

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF JULY 10, 2000

Mayor Robert E. Walkup called the Study Session to order at 10:10 a.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 10:55 a.m.)
Counc. Carol W. 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
Brad Detrick, Deputy City Attorney
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
1. Executive Session–Billboard Enforcement (City-Wide) - SS/JULY10-00-347	
21. Executive Session–Civano Land Issues (City-Wide) – SS/JULY10-00-352	
Council Member Scott MOVED, SECONDED by Council Member West 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 pursuant to A.R.S. 38-431.03(A)(4) regarding Billboard Enforcement and 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 to consider its position and instruct its representatives regarding negotiations for the purchase or lease of real property pursuant to A.R.S. 38-431.03(A)(7) regarding Civano Land Issues.	
Motion PASSED by a vote of 6 to 0 (Council Member Ibarra absent/excused).	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
RECESS: 10:11 a.m. RECONVENE: 12:15 p.m. MAYOR AND COUNCIL: ALL PRESENT (VICE-MAYOR LEAL ARRIVED AT 12:43 P.M.) STAFF: ALL PRESENT	
Executive Session was held from 10:12 a.m. to 12:07 p.m.	
Council Member West MOVED, SECONDED by Council Member Ronstadt that Mayor and Council return to Open Session. Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).	
2. Mayor and Council Direction Regarding Executive Session – Billboard Enforcement (City-Wide) – SS/JULY10-00-348 Council Member West MOVED, SECONDED by Council Member Anderson that the City Attorney be directed to proceed as discussed in Executive Session regarding Billboard Enforcement. Motion <u>PASSED</u> by a vote of 5 to 1 (Council Member Ronstadt dissenting, Vice-Mayor Leal absent/excused).	<u>CITY ATTORNEY</u> Is responsible
22. Open Session – Civano Land Issues (City-Wide) - SS/JULY10-00-353 Council Member West MOVED, SECONDED by Council Member Ronstadt that the City Attorney be directed to proceed as discussed in Executive Session regarding Civano Land Issues. Motion <u>PASSED</u> by a vote of 6 to 0 (Vice-Mayor Leal absent/excused).	<u>CITY ATTORNEY</u> Is responsible
3. Sale of General Obligation and Water Revenue Bonds (City-Wide) SS/JULY10-00-349 Council Member Anderson requested a schedule of the approved bond programs.	<u>DIR. OF BUDGET AND RESEARCH</u> Is responsible <u>DIR. OF FINANCE</u> Is informed
4. Boards, Committees and Commissions (City-Wide) – SS/JULY10-00-332	

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<p>Formal action was taken as part of the Regular Agenda.</p>	<p>See AAR&S of Reg. Meeting – Item #7</p>
<p>5. Budget Advisory Committee – Missions and Goals for Fiscal Year 2000-01 (City-Wide) – SS/JULY10-00-335</p> <p>Council Member West requested a roundtable discussion with the Budget Advisory Committee be scheduled in the fall to discuss specific issues.</p> <p>There was apparent Mayor and Council consensus.</p> <p>Council Members Anderson, West and Ronstadt will comprise a Task Force to frame the direction, flush out the issues and return to the full governing body in September with a recommendation for proceeding with the roundtable discussion.</p> <p>(Council Member Ronstadt left at 12:30 and returned at 12:38 p.m.)</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p> <p><u>DIR. OF BUDGET AND RESEARCH</u> Is informed</p>
<p>3. Sale of General Obligation and Water Revenue Bonds (City-Wide) – SS/JULY10-00-349</p> <p>The Finance Director reported on the sale of the General Obligation and Water Revenue Bonds.</p> <p>Formal action was taken as part of the Regular Agenda.</p>	<p><u>DIR. OF FINANCE</u> Is informed</p> <p>See AAR&S of Reg. Meeting – Item #3-I</p>
<p>6. Mayor and Council Discussion of Regular Agenda - SS/JULY10-00-339</p> <p>Council Member requested item 3-F be considered separately.</p> <p>Council Member Scott requested item 3-M be considered separately, and continued to the 7:30 p.m. portion of the meeting.</p> <p>Council Member Ibarra advised that he intended to continue Item #16 – Public Hearing for the Kroeger Lane Neighborhood Plan Amendment.</p>	<p><u>CITY CLERK</u> Is informed <u>POLICE CHIEF</u> Is informed</p> <p><u>DIR. OF PLANNING</u> Is informed</p>
<p>7. Sustainable Design and Construction of Public Facilities – SS/JULY10-00-333</p>	

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<p>Council Member Anderson requested that serious consideration be given to integrating a parking lot design similar to the Nature Conservancy headquarters.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Anderson to direct staff to continue to promote sustainable design and construction and to work collaboratively with other organizations and make green retrofit practices available as part of the Back to Basics Program.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF OPERATIONS</u> Is responsible</p> <p><u>BACK TO BASICS</u> <u>DIRECTOR TEAM</u> Is responsible</p>
<p>8. A Progress Report – Partnership between the City and the Tucson Association for the Blind and Visually Impaired (TAB) to Operate the Runabout Midtown Neighborhood Shuttle (Wards 2, 3 & 6) – SS/JULY10-00-337</p> <p>Council Member Anderson directed staff to ensure a “back-up” van is available for use by the Tucson Association for the Blind.</p> <p>Council Member Scott MOVED, SECONDED by Council Member West the recommendation to defer any expansion until the final year of the two-year pilot project is complete. This motion also includes Council Member Anderson’s direction regarding the back-up van.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>(Vice-Mayor Leal departed at 1:55 p.m. and returned at 1:57 p.m.)</p>	<p><u>DIR. OF TRANS</u> Is responsible</p> <p><u>DIR. OF TRANS</u> Is responsible</p>
<p>9. Employee Medical and Dental Benefits (City-Wide) – SS/JULY10-00-336</p> <p>Vice-Mayor Leal clarified his request for information regarding whether or not the dental offices that the City is contracting with are adapting to the new federal health requirements for water systems in dental offices.</p>	<p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p>
<p>10. Mayor and Council Discussion of Future Agendas – SS/JULY10-00-340</p> <p>A. <u>Representation for Police and Fire Command Staff</u></p>	

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<p>Council Member Ronstadt requested a discussion item for August 7, 2000 be scheduled to potentially increase the number of labor organizations to accommodate representation for Police and Fire Command staff.</p> <p>Council Member Anderson requested that this discussion include a status report regarding the group of police/fire commanders that were excluded from the latest pay adjustments.</p> <p>B. <u>Upcoming Legislative Agenda</u></p> <p>Council Member West requested the Intergovernmental Affairs staff meet with each council office to set priorities for the upcoming legislative agenda to be followed by the presentation of a preparation plan for the next legislature at Study Session.</p> <p>C. <u>Executive Session</u></p> <p>Council Member Anderson requested a briefing regarding the Danaher case be scheduled as an Executive Session for August 7, 2000.</p>	<p><u>DIR.OF FINANCE</u> Is responsible <u>CITY ATTORNEY AND AGENDA COMM.</u> Are informed <u>DIR. OF HUMAN RESOURCES</u> Is responsible</p> <p><u>OFFICE OF INTER-GOVERNMENTAL AFFAIRS</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p> <p><u>CITY ATTORNEY</u> Is responsible <u>POLICE CHIEF</u> Is informed</p>
<p>11. City Hall Annex Disposition Process Intermodal Center Masterplan Youth Center Issue (Ward 6) – SS/JULY10-00-334</p> <p>Council Member Ronstadt noted that he did not request this item.</p> <p>Council Member Anderson MOVED, SECONDED by Vice-Mayor Leal to direct staff to proceed with an analysis of the McGuire’s building for possible use as a youth center and to return in 60-90 days or sooner, with an assessment and identification of possible partners.</p> <p>Council Member Ronstadt amended the motion to look at a mixed-use concept plan for redevelopment of the annex site, with regards to the possibility of a youth center located on the ground floor.</p> <p>11. City Hall Annex Disposition Process Intermodal Center Masterplan Youth Center Issue (Ward 6) – SS/JULY10-00-334</p> <p>Amendment acceptable.</p>	<p><u>CITY MGR’S OFFICE</u> Is responsible</p>

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<p>Motion, as amended, <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>12. Economic Impact Analysis – El Con (City-Wide) (Cont’d from June 19, 2000 Meeting) – SS/JULY10-00-338</p> <p>Item discussed, no formal action taken.</p> <p>(Council Member Ibarra departed at 1:30 p.m. and returned at 1:31 p.m.)</p>	<p><u>DIR. OF FINANCE</u> is informed</p>
<p>13. Subsidence Inquiry in Older Neighborhoods (City-Wide and Outside the City) – SS/JULY10-00-342</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West to direct staff to pursue this issue and:</p> <ol style="list-style-type: none"> 1. Prepare a scope of study and evaluation regarding cracks in buildings and return in early fall with information, options, and cost, and 2. Request assistance from staff to work with the council offices and the neighbors to look at getting some short-term volunteer home repair efforts coordinated and to perhaps consider this as part of next year’s CDBG and other home repair programs. <p>Council Member Scott amended the motion to include cooperation with other entities such as the USGS.</p> <p>Amendment acceptable.</p> <p>Motion, as amended, <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIRS. OF WATER AND DEV. SVCS.</u> Are responsible <u>FINANCE, RISK MGMT</u> To assist <u>DIR. OF COMMUNITY SERVICES</u> Is responsible</p>
<p>RECESS: 2:14 p.m. RECONVENE: 3:15 p.m. MAYOR AND COUNCIL: ALL PRESENT (VICE-MAYOR LEAL ARRIVED AT 3:17 P.M., COUNC. RONSTADT AT 3:20 P.M.) STAFF: ALL PRESENT</p>	
<p>14. Diablo Village Water Company: Assured Water Supply Issues (Outside the City) – SS/JULY10-00-343</p> <p>Council Member Anderson MOVED, SECONDED by Vice-Mayor Leal to direct staff to:</p>	<p><u>DIR. OF WATER</u> Is responsible</p>

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<p>1. continue the water service to the existing subdivisions of the Diablo Village Water Company subject to the adoption of a new, explicit agreement with the Water Company and</p> <p>2. enter into a 100-year agreement to provide the assured water supply for the 58 low income units only.</p> <p>Council Member Ronstadt offered a friendly amendment to request staff to craft an agreement that provides as many outs as possible in the event the development of the 58 units does not happen.</p> <p>Amendment acceptable.</p> <p>Motion, as amended, <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>15. Discussion of the City Attorney Search Process (City-Wide) – SS/JULY10-00-341</p> <p>The Human Resources Director advised DMG Maximus is on board and will provide recommendations on August 7, 2000.</p> <p>Special meetings will be scheduled August 10 and 11, 2000 to conduct interviews.</p>	<p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p> <p><u>ALL DEPTS AND OFFICES</u> Are informed</p>
<p>16. Pre-Garnishment Agreement with City Court (City-Wide) (Cont'd from the Meeting of June 26, 2000) – SS/JULY10-00-345</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Ronstadt to direct staff to implement two procedures:</p>	<p><u>CITY COURT</u> Is responsible</p>

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<p>1. for all fines in excess of \$500, the person shall execute a form of judgement whereas a default in payment would result in the immediate action of the judgement being recorded with the Pima County recorder.</p> <p>2. For fines exceeding \$1,000, staff is directed to implement a pilot garnishment program to be reviewed in six months.</p> <p>Additionally, Vice-Mayor Leal directed staff to provide:</p> <p>a. what percentage of uncollected fines are \$500, \$1000 or more (as a % of total)</p> <p>b. how many individuals have fines of \$500, \$1000 or more (as a % of total)</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Ibarra absent/excused).</p> <p>(Council Member Ibarra departed at 3:45 p.m. and returned at 4:07 p.m.)</p>	
<p>17. Impounding Vehicles Used in Connection to Alcohol, Drug and Weapons Offenses (City-Wide) (Cont'd from Meeting of June 26, 2000) – SS/JULY10-00-346</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson to direct staff to continue researching this subject in other communities and ascertain how they have been able to impound vehicles. If such a practice turns out to not be feasible, what other options do we have, such as mandatory fines or community service.</p> <p>Assistant City Attorney Mike Rankin advised fines are part of State Statutes and would pre-empt any local ordinances.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Ibarra absent/excused).</p>	<p><u>TUCSON POLICE DEPT.</u> Is responsible <u>CITY ATTORNEY</u> Is informed</p>
<p>18. Potential Designation of Historic Routes in the City of Tucson (City-Wide) (Cont'd from Meeting of June 26, 2000) – SS/JULY10-00-344</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson to expand the category of scenic routes to include a Historic Route</p>	<p><u>DIR. OF PLANNING</u> Is responsible</p>

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<p>Designation.</p> <p>Council Member Scott amended the motion to include the Historic Commission.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Ibarra absent/excused).</p> <p>(Council Member Ibarra departed at 4:10 p.m. and returned at 4:12 p.m.)</p>	<p><u>HISTORIC PRES. OFFICE</u> Is informed</p>
<p>19. Sale of Lot 4, La Entrada to the Manning House, LLC Status Update (Ward 1) – SS/JULY10-00-350</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Anderson to negotiate with Ms. Concannon to structure an acceptable contract for the sale of Lot #4, and bring before Mayor and Council a contract for consideration when available.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member West to substitute the motion to direct staff to complete the archeological assessment and identify the exact boundaries of the historic site and not to make any agreements today.</p> <p>Substitute motion <u>FAILED</u> by a vote of 3 to 4 (Council Members Ronstadt, Scott, Anderson and Mayor Walkup dissenting).</p> <p>Main motion <u>PASSED</u> by a vote of 4 to 3 (Vice-Mayor Leal and Council Members Ibarra and West dissenting).</p>	<p><u>CITY MGR'S OFFICE</u> Is responsible</p>
<p>20. Request for Funds – Ballet Folklorico La Paloma (City-Wide) – SS/JULY10-00-351</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member West to allocate \$7,700 from the Contingency Fund to Ballet Folklorico La Paloma.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u> Is responsible</p>
<p>23. Charter Amendment Discussion (City-Wide) – SS/JULY10-00-354</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member West to place three items on the November election in 2001:</p> <p>1. Mayoral parity</p>	

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<p>2. Expansion of wards from 6 to 8, and 3. Non-partisan elections</p> <p>Vice-Mayor Leal amended the motion to include that the Charter Subcommittee will continue to refine these items.</p> <p>Amendment acceptable.</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ibarra to substitute the motion directing the Mayor and Council Charter Subcommittee to continue working with the assistance of the League of Women Voters to initiate a community process that will result in a slate of charter changes that would include the recommendations of the Southern Arizona Leadership Council; however, other possible recommendations would also be included and brought back to the full Mayor and Council by March 2001.</p> <p>Substitute motion PASSED by a vote of 4 to 3 (Council Members West, Scott and Mayor Walkup dissenting).</p>	<p><u>CITY CLERK</u> Is responsible</p>
<p>24. Statements of Individual Position Regarding Proposed Abolition of State Income Tax (City-Wide) – SS/JULY10-00-355</p> <p>Individual, oral statements opposing the proposed statewide initiative to constitutionally abolish state income taxes were made by Council Members Ibarra, West, Scott and Ronstadt and by Mayor Walkup and Vice-Mayor Steve Leal.</p> <p>(Council Member Anderson departed at 5:37 p.m.)</p>	<p><u>CITY ATTORNEY</u> is responsible</p>
<p>ADJOURNMENT: 5:41 P.M.</p> <p>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE.</p>	