

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

OCTOBER 25, 2004

FROM: CITY MANAGER



1. ROLL CALL: 5:40 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
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Jim Corley, Crosspoint Community Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Proclamation – Proclaiming the week of October 18, 2004 to be Arizona Cities and Towns Week 2004.
- b. Recognition of Christine Conte, as an “Extraordinary Citizen”.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – OCT25-04-591	
a. Council Member West invited the viewing public to a townhall on “Prescription Drug Benefits” on Tuesday, October 26, 2004 at 7:00 p.m. at Eastside City Hall. b. Mayor Walkup reported that last week the Mayor of Sulmai, Iraq visited Tucson.	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS
OCT25-04-592

City Manager, James Keene, announced:

- a. Tucson City Court continues to experience phone problems that resulted after a scheduled power outage performed by Tucson Electric Power. The Court and the Prosecutor’s Offices automated phone systems are both affected.
- b. The City, partnered with the Metropolitan Housing Corporation and the Tucson Urban League, was successful in receiving a HUD grant to build 69 apartments for low-income seniors next to the Quincie Douglas Neighborhood Center.
- c. At the SAHBA Home Show, the Tucson Water Conservation booth won recognition as the “Most Informative Large Booth”.
- d. Tucson Water has been recognized by the Association of Metropolitan Water Agencies with their Platinum Award for sustained competitiveness achievement. This national award recognizes water utilities for their long-term excellence.

5. LIQUOR LICENSE APPLICATIONS – OCT25-04-587

CHUY’S MESQUITE BROILER, CITY # 067-04
NOTHING BUT NOODLES, CITY # 070-044
CREATE CAFÉ, CITY # 069-04
LEAGUE OF MEXICAN AMERICAN WOMEN, CITY # T087-04
CONGRESS HISTORIC THEATRES FOUNDATION,
CITY # T092-04
GLASSMAN FOUNDATION, CITY # T094-04

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member West to direct staff 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

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – OCT25-04-587 (Cont'd from previous page)

SUPER STOP #870, CITY # 066-04

Council Member Leal MOVED, SECONDED by Council Member Dunbar to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

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

*****ITEMS “B” AND “I” WERE DELETED FROM THE CONSENT AGENDA *****

- A. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE YOUTH OPPORTUNITY PROGRAM – OCT25-04-589

RESOLUTION NO. 19958

DIR. OF COMM. SERVICES

- C. LOAN REPAYMENT AGREEMENT: WITH THE ARIZONA TRANSPORTATION BOARD FOR IMPROVEMENTS TO HARRISON ROAD, SPEEDWAY BOULEVARD TO OLD SPANISH TRAIL – OCT25-04-595

RESOLUTION NO. 19960

DIR. OF TRANS

- D. REAL PROPERTY: RIGHT-OF-WAY ACQUISITION FOR THE COLUMBUS WASH PHASE II DRAINAGE IMPROVEMENTS – OCT25-04-596

RESOLUTION NO. 19961

DIR. OF TRANS

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>E. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY DEPARTMENT OF TRANSPORTATION FOR A FEDERAL TRANSIT ADMINISTRATION GRANT – OCT25-04-597</p> <p>RESOLUTION NO. 19962</p>	<p><u>DIR. OF TRANS</u></p>
<p>F. FINANCE: ADOPTION OF FINANCIAL POLICIES – OCT25-04-586</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>G. AGREEMENT: FACILITY USE AND DEVELOPMENT AGREEMENT WITH TUCSON UNIFIED SCHOOL DISTRICT FOR A NEW SWIMMING POOL AT QUINCIE DOUGLAS NEIGHBORHOOD CENTER – OCT25-04-590</p> <p>RESOLUTION NO. 19888</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>H. REAL PROPERTY: THIRD AMENDMENT TO LEASE WITH 100 NORTH STONE LIMITED PARTNERSHIP FOR CITY OFFICE SPACE IN THE PIONEER BUILDING – OCT25-04-585</p> <p>RESOLUTION NO. 19964</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>J. INTERGOVERNMENTAL AGREEMENT: WITH THE TUCSON UNIFIED SCHOOL DISTRICT, AND THE PIMA COUNTY FLOOD CONTROL DISTRICT RELATING TO THE ARROYO CHICO-PARK AVENUE DETENTION BASINS PROJECT – OCT25-04-599</p> <p>RESOLUTION NO. 19963</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>K. MEMORANDUM OF UNDERSTANDING: TO ESTABLISH A COMMUNITY LEARNING CENTER IN THE SANTA ROSA LEARNING CENTER LIBRARY – OCT25-04-588</p> <p>RESOLUTION NO. 19965</p>	<p><u>DIR. OF LIBRARY</u></p>
<p>L. MAYOR AND COUNCIL: AMENDING (CHAPTER 2) OF THE TUCSON CODE RELATING TO MAYOR AND COUNCIL MEETINGS – OCT25-04-604</p> <p>ORDINANCE NO. 10072</p>	<p><u>ALL DEPARTMENTS AND OFFICES</u></p>
<p>Council Member Ibarra MOVED, SECONDED by Council Member West that items on the Consent Agenda (Except “B” and “T”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>B. PARKS AND RECREATION: NAMING THE LITTLE LEAGUE PRACTICE FIELD IN PURPLE HEART PARK THE “TUCSON CONQUISTADORES BALL FIELD” – OCT25-04-594</p> <p>RESOLUTION NO. 19959</p> <p>Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 19959.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>I. REAL PROPERTY: APPROVING LEASE AGREEMENT WITH GREYHOUND LINES, INC. FOR AN INTERIM BUS STATION LOCATED AT CONGRESS STREET AND INTERSTATE 10 – OCT25-04-600</p> <p>ORDINANCE NO. 10069</p> <p>Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Ibarra to pass and adopt Ordinance No. 10069.</p> <p>* Motion <u>PASSED</u> by a vote of 6 to 1 (Council Member Leal dissenting).</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>7. CALL TO THE AUDIENCE</p> <p>a. Michael Toney addressed the Mayor and Council and commented on the language in the intergovernmental agreement with the University of Arizona regarding the Science Center. Mr. Toney feels the University is not following the time schedule outlined in the agreement.</p> <p>b. Winston Watson urged the Mayor and Council to appoint a replacement City Manager that knows Tucson.</p> <p>c. Marissa Laguera addressed the Mayor and Council in opposition to item # 11, “Approving Lease Agreement and Billboard Removal with Clear Channel Outdoor, Inc.”</p> <p>d. Ted Warmbrandt addressed the Mayor and Council with concerns regarding Consent Item “J”: “Agreement with the Tucson Unified School District and the Pima County Flood Control District Relating to the Arroyo Chico-Park Avenue Detention Basins Project” and requested the Citizens Advisory Committee be reinstated.</p> <p>e. Tracy Williams addressed the Mayor and Council I opposition to Item # 11, “Approving Lease Agreement and Billboard Removal with Clear Channel Outdoor, Inc.” and urged the Mayor and Council to direct staff to remove all billboards on City property.</p> <p>f. Ruth Markelstone addressed the Mayor and Council with concerns regarding Consent Agenda Item “J”: “Agreement with the Tucson Unified School District and the Pima County Flood Control District Relating to the Arroyo Chico-Park Avenue Detention Basins Project” and requested the Citizens Advisory Committee be reinstated.</p> <p>*REVISION</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. CALL TO THE AUDIENCE (cont'd from previous page)

- g. Jackie Terchik addressed the Mayor and Council with concerns regarding Consent Item "J": "Agreement with the Tucson Unified School District and the Pima County Flood Control District Relating to the Arroyo Chico-Park Avenue Detention Basins Project" and requested the Citizens Advisory Committee be reinstated.

Council Member Leal requested staff research the status of the Citizens Advisory Council (CAC) for the Arroyo-Chico Project and, if necessary, schedule a Study Session item to discuss it.

DIR. OF TRANS

Is responsible

8. PUBLIC HEARING: TUCSON CODE (CHAPTER 21) RELATING TO THE TUCSON CITY GOLF BUSINESS PLAN – OCT25-04-601

ORDINANCE NO. 10070

Council Member Ibarra MOVED, SECONDED by Council Member West to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member West MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10070 and approve the Golf Business Plan for 2005-2009.

Motion PASSED by a vote of 7 to 0.

Vice-Mayor Ronstadt requested a public update be scheduled after one year.

DIR. OF PARKS

AND RECREATION

DIR. OF PARKS

AND RECREATION

Is responsible

RECESS: 7:08 P.M.

RECONVENE: 7:20 P.M.

MAYOR AND COUNCIL: ALL PRESENT

STAFF: ALL PRESENT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE LAND USE CODE (LUC); REGARDING AIRPORT ENVIRONS ZONE (AEZ) – OCT25-04-602

DIRS. OF URBAN
PLANNING AND
DEV. SERVICES

ORDINANCE NO. 10073

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

Motion PASSED by a vote of 7 to 0.

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Dunbar moved to pass and adopt Ordinance No. 10073 and direct staff to further implement the Joint land Use Study (JLUS) by:

- (1) pursuing land swaps, transfer of development rights, and purchases;
- (2) establishing a JLUS community team to work on mitigation plans;
- (3) aggressively pursuing Congressional appropriations for sound attenuation; and
- (4) pursuing the State Military Installation Fund appropriations.

Council Member Dunbar offered the following amendments:

1. The AEZ should include the following language:

“Non-contiguous parcels may be included within a single plat or development plan for the purpose of determining employee limits, floor area ratios and other performance criteria provided there are recorded covenants requiring conformance with the approved plat or development plan in the form approved by the Development Services Department Director. Non contiguous parcels that do not meet the above criteria may be considered through the Special Exception process”

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE LAND USE CODE (LUC); REGARDING AIRPORT ENVIRONS ZONE (AEZ) – OCT25-04-602 (cont'd from previous page)

This action amends Section 1 of Ordinance 10073 to add:

to Section 2.8.5.8.A.3, a new subsection 2.8.5.8.A.3.g as in the strikeover version

to Section 2.8.5.8.B.3, a new subsection 2.8.5.8.B.3.g as in the strikeover version

to Section 2.8.5.8.C.3, a new subsection 2.8.5.8.A.3.e as in the strikeover version.

2. The submittal dates for a development plan and protected development rights plan should be the following:

Letter of intent should be submitted December 30, 2004 (instead of November 24, 2004) Amends Section 3 of Ordinance 10073 for: subsection A.1

Completion and submittal of Site Plan should be March 30, 2005 (instead of December 30, 2004) Amends Section 3 of Ordinance 10073 for: subsection A.2

Development Right Plan approved by Mayor and Council by June 30, 2005 (instead of March 30, 2005) Amends Section 3 of Ordinance 10073 for: subsection A.4

The City Attorney, Mike Rankin, advised the following amendments must also be made to accomplish the direction:

The date for pulling permits must be modified to March 30, 2005 Amends Section 3 of Ordinance 10073 for: subsection A.3

Amending Section 5 to the ordinance to state: "This ordinance becomes effective on January 1, 2005

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE LAND USE CODE (LUC); REGARDING AIRPORT ENVIRONS ZONE (AEZ) – OCT25-04-602 (cont'd from previous page)

Adding a new Section 6 to the ordinance to state: “Sections 1 and 2 of Ordinance 9781 providing for a special exception procedure or development within the Davis Monthan Airport Environs Zone remains in effect until the effective date of this ordinance.

Amending 2.8.5.7(f) by adding a new sentence to the end of the paragraph “Nothing herein shall require any notice be provided by property owners that would be in addition to the requirements provided by state law.”

3. Council directs staff to work with the construction community to further refine the draft sound attenuation development standards for warehouse, industrial, and commercial development specifically related to Section E, Roofs, and Section G, Ventilation.

Amendments acceptable.

Council Member Leal offered a substitute motion to follow the recommendations of the Planning Commission and delay action on this item for one year, until December 2005.

Substitute motion DIED for lack of a second.

Main motion, as amended, PASSED by a vote of 6 to 1 (Council Member Leal dissenting).

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

RECESS: 9:15 P.M.
RECONVENE: 9:30 P.M.
MAYOR AND COUNCIL: ALL PRESENT
STAFF: ALL PRESENT

10. PUBLIC HEARING: (C9-96-01) TACK ROOM - SABINO CANYON ROAD, C-1 ZONING, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION – OCT25-04-598

ORDINANCE NO. 10068

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 MOVED, SECONDED by Council Member Scott to continue action on the Ordinance adoption until the meeting of November 8, 2004 to allow the Homeowners time to have a meeting.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES

11. REAL PROPERTY: APPROVING LEASE AGREEMENT AND BILLBOARD REMOVAL WITH CLEAR CHANNEL OUTDOOR, INC. – OCT25-04-603

ORDINANCE NO. 10071

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance No. 10071.

Council Member Leal MOVED, SECONDED by Council Member West to substitute the motion to:

- a. acquire the leasehold interest in the Speedway Billboard using the funds available from the property sale.
- b. Direct staff to implement the Mayor and Council policy regarding removal of six billboards on City property.

DIR. OF GENERAL
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. REAL PROPERTY: APPROVING LEASE AGREEMENT AND
BILLBOARD REMOVAL WITH CLEAR CHANNEL OUTDOOR, INC.
– OCT25-04-603 (Cont'd from previous page)

Substitute motion WITHDRAWN.

Council Member Leal MOVED, SECONDED by Council Member West to
offer another substitute motion to delay this item one week.

Substitute motion PASSED by a vote of 6 to 1 (Council Member Dunbar
dissenting).

12. APPOINTMENTS TO BOARDS, COMMISSIONS AND
COMMISSIONS – OCT25-04-593

Council Member Leal announced his personal appointment of Beki Quintero
to Citizen Sign Code Committee.

CITY CLERK

13. ADJOURNMENT: 10:17 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held
on Monday, November 1, 2004 at 5:30 p.m. in the Mayor and Council
Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.