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# PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

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**DATE:** July 21, 2010

**TO:** Planning Commission

**FROM:** Ernie Duarte, Director  
Department of Planning and Development Services

**SUBJECT:** *Jobs Advisory Team Recommendation*

Mayor and Council have requested that staff review this item with the Planning Commission and report back on this topic.

Attached please find the Mayor and Council item from the June 8, 2010, Study Session, the Administrative Action Report and Summary, and a transcript of the Jobs for Tucson discussion from the meeting of June 8, 2010.

Attachments

- A. Mayor and Council Memorandum
- B. Administrative Action Report and Summary
- C. Transcript of minutes for June 8, 2010 Study Session Item #2



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# MAYOR & COUNCIL MEMORANDUM

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June 8, 2010

**SUBJECT:** Jobs for Tucson Event (City-Wide)

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Pursuant to the request of Vice Mayor Scott, time has been set aside for a discussion on the results from the Ward IV Jobs for Tucson Event.

Respectfully Submitted,

Mike Letcher  
City Manager

ML/RWR/tc

Attachment: Memorandum from Vice Mayor Scott dated March 16, 2010  
Memorandum from Vice Mayor Scott dated June 2, 2010



## MEMORANDUM

CITY OF TUCSON  
RECEIVED  
10 MAR 17 PM 1:09  
OFFICE OF THE  
CITY CLERK

DATE: March 16, 2010

TO: Mayor and Council

FROM: Shirley C. Scott, <sup>WJ</sup>  
Vice Mayor  
Ward IV

CC: Mike Letcher, City Manager  
Roger Randolph, City Clerk  
Mike Rankin, City Attorney  
Ernie Duarte, Planning and Development  
Services Director

SUBJECT: Request to schedule for Study Session the results from the Ward IV Jobs for  
Tucson Event

On February 19, 2010, almost 50 people from the private sector, consultants, environmentalists, unions and neighborhoods gathered to discuss ideas regarding what the City can do to create jobs in our community. The event was a great success and some great ideas came out of the discussion. I am requesting that we place an item on the Study Session agenda next month so I can share those ideas with the Council and act with some specific direction to staff.

Thank you for your consideration.



# MEMORANDUM

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**DATE:** June 2, 2010

**TO:** Mayor and Council

**FROM:** Shirley Scott, Vice-Mayor  
Ward 4 Council Office

**SUBJECT:** First three recommendations from the Jobs for Tucson Advisory Team

On February 19, 2010, I invited various members from our community to join me in identifying ideas that could help create jobs in Tucson sooner rather than later. Almost 50 people attended and another 30 people expressed an interest and were unable to make it but they continue to be involved. All have indicated an interest in being engaged in a process that will help create jobs for our community.

Many of the ideas discussed at the event are already in process as a result of many of your suggestions. This Mayor and Council has been actively involved in finding ways to alleviate what we already know to be a very difficult Land Use Code and processes associated with it. Simultaneously, our City staff have been very effective in finding ways to improve services as we work with the private sector to move projects through our system and these are accomplishments we can all take great pride in.

These three recommendations will help move forward this Mayor and Council's agenda to shed the label of Tucson being difficult when it comes to construction projects. All three recommendations will be forwarded to the Planning and Development Services Stakeholder Group and the Planning Commission.

NOTE: These proposals do not provide for the typical stimulus that other municipalities are using, which include elimination of impact fees, a forfeit of sales tax or a reimbursement program out of general funds for hiring employees. These proposals allow a project to be developed and establish itself prior to installing the remaining deferred or modified items. It also allows a project to stand on its own without any monetary assistance of the City of Tucson.

TO: Mayor and Council

SUBJECT: First three recommendations from the Jobs for Tucson Advisory Team

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- I **Recommendation #1:** That Mayor and Council direct staff to work on a process to defer and/or modify requirements in the Land Use Code (LUC) and Building Code (BC) for a period of five years that are not necessary for the functionality or safety of a project.
- A A complete set of plans showing compliance with all current city codes will be required in order to gain approval. Actual implementation of the improvements will be done in phases.
  - B Staff will also take a look at accelerating the approval processes that are not subject to time-specific requirements in both codes. This recommendation does not require “changes” to the LUC or the BC.
  - C The program is completely voluntary
  - D Builders who may want to participate in the program will complete their project in two or more phases but all required improvements must be completed by the end of five years from the date the five-year CoFo is issued.
  - E The first phase will focus on what is absolutely necessary for the functionality and safety of a project. The remaining improvements will be completed within the 5-year deferral or modification period.
  - F The deferral or modification of requirements can also be based on expected changes to the LUC or BC that are now in process such as changes to the parking requirements. Other future possible changes might include loading zones.
  - G The Planning and Development Services Director and the commercial or residential builder will work together with the council office for the area to determine the specific deferrals or modifications for each project. This will be done on a case by case basis but it is understood that none of the deferrals will compromise the safety and functionality of the project.
  - H For commercial/retail projects, a 5-five year Certificate of Occupancy will be issued when the project opens and prior to the end of five years, the remaining improvements will have to be completed within those five years in order to receive a permanent Certificate of Occupancy.
  - I The Stakeholder Group will be asked to help identify specific examples in the LUC and BC requirements that can be deferred or modified for both commercial and residential projects. Their findings will be sent to the Planning Commission for comment and then to the Mayor and Council for final approval.

**Expected Benefit:** By deferring improvements that are currently required in the Land Use Code and Building Code for a period of five years, the private sector will find enough savings with “up front” costs that they may be able to move forward with projects that create jobs. When combined with the savings in start up cost through the Impact Fee Deferral program, this proposal will be helpful in getting projects built sooner rather than later.

TO: Mayor and Council

SUBJECT: First three recommendations from the Jobs for Tucson Advisory Team

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II **Recommendation #2:** That Mayor and Council direct staff to create and "Ombudsman" position in the City Manager's office for Planning and Development Services. The role of the position will be to act as the advocate for major projects and move them through all internal and external reviews and approvals as quickly as possible. The position should be filled as soon as possible depending on availability of funding to be determined by the City Manager.

A My office shared these proposed recommendations with staff soon after the Jobs for Tucson event and the Ward IV office and staff have been working on the Ombudsman proposal. Assistant City Manager Sean McBride will be making a short presentation regarding how they will address this need without adding personnel or costs to the current process. I want to acknowledge the initiative staff has taken to address this important need in having an advocate help get projects through the City and obtain reviews from outside agencies.

Expected Benefit: By creating a "Champion" or "Advocate" in the City Manager's office for new projects, the City will continue improve its ability to move projects forward and continue to improve its reputation as a "business friendly" city and will enhance the opportunity to create more jobs in the process.

III **Recommendation #3:** That Mayor and Council direct staff to implement a process that will allow the extension of the "shelf" life of all Planning and Development Services approvals for Development Plans, Development Agreements and Site Plan approvals for 5 years. This will require a change to the Land Use Code. It also complements Council Member Romero's proposal approved by Mayor and Council last year that allows for Protected Development Rights (PDR) for up to three years. Phased projects are eligible for PDR protection for up to five years.

Expected Benefit: This proposal will reduce "start up" costs by allowing approvals that have been received to remain in place for up to five years. Once a project is found to be cost-effective, the builder can proceed with building permits to begin construction. When this recommendation is combined with the approved deferral of impact fees, the opportunity to move forward with projects that have an extended shelf life and development rights will become more viable sooner rather than later.

On behalf of the builders, contractors, neighborhoods and people in labor who attended the Jobs for Tucson event, I ask my colleagues to support these recommendations. I plan to request that we direct staff to take these recommendations to the Planning and Development Services Center Stakeholder Group for specifics and the Planning Commission for comments.

I believe that if we move these proposals, we will position ourselves to take full advantage of the economic upturn when it begins to occur. If we make the right decisions to create

TO: Mayor and Council

SUBJECT: First three recommendations from the Jobs for Tucson Advisory Team

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jobs, I feel our entire community can prosper together. We can create economic sustainability in order to achieve environmental and neighborhood sustainability. We have learned in recent years that all these interests are intertwined. That one cannot do well without the others.

Thank you for supporting the recommendations from the Jobs for Tucson Advisory Team.

Cc: Mike Letcher, City Manager  
Mike Rankin, City Attorney  
Roger Randolph, City Clerk  
Ernie Duarte, Planning and Development Services Director

**MAYOR AND COUNCIL – STUDY SESSION**  
**ADMINISTRATIVE ACTION REPORT AND SUMMARY**

JUNE 8, 2010  
MAYOR AND COUNCIL CHAMBERS – CITY HALL  
255 W. ALAMEDA, TUCSON, AZ

Mayor Robert E. Walkup called the Study Session to order at 1:07 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

## OFFICIAL MEMBERS

## PRESENT:

Mayor Robert E. Walkup  
Vice Mayor Shirley C. Scott, (Ward 4)  
Council Member, Regina Romero, (Ward 1)  
Council Member Paul Cunningham, (Ward 2)  
Council Member Karin Uhlich, (Ward 3)  
Council Member Richard G. Fimbres, (Ward 5)  
Council Member Steve Kozachik, (Ward 6)

## OFFICIAL MEMBERS

## ABSENT/EXCUSED:

STAFF: Mike Letcher, City Manager  
Mike Rankin, City Attorney  
Roger W. Randolph, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Reconsideration of Action Taken on May 25, 2010 Relating to: Mayor and Council Direction Regarding Executive Session – Notice of Claim, TDB Tucson Group vs. City of Tucson (City-Wide) SS/JUN8-10-244</p> <p>Council Member Cunningham MOVED and it was duly seconded to reconsider the action taken on May 25 related to TBD v. City of Tucson concerning the Painted Hills lawsuit.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Council Member Kozachik MOVED and it was duly seconded to enter</p> <p>* into Executive Session for Item 1 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	

\*Revised

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>RECESS: 1:25 p.m.          RECONVENE: 2:03 p.m.          MAYOR &amp; COUNCIL: All present          STAFF: All present</p>	
<p>Executive Session was held from 1:25 p.m. to 2:03 p.m.</p>	
<p>Vice Mayor Scott MOVED and it was duly seconded to return to open session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>After executive session Mayor and Council returned to this item.</p> <p>1. Reconsideration of Action Taken on May 25, 2010 Relating to: Mayor and Council Direction Regarding Executive Session – Notice of Claim, TDB Tucson Group vs. City of Tucson (City-Wide) SS/JUN8-10-244</p> <p>Council Member Romero MOVED and it was duly seconded to direct the City Attorney to pursue an alternative resolution of this lawsuit by requesting that Pima County attempt to identify land of substantial value and/or open space funds that can be offered for the Painted Hills property so the exchanged site can be developed by the developer, prior to resolving this through an annexation agreement, as discussed in Executive Session.</p> <p>It was FURTHER moved that the City Attorney return in 30 days with an update.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u>          Is responsible</p>
<p>2. Jobs for Tucson Event (City-Wide) SS/JUN8-10-241</p> <p>Vice Mayor Scott MOVED and it was duly seconded to approve the three recommendations as listed in her memorandum dated June 2, 2010.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>PLANNING &amp; DEV. SERVICES AND CITY MANAGER</u>          Are responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. Review and Final Discussion of Budget Materials/Responses Submitted During FY 2011 Recommended Budget Work Sessions (City-Wide) SS/JUN8-10-245</p> <p>Presentation was given, no formal action was taken.</p>	
<p>4. Executive Session - Review of City Clerk (City-Wide) SS/JUN8-10-242</p> <p>This item was continued to the meeting of June 15, 2010.</p>	<p><u>CITY CLERK</u> Is informed</p>
<p>5. Mayor and Council Direction Regarding Executive Session - Review of City Clerk (City-Wide) SS/JUN8-10-243</p> <p>This item was continued to the meeting of June 15, 2010.</p>	<p><u>CITY CLERK</u> Is informed</p>
<p>6. Executive Session – Intergovernmental Agreement with the Rio Nuevo Multipurpose Facilities District (City-Wide) SS/JUN8-10-246</p> <p>Council Member Romero MOVED and it was duly seconded to enter into Executive Session for Item 6 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>RECESS: 3:18 p.m.          RECONVENE: 4:14 p.m.          MAYOR &amp; COUNCIL: All present          STAFF: All present</p>	
<p>Executive Session was held from 3:18 p.m. to 4:14 p.m.</p>	
<p>Vice Mayor Scott MOVED and it was duly seconded to return to open session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>7. Update on the Rio Nuevo Multipurpose Facilities District and Hotel Development (City-Wide) SS/JUN8-10-240</p> <p>Council Member Kozachik MOVED and it was duly seconded to defer the adoption of a timeline until after the Rio Nuevo Multipurpose Facilities District Board has reviewed it.</p> <p>Council Member Romero made a SUBSTITUTE motion, duly seconded, to approve the timeline as proposed.</p> <p>Substitute Motion PASSED by a vote of 5 to 2 (Council Members Cunningham and Kozachik dissenting).</p> <p>(Council Member Romero departed at 5:34 p.m. and returned at 5:47 p.m.)</p>	<p><u>FINANCE AND CITY MANAGER</u>          Is responsible</p>
<p>8. Mayor and Council Regional and National Committee Reports (City-Wide) SS/JUN8-10-237</p> <p>No report was given.</p>	
<p>9. Mayor and Council Discussion of Regular Agenda (City-Wide) SS/JUN8-10-238</p> <p>No items were removed from the Consent Agenda.</p>	
<p>10. Mayor and Council Discussion of Future Agendas and Approved Work Plan (City-Wide) SS/JUN8-10-239</p> <p>No future agenda items were requested.</p>	
<p>11. Regional Transportation Authority (RTA) Update (City-Wide) SS/JUN8-10-247</p> <p>This item was continued to the meeting of June 15, 2010.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>12. Executive Session – Notice of Claim, <i>Downtown Tucson Development Company, LLC v. City of Tucson</i> (City-Wide) SS/JUN8-10-248</p> <p>Vice Mayor Scott MOVED and it was duly seconded to enter into Executive Session for Item 12 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Romero absent/excused).</p>	
<p>RECESS: 5:47 p.m.          RECONVENE: 5:58 p.m.          MAYOR &amp; COUNCIL: All present          STAFF: All present</p>	
<p>Executive Session was held from 5:47 p.m. to 5:58 p.m.</p>	
<p>Vice Mayor Scott MOVED and it was duly seconded to return to open session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>13. Mayor and Council Direction Regarding Executive Session – Notice of Claim, <i>Downtown Tucson Development Company, LLC v. City of Tucson</i> (City-Wide) SS/JUN8-10-249</p> <p>Vice Mayor Scott MOVED and it was duly seconded to direct the City Attorney to resolve the claim as discussed in Executive Session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u>          Is responsible</p>
<p>ADJOURNMENT: 5:59 p.m.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	



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## MAYOR AND COUNCIL Study Session Excerpt

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The Mayor and Council of the City of Tucson met in study session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 1:07 p.m. on Tuesday, June 8, 2010, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Walkup and those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Vice Mayor, Council Member Ward 4
Richard Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Robert E. Walkup	Mayor

Staff Members Present:

Mike Letcher	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

Following is a verbatim transcript of Study Session Item No. 2, "Jobs for Tucson Event" (City-Wide)-SS/JUN8-10-241, from the Mayor and Council Study Session of June 8, 2010, as requested by Ernie Duarte, Planning and Development Services Department Director. The transcript was prepared and certified by City Clerk Staff.

MAYOR WALKUP:

All right, let's go to Item #2. Vice Mayor Scott has requested a discussion on Jobs for Tucson Event.

VICE MAYOR SCOTT:

Thank you, Mr. Mayor. Back in February, I invited a large number of people, whom we would call 'stakeholders' to come to a meeting in which they could bring to our - my attention those things that were currently in the Codes or considered barriers to progress and to economic development, and to let us know, item by item, what it is - what would help - to get engines started and things get going.

As you might imagine, we had a very good selection of recommendations. I have several pages that came from this grassroots if you will group. And I can tell you that this was a grassroots effort. We invited about eighty people from our community, and they were builders, architects, engineers, neighborhood representatives, people who have environmental interests, the Tech Park, and Labor Union members. Fifty of those people came in late February to this meeting to discuss ideas that would help create jobs; and that that I'm bring to the table today are the first three that we felt could have a positive impact in this effort.

I will be happy to send out a list of the participants, as we speak now, of those who came to this council. Of the ideas that I have brought to the table today, two of the three do not require any changes to the *Land Use Code* or the *Building Code*. All three recommendations have been discussed with staff and the City Attorney, and they have found them to be reasonable and useful. None of these recommendations represent a loss in revenue to the City, as other incentives sometimes do. All of these recommendations have the potential of attracting new projects and creating new jobs.

The next step is to take these recommendations to the Planning and Development Services Stakeholders Group and to the Planning Commission. As a Council, we all know the importance of putting people back to work. These are additional tools in the toolbox.

And with that, Mr. Mayor, I have a few people who have taken the time today to be with us. I would like to ask Ernie Duarte, Director of the Planning and Development Services, to talk to us about the process that might be used

VICE MAYOR SCOTT (Cont.): once these recommendations are moved forward by Mayor and Council. So if you would please address that, and about the use of a five year Certificate of an Occupancy to ensure compliance, Sir.

ERNIE DUARTE: Thank you. Thank you, Mayor Walkup, Members of the Council, Vice Mayor Scott, Mr. City Manager, thank you. I have had an opportunity to be in close contact with Max Torres from your office, who has advised me of the process that the Council Office has undertaken, soliciting input on some ideas to stimulate job growth and economic recovery.

The proposals – the list of first three proposals coming out of this Jobs Advisory Team coming forward are doable. They really are. The idea of a LUC Development Standard Building Code Deferral Program is a viable option. We would need to go back in and run those through the Stakeholders, as you mentioned previously. We have been working with our Planning and Development Services Stakeholders Group now for about four years, and they are acting sort of as a Planning and Development Services management oversight group, with a vested interest in some of our policies and procedures that we implement in the department.

In addition, the Land Use Code Committee and the Planning Commission also have been a good sounding board for us as we take forward – or bring forward ideas for process improvement, code amendments, or what nots. So we want to continue using both those advisory groups for input and feedback on proposals. The idea behind an Ombudsman Program is an item that we have discussed previously with the Mayor and Council, all be it briefly, and I think we have the framework in place out of the Manager's Office to start doing something with the Ombudsperson Program.

And then, the notion of extending approval timelines for development plans, tentative plats, site plans, something that we've received direction from previously from the Council, both in forms of protected development rights, and something more recently, the Land Use Code Amendments – one of the quick fixes. I am proud to say that process is well underway. We've vetted that publicly, both with our Stakeholder Group, the Land Use Code Committee, as

ERNIE DUARTE (Cont.): well as the Planning Commission; and you can expect to see something in front of the governing body here very shortly. So, the proposals as we know them today will be vetted publicly with those stakeholder groups that you mentioned Vice Mayor.

VICE MAYOR SCOTT: Thank you, Ernie. I was hoping – is Mr. Glock here from our Transportation Department to address the issues of phasing right of way improvements, while still complying with safety standards? Thank you, Mr. Glock.

JAMES GLOCK: Mr. Mayor, Members of the Council, Vice Mayor Scott, Mr. City Manager, clearly the phasing of the improvements that are required in the public right of way associated with development can occur, as long as those aspects of the improvements associated with the safety of the development are addressed. And, in fact, to some degree, we do that already today.

VICE MAYOR SCOTT: Thank you, I appreciate your support. Mr. McBride can talk about the alternative approach that came out of this consensus group. They had suggested one ombudsman, but you have already been working on something. I was wondering if you would please elaborate.

SEAN MCBRIDE: Absolutely, thank you Vice Mayor Scott; and I want to thank you for your group's feedback. It really helps focus staff on providing higher levels of service to the business community.

Just as background, since January, we've created out of the City Manager's Office an economic development team. It's an interdepartmental team, involving several key functions across the City. This team meets every two weeks. It's about ten staff. Only review projects that are currently underway and also tasks and procedures that we can put in place to improve relations with the business community and provide a higher level of service.

One of the issues that has come to our attention through your Jobs for Tucson Program and other venues like the Real Estate Advisory Committee is an Ombudsman Program. In the way that we've tried to deal with this is utilizing this economic development team to be the intake for the Ombudsman Program, so we identify those projects that need an ombudsperson and then we assign that

SEAN MCBRIDE (Cont.):

ombudsperson through this group. And a - we've spent some time and have compiled this program, and we are looking to enhance this program.

Some of the key things that we're looking to do with the ombudsman is a - be a central point of contact for projects, communicate regularly with developers on project status. The ombudsman will troubleshoot issues, facilitate meetings with across departments, and identifies solutions for moving forward. Basically, we want to be accountable for moving the project forward; and this is the venue we have developed to use that.

So, we have this in place and we're trying to refine it. We have been successful utilizing this program on a few projects that include the Unisource, Tucson Electric Power's downtown headquarters, the Costco development on Park and I-10, as well as the Arizona Bio Science Center at Park and Ajo, where the ombudsman person there is working very closely to address some infrastructure issues with water and streets on that project. So, we look forward to fine tuning this and sharing more with the Council.

VICE MAYOR SCOTT:

Thank you. I'd like to also emphasize that this is being done 'in house' and with no extra cost and no extra fees involved. It is simply utilizing the talent 'in house'. I do have some folks who would like a couple of minutes each to talk to the issue that we're bringing forward today. I'd like to call first on Mr. George Larsen, followed by Mitch Stollard, please.

GEORGE LARSEN:

Good afternoon, Mr. Mayor, City Council, my name is George Larsen. As a developer and property owner in Tucson for a number of years, there's two elements in these recommendations that I'd like to stress. The first one is having to do with extending and coordinating the dates for the expiration of those development plans and improvement plans that we put together. It often has varying dates and varying requirements for rehearings and re-votes on these things. If we could have a unified time limit, giving us enough time to solve those problems we have with getting a construction underway, mainly having to do with getting new tenants. Everything seems to be taking longer in a recession than it would normally take. That would be a big help to the community that goes out

GEORGE LARSEN (cont):

and builds the buildings. Something like four or five years, and all of them - the improvement plans, the sewer plans, I know they have different jurisdictions. That's probably your challenge, but that would be useful.

And the second recommendation, probably tying into the ombudsman is the amount of time it takes, despite the good efforts from our Development Department, to get plans approved from the times we identify a potential need or a user to the time we can actually break ground. I think most of us in the development community believe that we have to say it's two years from the time you identify a need to be able to start construction; and that's simply too much time for some of properties or some opportunities that might be useful to Tucson. That's all I'd like to say.

VICE MAYOR SCOTT:

Thank you very much. Another participant, Mitch Stollard and then Scott Selter.

MICH STOLLARD:

Thank you, Mr. Mayor, Members of the Council. I live at 7260 E. Rocky Ridge Drive here in Tucson - I've lived here for almost forty years. As a member of the private development sector here in Tucson for a lot of years, I am in full support of the recommendations in the proposal as brought forward to you today for your consideration. I believe it's a timely issue for us to look at, to send to the Planning Commission, to consider what alternatives are there that will help the private sector be able to move forward more quickly, more cost effective, with the result being to create jobs for our community.

I am in support of all three of the recommendations, especially the five-year extension for development plan approvals. As Mr. Larson just indicated, what seems to be occurring recently, and recently being well before the difficult economic times hit, is it takes much-much longer for us to do deals in the private sector on a commercial basis, whether you're talking retail or a commercial tenant.

Just to give you a general idea, for a larger retail project, it's not uncommon from the time of its inception of beginning the site plan, through to construction and opening, we often times are looking at four - five years. It's not uncommon at all for that time to be even beyond that. It takes a great deal of time. We need more time.

MICH STOLLARD (Cont.): Again, I support these recommendations. I believe they can be done so, consideration be given to processes and to specific recommendations that will help the community, resulting in a sustainable development, protection of the neighborhoods, and overall benefit to the community. Thank you.

VICE MAYOR SCOTT: Thank you very much, and then Scott, and then followed by Linda Hatfield please.

SCOTT SELTER: Thank you, Mr. Mayor, Council, a special thanks to Council Member Scott for the invitation to be here. My lower back right now is a metaphor for the economy. It hurts, and hopefully it will be better soon.

My name is Scott Selter; I live at 6147 E. 3rd Street, in Tucson, Arizona. I've been here fifty one out of fifty two years, and for the last twenty five years I have participated in the real estate business in one capacity or another: ten years as an appraiser, ten years as a broker, and a couple years as an owner and developer. I wholeheartedly endorse all of these things you are considering right now, and again especially the extension of the life span for approvals. For a variety of reasons, things do take longer. This time is needed. The redundancy of having to go back and re-approve what's already been approved makes no sense to me, and I don't think it makes a whole lot of sense to the outside world that has to endure the process with us. So, thank you for considering these things, and I hope they work for us all.

VICE MAYOR SCOTT: Thank you. Ms. Hatfield, followed by Mr. Bruce Wright.

LINDA HATFIELD: Vice Mayor, Mayor, City Council, Good afternoon. I'm here today with a different hat on. Usually I'm here with CWA; today I'm here as the Chair of the Pima Area Labor Federation. I'm representing twenty-two unions, sixty thousand union members in Pima County. This is something that we are very interested in. We obviously have trade unions. All the trades in our federation are very interested.

Several people attended the event that Vice Mayor had mentioned. And, you know we've looked at these things, and particularly the ombudsman position vs. the building inspector, that we've discussed previously. We think it's a great idea, because that's coming with internal funds, not

LINDA HATFIELD (Cont.):

something that's going to be on top of the general fund; and it looks like it serves a lot of the same purposes. So we absolutely support the three recommendations, and we look forward to working with you and answering any questions or any other interactions that we can have to make these recommendations work. Thank you very much.

VICE MAYOR SCOTT:

Thank you very much. Mr. Wright, and then followed by Terry Galligan.

BRUCE WRIGHT:

Mayor Walkup, Vice Mayor Scott, Members of the Council, thanks for this opportunity. I too participated in this interactive session that the Vice Mayor put together. I must say, it was a very dynamic process. Some of the ideas that were put forward were silly, some of them practical. But I think the ones we are bringing forward are really important.

I'd like to speak to the issue of the ombudsperson. The University has really been the test case for this concept. Three years ago an ombudsman was appointed to help with the annexation of the western half of the Tech Park into the City. We were able, because of all the parties that were brought to the table, to work through a complex set of issues, come out with a successful agreement. We subsequently used the ombudsperson, in this, case Byron Howard and the task force, to move through implementation of the agreement. That's resulted in a proposal by the City and the University, which went forward to RTA for road improvements to Rita Road. Right now, as a result of our interaction of the task force ombudsperson, we are installing a well and water system that will enhance water delivery, not only for the Tech Park but for the surrounding area.

Next week we will have a meeting of that task force to make sure that all the parties are fulfilling their commitments on the agreement. I think it's been a very powerful model.

As Assistant City Manager McBride has said, we've also have been using that as part of the Bridges BioScience Project. Several weeks ago you approved a intergovernmental agreement for water delivery that was a result of that effort and the efforts of the ombudsman, in this case Hector Martinez. We are also working on road projects.

BRUCE WRIGHT (Cont.):

I will tell you that we would not have been able to secure the stimulus federal grant from the Economic Development Administration had it not been for the presence of the ombudsperson and our ability to work through a very complex set of issues to quality for that grant.

So, I think that the ombudsman proposal has great power and can move forward very complex large projects to the benefit, not only of the developer, but the community as well. Thank you.

VICE MAYOR SCOTT:

Thank you. Thank you for being the guinea pig for this as well, in terms of having an ombudsman pilot and then come forward with a success story and verifications is really good. Thank you. And then after you, Mr. Galligan, Art Flagg would like to speak.

TERRY GALLIGAN:

Hello, I'm Terry Galligan with Old Pueblo Community Services. We are not for profit, and I believe that we, along with La Frontera, are doing the largest infill housing development in the community right now, in Tucson - two hundred and sixty three lots called Sunnyside Pointe at Park and Irvington. A lot of these concepts that we've discussed over the last several months, I've seen Ernie and his staff really step up to the plate and really have helped us a lot with this - with this development. So I think this is kind of formalizing some of the things that have already - are happening, and taking it just a slight step further.

So, we're real excited. Sunnyside Pointe is going to be phased, so this will impact our project. And I think that this is going to be a great thing for the community. Again, the key that we see is all the jobs that we're starting to create, as we now have ten houses under construction, after having the grand opening a couple of weeks ago. So, we're real excited to be part of this process. Thank you.

VICE MAYOR SCOTT:

Thank you for your comments. Mr. Flagg?

ART FLAGG:

Good afternoon, Mr. Mayor, Members of the Council, Vice Mayor Scott. I was privileged to be part of that group that met out of the Vail School District. The group was very, very animated, very-very involved, and also very diverse. I was pleased, I sat at a table I didn't know and got to know them a little bit.

ART FLAGG (Cont.):

And so, I'm extremely happy with what is coming forward and I'm supporting it; and I wanted to talk about just two quick things. One is, I am a recovering homebuilder for thirty years in Tucson and have worked in many places, one of which was with my friend Bruce Wright on a project that has been up and down. I also am now a small business owner, and so I understand the business community a little bit better than maybe I did previously. And I want to say that whether you agree or not, Tucson does have and has had a very bad reputation with regard to business friendliness. And I think that this work that Council Member Scott is doing, as well as some of the things that I've done with Steve Kozachik, are going to go a long way toward making this community look much more friendly to business.

And I would encourage all of the Council to embrace this idea, and hopefully this is just the first step of many as we go forward into the future. Thank you very much.

VICE MAYOR SCOTT:

Thank you. Mr. Kulish, I understand you would like to speak as well.

JIM KULISH:

I'm Jim Kulish from the Alliance for Construction Trades. All right we've got to bring up the microphone when you're here to speak. I don't bring my hat in hand, I come here to say we support Council lady Scott on these recommendations, and I hope that you will do it. You all know, because I always talk about JFK (Jobs, Families and Kids). You realize us in the construction, subcontractors who I represent, over forty-percent unemployed.

To give you a quick example how bad it is for us, I should say first you realize every paycheck that we bring home on Friday on a construction job, the electrician, the plumber, the drywall, the excavator, that he pays his employees, that paycheck goes out into our community. They buy another second hand car for the spouse, they go down and buy baby furniture; everything comes around from our paychecks.

Just to tell you how bad we're hurting, two years ago, we have a workers comp pool. This is where our members join it and the money that goes out into the – for the hours that they work – we cover the comp. Two years ago our pool was 4.7 million dollars. We got three hundred members.

JIM KULISH (Cont.):

As of last month, our pool was 1.7 million dollars. Over sixty percent, meaning over sixty percent! I know you all hear nine-percent unemployment of this community, but us in the construction/subcontractors over forty percent, that pools down over sixty-percent. Any recommendations you can do to help our developers to start process to work is just fantastic, and we need it desperately – desperately. I hope you all support Council lady Scott.

VICE MAYOR SCOTT:

Thank you. I understand Mr. Yee has slipped in and would like to speak as well, and for your indulgence, Mr. Mayor.

JOE YEE:

Good afternoon, Mr. Honorable Mayor and Members of the Council. My name is Moon Joe Yee, and I reside at 10080 East Old Spanish Trail. Now, since I'm not accustomed to public speaking, so I just read my remarks to you this afternoon.

I am an elected officer of my neighborhood association, the Old Spanish Trail Neighborhood Association, and am currently still serving as President. Since onset of discussion, I have noticed the vacant homes and foreclosure signs in my neighborhood. I lost neighbors who had to move away to find jobs to support their families. I also know of the struggles and sufferings of those who are under-employed. A used furniture store and a Bashas stand vacant at intersections of Golf Links Road and Harrison Road; and Broadway Boulevard and Houghton Road respectively.

The first recommendation regarding deferrals of requirements of sections of the Land Use Code and Building Code, not related to the functionality and safety for five years is a win for Tucson, because there is no loss of sales tax, construction sales tax, or impact fee revenues. Additionally, this kind of deferral provides the benefit of greater efficiency and flexibility in the review and approval process for the Planning and Development Services Director, as well as conserve staff time from performing redundant reviews. This deferral will enable the builder to start a project and create jobs sooner, rather than later, by reducing his staff costs.

JOE YEE (Cont.):

The second recommendation regarding the creation of an Ombudsman Position designed to facilitate the processing and approval of plans will centralize project through a single point of contact, more closely linked to the City Manager and concerned Council Offices, as well as, improve follow up with outside agencies. (Inaudible) are supporting and enhancing Tucson's effort to become a more business friendly City.

Not least, the third recommendation, which would extend development rights and approved plans from three years to five years. It's mutually compatible with enforcing safety codes, even while this extension will allow project to remain shovel ready. In turn, this extension will accelerate the collection of impact fees, construction taxes, and sales tax revenue.

Vibrant and vigorous commerce is imperative for Tucson's wellbeing, balanced budget, and continued progress. Thank you for your consideration and support for these three recommendations.

Now, if I may, I want to take a moment to tell you my personal story as a Naturalized Citizen of this United States of America. Some fifty-nine years ago I arrived in San Francisco as a foreign born son of an American Citizen. It took Immigration a full month to determine my status and illegitimacy. I was released from a detention center. I took a train to Casa Grande where my Father was operating a grocery store. I was a fifteen-year old youngling and meeting my Father for the first time in my life. He welcomed me, looked me over carefully and (inaudible) with me for some moments. Then he held me by my shoulders and looked me in the eye. He then said to me in Chinese what I later learned in its English equivalent: "Son, you are now in the United States of America. If you want to fit in and be treated well, you must go to school, learn well, work hard, and pay your bills." Furthermore he added "You do the right things."

Now in the last fifty-nine years, fifty-two of that I lived in Tucson. Yes, I have fit in and ventured it well. It has been awesome how my generation of Americans embraced and nurtured me to be a full-fledged American. This is just as I learned from my school text how the very first generation of new Americans landed in some (inaudible) on the coast

JOE YEE (Cont.):

of Virginia and were embraced and nurtured by the Native Americans in 1620, some four hundred eighty years ago.

To this very day, our Country continues to accept and embrace her new daughters and sons from afar, providing them with an abundant opportunity to fulfill their potential and aspiration, and live free.

In this process you continue to reinvigorate and enables herself, as a governing body of Tucson you have to be proud of past contributions you have made to perpetuate this wonderful unique American National character.

The moral of this little story is this – If you, as a body of politics govern well and the parents bring up their children well, they will be able to pay their bills and balance their budget.

Thank you for your hard work and dedication in making Tucson a better place for Tucson to work and live. Please vote for the three job creating recommendations. Thank you. You have a good afternoon.

VICE MAYOR SCOTT:

Thank you, Mr. Yee. Lea Marquez-Peterson indicated she would also like to make a comment. There are thousands more people and comments, but I'm sure that Ms. Peterson will give us more insight into this.

LEA MARQUEZ-PETERSON:

Thank you, Mr. Mayor and Council. I'm Lea Marquez-Peterson. I'm the President of the Tucson Hispanic Chamber of Commerce, and I want to thank Vice Mayor Scott for hosting the forum. I did attend. A lot of great information – great debate. I am here in support of the three recommendations.

As you know, and I know I have spoken to each of you individually, the tough times that small business owners are having in our community. We need any additional tools we can get at this point as we come out of this economic downturn. There are a number of things that are impacting us. Any proposed boycotts on our State, certainly SB 1070 and that fallout, and a lot of different things that we could go into, especially business financing and the challenges we are having in getting loans and things in this environment.

LEA MARQUEZ-PETERSON  
(Cont.):

So, each of these three recommendations makes a lot of sense to me. You are also aware that close to ninety percent of our sales tax revenues, if not even higher, comes from our small business community. So, tools like this you can give us are so welcomed. So, I ask for your support and consideration of the three recommendations. So, thank you, again.

VICE MAYOR SCOTT:

With that, I think we have covered – if you have any idea from the people who have come today and given us some more of their time, what energy was in the room when we started collecting these ideas. I think you have just the tip of the iceberg idea. So I want to thank those who did take the time today to come down and tell us their perspective on these recommendations.

I want to thank my colleagues for this consideration of these recommendations. There are other emails that have come from other participants in support of this.

The three recommendations that are presented today will come back to the Mayor and Council after they have been vetted through our Stakeholder Group and reviewed by the Planning Commission. I really thank the participants again for their efforts and our efforts to help create jobs so that we can prosper together. I wish to thank my colleagues again for their kind consideration because I think with this kind of thing, and I had so many more to bring, we can achieve economic sustainability, so that we can have neighborhood and environmental sustainability.

So, I would like to move the three recommendations.

(UNKNOWN):

Second.

MAYOR WALKUP:

It's been moved and seconded. Any further discussions? Council Member Romero?

COUNCIL MEMBER ROMERO:

Thank you Vice Mayor Scott for bringing this information forward. You know, I take exception for what we've all been hearing out there that says that Tucson and this government is not business friendly. I would beg to differ. We have been working along – at least for the three and a half years that I've been here to make these types of changes; and Vice Mayor Scott is a perfect example of putting them together and bringing them forward.

CM ROMERO (Cont.):

I know for a fact the Ombudsman idea has been floating around for a long time, and recently our City Manager has assigned one individual in the name of Sean McBride to do that. I know that the Ombudsman idea is being used for the Tucson Electric Power being built downtown, with other projects, as Mr. Wright had mentioned. And so, I think that is excellent and the help by the City Manager's Office to do that is great.

In terms of bundling it all together, having the dialogue, bringing it forward, formalizing the Ombudsman process, I thank you and our City Manager for moving us in that direction. I think that sometimes we have discussed many of these issues and really they haven't moved to the second phase, or the second step; and this is that step that we needed to take to formalize the process.

Just to make sure that everyone is involved in this dialogue, I want to make sure and reiterate that we invite neighborhood representatives to this dialogue, that we also invite representatives from the Coalition for Sonoran Desert Protection, from Tucson Audubon, so that we have many different perspectives in this conversation.

I applaud this effort and thank those individuals and small business people, and all of you for putting the time to bring ideas to us – to bring – to do something and put what you want us to look at on the table. I, myself, had a round table – six-month round table with small business and minority women owned business and just people in the business community. That was the first request that I had for them – Please bring us your ideas, because it's very, very easy to complain, and it's much harder to organize your thoughts to put it together to present it to all of us – and have a mature dialogue of what we would like our City to do and our City Government to do.

So, I really appreciate you bringing this to the table and continuing the idea of protected development rights, which last year we all approved, and I think it's very, very reasonable to move forward. So, thank you very much and if you could make those additions to the advisory team, I would really appreciate it.

VICE MAYOR SCOTT:

Thank you.

MAYOR WALKUP:

Very well. I've got a little bit of a comment as well. There has been a lot of good work going on over the past maybe even a couple years, but is really gaining great momentum. But, it's very special, thanks to Ernie Duarte and his group. We have had a number of groundbreaking that the individuals have been involved and said "boy, I'll tell you, if it hadn't been for this City staff and all the work that they have gone through, this wouldn't be happening in a timely fashion."

I got some specific input from some members sitting in the audience. This is kind of directed at Ernie and the Vice Mayor on the C of O. One of the things all of us are very interested in is to keep the momentum going downtown. We have a number of empty buildings downtown; and one of the things that I think we are all a bit concerned about – is there a way for us to incentivize those buildings being reoccupied and reused and re-energized by changing some of the rules on C of O's maybe? I don't know where we stand on grandfathering, Ernie, either change of use or change of ownership. But, I'd like somebody to take a hard look at the vacancies that we have in the downtown area to see if there's something we can do to be sure that we are energizing those specific properties. Because we've got a lot energy going on in the downtown area, and I'd hate to see us run smack into some rules that delay specifically in the downtown area.

So, where do we stand on it? Let's just take it – a change in ownership of a restaurant where we might find that maybe we do have some health and safety issues, but is there something we can do in this period that we want to keep the momentum going, specifically for the C of O's in the downtown area.

ERNIE DUARTE:

Thank you, Mayor Walkup, Members of the Council, Mr. City Manager. Yes, that's been an area of focus for us for the last three or four years. I was in front of the Mayor and Council in March explaining some of the steps that we've taken already administratively to streamline and improve the process. And I think the numbers bear out that we have made some improvements to the number of C of O's that we've issued have gone up in a down economy. More importantly, the number of expired or withdrawn C of O's have actually gone down.

ERNIE DUARTE (Cont.):

We continue to work with our stakeholders to simplify the inspection process associated with existing buildings to the extent that the Fire Department is ready to assume those inspections so that we're dealing with a – the business community is dealing only with one inspector, as opposed to multiple inspectors. You'll be seeing something coming forward to the Council for their consideration in July with respect to changes to the Land Use Code, which really freeze the regulations in place so that we're not dealing with change of uses, change of occupancies, and the confusion associated with that.

So, the work that we've done thus far, to date, and the work that's in the hopper that the Council will be looking at very shortly, I think we're going to see some greater improvements in the overall process associated with C of O's.

MAYOR WALKUP:

Very well. I'm satisfied. Any other questions? All in favor of the motion signify by saying "Aye".

M&C:

"Aye."

MAYOR WALKUP:

Any opposed?

No response.

MAYOR WALKUP:

Motion carries. Thank you very much Vice Mayor.