



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 24, 2012.

Date of Meeting: October 18, 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 5:34 p.m., on Wednesday, October 18, 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 |
| 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 Pastor Adam Kemper, Northwest Community Friends Church, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup proclaimed October as “Down Syndrome Awareness Month.” James and Jodi Bess, Buddy Walk Coordinators, accepted the proclamation
- b. Mayor Walkup proclaimed October 20th at “Lights on Afterschool Day.” Ella Gomez, Pima County Public Library, accepted the proclamation.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 402, dated October 18, 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 Cunningham, Fimbres, Kozachik, Vice Mayor Uhlich and Mayor Walkup. 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 403, dated October 18, 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 provided by Liz Miller, Assistant 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 Walkup announced City Manager’s communication number 404 dated October 18, 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. Del Bravo Imports, Inc., Ward 1
2102 N. Forbes Blvd. #101
Applicant: Francis Hallett Burns III
Series 4, City 73-11
Action must be taken by: October 28, 2011

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

City Clerk Roger W. Randolph announced that the applicant for new License 5b1, Del Bravo Imports, Inc. had been listed incorrectly on the agenda materials. The applicant should have been listed as Peter James Palmer.

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)

Location Transfer:

2. Circle K Store #3424, Ward 6
5502 E. Speedway Blvd.
Applicant: Kim Kenneth Kwiatkowski
Series 9, City 74-11
Action must be taken by: November 7, 2011

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

NOTE: State law provides that for a location transfer, Mayor and Council may consider whether the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license at that location. (A.R.S. Section 4-203; Rule R19-1-102)

c. Special Event(s):

1. Perimeter Bicycling Association of America, Ward 6
160 S. Scott Ave.
Applicant: Melissa Anne Russum
City T98-11
Date of Event: November 17, 2011
(Fundraiser)

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

2. Industria Studios, Inc., Ward 5
1441 E. 17th St.
Applicant: Marjory Rutherford Johnsen
City T101-11
Date of Event: November 11, 2011
(Fundraising)

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

3. Holy Family Catholic Church, Ward 1
338 W. University Blvd.
Applicant: Richard Peter Von Menshengen
City T102-11
Date of Event: November 5, 2011 - November 6, 2011
(Fundraiser)

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

4. The University of Arizona Navy ROTC, Ward 6
1303 E. University Blvd.
Applicant: Bruce W. Grissom
City T103-11
Date of Event: November 11, 2011
(Navy and Marine Corps Birthday)

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 passed by a roll call vote of 7 to 0, to forward liquor license applications 5b1-2 and 5c1-4 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

(This item was taken out of order and discussed after Item No. 7.)

7. CONSENT AGENDA – ITEMS A THROUGH C

(This item was taken out of order.)

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 OCT18-11-407 CITY WIDE
 - 2. Mayor and Council Regular Meeting Minutes of May 10, 2011
- b. MAYOR AND COUNCIL: MEETING SCHEDULE FOR 2012
 - 1. Report from City Manager OCT18-11-406 CITY WIDE
 - 2. Ordinance No. 10935 relating to Administration; establishing the meeting dates of the Mayor and Council for 2012; and declaring an emergency.
- c. REAL PROPERTY: RESTRICTIVE COVENANT WITH NRG SOLAR AVRA VALLEY LLC FOR UTILITY-SCALE SOLAR PROJECT
 - 1. Report from City Manager OCT18-11-408 OUTSIDE CITY
 - 2. Ordinance No. 10936 relating to Real Property; authorizing and approving a restrictive covenant on City land in Avra Valley pursuant to the Lease Agreement between the City of Tucson and NRG Solar Avra Valley LLC, as amended, for a utility-scale solar project on City land in Avra Valley, Arizona; and declaring an emergency.

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.

6. CALL TO THE AUDIENCE

(This item was taken out of order.)

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:

- | | | |
|-----------------|--------------------|----------------|
| Ken Johnson | David Moyer | Phillip Benoit |
| Kristina Ruiz | Jon McLane | Roy Warden |
| Mikki Niemi | Michael Migliore | Joyce Smith |
| Catherine Evler | Jeff Holsen | Robert Reus |
| Michael Martin | Kacee Dwyer | David Rivera |
| Terry Pawlowski | Jean Marie Simpson | Victor Ferrara |
| Joe Bernick | Bill Risner | Margie King |
| Brad Roach | Madeline Kiser | Miriam Weber |

Kristina Sonderegger
John Brackey

Ralph W. Whitted
Michael Gordy

Deborah Alter

A complete 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 C

(This item was taken out of order and discussed after Item #5.)

8. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 405, dated October 18, 2011, was received into and made part of the record. He asked if there were any personal appointments.

Council Member Fimbres announced his personal appointment of Jamey Sumner to the Planning Commission effective November 2011.

9. ADJOURNMENT: 7:11 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, October 25, 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 18th day of October 2011, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:tl:dr