED: Council Member Carol West

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Joel Hutchison, New Life Wesleyan Christian Center, after which the Pledge of Allegiance was led by the Cub Scout Pack 772.

| AGENDA ITEM/MAYOR AND COUNCIL ACTION  | STAFF ACTION |
|---|--------------|
| <p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – DEC20-04-678</p> <p>a. Council Member Scott wished everyone Happy Holidays.</p> <p>b. Council Member Ronstadt allowed Bill Katzel to speak and Mr. Katzel presented outgoing City Manager, James Keene, with a birthday cake and wished him well in California.</p> |              |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS  
DEC20-04-679

City Manager, James Keene, announced:

- a. The community's generosity was quite evident over the past three weeks as Sun Tran's Holiday Toy Drive "Stuff the Bus" set an all-time high in donations. Over a three-day period, 10,632 toys were collected, topping last year's 10,573 contributions. Sun Tran and KGUN 9 television teamed up for the campaign to benefit the Salvation Army's Christmas Angel Program.
- b. Last Thursday, Water Revenue Bonds were refunded saving the taxpayers \$2.2. million and today General Obligation Bonds were refunded at over \$1 million in savings.
- c. The Department of Human Resources was selected as one of 30 finalists for the Workplace Excellence Award.

5. LIQUOR LICENSE APPLICATIONS – DEC20-04-680

TRADER JOE'S #191, CITY # 094-04

ARIZONA COUNCIL FOR CASA, PIMA COUNTY, CITY # T105-04

Council Member Leal MOVED, SECONDED by Council Member Scott to direct staff to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

CVS/PHARMACY #7867, CITY # 090-04

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Dunbar to direct staff to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – DEC20-04-680 (cont'd from previous page)

O'SHAUGHNESSY'S SUPPER CLUB & SONG HALL,  
CITY # 093-04

Council Member Ronstadt MOVED to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion DIED for lack of a second.

Vice-Mayor Dunbar MOVED, SECONDED by Council Member Scott to direct staff to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 4 to 2 (Council Members Leal and Ronstadt dissenting, Council Member West absent/excused).

6. C O N S E N T   A G E N D A

\*\* ITEMS "D" AND "N" WERE DELETED FROM THE CONSENT AGENDA \*\*

- A. ECONOMIC DEVELOPMENT: FOREIGN-TRADE ZONE  
SITE OPERATIONS AGREEMENT WITH AERO  
CORPORATE CENTER, LLC – DEC20-04-682

RESOLUTION NO. 19980

DIR. OF ECONOMIC  
DEVELOPMENT

- B. FINANCE: WRITE-OFF OF UNCOLLECTED ACCOUNTS  
RECEIVABLE – DEC20-04-683

RESOLUTION NO. 19981

DIR. OF FINANCE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

|  |  |
|--|--|
| <p>C. ANNEXATION: LOS REALES NUMBER TWO<br/>ANNEXATION DISTRICT, ORDINANCE ADOPTION –<br/>DEC20-04-685</p> <p>ORDINANCE NO. 10096</p>  | <p><u>URBAN PLANNING</u></p>               |
| <p>E. ANNEXATION: MICHIGAN – RANDOLPH ANNEXATION<br/>DISTRICT, ORDINANCE ADOPTION – DEC20-04-686</p> <p>ORDINANCE NO. 10089</p>  | <p><u>URBAN PLANNING</u></p>               |
| <p>F. ASSURANCE AGREEMENT: (S02-046) STARR PASS<br/>HEIGHTS SUBDIVISION LOTS 1 TO 114 AND COMMON<br/>AREAS "A", "B", "C", "D", AND "E" – DEC20-04-689</p> <p>RESOLUTION NO. 19983</p>            | <p><u>DIR. OF DEV.<br/>SERVICES</u></p>    |
| <p>G. FINAL PLAT: (S02-046) STARR PASS HEIGHTS<br/>SUBDIVISION LOTS 1 TO 114 AND COMMON AREAS "A",<br/>"B", "C", "D", AND "E" – DEC20-04-681</p>   | <p><u>DIR. OF DEV.<br/>SERVICES</u></p>    |
| <p>H. REAL PROPERTY: LEASE AGREEMENTS WITH TOP GEM<br/>MINERALS, INC., FOR PROPERTY LOCATED WITHIN THE<br/>HISTORIC WAREHOUSE DISTRICT – DEC20-04-691</p> <p>ORDINANCE NO. 10100</p>             | <p><u>DIR. OF GENERAL<br/>SERVICES</u></p> |
| <p>I. REAL PROPERTY: RIGHT-OF-WAY ACQUISITION FROM<br/>IRVINGTON ROAD TO VALENCIA ROAD FOR PARK<br/>AVENUE LIGHTING AND SIDEWALK IMPROVEMENTS –<br/>DEC20-04-677</p> <p>RESOLUTION NO. 19984</p> | <p><u>DIR. OF GENERAL<br/>SERVICES</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

|    |   |                                  |
|----|---|----------------------------------|
| J. | CITY GOVERNMENT: ADOPTION OF THE FISCAL YEARS<br>2005 AND 2006 CITY STRATEGIC PLAN – DEC20-04-693<br><br>RESOLUTION NO. 19985   | <u>CITY MANAGER</u>              |
| K. | ASSURANCE AGREEMENT: (S04-065) ENCHANTED HILLS<br>TOWNHOMES SUBDIVISION LOTS 1 TO 75 AND<br>COMMON AREAS “A”, “B”, AND “C” – DEC20-04-690<br><br>RESOLUTION NO. 19987   | <u>DIR. OF DEV.<br/>SERVICES</u> |
| L. | FINAL PLAT: (S04-065) ENCHANTED HILLS TOWNHOMES<br>SUBDIVISION LOTS 1 TO 75 AND COMMON AREAS “A”,<br>“B”, AND “C” – DEC20-04-694  | <u>DIR. OF DEV.<br/>SERVICES</u> |
| M. | GRANT AWARD: ACCEPTANCE OF GRANT FUNDS FROM<br>THE U.S. DEPARTMENT OF JUSTICE FOR THE “COPS” 2004<br>TECHNOLOGY INITIATIVE – DEC20-04-692<br><br>RESOLUTION NO. 19986   | <u>POLICE CHIEF</u>              |
| O. | APPROVAL OF MINUTES – DEC20-04-699  | <u>CITY CLERK</u>                |
|    | Council Member Ronstadt MOVED, SECONDED by Council Member<br>Scott that items on the Consent Agenda (Except “D” and “N” ) be approved<br>and/or adopted and proper action taken.<br><br>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member West<br>absent/excused). |                                  |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

|  |   |
|--|---|
| <p>D. REAL PROPERTY: VACATION AND SALE OF SURPLUS PROPERTY LOCATED AT SILVERBELL ROAD AND LINDA VISTA BOULEVARD TO PIMA COUNTY – DEC20-04-684</p> <p>ORDINANCE NO. 10098</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10098.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member West absent/excused).</p>  | <p><u>DIR. OF GENERAL SERVICES</u></p>  |
| <p>N. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR LOW-INCOME UTILITY SERVICES BILL ASSISTANCE – DEC20-04-695</p> <p>RESOLUTION NO. 19988</p> <p>This item was continued.</p>   | <p><u>DIR. OF WATER AGENDA COMMITTEE</u></p>  |
| <p>7. CALL TO THE AUDIENCE</p> <p>a. Isabel Doe submitted a petition and addressed the Mayor and Council concerned with Rio Nuevo developments and urged the Mayor and Council to preserve a natural corridor along the Santa Cruz.</p> <p>b. Richard Fisher addressed the Mayor and Council concerned with the Rio Nuevo developments and urged the Mayor and Council to preserve a natural corridor along the Santa Cruz.</p> <p>c. Michael Toney commented to the Mayor and Council on the “Space Oasis” and the war in Iraq.</p> <p>d. Gilbert Jimenez addressed the Mayor and Council concerned with Rio Nuevo developments and urged the Mayor and Council to preserve a natural corridor along the Santa Cruz.</p> <p>e. Manuel Bedoya addressed the Mayor and Council concerned with Rio Nuevo developments and urged the Mayor and Council to preserve a natural corridor along the Santa Cruz.</p> | <p><u>CITY ATTORNEY</u></p> <p>Is responsible</p> <p><u>AGENDA COMMITTEE</u></p> <p>Is informed</p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. FINANCE: CONTINGENCY FUND TRANSFER TO THE UNITED WAY TO FUND THE EARNED INCOME TAX CREDIT INITIATIVE – DEC20-04-687

Council Member Ibarra MOVED, SECONDED by Council Member Leal to continue this item to the meeting of January 11, 2005. In the meantime, the option of identifying funds from office budgets should be explored and staff should also work with the United Way to determine the amount of “in-kind” costs that could be provided in lieu of cash.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

DIR. OF BUDGET  
AND RESEARCH

9. REAL ESTATE: DEVELOPMENT AND SALE AGREEMENT WITH BARCLAY GROUP VENTURE CAPITAL, LLC FOR THE PARQUE DE SANTA CRUZ DEVELOPMENT LOCATED AT IRVINGTON ROAD AND INTERSTATE 19 – DEC20-04-696

ORDINANCE NO. 10097

Council Member Ibarra MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10097 relating to real property; vacating and declaring certain city-owned property located on the northwest corner of Drexel Road and Interstate 19, Tucson, Arizona , to be surplus and authorizing and approving the sale thereof to Barclay Group Venture Capital, LLC.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

DIR. OF GENERAL  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. ZONING (C9-98-01A) LAWYER'S TITLE TR 7685 – MISSION ROAD MH-2 TO R-1, ORDINANCE ADOPTION – DEC20-04-697

ORDINANCE NO. 10102

Council Member Ibarra MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10102 relating to zoning: amending zoning district boundaries in the area located northeast of the northeast corner of Mission Road and Irvington Road in Case C9-98-01A, Lawyers Title TR 7685 – Mission Road, MH-2 to R-1.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

DIR. OF DEV.  
SERVICES

11. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR FOUR 1997 COUNTY BOND PROJECTS – DEC20-04-698

RESOLUTION NO. 19989

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Dunbar to pass and adopt Resolution No. 19989 with a clerical correction to Exhibit C to the Resolution, the Intergovernmental Agreement for the project at River-Campbell, page 7, section 14 shall reflect that only the impact fees for roads shall be contributed to the project.

Council Member Leal requested an amendment to the motion to consider the Kino Overpass project separately.

Amendment not acceptable to the maker.

Council Member Leal MOVED, SECONDED by Council Member Scott to substitute the motion to pass and adopt Resolution No. 19989 with a clerical correction to Exhibit C to the Resolution, the Intergovernmental Agreement for the project at River-Campbell, page 7, section 14 shall reflect that only the impact fees for roads shall be contributed to the project EXCEPT Exhibit A, the Intergovernmental Agreement for the Kino Overpass project.

DIR. OF TRANS



AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR FOUR 1997 COUNTY BOND PROJECTS – DEC20-04-698 (Cont'd from previous page)

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Dunbar to amend Resolution No. 19989 to add back Exhibit “A”, the Intergovernmental Agreement for the Kino Overpass project.

Motion PASSED by a vote of 4 to 2 (Council Members Ibarra and Leal dissenting, Council Member West 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 6 to 0 (Council Member West absent/excused)

12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – DEC20-04-688

Council Member Scott announced her personal appointment of Steve Anderson to the Tucson Parks and Recreation Commission.

CITY CLERK

13. ADJOURNMENT: 7:15 p.m.

Beginning in January, Mayor and Council Meetings will be held on Tuesdays. Therefore, the next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, January 4, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.