



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 4, 2006

Date of Meeting: March 7, 2006

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 5:35 p.m. on Tuesday, March 7, 2006, 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:

| | |
|------------------|-----------------------------------|
| José J. Ibarra | Council Member Ward 1 |
| Carol W. West | Council Member Ward 2 |
| Karin Uhlich | Council Member Ward 3 |
| Shirley C. Scott | Council Member Ward 4 |
| Steve Leal | Vice-Mayor, Council Member Ward 5 |
| Nina J. Trasoff | Council Member Ward 6 |
| Robert E. Walkup | Mayor |

Absent

None

Staff Members Present:

| | |
|---------------------|---------------------|
| Mike Hein | City Manager |
| Michael Rankin | City Attorney |
| Kathleen S. Detrick | City Clerk |
| Mike Letcher | Deputy City Manager |

Kathleen S. Detrick, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Lujet McCullough, First United Methodist Church, after which the Pledge of Allegiance was presented by the entire assembly.

Presentation

- a. Mayor Walkup proclaimed March 13 to 19, 2005, the week of the 2006 National League of Cities Conference, to be “Strong Families and Strong Children Week” and gave the proclamation to Council Member Scott to take to the conference.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 108, dated March 7, 2006, would be received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Council Member West announced the March 11, 2006 celebration of Wilmot Library’s Fortieth Anniversary and change in name to the Lewis C. Murphy Memorial Wilmot Library.

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

Mayor Walkup announced City Manager’s communication number 109, dated March 7, 2006, would be 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.

Mike Hein, City Manager, reported:

- a. Tucson Police Department was in the final stages of planning and fundraising for the Memorial Plaza at Police Headquarters to honor Tucson Police Officers killed in the line of duty. A groundbreaking ceremony was planned for March 14, 2006 at the Police Headquarters and the plaza would be dedicated in June 2006.

Mike Letcher, Deputy City Manager, reported:

- b. A new constituent comment recording system, NOVA, was introduced to the Council offices and across the City, which replaced the STAR (Shared Tracking, Assignment & Review) System. NOVA, developed by the City’s Information Technology Department, was a more efficient and cost effective system than STAR.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 112, dated March 7, 2006, would be 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

1. C & T Oil Company # 4, Ward 3
2710 N. First Ave.
Applicant: Fieldon Thomas Cooley
Series 10, City 09-06
Action must be taken by: March 24, 2006
Staff has indicated the applicant is in compliance with city requirements.
Public Opinion: Protests Filed/Support Filed
Considered separately.

Person Transfer

2. Sushi Ten Japanese Restaurant, Ward 6
4500 E. Speedway Blvd. # 1
Applicant: Ramon Rafael Tovar
Series 07, City 07-06
Action must be taken by: March 19, 2006
Staff has indicated the applicant is in compliance with city requirements.

Person/Location Transfer

3. El Si Senor Steak House, Ward 3
2680 N. 1st Avenue
Applicant: Benjamin Loya Galaz
Series 07, City 10-06
Action must be taken by: March 27, 2006
Staff has indicated the applicant is in compliance with city requirements.
Public Opinion: Protest Filed
Considered separately.

c. Special Event

1. Artsake Foundation, Ward 6
Congress/Aviation/6th Avenue/5th Avenue
Applicant: Jeb Bley Schoonover
City T02-06
Date of Event: April 8, 2006
Fundraiser
Staff has indicated the applicant is in compliance with city requirements.
2. Chicanos Por La Causa Tucson, Ward 1
3700 S. La Cholla Blvd.
Applicant: Otilia Arvizu
City T03-06
Date of Event: May 12 & 13, 2006
Fundraising Event
Staff has indicated the applicant is in compliance with city requirements.
3. Escaramuza Flor de Primavera, Ward 1
222 S. Freeway
Applicant: Francisco J. Celaya
City T06-06
Date of Event: March 24, 2006
Anniversary-Conference/Dinner Dancing
Staff has indicated the applicant is in compliance with city requirements.
4. The University of Arizona Foundation, Ward 6
1031 N. Olive Street
Applicant: S. James Manilla
City T07-06
Date of Event: March 31, 2006
Fundraising for UA Museum of Art
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change

1. Mona Lisa Bakery, Ward 2
7026 E. Broadway
Applicant: Vicenza Puccia
City AC04-06
Action must be taken by: March 19, 2006
Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member Ibarra, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license application 5b2, 5c1 through 5c4, and 5d1 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Applications

1. C & T Oil Company # 4, Ward 3
2710 N. First Ave.
Applicant: Fieldon Thomas Cooley
Series 10, City 09-06
Action must be taken by: March 24, 2006
Staff has indicated the applicant is in compliance with city requirements.
Public Opinion: Protests Filed/Support Filed

Kathleen S. Detrick, City Clerk, announced Item 5b1, a request for a new license, would be considered separately. The license had protests and support filed and was located in Ward 3.

Council Member Uhlich indicated there were two people present who wanted to speak regarding the liquor license application. She requested Fieldon Cooley, applicant, to speak first.

Fieldon Cooley, applicant, indicated he was one of the owners of the company applying for the class ten liquor license, which was for beer and wine only. Mr. Cooley said the store was only open from 5:00 a.m. to 10:00 p.m., and all the beer coolers would be locked if they were granted the license. They currently had two other locations with beer licenses, with no incidents or violations of the liquor law and they felt this was good for their business and good for the community. There were only three other convenience stores in the area, although there were a lot of liquor licenses. He said many of their customers came in, purchased cigarettes, beer, cola, and gas, then went home. It was not like a restaurant or bar where patrons sat and consumed alcohol on the property then got into and drove their vehicles. Mr. Cooley reiterated they had no violations with their other licenses, one of which they had for five years. He requested the Council consider granting the license.

Council Member Uhlich thanked Mr. Cooley and asked Jane Evans to speak.

Jane Evans said she was a neighbor in the Keeling Neighborhood Association, in addition to being a business owner in the same neighborhood. She said the Council might recognize her from the last liquor license protest in the same neighborhood. She said Keeling Neighborhood had boundaries from Grant Road to Fort Lowell Road and from First Avenue to Stone Avenue. Within their neighborhood boundaries, they had twenty-five liquor licenses. They also had the unfortunate distinction of being in one of the highest domestic violence crime areas in town.

Ms. Evans said if the Council did any research on domestic violence, they would find liquor was involved in many of the cases. The Keeling Neighborhood Association requested she attend the meeting to protest this liquor license because within a one-mile radius, they had forty-six liquor licenses. Not one neighbor in the Keeling Neighborhood was further than three-and-one-half blocks from buying and consuming alcohol. They felt they had plenty. They felt the convenience was being served by the alcohol licenses already in the area.

Ms. Evans said this particular gas station sold gas. She purchased gas at the gas station. If she wanted to buy alcohol, in a packaged liquor form, she could walk directly across the street and purchase anything she wanted. She felt convenience was being served in the area. She said she appeared before the Arizona State Liquor Board in November to protest a previous request for a license. It was for a convenience store in their neighborhood. She said the Board denied the liquor license because they felt, with all the statistics, there was ample convenience within the neighborhood. She said the Board specifically stated they denied it on location. She hoped the Council took this information into serious consideration, especially since Council Member Scott was going as a member of the National League of Cities to try and help make towns and communities better. This was really important.

Ms. Evans said she did not think people should stop and get gas and take a twelve-pack with them. Going into a restaurant and having a beer was complementing a meal. She said the Keeling Neighborhood really needed the Council's help. It was a low-income neighborhood. They were struggling. They worked hard all the time. They did not need more people walking around tossing out their beer and wine cans.

Council Member Uhlich thanked Ms. Evans and asked if a motion was needed to close public comment. Mayor Walkup responded a motion was not needed. Council Member Uhlich said she appreciated the points made, particularly by Ms. Evans. She thought it was clear everyone wished Mr. Cooley success with his business and was pleased to hear it was succeeding with the sales it had. She said she was sure Mr. Cooley understood the two factors primarily taken into consideration with a new liquor license were the convenience of the people in the area, or the need for such a license to meet the convenience of people in the area, and also consideration of how saturated an area already was with the existing licenses.

Given the extensive material in the Council packets, not only from the Keeling Neighborhood Association, but also from the Mountain First Avenue Neighborhood and others in the area, it was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0 that liquor license application 5b1, C & T Oil Company be forwarded to the Arizona State Liquor Board with a recommendation for denial.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Applications

3. El Si Senior Steak House, Ward 3
2680 N. 1st Avenue
Applicant: Benjamin Loya Galaz
Series 07, City 10-06
Action must be taken by: March 27, 2006
Staff has indicated the applicant is in compliance with city requirements.
Public Opinion: Protest Filed

Kathleen S. Detrick, City Clerk, announced Item 5b3, a person/location transfer, would be considered separately. The license had protest filed and was located in Ward 3. Staff indicated the applicant was in compliance with City requirements.

Council Member Uhlich asked the applicant to speak.

Benjamin Galaz, applicant, said he was the owner of the newly opened El Si Senior Steak House restaurant, and he also owned another restaurant, BK Carne Asada and Hot Dogs. This restaurant was basically a steakhouse, and people expected beer and wine with their meals especially at a steakhouse. He said many people would not patronize a restaurant that did not offer beer and wine. He extensively remodeled the property before opening, and all work was done in accordance with City building codes and permits. They had their Certificate of Occupancy, and parking was according to code. He noted there was a protest filed from his neighbor to the south. He said the neighbor hired a lawyer to claim rights to park on his property, which turned out to be untrue. There was a complaint that they placed broken concrete on her property, which was true. As she indicated, she refused to let them remove the concrete once they rented a tractor to do so. Mr. Galaz said he would still remove the concrete if she granted him permission to enter her property.

Council Member Uhlich said she did not see the author of the protest letter in the audience, so she would provide a summary and issue her recommendation. Council Member Uhlich said there were obviously tensions between the two neighbors, and she thought there were two issues. First, she anticipated Mr. Galaz knew the importance of how to serve beer and wine in a responsible manner. Secondly, she said the other concerns did not directly relate to the issuance of a liquor license. Council Member Uhlich hoped Mr. Galaz and his neighbor had the opportunity to resolve any points of conflict, and offered assistance in facilitating such dialogue.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0 to forward liquor license application 5b3 to the Arizona State Liquor Board with a recommendation for approval.

6. CONSENT AGENDA – ITEMS A THROUGH J

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

A. FINANCE: DIRECTION TO STAFF REGARDING PROPOSED SALE OF BONDS AND OTHER LONG-TERM FINANCINGS AND CONSULTANT CONTRACTING

1. Report from City Manager MARCH7-06-105 CITY-WIDE
2. The City Manager recommends the Mayor and Council authorize staff to work with the consultants in order to prepare the documents and official statements necessary to market bonds and other debt instruments.

B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE MARTIN LUTHER KING PROJECT AFFORDABLE HOUSING BOND FUNDS

1. Report from City Manager MARCH7-06-110 CITY-WIDE
2. Resolution No. 20296 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the provision of Pima County's 2004 Affordable Housing Bond funds for the design and construction of publicly-owned amenities at Martin Luther King Apartments; and declaring an emergency.

C. PUBLIC IMPROVEMENT: WILMOT ROAD, BROADWAY BOULEVARD TO GOLF LINKS ROAD AND 28TH STREET, SWAN – BELVEDERE DISTRICT LIGHTING IMPROVEMENT

1. Report from City Manager MARCH7-06-111 WARD 4
2. Resolution No. 20294 Resolution fixing the time when the Mayor and Council of the City of Tucson will hear and pass upon the assessments and proceedings theretofore had and taken for the improvement known as the "Wilmot Road, Golf Links – Broadway and 28th Street, Swan – Belvedere District Lighting Improvement" in the City of Tucson, Arizona.

- D. ASSURANCE AGREEMENT: (S04-181) DESERT ENCLAVE SUBDIVISION, LOTS 1 TO 28 AND COMMON AREAS “A”, “B”, AND “C”
1. Report from City Manager MARCH7-06-115 WARD 2
 2. Resolution No. 20297 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S04-181 of a final plat for the Desert Enclave Subdivision, Lots 1 to 28 and Common Areas “A” – “C”; and declaring an emergency.
- E. FINAL PLAT: (S04-181) DESERT ENCLAVE SUBDIVISION, LOTS 1 TO 28 AND COMMON AREAS “A”, “B”, AND “C”
1. Report from City Manager MARCH7-06-106 WARD 2
 2. City Manager recommends that, after approval of the assurance agreement, the Mayor and Council approve 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.
- F. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE RESOURCE PLANNING ADVISORY COMMITTEE
1. Report from City Manager MARCH7-06-116 CITY-WIDE
 2. Ordinance No. 10259 relating to Boards and Commissions; amending the Tucson Code Chapter 10(A), Community Affairs, by adding a new Article XIX, Resource Planning Advisory Committee (RPAC); and declaring an emergency.
- As discussed in Study Session, Item F was continued.
- G. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE URBAN SUSTAINABILITY ADVISORY COMMITTEE
1. Report from City Manager MARCH7-06-117 CITY-WIDE
 2. Ordinance No. 10258 relating to Boards and Commissions; amending the Tucson Code Chapter 10(A), Community Affairs, by adding a new Article XX, Urban Sustainability Advisory Committee; and declaring an emergency.
- As discussed in Study Session, Item G was continued.

H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO TERRA DEL SOL NEIGHBORHOOD ASSOCIATION

1. Report from City Manager MARCH7-06-120 WARD 4
2. Resolution No. 20299 relating to Finance; approving and authorizing the allocation of seven hundred dollars (\$700) from the Community Support Fund, Organization 001-183-1898-268, to Terra del Sol Neighborhood Association to assist covering associated costs for their 50TH anniversary celebration; and declaring an emergency.

This is a request by Council Member Scott. Allocation of funds is as follows: Council Member Scott \$700.00.

I. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO AMPHI HIGH SCHOOL PROJECT GRADUATION

1. Report from City Manager MARCH7-06-121 WARD 3
2. Resolution No. 20300 relating to Finance; approving and authorizing the allocation of one thousand dollars (\$1000) from the Community Support Fund, Organization 001-183-1898-268, to Amphi High School Project Graduation to support funding to the Amphi High School Project Graduation; and declaring an emergency.

This is a request by Council Member Uhlich. Allocation of funds is as follows: Council Member Uhlich \$1,000.00.

J. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE NO MORE DEATHS BENEFIT CONCERT

1. Report from City Manager MARCH7-06-122 WARD 3
2. Resolution No. 20301 relating to Finance; approving and authorizing the transfer of one hundred dollars (\$100) from the Community Support Fund to Organization 001-183-1898-268, to support a concert fundraiser to benefit the non-profit organization No More Deaths; and declaring an emergency.

This is a request by Council Member Uhlich. Allocation of funds is as follows: Council Member Uhlich \$100.00.

Item J was considered separately at the request of Council Member West.

It was moved by Council Member West, duly seconded, that Consent Agenda Items A through I, with the exception of Items F and G, which were continued, and Item J, which would be considered separately, be passed and adopted and the proper action taken.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Items A through I, with the exception of Items F, G, and J, were declared passed and adopted by a roll call vote of 7 to 0.

6. CONSENT AGENDA – ITEMS A THROUGH J

J. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE NO MORE DEATHS BENEFIT CONCERT

1. Report from City Manager MARCH7-06-122 WARD 3
2. Resolution No. 20301 relating to Finance; approving and authorizing the transfer of one hundred dollars (\$100) from the Community Support Fund to Organization 001-183-1898-268, to support a concert fundraiser to benefit the non-profit organization No More Deaths; and declaring an emergency.

This is a request by Council Member Uhlich. Allocation of funds is as follows: Council Member Uhlich \$100.00.

It was moved by Council Member West, duly seconded, to pass and adopt Consent Agenda Item J, with an additional one hundred dollars contributed from Ward 2, for a total contribution of two hundred dollars.

Council Member Trasoff stated Ward 6 would also contribute an additional one hundred dollars.

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

Kathleen S. Detrick, City Clerk, clarified that the motion was to pass and adopt Consent Agenda Item J, with the additional contribution of one hundred dollars from

each of the Community Support Funds of Wards 2 and 6, for a total transfer of three hundred dollars.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Item J, with the additional contribution of one hundred dollars from each of the Community Support Funds of Wards 2 and 6, for a total transfer of three hundred dollars, was declared passed and adopted by a roll call vote of 7 to 0.

7. 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 items scheduled for a public hearing. Speakers would be limited to three-minute presentations and the Call to the Audience was scheduled to last for twenty-five minutes. He asked if there was anyone in the audience who wished to address the Council.

- a. John Kromko spoke about transferring the Library system to the County, which would raise taxes for its funding. He compared Tucson's impact fees to those for other cities and towns in Arizona, and submitted related documents. Mr. Kromko said Tucson should implement impact fees for public safety and libraries so growth paid for itself, and that the money freed up from transferring the Library system should be used towards the garbage fee. He said he was circulating petitions and had signatures of twelve thousand supporters.
- b. Colleen Dugan spoke in favor of sending the elephants at Reid Park Zoo to a Tennessee sanctuary. She estimated widespread support of this once the public, including zoo patrons, became well informed of the elephants' situation.
- c. Michael LeHew addressed the unmet fundamental health care and habitat needs of the elephants at Reid Park Zoo. Mr. LeHew expressed support for sending the elephants to the sanctuary in Tennessee, instead of the planned expansion of their exhibit at Reid Park Zoo.
- d. Stacey Wilkinson spoke against the expansion of the elephant exhibit at Reid Park Zoo. She said the funding could be better spent on enclosures for other animals at the zoo and she supported sending the elephants to the sanctuary in Tennessee.
- e. Denise Bolbol, of California, said she spearheaded the closure of the elephant exhibit in San Francisco. She said the zoo industry was not honest about the

health of its elephants nor about the stability of the zoos' accreditation status after sending elephants to the Tennessee sanctuary.

- f. Nikia Fico requested an agenda item be scheduled for Mayor and Council regarding relocating the Reid Park Zoo elephants. She said the collection of four thousand signatures on petitions opposing keeping the elephants at the zoo should carry more weight than last year's two hundred fifty six form letters, which favored keeping them. Ms. Fico also referred to the medical records of Connie, one of the zoo's elephants, and pointed out Connie's foot problems over the years.
- g. Mary Pollack spoke in favor of moving the Reid Park Zoo elephants to their proper environment at the Tennessee sanctuary.
- h. Maru Vigo said she was a schoolteacher, and there were ways for children to learn about elephants other than at a zoo. She said children wanted to see elephants, but once they knew about the circumstances of captivity, they wanted what was best for the animals. Ms. Vigo also referred to the chance of an elephant attack, in light of research on past incidents. She said she wanted her students to understand what it took to be elected officials, and to be proud of Tucson being one of the cities to release its elephants to the Tennessee sanctuary.
- i. Michael Toney said he spoke with a Pima County attorney, Amelia Cramer, and that a letter would be forthcoming. He requested enforcement of the City's noise ordinance's fifty-foot limit for sound emitted from vehicles. Mr. Toney also referred to a cost analysis he submitted for laser/ruby/blu (sic) ray computers, and said he would provide more information in the future.

10. PUBLIC SAFETY: DOWNTOWN BUILDING PROJECTS

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

Mayor Walkup announced City Manager's communication number 119, dated March 7, 2006, would be received into and made a part of the record. He said this was a request to approve the Fire Central Component of the Downtown Public Safety Building Projects.

Mike Hein, City Manager, said staff was requesting authorization to proceed on three levels. First, there was an extensive staff report on the age of the facilities that were built in the 1970's and the need to enhance the ability to provide public safety in the community. Specifically, staff was requesting authorization to convey to Tucson Fire Department the existing Tucson Community Center parking lot located at the southeast corner of the Clark Street and Cushing Street intersection for a new fire facility. Second, staff was asking that once the existing fire facility was vacated, it be conveyed to the Tucson Police Department. Finally, staff was requesting authorization to utilize Certificates of Participation and other financing mechanisms to fund the aforementioned

acquisition and construction. Mr. Hein said staff was available to answer any questions the Council had.

Council Member Trasoff praised staff for having worked with the neighborhoods, Barrio Viejo and Barrio Santa Rosa, to hear their concerns and keep them informed. She said she was pleased to see expressions of support from the two neighborhoods. Council Member Trasoff said the President of Barrio Viejo was present, and asked if he would like to speak.

Pedro M. Gonzales, President of the Barrio Viejo Neighborhood Association, said public safety needed to be provided to the community. He said the neighborhoods trusted Dan Newburn, Tucson Fire Chief, and they had worked together to create a partnership. He said they knew the families were respected, and they supported this item. Mr. Gonzales said this was just one of the many projects that would create an opportunity for a working partnership. He read a quote from Cesar E. Chavez; "History will judge societies and governments and their institutions not by how big they are or how well they serve the rich and the powerful, but how they respond to the needs of the poor and the helpless."

Council Member Trasoff reiterated that she was pleased by the efforts to reach a conclusion, as the facility was certainly needed. She said a constituent asked about the designs for the Fire Station at the new location, and wanted to know if there would be on-site parking for staff.

Chief Newburn said an initial site review was conducted, and the required square footage was identified for housing Headquarters, Station One, and Fire Prevention. He said the study did include parking for all employees at that facility.

Council Member Trasoff asked if this involved the sale of the Ajo Road property, and if amounts had been determined. She also asked if the money from the sale of the Ajo Road property would be used to offset the costs of the new Fire Station.

Scott Douthitt, Finance Department Director, said the sale of the Ajo Road property was directly linked to this project. He was not sure of the sale price, but the intention was to allocate that money toward the public safety projects.

It was moved by Council Member Trasoff, duly seconded, to approve the City Manager's recommendation to convey to the Tucson Fire Department the existing Tucson Community Center parking lot located at the Southeast corner of Clark and Cushing for their new Fire Central facility and to convey the current Fire Headquarters facility located at 265 S. Church to the Tucson Police Department for their Headquarters/Crime Lab expansion and to use Certificates of Participation to fund this project, with savings from the library transfer as the repayment source for the debt service.

Mayor Walkup asked if there was any discussion.

Council Member Scott said a former property owner asked about approximately four hundred fifty parking spaces which were allocated for other uses. The question was whether those spaces would somehow be replaced downtown.

Mr. Hein said the site was never contemplated to remain as parking through the redevelopment efforts, and if redevelopment took place in another form, the plans included parking garages in that area.

Council Member Scott asked for clarification that there was an overall plan for Rio Nuevo that this project embraced, and it would accommodate any and all of the new development in Rio Nuevo.

Mr. Hein said the site plans recently called for an examination of parking garages away from the residential areas, towards the corner of Interstate 10 and Congress Street.

Council Member Uhlich asked about the cost of moving the Fire Department. She asked if the twenty six million dollars noted in the staff report was exactly what would be financed.

Mr. Hein said the exact figures were not available, since design had not yet begun. The first step would be to acquire the site, but estimates were based on experience with the recently constructed Fire Stations. He said more information would be provided as the design progressed and for any final authorization needed.

Council Member Uhlich asked about the amount of annual debt service, and said it sounded like they were authorizing the most resource-wise way to proceed, instead of an exact amount.

Mr. Douthitt said he did not have exact numbers regarding the debt service, but he would structure the debt to minimize interest cost. He said one of the variables would be the total cost, which he did not know yet, either.

Council Member Uhlich expressed her support of the issue, but requested more financial figures be provided as the budget process approached.

Mayor Walkup asked for clarification that this item was not financed by Rio Nuevo.

Mr. Hein emphasized that money from the sale of the Ajo Road property and the transfer of the library system would be used for debt service against future Capital Improvement Projects, which this would be programmed into.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

The City Manager's recommendation to convey to the Tucson Fire Department the existing Tucson Community Center parking lot located at the Southeast corner of Clark and Cushing for their new Fire Central facility and to convey the current Fire Headquarters facility located at 265 S. Church to the Tucson Police Department for their Headquarters/Crime Lab expansion and to use Certificates of Participation to fund this project, with savings from the library transfer as the repayment source for the debt service was declared passed and adopted by a roll call vote of 7 to 0.

8. CITY MAGISTRATES: APPOINTMENT OF A SPECIAL CITY MAGISTRATE

Mayor Walkup announced City Manager's communication number 114, dated March 7, 2006, would be received into and made a part of the record. He asked the City Clerk to read Ordinance 10257 by number and title only.

Ordinance No. 10257 relating to City Magistrates; appointing David Dingeldine as Special City Magistrate to serve upon call by the Chief Executive Officer of the Court; fixing compensation; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, to pass and adopt Ordinance 10257.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Ordinance 10257 was declared passed and adopted by a roll call vote of 7 to 0.

9. ZONING: (C9-05-24) YOUNG - TANQUE VERDE ROAD, SR TO R-1, CITY MANAGER'S REPORT (CONTINUED FROM THE MEETING OF FEBRUARY 7, 2006)

Mayor Walkup announced City Manager's communication number 113, dated March 7, 2006, would be received into and made a part of the record.

Kathleen S. Detrick, City Clerk, announced staff recommended this item be continued to April 25, 2006, at the request of the applicant.

It was moved by Council Member West, duly seconded, and carried by a voice vote of 7 to 0, that this item be continued to the meeting of April 25, 2006.

10. PUBLIC SAFETY: DOWNTOWN BUILDING PROJECTS

(Note: This item was taken out of order and considered after Item 7.)

11. TUCSON CODE: AMENDING (CHAPTER 21) RELATING TO ADJUSTMENT OF PARKS AND RECREATION FEES

Mayor Walkup announced City Manager's communication number 118, dated March 7, 2006, would be received into and made a part of the record. He asked the City Clerk to read Ordinance 10260 by number and title only.

Ordinance No. 10260 relating to Parks and Recreation; amending Chapter 21 of the Tucson Code as follows: adjusting vendor fees by amending Subsection 21-4(c)(6) & (7); adjusting fees for adult major sports by amending Subsection 21-9(1); adjusting swimming fees by amending Section 21-12; amending program registration fees by amending Section 21-13.1; eliminating senior club participation fees by amending Section 21-13.2; amending use of equipment fee categories by amending Section 21-14(1); adjusting fees for use of gymnasium and/or weightroom for Archer, Quincie Douglas, El Rio, Freedom, Northwest, Randolph, and Santa Rosa Center, by amending Section 21-14.1; adjusting fees for Clements, El Pueblo and Udall Center use by amending Section 21-14.2; amending Hi Corbett Stadium fee categories by amending Section 21-14.3; amending meeting room use fee categories at any Parks and Recreation Department Center by amending Section 21-16(1); adjusting fees for reservation and use of any ramadas, and rodeo grounds by amending Section 21-16(2); adjusting fees for non-profit organized tournament use of sports field, volleyball courts and in-line skating rink by amending Section 21-16(3); amending bandshell fee categories by amending Section 21-16(4); and declaring an emergency.

It was moved by Vice Mayor Leal, duly seconded, to pass and adopt Ordinance 10260.

Mayor Walkup asked if there was any discussion.

Council Member West said she would support the motion, even though she disapproved. However, she requested consideration of a sustainability plan during the budget discussions. She said the park facilities needed attention, including financial attention; it would cost approximately five million dollars each year to sustain the park facilities. If these were the priority the Council said they were, that was a commitment that needed to be honored during the budget session. She said she hoped she could count on the Council to join her in that commitment.

Council Member Trasoff asked about the effective date of the swimming fee waiver. She suggested the effective date coincide with the beginning of the season.

Vice Mayor Leal said he believed that was part of the discussion, and it should have been included in the document.

Fred Gray, Parks and Recreation Department Director, said the effective date of the swimming fee waiver would be May 24, 2006, which was the start of the season.

Mayor Walkup said he originally opposed this item, but said he was glad to now be in support of it. He said constituents were calling about the twenty-five dollar fee for senior citizens. He asked about the method to address those who already paid, since this fee was being rolled back.

Mr. Hein said those senior citizens who already paid the fee would receive a prorated refund.

Mayor Walkup said he agreed with Council Member West on the issue of supporting the parks in the community. He said Tucson was below the national average number of parks and set-asides for parks in the City. He hoped the impact fees and other considerations from the Council could direct money towards Parks and Recreation. Mayor Walkup said he would use part of his Back-to-Basics funds to ensure children were safe. He said he thought they were doing the right thing and they needed to focus and address the issues of inadequate parks and recreation programs for all citizens. He offered his support of the motion.

Council Member Uhlich said she supported the item and was thankful for everyone who worked to ensure the spirit and intent of the original motion was reflected. She agreed with the importance of the sustainability of Parks and Recreation. She said when new capital facilities were acquired, there was a question regarding their operation and maintenance. She hoped to continue collaboration with schools to share resources, open facilities and maximize savings for both agencies.

Kathleen S. Detrick, City Clerk, announced Section 15, located on page 16 of Ordinance 10260, would include the effective date of May 24, 2006.

Upon Roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Ordinance 10260 was declared passed and adopted by a roll call vote of 7 to 0.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 107, dated March 7, 2006, would be received into and made a part of the record.

Mayor Walkup asked for a motion to approve the appointments in the report.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to appoint John E. Carlson, Sr. to the Citizens' Transportation Advisory Committee.

Mayor Walkup asked if there were any personal appointments.

Council Member Uhlich said she had a personal appointment she would announce at the next meeting.

13. ADJOURNMENT 6:48 p.m.

Mayor Walkup announced the Mayor and Council would stand adjourned until its next regularly scheduled meeting to be held on Tuesday, March 21, 2006, 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 7th day of March 2006, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:sl/plp