



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on January 8, 2019

Date of Meeting: June 5, 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 5:47 p.m., on Tuesday, June 5, 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
Paul Cunningham
Paul Durham
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

Council Member Ward 1
Vice Mayor, Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Council Member Ward 6
Mayor

Absent/Excused:

None

Staff Members Present:

Michael J. Ortega
Michael Rankin
Roger W. Randolph

City Manager
City Attorney
City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

a. INVOCATION

The invocation was given by Pastor Tim Twigg, Victory Worship Center.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. PRESENTATIONS:

1. Mayor Rothschild recognized Colonel Scott C. Campbell, Commander of the 355th Fighter Wing from Davis-Monthan AFB his service and commitment to work with the City.
2. Mayor Rothschild proclaimed the month of June to be "LGBTQ Pride Month".

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 176, dated June 5, 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 Cunningham, duly seconded, and carried by a voice vote of 7 to 0 to approve the appointments Rachel Serra to the West University Historic Zone Advisory Board (WUHZAB), Siri Trumble to the El Presidio Historic Zone Advisory Board (EPHZAB), Jason Lopez and John Jolly to the Outdoor Lighting Code Committee (OLCC), Shawn Pfund to the Veterans' Affairs Committee (VAC) and the reappointments of Bruce Hamilton to the Veterans' Affairs Committee (VAC) and Halley Freitas to the El Presidio Historic Zone Advisory Board (EPHZAB).

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

Council Member Fimbres announced his personal appointment of Mark Lewis to the Citizens' Water Advisory Committee (CWAC).

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

Mayor Rothschild announced City Manager's communication number 177, dated June 5, 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, and 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 178, dated June 5, 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 given by Robert Fleming, Tucson Supplemental Retirement System Board of Trustees (TSRS) Chair.

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 179, dated June 5, 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)

NOTE: There are no new liquor license application(s) scheduled for this meeting.

Person Transfer(s)

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

c. Special Event(s)

1. Tanque Verde Optimist, Ward 6
900 S. Randolph Way
Applicant: David Haase
City T63-18
Date of Event: June 7, 2018 - June 10, 2018
(Professional Baseball)

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

2. Tanque Verde Optimist, Ward 6
900 S. Randolph Way
Applicant: David Haase
City T64-18
Date of Event: June 14, 2018 - June 18, 2018
(Professional Baseball)

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

d. Agent Change/Acquisition of Control/Restructure

1. Walter's Market, Ward 5
4425 S. 6th Ave.
Applicant: Samia Gasim Abbas
Series 10, City AC5-18
Action must be taken by: June 8, 2018

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

2. Dragoon Brewing Company, Ward 1
1859 W. Grant Rd. #111
Applicant: Tristan Michael White
Series 3, City AC6-18
Action must be taken by: June 15, 2018

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 Durham, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5c1 through 5c2 and 5d1 through 5d2 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:

Felicia Chew

Karen Greene

Joe Audino

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 JUN05-18-180 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of December 4, 2017
3. Mayor and Council Regular Meeting Minutes of December 5, 2017
4. Mayor and Council Study Session Minutes of December 5, 2017

b. MAYOR AND COUNCIL: AMENDING THE 2018 MAYOR AND COUNCIL MEETING SCHEDULE

1. Report from City Manager JUN05-18-181 CITY WIDE
2. Ordinance No. 11555 relating to Administration; amending the Mayor and Council's 2018 meeting schedule by scheduling an additional regular meeting on Tuesday, July 10, 2018; and declaring an emergency.

c. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR ANIMAL CARE AND ENFORCEMENT SERVICES

1. Report from City Manager JUN05-18-190 CITY WIDE
2. Resolution No. 22896 relating to outside agency activities; authorizing and approving Amendment No. 2 to the Intergovernmental Agreement (IGA) between the City of Tucson and Pima County for Animal Care and Enforcement Services for Fiscal Year 2019; and declaring an emergency.

d. TUCSON CODE: AMENDING (CHAPTER 10) FISCAL YEAR 2019 COMPENSATION PLAN SCHEDULES

1. Report from City Manager JUN05-18-191 CITY WIDE

2. Ordinance No. 11558 Relating to Compensation Plan; Tucson Code Chapter 10, Civil Service - Human Resources, Article II, Compensation Plan, Section 10-31, adopting salary schedules for Fiscal Year 2019; implementing Section 10-31; ratifying, reaffirming and reenacting Section 10-31(7), Providing percentages for calculation of compensation from salary schedules for employees in specified assignment positions; Section 10-31(8), Payment for uniform maintenance; Section 10-33, Language Communication Compensation; Section 10-33.1, Proficiency pay for commissioned police personnel certified as bilingual users of American Sign Language (ASL) or Spanish; Section 10-34.1, Assignment and incentive pay for maintaining paramedic certification and working as paramedics; Section 10-35, Fire Battalion Chief call back shift pay; Section 10-47, recruiting referral compensation for commissioned personnel; Section 10-49, Holiday and BOI pay for Commissioned Officers of the Tucson Police Department for the position of Lieutenant and assignment positions of Captain and Assistant Chief; Section 10-52, Longevity Compensation Plan; Section 10-53, Pipeline Protection Program; compensation; Section 10-53.1, Permanent and probationary city civil service employees and elected officials and appointed employees downtown allowance; Section 10-53.2, Maintenance Management Program, assignment and incentive pay compensation; Section 10-53.3, Career Enhancement Program (CEP) incentive pay for commissioned Police personnel through rank of Captain; Section 10-53.4, Additional compensation for certain public safety command staff; Section 10-53.5, Honor Guard assignment pay for Fire Commissioned personnel; Section 10-53.7, Certified crane operator assignment and incentive pay program; and Section 10-53.8, certified compressed natural gas inspector assignment and incentive pay program; all as part of implementation of the Annual Compensation Plan for Fiscal Year 2019; and declaring an emergency.

e. TUCSON CODE: AMENDING (CHAPTER 13) ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE WITH LOCAL MODIFICATIONS

1. Report from City Manager JUN05-18-183 CITY WIDE
2. Ordinance No. 11556 relating to Fire Code, adopting the 2018 International Fire Code, with those local amendments as the Fire Code for the City of Tucson; setting forth the penalties for violation of the Fire Code, as required by A.R.S. § 9-803; amending Tucson Code Section 13-3; and declaring an emergency.

f. REAL PROPERTY: ACQUISITION OF FEE TITLE TO A PORTION OF THE FORMER HUGHES ACCESS ROAD (CONTINUED FROM THE MEETING OF MAY 22, 2018)

1. Report from City Manager JUN05-18-185 WARD 5
2. Resolution No. 22891 relating to Transportation, Real Property and Economic Initiatives; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, a fee title interest to a portion of the former Hughes Access Road; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Items a – f be passed and adopted and the proper action taken.

8. **PUBLIC HEARING: AMENDING (CHAPTER 23B) THE UNIFIED DEVELOPMENT CODE, RELATING TO PERMITTED USE TABLES AND GROUP DWELLING PARKING**

Mayor Rothschild announced City Manager's communication number 184, dated June 5, 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 text amendment revisions to various *Unified Development Code* regulations.

Mayor Rothschild said the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations. He asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Vice Mayor Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Mayor Rothschild asked the City Clerk to read Ordinance 11557 by number and title only.

Ordinance No. 11557 relating to Planning and Zoning; amending the Tucson Code, Chapter 23B, Unified Development Code, Sections 4.8.3, 4.8.4, 4.8.6, 4.8.7, and 4.9.7; and setting an effective date.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11557.

Council Member Fimbres asked staff to further explain, in detail, why the need to clarify childcare with extended hours was listed. He also asked about the situations that had shown the need for proposed clarification of group dwelling parking regulations.

Daniel Bursuck, Planning and Development Services Lead Planner, stated during the translations from the *Land Use Code (LUC)* to the *Unified Development Code (UDC)*; there were certain errors in some of the zones that were not found in the initial translation. This was one, when they were reviewing a case that related to childcare, they realized the actual permitted portion was placed into a different zone on the zone table and the indication of this was that the use specific standards that were with it, indicated it was within the actual zones. He said it was just them going through it and making the corrections.

Mr. Bursuck stated for the group dwelling parking regulations, it was not entirely clear, so staff was reviewing the group dwelling parking requirements. They realized it stated the group dwelling parking allowed parking spaces on the side and back yards, but not specific about the front yards, and this clarified what type of parking spaces would be allowed in the front yard.

Ordinance 11557 was declared passed and adopted by a roll call vote of 7 to 0.

9. PUBLIC HEARING: TRUTH IN TAXATION HEARING FOR THE PRIMARY PROPERTY TAX; NOTICE OF PRIMARY PROPERTY TAX INCREASE

Mayor Rothschild announced City Manager's communication number 187, dated June 5, 2018, was received into and made part of the record. He also announced this was the time and place legally advertised for a Truth in Property Taxation public hearing.

Mayor Rothschild announced the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations. He asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Mayor Rothschild announced the adoption of the primary and secondary property tax ordinances was scheduled for the Mayor and Council meeting of June 19, 2018.

10. PUBLIC HEARING: 2019 BUDGET AS TENTATIVELY ADOPTED ON MAY 22, 2018

Mayor Rothschild announced City Manager's communication number 188, dated June 5, 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 Budget as Tentatively adopted on May 22, 2018.

Mayor Rothschild announced the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations. He asked if there was anyone wishing to speak on the item.

There was no one.

It was moved by Vice Mayor Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

11. ADJOURNMENT: 6:47 p.m.

Mayor Rothschild announced the meeting was adjourned and they would convene a Special Meeting for the purpose of adopting the budget for Fiscal Year 2019.



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 5th day of June, 2018, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR:amo:ds