

MAYOR AND COUNCIL – STUDY SESSION

ADMINISTRATIVE ACTION REPORT AND SUMMARY

APRIL 11, 2006

FROM: CITY MANAGER 

Mayor Robert E. Walkup called the Study Session to order at 3:05 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup
Vice-Mayor Steve Leal, (Ward 5)
Council Member Jose J. Ibarra, (Ward 1)
Council Member Carol West, (Ward 2)
Council Member Karin Uhlich, (Ward 3)
Council Member Shirley C. Scott, (Ward 4)
Council Member Nina J. Trasoff, (Ward 6)

STAFF: Mike Hein, City Manager
Mike Rankin, City Attorney
Kathleen Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Funding Recommendation for Reid Park Zoo Master Plan Expansion (City-Wide) SS/APRIL11-06-71</p> <p>Council Member West MOVED and it was duly seconded to re-affirm the intention to retain the Elephants at the Reid Park Zoo and approve the proposed capital funding plan that will result in the construction of the Conservation Learning Center and African Zone expansion, to be accomplished without additional support from the City's Recurring General Fund.</p> <p>Motion PASSED by a vote of 6 to 1 (Council Member Uhlich dissenting).</p>	<p><u>DIR. OF PARKS & REC.</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

2. Intergovernmental Relations: Update of 2006 State and Federal Legislation Affecting the City (City-Wide) SS/APRIL11-06-77

Council Member Trasoff MOVED and it was duly seconded to OPPOSE SCR1013: Strike Everything Amendment regarding Clean Elections.

Motion PASSED by a vote of 7 to 0.

DIR. OF INTERGOV.
RELATIONS
Is responsible

(This item was taken out of order.)

9. Request for Consideration of Environmental Services Fee Rollback (City-Wide) SS/APRIL11-06-79

Council Member Trasoff MOVED and it was duly seconded to appoint an Ad Hoc Environmental Services Fee Committee comprised of two appointees named by each Council Member and the Mayor, the committee being charged with:

- Reviewing budget details and options to determine whether a roll-back of the Environmental Services Fee is fiscally viable, and if so, the amount of the rollback, and the period of time over which it should be implemented
- Recommending a roll-back of the fee **only if the roll-back can be accomplished without negatively impacting financial support for fire, police, parks, prevention programs, potholes and other strategic priorities**, and therefore this committee is also charged with identifying sources of potential cost savings or added sustainable revenue to cover the cost of a roll-back
- Completing this work and providing recommendations to Mayor and Council in time for any rollback to be reflected in the Budget Update for the fiscal year beginning July 1, 2007
- Having the Environmental Services Advisory Committee review and provide input
- Receiving community input regarding the criticisms directed at the **fairness of the fee and how it was implemented** and develop proposals to address these criticisms, including:
 - the fee does not vary according to the amount of use of the service
 - the service cannot be suspended and the fee not paid during periods of extended absence unless water service is also terminated

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

9. Request for Consideration of Environmental Services Fee Rollback (City-Wide) SS/APRIL11-06-79 (Continued from previous page)

- because the fee is linked to water service nonpayment of the fee can theoretically result in termination of water service, and
- other criticisms voiced by City residents of the fairness or structure of the fee.

Council Member West offered a substitute motion to continue this issue for an indefinite period of time.

Motion died for lack of a second.

Council Member Scott offered an amendment to reconsider this item in one week.

Amendment not accepted by maker.

Council Member Scott offered a substitute motion and it was duly seconded to continue this item until after budget discussions have been completed.

Vice Mayor Leal requested an amendment to have this discussion be a part of the budget discussion, not after budget discussions.

Council Member Scott rejected the proposed amendment.

Substitute Motion PASSED by a vote of 5 to 2 (Council Members Trasoff and Uhlich dissenting).

DIR. UTILITY SERVICES
Is responsible

3. Mayor and Council Subcommittee Reports (City-Wide) SS/APRIL11-06-74

Council Member Trasoff announced that the Rio Nuevo: Downtown Arts, Culture & History Subcommittee met last Thursday. At this meeting Greg Shelko presented the Development Agreement with Don Bourne for the Post, which was presented in the 45-day limit required. There are strict performance criteria and timelines built into this agreement to assure that everything progresses in a timely fashion.

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

3. Mayor and Council Subcommittee Reports (City-Wide) SS/APRIL11-06-74 (Continued from previous page)

The agreement will be brought to the Rio Nuevo Board approval in the next week and to the Mayor and Council the following week. The second item was an update on the Rialto Theatre, which has had a very successful year with over 60 shows and 60,000 guests. They have requested that Rio Nuevo provide funds to install an HVAC for an Air Conditioning System at Rialto Theatre, a city owned building, so they can continue to offer shows during the three months of summer, which will bring more customers downtown during these slower months. Another item of interest is that there has been a shift in ownership of some of the properties downtown so that now Biggers and Powers, in partnership, own the entire Rialto Block except the theatre, and that they plan to have the entire Rialto Block renovated in 9 months. The renovations include the apartments up above with affordable housing, retail spaces and façade improvements. There was also a discussion of parking and an Ordinance for variances to address commercial parking and loading requirements. This item will be discussed at subcommittee and then come forth to Mayor and Council at a later date.

Council Member Uhlich announced that the Intelligent Growth Subcommittee is meeting April 12th at 3:00 p.m. at the Ward 3 office and on the agenda are items related to the functioning of the Environmental Services Department. These include a request to review suspending service when people are away and the recommendation from the ESAC committee on that item, and also a discussion of the water budget and the associated potential rate recommendations. Any recommendations will be forwarded to Mayor and Council for approval.

4. Mayor and Council Discussion of Regular Agenda SS/APRIL11-06-75

No items were removed from the Consent Agenda.

5. Mayor and Council Discussion of Future Agendas SS/APRIL11-06-76

No requests were made for future agenda items.

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>(This item was taken out of order.)</p> <p>8. Administrative Action Report and Summary SS/APRIL11-06-78</p> <p>No comments were made.</p>	
<p>(These items were taken out of order.)</p> <p>6. Executive Session - Negotiation of Cable License Renewal (City-Wide) SS/APRIL11-06-72</p> <p>10. Executive Session – Reid v. Ibarra and City of Tucson (City-Wide) SS/APRIL11-06-80</p> <p>Mike Rankin, City Attorney announced that Council Member Ibarra would abstain from discussion on the executive session items due to a conflict of interest.</p> <p>Council Member West MOVED and it was duly seconded to go into Executive Session for Items # 6 and #10 as noticed in the agenda</p> <p>Motion PASSED by a vote of 6 to 0. (Council Member Ibarra abstaining).</p>	
<p>RECESS: 4:35 p.m. RECONVENE: 5:26 p.m. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 4:35 p.m. to 5:26 p.m. (Council Member Ibarra did not attend the executive session.)</p>	
<p>Council Member Scott MOVED and it was duly seconded to return to open session.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ibarra abstaining).</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

7. Mayor and Council Direction Regarding Executive Session - Negotiation of Cable License Renewal (City-Wide) SS/APRIL11-06-73

Council Member Trasoff MOVED and it was duly seconded to direct the City Attorney and City Manager to proceed as directed in Executive Session, and for the City Manager to provide regular updates on the status of Cable License Negotiations to the Mayor and Council Neighborhood Subcommittee not less than every other month. Furthermore, Mr. Joe Van Eaton of Miller and Van Eaton law firm is to be invited to participate in the Executive Session to be held on April 18th.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra abstaining).

CITY ATTORNEY AND
CITY MANAGER
Are responsible

11. Mayor and Council Direction Regarding Executive Session - Reid v. Ibarra and City of Tucson (City-Wide) SS/APRIL11-06-81

Vice Mayor Leal MOVED and it was duly seconded to authorize and direct the City Attorney to settle this case in the amount of \$160,000 and proceed as discussed in the Executive Session.

Motion PASSED by a vote of 6 to 0 (Council Member Ibarra abstaining).

CITY ATTORNEY
Is responsible

ADJOURNMENT: 5:30 p.m.

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