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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on October 22, 2013.

Date of Meeting: April 9, 2013

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 5:39 p.m., on Tuesday, April 9, 2013, 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  
Karin Uhlich  
Shirley C. Scott  
Richard G. Fimbres  
Steve Kozachik  
Jonathan Rothschild

Vice Mayor, Council Member Ward 1  
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:

Richard Miranda  
Michael Rankin  
Roger W. Randolph

City Manager  
City Attorney  
City Clerk

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Reverend Ron Rude, Campus Christian Center, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Rothschild proclaimed April as “Water Awareness Month.” Fernando Molina, Tucson Water, accepted the proclamation.

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

Mayor Rothschild announced City Manager’s communication number 110, dated April 9, 2013, 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 Vice Mayor Romero and Council Members Cunningham, 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 111, dated April 9, 2013, 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 113, dated April 9, 2013, 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. The Fix Arizona’s Mac 'n Chz Headquarters, Ward 6  
943 E. University Blvd. #115  
Applicant: Michael Scott Lanz  
Series 12, City 13-13  
Action must be taken by: April 19, 2013

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

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

#### c. Special Event(s)

1. St. Michaels Parish Day School, Ward 2  
602 N. Wilmot Rd.  
Applicant: Richard A. Newcomer  
City T35-13  
Date of Event: April 26, 2013  
(Fundraiser)

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

2. Mariachi Sonido de México, Ward 1  
140 N. Main Ave.  
Applicant: Andrea Marie Gallegos  
City T43-13  
Date of Event: May 10, 2013  
(Fundraiser)

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

3. Live Theatre Workshop, Ward 6  
5317 E. Speedway Blvd.  
Applicant: Michael Andrew Martinez  
City T44-13  
Date of Event: April 26, 2013 - April 27, 2013  
(Fundraiser)

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

4. St. Joseph School Advisory Board, Ward 6  
215 S. Craycroft Rd.  
Applicant: Gina Marie Scherer  
City T45-13  
Date of Event: May 4, 2013  
(Fundraiser)

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

5. Our Lady of LaVang Parish, Ward 5  
800 S. Tucson Blvd.  
Applicant: Van Hieu Nguyen  
City T46-13  
Date of Event: April 27, 2013 - April 28, 2013  
(Crawfish Festival)

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

6. St. Augustine's Cathedral, Ward 6  
192 S. Stone Ave.  
Applicant: Gonzalo Villegas  
City T47-13  
Date of Event: April 20, 2013  
(Fundraiser)

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

7. Tucson Fire Fighters Benevolent, Ward 3  
1102 W. Grant Rd.  
Applicant: Roger Paul Wright  
City T48-13  
Date of Event: April 19, 2013  
(Music Festival)

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

8. Step Up Info T.L.C., Ward 5  
4823 S. 6th Ave.  
Applicant: Nancie Roahrig  
City T49-13  
Date of Event: April 26, 2013 - April 27, 2013  
(Auto Mud Races)

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

9. El Grupo Youth Cycling, Ward 6  
220 S. 5th Ave.  
Applicant: Don Gerard Hubman  
City T50-13  
Date of Event: April 21, 2013  
(Fundraiser)

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 Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 and 5c1 through 5c9 to the Arizona State Liquor Board with a recommendation for approval.

**6. CALL TO THE AUDIENCE**

(This item was taken out of order, and considered after Item #9.)

**7. CONSENT AGENDA – ITEMS A THROUGH E**

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 APR09-13-117 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of August 7, 2012
3. Mayor and Council Study Session Legal Action Report and Summary Minutes of August 7, 2012

b. REAL PROPERTY: CONVEYANCE OF RIGHT-OF-WAY VIA THE PAPER PLAT PROCESS FOR PROPERTY LOCATED WITHIN THE BLUE SKY SUBDIVISION

1. Report from City Manager APR09-13-121 WARD 5
2. Ordinance No. 11064 relating to Real Property; vacating and declaring right of way within Blue Sky Subdivision to be surplus; authorizing the conveyance thereof at no cost to Metro Title Agency of Arizona, as Trustee under Trust No. T09-0608, in accordance with the City of Tucson's Paper Plat Policy; and declaring an emergency.

(This item was continued to the meeting of April 23, 2013.)

c. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE FISCAL YEAR 2009 INTERSECTION IMPROVEMENTS PROJECT

1. Report from City Manager APR09-13-114 CITY WIDE

2. Resolution No. 22024 relating to Intergovernmental Agreements; approving and authorizing execution of Amendment No. 2 to the Intergovernmental Agreement between the City of Tucson and the Regional Transportation Authority of Pima County (RTA) for the FY 2009 Intersection Project; and declaring an emergency.
- d. REAL PROPERTY: ACQUISITION OF RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE TANQUE VERDE ROAD, WILMOT ROAD, AND PIMA STREET INTERSECTION IMPROVEMENTS PROJECT
1. Report from City Manager APR09-13-115 WARDS 2 AND 6
  2. Resolution No. 22025 relating to Transportation; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property needed as right-of-way and temporary construction easements for the Tanque Verde Road, Wilmot Road, and Pima Street Intersection Improvements Project; and declaring an emergency.
- e. MEMORANDUM OF UNDERSTANDING: WITH THE TOHONO O'ODHAM NATION FOR SHARING LAW ENFORCEMENT INFORMATION
1. Report from City Manager APR09-13-112 CITY WIDE
  2. Resolution No. 22023 relating to Law Enforcement; approving and authorizing the Memorandum of Understanding between the City of Tucson, Tucson Police Department and the Tohono O'odham Nation in furtherance of Law Enforcement Information sharing through COPLINK, Database Integrated and Access for Law Enforcement Intranet, 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 – e, with the exception of Item b, which was continued to the meeting of April 23, 2013, be passed and adopted and the proper action taken.

**8. DEVELOPMENT AGREEMENTS: WITH AMERICAN TIRE DISTRIBUTORS, INC. AND B/E AEROSPACE, INC.**

(This item was continued, at the request of Staff, to allow the developers' time to sign the agreements.)

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

Mayor Rothschild announced City Manager's communication number 119, dated April 9, 2013, 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 Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointment of Irwin Brewster to the Veterans' Affairs Committee (VAC).

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

There were none.

**6. CALL TO THE AUDIENCE**

(NOTE: This item was taken out of order.)

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:

Charles Turner  
Cindy Ayala  
Chris Deile

Mary DeCamp  
Robert Clark  
Roy Warden

Ken Rineer  
Keith Van Heyningen

It was moved by Council Member Scott, duly seconded, and carried by a voice vote of 7 to 0, to direct staff to respond to Mr. Rineer's request.

A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

**10. ADJOURNMENT: 6:25 p.m.**

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, April 16, 2013, 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 9th day of April 2013, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

RWR:lmo:eg