

# MAYOR AND COUNCIL - STUDY SESSION

## ADMINISTRATIVE ACTION REPORT AND SUMMARY NOVEMBER 4, 2002

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 Carol W. West, (Ward 2)  
Counc. Jose J. Ibarra, (Ward 1) (arrived at 1:45 p.m.)  
Counc. Kathleen Dunbar, (Ward 3)  
Counc. Shirley C. Scott, (Ward 4)  
Counc. Steve Leal, (Ward 5)  
Counc. Fred Ronstadt, (Ward 6)

STAFF: James Keene, City Manager  
Liz Miller, Assist. City Manager  
Michael House, City Attorney  
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
1. Executive Session – Figliolino et. al. v. City of Tucson (City-Wide) SS/NOV4-02-300	
3. Executive Session – City of Tucson v. Clear Channel Outdoor, Inc. (City-Wide) SS/NOV4-02-299	
Vice Mayor West MOVED, SECONDED by Council Member Scott to go into executive sessions for Item #1 - Executive Session - Figliolino et. al. v. City of Tucson and Item #3 - Executive Session – City of Tucson v. Clear Channel Outdoor, Inc., as noticed in the agenda.	
Motion PASSED by a 6 to 0 vote (Council Members Ibarra absent/excused).	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>RECESS: 1:37 P.M.                      RECONVENE: 2:00 P.M.                      MAYOR &amp; COUNCIL: ALL PRESENT                      STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 1:38 p.m. to 1:58 p.m. (Council Member Ibarra arrived at 1:45 p.m. and did not attend the executive session).</p>	
<p>Council Member Scott MOVED, SECONDED by Vice Mayor West to return to Open Session.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	
<p>2. Mayor and Council Direction Regarding Executive Session: Figliolino et. al. v. City of Tucson (City-Wide) SS/NOV4-02-301</p> <p>Vice Mayor West MOVED, SECONDED by Council Member Scott that the City Attorney be directed to proceed as discussed in executive session, regarding Item #1 - Executive Session: Figliolino et. al. v. City of Tucson.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	<p><u>CITY ATTORNEY</u>                      Is responsible</p>
<p>4. Boards, Commissions and Committees (City-Wide) SS/ NOV4-02-306</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&amp;S of the Regular Session of 11/4/02, Item #12</p>
<p>5. Mayor and Council Discussion of Regular Agenda SS/ NOV4-02-298</p> <p>No items were discussed.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>RECESS: 2:05 P.M. RECONVENE: 3:02 P.M. MAYOR &amp; COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>6. Qwest Funding (City-Wide) SS/NOV4-02-307</p> <p>Vice Mayor West requested staff respond to the following questions by memorandum:</p> <ul style="list-style-type: none"><li>• Do low income families pay the Kidco registration fee?</li><li>• How is it determined who pays the registration fee?</li><li>• What is the registration fee used for? (What are the Kidco expenses and staff actual program costs?)</li><li>• Why is there a waiting list (space, funding)?</li><li>• Are there other similar community programs and does the City collaborate?</li><li>• What is the amount of money generated by the fee and when will the next phase become effective?</li></ul> <p>Council Member Scott MOVED, SECONDED by Council Member Ibarra to allocate funds to move forward and support KIDCO for two years at \$170,000 each year, or a total of \$340,000, with funding to come from the Qwest settlement.</p> <p>Council Member Leal made a friendly amendment to include additional funding for the Job Path Program.</p> <p>Council Member Ronstadt made a SUBSTITUTE MOTION, SECONDED by Vice Mayor West to approve the City Manager's recommendation to not make any appropriation decisions at this time.</p> <p>Substitute Motion PASSED by a 4 to 3 vote (Council Members Ibarra, Scott and Leal dissenting).</p>	<p><u>DIR. OF PARKS AND REC.</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>7. Implementation of a Use Tax (City-Wide) SS/NOV4-02-302</p> <p>Council Member Leal MOVED, SECONDED by Vice Mayor West to approve Option 2, schedule meetings to allow Mayor and Council to review and discuss the Use, Tax, have a 30 day public education dialogue with key community stakeholders and target March 1, 2003 as the effective date.</p> <p>Council Member Dunbar made a friendly amendment to extend the public education time period from 30 days to 60 days.</p> <p>Amendment accepted by the maker.</p> <p>Council Member Dunbar also requested staff provide:</p> <ul style="list-style-type: none"><li>• examples of cities where a Use Tax both has and has not worked,</li><li>• an analysis of implementation and enforcement costs, and</li><li>• unintended consequences</li></ul> <p>Council Member Scott declared a potential conflict of interest.</p> <p>Motion PASSED by a 5 to 1 vote (Council Member Ibarra dissenting and Council Member Scott declared a potential conflict of interest).</p>	<p><u>DIR. OF FINANCE</u> Is responsible</p>
<p>8. Houghton Road Master Planning Public Involvement Process – Citizens Review Committee and Technical Advisory Committee (City-Wide) SS/NOV4-02-308</p> <p>Council Member Scott MOVED, SECONDED by Vice Mayor West to approve the City Manager recommendation with a caveat that when the committee members are put together, that is come back to the Mayor and Council for final review.</p> <p>The 25 appointments should reflect one for each of the Mayor and Council offices, each of the 10 registered Neighborhood Associations along the corridor, three from the SPCC, and five others to complement the balance.</p> <p>City Manager James Keene clarified that the recommendation is “about” 25, and once the appointments are made and the balance is flushed out the final number will be settled upon. Furthermore, members of this committee will be exempt from the provisions of the Tucson Code that prohibit them from serving on other bodies.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	<p><u>DIR. OF PLANNING</u> <u>TASK FORCE</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>9. Thrifty Block Request for Qualifications / 26-72 East Congress Street Process to Secure Redeveloper (City-Wide) SS/NOV4-02-303</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Leal to approve the City Manager's recommendation.</p> <p>Motion PASSED by a 7 to 0 vote</p>	<p><u>RIO NUEVO OFFICE</u> Is responsible</p>
<p>10. Mayor and Council Discussion of Future Agendas SS/NOV4-02-304</p> <p>Council Member Ronstadt reinforced Vice Mayor West's earlier request for information on Kidco stated under Item #6 Qwest Funding.</p>	<p><u>DIR. OF PARKS &amp; REC.</u> Is responsible</p>
<p>ADJOURNMENT: 5:05 p.m.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE.</i></p>	