



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on February 6, 2007

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 5:38 p.m. on Tuesday, January 9, 2007 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:

José J. Ibarra
Carol W. West
Karin Uhlich
Shirley C. Scott
Steve Leal
Nina J. Trasoff
Robert E. Walkup

Council Member Ward 1
Vice Mayor, Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Council Member Ward 6
Mayor

Staff Members Present:

Mike Hein
Michael Rankin
Kathleen S. Detrick
Mike Letcher

City Manager
City Attorney
City Clerk
Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Kathleen S. Detrick, City Clerk, after which the pledge of allegiance was presented by the entire assembly.

Ms. Detrick 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 1, dated January 9, 2007 would be received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Council Member Scott said she would be holding a Ward 4 The Citizens Design Review Advisory Committee meeting on January 24, 2007, at the Clements Center. She said they would discuss impact fee changes.
- b. Council Member Uhlich thanked Winterhaven, Tucson Police Department and all the departments involved with the Festival of Lights.
- c. Vice Mayor West invited the public to a landfill tour on January 18, 2007. She said there was a Rio Nuevo tour planned for January 20, 2007. Vice Mayor West said on January 24, 2007 there was an opportunity for neighborhood representatives to visit with their legislators. She stated they could have lunch with their legislative representative and learn more about the legislative process.
- d. Council Member Trasoff stated there would be a town hall at the Ward 6 office concerning the photo speed enforcement on January 10, 2007.

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

Mayor Walkup announced City Manager's communication number 2, dated January 9, 2007, would be 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 given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 6, dated January 9, 2007, would be 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. La Salsa Fresh Mexican Grill, Ward 6
3007 E. Speedway Blvd.
Applicant: Ron Thomas Yaeli
Series 12, City 122-06
Action must be taken by: January 15, 2007
Staff has indicated the applicant is in compliance with city requirements.
Public Opinion: Written Argument Opposed Filed
Considered separately

c. Special Event

1. Hellenic Cultural Foundation, Ward 3
1145 E. Ft. Lowell Rd.
Applicant: Angela Zoe Zerdavis
City T86-06
Date of Event: January 20, 2007
(Fundraiser for providing scholarships to the University of Arizona)
Staff has indicated the applicant is in compliance with city requirements.
2. St. Demitrios Greek Orthodox Church, Ward 3
1145 E. Ft. Lowell
Applicant: Demitrios Petropoulos
City T87-06
Date of Event: January 27, 2007
(Fundraiser for youth group)
Staff has indicated the applicant is in compliance with city requirements.
3. Tucson Museum of Art, Ward 1
140 N. Main Ave.
Applicant: Alison Lynn Sylvester
City T90-06
Date of Event: January 19, 2007
(Exhibition opening reception)
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change

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 5c1 through 5c3 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Application

New License(s)

1. La Salsa Fresh Mexican Grill, Ward 6
3007 E. Speedway Blvd.
Applicant: Ron Thomas Yaeli
Series 12, City 122-06
Action must be taken by: January 15, 2007
Staff has indicated the applicant is in compliance with city requirements.
Public Opinion: Written Argument Opposed Filed

Kathleen S. Detrick, City Clerk, announced the item to be considered separately was 5b1, a new liquor license application for La Salsa Fresh Mexican Grill, City 122-06. Staff indicated the applicant was in compliance, however a written argument opposing the application had been filed. This is located in Ward 6.

Council Member Trasoff asked the applicant to come forward and speak.

Mr. Ron Yaeli, the applicant, informed the Council this was a number twelve liquor license. He said he was the manager for La Salsa Fresh Mexican Grill in Tucson. He stated they had been in business for ten years. He said the Speedway and Country Club location represented their sixth location in Tucson. Mr. Yaeli said based on their operating history, ninety five percent of their business was in food sales. He said the balance was in beer sales. He stated in the ten years they had been in business, they had no violations or citations of any kind.

Mr. Yaeli stated he had written to the lady who opposed the application. He said he requested a meeting with her and had no response. He said he would still be happy to meet with her.

Mr. Yaeli said they were proud of what they had done in Tucson. He hoped for the Council's support and would answer questions they had.

Council Member Trasoff asked if the prior restaurant had a liquor licenses.

Mr. Yaeli said they did.

Council Member Trasoff asked if the lady who wrote the letter of opposition was present.

There was no response.

Council Member Trasoff said the opposing letter raised a concern about this being something new, when in fact the prior establishment had a similar license. She said the lady was not aware of it, so it could not have been that serious of a problem.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0, to forward special event liquor license application 5b1, City 122-06, La Salsa Fresh Mexican Grill, 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 any items scheduled for a public hearing. Speakers would be limited to three-minute presentations.

- a. Bill Katzel spoke about his point of view for the New Year.
- b. Robert Reus spoke about campaign finance.
- c. Rob Blizzard spoke about an all mail ballot election and making polling places accessible to persons with disabilities.
- d. Michael Toney spoke about Cox Communications and arena bonding.

7. CONSENT AGENDA – ITEMS A THROUGH N

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

- A. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR FISCAL YEAR 2007 FUNDING OF THE TUCSON-PIMA COUNTY HISTORICAL COMMISSION
 1. Report from City Manager JAN9-07-3 CITY-WIDE AND OUTSIDE THE CITY

2. Resolution No. 20546 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for Fiscal Year 2007 for joint funding of the Tucson-Pima County Historical Commission; and declaring an emergency.
- B. ASSURANCE AGREEMENT: (S04-067) CIVANO I – LOT 526 SUBDIVISION, LOTS 1 TO 20, AND COMMON AREAS “A” AND “B”
1. Report from City Manager JAN9-07-4 WARD 4
 2. Resolution No. 20547 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S04-067 of a final plat for the Civano I – Lot 526 Subdivision, Lots 1 to 20 and Common Areas “A” and “B”; and declaring an emergency.
- C. FINAL PLAT: (S04-067) CIVANO I – LOT 526 SUBDIVISION, LOTS 1 TO 20, AND COMMON AREAS “A” AND “B”
1. Report from City Manager JAN9-07-5 WARD 4
 2. City Manager recommends that, after approval of the assurance agreement, 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 PIMA COUNTY FOR THE RUDY GARCIA PARK SCOREBOARDS
1. Report from City Manager JAN9-07-8 WARD 5
 2. Resolution No. 20548 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the design, construction, ownership, operation, and maintenance of the Rudy Garcia Park scoreboards; and declaring an emergency.
- E. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY JOINT SINGLE FAMILY MORTGAGE REVENUE BONDS
1. Report from City Manager JAN9-07-10 CITY-WIDE

2. Resolution No. 20549 a resolution of the Mayor and Council of the City of Tucson, Arizona, approving the proceedings of The Industrial Development Authority of the City of Tucson, Arizona and the Joint Single Family Mortgage Revenue Bond Program of 2007 of The Industrial Development Authority of the City of Tucson, Arizona and The Industrial Development Authority of the County of Pima; approving Standards and Requirements related thereto; approving a General Plan related thereto; approving Program Documents; and authorizing and approving the issuance of not to exceed \$30,000,000 The Industrial Development Authority of the City of Tucson, Arizona and The Industrial Development Authority of the County of Pima Joint Single Family Mortgage Revenue Bonds, Series 2007 in one or more series or issues; and declaring an emergency.

Staff recommends the Standards and Requirements and the General Plan also be approved.

F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE JULIA KEEN NEIGHBORHOOD REINVESTMENT GRANT PROJECT

1. Report from City Manager JAN9-07-15 WARD 5
2. Resolution No. 20550 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Julia Keen Neighborhood Reinvestment Project; and declaring an emergency.

G. PARKS AND RECREATION: NAMING THE SOCCER FIELDS IN THE GOLF LINKS SPORTS COMPLEX THE “RICHARD GIEBNER SOCCER FIELDS”

1. Report from City Manager JAN9-07-11 WARD 4
2. Resolution No. 20551 relating to Parks and Recreation; authorizing and approving the naming of the soccer fields in the Golf Links Sport Complex the “Richard Geibner Soccer Fields”; and declaring an emergency.

Item G was considered separately at the request of Council Member Scott.

H. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE PANTANO RIVER PARK

1. Report from City Manager JAN9-07-7 WARDS 2 AND 4
2. Resolution No. 20552 relating to Intergovernmental Agreements; approving and authorizing the amendment to the Intergovernmental Agreement between the City of Tucson and Pima County for the design, construction, ownership, operation, and maintenance of the Pantano River Park; and declaring an emergency.

I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE ATTERBURY WASH SANCTUARY LAND ACQUISITION AND EXPANSION

1. Report from City Manager JAN9-07-14 WARD 4
2. Resolution No. 20553 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Atterbury Wash Sanctuary Land Acquisition and Expansion; and declaring an emergency.

J. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE JEFFERSON PARK NEIGHBORHOOD REINVESTMENT GRANT PROJECT

1. Report from City Manager JAN9-07-16 WARD 3
2. Resolution No. 20554 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Jefferson Park Neighborhood Reinvestment Project; and declaring an emergency.

Item J was considered separately at the request of Council Member Uhlich.

K. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH CARMAX AUTO SUPERSTORES WEST COAST, INC. FOR THE RELOCATION OF TURBO ROAD AND ENHANCEMENT OF THE RILLITO RIVER TRAIL

1. Report from City Manager JAN9-07-13 WARD 3
2. Resolution No. 20555 relating to real property; authorizing and approving a Development Agreement with Carmax Auto Superstores West Coast, Inc., a California corporation, for the relocation of a portion of Turbo Road in the Tucson Auto Mall; and declaring an emergency.

Item K was considered separately at the request of Council Member Uhlich.

L. FINANCE: AUTHORIZING THE SALE OF CERTIFICATES OF PARTICIPATION FOR CAPITAL IMPROVEMENTS, SERIES 2007

1. Report from City Manager JAN9-07-18 CITY-WIDE

2. Resolution No. 20544 relating to real and personal property; authorizing the execution and delivery of a Ground Lease, an Equipment Lease, a Starrpass Lease, an Assignment of Starrpass Lease and a Sublease, a Lease-Purchase Agreement, and a Continuing Disclosure Undertaking; acknowledging and approving the execution of a Certificate Purchase Agreement and an amendment and supplement to a Declaration of Irrevocable Trust and the sale and delivery of one or more series of Certificates of Participation in the Lease-Purchase Agreement pursuant thereto; and declaring an emergency.

Item L was considered separately at the request of Council Member Uhlich.

M. FINANCE: AUTHORIZING THE ISSUANCE OF REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2007

1. Report from City Manager JAN9-07-19 CITY-WIDE
2. Resolution No. 20543 relating to real and personal property; authorizing the execution and delivery of amendments to existing Ground Leases and Lease-Purchase Agreements, a Depository Trust Agreement, and a Continuing Disclosure Undertaking; acknowledging and approving the execution of a Certificate Purchase Agreement and an amendment and supplement to a Declaration of Irrevocable Trust and Preliminary and Final Statements; acknowledging and approving the execution, sale and delivery of Refunding Certificates of Participation in existing Lease-Purchase Agreements; and declaring an emergency.

Item M was considered separately at the request of Council Member Uhlich.

N. APPROVAL OF MINUTES

1. Report from City Manager JAN9-07-17 CITY-WIDE

Approval of minutes for the regular meeting of the Mayor and Council held on November 7, 2006.

It was moved by Council Member Leal, duly seconded, that Consent Agenda Items A through N, with the exception of G, J, K, L, and M which would be considered separately, be passed and adopted and the proper action taken.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Consent Agenda Item A through N, with the exception of G, J, K, L, and M which would be considered separately, was declared passed and adopted by a roll call vote of 7 to 0.

7. CONSENT AGENDA – ITEM G

G. PARKS AND RECREATION: NAMING THE SOCCER FIELDS IN THE GOLF LINKS SPORTS COMPLEX THE “RICHARD GIEBNER SOCCER FIELDS”

1. Report from City Manager JAN9-07-11 WARD 4
2. Resolution No. 20551 relating to Parks and Recreation; authorizing and approving the naming of the soccer fields in the Golf Links Sport Complex the “Richard Geibner Soccer Fields”; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced Consent Agenda Item G would be considered separately at the request of Council Member Scott.

Council Member Scott stated they were naming the soccer field because Mr. Geibner, who was currently ninety six years old, and still lives in the community, was a soccer legend in Tucson. She said Mr. Geibner did not accept any credit for soccer success in Tucson but, he had given the better part of his life to soccer and its participants.

Council Member Scott said Mr. Geibner was nominated for this because of his contributions and dedication to the sport of soccer in Tucson. She said Mr. Geibner’s years as a professional referee, his years training referees, and his unfailing support on all levels of play in the community, inspired fellow members of the Tucson Soccer League to seek out an opportunity to honor him through the naming of the Golf Links soccer fields.

Council Member Leal stated he was glad Council Member Scott took the time to explain. He said often public facilities were named and people in the present could appreciate that, but people twenty years from then, they would question why things were named like they were.

Council Member Leal asked Mike Hein, City Manager, if in the future there could be a system implemented where a plaque was displayed, that would explain the history so people could connect it with the name. He said it makes the community come to life, and shows that Tucsonians built this place.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Consent Agenda Item G, was declared passed and adopted by a roll call vote of 7 to 0.

7. CONSENT AGENDA – ITEM J

J. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE JEFFERSON PARK NEIGHBORHOOD REINVESTMENT GRANT PROJECT

1. Report from City Manager JAN9-07-16 WARD 3
2. Resolution No. 20554 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Jefferson Park Neighborhood Reinvestment Project; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced Consent Agenda Item J would be considered separately at the request of Council Member Uhlich.

Council Member Uhlich noted Item J as a positive example of partnership between the City of Tucson and Pima County to enhance and reinvest in the neighborhoods. She applauded the Jefferson Park neighborhood for working hard.

Council Member Uhlich said in this instance four hundred thousand dollars of bond money from the County would be invested in some critical infrastructure enhancements. She wanted to thank Jefferson Park and the City of Tucson staff from Department of Neighborhood Resources. She said the County's reinvestment staff had been fantastic. She thanked the Board of Supervisors, especially Supervisor Bronson and Supervisor Elias for working with them.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Item J.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Consent Agenda Item J, was declared passed and adopted by a roll call vote of 7 to 0.

7. CONSENT AGENDA – ITEM K

K. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH CARMAX AUTO SUPERSTORES WEST COAST, INC. FOR THE RELOCATION OF TURBO ROAD AND ENHANCEMENT OF THE RILLITO RIVER TRAIL

1. Report from City Manager JAN9-07-13 WARD 3
2. Resolution No. 20555 relating to real property, authorizing and approving a Development Agreement with Carmax Auto Superstores West Coast, Inc., a California corporation, for the relocation of a portion of Turbo Road in the Tucson Auto Mall; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced Consent Agenda Item K would be considered separately at the request of Council Member Uhlich.

Council Member Uhlich said this item was made possible by Carmax. She said their establishment was along Rillito River Park. She stated Carmax had worked very close with City of Tucson staff and the City Manager to make sure they could reinstate an appropriate buffer and screen between the commercial activity and river park.

Council Member Uhlich thanked the Pima Trails Association.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Item K.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Consent Agenda Item K, was declared passed and adopted by a roll call vote of 7 to 0.

7. CONSENT AGENDA – ITEMS L AND M

L. FINANCE: AUTHORIZING THE SALE OF CERTIFICATES OF PARTICIPATION FOR CAPITAL IMPROVEMENTS, SERIES 2007

1. Report from City Manager JAN9-07-18 CITY-WIDE
2. Resolution No. 20544 relating to real and personal property; authorizing the execution and delivery of a Ground Lease, an Equipment Lease, a Starrpass Lease, an Assignment of Starrpass Lease and a Sublease, a Lease-Purchase Agreement, and a Continuing Disclosure Undertaking; acknowledging and approving the execution of a Certificate Purchase Agreement and an amendment and supplement to a Declaration of Irrevocable Trust and the sale and delivery of one or more series of Certificates of Participation in the Lease-Purchase Agreement pursuant thereto; and declaring an emergency.

M. FINANCE: AUTHORIZING THE ISSUANCE OF REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2007

1. Report from City Manager JAN9-07-19 CITY-WIDE
2. Resolution No. 20543 relating to real and personal property; authorizing the execution and delivery of amendments to existing Ground Leases and Lease-Purchase Agreements, a Depository Trust Agreement, and a Continuing Disclosure Undertaking; acknowledging and approving the execution of a Certificate Purchase Agreement and an amendment and supplement to a Declaration of Irrevocable Trust and Preliminary and Final Statements; acknowledging and approving the execution, sale and delivery of Refunding Certificates of Participation in existing Lease-Purchase Agreements; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced Consent Agenda Item L and Item M would be considered separately at the request of Council Member Uhlich.

Council Member Uhlich asked for a separate roll call vote on Item L and Item M. She said she had questions she was working through with staff, on the sequencing of the methods of borrowing, for certificates of participation. She said she had not resolved her questions and would need to vote no on both items.

It was moved by Vice Mayor West, duly seconded, to pass and adopt Items L and Item M.

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

Upon roll call, the results were:

Aye: Council Members Ibarra, Scott, Leal and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: Council Member Uhlich

Consent Agenda Item L and M, was declared passed and adopted by a roll call vote of 6 to 1.

8. ZONING: (C9-06-26) SECOND HOUSTON ENTERPRISE – WILMOT ROAD, SH TO C-2, CITY MANAGER’S REPORT

Kathy Detrick, City Clerk, stated that this item included a Zoning Examiner’s Report and announced the City Attorney had a change to make on one of the conditions concerning this item.

Mayor Walkup announced City Manager’s communication number 12, dated January 9, 2007 would be received into and made a part of the record. He also announced this was a request to rezone property on the south side of Interstate 10 west of Wilmot Road. The Zoning Examiner and the City Manager recommended approval subject to certain conditions. Mayor Walkup asked if the applicant or representative was present and if they were aware of and agreeable to the proposed requirements.

Mike Grassinger, of the Planning Center, stated they were agreeable to the conditions including the clarification Mr. Rankin wanted.

Mike Rankin, City Attorney, read the clarification. There was a change to the first sentence in condition number nine, and the rest of the condition would remain unchanged. The first sentence would be rewritten to read, “Consistent with the terms of the lease executed in March of 2006, the bill board located on the development site will be removed no later than April 2009.” The remaining language in that condition and in the other conditions would remain unaltered.

Council Member Leal asked if the clause inserted superseded prior text in the preceding lease and none of it could follow through or bump what Mr. Rankin had said.

Mr. Rankin said that was correct, it replaced the sentence that was in the materials.

Council Member Leal said when there was a part of town, where there was a lack of services and activities, people had a lot of unmet needs. He said an out of town developer would come in, and did not have to live with what they had done, sometimes

things got compromised and things were less. He said what was unique about this site, even though it had both of those characteristics, was that it was a large significant project, that was really wonderful. It would bring services and high grade construction to a part of town that lacked it. Council Member Leal said it would bring tax revenue to the City. He said the developer, in working with his office, City staff and adjacent property owners, the number of conditions in this was probably almost as great, as the number of conditions that Alaska required for an Exxon ship to go into port. He said they had done a lot to get where they were and they maintained good will and creativity the whole time.

Council Member Leal thanked Mr. Grassinger saying he knew he had been the point man nexus between all sides. He said he thought this was a real achievement. Council Member Leal stated that Mr. Grassinger had asked for very little and was giving a great deal to the community.

It was moved by Council Member Leal, duly seconded, to authorize the request for rezoning as recommended by the Zoning Examiner with the change Mr. Rankin had read into the record.

Mayor Walkup asked if there was any discussion.

Council Member Trasoff said she wanted to echo what Council Member Leal had said. She stated her particular pet peeve, was the fact they had a viable retail site, fifty five acres, which had twenty three sites, as she understood it, one of which was a large anchor establishment that happened to be ninety nine thousand nine hundred ninety nine square feet, therefore not asking them to modify or bend the big box ordinance, and yet the developer still felt it was still a viable financial opportunity. She said she wished this could serve as a model for others. She commended Mr. Grassinger.

The motion to approve the rezoning request as recommended by the Zoning Examiner was carried by a voice vote of 7 to 0.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 9, dated January 9, 2007 would be 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, to approve the appointment of Rick Luyties in the property owner category and Mary Lucking in the special qualifications category to the El Presidio Historic Zone Advisory Board and reappointments of David Wald-Hopkins in the property owner category and Chris Carroll in the resident category to the El Presidio Historic Zone Advisory Board; reappointments of M. Patricia DeVito in the Neighborhood/Consumer Advocate category and Judith A. Green in the Real Estate/Finance Representative category to Metropolitan Housing Commission; .reappointment of Deb Turner to Small Business Commission;

Kathleen S. Detrick, City Clerk, added the following appointments to the Armory Park Historic Zone Advisory Board; Bonnie Brooks in the resident category, Marty Diamond in the resident category, Michael Kennedy in the property owner category and John Bissell in the special qualifications category and reappointments of Dolores Cannon in the property owner category, Phyllis Factor in the resident category and Donald Coleman in the special qualifications category.

The motion to approve the appointments read into the record was declared passed and adopted by a voice vote of 7 to 0.

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

Council Member Scott announced her appointment of Steve Ellis as the Ward 4 appointee to the Tucson Rodeo Grounds/Parade Citizen's Oversight Committee.

Vice Mayor West announced her appointment of Cindy Rilley to the Tucson Rodeo Grounds/Parade Citizen's Oversight Committee, and wanted to note they were having difficulty getting a quorum.

Vice Mayor West said she had received a memo from the City Clerk announcing a Civil Service Commission vacancy. The appointment of Schuyler Lininger would expire on January 8, 2007. Mr. Lininger had expressed an interest in being reappointed.

Kathleen Detrick, City Clerk, asked if the Council requested to have the reappointment of Mr. Lininger on the next agenda.

Vice Mayor West said the Council should have a meeting first to see if the Council wanted to reappoint Mr. Lininger.

Ms. Detrick, said they could discuss it at the Agenda Committee meeting on January 10, 2007.

10. ADJOURNMENT: 6:19 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, January 17, 2007, 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 January 2007, do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:bt:jmg