

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

JUNE 28, 2005

FROM: CITY MANAGER



1. ROLL CALL: 5:45 P.M.

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

STAFF MEMBERS: Mike Hein, City Manager
Liz R. Miller, Assistant City Manager
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Lee Milligan, United Church of Christ, The Church of the Painted Hills, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS

- a. Presentation of a check by Trico Electric Power Cooperative and the Arizona Electric Power Cooperative to the City of Tucson for solar panel installation
- b. Presentation of award to Colleen Crowninshield, as an "Extraordinary Citizen"
- c. Presentation of award to John Sawyer, as an "Extraordinary Citizen", and Certificates of Recognition and Appreciation to Ross Bryant and Carole Bonhorst

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JUNE28-05-360</p> <p>a. Vice-Mayor Dunbar announced Ward 3 will be hosting a town hall on Methamphetamines on Wednesday June 29 at Salpointe High School, 1545 E. Copper. The town hall will be held from 6:30 to 8:30 and the doors will open at 6:00.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – JUNE28-05-360 (Continued from previous page)

- b. Council Member West announced “the snake” will be installed in the median at Wrightstown and Pantano. On Wednesday July 13th at 8:00 am there will be a ceremony honoring the high school artists. Also, Council Member West wanted to remind the audience that Ward 2 is a collection/drop off point for the Diaper Bank and the Community Food Bank.
- c. Council Member Scott recognized the 25th Weather Squadron for adopting Valencia Road: Nexus to Houghton, and organizing a clean up of the area. Council Member Scott also announced Ward IV’s annual Back to School Bash will be held Saturday August 13th at the Clements Center. Finally, Council Member Scott read a letter to City Manager Mike Hein requesting that surplus from the Ward IV FY 2005 budget of \$25,000 be transferred to the City’s reserve account.
- d. Council Member Ronstadt requested young citizens continue to send in pictures of elephants, Connie and Shaba to Fred Ronstadt 3202 E. 1st Street Tucson, AZ 85716, and announced on July 9th and July 16th from 8:30-11:00 art supplies will be available at the zoo to encourage young citizens to draw pictures to help save Connie and Shaba.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS JUNE28-05-361

City Manager Mike Hein announced:

- a. He received a \$5 cash donation to support the elephants and thanked the supporter, and encouraged other supporters to send checks to the parks Foundation.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
– JUNE28-05-361 (Continued from previous page)

- b. The Transportation Department received some great news last week when the Washington D.C. based American Public Transportation Association (APTA) announced that Sun Tran received the 2005 National Outstanding Public Transportation System Achievement award. Sun Tran captured the top prize in the more than 4 million and less than 30 million passenger trips category. Sun Tran will receive the award during the APTA National convention in Dallas, Texas, in September. This is the second time Sun Tran has been recognized by APTA for this achievement. The first occurred in 1988. This award marks the second consecutive year Sun Tran has been recognized as an outstanding transit organization. Last year Sun Tran was named Outstanding Transit Organization by the Arizona Transit Organization.

5. LIQUOR LICENSE APPLICATIONS – JUNE28-05-357

SHELL, CITY # 43-05
SOUTHERN ARIZONA ASSOCIATION FOR THE VISUALLY
IMPAIRED, (SAAVI), CITY # T48-05

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

Motion PASSED by a vote of 7 to 0.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. C O N S E N T A G E N D A

- A. INTERGOVERNMENTAL AGREEMENT: WITH TUCSON
UNIFIED SCHOOL DISTRICT FOR INSTALLATION OF A
PEDESTRIAN “HAWK” BEACON AT 22ND STREET AND
EUCLID AVENUE – JUNE28-05-359

RESOLUTION NO. 20116

DIR. OF TRANSPORTATION

- B. ASSURANCE AGREEMENT: (S04-008) INDIAN HOUSE
VILLAGE SUBDIVISION, LOTS 1 TO 5 – JUNE28-05-358

RESOLUTION NO. 20117

DIR. OF DEVELOPMENT
SERVICES

- C. FINAL PLAT: (S04-008) INDIAN HOUSE VILLAGE
SUBDIVISION, LOTS 1 TO 5 – JUNE28-05-363

DIR. OF DEVELOPMENT
SERVICES

- D. INTERGOVERNMENTAL AGREEMENT AND
ADDENDUM: WITH PIMA COMMUNITY COLLEGE FOR
EDUCATIONAL PROGRAMS FOR TUCSON FIRE AND
POLICE DEPARTMENTS – JUNE28-05-368

RESOLUTION NO. 20118

FIRE CHIEF

- E. GRANT AGREEMENT: WITH THE TOWN OF ORO
VALLEY FOR FEDERAL TRANSIT ADMINISTRATION
GRANT FUNDS – JUNE28-05-367

RESOLUTION NO. 20119

DIR. OF TRANSPORTATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR SEWER BILLING SERVICES, FISCAL YEARS 2006 THROUGH 2010 – JUNE28-05-366</p> <p>RESOLUTION NO. 20120</p>	<p><u>DIR. OF UTILITY SERVICES</u></p>
<p>G. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR UNDERGROUND STORAGE TANK INSPECTIONS – JUNE28-05-373</p> <p>RESOLUTION 20124</p>	<p><u>FIRE CHIEF</u></p>
<p>H. WATER: SUBMISSION TO ARIZONA DEPARTMENT OF WATER RESOURCES TO MODIFY THE ASSURED WATER SUPPLY DESIGNATION TO INCLUDE ADDITIONAL WATER SUPPLIES – JUNE28-05-365</p> <p>RESOLUTION NO. 20121</p>	<p><u>DIR. OF UTILITY SERVICES</u></p>
<p>I. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH ARIZONA GAME AND FISH FOR THE HABITAT CONSERVATION PLAN GRANT – JUNE28-05-371</p> <p>RESOLUTION NO. 20122</p>	<p><u>DIR. OF URBAN PLANNING & DESIGN</u></p>
<p>J. APPROVAL OF MINUTES – JUNE28-05-375</p>	<p><u>CITY CLERK</u></p>
<p>K. REAL PROPERTY: SECOND AMENDMENT TO GROUND LEASE WITH EL CAMPO PROPERTY RENTALS, LLLP, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF 22ND STREET AND INTERSTATE 10 – JUNE28-05-369</p> <p>RESOLUTION NO. 20123</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

Council Member Ronstadt MOVED, SECONDED by Council Member West that items on the Consent Agenda be approved and/or adopted and proper action taken.

Motion PASSED by a vote of 7 to 0.

(this item taken out of order)

9. CITY MAGISTRATES: APPOINTING A CITY MAGISTRATE AND ESTABLISHING MAGISTRATE COMPENSATION – JUNE328-05-374

ORDINANCE NO. 10172

Council Member Scott MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance 10172 appointing Pat Mehrhoff as a City Magistrate of the City of Tucson and fixing compensation; setting compensation at \$97,049 and declaring an emergency.

* Council Member Leal MOVED, SECONDED by Council Member West to SUBSTITUTE the motion to adopt Ordinance 10172 appointing Wendy Hernandez as a City Magistrate of the City of Tucson and fixing compensation; setting compensation at the current rate of \$92,373 and declaring an emergency

Primary Motion withdrawn, substitute motion becomes the primary motion.

Council Member West MOVED, SECONDED by Council Member Ibarra another SUBSTITUTE motion to adopt Ordinance 10172 appointing Wendy Hernandez as a City Magistrate of the City of Tucson and; setting compensation setting compensation at \$97,049 and declaring an emergency

SUBSTITUTE Motion FAILED 3-4 (Mayor Walkup, Vice-Mayor Dunbar, Council Members Leal and Ronstadt dissenting).

Primary Motion PASSED by a vote of 7 to 0. (NOTE: Primary motion indicated above by asterisk).

CITY CLERK
AND CITY COURT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. CALL TO THE AUDIENCE

- a. Michael Toney addressed the Mayor and Council regarding over-population and explained the “Rhythm Method” for birth control.
- b. Mark Willemen addressed the Mayor and Council on behalf of the Kinarski family and requested that a discussion be scheduled.
- c. Robert Rues addressed the Mayor and Council and commented that the City Manager should reside within the city limits.

8. PUBLIC HEARING: A-FRAMES AND PORTABLE SIGNS,
AMENDING TUCSON CODE (CHAPTER 3) – JUNE28-05-372

ORDINANCE NO. 10173

Council Member Ronstadt MOVED, SECONDED by Council Member West to close the Public Hearing.

Motion PASSED by a vote of 7 to 0.

Vice-Mayor Dunbar MOVED, SECONDED by Council Member Ronstadt to pass and adopt Ordinance No. 10173 as recommended by the Citizen Sign Code Commission.

Council Member West MOVED, SECONDED by Council Member Ibarra to offer a substitute motion to require that additional fines and revised fees shall be used to enable effective enforcement of the City’s sign code, that the amended Ordinance goes into effect for one year and will continue after that only if the ordinance has raised sufficient revenues to effectively enforce the sign code. If sufficient revenue has been raised to effectively enforce the sign code then the amended ordinance would remain in effect. If not, the ordinance will sunset. In addition the City must immediately establish a measure to evaluate the effectiveness of the new enforcement activities of the City sign code.

* **Main motion PASSED by a vote of 7 to 0.**

DIR. OF DEVELOPMENT
SERVICES

***REVISION**

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: A-FRAMES AND PORTABLE SIGNS,
AMENDING TUCSON CODE (CHAPTER 3) – JUNE28-05-372
(Continued from previous page)

- * Council Member West withdrew the **substitute** motion and offered the following ~~amendments to the primary motion~~ **direction to staff**:
 - There shall be one year review at which time staff will report back to the Mayor and Council with specific revenue and enforcement details including:
 - revenue generated, including fines and fees,
 - number of signs permitted,
 - number of signs seized, and of citations issued.
- * ~~Amendments accepted.~~
- * Council Member Leal offered further ~~amendments to the primary motion~~ **direction**, that staff be directed to examine the ordinance's regulations as they apply to:
 - National Historic Districts, and to come back to the Mayor and Council with any amendments needed to provide for appropriate review prior to permitting A-frames in these districts; and directing staff to examine ways of having flexible hours for inspectors to allow for weekend and/or evening enforcement.
- * ~~Amendments accepted.~~
- * ~~Motion as amended~~ PASSED by a vote of 7 to 0.

10. FINANCE: FIXING AND LEVYING THE 2006 PRIMARY AND
SECONDARY PROPERTY TAXES – JUNE28-05-364

ORDINANCE NO. 10170

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to pass and Adopt Ordinance 10170 with the deletion of Section 6.

Motion PASSED by a vote of 7 to 0.

DIR. OF BUDGET
AND RESEARCH

***REVISION**

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. ZONING: (C9-04-10) D. R. HORTON – WILMOT ROAD, SH AND C-2 TO R-2, ORDINANCE ADOPTION – JUNE28-05-370

ORDINANCE NO. 10171

Council Member Scott MOVED, SECONDED by Council Member Leal to pass and Adopt Ordinance No. 10171 relating to zoning: amending zoning district boundaries in the area located at the southeast corner of Wilmot Road and Interstate 10 in Case C9-04-10, D. R. Horton – Wilmot Road, SH and C-2 to R-2 (Ward 4); and setting an effective date.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT
SERVICES

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – JUNE28-05-362

Council Member Ronstadt announced his personal appointment of Ms. Edella Schlager to the Environmental Services Advisory Committee.

CITY CLERK

13. ADJOURNMENT: 7:34 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Wednesday, July 6, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.