



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 5, 2016

Date of Meeting: June 23, 2015

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, June 23, 2015, 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:

Paul Cunningham	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Richard G. Fimbres	Vice Mayor, Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

Regina Romero	Council Member Ward 1
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Staff Members Present:

Martha Durkin	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Charlie Knapp, Catholic Diocese of Tucson, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Rothschild presented Certificate of Appreciation Awards to the following City employees:
 - Cynthia Thompson, Mail Room Supervisor
 - Charles Ambrose, Mail Room Clerk
 - Ray Corral, Mail Room Clerk
 - Vincente Vasquez, Mail Room Clerk

- b. Council Member Scott and Vice Mayor Fimbres presented Certificate of Appreciation Awards to Renee and Joe Sowards for their long time service to the City.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 242, dated June 23, 2015, 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 Council Members Cunningham, Vice Mayor Fimbres, and Mayor Rothschild. 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 243, dated June 23, 2015, 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.

Current event report was given by Martha Durkin, City Manager. A recording of this item is available from the City Clerk’s Office for ten years from the date of this meeting.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager’s communication number 235, dated June 23, 2015, 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. Obon Sushi + Bar + Ramen, Ward 6
350 E. Congress St. #120
Applicant: Kevin Arnold Kramber
Series 12, City 45-15
Action must be taken by: July 3, 2015

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)

2. Brother John's Beer Bourbon & BBQ, Ward 3
1801 N. Stone Ave.
Applicant: John Anthony Aldecoa
Series 6, City 19-15
Action must be taken by: May 16, 2015

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

NOTE: State law provides that for a person to person transfer Mayor and Council may consider the applicant's capability qualifications and reliability. (A.R.S. Section 4-203)

c. Special Event(s)

1. Saints Peter and Paul Roman Catholic Parish - Tucson, Ward 6
1946 E. Adams St.
Applicant: Patrick McHale Crino
City T56-15
Date of Event: July 10, 2015 - July 11, 2015
(Knights of Columbus Meeting of Officers)

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

2. Museum of Contemporary Art, Ward 6
265 S. Church Ave.
Applicant: Samuel Ireland
City T57-15
Date of Event: July 10, 2015
(Edible Baja Arizona Magazine Release)

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

d. Agent Change/Acquisition of Control

1. Looks Bar and Grill, Ward 3
2000 N. Oracle Rd.
Applicant: Michael Gordon Pavon
Series 6, City AC9-15
Action must be taken by: July 5, 2015

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

2. Monkey Burger, Ward 6
5350 E. Broadway Blvd. #128/130
Applicant: Thomas Robert Aguilera
Series 12, City AC10-15
Action must be taken by: July 5, 2015

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 Cunningham, duly seconded and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to forward liquor license applications 5b1 through 5b2, 5c1 through 5c2, and 5d1 through 5d2 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:

Greg White	Angel Garcia	Anthony Potter
Miriam Perez Cordova	Ben Korn	Michelle Perez
Michael Oatman	Dennise Ibarra	Eric Peery
Yasmine Straka	Jose Perez	

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 R

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 JUN23-15-216 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of December 9, 2014
3. Mayor and Council Study Session Legal Action Report and Summary Minutes of December 9, 2014

b. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE PIMA ANIMAL CARE CENTER

1. Report from City Manager JUN23-15-217(2) CITY WIDE
2. Resolution No. 22420 relating to Outside Agency Activities; authorizing and approving the First Amendment to an Intergovernmental Agreement (IGA) between the City of Tucson (City) and Pima County; and declaring an emergency.

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

c. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY TO PROVIDE ANIMAL CARE SERVICES WITH PIMA ANIMAL CARE CENTER

1. Report from City Manager JUN23-15-218 CITY WIDE

2. Resolution No. 22419 relating to Outside Agency Activities; authorizing and approving an Intergovernmental Agreement (IGA) to provide Animal Care Services between the City of Tucson (City) and Pima County for Fiscal Year 2016 (FY 16); and declaring an emergency.
- d. TUCSON CODE: AMENDING (CHAPTER 12) RELATING TO ELECTIONS
1. Report from City Manager JUN23-15-219 CITY WIDE

(This item has been continued at the request of Staff.)
- e. ELECTIONS: AMENDMENTS TO THE CAMPAIGN FINANCE ADMINISTRATION RULES AND REGULATIONS FOR THE PUBLIC MATCHING FUNDS PROGRAM FOR CANDIDATES FOR CITY OFFICE
1. Report from City Manager JUN23-15-220 CITY WIDE
 2. Resolution No. 22415 relating to Elections; adopting amended Campaign Finance Administration rules and regulations for the administration of the provisions contained in Subchapters A and B of Chapter XVI of the Tucson Charter that govern the Public Matching Funds Program for candidates for City offices; and declaring an emergency.
- f. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY SUPERIOR COURT FOR PROVIDING JURORS TO THE TUCSON CITY COURT
1. Report from City Manager JUN23-15-221 CITY WIDE
 2. Resolution No. 22416 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of Amendment No. 03 to the IGA between the Arizona Superior Court in Pima County and the Tucson City Court for providing jurors to the Tucson City Court; and declaring an emergency.
- g. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE PIMA COUNTY SUPERIOR COURT FOR PROVIDING PRETRIAL SERVICES FOR DEFENDANTS WITH DOMESTIC VIOLENCE OFFENSES
1. Report from City Manager JUN23-15-222 CITY WIDE
 2. Resolution No. 22414 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of Amendment No. 01 to the IGA between the Arizona Superior Court in Pima County and the Tucson City Court for providing Pretrial Services to the Tucson City Court; and declaring an emergency.

- h. LABOR AGREEMENT: WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
 - 1. Report from City Manager JUN23-15-223 CITY WIDE

(This item was continued at the request of Staff.)
- i. LABOR AGREEMENT: WITH THE TUCSON POLICE OFFICERS ASSOCIATION
 - 1. Report from City Manager JUN23-15-224 CITY WIDE

(This item was continued at the request of Staff.)
- j. LABOR AGREEMENT: WITH THE TUCSON FIREFIGHTERS ASSOCIATION
 - 1. Report from City Manager JUN23-15-225 CITY WIDE

(This item was continued at the request of Staff.)
- k. LABOR AGREEMENT: WITH THE COMMUNICATION WORKERS OF AMERICA
 - 1. Report from City Manager JUN23-15-226(2) CITY WIDE

(This item was continued at the request of Staff.)
- l. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF REVENUE TO BRING THE CITY INTO COMPLIANCE WITH HOUSE BILL 2111 AND REPEALING PORTIONS OF RESOLUTIONS 20912 AND 22329
 - 1. Report from City Manager JUN23-15-227 CITY WIDE
 - 2. Resolution No. 22413 relating to Finance; authorizing and approving an Intergovernmental Agreement (IGA) between the State of Arizona Department of Revenue (ADOR) and the City of Tucson (City) to bring the City into compliance with House Bill (HB) 2111; repealing portions of Resolutions 20912 and 22329; and declaring an emergency.
- m. REAL PROPERTY: APPROVING A GROUND LEASE AGREEMENT WITH VERIZON WIRELESS FOR A TELECOMMUNICATION FACILITY AT 1177 W. IRVINGTON ROAD
 - 1. Report from City Manager JUN23-15-228 WARD 1

2. Ordinance No. 11279 relating to Real Property; authorizing and approving a Ground Lease Agreement between the City of Tucson (City) and Verizon Wireless, LLC (VAW) for a communication tower and related facilities at 1177 West Irvington Road, Tucson, Arizona; and declaring an emergency.
- n. FINAL PLAT: (S15-003) SIERRA MORADO, UNIT 3, PHASE 3
1. Report from City Manager JUN23-15-229 WARD 4
 2. Staff recommends that the Mayor and Council approve 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.
- o. TUCSON CODE: AMENDING (CHAPTER 10) RELATING TO CERTIFIED COMPRESSED NATURAL GAS INSPECTOR ASSIGNMENT AND INCENTIVE PAY PROGRAM
1. Report from City Manager JUN23-15-230 CITY WIDE
 2. Ordinance No. 11280 relating to Compensation Plan; amending Tucson Code Chapter 10, Civil Service - Human Resources, Article II, Compensation Plan, Section 10-31, to add Section 10-53.8 Certified Compressed Natural Gas Inspector Assignment and Incentive Pay Program; setting an effective date; and declaring an emergency.
- p. REAL PROPERTY: RATIFYING THE ORIGINAL 2008 LEASE AGREEMENT WITH PIMA COUNTY AND APPROVING THE SUBLEASE AGREEMENT WITH THE ARIZONA DEPARTMENT OF CHILD SAFETY FOR USE OF OFFICE SPACE IN THE SOUTHERN ARIZONA CHILDREN'S ADVOCACY CENTER
1. Report from City Manager JUN23-15-231 CITY WIDE
 2. Ordinance No. 11282 relating to Real Property; ratifying the original 2008 Lease Agreement with Pima County for the use of office space in the Southern Arizona Children's Advocacy Center (SACAC); authorizing and approving the Sublease Agreement between the City of Tucson (City) and the Arizona Department of Child Safety (DCS) for the use of the SACAC office space; and declaring an emergency.

- q. REAL PROPERTY: ACQUISITION OF A WATER EASEMENT FOR EXISTING WATER INFRASTRUCTURE ON PRIVATE PROPERTY LOCATED IN TUCSON TERRACE (CONTINUED FROM THE MEETING OF JUNE 9, 2015)
 - 1. Report from City Manager JUN23-15-232 CITY WIDE.
 - 2. Resolution No. 22404 relating to Water and Real Property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn, if necessary, a water easement for existing water infrastructure on private property owned by Roy Rosas, located in Tucson Terrace and adjacent to the west edge of Hillside Drive; and declaring an emergency.

- r. TRANSPORTATION: DE-ANNEXATION TO PIMA COUNTY OF THE RIGHT OF WAY OF VALENCIA ROAD EAST OF HOUGHTON ROAD TO THE CITY LIMITS
 - 1. Report from City Manager JUN23-15-233 WARD 4
 - 2. Ordinance No. 11281 an Ordinance of the City of Tucson, Arizona, de-annexing certain Right of Way within the incorporated limits of the City of Tucson, Pima County, State of Arizona ("City") pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes ("A.R.S.") and amendments thereto; and setting an effective date.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused), that Consent Agenda Items a - r, with the exception of Items b and c, which were considered separately, and Items d, and h – k, which were continued, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEM B

- b. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE PIMA ANIMAL CARE CENTER
 - 1. Report from City Manager JUN23-15-217(2) CITY WIDE
 - 2. Resolution No. 22420 relating to Outside Agency Activities; authorizing and approving the First Amendment to an Intergovernmental Agreement (IGA) between the City of Tucson (City) and Pima County; and declaring an emergency.

Martha Durkin, City Manager, explained that IGAs for animal care services between the City and County had been in existence for decades. She said discussions had taken place in a couple of budget meetings with staff and also with County officials to discuss how the City could better afford animal care services.

Ms. Durkin stated that overall; there was support amongst all of the jurisdictions and Pima County for a Regional Animal Care Facility that would provide humane and cost effective services. She said the City's disagreement lied with administration charges, overhead charges, capital charges, and changes to the services without consultation to the jurisdictions.

Ms. Durkin said that Item 7b was an amendment to the IGA for fiscal year 2015. She stated the IGA was on the evening's agenda and she recommended approval in the spirit of compromise with the County. She commented that the amendment might have been appropriate at the time the County chose to build the tent, however the City of Tucson was not approached at the time and received the bill afterwards. She said, clearly, many of the animals received at the center were from City addresses and the City received those benefits. She said she found it appropriate to amend the IGA to cover the cost for services and that the cost would be covered by the year end fund balance.

Ms. Durkin continued saying that Consent Agenda Item 7c was for the fiscal year 2016 IGA and was a one year agreement which provided for the waiver of previously charged administrative overhead charges, which amounted to approximately five hundred thousand dollars. She said it did, however, include administrative overhead charges for the following year. She stated it was on the same terms that other jurisdictions had agreed to pay the administrative overhead.

Ms. Durkin stated that the City and County would meet quarterly to negotiate an ongoing agreement that met all of the City's requirements which was especially important in light of the bond project for a new animal care center in the same location is the existing one. She said the City budgeted \$3.7 million for animal care services and that the County had estimated the charges to be significantly more at \$4.8 million. However, some of those charges were for services for which the County received grants and donations for and she said she expected those would be deducted from the City's charge.

Ms. Durkin also stated that they had agreed that the City would only pay for actual billing on a monthly basis. She said the City had begun increasing the dog licensing revenue by one dollar a year for the next five years. She stated that if after the first quarter the City did not see an increase in the dog licensing revenue needed to meet the budget, staff would negotiate a reduction in services with the County which was agreed upon by the County Administrator.

Ms. Durkin said she believed Consent Agenda Items 7b and 7c were good and fair and recommended the Mayor and Council's approval.

Mayor asked Council if there was to any more discussion on Item 7b.

It was moved by Council Member Uhlich, duly seconded, that Consent Agenda Item 7b be passed and adopted and the proper action taken.

Council Member Kozachik stated he believed the matter was correctly characterized. He said the question was not whether PACC was overstuffed to the gills; it was the process by which the County made the capital investment. He said he appreciated the City Manager's interest in moving forward relationally in the spirit in compromise and recognizing that he would support the item on a one time basis.

The motion to pass and adopt Consent Agenda Item 7b was passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused).

7. CONSENT AGENDA – ITEM C

c. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY TO PROVIDE ANIMAL CARE SERVICES WITH PIMA ANIMAL CARE CENTER

1. Report from City Manager JUN23-15-218 CITY WIDE
2. Resolution No. 22419 relating to Outside Agency Activities; authorizing and approving an Intergovernmental Agreement (IGA) to provide Animal Care Services between the City of Tucson (City) and Pima County for Fiscal Year 2016 (FY 16); and declaring an emergency.

It was moved by Council Member Scott, duly seconded, to pass and adopt Consent Agenda Item c.

Council Member Kozachik stated that in Section 4.3, the County had decided to allocate donations unless there were specific earmarks to the spay/neuter program. He said that was a good thing and was the answer to reducing the number of unwanted animals in the area. He asked if staff knew what the current licensing fees and rates were with regards to Section 3.4.

Martha Durkin, City Manager, responded that for an unaltered dog it was sixty dollars.

Council Member Kozachik corrected his question to inquire the percentage of compliance for the registration of animals.

Ms. Durkin said she believed the percentage of compliance was one-third.

Council Member Steve Kozachik wanted to know what plans were currently in effect to increase compliance rates.

Ms. Durkin said the City had begun working with Pima County to install online licensing services at alternate locations. Currently a citizen was able to go online to license a dog, but if you did not already have the rabies certificate in the system, it was very difficult. If the certificate was not the system, the owner had to go to the PACC. She

stated that The City was looking into having kiosks at Eastside City Hall and General Services on the south side, where cashiers were located. She said there was also the possibility of having a kiosk at the police station in order to have alternate sites as well as licensing drives. She said they would work with neighborhood associations and had spoken to the YMCAs about maybe holding some events at their centers in order to encourage people to license their animals.

Council Member Kozachik stated those were good efforts, not only was it a public safety and health issue, but also a revenue issue. He stated the Ward 6 office will work with the City Manager to do a licensing drive. He said he still had concerns with Section 4.0, for reimbursement of two hundred thirty-eight thousand dollars for the tent which was moved forward on a one time basis. He asked if there was any language in the IGA that prevented a reoccurrence, so that the County could freewheel again, make a capital purchase and bill the City for it.

Ms. Durkin advised that the City would take the position that the IGA did not cover capital expenditures; however it did cover shelter services, which was where the disagreement was and the County believed that whatever was required for shelter services could be billed. She said that was the purpose of the quarterly meetings to continue to address those types of issues.

Council Member Kozachik stated there was no language in the IGA to prevent the County Board of Supervisors (BOS) from going out and agreeing to capital debt and billing the jurisdictions, which he felt was a flaw in what they were about to vote on. He said, additionally with the administrative overhead charges, and the City should pay for their operations cost, the issue was in agreeing on the line items that constituted those costs.

Council Member Kozachik said that the administrative overhead fees that the Mayor and Council objected to going into negotiations continue to take the position that they are not overhead charges relevant to the operations of PACC. He said to the extent that these charges were not being paid by user fees but being paid from the General Fund which was citizen's property taxes, the County was charging a fee on tax dollars. He said the fact was that the County slipped these new charges into the IGA so that the City was expected to pay them, irrespective of whether or not their quote was waiving them this year. He said there was nothing to waive because those charges should not have been there from the beginning.

Council Member Uhlich said she appreciated Ms. Durkin's negotiating all aspects with the county on the City's behalf and communicating both perspectives from the County and the City. She stated this was the first time she heard the specific characterization about the need to expand the facility in order to provide the contracted shelter services. She said she thought those points were probably arguable from both perspectives and compromise was appropriate for the situation.

Council Member Uhlich stated a key point for her was that if and as these issues arose, communications occurred and stayed open in order to prevent surprises that might outwardly affect the budget. She praised Ms. Durkin on a job well done and wanted to continue working with the management team to ensure negotiations and communications remained engaged and vigorous.

Council Member Cunningham expressed his appreciation on the licensing software kiosks and how it would assist with compliance numbers. He stated that even though there were surprises from County, it was still be the responsibility of the City to ensure that animal care was taken seriously. With regard to the kiosks, he said he believed there were entities within the City that could be issued licensing software. He also stated the City might be able change some of the fee schedules on how it would work. He said what he currently understood was that if someone received an unlicensed dog citation; the owner was referred to Justice Court. He asked if that was correct.

Michael Rankin, City Attorney, advised that license violations and other violations under the *Tucson Code* were cited in City Courts.

Council Member Paul Cunningham stated since the citation was cited to City Courts, he wanted to implement the same type of program where a citation could be dismissed if the pet was licensed after the post citation, as in post-citation.

Mayor Rothschild advised that in order to make this work, the cost recovery for licensing was a big piece and staff to be actively engaged consistently in order for it to be properly effective. He asked staff if Mr. Squire and Mr. Jackson would be taking the lead on the licensing.

Ms. Durkin responded that Andrew Squire, Economic Development Specials, was taking the lead along with staff from the budget office and a member of the advisory group.

Mayor Rothschild said the budget was the second part of the item when speaking of being actively engaged all year. He said if licensing fees were going to be increased to where they should be, there was going to be a need for publicity and access and staff to ensure compliance. He asked the City Manager if she had the same thing in mind.

Ms. Durkin answered affirmatively and stated the Pima County also agreed with the City and wanted to work together.

Mayor Rothschild stated he would support the item since it was for one year and the language of the IGA, as he read it, was that the County estimated \$4.8 million in cost, but the City's budget was \$3.7 million. He said the agreement indicated that everyone would come back and work through it throughout the year. He stated everyone was hopeful that the cost would be lower and revenue would be higher.

Mayor Rothschild stated that everyone really needed to work, in the next year towards something that worked for both parties, whether it was a quarterly or monthly meeting and that all entities needed to be engaged. He said he hoped that was what he saw and it would be good for the region as a whole.

Vice Mayor Fimbres added that the spaying and neutering clinics should be happening in order to make it more affordable for all households with pets. He said Ward 5 would assist with these clinics.

Council Member Kozachik reiterated the comments made on increasing licensing fees and to donations for spay/neuter clinics to increase those efforts. He said there was still language lacking that prevented another reoccurrence from the County taking out a debt and turning around and billing the City for it. He said in terms of the IGA, it assumed that the overhead administrative charges would be the City's going forward. He said it placed the City in a position of having to negotiate out of an agreement language that should have been there to begin with.

The motion to pass and adopt Consent Agenda Item 7c was passed by a roll call vote of 5 to 1 (Council Member Romero absent/excused and Council Member Kozachik dissenting).

8. PUBLIC HEARING: MAJOR STREETS AND ROUTES PLAN AMENDMENT (PA-15-01), SONORAN CORRIDOR AND AEROSPACE PARKWAY

Mayor Rothschild announced City Manager's communication number 234, dated June 23, 2015, 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 request to amend the Major Streets and Routes Plan to reflect the conceptual alignment of the Sonoran Corridor and Aerospace Parkway. He said the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Mayor Rothschild asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Vice Mayor Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to close the public hearing.

Mayor Rothschild asked the City Clerk to read Resolution 22412 by number and title only.

Resolution No. 22412 relating to Integrated Planning and Transportation: adopting and approving revision of the Major Streets and Routes Plan (MS&R Plan) reflecting conceptual alignment of the Sonoran Corridor and Aerospace Parkway as proposed by Pima County.

It was moved by Vice Mayor Fimbres, duly seconded, to pass and adopt Resolution 22412.

Council Member Scott expressed concerns regarding I-10/Rita Road traffic interchange, pertaining to the length of time the construction would take and what alternative routes would be proposed. She said Rita Ranch had a higher population than the Town of Marana. She stated those who lived in the area knew how heavily traveled that interchange was as Rita Road was one of only three roads available to get in and out of the area. She commented that the others were Houghton and Valencia.

Council Member Scott stated all three of these roads were either currently under construction or in the construction planning phases. She said the City needed to ensure that constituents in this area could easily travel to their homes, businesses, Raytheon, the U of A Tech Park, Port of Tucson, and the Vail School District to name a few. She stated she was confident these concerns, along with the others brought up at the public hearing in Rita Ranch, would be mitigated as the planning process moved forward.

Council Member Cunningham reiterated that he had spoken multiple times on this matter and praised Council Member Scott and Vice Mayor Fimbres for their work. He said this was a compliment to the aero park and all of the incentives that have been done over the last three years.

Council Member Kozachik asked for a recap of the funding sources, timing and phasing of the project from John Moffat, Pima County.

John Moffat, Pima County, replied that the funding, short term, was a bond project that was a two-lane road that connects to Rita Road as it stands. He said the Sonoran Corridor Interstate Development Act was dropped into the Senate for the designation of this as a Federal Highway, which was the first step of that process. He stated, from a planning standpoint, some regional money had been used to build the aerospace corridor. He said this was a \$600 million plus project, which would require some interstate and possible international money.

Mr. Moffat stated there was P3 interest in the road, some that had come in and said they were ready to fund the project. He explained that P3 required some payback over time so and they were exploring that option.

Council Member Kozachik redirected the conversation with the inquiry of the phasing and early timing.

Mr. Moffat replied that the timing and planning would be five to ten years out. He said some of the early work had begun, but not done under the formal process. He stated the formal process had been started in the last two weeks and one key issue was ensuring access to I-19 across the San Xavier District of the Tohono O'Odham nation. He said they had a long way to go, but felt there was a way to get there.

The motion to pass and adopt Resolution 22412 was passed and adopted by a roll call vote of 6 to 0 (Council Member Romero absent/excused).

9. PUBLIC HEARING: LIMBERLOST AND FAIRVIEW ANNEXATION DISTRICT

Mayor Rothschild announced City Manager's communication number 236, dated June 23, 2015, 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 Limberlost and Fairview Annexation District. He said the hearing was scheduled to last for no more than 1 hour and that speakers were limited to five minute presentations.

Mother Rothschild asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Vice Mayor Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to close the public hearing.

It was moved by Council Member Uhlich, duly seconded, to proceed with the Limberlost and Fairview Annexation District.

Council Member Uhlich said this was a significant effort and praised the Annexation staff, City Manager's Staff, and the City Attorney's team. She stated this type annexation could yield significant gains for the City over a ten year period of more than \$13 dollars. She stated this was the kind of effort they would like to see more often and continue to support in the future.

Council Member Kozachik inquired if the annexation created an obligation for Americans Disabilities Act (ADA) compliance for sidewalks and rights-of-way.

Michael Rankin, City Attorney, stated the act of an annexation did not create an ADA obligation.

The motion to proceed with the Limberlost and Fairview Annexation District was carried by a voice vote of 6 to 0 (Council Member Romero absent/excused).

10. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH THE JOHN ALVA MONTGOMERY REVOCABLE TRUST, OWNER OF PARCEL NO. 114-27-431a

Mayor Rothschild announced City Manager's communication number 237, dated June 23, 2015, was received into and made part of the record. He asked the City Clerk read Resolution 22411 by number and title only.

Resolution No. 22411 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of a Pre-Annexation and Development Agreement between the City of Tucson and the John Alva Montgomery Revocable Trust, owners of Parcel No. 114-27-431A.

Council Member Cunningham asked for clarification if the Trust would be able to reactivate their well under the agreement.

Michael Rankin, City Attorney, responded that once the City provides water service within the water service area, they would longer be able to be use the well as an exempt well.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused), to pass and adopt Resolution 22411.

11. FINANCE: FIXING AND LAVYING THE PRIMARY AND SECONDARY PROPERTY TAXES FOR FISCAL YEAR 2016

Mayor Rothschild announced City Manager's communication number 238, dated June 23, 2015, was received into and made part of the record. He requested the City Clerk read Ordinance 11259 by number and title only.

Ordinance No. 11259 relating to taxation; fixing, levying, and assessing primary and secondary property taxes for the City of Tucson upon the assessed valuation of the property within the City of Tucson subject to taxation, each in a certain sum upon each one hundred dollars of valuation, sufficient to raise the amount estimated to be required in the annual budget, less the amounts estimated to be received from other sources of revenue and unencumbered balances from the previous fiscal year; providing funds for various purposes, all for the fiscal year ending June 30, 2016; and declaring an emergency.

It was moved by Vice Mayor Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused), to pass and adopt Resolution 11259.

12. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS

Mayor Rothschild announced City Manager's communication number 239, dated June 23, 2015, was received into and made part of the record. He asked the City Clerk read Resolution 22417 by number and title only.

Resolution No. 22417 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of an IGA between the City of Tucson (City) and Pima County for the incarceration of City Prisoners FY 2016; and declaring an emergency.

Council Member Kozachik questioned how the County justified the increase for the first day of booking and the days thereafter.

Martha Durkin, City Manager, replied the County based the charges on the overall cost of running the jail. She said the first day was the booking day, which took in to account the medical screening and other increased charges. She stated the subsequent days were much less from two hundred seventy-nine dollars for booking to eighty-five dollars a day for subsequent days.

Ms. Durkin said it is an overall budget divided by inmate day and the City received the billing in a lump sum with the list of City inmates on it. She said the City had discussions with the County to get more specific information. She stated it was a controllable expense by implementing Alternatives to Jail (ATJ) with other measures. She said while the cost was going up there was no concern about meeting budget.

Council Member Kozachik asked with the ATJs and the efforts discussed with respect to minimizing misdemeanor bookings, how was the City moving forward to aggressively have more ATJ cases.

Ms. Durkin advised the City was monitoring the Tucson Police Department's (TPDs) booking practices, so when there was a booking that could have been processed through ATJ, TPD was reminded and complied. She said the City also wanted TPD to cite and release on misdemeanor charges anytime there was a felony and only book on a felony which also reduced the cost.

Council Member Kozachik questioned if those were internal conversations that needed to be had with staff, TPD, and the new Chief of Police.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Resolution 22417.

Council Member Cunningham expressed that the City should see a drop in charges if there as a "warrant purge" to clear a significant number of cases from the docket and reduce warrants. He said this would mean there would be more signed release misdemeanors because they would not have a warrant as well. He said if the inmate days dropped, the County would readjust the formula so the initial booking day fee would cost more.

Resolution 22417 was passed and adopted by a roll call vote of 6 to 0 (Council Member Romero absent/excused)

13. AGREEMENT: APPROVING AN ESTOPPEL CERTIFICATE AND AGREEMENT WITH THE RIO N UEVO MULTIPURPOSE FACILITIES DISTRICT AND NOR-GENERATIONS, LLC. RELATING TO THE ARENA SITE

(This item was continued at the request of Staff.)

14. RECONSIDERATION OF ORDINANCE 11236: CALLING THE 2015 GENERAL ELECTION

Mayor Rothschild announced City Manager's communication number 245, dated June 23, 2015, was received into and made part of the record. He said a motion was needed to reconsider Ordinance 11236.

It was moved by Council Member Scott, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to reconsider Ordinance 11236.

Mayor Rothschild asked the City Clerk read Ordinance 11284 by number and title only.

Ordinance No. 11284 relating to Elections; amending Ordinance No. 11236 relating to the calling of the August 25, 2015 City primary election and November 3, 2015 City general and special elections; giving notice that, as authorized by A.R.S. § 16-205(C), the November 3, 2015 City general and special elections will be conducted as consolidated elections with Pima County, and administered by Pima County, subject to the execution of a mutually acceptable Intergovernmental Agreement with Pima County for election services to the City; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, to pass and adopt Ordinance 11284.

Council Member Kozachik asked if it was one of the conditions with Pima County for the Consolidated Elections to be able to add Charter recommendations on the 2016 ballot.

Michael Rankin, City Attorney, responded the communication that the County Administrator provided to the election official acknowledged understanding of that condition as well.

Council Member Kozachik advised that this information needed to be included in in what the Mayor and Council were voting on that evening.

Mr. Rankin stated that under the Ordinance itself, it included a condition on page 3 that it was subject to the condition that no later than July 7, City and Pima County would approve an IGA between them under which the County would provide election services to the City under terms and conditions mutually agreed upon by the City and

Pima County. He said based on earlier direction from the Mayor and Council the City would include Council Member Kozachik's concern as a condition for election services. He said he and staff were aware that was part of the direction.

Ordinance 11284 was passed and adopted by a roll call vote of 6 to 0 (Council Member Romero absent/excused).

15. CHARTER REVIEW: APPROVAL OF POTENTIAL CHARTER AMENDMENTS FOR THE 2015 BALLOT

Mayor Rothschild announced City Manager's communication number 246, dated June 23, 2015, was received into and made part of the record. He asked the City Clerk read Ordinance 11283 by number and title only.

Ordinance No. 11283 relating to Elections: calling a special election on November 3, 2015, to submit to the City's qualified electors two (2) questions amending the Charter of the City of Tucson to: (1) provide the Mayor with equal voting rights as the Councilmembers; and (2); provide a uniform method for the appointment and removal of certain City officers, and establish that those officers are outside of civil service; and declaring an emergency.

It was moved by Vice Mayor Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused), to pass and adopt Ordinance 11283.

16. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 240, dated June 23, 2015, 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 Scott, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to approve the appointments of Jared Perkins, to the Commission on Disability Issues (CODI) and Michael Bell to the Fort Lowell Historic Zone Advisory Board (FLHZAB) under Special Qualifications.

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

Council Member Cunningham announced his personal appointment of Missy Ortiz and Jeff Rogers to the City Police Chief Appointment Advisory Committee (CPCAAC).

Council Member Scott announced her personal appointment of Joe Sowards to the City Police Chief Appointment Advisory Committee (CPCAAC).

Vice Mayor Fimbres announced his personal appointments of Moniqua Lane to the Pedestrian Advisory Committee (PAC) and Richard Harker to the Commission on Disability Issues (CODI).

17. EXECUTIVE SESSION – NOTICE OF CLAIM BY CONGRESS TAP ROOM, D/B/A HOTEL CONGRESS, DATED JUNE 12, 2014

Roger Randolph, City Clerk, announced the Executive Session was notice as Item 17, Executive Session- Notice of Claim by Congress Tap Room, d/b/a Hotel Congress, dated June 12, 2014, and was being held pursuant to A.R.S. Sec. 38-431.03(A)(3) and (A)(4).

Mayor Rothschild asked for a motion to go into Executive Session.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to enter into Executive Session for Item 17 as noticed in the agenda.

RECESS: 7:13 p.m.

RECONVENE: 7:49 p.m.

All Members present as they were at the start of the meeting.

It was moved by Vice Mayor Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused) to return to open session.

18. MAYOR AND COUNCIL DIRECTION RELATING TO EXECUTIVE SESSION – NOTICE OF CLAIM BY CONGRESS TAP ROOM, D/B/A HOTEL CONGRESS, DATED JUNE 12, 2014

Mayor Rothschild announced City Manager's communication number 248, dated June 23, 2015, was received into and made part of the record.

It was moved by Council Member Kozachik, duly seconded, and carried by a voice vote of 5 to 1 (Council Member Romero absent/excused and Council Member Uhlich dissenting), to proceed as discussed in Executive Session.

19. ADJOURNMENT: 7:52 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on July 7, 2015, 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 23rd day of June 2015, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:km:ms