



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on September 24, 2013.

Date of Meeting: February 5, 2013

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 5:32 p.m., on Tuesday, February 5, 2013, all members having been notified of the time and place thereof.

1. ROLL CALL

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

Present:

Regina Romero
Paul Cunningham
Karin Uhlich
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

Vice Mayor, Council Member Ward 1
Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Council Member Ward 6
Mayor

Absent/Excused:

None

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 Rabbi Samuel Cohon, Temple Emanu-El, after which the Pledge of Allegiance was led by Cub Scout Pack 231.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 34, dated February 5, 2013, 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.

Current event reports were provided by Vice Mayor Romero, Council Members Cunningham, Uhlich, 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 Rothschild announced City Manager's communication number 35, dated February 5, 2013, 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.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager's communication number 36, dated February 5, 2013, 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. 99 Cents Only Store #312, Ward 3
4144 N. Oracle Rd.
Applicant: Randy D. Nations
Series 10, City 114-12
Action must be taken by: February 10, 2013

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

2. 99 Cents Only Store #206, Ward 4
7125 E. Golf Links Rd.
Applicant: Randy D. Nations
Series 10, City 115-12
Action must be taken by: February 10, 2013

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)

3. R Place Bar & Grill, Ward 2
3412 N. Dodge Blvd.
Applicant: Randy Miner Cramblit
Series 6, City 118-12
Action must be taken by: February 14, 2013

Staff has indicated the applicant is in compliance with city requirements.
4. Pelio Grill, Ward 6
994 E. University Blvd.
Applicant: Giorgios Andreas Markou
Series 7, City 121-12
Action must be taken by: February 16, 2013

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)

Location Transfer(s)

5. Wal-Mart Supercenter #3884, Ward 6
3435 E. Broadway Blvd.
Applicant: Clare Hollie Abel
Series 9, City 119-12
Action must be taken by: February 14, 2013

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

Public Opinion: Written Arguments Opposed Filed

This item was withdrawn at the request of the applicant.

NOTE: State law provides that for a location transfer, Mayor and Council may consider whether the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license at that location. (A.R.S. Section 4-203; Rule R19-1-102)

c. Special Event(s)

1. Downtown Tucson Partnership, Ward 6
141 S. Stone Ave.
Applicant: Brandi Renee Haga
City T119-12
Date of Event: March 9, 2013
(Cycling Event)

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

2. Tucson Screammers, Ward 3
1102 W. Grant Rd.
Applicant: Bobby Sutton
City T1-13
Date of Event: February 7, 2013 - February 9, 2013
(Music Festival)

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

3. Many Mouths One Stomach, Ward 1
127 W. 5th St.
Applicant: Paul J. Weir
City T2-13
Date of Event: February 16, 2013
(Fundraiser)

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

4. Bootstraps to Share aka BICAS, Ward 1
127 W. 5th St.
Applicant: Erik B. Ryberg
City T3-13
Date of Event: February 15, 2013
(Charity Art Show)

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

d. Agent Change/Acquisition of Control

1. Kmart, Ward 2
7055 E. Broadway Blvd.
Applicant: Jeffery Alan Bick
Series 9, City AC33-12
Action must be taken by: February 7, 2013

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 Kozachik, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 – 5b4, 5c1 – 5c4 and 5d1 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Mayor Rothschild 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 Rothschild also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the 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 “call to the audience.”

Comments were made by:

Nina Elliott	Mary DeCamp	Ken Johnson
Luis Araiza	Roy Warden	Pam Simon
Lori McMann	Maria Cadaxa	Renée Horton
Rodrigo Guerro	Keith Van Heyningen	Jim Haunley
Daniel Garcia	Father Bart Hutcherson	

Council Member Uhlich asked the City Manager to request that the Tucson Department of Transportation call her Council Office. She explained it would be good to provide a statement to the Public regarding the action the Council took that day concerning the Ronstadt Center. She said she believed it was in the spirit of the comments made.

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

7. CONSENT AGENDA – ITEMS A THROUGH C

Mayor Rothschild 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 FEB05-13-32 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of May 15, 2012
3. Mayor and Council Study Session Legal Action Report and Minutes of May 15, 2012

b. TRANSPORTATION: REQUESTING THE ARIZONA DEPARTMENT OF TRANSPORTATION TO RECOGNIZE THE TUCSON INTERNATIONAL AIRPORT AS A CRITICAL RAIL STATION AS PART OF THE PASSENGER RAIL CORRIDOR STUDY

1. Report from City Manager FEB05-13-30 CITY WIDE AND OUTSIDE CITY
2. Resolution No. 21997 relating to Transportation; requesting the Arizona Department of Transportation to recognize the Tucson International Airport as a critical rail station as part of the Passenger Rail Corridor Study; and declaring an emergency.

c. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE UNIVERSITY OF ARIZONA FOR "PROJECT WET" YOUTH EDUCATION PROGRAMS

1. Report from City Manager FEB05-13-31 CITY WIDE AND OUTSIDE CITY
2. Resolution No. 21998 relating to Intergovernmental Agreements; authorizing the execution of Amendment Number 1 to the Intergovernmental Agreement between the City of Tucson and the Arizona Board of Regents on behalf of the University of Arizona's Water Resources Research Center to continue Water Education for Teachers (Arizona Project WET); and declaring an emergency.

It was moved by Vice Mayor Romero, duly seconded, and passed by a roll call vote of 7 to 0 that Consent Agenda Items a – c be passed and adopted and the proper action taken.

8. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager’s communication number 33, dated February 5, 2013, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

Roger Randolph, City Clerk, read the appointments of Rick Gordon, Jack McLain, and Grant Wille to the Armory Park Historic Zone Advisory Board (APHZAB); and Kristin Broksas to the Environmental Services Advisory Committee (ESAC) and the reappointments of George Daniel Ross to the Veterans’ Affairs Committee (VAC) and Gigi Rodriquez and Pete Chalupsky to the Metropolitan Housing Commission (MHC).

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 7 to 0 to approve the appointments as read.

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

Council Member Kozachik announced his personal appointment of Martha Taylor to the Human Relations Commission (HRC).

Council Member Scott announced her personal appointments of Mike Proctor to the Economic and Workforce Development Selection Committee (EWDSC), and Lauryn Bianco to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender Issues (GLBT).

9. ADJOURNMENT: 6:34 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on February 12, 2013, 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 5th day of February 2013, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:jr:rlm