



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on November 23, 2010.

Date of Meeting: June 15, 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 5:45 p.m., on Tuesday, June 15, 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 (arrived at 5:49 p.m.)
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:

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Glenn Alden, Sunrise Chapel Swedenborgian, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup proclaimed June 16, 2010, to be “Alliance of Construction Trades Day.” James Kuliesch, Alliance of Construction Trades Executive Director accepted the proclamation.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 285, dated June 15, 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 announced two events in Ward 1; the 40th Annual Juneteenth Celebration and the Día de San Juan Festival.
- b. Council Member Cunningham thanked all those that attended the Ward 2 Budget Town Hall and reminded constituents that the Ott Family YMCA was holding its grand re-opening of their facilities.
- c. Vice Mayor Scott announced that the Ward 4 office had a summer intern from Sabino High School. She also announced that she and Council Member Romero attended the “Beat the Peak 2010” kick-off event and asked staff from the Tucson Water Department to explain the program.
- d. Council Member Fimbres passed on a safety message regarding pool drownings and the importance of learning CPR. He announced that the El Pueblo Senior Center hosted a Father’s Day Celebration.

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

Mayor Walkup announced City Manager’s communication number 286, dated June 15, 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 the report.

Mike Letcher, City Manager, announced his office issued a memorandum, for the public’s awareness, on the nine scheduled furlough days that his office and the labor councils, TACE and AFSCME, had agreed upon. He thanked the labor councils and department heads for their hard work and flexibility in implementing the days.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager’s communication number 287, dated June 15, 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. El Coronado Family Restaurant, Ward 4
9040 E. Valencia Rd., Suite 100
Applicant: Mary Elena Coronado
Series 12, City 32-10
Action must be taken by: July 1, 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)

Person/Location Transfer(s)

2. Mr. Head’s, Ward 6
509 & 513 Ste. 101, N. 4th Ave.
Applicant: Micah Aron Blatt
Series 6, City 31-10
Action must be taken by: June 25, 2010

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

Public Opinion: Written Arguments Opposed Filed
 Written Arguments in Favor Filed

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant’s capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

This item was considered separately.

c. Special Event(s)

Tucson Museum of Art, Ward 1
140 N. Main Ave.
Applicant: Amanda Ivy Reed
City T44-10
Date of Event: July 16, 2010
(Exhibition Opening Reception)

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

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no agent change(s) scheduled for this meeting.

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

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Application(s)

Person/Location Transfer(s)

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Applicant: Micah Aron Blatt
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Staff has indicated the applicant is in compliance with city requirements.

Public Opinion: Written Arguments Opposed Filed
 Written Arguments in Favor Filed

Roger W. Randolph, City Clerk, announced the item to be considered separately was Item 5b2, Mr. Head's, located in Ward 6.

Council Member Kozachik stated he had received a lot of input regarding this application. He asked the applicant to come forward and make a presentation.

Micah Blatt, Applicant, addressed the Mayor and Council regarding his application stating his business was more than just a bar; it was an art gallery as well, that would support local artists. He gave a description of what his business entailed and how it supported other businesses in the area. He said he met with area neighborhood

associations, received over four hundred local signatures, twenty-two signatures and seven letters from local business owners, and many people in the audience were in support of his application. He asked for the Mayor and Council's support.

Ford Burkhart, West University Neighborhood Association (WUNA), stated he was in opposition of Mr. Head's liquor license application. He said he had lived in the WUNA neighborhood for sixty years and grew up along 4th Avenue when there were only one or two bars between Speedway and 4th Avenue.

Brian McCarthy, West University Neighborhood Association (WUNA) Board Member, spoke in opposition of the liquor license application. He stated he has lived in the neighborhood for about thirty years. He said it use to be a friendly place where you could a get meal and do some interesting shopping. He stated those days were gone as there were a wall-to-wall establishments serving alcohol.

Chris Gans, West University Neighborhood Association (WUNA) President, stated he has lived in the area for about thirty years and WUNA voted not to support Mr. Head's liquor license application. He said they felt they had enough Series 6 bars and establishments that served alcohol within two blocks on 4th Avenue. WUNA was concerned about parking, noise levels and violence in the area. He requested that the Mayor and Council not support the application.

Bruce Hungate, Fourth Avenue Merchant's Association (FAMA), stated he has operated his business, a Dairy Queen, since 1968. He said he was present to reaffirm his opposition for any more Series 6 liquor licenses in the 4th Avenue business district. Mr. Hungate stated parking was a major issue, as well as, the noise that would be created by the open air patio. He stated he was also concerned about the affects on his own business; he would not be able to hear his drive-through customers. Mr. Hungate said that the FAMA voted unanimously not to have any more Series 6 liquor licenses in the area.

Council Member Kozachik stated when Mr. Blatt and his father came to speak with him; he was intrigued by their proposal of Mr. Head's not being just a bar, but an art gallery as well. He said, since then, he heard the concerns from the neighbors, WUNA and FAMA.

It was moved by Council Member Kozachik, duly seconded, and passed by a voice vote of 7 to 0, to forward liquor license application 5b2 to the Arizona State Liquor Board with a recommendation of denial.

6. CALL TO THE AUDIENCE

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

- a. Ken Rineer spoke the Mayor and Council’s compliance with House Bill 2543.

Council Member Kozachik asked the City Attorney to prepare a response for the Mayor and Council to Mr. Rineer.

- b. Shannon Cain gave the first installment of her performance piece entitled, “*Tucson, the Novel: An Experiment in Literature and Civil Discourse.*”
- c. Chandria Wilhelm spoke in support of Job Path and how it has helped her in her quest to becoming a nurse.
- d. Joe Sweeney spoke in support of Access Tucson, 287(g) Funding, and SB 1070.

7. CONSENT AGENDA – ITEMS A AND 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. REAL PROPERTY: APPROVING A LEASE AGREEMENT WITH GLORIA J. GILLESPIE FOR A PARKING AREA LOCATED AT 3306 NORTH FIRST AVENUE

- 1. Report from City Manager JUN15-10-289 WARD 3
- 2. Ordinance No. 10802 relating to real property; authorizing and approving the Lease Agreement between the City of Tucson and Gloria J. Gillespie for parking on the property located at North First Avenue and East Navajo Road (3306 North First Avenue); and declaring an emergency.

B. REAL PROPERTY: APPROVING A GROUND LEASE AGREEMENT WITH VERIZON WIRELESS, LLC FOR A WIRELESS CELLULAR ANTENNAE AT 6420 NORTH CRAYCROFT ROAD

- 1. Report from City Manager JUN15-10-290 OUTSIDE CITY
- 2. Ordinance No. 10803 relating to real property; authorizing and approving the Ground Lease Agreement between the City of Tucson and Verizon Wireless, (“VAW”) LLC for a wireless cellular antennae located at 6420 North Craycroft Road, Tucson, Arizona; and declaring an emergency.

C. FINANCE: AUTHORIZING THE APPROVAL OF THE FISCAL YEAR 2009 INVOLUNTARY TORT JUDGMENTS

- 1. Report from City Manager JUN15-10-293 CITY-WIDE

2. Resolution No. 21565 relating to Fiscal Year 2011 Primary Property Tax Levy; approving litigation awards made pursuant to settlements approved by the City Manager; and declaring an emergency.

D. GRANTS: GRANT AGREEMENT WITH THE GILA RIVER INDIAN COMMUNITY FOR DISTRIBUTION OF GAMING MONIES TO NATIVE SEEDS

1. Report from City Manager JUN15-10-295 CITY-WIDE
2. Resolution No. 21566 relating to grants; approving and authorizing submission of a grant application to the Gila River Indian Community in Support of Native Seeds; and declaring an emergency.

E. TUCSON CODE: AMENDING (CHAPTER 22) ARTICLE V LEAVE BENEFIT PLAN

1. Report from City Manager JUN15-10-296 CITY-WIDE

Staff has requested that this item be continued to the meeting of June 22, 2010.

F. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA FOR CONSTRUCTION OF NEW TRAFFIC SIGNALS AT PRINCE ROAD AND INTERSTATE 10

1. Report from City Manager JUN15-10-297 WARD 1
2. Resolution No. 21567 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and the State of Arizona for the construction of new traffic signals at Prince Road and Interstate 10; and declaring an emergency.

G. GRANTS: GRANT AGREEMENT WITH THE AK CHIN INDIAN COMMUNITY FOR DISTRIBUTION OF GAMING MONIES TO PLANNED PARENTHOOD ARIZONA

1. Report from City Manager JUN15-10-294 CITY-WIDE
2. Resolution No. 21568 relating to grants; approving and authorizing submission of a grant application to the Ak Chin Indian Community in Support of Planned Parenthood Arizona; and declaring an emergency.

H. TRANSPORTATION: ACQUISITION OF RIGHT-OF-WAY FOR THE HOUGHTON ROAD CORRIDOR PROJECT

1. Report from City Manager JUN15-10-298 WARD 4

2. Resolution No. 21569 relating to transportation; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property needed as right-of-way for the Houghton Road Corridor Project between Irvington Road and Valencia Road; and declaring an emergency.

I. TUCSON CODE: AMENDING (CHAPTER 10) FISCAL YEAR 2011
COMPENSATION PLAN SCHEDULES

1. Report from City Manager JUN15-10-299 CITY-WIDE
2. Ordinance No. 10806 relating to Compensation Plan; Tucson Code Chapter 10, Civil Service—Human Resources, Article II, Compensation Plan, Section 10-31, Adopting Salary Schedules for Fiscal Year 2011; Implementing Section 10-31; ratifying, reaffirming and reenacting Sections 10-31(7), Providing percentages for calculation of compensation from salary schedules for employees in specified assignment positions; Section 10-31(8), Payment for uniform maintenance; Section 10-33, Language Communication Compensation; Section 10-33.1, Proficiency pay for commissioned police personnel certified as bilingual users of American Sign Language (ASL) or Spanish; Section 10-34, Incentive pay for fire prevention inspectors; Section 10-34.1, Assignment and incentive pay for maintaining paramedic certification and working as paramedics; Section 10-35, Fire battalion chief call back shift pay; Section 10-49, Holiday and BOI pay for Commissioned Officers of the Tucson Police Department of the position of Lieutenant and assignment positions of Captain and Assistant Chief; Section 10-52, Longevity Compensation Plan; Section 10-53, Pipeline protections program; compensation; Section 10-53.1, Permanent and probationary city civil service employees and elected officials and appointed employees downtown allowance; Section 10-53.2, Maintenance Management Program, assignment and incentive pay compensation; Section 10-53.3, Career Enhancement Program (CEP) incentive pay for commissioned Police personnel through rank of Captain; Section 10-53.4, Additional Compensation for certain Public Safety command staff; and Section 10-53.5, Honor Guard assignment pay for Fire Commissioned personnel; amending Section 10-48, supplement to military pay; all as part of implementation of the annual compensation plan for Fiscal Year 2011; and declaring an emergency.

J. APPROVAL OF MINUTES

1. Report from City Manager JUN15-10-300 CITY-WIDE
2. Approval of minutes for the regular and special meetings of the Mayor and Council held on June 9, 2009.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Consent Agenda Items A and J, with the exception of Item E, which was continued to the meeting of June 22, 2010, and the proper action taken.

8. PUBLIC HEARING: 2011 BUDGET AS TENTATIVELY ADOPTED ON JUNE 8, 2010

Mayor Walkup announced City Manager's communication number 301, dated June 15, 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 the Budget as tentatively adopted on June 8, 2010. He said the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Jason Aragon, Pan Left Productions, spoke in support of the Tucson-Pima Arts Council (TPAC) and how they took a chance on him when he first began doing his own videos and independent films. He said art was a vital important part of Tucson. He asked that the Mayor and Council continue funding TPAC.

Daniela Ontiveros, Pan Left Productions, spoke in support of the Tucson-Pima Arts Council (TPAC) and her experience working with them. She said she was a producer and video arts teacher that began her career by writing and receiving a grant through TPAC. As a teacher, she had to teach youth how to be critical thinkers and how to create and express themselves. She asked for the Mayor and Council's continued support.

Elizabeth Burden, member of the Tucson-Pima Arts Council (TPAC) Arts Advocacy Network, spoke in support of funding for TPAC. She thanked the Mayor and Council for including TPAC in their budget. She said the people in support of TPAC that were present for the meeting, were there because there was a belief that the arts, in a myriad of ways, were connected to other community issues such as entertainment, tourism, working with youth and civic engagements. She said the arts and culture could help solve many situations the community was in and gave some examples on how she thought the arts helped.

Karen Falkenstrom read a piece from Chuck Graham, who wrote about Tucson's performing arts while employed by the Tucson Citizen. Mr. Graham spoke about the importance of the arts in Tucson and funding by the City of Tucson.

George Favela and June Webb-Vignery, Metropolitan Education Commission (MEC), spoke asking that the City's funding allocation match the County's funding. Ms. Webb-Vignery gave some background history regarding the importance of matching funding by the City for the MEC. Mr. Favela added that the MEC appreciated everything the Mayor and Council had done, but needed anchor funding by both the City and the County in order to leverage for any outside funding.

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

Mayor Walkup announced the Council would stand adjourned and convene a special meeting for the adoption of the budget.

RECESS: 7:00 p.m.

RECONVENE: 7:20 p.m.

(Note: See minutes of the Special Mayor and Council Meeting of June 15, 2010 regarding the Final Budget Adoption for Fiscal Year 2011.)

The meeting was called to order by Mayor Walkup at 7:20 p.m., 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:

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

9. STREETS: NAMING THE NEW ROAD ALIGNMENT “SCIENCE PARK DRIVE”

Mayor Walkup announced City Manager's communication number 292, dated June 15, 2010, was received into and made part of the record. He asked the City Clerk to read Ordinance 10805 by number and title only.

Ordinance No. 10805 relating to streets; naming the new road alignment in Sections 20 and 29 of Township 15S, Range 15E (University of Arizona) Science Park Drive; and declaring an emergency

It was moved by Vice Mayor Scott, duly seconded, and carried by a roll vote of 7 to 0, to pass and adopt Ordinance 10805.

10. ZONING: (C9-03-25) RINCON BAPTIST CHURCH – GOLF LINKS ROAD, RX-1 TO O-3, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 291, dated June 15, 2010, was received into and made part of the record. He asked the City Clerk to read Ordinance 10804 by number and title only

Ordinance No. 10804 relating to zoning: amending zoning district boundaries in the area located on the south side of Golf Links Road, East of Prudence Road in Case C9-03-25, Rincon Baptist Church – Golf Links Road, RX-1 to O-3; and setting an effective date.

It was moved by Vice Mayor Scott, duly seconded, and carried by a roll vote of 7 to 0, to pass and adopt Ordinance 10804.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 288, dated June 15, 2010, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Kozachik, duly seconded, and carried by a voice vote of 7 to 0, to appoint Gayle Brickert-Albrecht and John Crosby to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender (GLBT) Issues.

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

Council Member Fimbres announced his personal appointment of Donna Whitman to the Pima County-Tucson Women's Commission (PCTWC).

12. ADJOURNMENT: 7:23 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, June 22, 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 15th day of June 2010, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:yl:sm