



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on August 5, 2014.

Date of Meeting: February 4, 2014

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, February 4, 2014 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	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Vice Mayor, Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

None

Staff Members Present:

Richard Miranda	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Missionary Cherry Jackson, Church of God in Christ, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Rothschild proclaimed February 8, 2014, as “Fort Lowell Day.”

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 21, dated February 4, 2014, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Council Members Romero, Cunningham, Uhlich, Vice Mayor Scott, Fimbres, and Kozachik. A recording of this item is available from the City Clerk’s Office for ten years from the date of this meeting.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 24, dated February 4, 2014, was received into and made part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager’s communication number 26, dated February 4, 2014, 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. Del Cazador, LLC, Ward 2
7419 E. 22nd St.
Applicant: Deleslie James Wooddell Jr.
Series 10, City 74-13
Action must be taken by: December 1, 2013

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

2. The Little Greek, Ward 6
1101 N. Wilmot Rd. #119
Applicant: John T. Kranis
Series 12, City 88-13
Action must be taken by: January 17, 2014

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

3. Caffe' Milano, Ward 1
46 W. Congress St.
Applicant: Randy D. Nations
Series 12, City 94-13
Action must be taken by: February 7, 2014

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

4. Agustin Kitchen, Ward 1
100 S. Avenida del Convento #120, 150, 200
Applicant: Thomas Robert Aguilera
Series 12, City 96-13
Action must be taken by: February 6, 2014

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)

5. China Bay Restaurant, Ward 2
65 W. Valencia Rd.
Applicant: Quincy Zhuo Zhang
Series 7, City 93-13
Action must be taken by: February 6, 2014

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

6. Agustin Kitchen, Ward 1
100 S. Avenida del Convento #120, 150, 200
Applicant: Thomas Robert Aguilera
Series 7, City 97-13
Action must be taken by: February 6, 2014

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

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

Person/Location Transfer(s)

7. Circle K Store #8648, Ward 6
977 E. Speedway Blvd.
Applicant: Kim Kenneth Kwiatkowski
Series 9, City 95-13
Action must be taken by: February 9, 2014

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

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

c. Special Event(s)

1. Sonoran Art Foundation, Inc., Ward 5
633 W. 18th St.
Applicant: Nicholas Robert Letson
City T168-13
Date of Event: February 7, 2014
(Fundraiser)

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

2. Tucson Musicians Museum, Ward 2
2960 N. Swan Rd.
Applicant: Susan Eileen French
City T169-13
Date of Event: February 23, 2014
(Fundraiser)

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

3. Tucson Screammers, Ward 3
1102 W. Grant Rd.
Applicant: Bobby G. Sutton Jr.
City T1-14
Date of Event: February 7, 2014 - February 9, 2014
(Concert Fundraiser)

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

4. FOE #180 Fraternal Order of Eagles, Ward 3
1530 N. Stone Ave.
Applicant: Charlene S. Gutierrez
City T2-14
Date of Event: February 15, 2014
(Valentine's Dance)

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

5. Casa Libre en la Solana, Ward 1
525 N. Bonita Ave.
Applicant: Kristen Elissa Nelson
City T3-14
Date of Event: February 22, 2014
(10 Year Anniversary Gala)

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

6. Tucson Museum of Art, Ward 1
140 N. Main Ave.
Applicant: Meagan E. Crain
City T4-14
Date of Event: February 28, 2014
(Art Exhibition Opening)

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

- d. Agent Change/Acquisition of Control

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 7 to 0, to forward liquor license applications 5b1 through 5b7 and 5c1 through 5b6 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:

Ken Johnson
Robert Clark

Shawn Earl
Victor Dousten

Keith Van Heyningen
Anthony Potter

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 FEB04-14-25 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of October 8, 2013
3. Mayor and Council Study Session Legal Action Report and Summary Minutes of October 8, 2013

b. GRANT AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR FEDERAL TRANSIT ADMINISTRATION GRANT AZ-37-X016

1. Report from City Manager FEB04-14-30 WARD 4

(This item was continued to the February 19, 2014 meeting.)

c. GRANT AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR FEDERAL TRANSIT ADMINISTRATION GRANT AZ-57-X011

1. Report from City Manager FEB04-14-31 OUTSIDE CITY

(This item was continued to the February 19, 2014 meeting.)

- d. ZONING: EXTENDING THE PROTECTED DEVELOPMENT RIGHTS FOR THE TENTATIVE AND FINAL PLATS FOR TRIPLE CROWN VILLAS (S09-023) WHICH WERE PREVIOUSLY APPROVED AS PROTECTED DEVELOPMENT RIGHT PLANS
 - 1. Report from City Manager FEB04-14-23 WARD 2
 - 2. Resolution No. 22185 relating to Zoning: extending the duration of protected development rights for the tentative and final plats for Triple Crown Villas (S09-023) which were previously approved as protected development right plans; and declaring an emergency.
- e. FINAL PLAT: (S13-024) PLAZA CENTRO – GREYHOUND, UNITS 1 THROUGH 3
 - 1. Mayor and Council Communication FEB04-14-22 WARD 6
 - 2. Staff recommends that the Mayor and Council approve the final 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. WATER: APPROVING AN APPLICATION BY FARMER'S INVESTMENT COMPANY TO CONNECT A PIPELINE TO THE PIMA MINE ROAD RECHARGE PROJECT
 - 1. Report from City Manager FEB04-14-27 CITY WIDE AND OUTSIDE CITY

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Items a – f, with the exception of Consent Agenda Items b and c, which were continued, be passed and adopted and the proper action taken.

8. ZONING: (C9-09-05) P & H CONTRACTING - GLENN STREET, MH-1 TO I-1, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 29, dated February 4, 2014, was received into and made part of the record. He asked the City Clerk to read Ordinance 11140 by number and title only.

Ordinance No. 11140 relating to zoning: amending Ordinance No. 10852, adopted November 23, 2010 which amended the zoning district boundaries in the area located on the north side of Glenn Street west of Fairview Avenue in Case C9-09-05, P&H Contracting - Glenn Street, MH-1 to I-1; to change conditions of rezoning; and setting an effective date.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11140.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager’s communication number 28, dated February 4, 2014, 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 Vice Mayor Scott, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointment(s) of Robert E. Walkup to the Citizens’ Water Advisory Committee (CWAC).

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

Council Member Fimbres announced his personal appointments of Brian Becksted to the Small, Minority, and Women-Owned Business Commission (SMWBC) Felipe Lundin to the Commission on Disability Issues (CODI), and Anne Padias to the Tucson-Pima County Bicycle Advisory Committee (TPCBAC).

10. ADJOURNMENT: 6:10 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, February 19, 2014, 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 4th day of February 2014, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:aam:ds