

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING  
SEPTEMBER 4, 2001

FROM: CITY MANAGER \_\_\_\_\_

1. ROLL CALL: 2:17 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Fred Ronstadt, Council Members Jose J. Ibarra, Carol West, Jerry Anderson, Shirley C. 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 Dan Hurlbert, First Church United Methodist, after which the Pledge of Allegiance was presented by the entire assembly.

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<p>3. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS SEPT4-01-460</p> <p>City Manager, James Keene, announced:</p> <ol style="list-style-type: none"><li>1. The Ward 4 "Back to School Bash" held August 18, 2001 was a great success.</li><li>2. The Downtown Pedestrian Signal Pilot Project begins today, September 4, 2001 at Stone and Alameda.</li><li>3. Battalion Chief Alan Moritz has been promoted to Assistant Fire Chief. Assistant Chief Moritz is also an inductee into the Arizona Firefighters Hall of Fame along with Assistant Chief Ted Geare, and Battalion Chiefs Randy Ogden and Jerry Bates. Also, Eric Rotler was named United Firefighter of the Year.</li></ol>	



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<p>3. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS SEPT4-01-460 (CONT’D)</p> <p>4. Solid Waste Management has received two awards:</p> <p>a. The Solid Waste Association of North America (SWANA) has awarded Solid Waste Management the “2001 Landfill Gas Division Technical Excellence Utilization Silver Award” for Los Reales Gas Recovery Project.</p> <p>b. Senior Equipment Operator, Ric Moreno, won first place on frontloader at the SWANA National Road-e-o competition defeating the 6-time defending champion.</p>	
<p>4. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK</p> <p>1. Benny White addressed the Mayor and Council regarding political signs and the Sign Code.</p>	
<p>5. <u>C O N S E N T   A G E N D A</u></p> <p>*****ITEMS “C”, “G”, “K”, “L”, “Q”, “R”, “W”, AND “X” WERE DELETED FROM THE CONSENT AGENDA *****</p> <p>A. ELECTIONS: FORMALLY CALLING A CHARTER AMENDMENT SPECIAL ELECTION ON NOVEMBER 6, 2001 – SEPT4-01-458</p> <p>ORDINANCE NO. 9597</p>	<p><u>CITY CLERK</u></p>
<p>B. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR A DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM – SEPT4-01-457</p> <p>RESOLUTION NO. 18991</p>	<p><u>CITY ATTORNEY</u></p>



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D.	FINAL PLAT: (S00-017) CONNIE CHAMBERS NORTH, LOTS 1 THRU 8, INCLUDING LOT A AND COMMON AREA "A" (A RESIDENTIAL CLUSTER PROJECT) – SEPT4-01-461	<u>DIR. OF DEV. SERVICES</u>
E.	FINAL PLAT: (S00-051) HIRAM BANKS COURT, LOTS 1 THRU 11, AND COMMON AREAS "A" & "B" – SEPT4-01-466	<u>DIR. OF DEV. SERVICES</u>
F.	REAL PROPERTY: VACATING PORTIONS OF OSBORNE AVENUE AND 19 <sup>TH</sup> STREET RIGHTS-OF-WAY – SEPT4-01-462  ORDINANCE NO. 9599	<u>DIR. OF TRANS</u>
H.	INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY SUPERIOR COURT TO PROVIDE PRETRIAL SERVICES – SEPT4-01-480  RESOLUTION NO. 19002	<u>CITY COURT</u>
I.	FINANCIAL PARTICIPATION AGREEMENT: WITH THE BREWSTER CENTER FOR DOMESTIC VIOLENCE ADVOCACY SERVICES – SEPT4-01-472  RESOLUTION NO. 19000	<u>CITY MANAGER</u>
J.	FINANCIAL PARTICIPATION AGREEMENT: WITH VOICES, COMMUNITY STORIES PAST AND PRESENT, INC., FOR VOICES MAGAZINE PROJECT – SEPT4-01-473  RESOLUTION NO. 19001	<u>CITY MANAGER</u>



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M.	GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR A FORENSICS/POLICE CRIMINALIST PROGRAM – SEPT4-01-476  RESOLUTION NO. 18995	<u>POLICE CHIEF</u>
N.	GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR A CRIMINAL JUSTICE RECORDS IMPROVEMENT PROGRAM – SEPT4-01-477  RESOLUTION NO. 18994	<u>POLICE CHIEF</u>
O.	AWARD AGREEMENT: WTH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR CONTINUATION OF THE MAJOR OFFENDERS TASK FORCE PROGRAM FOR BURGLARY AND NARCOTICS SUPPRESSION – SEPT4-01-478  RESOLUTION NO. 18997	<u>POLICE CHIEF</u>
P.	CONTRACT: WITH THE GRAFFITI ABATEMENT PROGRAM IN TUCSON FOR THE WEED AND SEED NEIGHBORHOOD PROGRAM – SEPT4-01-479  RESOLUTION NO. 18999	<u>POLICE CHIEF</u>
S.	APPROVAL OF MINUTES: JUNE 12, 2000 JUNE 12, 2000 (SP. MTG) SEPTEMBER 11, 2000 SEPTEMBER 18, 2000 OCTOBER 2, 2000 OCTOBER 16, 2000 NOVEMBER 6, 2000 DECEMBER 4, 2000 DECEMBER 11, 2000	<u>CITY CLERK</u>



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<p>T. LOAN REPAYMENT AGREEMENT: WITH THE STATE OF ARIZONA TRANSPORTATION BOARD FOR THE SOUTH SIXTH AVENUE – AJO WAY RODEO WASH RECONSTRUCTION PROJECT – SEPT4-01-482</p> <p>RESOLUTION NO. 19004</p>	<p><u>DIR. OF TRANS</u></p>
<p>U. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS (CONT'D FROM THE MEETING OF MAY 21, 2001) – SEPT4-01-484</p> <p>RESOLUTION NO. 18908</p>	<p><u>CITY COURT</u></p>
<p>V. ASSURANCE AGREEMENT: HIRAM BANKS COURT, LOTS 1 TO 11, AND COMMON AREAS “A &amp; B” (S00-051) – SEPT4-10-485</p> <p>RESOLUTION NO. 19005</p>	<p><u>DIR. OF TRANS</u></p>
<p>Council Member Leal MOVED, SECONDED by Vice-Mayor Ronstadt that items on the Consent Agenda (Except “C”, “G”, “K”, “L”, “Q”, “R”, “W”, and “X”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>C. TELECOMMUNICATIONS: AUTHORIZING A TEMPORARY NON-EXCLUSIVE LICENSE TO COX ARIZONA TELECOM, TO PROVIDE LOCAL TELEPHONE SERVICE ON A PILOT BASIS – SEPT4-01-459</p> <p>ORDINANCE NO. 9598</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 9598.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 1 (Council Member Leal dissenting).</p>	<p><u>DIR. OF INFO.</u> <u>TECHNOLOGY</u></p>



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<p>G. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA FOR THE RESEARCH AND DEVELOPMENT OF “ER-LINK TUCSON” – SEPT4-01-463</p> <p>RESOLUTION NO. 18992</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Ronstadt to pass and adopt Resolution No. 18992.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p> <p>(Council Member Anderson departed at 2:41 p.m. and returned at 2:45 p.m.)</p>	<p><u>DIR. OF TRANS</u></p>
<p>K. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR A FULL-SERVICE FORENSIC CRIME LABORATORY – SEPT4-01-475</p> <p>RESOLUTION NO. 18996</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Ronstadt to pass and adopt Resolution No. 18996.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>POLICE CHIEF</u></p>
<p>L. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR THE MANTIS PROGRAM – SEPT4-01-474</p> <p>RESOLUTION NO. 18998</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Ronstadt to pass and adopt Resolution No. 18998.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>POLICE CHIEF</u></p>



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<p>Q. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR DESIGN AND CONSTRUCTION OF THE FAIRVIEW-LIMBERLOST DRAINAGE RELIEF PROJECT – SEPT4-01-467</p> <p>RESOLUTION NO. 18993</p> <p>Council Member West MOVED, SECONDED by Council Member Anderson to pass and adopt Resolution No. 18993.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF TRANS</u></p>
<p>R. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR FREEDOM PARK CENTER – SEPT4-01-456</p> <p>RESOLUTION NO. 19003</p> <p>Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 19003.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PARKS &amp; RECREATION</u></p>
<p>W. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY AND RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR THE DEVELOPMENT OF MISSION GARDENS – SEPT4-01-486</p> <p>RESOLUTION NO 19006</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ibarra to pass and adopt Resolution No. 19006.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY MANAGER</u></p>



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- X. FINANCIAL PARTICIPATION AGREEMENT: WITH  
TUCSON ARTS DISTRICT PARTNERSHIP, INC. – SEPT4-  
01-487

RESOLUTION NO. 19007

Council Member Scott MOVED, SECONDED by Council  
Member West to pass and adopt Resolution No. 19007.

Motion PASSED by a vote of 6 to 1 (Council Member Ibarra  
dissenting).

CITY MANAGER

6. LIQUOR LICENSES – SEPT4-01-483

METRO GRILL AT PARK PLACE – CITY # 078-01

7 BLACK CATS – CITY # 079-01

COMITE DE FESTIVADADES MEXICANAS DE TUCSON –  
CITY # T068-01

STONE AVENUE TEMPLE PROJECT – CITY # T071-01

SUN SOUNDS RADIO READING SERVICE – CITY # T072-01

REVEILLE GAY MEN’S CHORUS – CITY # T075-01

TUCSON MUSEUM OF ART – CITY # T076-01

TUCSON MUSEUM OF ART – CITY # T077-01

TUCSON SYMPHONY WOMEN’S ASSN. – CITY # T078-01

JUNIOR LEAGUE OF TUCSON, INC. – CITY # T079-01

DINNERWARE ARTISTS COOPERATIVE – CITY # T080-01

ARIZONA THEATRE COMPANY – CITY # T083-01

AIN’T NOBODY’S BIZNESS – CITY # EP45-01

TAMALEZ AT LA PLACITA VILLAGE – CITY # EP46-01

TAMALEZ AT LA PLACITA VILLAGE – CITY # EP47-01

EL CHARRO AT THE MERCADO – CITY # EP48-01

Vice-Mayor Ronstadt 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.

6. LIQUOR LICENSES – SEPT4-01-483 (CONT’D)



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<p>(b)(1) GHOST RANCH LODGE &amp; RESTAURANT – CITY # 077</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Leal that staff be directed to forward this application to the State Liquor Board with a recommendation for approval.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>(b)(3) VIVA FAMILY MARKET – CITY # 081-01</p> <p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Ronstadt that staff be directed to forward this application to the State Liquor Board with a recommendation for denial.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>(d)(5) KICKSTART GRILL – CITY # EP49-01</p> <p>This item is continued for one week.</p>	
<p>7. APPEAL: (S-01-09) APPEAL OF SIGN CODE ADVISORY AND APPEALS BOARD DECISION – 701 WEST AUTO MALL DRIVE, JIM CLICK CHRYSLER (CITY APPEAL NO. S-01-002) - SEPT4-01-471</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Scott to reverse the findings of the Sign Code Advisory and Appeals Board due to special circumstances and approve the request of the applicant.</p> <p>Motion <u>FAILED</u> by a vote of 3 to 4 (Vice-Mayor Ronstadt, Council Member Anderson, West and Leal dissenting).</p> <p>Council Member Leal MOVED, SECONDED by Council Member West to uphold the findings of the Sign Code Advisory and Appeals Board thereby denying the request of the applicant.</p> <p>Motion <u>PASSED</u> by a vote of 4 to 3 (Mayor Walkup, Council Members Ibarra and Scott dissenting).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>8. SPECIAL EXCEPTION LAND USE: SPRINT – 4110 SOUTH HOUGHTON ROAD, SR AND C-1 ZONING, ZONING</p>	<p><u>DIR. OF PLANNING</u></p>



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<p>EXAMINER'S REPORT (SE-01-24) – SEPT4-01-464</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to approve the special exception land use request.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Ronstadt absent/excused).</p> <p>(Vice-Mayor Ronstadt departed at 3:35 p.m. and returned at 3:36 p.m.)</p>	
<p>9. ZONING: (C9-01-12) WALGREEN'S – 12<sup>TH</sup> AVENUE, R-2 AND C-1 TO C-2, ZONING EXAMINER'S REPORT – SEPT4-01-465</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Leal to approve the request for rezoning from R-2 and C-1 to C-2 subject to conditions listed in the Zoning Examiner's recommendation and the lower height of the wall as noted in condition 1b.</p> <p>1b. A <b>30-inch</b> high masonry wall and twenty-four (24) inch boxed mesquite, sweet acacia, or Eucalyptus microtheca trees twenty (20) feet on center along the south property line adjacent to the landscape strip on <b>President</b> Street.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>10. ZONING: (C9-01-09) JIM'S AUTO BODY – LAKESIDE PARKWAY, C-2 TO C-3, ZONING EXAMINER'S REPORT AND ORDINANCE ADOPTION – SEPT4-01-470</p> <p>ORDINANCE NO. 9600</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 9600.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>11. ZONING: (C9-00-17) ROBERTS – WRIGHTSTOWN ROAD, SR TO RX-2, ZONING EXAMINER'S REPORT (CONT'D FROM THE</p>	<p><u>DIR. OF PLANNING</u></p>



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<p>MEETING OF AUGUST 6, 2001) – SEPT4-01-481</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Ronstadt to approve this request for rezoning from SR to RX-2 subject to conditions listed in the City Manager’s recommendations with additional Condition #19:</p> <p>19. Setback of 25 feet from neighbor’s property for Lot #7.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 2 (Council Members Anderson and Leal dissenting).</p>	
<p>12. ZONING: (C9-00-01) 6700 E. SPEEDWAY – SPEEDWAY BOULEVARD, R-2 TO O-1, CHANGE OF CONDITION AND ORDINANCE ADOPTION – SEPT4-01-469</p> <p>ORDINANCE NO. 9601</p> <p>Council Member West MOVED, SECONDED by Council Member Anderson to pass and adopt Ordinance No. 9601.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>13. ZONING: (C9-00-33) PEPPER-VINER DOS HOMBRES, SR TO R-1, ORDINANCE ADOPTION – SEPT4-01-455</p> <p>ORDINANCE NO. 9602</p> <p>Council Member West MOVED, SECONDED by Council Member Anderson to pass and adopt Ordinance No. 9602.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PLANNING</u></p>
<p>14. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – SEPT4-01-468</p>	<p><u>CITY CLERK</u></p>



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Council Member West MOVED, SECONDED by Council Member Anderson to:

reappoint Wayne Swan to the Building Code Committee (Joint City/County);

reappoint Helen Mautner (Selected by Council Members who are Members of the Democratic Party) to the City Magistrates-Merit Selection Commission; and

reappoint Earl Zoeller to the Outdoor Lighting Code Committee.

Motion PASSED by a vote of 7 to 0.

Council Member Scott announced her personal appointments of John Lawrence to the Commission on Disability Issues; Frank Thomson to the Tucson's Transportation Future, Citizen Advisory Committee; and Betty Liggins to the Housing Advisory and Appeal Board.

Council Member Anderson announced his personal appointment of Sami Hamed to the Tucson's Transportation Future, Citizen Advisory Committee.

Council Member Leal announced his personal appointment of Yolanda Herrera to the Tucson's Transportation Future, Citizen Advisory Committee.

15. CALL TO THE AUDIENCE, FOR PERSONS DESIRING TO SPEAK

No speakers.

16. ADJOURNMENT: 4:01 p.m.

The next scheduled meeting of the Mayor and Council will be held on Monday, September 10, 2001, at 7:30 p.m. in the Mayor and Council Chambers, 255 West Alameda, Tucson, Arizona.