

MAYOR AND COUNCIL ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAYOR AND COUNCIL - REGULAR MEETING
SEPTEMBER 7, 1999

FROM: CITY MANAGER _____

1. ROLL CALL: 2:05 P.M.

COUNCIL MEMBERS PRESENT: Mayor George Miller, Vice-Mayor Janet Marcus, Council Members Jose J. Ibarra, Shirley C. Scott, Steve Leal and Fred Ronstadt, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Council Member Jerry Anderson

STAFF MEMBERS: Luis G. Gutierrez, City Manager
John Nachbar, Deputy City Manager
Thomas J. Berning, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Matt Perry, Vineyard Christian Fellowship Church, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- A. Mayor Miller presented a "Certificate of Achievement for Excellence in Financial Reporting" to the City of Tucson from the Government Finance Officers Association.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. <u>C O N S E N T A G E N D A</u></p> <p>*****ITEM "S(20)" WAS DELETED FROM THE CONSENT AGENDA *****</p> <p>A. SURPLUS PROPERTY: APPROVAL OF NONCOMPETITIVE SALE OF FIRE TRUCK TO THE CITY OF GUADALAJARA – SEPT7-99-455</p>	<p><u>DIR. OF</u> <u>PROCUREMENT</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION	STAFF ACTION
B. ASSURANCE AGREEMENT: COLONIA DE LAS BRISAS, LOTS 1 THROUGH 12 AND COMMON AREA "A" (S98-032) SEPT7-99-430 RESOLUTION NO. 18371	<u>DIR. OF TRANS</u>
C. REAL PROPERTY: ACQUISITION OF RIGHT-OF-WAY PROPERTY FOR THE CONSTRUCTION OF THE GOLF LINKS/CRAYCROFT ROAD INTERSECTION IMPROVEMENT – SEPT7-99-431 RESOLUTION NO. 18372	<u>DIR. OF TRANS</u>
D. REAL PROPERTY: ACQUISITION OF RIGHT-OF-WAY PROPERTY FOR THE CONSTRUCTION OF THE WETMORE ROAD, FAIRVIEW AVENUE TO ORACLE ROAD PAVING IMPROVEMENT – SEPT7-99-432 RESOLUTION NO. 18373	<u>DIR.OF TRANS</u>
E. REAL PROPERTY: ACQUISITION OF EASEMENT ACROSS PRIVATE PROPERTY LOCATED OFF MILTON ROAD TO MAINTAIN COMMUNICATIONS EQUIPMENT AT EXISTING DREXEL COMMUNICATIONS SITE – SEPT7-99-433 RESOLUTION NO. 18374	<u>DIR. OF TRANS</u>
F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR JOINT USE OF THE CITY – COUNTY CRIME LAB – SEPT7-99-436 RESOLUTION NO. 18376	<u>POLICE CHIEF</u>
G. APPROVAL OF MINUTES: May 10, 1999 June 21, 1999 June 28, 1999	<u>CITY CLERK</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>H. GRANT AGREEMENT: WITH THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD FOR FIREARMS TRAINING SIMULATOR – SEPT7-99-437</p> <p>RESOLUTION NO. 18378</p>	<p><u>POLICE CHIEF</u></p>
<p>I. PLATS: (S98-032) FINAL PLAT – COLONIA DE LAS BRISAS, LOTS 1 THROUGH 12 AND COMMON AREA “A” (UNDISTURBED NATURAL DESERT) – SEPT7-99-438</p>	<p><u>DIR. OF DEV. SVCS.</u></p>
<p>J. PLATS: (S98-067) FINAL PLAT – BANKS GROVE, LOTS 1 THROUGH 16 (A RESIDENTIAL CLUSTER PROJECT) – SEPT7-99-439</p>	<p><u>DIR. OF DEV. SVCS.</u></p>
<p>K. SURPLUS PROPERTY: DONATION OF TEN COMPUTERS TO THE DESERT WASTE NOT WAREHOUSE – SEPT7-99-440</p>	<p><u>DIR. OF PROCUREMENT</u></p>
<p>L. SURPLUS PROPERTY: DONATION OF SEVEN NATURAL GAS ENGINES TO VARIOUS LOCAL HIGH SCHOOLS – SEPT7-99-441</p>	<p><u>DIR. OF PROCUREMENT</u></p>
<p>M. PLATS: (S98-077) FINAL PLAT – PAINTED HILLS RANCH, LOTS 1 THROUGH 49 AND COMMON AREA “A” (CONTINUED FROM THE MEETING OF AUGUST 2, 1999) SEPT7-99-447</p>	<p><u>DIR. OF DEV. SVCS.</u></p>
<p>N. ASSURANCE AGREEMENT: PAINTED HILLS RANCH,</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>LOTS 1 THROUGH 49 AND COMMON AREA “A” – (S98-077) (CONTINUED FROM THE MEETING OF AUGUST 2, 1999) – SEPT7-99-448</p> <p>RESOLUTION NO. 18349</p>	
<p>O. CONTRACT: WITH THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR METROPOLITAN MEDICAL RESPONSE SYSTEM – SEPT7-99-446</p> <p>RESOLUTION NO. 18379</p>	<p><u>FIRE CHIEF</u></p>
<p>P. SURPLUS PROPERTY: DONATION OF OFFICE FURNITURE AND EQUIPMENT TO SALUD PARA TODOS, INC. – SEPT7-99-451</p>	<p><u>DIR. OF PROCUREMENT</u></p>
<p>Q. COMMUNITY SERVICES: GRANT APPLICATION FOR FUNDS TO THE ARIZONA DEPARTMENT OF COMMERCE TO FUND A STATEWIDE STUDY OF DISTRESSED/SUBSTANDARD MOBILE HOME PARKS – SEPT7-99-453</p> <p>RESOLUTION NO. 18380</p>	<p><u>DIR. OF COMM. SERVICES</u></p>
<p>R. FINANCIAL PARTICIPATION AGREEMENT: WITH ARIZONA COUNCIL FOR ECONOMIC CONVERSION FOR FISCAL YEAR 1999-2000 – SEPT7-99-450</p> <p>RESOLUTION NO. 18381</p>	<p><u>DIR. OF ECONOMIC DEVELOPMENT</u></p>
<p>S. LIQUOR LICENSES – SEPT7-99-454</p> <p>City No. EP37-99 City No. T073-99 City No. 060-99 City No. EP38-99 City No. T074-99 City No. 061-99 City No. EP39-99 City No. T075-99 City No. 064-99 City No. EP40-99 City No. T076-99 City No. T068-99 City No. T077-99 City No. T070-99 City No. T078-99 City No. T071-99 City No. T079-99 City No. T072-99 City No. 060-99</p>	<p><u>CITY CLERK</u></p>
<p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus, that Mayor that items on the Consent Agenda (Except “S(20)”) be</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>approved and/or adopted and proper action taken and that staff be directed to forward the application for “S(21)” (Tucson Multi Hospitality) to the State Liquor Board with a recommendation for approval.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	
<p>S. LIQUOR LICENSES – SEPT7-99-454</p> <p>(20) MAC DADDY’S, APPLICANT: LARRY COHEN, 500 N. 4TH AVE. #12, PERSON/LOCATION TRANSFERS, SERIES 6, CITY NO. 068-99, WARD 6</p> <p>This item was continued for one week at the request of the applicant.</p>	<p><u>CITY CLERK</u></p>
<p>4. CITY MAGISTRATES: APPOINTMENT OF SPECIAL CITY MAGISTRATE (CONTINUED FROM THE MEETING OF JULY 6, 1999) – SEPT7-99-452</p> <p>ORDINANCE NO. 9278</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council pass and adopt Ordinance No. 9278.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	<p><u>CITY COURT ADMINISTRATOR</u></p>
<p>5. GRANT AGREEMENT: WITH PIMA ASSOCIATION OF GOVERNMENTS FOR TRANSPORTATION PLANNING – SEPT7-</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>99-434</p> <p>RESOLUTION NO. 18375</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council pass and adopt Resolution No. 18375.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	
<p>6. PUBLIC IMPROVEMENT: SOUTH TWELFTH AVENUE, VALENCIA ROAD TO DREXEL ROAD DISTRICT PAVING IMPROVEMENT – SEPT7-99-442</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott, to approve the award of the construction contract to Hunter Contracting.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	<p><u>DIR. OF TRANS</u></p>
<p>7. ZONING: (C9-95-19) 4-D PROPERTIES – WILMOT ROAD, R-3 ZONE, CHANGE OF CONCEPT PLAN, CONDITIONS AND ORDINANCE ADOPTION – SEPT7-99-444</p> <p>ORDINANCE NO. 9276</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council pass and adopt Ordinance No. 9276 with the following addition to 6.b:</p> <p>6.b an aesthetically pleasing bus shelter.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>8. ZONING: (C9-99-10) SPEEDWAY VENTURES – SAHUARA AVENUE, 0-3 TO C-2, ZONING EXAMINER’S REPORT – SEPT7-</p>	<p><u>DIR. OF PLANNING</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>99-445</p> <p>ORDINANCE NO. 9277</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Leal, that Mayor and Council pass and adopt Ordinance No. 9277 with the addition of the following condition:</p> <p>maximize water harvesting to satisfy the Land Use Code 3.7.4.3 and 3.7.4.5 and added rooftop, parking area access lane (PAAL) and parking area drainage shall be conveyed to water harvesting areas.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	
<p>9. SPECIAL EXCEPTION LAND USE REQUEST: CORNELL CORRECTIONS, INC. – WILMOT ROAD, CORRECTIONAL USE – JAIL OR PRISON USE (TYPE III LEGISLATIVE REVIEW) – I-2 ZONE, ZONING EXAMINER’S REPORT (SE-99-18) - SEPT7-99-428</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ronstadt, that Mayor and Council approve the Special Exception Land Use request.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ronstadt to include a partial fee waiver with the amount set at a flat fee waiver amount of \$10,000.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>10. PUBLIC HEARING: ZONING (C9-87-62) FARNESSE – GRANT ROAD, C-1 ZONE, CHANGE OF APPROVED DEVELOPMENT</p>	<p><u>DIR. OF PLANNING</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>PLAN AND ORDINANCE ADOPTION – SEPT7-99-435</p> <p>ORDINANCE NO. 9272</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Scott, that Mayor and Council close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Ronstadt, that Mayor and Council approve the request for a change of approved development plan and pass and adopt Ordinance No. 9272 with the following condition:</p> <p>maximize water harvesting to satisfy the Land Use Code 3.7.4.3 and 3.7.4.5 and added rooftop, parking area access land (PAAL) and parking area drainage shall be conveyed to water harvesting areas.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 1 (Council Member Ibarra dissenting and Council Member Anderson absent/excused).</p>	
<p>11. PUBLIC HEARING: ZONING (C15-98-07) ESTABLISHING ORIGINAL CITY ZONING FOR THE ALVERNON/BENSON HIGHWAY ANNEXATION DISTRICT – SEPT7-99-443</p> <p>ORDINANCE NO. 9275</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council close the public hearing.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council pass and adopt Ordinance No. 9275.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Anderson absent/excused).</p>	<p><u>DIR. OF PLANNING</u></p>
<p>12. PUBLIC HEARING: TUCSON CODE AMENDING (CHAPTER 13) THE 1997 UNIFORM FIRE CODE WITH LOCAL MODIFICATIONS</p>	<p><u>FIRE CHIEF</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

AS THE TUCSON FIRE CODE – SEPT7-99-456

ORDINANCE NO. 9279

Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council close the public hearing.

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

Council Member Ronstadt MOVED, SECONDED by Council Member Leal, that Mayor and Council pass and adopt Ordinance No. 9279.

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

13. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – SEPT7-99-449

Council Member Ibarra MOVED, SECONDED by Council Member Scott, that Mayor and Council:

appoint John S. Gallagher, Jr., David Chao and Dolores K. Kemberling to the Citizens Transportation Advisory Committee;

appoint Mrs. Frank L. McClure (Property Owner) to the Fort Lowell Historic Zone Advisory Board;

appoint Frank Stryker (Landscape Contractor) to the Landscape Advisory Committee:

reassign Keith Walzak from Business Community to UrbanPlanner/Architect in the Landscape Advisory Committee;

appoint Valerie Vance-Goff to the Small Business Commission;

13. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – SEPT7-99-449 (CONTINUED)

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

ratify the appointments of Lizzie Lacey and Francesca Errante to the Pima County/Tucson Women's Commission; and

appoint Jesse George representing the Gay, Lesbian & Bisexual Veterans of America to the Veterans' Affairs Committee.

Council Member Leal announced his personal appointments of Sharon Chadwick to the Slumlord Task Force and Dr. Alan Storm to the Gay, Lesbian, Bisexual & Transgender Commission (GLBT).

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

A. Mr. Wily Bills addressed the Mayor and Council regarding the City's use of Social Security numbers.

B. Ms. Judith Bernal addressed the Mayor and Council regarding police misconduct.

C. Mr. Julio Bernal addressed the Mayor and Council regarding police misconduct.

15. ADJOURNMENT: 2:55 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, September 13, 1999, at 7:30 p.m. in the Graham/Greenlee rooms of the Tucson Convention Center, 260 S. Church Avenue, Tucson, Arizona.