



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on February 3, 2009

Date of Meeting: December 9, 2008

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 5:36 p.m., on Tuesday, December 9, 2008, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karin Uhlich	Vice Mayor, Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused: None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Geoff Gonzales from the City Clerk's Office after which the Pledge of Allegiance was led by Daisy Troop #645.

Roger W. Randolph, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 653, dated December 9, 2008, was received into and made a 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.

- a. Council Member Scott thanked the families who attended the Holiday Movie Night event held at the Clements Center on the previous Friday evening. She said they enjoyed cocoa and cookies while watching "Polar Express."
- b. Council Member Romero invited the public to attend the First Annual Mercado Holiday Bazaar taking place December 12 through December 24, 2008, on Congress Street west of I-10 at Avenida del Convento. She said the event was sponsored by a partnership between Mercado San Augustine, the West Side Holiday Coalition, Ward 1 and other organizations in the community and included cultural events and demonstrations, works of local artists and craftspeople, products from local merchants, entertainment, and holiday displays.
- c. Vice Mayor Uhlich congratulated Tory Stypula, an active Ward 3 resident, who was recognized by the Arizona Daily Star as a "Gift of Tucson." She said Ms. Stypula was an active member of the El Cortez Heights Neighborhood Association and the Mansfield Coalition. The Vice Mayor also thanked those, including City staff and community members, who helped organize and participated in the very first "Buy Local Day" on the Friday after Thanksgiving. She encouraged the public to continue to buy locally.
- d. Council Member Trasoff invited the public to attend the "Finding Voice" photo essay exhibit by refugee and immigrant youth at Catalina Magnet High School. The event was to open on December 10, 2008 at the Ward 6 office. She also invited the public to attend "First Night," a family-oriented, alcohol-free New Year's Eve celebration in downtown Tucson that would include multicultural music, dance, comedy, magic, children's activities and more. The event was being organized by the Downtown Tucson Partnership and was scheduled for December 31, 2008 from 4:00 p.m. to midnight. Council Member Trasoff announced the Conservation Learning Center at Reid Park Zoo had earned a

LEED Platinum designation. Lastly, on a personal note, she announced the birth of her third grandson, Cade Robert Frederick-Jilg.

- e. Mayor Walkup announced that December 13, 2008 was the annual Tree Lighting Ceremony followed by the Parade of Lights. The ceremony would start at 5:30 p.m. at Jacome Plaza at the downtown library and the parade would begin at 6:00 p.m. He encouraged the public to attend and reminded them there was a lot going on downtown.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 654, dated December 9, 2008, was received into and made a 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.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager’s communication number 655, dated December 9, 2008, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Applications

New License(s)

- 1. Amereno's Little Italy, Ward 3
2933 E. Grant Rd.
Applicant: Jaqueline Desiree Piikkila
Series 12, City 71-08
Action must be taken by: December 13, 2008

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

- 2. G & L Import - Export Corp., Ward 5
4828 E. 22nd St.
Applicant: Willing Ying Tak Cheng
Series 10, City 74-08
Action must be taken by: December 15, 2008

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)

3. Hilltop Market, LLC, Ward 1
1843 W. Ajo Way
Applicant: Hien Duc Nguyen
Series 9, City 73-08
Action must be taken by: December 15, 2008

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

Public Opinion: Written Argument In Favor Filed

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)

4. Residence Inn Williams Centre, Ward 6
5400 E. Williams Circle
Applicant: Robert Leroy Blythe, III
Series 7, City 72-08
Action must be taken by: December 12, 2008

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

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. Tucson Rodeo Committee, Inc., Ward 5
4801 S. 6th Ave.
Applicant: Gary Gene Williams
City T98-08
Date of Event: February 21, 2009 - March 1, 2009
(To stage the Annual Tucson Rodeo – La Fiesta de los Vaqueros)

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

d. Agent Change/Acquisition of Control

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Council Member Scott, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 through 5b4 and 5c1 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Mayor Walkup 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.

- a. Mike Humphrey spoke about the difficulties he had encountered with the City of Tucson's supplemental life insurance carrier following the death of his wife, Pamela. He asked Mayor and Council for assistance.

Vice Mayor Uhlich asked Mike Hein, City Manager, to follow up with Cindy Bezaury, Human Resources Director, on Mr. Humphrey's request and keep her office informed.

- b. Robert Reus told of his experience with the "red light cameras" at Grant Road and Tanque Verde Road. He also spoke about stimulating the local business economy, and the upcoming Fourth Avenue Street Fair.
- c. J. Lisa Jones expressed her support of the leisure classes offered by Tucson Parks and Recreation, and asked that Mayor and Council execute thoughtful budget cuts and not just slash programs across the board.
- d. Joe Sweeney spoke about the 287G program, which related to immigration laws, and he expressed opposition to Tucson Police Chief Kermit Miller's policy of "don't ask, don't tell."

7. CONSENT AGENDA ITEMS A THROUGH L

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

A. MAYOR AND COUNCIL: AMENDING THE 2008 MAYOR AND COUNCIL MEETING SCHEDULE

- 1. Report from City Manager DEC9-08-658 CITY-WIDE
- 2. Ordinance No. 10611 relating to administration; amending Section 1 of Ordinance 10484, which approved a schedule of Mayor and Council regular meeting dates for 2008, to cancel the regular meeting date of December 23, 2008; and declaring an emergency.

B. FINAL PLAT: (S07-056) PALO VERDE PLAZA APARTMENTS, LOTS 1 TO 6, MINOR SUBDIVISION

- 1. Report from City Manager DEC9-08-657 WARD 3

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.
- C. REAL PROPERTY: APPROVING A GROUND LEASE AGREEMENT WITH VERIZON WIRELESS FOR A WIRELESS CELLULAR ANTENNAE AT 2400 SOUTH CRAYCROFT ROAD
1. Report from City Manager DEC9-08-661 WARD 4
 2. Ordinance No. 10612 relating to real property; authorizing and approving a Ground Lease Agreement between the City of Tucson and Verizon Wireless for a wireless cellular antennae at 2400 South Craycroft Road, Tucson, Arizona; authorizing and approving a Memorandum of the Ground Lease; and declaring an emergency.
- D. WATER: NOTICE OF INTENTION TO INCREASE THE CENTRAL ARIZONA PROJECT WATER RESOURCE FEE, AND SCHEDULING A PUBLIC HEARING FOR FEBRUARY 10, 2009
1. Report from City Manager DEC9-08-660 CITY-WIDE AND OUTSIDE CITY
 2. Resolution No. 21165 relating to water; authorizing the adoption of a notice of intention to increase the Central Arizona Project (“CAP”) Water Resource fee; and declaring an emergency.
- E. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE FORT LOWELL ROAD AND CAMPBELL AVENUE INTERSECTION IMPROVEMENT PROJECT
1. Report from City Manager DEC9-08-659 WARD 3
 2. Resolution No. 21166 relating to Intergovernmental Agreements; approving and authorizing the execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Tucson and the Regional Transportation Authority of Pima County (RTA) for improvements to the Ft. Lowell Road and Campbell Avenue Intersection; and declaring an emergency.
- F. WATER: NOTICE OF INTENTION TO INCREASE THE WATER SYSTEM EQUITY FEE, AND SCHEDULING A PUBLIC HEARING FOR FEBRUARY 10, 2009
1. Report from City Manager DEC9-08-663 CITY-WIDE AND OUTSIDE CITY
 2. Resolution No. 21167 relating to water; authorizing the adoption of a notice of intention to increase the Water System Equity fee; and declaring an emergency.

G. APPROVAL OF MINUTES

1. Report from City Manager DEC9-08-664 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on August 6, 2008.

H. FINANCE: SALE OF SUBORDINATE LIEN EXCISE TAX REVENUE BONDS, SERIES 2008 AND AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT

1. Report from City Manager DEC9-08-662 CITY-WIDE
2. Resolution No. 21164 a Resolution of the Mayor and Council of the City of Tucson, Arizona, acknowledging and approving the issuance and sale of Subordinate Lien Excise Tax Revenue Bonds, Series 2008, in a principal amount not to exceed \$80,000,000, by the Rio Nuevo Multipurpose Facilities District; approving the execution and delivery of a first amendment to Intergovernmental Agreement in connection with the Bonds; approving the use of certain financial and demographic information of the City in the official statement with respect to the bonds; approving the execution and delivery by the City of a continuing disclosure undertaking and a letter of representations with respect to the bonds; ratifying certain acts heretofore taken by City officials; and declaring an emergency.

I. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR SIDEWALK MAINTENANCE ON SIXTH AVENUE NORTH AND SOUTH OF THE I-10 BRIDGE

1. Report from City Manager DEC9-08-665 WARD 5
2. Resolution No. 21168 relating to Intergovernmental Agreements; authorizing and approving the execution of Amendment No. 2 to the Intergovernmental Agreement between the City of Tucson and the Arizona Department of Transportation for maintenance of the approach sidewalks on 6th Avenue north and south of the I-10 bridge following completion of State-funded improvements; and declaring an emergency.

J. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE GRANT ROAD AND CRAYCROFT ROAD INTERSECTION IMPROVEMENT PROJECT

1. Report from City Manager DEC9-08-666 WARDS 2 AND 6
2. Resolution No. 21169 relating to Intergovernmental Agreements; approving and authorizing the execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Tucson and the Regional Transportation Authority of Pima County (RTA) for Improvements to the Grant Road/Craycroft Road Intersection; and declaring an emergency.

K. FINANCE: APPROVING THE APPOINTMENT OF FRANK ABEYTA AS FINANCE DIRECTOR FOR THE CITY OF TUCSON

1. Report from City Manager DEC9-08-667 CITY-WIDE
2. Ordinance No. 10613 relating to Finance; approving the appointment of Frank Abeyta as Director of the Finance Department and fixing compensation; and declaring an emergency.

L. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO MERCADO SAN AGUSTIN AND THE WESTSIDE COALITION FOR THE FIRST ANNUAL MERCADO HOLIDAY BAZAAR

1. Report from City Manager DEC9-08-668 WARD 1
2. Resolution No. 21170 relating to Finance; approving and authorizing the allocation of One Thousand Dollars (\$1000) from the Ward 1 Council Office, Community Support Fund, Account No. 001-183-1898-268, to Mercado San Agustin and the Westside Coalition to help support funding the 1st Annual Mercado Holiday Bazaar to be held December 12, 2008 through December 24, 2008; and declaring an emergency.

This is a request by Council Member Romero. Allocation of funds is as follows:
Council Member Romero - \$1000.00

It was moved by Council Member Leal, duly seconded, that Consent Agenda Items A through L be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Consent Agenda Items A through L were declared passed and adopted by a roll call vote of 7 to 0.

8. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 656, dated December 9, 2008, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0 to appoint Susan Marshall to the Downtown Links Citizen Advisory Committee and Pete Chalupsky to the Metropolitan Housing Commission, re-appoint Michael Hall and Adam Ussishkin to the Armory Park Historic Zone Advisory Board, and re-appoint W. Mark Clark and Donald Jorgensen to the Pima County/City of Tucson Commission on Addiction, Prevention and Treatment.

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

Council Member Scott announced her appointment of Keith Shuck to the Small Business Commission.

Council Member Leal announced his appointment of Tracy Williams to the Land Use Committee.

Vice Mayor Uhlich announced her appointment of Carly Thomsen to the Pima County/Tucson Women's Commission.

9. ADJOURNMENT: 6:11 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on December 16, 2008, 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 9th day of December 2008, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:rg:ags