



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on February 5, 2019

Date of Meeting: July 10, 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 5:33 p.m., on Tuesday, July 10, 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
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

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

Absent/Excused:

Shirley C. Scott

Council Member Ward 4

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 Ashley Evans, 22nd Street Baptist Church.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 221, dated July 10, 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 Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to approve the appointments of Christopher Jech to the Fort Lowell Historic Zone Advisory Board (FLHZAB) and Anne Hazen to the Barrio Historico Zone Advisory Board (BHHZAB).

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

Council Member Romero announced her personal appointments of Priscilla Teran to the Tucson-Pima County Bicycle Advisory Committee (TPCBAC) and Eddie Rios to the Board of Adjustment (BAJ).

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

Mayor Rothschild announced City Manager's communication number 222, dated July 10, 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 and Fimbres.

No report was given by the 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 223, dated July 10, 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.

Reports were given by Steven Shell, Board of Adjustment (BAJ) Chair, MaryAnn Phininzy and Amanda Monroy, Pima County Tucson Women's Commission (PCTWC) Chair and Vice Chair and Robert Ojeda, Commission on Food Security, Heritage, and Economy (CFSHE) 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 224, dated July 10, 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)

1. The Cozy Corner Cafe, Ward 4
2530-2532 S. Harrison Rd.
Applicant: Zacharias Rodriguez
Series 12, City 32-18
Action must be taken by: June 11, 2018

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

2. Circle K Store #2741616, Ward 5
920 E. 22nd St.
Applicant: Kim Kenneth Kwiatkowski
Series 10, City 39-18
Action must be taken by: June 23, 2018

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

3. Americano Mexicano Cantina & Fresca Bar, Ward 6
800 E. University Blvd. #104
Applicant: David Carlos Pena
Series 12, City 40-18
Action must be taken by: July 9, 2018

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

4. Guilin Restaurant, Ward 6
4445 E. Broadway Blvd.
Applicant: Dan Yan Chen Lew
Series 12, City 42-18
Action must be taken by: July 14, 2018

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

5. Ten 55 Brewpub, Ward 6
110 E. Congress St.
Applicant: Myron Christopher Squires
Series 12, City 43-18
Action must be taken by: July 15, 2018

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

6. Ten 55 Brewpub, Ward 6
110 E. Congress St.
Applicant: Myron Christopher Squires
Series 3, City 44-18
Action must be taken by: July 15, 2018

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

7. Taco Giro Mexican Grill, Ward 3
1730 E. Prince Rd. #5
Applicant: Maria Victoria Medina Sillas
Series 12, City 45-18
Action must be taken by: July 16, 2018

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

8. IOU Sushi III, Ward 3
4280 N. Oracle Rd. #180
Applicant: Teri Ann Poll
Series 12, City 46-18
Action must be taken by: July 15, 2018

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)

9. Cody's Beef 'n Beans, Ward 3
2708 E. Fort Lowell Rd.
Applicant: Geoffrey Michael Boucher
Series 7, City 54-18
Action must be taken by: June 3, 2018

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)

Location Transfer(s)

10. Lucky 777 Liquor Store, Ward 3
2802 N. Stone Ave.
Applicant: Hiam Ibrahim Innabi
Series 9, City 37-18
Action must be taken by: June 25, 2018

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

Public Opinion: Written Arguments Opposed Filed

This item was considered separately.

NOTE: State law provides that for a location transfer Mayor and Council may consider whether the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license at that location. (A.R.S. Section 4-203; Rule R19-1-102)

c. Special Event(s)

1. Vietnam Veterans of America, Inc., Tucson Chapter 106, Ward 6
900 S. Randolph Way
Applicant: Melvin Morgan
City T67-18
Date of Event: October 20, 2018
(Nam to Sand Jam/Annual Veteran Patriotic Outreach Event)

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

2. Strada Company, Ward 6
160 S. Scott Ave.
Applicant: Michael Wayne Fenlason
City T68-18
Date of Event: July 28, 2018
(Fundraiser - Gala)

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

- d. Agent Change/Acquisition of Control/Restructure

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 6 to 0 (Council Member Scott absent/excused), to forward liquor license applications 5b1 through 5b9 and 5c1 through 5c2 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

- b. Liquor License Application(s)

Location Transfer(s)

10. Lucky 777 Liquor Store, Ward 3
2802 N. Stone Ave.
Applicant: Hiam Ibrahim Innabi
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Action must be taken by: June 25, 2018

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

Public Opinion: Written Arguments Opposed Filed

Roger W. Randolph, City Clerk, announced the item to be considered separately was Item 5b10, Lucky 777, located in Ward 3.

Council Member Durham stated he met with the neighbors and the applicant to continue discussions and worked out an agreement regarding the application.

It was moved by Council Member Durham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to forward Item 5b10 to the State Liquor Board with a recommendation for denial on the grounds that the applicant did not, at this time, demonstrate that the public convenience required, and the best interests of the community would be substantially served by the issuance of the license. He said the determination was based on the following:

1. the petitions of protest and the testimony of individuals who oppose the issuance of the license and who reside in, own or lease property within one mile of the proposed license location;
2. the evidence of the number and types of licenses within one mile of the proposed location;
3. the evidence provided relating to the nature of the proposed business, its potential market, and its likely customers;
4. the incompatibility of the proposed business with other uses and activity within one mile of the location; and
5. the effect and impact of the proposed business on nearby business and residential neighborhood.

However, he said, he believed there was a path forward for the resolution of the five described issues, and included in the motion that the City Attorney was authorized to withdraw the recommendation of disapproval and instead convey to the board a recommendation of approval if the following actions were completed:

1. the Applicant confirms in a letter to the neighborhood associations that she will change the name of the store to the Glenn/Stone Market; that the Market be closed daily no later than 9 p.m.; and that the Market will sell food products sufficient to support an application for the ability to accept food stamps; and
2. The applicant executes a binding agreement with the associations under which a covenant or deed restriction will be recorded and will run with the land that will prohibit the sale of drug paraphernalia at this location. He states the restriction would survive any subsequent change in ownership the property.

Mayor Rothschild asked Michael Rankin, City Attorney, if this was in compliance with the law and he said it was.

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:

Will Goebel
Billy Peard

Mari Herreras
Jessica Rodriquez

Suzanne Schafer
Sally Withers

Council Member Romero requested the letter Ms. Withers read to be given to the City Clerk’s Office and be distributed to the Mayor and Council Members.

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 T

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 JUL10-18-225 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of January 9, 2018
3. Mayor and Council Study Session Meeting Minutes of January 9, 2018

b. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH BARNEY AND VICTORIA QUARRELL, OWNERS OF PARCEL 138-24-020Q, FOR WATER SERVICE

1. Report from City Manager JUL10-18-234 WARD 1 AND OUTSIDE CITY
2. Resolution No. 22910 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of a Pre-Annexation and Development Agreement between the City of Tucson and Barney and Victoria Quarrell, owners of Parcel 138-24-020Q.

c. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COMMUNITY COLLEGE FOR PUBLIC SAFETY TRAINING

1. Report from City Manager JUL10-18-252 CITY WIDE AND OUTSIDE CITY

2. Resolution No. 22926 relating to Intergovernmental Agreements; authorizing and approving an Intergovernmental Agreement between the City of Tucson, acting through the Tucson Fire Department and Tucson Police Department, and the Pima County Community College District, for the provision of mutually beneficial educational and training services; and declaring an emergency.
- d. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT FOR FISCAL YEAR 2019
1. Report from City Manager JUL10-18-235 CITY WIDE
 2. Resolution No. 22911 relating to Grants; approving and authorizing execution of a Grant Agreement with the Arizona Criminal Justice Commission (ACJC) for Drug, Gang and Violent Crime Control for Fiscal Year 2019 (FY19); and declaring an emergency.
- e. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY SUPERIOR COURT FOR PROVIDING JURORS TO TUCSON CITY COURT
1. Report from City Manager JUL10-18-253 CITY WIDE
 2. Resolution No. 22924 relating to Intergovernmental Agreements (IGAS); approving and authorizing the execution of an IGA between the Arizona Superior Court in Pima County and the City of Tucson (City) for providing jurors to the Tucson City Court; and declaring an emergency.
- f. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH SANTA CRUZ COUNTY FOR INCARCERATION OF MUNICIPAL PRISONERS
1. Report from City Manager JUL10-18-250 CITY WIDE
 2. Resolution No. 22925 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of Amendment No, 03 to an IGA between the City of Tucson (City) and the Santa Cruz County for the incarceration of prisoners for calendar year 2018; and declaring an emergency.
- g. PARKS AND RECREATION: APPROVING THE 100 ACRE WOOD COMMUNITY BICYCLE PARK MASTER PLAN, TRAIL PLAN, AND GENERAL AGREEMENT WITH SONORAN DESERT MOUNTAIN BICYCLISTS
1. Report from City Manager JUL10-18-229 WARD 5

2. Resolution No. 22916 relating to Parks & Recreation: approving the 100 Acre Wood Community Bicycle Park Master Plan, 100 Acre Wood Bike Park Phase 1: Trail Plan, and the General Agreement between the City of Tucson (City) and Sonoran Desert Mountain Bicyclists (SDMB); and declaring an emergency.
- h. REAL PROPERTY: SALE OF SURPLUS CITY PROPERTY AT ELM STREET AND 7TH AVENUE
1. Report from City Manager JUL10-18-230 WARD 3
 2. Ordinance No. 11569 relating to Transportation and Real Property; declaring five parcels at the northwest corner (NWC) of Elm Street and 7th Avenue to be surplus City-owned property; vacating and declaring as surplus City-owned property a portion of alley and a portion of Elm Street contiguous thereto; authorizing the sale thereof to Desert Peak Holdings, LLC; and declaring an emergency.
- i. GRANT APPLICATION: WITH THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL FISCAL YEAR 2018 TO CONSTRUCT ADA IMPROVEMENTS
1. Report from City Manager JUL10-18-226 WARD 3
 2. Resolution No. 22912 relating to Transportation; authorizing and approving the application, development, and execution of a Grant Agreement between the City of Tucson (City) and the Federal Transit Administration (FTA) for Federal Fiscal Year 2018 Funds to construct ADA improvements along portions of Fort Lowell Road and portions of Stone Avenue; and declaring an emergency.
- j. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE REGIONAL TRANSPORTATION DATA NETWORK COMMUNICATION SYSTEM
1. Report from City Manager JUL10-18-239 CITY WIDE AND OUTSIDE CITY
 2. Resolution No. 22913 relating to Intergovernmental Agreements (IGA) and Transportation; authorizing and approving Amendment No. 2 to the IGA between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for the Regional Transportation Data Network (RTDN) Communication System; and declaring an emergency.

- k. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS FOR THE OPTIMIZING TRAFFIC SIGNALS USING MULTI-SOURCE DATA – PHASE 2 PROJECT
 - 1. Report from City Manager JUL10-18-236 CITY WIDE
 - 2. Resolution No. 22914 relating to Transportation; authorizing Amendment No. 1 to the Intergovernmental Agreement (IGA) between the City of Tucson (City) and the Arizona Board of Regents, University of Arizona (University) for Optimizing Traffic Signals Using Multi-Source Data;Phase 2 Project; and declaring an emergency.
- l. GRANT APPLICATION: TO THE FEDERAL TRANSIT ADMINISTRATION FOR URBANIZED AREA FORMULA FUNDS AND BUSES AND BUS FACILITIES
 - 1. Report from City Manager JUL10-18-240 CITY WIDE
 - 2. Resolution No. 22915 relating to Transportation and mass transit; authorizing and approving the submission of a Federal Transit Administration (FTA) Application, Grant Fain #1667-2018-1 for Urbanized Area Formula Funds (Section 5307) and Buses and Bus Facilities (Section 5339); and declaring an emergency.
- m. BOARDS, COMMITTEES, AND COMMISSIONS: EXTENDING THE TERM OF SERVICE FOR THE TRANSIT TASK FORCE; AMENDING RESOLUTION 21023
 - 1. Report from City Manager JUL10-18-237 CITY WIDE
 - 2. Resolution No. 22917 relating to Boards and Commissions; amending Resolution No. 21023 to extend the terms of the Transit Task Force to June 2, 2020; and declaring an emergency.
- n. REAL PROPERTY: ACQUISITION OF PROPERTY ADJACENT TO NORTH ANWAY ROAD AND LAMBERT LANE FOR REPLACEMENT OF TUCSON WATER POTABLE WELL
 - 1. Report from City Manager JUL10-18-238 OUTSIDE CITY
 - 2. Resolution No. 22918 relating to Real Property and Tucson Water (TW); authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, a 4.9 acre parcel of property located at the northwest corner of North Anway Road and Lambert Lane, which is necessary to replace a failing TW potable production well located on adjacent property; and declaring an emergency.

- o. FINANCIAL PARTICIPATION AGREEMENTS: WITH PIMA ASSOCIATION OF GOVERNMENTS, TUCSON CLEAN AND BEAUTIFUL, AND ARTS FOUNDATION FOR TUCSON AND SOUTHERN ARIZONA; AND AN INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR VICTIM SERVICES FOR FISCAL YEAR 2019
 - 1. Report from City Manager JUL10-18-249 CITY WIDE

(This item was continued at the request of staff)
- p. ELECTIONS: INTERGOVERNMENTAL AGREEMENT WITH PIMA COUNTY FOR CONDUCTING THE NOVEMBER 6, 2018 SPECIAL ELECTION
 - 1. Report from City Manager JUL10-18-248 CITY WIDE
 - 2. Resolution No. 22923 relating to Elections; approving, and authorizing execution of, an Intergovernmental Agreement between the City of Tucson and Pima County for necessary election-related services by the Pima County Elections Department for the City of Tucson's November 6, 2018 Special Election, to be administered as part of Pima County's Consolidated Election on that same date; and declaring an emergency.
- q. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH T3498 LLC, OWNER OF PARCELS 141-05-043G AND 141-05-043K, FOR WATER SERVICE
 - 1. Report from City Manager JUL10-18-243 WARD 4 AND OUTSIDE CITY
 - 2. Resolution No. 22921 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of a Pre-Annexation and Development Agreement between the City of Tucson and T3498 LLC, owners of Parcels 141-05-043G and 141-05-043K.
- r. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY JOINT TECHNICAL EDUCATION DISTRICT FOR COMMUNITY SERVICE OFFICER CERTIFICATION AND INTERNSHIP PROGRAM
 - 1. Report from City Manager JUL10-18-247 CITY WIDE
 - 2. Resolution No. 22927 relating to Police; authorizing the Intergovernmental Agreement (IGA) between the City of Tucson (City) and Pima County Joint Technical Education District (JTED) Community Service Officer (CSO) Certification and Internship Program; and declaring an emergency.

- s. RESOLUTION: OPPOSING SENATE BILL 1529 AND ITS ATTEMPT TO SHIFT COSTS OF ADDITIONAL STATE AID TO EDUCATION FROM THE STATE TO OWNERS OF PROPERTY WITHIN TUCSON UNIFIED SCHOOL DISTRICT THROUGH AN INCREASE IN PROPERTY TAXES
1. Report from City Manager JUL10-18-245 CITY WIDE AND OUTSIDE CITY
 2. Resolution No. 22919 relating to Public Education: opposing Senate Bill 1529 and the Arizona Legislature's attempt to shift the costs of Additional State Aid to Education from the State to the owners of property within Tucson Unified School District through an increase in property taxes; and declaring an emergency.
- t. RESOLUTION: OPPOSING URANIUM MINING AND TRANSPORTATION OF URANIUM ORE THROUGH THE CITY OF TUCSON, AND REAFFIRMING OPPOSITION TO URANIUM MINING IN THE GRAND CANYON
1. Report from City Manager JUL10-18-246 CITY WIDE AND OUTSIDE CITY
 2. Resolution No. 22920 relating to mining; opposing uranium mining and the transportation of uranium ore through the City of Tucson and reaffirming the Tucson City Council's opposition to uranium mining in the Grand Canyon; and declaring an emergency.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), that Consent Agenda Items a – t, with the exception of Item o, which was continued at the request of staff, be passed and adopted and the proper action taken.

8. PUBLIC HEARING: REGARDING THE CONVERSION OF 2 PROMOTIONAL BUS FARES INTO PERMANENT FARES

Mayor Rothschild announced City Manager's communication number 227, dated July 10, 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 a proposal to make the 3-day Transit Pass and the \$25 Stored Value for \$20 Purchase Program permanent. He said the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations.

Comments were made by Suzanne Shafer in support of the item.

It was moved by Council Member Durham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to close the public hearing.

Mayor Rothschild encouraged Sam Credio, Department of Transportation Interim Deputy Director, to use available resources and communicate better with the public as Ms. Shafer had made some constructive points particularly about communication.

Mayor Rothschild also announced the approval of the permanent fare products had been scheduled for Mayor and Council consideration during the August 8th Regular meeting.

9. ZONING: (C9-16-04) IRVINGTON COMMERCIAL CENTER PLANNED AREA DEVELOPMENT, R-1 TO PAD-29, MAJOR CHANGE, CITY MANAGER'S REPORT, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 228, dated July 10, 2018, was received into and made part of the record. He said this was a request to change the Planned Area Development boundary by adding two new parcels into the Irvington Commercial Center PAD-29 District. The Zoning Examiner and staff recommend approval of PAD zoning and adoption of the ordinance.

Mayor Rothschild asked the City Clerk to read Ordinance 11568 by number and title only.

Ordinance No. 11568 relating to Zoning: amending zoning district boundaries in the area located just west of Interstate I-19 at the northwest area of Interstate I-19 and Irvington Road, Parcel "D" approximately 71,513 square feet and Parcel "C" approximately 20,910 square feet in case C9-16-04, Irvington Commercial Center PAD-29, R-1 to PAD-29; and setting an effective date.

It was moved by Council Member Romero, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to approve the request for rezoning as recommended by the Zoning Examiner and pass and adopt Ordinance 11568.

10. ZONING: (C9-18-07) MEYER AND PEARSON - EAST MAGDALENA ROAD, SR TO RX-1, CITY MANAGER'S REPORT

Mayor Rothschild announced City Manager's communication number 241, dated July 10, 2018, was received into and made part of the record. He said this was a request to rezone approximately 4.55 acres from SR to RX-1 zoning. The rezoning site is located on the north side of E. Magdalena Road, approximately 300 feet east of Gollob Road and 2,000 feet west of S. Harrison Road. Staff has recommended authorization of RX-1 zoning subject to certain conditions. The Zoning Examiner recommends authorization of RX-1 zoning.

Mayor Rothschild asked if the applicant or representative was present and agreeable to the proposed conditions.

Mike Marks, MJM Consulting, stated they were in agreement with all the conditions that were recommended.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to authorize the request for rezoning and approve the request as recommended by the Zoning Examiner.

11. ZONING: (C9-18-08) CLAUSEN - EAST MAGDALENA ROAD, SR TO RX-1, CITY MANAGER'S REPORT

Mayor Rothschild announced City Manager's communication number 242, dated July 10, 2018, was received into and made part of the record. He said this was a request to rezone approximately 4.62 acres from SR to RX-1 zoning. The rezoning site is located at the northwest corner of East Magdalena Road and South Brown Avenue, approximately one-quarter mile west of Harrison Road. Staff recommends authorization of RX-1 zoning subject to certain conditions. The Zoning Examiner recommends authorization of RX-1 zoning.

Mayor Rothschild asked if the applicant or representative was present and agreeable to the proposed conditions.

Mike Marks, MJM Consulting, stated they were in agreement with all the conditions that were recommended.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to authorize the request for rezoning and approve the request as recommended by the Zoning Examiner.

12. ZONING: (C9-18-05) FORT LOWELL PARK - FORT LOWELL ROAD, MH-1 AND R-3 TO C-2, CITY MANAGER'S REPORT

Mayor Rothschild announced City Manager's communication number 231, dated July 10, 2018, was received into and made part of the record. He said this was a request to rezone approximately 7.92 acres from MH-1 and R-3 to C-2 zoning. The rezoning site is located on the south side of Fort Lowell Road approximately 800 feet east of Alvernon Way. Staff recommends authorization of C-2 zoning subject to certain conditions. The Zoning Examiner recommends approval of C-2 zoning.

Mayor Rothschild asked if the applicant or representative was present and agreeable to the proposed conditions.

Brian Underwood, The Planning Center, and stated his client was agreeable to the proposed requirements that had been put forth.

It was moved by Council Member Durham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Scott absent/excused), to authorize the request for rezoning and approve the request as recommended by the Zoning Examiner.

13. ZONING: (SE-18-15) T-MOBILE - VALENCIA ROAD, C-1 ZONE, WIRELESS COMMUNICATION FACILITY, SPECIAL EXCEPTION LAND USE, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 232, dated July 10, 2018, was received into and made part of the record. He said this was a special exception land use request for property located 400 feet south of Valencia and 1,400 feet east of 12th Avenue. Staff recommends approval of the wireless communications tower as a special exception land use in the C-1 zone, and adoption of the ordinance which establishes conditions for approval. The Zoning Examiner recommends approval of the special exception subject to the recommended conditions.

Mayor Rothschild asked if the applicant or representative was present and agreeable to the proposed conditions.

Carmelina Scigliano, Eco-Sites, stated her client was in agreement with all the conditions that were recommended.

Mayor Rothschild asked the City Clerk to read Ordinance 11570 by number and title only.

Ordinance No. 11570 relating to Zoning; a special exception land use - Wireless Communications Facility - SE-18-15 T-Mobile - Valencia Road - located approximately 400 feet south of Valencia Road and 1,400 feet east of 12th Avenue; approving with conditions the construction of a Wireless Communications Facility with nine antenna panels concealed within a monoelm, within an approximately 600 square foot lease area in the C-1 zone; and setting an effective date.

Council Member Romero requested information on the exact location of the cell tower due to some concern from the neighbors in the area about the tower and asked if there was enough discussion with the community.

Ms. Scigliano said it was a monoelm that was located in the parking lot of the Unleashed Christian Church on the southeast corner of Valencia Road and San Fernando Road. She also added she had a neighborhood meeting scheduled a month in advance and only one neighbor showed up. She stated the issue was not about the tower itself, it was that about the parcel owner on Valencia Road. She stated they wanted to share the revenue with the church thinking it was a community parking lot.

Ms. Scigliano also stated she had called the Ward 1 office and was willing to meet to discuss any items of concerns and was told there were none.

It was moved by Council Member Romero, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to authorize the request as recommended by the Zoning Examiner and pass and adopt Ordinance 11570.

14. BOARDS, COMMITTEES, AND COMMISSIONS: EXTENDING THE SUNSET DATE OF THE ECONOMIC AND WORKFORCE DEVELOPMENT SELECTION COMMITTEE AND APPROVING THE FISCAL YEAR 2019 RECOMMEDED ALLOCATIONS

Mayor Rothschild announced City Manager's communication number 233, dated July 10, 2018, was received into and made part of the record. He asked the City Clerk to read Resolution 22922 by number and title only.

Resolution No. 22922 relating to Economic Initiatives and Boards and Commissions; approving the Economic and Workforce Development Selection Committee's (Committee) recommendations for Fiscal Year 2019 (FY19) Allocations; amending Resolution No. 21605 (adopted August 4, 2010, and previously amended by Resolution Nos. 22282 (September 9, 2014), 21802 (September 20, 2011), 21937 (August 7, 2012), 22110 (August 6, 2013); and 22586 (June 2, 2016)) to extend Committee's term to September 1, 2020; and declaring an emergency.

Council Member Kozachik said a conversation during the Study Session took place with the City Manager to find funding to make the job path request whole to \$195,000 and meet with the YMCA and the Hispanic Chamber to discuss efficiencies in the seemingly overlapping applications and to discuss with the committee their sunset date and whether or not they wanted to take on the additional task of evaluating whether or not the groups that are receiving these funds are meeting their metrics.

Council Member Romero asked for clarification and confirmed that the motion included all of the recommendations discussed during the Study Session.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 5 to 1 (Vice Mayor Cunningham dissenting and Council Member Scott absent/excused), to pass and adopt Resolution 22922.

15. ANNEXATION: AIRPORT CORONA EAST ANNEXATION DISTRICT, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 244, dated July 10, 2018, was received into and made part of the record. He asked the City Clerk to read Ordinance 11571 by number and title only.

Ordinance No. 11571 relating to Annexation; extending and increasing the corporate limits of the City of Tucson, Pima County, Arizona pursuant to the provisions of Title 9, Chapter 4, Arizona Revised Statutes, by annexing thereto the Airport Corona Annexation District property, more particularly described in the body of this Ordinance.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Scott absent/excused), to pass and adopt Ordinance 11571.

Mayor Rothschild and Council Member Fimbres thanked City Staff, particularly, Mike Czechowski, Annexation Project Manager and Michael Rankin, City Attorney, for the considerable work to get this done. The airport was an important part of the community and the transportation and tourism economy and the land at the airport was perfect for manufacturing logistics. This was one of the most important annexations in the last number of years and now that the airlines were on board with the City of Tucson they could proceed and it was good to have the airport proper finally be a part of the City of Tucson.

16. BOND OVERSIGHT: TRUTH IN BONDING POLICY AND ESTABLISHING A BOND OVERSIGHT COMMISSION, AND AMENDING EXHIBIT B TO ORDINANCE 11567

Mayor Rothschild announced City Manager's communication number 251, dated July 10, 2018, was received into and made part of the record. He asked the City Clerk to read Ordinance 11572 by number and title only.

Ordinance No. 11572 relating to Finance; adopting a truth-in-bonding policy with respect to the use of bond monies in the event of voter authorization of the 2018 General Obligation bonds for Parks and Recreation improvements at the November 6, 2018 Bond Special Election; creating the 2018 Bond Oversight Commission; approving revised Bond Program project list by amending Exhibit B to Ordinance No. 11567; and declaring an emergency.

Michael Rankin, City Attorney, stated the Exhibit that included the project list had four unintended omissions from the prior list that had been previously discussed with the Mayor and Council. He said he wanted to stress the projects he was about to mention, the costs associated with the projects were already factored into the costs that had been included in the Exhibit before the Mayor and Council under the various categories. They were inadvertently dropped off on the Excel spreadsheet because the bottom line of the individual pages were cut off.

Mr. Rankin read into the record the following items and said they would be added into the Exhibit that was attached to the Resolution:

- Fort Lowell splash pad under the Master Plan improvements.
- Two tennis courts and one basketball court at the James Thomas Park under the Neighborhood and Community Parks improvements,
- Disk Golf Screen at the Santa Cruz Park under the Neighborhood and Community Parks improvements, and
- Wright Elementary School playground, also under the Neighborhood and Community Parks improvements.

It was moved by Council Member Durham, duly seconded, to pass and adopt Ordinance 11572, with the amendments to the Exhibit as read by the City Attorney.

Council Member Kozachik asked what the process would be going forward for further amendments or changes to what was already on the list.

Mr. Rankin explained that it was mentioned in the amended Study Session Memorandum that this item would be continued until the August 8, 2018, Mayor and Council meeting. At that meeting, there would be a discussion to lay out in further detail the phasing of the projects on the project list. He added that staff would go through all of the information that will be assembled and provided through public links, in connection with the "Choice is Yours Voter Information Pamphlet," so that the Mayor and Council had all of the information and understanding of how it would be presented to the voters.

Mr. Rankin stated if there were any final changes with respect to the descriptions to the projects, staff would need and want to know that information by the August 8th meeting because no changes should be made after the "Choice is Yours" pamphlet is sent out to the voters informing them of the projects intended to be included in the Bond package.

Council Member Kozachik asked what provisions for the taxpayers would be in the package so that the list of projects would not be significantly altered in two or three years. He wanted to know how some level of fluidity would be preserved in the package.

Mr. Rankin said that in creating the Truth and Bonding policy through the Ordinance, as well as, the Bond Oversight Commission, they were committing to the voters as they had in prior instances regarding bond and tax questions. Generally, there would be no change in the purpose of the bonds without voter approval. He said on a more specific level, it provided that any change that would result in a plan adjustment of ten percent or more in any of the identified four categories, required review and recommendation by the Bond Oversight Commission. They in turn will make recommendation to the Mayor and Council for a public hearing and will require a public vote of the Mayor and Council to approve a change that results in a ten percent adjustment to the plan.

Council Member Kozachik asked if they were modeling it after the RTA regarding the ten percent plan adjustment which adds up to approximately \$22.5 million adjustment in the entire package. He also asked if this was broken down to \$12.8 million for Parks alone of the \$128 million.

Mr. Rankin agreed that this Bond was modeled after the RTA, as well as, Proposition 101 and the ten percent was measured in each category, even if it were less than the overall adjustment of the \$22.5 million, it would trigger that process.

Council Member Kozachik asked if it was cumulative, what triggered that review and if there were any more projects within the connectivity if they realized in the future there were more adjustments to the ten percent plan.

Mr. Rankin said the overall cap on the amount of the Bond could not increase from what the voters approve. He said if any of the project elements exceed the ten percent, every project going forward would be reviewed.

Council Member Kozachik inquired about the financial commitment to the maintenance and upkeep of the projects, the project maintenance and impact on current staffing levels covering the projects. He's concerned about the individual project managers as he continues to hear of staffing shortages and overtaxing them. He's also concerned about the impact on the labor and wants to wait for the labor market to settle down.

Michael J. Ortega, City Manager, said the process for these projects was looking at finances in terms of maintenance. He stated there would be some projects that would increase maintenance costs, but on an overall basis, there would be a break-even. Cost would be built in for the projects that required more finances and they would plan for those. He commented that over the next nine years they had to plan for those accordingly by placing small amounts of capital out there and putting those dollars towards maintenance costs going forward.

Mr. Ortega said over time, the net would increase. He stated they would have some finances in place for project management in the program. This will be reduced dramatically assuming they covered that internally with existing staff. He said he would not hire consultants or contractors and was looking at other project management efforts across the City. He stated they had learned from Proposition 101 on how to address some issues regarding project management. Regardless, this program was large enough where it would need oversight on a macro scale from the City Manager's Office. He stated his office would restructure the project management function to include all functional areas.

Joyce Garland, Assistant City Manager and Chief Financial Officer, said they had plans in place in case they did not have the finances or the staffing for any of these projects. They were planning for a specific dollar amount, and if anything changed within the market, that would change the dollars available for some projects. She said they needed to adjust the projects depending on the work load.

Mayor Rothschild said no one could know the future and that did not stop other cities from planning. Most Bond issues were longer than nine years and they had been very careful about extending any Bonds. He stated he had been getting the word out to the community and had been surprised by the passionate support he was hearing. People understood that Tucson needed great parks, pathways and greenways and asked the Council not to forget that the City created a Parks Master Plan and received a lot of input. The least they could do was put it out to the voters.

The motion to pass and adopt Ordinance 11572 with the amendments to the Exhibit, as read by the City Attorney, was passed and adopted by a roll call of 5 to 1 (Council Member Kozachik dissenting and Council Member Scott absent/excused).

17. ADJOURNMENT: 7:09 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, August 8, 2018, 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 10th day of July 2018, and do hereby certify that it is an accurate transcription.


DEPUTY CITY CLERK

RWR:alm:yl