



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on September 19, 2012.

Date of Meeting: December 13, 2011

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, December 13, 2011, 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	Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Karin Uhlich	Vice Mayor, Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5
Steve Kozachik	Council Member Ward 6
Jonathan Rothschild	Mayor

Absent/Excused:

None

Staff Members Present:

Richard Miranda	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Missionary Cherry Jackson, Church of God in Christ, after which the Pledge of Allegiance was presented by the entire assembly.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 480, dated December 13, 2011, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Council Members Romero, Cunningham, Scott, Fimbres, Kozachik, Vice Mayor Uhlich, and Mayor Rothschild. 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 478, dated December 13, 2011, was received into and made part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Current event report was given by Richard Miranda, City Manager. A recording of this item is available from the City Clerk’s Office for ten years from the date of this meeting.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager’s communication number 482, dated December 13, 2011, 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. Los Compas Super Carniceria y Mercado, Ward 5
2620 E. 22nd St.
Applicant: Jesus G. Solis-Rivera
Series 10, City 93-11
Action must be taken by: December 30, 2011

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

2. Nine Planets, Bar and Party Hall, Ward 5
5358 S. Nogales Hwy.
Applicant: Nil Kay
Series 6, City 91-11
Action must be taken by: December 22, 2011

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

3. Bamboo Terrace Restaurant, Ward 1
1754 W. Ajo Way
Applicant: Lenny Gin Mark
Series 7, City 92-11
Action must be taken by: December 25, 2011

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)

- c. Special Event(s)

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

- d. Agent Change/Acquisition of Control

NOTE: There are no application(s) for agent changes scheduled for this meeting.

It was moved by Council Member Cunningham, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 through 5b3 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:

Mikki Niemi	Moji Agha	Connie Ann Nygaard Transue
Colleen Dugan	Ariel Williams	William M. Cohen
Bob Cook	Keith Van Heyningen	Guy Jossierand
Ruth Beeker	Ken Johnson	Shannon Cain
Joyce Peterson	Tracy Toland	Jack Fitzgerald

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 E

Mayor Rothschild announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made part of the record. He asked the City Clerk to read the Consent Agenda.

a. APPROVAL OF MINUTES

1. Report from City Manager DEC13-11-479 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of June 14, 2011

b. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE PIMA COUNTY-CITY OF TUCSON BICYCLE AND PEDESTRIAN SAFETY AND EDUCATION PROGRAM

1. Report from City Manager DEC13-11-476 CITY WIDE
2. Resolution No. 21833 relating to Intergovernmental Agreements; authorizing and approving the execution of Amendment No. 2 to the Intergovernmental Agreement between the City of Tucson and Pima County for the Bicycle and Pedestrian Safety and Education Program; and declaring an emergency.

c. FINAL PLAT: (S11-038) SIERRA MORADO, UNIT 4 LOTS 1589 THROUGH 1759 AND COMMON AREA “B” BEING A RESUBDIVISION OF SIERRA MORADO UNIT 4, LOTS 1118 THROUGH 1275 AND 1329 THROUGH 1447, TOGETHER WITH PORTIONS OF COMMON AREAS “A” AND “B”

1. Report from City Manager DEC13-11-475 WARD 4

2. Staff recommends that the Mayor and Council approve the final 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.
- d. INTERGOVERNMENTAL AGREEMENT: WITH THE MARICOPA COUNTY SHERIFF'S OFFICE FOR REIMBURSEMENTS FROM THE STATE HOMELAND SECURITY GRANT PROGRAM
1. Report from City Manager DEC13-11-477 CITY WIDE
 2. Resolution No. 21834 relating to Intergovernmental Agreements; approving, and authorizing the execution of the Intergovernmental Agreement between the Maricopa County Sheriff's Office and the City of Tucson for reimbursements from the State Homeland Security Grant Program; and declaring an emergency.
- e. FINANCE: REFUNDING OF WATER SYSTEM REVENUE BONDS, SERIES 2012
1. Report from City Manager DEC13-11-481 CITY WIDE
 2. Ordinance No. 10946 an Ordinance relating to Finance; authorizing the issuance and sale of City of Tucson, Arizona, Water System Revenue Refunding Bonds, Series 2012, in a principal amount not to exceed \$60,000,000; providing for the sale thereof, the application of the proceeds therefrom to the refunding of the bonds to be refunded and the payment of principal and interest thereon; providing certain terms, covenants and conditions relating to the Series 2012 Refunding Bonds; authorizing the execution and delivery of a Depository Trust Agreement and appointing a Depository Trustee with respect to the bonds to be refunded; authorizing the execution and delivery of a Purchase Agreement and a continuing disclosure undertaking with regard to the Series 2012 Refunding Bonds; appointing a Bond Registrar, Transfer Agent and Payment Agent for the Series 2012 Refunding Bonds; authorizing the preparation and delivery of an official statement with respect to the Series 2012 Refunding Bonds; and declaring an emergency.

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

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

7. CONSENT AGENDA – ITEM E

- e. FINANCE: REFUNDING OF WATER SYSTEM REVENUE BONDS, SERIES 2012
 - 1. Report from City Manager DEC13-11-481 CITY WIDE
 - 2. Ordinance No. 10946 an Ordinance relating to Finance; authorizing the issuance and sale of City of Tucson, Arizona, Water System Revenue Refunding Bonds, Series 2012, in a principal amount not to exceed \$60,000,000; providing for the sale thereof, the application of the proceeds therefrom to the refunding of the bonds to be refunded and the payment of principal and interest thereon; providing certain terms, covenants and conditions relating to the Series 2012 Refunding Bonds; authorizing the execution and delivery of a Depository Trust Agreement and appointing a Depository Trustee with respect to the bonds to be refunded; authorizing the execution and delivery of a Purchase Agreement and a continuing disclosure undertaking with regard to the Series 2012 Refunding Bonds; appointing a Bond Registrar, Transfer Agent and Payment Agent for the Series 2012 Refunding Bonds; authorizing the preparation and delivery of an official statement with respect to the Series 2012 Refunding Bonds; and declaring an emergency.

Mayor Rothschild announced Consent Agenda Item e was to be considered separately.

Council Member Fimbres asked staff what was the actual amount of water bonds to be refinanced, which water bonds were refinanced and if there were any water projects involved in this refinancing.

Kelly Gottschalk, Assistant City Manager, said the amount of the principal to be refinanced was \$51,420,000 adding that the \$60 million figure was a not-to-exceed amount in case of interest rate fluctuations.

Ms. Gottschalk said the water bonds being refinanced were certain maturities in the 2002 and 2003 series. She said this transaction did not issue any more debt, it took existing outstanding debt and refinanced it at a lower interest rate and did not impact any water projects.

Council Member Fimbres asked if the \$4 million savings could be explained in the context of time and how it benefited Tucson Water and its customers.

Ms. Gottschalk said the \$4 million of interest savings could be taken up front over the next couple of years or spread over the life of the projects. She said staff relied on Tucson Water to tell them what was best for their financial model to meet their goals.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Item e be passed and adopted and the proper action taken.

8. PUBLIC HEARING: LAND USE PLAN AMENDMENTS TO THE WEST UNIVERSITY NEIGHBORHOOD PLAN AND THE WEST UNIVERSITY TRANSITION AREA - PA-11-01

Mayor Rothschild announced City Manager's communication number 485, dated December 13, 2011, 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 Land Use Plan amendment to the West University Neighborhood Plan and the West University Transition Area. He said staff wanted to make a brief presentation before beginning the public hearing.

Ernie Duarte, Planning and Development Services Director, announced the public hearing was in accordance with the Mayor and Council's direction to amend the West University Transition Area to encourage pedestrian and transit oriented development. He stated the boundaries of the area and explained staff identified this area in 2010 as needing analysis due to several development applications. The applications needed individual plan amendments to move forward and this was due to policies in the plan that were created in the 1980's that capped building heights at 40 feet and densities at 40 units per acre. He said recently, development interests had increased due to the modern street car.

Mr. Duarte stated that the Mayor and Council gave direction in June 2011 to update the plan through a public process. It involved neighborhood and stakeholder meetings, Planning Commission discussions including a study session, and a formal public hearing. He said both staff and the Planning Commission recommended approval of changes to the Plan. During the process, a project known as Campus Acquisitions emerged. This was a development company interested in developing a 14-story student housing project at 14th Street and Tyndall Avenue and they produce quality student housing projects at university areas around the country.

Mr. Duarte commented that if the Mayor and Council approved the Plan amendment, staff would move forward with a rezoning request to an Urban Overlay District (UOD).

Jim Mazzocco, Project Manager and Planning Administrator, gave an overview of the policy evolution on this case through a PowerPoint presentation, which included explanations on historic building concerns, four-story and six-story buildings, the demolition process, historic preservation zone and the national register district and how these all factor into the proposed options for the plan amendments.

Mr. Mazzocco mentioned Council Member Kozachik's motion from a prior Mayor and Council meeting to change the Plan, which was reflected in one of the options presented in Subarea C (Euclid and Speedway).

Council Member Kozachik clarified that his option did not mandate four or six stories, but left the option open for a change of use which could be a restaurant or single story building.

Mr. Mazzocco confirmed that it could be used for commercial use such as a restaurant, beauty salon or something of that sort. That was allowed under this process.

Mayor Rothschild said normally, the public hearing was scheduled to last for no more than one hour, but he was extending the time by fifteen minutes to allow for most of the speakers who had submitted a speaker card to speak. He said speakers were limited to four-minute presentations.

Vice Mayor Uhlich asked that speakers state clearly whether they were in support of the Planning Commission's (PC's) recommendation or the revised recommendations as presented to the Mayor and Council.

Those speaking in support of the PC's recommendations were Allyson Solomon, Robert Vint, Steven Bus, and Cathy Morrison.

Those speaking in support of the revised plan were Ken Scoville, Steven Tofel, Joseph Rohe, Michael Golec, Lynne Birkinbine, Lyn Ashton, Lucinda Smedley, David Godlewski, Jonathan Mabry, and Tom Warne.

Those speaking in opposition to the PC's recommendations were Demion Clinco, Brian McCarthy, Jody Gibbs, Chris Gans, Ford Burkhart, Ruth Beeker, Dave Devine, and Carolyn Niethammer.

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

Mayor Rothschild asked the City Clerk to read Resolution 21835 and Resolution 21836 by number and title only.

Resolution No. 21835 relating to planning and zoning; amending the *University Area Plan* to support transit oriented development along the modern streetcar route, in an area bounded by Speedway Boulevard on the north, 6th Street on the south, Euclid Avenue on the west and Park Avenue on the east; and declaring an emergency.

Resolution No. 21836 relating to planning and zoning; amending the *West University Neighborhood Plan* to support transit oriented development along the modern streetcar route, in the West University Transition Area bounded by Speedway Boulevard on the north, 6th Street on the south, Euclid Avenue on the west and Park Avenue on the east; and declaring an emergency.

Council Member Kozachik asked staff to explain the public process that would be used for considering the Urban Overlay District (UOD).

Mr. Duarte said the UOD was a rezoning and full public process, which includes testimony and neighborhood meetings, a public hearing by the Zoning Examiner and finally a recommendation to the Mayor and Council by the Zoning Examiner, was followed.

Mr. Duarte added that the UOD was a form-based code for the entire West University Transition Area; something the Mayor and Council had commissioned in Downtown Links, and something they were doing along the Grant Road Corridor. He said it was the type of development that was needed to support the modern street car.

Mayor Rothschild asked if the plan amendment was passed would the normal historic review process have to be followed if a historic property was to be altered in the future.

Mr. Duarte said the plan amendment did not change the designation of the historic zone; however it would change with the adoption of a UOD. He said he wanted to reiterate that any proposed demolition of contributing historic structures must go through the process laid out previously by Mr. Mazzocco.

Mayor Rothschild asked if a property that was not already designated as historic but in the historic district, had to go through the regular rezoning process.

Mr. Duarte replied that was a demolition application that had to undergo some other thresholds. For instance, if it was over fifty years old, architectural documentation must be submitted before a demolition permit was granted.

Mayor Rothschild asked if additional neighborhood meetings and hearings before the Mayor and Council were necessary in either case.

Mr. Duarte responded only if the property was within the historic district.

Council Member Kozachik gave additional background information on the *University Area Plan* and the *West University Neighborhood Plan* discussion.

It was moved by Council Member Kozachik, duly seconded, to pass and adopt Resolution 21835 and Resolution 21836 with the following amendments:

1. Allow for Transit Oriented Development uses to be incorporated into the Plan Amendment for Subarea C.
2. Do not include within that option the three units on First Street planned for residentially scaled offices, and the three units on the southwest corner of First Street and Tyndall Avenue, preserving them as historic structures.

3. For the properties on Euclid Avenue north of the units on First Street and Euclid Avenue, change the building heights allowance to allow for up to four stories on Euclid Avenue and up to six stories on Speedway Boulevard. When the proposed buildings are designed, to ensure that the structures are architecturally compatible with the West University Neighborhood Association (WUNA), they shall be subject to a review and recommendation by the WUNA design review subcommittee prior to a final decision by the Planning and Development Services Department.

Vice Mayor Uhlich asked staff, if after confirming this action which allowed for expanded height of development, and if the next step was to pursue the UOD, did that not confer development rights that were protected under Proposition 207. She expressed concern that those steps would draw challenges if more was done to restrict development during the UOD process.

Michael Rankin, City Attorney, said it would be correct if the Mayor and Council took action to adopt new land use regulations that were more restrictive. He said the plan amendment did not change the underlying zoning for the area. That would only take place with the land use change through the UOD process which would change the underlying zoning or development rights. He said that was when there could be possible Proposition 207 issues.

Vice Mayor Uhlich said it was not a rezoning, but rather a plan amendment upon which a rezoning consideration could proceed under the UOD process.

Mr. Rankin said that was correct.

Vice Mayor Uhlich asked staff to explain the rationale as to the specific patterns to the four and six-story buildings and why not seven and eight-story buildings, especially in the one middle property in Subarea C. She said she was curious as to why six was chosen.

Mr. Mazzocco explained that the building height limits were derived based on the width of the road; using half of the road as the guide. He said that was why they chose four to six stories.

Vice Mayor Uhlich expressed some concerns she had about the process and opportunities that were being missed by closing the discussion on this item rather than allowing for some final engagement for the Planning Commission at their January meeting. She said she was trying to digest shade studies and massing figures that most of which came in late after the information was put together. She said she wanted to put out an idea and was comfortable moving forward with the Campus Acquisition's projects. She said if anybody questioned whether the City was ready to begin to densify and mass and do those types of things, that section of the Plan made a lot of sense to her. She said if anyone wanted to characterize her hesitation as anti-infill, it included seven 6-story buildings, two 8-story buildings, four 10-story building, two 12-story building, two 13-

story buildings and three 14-story buildings. She said she did not want to hesitate too much on that because she felt a lot of ground work had been done.

Council Member Uhlich stated she was concerned about block C. She said she was glad to see that there was an effort to include it and was not in favor of just leaving that entire section behind in this process. She said she wondered about the possibility of going eight stories on two of the buildings and whether a couple of the bungalows were safe for adaptive re-use. She stated she was not sure that there was any opportunity to sort through those possibilities. Quite honestly, she said, on the Noonan Property, until about an hour ago, she was concerned about the six and four story restrictions and if that was the appropriate height and whether there were other opportunities. She said she did not know whether to hold that out or to include it in moving forward.

Council Member Uhlich stated that her point was, that the process seemed, while they wanted to get it done, and she hoped by the end of January, she did not think that the right balance had been struck and opportunities had been missed to negotiate. She suggested moving forward with Subarea A for Campus Acquisition, Subarea B, which was essentially status quo including the area to Subarea B and allowing for the Planning Commission to continue the work on Subarea C, returning to the Mayor and Council with a recommendation after their meeting in January. She stated she was not sure on what to say about the Euclid Avenue and Fourth Street area.

Mayor Rothschild clarified what he thought Vice Mayor Uhlich had suggested, in that they proceed with the area north of Fourth Street and refer back to the Planning Commission the area south of Fourth Street.

Vice Mayor Uhlich said she was referring to the green shaded area on maps 4A and 4B that included the Campus Acquisitions project. She asked for clarification from the property owner.

Tom Warne, Campus Acquisitions, explained the area in question.

Vice Mayor Uhlich then asked staff if they were clear on the area she was describing on maps 4A and 4B to which Mr. Duarte responded in the affirmative.

Vice Mayor Uhlich said Subarea B on those same maps remained status quo under both the Planning Commission's recommendations and the changes recommended by Council Member Kozachik. She said her suggestion was to allow those areas to proceed, but then hold the public hearing open until the end of January to allow the Planning Commission to continue working through Subarea C. She said she needed to hear from the owners of the Noonan Project, as she was not sure the proper balance had been struck with that property.

Mayor Rothschild said he understood Vice Mayor Uhlich wanted to move forward with Subareas A and B and to reserve on Subarea C which was essentially the Noonan property.

Vice Mayor Uhlich clarified that Subarea C was the bungalows at the corner of Euclid Avenue and Speedway Boulevard and that the Noonan property was south of University Boulevard. She said many of the stakeholders were not involved until the eleventh hour. She stated she re-listened to the meeting in June and had understood the planning area to be Sixth Street, Speedway Boulevard, Euclid Avenue and Park Avenue. She said many of those players had not been reached out to and felt they could clean up some issues with the process by the end of January.

Tom Warne, Campus Acquisitions, said the area in question was defined by Second Street to Speedway Boulevard to Euclid Avenue to Park Avenue. He said most of the home owners in that area had attended the meetings that began in October.

Mayor Rothschild asked if all the property owners in that area wanted to be included in the plan, with the exception of Mr. Brian McCarthy.

Mr. Warne confirmed that to be true.

Council Member Romero discussed the importance of infill development and lowering the amount of mini dorms in neighborhoods, and added the City needed high quality infill development to house students, have mixed uses and include mixed incomes. She recognized the West University Neighborhood Association's concerns with their historic status due to the changes along 6th and 4th Avenues and potentially crossing to the west of Euclid Avenue. She said she was concerned about the Mayor and Council wanting the mini dorm model spread along the streetcar line without proper planning, because of the historic preservation in the area, but also recognized the area as ready for infill development.

Council Member Romero asked staff if there was language in the UOD giving incentives to the current property owners to keep their historic properties included in Council Member Kozachik's motion. She also asked if ingress/egress parking options were flexible for the property owners as an incentive to save the historic properties.

Mr. Mazzocco said Council Member Kozachik's proposal allowed for those properties in Subarea C to be used commercially under the UOD with many more options for parking flexibility, redevelopment, and preservation, whereas currently they were only allowed for residential use.

Mr. Mazzocco affirmed that property owners had the opportunity to redevelop their properties, but the City's Transportation Department (TDOT) had to make judgment calls especially concerning access to the bungalows along Euclid Avenue. He said those would mainly be pedestrian commercial type uses with some parking being possible from the alleyway. A traffic impact analysis was required of any property owner who triggered the UOD.

Council Member Romero stated that one of the things she heard from the historic preservation community was that the City incentivized tearing down buildings. She said

she did not see it that way especially with the UOD options for rehab and reuse of the historic properties. She stated it was time to move forward, but was torn because she stood for historic preservation but at the same time infill development and high density infill development happen where it should happen. She said in terms of heights of the building on Speedway Boulevard and Euclid Avenue for future potential development of those buildings, the Mayor and Council needed to ensure their continued commitment to the West University Neighborhood to protect their residential and historic preservation zone as much as possible.

Council Member Cunningham asked staff if there were any assurances that Euclid Avenue would be the “line in the sand” and development would not expand west from there.

Mr. Duarte responded affirmatively, from his perspective, that Euclid Avenue was a definite “line in the sand.” He explained the area in question was called a transition area because it was between an historic neighborhood and a major academic institution. He said a land use plan study was going forward, funded by the Pima Association of Governments, and the area west of University Boulevard and Euclid Avenue was the primary emphasis.

Council Member Cunningham said he hoped the property at the corner of Speedway Boulevard and Euclid Avenue maintained its historical designation. He said he supported Council Member Kozachik’s proposal and that Euclid Avenue remain the “line in the sand.” He said he hoped local developers would be involved in the projects and that as many historic properties as possible were saved.

Council Member Fimbres asked for further explanation of the time frame for the Campus Acquisitions student housing.

Mr. Warne said that Campus Acquisitions’ project on Tyndall Avenue was planned for March 2012 with the facility opening for students by August, 2013. The project on Park Avenue they planned to open one year later with construction commencing in March 2013 and completed by July/August 2014.

Council Member Kozachik said he wanted to make one final comment in that he did not want the perception to be a false dichotomy between moving forward with the Plan and not caring about historic structures. He said there was process in place for those structures and options for transit-oriented retail development. He said he considered the Plan to be a solid proposal and thought they should move forward with it.

A substitute motion was made by Council Member Uhlich to move forward with Subareas A and B, including the Campus Acquisitions project and Noonan properties, but to hold the public hearing open to allow the Planning Commission to continue work on Subarea C. She said she had concerns about the process and receiving materials late.

The substitute motion died for lack of a second.

Mayor Rothschild asked if there was any further discussion.

Resolution 21835 and Resolution 21836, with the amendments, was passed by a roll call vote of 7 to 0.

Mayor Rothschild instructed staff that he was voting for the Resolutions on the basis that the real details of the Plan amendments come forth in the UOD and staff needed to look at form-based zoning which was the way the City needed to go.

9. PUBLIC HEARING: TUCSON CODE (CHAPTER 19) AMENDING THE MODEL CITY TAX CODE (CITY WIDE)

Mayor Rothschild announced City Manager's communication number 484, dated December 13, 2011, 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 amendments to the Model City Tax Code. He said 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 present wishing to speak on the item.

There were no speakers.

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

Mayor Rothschild asked the City Clerk to read Ordinance 10949 by number and title only.

Ordinance No. 10949 relating to finance; amending Chapter 19, Tucson Code to make Tucson's Tax Code conform to the Model City Tax Code, and declaring an emergency.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll vote of 7 to 0, to pass and adopt Ordinance No. 10949.

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 483, dated December 13, 2011, 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 Scott, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointments of Gloria Hamelitz to the Metropolitan Education Commission (MEC) in the category of Social Service Agencies Servicing Children/Youth and Jennifer Patton to the Design Review Board (DRB) in the category of Alternate – Registered Architect/Registered Landscape Architect.

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

Council Member Cunningham announced his personal appointments of Amy McCoy to the Citizen’s Water Advisory Committee (CWAC), Ian Johnson to the Tucson-Pima County Bicycle Advisory Committee (BAC), Joyceen S. Boyle to the Pima County/Tucson Women’s Commission (PCTWC), Caroline Ganz to the Tucson Parks and Recreation Commission (TPRC), Susanne Elefante to the Citizens Police Advisory Review Board (CPARB), Sami Hamed to the Citizens Transportation Advisory Committee (CTAC); Brandon J. Howell to the Human Relations Commission (HRC), Quentin Bryson to the Planning Commission (PC), Joseph Blair to the Tucson Convention Center Commission (TCCC), Nicole Sweeney to the Environmental Services Advisory Committee (ESAC), and Davin Franklin-Hicks to the Tucson Commission on Gay, Lesbian, Bisexual and Transgender Issues (GLBT).

Council Member Scott announced her personal appointment of Nancy K. Smith to the Economic and Workforce Development Selection Committee (EWDSC).

Council Member Fimbres announced his personal appointments of Eddie Flores to the Citizens Transportation Advisory Committee (CTAC), Jesse Lugo to the Small, Minority & Women Owned Business Commission (SMWBC) and Cindy Harper-Ayala to the Economic and Workforce Development Selection Commission (EWDSC).

11. ADJOURNMENT: 8:51 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on December 20, 2011, 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 13th day of December, 2011, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:dp:jr