

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING  
JANUARY 28, 2002

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

1. ROLL CALL: 7:36 P.M.

COUNCIL MEMBERS PRESENT: Mayor Pro-Tempore 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 Father Anthony Moschonas, St. Demitrios Greek Orthodox Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

1. Council Member Ronstadt introduced visitors from Kazakhstan.
2. Certificates of Appreciation were presented to the Sunnyside Varsity Football team, the Arizona State Champions.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS JAN28-02-49</p> <p>City Manager, James Keene, announced:</p> <ol style="list-style-type: none"><li>1. The Mayor and Council meetings are now streamed live on the internet.</li><li>2. Neighborhood Day at the State Legislature is Wednesday, January 30, 2002.</li><li>3. An article in Smart Money Magazine ranked Tucson's housing market #3 for cities of comparable size.</li></ol>	

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<p>4. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK</p> <ol style="list-style-type: none"> <li>1. Richard Kolt addressed the Mayor and Council requesting support of the People Helping Kids – Golf Mentoring Program.</li> <li>2. George Griswald, a realtor, addressed the Mayor and Council with a concern regarding the fee charged to citizens for Flood Plain maps.</li> <li>3. Willie Williams addressed the Mayor and Council regarding alleged police misconduct.</li> <li>4. Luis Bravo addressed the Mayor and Council and noted concerns with crime and code violations in his neighborhood, Las Vistas.</li> <li>5. Dr. Ron Spark encouraged the Mayor and Council to enforce the lighting requirements at El Con Mall.</li> <li>6. Robert Bittens addressed the Mayor and Council with concerns regarding the effect of urban growth on the desert.</li> </ol>	
<p>5. <u>C O N S E N T   A G E N D A</u></p>	
<p>A. INTERGOVERNMENTAL AGREEMENTS: WITH PIMA COUNTY FOR NEIGHBORHOOD REINVESTMENT PROJECTS – JAN28-02-53</p> <p>RESOLUTION NO. 19108</p>	<p><u>CITY MANAGER</u></p>
<p>B. ASSURANCE AGREEMENT: (S00-21) CASAS DEL SOL, LOTS 1 – 22, AND COMMON AREAS “A” &amp; “B” – JAN28-02-51</p> <p>RESOLUTION NO. 19107</p>	<p><u>DIR. OF TRANS</u></p>
<p>C. FINAL PLAT: (S00-021) CASAS DEL SOL, LOTS 1 – 22 AND COMMON AREAS “A” AND “B” – JAN28-02-52</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>D. FINAL PLAT: (S01-009) VILLAGE OFFICES, LOTS 1 – 59 AND COMMON AREAS “A” AND “B” – JAN28-02-54</p>	<p><u>DIR. OF DEV. SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>E. AGREEMENT: AUTHORIZING THE TUCSON POLICE DEPARTMENT TO PARTICIPATE IN THE FEDERAL ORGANIZED CRIME, DRUG ENFORCEMENT TASK FORCES – JAN28-02-57</p> <p>RESOLUTION NO. 19109</p>	<p><u>POLICE CHIEF</u></p>
<p>Council Member Scott MOVED, SECONDED by Council Member Ibarra that items on the Consent Agenda 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>6. LIQUOR LICENSE APPLICATIONS – JAN28-02-50</p> <p>7-ELEVEN #21043B, CITY# 134-01 FOOD CITY # 136, CITY # 128-01 FOOD CITY # 151, CITY # 129-01 FOOD CITY # 137, CITY # 130-01 FOOD CITY # 133, CITY # 131-01 FOOD CITY # 134, CITY # 132-01 FOOD CITY # 147, CITY #133-01 KICKSTART GRILL, CITY # EP01-02</p> <p>Council Member Leal MOVED, SECONDED by Council Member Scott that staff be directed to forward these applications to the State Liquor Board with a recommendation 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>
<p>7. MAGISTRATES: APPOINTMENT OF A CITY MAGISTRATE – JAN28-02-64</p> <p>ORDINANCE NO. 9667</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9667.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>CITY COURT</u></p>

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<p>8. INTERGOVERNMENTAL AGREEMENT: WITH PIMA ANIMAL CONTROL (CONTINUED FROM OCTOBER 15, 2001) – JAN28-02-62</p> <p>RESOLUTION NO. 19035</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Leal to appoint the Animal Welfare Alliance of Southern Arizona to review the current intergovernmental agreement with Pima Animal Control and to present recommendations to staff for analysis and the development of options for Mayor and Council consideration.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt to pass and adopt Resolution No. 19035.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>9. TUCSON CODE: AMENDING (CHAPTER 7) RELATING TO BUSINESS REGULATION – ESTABLISHING A TRANSITIONAL FEE FOR ADULT CARE HOMES AND FACILITIES – JAN28-02-47</p> <p>ORDINANCE NO. 9661</p> <p>Council Member Scott MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance no. 9661.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	<p><u>DIR. OF FINANCE</u></p>
<p>10. ZONING: (C9-01-16) RIVER ROAD LLC – RIVER ROAD, R-3 TO O-3, ORDINANCE ADOPTION – JAN28-02-58</p> <p>ORDINANCE NO. 9663</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9663.</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>Motion <u>PASSED</u> by a vote of 6 to 0 (Mayor Walkup absent/excused).</p>	
<p>11. ZONING: (C9-00-20) BARBER II – RIVER ROAD, RX-1 TO O-2, ORDINANCE ADOPTION – JAN28-02-56</p> <p>ORDINANCE NO. 9664</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9664.</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>12. PUBLIC HEARING: LAND USE CODE AMENDMENT AIRPORT ENVIRONS ZONE – JAN28-02-63</p> <p>ORDINANCE NO. 9668.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott 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 Scott MOVED, SECONDED by Council Member Leal to direct staff to work with the State Legislature to correct technical amendments.</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>13. PUBLIC HEARING: MAJOR STREETS AND ROUTES PLAN AMENDMENT – OLD SPANISH TRAIL: HARRISON ROAD TO 22<sup>ND</sup> STREET – JAN28-02-55</p> <p>ORDINANCE NO. 9662</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal to close the public hearing.</p> <p>Motion <u>FAILED</u> by a vote of 3 to 3 (Mayor Walkup absent/excused,</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>Council Members Ibarra, Leal and Scott dissenting).</p>	
<p>13. PUBLIC HEARING: MAJOR STREET AND ROUTES PLAN AMENDMENT – OLD SPANISH TRAIL: HARRISON ROAD TO 22<sup>ND</sup> STREET – JAN28-02-55 (CONT'D)</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Dunbar to continue this item to February 11, 2002.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Scott to substitute the motion to close the public hearing and deny Ordinance No. 9662.</p> <p>City Attorney, Michael House, advised the motions should be split into 2 separate actions.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Scott 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 Ibarra MOVED, SECONDED by Council Member Scott to deny Ordinance No. 9662.</p> <p>Motion <u>PASSED</u> by a vote of 4 to 2 (Mayor Walkup absent/excused,Council Members Ronstadt and Dunbar dissenting).</p>	
<p>14. PUBLIC HEARING: (SE-01-01) BARCLAY GROUP – 22<sup>ND</sup> STREET AND HARRISON ROAD, C-2 ZONING SPECIAL EXCEPTION LAND USE AND ZONING EXAMINER’S REPORT – JAN28-02-48</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Scott to remand this case back to the Zoning Examiner.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).</p> <p>(Council Member Leal departed at 11:18 p.m.)</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>15. REAL PROPERTY: REALIGNMENT OF OLD SPANISH TRAIL BETWEEN HARRISON ROAD AND 22<sup>ND</sup> STREET AND DEVELOPMENT AGREEMENT, RES 2001-084 – JAN28-02-60</p> <p>ORDINANCE NO. 9665 RESOLUTION NO. 19110 RESOLUTION NO. 19111</p> <p>This item was withdrawn.</p>	<p><u>DIR. OF TRANS</u></p>
<p>RECESS: 11:19 P.M. RECONVENE: 11:37 P.M. MAYOR &amp; COUNCIL: ALL PRESENT (EXCEPT MAYOR WALKUP ABSENT/EXCUSED) STAFF: ALL PRESENT</p>	
<p>16. PUBLIC HEARING: LAND USE CODE AMENDMENT – LARGE RETAIL ESTABLISHMENTS (“BIG BOX” REGULATIONS) AND ORDINANCE ADOPTION – JAN28-02-61</p> <p>ORDINANCE NO. 9666</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Scott 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 Ibarra MOVED to deny Ordinance No. 9666 and return with an ordinance that only addressed the technical amendments required by Lowe’s .</p> <p>Motion <u>DIED</u> for lack of a second.</p> <p>Council Member Ibarra MOVED to continue this item to February 11, 2002.</p>	<p><u>DIR. OF PLANNING</u></p>

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<p>Motion <u>DIED</u> for lack of a second.</p>	
<p>16. PUBLIC HEARING: LAND USE CODE AMENDMENT – LARGE RETAIL ESTABLISHMENTS (“BIG BOX” REGULATIONS) AND ORDINANCE ADOPTION (CONT’D) – JAN28-02-61</p> <p>Council Member Scott MOVED, SECONDED by Council Member Dunbar only Section 3.5.9.7.A.8 of Ordinance No. 9666 pertaining to parking and remand the Big Box Regulation to the Planning Commission for a <b>complete review</b>.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 1 (Mayor Walkup absent/excused and Council Member Ibarra dissenting)</p>	
<p>17. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – JAN28-02-59</p> <p>Council Member Scott MOVED, SECONDED by Council Member Dunbar to:</p> <p>appoint Dr. Josepha Molina to the Gay, Lesbian, Bisexual, Transgender Commission (GLBT);</p> <p>appoint Ross Dodge (Fleet Reserve Assoc. Old Pueblo Branch 176) , Charles Seekamp (Fleet Reserve Assoc. Old Pueblo Branch 176), Bazzell Meares (Disabled American Veterans, Cactus Chapter 2) to the Veterans’ Affairs Committee;</p> <p>reappoint Ray Teran (DMAFB – Retiree Activities Office) and Betty Slaybaugh (Esperanza En Excalante) to the Veterans’ Affairs Committee; and</p> <p>reassign (in the Veterans’ Affairs Committee):</p> <p>Yvonne Meares from Retired Enlisted Associations, Auxiliary #91 to Disabled American Veterans Auxiliary, Cactus Chapter 2 and reassign Carlos Contreras from Edwards W. Rhoads Chapter, Korean War Veterans Association to National Association of Atomic Veterans.</p>	<p><u>CITY CLERK</u></p>



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<p>Motion <u>PASSED</u> by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).</p> <p>Council Member Dunbar announced her personal appointment of Betty Jean Voelkel to the Stormwater Advisory Committee.</p> <p>(Counc. Leal departed at 12:35 p.m. and returned at 12:37 p.m.)</p>	
<p>18. CALL TO THE AUDIENCE</p> <p>1. Joyce Josten thanked everyone for a long night.</p>	
<p>19. ADJOURNMENT: 12:38 A.M.</p> <p>The next scheduled meeting of the Mayor and Council will be held on Monday, February 4, 2002, at 2:00 p.m. in the Mayor and Council Chambers, 255 W. Alameda, Tucson, Arizona.</p>	