



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on January 23, 2019

Date of Meeting: August 8, 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 Wednesday, August 8, 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
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

Council Member Ward 1
Vice Mayor, 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:

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 Associate Pastor Kelley Dick, Saguaro Christian Church.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

(NOTE: The following items, Items, 2c, 2d, 3, 4 and 5 were taken out of order and considered after Item 6.)

6. CALL TO THE AUDIENCE

(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:

Addie Rivera	John Rodriguez	Jesus Rene Nunez
Jesse Gilmer	Hanson Fotherby	Felicia Chew
Linda Robles	Stella Saenz	Bob Shoptaw
Manuela Baumea	Julio Cesar Ponce	Joshua & Iris Cunningham
Robert Reus	Betsy Besenick	Karen Greene
J.P. Salvatierra	Raul Ramirez	Fred Markussen
Colette Altaffer	Steve Brown	

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

c. PRESENTATIONS:

All presentations have been continued at the request of staff.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 254, dated August 8, 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 Romero, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointments of Flor Sandoval to the Landscape Advisory Committee (LAC); Marie Long to the Commission on Food Security, Heritage, and Economy (CFSHE); Robert Boss and Paul Horbartt to the Barrio Historico Historic Zone Advisory Board (BHHZAB); and Mitch Basefsky 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 appointment of June Webb-Vignery to the Human Relations Commission (HRC), and Eddie Rios to the Independent Audit and Performance Commission (IAPC).

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

Mayor Rothschild announced City Manager's communication number 255, dated August 8, 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, Council Members Romero, Scott, and Fimbres.

No report was given 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 256, dated August 8, 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 Glen Parin, Community Police Advisory Review Board (CPARB) Chair; Roy Garcia, Grant Road Corridor Planning Task Force (GRCPTF) Chair; and Jane McCollum, Park Tucson Commission (PTC) Chair.

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

(Note: Council Member Fimbres departed at 6:56 p.m.; returned at 6:58 p.m.)

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager's communication number 257, dated August 8, 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. Panda House, Ward 6
1118-20 E. 6th St.
Applicant: Hongjie Chen
Series 12, City 47-18
Action must be taken by: July 21, 2018

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

Public Opinion: Written Argument in Support Filed

2. Kogi Korean BBQ, Ward 2
4951 E. Grant Rd. #115
Applicant: Jae Soon Ko
Series 12, City 49-18
Action must be taken by: July 28, 2018

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

3. Garrett's Family Steakhouse, Ward 2
9431 E. 22nd St. #157
Applicant: Tiffany Amber Lopuszynski
Series 12, City 51-18
Action must be taken by: August 2, 2018

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

4. Serial Grillers, Ward 4
7585 S. Houghton Rd.
Applicant: Travis Harley Miller
Series 12, City 52-18
Action must be taken by: August 9, 2018

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

Public Opinion: Written Argument in Support Filed

5. Sushi Nara, Ward 2
64 N. Harrison Rd. #120
Applicant: Seog Min Youn
Series 12, City 56-18
Action must be taken by: August 17, 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)

6. Staybridge Suites, Ward 5
2705 E. Executive Dr.
Applicant: Diane Claire Nichols
Series 7, City 53-18
Action must be taken by: August 5, 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)

Person/Location Transfer(s)

7. Cinemark Tucson Marketplace, Ward 5
1300 E. Tucson Marketplace Blvd.
Applicant: Andrea Dahlman Lewkowitz
Series 6, City 48-18
Action must be taken by: July 20, 2018

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

8. The Screening Room, Ward 6
127 E. Congress St.
Applicant: David Eugene Pike
Series 6, City 50-18
Action must be taken by: July 28, 2018

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

Public Opinion: Written Argument in Support Filed

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)

Remote Tasting Room(s)

9. Flying Leap Vineyards, Ward 2
2940 N. Swan Rd. #128
Applicant: Mark Walter Beres
Series 19, City 41-18
Action must be taken by: July 12, 2018

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

NOTE: State law provides that for a Tasting Room license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing the capability, qualifications and reliability of the applicant and 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 4-203)

c. Special Event(s)

1. Poverello House of Tucson, Ward 3
3201 E. Presidio Rd.
Applicant: Conrad L. Wall
City T69-18
Date of Event: October 4, 2018
(Fundraiser)

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

2. Our Mother of Sorrows Parish, Ward 2
1800 S. Kolb Rd.
Applicant: Argelia Saavedra
City T70-18
Date of Event: October 5, 2018 - October 7, 2018
(Parish Fiesta)

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

3. Tu Nidito Children and Family Services, Ward 3
3100 N. 1st Ave.
Applicant: Elizabeth Ann McCusker
City T71-18
Date of Event: September 14, 2018
(Dueling Pianos Fundraiser)

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

4. Friends of Tucson's Birthplace, Ward 1
946 W. Mission Lane
Applicant: Katya Peterson
City T72-18
Date of Event: August 11, 2018
(Tucson's Birthday Celebration)

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

5. Tucson Children's Museum Inc., Ward 6
200 S. 6th Ave.
Applicant: Michael J. Luria
City T73-18
Date of Event: October 13, 2018
(2018 Evening of Play)

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

6. St. Demetrios Greek Orthodox Church, Ward 3
1145 E. Fort Lowell Rd.
Applicant: William Anastopoulos
City T74-18
Date of Event: September 27, 2018 - September 29, 2018
(Festival)

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

7. Museum of Contemporary Art Tucson, Ward 6
265 S. Church Ave.
Applicant: Alexis Page Smith
City T75-18
Date of Event: September 8, 2018
(Fall Fundraiser)

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

8. Museum of Contemporary Art Tucson, Ward 6
265 S. Church Ave.
Applicant: Alexis Page Smith
City T76-18
Date of Event: September 15, 2018
(Fall Exhibit Opening)

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

9. Museum of Contemporary Art Tucson, Ward 6
265 S. Church Ave.
Applicant: Alexis Page Smith
City T77-18
Date of Event: September 20, 2018
(Third Thursday)

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

10. Salpointe Catholic High School, Ward 3
1545 E. Copper St.
Applicant: Kasey Elizabeth Barghout
City T78-18
Date of Event: October 19, 2018
(Homecoming Celebration)

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

11. Jewish History Museum, Ward 6
564 S. Stone Ave.
Applicant: Lisa Schachter-Brooks
City T79-18
Date of Event: September 22, 2018
(Cultural Cooperation)

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

12. St. John the Evangelist Catholic Church, Ward 1
602 W. Ajo Way
Applicant: Lydia Ann Lopez
City T80-18
Date of Event: October 21, 2018
(Parish Fiesta)

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 Durham, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 through 5b9 and 5c1 through 5c12 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 2b.

7. CONSENT AGENDA – ITEMS A THROUGH U

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 AUG08-18-258 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of January 23, 2018
3. Mayor and Council Study Session Minutes of January 23, 2018

b. PARKS AND RECREATION: FACILITY DEVELOPMENT AND USE AGREEMENT WITH THE WESTERN LITTLE LEAGUE FOR A SCOREBOARD AT JOAQUIN MURRIETA PARK

1. Report from City Manager AUG08-18-284 WARD 1
2. Resolution No. 22943 relating to Parks and Recreation; authorizing and approving the Use Agreement between the Tucson Parks and Recreation Department and the Western Little League for construction, maintenance, and use for construction activities at Joaquin Murrieta Park; and declaring an emergency.

c. PARKS AND RECREATION: APPROVAL OF MANAGEMENT AGREEMENT WITH THE REID PARK ZOOLOGICAL SOCIETY

1. Report from City Manager AUG08-18-285 WARD 6
2. Resolution No. 22942 relating to the Reid Park Zoo (Zoo); approving and authorizing the execution of a Management Agreement between the City of Tucson (City) and Reid Park Zoological Society (RPZS) for operation and management of the Zoo; and declaring an emergency.

(This item was continued to the meeting of September 5, 2018, as directed by Mayor and Council during the Study Session meeting.)

d. BUDGET AND INTERNAL AUDIT: APPROVING THE INTERNAL AUDIT PLAN FOR FISCAL YEAR 2019

1. Report from City Manager AUG08-18-269 CITY WIDE
2. Resolution No. 22930 relating to Budget and Internal Audit; approving the Internal Audit Plan for Fiscal Year 2019; and declaring an emergency.

e. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE BROADWAY BOULEVARD – CAMINO SECO TO HOUGHTON ROAD PROJECT

1. Report from City Manager AUG08-18-270 WARD 2
2. Resolution No. 22931 relating to Transportation; authorizing and approving Amendment No. 2 to the Intergovernmental Agreement (IGA) for transportation funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for design of the Broadway Boulevard – Camino Seco to Houghton Road Project; and declaring an emergency.

f. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR PROVISION OF FIXED ROUTE TRANSIT SERVICE FOR DESIGNATED AREAS OF PIMA COUNTY

1. Report from City Manager AUG08-18-271 OUTSIDE CITY
2. Resolution No. 22932 relating to Intergovernmental Agreements (IGA) and Transportation; authorizing and approving an IGA between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for Regional Transit Service Improvements for Fiscal Year 2019 (FY19); and declaring an emergency.

- g. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR REGIONAL TRANSIT SERVICE IMPROVEMENTS FOR FISCAL YEAR 2019
 - 1. Report from City Manager AUG08-18-272 CITY WIDE AND OUTSIDE CITY
 - 2. Resolution No. 22937 relating to Intergovernmental Agreements (IGA) and Transportation; authorizing and approving an IGA between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for Regional Transit Service Improvements for Fiscal Year 2019 (FY19); and declaring an emergency.
- h. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY FOR THE PROVISION OF FIXED ROUTE TRANSIT SERVICES FOR DESIGNATED AREAS OF PIMA COUNTY, THE TOWN OF MARANA, AND THE CITY OF SOUTH TUCSON
 - 1. Report from City Manager AUG08-18-273 CITY WIDE AND OUTSIDE CITY
 - 2. Resolution No. 22938 relating to Intergovernmental Agreements (IGA) and Transportation; authorizing and approving an IGA between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for provision of Fixed Route Transit Services (Sun Tran) for designated areas of Pima County, Town of Marana, and City of South Tucson for Fiscal Year 2019 (FY19); and declaring an emergency.
- i. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS
 - 1. Report from City Manager AUG08-18-282 CITY WIDE
 - 2. Resolution No. 22941 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of an IGA between the City of Tucson (City) and Pima County for the Incarceration of City Prisoners for Fiscal Year 2019 (FY19); and declaring an emergency.

- j. FINANCIAL PARTICIPATION AGREEMENTS: WITH PIMA ASSOCIATION OF GOVERNMENTS, TUCSON CLEAN AND BEAUTIFUL, AND THE ARTS FOUNDATION FOR TUCSON AND SOUTHERN ARIZONA; AND AN INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR VICTIM SERVICES FOR FISCAL YEAR 2019 (CONTINUED FROM THE MEETING OF JULY 10, 2018)
 - 1. Report from City Manager AUG08-18-259 CITY WIDE
 - 2. Resolution No. 22928 relating to outside agency activities; authorizing and approving the Financial Participation Agreements between the City of Tucson and various outside agencies (Pima Association of Governments; Tucson Clean and Beautiful; and the Arts Foundation for Tucson and Southern Arizona) and an Intergovernmental Agreement between the City of Tucson and Pima County for the Victim Services Program; for Fiscal Year 2018/2019; and declaring an emergency.
- k. FINAL PLAT: (S17-076) SAGUARO TRAILS, BLOCK 1, LOTS 1 THROUGH 165
 - 1. Report from City Manager AUG08-18-274 WARD 4
 - 2. Staff recommends that the Mayor and Council approve the 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.
- l. ZONING: (C8-18-06) AMENDING (CHAPTER 23B) THE UNIFIED DEVELOPMENT CODE RELATING TO ANIMAL BOARDING IN COMMERCIAL ZONES
 - 1. Report from City Manager AUG08-18-283 CITY WIDE
- m. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH ACM VENTURES, LLC, OWNERS OF PARCELS 103-17-412A-E, FOR WATER SERVICE
 - 1. Report from City Manager AUG08-18-260 WARD 1 AND OUTSIDE CITY
 - 2. Resolution No. 22933 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 ACM Ventures, LLC, owners of Parcel 103-17-412A-E.

- n. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH ACM VENTURES, LLC, OWNER OF PARCEL 205-60-031A, FOR WATER SERVICE
 - 1. Report from City Manager AUG08-18-261 WARD 2 AND OUTSIDE CITY
 - 2. Resolution No. 22934 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 ACM Ventures, LLC, owners of Parcel 205-60-031A.
- o. TUCSON CODE: AMENDING (CHAPTER 2) RELATING TO TRANSIT FARES
 - 1. Report from City Manager AUG08-18-275 CITY WIDE AND OUTSIDE CITY
 - 2. Ordinance No. 11576 relating to Transit Fares; amending the Tucson City Code (T.C.), Chapter 2 Article I, In General; Section 2-18, City fixed route, regularly scheduled bus system called Sun Tran and modern streetcar system called Sun Link; fares; eligibility and prohibited activity; setting an effective date; and declaring an emergency.
- p. ELECTIONS: INTERGOVERNMENTAL AGREEMENT WITH PIMA COUNTY FOR CONDUCTING THE NOVEMBER 6, 2018 SPECIAL ELECTION
 - 1. Report from City Manager AUG08-18-276 CITY WIDE
 - 2. Resolution No. 22935 relating to Elections; approving, and authorizing execution of, an Intergovernmental Agreement (IGA) between the City of Tucson and Pima County for necessary election-related services by the Pima County Recorder 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. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE PIMA COUNTY SAFETY AND JUSTICE CHALLENGE, EXTENDED HOURS AND WARRANT COURT
 - 1. Report from City Manager AUG08-18-277 CITY WIDE

2. Resolution No. 22939 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of the IGA between Pima County and the City of Tucson for the Pima County Safety and Justice Challenge; and declaring an emergency.
- r. INTERGOVERNMENTAL AGREEMENT: WITH ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION (AHCCCS) FOR FEDERAL MATCHING FUNDS FOR GRADUATE MEDICAL EDUCATION AT TUCSON MEDICAL CENTER
1. Report from City Manager AUG08-18-278 CITY WIDE
 2. Resolution No. 22936 relating to Intergovernmental Agreements (IGA); approving an IGA between Arizona Health Care Cost Containment System Administration (AHCCCS) and the City of Tucson (City) to allow the City to provide funding to secure federal matching funds for supplemental payments for Graduate Medical Education (GME) programs at Tucson Medical Center (TMC); and declaring an emergency.
- s. RESOLUTION: SUPPORTING THE CONTINUATION OF HEALTH CARE COVERAGE THROUGH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT
1. Report from City Manager AUG08-18-279 CITY WIDE AND OUTSIDE CITY
 2. Resolution No. 22940 relating to Public Health: supporting the continuation of health care coverage through the Patient Protection and Affordable Care Act (ACA); calling upon the United States Department of Justice to defend the ACA in court; urging the Arizona Attorney General and other plaintiffs in Texas v. HHS to dismiss and withdraw their legal actions; and declaring an emergency.
- t. REAL PROPERTY: SALE OF CITY-OWNED PROPERTY LOCATED AT 930-948 EAST BROADWAY BOULEVARD, AND 935 EAST 12TH STREET
1. Report from City Manager AUG08-18-286 WARD 5
- (This item was continued at the request of staff.)
- u. FINAL PLAT: (S18-031) ABC BROADWAY CENTER, LOTS 1 THROUGH 3
1. Report from City Manager AUG08-18-287 WARD 2

Roger W. Randolph, City Clerk, read a correction into the record. He said, "on page 2 of the final plat map, under the Easements Description, Easement 9 was

renumbered to 7, Easement 10 was renumbered to 14, and Easement 11 was removed from the descriptions because that easement falls outside of the plat area.” He said the changes were the result of an updated Title Report.

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 – u, with the exception of Items c and t, which were continued and including the correction to Item u, be approved and adopted and the proper action taken.

8. PUBLIC HEARING: (C8-18-03) AMENDING (CHAPTER 23B) THE UNIFIED DEVELOPMENT CODE RELATING TO AIRPORT USES

Mayor Rothschild announced City Manager's communication number 280, dated August 8, 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 the proposed amendment to the *Unified Development Code* to enable operation of a statutorily created Airport Authority.

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 Vice Mayor Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to close they public hearing.

Mayor Rothschild asked the City Clerk to read Ordinance 11577 by number and title only.

Ordinance No. 11577 relating to Planning and Zoning; amending the Tucson Code, Chapter 23B, Unified Development Code, Sections 4.8.6, 4.8.7, 4.8.9, 4.9.13, & 11.3.4; and setting an effective date.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11577.

9. PUBLIC HEARING: ZONING (C9-15-03) NEIGHBORHOOD SHOPPING CENTER – ROSEMONT AND BROADWAY BOULEVARD, CHANGE OF CONDITIONS AND PRELIMINARY DEVELOPMENT PLAN

Mayor Rothschild announced City Manager's communication number 262, dated August 8, 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 request for a change of conditions and preliminary development plan for a site located at the southwest corner of East Broadway Boulevard and South Rosemont.

Mayor Rothschild asked if the applicant or representative were present and agreeable to the proposed requirements.

Tom Warne, Romo Enterprises, stated his client was agreeable to the proposed requirements.

Mayor Rothschild announced 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 Dr. Dharmesh Patel and Joseph Maher.

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Council Member Kozachik asked Mr. Warne to address the neighbor's concerns of ambulance sirens next to their properties. He also asked about the height of the building, the block wall and the southern setbacks.

Mr. Warne replied when an ambulance reached the first major intersection and their destination the sirens were turned off. He said the height was thirty-feet with a four-foot parapet. He stated there was quite a variation between where the houses were on the south and what the estimated site will be. He stated it was about nine to ten feet and the building was now going to be substantially further away from the southern border of the site. He said the closest portion of the building changed from one hundred feet to one hundred sixty feet but will actually be up to one hundred eighty-five feet from the property line. This was due to the landowners giving four feet to the City so the alley can be a standard twenty feet. It will be substantially further away.

Mr. Warne added that the south side of the hospital had a green space where people can sit and it was not just a straight wall. The other difference was the west side where the loading dock was located. It was fifty-two feet away from the west boundary and now the entire building was one hundred two feet away from the boundary.

Council Member Kozachik stated there was also concern about the time of day for deliveries. He said in Condition #21, large truck deliveries were prohibited between 10:00 p.m. and 7:00 a.m. He asked if that was the compromise with the neighborhood.

Mr. Warne stated that it was correct like the original zoning with the exception of emergency pharmacy items. If other hospitals like Tucson Medical Center or St. Joseph's Hospital had these, they could send over these items immediately and be delivered to the front of the building.

Council Member Kozachik said this was a \$50 million investment with some high-paying jobs and said it was welcomed in the community. It was moved by Council Member Kozachik to approve the rezoning, duly seconded, and carried by a voice vote of 7 to 0, to approve the request as presented.

10. ZONING: (C9-18-11) ROJO – EL BURRITO AVENUE, C-2 TO I-1, CITY MANAGER’S REPORT

Mayor Rothschild announced City Manager's communication number 264, dated August 8, 2018, was received into and made part of the record. He also announced this was a request to rezone approximately 0.60 acres from C-2 to I-1 zoning. The rezoning site is located on the east side of El Burrito Avenue approximately 400 feet south of Miracle Mile. He said staff recommends authorization of I-1 zoning subject to certain conditions and the Zoning Examiner recommends authorization of I-1 zoning.

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

Frank Rendon, 3D Architectural Designs, stated the client was agreeable to the proposed requirements.

It was moved by Council Member Durham, duly seconded, and carried by a voice vote of 7 to 0, to authorize the request for rezoning as recommended by the Zoning Examiner.

11. ZONING: (C9-18-09) SHK FUTURE DEVELOPMENT – BROADWAY BOULEVARD, R-3 TO C-1, CITY MANAGER’S REPORT

Mayor Rothschild announced City Manager's communication number 265, dated August 8, 2018, was received into and made part of the record. He also announced this was a request to rezone approximately 0.2 acres from R-3 to C-1 zoning. The rezoning site is located on the north side of Broadway, approximately 1850 feet east of Craycroft Road. He said staff recommends authorization of C-1 zoning subject to certain conditions and the Zoning Examiner recommends approval of C-1 zoning.

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

Lexie Well, The Planning Center, stated the client was agreeable to the proposed requirements.

Council Member Kozachik stated the goal of this project was to upgrade an existing restaurant with parking and cleaning up the site. He asked for clarification on two items: 1) no access from the location onto Tenth Street and 2) the six foot block wall to prevent the impact to the neighbors on the north side.

Ms. Well responded and stated Council Member Kozachik was correct.

It was moved by Council Member Kozachik, duly seconded, and carried by a voice vote of 7 to 0, to approve the request as recommended by the Zoning Examiner with the conditions stated.

12. ZONING: (C9-17-07) OFFICES AT THE LOOP – BROADWAY BOULEVARD, 0-3 TO C-1, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 266, dated August 8, 2018, was received into and made part of the record. He asked the City Clerk to read Ordinance 11573 by number and title only.

Ordinance No. 11573 relating to Zoning: amending zoning district boundaries in the area on the south side of Broadway Boulevard and east side of the Pantano Wash, approximately 1,200 feet west of the intersection of Pantano Road and Broadway Boulevard in case C9-17-07, O-3 to C-1; and setting an effective date.

It was moved by Vice Mayor Cunningham, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11573.

13. ZONING: (C9-14-04) CORNERSTONE HOMES – MONTE VISTA DRIVE, R-1 TO R-2, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 267, dated August 8, 2018, was received into and made part of the record. He asked the City Clerk to read Ordinance 11574 by number and title only.

Ordinance No. 11574 relating to Zoning: amending zoning district boundaries in the area located on the south side of Monte Vista Drive, approximately 500 feet west of Columbus Boulevard in case C9-14-04, Cornerstone Homes – Monte Vista Drive, R-1 to R-2; and setting an effective date.

Council Member Kozachik stated that since beginning the project in 2014, it had gone from eight duplexes down to five and now to single family residences with various height variances. He commented he hoped this was the last "lap" on the track.

The applicant agreed.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11574.

14. ZONING: (C9-16-06) TRACTOR SUPPLY COMPANY – VALENCIA ROAD, C-1 AND I-1 TO C-2, CHANGE OF CONDITIONS, ORDINANCE ADOPTION, AND AMENDING ORDINANCE 11427

Mayor Rothschild announced City Manager's communication number 268, dated August 8, 2018, was received into and made part of the record. He asked the City Clerk to read Ordinance 11575 by number and title only.

Ordinance No. 11575 relating to Zoning: amending Ordinance 11427 conditions for property in the area located on the east side of Valley Indian Agency Road, approximately 400 feet south of Valencia Road in case C9-16-06, Tractor Supply Co. – Valencia Road; and setting an effective date.

It was moved by Council Member Romero, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11575.

15. ZONING: (SE-18-33) VERIZON – 9TH STREET, C-1 ZONE, WIRELESS COMMUNICATION FACILITY, SPECIAL EXCEPTION LAND USE, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager’s communication number 281, dated August 8, 2018, was received into and made part of the record. He also announced this was a Special Exception for a land use site located approximately 120 feet south of 9th street and 100 feet east of Park Avenue. He said staff recommends approval of the wireless communications tower as a Special Exception Land Use in the C-1 Zone. The Zoning Examiner recommends approval of the special exception request subject to recommended conditions.

Mayor Rothschild asked if the applicant or representative were present and if they were agreeable to the proposed requirements.

Decklin Murphy, Verizon Wireless, stated the client was agreeable to the proposed requirements.

Mayor Rothschild asked the City Clerk to read Ordinance 11578 by number and title only.

Ordinance No. 11578 relating to Zoning; a special exception land use – wireless communications facility – SE-18-33 Verizon – 9th Street – located approximately 120 feet south of 9th Street and 100 feet east of Park Avenue; approving with conditions the construction of a wireless communication tower with twelve antenna panels concealed within an artificial palm tree, 60 feet in height, within an approximately 800 square foot lease area in the C-1 zone; and setting an effective date.

Council Member Kozachik asked Mr. Murphy if they were agreeable to the condition to plant live palm trees around the tower and if conversations were had with the Rincon Heights Neighborhood about financial mitigation with the impacts.

Mr. Murphy responded and stated that Council Member Kozachik was correct.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11578.

16. MAYOR AND COUNCIL: SELECTION OF VICE MAYOR

Mayor Rothschild announced City Manager's communication number 263, dated August 8, 2018, was received into and made part of the record. He asked the City Clerk to read Resolution 22929 by number and title only.

Resolution No. 22929 relating to the Vice Mayor of the Mayor and Council; selecting a Vice Mayor.

It was moved by Council Member Romero, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Resolution 22929 naming Council Member Fimbres as Vice Mayor.

17. ADJOURNMENT: 7:28 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on September 5, 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 8th day of August 2018, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR:ds:dzm