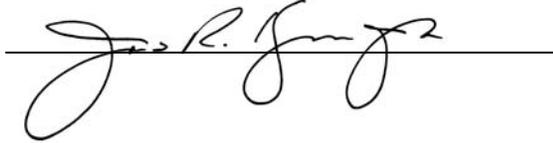


MAYOR AND COUNCIL - STUDY SESSION

ADMINISTRATIVE ACTION REPORT AND SUMMARY

JANUARY 13, 2003

FROM: CITY MANAGER



Mayor Robert E. Walkup 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 Robert E. Walkup
Vice Mayor Shirley C. Scott, (Ward 4)
Counc. Jose J. Ibarra, (Ward 1)
Counc. Carol W. West, (Ward 2)
Counc. Steve Leal, (Ward 5)
Counc. Fred Ronstadt, (Ward 6)

ABSENT/EXCUSED: Counc. Kathleen Dunbar, (Ward 3)

STAFF: James Keene, City Manager
Mike Letcher, Deputy City Manager
Michael House, City Attorney
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

1. Executive Session – Moss v. Nunez and City of Tucson (City-Wide)
SS/JAN13-03-9

(This item taken out of order.)

8. Executive Session - Boone Operations v. City of Tucson (City-Wide)
SS/JAN13-03-14

Vice Mayor Scott MOVED, SECONDED by Council Member West to go into executive sessions for Item #1 - Executive Session - Moss v. Nunez and City of Tucson and Item #8 - Executive Session – Boone Operations v. City of Tucson, as noticed in the agenda.

Motion PASSED by a 6 to 0 vote (Council Members Dunbar absent/excused).

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>RECESS: 1:36 P.M. RECONVENE: 2:30 P.M. MAYOR & COUNCIL: ALL PRESENT (Council Member Dunbar absent/ excused) STAFF: ALL PRESENT</p>	
<p>Executive Sessions were held from 1:37 p.m. to 2:25 p.m. (Council Member Ibarra did not attend the executive session).</p>	
<p>Council Member West MOVED, SECONDED by Vice Mayor Scott to return to Open Session.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Dunbar absent/ excused).</p>	
<p>2. Mayor and Council Direction Regarding Executive Session - Moss v. Nunez and City of Tucson (City-Wide) SS/JAN13-03-10</p> <p>Vice Mayor Scott MOVED, SECONDED by Council Member West that the City Attorney be directed to proceed as discussed in executive session, regarding Item #1 - Executive Session - Moss v. Nunez and City of Tucson.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Dunbar absent/ excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>(This item taken out of order.)</p> <p>9. Mayor and Council Direction Regarding Executive Session – Boone Operations v. City of Tucson (City-Wide) SS/JAN13-03-15</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt that the City Manager enter into a Settlement Agreement as discussed and set forth in executive session, regarding Item #8 - Executive Session - Boone Operations v. City of Tucson.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Dunbar absent/ excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. Proposed Water "System Equity" Fee (City-Wide and Outside City) SS/JAN13-03-11</p> <p>Presentation made; formal action taken at the Regular Meeting, Item #10.</p>	<p><u>DIR. OF WATER</u> Is informed</p>
<p>4. Boards, Commissions and Committees (City-Wide) SS/JAN13-03-12</p> <p>This item was not discussed. Formal action was taken at the Regular Meeting.</p>	<p><u>CITY CLERK</u> Is informed</p> <p>See AAR&S of the Regular Session of 1/13/03, Item #15</p>
<p>5. Mayor and Council Discussion of Regular Agenda SS/JAN13-03-7</p> <p><u>6-E - Tucson Code: Amending (Chapter 4) Relating to Animals and Fowl; Revising the Notice and Procedures for Taking and Destroying Dangerous, Vicious or Destructive Animals (Continued From Meeting of December 16, 2002)</u></p> <p>Council Member West requested this item be considered separately.</p>	
<p>6. Mayor and Council Discussion of Future Agendas SS/JAN13-03-8</p> <p>Vice Mayor Scott MOVED, SECONDED by Council Member Ibarra to place on a future agenda, the possibility of sending a letter to the Southern Arizona legislators asking that incoming Corporation Commissioner Jim Berman step down until the questions that have been raised are answered.</p> <p>Motion FAILED by a 3 to 3 vote (Mayor Walkup, Council Members Ronstadt and West dissenting).</p> <p>Council Member Leal requested the following items be scheduled for discussion by Mayor and Council in early February:</p> <ul style="list-style-type: none"> ▪ Creating a City policy on responses to the Freedom of Information Act ▪ Creating a City policy on access to City Hall. 	<p><u>DIR. OF COMM.</u> Is responsible</p> <p><u>CITY CLERK</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>6. Mayor and Council Discussion of Future Agendas SS/JAN13-03-8 (Continued)</p> <p>(NOTE: City Manager James Keene advised staff would return with a report on the Freedom of Information Act and how we currently respond.)</p> <p>Council Member Leal MOVED, SECONDED by Vice Mayor Scott to schedule for discussion requesting that the Attorney General sign the State on to a lawsuit against President Bush regarding emissions standards for powerplants.</p> <p>Motion PASSED by a 4 to 2 vote (Mayor Walkup and Council Member Ronstadt dissenting).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>ADJOURNMENT: 3:25 p.m. <i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE.</i></p>	