

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAY 10, 2004



FROM: CITY MANAGER

1. ROLL CALL: 5:42 p.m.

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

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 Reverend Philip S. Kruis, Rincon Mountain Presbyterian Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Proclamation – Proclaiming May 2004 to be National Landscape Architecture Month

| AGENDA ITEM/MAYOR AND COUNCIL ACTION | STAFF ACTION |
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| <ol style="list-style-type: none">3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MAY10-04-223<ol style="list-style-type: none">a. Council Member West thanked Channel 12 for televising the Ward 2 Town Hall for seniors last Thursday. If you missed it, you can catch the re-broadcast on May 13th at 6:30 p.m. or May 14 at 11:00 a.m. On Tuesday, May 11th at 6:30 p.m., Ward 2 will host another Town Hall., “Be Water Aware” with special information from Pima County Health Department on the West Nile Virus. The Town Hall will be held at 7575 E. Speedway. | |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MAY10-04-223 (CONT'D)

- b. Vice-Mayor Ronstadt announced the Tucson Police Foundation presented a check for \$30,000 to send members of the Hardesty family as well as members of Officer Hardesty's squad to Washington DC to be present when the added name of Officer Patrick Hardesty is unveiled at the Law Enforcement Memorial.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS MAY10-04-224

City Manager, James Keene, announced:

- a. On Thursday May 13th at the Manning House, there will be a forum to discuss Housing and Real Estate Trends in the downtown entitled "Housing in the City Center".
- b. The City's Chief Information Officer, Todd Sander, has been named the 2003 Public Technologist of the Year. This national award is presented to honor a stellar combination of Public Service and Technology.

5. LIQUOR LICENSE APPLICATIONS – MAY10-04-218

YUKIS JAPANESE RESTAURANT #2, CITY # 019-04
ICHIBAN JAPANESE RESTAURANT, CITY # 022-04
QUESADILLA'S GRILL, CITY # 023-04

Council Member Ibarra MOVED, SECONDED by Council Member Scott that staff be directed to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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5. LIQUOR LICENSE APPLICATIONS – MAY10-04-218 (CONT'D)

KIMPO ORIENTAL MARKET, CITY # 018-04

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

Motion PASSED by a vote of 7 to 0.

TARGET #1316, CITY # 020-04

Council Member Ibarra MOVED, SECONDED by Council Member West that staff be directed to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 7 to 0.

VALENTINO'S, CITY # 021-04

Council Member Ibarra MOVED, SECONDED by Council Member Dunbar that staff be directed to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 6 to 1 (Mayor Walkup dissenting).

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

****ITEM "J" WAS DELETED FROM THE CONSENT AGENDA ****

A. ASSURANCE AGREEMENT: (S03-019) DESERT LINKS
SUBDIVISION LOTS 1 TO 48 AND COMMON AREAS "A",
"B-1" TO "B-3", "C", AND "D-1" TO "D-7" – MAY10-04-220

RESOLUTION NO. 19823

DIR. OF DEV.
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| B. | FINAL PLAT: (S03-019) DESERT LINKS SUBDIVISION LOTS 1 TO 48 AND COMMON AREAS "A", "B-1" TO "B-3", "C", AND "D-1" TO "D-7" – MAY10-04-221 | <u>DIR. OF DEV. SERVICES</u> |
| C. | ASSURANCE AGREEMENT: (S03-014) DESERT VISTA SUBDIVISION LOTS 1 TO 31 AND COMMON AREAS "A" AND "B" – MAY10-04-225 RESOLUTION NO. 19824 | <u>DIR. OF DEV. SERVICES</u> |
| D. | FINAL PLAT: (S03-014) DESERT VISTA SUBDIVISION LOTS 1 TO 31 AND COMMON AREAS "A" AND "B" – MAY10-04- 219 | <u>DIR. OF DEV. SERVICES</u> |
| E. | ASSURANCE AGREEMENT: (S02-053) BANTAM ESTATES SUBDIVISION LOTS 1 TO 30 AND COMMON AREAS "A" AND "B" – MAY10-04-226 RESOLUTION NO. 19825 | <u>DIR. OF DEV. SERVICES</u> |
| F. | FINAL PLAT: (S02-053) BANTAM ESTATES SUBDIVISION LOTS 1 TO 30 AND COMMON AREAS "A" AND "B" – MAY10-04-227 | <u>DIR. OF DEV. SERVICES</u> |
| G. | INTERGOVERNMENTAL AGREEMENT: WITH THE TOWN OF ORO VALLEY RELATING TO WATER SERVICE IN THE AREA OF ORACLE ROAD AND MAGEE AND HARDY ROADS – MAY10-04-229 RESOLUTION NO. 19826 | <u>DIR. OF WATER</u> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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| <p>H. INTERGOVERNMENTAL AGREEMENT: WITH THE AK CHIN INDIAN COMMUNITY FOR CONTRIBUTIONS TO THE ARIZONA STATE MUSEUM – MAY10-04-228</p> <p>RESOLUTION NO. 19827</p> | <p><u>CITY ATTORNEY</u></p> |
| <p>I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS – MAY10-04-216</p> <p>RESOLUTION NO. 19828</p> | <p><u>POLICE CHIEF</u></p> |
| <p>Council Member West MOVED, SECONDED by Council Member Ibarra that items on the Consent Agenda (Except “J”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> | |
| <p>J. MEMORIAL: CONCERNING POSSIBLE REACTIVATION OF THE YUMA DESALTING PLANT – MAY10-04-231</p> <p>Council Member West MOVED, SECONDED by Council *Member Dunbar to pass and adopt the memorial.</p> <p>* Motion <u>PASSED</u> by a vote of 4 to 3 (Council Members Ibarra, Scott and Leal dissenting).</p> | <p><u>DIR. OF WATER</u></p> |
| <p>7. CALL TO THE AUDIENCE</p> <p>a. Kirk Saunders addressed the Mayor and Council in opposition to the rental tax and the garbage tax.</p> <p>b. Jessica Phillips addressed the Mayor and Council in support of the preservation of the “Talk of the Town” building.</p> <p>c. Bud Seamon addressed the Mayor and Council in opposition to the rental tax.</p> <p>d. David Martin addressed the Mayor and Council in support of the preservation of the “Talk of the Town” building.</p> <p>* REVISION</p> | |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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7. CALL TO THE AUDIENCE (CONT'D)

- e. Sherry Steele thanked the Mayor and Council for their earlier decision regarding funding of social service agencies, particularly the support for the Community Food Bank.
- f. Linda Bohlke thanked the Mayor and Council for their earlier decision regarding funding of social service agencies, particularly the Brewster Center, and spoke in opposition to any outsourcing.
- g. Erica Creider addressed the Mayor and Council in support of the "Talk of the Town" building and requested any action be delayed until the Historical Society can finish their review of the property.
- h. Allan Rabinberger addressed the Mayor and Council in support of the preservation of the "Talk of the Town" building.
- i. Roy Martin addressed the Mayor and Council in support of the preservation of the "Talk of the Town" building.
- j. Scott Morgan addressed the Mayor and Council in opposition to condoms in boys' restrooms in City parks.
- k. Winston Watson addressed the Mayor and Council in support of the preservation of the "Talk of the Town" building.
- l. Gretchen Luick addressed the Mayor and Council in support of the preservation of the "Talk of the Town" building.
- m. Rita Magdaleno urged the Mayor and Council to not divert funding of arts programs to balance the budget.

(This item taken out of order)

11. CITY ATTORNEY: APPOINTMENT OF THE CITY ATTORNEY – MAY10-04-233

ORDINANCE NO. 9961

Council Member Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 9961 relating to the City Attorney; appointing Michael Rankin as the City Attorney; and declaring an emergency.

Motion PASSED by a vote of 7 to 0.

DIR. OF HUMAN
RESOURCES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: ZONING (C9-04-01) KEMMERLY – FIRST AVENUE, SH, MH-1 AND C-2 TO R-3 AND C-1 ZONING, CITY MANAGER’S REPORT – MAY10-04-222

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

Motion PASSED by a vote of 7 to 0.

Council Member West requested an item be added to our legislative agenda regarding the School Facilities Board: are they effective or should we restore local control.

At this time, the action on this item was delayed until the conclusion of Item # 9.

Council Member Dunbar MOVED, SECONDED by Council Member West to approve the request for rezoning as recommended by the Zoning Examiner and City Manager with a new condition #7 that shall read: “residential unit on proposed lots 10, 38, 39, 40, 41, 42, 43, 47, 81, 82, 83, 84, 85, 87, 93, and 94 shall be restricted to one story. The remaining proposed lots along the north boundary shall not exceed two story”

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES

DIR. OF INTER.
AFFAIRS
Is responsible

9. PUBLIC HEARING: RECOMMENDED CIVIC EVENTS PROCESS AND FUNDING FOR FISCAL YEAR 2005 – MAY10-04-230

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

Motion PASSED by a vote of 7 to 0.

(Council Member West departed at 8:16 p.m. and returned at 8:19 p.m.)

No further action required.

DIR. OF BUDGET
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. PUBLIC HEARING: REGULATION OF MOTORIZED
SKATEBOARDS – MAY10-04-232

ORDINANCE NO. 9962

Council Member Leal MOVED, SECONDED by Council Member Scott to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member West MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance No. 9962.

Motion PASSED by a vote of 7 to 0.

(Council Member Dunbar departed at 8:24 p.m. and returned at 8:27 p.m.)

CITY ATTORNEY

12. APPOINTMENTS TO BOARDS, COMMISSIONS AND
COMMITTEES – MAY10-04-217

No appointments at this time.

CITY CLERK

13. ADJOURNMENT: 9:53 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 17, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.