

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF MAY 8, 2000

Mayor Robert E. Walkup called the Study Session to order at 10:06 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)
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
Rachel Leyva, Assistant City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>18. Request For Funds – Odyssey Of The Mind (City-Wide) SS/MAY8-00-214</p> <p>Council Member Scott MOVED, SECONDED by Council Member Anderson to fund Odyssey of the Mind for Wheeler Elementary School at \$4,000 from the Contingency Fund.</p> <p>Vice-Mayor Leal suggested Channel 12 conduct interviews before and after the competition to air on Channel 12.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> Is responsible</p> <p><u>DIR. OF COMMUNITY RELATIONS</u> Is responsible</p>
<p>1. Executive Session – City of Tucson v. Harry Ackerman et. al., Pima</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>County (City-Wide) SS/MAY8-00-211</p> <p>3. Executive Session – Personnel Matters – City Manager Selection Process (City-Wide) SS/MAY8-00-202</p> <p>5. Executive Session – Hospital Use of Emergency Helicopter/Air Operations (City-Wide) SS/MAY8-00-204</p> <p>15. Executive Session – City of Tucson v. State of Arizona et. al., Case #320926 (Tortolita Incorporation Litigation) (City-Wide) SS/MAY8-00-216</p> <p>Council Member Anderson requested items #5 and #6 be pulled indefinitely.</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Scott MOVED to go into Executive Session for discussion or consultation for legal advice with the Attorneys for the City of Tucson regarding City of Tucson v. Harry Ackerman et. al., Pima County pursuant to A.R.S. 38-431.03 (A) (3) and discussion or consultation of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public offender, appointee or employee regarding City Manager Interview and Selection Process pursuant to A.R.S. 38-431.03 (A) (1) 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 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 regarding City of Tucson v. State of Arizona et. al., Case #320926 pursuant to A.R.S. 38-431.03 (A) (4).</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is informed</p>
<p>RECESS: 10:17 A.M. RECONVENE: 12:21 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: All PRESENT (Rachel Leyva, Assistant Deputy Clerk)</p>	
<p>Executive Session was held from 10:18 A.M. to 12:20 P.M.</p>	
<p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to return to Open Session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>2. Mayor and Council Direction Regarding Executive Session – City of Tucson v. Harry Ackerman et. al., Pima County (City-Wide)</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>SS/MAY8-00-212</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt that the City Attorney be directed to proceed as discussed in the case of Executive Session – City of Tucson v. Harry Ackerman et. al., Pima County.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>4. City Manager Interview and Selection Process (City-Wide) SS/MAY8-00-203</p> <p>Council Member West requested that the interviews conducted by the citizen’s panel be televised on Channel 12.</p> <p>Council Member Ronstadt suggested considering allowing for “phone in” questions from the general community.</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott to schedule two interview sessions:</p> <ol style="list-style-type: none"> 1) with a citizen panel made up of two city residents appointed by each council member and the Mayor 2) with the Mayor and Council following a debriefing with the citizen panel. <p>Council Member Ronstadt withdrew his motion.</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West to schedule a special Mayor and Council meeting during the morning of June 1, 2000 to interview the candidates which will be followed by an evening interview session held by the citizen’s panel. On Friday morning, June 2, 2000, the Mayor and Council will meet with the citizen’s panel followed by an afternoon Mayor and Council meeting on June 2, 2000.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF COMMUNITY RELATIONS</u> Is responsible</p> <p><u>DIR. OF COMMUNITY RELATIONS</u> Is responsible</p> <p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p> <p><u>AGENDA COMMITTEE</u> Is informed</p> <p><u>CITY CLERK</u> Is informed</p>
<p>6. Mayor and Council Direction Regarding Executive Session – Hospital Use of Emergency Helicopter/Air Operations (City- Wide) SS/MAY8-00-205</p>	

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<p>This item pulled indefinitely at the request of Council Member Anderson.</p>	
<p>10. Boards, Committees and Commissions (City-Wide) SS/MAY8-00-208</p> <p>No discussion.</p> <p>Formal action taken in the Regular Meeting.</p>	<p>See AAR&S of the Regular Meeting of 5/8/00, Item #4</p>
<p>11. Mayor and Council Discussion of Regular Agenda SS/MAY8-00-199</p> <p>No discussion.</p> <p>Formal action taken in the Regular Meeting.</p>	
<p>RECESS: 12:40 P.M. RECONVENE: 1:28 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT (Rachel Leyva, Assistant City Clerk)</p>	
<p>17. Request For Funds – Philippine Mabuhay Cultural Foundation of Tucson, Arizona (City-Wide) SS/MAY8-00-213</p> <p>Council Member Scott MOVED, SECONDED by Council Member Leal to approve the transfer \$750 from the Contingency Fund to support the Philippine Mabuhay Cultural Foundation.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ronstadt Absent/Excused)</p> <p>(Counc. Ronstadt departed at 1:29 P.M. and returned at 1:31 P.M.)</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> Is responsible</p>
<p>19. Request For Funds – Million Mom March (City-Wide) SS/MAY8-00-215</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Scott to approve the \$974 from the Contingency Fund to support the</p>	<p><u>DIR. OF BUDGET & RESEARCH</u></p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Million Mom March.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ronstadt Absent/Excused).</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Scott to add \$173.40 to the request to pay for additional police charges.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ronstadt Absent/Excused).</p>	<p>Is responsible</p> <p><u>DIR. OF BUDGET & RESEARCH</u> Is responsible</p>
<p>16. Support of Tortolita (City-Wide) SS/MAY8-00-217</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member West that:</p> <ol style="list-style-type: none"> 1. The Mayor and Vice-Mayor shall contact the Mayors of Oro Valley and Marana to obtain information regarding Oro Valley's and Marana's positions regarding the 1997 boundaries of the proposed "Town of Tortolita." As well as their annexations of land within into those proposed boundaries, and to explore whether there is any possibility of a negotiated resolution between Oro Valley, Marana, and the proponents of Tortolita's incorporation. 2. The City Attorney shall continue under previous direction regarding all litigation, except the City Attorney may cooperate in accelerating the entry of final judgment by the Superior Court against the Casas Adobes litigants if they so request. 3. Mayor and Council shall meet again in executive session on May 15, 200 for further discussion and briefing on any new developments. <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p>
<p>4. City Manager Interview and Selection Process (City-Wide) SS/MAY8-00-203</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Scott, to create a citizen's committee to participate in the selection process of a new City Manager and</p> <ol style="list-style-type: none"> 1) each council member appoints 2 individuals 	<p><u>DIR. OF HUMAN RESOURCES</u> Is responsible <u>CITY CLERK</u></p>

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<p>2) the Mayor appoints 3 individuals 3) appointments are limited to City residents</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p>Is informed</p>
<p>21. Tucson Community Cable Corporation (ACCESS Tucson) Recommended Budget for FY 2000-2001 (City-Wide) SS/MAY8-00-219</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson to increase funding for ACCESS Tucson by \$104,000, from \$1,096,000 to 1,200,000 for FY 2000-01 with changing the formula. Also staff is directed to return with a recommendation as to how the formula should be modified.</p> <p>Council Member Scott and Council Member Ronstadt requested more information be provided by the end of the week.</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt offered a substitute motion to continue this item for one week.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF INFORMATION TECHNOLOGY</u> Is responsible</p> <p><u>DIR. OF INFORMATION TECHNOLOGY</u> Is responsible</p> <p><u>AGENDA COMMITTEE</u> Is informed</p>
<p>8. Small Business Commission (City-Wide) SS/MAY8-00-209</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Leal to:</p> <p>1) accept the Small Business Commission's recommendations, and 2) direct staff to take a look at the recommendations and determine what exists, what is new, what needs to be budgeted for, and how we can communicate those things.</p> <p>Council Member West offered an amendment to include, under recommendation #3, the costs (savings) if some ordinances were not in place (such as backflow prevention). Also if a recommendation runs counter to mandates, staff is to work with small businesses.</p> <p>8. Small Business Commission (City-Wide) SS/MAY8-00-209 (CONTINUED)</p> <p>Amendments accepted.</p> <p>Council Member Ronstadt amended his motion to include</p> <p>1) an economic impact analysis of the small business community (sales</p>	<p><u>DIR. OF ECON. DEVELOPMENT</u></p>

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<p>tax, property tax, any fees and chair table contributions).</p> <p>2) \$10,000 in the Economic Development budget to fund some recommendations for a guide to operating a small specified business, promoting a small business, a quarterly newsletter and an internship program.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>(Coun. Anderson departed 1:55 P.M. and returned at 1:59 P.M.)</p>	<p>Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p>
<p>7. Review of 2000-01 Recommended Budget – Elected and Official, Public Safety, and Community Development Program Categories (City-Wide) SS/MAY8-00-206</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal, the addition of one full-time equivalent position per council office and the reclass of council secretaries to Secretary II Assignment: Council Member.</p> <p>Motion PASSED by a vote of 4 to 3, (Council Members Ibarra, West and Anderson dissenting).</p> <p>I. ELECTED AND OFFICIAL</p> <p><u>City Attorney</u> Council Member Anderson requested a one-year report on the Neighborhood Resource Team this fall.</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West to approve the City Manager’s recommended budget for the City Attorney.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY CLERK</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p> <p><u>DIR. OF BUDGET & RESEARCH</u> and <u>CITY ATTORNEY</u> Are informed</p>
<p>7. Review of 2000-01 Recommended Budget – Elected and Official, Public Safety, and Community Development Program Categories (City-Wide) SS/MAY8-00-206 (CONTINUED)</p> <p><u>City Court</u> Council Member Anderson MOVED, SECONDED by Council Member Scott to approve the City Manager’s recommended budget for the City</p>	<p><u>CITY COURT</u> and <u>DIR. OF BUDGET & RESEARCH</u></p>

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<p>Court.</p>	<p>Are informed</p>
<p>Motion PASSED by a vote of 7 to 0.</p>	
<p><u>Public Defender</u> Council Member Anderson MOVED, SECONDED by Council Member Scott to approve the City Manager’s recommended budget for the City Public Defender.</p>	<p><u>DIRS. OF BUDGET & RESEARCH</u> and <u>PUBLIC DEFENDER</u> Are informed</p>
<p>Motion PASSED by a vote of 7 to 0.</p>	
<p>II. PUBLIC SAFETY</p>	
<p><u>Police</u> Council Member Scott MOVED, SECONDED by Council Member West to approve the City Manager’s recommended budget for the Tucson Police Department.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> and <u>CHIEF OF POLICE</u> Are informed</p>
<p>Motion PASSED by a vote of 7 to 0.</p>	
<p><u>Fire</u> Council Member Scott MOVED, SECONDED by Council Member Ronstadt to approve the City Manager’s recommended budget for the Tucson Fire Department.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> and <u>CHIEF OF POLICE</u> Are informed</p>
<p>Motion PASSED by a vote of 7 to 0.</p>	
<p>III. COMMUNITY DEVELOPMENT</p>	
<p><u>Planning</u> Council Member Scott MOVED, SECONDED by Council Member West to approve the Planning department’s budget.</p>	<p><u>DIRS. OF BUDGET & RESEARCH</u> and <u>PLANNING</u> Are informed</p>
<p>Motion PASSED by a vote of 7 to 0.</p>	
<p>7. Review of 2000-01 Recommended Budget – Elected and Official, Public Safety, and Community Development Program Categories (City-Wide) SS/MAY8-00-206 (CONTINUED)</p>	
<p><u>Development Services</u> Council Member West MOVED, SECONDED by Council Member Scott to approve the Development Services’ budget.</p>	<p><u>DIRS. OF BUDGET & RESEARCH</u> and <u>DVLPMT. SRVS.</u></p>

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<p>Motion PASSED by a vote of 7 to 0.</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member West to request the Mayor send a letter to Pima County requesting consideration be given to discussing the consolidation of Development Services departments.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p><u>Community Services</u> Council Member Scott MOVED, SECONDED by Council Member Ronstadt approve Community Services budget.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>(Mayor Walkup departed at 2:40 P.M. and returned at 2:44 P.M.) (Counc. Ibarra departed at 3:19 P.M. and returned at 3:24 P.M.)</p>	<p>Are informed</p> <p><u>LIZ. R. MILLER,</u> <u>ASST. CITY MANAGER</u> Is responsible</p> <p><u>DIR. OF COMMUNITY SERVICES</u> Is informed</p>
<p>9. Mayor and Council Discussion of Future Agendas SS/MAY8-00-200</p> <p><u>Safety in Washes</u> Council Member Scott requested that a discussion item be scheduled regarding what steps the City can do to increase safety in washes.</p> <p><u>El Con</u> Council Member Anderson requested two items associated with El Con be scheduled within the next two to three weeks</p> <ol style="list-style-type: none"> 1) update on the charette 2) update on the Economic Impact Evaluation Process <p><u>Dale vs. Boy Scouts Amicus Brief</u> Council Member Ronstadt requested a briefing be scheduled as to how this case can affect our ordinances.</p> <p>Council Member West stated we need a plan to notify the public when a Mayor and Council meeting is rescheduled.</p>	<p><u>DIR. OF TRANS.</u> Is responsible</p> <p><u>DIRS. OF PLANNING and FINANCE</u> Are responsible</p> <p><u>CITY ATTORNEY</u> And <u>EEO</u> Are responsible</p> <p><u>CITY MANAGER</u> <u>CITY CLERK</u> Are responsible</p>
<p>13. Downtown Commerce Park – Sale of Lot 11 SS/MAY8-00-210</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt to approve the City Manager’s recommendation on lot 11.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF ECON. DEVELOPMENT</u> Is responsible</p>

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<p>12. City Hall Elevators (City-Wide) SS/MAY8-00-207</p> <p>Council Member Anderson MOVED, SECONDED Council Member Ronstadt, approve the City Manager's recommendation.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>ALL OFFICES AND DEPARTMENTS</u> Are informed</p>
<p>20. Safe Summer – 2000 Program: Additional Information (Wards 1 and 5) SS/MAY8-00-218</p> <p>Vice-Mayor Leal requested the Youth Advisory Committee meet on a monthly basis (at least initially) with varied meeting locations.</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Scott to support the City Manager's recommendations and work with staff regarding any outstanding issues.</p> <p>Vice-Mayor Leal suggested an existing Youth Group be utilized to work on the cruising ordinance.</p> <p>Council Member West requested staff do whatever is possible to communicate with schools prior to summer recess.</p> <p>Council Member Ronstadt requested Youth Advisory Committee members be at least 16 years of age.</p> <p>Motion PASSED by a vote 7 to 0.</p>	<p><u>CHIEF OF POLICE And CITY MANAGER'S OFFICE</u> Are responsible</p>
<p>ADJOURNMENT: 4:00 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	