



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on September 20, 2016.

Date of Meeting: January 20, 2016

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 5:34 p.m., on Wednesday, January 20, 2016, 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	Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Karin Uhlich	Vice Mayor, 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:

Michael J. Ortega	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Ashley Evans, 22nd Street Baptist Church, after which the Pledge of Allegiance was led by the entire assembly.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 14, dated January 20, 2016, 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 Romero, Cunningham, 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 15, dated January 20, 2016, 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 Michael J. Ortega, 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 16, dated January 20, 2016, 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. Trident II, Ward 2
2900 N. Swan Rd. #100
Applicant: Jason M. Machamer
Series 12, City 104-15
Action must be taken by: January 31, 2016

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. Foothills Service Club, Ward 5
242 S. Park Ave.
Applicant: Jessica L. Celentano
City T156-15
Date of Event: February 13, 2016
(Fundraiser)

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

2. San Miguel High School, Ward 1
6601 S. San Fernando Rd.
Applicant: Nicola Anne Hartmann
City T157-15
Date of Event: March 3, 2016
(Open House Fundraising Event)

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

Applicant has requested item be continued to meeting of February 9, 2016.

3. St. Joseph Catholic School Advisory Board, Ward 6
215 S. Craycroft Rd.
Applicant: Rosana V. Paz
City T158-15
Date of Event: February 6, 2016
(Fundraiser)

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

4. Sonoran Art Foundation, Inc., Ward 5
633 W. 18th St.
Applicant: John-Peter S. Wilhite
City T159-15
Date of Event: February 5, 2016
(Fundraiser and Educational Experience)

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

5. United States Bartenders' Guild Tucson Chapter, Ward 6
340 E. 6th St.
Applicant: Aaron A. DeFeo
City T162-15
Date of Event: February 21, 2016
(Arizona Cocktail Week)

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

6. Our Lady of La Vang Parish, Ward 5
800 S. Tucson Blvd.
Applicant: Julia Van Le
City T163-15
Date of Event: February 6, 2016 - February 7, 2016
(Vietnamese New Year Festival)

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

7. Vietnam Veterans of America, Chapter 106, Tucson, Ward 5
4475 S. Country Club Rd.
Applicant: Dennis David St. Germaine
City T2-16
Date of Event: January 30, 2016 - February 7, 2016
(Gem Show)

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 Vice Mayor Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1, 5bc1 through 5c7, with the exception of 5c2, which was continued, 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:

Carl Morgan
Kitty Kennedy
Peter Dooley

Steve Valencia
Fred Yamashita

Bob Cook
Pamela Powers Hanley

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 N

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 JAN20-16-17 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of September 9, 2015
3. Mayor and Council Study Session Legal Action Report and Summary Minutes of September 9, 2015

b. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR MAINTAINING A SUB-RECIPIENT AGREEMENT FOR IMPLEMENTATION OF THE FEDERALLY FUNDED HOME PROGRAM

1. Report from City Manager JAN20-16-20 CITY WIDE
2. Resolution No. 22519 relating to Intergovernmental Agreements; authorizing and approving Amendment 1 to the Intergovernmental Agreement between Pima County and the City of Tucson maintaining a sub-recipient Agreement relating to the implementation of the HOME Program; and declaring an emergency.

c. PARKS AND RECREATION: FACILITY DEVELOPMENT AGREEMENT WITH KAPP-CON, INCORPORATED

1. Report from City Manager JAN20-16-19 WARD 6
2. Resolution No. 22517 relating to Parks & Recreation; authorizing and approving a Facility Development Agreement between the City of Tucson and Kapp-Con, Incorporated for the development of a ramada at Tahoe Park, 2051 East Hampton Street; and declaring an emergency.

- d. FINAL PLAT: (S15-032) SIERRA MORADO UNIT 2 EAST, LOTS 765 THROUGH 766
 - 1. Report from City Manager JAN20-16-18 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.

- e. REAL PROPERTY: APPROVING A LEASE AGREEMENT WITH LATITUDE ENGINEERING FOR TUCSON WATER PROPERTY LOCATED ON NORTH TRICO ROAD NEAR WEST MARANA ROAD
 - 1. Report from City Manager JAN20-16-21 OUTSIDE CITY

(This item has been continued at the request of staff.)

- f. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE BIKE LANE PACKAGE II PROJECT
 - 1. Report from City Manager JAN20-16-22 CITY WIDE

(This item has been continued at the request of staff.)

- g. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE BROADWAY BOULEVARD - CAMINO SECO TO HOUGHTON ROAD PROJECT
 - 1. Report from City Manager JAN20-16-23 WARD 2
 - 2. Resolution No. 22521 relating to Transportation; authorizing and approving Amendment No. 1 to the Intergovernmental Agreement (IGA) for transportation funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for design of the Broadway Boulevard - Camino Seco to Houghton Road Project; and declaring an emergency.

- h. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE VALENCIA ROAD - KOLB ROAD TO HOUGHTON ROAD IMPROVEMENT PROJECT
 - 1. Report from City Manager JAN20-16-24 WARD 4

2. Resolution No. 22522 relating to Transportation; authorizing and approving the Intergovernmental Agreement (IGA) for transportation funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for the Valencia Road - Kolb Road to Houghton Road Improvement Project; and declaring an emergency.

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

i. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR CONSTRUCTION OF PHASE 2 OF THE GRANT ROAD - ORACLE ROAD TO SWAN ROAD IMPROVEMENT PROJECT

1. Report from City Manager JAN20-16-25 WARDS 3 AND 6
2. Resolution No. 22523 relating to Transportation; authorizing and approving the Intergovernmental Agreement (IGA) for transportation funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for construction of Phase 2 of the Grant Road - Oracle Road to Swan Road Improvement Project; and declaring an emergency.

j. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR RIGHT-OF-WAY ACQUISITION FOR THE GRANT ROAD - ORACLE ROAD TO SWAN ROAD IMPROVEMENT PROJECT, PHASES 3 AND 4

1. Report from City Manager JAN20-16-26 WARDS 3 AND 6
2. Resolution No. 22524 relating to Transportation; approving and authorizing execution of an Intergovernmental Agreement (IGA) between the City of Tucson (City) and the Regional Transportation Authority of Pima County (RTA) for right of way acquisition for the Grant Road - Oracle Road to Swan Road - Corridor Project, Phases 3 and 4; and declaring an emergency.

k. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE HOUGHTON ROAD CORRIDOR PROJECT

1. Report from City Manager JAN20-16-27 WARDS 2 AND 4
2. Resolution No. 22525 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of Amendment No. 10 to the IGA between the City of Tucson (City) and the Regional Transportation Authority of Pima County (RTA) de-obligating \$5.0 million for reallocation of other Houghton Road Corridor Project segments; and declaring an emergency.

1. REAL PROPERTY: ACQUISITION AND SALE OF REAL PROPERTY FOR RELOCATION OF THE SANTA CRUZ WELLFIELD TREATMENT FACILITY

1. Report from City Manager JAN20-16-28 WARD 5 AND OUTSIDE CITY
2. Resolution No. 22526 relating to Tucson Water and Real Property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, six (6) parcels totaling approximately seven (7) acres necessary for the relocation of the Santa Cruz Wellfield Treatment Facility (Facility); declaring city-owned property consisting of approximately four (4) acres of property previously acquired for the facility to be surplus; authorizing the sale of said property; and declaring an emergency.

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

m. INTERGOVERNMENTAL AGREEMENT: WITH THE CITY OF SOUTH TUCSON FOR WASTE AND RECYCLING COLLECTION SERVICES (CONTINUED FROM THE MEETING OF JANUARY 5, 2016)

1. Report from City Manager JAN20-16-29 CITY WIDE

(This item was continued at the request of staff on behalf of the City of South Tucson.)

n. LICENSE AGREEMENT: WITH SPRINT COMMUNICATIONS COMPANY, L.P., FOR TELECOMMUNICATIONS SYSTEM IN CITY RIGHT OF WAY (CONTINUED FROM THE MEETING OF JANUARY 5, 2016)

1. Report from City Manager JAN20-16-32 CITY WIDE
2. Resolution No. 22514 relating to Transportation and Information Technology; approving and authorizing execution of a License Agreement with Sprint Communication Company, L.P. (Sprint) for installation, operation and maintenance of a Telecommunications System in City of Tucson (City) Right of Way (ROW); and declaring an emergency.

(This item was continued separately.)

It was moved by Council Member Scott, duly seconded, and carried by a voice vote of 7 to 0, that Consent Agenda Items a – n, with the exception of Items e, f and m, which were continued and Items h, i and n, which were considered separately, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEM H

h. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE VALENCIA ROAD - KOLB ROAD TO HOUGHTON ROAD IMPROVEMENT PROJECT

1. Report from City Manager JAN20-16-24 WARD 4
2. Resolution No. 22522 relating to Transportation; authorizing and approving the Intergovernmental Agreement (IGA) for transportation funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for the Valencia Road - Kolb Road to Houghton Road Improvement Project; and declaring an emergency.

Council Member Cunningham said he wanted to be sure that the reallocation of funding did not affect the timetable of the Broadway stretch between Camino Seco and Houghton, which staff responded it would not.

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

7. CONSENT AGENDA – ITEM L

l. REAL PROPERTY: ACQUISITION AND SALE OF REAL PROPERTY FOR RELOCATION OF THE SANTA CRUZ WELLFIELD TREATMENT FACILITY

1. Report from City Manager JAN20-16-28 WARD 5 AND OUTSIDE CITY
2. Resolution No. 22526 relating to Tucson Water and Real Property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, six (6) parcels totaling approximately seven (7) acres necessary for the relocation of the Santa Cruz Wellfield Treatment Facility (Facility); declaring city-owned property consisting of approximately four (4) acres of property previously acquired for the facility to be surplus; authorizing the sale of said property; and declaring an emergency.

Council Member Kozachik asked if the water facility being moved to its proposed location would not be compromised nor would it compromise the final alignment of the Sonoran Corridor when that was decided. He also asked; if moving the facility now, compromised the City's ability to provide service to the existing customers or those that might move into the area.

Albert Elias, Assistant City Manager, responded the facilities would not be impacted by any decisions made regarding the Sonoran Corridor in the future in terms of alignment. He assured the Mayor and Council that this move would assist the City in being able to provide additional fire services in the future as economic development opportunities occurred in the Aerospace Parkway and the Sonoran Corridor region. He said it would not affect the City's ability to serve existing customers.

Council Member Fimbres asked staff to explain the Capital Improvement Program (CIP) in further detail and if the funds were already set aside for such an effort by Tucson Water.

Sandy Elder, Tucson Water Deputy Director, responded that there was an existing fund for property acquisitions in the CIP that was funded each cycle that their financial plan was done. He said the Santa Cruz Wellfield treatment facility had been part of the CIP for a number of years at the original location. He commented that moving into the new location would incur some additional costs which were be a part of the CIP that would be brought through the current rate cycle for coming fiscal years. He added that the additional costs were related to the change in the length of pipelines from the old location to the new.

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

7. CONSENT AGENDA – ITEM N

- n. LICENSE AGREEMENT: WITH SPRINT COMMUNICATIONS COMPANY, L.P., FOR TELECOMMUNICATIONS SYSTEM IN CITY RIGHT OF WAY (CONTINUED FROM THE MEETING OF JANUARY 5, 2016)
 - 1. Report from City Manager JAN20-16-32 CITY WIDE
 - 2. Resolution No. 22514 relating to Transportation and Information Technology; approving and authorizing execution of a License Agreement with Sprint Communication Company, L.P. (Sprint) for installation, operation and maintenance of a Telecommunications System in City of Tucson (City) Right of Way (ROW); and declaring an emergency.

Council Member Fimbres asked how the proposal was of value and financially beneficial to the City of Tucson and how it compared to other carriers.

Michael Rankin, City Attorney, explained this was a license agreement under which the City received compensation for the use of its rights-of-way by the telecommunications company. He said in this particular instance, the City was charging a rate based on a lineal foot of the facilities that would be in the rights-of-way. He stated the subject of the agreement had almost 84,000 lineal feet in rights of-way and under the

rate that was being charged in the Agreement would produce about ninety-seven, ninety-eight dollars per year.

Mr. Rankin explained that the rate used in the Agreement was the same as the current adjusted rate \$1.1651 under the AT&T/Verizon Agreement and was embedded into the Sprint agreement so that there was consistency between the two providers.

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

Council Member Romero asked if the \$97,000 was scheduled to be transferred to the General Fund.

Mr. Rankin replied it would go to the General Fund.

8. PUBLIC HEARING: MAJOR STREETS AND ROUTES PLAN AMENDMENT (PA-15-03), BROADWAY BOULEVARD BASELINE ALIGNMENT

Mayor Rothschild announced City Manager's communication number 30 dated January 20, 2016, 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 baseline alignment approved by the Mayor and Council on June 9, 2015, for Broadway Boulevard between Euclid Avenue and Country Club Road.

Mayor Rothschild said the public hearing was scheduled for no more than one hour and speakers were limited to five-minute presentations. He asked staff if they wanted to make a short presentation so that there was clarity on what the Mayor and Council would be voting on.

Council Member Kozachik asked a question to help clarify their focus. He said the change simply reflected the baseline alignment that the Citizens' Task Force (CTF) and the Mayor and Council unanimously passed. He stated that they were not voting on a final alignment. He said the project was not even at the 30% construction documents on the final alignment. He asked why the Mayor and Council were being asked to vote that evening on something that was not yet final.

Nicole Ewing-Gavin, Planning and Development Department Services Director, explained the change being requested reflected there was a new alignment concept for the stretch of Broadway. She said as that concept evolved from the concept approved in June, to 30%, which was expected to be released for public comment in March, that current alignment would be reflected with the change. She said it was a change that evolved as the alignment progressed to 100% design.

Mayor Rothschild recapped his understanding of the action the Mayor and Council would take. He said plans that were 30, 40 or 50 years old were no longer what would be looked at; the new plans would be looked at from now on, finalizing as the process progressed.

Ms. Ewing-Gavin responded he was correct.

The following people spoke regarding the amendment to the Major Streets and Routes Plan: Paul Resado, Margo Garcia, Craig Frinrock, Laura Tabiely, David Blanchette, Les Pierce and Greg Clark.

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

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

Resolution No. 22518 relating to Transportation and Planning: Major Streets and Routes Plan (MS&R Plan) amendment, PA-15-03, Broadway Boulevard Baseline Alignment between Euclid Avenue and Country Club Road.

Council Member Kozachik stated his stand on this decision and gave background on how Mayor and Council got to where they were that evening. He said that the decision being made that evening was simply to amend the Major Streets and Routes Plan to reflect the draft realignment and nothing more. It was just keeping the process going forward.

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 22518.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 31, dated January 20, 2016, 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 Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to appoint Michael Sorantino to the Armory Park Historic Zone Advisory Board (APHZAB), Colleen Sackheim and Elaine Hill to the Fort Lowell Historic Zone Advisory Board (FLHZAB) and the reappointments of Rick Bright, Kenneth Cawthorne, Robert Dinius, Fred Knapp, John Shorbe and Brent Woods to the Tucson-Pima County Consolidated Code Committee (TPCJCC).

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

There were none.

10. **ADJOURNMENT: 6:47 P.M.**

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, February 9, 2016, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

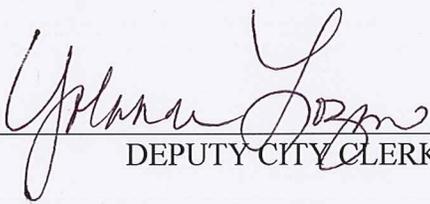
MAYOR

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 9th day of February 2016, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR: drl: yl