

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY

OCTOBER 4, 2004

FROM: CITY MANAGER



1. ROLL CALL: 5:37 P.M.

COUNCIL MEMBERS PRESENT: Mayor Pro Tempore Fred Ronstadt, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Shirley Scott, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Mayor Robert Walkup  
Council Member Steve Leal

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 Mark Pederson, Centro Cristiano Esperanza, after which the Pledge of Allegiance was presented by the entire assembly.

At this time City Clerk, Kathleen Detrick, announced that the Public Hearing for Item # 8: Proposed Diamond Bell Isolated Water System Fee will not be held. Any member of the audience wishing to address the Mayor and Council regarding this item should do so during Item # 7: Call to the Audience. Also, because there are not enough council members present to pass the Emergency Clause, Consent Agenda items "B", "C", "D", "E", "F", "G", "H", "J" and "K" will be brought back next week for the purposes of passing the Emergency Clause.

PRESENTATIONS:

- a. Proclamation – Proclaiming October to be National Down Syndrome Awareness Month.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT  
EVENTS – OCT4-04-536

- a. Council Member West invited the viewing audience to attend a tour of the Los Reales Landfill and the Recycling Center on Saturday, October 23, 2004. The tour will leave the Ward 2 Office at approximately 8:15 a.m. and will return at noon. Please call 791-4687 for reservations. Also, on Friday, October 29<sup>th</sup>, Ward 2 will host a conference for mature women on “Positive Aging”. Call 791-4687 for details.
- b. Mayor Pro Tempore Ronstadt introduced a book, “Greetings – Postcards from Tucson” which is authored by City of Tucson Library employee, Michelle Graye.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS  
OCT4-04-537

City Manager, James Keene, announced:

- a. October 8<sup>th</sup> will mark the kick off of a new Tucson Municipal Court enforcement tool. The Traffic Ticket Enforcement Assistance Program (TTEAP) will begin to halt vehicle registration renewal when there is greater than \$200 in outstanding court obligations, or where there is a failure on a criminal traffic citation.
- b. October 9<sup>th</sup> will be Sun Tran’s “Tucson in Motion” – Free Ride Day”.
- c. The new “Little Poca Cosa” re-opened today for breakfast and lunch at their new location, 151 N. Stone.

5. LIQUOR LICENSE APPLICATIONS – OCT4-04-535

WINGSTOP, CITY # 055-04  
PIZZERIA LAFERLITA, CITY # 057-04  
BEST WESTERN INN AT THE AIRPORT, CITY # 058-04  
TUCSON LESBIAN & GAY ALLIANCE INC., dba TUCSON PRIDE  
INC., CITY # T078-04

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – OCT4-04-535 (Cont'd from previous page)

ST. CYRILS OF ALEXANDRIA CATHOLIC CHURCH & SCHOOL,  
CITY # T079-04

SACRED HEART CHURCH, CITY # T081-04

TUCSON MEDICAL CENTER FOUNDATION, CITY # T082-04

KOKOPELLI WINERY, CITY # T083-04

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

Motion PASSED by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).

SAINTS PETER AND PAUL CATHOLIC CHURCH AND SCHOOL,  
CITY # T080-04

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

Motion PASSED by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).

ST. AMBROSE SCHOOL, CITY # T084-04

Council Member Ibarra MOVED, SECONDED by Council Member Scott to direct staff to forward this application to the State Liquor Board with a recommendation for approval.

Motion PASSED by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

6. C O N S E N T   A G E N D A

- A. FINAL PLAT: (S04-046) LEE TERRACE SUBDIVISION,  
LOTS 1 TO 3 (ACCESS/UTILITY EASEMENT) – OCT4-04-  
539

DIR. OF DEV.  
SERVICES

- B. TUCSON CODE: AMENDING (CHAPTER 22) REQUIRING  
TUCSON SUPPLEMENTAL RETIREMENT SYSTEM  
MANDATORY MEMBERSHIP FOR PERMANENT FULL-  
TIME EMPLOYEES ONLY – OCT4-04-540  
  
ORDINANCE NO. 10047

DIR. OF FINANCE

- C. REAL PROPERTY: APPROVING LEASE AGREEMENTS  
WITH SAGE CASHMERE, LTD., AND SAGUARO ARTISANS  
FOR PORTIONS OF THE HISTORIC DEPOT – OCT4-04-541  
  
ORDINANCE NO. 10048

DIR. OF GENERAL  
SERVICES

- D. REAL PROPERTY: LEASE AGREEMENT WITH GLORIA J.  
GILLESPIE FOR A PARKING AREA AT 3306 NORTH FIRST  
AVENUE – OCT4-04-544  
  
ORDINANCE NO. 10050

DIR. OF GENERAL  
SERVICES

- E. REAL PROPERTY: VACATION AND SALE OF  
PENNINGTON STREET RIGHT-OF-WAY TO PIMA  
COUNTY – OCT4-04-542  
  
ORDINANCE NO. 10052

DIR. OF GENERAL  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>F. REAL PROPERTY: RATIFICATION OF A DECLARATION OF ACCESS EASEMENTS AND RESTRICTIONS FOR REDEVELOPMENT OF PROPERTY LOCATED AT 3832 EAST SPEEDWAY – OCT4-04-545</p> <p>ORDINANCE NO. 10055</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>G. REAL PROPERTY: APPROVING AN AGREEMENT WITH COMPASS BANK FOR TEMPORARY USE OF PROPERTY OCT4-04-543</p> <p>ORDINANCE NO. 10049</p>	<p><u>DIR. OF GENERAL SERVICES</u></p>
<p>H. ASSURANCE AGREEMENT: (S03-029) VISTA MONTANA ESTATES PHASE I SUBDIVISION, LOTS 1 TO 215 AND COMMON AREAS “A”, “C”, “D” AND “E” – OCT4-04-548</p> <p>RESOLUTION NO. 19947</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>I. FINAL PLAT: (S03-029) VISTA MONTANA ESTATES PHASE I SUBDIVISION, LOTS 1 TO 215 AND COMMON AREAS “A”, “C”, “D” AND “E” – OCT4-04-549</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>J. REAL PROPERTY: RENAMING THE “TRADING POST BLOCK” TO KOLBE SQUARE – OCT4-04-551</p> <p>RESOLUTION NO. 19948</p>	<p><u>INTERGOV. AFFAIRS</u></p>
<p>K. REAL PROPERTY: RENAMING THE EAST PLAZA OF THE HISTORIC DEPOT TO PASTOR PLAZA – OCT4-04-533</p> <p>RESOLUTION NO. 19949</p>	<p><u>INTERGOV. AFFAIRS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

Council Member West MOVED, SECONDED by Council Member Scott that items on the Consent Agenda be approved and/or adopted and proper action taken; noting all items except “A” and “T” will be brought back next week to pass the Emergency Clause.

Motion PASSED by a vote of 5 to 0 (Mayor Walkup, Council Member Leal absent/excused).

7. CALL TO THE AUDIENCE

- a. Michael Toney addressed the Mayor and Council and commented on the situation in Iraq.
- b. Tic Collins addressed the Mayor and Council and asked for their support of the Community Arts Center.
- c. Jim Smith addressed the Mayor and Council and invited everyone to “Hopefest” to be held Saturday, October 23<sup>rd</sup> at the Tucson Convention Center.
- d. Ken MacFarland addressed the Mayor and Council regarding “National Get Involved Day” which is October 23<sup>rd</sup>. Twenty-seven churches and over 1,000 volunteers will partner to make improvements to schools in the Tucson community.

8. PUBLIC HEARING: PROPOSED DIAMOND BELL ISOLATED WATER SYSTEM FEE – OCT4-04-552

The request for a Diamond Bell Isolated Water System Fee has been withdrawn.

DIR. OF WATER  
AGENDA COMMITTEE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: ZONING (C9-98-25) STARR PASS BOULEVARD SR TO C-1, REQUEST FOR TIME EXTENSION (CONTINUED FROM MEETING OF SEPTEMBER 27, 2004) – OCT4-04-550

Council Member Ibarra MOVED, SECONDED by Council Member Scott to continue this public hearing for approximately 30 days. Staff is directed to correct the conditions to consistently reflect 250 units and staff should send to the Ward 1 office the document that outlines the “greenways, open space and protected corridors”.

Motion PASSED by a vote of 5 to 0 (Mayor Walkup, Council Member Leal absent/excused).

Council Member Dunbar requested the governing body retain the material for this item and ask staff not to re-process.

DIR. OF DEV.  
SERVICES  
AGENDA COMMITTEE

10. ZONING: (C9-03-24) ABRAMS/ACEDO – FOURTH STREET, R-1 AND R-2 TO R-2, CITY MANAGER’S REPORT (CONTINUED FROM MEETING OF AUGUST 2, 2004) – OCT4-04-534

Council Member West MOVED, SECONDED by Council Member Ibarra to continue this public hearing for approximately 30 days.

Motion PASSED by a vote of 5 to 0 (Mayor Walkup, Council Member Leal absent/excused).

DIR. OF DEV.  
SERVICES  
AGENDA COMMITTEE

11. ZONING: (C9-04-15) DOS RIOS – ALVERNON WAY C-2 AND I-1 TO R-2, CITY MANAGER’S REPORT – OCT4-04-547

Council Member Ibarra MOVED, SECONDED by Council Member West to approve the request for rezoning as recommended by the Zoning Examiner with the elimination of Condition # 8.

Motion PASSED by a vote of 5 to 0 (Mayor Walkup, Council Member Leal absent/excused).

DIR. OF DEV.  
SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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12. TUCSON CODE: AMENDING (CHAPTER 8) RELATING TO THE  
CITY MAGISTRATE APPOINTMENT PROCESS – OCT4-04-546

ORDINANCE NO. 10051

Council Member Scott MOVED, SECONDED by Council Member Ibarra to hold this item until there is a full Mayor and Council present. During this time, staff should incorporate the appointments of the Limited Special Magistrates into the revised process.

Council Member Dunbar MOVED, SECONDED by Council Member West to substitute the motion to pass and adopt Ordinance No. 10051.

Substitute motion FAILED by a vote of 3 to 2 (Council Members Ibarra and Scott dissenting, Mayor Walkup and Council Member Leal absent/excused).

Main motion PASSED by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).

CITY MANAGER  
AGENDA COMMITTEE

13. APPOINTMENTS TO BOARDS, COMMISSIONS AND  
COMMITTEES – OCT4-04-538

Council Member Scott MOVED, SECONDED by Council Member Dunbar to:

reappoint Stephen Bohn (Real Estate/Construction Industry) and John C. Roberts (Sign Industry) to the Sign Code Advisory and Appeals Board;

reappoint Scott Douthitt to the Tucson Police and Fire Public Safety Personnel Retirement System Boards; and

appoint Lynn Cafiso (U.S. Department of Labor/Veterans' Employment & Training Service) to the Veterans' Affairs Committee.

Main motion PASSED by a vote of 5 to 0 (Mayor Walkup and Council Member Leal absent/excused).

CITY CLERK



AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. ADJOURNMENT: 7:05 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, October 11, 2004 at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.