



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on June 9, 2009

Date of Meeting: February 3, 2009

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:37 p.m., on Tuesday, February 3, 2009, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karin Uhlich	Vice Mayor, Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5 (Arrived at 5:45 p.m.)
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused: None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor John W. Miller, Northwest Bible Church, after which the Pledge of Allegiance was led by the Junior Girl Scout Troop #1247.

Presentations:

- a. Mayor Walkup proclaimed February 7, 2009, to be "Beat Back Buffleggrass Day." Sarah Hummel-Rajca, Pima Association of Governments, accepted the proclamation.
- b. Mayor Walkup proclaimed February 12, 2009, to be "National Association for the Advancement of Colored People 100th Anniversary." Clarence Boykins and Donna Liggins accepted the proclamation.
- c. Mayor Walkup, assisted by Council Member Trasoff, presented Certificates of Appreciation to Aliyah Powe, Levi Powe, and Carissa Powe, following their musical performance of "Lift Every Voice and Sing."

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 60, dated February 3, 2009, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Romero announced that the Tucson Gem & Mineral Show had begun and would be held at various locations throughout Tucson and in the downtown area through February 16, 2009.
- b. Council Member Scott announced the Ward 4 Council Office would be hosting a Budget Town Hall on February 23, 2009, where City staff would be available to answer questions regarding the financial future of the City of Tucson.
- c. Council Member Glassman announced on February 13, 2009, the Ward 2 Council Office would be hosting their Annual Ward 2 Senior Valentine's Tea.
- d. Council Member Trasoff announced on February 26, 2009, the Ward 6 Council Office would be hosting a Budget Town Hall at the Ward 6 office.

Council Member Trasoff also thanked the City of Tucson Parks and Recreation staff and all the volunteers who worked to put on the Senior Olympics.

(NOTE: Council Member Leal arrived at 5:45 p.m.)

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 61, dated February 3, 2009, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Michael Rankin, City Attorney, announced that the Arizona Supreme Court ruled in favor of the Arizona League of Cities and Towns in the lawsuit filed against Governor Janet Napolitano with respect to the mandatory contribution that was inserted into the appropriations bill. The Court agreed with the League's arguments that the contribution was unconstitutional and could not be included in the appropriations bill. This decision relieved the City of Tucson of its share of the contribution which was around 2.1 million dollars which would have been due at the end of June, if the Court had ruled the other way.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 62, dated February 3, 2009, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. Olive Garden Restaurant #1622, Ward 1
1213 W. Irvington Rd.
Applicant: Andrea Dahlman Lewkowitz
Series 12, City 88-08
Action must be taken by: February 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

2. Olive Garden Italian Restaurant #95, Ward 3
300 W. Wetmore Rd.
Applicant: Andrea Dahlman Lewkowitz
Series 12, City 89-08
Action must be taken by: February 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

3. Red Lobster #869, Ward 6
5870 E. Broadway Blvd., Ste E-5 Park Mall
Applicant: Andrea Dahlman Lewkowitz
Series 12, City 90-08
Action must be taken by: February 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

4. Olive Garden Italian Restaurant #1219, Ward 6
5410 E. Broadway Blvd.
Applicant: Andrea Dahlman Lewkowitz
Series 12, City 93-08
Action must be taken by: February 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person Transfer(s)

5. The Green's Bar & Grill, Ward 5
1310 S. Alvernon Way
Applicant: Jonathan Lee Rousseau
Series 6, City 92-08
Action must be taken by: February 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a person to person transfer, Mayor and Council may consider the applicant's capability, qualifications and reliability. (A.R.S. Section 4-203)

c. Special Event(s)

1. Saving Animals from Euthanasia (SAFE), Ward 6
900 S. Randolph Way
Applicant: Roxanne Ethel Johnson
City T106-08
Date of Event: February 21, 2009
(Raise awareness about animal welfare issues; educate & entertain the public)

Staff has indicated the applicant is in compliance with city requirements.

- d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Council Member Glassman, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 through 5b5, and 5c1 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

- a. Jim Hannley spoke in opposition of the proposed twelve month waiver on builder impact fees.
- b. Randi Dorman spoke on behalf of the Museum of Contemporary Art and thanked the Mayor and Council for the opportunity of housing the Museum of Contemporary Art in the Tucson Fire Headquarters Facility located downtown.
- c. Joe Sweeney spoke regarding immigration issues.

(NOTE: Council Member Glassman departed at 6:13 p.m.)

7. CONSENT AGENDA – ITEMS A THROUGH F

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

A. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE BARRIO VIEJO NEIGHBORHOOD REINVESTMENT PROJECT

- 1. Report from City Manager FEB3-09-64 WARD 6
- 2. Resolution No. 21209 relating to Intergovernmental Agreements; authorizing and approving the execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Tucson and Pima County for the Barrio Viejo Neighborhood Reinvestment Project; and declaring an emergency.

B. REAL PROPERTY: AUTHORIZATION TO NEGOTIATE A LEASE AGREEMENT WITH THE MUSEUM OF CONTEMPORARY ART FOR THE TUCSON FIRE HEADQUARTERS FACILITY

- 1. Report from City Manager FEB3-09-68 WARD 6

2. Ordinance No. 10631 relating to real property; authorizing and directing the City Manager to negotiate a lease with the Museum of Contemporary Art for the Tucson Fire Headquarters Facility located at 265 South Church Avenue; and declaring an emergency.
- C. ASSURANCE AGREEMENT AND FINAL PLAT: (S06-253) ANKLAM PEAKS (RCP), LOTS 1 TO 28, COMMON AREAS "A" TO "F"
1. Report from City Manager FEB3-09-65 WARD 1
 2. Resolution No. 21210 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-253 and approving the final plat for the Anklam Peaks Subdivision, Lots 1 through 28 and Common Areas "A" through "F", a Residential Cluster Project; and declaring an emergency.
 3. Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- D. APPROVAL OF MINUTES
1. Report from City Manager FEB3-09-69 CITY-WIDE
 2. Approval of minutes for the regular meeting of the Mayor and Council held on December 9, 2008.
- E. WATER: AMENDING TUCSON WATER'S FINANCIAL PLAN FOR FISCAL YEAR 2009
1. Report from City Manager FEB3-09-72 CITY-WIDE AND OUTSIDE CITY
 2. Resolution No. 21211 relating to water; approving amendments to the Tucson Water adopted financial plan for Fiscal Year 2009 and related facilities; and declaring an emergency.
- Roger W. Randolph, City Clerk, announced this item was continued to the Mayor and Council meeting of February 10, 2009.
- F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE THOMAS O. PRICE SERVICE CENTER WIRELESS INTEGRATED NETWORK PROJECT
1. Report from City Manager FEB3-09-70 CITY-WIDE AND OUTSIDE CITY

2. Resolution No. 21212 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between Pima County and the City of Tucson for Architectural Design Review Services Associated with Renovation of the Thomas O. Price Service Center for the Pima County Wireless Integrated Network Project; and declaring an emergency.

(NOTE: Council Member Glassman returned at 6:15 p.m.)

It was moved by Vice Mayor Uhlich, duly seconded, that Consent Agenda Items A through F, with the exception of Item E which was continued, be passed and adopted and proper the action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Consent Agenda Items A through F, with the exception of Item E which was continued, were declared passed and adopted by a roll call vote of 7 to 0.

8. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTERS 23) THE LAND USE CODE AND DEVELOPMENT REGULATION AMENDMENTS RELATED TO LANDSCAPING

Mayor Walkup announced City Manager's communication number 71, dated February 3, 2009, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on a text amendment to the *Land Use Code (LUC)* to increase the requirement from one tree per ten parking spaces to one tree per four parking spaces, and to amend the Development Regulations to require the removal, monitoring, and mitigation of buffelgrass. He said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations. He called the first speaker.

Sarah Smallhouse thanked the Council for the opportunity to address them regarding this issue. She stated the Southern Arizona Buffelgrass Coordination Center and City staff had been working together on the subject of buffelgrass. The Center, along with herself as an individual, was very pleased to see the City of Tucson take a proactive approach to do what they could as part of an integrated, coordinated, strategic plan to attack this very serious issue the City had. She stated Tucson would not be Tucson without the Sonoran Desert. There were life and property issues involved and all jurisdictions needed to do what they could. Ms. Smallhouse thanked the City Council for

incorporating this into the City's *Land Use Code* and for the great cooperation of City staff in working with the Coordination Center. She stated they would open their arms to the other jurisdictions and would take the mapping and monitoring information that was developed and integrate it into a comprehensive database to form a strategic plan that hopefully would accomplish the Center's goals with the least amount of resources necessary.

Ron Stoltz, University of Arizona (U of A) Professor, Director of the School of Architecture Landscape and Planning, and member of the Landscape Advisory Committee, stated he attended Council meetings before and spoke on similar subjects. He said he was not present representing the U of A, he was present as a member of the Landscape Advisory Committee to give strong support to many of the sections the Mayor and Council would be voting on, in particular, the change from the ten-to-one to four-to-one ratio of parking spaces to trees. He stated, for the last several years, the Landscape Advisory Committee had held a special conference on the Urban Heat Island Effect and the way in which global climate change was going to affect everyone as a world issue and also as a city issue. He said one of the major problems in the Urban Heat Island Effect was the fact that the city was not allowed to cool at night and that was a nighttime issue.

Mr. Stoltz said in Phoenix, there were over two dozen times or more, when temperatures in the city did not fall below one hundred degrees Fahrenheit at night. Research was showing that transects taken through the City have shown there was as much as a twenty-six degree Fahrenheit difference approximately twenty miles outside of the city. He said what was being talked about was in fact the basic principal of atmospheric physics, which was that the ground needed to be shaded. The sun had to be prevented from hitting the high areas of thermal mass and this was one way in which it could be done. Mr. Stoltz said, as the City's advisors, as the people who came to the Council to offer advice, they strongly recommended this particular section of the amendment be passed.

Mr. Stoltz said, regarding buffelgrass, he did not think anyone had to become horticulturists to understand the importance of the issue. Buffelgrass was probably, at least in his personal and professional opinion, one of the most significant issues related to the Sonoran Desert habitat. He stated the problem was that buffelgrass was seeded as a browse in Texas and Sonora. This particular grass coming into the environment was a fire ecology grass, and he said that everyone understood the issues related to that and it was such a significant issue. Mr. Stoltz said that one thing everyone agreed on, was that this grass really had to go. It was a significant problem, and a challenge to get rid of.

Mr. Stoltz said that there was one thing he could recommend that was not part of the amendment. One thing he noticed in neighborhood discussions was that, as roads were being repaired and edges of roads were being fixed, there was evidence of buffelgrass in the disturbed soil immediately next to a construction zone. He stated it was very simple; since the City had the equipment there, they could also uproot the buffelgrass in the area. Mr. Stoltz said when he asked why the City was not doing this already, the answer was that it was not part of the contract. This would be done opposed

to using chemical means and having the problem of pollution which was more difficult to control. Mr. Stoltz stated he felt mechanical means were the easiest way to get rid of buffelgrass. It was more labor intensive for those who had tried to pull the buffelgrass up and dig it up; it was not a lot of fun. He said the City really had to consider this a major challenge to the community's Sonoran ecosystem.

Roger Watson, Landscape Advisory Committee, said he did not have the professional expertise that Mr. Stoltz had. However, he was involved with the Master Gardening program at the University of Arizona, was a neighborhood representative for the Landscape Advisory Committee, and had been an environmentalist for a long time.

Mr. Watson said he thought the evidence was very clear that both items of the *Land Use Code* change needed to be done. They were very appropriate and would be in line with the conservation policy he liked to believe they believed in, as members of the City and County. Mr. Watson stated that it was the simple truth that the quality of life was connected to the health of the natural world, and the more they could do to keep the health of the natural world in line, the better the quality of life would be.

Elizabeth Davison, Landscape Advisory Committee member, arborist, and Director of the University of Arizona Campus Arboretum, said although she was not speaking for the University, she was very familiar with research that had been done on trees in urban areas, shade benefits, and other things like that. She said while research showed temperatures were lower where trees covered paved areas, vehicles also produced less emissions while parked in the shade. She said she always tried to find shaded areas to park and was sure everyone else did as well. Ms. Davison suggested if there was an issue with the minor cost of planting and caring for the trees, which the University was doing less and less of and the trees were doing just fine, the expenses could be recouped by charging people for shaded parking spaces, and urged the Council to approve the amendment.

Grant McCormick, Landscape Advisory Committee, stated that he agreed with all the comments made by the previous speakers and thought that there had been very good points that were addressed in support of both elements of the changes. He said that he was particularly interested in the tree proposal. He thought, in areas where the standard had previously been approached on a trial basis in other projects, it had a tremendous benefit and the change was noticeable almost immediately. Mr. McCormick said he wanted to emphasize that this was something that could encourage community life, as well as the quality of the community. He said community happened on a face-to-face basis where people were seeing each other directly and that was hard to do in the middle of an asphalt parking lot when it was one hundred ten degrees. He said creating shade the City needed in the community would be a tremendous benefit. Mr. McCormick said he encouraged the approval of the amendment and the consideration of moving forward to seek implementation as soon as reasonably possible. He also stated this may have a connection or relationship to the Water Harvesting ordinance, and made sense to tie in with the ordinance. Mr. McCormick said he felt there was a relationship, but did

not know if it was a necessary contingency and suggested considering moving forward with this as soon as possible.

Mayor Walkup announced there were no more speaker cards and asked if there was anyone else who wished to address the Council on this item. There was no one.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0 to close the public hearing.

Mayor Walkup asked the City Clerk to read Ordinance 10632 by number and title only.

Ordinance No. 10632 relating to planning and zoning; amending certain portions of the Tucson Code, Chapter 23, Land Use Code, Article III, Development Regulations, Division 7, Landscaping and Screening Regulations, by amending Section 3.7.2.7, Plant Cover/Dust Control, requiring the removal of buffelgrass; and Section 3.7.2.3.A.1, Vehicular Use Areas, to require one tree for every four parking spaces; and Article III, Development Regulations, Division 8, Native Plant Preservation, by amending Section 3.8.1 Intent, and Section 3.8.4, General Provisions, to include monitoring and mitigation of buffelgrass; and declaring an emergency and setting an effective date.

Council Member Leal acknowledged the Landscape Advisory Committee for their time and commitment to address two very important provisions – helping the City of Tucson better attack the buffelgrass question and deal with the urban heat island to make Tucson the livable and sustainable community that the City wanted. He also thanked the Landscape Advisory Committee for making it possible for the Mayor and Council to act on the provisions that evening.

Council Member Leal addressed Albert Elias, Department of Urban Planning and Design Director, regarding the question asked by Mr. Stoltz. Council Member Leal asked if the removal of buffelgrass by contractors who worked on road projects for the City of Tucson was a simple thing to have done, or if there were legal issues more complicated than buffelgrass.

Mr. Elias said that the simple way of dealing with this request would be to consult with the Transportation Department, who would have contracts for doing the work in the public right-of-way, and simply advise them to include buffelgrass eradication as part of that contract.

Council Member Leal asked Mr. Elias to handle this request and respond to the Council in a memo to see how the Council could then dovetail both opportunities.

Mr. Elias agreed with Council Member Leal's request.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10632.

Mayor Walkup asked if there was further discussion.

Council Member Scott asked for reassurance that activities being done to address this issue throughout the community were coordinated through a central clearing house so there would not be duplication, and there would be accurate mapping of activities so this project could move forward in a systematic way.

Mr. Elias said the work of the Southern Arizona Buffelgrass Coordination Center would be useful in that regard, and there would be the single location for data related to buffelgrass. He also said one of the requirements for a native plant preservation submittal to the City as part of a development packet, was to note if there was buffelgrass on the site, and that would be part of the commitment to eradicate the buffelgrass in conjunction with the development.

Vice Mayor Uhlich acknowledged the Landscape Advisory Committee and City staff for the leadership and outstanding work done not only on the buffelgrass project, but on a number of other items. She also thanked Irene Ogata, Department of Urban Planning and Design, who provided outstanding guidance, along with Sarah Smallhouse and Jim Kiser, who were also involved in pulling together and mobilizing the entire region to battle the buffelgrass problem in a meaningful and aggressive way. Their leadership was noteworthy and appreciated.

Vice Mayor Uhlich noted Mr. McCormick's comment on the timeline for the project. She said, in regards to the June 2010 date, the Council tried to adopt items such as this to allow projects in the pipeline enough lead time, particularly with plans, to recognize the need for significant lead time. She stated that she shared the sense of urgency particularly with buffelgrass. Vice Mayor Uhlich said she believed the effective date was appropriate for a new regulation, and the Council could recognize this as a call to action to begin the eradication of buffelgrass. She stated she saw no reason the City could not coordinate with the centralized message and volunteer efforts to make sure that this got off to a strong start, soon. Vice Mayor Uhlich thanked the Landscape Advisory Committee again for being present and for their leadership.

Council Member Glassman said he agreed with the statements made by his colleagues. He also personally congratulated the Tucson Metropolitan Chamber of Commerce 2008 Woman of the Year, Sarah Smallhouse, and added he could not think of anyone more appropriate to be tackling the buffelgrass issue.

Council Member Romero acknowledged the Landscape Advisory Committee, and said she also echoed the previous statements made by her colleagues on the Committee's many accomplishments. Council Member Romero also asked if the City was encouraging the planting of trees that were either native to the area and/or drought tolerant.

Mr. Elias stated that topic was discussed with the Planning Commission and several things became clear during that discussion. Mr. Elias said there was a plant and

tree list in the regulations that required the use of drought tolerant vegetative material for the trees. He said the issue of natives was somewhat different, because there were non-natives that were low water use. One topic that was discussed was to revisit the plant list and encourage the use of native trees, because there was an extended discussion on the benefits of native trees. He said there was consensus on the part of the Planning Commission that it was a worthwhile goal and they would be looking at that list to encourage that.

Council Member Romero thanked Mr. Elias for his efforts and hard work.

Council Member Trasoff asked Mr. Elias if it would be possible to have, as a pro forma for any new rezoning or developments between now and the effective date, an alert to every prospective person on how happy it would make the Council if they addressed, at least, the buffelgrass issue. It would be lovely if they chose to also address the parking, but at least make them aware of the buffelgrass issue and provide the resources available so most responsible developers would want to do it even if was not a law.

Mr. Elias stated that the way the ordinance was written, the buffelgrass portion would take effect in thirty days. He said the tree portion of the ordinance was where it was delayed to match up with the water harvesting regulations taking effect. Mr. Elias also stated that the City had already implemented the changes in recent rezoning cases, as rezoning conditions, and that the four-to-one ratio for trees in parking lots had been implemented as well.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Ordinance 10632 was declared passed and adopted by a roll call vote of 7 to 0.

10. ZONING: (C9-08-15) CS&Z HOLDINGS – ALVERNON WAY, R-2 TO C-1, CITY MANAGER’S REPORT

(Note: This item was taken out of order.)

Mayor Walkup announced City Manager's communication number 67, dated February 3, 2009, was received into and made a part of the record. He announced this was a request to rezone property located on the northeast corner of Alvernon Way and

Lee Street. The Zoning Examiner and staff recommend authorization of the rezoning subject to certain conditions.

Mayor Walkup asked if the applicant or representative was present and if they were agreeable to the proposed requirements.

Mike Grassinger, The Planning Center, stated that they were agreeable with all proposed requirements, including the buffelgrass condition, the four-to-one tree ratio requirement for parking lots, water harvesting, and all other conditions.

Council Member Trasoff added that many of the special conditions were designed to address the one letter of protest, and there were additional conditions to address those concerns. She said that there was a letter of strong support from the neighborhood association president, so this project had a lot of support.

Council Member Trasoff said in terms of where the Council's goals were in encouraging this kind of density along the major arterials, which Alvernon Way had always been to some extent, and it had now become a major transportation road since the completion of the bridge across the river, she felt this was an appropriate level of development and a quality plan to be going into that area.

It was moved by Council Member Trasoff, duly seconded and carried by a voice vote of 7 to 0, to authorize the request for rezoning as recommended by the Zoning Examiner.

9. ZONING: (C9-08-18) FORT LOWELL – CRAYCROFT ROAD, R-1 TO HR-1, CITY MANAGER'S REPORT AND DIRECT ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 66, dated February 3, 2009, was received into and made a part of the record. He announced this was a request to rezone City-owned property located at the southwest corner of Craycroft and Fort Lowell Roads. The Zoning Examiner and staff recommend authorization of the rezoning.

Mayor Walkup asked the City Clerk to read Ordinance 10630 by number and title only.

Ordinance No. 10630 relating to zoning: amending zoning district boundaries in the area located on the southwest corner of Craycroft and Fort Lowell Roads in Case C9-08-18, Fort Lowell – Craycroft Road, R-1 to HR-1 zone; and setting an effective date.

Council Member Glassman stated, for point of order, there were a few neighbors and City staff who wanted to address the Council. He asked if the motion should be made first, or if the comments should be heard.

Mayor Walkup asked that the comments be heard first.

Council Member Glassman said this was an exciting piece of historic preservation that would continue to take place in the heart of Tucson. He said, as everyone knew, the Fort Lowell Historic area had a place in the hearts of many Tucson residents due to the many events that happened there, and he was proud to represent the area. He said this was a piece of the neighborhood that had been long in the waiting to become part of the historical area and so he was very excited to welcome it into the Ward 2 family.

Jonathan Mabry, Historic Preservation Officer, stated that this was like filling the hole of a doughnut when talking about the Historic Preservation Zone at Fort Lowell. He stated the historic buildings on the parcel had been listed on the National Register of Historic Places since 1978, but this parcel was left out when the Historic Preservation Zone was created in 1981. This parcel had very significant historic buildings on it including remains, one of which was in very good condition, relatively speaking. There were three of the officers' quarters from the time of Fort Lowell, the stone foundation of one of the guard houses, and a portion of the large Hohokam prehistoric archaeological site beneath the surface. He said that they had been working with the neighborhood throughout the rezoning process and he brought visual aids to show that the property had a lot of significance and that it was one of Tucson's historical treasures.

Council Member Glassman said he wanted to point out that the City, County, and private sector worked together on a three-way agreement to acquire the property. Since that time, the City and County were working with the neighbors and anyone else who was interested in making recommendations. He said there were many meetings to make sure everyone's input was being considered. Council Member Glassman also announced a special event to be held on February 14, 2009, and said there were neighbors present to speak about that event.

Elaine Hill, Fort Lowell Historic Zone Advisory Board member, thanked Council Member Glassman and the City for helping facilitate the rezoning that began back in 1980. Ms. Hill stated the area contained the remains of some of the most important buildings of the Fort, and due to the vision of those who initially started the rezoning process, and the many who volunteered over the years, this rezoning really fixed the hole in the historic district. Ms. Hill also extended an invitation to the Mayor and Council to attend La Reunión de El Fuerte and Fort Lowell Day Celebration to be held on February 14, 2009.

Council Member Glassman thanked everyone in attendance and all who were involved in the rezoning process. He said this rezoning completed the process, but at the same time, there was a lot of remediation and work that would be going into the property and he planned on updating everyone on the continuing improvements.

It was moved by Council Member Glassman, duly seconded, to approve the request as recommended by the Zoning Examiner and pass and adopt Ordinance 10630.

Mayor Walkup asked if there was further discussion.

Mayor Walkup shared a story of when he was out to lunch and saw former Council Member Carol West. They recalled how far back this particular project went and how the Council had to do some very careful consideration of this project. Mayor Walkup said this was a major accomplishment that took decades of perseverance to bring forward and he felt it was wonderful that they persevered to get to this point. Mayor Walkup said, once the project started to convert itself into a showplace, it would be a wonderful place for Tucson and its visitors, and would be on everyone's must-see list.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Ordinance 10630 was declared passed and adopted by a roll call vote of 7 to 0.

10. ZONING: (C9-08-15) CS&Z HOLDINGS – ALVERNON WAY, R-2 TO C-1, CITY MANAGER'S REPORT

(Note: This item was taken out of order and considered after Item 8.)

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 63, dated February 3, 2009, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Scott, duly seconded and carried by a voice vote of 7 to 0, to re-appoint Ilyna Sloan to the El Presidio Historic Zone Advisory Board and appoint Frederic Dardis to the Pima County – City of Tucson Commission on Addiction, Prevention, and Treatment, and George Daniel Ross and Cathi Star to the Veterans' Affairs Committee.

Mayor Walkup asked if there were any personal appointments.

Vice Mayor Uhlich announced her personal appointment of Michael McDonald to the Independent Audit & Performance Commission. She advised her original appointment, Dr. Jun Peng, did not live in the City limits and it was a real shame to lose his service, but was excited to have Mr. McDonald serve the community.

Council Member Leal announced his personal appointment of Mark Mayer to the Planning Commission.

12. ADJOURNMENT: 6:47 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, February 10, 2009, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 3rd day of February 2009, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:mz:ccs