



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on March 3, 2020.

Date of Meeting: August 6, 2019, 2019

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 5:34 p.m., on Tuesday, August 6, 2019, 2019, 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:

Paul Cunningham	Council Member Ward 2
Paul Durham	Council Member Ward 3
Shirley C. Scott	Vice Mayor, Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

Regina Romero	Council Member Ward 1
---------------	-----------------------

Staff Members Present:

Michael J. Ortega	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

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

a. INVOCATION

A moment of silence was held for the victims of the Dayton, Ohio and El Paso, Texas shootings.

The invocation was then given by Reverend Owen Chandler, Saguaro Christian Church.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. PRESENTATIONS:

1. There are no Presentations/Proclamations at this time.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 242, dated August 6, 2019, 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 Romero absent/excused), to approve the appointments of Philipp Anton Neher and Craig C. Carter to the Barrio Historico Historic Zone Advisory Board (BHHZAB); and Sadie Shaw to the Public Art and Community Design Commission (PACDC).

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

There were none

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 243, dated August 6, 2019, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Vice Mayor Scott, and Council Members Cunningham and Fimbres. 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 244, dated August 6, 2019, 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 Michael J. Ortega, 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 245, dated August 6, 2019, 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. Arco AM/PM, Ward 5
4881 S. Campbell Ave.
Applicant: Harpreet Kaur Singh
Series 10, City 31-19
Action must be taken by: August 4, 2019

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

2. Codys Beef n Beans, Ward 3
2708 E. Fort Lowell Rd.
Applicant: William Jerome Erlenback III
Series 12, City 33-19
Action must be taken by: August 9, 2019

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

3. Coronet, Ward 6
198 W. Cushing St.
Applicant: Kevin Arnold Kramber
Series 12, City 35-19
Action must be taken by: August 11, 2019

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

4. Istanbul Mediterranean Cuisine & Bar, Ward 6
2945 E. Speedway Blvd.
Applicant: Kamran Esar
Series 12, City 36-19
Action must be taken by: August 18, 2019

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

5. AlaskaHorizon, Ward 5
7250 S. Tucson Blvd.
Applicant: Jeanne Marie Davis
Series 8, City 36-19
Action must be taken by: September 2, 2019

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. Ten’s Show Club, Ward 6
5120 E. Speedway Blvd.
Applicant: Kevin Arnold Kramber
Series 6, City 32-19
Action must be taken by: August 5, 2019

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. Funtasticks Family Fun Center, Ward 3
221 E. Wetmore Rd.
Applicant: Kevin Arnold Kramber
Series 7, City 29-19
Action must be taken by: August 1, 2019

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

Public Opinion: Written Argument Opposed Filed

This item was considered separately.

8. Hampton Inn & Suites, Ward 4
9095 S. Rita Rd.
Applicant: Kevin Arnold Kramber
Series 7, City 34-19
Action must be taken by: August 10, 2019

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)

c. Special Event(s)

1. Ronald McDonald House Charities of Southern Arizona, Ward 3
2155 E. Allen Rd.
Applicant: Scott Andrew Matlick
City T64-19
Date of Event: September 20, 2019
"House party" (Fundraiser)

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

2. St. Margaret Mary Church, Ward 1
801 N. Grande Ave.
Applicant: Ralph C. Bustamante Jr.
City T65-19
Date of Event: September 28, 2019 - September 29, 2019
(Church Fiesta)

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

3. Sacred Heart Parish, Tucson, Ward 3
601 E. Fort Lowell Rd.
Applicant: Gonzalo Villegas
City T66-19
Date of Event: September 21, 2019
(Parish Fundraiser)

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

4. Tucson Jewish Community Center, Ward 3
3800 E. River Rd.
Applicant: Jennifer Nicole Selco
City T67-19
Date of Event: October 19, 2019
(Social Gathering - J Stock)

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

5. Tucson Jewish Community Center, Ward 3
3800 E. River Rd.
Applicant: Jennifer Nicole Selco
City T68-19
Date of Event: November 16, 2019
(Social Gathering - Trivia Night)

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

d. Agent Change/Acquisition of Control/Restructure

1. Arizona Inn, Ward 6
2200 E. Elm St.
Applicant: Will Christian Conroy
Series 6, City AC5-19
Action must be taken by: August 1, 2019

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

2. Delicias Mexican Grill, Ward 1
4581 S. 12th Ave.
Applicant: Kathya Y. Castro
Series 12, City AC6-19
Action must be taken by: August 8, 2019

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

3. Sandyi Oriental Market, Ward 6
4270 E. Pima St.
Applicant: Son Chu Park
Series 10, City AC7-19
Action must be taken by: August 22, 2019

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

NOTE: The local governing body of the city town or county may protest the acquisition of control within sixty days based on the capability reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

It was moved by Council Member Durham, duly seconded, and carried by a voice vote of 6 to 0, (Council Member Romero absent/excused) to forward liquor license applications 5b1 through 5b6, 5b8, 5c1 through 5c5, and 5d1 through 5d3 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Application(s)

New License(s)

7. Funtasticks Family Fun Center, Ward 3
221 E. Wetmore Rd.
Applicant: Kevin Arnold Kramber
Series 7, City 29-19
Action must be taken by: August 1, 2019

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

Public Opinion: Written Argument Opposed Filed

Roger W. Randolph, City Clerk, announced the item to be considered separately was Item 5b7, Funtasticks Family Fun Center, Located in Ward 3.

Faye Goodspeed, Limberlost Neighborhood Association, spoke regarding their opposition and advised they had filed a protest against the liquor license application for Funtasticks. Their three main concerns with the possible liquor license were their belief that it was not a public convenience nor in the best interest of the neighborhoods in the surrounding area, the potential negative impact on traffic, specifically in the area of Stone and Wetmore, and safety issues related to patrons with elevated blood alcohol levels. She also relayed the concern felt by a majority of the neighbors she spoke with and stated that the mixture of children and alcohol was inappropriate. Because of those reasons they asked for denial of this particular application.

Kevin Kramber, DBL K Liquor Consulting, addressed the concerns brought forward by Ms. Goodspeed on behalf of the applicant. He stated they had spoken to the Limberlost Neighborhood Association about the aforementioned concerns. He first addressed the potential traffic issue at Stone and Wetmore stating the easiest access to Funtasticks was via the Tucson Mall. He said he felt the issues with the intersection were a City design issue that was out of their control and they should not be held accountable for that.

Mr. Kramber stated that in regards to service limitations, the business wanted the ability to offer beer or wine to current clientele without changing the focus of their establishment and furthermore were not designed or set up to be a bar type locale. He said the beer and wine would be kept in one cooler behind the counter; staff would be trained if the license was approved and there would also be a wristband system implemented so the number of alcoholic beverages served could be limited. He stated that in comparison, he felt they were going above and beyond the way surrounding businesses handled alcohol sales because they did not have such limitations on the amount of alcohol served.

Mr. Kramber stated there would be rules and regulations that would have to be adhered to in order to operate this type of license and would have to work with agencies such as the Tucson Police Department (TPD) in order to remain in compliance. He said the purpose of the application for the license was for the ability of Funtasticks to compete with similar businesses that already serve alcohol due to a change in the marketplace. He went over the various types of licenses in the surrounding area and their specific requirements at the request of Council Member Durham.

Council Member Durham asked if the Tucson Department of Transportation would be able to look at the traffic issues in conjunction with crash data from TPD to address traffic safety concerns. With an affirmative answer from Mr. Ortega, Council Member Durham stated he was prepared to forward the application to the State Liquor Board with a recommendation of approval. He relayed his belief that any business should have a level playing field with other businesses. This was not a new location, it was not a bar and he appreciated the two drink limitation and believed any business should be allowed the ability to compete with other businesses in its market and for those reasons he would move to recommend approval.

It was moved by Council Member Durham, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Romero absent/excused), to forward liquor license application 5b7 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:

Cara Bissell	Jill Hunter	Andres Portela
Chris Isabel	Robert Reus	Colette Altaffer
J.P. Salvatierra	Kathy Altman	Ted Warmbrand
Marion Chubon	Zaira Livier	Betts Putnam-Hidalgo
Ginny Chadwich	Brian Hummell	Mike Humphrey

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 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 AUG06-19-246 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of March 5, 2019
3. Mayor and Council Study Session Minutes of March 5, 2019

b. RESOLUTION: DECLARING SUPPORT FOR THE TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

1. Report from City Manager AUG06-19-251 CITY WIDE
2. Resolution No. 23064 relating to Public Health and Safety: declaring Mayor and Council support of efforts to limit the threat of nuclear weapons and prevent nuclear war; and declaring an emergency.

c. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT FOR FISCAL YEAR 2020

1. Report from City Manager AUG06-19-252 CITY WIDE
2. Resolution No. 23065 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 2020 (FY20); and declaring an emergency.

- d. LABOR AGREEMENT: WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
 - 1. Report from City Manager AUG06-19-262 CITY WIDE
 - 2. Resolution No. 23070 relating to Employee Relations; authorizing the City Manager to execute an Agreement with the Tucson Municipal Employees Division of Local 449 - AFSCME (AFSCME); and declaring an emergency.
- e. MEMORANDUM OF AGREEMENT: WITH NORTHWEST FIRE DISTRICT AND REGIONAL JURISDICTIONS FOR FUNDING OF RADIO COMMUNICATIONS EQUIPMENT THROUGH THE ASSISTANCE TO FIREFIGHTERS' GRANT PROGRAM
 - 1. Report from City Manager AUG06-19-266 CITY WIDE
 - 2. Resolution No. 23073 relating to Grants; authorizing and approving a Memorandum of Agreement between the City of Tucson, Northwest Fire District as "host agency," and additional participating regional fire agencies to jointly apply for an Assistance to Firefighters Grant for the purchase of portable and mobile radio communications equipment; and declaring an emergency.
- f. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS
 - 1. Report from City Manager AUG06-19-261 CITY WIDE
 - 2. Resolution No. 23066 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 2020 (FY20); and declaring an emergency.
- g. INTERGOVERNMENTAL AGREEMENT: WITH ARIZONA DEPARTMENT OF TRANSPORTATION TO DESIGNATE SEGMENTS OF OLD US ROUTE 80 AS A HISTORIC ROADWAY
 - 1. Report from City Manager AUG06-19-253 CITY WIDE
 - 2. Resolution No. 23067 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of an IGA between the City of Tucson (City) and Arizona Department of Transportation designating non-Arizona State Highway segments of Old US 80 as a Historic Roadway; and declaring an emergency.

- h. REAL PROPERTY: CONVEYANCE OF RIGHT-OF-WAY VIA THE PAPER PLAT POLICY FOR PROPERTY LOCATED WITHIN THE BARRIO ARROYO SUBDIVISION
 - 1. Report from City Manager AUG06-19-254 WARD 2
 - 2. Ordinance No. 11670 relating to Subdivisions and Real Property; vacating and declaring a certain right of way (ROW) within the Barrio Arroyo Subdivision to be surplus City-owned property; authorizing the conveyance thereof at no cost to the subdivision owner in accordance with the City of Tucson's Paper Plat Policy; and declaring an emergency
- i. REAL PROPERTY: CONVEYANCE OF RIGHT-OF-WAY VIA THE PAPER PLAT POLICY FOR PROPERTY LOCATED WITHIN THE RIVER FRONT ESTATES SUBDIVISION
 - 1. Report from City Manager AUG06-19-255 WARD 6
 - 2. Ordinance No. 11671 relating to Subdivisions and Real Property; vacating and declaring a certain right of way (ROW) within the Riverfront Estates Subdivision to be surplus City-owned property; authorizing the conveyance thereof at no cost to the subdivision owner in accordance with the City of Tucson's Paper Plat Policy; and declaring an emergency.
- j. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE SILVERBELL ROAD, INA ROAD TO GRANT ROAD IMPROVEMENT PROJECT
 - 1. Report from City Manager AUG06-19-256 WARDS 1 AND 3

(Staff has requested this item be continued to the meeting of September 4, 2019, at the request of staff.)
- k. BOARDS, COMMITTEES, AND COMMISSIONS: DISSOLVING THE CITIZEN TRANSPORTATION ADVISORY COMMITTEE, AND CREATING THE COMPLETE STREETS COORDINATING COUNCIL
 - 1. Report from City Manager AUG06-19-270 CITY WIDE
 - 2. Ordinance No. 11675 relating to Boards, Committees and Commissions; dissolving the Citizen Transportation Advisory Committee; creating a Complete Streets Coordinating Council; repealing current Tucson Code Chapter 10A, Article XXIII and enacting a new Tucson Code Chapter 10A, Article XXIII; and declaring an emergency.

1. BUDGET AND INTERNAL AUDIT: APPROVING THE INTERNAL AUDIT PLAN FOR FISCAL YEAR 2020
 1. Report from City Manager AUG06-19-264 CITY WIDE
 2. Resolution No. 23072 relating to Budget and Internal Audit; approving the Internal Audit Plan for Fiscal Year 2020; and declaring an emergency.
- m. FINAL PLAT: (S19-023) ARROYO RESERVE, LOTS 1 THROUGH 49, COMMON AREAS "A" AND "B"
 1. Report from City Manager AUG06-19-247 WARD 2
 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.
- n. FINAL PLAT: (S19-008) CORONADO HEIGHTS LOT 8, PARCELS "A" AND "B"
 1. Report from City Manager AUG06-19-265 WARD 3
 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.
- o. FINAL PLAT: (S19-012) LA ESTANCIA DE TUCSON BLOCK 26, LOTS 1 THROUGH 47, AND COMMON AREAS "A" THROUGH "D"
 1. Report from City Manager AUG06-19-257 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.
- p. FINAL PLAT: (S19-014) LAS CABANAS, LOTS 1 THROUGH 15, AND COMMON AREAS "A1" THROUGH "A4", "B1" THROUGH "B2", AND "C"
 1. Report from City Manager AUG06-19-258 WARD 3
 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.

- q. FINAL PLAT: (S18-070) WARRIOR VILLAGE, LOTS 1 THROUGH 8, AND COMMON AREAS “A”, “B”, “C”, AND “D”
 - 1. Report from City Manager AUG06-19-259 WARD 6
 - 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.
- r. ELECTIONS: DESIGNATING VOTING LOCATIONS AND APPOINTING ELECTION BOARD WORKERS FOR THE CITY ELECTIONS TO BE HELD AUGUST 27 AND NOVEMBER 5, 2019
 - 1. Report from City Manager AUG06-19-268 CITY WIDE
 - 2. Resolution No. 23074 relating to Elections; pursuant to Tucson Charter Chapter 16, §10 and Tucson Code §§ 12-13(b) and 12-16, designating the voting locations for the City of Tucson's 2019 Vote by Mail Elections; and declaring an emergency.
 - 3. Resolution No. 23075 relating to Elections; pursuant to Tucson Charter Chapter XVI, §6 and Chapter IV, §1(20), as well as Tucson Code § 12-23, appointing officials who will serve as members of Election Boards required for the 2019 City of Tucson Vote by Mail elections; and declaring an emergency.
- s. GRANT AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL'S OFFICE FOR THE VICTIMS' RIGHTS PROGRAM
 - 1. Report from City Manager AUG06-19-263 CITY WIDE
 - 2. Resolution No. 23071 relating to Victims' Rights; approving and authorizing execution of an Award Agreement with the Arizona Attorney General's Office for the Fiscal Year (FY) 2020 Victims' Rights Program; and declaring an emergency.
- t. ELECTIONS: CALLING A SPECIAL ELECTION FOR NOVEMBER 5, 2019 FOR PURPOSES OF AMENDING THE TUCSON CODE
 - 1. Report from City Manager AUG06-19-267 CITY WIDE

2. Ordinance No. 11674 relating to Elections; pursuant to Article XIII, Section 2 of the Arizona Constitution and to Chapter IV, Section 1(20), Chapter XVI, Section 6, and Chapter XIX of the Charter of the City of Tucson, calling a special election to be held on November 5, 2019, for the purpose of submitting to the City's Qualified Electors a question submitted through Initiative Petition Number 2018-I001, relating to Chapter 17 of the Tucson Code by amending Section 17-1 and by adding a new Article X, Sections 17-80 through 17-89 relating to Immigration Enforcement Policies; and declaring an emergency.

u. CHIEF OF POLICE: AMENDMENT TO EMPLOYMENT AGREEMENT

1. Report from City Manager AUG06-19-271 CITY WIDE
2. Ordinance No. 11673 relating to the Tucson Police Department; approving Amendment No. 1 to the Employment Agreement with Christopher J. Magnus as the City of Tucson Chief of Police; and declaring an emergency.

It was moved by Vice Mayor Scott, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused) that Consent Agenda Items a – u, with the exception of Item j, which was continued, be passed and adopted and the proper action taken.

8. ZONING: (SE-19-04) VERIZON - GRANT ROAD, C-1 ZONE, WIRELESS COMMUNICATIONS FACILITY, SPECIAL EXCEPTION LAND USE, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 248, dated August 6, 2019, was received into and made part of the record. He also announced this was a special exception land use request for property located south of Grant Road and east of Country Club Road. He said the Zoning Examiner and staff recommend approval subject to certain conditions.

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

Michelle Lamoureux, Pinnacle Consulting, was present representing the applicant and said she was agreeable to the proposed requirements.

Mayor Rothschild asked the City Clerk to read Ordinance 11667 by number and title only.

Ordinance No. 11667 relating to Zoning; a special exception land use - wireless communications facility - SE-19-04 Verizon - Grant Road - located approximately 140 feet south of Grant Road and 400 feet east of Country Club Road; approving with conditions the construction of a wireless communication facility disguised as a broadleaf tree (monoelm), 50 feet in height, with six antennas; placed within a 900 square foot (30 feet by 30 feet) lease area in the southwestern corner of a 0.34-acre parcel in the C-1 zone; and setting an effective date.

Council Member Kozachik addressed emails that were exchanged between the applicant and the Palo Verde Neighborhood Association (PVNA) and asked that they continue to follow up with them as there had been changes in project management since the inception of the project.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll vote of 6 to 0 (Council Member Romero absent/excused), to approve the request as recommended by the Zoning Examiner and pass and adopt Ordinance 11667.

9. ZONING: (SE-19-11) AT&T – WILMOT ROAD, RH ZONE, WIRELESS COMMUNICATION FACILITY, SPECIAL EXCEPTION LAND USE, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 249, dated August 6, 2019, was received into and made part of the record. He also announced this was a special exception land use request for property located east of Wilmot Road and south of Old Vail Connection Road alignment. He said staff recommends approval of the wireless communications tower as a special exception land use in the RH zone and adoption of the ordinance which establishes conditions for approval.

Mayor Rothschild also announced the Zoning Examiner and staff recommend approval subject to the recommended conditions. He asked if the applicant or representative was present and agreeable to the proposed requirements.

Steven Olsen, representing AT&T, stated they were agreeable to the proposed requirements.

Mayor Rothschild asked the City Clerk to read Ordinance 11668 by number and title only.

Ordinance No. 11668 relating to Zoning; a special exception land use - wireless communications facility - SE-19-11 AT&T - Wilmot Road - located approximately 100 feet east of Wilmot Road and 750 feet south of Old Vail Connection Road Alignment; approving with conditions the construction of a wireless communication facility monopole, 100 feet in height, located within a 625 square foot lease area in the RH zone; and setting an effective date.

It was moved by Vice Mayor Scott, duly seconded, and passed by a roll vote of 6 to 0 (Council Member Romero absent/excused), to approve the request as recommended by the Zoning Examiner and pass and adopt Ordinance 11668.

10. ZONING: (C9-18-07) MEYER & PEARSON – MAGDALENA, SR TO RX-1, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 250, dated August 6, 2019, was received into and made part of the record. He asked the City Clerk to read Ordinance 11669 by number and title only.

Ordinance No. 11669 relating to Zoning: amending zoning district boundaries in the area located on the north side of E. Magdalena Road, approximately 300 feet east of Gollob Road and 2000 feet west of S. Harrison Road in case C9-18-07 Meyer & Pearson - Magdalena, SR to RX-1; and setting an effective date.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused), to pass and adopt Ordinance 11669.

11. TUCSON CODE: AMENDING (CHAPTERS 7 AND 11) RELATING TO AGE RESTRICTIONS FOR PURCHASE OF TOBACCO AND NICOTINE DELIVERY PRODUCTS, AND ESTABLISHING A LICENSE ENFORCEMENT PROGRAM

(This item was continued to the meeting of September 17, 2019, as discussed in Study Session.)

12. ECONOMIC DEVELOPMENT: AUTHORIZING RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT TO PROVIDE GPLET ABATEMENT FOR 117 NORTH 6TH AVENUE

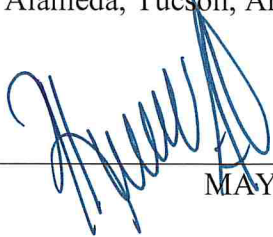
Mayor Rothschild announced City Manager's communication number 260, dated August 6, 2019, was received into and made part of the record. He asked the City Clerk to read Resolution 23069 by number and title only.

Resolution No. 23069 relating to Economic Development Incentives and Rio Nuevo Multipurpose Facilities District (Rio Nuevo); approving an eight-year tax abatement to be included in the Government Property Lease Excise Tax (GPLET) lease agreement between Rio Nuevo and 117 Sixth Avenue Partners, LLC for the redevelopment project at 117 N. 6th Avenue.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Romero absent/excused), to pass and adopt Resolution 23069.

13. **ADJOURNMENT:** 6:58 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, September 4, 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 6th day of August 2019, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR:cl:jc