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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on June 12, 2012.

Date of Meeting: January 18, 2012

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 5:31 p.m., on Wednesday, January 18, 2012, all members having been notified of the time and place thereof.

### 1. **ROLL CALL**

The meeting was called to order by Mayor Pro Tempore Uhlich and upon roll call, those present and absent were:

Present:

Paul Cunningham  
Karin Uhlich  
Shirley C. Scott  
Richard G. Fimbres  
Steve Kozachik

Council Member Ward 2  
Mayor Pro Tempore, Council Member Ward 3  
Council Member Ward 4  
Council Member Ward 5  
Council Member Ward 6

Absent/Excused:

Jonathan Rothschild  
Regina Romero

Mayor  
Council Member Ward 1

Staff Members Present:

Richard Miranda  
Michael Rankin  
Roger W. Randolph

City Manager  
City Attorney  
City Clerk

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Chaplain James Allerton, Pima County Sheriff's Department, after which the Pledge of Allegiance was presented by the entire assembly.

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

Mayor Pro Tempore Uhlich announced City Manager's communication number 24, dated January 18, 2012, was received into and made part of the record. She 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.

Current event reports were provided by Council Members Cunningham, Scott, Fimbres and Kozachik. A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

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

Mayor Pro Tempore Uhlich announced City Manager's communication number 25, dated January 18, 2012, was received into and made part of the record. She 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 Pro Tempore Uhlich announced City Manager's communication number 26 dated January 18, 2012, was received into and made part of the record. She asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Application(s)

New License(s)

1. Sushi Lounge, Ward 5  
4802 S. 6th Ave.  
Applicant: Wing Ming Forrest Lui  
Series 12, City 100-11  
Action must be taken by: January 30, 2012

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. Wal-Mart Neighborhood Market #3143, Ward 2  
8646 E. Broadway Blvd.  
Applicant: Clare Hollie Abel  
Series 9, City 101-11  
Action must be taken by: February 6, 2012

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

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)

c. Special Event(s)

1. Knights of Columbus Council #12696, Ward 2  
8800 E. 22nd St.  
Applicant: William Dean Woodruff  
City T124-11  
Date of Event: February 18, 2012  
(Fundraiser)

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

2. Tucson Museum of Art, Ward 1  
140 N. Main Ave.  
Applicant: Amanda Ivy Reed  
City T125-11  
Date of Event: January 27, 2012  
(Exhibition Opening Reception)

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

3. Tucson Young Professionals, Inc., Ward 1  
140 N. Main Ave.  
Applicant: Chris James Lawler  
City T127-11  
Date of Event: February 3, 2012  
(Promote Community Activity)

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

- 4. Sonoran Art Foundation, Inc., Ward 4  
1671 S. Research Loop #100  
Applicant: Micah Blatt  
City T128-11  
Date of Event: February 1, 2012 - February 2, 2012  
(Fundraiser)

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

- 5. Davis Monthan Air Force Base First Sergeant Council, Ward 6  
1303 E. University Blvd.  
Applicant: Christopher David Reams  
City T129-11  
Date of Event: February 4, 2012  
(Annual Awards Banquet)

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

d. Agent Change/Acquisition of Control

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

It was moved by Council Member Scott, duly seconded and passed by a voice vote of 5 to 0, (Mayor Rothschild and Council Member Romero absent/excused), to forward liquor license applications 5b1-2 and 5c1-5 to the Arizona State Liquor Board with a recommendation for approval.

**6. CALL TO THE AUDIENCE**

Mayor Pro Tempore Uhlich 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.

Comments were made by:

Mikki Niemi	Roy Warden	Roger Score
Keith Van Heyningen	Tracy Toland	Greg Rice
Craig Hoffsmith	Diana Whitman	Kristen Metzger
Jenny Abril	Kevin Campbell	Raelene Kaylor
Darsha Doran	Min Yve	

A complete recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

**7. CONSENT AGENDA – ITEM A**

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

a. APPROVAL OF MINUTES

1. Report from City Manager JAN18-12-28 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of June 28, 2011

City Clerk Roger W. Randolph announced a scrivener's error on the agenda. The minutes to be approved were for June 28, 2011, not June 28, 2012.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 5 to 0, (Mayor Rothschild and Council Member Romero absent/excused), that Consent Agenda Item a be passed and adopted and the proper action taken.

**8. HUMAN RESOURCES: APPROVING THE APPOINTMENT OF LANI SIMMONS AS THE DIRECTOR OF HUMAN RESOURCES**

Mayor Pro Tempore Uhlich announced City Manager's communication number 29, dated January 18, 2012, was received into and made part of the record. She asked the City Clerk to read Ordinance 10956 by number and title only.

Ordinance No. 10956 relating to the Department of Human Resources; approving the appointment of Lani Simmons as the Director of Human Resources and fixing compensation.

It was moved by Council Member Scott, duly seconded, to pass and adopt Ordinance 10956.

Council Member Cunningham asked whether the compensation package included a car allowance.

Richard Miranda, City Manager, stated a car allowance would be included in the compensation package.

Council Member Cunningham stated that he was not comfortable appointing Ms. Simmons, at that time, since he had not had an opportunity to meet her. He had a problem with the way the process was handled and the lack of outreach to the Mayor and Council.

Council Member Kozachik asked staff to explain the process and the effort made to introduce the candidates to the Mayor and Council.

Kelly Gottschalk, Assistant City Manager, Chief Financial Officer, explained that the position was advertised nationwide and more than seventy individuals applied. The field was narrowed down to six that were brought in for interviews. The interviews were a two day process with fifty-five people participating. This included department directors, retiree representatives, labor council representatives and employees of the Human Resources Department. She stated there was also a meet and greet for all other interested parties including the Mayor and Council.

Ordinance 10956 was passed by a roll call vote of 4 to 1, (Council Member Cunningham dissenting, Mayor Rothschild and Council Member Romero absent/excused).

**9. ZONING: (SE-11-39) CRICKET – RENAISSANCE DRIVE, I-1 ZONE, WIRELESS COMMUNICATION FACILITY, SPECIAL EXCEPTION LAND USE, CITY MANAGER’S REPORT, DIRECT ORDINANCE ADOPTION**

City Clerk Roger W. Randolph announced that Council Member Romero had requested this item be continued to January 24, 2012.

**10. ZONING: (C9-11-08) EVERGREEN DEVCO – FIRST AVENUE, NR-1 AND NR-2 TO C1 ZONE, CITY MANAGER’S REPORT**

Mayor Pro Tempore Uhlich announced City Manager’s communication number 31, dated January 18, 2012, was received into and made part of the record. She also announced this was a request to rezone property located between First Avenue and Hampton Street south of Grant Road. She said the Zoning Examiner and staff recommend authorization of the rezoning subject to certain conditions. She asked if the applicant or representative were present and if they were agreeable to the proposed requirements.

Keri Silvyn, on behalf of the applicant, said they were agreeable to the proposed requirements. She also thanked City staff and the Jefferson Park Neighborhood Association.

Ernie Duarte, Planning and Development Services Director, announced a correction to Attachment A, the recommended conditions. Condition number 8 should read “Trucks with refrigeration units shall not run those units between the hours of 7 p.m. and 7 a.m.”

Joan Hall, Jefferson Park Neighborhood Association President, spoke about their support for the project.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 5 to 0, (Mayor Rothschild and Council Member Romero absent/excused), to approve the request as recommended by the Zoning Examiner including the correction to condition number 8.

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

Mayor Pro Tempore Uhlich announced City Manager’s communication number 27, dated January 18, 2012, was received into and made part of the record. She asked for a motion to approve the appointments in the report.

It was move by Council Member Kozachik, duly seconded, and passed by a voice vote of 5 to 0, (Mayor Rothschild and Council Member Romero absent/excused), to approve the appointment of Daniel Uthe to the Fire Code Review Committee and the reappointments of Stanley Adams, Jim Kazal and Mark Favara to the Fire Review Code Committee and Nadine H. Rund to the Armory Park Historic Zone Advisory Board in the Special Qualifications category.

Council Member Cunningham announced his personal appointment of Steven Shell to the Board of Adjustment.

**12. ADJOURNMENT: 6:31 p.m.**

Mayor Pro Tempore Uhlich announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, January 24, 2012, 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 18th day of January 2012, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

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