

**THE JOINT WORKSESSION OF THE MAYOR AND CITY COUNCIL  
AND THE PLANNING & ZONING COMMISSION  
OF BENSON, ARIZONA HELD APRIL 14, 2008  
AT CITY HALL AT 6:00 P.M.**

**MAYOR FENN  
OPENED THE MEETING AT 6:00 P.M WITH  
THE PLEDGE OF ALLEGIANCE.**

**PRESENT WERE: MAYOR FENN, VICE MAYOR KING, (arriving at 6:18 p.m.)  
COUNCILMEMBERS LODZINSKI (arriving at 6:45 p.m.), McGOFFIN, SACCO,  
SUAGEE, and TIPTON**

**PLANNING & ZONING COMMISSIONERS: CLIFF BROWN, JAMES CRAWFORD,  
CLIFF DEANE, RANDY ROBICHAUD and JAMES THELANDER  
ABSENT WERE: COMMISSIONERS WALTER SCHMIDT and LUANNE POSEGATE**

**NEW BUSINESS:**

Presentation by the City Attorney concerning  
the provisions and the potential impact on the  
City of Proposition 207, a state-wide initiative  
approved by the voters in November 2006,  
designed to limit state and local governments'  
ability to regulate land use and acquire private  
property. Discussion will include a sample waiver  
form for Proposition 207 claims against the City:

City Attorney Thomas Benavidez introduced Attorney Christopher Wencker who gave a presentation to the Council and the Planning & Zoning Commission regarding the provisions and potential impacts of Proposition 207. Mr. Wencker stated that Proposition 207 is now codified in A.R.S. §12-1131, et seq. and that it changed the law of eminent domain in Arizona. Mr. Wencker then gave a brief overview of eminent domain law. Mr. Wencker then discussed economic development as a "public use" in Arizona, the reasons for Proposition 207 and its resulting changes concerning redevelopment, regulatory takings, rights to compensation, compensation procedures and waiving of claims. Mr. Wencker then addressed important issues for the City, including land use laws, the use of a waiver for a group or neighborhood rezoning or for future annexations and upzoning, as well as land use changes that are exempt from Proposition 207.

Adjournment: Vice Mayor King moved to adjourn at 6:53 p.m. Seconded by Councilmember Sacco. Motion passed 7-0.

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Mark M. Fenn, Mayor

ATTEST:

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Vicki L. Vivian, City Clerk