

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____
 ADMINISTRATIVE ACTION REPORT AND SUMMARY
 MAYOR AND COUNCIL STUDY SESSION OF NOVEMBER 8, 1999

Mayor George Miller called the Study Session to order at 1:36 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. Shirley C. Scott, (Ward 4)
 Counc. Jerry Anderson (Ward 3)

COUNCIL MEMBERS ABSENT: 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. Executive Session – City of Tucson v. Jones (City-Wide) SS/NOV8-99-533	
3. Executive Session – Settlement Issues Regarding Pima County Effluent Lawsuits (City-Wide) SS/NOV8-99-529	<u>CITY ATTORNEY</u> Is informed
5. Executive Session – Regulation of Material Harmful to Minors Distributed By Vending Machines (City-Wide) SS/NOV8-99-527	<u>DIR. OF WATER</u> Is informed
Council Member Ibarra MOVED, SECONDED by Council Member Scott, that Mayor and Council go into Executive Session for discussion or consultation 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 City of Tucson v. Jones pursuant to A.R.S. 38-431.03 (A) (4) and go into Executive Session for discussion or consultation for legal advice with the attorneys in the City of Tucson for Settlement Issues Regarding Pima County Effluent Lawsuits pursuant to A.R.S. 38-431.03 (A) (3) and go into Executive Session for discussion or consultation for legal advice with the attorneys for the City of Tucson in Regulation of Material Harmful to Minors Distributed By Vending Machines pursuant to A.R.S. 380431.03 (A) (3)	
Motion PASSED by a vote of 5 to 0, (Council Members Ronstadt and Leal Absent/Excused).	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
RECESS: 1:38 P.M. RECONVENE: 2:59 P.M. MAYOR & COUNCIL: ALL PRESENT (EXCEPTING COUNCIL MEMBER LEAL, COUNCIL MEMBER RONSTADT ARRIVED AT 1:49 P.M.) STAFF: ALL PRESENT	
Executive Session was held from 1:40 P.M. to 2:51 P.M.	
Council Member Scott MOVED, SECONED by Council Member Ibarra to return to Open Session. Motion PASSED by a vote of 6 to 0, (Council Member Leal Absent/Excused).	
2. Mayor and Council Direction Regarding Executive Session – City of Tucson v. Jones (City-Wide) SS/NOV8-99-534 Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus to direct staff to proceed as discussed in Executive Session regarding City of Tucson v. Jones. Motion PASSED by a vote of 6 to 0, (Council Member Leal Absent/Excused).	<u>CITY ATTORNEY</u> Is responsible
4. Mayor and Council Direction Regarding Executive Session – Settlement Issues Regarding Pima County Effluent Lawsuits (City-Wide) SS/NOV8-99-530 Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus to direct staff to proceed as discussed in Executive Session regarding Settlement Issues Regarding Pima County Effluent Lawsuits. Motion PASSED by a vote of 6 to 0, (Council Member Leal Absent/Excused).	<u>DIR. OF WATER</u> Is responsible
7. Boards, Committees and Commissions (City-Wide) SS/NOV8-99-531 Nothing discussed.	
8. Mayor and Council Discussion of Regular Agenda SS/NOV8-99	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>SS/NOV8-99-525</p> <p>Nothing discussed.</p>	
<p>9. Mayor and Council Subcommittee Status Report (City-Wide) SS/NOV8-99-535</p> <p>Nothing discussed.</p>	
<p>10. Mayor and Council Discussion of Future Agendas SS/NOV8-99-526</p> <p>Nothing discussed.</p>	
<p>11. An Update on the Impact of the Quality Housing Work Responsibility Act of 1998 (QHWRA) on Public Housing and Section 8 Programs(City-Wide) SS/NOV8-99-532</p> <p>Council Member Scott requested item 5 on attachment “C” regarding Self Sufficiency be retained.</p> <p>Council Member Anderson requested a map depicting the dispersion of low income housing in the City be provided in January when staff returns.</p> <p>Council Member Anderson also requested staff provide details of the strategies for “Market to Market.” This is a program that addresses privately owned subsidized properties that were federally funded 30 years ago and the term of the loan is now up with no incentive to maintain the property as affordable.</p> <p>(Counc. Ibarra departed at 3:15 P.M. and returned at 3:17 P.M.)</p>	<p><u>DIR. OF COMM. SERVICES</u> Is responsible</p>
<p>12. Random Discharge of Firearms (City-Wide) SS/NOV8-99-537</p> <p>Item discussed.</p> <p>No formal action taken.</p>	
<p>6. Regulation of Tabloid Vending Machines Containing Materials Considered Harmful to Minors (City-Wide) SS/NOV8-99-528</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Council Member Ibarra MOVED, SECONDED by Council Member Anderson to direct the City Attorney to contact the publisher of the tabloids in question and request that they relocate the material considered to be harmful to minors, to locations with access under adult supervision. Remove machines from close proximity to homes, churches and schools. If the tabloid owners fail to relocate their machines, that pursuant to State law, the County Attorney be asked to review the materials for possible felony prosecution or referral to the Prosecutor for the City of Tucson.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>ADJOURNMENT: 3:35 P.M.</p>	
<p><u>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</u></p>	