

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER \_\_\_\_\_

ADMINISTRATIVE ACTION REPORT AND SUMMARY  
MAYOR AND COUNCIL STUDY SESSION OF OCTOBER 4, 1999

Mayor George Miller called the Study Session to order at 10:05 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)  
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. Ramsey et al (A Condemnation) (City-Wide) SS/OCT4-99-470	
3. Executive Session CAWCD v. U.S. et al (City-Wide) SS/OCT4-99-472	
Council Member Scott MOVED, SECONDED by Council Member Leal, 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) and 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 pending or contemplated litigation pursuant to A.R.S. 38-431.03 (A) (4) regarding City of Tucson v. Ramsey et al (A Condemnation) and CAWCD v. U.S. et al.	<u>CITY ATTORNEY</u> Is informed
Motion PASSED by a vote of 7 to 0.	
5. Executive Session – Legal Parameters Regarding Negotiations with	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Tucson Electric Power Company and Southwest Gas Company for Renewal of their Franchise Agreements with the City of Tucson (City-Wide) SS/OCT4-99-457</p> <p>This item continued indefinitely at the request of staff.</p>	<p><u>CITY ATTORNEY</u> Is informed</p>
<p>RECESS: 10:07 A.M.            RECONVENE: 11:04 A.M. (MAYOR &amp; COUNCIL CONFERENCE RM.)            MAYOR &amp; COUNCIL: ALL PRESENT            STAFF: ALL PRESENT</p>	
<p>1. Executive Session – City of Tucson v. Ramsey et al (A Condemnation) (City-Wide) SS/OCT4-99-470</p> <p>3. Executive Session CAWCD v. U.S. et al (City-Wide) SS/OCT4-99-472</p> <p>Executive Session was held from 10:10 A.M. to 10:59 A.M.</p>	
<p>RECESS: 10:59 A.M.            RECONVENE: 11:04 A.M. (MAYOR &amp; COUNCIL CHAMBERS)            MAYOR &amp; COUNCIL: ALL PRESENT            STAFF: ALL PRESENT</p>	
<p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council return to Open Session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>2. Mayor and Council Direction Regarding City of Tucson v. Ramsey et al (A Condemnation) (CityWide) SS/OCT4-99-471</p> <p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that the City Attorney be directed to proceed as discussed in Executive Session regarding the City of Tucson v. Ramsey et al (A Condemnation).</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>4. Mayor and Council Direction Regarding CAWCD v. U.S. et al (City-Wide) SS.OCT4-99-473</p>	

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<p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that the City Attorney be directed to proceed as discussed in Executive Session regarding the City of Tucson v. CAWCD v. U.S. et al .</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>6. Report on Electric and Gas Utility Franchise Agreement Negotiations (City-Wide) SS/OCT4-99-464</p> <p>Council Member Anderson requested the Metropolitan Energy Commission be involved when appropriate.</p> <p>No formal action required.</p>	<p><u>DIR. OF OPERATIONS</u> Is informed</p>
<p>7. Reallocation of Community Development Block Grant Funds (City-Wide) (Continued from 9/27/99 Meeting) SS/OCT4-99-469</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Leal that the Mayor and Council reallocate the unexpended program funds listed in Attachment C, items 1-4 and that this \$353, 366 balance (representing \$3,234 available for public services and \$350,132 for housing, economic development and public facilities) be applied to the following projects:</p> <p>\$ 3,234----CPLC Corazon de Aztlan Project      120,000---Dunbar Coalition Incorporated      135,132----Parks &amp; Recreation, Santa Rosa Park Development      30,000----Christmas in April      50,000----City CCD Demolition Project      15,000----Tucson Shalom Facility Project</p> <p>and that the Domestic Violence Commission apply to the City contingency fund for the requested \$15,000.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF COMMUNITY SERVICES</u></p>
<p>9. 9-1-1 Emergency Response (City-Wide) SS/OCT4-99-458</p> <p>Continued indefinitely at the request of Council Member Anderson.</p>	
<p>10. Boards, Committees and Commissions SS/OCT4-99-456</p> <p>No discussion</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
11. Mayor and Council Discussion of Regular Agenda SS/OCT4-99-454  Council Anderson pulled Liquor License M-9 "Tucson In and Out."	<u>CITY CLERK</u> Is informed
12. Mayor and Council Subcommittees Status Reports SS/OCT4-99-466  Council Member Scott reported for the Public Safety Subcommittee on  1) Pedestrian crossing 2) Sidewalk ordinance 3) Random discharge of firearms	
14. Mayor and Council Discussion of Future Agendas SS/OCT4-99-455  A. Council Member Leal requested amendments to the "Smoking Ordinance" be added to the October 11, 1999 meeting.  B. Council member Scott requested an item be scheduled to discuss the Mayor and Council's support of the upcoming legislation regarding Random Discharge of Firearms.  C. Council Member Ronstadt requested a discussion item be scheduled regarding allowing the Director of Development Services latitude with regard to the Land Use code for those projects that are submitted for approval that offer innovative thinking in terms of energy efficiencies and/or water conservation.  D. Council Member Anderson requested at the same time a status report be provided on infill development, to include identification of obstacles and possible solutions.	<u>CITY ATTORNEY</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed  <u>OFFICE OF INTGVL.</u> <u>AFFAIRS</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed  <u>LIZ R. RODRIGUEZ,</u> <u>CITY MANAGER'S OFFICE</u> Is responsible <u>DIRS. OF PLANNING &amp; DEVELOPMENT SRVS.</u> Are informed  <u>LIZ R. RODRIGUEZ,</u> <u>CITY MANAGER'S OFFICE</u> Is responsible <u>DIRS. OF PLANNING &amp; DEVELOPMENT SRVS.</u> Are informed
17. Year 2000 Independent Risk Assessment (City-Wide) SS/OCT4-99-461  Presentation was made by Y2K Consultant R&G Associates LLC.	<u>DIR. OF INFORMATION</u>

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<p>No formal action required.</p> <p>Council Member Leal requested Information Technology provide information by memorandum detailing the potential impact to employee's direct deposit and their ability to withdraw funds from financial institutions with regards to Y2K.</p>	<p><u>TECHNOLOGY</u> Is informed</p>
<p>RECESS: 11:55 A.M.          RECONVENE: 12:35 P.M.          MAYOR &amp; COUNCIL: ALL PRESENT (COUNCIL MEMBER RONSTADT ABSENT/EXCUSED).          STAFF: ALL PRESENT</p>	
<p>13. Review of Feasibility of Exchanging CAP Water for Groundwater Used by Mines and Farms (City-Wide and Outside the City) SS/OCT4-99-462</p> <p>A presentation was made by Tucson Water staff. The item was discussed, however, no formal action was required.</p> <p>(Counc. Ronstadt arrived at 12:37 P.M.)</p>	
<p>8. Presentation from the Arizona Prevention Center (City-Wide) SS/OCT4-99-465</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Leal to forward information presented by Dr. Williams to the Environmental Subcommittee for review and comment.</p> <p>Luis G. Gutierrez, City Manager, suggested staff review the material and provide a recommendation.</p> <p>There was apparent consensus to Mr. Gutierrez's offer.</p> <p>(Counc. Ibarra departed at 1:46 P.M. and returned at 1:59 P.M.)          (Counc. Ronstadt departed at 2:11 P.M.)</p>	<p><u>CITY MANAGER</u> Is responsible</p> <p><u>DIR. OF TUCSON WATER</u> Is informed</p>
<p>RECESS: 2:15 P.M.          RECONVENE: 3:00 P.M.          MAYOR &amp; COUNCIL: ALL PRESENT (COUNCIL MEMBER IBARRA ABSENT/EXCUSED)          STAFF: ALL PRESENT</p>	

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<p>21. Recharge and the Mosquito Problem (City-Wide) SS/OCT4-99-474</p> <p>A presentation was made by Tucson Water. No formal action required.</p> <p>(Counc. Anderson departed at 3:31 P.M.)</p>	<p><u>DIR. OF TUCSON WATER</u> Is informed</p>
<p>15. Request for Police Presence at the Festival of Hope '99 (City-Wide) SS/OCT4-99-468</p> <p>Continued for one week at the request of Mayor Miller.</p>	<p><u>POLICE CHIEF</u> Is informed</p>
<p>16. Telepac Presentation: Accomplishments Review and US West Rate Increase Recommendation City-Wide) SS/OCT4-99-460</p> <p>This item was rescheduled to October 18, 1999 at the request of TelePAC Committee.</p>	<p><u>DIR. OF INFORMATION TECHNOLOGY</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p>
<p>18. Impact of E-Commerce/Internet on the City of Tucson's Business Privilege Tax (City-Wide) SS/OCT4-99-463</p> <p>Council Member Leal MOVED, SECONDED by Vice-Mayor Marcus to approve the City Manager's recommendation to have staff return with information on a Use Tax and materials that could be used to educate the community about the consequences surrounding a Use Tax.</p> <p>Council Member Scott amended the motion to request the Office of Economic Development, GTEC, and the Chamber of Commerce to look into attracting "catalogue or computer-based" businesses.</p> <p>Council Member Ronstadt amended the motion to include the Small Business Commission.</p> <p>Amendments acceptable to the maker.</p> <p>Motion PASSED by a vote of 5 to 0, (Council Members Ibarra and Anderson Absent/Excused).</p>	<p><u>DIR. OF BUDGET &amp; RESEARCH</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p>
<p>19. Independent Police Auditor Annual Report (City-Wide) SS/OCT4-99-459</p> <p>Item discussed.</p>	
<p>ADJOURNMENT: 4:39 P.M.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

*VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM CITY CLERK'S OFFICE*