

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF FEBRUARY 28, 2000

Mayor Robert E. Walkup called the Study Session to order at 12:12 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)
 Counc. Jose J. Ibarra, (Ward 1) (arrived at 1:00 P.M.)
 Counc. Carol West, (Ward 2)
 Counc. Jerry Anderson, (Ward 3)
 Counc. Shirley C. Scott, (Ward 4)
 Counc. Fred Ronstadt, (Ward 6)

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

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Executive Session – Burrows v. City of Tucson (City-Wide) SS/FEB28-00-73</p> <p>Council Member Ronstadt 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 Burrows v. City of Tucson.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ibarra Absent/Excused).</p>	
<p>RECESS: 12:14 P.M. RECONVENE: 12:37 P.M. MAYOR & COUNCIL: ALL PRESENT (EXCEPT COUNCIL MEMBER IBARRA ARRIVED AT 1:00 P.M.) STAFF: ALL PRESENT</p>	

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<p>Executive Session was held from 12:15 P.M. to 12:35 P.M.</p>	
<p>Council Member West MOVED, SECONDED by Council Member Scott to return to Open Session</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ibarra Absent/Excused).</p>	
<p>2. Mayor and Council Direction Regarding Executive Session – Burrows v. City of Tucson (City-Wide) SS/FEB28-00-78</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member, that the City Attorney be directed to proceed as discussed in Executive Session in the case of Burrows v. City of Tucson.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>3. Tucson Water TARP Facility Sulfuric Acid Leak/Spill Investigation (City-Wide) SS/FEB28-00-78</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member West that the Mayor and Council create a task force or an ad hoc committee to work with staff to look at a larger range of issues, that could include all city departments with environmental issues, the Office of Environmental Management, Water Department and the Risk Manager to take a clear, comprehensive look to reform and fix as much as possible not only within Water but other departments as well. Additionally, the Council should be updated every three months on how things are progressing.</p> <p>Council Member Ronstadt offered an amendment to enlist an independent company to perform a risk management audit.</p> <p>Amendment accepted by the maker.</p> <p>Luis Gutierrez, City Manager suggested staff report back with what the City is doing as an organization in terms of safety.</p> <p>Council Member West offered a substitution motion, seconded by Vice-Mayor Leal, that the City Manager be directed to conduct a survey of safety practices throughout the City, including the handling of hazardous waste. This survey should reflect the “day to day” work environment, and how it works across the City. Once that is done staff should return to Mayor and Council and the Mayor and Council should decide whether we need an outside expert as suggested by Council Member Ronstadt, simultaneously working with ad hoc group of Council members as suggested by Vice-Mayor Leal.</p> <p>3. Tucson Water TARP Facility Sulfuric Acid Leak/Spill Investigation (City-Wide) SS/FEB28-00-78 (CONTINUED)</p>	<p><u>ENVIRONMENTAL</u> <u>ADVISORY DIRECTORS</u> <u>TEAM</u> are responsible</p>

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<p>Vice-Mayor Leal offered an amendment to the substitute motion to include in the survey: the day to day practices and charts depicting lines of communication and authority.</p> <p>Amendment to the substitute motion accepted by the maker.</p> <p>Substitute motion withdrawn.</p> <p>Council Member Ronstadt offered a substitute Motion, Seconded by Council Member Ibarra, to direct the City Manager to identify an outside agency that can give an independent, external audit of the City's complete safety protocol across the board. Then, let that outside agency advise the Mayor and Council as to the strengths and weaknesses of the City's safety program.</p> <p>Second Substitute Motion, passed by a vote of 7 to 0.</p> <p>Council Member Anderson requested staff provide information as quickly as possible to the Mayor and each of the council offices outlining what safety procedures the city currently has in place. If necessary, time should be set aside next week to revisit this item.</p> <p>There was apparent Mayor and Council consensus.</p> <p>Council Member Ronstadt clarified his motion to limit the audit to Environmental and Hazardous Waste issues.</p> <p>Vice-Mayor Leal requested that as the City moves toward hiring an outside expert to review and make recommendations regarding City Safety practices, that the City Manager be directed to compile a "Cliff Note" version of city wide safety practices.</p> <p>There was apparent Mayor and Council consensus.</p>	<p><u>AGENDA COMMITTEE</u> Is informed</p>
4. State Legislative Matters (City-Wide) SS/FEB28-00-81	

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<p>5. Federal Legislative Matters (City-Wide) SS/FEB28-00-82</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West, to direct staff send a letter from the Mayor and the Police Chief be sent to the Governor of Arizona stating the city’s opposition to HB 2095 “Weapons Pre-emption Bill” and to include the liability issued addressed by Vice-Mayor Leal.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ronstadt Absent/Excused).</p> <p>(Counc. Anderson departed at 2:20 P.M. and returned at 2:25 P.M.) (Counc. Ronstadt departed at 2:16 P.M. and returned at 2:26 P.M.) (Counc. Scott departed at 2:27 P.M. and returned at 2:30 P.M.)</p>	<p><u>DIR. OF INTGVL. AFFAIRS</u> Is responsible</p>
<p>6. Mayor and Council Discussion of Regular Agenda SS/FEB28-00-79</p> <p>Luis Gutierrez, City Manager requested item “3-I” be continued.</p> <p>Council Member Anderson requested item “3-F” be considered separately.</p>	<p><u>JOHN JONES</u> Is responsible</p> <p><u>CITY CLERK</u> Is informed</p>
<p>7. City Manager Recruitment and Selection Process (City-Wide) SS/FEB28-00-76</p> <p>Item discussed, no formal action taken.</p>	<p><u>DIR. OF HUMAN RESOURCES</u> is informed</p>
<p>8. Report From Citizens Bond Project Oversight Committee (City-Wide) SS/FEB28-00-77</p> <p>Item discussed, no formal action taken.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is informed</p>
<p>RECESS: 2:56 P.M. RECONVENE: 3:06 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	

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<p>10. Mural on New Federal Courthouse (City-Wide) SS/FEB28-00-71</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson, to direct staff to contact TPAC and the federal government to see if it is possible to create a mural on the west side of the new federal courthouse.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>(Counc. Anderson departed at 3:07 P.M. and returned at 3:08 P.M.) (Counc. Scott departed at 3:08 P.M., and returned at 3:09 P.M.)</p>	<p><u>CITY MANAGER'S OFFICE</u> is responsible</p>
<p>11. Orientation Regarding Venture Capital Businesses (Ward 5) (Continued from Meeting of 2/14/00) SS/FEB28-00-72</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Ibarra to direct staff to put together a symposium in conjunction with GTEC, the County and the University of Arizona and develop, a calendar including participants and budgets and return to Mayor and Council with a recommendation.</p> <p>Council Member West asked staff to incorporate the points from Mr. Hecker's letter.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF ECON. DEVELOPMENT</u> Is responsible</p>
<p>14. Request for Funds – Commission for Economic Conversion (City-Wide) SS/FEB7-00-83</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson to approve the request from the Arizona Council for Economic Conversion with the two following conditions:</p> <p>1) to meet with Sylvia Campoy and accept her recommendations, and 2) return in six months with a status update</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY MANAGER'S OFFICE</u> is responsible</p> <p><u>DIRS. OF ECON. DEVELOPMENT and BUDGET & RESEARCH</u> Are informed</p>
<p>9. Proposed Five-Year Capital Improvement Program Fiscal Years 2000-01 Through 2004-05 (City-Wide) SS/FEB28-00-75</p> <p><u>TRANSPORTATION</u></p>	

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<p>Council Member Anderson requested:</p> <ol style="list-style-type: none">1) Wilson Wash be added as an unfunded project2) The sidewalk improvement and the lighting improvement projects along Flowing Wells: Grant – Ft. Lowell be coordinated. <p>Council Member Anderson MOVED, SECONDED by Council Member Ibarra to double the commitment to bus shelters, increasing the amount budgeted from \$200,000 to \$400,000.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ibarra Absent/Excused).</p> <p>Council Member Scott requested that the two following projects be added as unfunded projects:</p> <ol style="list-style-type: none">1) Escalante at Atturbury Wash2) Valencia Road: Houghton to Pantano <p>Council Member Ronstadt requested that in conjunction with the Euclid: Speedway to Broadway Lighting Project, the median islands should be included as selected locations to improve the pedestrian safety of high traffic areas and the operations air quality safety traffic control program currently funded with Street and Highway Revenue Bonds under the Pedestrian Safety subcategory.</p> <p>Luis Gutierrez, City Manager advised staff would return with a description of where the money will come from.</p> <p>Council Member Ronstadt also requested potholes on Lenora and Chantilly streets be addressed.</p> <p>Vice-Mayor Leal requested staff consider a balance between new development and existing areas in terms of street repair and maintenance.</p> <p>Council Member West requested staff work with Pima County to figure out a way to fund and complete bank stabilization for Tanque Verde Wash.</p> <p>9. Proposed Five-Year Capital Improvement Program Fiscal Years 2000-01 Through 2004-05 (City-Wide) SS/FEB28-00-75 (CONTINUED)</p> <p>Council Member Ibarra requested that improvements to the Wyoming Wash be included for future bond consideration.</p>	<p><u>DIR. OF TRANS.</u> Is responsible <u>DIR.OF BUDGET & RESEARCH</u> is informed</p>

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<p>Council Member Ibarra requested the City Manager provide by memorandum, information detailing the amount of money and the projects, Pima County spends on drainage projects within the city limits.</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member West, to approve the Transportation Capital Improvement Program with the two changes requested.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ronstadt Absent/Excused).</p> <p><u>WATER</u></p> <p>Council Member Scott MOVED, SECONDED by Council Member West to approve the Water Capital Improvement Program as presented.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Leal Absent/Excused)</p> <p>(Counc. Ibarra departed at 4:00 P.M. and returned at 4:06 P.M.) (Vice-Mayor Leal departed at 3:50 P.M. and returned at 3:55 P.M.) (Counc. Ronstadt departed at 4:14 P.M. and returned at 4:17 P.M.) (Vice-Mayor Leal departed at 4:17 P.M.) (Counc. Ibarra departed at 4:18 P.M. and returned at 4:20 P.M.) (Counc. Ronstadt departed at 4:17 P.M. and returned at 4:24 P.M.)</p>	<p><u>DIR. OF TRANS.</u> Is responsible</p> <p><u>DIR. OF WATER</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> is informed</p>
<p>12. Boards, Committees and Commissions (City-Wide) SS/FEB28-00-70</p> <p>No discussion.</p> <p>Formal action taken in the Regular Session.</p>	<p>See AAR&S of the Regular Meeting of 2/28/00, Item #8</p>
<p>13. Mayor and Council Discussion of Future Agendas SS/FEB28-00-80</p> <p>Council Member Scott requested for the last meeting in March, a discussion of the future disposition of the City owned 300+ acres West of Houghton near Civano. Specific information from staff should include current valuation of the property.</p>	<p><u>CITY MANAGER'S OFFICE</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p>

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ADJOURNED: 4:41 P.M. <i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i>	