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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on October 14, 2009

Date of Meeting: May 19, 2009

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 5:44 p.m., on Tuesday, May 19, 2009, 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  
Rodney Glassman  
Karin Uhlich  
Shirley C. Scott  
Nina J. Trasoff  
Robert E. Walkup

Vice Mayor, Council Member Ward 1  
Council Member Ward 2  
Council Member Ward 3  
Council Member Ward 4  
Council Member Ward 6  
Mayor

Absent/Excused:

Steve Leal

Council Member Ward 5

Staff Members Present:

Mike Letcher  
Michael Rankin  
Roger W. Randolph  
Richard Miranda

City Manager  
City Attorney  
City Clerk  
Assistant City Manager

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Pastor Roy Tullgren, Gospel Rescue Mission, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup presented a Certificate of Appreciation to Charles Spillar in recognition of preserving the artwork of Lee Koplin.
- b. Mayor Walkup, assisted by Council Members Uhlich and Trasoff, presented Certificates of Recognition to the Mortar Board Senior Honor Society, neighborhood leaders, officials from University Medical Center and the University of Arizona in recognition of their continued support to the community.

## **3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 266, dated May 19, 2009, 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.

- a. Vice Mayor Romero invited the community to attend an Open House sponsored by the Department of Transportation on May 21, 2009, in the Ocotillo Room at the Pima Community College Desert Vista Campus. She said the Department was seeking citizen input in the pre-design planning session regarding traffic congestion on Irvington Road between Mission Road and I-19.

Vice Mayor Romero also invited the community to attend a Community Town Hall and Cafécito regarding the City's budget and other issues affecting the community. The event was scheduled for May 27, 2009, at the City of Tucson Community Resources building.

- b. Council Member Uhlich announced she had attended, along with nearly a thousand other people, a historical tour of the Oracle Road /Miracle Mile area. She said many hotels and businesses along the tour route participated. She thanked Mayor Walkup and his wife, Beth for attending, along with sponsors of the event, College Place on Oracle who was the hub host of the event, Endangered Architecture, Old Pueblo Walking Tours, Frontier Consulting Group, Vital Signs in Neon, Pima Community College, Clear Channel, Garment Graphics, La Siesta Motel, Robin's Nest, and Value Village Thrift Store. She also thanked Tamara Prime from her office, and staff from the Department of Urban Planning and Design, Albert Elias, Jennifer Burdick and Rebecca Ruopp. She said the Oracle Area Revitalization Project and Citizens' Steering Committee also deserved credit for making the tour a success.

Council Member Uhlich also commented on the Alvernon/Grant Road Initiative, a unique partnership of four neighborhoods to reduce crime. She said the Ward 3 participants were the Dodge Flower and Oak Flower Neighborhoods. She said they honored Emerge, Specialists in Dermatology and the Northgate Laundromat as “good business neighbors” in their area.

- c. Council Member Trasoff reported she had attended the Ice Cream Social at the Tucson Botanical Gardens for the Alvernon/Grant Road Initiative. She said the Ward 6 participants were the Garden District and Palo Verde Neighborhoods. She thanked Captain Dave Neri and Lieutenant Frank Greene from the Tucson Police Department for their participation in the initiative. She said the “good business neighbors” in Ward 6 were Sign-a-Rama, Botanical Gardens, Emmanuel Baptist Church and Fry’s Food Store.

Council Member Trasoff also invited the community to a ribbon cutting ceremony and unveiling of Toby, the new griffin, who was part of the art work on Scott Avenue on May 20, 2009.

- d. Council Member Glassman announced the return of Tucson Toros Baseball Team at Hi Corbett Field on May 21, 2009.
- e. Council Member Uhlich congratulated Council Member Glassman, wished him well on his upcoming military officer training and thanked him for his service.
- f. Mayor Walkup announced the Tucson Citizen; the oldest continuously published newspaper in Arizona had published its last issue after one hundred thirty eight years. He said it was a great loss of an important editorial voice in Tucson. He wished the Tucson Citizen employees luck and thanked them for a job well done.

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

Mayor Walkup announced City Manager’s communication number 267, dated May 19, 2009, 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.

Richard Miranda, Assistant City Manager, reported he recently traveled to Washington D.C. with Officer Eric Hite’s family and members of the Tucson Police Department for the ceremony unveiling Office Hite’s name on the National Police Memorial. He said, although it was a sad occasion, he was honored to be with the Hite family and was proud of the Tucson Police Honor Guard’s participation. He thanked the Tucson Police Foundation for covering all of the expenses for them to attend the event.

## 5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 268, dated May 19, 2009, was received into and made part of the record. He asked the City Clerk to read the Liquor License Agenda.

### b. Liquor License Applications

#### New License(s)

1. Cafe D'Auria, Ward 4  
10501 E. Seven Generations Way, #101  
Applicant: Lawrence Anthony D'Auria  
Series 12, City 24-09  
Action must be taken by: May 27, 2009

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

Public Opinion:       Written Argument Opposed Filed  
                              Written Arguments In Favor Filed

This item was considered separately.

2. Black Angus Steakhouse, Ward 3  
5075 N. Oracle Rd.  
Applicant: Amy Schwartz-Cuatto  
Series 12, City 26-09  
Action must be taken by: June 6, 2009

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. Kolb Road Lounge, Ward 4  
1180 S. Kolb Rd.  
Applicant: Patricia Jeanne Norman  
Series 6, City 10-09  
Action must be taken by: May 21, 2009

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 special event(s) scheduled for this meeting.

d. Agent Change/Acquisition of Control/Restructure

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

It was moved by Vice Mayor Romero duly seconded, and carried by a voice vote of 6 to 0 (Council Member Leal absent/excused), to forward liquor license applications 5b2 and 5b3 to the Arizona State Liquor Board with a recommendation for approval.

**5. LIQUOR LICENSE APPLICATIONS**

b. Liquor License Applications

New License(s)

1. Cafe D'Auria, Ward 4  
10501 E. Seven Generations Way, #101  
Applicant: Lawrence Anthony D'Auria  
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Action must be taken by: May 27, 2009

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

Public Opinion:           Written Argument Opposed Filed  
                                  Written Arguments In Favor Filed

Roger W. Randolph, City Clerk, announced the application to be considered separately was item 5b1, Café D'Auria located in Ward 4.

Council Member Scott asked if the owner of the restaurant was present. Before asking the owner to step forward, she asked if the person who wrote the argument opposing the license was present. Seeing that person was not, she congratulated the restaurant owner for reaching out to the Civano Community. She noted he would be occupying a currently vacated spot. She stated the person who wrote the letter of protest had cited the density of alcohol in the area. She asked the owner how many liquor licenses were in this area.

Mr. Lawrence D'Auria, the restaurant owner, said there were none.

Council Member Scott restated that there were zero licenses so his would be the first. She said based on law, the Council could not prohibit him from having a liquor license when in fact there was no legal standing on which they could base the denial, especially the density issue.

It was moved by Council Member Scott duly seconded, and carried by a voice vote of 6 to 0 (Council Member Leal absent/excused), to forward liquor license application 5b1 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. Mia Hansen, President of the Cultural Exchange Council, announced the performance of the international cast of “Up with People” was taking place at the Fox Theater on May 29 and May 31, 2009. The event would celebrate “Up with Tucson”, a benefit for Tucson Meet Yourself. Jessica Rojas gave a brief performance of the “Up with People” theme song.
- b. Kim Fitch, Nicolosi and Fitch and the Arizona Muthousing Association, spoke in opposition of a rental tax.
- c. Sayra Pena, Nicolosi and Fitch, and representing the Arizona Commons Apartments spoke in opposition of a rental tax.
- d. Tabitha Doughty, HSL Properties La Quinta Apartments, spoke in opposition of a rental tax.
- e. Kirk Krentzel, City of Tucson Water Department employee and General Manager of Krentzel Enterprises, spoke about employee furlough days, the City’s budget, and the possibility of cultivating and encouraging visitors to spend time and money in the City of Tucson.
- f. Bill Doelle, Center for Desert Archaeology, spoke about the Santa Rita Hotel and the opportunity for both preservation and development of this historical structure.
- g. Ken Scoville spoke about the Santa Rita Hotel and asked the Mayor and Council to think about revitalization rather than destruction of the building. He said residential use should be considered.
- h. Joe Sweeney spoke about illegal immigrants in regard to the Pascua Yaqui Reservation. He also encouraged the Mayor and Council to request available 287G units, which would add fifteen men to the Tucson Police Department to help with illegal immigration issues.

- i. Robert Reus spoke about the cool temperature in the Council Chambers, increase in bus fares, building a better business climate to bring in more sales tax revenue, and protecting Access Tucson.

## 7. CONSENT AGENDA – ITEMS A THROUGH H

Mayor Walkup 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 MAY19-09-270 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on March 10, 2009.

### B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE ELVIRA NEIGHBORHOOD REINVESTMENT GRANT PROJECT

1. Report from City Manager MAY19-09-272 WARD 1
2. Resolution No. 21285 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Elvira Neighborhood Reinvestment Grant Project; and declaring an emergency.

### C. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE BARRIO KROEGER LANE NEIGHBORHOOD REINVESTMENT GRANT PROJECT

1. Report from City Manager MAY19-09-273 WARD 1
2. Resolution No. 21287 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Barrio Kroeger Lane Neighborhood Reinvestment Grant Project; and declaring an emergency.

### D. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE URBAN AREA SECURITY INITIATIVE REGIONAL EMERGENCY OPERATIONS CENTER ENHANCEMENT

1. Report from City Manager MAY19-09-276 CITY-WIDE

2. Resolution No. 21286 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the Pima County Health Department and the City of Tucson Police Department for the Tucson Area Urban Area Security Initiative (UASI) Regional Emergency Operations Center (EOC) Enhancement; and declaring an emergency.
- E. NEIGHBORHOODS: WAIVER OF TWO-YEAR WAITING PERIOD FOR THE *MIRAMONTE NEIGHBORHOOD PLAN* AMENDMENT
1. Report from City Manager MAY19-09-275 WARD 6
- F. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE REGIONAL TRANSPORTATION DATA NETWORK TECHNICAL EXPANSION CONTRACT
1. Report from City Manager MAY19-09-274 CITY-WIDE AND OUTSIDE CITY
  2. Resolution No. 21288 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement for Transportation Funding between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson for the Regional Transportation Data Network (RTDN) Technical Expansion Contract; and declaring an emergency.
- G. ASSURANCE AGREEMENT AND FINAL PLAT: (S09-017) STONE CROSSING, (RCP), 40 CONDOMINIUM UNITS, COMMON AREA “A” TO “E” (CONTINUED FROM THE MEETING OF MAY 12, 2009)
1. Report from City Manager MAY19-09-280 WARD 3
  2. Resolution No. 21284 relating to Planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements and approving the final plat in Case No. S09-017 for Stone Crossing, a Residential Cluster Project, 40 Condominium Units and Common Areas “A” through “E”; and declaring an emergency.
  3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.
- H. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR CONVEYANCE OF REAL PROPERTY LOCATED ON TUMAMOC HILL
1. Report from City Manager MAY19-09-279 WARD 1

2. Resolution No. 21289 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for Conveyance of Real Property located on Tumamoc Hill; and declaring an emergency.

It was moved by Council Member Glassman, duly seconded, that Consent Agenda Items A through H, 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 Glassman, Uhlich, Scott, and Trasoff;  
Vice Mayor Romero and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Consent Agenda Items A through H were declared passed and adopted by a roll call vote of 6 to 0.

**8. PUBLIC HEARING: FEDERAL TRANSIT ADMINISTRATION GRANT APPLICATION UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT FOR FEDERAL FISCAL YEAR 2009**

Mayor Walkup announced City Manager's communication number 278, dated May 19, 2009, was received into and made part of the record. He also announced it was the time and place legally advertised for a public hearing on a Federal Transit grant submittal. The project would complete the construction on the Sun Tran Bus Storage and Maintenance Facility.

Jim Glock, Director of Transportation, stated planning for the potential Federal Stimulus Program began early in the calendar year. Early draft guidance clearly stated the City's metropolitan planning organization, Pima Association of Governments (PAG), would be responsible for prioritizing shovel ready transportation projects. He explained such projects had to be included in the region's transportation improvement program, be shovel ready, which in the case of public transportation projects, were those that had achieved their national Environmental Policy Act environmental clearance, and where grant application could be executed before July 1, 2009. PAG utilized its standing committees and publicly noticed meetings to identify recommended projects. One candidate transportation project rose to the top, which was the build-out of the Bus Storage and Maintenance Facility. He said as the Mayor and Council knew, they were currently building a one hundred fifty bus facility using Federal Transit Administration (FTA) grant funds and funds from the Regional Transportation Authority (RTA). The

build-out would allow the City to expand from the one hundred fifty bus facility to a two hundred fifty bus facility, which would give the City the opportunity to create local jobs, as well as, support regional transit expansion efforts. He stated the build-out of the Bus Storage and Maintenance Facility was recommended and then adopted by PAG's Regional Council into the Transportation Improvement Program (TIP) on March 26, 2009. He said the grant was supported by the American Recovery and Reinvestment Act funding and followed the application rules of the 5307 Program which required a public notice of the program of projects held on May 10, 2009, the present public hearing, and formal adoption by the Mayor and Council, as the City of Tucson was recognized by the FTA as its grant recipient for the funds.

Mayor Walkup announced the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations.

Gary Hayes, Pima Association of Governments, said the project was approved as being suitable for stimulus funding, at the Regional Council's meeting in March. He said it was moving forward. He confirmed they were on a tight time schedule with a July 1, 2009, deadline to submit the application. He said, as indicated by Mr. Glock, all the member jurisdictions participated in dialogue, both at the committee and board levels, to approve the project. He said PAG recommended the Mayor and Council support their position on the project.

Gene Caywood said he had been active in transportation and transit issues for many years. He confirmed that he supported the goal of the application, which was to expand the bus facility, because at some point the City would need it. He said he was not sure it was now. He stated he thought there were more important uses for the stimulus money, such as building the Greyhound Depot downtown. He said he knew it would be an uphill battle, at this point, as Mr. Hayes and Mr. Glock indicated the current project had already gone through several steps. He commented he still thought the question should be put before PAG and the Regional Council as to whether or not the Greyhound Depot would be a better idea at this time. He said he thought by doing so; it would fulfill a long promise as they had a lot of issues over the Greyhound Depot. He said the Mayor and Council continued to reaffirm the site but, as soon as they did, something came up where the money was not available to build it. He said it was a good opportunity to get the project done and on the site that was selected.

Mr. Caywood said it would certainly help downtown, but he did not think it was solely a downtown issue. He said he thought it was an issue of credibility the City had with the FTA and the federal government. The City indicated, when it took several million dollars for the railroad station, that it was part of the *Downtown Inter-Modal Center Plan* which included a new site for the Greyhound Depot, Ronstadt Transit Center, and changes to the train station that would allow the servicing of additional trains. He said he thought the City should finish what it said it would and commented, if the *Plan* was not finished, it was almost like the City took the money from the federal government under false pretenses. He stated the project had drug on for years and he for one would like to see it happen.

Mr. Caywood continued saying he knew they had a temporary site for the Greyhound Depot near the east side of the freeway. He said the Mayor and Council had agreed to concentrate on the Rio Nuevo Project which was where the temporary site was. He said the City needed to move Greyhound out of that area because something else to keep in mind was that the Arizona Department of Transportation (ADOT) was successful in getting a million dollars in federal monies to continue to study the idea of train service from Tucson to Phoenix. He said he thought that would likely happen and when it did, the City would need the Inter-Modal Center concept. He said people should be able to get off the train and then catch a bus to Benson, Wilcox, Sells, or Nogales. He commented if the City did not have the Greyhound Depot finished, there would be no integrated system and pointed out part, of making public transit work was an integrated system. He said the City needed Greyhound to be located near the train station and the Ronstadt Center.

Mr. Caywood commented he heard someone say the Greyhound Depot was not a regional project, but thought it was because Greyhound only stopped in one place in the region, downtown. He said, therefore, people from all over the region could access Greyhound at the closest point, downtown.

Mr. Caywood said he also heard comments about the City helping Greyhound, which was a private company. He said the City built transportation infrastructure all the time for private vehicles by building roads that benefited private cars and business vehicles. He explained, with the Greyhound Depot, people could access inter-city buses at a place that was comfortable and allowed them to get where they needed to go without using their automobiles.

Mr. Caywood concluded by saying he thought the Greyhound station was a regional project, it was important, and requested the Mayor and Council to ask PAG and the RTA to reconsider and see if the City could use the grant to move the Greyhound Depot project ahead.

Mayor Walkup asked if there was anyone else who wished to speak on the subject.

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

Mayor Walkup asked the City Clerk to read Resolution 21290 by number and title only.

Resolution No. 21290 relating to transportation; authorizing and approving the submission of a Federal Transit Administration (FTA) Grant application pursuant to the American Recovery and Reinvestment Act of 2009 for Federal Fiscal year 2009, FTA Grant AZ-96-X001 in the amount of \$16,022,390; and declaring an emergency.

Council Member Trasoff stated these discussions had come up in the past week or so. She said it was important the City had an excellent project for the application in order to ensure the money was received for the region and the community. She said it was not just the importance of the bus facility or Greyhound. It meant jobs, infrastructure and other things that would benefit the area for generations to come. She said because the Mayor and Council not only had the Greyhound Depot possibility, they also had tremendous respect for PAG, the roll they played, and the process of necessity they appropriately went through to get to this point. She said, for that matter, she wanted to make an alternative motion.

It was moved by Council Member Trasoff, duly seconded, that the Mayor and Council approve the use of the American Recovery and Reinvestment Act of 2009 funds, in the amount of 16.02 million dollars, to be applied toward a new Greyhound office, mixed use facility, located at the northeast corner of east Toole Street and 6<sup>th</sup> Avenue, conditioned on the approval of a TIP amendment to potentially be made by the Regional Transportation Authority, Regional Council, at their May 28, 2009, meeting for the project. In the event the Regional Council did not approve the TIP amendment at their May 28th meeting, the Mayor and Council would support the original project supported by the Regional Council for recovery funds for the build-out of the Bus Storage and Maintenance Facility as identified in their approved TIP amendment number eight dated March 26, 2009.

Mayor Walkup asked if there was any discussion.

Council Member Trasoff stated the motion was the technical version and she now wanted to put the motion in English terms. She said it was an excellent possibility of a project. She emphasized the only way she believed the Mayor and Council should move forward with the project, was if the RTA Regional Council agreed with the City and had a vote at their May 28th meeting concurring this would be their priority and submit it. She said, if they did not agree, the motion said the City would revert to the original project, which was the expansion of the bus facility.

Council Member Scott asked if the Greyhound project was shovel ready.

Mr. Glock said it met the criteria of having its environmental documentation complete. He confirmed they had an architectural firm under contract to complete its design, but had been put on hold as the City struggled with the funding issue. He noted the location in play was part of the Tucson Downtown Partnership's pre-development agreement, and was the reason it was not considered in any greater detail by PAG at the time they were identifying projects. He said it was critical to have the support of the region as a whole. He stated they should be able to meet the July 1 deadline should a positive action occur on May 28th.

Council Member Scott asked if the item was on the May 28th Regional Council's agenda for discussion.

Mr. Glock stated getting the item on the May 28th agenda for PAG's Regional Council meeting was still in question and not assured.

Council Member Glassman asked regarding the process of the item. He stated it was noticed as a City-Wide item and for Ward 3. He said the motion talked about a project in another part of the city, so perhaps there were people who did not have the opportunity to participate in the discussion that would have liked to. He asked the City Attorney for clarification on the process.

Mike Rankin, City Attorney, stated the item was agendaized with respect to the grant application so the motion was within the scope of the agenda. He said he thought it was more a question of whether the time lines could be met. He said getting it on PAG's agenda was the first step, but thought it was contemplated the item would come back to the Mayor and Council if the scenario played out, which was if the Greyhound project was approved as the TIP amendment.

Mayor Walkup stated another way of thinking about the item was that the City needed both of the projects, not just one or the other. He said the trick was to figure out the best way to capture the stimulus money and for which project. He said the City had a plan that had been thought out and implemented and felt the federal government clearly understood the plan in place. He said the more he became involved with the project, the more he thought about, if they attracted the money for building out the bus barn, then what about Greyhound. He said the City needed to move the temporary facility to its final location. He stated Mr. Caywood was correct; it had been years the City had been waiting for this to happen. He said pending what happened at PAG's and the RTA's meeting, the Mayor and Council needed to understand what the City was told and put together a plan to get the Greyhound facility done. He said the City should get it done one way, or figure out how to get it done another other way. He said in talking to Mr. Hayes, he found he was currently paying a tremendous amount of rent. He said maybe they could accumulate a significant mixed use for the site where they could get a Greyhound bus depot plus an office area where the rent could pay for the construction of the facility. He suggested they go for both projects.

Council Member Glassman said he noticed Mr. Hayes was still in the audience and asked if it was possible for him to make comments on the alternative motion.

Mayor Walkup agreed.

Mr. Hayes clarified it was really a PAG issue and not a RTA issue. He stated it was PAG's roll to advise the federal government on how the monies were being spent. He said, as the bus barn project went through the review process, it was clear that it was viewed as strictly a regional project, because at full build-out, the intent was that it would not only serve existing Sun Tran, Van Tran and Sun Van projects, but they just rolled out circulators in the smaller jurisdictions, rolled out express units, and were doing other kinds of things the *Plan* would eventually cover. He said what PAG considered the bus barn to be was more of a regional impact project than the Greyhound facility.

Mr. Hayes said regarding the issue Mr. Caywood brought up, public transportation project verses the Greyhound project; PAG would call it a public transportation project. He said the key point was PAG and the RTA was committed to getting the Greyhound project done as much as they were the bus barn. He confirmed they were looking at creative ways to assist the City in getting the project done. Having said that, he said, PAG still considered the bus barn a more appropriate project for the stimulus funding.

Mayor Walkup said the motion covered the bases, and depending on the outcome at PAG's meeting regarding the bus barn, the Mayor and Council would take action. He asked Mr. Hayes if the item had been agendaized for May 28th.

Mr. Hayes told the Mayor and Council that PAG was finalizing the agenda and it would go out the next day.

Mayor Walkup said he and the Council knew what they wanted, that was both projects, so they should go out and get them.

Mayor Walkup asked for a roll call vote on the motion.

Upon roll call, the results were:

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

Nay: None

Absent/Excused: Council Member Leal

The motion to use American Recovery and Reinvestment Act of 2009 funds in the amount of 16.02 million dollars to be applied toward either a new Greyhound Depot office, mixed use facility or Bus Storage and Maintenance Facility conditioned on the action taken by PAG's Regional Council on the approval of a TIP amendment at their May 28, 2009, was passed by a roll call vote of 6 to 0.

**9. ZONING: (C9-08-15) CS&Z HOLDINGS, INC. – ALVERNON WAY, R-2 TO C-1, ORDINANCE ADOPTION**

Mayor Walkup announced City Manager's communication number 271, dated May 19, 2009, was received into and made part of the record. He asked the City Clerk to read Ordinance 10667 by number and title only.

Ordinance No. 10667 relating to zoning: amending zoning district boundaries in the area located at the northeast corner of Alvernon Way and Lee Street in Case C9-08-15, CS&Z Holdings, Inc., R-2 to C-1; and setting an effective date.

It was moved by Council Member Trasoff, duly seconded, to pass and adopt Ordinance 10667.

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 Glassman, Uhlich, Scott, and Trasoff;  
Vice Mayor Romero and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Ordinance 10667 was declared passed and adopted by a roll call vote of 6 to 0.

**10. ZONING AMENDMENT: (C9-04-07) MENLO PARK MERCADO DISTRICT PAD CONGRESS STREET, R-2, C-1, C-3 AND I-1 TO PAD-10, ORDINANCE ADOPTION**

Mayor Walkup announced City Manager's communication number 277, dated May 19, 2009, was received into and made part of the record. He asked the City Clerk to read Ordinance 10668 by number and title only.

Ordinance No. 10668 relating to zoning: amending Ordinance No. 10076 to amend the map showing the PAD-10 District Boundaries in the area located on the south side of west Congress Street 1,500 feet west of Interstate 10 in Case C9-04-07, Menlo Park Mercado District PAD, R-2, C-1, C-3 and I-1 to PAD-10; and declaring an emergency.

It was moved by Vice Mayor Romero, duly seconded, to pass and adopt Ordinance 10668.

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 Glassman, Uhlich, Scott, and Trasoff;  
Vice Mayor Romero and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Ordinance 10668 was declared passed and adopted by a roll call vote of 6 to 0.

**11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Walkup announced City Manager's communication number 269, dated May 19, 2009, was received into and made part of the record.

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

Vice Mayor Romero announced her personal appointment of Kristin Almquist to the Parks and Recreation Commission.

**12. ADJOURNMENT: 6:57 p.m.**

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, June 2, 2009, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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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 19th day of May 2009, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

RWR:jr:dc