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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on September 24, 2013.

Date of Meeting: February 20, 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 5:33 p.m., on Wednesday, February 20, 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	Vice Mayor, Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

None

Staff Members Present:

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

\* **City Clerk Note:** The minutes of February 20, 2013, as approved by the Mayor and Council, contained a clerical error on page seven. Within the text of the document, deleted text is ~~struckthrough~~ and new added text is in **bold**. RWR:DR:yl 10/7/13

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Missionary Cherry Jackson, Church of God Christ, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Rothschild proclaimed Sonar Technician Submarine First Class Jesse Reyna to be an “Honorary Citizen of the ‘Old Pueblo’”.

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

Mayor Rothschild announced City Manager’s communication number 49, dated February 20, 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, and 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 50, dated February 20, 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 56, dated February 20, 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. Adiba Fas Fuel, Ward 2  
8530 E. Speedway Blvd.  
Applicant: Adiba S. Rana  
Series 10, City 4-13  
Action must be taken by: March 3, 2013

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

2. Mama Louisa's Italian Restaurant & Catering, Ward 4  
2041 S. Craycroft Rd.  
Applicant: David Ray Mowery  
Series 12, City 5-13  
Action must be taken by: March 4, 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 Transfer(s)

NOTE: There are no application(s) for person transfers scheduled for this meeting.

c. Special Event(s)

1. Congregation Anshei Israel, Ward 6  
5550 E. 5th St.  
Applicant: Robert Dietz  
City T7-13  
Date of Event: March 9, 2013  
(Fundraiser)

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

2. Live Theatre Workshop, Ward 6  
5317 E. Speedway Blvd.  
Applicant: Michael Andrew Martinez  
City T8-13  
Date of Event: March 8, 2013 - March 9, 2013  
(Fundraiser)

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

3. St. Demetrios Greek Orthodox Church, Ward 3  
1145 E. Fort Lowell Rd.  
Applicant: Philip LaMantia  
City T11-13  
Date of Event: March 9, 2013  
(Fundraiser)

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

4. Downtown Tucson Partnership, Ward 6  
82 S. Stone Ave.  
Applicant: Brandi Renee Haga  
City T12-13  
Date of Event: March 9, 2013  
(Premier cycling event)

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 carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 and 2, and 5c1 through 4 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:

Ken Scoville	Jack Reising	Brian Andrews
Ron Barber	Molly McKasson	Andrea Elkins
Peggy Wenrick	Rodrigo Guerrero	Bunny (Ruth) Davis
Daniel Hernandez, Jr.	Margaret Warner Olson	Sharon Kha
Joyce Tracy	Ila Abernathy	Betts Putnam-Hidalgo

Council Member Uhlich asked the City Clerk to provide a copy of the handout relating to her motion from Study Session Item 4 to those who provided their addresses on their requests to speak regarding Regular Agenda Item 12.

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 FEB20-13-51 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of June 5, 2012
3. Mayor and Council Special Meeting Minutes of June 5, 2012
4. Mayor and Council Study Session Legal Action Report and Summary Minutes of June 5, 2012

**b. REAL PROPERTY: REQUEST FOR APPROVAL OF A SECOND AMENDMENT TO THE TEMPLE OF MUSIC AND ART MANAGEMENT AGREEMENT**

1. Report from City Manager FEB20-13-52 WARD 6
2. Resolution No. 22005 relating to Real Property; authorizing and approving the Second Amendment to the Management Agreement dated February 1, 1988, by and between the City of Tucson and Arizona Theatre Company; and declaring an emergency.

**c. PARKS AND RECREATION: NAMING THE DOG PARK AT PURPLE HEART PARK “IVAN’S SPOT”**

1. Report from City Manager FEB20-13-53 WARD 4
2. Resolution No. 22004 relating to Parks and Recreation; authorizing and approving the naming of the dog park in Purple Heart Park "Ivan's Spot"; and declaring an emergency.

(This item was considered separately at the request of Council Member Scott).

It was moved by Council Member Fimbres, duly seconded, and passed by a voice vote of 7 to 0, that Consent Agenda Items a and b be passed and adopted and the proper action taken.

**7. CONSENT AGENDA – ITEM C**

**c. PARKS AND RECREATION: NAMING THE DOG PARK AT PURPLE HEART PARK “IVAN’S SPOT”**

1. Report from City Manager FEB20-13-53 WARD 4
2. Resolution No. 22004 relating to Parks and Recreation; authorizing and approving the naming of the dog park in Purple Heart Park "Ivan's Spot"; and declaring an emergency.

Roger W. Randolph, City Clerk, announced the first item to be considered separately was Item c at the request of Council Member Scott.

Council Member Scott thanked Congressman Barber for attending the meeting. A seven minute video was played of the fallen K-9 Police Officer, Ivan.

Council Member Scott spoke of Ivan and his handler. She requested to name only the dog park, in Purple Heart Park, “Ivan’s Spot”.

Paul Sheldon, TPOA Secretary and Police K-9 handler, spoke in support of the resolution.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Item c be passed and adopted and the proper action taken.

**9. RESOLUTION: SUPPORTING THE MISSION OF THE DAVIS-MONTHAN AIR FORCE BASE**

(Note: This item was taken out of order.)

Mayor Rothschild announced City Manager’s communication number 55, dated February 20, 2013, was received into and made part of the record. He requested the City Clerk to read Resolution 22006 by number and title only.

Resolution No. 22006 relating to Davis-Monthan Air Force Base (DMAFB); supporting the mission of the Davis-Monthan Air Force Base; and declaring an emergency.

Council Member Scott recognized those members of the audience who had come out in support of the resolution.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Resolution 22006.

Council Member Scott recognized Davis-Monthan Air Force personnel that were present for the meeting.

- \* Council Member Kozachik thanked DMAFB members ~~for their service to the country and stated his support for the resolution.~~ **for their service and stated that he supported the “current” mission of the base and trusted that base leadership would continue to work with the community on challenging issues as they came forward in the future, as they are already doing.**

**8. ZONING: (C9-12-14) ARIZONA AUTO SPA - MIDVALE PARK ROAD, C-1 TO C-2, CITY MANAGER'S REPORT**

Mayor Rothschild announced City Manager’s communication number 57, dated February 20, 2013, was received into and made part of the record. He stated that it was a request to rezone approximately 0.92 acres, of a 1.31 acre parcel, from C-1 to C-2 zoning. The rezoning site was located at the southeast corner of Midvale Park Road and Irvington Road. He stated the Zoning Examiner and staff recommended the approval of C-2 zoning. He asked if the applicant was present and in agreement.

Nathan Lawson, Arizona Auto Spa, stated he was in agreement with the requirements of the zoning request.

It was moved by Vice Mayor Romero, duly seconded and passed by a roll call vote of 7 to 0, to authorize the request for rezoning as recommended by the Zoning Examiner.

**9. RESOLUTION: SUPPORTING THE MISSION OF THE DAVIS-MONTHAN AIR FORCE BASE**

(NOTE: This item was taken out of order and discussed after the Consent Agenda.)

**10. MEMORIAL: REQUESTING SUPPORT FROM THE CITY OF TUCSON FOR THE VAIL INCORPORATION EFFORT**

Mayor Rothschild announced City Manager’s communication number 56, dated February 20, 2013, was received into and made part of the record. He requested the City Clerk to read the Memorial by title only.

A Memorial relating to Incorporation; declaring support for the town of Vail Incorporation Effort.

Mayor Rothschild asked if there was any further discussion. There was none.

It was moved by Council Member Scott, duly seconded and passed by a roll call vote of 7 to 0, to pass and adopt the Memorial.

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

Mayor Rothschild announced City Manager's communication number 54, dated February 20, 2013, 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 approve the appointment of Jerry Kyle to the Tucson-Pima County Historical Commission (TPCHC) as a Historian or Cultural Anthropologist and the reappointment of Dr. Sarah Herr to the Tucson-Pima County Historical Commission (TPCHC) as an Archaeologist.

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

There were none.

**12. CITY GOVERNMENT: REQUIRING BACKGROUND CHECKS ON FIREARM SALES AT PROPERTY OWNED OR MANAGED BY THE CITY**

Mayor Rothschild announced City Manager's communication number 58, dated February 20, 2013, was received into and made part of the record. He requested the City Clerk to read Resolution 22007 by number and title only.

Resolution No. 22007 relating to firearms; requiring background checks for firearm sales on city-owned and/or city-managed property; and declaring an emergency.

Council Member Kozachik thanked the supporters of the resolution. He stated that the emphasis on the resolution pivots to the Pima County Board of Supervisors and State Legislature to follow suit. He noted there were bills currently held up in legislative committee. He urged the State Legislature to at least let the measures before them be heard and publicly debated.

Mayor Rothschild asked if there was any further discussion. There was none.

It was moved by Council Member Kozachik, duly seconded and passed by a roll call vote of 7 to 0, to pass and adopt Resolution 22007.

**13. ADJOURNMENT:** 6:54 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, February 26, 2013, 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 20th day of February 2013, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

RWR:eg:dp