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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on November 7, 2012.

Date of Meeting: March 6, 2012

\* 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 5:32 ~~pm~~-p.m., on Tuesday, March 6, 2012, 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	Vice Mayor, Council Member Ward 3
Shirley C. Scott	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

\* **City Clerk Note:** The minutes of March 6, 2012, as approved by the Mayor and Council, contained a clerical error on page one. Within the text of the amendment, deleted text is ~~striketrough~~. DWR:yl 01/03/13

## **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 March 14 to March 20 to be "Fix a Leak Week". Sandy Elder, Tucson Water Interim Director, accepted the proclamation.

## **3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Rothschild announced City Manager's communication number 93, dated March 6, 2012, 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 Scott, Fimbres, and Kozachik. A recording of this item will be 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 94, dated March 6, 2012, 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 96, dated March 6, 2012, 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

NOTE: There were no application(s) for new licenses scheduled for this meeting.

Person Transfer

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

c. Special Event(s)

1. Rialto Theatre Foundation, Ward 1  
Meyer Ave. between Telles St. and Council St.  
Applicant: Douglas William Biggers  
City T131-11  
Date of Event: April 7, 2012  
(Festival en el Barrio/Fundraiser)

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

(Continued from the Mayor and Council Meeting of February 7, 2012)

2. Arizona Stronghold Vineyards, Ward 6  
4th Ave. and 5th St. (SE corner)  
Applicant: Eric Steven Glomski  
City T11-12  
Date of Event: March 23, 2012 - March 25, 2012  
(Fourth Avenue Street Fair)

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

3. The University of Arizona Foundation, Ward 6  
1031 N. Olive Rd.  
Applicant: James H. Moore, Jr.  
City T12-12  
Date of Event: March 23, 2012  
(Fundraiser)

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

4. St Michael's Parish Day School, Ward 2  
602 N. Wilmot Rd.  
Applicant: Richard Allen Newcomer  
City T14-12  
Date of Event: March 24, 2012  
(Fundraiser)

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

5. Greater Oro Valley Arts Council, Ward 3  
60 W. Wetmore Rd.  
Applicant: Jonas Wes Hunter  
City T15-12  
Date of Event: March 24, 2012  
(Fundraiser)

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

6. 355 MXG Maintenance Professional of the Year Committee, Ward 6  
1303 E. University Blvd.  
Applicant: Veronica Rena Haskin  
City T16-12  
Date of Event: April 7, 2012  
(Annual Awards Banquet)

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

7. The Rockin' Pinups, Ward 3  
1102 W. Grant Rd.  
Applicant: Meagan Lea Ross  
City T17-12  
Date of Event: March 24, 2012  
(Fundraiser)

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

8. Many Mouths One Stomach, Ward 1  
100 S. Avenida del Convento  
Applicant: Paul J. Weir  
City T19-12  
Date of Event: March 31, 2012  
(Fundraiser)

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

9. Mariachi Sonido de Mexico, Ward 1  
140 N. Main Ave.  
Applicant: Andrea Marie Gallegos  
City T21-12  
Date of Event: March 23, 2012  
(Fundraiser)

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

d. Agent Change/Acquisition of Control

1. California Pizza Kitchen, Ward 3  
4500 N. Oracle Rd. #341  
Applicant: H. J. Lewkowitz  
Series 12, City AC1-12  
Action must be taken by: March 23, 2012

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 Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5c1-9 and 5d1 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:

Mikki Niemi	Robert Reus	Ken Johnson
Keith Van Heyningen	John Patterson	Margot Garcia
Ralph (last name not given)	Jessica Shuman	Mark Homan
John O’Dowd		

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 C**

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 MAR06-12-97 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of September 20, 2011

- b. ZONING: (S08-037) DESIGNATING THE TENTATIVE AND FINAL PLAT FOR MOSAIC COURT AS PROTECTED DEVELOPMENT RIGHT PLANS
  - 1. Report from City Manager MAR06-12-100 WARD 4
  - 2. Resolution No. 21868 relating to Zoning: designation of the Tentative and Final Plats for Mosaic Court in Case No. S08-037, as protected development right plans; and declaring an emergency.
- c. ASSURANCE AGREEMENT AND FINAL PLAT (S10-053) BLACKHAWK RANCH LOTS 1 TO 8
  - 1. Report from City Manager MAR06-12-101 WARD 5
  - 2. Resolution No. 21869 relating to Planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of installation of all required improvements related to subdivisions and approving the final plat in Case No. S10-053, for Blackhawk Ranch, Lots 1 through 8; and declaring an emergency.

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

**8. PUBLIC HEARING: BINGO LICENSE APPLICATION - TUCSON POST NUMBER 549, VETERANS OF FOREIGN WARS OF THE UNITED STATES, 8424 EAST OLD SPANISH TRAIL, CITY NUMBER 206**

Mayor Rothschild announced City Manager's communication number 98 dated March 6, 2012, 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 a request for a bingo license at Tucson Post Number 549, Veterans of Foreign Wars of the United States located at 8424 E. Old Spanish Trail. He asked if the applicant was present and wanted to speak on the item.

There was no one.

Mayor Rothschild announced the public hearing as 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 Romero, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 7 to 0, to forward the bingo license application to the Arizona Department of Revenue for approval.

**9. PUBLIC HEARING: INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE IMPROVEMENTS AT MORRIS K. UDALL PARK**

Mayor Rothschild announced City Manager's communication number 99 dated March 6, 2012, 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 a request by the City of Tucson for the use of surplus funding for improvements to the sports fields at Morris K. Udall.

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 asked the City Clerk to read Resolution 21867 by number and title only.

Resolution No. 21867 relating to Intergovernmental Agreements; approving and authorizing execution of Amendment Two to the Intergovernmental Agreement between the City of Tucson and Pima County authorizing improvements to the sports field located at Morris K. Udall Park; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Resolution 21867.

Michael Rankin, City Attorney, stated, for the record, that as a result of the Mayor and Council approving the resolution, the City would make a formal request to the Pima County Board of Supervisors to allocate the surplus funding consistent with the Intergovernmental Agreement.

**10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Rothschild announced City Manager's communication number 95, dated March 6, 2012, 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 Scott, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointment of Joyce Morgan and Yolanda Herrera and the

reappointment of Roy Tullgren to the Pima County-City of Tucson Addiction, Prevention and Treatment Commission (CAPT).

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

Council Member Romero announced her personal appointment of Marcus Moreno to the Citizen's Police Advisory and Review Board.

**11. ADJOURNMENT: 6:24 p.m.**

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, March 20, 2012 at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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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 6th day of March 2012, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

RWRwff:yl