

MAYOR AND COUNCIL – STUDY SESSION

ADMINISTRATIVE ACTION REPORT AND SUMMARY JANUARY 9, 2007

FROM: CITY MANAGER



Mayor Robert E. Walkup called the Study Session to order at 2:06 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup
Vice-Mayor Carol West, (Ward 2)
Council Member Jose J. Ibarra, (Ward 1)
Council Member Karin Uhlich, (Ward 3)
Council Member Shirley C. Scott, (Ward 4)
Council Member Steve Leal, (Ward 5)
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. Presentation from Art Macias, Director of the Arizona Lottery (City-Wide) SS/JAN9-07-1</p> <p>Presentation was made, no formal direction was given.</p>	
<p>2. Executive Session - Cox License Renewal (City-Wide) SS/JAN9-07-2</p> <p>Council Member Uhlich MOVED and it was duly seconded to go into Executive Session for Item #2 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ibarra abstaining).</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>RECESS: 2:19 p.m. RECONVENE: 3:35 p.m. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 2:19 p.m. to 3:35 p.m. (Council Member Ibarra did not attend the executive session.)</p>	
<p>Vice Mayor West 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>	
<p>3. Mayor and Council Direction Regarding Executive Session - Cox License Renewal (City-Wide) SS/JAN9-07-3</p> <p>Council Member Trasoff MOVED and it was duly seconded that City staff and the Mayor and Council have preliminarily reviewed the City's needs assessment and the expert consultant reports that have been generated as part of that process. Individual members of the Mayor and Council have met with Cox representatives, and have also been briefed by City staff with respect to preliminary reviews of submitted materials regarding the cable renewal process. Based upon this initial review, it is clear that the most recent renewal proposal that has been received from Cox falls far short of satisfying the community cable-related needs and interests of the City of Tucson in at least the following areas, even as a matter of compromise:</p> <p>1) The Cox proposal fails to satisfy the need for accessibility to public, educational and government access channels for all members of the Tucson community regardless of economic circumstance (the "digital divide"). A thirty-dollar per month fee to access digital PEG channels is unacceptable. One way to remedy this problem would be for Cox to allow any subscriber with a digital converter to access the PEG programming, and for Cox to make available affordable digital converters (at less than \$5 per month as it does in other communities) to subscribers. PEG channels should not be moved from the analog tier to digital tier until the digital divide issue is addressed.</p>	<p><u>DIR. OF INFORMATION TECHNOLOGY AND CITY ATTORNEY</u> Are responsible</p>

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| <p>3. Mayor and Council Direction Regarding Executive Session - Cox License Renewal (City-Wide) SS/JAN9-07-3 (Continued from previous page)</p> <ul style="list-style-type: none">2) While the City is open to reducing the number of PEG channels as part of a compromise, the compromise must be reasonable and any reduction should in part be tied to implementation of on-demand service throughout the community.3) The Cox proposal fails to assure that the community will have the adequate educational programming available. In particular, Cox proposes to drop Pima College and University of Arizona channels within six months. Although it also promises to enter into contracts to provide channels to those institutions, there is no guarantee it will do so or that the terms will be fair. The City does not object to Cox, PCC or the university contracting for educational channels in lieu of PEG channels, but:<ul style="list-style-type: none">(a) there must be contracts(b) at the end of the contract, the City should have an option of reactivating the PEG channels, if needed, or there must be some other mechanism for ensuring that higher educational programming will continue to be available.4) The Cox proposal fails to provide for the continuation of free cable drops to schools in the Tucson Unified School District. These allow the schools to receive key educational programming without charge.5) The Cox proposal fails to adequately address the issue of past cable license fees that are due and owing to the City as shown through an independent audit. These outstanding cable license fees must be resolved through normal contract resolution process.6) The Cox proposal for a twelve-year license term is unacceptable. An appropriate term for an agreement that addresses all of these issues is nine years. The City would have to reevaluate its position at that time to determine whether a new reassessment of community needs is necessary. | |
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<p>3. Mayor and Council Direction Regarding Executive Session - Cox License Renewal (City-Wide) SS/JAN9-07-3 (Continued from previous page)</p> <p>Furthermore, Council expects Cox and staff to work together to address these shortcomings cooperatively. In the event that there is not an agreement in principle by January 17, 2007, staff is directed to come back to Mayor and Council on that date with a resolution inviting a formal request for a renewal license proposal under the Federal Cable Act.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>4. FY 2008 Community Development Funding (Continued from the meeting of December 5, 2006) (City-Wide) SS/JAN9-07-6</p> <p>Council Member Uhlich MOVED and it was duly seconded to select “Option 1 – Continuing FY07 priorities with addition of VANS.”</p> <p>Council Member Ibarra offered a SUBSTITUTE MOTION and it was duly seconded to select “Option 2 – Including set-aside amount for Parks and Recreation.” The set aside amount of \$200,000, with \$100,000 going to each of the following Parks and Recreation Projects: Freedom Pool Waterslide and Habitat Park.</p> <p>Substitute motion FAILED by a vote of 2 to 5 (Mayor, Vice Mayor West, and Council Members Uhlich, Scott and Trasoff dissenting).</p> <p>Original motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF COMMUNITY SERVICES</u> Is responsible</p>
<p>5. Mayor and Council Subcommittee Reports (City-Wide) SS/JAN9-07-4</p> <p>(Council Member Leal departed at 4:14 p.m.)</p> <p>Council Member Scott announced that the Transportation Subcommittee met on Wednesday, December 20th and discussed the following topics:</p> <ul style="list-style-type: none">• Regional Transportation Authority Update – the 22nd street project has been advanced, and there will be a meeting with the Ward IV Citizen Design Review Committee to discuss Houghton Road design	

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<p>5. Mayor and Council Subcommittee Reports (City-Wide) SS/JAN9-07-4 (Continued from previous page)</p> <ul style="list-style-type: none">• I-10 widening project update – frontage road closures will be beginning this month• Expanded Bus Service – there will be 12 new low-floor replacement buses this month, and RTA funded enhancements in February will include extended service on weekdays to 11PM and Midnight on some bus routes, expanded weekend hours, increased frequency and some route expansions• Impact Fee Update –Ward IV is meeting with Neighborhood leadership and members of the Ward IV Citizen Design Advisory Committee to review the proposed Impact Fee changes and there will be a presentation on January 24th at 7:00 PM the Clements Center <p>Council Member Uhlich announced that the Economic and Workforce Development Subcommittee met on Monday, January 8th and they received a report on job training initiatives, including a new effort by Employers, Unions and training partners in the construction industry to create recommendation promoting this area of workforce development in the city.</p>	
<p>6. Mayor and Council Discussion of Regular Agenda SS/JAN9-07-5</p> <p>Council Member Uhlich removed Consent Agenda Items 7-J, 7-K, 7-L and 7-M for separate consideration.</p> <p><u>7-J. - Intergovernmental Agreement: With Pima County For The Jefferson Park Neighborhood Reinvestment Grant Project</u></p> <p><u>7-K. - Real Property: Development Agreement with Carmax Auto Superstores West Coast, Inc. for the Relocation of Turbo Road and Enhancement of the Rillito River Trail</u></p> <p><u>7-L. - Finance: Authorizing the Sale of Certificates of Participation for Capital Improvements, Series 2007</u></p> <p><u>7-M. - Finance: Authorizing the Issuance of Refunding Certificates of Participation, Series 2007</u></p>	

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<p>7. Mayor and Council Discussion of Future Agendas SS/JAN9-07-7</p> <p>No future agenda items were requested at this time.</p>	
<p>ADJOURNMENT: 4:19 p.m.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	