



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 3, 2012.

Date of Meeting: October 5, 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 5:35 p.m., on Wednesday, October 5, 2011, 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
Paul Cunningham	Council Member Ward 2 (arrived at 5:48 p.m.)
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
Robert E. Walkup	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 Debra Counsellor, City Clerk's Office, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup proclaimed October as "Solar Energy Awareness Month."

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 385, dated October 5, 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, Scott, Fimbres, Kozachik and Vice Mayor Uhlich. 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 Walkup announced City Manager's communication number 386, dated October 5, 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.

Richard Miranda, City Manager, introduced and welcomed new City Manager employees, Liz Miller and Andrew Quigley.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 387, dated October 5, 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)

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

Person Transfer:

NOTE: There are no application(s) for person transfers scheduled for this meeting.

c. Special Event(s):

1. Tucson Sunshine Chapter, Barbershop Harmony Society, Ward 6
160 S. Scott Ave.
Applicant: Michael Howard Elbert
City T89-11
Date of Event: January 19, 2012
(Mid-Winter Convention Dinner)

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

2. St. Augustine Cathedral, Ward 6
192 S. Stone Ave.
Applicant: Gonzalo J. Villegas
City T97-11
Date of Event: October 22, 2011
(Dinner)

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

d. Agent Change/Acquisition of Control

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

It was moved by Vice Mayor Uhlich, duly seconded and carried by a voice vote of 7 to 0, to forward liquor license applications 5c1 and 5c2 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.

Comments were made by:

Mikki Niemi
Ken Johnson
Ivy Schwartz

Dave Croteau
Julian Babad
Roy Warden

Vicki Brown
Keith Van Heyningen

After a request by Council Member Romero, Mike Rankin, City Attorney, said he would redistribute a previous Memorandum to Mayor and Council, with a copy to the speaker pertaining to smoking restrictions currently in place.

Council Member Romero also clarified what type of fuel the new buses on order would be using.

7. CONSENT AGENDA – ITEMS A THROUGH D

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. FINAL PLAT: (S11-014) BUSINESS PARK OF THE DESERT LOTS 1 AND 2, BLOCKS 1, 2, AND 3, AND COMMON AREA “A”
 - 1. Report from City Manager OCT05-11-389 WARD 5
 - 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.

- b. REAL PROPERTY: VACATION AND CONVEYANCE OF SURPLUS RIGHT OF WAY LOCATED AT GOLF LINKS ROAD EAST OF HOUGHTON ROAD
 - 1. Report from City Manager OCT05-11-390 WARD 4
 - 2. Ordinance No. 10932 relating to Real Property; vacating and declaring a portion of Golf Links Road right of way east of Houghton Road to be surplus; authorizing the conveyance thereof at no cost to Golf Links Investors Limited Partnership; and declaring an emergency.

- c. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE TOUMEY PARK NEIGHBORHOOD REINVESTMENT PROJECT
 - 1. Report from City Manager OCT05-11-391 WARD 6
 - 2. Resolution No. 21805 relating to Intergovernmental Agreements; authorizing and approving the execution of the Intergovernmental Agreement between the City of Tucson and Pima County for the Toumey Park Neighborhood Reinvestment Project; and declaring an emergency.

- d. REAL PROPERTY: FIRST ADDENDUM TO THE LEASE AGREEMENT WITH NRG SOLAR AVRA VALLEY LLC FOR UTILITY-SCALE SOLAR PROJECT
 - 1. Report from City Manager OCT05-11-392 OUTSIDE CITY
 - 2. Ordinance No. 10933 relating to Real Property; authorizing and approving the First Addendum to the Solar Energy Ground Lease Agreement between the City of Tucson and NRG Solar Avra Valley LLC for a utility-scale solar project on City land in Avra Valley, Arizona; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Uhlich.)

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

7. CONSENT AGENDA – ITEM D

d. REAL PROPERTY: FIRST ADDENDUM TO THE LEASE AGREEMENT WITH NRG SOLAR AVRA VALLEY LLC FOR UTILITY-SCALE SOLAR PROJECT

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2. Ordinance No. 10933 relating to Real Property; authorizing and approving the First Addendum to the Solar Energy Ground Lease Agreement between the City of Tucson and NRG Solar Avra Valley LLC for a utility-scale solar project on City land in Avra Valley, Arizona; and declaring an emergency.

Vice Mayor Uhlich commended Tucson Water staff and the City management team for working through some significant issues with Pima County to get this project moving.

Andrew Quigley, Tucson Water Director replied to several questions from Vice Mayor Uhlich regarding mitigation and other points in the Agreement covering lease payments, maintenance of the property costs as well as easements to be approved in conjunction with Pima County.

Vice Mayor Uhlich said additional costs could be explored when this item came up again before Mayor and Council to set those easements in place for permit approval.

It was moved by Vice Mayor Uhlich, duly seconded, and passed by a roll call vote of 7 to 0 that Consent Agenda Item d be passed and adopted and the proper action taken.

8. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager’s communication number 388, dated October 5, 2011, was received into and made part of the record. He asked for a motion to approve the appointment in the report.

There were no personal appointments.

10. ADJOURNMENT: 6:24 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, October 12, 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 5th day of October 2011, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:tl:dr