



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 8, 2008

Date of Meeting: November 20, 2007

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 5:44 p.m., on Tuesday, November 20, 2007, 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	Vice Mayor, Council Member Ward 4
Steve Leal	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
Roger W. Randolph	Chief Deputy City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Draigg Phillips after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Anne Doris, on behalf of Cox Communications, presented a check for fifty thousand dollars to the City of Tucson to help expand the "Schools Plus Jobs" program into more schools within Tucson.

Roger W. Randolph, Chief Deputy City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 626, dated November 20, 2007, 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 Uhlich announced the Ward 3 office would host an open house on December 1, 2007, sponsored by the Watershed Management Group. The event would include a site tour and slide presentation of the Ward 3 water harvesting demonstration site and discussion on community and neighborhood water harvesting.

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

Mayor Walkup announced City Manager's communication number 627, dated November 20, 2007, 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.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 625, dated November 20, 2007, 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. Save-A-Lot Food Store, Ward 3
1310 W. Prince Rd.
Applicant: Jesus Eduardo Gastelum, Jr.
Series 10, City 78-07
Action must be taken by: November 30, 2007
Staff has indicated the applicant is in compliance with city requirements.
2. Save-A-Lot Food Store, Ward 2
7145 E. 22nd St.
Applicant: Jesus Eduardo Gastelum, Jr.
Series 10, City 79-07
Action must be taken by: November 30, 2007
Staff has indicated the applicant is in compliance with city requirements.
3. Quik Mart, Ward 5
6301 South Park Ave.
Applicant: Alice Giang
Series 10, City 80-07
Action must be taken by: November 26, 2007
Staff has indicated the applicant is in compliance with city requirements.
4. Pappy's, Ward 1
1003 N. Stone Ave.
Applicant: Panagiotis Lembessis
Series 12, City 81-07
Action must be taken by: December 1, 2007
Staff has indicated the applicant is in compliance with city requirements.
5. Grimaldi's Pizzeria, Ward 6
446 N. Campbell Ave., Suite 100
Applicant: Eric Jason Greenwald
Series 12, City 82-07
Action must be taken by: November 26, 2007
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event(s)

1. Tucson's Young Professionals, Inc., Ward 1
140 N. Main Ave.
Applicant: Kelly Burke Perks
City T97-07
Date of Event: December 7, 2007
(To Promote Community Event in Downtown Tucson)
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

1. Las Cazuelitas De Tucson, Ward 5
234 E. 22nd Street
Applicant: Hilda Frisby Montoya
Series 12, City AC7-07
Action must be taken by: December 2, 2007
Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member West, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 through 5b5, 5c1, and 5d1 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. Speakers were limited to three-minute presentations.

- a. John Watt requested the Mayor and Council investigate his complaint that Tucson Police Department and Animal Control have not followed up on his request for information regarding a dog-biting incident. He also made suggestions on how to remedy illegal immigration.
- b. Frank Salbego, President of Eastside Neighborhood Association, thanked Council Member West for all her efforts while serving at Ward 2. He invited everyone to a tree dedication ceremony on December 1, 2007, in honor of Council Member West.
- c. Roy Warden submitted a petition to Mayor Walkup for a proposed future agenda item asking for full disclosure of all City of Tucson policy as it related to illegal immigration and homeland security issues.

It was moved by Vice Mayor Scott, duly seconded, and carried by a voice vote of 6 to 1 (Council Member West dissenting), to direct the City Attorney to prepare a written response to the petition filed by Roy Warden.

- d. Laura Leighton spoke about the immigration system and its lack of enforcement.
- e. Alexander Monarrez Maldonado read excerpts from the poem "I am Joaquin" by Rodolfo "Corky" Gonzales.
- f. Joe Sweeney spoke about illegal immigrants and enforcement of immigration laws.
- g. Zaliah Zalkind suggested the Mayor and Council establish a policy to prohibit the Tucson Police Department from enforcing immigration laws, as it was not in its jurisdiction.
- h. Russell Dove spoke about his indignation at other cultures being promoted above the American way of life. He stressed federal immigration laws needed to be enforced.
- i. Michael Toney spoke about the new hotel and arena to be built for the Rio Nuevo district using tax increment financing (TIF).

7. **CONSENT AGENDA – ITEMS A THROUGH L**

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

A. **FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON POLICE OFFICERS ASSOCIATION FOR THE "KIDS AND COPS CHRISTMAS" EVENT**

- 1. Report from City Manager NOV20-07-620 MAYOR AND WARD 4
- 2. Resolution No. 20823 relating to Finance; approving and authorizing the allocation of Two Hundred Fifty Dollars (\$250) from the Mayor's Office and Five Hundred Dollars (\$500) from Ward 4 Office Community Support Fund, Account No. 001-183-1898-268, to the Tucson Police Officers Association to assist with the cost of the "Kids and Cops Christmas" event; and declaring an emergency.

This is a request by Mayor Walkup and Vice Mayor Scott. Allocation of funds is as follows: Mayor Walkup - \$250.00 and Vice Mayor Scott - \$500.00

Roger W. Randolph, Chief Deputy City Clerk, announced Resolution 20823 would be amended to include additional contributions of one hundred fifty dollars from Council Member West; one hundred dollars from Council Member Uhlich; and two hundred fifty dollars from Council Member Leal to the original contributions of two

hundred fifty dollars from Mayor Walkup and five hundred dollars from Vice Mayor Scott, for a total of one thousand two hundred fifty dollars.

B. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR ACCEPTANCE OF GRANT FUNDS FOR THE CITY'S BACK TO BASICS PROGRAM

1. Report from City Manager NOV20-07-616 WARD 3
2. Resolution No. 20824 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and the Pascua Yaqui Tribe authorizing a grant to the City of Tucson for the City's Back to Basics Program; and declaring an emergency.

C. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO THE SOFTBALL COMPLEX AT LINCOLN PARK

1. Report from City Manager NOV20-07-624 CITY-WIDE
2. Resolution No. 20825 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County authorizing improvements to the softball complex located at Lincoln Park; and declaring an emergency.

D. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS AT MORRIS K. UDALL PARK

1. Report from City Manager NOV20-07-623 WARD 2
2. Resolution No. 20826 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County authorizing improvements to the sports field located at Morris K. Udall Park; and declaring an emergency.

E. PARKS AND RECREATION: FACILITY DEVELOPMENT AND USE AGREEMENT WITH RINCON LITTLE LEAGUE FOR A SNACKBAR AT PURPLE HEART PARK

1. Report from City Manager NOV20-07-622 WARD 4

2. Resolution No. 20827 relating to Parks and Recreation; authorizing and approving a Facility Development and Use Agreement between the City of Tucson and Rincon Little League, Inc. for the development of a new snackbar at Purple Heart Park; and declaring an emergency.
- F. TUCSON CODE: AMENDING (CHAPTER 20) EXEMPTING LAW ENFORCEMENT OFFICERS FROM CERTAIN PARKING RESTRICTIONS
1. Report from City Manager NOV20-07-621 CITY-WIDE
 2. Ordinance No. 10479 relating to Motor Vehicles and Traffic; amending the Tucson Code, Chapter 20, Motor Vehicles and Traffic, Article VII, Stopping, Standing and Parking, Division 6, Safety Issues, by adding a new Section 20-283; exempting Law Enforcement Officers from specified parking provisions; and declaring an emergency.
- G. BOARDS, COMMITTEES AND COMMISSIONS: AMENDING THE COMPOSITION OF THE DOWNTOWN LINKS CITIZEN ADVISORY COMMITTEE
1. Report from City Manager NOV20-07-619 WARDS 1 AND 6
 2. Resolution No. 20828 relating to Boards and Commissions; amending Resolution No. 20171 relating to the Downtown Links Citizen Advisory Committee by allowing members of the Downtown Links Citizen Advisory Committee to serve on other City Boards, Commissions, Committees, and Task Forces; and declaring an emergency.

Roger W. Randolph, Chief Deputy City Clerk, announced there was an amendment to the resolution as stated during study session.

Michael Rankin, City Attorney, read the following amendment to Section 1 of Resolution 20828 into the record, "Section 3 of Resolution 20171 is amended to add a new Subsection (f) to read as follows: '(f) Notwithstanding Section 10A-134(c) of the Tucson Code, members of the committee may serve concurrently on other city committees, boards or commissions.'"

- H. AGREEMENT: WITH THE UNITED STATES GEOLOGICAL SURVEY FOR MONITORING AQUIFER STORAGE AND SUBSIDENCE MEASUREMENT
1. Report from City Manager NOV20-07-629 CITY-WIDE AND OUTSIDE CITY

This item was continued at the request of staff.

I. AGREEMENT: WITH THE UNITED STATES GEOLOGICAL SURVEY FOR MONITORING STREAM FLOWS AND SUBSIDENCE/AQUIFER COMPACTION

1. Report from City Manager NOV20-07-630 CITY-WIDE AND OUTSIDE CITY

This item was continued at the request of staff.

J. REAL PROPERTY: ACQUISITION OF PIPELINE EASEMENTS FOR THE “PANTANO OVERLOOK” DEVELOPMENT

1. Report from City Manager NOV20-07-617 WARD 2
2. Resolution No. 20829 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property located on Prudence Road to construct the Pantano Overlook Water System Loop; and declaring an emergency.

K. APPROVAL OF MINUTES

1. Report from City Manager NOV20-07-632 CITY-WIDE
2. Approval of minutes for the regular meetings of the Mayor and Council held September 25, 2007 and November 6, 2007.

L. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE FORT LOWELL SHOOTOUT YOUTH SOCCER TOURNAMENT

1. Report from City Manager NOV20-07-631 WARD 2
2. Resolution No. 20830 relating to Finance; approving and authorizing the allocation of Five Hundred Dollars (\$500) from Ward 2 Office Community Support Fund Account No. 001-183-1898-268, to the Ft. Lowell SHOOTOUT Youth Soccer Tournament to cover increased fees for off-duty police officers; and declaring an emergency.

This is a request by Council Member West. Allocation of funds is as follows:
Council Member West - \$500.00

Roger W. Randolph, Chief Deputy City Clerk, announced Resolution 20830 would be amended to include additional contributions of one hundred dollars from Council Member Uhlich; one hundred dollars from Council Member Leal; and two hundred dollars from Council Member Trasoff to Council Member West’s original contribution of five hundred dollars, for a total of nine hundred dollars.

It was moved by Council Member Uhlich, duly seconded, that Consent Agenda Items A through L, with the exception of Items H and I, which were continued, and with the amendments to Items A, G, and L, be passed and adopted and the proper action taken.

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 Ibarra, West, Uhlich, Leal, and Trasoff;
Vice Mayor Scott and Mayor Walkup

Nay: None

Consent Agenda Items A through L, with the exception of Items H and I, which were continued, and with the amendments to Items A, G, and L, were declared passed and adopted by a roll call vote of 7 to 0.

8. ZONING: (C9-06-31) SUMMIT DEVELOPMENT – FORT LOWELL ROAD, R-2 TO C-1, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communications number 618, dated November 20, 2007, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10478 by number and title only.

Ordinance No. 10478 relating to zoning: amending zoning district boundaries in the area located on the northeast corner of Fort Lowell Road and Alvernon Way, the former location of Davidson Elementary School in Case C9-06-31, Summit Development – Fort Lowell Road, R-2 to C-1; and setting an effective date.

It was moved by Council Member West, duly seconded, to pass and adopt Ordinance 10478.

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 Ibarra, West, Uhlich, Leal, and Trasoff;
Vice Mayor Scott and Mayor Walkup

Nay: None

Ordinance 10478 was declared passed and adopted by a roll call vote of 7 to 0.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 628, dated November 20, 2007, 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 Vice Mayor Scott, duly seconded, and carried by a voice vote of 7 to 0, to appoint Mauricio Lopez, Sr., Lupe Rodriguez, and David B. Salafsky to the Pima County/City of Tucson Commission on Addiction, Prevention, and Treatment.

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

Council Member Uhlich announced her appointment of Sean Sullivan to the Planning Commission.

10. ADJOURNMENT: 6:29 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, November 27, 2007, 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 20th of November, 2007, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:yl:rm:kad