



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on February 20, 2013.

Date of Meeting: June 5, 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 5:35 p.m., on Tuesday, June 5, 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
Paul Cunningham
Karin Uhlich
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

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

Absent/Excused:

None

Staff Members Present:

Richard Miranda
Roger W. Randolph
Dave Deibel

City Manager
City Clerk
Deputy City Attorney

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 and Council Member Uhlich were presented with awards of appreciation by the United Way of Tucson and Southern Arizona.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 221, dated June 5, 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 Romero, Cunningham, Fimbres, and Vice Mayor 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 222, dated June 5, 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.

Current event report was given by Richard Miranda, City Manager. 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 220, dated June 5, 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(s)

1. Native New Yorker, Ward 6
3100 E. Speedway Blvd.
Applicant: Jared Michael Repinski
Series 12, City 31-12
Action must be taken by: June 17, 2012

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)

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

c. Special Event(s)

NOTE: There are no application(s) for special events scheduled for this meeting.

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 Fimbres, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license application 5b1 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:

Al Wirutt
Kelly Stiburk
John O'Dowd
David Garza

Chad Benham
Allyson Solomon
Ken Johnson

William Cohen
Mikki Niemi
Fred Hartshorn

Council Member Uhlich requested that Roberto Villaseñor, Tucson Police Department Chief of Police, follow up with Chad Benham regarding an opt-out provision of Ordinance 10967 for third-party alarm provisions.

Mayor Rothschild asked Richard Miranda, City Manager, to have City staff conduct a review of third-party alarm proposals in other cities.

Council Member Uhlich requested that Mr. Miranda also follow up with the Transit Task Force regarding bus fare structure.

Vice Mayor Kozachik asked Mr. Miranda if the charter the Tucson Department of Transportation and Regional Transportation Authority are having the Citizens Task Force people sign supersedes an Intergovernmental Agreement the Mayor and City Council signed back in 1987.

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 G

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 JUN05-12-223 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of July 6, 2011

b. TUCSON CODE: AMENDING (CHAPTER 10) FISCAL YEAR 2013 COMPENSATION PLAN SCHEDULES

1. Report from City Manager JUN05-12-233 CITY WIDE
2. Ordinance No. 10989 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 2013; implementing Section 10-31; ratifying, reaffirming and reenacting Sections 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, Incentive pay for Fire Prevention Inspectors; 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 10-48, supplement to military pay; Section 10-49, Holiday and BOI pay for Commissioned Officers of the Tucson Police Department of 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; and Section 10-53.5, Honor Guard assignment pay for Fire Commissioned personnel; all as part of implementation of the Annual Compensation Plan for fiscal year 2013; and declaring an emergency.

c. MAYOR AND COUNCIL: LETTER OF SUPPORT FOR THE CANYON RANCH INSTITUTE AND EL RIO COMMUNITY HEALTH CENTER SUBMISSION OF GRANT APPLICATION

1. Report from City Manager JUN05-12-229 WARD 5

(This item was continued to the meeting of June 12, 2012.)

d. GRANTS: GRANT-IN-AID AGREEMENT WITH THE ARIZONA GAME AND FISH DEPARTMENT FOR 2012 HERITAGE FUND GRANT TO THE TUCSON AUDUBON SOCIETY

1. Report from City Manager JUN05-12-225 CITY WIDE
2. Resolution No. 21909 Relating to Agreements: approving and authorizing a Grant-In-Aid Agreement with the Arizona Game and Fish Department (AGFD) for a pass-through grant through the City of Tucson to Tucson Audubon Society for 2012 Heritage Fund Grant; and declaring an emergency.

e. BOARDS, COMMITTEES AND COMMISSIONS: EXTENDING THE TERM OF SERVICE FOR THE KOLB/SABINO CANYON ROAD CONNECTION TASK FORCE

1. Report from City Manager JUN05-12-231 WARD 2
2. Resolution No. 21912 relating to Boards and Commissions; extending the term of service for the Kolb/Sabino Canyon Road Connection Task Force for three additional years, to August 5, 2014; and declaring an emergency.

(This item was continued to the meeting of June 12, 2012.)

f. TRANSPORTATION: AUTHORIZATION TO SUBMIT FEDERAL TRANSPORTATION ENHANCEMENT PROJECT PROPOSALS

1. Report from City Manager JUN05-12-224 CITY WIDE

2. Resolution No. 21908 Relating to Transportation; authorizing the Director of the City of Tucson Department of Transportation to submit and sponsor five (5) Federal Surface Transportation Program (STP) Round 19 Transportation Enhancement Project Proposals to the Arizona Department of Transportation Review Committee; and declaring an emergency.

(This item was considered separately at the request of Council Member Uhlich.)

g. **PARKS AND RECREATION: NAMING THE SKATE FACILITY IN GRIJALVA PARK THE "CHRISTINA-TAYLOR GREEN SKATE FACILITY"**

1. Report from City Manager JUN05-12-227 WARD 1
2. Resolution No. 21910 relating to Parks and Recreation; authorizing and approving the naming of the skate facility in Grijalva Park to "Christina-Taylor Green Skate Facility"; and declaring an emergency.

It was moved by Vice Mayor Kozachik, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Items a – g, with the exception of Item f, which was considered separately, and Items c and e, which were continued, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEM F

f. **TRANSPORTATION: AUTHORIZATION TO SUBMIT FEDERAL TRANSPORTATION ENHANCEMENT PROJECT PROPOSALS**

1. Report from City Manager JUN05-12-224 CITY WIDE
2. Resolution No. 21908 Relating to Transportation; authorizing the Director of the City of Tucson Department of Transportation to submit and sponsor five (5) Federal Surface Transportation Program (STP) Round 19 Transportation Enhancement Project Proposals to the Arizona Department of Transportation Review Committee; and declaring an emergency.

Council Member Uhlich asked Andrew Quigley, Interim Assistant City Manager, to give an outline of the process used by the Transportation Department in the selection of projects submitted for grants.

Mr. Quigley explained that the Transportation Enhancement Projects were developed by both Transportation staff and the general public. The department's policy was to support any suggested project, as long as the funding source for the local match was identified. He said the source was often the Regional Transportation Authority (RTA), but in certain cases, projects received private funding. He added that the Arizona Department of Transportation had established the maximum funding level at seven hundred and fifty thousand dollars.

Mr. Quigley further explained the applications were often generated at the grass-roots level, which ensured neighborhood awareness and support of suggested projects, and if a project received approval at the State level, there would be significant public outreach during the planning and design phases. He noted the Transportation Department did not prioritize the projects. He also clarified that the Neon Sign District was along the Miracle Mile corridor, roughly from Stone Avenue to Drachman Street.

Council Member Uhlich asked about street and road investments located on the University of Arizona campus, specifically at Highland Avenue and Olive Street.

Mr. Quigley replied that the investments were to address safety and congestion concerns regarding the intersection which the University of Arizona and the biking public brought to their attention.

It was moved by Council Member Uhlich, duly seconded, that Consent Agenda Item f be passed and adopted and the proper action taken.

Council Member Romero acknowledged Diana Rhoades and Laura Dent from the Ward 1 Council Office for their work on the application for the Transportation Enhancement Grant for South Twelfth Avenue pedestrian, safety and beautification improvements.

Consent Agenda Item f was declared passed and adopted by a roll call vote of 7-0.

8. PUBLIC HEARING: 2013 BUDGET AS TENTATIVELY ADOPTED ON MAY 15, 2012

Mayor Rothschild announced City Manager's communication number 226, dated June 5, 2012, was received into and part part of the record. He also announced this was the time and place legally advertised for a public hearing on the Budget. He said the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Mikki Niemi expressed his concerns, and Dale Schmedding spoke on behalf of the Tucson Bus Rider's Union regarding the Transportation budget.

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 Council would stand adjourned and convene a special meeting for the adoption of the budget.

RECESS: 6:40 p.m.

RECONVENE: 7:10 p.m.

(Note: See minutes of the Special Mayor and Council Meeting of June 5, 2012 regarding the Final Budget Adoption for Fiscal Year 2013.)

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	Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Vice Mayor, Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

None

Staff Members Present:

Richard Miranda	City Manager
Roger W. Randolph	City Clerk
Dave Deibel	Deputy City Attorney

9. ECONOMIC DEVELOPMENT: ADOPTION OF AN APPLICATION AND REVIEW PROCESS FOR ECONOMIC DEVELOPMENT INCENTIVES

Mayor Rothschild announced City Manager's communication number 232, dated June 5, 2012, was received into and made part of the record. He asked the City Clerk to read Resolution 21913 by number and title only.

Resolution No. 21913 relating to Economic Development; approving a Primary Jobs Incentive Program; and declaring an emergency.

Dave Deibel, Deputy City Attorney, read the following corrections into the record: The title of Resolution 21913 should read "Relating to Economic Development; approving adoption of an Application and Review Process for Economic Development Incentives; and declaring an emergency."

On page 3, Step 1, the following sentence was added to the end of the first paragraph: “During this step, the applicant must also brief the Council Member who represents the area in which the project is located.”

On page 5, the section entitled Primary Job Incentive Program, first bullet should read “Employer invests at least five million dollars in new or expanded facilities within the city limits.” Second bullet should read “Employer creates a minimum of twenty-five new primary non-retail jobs that pay average wages of at least one-hundred and fifty percent of mean annual earnings of the Tucson MSA, and at least fifty-one percent of all local employees earn at least this wage.”

Council Member Romero requested assurance that living wages and local jobs were part of the direction.

Mr. Deibel replied affirmatively. He also stated that as the program is utilized and projects come forward, Mayor and Council would probably want to look at making changes to the process.

Council Member Uhlich requested affirmation that the Section 108 program was not limited to downtown.

Albert Elias, Housing and Community Development Director, replied that was correct, the Section 108 program would be available anywhere in the city limits.

Additional comments were made by Mayor Rothschild, Vice Mayor Kozachik and Council Member Uhlich regarding the overall RFP process and that it should begin with Debby Chandler, Economic Development Manager.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll vote of 7 to 0, to pass and adopt Resolution 21913.

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager’s communication number 230, dated June 5, 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 Romero, duly seconded, and carried by a voice vote of 7 to 0, to approve the reappointment of Lisa Silveiro to the Metropolitan Education Commission.

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

Council Member Cunningham announced his personal appointment of Suzy Gershman to the Tucson-Pima County Historical Commission.

Council Member Fimbres announced his personal appointments of Doug Martin to the Tucson Parks and Recreation Commission, and Malcom R. Pavey to the Tucson-Pima County Metropolitan Energy Commission.

11. ADJOURNMENT: 7:21 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, June 12, 2012, 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 5th day of June 2012, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:rlm:dr