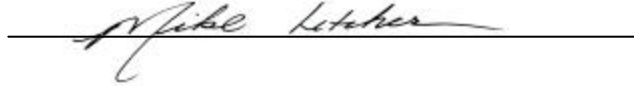


# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

MARCH 22, 2005

FROM: CITY MANAGER



1. ROLL CALL: 5:40 P.M.

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

ABSENT/EXCUSED: Council Member Shirley Scott

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Jon Martinez, Victory Assembly of God, after which the Pledge of Allegiance was presented by the entire assembly.

### PRESENTATIONS:

- a. Proclaiming March 28 to April 3, 2005 to be Community Development Week.
- b. Proclaiming March 2005 to be Red Cross Month.
- c. Gary Hayes, Executive Director of the Pima Association of Governments, presented to the City of Tucson a Clean Cities Leader Award: Alternate Fuels, and to Council Member Fred Ronstadt the Pioneer Award for Clean Cities.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MARCH22-05-133	
a. Vice-Mayor Dunbar announced that the previously scheduled Town Hall that was scheduled for Thursday, March 24 <sup>th</sup> will be rescheduled to allow potential participants to watch the UA vs OSU Men's basketball game.	
b. Mayor Walkup reported on the recent visit of President Bush.	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS  
MARCH22-05-134

City Manager, Mike Letcher, announced:

- a. Weekly workshops at the Ronstadt Transit Center will start tomorrow, March 23<sup>rd</sup>, and will continue every Wednesday afternoon for the next 13 weeks.. The first workshop offered by Parks and the Department of Transportation, will be SideWalk Chalk Milagro. Other topics include Origami, Drumming, and Lantern making. All are free to the public, directed by qualified instructors, and will be repeated several times during the 14-week period.
- b. Sun Tran will once again provide free shuttles from El Con Mall to the Race for the Cure participants, Sunday April 10<sup>th</sup>.
- c. Mary Lou Focht will receive the Heart of the Downtown Award from Mayor Walkup on Wednesday, March 23<sup>rd</sup>, at 3:00 p.m.

5. LIQUOR LICENSE APPLICATIONS – MARCH22-05-148

FOXY'S SPORTS GRILL, CITY # 09-05  
MARISCOS CHIHUAHUA #4, CITY # 11-05  
ATRIA BELL COURT GARDENS, CITY # 12-05  
RESIDENCE INN BY MARRIOT, CITY # 10-05  
UNITED WAY OF TUCSON & SOUTHERN ARIZONA,  
CITY # T09-05  
BARRIO HOLLYWOOD – FIESTA GRANDE, INC., CITY # T19-05  
TUCSON BREAKFAST LIONS CLUB, CITY # T20-05  
SATORI, INC., CITY # T21-05

Council Member Leal MOVED, SECONDED by Council Member Ronstadt 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 Scott absent/excused).

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. LEASE AGREEMENT: FIRST AMENDMENT TO A LEASE AGREEMENT WITH COLTON PROPERTIES FOR CONSTRUCTION, OPERATION AND MANAGEMENT OF INTERMODAL CENTER PARKING FACILITY AND REPEALING RESOLUTION 19846 – MARCH22-05-146

RESOLUTION NO. 20032

CITY MANAGER

B. ASSURANCE AGREEMENT: (S04-016) PASEO ESTRELLA SUBDIVISION, LOTS 1 TO 104 AND COMMON AREAS “A-1” – “A-2”, “B-1” – “B-6”, “C-1 – “C-4”, “D” AND “E-1 – “E-2” – MARCH22-05-136

RESOLUTION NO. 20033

DIR. OF DEVELOPMENT SERVICES

C. FINAL PLAT: (S04-016) PASEO ESTRELLA SUBDIVISION, LOTS 1 TO 104 AND COMMON AREAS “A-1” – “A-2”, “B-1” – “B-6”, “C-1 – “C-4”, “D” AND “E-1 – “E-2” – MARCH22-05-137

DIR. OF DEVELOPMENT SERVICES

D. AGREEMENT: AMENDMENT TO THE LICENSE AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC – MARCH22-05-138

ORDINANCE NO. 10131

DIR. OF INFORMATION TECHNOLOGY

E. TRANSPORTATION: AUTHORIZATION TO INSTALL PEDESTRIAN “HAWK” FLASHING SIGNALS AT ORACLE ROAD AND KELSO STREET AND TWENTY-SECOND STREET AND SAHUARA AVENUE – MARCH22-05-139

RESOLUTION NO. 20034

DIR. OF TRANSPORTATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>F. INTERGOVERNMENTAL AGREEMENT: WITH AMPHITHEATER SCHOOL DISTRICT FOR THE INSTALLATION OF SCHOOL CROSSING "HAWK" FLASHING SIGNALS – MARCH22-05-140</p> <p>RESOLUTION NO. 20035</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>G. ANNEXATION: RINCON HEIGHTS ANNEXATION DISTRICT, ORDINANCE ADOPTION – MARH22-05-141</p> <p>ORDINANCE NO. 10130</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>H. AGREEMENT: WITH THE SONORAN INSTITUTE FOR THE BUILDING FROM THE BEST OF TUCSON PROGRAM – MARCH22-05-145</p> <p>RESOLUTION NO. 20036</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>I. TUCSON CODE: AMENDING (CHAPTER 10) REGARDING DEVELOPMENT OF A CAREER ENHANCEMENT PROGRAM FOR THE POLICE DEPARTMENT – MARCH22-05-155</p> <p>ORDINANCE NO. 10136</p> <p><i>NOTE: Clerical correction read into the record by the City Clerk.</i></p>	<p><u>POLICE CHIEF</u></p>
<p>J. FINANCIAL PARTICIPATION AGREEMENT: WITH THE GRAFFITI ABATEMENT PROGRAM IN TUCSON (GAPIT) FOR GRAFFITI ABATEMENT SERVICES – MARCH22-05-156</p> <p>RESOLUTION NO. 20038</p>	<p><u>DIR. OF NEIGHBORHOOD SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>K. APPROVAL OF MINUTES – MARCH22-05-157</p>	<p><u>CITY CLERK</u></p>
<p>L. PRE-ANNEXATION, DEVELOPMENT AND INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS AND KB HOME TUCSON AT THE UA SCIENCE AND TECHNOLOGY PARK – MARCH22-05-152</p> <p>RESOLUTION NO. 20040</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>Council Member Ronstadt MOVED, SECONDED by Council Member West 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 (Council Member Scott absent/excused).</p>	
<p>7. CALL TO THE AUDIENCE</p> <ol style="list-style-type: none"><li>1. Michael Toney addressed the Mayor and Council with concerns over “galloping development” and the impacts on our community.</li><li>2. Gregory Hill addressed the Mayor and Council in opposition to certain Housing Developments in Ward 3.</li><li>3. John Macko addressed the Mayor and Council on behalf of the South Harrison Neighborhood Association regarding problems with a Ward 4 Back to Basics project.</li><li>4. Elezabeth Cameron addressed the Mayor and Council regarding problems she has encountered with the enforcement of the “False Alarm” responses.</li><li>5. Barbara Lehman addressed the Mayor and Council regarding concerns with the policies of Compass Health Care (detox facilities) that allow intoxicated individuals to roam neighborhood streets.</li></ol>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

*(This item taken out of order)*

16. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE FOX TUCSON THEATRE FOUNDATION AND THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR RESTORATION, OPERATION AND MANAGEMENT OF THE HISTORIC FOX THEATRE – MARCH22-05-154

RIO NUEVO

RESOLUTION NO. 20039

Council Member Ronstadt MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 20039 with a new Section 4 as follows:

The City Manager may execute such other documents as may be required to give effect to this Resolution, the Amendment to the Intergovernmental Development and Lease Agreement for Restoration, Operation and Management of the Historic Fox Theatre, to Resolution No. 19449, and to the Intergovernmental Development and Lease Agreement for Restoration, Operation and Management of the Historic Fox Theatre.

The old Section 4 and subsequent sections will be renumbered beginning with 5.

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

8. PUBLIC HEARING: TUCSON CODE (CHAPTER 6) RELATING TO THE JOINT CITY OF TUCSON/PIMA COUNTY OUTDOOR LIGHTING CODE 2005 EDITION – MARCH22-05-151

DIR. OF DEVELOPMENT SERVICES

ORDINANCE NO. 10135

(Council Member Ronstadt departed at 6:28 p.m., returned at 6:30 p.m.)

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to close the public hearing.

Motion PASSED by a vote of 5 to 0 (Council Members Scott and Ronstadt absent/excused).

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: TUCSON CODE (CHAPTER 6) RELATING TO THE JOINT CITY OF TUCSON/PIMA COUNTY OUTDOOR LIGHTING CODE 2005 EDITION – MARCH22-05-151 (Cont'd from previous page)

Council Member West MOVED, SECONDED by Council Member Ronstadt to pass and adopt Ordinance No. 10135.

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

9. PUBLIC HEARING: TUCSON CODE AMENDING (CHAPTER 6), ADOPTION OF LOCAL SWIMMING POOL AMENDMENTS TO THE 2003 INTERNATIONAL BUILDING AND RESIDENTIAL CODES – MARCH22-05-153

ORDINANCE NO. 10137

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to continue this item to the meeting of April 12, 2005.

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

DIR. OF DEVELOPMENT SERVICES

10. PUBLIC HEARING: ZONING (C9-98-34) GR PARTNERS – SPEEDWAY BOULEVARD C-1 TO C-2, REACTIVATION, TIME EXTENSION, AND CHANGE OF CONDITIONS – MARCH22-05-142

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to close the public hearing.

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

Council Member West MOVED, SECONDED by Council Member Ronstadt to reactivate Zoning Case C9-98-34 and approve the request for a time extension as recommended by the City Manager.

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. PUBLIC HEARING: ZONING (C9-98-34) GR PARTNERS – SPEEDWAY BOULEVARD C-1 TO C-2, REACTIVATION, TIME EXTENSION, AND CHANGE OF CONDITIONS – MARCH22-05-142 (Cont'd from previous page)

Motion PASSED by a vote of 5 to 1 (Council Member Scott absent/excused, Council Member Leal dissenting).

11. PUBLIC HEARING: ZONING (C9-85-95) 22<sup>ND</sup> STREET/PANTANO PARKWAY ANNEXATION DISTRICT, I-1@ ZONING, CHANGE TO CONDITIONS OF ORIGINAL CITY ZONING AND ORDINANCE ADOPTION - MARCH22-05-149

ORDINANCE NO. 10133

Vice-Mayor Dunbar MOVED, SECONDED by Council Member West to close the public hearing.

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

Vice-Mayor Dunbar MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 10133.

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

DIR. OF DEVELOPMENT SERVICES

12. ZONING: (C9-04-22) YBARRA/DAVIS – GORET ROAD, SR/RX-2 TO RX-1, CITY MANAGER'S REPORT – MARCH22-05-143

Council Member Ibarra MOVED, SECONDED by Council Member West to approve Zoning Case C9-04-22 as recommended by the Zoning Examiner.

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

DIR. OF DEVELOPMENT SERVICES



AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

13. ZONING: (C9-04-24) MARVIN – RIVER ROAD, SR TO O-3, CITY MANAGER’S REPORT – MARCH22-05-144

Vice-Mayor Dunbar MOVED, SECONDED by Council Member Leal to approve Zoning Case C9-04-24 as recommended by the Zoning Examiner.

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

DIR. OF DEVELOPMENT SERVICES

14. ZONING: (C9-04-01) KEMMERLY – FIRST AVENUE SH, MH-1, AND C-2 TO R-3 AND C-1, ORDINANCE ADOPTION – MARCH22-05-150

ORDINANCE NO. 10134

Vice-Mayor Dunbar MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 10134.

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

DIR. OF DEVELOPMENT SERVICES

15. CITY MANAGER: APPOINTMENT OF A CITY MANAGER – MARCH22-05-147

ORDINANCE NO. 10132

Vice-Mayor Dunbar MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10132 appointing Mike Hein as City Manager.

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

ALL DEPTS. AND OFFICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

17. APPOINTMENTS TO BOARDS, COMMISSIONS AND  
COMMITTEES – MARCH22-05-135

Council Member West MOVED, SECONDED by Vice-Mayor Dunbar to:

Appoint James Horvath to the Citizens' Water Advisory Committee; and

Appoint Norman Ross (The Jewish War Veterans, Friedman-Paul Post 201)  
to the Veterans' Affairs Committee.

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

CITY CLERK

18. ADJOURNMENT: 7:13 P.M.

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