

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF APRIL 12, 1999

Mayor George Miller called the Study Session to order at 1:35 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor George Miller
 Vice-Mayor Janet Marcus, (Ward 2)
 Counc. Jose J. Ibarra, (Ward 1)
 Counc. Jerry Anderson (Ward 3)
 Counc. Shirley Scott (Ward 4)
 Counc. Steve Leal, (Ward 5)
 Counc. Fred Ronstadt, (Ward 6)

STAFF: Luis G. Gutierrez, City Manager
 John Nachbar, Deputy City Manager
 Thomas J. Berning, City Attorney
 Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
1. Tucson/Pima Arts Council ArtWORKS! Program (Ward 4) SS/APRIL12-99-177 A brief presentation was made and handmade tiles and frames were distributed to the Mayor and Council.	
2. Executive Session - Southern Arizona Water Right Settlement Act (SAWRSA) - Proposed Amendments (City-Wide) SS/APRIL12-99-178	
4. Executive Session - Regarding Rights to Secure Santa Cruz Riverbed for Underground Storage Facility (City-Wide) SS/APRIL12-99-186 Council Member Ibarra MOVED, SECONDED by Council Member Scott, that Mayor and Council go into Executive Session for discussion or consultation for legal advice with the Attorneys for the City of Tucson pursuant to A.R.S. 38-431.03 (A) (3) regarding Southern Arizona Water Right Settlement Act (SAWRSA) - Proposed Amendments and Rights to Secure Santa Cruz Riverbed for Underground Storage Facility. Motion <u>PASSED</u> by a vote of 7 to 0.	<u>CITY ATTORNEY</u> is responsible

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
RECESS: 1:49 P.M. RECONVENE: 1:50 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT	
2. Executive Session - Southern Arizona Water Right Settlement Act (SAWRSA) - Proposed Amendments (City-Wide) SS/APRIL12-99-178 4. Executive Session - Regarding Rights to Secure Santa Cruz Riverbed for Underground Storage Facility (City-Wide) SS/APRIL12-99-186 Executive Session was held from 1:50 P.M. to 2:36 P.M.	
RECESS: 2:36 P.M. RECONVENE: 2:45 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT	
Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus that Mayor and Council return to Open Session. Motion <u>PASSED</u> by a vote of 7 to 0.	
3. Mayor and Council Direction Regarding Executive Session - Southern Arizona Water Right Settlement Act (SAWRSA) - Proposed Amendments (City-Wide) SS/APRIL12-99-179 5. Mayor and Council Direction Regarding Executive Session - Regarding Rights to Secure Santa Cruz Riverbed for Underground Storage Facility (City-Wide) SS/APRIL12-99-187 Council Member Ibarra MOVED, SECONDED by Council Member Leal, that the City Attorney proceed as discussed in Executive Session regarding Southern Arizona Water Right Settlement Act (SAWRSA) - Proposed Amendments and Rights to Secure Santa Cruz Riverbed for Underground Storage Facility. Motion <u>PASSED</u> by a vote of 7 to 0.	<u>CITY ATTORNEY</u> is responsible
6. Sonoran Sea Aquarium Presentation (Ward 6) SS/APRIL12-99-180	

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<p>This item has been continued indefinitely at the request of Council Member Ronstadt.</p>	<p><u>CITY MANAGER</u> is informed <u>AGENDA COMMITTEE</u> is informed</p>
<p>7. Request for Funds - Christmas in April, Greater Tucson (Ward 5) SS/APRIL12-99-188</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council waive permit fees of \$800 as requested.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY MANAGER</u> is responsible</p>
<p>14. Submission of FY 1999-2000 Position Compensation Plan Recommendation (City-Wide) SS/APRIL12-99-174</p> <p>A Public Hearing is scheduled for Thursday, April 22, 1999 for this item.</p> <p>There is no formal action required.</p>	<p><u>DIR. OF HUMAN RESOURCES</u> is informed</p>
<p>8. Sustainable Design and Construction Practices for City of Tucson Public Facilities (City-Wide) SS/APRIL12-99-171</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Anderson that the following City Manager recommendations be approved:</p> <ol style="list-style-type: none"> 1. Comprehensive and coordinated approaches to sustainable design and construction of public facilities, in conjunction with the Growing Smarter legislation's mandated changes to the City's General Plan. 2. Analyze and develop related policy initiatives for Life-Cycle Costing and Environmentally Preferred Products, and 3. Analyze the return on investment for implementation of such policies, with specific attention to creation of a self-financing mechanism for sustainable development. 	<p><u>OFFICE OF SPECIAL PROJECTS</u> is responsible</p>
<p>8. Sustainable Design and Construction Practices for City of Tucson Public Facilities (City-Wide) SS/APRIL12-99-171 (CONTINUED)</p>	

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<p>In addition, Vice-Mayor Marcus directed that:</p> <ol style="list-style-type: none"> 4. the Green Team should familiarize themselves with the TSMS (Tucson Stormwater Management Study) and incorporate the findings from that study where appropriate, and 5. Development Services should incorporate the private sector and recognize those developers or businesses that are making an effort toward sustainability by going beyond the normal standards and we should celebrate those that are successful. <p>Council Member Leal offered the following amendments, the amendments were acceptable to the maker of the motion:</p> <ol style="list-style-type: none"> 6. Consider an option to “fast-track” commercial development that is making an effort toward sustainability by going beyond the normal standards and is seeking City of Tucson assistance (for permitting) 7. Figure out how to rapidly expand and promote this concept into residential construction. 8. Development Services should meet with members of the Development Community and Special Projects and return to Mayor and Council with a list of standards and indicate which of those listed we should review in terms of sustainability. 9. Examine the issue of combustibility levels with regard to fire insurance. <p>Mayor Miller added with apparent consensus that staff should attempt to expand the frontier of energy efficient mortgages.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>OFFICE OF SPECIAL PROJECTS</u> is informed</p> <p><u>DIR. OF DEV. SERVICES</u> is responsible</p> <p><u>DIR. OF DEV. SERVICES</u> is responsible</p> <p><u>OFFICE OF SPECIAL PROJECTS</u> is responsible</p> <p><u>DIR. OF DEV. SERVICES</u> is informed <u>AGENDA COMMITTEE</u> is informed</p> <p><u>OFFICE OF SPECIAL PROJECTS</u> is responsible</p> <p><u>OFFICE OF SPECIAL PROJECTS</u> is responsible</p>
<p>9. State Legislative Matters (City-Wide) SS/APRIL12-99-181</p> <p>The State Budget passed with the State Shared Revenues restored to</p>	<p><u>OFFICE OF INTGVL.</u></p>

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<p>15.8% in year one, but left at 15.0% for year two. The City of Tucson must continue to work in order to raise the State Shared Revenues to 15.8% for year two.</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Marcus to oppose Pima County's to change the process to allow Pima County to impose a sales tax by requiring only four votes of the Board of Supervisors as opposed to five.</p> <p>Vice-Mayor Marcus removed her SECOND.</p>	<p><u>AFFAIRS</u> is informed</p>
<p>10. Federal Legislative Matters (City-Wide) SS/APRIL12-99-182</p> <p>Increased revenues from a booming economy and growth will be used for tax cuts as opposed to domestic programs.</p>	<p><u>OFFICE OF INTGVL.</u> <u>AFFAIRS</u> is informed</p>
<p>11. Boards, Committees and Commissions SS/APRIL12-99-176</p> <p>Item was not discussed.</p> <p>Formal action taken at the Regular Session.</p>	<p><u>CITY CLERK</u></p> <p>See AAR&S of the Regular Meeting of 4/12/99, Item #11</p>
<p>12. Mayor and Council Discussion of Regular Agenda SS/APRIL12-99-170</p> <p>Council Member Ronstadt requested an analysis be attached to materials for Real Property Acquisition which would include loss of tax revenues for the acquisition of that property.</p>	<p><u>DIR. OF TRANS.</u> is responsible <u>CITY MANAGER</u> is informed</p>
<p>13. 1999 Water Meter Installation and Miscellaneous Fees Study (City-Wide and Outside City) SS/APRIL12-99-175</p> <p>Council Member Leal requested for future consideration that staff prepare</p>	<p><u>DIR. OF WATER</u></p>

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<p>two parallel charts reflecting both direct costs and indirect costs in order to better assess the total impact of fees (100% versus 50%).</p> <p>Secondly, some of the fees are being reduced, if you had factored in 100% of the indirect cost would they still have reduced?</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus to approve the City Manager’s recommendation.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Council Member Anderson requested staff attempt to follow-up with Southern Arizona Homebuilders Alliance and Tucson Underground Contractors Association for input on this study.</p> <p>(Counc. Member Ibarra departed at 3:42 P.M. and returned at 3:44 P.M.)</p>	<p>is responsible</p> <p><u>DIR. OF WATER</u> is responsible</p> <p><u>DIR. OF WATER</u> is responsible</p>
<p>15. 1999-00 Recommended Budget (City-Wide) SS/APRIL12-99-173</p> <p>Council Member Scott MOVED, SECONDED by Council Member Leal, that Mayor and Council move to approve the City Manager’s recommendations.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is informed</p>
<p>16. Pima Association of Governments (PAG) Regional Council Meeting (City-Wide) SS/APRIL12-99-185</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ibarra, that Mayor and Council approve the City Manager’s recommendation.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF TRANS.</u> is informed</p>
<p>17. Mayor and Council Subcommittees Status Reports (City-Wide) SS/APRIL12-99-183</p> <p>There was nothing to discuss.</p>	
<p>18. Mayor and Council Discussion of Future Agendas SS/APRIL12-99-169</p> <p><u>City Support for Tucson Solar Alliance</u></p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Council Member Anderson requested that this item be scheduled next week.</p> <p><u>Consideration to Unfreeze the Contingency Fund</u></p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ibarra, that Mayor and Council approve scheduling of this item.</p> <p>Motion <u>FAILED</u> by a vote of 2 to 5, (Mayor Miller, Vice-Mayor Marcus, Council Members Leal, Ronstadt and Scott dissenting).</p>	<p><u>CITY ATTORNEY</u> is responsible</p>
<p>20. Executive Session - Southwest Soil Remediation v. City of Tucson Pending Litigation (City-Wide) SS/APRIL12-99-190</p> <p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council go into Executive Session for discussion or consultation for legal advice with the Attorneys for the City of Tucson in order to consider its position and instruct its attorneys regarding the City of Tucson's position in pending or contemplated litigation pursuant to A.R.S. 38-431.03 (A) (3) regarding Southwest Soil Remediation v. City of Tucson Pending Litigation.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>RECESS: 4:00 P.M. RECONVENE: 4:01 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>22. IGA Between Tucson Police Department and South Tucson Police Department (City-Wide) (Continued from Meeting of April 5, 1999) SS/APRIL12-99-189</p> <p>This item discussed.</p> <p>(Counc. Leal departed at 4:33 P.M.)</p>	<p><u>CHIEF OF POLICE</u> is informed</p>
<p>20. Executive Session - Southwest Soil Remediation v. City of Tucson Pending Litigation (City-Wide) SS/APRIL12-99-190</p> <p>Executive Session was held from 4:05 P.M. to 4:30 P.M.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>RECESS: 4:30 P.M. RECONVENE: 4:31 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus that Mayor and Council return to Open Session.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>21. Mayor and Council Direction Regarding Executive Session - Southwest Soil Remediation v. City of Tucson Pending Litigation (City-Wide) SS/APRIL12-99-191</p> <p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that the City Attorney proceed as discussed in Executive Session regarding Southwest Soil Remediation v. City of Tucson Pending Litigation.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> is responsible</p>
<p>ADJOURNMENT: 4:34 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM CITY CLERK'S OFFICE</i></p>	