



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on October 26, 2010.

Date of Meeting: May 25, 2010

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 6:11 p.m., on Tuesday, May 25, 2010, 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
Paul Cunningham	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Vice Mayor, Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

None

Staff Members Present:

Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Richard Miranda	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Chaplain Jason English, Davis-Monthan Air Force Base, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup presented a Certificate of Appreciation and Recognition to Cameron Carver for his commitment and dedication to the creation of Cheetah Kids.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 250, dated May 25, 2010, was received into and made 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 invited constituents to take advantage of English language and GED preparation and tutoring classes sponsored by Literacy Volunteers of Tucson and also announced the Ward 1 Office was hosting their Budget Town Hall.
- b. Council Member Cunningham announced the retirement of three of his favorite school teachers. He also announced the Parks and Recreation Department still had openings for all kinds of summer programs and the Ward 2 Office was hosting an Open House with food provided by locally owned restaurants.
- c. Council Member Uhlich invited the community to the Humana "Sun-Safe Summer Program" at six neighborhood pools that offered a free program for children and adults and free swim time.
- d. Vice Mayor Scott announced the kickoff date for the pools that were open during the summer. She also announced the City of Tucson, one of the first of five cities in the country, received what was called an "Imagination Playground in a Box" valued at fifteen thousand dollars and consisted of giant foam blocks, mats, wagons and fabric to be utilized by approximately four thousand children in the community through the Parks and Recreation programs.
- e. Council Member Fimbres announced Phase One of the Tucson Marketplace at the Bridges began with the construction of a one hundred forty-eight thousand square foot Costco as the lead anchor store.
- f. Council Member Kozachik announced the Ward 6 Council office hosted a Budget Town Hall and also commented and congratulated Barry Roberts, one of Council Member Cunningham's favorite teachers that was retiring stating Mr. Roberts was also the scoreboard operator for the University of Arizona football games.

- g. Mayor Walkup commented on the “Bridges” project, which used to be called Project “X” and had been going on for a decade, sitting there waiting to be developed. He said it was a great joy to finally see this project come together and the community needed to know that not only will the area fill up with retail, but with first class residential and expansion of the University of Arizona’s Bio-Science.

Mayor Walkup announced that the ground breaking ceremony for the new Tucson Electric Power (TEP) headquarters downtown was held and congratulated City staff for their flawless performance and professional efforts in responding to TEP’s needs for permitting, approval and moving forward. He also announced the Regional Transportation Authority (RTA) Board approved the funding to move forward with the Modern Streetcar which will connect the University of Arizona with the Westside.

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

Mayor Walkup announced City Manager’s communication number 251, dated May 25, 2010, was received into and made 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.

Richard Miranda, Deputy City Manager commented that Mike Letcher, City Manager, was not present for the evening’s meeting because he was attending his son’s graduation. He announced Jeff Biggs, Tucson Water Director, was nominated and selected as the 2009-2010 recipient of the Kenneth J. Miller Founder’s Award due to his outstanding commitment and leadership in support of Water for People. He also announced the Police Athletic League Clubhouse opened at Estevan Park.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager’s communication number 252, dated May 25, 2010, was received into and made part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Application(s)

New License(s)

- 1. QuikTrip #1487, Ward 4
10142 E. Golf Links Rd.
Applicant: Troy Charles DeVos
Series 10, City 27-10
Action must be taken by: June 11, 2010

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

2. Monkey Burger, Ward 6
47 N. 6th Ave.
Applicant: Fletcher Jay McCusker
Series 12, City 29-10
Action must be taken by: June 13, 2010

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)

c. Special Event(s)

1. St Demetrios Church Choir, Ward 3
1145 E. Fort Lowell Rd.
Applicant: Vasiliki J. Kyriakakis
City T42-10
Date of Event: June 18, 2010
(Church Music Conference Dinner)

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

2. Tucson Breakfast Lions Club, Ward 5
4823 S. 6th Ave.
Applicant: Wayne Francis Locke
City T43-10
Date of Event: June 18, 2010 - June 19, 2010
(Fundraiser)

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

d. Agent Change/Acquisition of Control/Restructure

1. Fiesta Market, Ward 5
2620 E. 22nd St.
Applicant: Antonia Mendoza Desuazo
Series 10, City AC2-10
Action must be taken by: June 14, 2010

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

NOTE: The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

It was moved by Council Member Fimbres, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1-5b2, 5c1-5c2 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 except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Walkup also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review a matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during the “call to the audience.”

- a. Melinda Prado spoke in support of Job Path and shared her story to stress the importance and impact of the program in the community.
- b. Andy Marshall, Principal Executive Officer of the Teamsters Union representing the Sun Tran employees spoke in support of the Intergovernmental Agreement between the Regional Transportation Authority (RTA) and the City of Tucson.

Council Member Romero confirmed with the City Attorney that the Mayor and Council directed staff to return with a Memo of Understanding (MOU) that was acceptable to the citizens of Tucson, the Mayor and Council and the RTA that brought the best deal to the citizens and the City of Tucson.

- c. Joseph Sweeney spoke about illegal aliens working in the City of Tucson, identity theft, and Don Bourne Properties.
- d. Ruben Anaya spoke about the lack of security training and safety for Sun Tran employees regarding explosive devices.

Council Member Romero asked Richard Miranda, Deputy City Manager, to follow-up regarding Mr. Anaya’s concerns as it seemed it could open up the City for major consequences.

7. CONSENT AGENDA – ITEMS A THROUGH J

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

A. APPROVAL OF MINUTES

1. Report from City Manager MAY25-10-254 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on January 12, 2010.

B. REAL PROPERTY: APPROVING A LEASE AGREEMENT WITH ZANG SHI ZHI, DBA: PANDA BUFFET FOR PROPERTY LOCATED AT 2419 EAST BROADWAY BOULEVARD

1. Report from City Manager MAY25-10-255 WARD 6
2. Ordinance No. 10791 relating to real property; authorizing and approving the Lease Agreement for 2419 East Broadway Boulevard with Zang Shi Zhi, dba Panda Buffet; and declaring an emergency.

C. REAL PROPERTY: AUTHORIZATION TO NEGOTIATE A LEASE AGREEMENT WITH THE WAREHOUSE ARTS MANAGEMENT ORGANIZATION FOR THE CITIZEN'S WAREHOUSE PROPERTY

1. Report from City Manager MAY25-10-257 WARD 1
2. Ordinance No. 10792 relating to real property; authorizing and directing City Staff to negotiate and the City Manager to execute a Master Lease Agreement with the Warehouse Arts Management Organization ("WAMO") for the Citizen's Warehouse Property located at 44 West Sixth Street and 520 North Ninth Avenue; and declaring an emergency.

D. BOARDS, COMMITTEES, AND COMMISSIONS: EXTENDING THE TERM OF SERVICE FOR THE TRANSIT TASK FORCE

1. Report from City Manager MAY25-10-258 CITY-WIDE
2. Resolution No. 21557 relating to Boards and Commissions; amending Resolution No. 21023 to extend the term of the Transit Task Force; and declaring an emergency.

E. TRANSPORTATION: ACQUISITION OF RIGHT-OF-WAY FOR THE CONGRESS STREET AND EL RIO SANTA CRUZ NEIGHBORHOOD HEALTH CENTER BUS PULLOUT

1. Report from City Manager MAY25-10-259 WARD 1

2. Resolution No. 21558 relating to transportation; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property needed for a Regional Transportation Authority (RTA) Bus Pullout at Congress Street and El Rio Santa Cruz Neighborhood Health Center; and declaring an emergency.
- F. ASSURANCE AGREEMENT AND FINAL PLAT: (S09-055) VILLAGE CENTER AT RITA RANCH, LOTS 1 TO 29 AND COMMON AREA “A”
1. Report from City Manager MAY25-10-260 WARD 4
 2. Resolution No. 21559 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements and approving the final plat in Case No. S09-055, for Village Center at Rita Ranch Subdivision, Lots 1 through 29, Common Area “A”; 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.
- G. REAL PROPERTY: AUTHORIZATION TO NEGOTIATE PURCHASE AGREEMENTS AND GROUND LEASES FOR THE BUILDINGS LOCATED AT 191 AND 197 EAST TOOLE AVENUE AND 101 WEST 6TH STREET
1. Report from City Manager MAY25-10-256 WARDS 1 AND 6
 2. Ordinance No. 10793 relating to real property; authorizing and directing City Staff to negotiate and the City Manager to execute purchase agreements and ground leases for the buildings located at 191 and 197 East Toole Avenue and 101 West Sixth Street (“Steinfeld Warehouse”); and declaring an emergency.
- H. LABOR AGREEMENT: WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
1. Report from City Manager MAY25-10-264 CITY-WIDE
 2. Resolution No. 21560 relating to employee relations; authorizing the City Manager to execute an agreement with the American Federation of State, County and Municipal Employees (“AFSCME”); and declaring an emergency.

I. INTERGOVERNMENTAL AGREEMENT AND AGREEMENTS: WITH VARIOUS GOVERNMENTAL AND NONGOVERNMENTAL AGENCIES FOR THE METROPOLITAN MEDICAL RESPONSE SYSTEM AND THE URBAN AREAS SECURITY INITIATIVE

1. Report from City Manager MAY25-10-263 CITY-WIDE AND OUTSIDE CITY
2. Resolution No. 21561 relating to Intergovernmental Agreements and Associated Agreements with nongovernmental entities; approving, and authorizing the Mayor to execute, an Intergovernmental Agreement between the City of Tucson, the City of Sierra Vista, and other eligible governmental participants in the Metropolitan Medical Response System (MMRS), and Urban Areas Security Initiative (UASI); approving, and authorizing the Fire Chief to execute, and agreement between the City of Tucson and other eligible nongovernmental participants in the MMRS and UASI; and declaring an emergency.

J. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE CORE TAX AND PERMANENT OVERRIDE REVIEW COMMITTEE

1. Report from City Manager MAY25-10-265 CITY-WIDE
2. Resolution No. 21562 relating to Boards and Commissions; creating the Core Tax and Permanent Override Review Committee; and declaring an emergency.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 7-0, that Consent Agenda Items A through J be passed and adopted and the proper action taken.

8. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 15) RESIDENTIAL, COMMERCIAL AND GROUNDWATER PROTECTION FEE INCREASE

Mayor Walkup announced City Manager's communication number 266, dated May 25, 2010, was received into and made part of the record. He also announced this was the time and place legally advertised for a public hearing on a proposed increase of residential and commercial fees and the adoption of a groundwater protection fee. He said before beginning the public hearing, staff wanted to make a brief statement.

Andrew Quigley, Environmental Services Department (ES) Director, stated staff was requesting the Mayor and Council to approve and adopted the changes to Chapter 15 of the Tucson Code regarding Environmental Services fees. He briefly covered with the Mayor and Council the background of the fee increases and stated they were based on ES's ten-year Financial Plan to erase their projected long term liability of \$61.9 million dollars. Mr. Quigley presented the following changes:

- Introduction of the “Right Size Your Can” program which gives customers the opportunity to select the size (forty-eight, sixty-five or ninety-five gallon) of container they would like to use and be charged for. This service includes residential and commercial users.
- Commercial rates fee increase of approximately three percent and
- Increase in Recycling Fees from twenty-five dollars to fifty dollars per collection.
- Extend the “Right Size Your Can” Program to commercial accounts.
- Adoption of a groundwater protection fee to enable ES to maintain the sixteen City-owned landfills and begin their efforts to maintain the landfills in perpetuity. The fee would initially raise \$2.7 million dollars and will be assessed on the water bill as an ESP.
- Consideration of the expansion of the Guaranteed Waste Disposal fee service to two new areas; the one thousand annual ton two thousand annual ton waste disposal haulers at a lower rate in return for a guaranteed annual tonnage.
- Litter Assessment Fee of one thousand dollars placed on all vehicles that collect and transport waste within the City. ES has about one hundred collection vehicles and would be assessed one hundred thousand dollars for their share of the license fee. The fee will be strictly used for efforts to remove litter in the community.

Mayor Walkup announced the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Lou Robinson spoke in opposition to the increase in fees by the Environmental Department.

Peggy Mall stated she was a small business owner and lived in the County, but did business within the City limits and spoke in opposition to the licensing fee for refuse and recycling vehicles.

Council Member Kozachik asked Mr. Quigley if he knew what the County fees were and how they compared to what he was proposing.

Mr. Quigley responded that the County fee was twenty-five cents per quarter per resident in the unincorporated areas for residential haulers. He said the fees were not comparable because the County fee was based on a per truck basis. He stated ES operated roughly seventy refuse collection and recycling vehicles totaling seventy thousand dollars for his one hundred and forty thousand customers, or fifty cents per customer on an annual basis.

Council Member Kozachik asked if it was fair to say that the City’s fee was double what the County’s fee was.

Mr. Quigley clarified that the City's rate of fifty cents annually was less than the County's rate of twenty-five cents per quarter which totaled one dollar annually.

Council Member Kozachik state that the previous week, the Mayor and Council adopted a Pawn Shop Ordinance that exempted small business owners from being imposed the license fee. He asked if there was a way ES could see taking care of the smaller operators in a similar fashion so not to take them out of business.

Mr. Quigley said he spoke to Mr. Mall about the type of vehicles he operated and that the fee, if a change was made to the ordinance proposed, would not affect him.

Council Member Kozachik asked what needed to be made so that it would not affect him and to ensure that the small operators would not be impacted as well.

Michael Rankin, City Attorney, stated that a change could be accomplished, but wanted to speak to Mr. Quigley briefly to ensure that the definition was cleared up. He said the language he had, which would be read as an amendment, would add a definition into Section 15-70, which was the litter fee provision, to provide a specific definition of "commercial haulers" to whom the fee would apply and limit it to the application of the article to commercial haulers defined as those who operate front load, rear load, side load and roll-off collection vehicles.

Council Member Kozachik asked what the procedure was when making the motion regarding the amendment.

Mr. Rankin suggested that the Council continue with the public hearing to hear from any additional speakers and when they got to the point of consideration of the ordinance he would read the amendment in to the record.

Joan Lionetti, Tucson Clean and Beautiful Executive Director, spoke in support of the fee adoption and the "Right Size Your Can" program. She said she had some questions and wanted clarification and further discussions regarding the landfill importation of garbage from other communities.

Michael Block, Environmental Services Advisory Committee (ESAC) Finance Subcommittee Chair, spoke in support of the proposed fee increases.

Jack Koch, Affordable Hauling, spoke about his concerns regarding what his fee would be for commercial hauling as he and a few others had many roll-off vehicles but were not comparative to Waste Management or Sahuaro Environmental Services and stated they did not agree with the fee schedule.

Vice Mayor Scott asked Mr. Quigley and/or Mr. Rankin to provide Mr. Koch with the information on the amendment to the Ordinance.

Mr. Rankin stated he had the language on the amendment and was discussing it with Mr. Quigley when Mr. Koch was speaking. He said the application of the litter fee

article would be limited to commercial haulers that operated front load, rear load, side load and roll-off collection vehicles.

Mr. Quigley responded to Mr. Koch stating that the Ordinance as written would apply to him for roll-off vehicles as it applied to ES's, Waste Management's or Sahuaro's roll-off vehicles. He said he looked at roll-off business as an analogy and realized that the customer's paid for this. He said if one looked at it in terms of a roll-off, eight pulls a day for two hundred sixty days, you would have nineteen hundred roll-offs a year on that truck. Therefore, he said, the fee impact would be roughly fifty cents a pull. If you pulled one hundred a month, it would be twelve hundred or a little less than one dollar per pull.

Darryl Heintz, DH Sanitation, spoke in opposition to the proposed Litter Assessment Fee and the impacts on his business.

Mike Jennings, Mini Roll-Off, spoke in opposition to the proposed Litter Assessment Fee and the impacts on his business.

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

Mayor Walkup asked the City Clerk to read Ordinance 10796 by number and title only.

Ordinance No. 10796 relating to Environmental Services; amending Chapter 15 of the Tucson City Code; amending Definitions; amending City fuel price; amending Residential establishment; amending Administration; amending Public nuisances, enforcement; amending Assisted collection service to residential establishments; amending Division 2, Residential collection; amending Responsibility for residential fee; amending Requirements for payment of residential fees; amending Fees for level of service; amending Environmental services low income assistance program; amending Residential collection service fees; amending APC collection fuel surcharge; amending Division 3 commercial collection; amending Front load collection service monthly service fees; amending Compacted front load collection service fees; amending Roll off collection service fees; amending Commercial APC collection service fees; amending Commercial special service fees; amending Commercial fuel surcharge; amending Commercial haulers; amending Credit system; amending Disposal services fee schedule; amending Disposal services contract fee schedule; amending Disposal services fuel surcharge; adding Division 5, groundwater protection fee; deleting Prohibiting disposal at City facilities of solid waste collected, received or transported from outside Pima County; amending Article VIII, Litter fee; amending Suspension or revocation of permits; amending Residential collection service fees by amending Tucson Code Sections 15-1, 15-2.1, 15-5, 15-10.5, 15-16.4, 15-32.1, 15-32.2, 15-32.3, 15-32.4, 15-32.5, 15-32.6, 15-33.2, 15-33.3, 15-34.3, 15-34.4, 15-34.6, 15-34.7, 15-34.8, 15-34.9, 15-36, 15-50, 15-70, and 15-71; and setting an effective date.

Vice Mayor Scott said she would put forth a motion to pass and adopt the Ordinance with the amendment, but asked that Mr. Quigley work with the smaller haulers who were feeling a high stress level and consider adjusting the Ordinance to include something about the number of vehicles in their fleet, if less than a specific number, or a graduated approach to the smaller haulers, or any other option that would be available to them. She said she felt that they expressed some serious concerns and wondered if there was any way to accommodate the smaller hauler.

Mr. Rankin stated the amendment, for the record, would add a new second sentence to the introductory paragraph of Section 15-70, Refuse Collection and Permits that says, "For the purpose of this Article, commercial haulers are defined as those commercial haulers who operate front load, rear load, side load and roll-off collection vehicles."

Council Member Romero stated she too had the same concerns as voiced by Vice Mayor Scott and wanted to see some type of language included in the motion that would differentiate the small "mom and pop" businesses that were already suffering during this economic downturn from the bigger corporate businesses.

Vice Mayor Scott asked what was best, to pass the Ordinance on the "fly" or to pass the Ordinance "as is" to get things going and ask that staff come back with language to accommodate the needs of the smaller haulers at the next meeting.

Mr. Quigley stated staff could sit down and go over the language with the smaller haulers, but was a bit concerned about size and how to go about that. He pointed out that this was a big change to the Ordinance, but they were giving them a lower rate than before with a guarantee to bring waste into the Los Reales Landfill. He stated there were some things already acknowledged for smaller disposers to encourage their return to the Los Reales Landfill. He said with respect to the fee itself, staff could sit down and talk with them.

It was moved by Vice Mayor Scott, duly seconded, to pass and adopt Ordinance 10796, with the amendment and inclusion of language for smaller haulers, and the proper action be taken.

Council Member Kozachik stated he agreed with his colleagues and felt this Ordinance was similar to what the Council had done with the Pawn Shop Ordinance. He said he hoped the small haulers could be accommodated.

Council Member Cunningham asked if the exemption could be done by the number of pulls or trucks.

Mr. Quigley stated that the number of trucks in their fleet would have to be looked at as they were under no obligation to deliver waste to the Los Reales Landfill.

Mayor Walkup asked for a roll call vote.

Roger W. Randolph, City Clerk, stated that, as a point of clarification, the added language would return to the Mayor and Council on June 8, 2010.

The motion to pass and adopt Ordinance 10796, with the amendment and the added language to return as an item on the June 8, 2010, Mayor and Council meeting, was passed by a roll call vote of 7 to 0.

9. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 27), RELATING TO AN INCREASE IN WATER RATES

Mayor Walkup announced City Manager's communication number 262, dated May 25, 2010, was received into and made part of the record. He announced this was the time and place legally advertised for a public hearing on the adoption of an increase in water rates. He said the public hearing was scheduled to last for no more than one hour, and speakers were limited to five-minute presentations.

Paul Baughman spoke about block rates within water rates. He said his concern was not with the amount of the increase, but with the way the increase was being applied. He asked that the City look into block rates and they way they are allocated.

Council Member Uhlich asked the Tucson Water Director to refer the question to the Citizens Water Advisory Committee (CWAC) for further consideration and future examination of the block rates.

It was moved by Vice Mayor Scott, duly seconded and carried by a voice vote of 7-0, to close the public hearing.

Mayor Walkup asked the City Clerk to read Ordinance 10795 by number and title only.

Ordinance No. 10795 relating to water; amending certain portions of the Tucson Code, Chapter 27, Water, Article II, Rates and Charges; Section 27-32.1, Monthly Reclaimed Water Service Charges; Section 27-33, Monthly Potable Water Service Charges; Section 27-34, Charges for Fire Protection Service; and setting an effective date.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll call vote of 7-0, to pass and adopt Ordinance 10795.

10. ZONING: (C9-09-10) QUIKTRIP – AJO WAY, R-3 TO C-2, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 261 dated May 25, 2010, was received into and made part of the record. He asked the City Clerk to read Ordinance 10794 by number and title only.

Ordinance No. 10794 relating to zoning: amending zoning district boundaries in the area located on the south side of Ajo Way, East of Mission Road between Phoebe and Pandora Avenues in Case C9-09-10, Quiktrip – Ajo Way, R-3 to C-2 (Ward 1); and setting an effective date.

Roger W. Randolph, City Clerk, announced a three-fourths majority vote was necessary to adopt the Ordinance.

It was moved by Council Member Romero, duly seconded and passed by a roll vote of 7 to 0, to pass and adopt Ordinance 10794.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 253 dated May 25, 2010, was received into and made part of the record.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 7 to 0, to appoint Jesus A. Arrieta to the Veterans Affairs Committee and reappoint Burton Wright to the Fire Code Review Committee.

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

Council Member Fimbres announced his personal appointments of Robert Villamana to the Rodeo Grounds/Parade Citizen Oversight Committee, Mark Cage to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender Issues and Peter Norback to the Citizens Transportation Advisory Committee.

Council Member Cunningham announced his personal appointment of Amy McCoy to the Citizens Water Advisory Committee.

12. ADJOURNMENT: 7:35 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, June 8, 2010, 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 25th day of May 2010 and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:yl