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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on April 25, 2006

Date of Meeting: March 28, 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 5:34 p.m. on Tuesday, March 28, 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

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

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.

The invocation was given by Reverend Tom Jelinek, St. Mark's United Methodist Church, after which the pledge of allegiance was presented by the entire assembly.

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 150, dated March 28, 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 invited the public to attend a Ward 2 town hall on "Beyond Bio-Fuels" on April 5, 2006. There would be a presentation by Colleen Crowninshield. She also announced Ward 2 would be conducting a landfill tour on April 8, 2006.
- b. Vice Mayor Leal announced on April 2, 2006, the life and work of Cesar Chavez was being celebrated with a march and rally starting from Pueblo High School. The march would proceed down south Sixth Avenue to Rudy Garcia Park.

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

Mayor Walkup announced City Manager's communication number 151, dated March 28, 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.

There was no report.

**5. LIQUOR LICENSE APPLICATIONS**

Mayor Walkup announced City Manager's communication number 145, dated March 28, 2006, would be received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. New License(s)

There were no new applications for licenses scheduled for this meeting.

c. Special Event(s)

1. Comité de Festividades Mexicanas, Ward 1  
3700 S. La Cholla Blvd.  
Applicant: Mercedes M. Guerrero  
City T12-06  
Date of Event: May 6 & 7, 2006  
Celebrate Cinco de Mayo  
Staff has indicated the applicant is in compliance with city requirements.
2. Escaramuza Flor de Primavera, Ward 5  
4823 S. 6th Ave.  
Applicant: Francisco J. Celaya  
City T13-06  
Date of Event: April 15, 2006  
Entertainment & Educate Mexican Culture  
Staff has indicated the applicant is in compliance with city requirements.
3. The Museum of Contemporary Art, Ward 1  
325 W. 2nd St.  
Applicant: Emily Gail Yetman  
City T17-06  
Date of Event: April 8, 2006  
Fundraising  
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change

There were no agent changes scheduled for this meeting.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5c1 through 5c3 to the Arizona State Liquor Board with a recommendation for approval.

**6. CONSENT AGENDA – ITEMS A THROUGH C**

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. REAL PROPERTY: GRANTING OF RIGHT-OF-WAY EASEMENT TO PIMA COUNTY FOR SNYDER HILL ROAD**

1. Report from City Manager MARCH28-06-147 OUTSIDE CITY
2. Ordinance No. 10263 relating to real property; authorizing and approving the dedication of an easement over certain portions of Snyder Hill Road right-of-way located between Marstellar Road and Sandario Road at no cost to Pima County; and declaring an emergency.

B. CITY MAGISTRATES: APPOINTMENT OF SPECIAL CITY MAGISTRATES

1. Report from City Manager MARCH28-06-144 CITY-WIDE
2. Ordinance No. 10265 relating to City Magistrates; appointing Judy Drickey-Prohow, Amy Beth Krauss, Patricia H. Wendel and Kenneth Brian Bowman Special City Magistrates to serve upon call by the Chief Executive Officer of the Court; fixing compensation; and declaring an emergency.

C. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE CESAR E. CHAVEZ ANNUAL CELEBRATION

1. Report from City Manager MARCH28-06-143 CITY-WIDE
2. Resolution No. 20309 relating to Finance; approving and authorizing the allocation of six thousand four hundred dollars (\$6,400) from the Community Support Fund, Account No. 001-183-1898-268, to the Cesar E. Chavez Annual Celebration to assist in covering associated costs for the march and rally; and declaring an emergency.

This is a request by Council Member Uhlich. Allocation of funds were as follows:

Mayor Walkup -	\$ 500.00
Council Member Ibarra -	\$1,000.00
Council Member West -	\$ 500.00
Council Member Uhlich -	\$2,000.00
Council Member Scott -	\$ 500.00
Vice Mayor Leal -	\$1,800.00
Council Member Trasoff -	\$ 100.00

It was moved by Council Member Scott, duly seconded, that Consent Agenda Items A through C 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 C, were 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 for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations. The call to the audience was scheduled to last for thirty minutes.

- a. Tzadik Greenberg spoke about recent incidents at their weekly peace vigil outside the Military Recruitment Center. He felt that a counter-protesting group that had recently started attending, employed tactics that created an unsafe environment. He felt the officer on duty did not do anything to address the situation or alleviate the unsafe environment, and requested a replacement officer.

Vice Mayor Leal requested that the City Manager's Office investigate the issue to see if there was something that needed to be done.

- b. Donna M. Warfield, president Tucson Zoological Society, stated the Zoological Association worked in conjunction with the Reid Park Zoo. She presented a letter from the Tucson Zoological Society pledging 6.25 million dollars for the construction of the Conservation Learning Center and elephant habitat.
- c. Robert Reus spoke about the City Manager form of government. He also stated he would like the Mayor and Council to solicit bids for a cable company who would have more respect for Access Tucson.
- d. Ehud Gavron spoke in favor of moving the elephants to the Elephant Sanctuary in Tennessee.
- e. Sharon Foltz spoke in favor of keeping elephants at the Reid Park Zoo.
- f. Branden Paris spoke in favor of keeping the elephants at Reid Park Zoo.
- g. Michael Toney recited an original haiku and spoke about replacing the buffelgrass with purple or blue sage.
- h. Nikia Fico spoke in support of sending the Reid Park Zoo elephants to the Sanctuary in Tennessee. She requested that the Mayor and Council add this to the agenda.
- i. Ann Foster spoke about the unruly gathering ordinance, also know as the "red tag law". She said she was in favor of the law, however, with the revisions made in March 2005, she felt it was punitive and punished healthy family gatherings. She asked the Council to schedule this topic on their agenda to review the ordinance and volunteered to help in its review.

- j. Betsy Rollings spoke about a lack of water pressure in the Barrio Viejo Neighborhood. She mentioned a 2005 report to Superior Court indicated that in seven of nine blocks in Barrio Viejo, the water system did not hold pressure. She also mentioned that recently a City Attorney and the Water Director told a Council Member that the Barrio's water mains were fine and did not leak. She requested any documentation that validated those statements and said she would be submitting a public record's request to the City Clerk on this topic.

**8. ZONING: (C9-04-15) DOS RIOS – ALVERNON WAY, C-2/I-1 TO R-2, ORDINANCE ADOPTION FOR A PORTION OF THE PROPERTY**

Mayor Walkup announced City Manager's communication number 146, dated March 28, 2006 would be received into and made a part of the record. He asked the City Clerk to read Ordinance 10264 by number and title only.

Ordinance No. 10264 relating to zoning: amending a portion of the zoning district boundaries in the area located at the southeast corner of Benson Highway and Alvernon Way in Case C9-04-15 (RZ06-10) Dos Rios – Alvernon Way, C-2 and I-1 to R-2; and setting an effective date.

It was moved by Vice Mayor Leal, duly seconded, to pass and adopt Ordinance 10264.

Mayor Walkup asked if there was any 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, Trasoff;  
Vice Mayor Leal and Mayor Walkup.

Nay: None

Ordinance 10264 was declared passed and adopted by a roll call vote of 7 to 0.

**9. ZONING: (C9-05-08) STILLER – ESCALANTE ROAD, SR TO R-1, CITY MANAGER'S REPORT**

Mayor Walkup announced City Manager's communication number 148, dated March 28, 2006 would be received into and made a part of the record. He also announced this was a request to rezone property located between Escalante Road and the Pantano Wash, east of Harrison Road. The Zoning Examiner and Development Services Department recommended approval, subject to certain conditions. He asked if the applicant or representative was present and if they were aware of and agreeable to the proposed conditions.

Ben Buehler-Garcia of Ronin, on behalf of Escalante Developments, LLC, stated they were aware of and agreeable to the conditions.

Council Member Scott stated that approximately fifty percent of the overall property had been identified as natural, undisturbed open space and would be dedicated to the City of Tucson. She thanked Peter Gavin, Zoning Examiner, for his attention to this case. A total of six meetings were held on this case in order to allow for the possibility of a final agreement with the applicant and the neighborhood.

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

**10. ZONING: (C9-05-30) HUTCHISON – HOUGHTON ROAD I-2 TO I-1, CITY MANAGER'S REPORT**

Mayor Walkup announced City Manager's communication number 149, dated March 28, 2006 would be received into and made a part of the record. He also announced this was a request to rezone property located on the east side of Houghton Road and south of Valencia Road. The Zoning Examiner and Development Services Department recommended approval, subject to certain conditions. He asked if the applicant or representative was present and if they were aware of and agreeable to the proposed conditions.

William Schuiteman, Sayler-Brown Bolduc Lara Architects, LLC, on behalf of Michael Hutchison, stated they were aware of and agreeable to the conditions.

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

**11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Walkup announced City Manager's communication number 152, dated March 28, 2006 would be received into and made a part of the record.

Mayor Walkup asked if there were any personal appointments to be made.

Vice Mayor Leal announced his personal appointment of Zachary MacDonald to the Tucson-Pima Bicycle Advisory Committee.

Council Member Trasoff announced her personal appointment of Brad Holland to the Planning Commission.

Council Member West reminded the Mayor and Council that there was a need for appointments to the City Magistrate Merit Selection Commission from both parties.

**12. ADJOURNMENT: 6:21 p.m.**

Mayor Walkup announced the Mayor and Council would stand adjourned until its next regularly scheduled meeting to be held on Tuesday, April 4, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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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 28th day of March 2006, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

KSD:dsc/sc