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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on March 6, 2018.

Date of Meeting: August 8, 2017

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 5:39 p.m., on Tuesday, August 8, 2017, all members having been notified of the time and place thereof.

### 1. ROLL CALL

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

Present:

Regina Romero	Vice Mayor, Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

Shirley C. Scott	Council Member Ward 4
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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 Cynthia Palmer, Eagles Wings of Grace, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Rothschild presented the Judge of the Year Award from the Arizona Supreme Court to Judge Pollard of Tucson’s Municipal Court.
- b. Mayor Rothschild presented Certificates to Vanina Morrison recipient of the 2017 Rosa Parks Scholarship Award and Abigail Pye recipient of the 2017 Ray Davies Community Services Scholarship Award.

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

Mayor Rothschild announced City Manager’s communication number 250, dated August 8, 2017, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Vice Mayor Romero, Council Members Cunningham, Uhlich, and Fimbres. 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 251, dated August 8, 2017, 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 252, dated August 8, 2017, 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. Classic, Ward 3  
1535 N. Stone Ave.  
Applicant: Thomas Robert Aguilera  
Series 12, City 39-17  
Action must be taken by: July 28, 2017  
  
Staff has indicated the applicant is in compliance with city requirements.
2. Piezano's Pizzeria, Ward 3  
2921 E. Fort Lowell Rd. #101  
Applicant: Brandon Jerry Dobson  
Series 12, City 40-17  
Action must be taken by: August 3, 2017  
  
Staff has indicated the applicant is in compliance with city requirements.
3. Fast Lane Shell, Ward 5  
1999 E. Ajo Way  
Applicant: Gina Moninder Gill  
Series 10, City 42-17  
Action must be taken by: August 6, 2017  
  
Staff has indicated the applicant is in compliance with city requirements.
4. DoubleTree by Hilton Tucson at Reid Park, Ward 6  
445 S. Alvernon Way  
Applicant: Oscar Steven Lizardi  
Series 11, City 43-17  
Action must be taken by: August 10, 2017  
  
Staff has indicated the applicant is in compliance with city requirements.
5. Zayna Mediterranean, Ward 6  
1138 N. Belvedere Ave.  
Applicant: Riad Altoubal  
Series 12, City 44-17  
Action must be taken by: August 13, 2017  
  
Staff has indicated the applicant is in compliance with city requirements.
6. Dolce Vita, Ward 3  
1800 E. Fort Lowell Rd. #168  
Applicant: John Katerelos  
Series 12, City 46-17  
Action must be taken by: August 14, 2017  
  
Staff has indicated the applicant is in compliance with city requirements.

7. Tucson Chevron Gas, Ward 3  
1570 W. Grant Rd.  
Applicant: Mohamed Elhussien Sweillam  
Series 10, City 50-17  
Action must be taken by: August 31, 2017

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)

8. The Mint, Ward 6  
3540 E. Grant Rd.  
Applicant: Kevin Arnold Kramber  
Series 6, City 45-17  
Action must be taken by: August 13, 2017

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

9. Ralph’s Bar & Grill, Ward 5  
1310 S. Alvernon Way  
Applicant: Ralph Edward Pope  
Series 6, City 47-17  
Action must be taken by: August 20, 2017

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

10. Gentle Ben’s Brewing Company, Ward 6  
865 E. University Blvd.  
Applicant: Richard Sackett Fifer  
Series 6, City 48-17  
Action must be taken by: August 25, 2017

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)

Person/Location Transfer(s)

11. Seafood Time, Ward 3  
1800 E. Fort Lowell Rd. #116  
Applicant: Yiu Hong Lau  
Series 7, City 41-17  
Action must be taken by: August 3, 2017

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

12. Harkins Theatres, Ward 1  
5455 S. Calle Santa Cruz  
Applicant: Andrea Dahlman Lewkowitz  
Series 7, City 49-17  
Action must be taken by: August 21, 2017

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

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

c. Special Event(s)

1. Salpointe Catholic High School, Ward 3  
1545 E. Copper St.  
Applicant: Kasey Elizabeth Barghout  
City T57-17  
Date of Event: October 6, 2017  
(Homecoming Celebration)

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

2. Vietnam Veterans of America, Inc., Tucson Chapter 106, Ward 6  
900 S. Randolph Way  
Applicant: Melvin Morgan  
City T58-17  
Date of Event: October 21, 2017  
(Nam-Jam)

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

3. Greater Tucson Fire Foundation, Ward 6  
949 E. 2nd St.  
Applicant: George Vernon Babilon  
City T59-17  
Date of Event: October 7, 2017  
(Fundraiser)

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

4. Tu Nidito Children and Family Services, Ward 5  
840 E. 17th St.  
Applicant: Elizabeth Ann McCusker  
City T62-17  
Date of Event: September 7, 2017  
(Fundraiser)

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

5. Friends of Tucson's Birthplace, Inc., Ward 1  
946 W. Mission Lane  
Applicant: Katharine K. Peterson  
City T63-17  
Date of Event: August 20, 2017  
(Tucson's Birthday)

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

6. St. Demetrios Greek Orthodox Church, Ward 3  
1145 E. Fort Lowell Rd.  
Applicant: Carol G. Cantos  
City T64-17  
Date of Event: September 21, 2017 - September 24, 2017  
(Greek Festival)

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

7. Museum of Contemporary Art, Ward 6  
265 S. Church Ave.  
Applicant: Alexis Page Smith  
City T65-17  
Date of Event: September 15, 2017  
(Fall Fundraiser - Factory @ MOCA)

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

d. Agent Change/Acquisition of Control/Restructure

1. Roadhouse Cinema, Ward 2  
4811 E. Grant Rd. #150  
Applicant: Vincent Edward Mast  
Series 12, City AC41-17  
Action must be taken by: August 13, 2017

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 Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to forward liquor license application 5b1 through 5b12, 5c1 through 5c7, and 5d1 to the Arizona State Liquor Board with a recommendation for approval.

**6. CALL TO THE AUDIENCE**

Mayor Rothschild announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Rothschild also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “call to the audience.”

Comments were made by:

Robert Reus	David Croteau	David Shircore
Ryan Lee	Beryl Baker	Keith Van Heyningen
Ivy Schwartz	Madeline Kiser	Karen Oscar

Mayor Rothschild asked staff to follow up on Mr. Shircore’s comments regarding information provided on the cost of an ambulance ride.

Vice Mayor Romero asked staff to follow up on Ms. Oscar’s comments regarding flooding and damage to her home.

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 U**

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 AUG08-17-253 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of November 22, 2016
3. Mayor and Council Study Session Legal Action Report and Minutes of November 22, 2016

**b. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH SANTA CRUZ COUNTY FOR INCARCERATION OF MUNICIPAL PRISONERS**

1. Report from City Manager AUG08-17-255 CITY WIDE

2. Resolution No. 22786 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of Amendment No. 1 to an IGA between the City of Tucson (City) and Santa Cruz County for the incarceration of City Prisoners for calendar year 2017; and declaring an emergency.
- c. BUDGET AND INTERNAL AUDIT: APPROVING THE INTERNAL AUDIT PLAN FOR FISCAL YEAR 2018
1. Report from City Manager AUG08-17-257 CITY WIDE
  2. Resolution No. 22787 relating to Budget and Internal Audit; approving the Internal Audit Plan for Fiscal Year 2018; and declaring an emergency.
- d. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT AMENDMENT: WITH KV LLC
1. Report from City Manager AUG08-17-273 WARD 4 AND OUTSIDE CITY
  2. Resolution No. 22798 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of an addendum to the Pre-Annexation and Development Agreement between the City of Tucson and KV L.L.C.; and declaring an emergency.
- e. FINANCE: APPROVAL OF INVOLUNTARY TORT JUDGMENTS FOR FISCAL YEAR 2017
1. Report from City Manager AUG08-17-258 CITY WIDE
  2. Resolution No. 22788 relating to Fiscal Year ("FY") 2019 Primary Property Tax Levy; retroactively approving involuntary tort judgments from FY 2017; and declaring an emergency.
- f. INTERGOVERNMENTAL AGREEMENT: WITH ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION (AHCCCS) FOR FEDERAL MATCHING FUNDS FOR GRADUATE MEDICAL EDUCATION AT TUCSON MEDICAL CENTER
1. Report from City Manager AUG08-17-264 CITY WIDE AND OUTSIDE CITY
  2. Resolution No. 22795 relating to Intergovernmental Agreements (IGAs); approving an IGA between Arizona Health Care Cost Containment System Administration (AHCCCS) and the City of Tucson (City) to allow the City to provide funding to secure federal matching funds for Graduate Medical Education (GME) at Tucson Medical Center (TMC); and declaring an emergency.

- g. LABOR AGREEMENT: WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
  - 1. Report from City Manager AUG08-17-256 CITY WIDE
  - 2. Resolution No. 22789 relating to Employee Relations; authorizing and approving the Memorandum of Understanding between the City of Tucson and the American Federation of State, County and Municipal Employees ("AFSCME") extending the 2015-2017 Labor Agreement for an additional two-year period; and declaring an emergency.
- h. TUCSON CODE: AMENDING (CHAPTER 22) RELATING TO THE LEAVE BENEFIT PLAN
  - 1. Report from City Manager AUG08-17-279 CITY WIDE
  - 2. Ordinance No. 11483 relating to Leave and other benefits; the Tucson Code, Chapter 22, Pensions, Retirement, Group Insurance, Leave Benefits and other insurance benefits, Article V, leave benefit plan, amending Section 22-90, providing for leave benefit plan, to amend section 22-90(1) and add a new section 22-90(5); setting an effective date; and declaring an emergency.

Michael Rankin, City Attorney, read the following correction into the record: He said in the table on page 2 of the Ordinance, in the row for years of service “over 14 to 17 years of continuous service,” the correct amount for the accrual rate per pay period was 7 hours, 0 minutes, and for the year was 22 days, 6 hours, which totaled 182 hours. He said the same correction would be made to the Communication, as well.

Vice Mayor Romero stated that on that particular item, unrelated to the specific hours to be included for the leave, she wanted to bring attention to Section 22-905(A) which added a section for the City of Tucson for paid parental leave. She said the addition of this time allowed for six weeks of paid leave for an employee’s birth of a child, or adoption of a child five years of age or younger. She said if applicable, the leave would run concurrent with Family Medical Leave. She stated the proposed parental leave benefit provided the richest parental benefits in the State of Arizona, placing the City at the forefront of competitive recruitment while enhancing the quality of life for employees. She thanked everyone involved for making this happen.

- i. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS FOR REID PARK ZOO VETERINARY TEACHING FACILITY IMPROVEMENTS
  - 1. Report from City Manager AUG08-17-265 WARD 6 AND CITY WIDE

2. Resolution No. 22794 relating to Intergovernmental Agreements (IGAs); authorizing and approving the execution of an IGA between the City of Tucson (City) and the Arizona Board of Regents, on behalf of the University of Arizona (University), for the construction and educational use of a new animal Health Center at the Reid Park Zoo; and declaring an emergency.

j. PARKS AND RECREATION: NAMING FIELD #7 LOCATED IN JOAQUIN MURRIETA PARK "HARRY'S FIELD"

1. Report from City Manager AUG08-17-261 WARD 1
2. Resolution No. 22790 relating to Parks and Recreation; authorizing and approving the naming of Field #7 located in Joaquin Murrieta Park to "Harry's Field"; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Romero.)

k. PARKS AND RECREATION: NAMING OAK TREE PARK THE "SARAH ANN MILLER PARK"

1. Report from City Manager AUG08-17-260 WARD 1
2. Resolution No. 22791 relating to Parks and Recreation; authorizing and approving the renaming of Oak Tree Park to Sarah Ann Miller Park; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Romero.)

l. INTERNATIONAL BUILDING CODE: TEXT AMENDMENT (CHAPTER 6) INCREASING THE ALLOWABLE DETACHED ACCESSORY STRUCTURE SIZE

1. Report from City Manager AUG08-17-263 CITY WIDE
2. Ordinance No. 11478 relating to Buildings, Electricity, Plumbing and Mechanical Code; Amending Exhibit "A" to Ordinance 11042 (City of Tucson Amendments to the 2012 International Building Code) - the Tucson Code Chapter 6, Buildings, Electricity, Plumbing and Mechanical Code Article III, Buildings, Section 6-34, Building Code adopted by adopting the International Building Code 2012 Edition with local amendments; and setting an effective date.

m. REAL ESTATE: AMENDING THE PARKING LEASE AGREEMENT WITH MADDEN PREPRINT MEDIA, LLC

1. Report from City Manager AUG08-17-286 WARD 6

2. Ordinance No. 11484 relating to Transportation and Park Tucson; approval of the Second Amendment to the Parking Lease Agreement between the City of Tucson and Madden Preprint Media, LLC; and declaring an emergency.
- n. TRANSPORTATION: UPDATING ORDINANCES 9823 AND 10953 TO REVISE THE TRANSPORTATION ACCESS MANAGEMENT GUIDELINES
1. Report from City Manager AUG08-17-266 CITY WIDE
  2. Ordinance No. 11480 relating to Transportation: approving and authorizing an update to Ordinance 9823 and Ordinance 10953, revising the *Transportation Access Management Guidelines for the City of Tucson*; and declaring an emergency.
- (This item has been continued at the request of staff.)
- o. REAL PROPERTY: AUTHORITY TO ACQUIRE PROPERTY FOR THE CITY COURTS BUILDING
1. Report from City Manager AUG08-17-282 WARD 6
  2. Resolution No. 22803 relating to Real Property and City Courts; authorizing the acquisition of property located along the north side of the City Courts Building; and declaring an emergency.
- p. REAL PROPERTY: VACATION AND SALE OF A SURPLUS PORTION OF FRANKLIN STREET RIGHT OF WAY
1. Report from City Manager AUG08-17-274 WARD 1
  2. Ordinance No. 11482 relating to Real Property and Transportation; vacating, declaring as surplus, and authorizing the sale of a portion of Franklin Street Right of Way to the Industrial Development Authority (IDA) of the City of Tucson; and declaring an emergency.
- q. REAL ESTATE: APPROVING A LEASE AGREEMENT AMENDMENT WITH THE WAREHOUSE ARTS MANAGEMENT ORGANIZATION FOR THE CITIZEN'S WAREHOUSE PROPERTY AT 44 WEST 6TH STREET (CONTINUED FROM THE MEETING OF JUNE 20, 2017)
1. Report from City Manager AUG08-17-271 WARD 1
  2. Ordinance No. 11470 relating to Real Property; authorizing and approving a First Amendment to the Master Lease Agreement between the City of Tucson (City) and Warehouse Arts Management Organization (WAMO) for real property located at 44 West 6th Street (Citizen's Warehouse) Tucson, Arizona; and declaring an emergency.

- r. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS FOR THE TRANSFER OF PUBLIC RIGHT OF WAY
1. Report from City Manager AUG08-17-280 WARD 6
  2. Resolution No. 22797 relating to Transportation and Intergovernmental Agreements; approving the Intergovernmental Agreement (IGA) between the Arizona Board of Regents on behalf of the University of Arizona (University) and the City of Tucson for the transfer of public right of way.
- (This item was considered separately at the request of Council Member Kozachik.)
- s. BOARDS, COMMITTEES, AND COMMISSIONS: EXTENDING THE TERM OF SERVICE FOR THE PEDESTRIAN ADVISORY COMMITTEE, AMENDING RESOLUTION NO. 22001 (CONTINUED FROM THE MEETING OF JULY 5, 2017)
1. Report from City Manager AUG08-17-276 CITY WIDE
  2. Resolution No. 22796 relating to Boards and Commissions; amending Resolution No. 22001; extending the term of the Pedestrian Advisory Committee; and declaring an emergency.
- t. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF WATER RESOURCES AND THE CENTRAL ARIZONA WATER CONSERVATION DISTRICT FOR RESEARCH ON RESIDENTIAL WATER DEMAND IN THE TUCSON ACTIVE MANAGEMENT AREA
1. Report from City Manager AUG08-17-262 CITY WIDE AND OUTSIDE CITY
  2. Resolution No. 22792 relating to Water; authorizing and approving an Intergovernmental Agreement between the City of Tucson, the Arizona Department of Water Resources, and the Central Arizona Water Conservation District, to fund and manage research on residential water demand in the Tucson Active Management Area; and declaring an emergency.
- u. INTERGOVERNMENTAL AGREEMENT: WITH THE NORTHWEST AREA PROVIDERS FOR WATER QUALITY LABORATORY SERVICES
1. Report from City Manager AUG08-17-281 CITY WIDE AND OUTSIDE CITY
  2. Resolution No. 22799 relating to Water; authorizing and approving an Intergovernmental Agreement between the Town of Marana and the Metropolitan Domestic Water Improvement District ("Northwest Area Providers") for water quality laboratory services; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused), that Consent Agenda Items a – u, with the exception of Items j, k, and r which were considered separately, and Item n, which was continued at the request of staff, be passed and adopted and the proper action taken.

**7. CONSENT AGENDA – ITEMS J**

- j. PARKS AND RECREATION: NAMING FIELD #7 LOCATED IN JOAQUIN MURRIETA PARK "HARRY'S FIELD"
  - 1. Report from City Manager AUG08-17-261 WARD 1
  - 2. Resolution No. 22790 relating to Parks and Recreation; authorizing and approving the naming of Field #7 located in Joaquin Murrieta Park to "Harry's Field"; and declaring an emergency.

Mayor Rothschild announced Vice Mayor Romero requested Consent Agenda Item j be considered separately.

Vice Mayor Romero stated that the Tucson Parks and Recreation Commission (TPRC) had a process that permitted Tucsonans to request the naming or renaming of city parks, recreation centers, or park amenities. She said a petition had to be filed with the TPRC and if the petition met the established criteria, then the request was placed on the Commission's agenda for review and recommendation. She stated the renaming of Field #7 located in Joaquin Murrieta Park came to the Ward 1 Office at the request of the Hoskinson family to "Harry's Field".

Vice Mayor Romero gave a brief summary of who Harry was and how this came to fruition. She invited his mother Sherry Hoskinson along with Western Little League Coach/Field Manager, Dan Castro to say a few words in honor of Harry.

Sherry Hoskinson and Dan Castro thanked the City for the renaming of the park and support in improving the fields at Joaquin Murrieta Park.

It was moved by Vice Mayor Romero, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused) that Consent Agenda Items j be passed and adopted and the proper action taken.

**7. CONSENT AGENDA – ITEMS K**

- k. PARKS AND RECREATION: NAMING OAK TREE PARK THE "SARAH ANN MILLER PARK"
  - 1. Report from City Manager AUG08-17-260 WARD 1

2. Resolution No. 22791 relating to Parks and Recreation; authorizing and approving the renaming of Oak Tree Park to Sarah Ann Miller Park; and declaring an emergency.

Mayor Rothschild announced the next item to be considered separately was Consent Agenda Item k at the request of Vice Mayor Romero.

Vice Mayor Romero announced that Sarah Ann Miller was an active member of the Midvale Park Neighborhood Association (MPNA) for many years. She said she was instrumental in organizing the annual festival, “The National Night Out Event”, for the residents in Midvale Park. She stated graffiti abatement and neighborhood clean-ups were a couple of Ms. Miller’s priority projects and also assisted with obtaining a grant for funding of installing lights at Midvale Park.

Vice Mayor Romero said that Mrs. Miller, along with her family, participated every Saturday with cleaning Midvale Park Neighborhood and the Santa Cruz River. She said it was a priority for the Miller Family and continued to be a quality of life of Midvale Park. She said the MPNA voted to change the name of Oak Tree Park to the Sarah Ann Miller Park and the Tucson Parks and Recreation Commission approved unanimously to change the name of Oak Tree Park to the Sarah Ann Miller Park.

Comments about the renaming of the park were made by Joe Miller. He thanked the Mayor and Council.

It was moved by Vice Mayor Romero, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused) that Consent Agenda Items k be passed and adopted and the proper action taken.

## **7. CONSENT AGENDA – ITEMS R**

### **r. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS FOR THE TRANSFER OF PUBLIC RIGHT OF WAY**

1. Report from City Manager AUG08-17-280 WARD 6
2. Resolution No. 22797 relating to Transportation and Intergovernmental Agreements; approving the Intergovernmental Agreement (IGA) between the Arizona Board of Regents on behalf of the University of Arizona (University) and the City of Tucson for the transfer of public right of way.

Mayor Rothschild announced the next item to be considered separately was Consent Agenda Item r at the request of Council Member Kozachik.

Council Member Kozachik explained Item r was asking the Mayor and Council to vacate ownership of a variety of streets that ran between Park and Campbell Avenues, north of Speedway. He said his concern was that even though they were within the

University of Arizona's (UofA) planning boundary, they were currently City streets. He questioned that by vacating these streets and making them UofA and State property, did it allow the Board of Regents to assemble properties within that area without going through the City process. He said if their goal was anything other than to assemble parcels for the purpose of development, he wanted to know why they would be taking on this obligation.

It was moved by Council Member Cunningham, duly seconded, to continue this item and discuss it at the next meeting.

Council Member Kozachik stated he wanted to hear from the City Manager before moving forward with the item.

Michael J. Ortega, City Manager, stated that Council Member Kozachik's question should really be answered by the Board of Regents. He said it was his understanding that they wanted control over the assemblage of properties over time. He stated the City's concern was assuring there was public access necessary for private properties to be maintained, as well as utilities and some of the roads/alleys could not be "abandoned or built over". He said he would reach out to the University to find out their exact intent.

Council Member Cunningham stated he would like to confirm this was all in good faith, but wanted to make sure, which was why he moved to continue the item until the next meeting.

Council Member Kozachik stated he did not feel comfortable vacating all the properties and allowing them to disassemble parcels the way they were currently being done.

Mayor Rothschild stated he would like to discuss this item more specifically with the UofA and reach further agreements.

Mr. Ortega asked if the Mayor and Council wanted the item brought back at the next regularly scheduled meeting in thirty days and did they want it in a study session format and have the UofA available for discussion.

Council Member Cunningham responded affirmatively to err on the side of caution as a study session item.

The motion to continue the item until the September 6, 2017, Study Session was carried by a voice vote of 6 to 0 (Council Member Scott absent/excused).

**8. PUBLIC HEARING: RENEWAL OF CABLE TELEVISION LICENSE AGREEMENT WITH COMCAST OF ARIZONA, LLC**

Mayor Rothschild announced City Manager's communication number 285, dated August 8, 2017, was received into and part of the record. He also announced this was the

time and place legally advertised for a public hearing on the proposed renewal of a cable television license agreement with Comcast of Arizona, LLC. He stated that 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 were any speakers wishing to be heard on the item.

There was no one.

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

Mayor Rothschild asked the City Clerk to read Ordinance 22804 by number and title only.

Resolution No. 22804 relating to cable communications; approving and authorizing execution of a nonexclusive Cable Television Renewal License Agreement between the City of Tucson and Comcast of Arizona, LLC; and declaring an emergency.

Roger W. Randolph, City Clerk, read a correction into the record. He said the date on Exhibit A to the Agreement would be corrected to read August 8, 2017 instead of July 5, 2017.

It was moved by Council Member Fimbres, duly seconded, to pass and adopt Resolution 22804.

Vice Mayor Romero asked the City Manager to share the financial contribution the cable companies would pay the public for the use of right of way.

Michael J. Ortega, City Manager, stated he did not have the information in front of him, however he could provide the information to her after the meeting.

Michael Rankin, City Attorney, replied that the license agreement provided for five percent of the gross revenues, which was the statutory maximum that could be charged.

Kirk Knorr, Government Affairs Manager, Comcast Tucson, states he did not have all the numbers in front of him, however for 2016; Comcast paid the City of Tucson approximately \$151,582.71.

Vice Mayor Romero stated to the City Manager that when asking for financial considerations, the actual amount of funds that are contributed to the City, even if approximate, be provided in Mayor and Council communication and made public so they can make the decision to move forward.

Mr. Knorr added that in the agreement, it allowed for the City to ask for an audit every year by written request and Comcast had 30-60 days to honor the request.

Vice Mayor Romero stated it was a good gesture for Comcast, as it was a transparency issue with the community and what Comcast added to the public for their use of right-of- ways.

Council Member Cunningham asked what percentage of households in the market Comcast was capturing.

Mr. Knor said he would get back to the Council Member Cunningham with the information.

It was moved by Council Member Fimbres, duly seconded, and carried by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to pass and adopt Resolution 22804 and the proper action taken.

**9. PUBLIC HEARING: AIRPORT CORONA ANNEXATION**

Mayor Rothschild announced City Manager's communication number 268, dated August 8, 2017, was received into and part of the record. He also announced this was the time and place legally advertised for a public hearing on the proposed annexation district located south of Valencia Road, between Nogales Highway and Alvernon Way. He stated that 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 were any speakers wishing to be heard on the item.

There was no one.

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

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to direct staff to proceed with the Airport Corona Annexation District.

**10. PUBLIC HEARING: CITY OF TUCSON FY 2018 ANNUAL ACTION PLAN EMERGENCY SOLUTIONS GRANT SUPPLEMENTAL FUNDING**

Mayor Rothschild announced City Manager's communication number 283, dated August 8, 2017, was received into and part of the record. He also announced this was the time and place legally advertised for a public hearing on the City of Tucson Amended FY 2018 Annual Action Plan and Update to the 2015-2019 Five-year Consolidated Plan, approving the Supplemental Emergency Solutions Grant funds.

Mayor Rothschild announced before beginning the public hearing, he asked staff to make a brief presentation. He stated that the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations.

Glen Moyer, Community Services Administrator of Housing and Community Development, stated the purpose of the item was to amend the City of Tucson FY 2018 Annual Action Plan to account for \$548,171 additional Housing and Urban Development (HUD) funding allocated to the city in June. He said the FY 2018 Annual Action Plan was approved by the Mayor and Council on April 19, 2017, which included \$460,731 of Emergency Solutions Grant (ESG) program funding, which was an estimate based on the level funding from FY 2017.

Mr. Moyer stated that on June 14, 2017, the Department and Urban Development announced the City would receive ESG funding for the year 2018, in the amount of \$452,951 which was a decrease of 1.69% from FY 2017 requiring an amendment to the *Annual Action Plan*. He said because the funding change was less than twenty percent, the amendment did not require any additional public process or notification. However, he said, on June 30, 2017, the City was notified by HUD that they had been awarded a one-time supplemental allocation of addition ESG funding of \$548,171, an increase of one hundred nineteen percent.

Mr. Moyer said this change also required an amendment to the *Action Plan*, but because the funding change was greater than twenty percent, a completely new public notification participation process was required which included a public meeting held on July 25, 2017, a public comment period which ran from July 10- 26, 2017, and the evening's public hearing. He said the amended *Annual Action Plan* must be approved by the Mayor and Council and forwarded to HUD by August 16, 2017 to avoid forfeiting Tucson's Community Development Block Grant (CDBG) funding.

Mr. Moyer said the supplemental ESG allocation was subject to all of the requirements for ESG including a sixty percent cap on outreach and shelter. He said the Housing Community Development (HCD) would work with the ESG subcommittee of the Tucson Pima Coalition to end Homelessness, to expand homeless outreach teams, especially on nights and weekends where there was an identified gap, and for homeless prevention and rehousing.

Mayor Rothschild stated the City was receiving \$548,171 more dollars this year for this program, and by federal regulations required an amendment to the *Plan*. He said based on the public outreach to date, the recommendation was to put the money towards homeless outreach and prevention teams. He also asked for confirmation that no determination had been made as to who would be the actual provider, or who would be hired for those purposes.

Mr. Moyer agreed that all was correct.

Mayor Rothschild confirmed that at the Mayor and Council would be voting on accepting the money. He asked Mr. Moyer to confirm that no other no other decisions had been made.

Mr. Moyer stated that no other decisions had been made. However, there were limitations as to what the money could be used for. He said these were ESG funds and must address homelessness and homelessness prevention.

Mayor Rothschild asked if there were any speakers wishing to be heard on the item.

There was no one.

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

Mayor Rothschild asked the City Clerk to read Resolution 22805 by number and title only.

Resolution No. 22805 relating to Public Housing; approving the Amended City of Tucson (City) Annual Action Plan for Fiscal Year 2018, year three of five year Consolidated Plan 2015-2019; authorizing and directing submittal of that Plan to the United States Department of Housing and Urban Development (HUD); and declaring an emergency.

It was moved by Vice Mayor Romero, duly seconded, to pass and adopt Resolution 22805.

Council Member Fimbres confirmed, these were additional funds and the supplemental funds could be expended on any eligible activity under ESG, and would be determined at a later date how the funds would be divided amongst these teams.

Mr. Moyer stated that was correct.

Mayor Rothschild asked what the anticipated process was moving forward.

Mr. Moyer explained the starting point was that HCD would work with the ESG Subcommittee of the Tucson-Pima County Coalition to End Homelessness. Once input was received they would move forward at that time. He said the money had to be spent within two years; however they wanted to get started as soon possible, with sixty to ninety days.

Resolution 22805 was passed and adopted by a roll call vote of 6 to 0 (Council Member Scott absent/excused).

## 11. PUBLIC HEARING: ON CLIMATE CHANGE

Mayor Rothschild announced City Manager's communication number 275, dated August 8, 2017, was received into and part of the record. He also announced this was the time and place legally advertised for a public hearing on ways the City might engage in a response to climate change. He stated that the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Mayor Rothschild gave a brief update about how the item came about and its current status. He said the Mayor and Council earlier in the afternoon moved forward with creating the Climate Change Commission, who would be responsible for reviewing steps the City could take to reduce their carbon footprint. He said currently, the City's LED lighting project was on track to reduce street light energy consumption by up to seventy percent by 2018, and twelve percent of the electric load was served by solar power sources.

Mayor Rothschild said the first complete energy performance contract was under way, which would increase both energy efficiency and the amount of electricity that was generated from solar arrays. He explained the City's ten thousand trees initiative had nearly doubled the original goal, the first ten thousand trees was reached in October 2014, and currently the City was only two hundred forty trees short of reaching twenty thousand trees planted throughout the City. He said increasing tree canopy was essential to combatting the urban heat island effect, making Tucson more resilient in the face of climate change and provided other benefits including carbon storage, reduced utility bills, and improve property values.

Mayor Rothschild stated the City would continue to work cooperatively with the electric utility to lease City land to generate utility-scale solar. He said before beginning the public hearing, he reminded the audience this was a question of expectations, they wanted to hear all the ideas, however the City might be constrained implementing some of the best ideas by either financial or legal constraints. He stated one of the constraints was the state's appetite for preempting local ordinances, often taking away additional powers in the process. He also explained he wanted to hear ways they could work in partnership with others, and ways they could work to persuade the community as a whole to implement programs that were critical to this mission.

The following people spoke regarding Climate Change:

Camille Kershner	Nicole for Karen Fogas	Barbara Warren
Patsy Stewart	Bob Cook	Jacob Elpern
Margo Garcia	Nancy Petersen	Cathy Della Penta
Jamie French	Madeline Kiser	Jana Segal
Robert Bulechek	Beryl Baker	Colette Altaffer

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

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

Council Member Uhlich requested that Item 15 be considered next as there were quite a few comments made during Call to the Audience regarding this subject.

**15. ECONOMIC DEVELOPMENT: APPROVAL OF WATER INFRASTRUCTURE INCENTIVE PROGRAM WITH WATER CONSERVATION BONUS**

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

Mayor Rothschild announced City Manager's communication number 259, dated August 8, 2017, was received into and made part of the record. He asked the City Clerk to read Resolution 22793 by number and title only.

Resolution No. 22793 relating to Economic Development; approving adoption of Water Infrastructure Incentives with a Water Conservation Bonus linked to the existing Primary Jobs Incentive Program; and declaring an emergency.

Mayor Rothschild stated this matter was brought back after discussion from the June 6, 2017 Study Session. He said he asked staff to present different ways to address situations brought forth regularly to the Mayor and Council such as this. He commented that the City had land inside their water service area that met the requirements except it lacked water infrastructure. He said staff came up with a water infrastructure incentive to keep Tucson competitive and the incentive was based on our existing primary jobs incentive. He clarified that this was an economic development incentive for businesses if they brought in enough high paying jobs and developers were not eligible for the incentive. He continued stating that independent economic analysts had to verify that the tax payers benefited more than the businesses did, therefore the tax benefits for the community were greater than the cost of the incentive.

Mayor Rothschild said overall, businesses pay the City back for the cost of the infrastructure with the new tax revenue it generated. He stated to get the first half of the incentive; businesses had to get a Certificate of Occupancy and proof of jobs created and the second half upon proof of job retention for a three year period. He commented that a bonus for water conservation had been included to offset the purchase of water, ceiling fixtures and equipment. He said he would like to hear more about on how they can make these buildings environmentally friendly.

Mayor Rothschild stated the incentive did not raise water rates. Tucson Water already had fund for capital improvements in its budget. He continued comments about the economy today and how incentives helped with bringing business to the City.

It was moved by Council Member Fimbres, duly seconded, to pass and adopt Resolution 22793.

Council Member Cunningham stated he was originally in favor of the idea. He understood it was an opportunity to encourage more conservation of heavy buildings being built. However, companies that meet all requirements for this incentive were eligible for \$2 million in rebates just in water infrastructure alone if they built a new facility. He said when a business came into this program and moves into an existing structure within the city limits, they would never incur \$2 million in water infrastructure costs, and therefore their requirements would be to make the building more water efficient with costs totaling approximately twenty to thirty thousand dollars. He said he would like to see that businesses be in service area within city limits, and they must max out on their conservation needs for the building.

Mayor Rothschild said he would entertain a motion to continue this item for the purpose of tightening up the conservation part of the incentive, and to make it more specific.

A substitute motion was made by Council Member Cunningham, duly seconded, to continue the item for the purpose of tightening up some of the language in an effort to ensure that conservation was the bigger piece.

Vice Mayor Romero asked the Mayor and Council to consider the payback of infrastructure funds. She said she did not understand why the City had to give away \$2.5 million for infrastructure every year that the rate payer's fund. She said the rate payers do fund capital improvement funds in the City of Tucson Water Department. She said she would also like for them to consider the payback of these funds at the next meeting. She stated there were so many water needs with the City; residents need infrastructure funding for the precise reasons heard during the public hearing on climate change. She said she wanted to make sure it was being thoroughly thought out.

Vice Mayor Romero asked if in the motion she could include the possibility of adding a provision in the program that required the developers to pay back the City for infrastructure.

Mayor Rothschild explained that the Mayor and Council should listen to all of the ideas entertained, let that be reworked and see what staff comes back with. He wanted to be clear because, even TESLA could not have received \$2.5 million in incentives.

Council Member Uhlich stated she did not believe the incentive program would attract companies to build in our area. The City needed to grow the economy using the assets we had as a community and region. She commented that the dollar game was never one the City could compete on. She said she agreed with Vice Mayor Romero, and said the City should have businesses contribute back and have the City recoup that investment. She said she thought rather than looking at this in isolation rather than saying the City wanted to invest up to \$2.5 million annually to accomplish the goals was only one option. The City could also provide twenty-five hundred, free thousand gallon cisterns to working families.

Mayor Rothschild stated the original thought was to build out infrastructure and have it ready for the businesses that come, but what he learned in the process was that you could not build without knowing who was going to move into the infrastructure.

Council Member Cunningham announced he was unsure if the payback of funds would work for every case. He explained the goal was to make sure the businesses that came to be a part of Tucson, that were big contributors and created thousands of jobs, knew we took care of our water and water use. He said, in return, the City was willing to help them out so that they do come here. He stated we had to be competitive, but responsible if we wanted those primary jobs.

Vice Mayor Romero expressed her concern about making sure they had the option of the payback. She also explained the City needed to be smart about their resources, especially the water department, and compare the needs of the infrastructure that the City currently had and the needs of conservation and climate change.

The substitute motion to continue the item, subject to call, for the purpose of tightening up some of the language in an effort to ensure that conservation was the bigger piece, with the option to require payback of funds from participating entities was carried by a voice vote of 6 to 0 (Council Member Scott absent/excused).

## **12. TRANSPORTATION: UPDATE ON SUN TRAN AND SUN VAN MANAGEMENT CONTRACT**

Mayor Rothschild announced City Manager's communication number 284, dated August 8, 2017, was received into and made part of the record. He stated Vice Mayor Romero and Council Member Uhlich had asked for the discussion of the item.

(NOTE: Council Member Kozachik departed 8:41 pm; returned at 8:44 pm)

Vice Mayor Romero explained she and Council Member Uhlich understood that the City Manager and the Tucson Department of Transportation (TDOT) granted an eighteen month extension to Ratp Dev McDonald Transit (RDMT) for Sun Tran and Sun Van management services. She said she wanted to make sure there was public discussion regarding the item and discussion of the future of transit management in the City of Tucson. She said the Mayor and Council discussed the potential for different types of management of our transit system at a Study Session in March.

Vice Mayor Romero asked where the Mayor and Council could add their opinion or direction if possible to talk about ridership. She stated ridership had dropped dramatically since the 2015 strike, and the City had not been able to recover. She asked staff if that conversation could be had as well as discussions about incentivizing to bring in more riders to the transit system.

Vice Mayor Romero commented there were a number of speakers on the climate change item that stressed the need for improving the transit services within the City. She

asked the City Manager to explain how they got to where they were today and to why he thought eighteen months was an appropriate amount of time to extend this contract.

Michael J. Ortega, City Manager, stated when they were notified by Transdev, the current contractor at the time that they were no longer interested in pursuing the contract, he had to go over the options and made the decision. He explained his decision was with the expectation that it was a stop-gap measure. He said when discussion was held in the past on this matter it was not just on ridership but also about incentivizing costs, savings and a variety of other things. He stated that the thought process was, when looking at a longer term or more holistic approach to the contract(s), was to have one contract for Sun Van, Sun Tran and Sun Link. He explained he thought this decision would give them the time to work together to develop a single contract and develop incentives.

Mr. Ortega said there was another piece to this item was the regional approach and what that looked like for transit services to include engaging or working directly with the City's partners, Pima Association of Governments (PAG) and the Regional Transportation Authority (RTA). He stated this would give them the time to develop the single contract and incentives for the various pieces. He said it was not intended to preempt the Mayor and Council in any way nor to exclude anyone; it was really an opportunity to buy the City some time reacting to an unfortunate situation they had been placed in along with being in the middle of negotiations contract with the labor contract.

Vice Mayor Romero stated she wanted to make sure the City discussed what their expectations were in the next eighteen months with RDMT, and what the City of Tucson would be doing at that same time to provide service. She also asked about the possibility of having a different jurisdiction or authority running the transit system.

Albert Elias, Assistant City Manager, explained he thought the main way to achieve what Vice Mayor Romero was asking, would be through the development of the new request for proposal process. He said they had discussions with the RDMT team regarding implementation of performance measures. He said he believed RDMT had a better understanding of where the opportunities were in current existing operations, and would develop a clear message of what the City's expectations were and what we wanted to accomplish in eighteen months.

Mr. Elias said they also had time in those eighteen months to discuss with the Mayor and Council all of the options. He also informed that the RDMT team was on site and had been working with the City. He stated as of September 1, 2017, Steve Bethel, Sun Link General Manager and Martin Burk, Sun Tran General Manager, were taking over and welcomed any questions and comments the Mayor and Council might have.

Mr. Ortega added he felt very blessed that RDMT agreed to help and he explained how disruptive this was to the staffing and the whole operation. He said that was why he decided on eighteen months rather than two to three months. He added that the conversation regarding the model and management structure was very complex, and when they had conversations at the regional level that was where the policy discussion

for Mayor and Council came in. He informed the Mayor and Council that it was a parallel conversation; the logistics of the contract as well as the logistics of other models that the City was going to try and come up with.

Vice Mayor Romero asked to discuss further whether the City would still be in control of the transit system or would they have a Tucson Metro Authority be in control, and when was a good time within the eighteen months to ask RDMT about ridership.

Mr. Ortega responded with, "Now was a great time." They had been focusing on two fundamental pieces of transit. One was labor and negotiations which had burned up a lot of energy and effort and all hands on deck to ensure there was not a repeat of the 2015 strike and two, when the City was noticed that the contractor was no longer interested in providing the service, staff immediately went into hyper drive to determine how to deal with the situation. He said when change such as that occurred, there was turnover which was not a good thing.

Mr. Ortega stated that now with RDMT in place, they could focus on what the models could look like such as the Metro Authority. He said his hope was with RDMT taking care of the day-to-day operations; staff could work on the other and have meaningful conversations with the Mayor and Council by the end of the calendar year.

Council Member Fimbres asked the City Attorney what steps did the Arizona Legislature need to do on current state statutes for a model of a metropolitan public transit authority to effectively exist.

Michael Rankin, City Attorney, responded there were four fundamental changes that would be needed in the statutes. The statutes needed to define the nature of the district as a special taxing district and political subdivision of the state, amend the description of the scope of the duties and powers of the authority, capture all of the different elements of the transit, and certain anachronistic provisions in our title 40, and tax levying powers had to be approved by the voters.

Vice Mayor Romero asked about financials, and if the monthly cost paid to RDMT of approximately forty-seven thousand dollars per months, which for eighteen months was about eight hundred forty-nine thousand dollars, plus an additional one time cost or eighty-five thousand dollars for relocation was in addition to what the City already paid RDMT for management of Sun Link.

Mr. Elias explained that the work RDMT did for the City managing Sun Link under their existing contract was not changing. He said RDMT was taking over the roll that Transdev had. He said the City had made provisions for one-time expenses up to eighty thousand dollars, if necessary, to do all of the things they needed to do to create a startup operation. He said he cost was going to be about the same, with the exemption of the one-time expenses. He stated that when Transdev's contract ends on August 31st, the costs associated with that would then be paid to RDMT, which was in addition to what the City already paid them.

Vice Mayor Romero and Council Member Fimbres both thanked the City Manager and staff for their work on the Teamsters contract.

No formal action was taken.

**13. ZONING: (SE-16-16) VERIZON – BROADWAY BOULEVARD, SR ZONE, WIRELESS COMMUNICATIONS FACILITY, SPECIAL EXCEPTION LAND USE, CHANGE OF CONDITIONS, ORDINANCE ADOPTION, AMENDING ORDINANCE 11372**

Mayor Rothschild announced City Manager’s communication number 267, dated August 8, 2017, was received into and made part of the record. He announced this is a request for a change of condition for a proposed wireless communication facility. The facility is disguised as a palm tree (“monopalm”) located west of Chimney Canyon Drive and south of Essex Village Drive. He said the staff recommends approval subject to certain conditions.

Mayor Rothschild asked if the applicant or representative was present and if they were agreeable to the proposed requirements.

Joseph Engbrocks, Centerline Solutions, on behalf of Verizon Wireless, stated they were in agreement with the proposed requirements.

Mayor Rothschild asked the City Clerk to read Ordinance 11481 by number and title only.

Ordinance No. 11481 relating to Zoning; amending Ordinance 11372, rezoning condition number 5 for a Special Exception Land Use - Wireless Communications Facility - SE-16-16 Verizon - Broadway Boulevard - located approximately 325 feet west of Chimney Canyon Drive and 530 feet south of Essex Village Drive; approving with conditions the construction of a wireless communication tower with twelve antenna panels concealed within an artificial palm tree, 50 feet in height, within an approximately 616 square foot lease area in the southwestern portion of the 4.57 acre site in the SR zone; and setting an effective date.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to approve the request as presented and pass and adopt Ordinance 11481.

**14. ZONING: (C9-16-11) BRAKE MASTERS – SPEEDWAY BOULEVARD, C-1 TO C-2, CITY MANAGER'S REPORT**

Mayor Rothschild announced City Manager’s communication number 269, dated August 8, 2017, was received into and made part of the record. He announced this is a request to rezone approximately 0.37 acres from C-1 to C-2 zoning, located at the

northeast corner of Silverbell Road and Speedway Boulevard. He said the Zoning Examiner and staff recommend approval subject to certain conditions.

Mayor Rothschild asked if the applicant or representative was present and if they were agreeable to the proposed requirements.

Jim Egan, on behalf of the property owners, LDR – Silverbell, LLC was present and stated they were agreeable to the proposed requirements.

Council Member Kozachik announced they needed to have more discussion regarding the property on Broadway Blvd. and Campbell Ave in the future.

It was moved by Vice Mayor Romero, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to authorize the request for rezoning as recommended by the Zoning Examiner.

**15. ECONOMIC DEVELOPMENT: APPROVAL OF WATER INFRASTRUCTURE INCENTIVE PROGRAM WITH WATER CONSERVATION BONUS**

(This item was taken out of order and considered after item 11.)

**16. TUCSON CODE: AMENDING (CHAPTER 19) TO INCLUDE A TEMPORARY HALF-CENT SALES TAX INCREASE**

Mayor Rothschild announced City Manager's communication number 272, dated August 8, 2017, was received into and made part of the record. He asked the City Clerk to read Ordinance 11479 by number and title only.

Ordinance No. 11479 relating to taxation, revising Tucson Code Sections 19-410, 19-415 through 19-417, 19-425, 19-427, 19-430, 19-435, 19-445, 19-450, 19-455, 19-460, 19-470, 19-475, 19-480, and 19-610 to include the sales tax rate approved by the City's voters under Proposition 101 on May 16, 2017; adopting an effective and repeal date; 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 Scott absent/excused), to pass and adopt Ordinance 11479.

**17. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH MIDFIRST BANK, OWNERS OF PARCEL 140-37-071B, FOR WATER SERVICE**

Mayor Rothschild announced City Manager's communication number 277, dated August 8, 2017, was received into and made part of the record. He asked the City Clerk to read Resolution 22802 by number and title only.

Resolution No. 22802 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 Midfirst Bank, owners of Parcel No. 140-37-071B.

Council Member Cunningham asked of the request was in the City limits.

Mayor Rothschild responded that this was the item discussed in Study Session.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to pass and adopt Resolution 22802.

**18. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH BEAUFORT COMPANY LLC AND NNK LLC, OWNERS OF PARCEL NO. 140-37-0700, FOR WATER SERVICE**

Mayor Rothschild announced City Manager's communication number 278, dated August 8, 2017, was received into and made part of the record. He asked the City Clerk to read Resolution 22801 by number and title only.

Resolution No. 22801 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 Beaufort Company LLC & NNK LLC, Owners of Parcel No. 140-37-0700.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to pass and adopt Resolution 22801.

**19. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH CRAZY HORSE RV LLC, OWNERS OF PARCEL NO. 140-39-039B**

Mayor Rothschild announced City Manager's communication number 270, dated August 8, 2017, was received into and made part of the record. He asked the City Clerk to read Resolution 22800 by number and title only.

Resolution No. 22800 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 Crazy Horse RV LLC, Owners of the Crazy Horse RV Park, Parcel No. 140-39-039B.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to pass and adopt Resolution 22800.

**20. ELECTIONS: CALLING A SPECIAL ELECTION FOR NOVEMBER 7, 2017 FOR PURPOSES OF AMENDING THE TUCSON CITY CHARTER AND CITY CODE**

Mayor Rothschild announced City Manager's communication number 287, dated August 8, 2017, was received into and made part of the record. He asked the City Clerk to read Ordinance 11485 by number and title only.

Ordinance No. 11485 relating to Finance, Education, Parks, and Elections; pursuant to Chapter IV, Section 1(20), Chapter XVI, Section 6, Chapter XIX, Section 4, and Chapter XXVI, Section 1 of the Tucson Charter, calling a special election to be held in the City of Tucson, Arizona, on November 7, 2017, for the purpose of submitting to the City's qualified electors proposed amendments to Tucson Charter Chapter IV and Tucson Code Chapters 10A, 19, and 21 submitted by initiative; specifying the ballot language for the measures to be voted on; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to pass and adopt Ordinance 11485.

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

Mayor Rothschild announced City Manager's communication number 254, dated August 8, 2017, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Kozachik, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Scott absent/excused), to approve the appointments in the report.

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

Mayor Rothschild announced his personal appointment of Joaquin Murrieta to the Citizen Police Advisory Review Board (CPARB), and Collin Forbes to the Pedestrian Advisory Committee (PAC).

**22. ADJOURNMENT: 9:17 p.m.**

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council will be held on Wednesday, September 6, 2017, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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CITY CLERK

**CERTIFICATE OF AUTHENTICITY**

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 8th day of August, 2017, and do hereby certify that it is an accurate transcription.

  
DEPUTY CITY CLERK

RWR:dp:yl