

February 10, 2009

The Phoenix City Council convened as Committee of the Whole on Tuesday, February 10, 2009, at 2:00 p.m. in the Council Chambers.

**ROLL CALL**

Present: Council Members Maria Baier, Michael Johnson, Claude Mattox, Peggy Neely, Michael Nowakowski, Thelda Williams, Vice Mayor Tom Simplot, and Mayor Phil Gordon

Absent: None

Also Present: City Manager Frank Fairbanks, City Attorney Gary Verburg, and City Clerk Mario Paniagua

The minutes of this meeting were submitted to Mr. Nowakowski for review.

Mayor Gordon summarized the events thus far in response to the resignation of District 6 Councilman Greg Stanton. Under the City Charter, the remaining eight members on the Council were required to fill that vacancy. Those interested in the interim position submitted resumes and phone calls, letters, and e-mails were received from and on behalf of some or all of the candidates, and meetings took place upon request. He also recapped that five votes from the remaining eight Council members were required to select an appointee. In the event that did not occur by approximately 5:15 p.m., a new meeting was posted for 9:30 a.m. the following day, and the Council would meet each day until a candidate secured five votes.

**ITEM 3****CITYWIDE****CONDUCT CANDIDATE  
INTERVIEWS**

Mayor Gordon explained that as mentioned at the special meeting earlier in the day, one candidate for the interim District 6 Council member position, Tamera Shanker, was unable to be present for the morning meeting due to a previous obligation representing an indigent child from a Native American nation in northern Arizona. The Council decided to extend Ms. Shanker the courtesy of responding to the same five questions (listed below) as the other candidates.

1. Why do you think you are the best candidate for this position?
2. Do you plan to run for the permanent Council seat?

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3. The proposed freeway/parkway along Pecos Road is an important issues in the district. Do you support or oppose this proposal?
4. If we were to exhaust all other options and had only these two choices, which would you pick? Cut services and programs such as senior centers, after-school programs, libraries, and pools OR raise taxes?
5. Transit sales tax revenues continue to decline, and the Council soon will be faced with the hard choice of raising rates or cutting services. What are your thoughts on this?

Tamera Shanker

1. Ms. Shanker stated she had spent her 15 years of legal work in the community being a public servant; 3 years volunteering on the Foster Care Review Board for Phoenix, 14 years as a working board member for the Arizona Friends of Foster Children Foundation that was founded in Phoenix, and 12 years developing a scholarship program for that foundation. Part of her responsibility was managing a budget that fluctuated, but averaged over \$1 million. As chairperson for the scholarship program, she managed a budget averaging \$350,000. She also spent 10 years working on a volunteer basis advocating with the Children's Action Alliance for programs for children and families in the community.

Ms. Shanker mentioned she lived in District 6 and raised her family there; noting her children were educated there also. She was personally invested in District 6 and Phoenix as a whole. She was a small business owner, with offices in Maricopa County and Coconino County. As the managing partner, she dealt with the day-to-day operations, fiscal management, and typical business struggles, especially in the current economic climate. She knew what it was like to develop a business, nurture it along, and sustain it even in hard times.

Ms. Shanker emphasized her work with people in the community on important issues, such as education, family, and children, and she appreciated the challenges of the business community. Based on her background, including working with the City of San Francisco, she was not a stranger to City government and the nuts and bolts of its operation.

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2. Ms. Shanker said she did not enter this process with the intention of seeking political office, but she would not be a benchwarmer either. There was a lot of work ahead of this Council. She hoped to prove herself to the people of District 6 and continue serving.
3. Ms. Shanker opposed the proposal.
4. Ms. Shanker indicated she would raise taxes because she knew what the impact was to the community when services were cut.
5. Ms. Shanker favored trying to raise revenues in every way possible in order to not cut services.

Mr. Mattox remarked this was a very difficult decision for him and each member of the Council. All of the applicants were qualified, and the Council appreciated each candidate taking the time to express their interests and beliefs in what was best for the City of Phoenix and District 6. He thanked everyone for their participation in this process, regardless of the outcome.

Mrs. Williams believed it was a testimony to the City of Phoenix and the citizens that so many candidates came forth and volunteered to step into this vacancy at a time when the economy was so bad, the City was struggling, and there were still so many challenges to face. It took a lot of courage to come forward, there were many qualified people, and she thanked everyone who applied.

Ms. Neely pointed out the Council had made many tough budget choices over the recent months, and while the five questions asked did not necessarily represent the top priorities, it was interesting to hear how much everyone shared the same views and visions of what was happening at the City of Phoenix. The present Council members knew what it was like to run as a candidate, and each person who applied for the interim position had done an excellent job presenting themselves. She further commended the audience for their patience and participation. Whatever happened, she encouraged everyone to stay involved and volunteer in critical areas because today was just one stepping stone. She wished everyone luck and thanked them for participating.

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Mayor Gordon returned to Item 1 on the agenda.

**ITEM 1**

**CITYWIDE**

**CONSENT AGENDA, CALL  
FOR EXECUTIVE SESSION,  
AGENDA ITEMS**

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Mayor Gordon noted there was no Consent Agenda, but a call for an Executive Session was needed.

**MOTION** was made by Mr. Simplot, **SECONDED** by Mr. Mattox, that in accordance with a properly posted notice and agenda, that the City Council, pursuant to Arizona Revised Statutes, Section 38-431.02.A, meet in Executive Session on Tuesday, February 17, 2009, at 1:00 p.m. in the East Conference Room, 12th Floor of the Phoenix City Hall, 200 West Washington Street, Phoenix, Arizona. **MOTION CARRIED UNANIMOUSLY.**

**ITEM 2**

**CITYWIDE**

**PUBLIC COMMENT -  
REGARDING CANDIDATES  
FOR INTERIM COUNCIL  
MEMBER**

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Mayor Gordon stated this item was posted last week to provide the Council with options depending on the number of applicants and the timing of the overall process. As announced at the morning meeting, the Council addressed those who submitted a speaker comment card or written statement, and allowed those who wished to speak to do so then. Therefore, he would enter into the record the speaker comment cards submitted for this meeting (see below), as the Council had decided, with the City Attorney's approval, to proceed with voting on the candidates.

**No candidate indicated - wished to speak**

- JoAnn Calvin
- Catherine and Rusty Foley
- Greta Rogers
- Emerson Turner

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**ITEM 4**                      **CITYWIDE**                      **NOMINATION, AND**  
**APPOINTMENT OF INTERIM**  
**DISTRICT 6 COUNCIL MEMBER**

Mayor Gordon advised that, under the City Charter, the Council was not bound to appoint someone who applied for the interim position. Assuming five votes were received, there was the option of appointing anyone that was a qualified resident of District 6 and a qualified voter. He also noted all of the candidates that applied were reviewed by the City Clerk's Office and determined to be eligible under those two qualifications.

From a procedural aspect, under the City Charter, Mayor Gordon clarified that following a nomination, a second was not required, and the Council could proceed with voting.

Mr. Nowakowski **NOMINATED** Sal Rivera.

Mr. Simplot stated his preference to vote for an individual who would not run for the election in September; thereby allowing those who wished to run, more of an even starting place. For this reason, he would not support the nomination of Mr. Rivera.

Roll Call:	Ayes:	Baier, Johnson, Nowakowski, and Mayor Gordon
	Nays:	Mattox, Neely, Williams, and Vice Mayor Simplot
	Absent:	None

**MOTION FAILED.**

Mrs. Williams felt strongly that whoever was appointed should be running for office and have wide constituent support. In this case, there was a candidate who had experience and was able to walk in the door and get the job done.

Mrs. Williams **NOMINATED** Sal DiCiccio.

Mr. Nowakowski requested Mr. DiCiccio clarify his position stated in a newspaper article he wrote about the mix in culture.

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Grateful for the opportunity to respond, Mr. DiCiccio explained that, in politics, it was the art of tearing somebody down, rather than promoting. He stressed he was a product of an immigrant and he grew up among immigrants. Both of his parents came to the United States, and he could not speak English until the first grade. Currently, he spoke Spanish, Italian, and English. He firmly stated he was not anti-immigrant and not an anti-Hispanic. The comments made were extremely offensive because they were not true.

Mr. DiCiccio stated he wrote an editorial article in 2007 regarding the wave of violence plaguing Mexico. He recalled that during that time Mexico was transitioning from the Fox administration and was moving into the Calderon administration. Unfortunately, there was a considerable amount of violent activity escalating, and he brought attention to that fact. In the editorial, he clearly delineated what he considered to be the violent criminals and the individuals that were coming here to work and make a living.

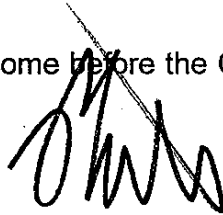
Roll Call:	Ayes:	Baier, Mattox, Neely, Williams, and Mayor Gordon
	Nays:	Johnson, Nowakowski, and Vice Mayor Simplot
	Absent:	None

**MOTION CARRIED.**

Mayor Gordon announced Sal DiCiccio was the interim Council member for District 6.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor Gordon declared the meeting adjourned.



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MAYOR

ATTEST:

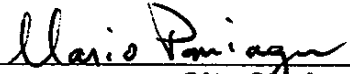
  
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CITY CLERK

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**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Committee of the Whole session of the City Council of the City of Phoenix held on the 10th day of February, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of February, 2009.

  
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City Clerk



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