



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on July 10, 2018.

Date of Meeting: January 9, 2018

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:33 p.m., on Tuesday, January 9, 2018, all members having been notified of the time and place thereof.

1. ROLL CALL

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

Present:

Regina Romero	Council Member Ward 1
Paul Cunningham	Vice Mayor, Council Member Ward 2
Paul Durham	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 AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

a. INVOCATION

The invocation was given by Father Earl Cantos, St. Demitrios Greek Orthodox Church.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. PRESENTATIONS:

1. Mayor Rothschild proclaimed January 15th to be “Martin Luther King Jr. Day”.
2. Mayor Rothschild presented the 2017 Tucson Parks and Recreation Commission Awards to Lisa Torres.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager’s communication number 10, dated January 9, 2018, 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 Scott absent/excused), to approve the appointment(s) of Keith Dommer and Vincent Tracy, and the reappointments of Frank Frey and Steven Craig Holland to the Self Insurance Trust Fund Board of Trustees (TRUST).

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

There were none.

3. MAYOR AND COUNCIL/CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 1, dated January 9, 2018, 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 and the City Manager to report on current events and asked if there were any reports.

Current event reports were provided by Vice Mayor Cunningham, Council Members Romero, Durham, and Fimbres.

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.

4. BOARDS, COMMITTEES AND COMMISSIONS: REPORTS TO MAYOR AND COUNCIL

Mayor Rothschild announced City Manager's communication number 2, dated January 9, 2018, was received into and made part of the record. He also announced this was the time scheduled to allow Boards, Committees and Commissions to report on their activities during the past year, as well as, anticipated future activities.

Report was provided by Kristin Ginter, Environmental Services Advisory Committee (ESAC) Chairperson; and Steven Herzog, Fire Code Review Committee (FCRC) Chairperson.

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 3, dated January 9, 2018, 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. Graze Premium Burgers, Ward 6
5635 E. Broadway Blvd.
Applicant: Paolo Robert Defilippis
Series 12, City 69-17
Action must be taken by: November 12, 2017

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

2. Brushfire BBQ Co., Ward 3
2745 N. Campbell Ave.
Applicant: Peter Arthur Wagle
Series 12, City 93-17
Action must be taken by: January 7, 2018

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

3. Brushfire BBQ Co., Ward 2
7080 E. 22nd St. #114
Applicant: Peter Arthur Wagle
Series 12, City 94-17
Action must be taken by: January 7, 2018

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

4. Courtyard by Marriott Tucson, Ward 5
2505 E. Executive Dr.
Applicant: Andrea Dahlman Lewkowitz
Series 11, City 95-17
Action must be taken by: January 12, 2018

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

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person Transfer(s)

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

c. Special Event(s)

1. Southern Arizona Arts and Cultural Alliance, Ward 6
2150 N. Alvernon Way
Applicant: Jonas Wes Hunter
City T168-17
Date of Event: February 3, 2018
(Culinary Fundraiser)

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

2. North Fourth Avenue Merchants Association, Ward 6
4th Ave. from University Blvd. to 8th St.
Applicant: Monique Marie Vallery
City T169-17
Date of Event: March 2, 2018 - March 4, 2018
(2018 Spring Street Fair)

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

3. Friends of Arizona History, Inc., Ward 6
949 E. 2nd St.
Applicant: Betty A. Cook
City T170-17
Date of Event: January 27, 2018
(Fundraiser)

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

4. Empower Coalition Inc., Ward 6
198 S. Granada Ave.
Applicant: Eric M. Hutchens
City T171-17
Date of Event: February 17, 2018
(Fundraising Dinner)

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

5. Tucson Desert Art Museum, Ward 2
7000 E. Tanque Verde Rd.
Applicant: Rhonda Smith
City T172-17
Date of Event: January 12, 2018
(Fundraiser)

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

6. Tucson Symphony Society, Ward 6
151 S. Granada Ave.
Applicant: Terresa M. Tauzin
City T173-17
Date of Event: January 12, 2018
(Fundraiser)

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

7. Tucson Scottish Rite Cathedral Foundation, Inc., Ward 6
160 S. Scott Ave.
Applicant: Randal Scott Jager
City T174-17
Date of Event: January 27, 2018
(Concert/Fundraiser)

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

8. Step Up to Justice, Ward 6
88 E. Broadway Blvd.
Applicant: Stacy Rupprecht Butler
City T175-17
Date of Event: January 25, 2018
(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 Romero, duly seconded, and carried by a voice vote of 6 to 0, (Council Member Scott absent/excused) to forward liquor license applications 5b1 through 5b4, and 5c1 through 5c8 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:

Edward Cizek

Keith Van Heyningen

Giuliana Donnelly

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 JAN09-18-4 CITY WIDE

2. Mayor and Council Regular Meeting Minutes of May 9, 2017
 3. Mayor and Council Study Session Legal Action Report and Minutes of May 9, 2017
 4. Mayor and Council Regular Meeting Minutes of May 23, 2017
 5. Mayor and Council Study Session Legal Action Report and Minutes of May 23, 2017
- b. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH ARIZONA SUNSHINE RANCHES, INC., OWNERS OF PARCELS 205-44-0070 AND 205-45-004B, FOR WATER SERVICE
1. Report from City Manager JAN09-18-5 WARD 2 AND OUTSIDE CITY
 2. Resolution No. 22850 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 Arizona Sunshine Ranches, Owners of Parcel Nos. 205-44-0070 and 205-45-004B.
- c. FINAL PLAT: (S17-018) HALCYON ACRES, BLOCK 1
1. Report from City Manager JAN09-18-6 WARD 2
 2. Staff recommends that the Mayor and Council approve the 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.
- d. FINAL PLAT: (S17-050) OCHOA COURT CONDOMINIUMS
1. Report from City Manager JAN09-18-11 WARD 6
 2. Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- e. FINAL PLAT: (S17-023) CAMINO MODERN, LOTS 1 THROUGH 54, COMMON AREAS "A", "B" AND "C"
1. Report from City Manager JAN09-18-8 WARD 2

2. Staff recommends that the Mayor and Council approve the 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. INTERGOVERNMENT AGREEMENT: WITH ARIZONA PEACE OFFICERS STANDARDS AND TRAINING BOARD FOR SOUTHERN ARIZONA LAW ENFORCEMENT TRAINING CENTER

1. Report from City Manager JAN09-18-12 CITY WIDE

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

It was moved by Vice Mayor Cunningham, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), that Consent Agenda Items a – f, with the exception of item f, which was continued by staff, be passed and adopted and the proper action taken.

8. PUBLIC HEARING: KOLB AND VALENCIA ANNEXATION DISTRICT

Mayor Rothschild announced City Manager's communication number 7, dated January 9, 2018, was received into and made part of the record. He also announced this was the time and place legally advertised for a public hearing on the proposed annexation district located at the intersection of Kolb Road and Valencia Road. He stated the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Mayor Rothschild announced no speaker cards were received and asked if there was anyone in the audience wishing to be heard on the item.

The following people spoke regarding the Kolb and Valencia annexation district:

Don Laidlaw

Sharon Pierman

Keith Van Heyningen

It was moved by Vice Mayor Cunningham, duly seconded, and passed 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 carried by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to direct staff to proceed with the Kolb and Valencia Annexation District.

9. **FINANCE: AUTHORIZING A LEASE PURCHASE AGREEMENT FOR FUNDING ENERGY CONSERVATION PROJECTS (CONTINUED FROM THE MEETING OF DECEMBER 5, 2017)**

Mayor Rothschild announced City Manager's communication number 9, dated January 9, 2018, was received into and made part of the record. He asked the City Clerk to read Resolution 22835 by number and title only.

Resolution No. 22835 a resolution of the Mayor and Council of the City of Tucson, Arizona, authorizing and approving the execution and delivery of an Equipment Lease-Purchase Agreement and an Acquisition Fund and Account Control Agreement; authorizing negotiations with a purchaser of the Equipment Lease-Purchase Agreement; fixing the maximum aggregate principal amount and the maximum term of the lease payments to be made pursuant to the Equipment Lease-Purchase Agreement and declaring an emergency.

It was moved by Council Member Durham, duly seconded, to pass and adopt Resolution 22835.

Council Member Durham thanked Jason Laros for his work on the project. He said this was otherwise known as performance contracting, in which the energy efficiency improvements were paid for by the energy savings that result. He stated this was smart government, and would be pursuing whether there were other appropriate projects for performance contracting.

Council Member Romero asked what the plans for the future were for similar activities in other areas of the City.

Michael J. Ortega, City Manager, stated an audit was done and this was the first of those buildings that made sense. He said there are many needs and opportunities and they were trying to hone in on those areas with the highest pay back. He commented that as time went on it would change up or down, depending on incentives. He explained this was an ongoing effort, and these projects were a multitude. He also added they would continue to look at all of the performance based contracting.

Council Member Durham clarified that these were the projects with the best numbers and then they would move on the second and third level type projects.

Council Member Romero stated it made sense Donna Liggins, Udall Recreation Center and City Hall were part of this project, however she said she wanted to make sure there was conversation with the Mayor and Council on what was next and to be included in the conversation as to what the next steps or projects would be. She asked for the Mayor and Council to be provided with the numbers of the tier 1 and tier 2 projects. She explained the community may bring information to the Mayor and Council offices that the administrative teams may not know about.

Council Member Fimbres asked for clarification of the performance guarantee aspect of the proposal and how the City would insure the contractor paid for work that did not meet EPC (Economic Performance Contract) Standards.

Mr. Ortega explained the project costs are financed and paid for by the savings in the electrical or power costs. He said it was a function of that specific project because what would happen is that the cost for City Hall, Donna Liggins and Udall Center costs would be broken down and separate agreements would be established for each. He stated that if the numbers do not match perfectly showing a net savings, the City would walk away and not move forward. He further explained, they would compare what was currently being spent on power costs, to what the savings would be with the solar and energy fixtures.

Council Member Durham suggested scheduling Jason Laros to come back to a Study Session to discuss information on related future projects.

Resolution 22835 was passed and adopted by a roll call vote of 6 to 0 (Council Member Scott absent/excused).

10. ADJOURNMENT: 6:25 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, January 23, 2018, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.



MAYOR

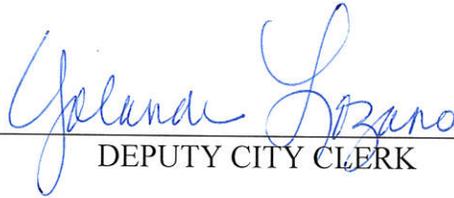
ATTEST:



CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 9th day of January 2018, and do hereby certify that it is an accurate transcription.


DEPUTY CITY CLERK

RWR:dp:amo