

Approved by Mayor and Council on March 8, 2016

MAYOR AND COUNCIL – STUDY SESSION**LEGAL ACTION REPORT AND SUMMARY
MINUTES FOR THE MEETING OF
WEDNESDAY, AUGUST 5, 2015
MAYOR AND COUNCIL CHAMBERS
CITY HALL, 255 W. ALAMEDA, TUCSON, AZ**

Mayor Rothschild called the Study Session to order at 2:03 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

OFFICIAL MEMBERS

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

OFFICIAL MEMBERS

ABSENT/EXCUSED: Council Member Shirley C. Scott (Ward 4)

STAFF: Michael J. Ortega, City Manager
Michael Rankin, City Attorney
Suzanne Mesich, Assistant City Clerk

AGENDA ITEM / MAYOR AND COUNCIL ACTION

4. City of Tucson Equal Pay Policy (City Wide) SS/AUG05-15-137

This item was taken out of order.

Introductory comments were provided by Council Member Romero.

Information was provided by Curry Hale, Human Resources Director, who fielded and answered questions.

Discussion ensued.

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 direct staff to work on three options for moving Equal Pay forward:

1. Review internal positions and compensation to make sure, as a City, we are paying women and men equally,
2. Review procurement practices to make demonstrating equal pay policies mandatory for all City contractors,
3. Evaluate options to ensure all businesses within the City pay men and women the same.

In addition, staff is directed to work with the Women's Commission and report back to Mayor and Council in 60 days.

1. [Results of GPLET Economic Analysis for BP Annex, LLC \(Bourn Companies\) Redevelopment Project \(Ward 6\) SS/AUG05-15-135](#)

Information was provided by Camila Bekat, Economic Development Specialist.

Discussion ensued with questions fielded and answered by Ms. Bekat and Michael Rankin, City Attorney.

It was moved by Council Member Uhlich, duly seconded and CARRIED by a voice vote of 6 to 0 (Council Member Scott absent/excused), to direct staff to return with a lease agreement formalizing the GPLET with BP Annex, LLC.

2. [Results of Economic Analysis for Main Gate Partners, LLC \(Formerly Tucson Hotel 1, LLC\) \(Ward 6\) SS/AUG05-15-136](#)

Information was provided by Camila Bekat, Economic Development Specialist.

Discussion ensued with questions fielded and answered by Ms. Bekat, Michael Rankin, City Attorney, and Tom Warne, JL Investments.

Council Member Uhlich requested adding language to the development agreement to note that the project would maintain and secure the public spaces in perpetuity.

It was moved by Council Member Kozachik, duly seconded and CARRIED by a voice vote of 6 to 0 (Council Member Scott absent/excused), to direct staff to return with a development agreement formalizing the Site Specific Sales Tax incentive with Main Gate.

Mr. Warne announced the project will be completed in late 2015 or early 2016.

3. [Discussion of the Water Service Area Review Board's Recommendation of Water Service for 5350 W. Crestview Drive \(Outside City\) SS/AUG05-15-134](#)

Information and presentation was provided by Albert Elias, Assistant City Manager/Water Service Area Review Board Member, Chris Avery, Principal Assistant City Attorney, Melodee Loyer, Tucson Water Chief Planner, Ernie Duarte, Planning and Development Services Director/Water Service Area Review Board Chair, and Nicole Ewing-Gavin, Office of Integrated Planning Program Director/Water Service Area Review Board Member, who fielded and answered questions.

Discussion ensued; no formal action was taken.

4. [City of Tucson Equal Pay Policy \(City Wide\) SS/AUG05-15-137](#)

This item was taken out of order and considered before item 1.

5. [Discussion of Alternative Options for Historic Landmark Designations \(City Wide\) SS/AUG05-15-138](#)

Information was provided by Ernie Duarte, Planning and Development Services Director.

Discussion ensued with questions fielded and answered by Mr. Duarte and Michael Rankin, City Attorney.

It was moved by Council Member Uhlich, duly seconded and CARRIED by a voice vote of 6 to 0 (Council Member Scott absent/excused), to direct staff as follows: (1) during the initiation of a Historic Landmark designation through a change in zoning, to focus on the eligibility criteria and not land use, and (2) the Zoning Examiner, in reviewing the change in zoning, will provide separate findings regarding designation eligibility and the land use impacts of the designation.

6. [Updates on State and National Legislation and Regional Committees \(City Wide\) SS/AUG05-15-131](#)

Mayor Rothschild provided a report on his recent trip to Washington, D.C.

Adriana Mariñez, Intergovernmental Relations Coordinator, provided an update on the National Defense Authorization Act and requested authorization for the Parks and Recreation Director to advocate for a the Land and Water Conservation Fund.

Information was provided by Fred Gray, Parks and Recreation Department Director, who fielded and answered questions.

It was moved by Council Member Uhlich, duly seconded and CARRIED by a voice vote of 6 to 0 (Council Member Scott absent/excused), to authorize the Parks and Recreation Director to advocate for a the Land and Water Conservation Fund.

7. [Mayor and Council Discussion of Regular Agenda \(City Wide\) SS/AUG05-15-132](#)

Vice Mayor Fimbres and Council Member Kozachik requested Consent Agenda item m be considered separately.

Item m: Economic Development: Incentives For Repurposing Closed TUSD School Sites (City Wide) AUG05-15-292

Council Member Cunningham requested Consent Agenda item q be considered separately.

Item q: Tucson Code: Amending (Chapter 20) Parking Fines (City Wide) AUG05-15-303

8. [Mayor and Council Discussion of Future Agendas \(City Wide\) SS/AUG05-15-133](#)

Vice Mayor Fimbres requested an agenda item on September 9, 2015 for an update from the Tucson Police Department on the Photo Camera Traffic Enforcement System.

9. [Executive Session - Consideration of Appeal from Decision of the City of Tucson Civil Service Commission in the Matter of Brandon Kelley \(City Wide\) SS/AUG05-15-139](#)

Michael Rankin, City Attorney, announced, prior to entering in Executive Session, Officer Brandon Kelley would like the discussion relating to the underlying discipline to occur in public. He provided background information regarding the matter of Brandon Kelley.

It was moved by Vice Mayor Fimbres, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Scott absent/excused), to enter into Executive Session for Item 1 as noticed in the agenda.

RECESS: 3:53 p.m.
RECONVENE: 4:23 p.m.
MAYOR & COUNCIL: All present
STAFF: All present

Executive Session was held from 3:58 p.m. to 4:21 p.m.

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

10. [Mayor and Council Direction Regarding Executive Session - Consideration of Appeal from Decision of the City of Tucson Civil Service Commission in the Matter of Brandon Kelley \(City Wide\) SS/AUG05-15-140](#)

It was moved by Council Member Uhlich, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Scott absent/excused), to authorize and direct the City Attorney to appeal, by way of special action, the decision of the Civil Service Commission issued on July 29 in the matter of Brandon Kelley and otherwise to proceed as discussed in Executive Session.

ADJOURNMENT: 4:24 p.m.

AUDIO RECORDING AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE FOR TEN YEARS FROM THE DATE OF THIS MEETING.
