



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on December 20, 2016.

Date of Meeting: April 19, 2016

The Mayor and Council of the City of Tucson met in regular session in the Board of Supervisors Hearing Room, Pima County Administration Building, 130 West Congress, 1st Floor, Tucson, Arizona, at 5:40 p.m., on Tuesday, April 19, 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:

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	Vice Mayor, Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

Regina Romero	Council Member Ward 1
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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 Rabbi Yehuda Ceitlin, Chabad of Tucson, after which the Pledge of Allegiance was led by Council Member Shirley C. Scott.

Presentations:

- a. Mayor Rothschild proclaimed April 29th to be “Women in Government Day.” Maxine Goodman accepted the Proclamation.
- b. Mayor Rothschild presented the Outstanding Teen Citizen Awards from the Metropolitan Education Commission.
- c. Mayor Rothschild presented a Retirement Plaque to Andrew Quigley, Environmental Services Department Director.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 121, dated April 19, 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 Cunningham, Fimbres, and Vice Mayor 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 122, dated April 19, 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 123, dated April 19, 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. Nook, an urban kitchen, Ward 6
20 N. Stone Ave. #150
Applicant: Todd Ray Anderson
Series 12, City 23-16
Action must be taken by: April 25, 2016

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

2. Mr Baja Fish, Ward 1
4581 S. 12th Ave.
Applicant: Benjamin Lugo
Series 12, City 25-16
Action must be taken by: May 1, 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/Location Transfer(s)

3. Public Brewhouse, Ward 6
209 N. Hoff Ave.
Applicant: Michael Thomas Gura
Series 7, City 24-16
Action must be taken by: April 25, 2016

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

Public Opinion: Written Argument Opposed Filed

This item was considered separately.

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant’s capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

c. Special Event(s)

1. St. Augustine Cathedral, Ward 6
192 S. Stone Ave.
Applicant: Gonzalo Villegas
City T39-16
Date of Event: May 14, 2016
(Fundraiser-Noche de Gala)

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 T40-16
Date of Event: May 21, 2016
(Hello, Summer)

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

3. Arizona Craft Brewers Guild, Inc., Ward 3
4502 N. 1st Ave.
Applicant: Stephen Vincent Tracy
City T42-16
Date of Event: April 23, 2016
(Baja Beer Festival)

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

4. Zuzi Dance, Ward 6
738 N. 5th Ave.
Applicant: Scott Harlan Bird
City T43-16
Date of Event: May 7, 2016
(Fundraiser)

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

5. World Care, Ward 6
260 S. Church Ave.
Applicant: Courtney Anne Slanaker
City T44-16
Date of Event: April 30, 2016
(Tucson on Tap)

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

6. Turn Your Life Around, Ward 6
88 E. Broadway Blvd.
Applicant: Amber Marie Press
City T46-16
Date of Event: April 29, 2016
(Spring Fundraiser)

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

- d. Agent Change/Acquisition of Control/Restructure

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

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to forward liquor license applications 5b1, 5b2, and 5c1 through 5c6, to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Application(s)

Person/Location Transfer(s)

3. Public Brewhouse, Ward 6
209 N. Hoff Ave.
Applicant: Michael Thomas Gura
Series 7, City 24-16
Action must be taken by: April 25, 2016

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

Public Opinion: Written Argument Opposed Filed

Roger W. Randolph, City Clerk, announced the item to be considered separately was Item 5b3, Public Brewhouse, located in Ward 6.

Vice Mayor Kozachik asked if Allison Crist was present. She was not. He asked if the applicant, Michael Gura, was present and to come forward to give a brief description of his business and clientele.

Michael Gura, Applicant, said when he opened the brewery, he envisioned it being more of a public/community gathering place. He said he had actually gone to the neighborhood prior to pursuing opening the brewery to gain their support. He said in addressing specific pieces of Ms. Crist's letter, he respected her right to file in opposition, but he soundly rejected her rationale. He stated that in her letter, she indicated, that from her front door, she could see the Public Brewhouse establishment, which was a complete misrepresentation of the geography. He said this was pertinent, because the letter later stated her flowers were constantly destroyed and her business was frequently covered in urine, vomit, spit and garbage.

Mr. Gura stated in order for any of his patrons to carry out any of those despicable actions, they had leave his business on Hoff Avenue, turn on either 8th or 9th Street, and then again on 4th Avenue. He continued to say that Ms. Crist sights the constant problems of fights, shootings and stabbings evolving after the local bars close, and even if one were to take Ms. Crist's assessments of those situations on 4th Avenue at face value, he said she failed to connect any of those events to his establishment. His establishment had never been implicated on any of the fights, shootings or stabbings.

Mr. Gura addressed the issue about parking. He said granting the license would not change the parking requirements for his business and as an avid cyclist who believes in alternative forms of transportation, he took advantage of the City's free bicycle racks program to provide his customers with a secure place to lock their bikes. He said in the eight months his business had been opened, his customers did not have an issue with parking, and if they had, his business would not be doing as well as it was.

Mr. Gura said residents of the neighborhood deserved to have some peace and quiet. He said he was not sure what Ms. Crist thought in speaking on behalf of the neighborhood as; he was pretty certain she did not live in the neighborhood and her views were not reflective of the neighborhood, since he had previously spoken with the neighborhood prior to establishing his brewery and again prior to pursuing the beer and wine bar license. He said many of the regulars of his brewery were people from the neighborhood and appreciated his business as a place that was a little bit different from the atmosphere on 4th Avenue; a place they actually felt comfortable bringing their families to. He quoted the president of the Iron Horse Neighborhood Association saying, "you are already operating as a bar and it would not materially and adversely affect anyone in the neighborhood any more than your business already does." Furthermore, he said, there were no other written oppositions filed by any members of the neighborhood.

Vice Mayor Kozachik asked if he was already selling beer and the additional license was allowing him to sell wine.

Mr. Gura stated he was correct.

It was moved by Vice Mayor Kozachik, duly seconded, and carried by a voice vote of 5 to 0 (Council Member Romero absent/excused, Council Member Cunningham recused), to forward liquor license application 5b3 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:

Judith Blair

Mel Cohen

Lee Stanfield

Bruce Dusenberry
Robert Vint
Judy Wood

Vera Lander
Larry Lucero
Harry Walker

Richard Rose
Maria Cadaxa

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 F

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 APR19-16-119 CITY WIDE
2. Mayor and Council Regular Meeting Minutes from September 24, 2015
3. Mayor and Council Study Session Legal Action Report and Summary Minutes from September 24, 2015

b. INTERGOVERNMENTAL AGREEMENT: WITH THE TOWN OF ORO VALLEY FOR USE OF THE CITY'S ALTERNATIVE TO JAIL PROGRAM

1. Report from City Manager APR19-16-124 CITY WIDE
2. Resolution No. 22556 relating to Intergovernmental Agreements and City Court; authorizing and approving an Intergovernmental Agreement (IGA) between the City of Tucson (City) and Town of Oro Valley for use of the City's Alternative to Jail (ATJ) Program; and declaring an emergency.

c. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT AMENDMENT: WITH FIRST AMERICAN TITLE TRUST, OWNERS OF GHOST RIVER RANCH PARCELS

1. Report from City Manager APR19-16-125 WARD 2
2. Resolution No. 22560 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of an Amendment to the Pre-Annexation and Development Agreement between the City of Tucson and First American Title Trust 9234, owners of Ghost River Ranch Parcels, for a one-year extension for development approvals to meet Pima County Department of Transportation standards.

- d. CONCESSIONS AGREEMENT: WITH THE TUCSON PRESIDIO TRUST FOR HISTORIC PRESERVATION AND THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR THE PRESIDIO SAN AGUSTIN DEL TUCSON (CONTINUED FROM THE MEETING OF MARCH 8, 2016)
1. Report from City Manager APR19-16-120 WARD 1
 2. Resolution No. 22555 relating to Parks and Recreation; approving and authorizing execution of the Concessions Agreement between the City of Tucson (City), the Tucson Presidio Trust for Historic Preservation (Trust), and the Rio Nuevo Multipurpose Facilities District (District); and declaring an emergency.
- e. FINAL PLAT: (S14-055) CONGRESS STREET MARKET HALL, LOTS 1 THROUGH 9
1. Report from City Manager APR19-16-118 WARD 1
 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.
- f. HOUSING AND COMMUNITY DEVELOPMENT: APPROVING OF THE HUD SECTION 108 LOAN AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND 5 NORTH FIFTH HOTEL, LLC FOR THE AC MARRIOTT PROJECT (CONTINUED FROM THE MEETING OF APRIL 5, 2016)
1. Report from City Manager APR19-16-126 WARD 6
 2. Resolution No. 22554 relating to Economic and Community Development; authorizing the City of Tucson to enter into a loan guarantee program with the United States Department of Housing and Urban Development (HUD) to provide funds in an amount not to exceed \$8,000,000 to 5 North Fifth Hotel, LLC for the purpose of developing and constructing a mixed-use project in the City; authorizing the execution and delivery of certain agreements and instruments with the United States Department of Housing and Urban Development; and authorizing the execution and delivery of a loan agreement and related security and ancillary agreements with 5 North Fifth Hotel, LLC and Grandpoint Bank; and declaring an emergency.

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

It was moved by Vice Mayor Kozachik, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), that Consent Agenda Items a – e, with the exception of Item f, which was considered separately, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEMS F

f. HOUSING AND COMMUNITY DEVELOPMENT: APPROVING OF THE HUD SECTION 108 LOAN AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND 5 NORTH FIFTH HOTEL, LLC FOR THE AC MARRIOTT PROJECT (CONTINUED FROM THE MEETING OF APRIL 5, 2016)

1. Report from City Manager APR19-16-126 WARD 6
2. Resolution No. 22554 relating to Economic and Community Development; authorizing the City of Tucson to enter into a loan guarantee program with the United States Department of Housing and Urban Development (HUD) to provide funds in an amount not to exceed \$8,000,000 to 5 North Fifth Hotel, LLC for the purpose of developing and constructing a mixed-use project in the City; authorizing the execution and delivery of certain agreements and instruments with the United States Department of Housing and Urban Development; and authorizing the execution and delivery of a loan agreement and related security and ancillary agreements with 5 North Fifth Hotel, LLC and Grandpoint Bank; and declaring an emergency.

Council Member Uhlich stated she sent an email regarding the back stopping of the section of the HUD 108 loan for the project and clarified for the record and included in the motion for approval that any program income from the interest over servicing costs be held in a reserve in case of default. She said it was an added backstop and should be explicit in that item.

Vice Mayor Kozachik asked the City Attorney to weigh in on Council Member Uhlich’s statement because it had been a convoluted process.

Mike Rankin, City Attorney, explained the additional direction in the motion was perfectly in order and added an additional source of reserves to protect against potential default in terms of the payments under the HUD 108 Loan.

It was moved by Council Member Uhlich, duly seconded, and carried by a voice call vote of 6 to 0, (Council Member Romero absent/excused), that Consent Agenda Item f be passed and adopted and the proper action taken with the addition of the following language: “Any program income from the interest over the servicing costs will be held in a reserve account in case of default.”

10. INDUSTRIAL DEVELOPMENT AUTHORITY: AUTHORIZATION FOR THE ISSUANCE OF MULTIFAMILY RESIDENTIAL RENTAL HOUSING REVENUE NOTE, SERIES 2016, FOR THE MISSION VISTA APARTMENTS PROJECT

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

Mayor Rothschild announced City Manager's communication number 129, dated April 19, 2016, was received into and made part of the record. He asked the City Clerk to read Resolution 22558 by number and title only.

Resolution No. 22558 relating to Economic Initiatives and Housing and Community Development; approving the issuance of the Industrial Development Authority (IDA) of the City of Tucson, Arizona Multifamily Residential Rental Housing Revenue Note (Mission Vista Apartments Project), Series 2016, in an amount not to exceed \$6,200,000 (the "Note"); and declaring an emergency.

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), to pass and adopt Resolution 22558.

11. INDUSTRIAL DEVELOPMENT AUTHORITY: AUTHORIZATION FOR THE ISSUANCE OF MULTIFAMILY RESIDENTIAL RENTAL HOUSING REVENUE NOTES, SERIES 2016A AND 2016B, FOR THE OCOTILLO GARDENS I AND II APARTMENTS PROJECT

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

Mayor Rothschild announced City Manager's communication number 130, dated April 19, 2016, was received into and made part of the record. He asked the City Clerk to read Resolution 22559 by number and title only.

Resolution No. 22559 relating to Economic Initiatives and Housing and Community Development; approving the issuance of the Industrial Development Authority of the City of Tucson, Arizona Multifamily Residential Rental Housing Revenue Notes (Ocotillo Gardens I & II Apartments Project), Series 2016A and 2016B, in an amount not to exceed \$7,200,000 (the "Notes"); and declaring an emergency.

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), to pass and adopt Resolution 22559.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

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

Mayor Rothschild announced City Manager's communication number 131, dated April 19, 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 6 to 0, (Council Member Romero absent/excused), to approve the reappointments of Lynn Kastella and Steve Herzog to the Fire Code Review Committee (FCRC).

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

There were none.

8. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE BROADWAY BOULEVARD - EUCLID AVENUE TO COUNTRY CLUB ROAD IMPROVEMENT PROJECT

Mayor Rothschild announced City Manager's communication number 130, dated April 19, 2016, was received into and made part of the record.

(NOTE: Mayor Rothschild announced Items 8 and 9 would be considered in conjunction with each other.)

9. REAL PROPERTY: ACQUISITION OF RIGHT OF WAY FOR THE BROADWAY BOULEVARD - EUCLID AVENUE TO COUNTRY CLUB ROAD IMPROVEMENT PROJECT

Mayor Rothschild announced City Manager's communication number 130, dated April 19, 2016, was received into and made part of the record.

(NOTE: Mayor Rothschild announced Items 8 and 9 would be considered in conjunction with each other.)

Mayor Rothschild said staff wanted to make a brief presentation.

Michael J. Ortega, City Manager, said he wanted clarity on what was in front of the Mayor and Council and the conversations about the approval of 30% Design Plans. He stated there were two items on the agenda. The first, Item #8 was the Intergovernmental Agreement (IGA) requesting \$18 million for the project from the Regional Transit Authority (RTA) and the second was Item #9, requesting authority to begin the acquisition of property for the project based on the 30% drawings and the design parameters set forth back in June by the Mayor and Council.

Mr. Ortega stated staff was asking for two things: approval of the IGA to ask for money to do the project and acquisition of property which would be a logical step in order to move forward.

Lisa (Beth) Abramovitz, Transportation Department Engineering Project Manager, reported the Broadway – Euclid to Country Club Road Improvement Project was part of the 2006 voter approved RTA plan for which the City of Tucson served as the Lead Agency. She said as the Lead Agency the City of Tucson had worked with the RTA, the Citizens Task Force and general public to update the project to reflect the current transportation demand, traffic volumes and changes in Federal, State and local requirements regarding engineering design of these types of facilities.

Ms. Abramovitz stated that on June 9, 2015, the Mayor and Council adopted Resolution 22410 which included Technical Design Parameters recommended by the Citizens' Task Force (CTF). She said the need for modifications was recognized at that time of approval and a set of technical design parameters outlining how potential modifications would be implemented was adopted by this Resolution. She advised they were what guided the design of the project and there were three main design and guidance parameters included in the Resolution. She stated that thirty percent of the design had met those guidelines with one exception.

Mayor Rothschild asked the City Clerk to read Resolutions 22561 and 22557 by number and title only.

Resolution No. 22561 relating to Intergovernmental Agreements (IGA's) and Transportation; approving and authorizing execution of Amendment No. 5 to the IGA between the City of Tucson (City) and the Regional Transportation Authority of Pima County (RTA) for Improvements to Broadway Boulevard - Euclid Avenue to Country Club Road Improvement Project (Project); and declaring an emergency.

Resolution No. 22557 relating to Transportation and Real Property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain rights of way and easements necessary for the Broadway Boulevard - Euclid Avenue to Country Club Road Improvement Project; and declaring an emergency.

Vice Mayor Kozachik commented on some of the phrases used in staff's presentation such as, "it has been clearly stated." He said that phrase had gotten old throughout the process. He said an example for "it has been clearly stated" was that acquisition did not equal demolition. He stated as recently as the day before the meeting, the Mayor and Council received information that all structures impacted by the future right-of-way were to be demolished within one hundred eighty days. He commented that that level of inconsistency was what had been heard time and again through the CTF process. He commented that staff needed to lay off the "clearly stated stuff" because a lot had been heard that was "clearly stated" that many member of the community and task force would take exception to.

Vice Mayor Kozachik expressed his thoughts on the beginning of the acquisition process and effectively setting the 30% alignment in place. He said any meaningful changes to the alignment required a redesign that was not a fundable item under the RTA, but, what was being proposed was that the City, along with experts from the University of Arizona's Urban Planning experts, taking a look at what they had and how meaningful, but insignificant changes could be made, that did not constitute a redesign.

Vice Mayor Kozachik commented that there was criticism that the City had been looking at this project for thirty years, which was not true. He said he rejected the notion that by the Mayor and Council taking their time on the project made them look bad because whatever they decided would impact the community for decades.

Council Member Uhlich commented it was clear there was no one view of the citizens on the project. There were people that wanted the project to move forward, some that wanted it to pause and others that did not want the roadway changed or widened. She said one of the challenges she was experiencing, as she read through all of the materials over the last few weeks, was "pause to what end" and what the result of a pause would be. She said she respected everyone who weighed in and those that came to her office. She asked what it was that they wanted to modify that they believed would be kept with the action on June 9th, but would attend to some of the issues. She said the June 9th action was unanimously adopted. She stated she was disappointed that there were questions in essence of going back to the drawing board.

Council Member Uhlich stated that in an email from Bob Vint, he acknowledged that with his architectural team, in a nutshell, adding travel lanes did not help and stated that was a redesign and was going back. She said that was in writing from Mr. Vint. She said she understood there was an alternative vision in the community and felt the City was pursuing it along many neighborhood and other roadways in the community. She said she would agree if a pause meant minor adjustments here or there then they should be considered. She commented if taking that action precluded addressing some of the concerns raised. She said she would be listening very carefully to any motions that evening on what action to take that would preclude addressing issues, like bus pullouts and things like that.

Mayor Rothschild commented that urban road improvement was far more difficult than rural or suburban road improvement. He said the RTA has spent most of their time prioritizing rural and suburban road improvement. He stated urban road improvement was particularly difficult for planners who were dealing with multiple constraints, legal, financial, engineering, commercial and architectural, as well as it being difficult for the community because of emotional connections to buildings and places.

Mayor Rothschild said the voters had approved the widening of Broadway twice, once in 1997 where voter approved \$25 million in HURF bonds to improve Broadway from Euclid to Campbell and in 2006 approved the expansion of Broadway from its current four lanes to eight lanes, six for cars and two for transit. He said the City's Broadway Boulevard Citizens Planning Transit Task Force (BBTF) met for nearly four

years before making their recommendation to the Mayor and Council. He explained the Mayor and Council also heard from the public directly including business groups, neighborhood associations, individual businesses and property owners, residents and the ad hoc citizens group.

Mayor Rothschild stated Broadway Boulevard was classified as a principal arterial by the federal highway administration and had many design requirements that went along with that. He said a number of suggestions they heard did not meet those requirements. He commented that staff, in coming up with the 30% design plan, sought to follow the Citizen's Task Force (CTF) recommendations as approved by the Mayor and Council and worked to minimize building acquisitions and demolitions, maintain access and as much parking as possible for existing development and reduce construction acquisition costs. He said no matter how good the planning was, there would be some buildings that would be demolished.

Mayor Rothschild said he appreciated everyone's concerns, but moving forward allowed the City to work with property owners to save as many buildings as possible for the commercial buildings with better parking and redesigned access for those who wished to remain and for those historic buildings, seven in question, there were still things that could be done to potentially save them.

Mayor Rothschild commented, like the Streetcar Project, the expansion of Broadway was an RTA project and the City of Tucson was the project manager. He said as Mayor of Tucson, he was one vote out of nine on the RTA Board, along with four other mayors, tribal chairs, county and state representatives. He said he worked hard with Transportation staff, RTA staff and his colleagues on the RTA board to reduce the expansion per the CTF request from eight lanes to six lanes, four for cars and two for cars and transit. He said this required a vote from the Board to amend the Plan that passed by a vote of six to one.

Mayor Rothschild explained because the project was voter approved, funding from those jurisdictions came with requirements; there could not be less than six lanes and modifications to the original plan to expand Broadway could not diminish functionality. He said he heard a lot about transit that evening which made his next comment so important. He said the CTF supported the concept of Broadway as a priority transit corridor; improving transit by going to six lanes, mixed use now and as demands increased those lanes were in place ready to become dedicated bus lanes, ready for articulated buses, potentially a streetcar line or whatever transit made most sense.

Mayor Rothschild stated that in June 2015, the Mayor and Council approved technical design parameters and a baseline alignment concept map allowing the project to move to the 30% design plan and a public hearing was held two weeks ago. He said there were two more design stages to go before actual construction, a 60% design plan and a 100% design plan. Public input would be continued to be received and some adjustments would probably be made going forward. He said there were things that

could be done along the alignment, moving some houses back, eliminating bus pullouts, etc.

Mayor Rothschild commented that planning and design engineering had already cost the City more than \$4 million. He said he was not going to support throwing that money away for all of the work that already had been done. He said no plan of this nature would be perfect, but he had looked at it real hard and what the CTF had asked them to do. He stated it relieved congestion and allowed the City to keep a vast majority of historic buildings intact.

Mayor Rothschild spoke about the political climate and how it did not really support give and take or making compromises. He stated compromise was fundamental to good decisions and good government. He said going forward, he was looking for a motion that moved the City forward, but at the same time, provided for some flexibility to work with the citizens and funding partners, and to make adjustments as the City entered into the acquisition process.

Council Member Scott said she appreciated all the efforts from everyone on all sides to give their views in the public process and to give a lot of space to folks to air their views. She said in reviewing the thirty-eight Task Force meetings of volunteers, each meeting being four to five hours long, she was deeply impressed by their work and thank them for that. She asked if enough notice was given and was everyone given a chance to have the opportunity to voice their concerns. She said she thought there was after naming some of the ways information was disseminated.

Council Member Scott stated she felt it was a lot of notification and opportunity, even for the University of Arizona's Urban Planning Department, to weigh in at some point with their hope that they could help with the Plan. She said the project had a long history, and it was very clear that when the public at large, the majority, had voted twice to support and move forward with the project she took that into consideration. She commented she did not want to diminish the other point of view that said some people did not want it, more input was needed, or the project should just stop. She said at a certain point, they needed to take a stand and that was where she currently was. She said she was waiting for a motion herself and would be looking for it. She again expressed her gratitude for those that participated and took the time themselves to weight in, early on.

Council Member Cunningham added this vote was the hardest vote yet. He embraced the opportunity to show his leadership but also to make clear there were no words in this process that went on deaf ears. He expressed he was told they could get the ninety-six feet and why this was not the case at this point. He asked staff to explain what the ninety-six feet meant.

Daryl Cole, Transportation Department Director, replied they were currently at one hundred ten feet with the current design, after all of the design parameters and work with sidewalks for ADA compliance, bicycle lanes, curbs, utilities, width of medians, etc.

He said to get to the ninety-six feet; the intersections could not be done the way they initially wanted to do them. He stated all intersections were much larger and there were the design differences between the one hundred ten feet versus the ninety-six feet, including turning lanes.

Council Member Cunningham asked if there are any places in the extensive areas where they could be hour-glassed or mixed.

Mr. Cole explained they had the absolute minimal levels of design, foot by foot. He said it was a custom design and been gerrymandered through the area as tight as possible. He stated they had done everything they could to find what worked for the intersections. He complimented the design team and project manager's efforts for all their work.

Council Member Cunningham said he understood and was not questioning his intentions, but when staff says they could do ninety-six feet and they don't; it puts the City in a bad position. Secondly, he said, when staff says there will be a four plus two, it should be a four plus two, not a three plus three and bus pullouts. He said conversations about all of the acquisitions could not be held until they knew what the acquisition process was. He asked for an explanation of the process.

Farhad Moghimi, Pima Association of Governments (PAG) and Regional Transportation Authority (RTA) Executive Director, replied his understanding about the project was to follow both the RTA process, as well as, the City Of Tucson's process to have a 30% plan approved so conversations could begin with individual properties owners. He said his understanding of the Resolution passed in June, was for a six lane cross section and additional two lanes were for a mix bus and vehicle. He said the four plus two was previous discussion with the CTF without a recommendation.

Council Member Cunningham stated he felt people needed to own their comments and promises, but at the same time, he did not think, every time there was a major project, that it needed to be "talked to death". He said he wanted everyone to know, that if the projected was stopped, the ramifications would be worse than trying to work within the framework and get something done that worked for both sides.

Council Member Fimbres reiterated there had been lots of dialogue and conversation, and compromise on the project. He thanked all those who participated, but said it needed to be moved forward because he felt the Mayor and Council owed it to the private property owners along the corridor, the CTF, the community in general and the staff who had invested so much to get the project to this point.

It was moved by Council Member Fimbres, duly seconded, to pass and adopt Resolution 22561.

Vice Mayor Kozachik stated to take the position that fundamental changes could occur after the Resolution is adopted was wrong. He said the City was laying the

alignment in place. He commented, he had voted for the June draft alignment and since that time, he had seen, through multiple public meetings, the 30% Design Plan take a fundamental step away from what was adopted in terms of the draft alignment. He said it was creating a raceway to a bottleneck.

Vice Mayor Kozachik said the people who were benefiting from this Plan were the private property owners along Broadway who want the taxpayers to buy them out so that the City could buy and demolish a vacant building. He stated the survivors were a big bank, law firm, and big corporation; it was the smaller local businesses that were going to be disappearing. He said he felt Bob Vint and his group, if allowed to be part of the process, could come up with some creative solutions. He asked that they be invited to be part of the team moving forward.

Vice Mayor Kozachik commented that his preference was to reconvene the Citizens' Task Force to work with Bob Vint's group.

Mayor Rothschild added getting this alignment was not set in stone but was close to being set. He said it allowed the City to work with some of the small business, which had also reached out during this process that wanted to stay, and asked for more parking, additional access, etc. He commented that those were the types of things that would be discussed from the 30% Design to the 60% Design.

Council Member Cunningham asked for clarification of the motion. Council Member Fimbres responded it was to approve Resolution 22561.

Vice Mayor Kozachik asked if the Resolution was for the property acquisition or funding.

Mayor Rothschild commented it was for the funding.

Vice Mayor Kozachik responded that the property acquisition should be voted on first because it made no sense to approve the funding if the property acquisition was not supported.

It was moved by Council Member Fimbres, duly seconded, to pass and adopt Resolution 22557 and direct staff to proceed and the Mayor and Council direct staff to refine the design and address concerns about the bus pullouts, lane widths, cross widths, bike lanes, median, and left turns lanes through input from the property and business owner suggestions from public workshops and begin the acquisition process for the right-of-way.

Vice Mayor, Kozachik asked for clarification on what it meant to address those concerns in the context of not going through a redesign.

Michael J. Ortega, City Manager, stated his understanding of the motion was to continue on with the acquisition as part of the 30% design. He said as stated in the

material, public workshops would be held to talk about landscape and streetscape issues and entertain comments from the public as well regarding any issues. He explained that the 30% Design Plan would be completed as the City moved forward but if there was opportunity to look at bus pullouts, and particularly property acquisition, there would be conversations as the designs were refined. He noted that that was always a concern, but stated the City could not move forward with the final design until those conversations with property owners take place.

Vice Mayor, Kozachik asked how realistic would it be for the people in the room to expect bus pullouts and lane widths and all other items read in to the motion would be addressed in a way that had not been addressed through the multiple public meeting already had.

Mr. Ortega explained that as he looked at the direction from the Mayor and Council at the June 9th meeting and looking at the widths himself, it was difficult to find options that were different than what was before them and said he would close the doors otherwise.

Vice Mayor, Kozachik appreciated Mr. Ortega's honesty and said this was what the people needed to hear. He asked Council Member Fimbres if he would consider adding Bob Vint and his group to the motion for conversations going forward.

Council Member Fimbres responded in the affirmative.

Mr. Ortega also informed the Mayor and Council that staff would be happy to reach out to Mr. Vint.

Mayor Rothschild stated he felt some of the issues discussed were federally regulated, and expressed his opinion with places like bus stops. He said there was room for flexibility and room for talk. He said the motion was all comprehensive to include everything for discussion, some far less likely and some far more likely.

Council Member Uhlich questioned Mr. Moghimi with regard to the functionality of the roadway and transit being a part of that formula. She expressed she had not had the opportunity to look in great detail of where some delays could occur and the existing lag times experienced and whether they could be absorbed without delaying or undermining transit functionality along with the Plan. She asked if that was something that could be engaged in a conversation with the RTA and ensure that improvement of the functionality of the roadway and taking it into account.

Mr. Moghimi agreed and expressed conversations were taking place with the Project Manager and SunTran. He explained once the project moved forward to the 60% Design Plan those were the types of things they would talk about and fine-tune.

Council Member Uhlich stated she re-read in great detail, every word, of every document that was included in the June 9th Mayor and Council action and encouraged

everybody to do that. She explained that a lot of the concerns were called out in those documents and was a part of the motion that was made. She said it was challenging to her to hear comments that the Mayor and Council were doing anything other than actually moving on what was adopted on June 9th and the details that were laid out in those documents.

Council Member Uhlich said, like Vice Mayor Kozachik's commented he was going to "support his constituents," she too was supporting her constituents. She stated she did not want it perceived that anybody on the Council was taking action that was not in the City's best judgement after all of the deliberation, the best way to go. She said she understood the community was divided regarding this project and compromise was the result.

Council Member Uhlich stated that to move forward with the June 9th proposal and given the direction that was adopted, what was on the table was the best they could hope for at this time.

Mayor Rothschild asked for a roll call vote on the motion for Resolution 22557 under Item 9.

Resolution 22557 was passed and adopted by a roll call vote of 5 to 1 (Council Member Romero absent/excused; Vice Mayor Kozachik dissenting) directing staff to proceed, refine the design, address concerns about bus pullouts, lane widths, cross widths, bike lanes, median, and left turns lanes through input from the property owners, business owners, and suggestions from public workshops, begin the acquisition process for the right-a-way and include Bob Vint and his working group to the conversations.

Vice Mayor Kozachik asked what the process was, going forward, in selecting the public art committee.

Ms. Abramovitz explained that public art was done through the Tucson-Pima Arts Council (TPAC). She said TPAC would ask for volunteers from surrounding neighborhoods and select local artists for a committee of 7 to 11 members in addition to the project manager and the landscape architects. The next step would be to put out a call, through TPAC, for local artists.

Mayor Rothschild asked for a roll call vote on the motion for Resolution 22561 under item 8.

Resolution 22561 was passed and adopted by a roll call vote of 5 to 1 (Council Member Romero absent/excused; Vice Mayor Kozachik dissenting).

10. INDUSTRIAL DEVELOPMENT AUTHORITY: AUTHORIZATION FOR THE ISSUANCE OF MULTIFAMILY RESIDENTIAL RENTAL HOUSING REVENUE NOTE, SERIES 2016, FOR THE MISSION VISTA APARTMENTS PROJECT

(NOTE: This item was taken out of order and considered after Item 7.)

11. INDUSTRIAL DEVELOPMENT AUTHORITY: AUTHORIZATION FOR THE ISSUANCE OF MULTIFAMILY RESIDENTIAL RENTAL HOUSING REVENUE NOTES, SERIES 2016A AND 2016B, FOR THE OCOTILLO GARDENS I AND II APARTMENTS PROJECT

(NOTE: This item was taken out of order and considered after Item 7.)

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

(NOTE: This item was taken out of order and considered after Item 7.)

13. ADJOURNMENT: 7:41 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on May 3, 2016, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

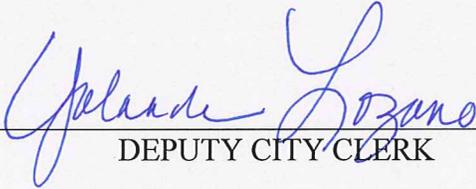
MAYOR

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 19th day of April 2016, and do hereby certify that it is an accurate transcription.


DEPUTY CITY CLERK

RWR: ms:ds