

# **MAYOR AND COUNCIL – STUDY SESSION**

## **ADMINISTRATIVE ACTION REPORT AND SUMMARY**

APRIL 13, 2010  
MAYOR AND COUNCIL CHAMBERS – CITY HALL  
255 W. ALAMEDA, TUCSON, AZ

Mayor Robert E. Walkup called the Study Session to order at 1:05 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

### **OFFICIAL MEMBERS**

#### **PRESENT:**

Mayor Robert E. Walkup  
Council Member, Regina Romero, (Ward 1)  
Council Member Karin Uhlich, (Ward 3)  
Council Member Shirley C. Scott, (Ward 4)  
Council Member Richard G. Fimbres, (Ward 5)  
Council Member Steve Kozachik, (Ward 6)

### **OFFICIAL MEMBERS**

#### **ABSENT/EXCUSED:**

Council Member Ward 2 - Vacant

#### **STAFF:**

Mike Letcher, City Manager  
Mike Rankin, City Attorney  
Roger W. Randolph, City Clerk

| AGENDA ITEM/MAYOR AND COUNCIL ACTION                                                                                                                                                                                                                                                                                                                                                                                                                        | STAFF ACTION |
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| <p>1. 28<sup>th</sup> Annual Tucson International Mariachi Conference (City-Wide)<br/>SS/APR13-10-136</p> <p>Council Member Uhlich MOVED and it was duly seconded to commit to having at least one member of the Mayor and Council attend the portion of the Mariachi Conference on Thursday at which they will be attempting to get into the Guinness Book of World Records.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p> |              |

| AGENDA ITEM/MAYOR AND COUNCIL ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | STAFF ACTION                                  |
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| <p>2. Discussion of Refinements to Water Service Area (City-Wide and Outside City) SS/APR13-10-135</p> <p>Council Member Romero MOVED and it was duly seconded to have a 30-day comment period on the proposed water service area to allow time for additional public input and that once a water service area has been agreed upon by Mayor and Council that a resolution be brought forward to formalize the Tucson Water service area, as recommended by the City Manager.</p> <p>It was FURTHER moved to continue with comprehensive water resource planning with regional partners and include the feedback provided by the Mayor and Council.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p>                                                                                                                                                                                                                                                                                                                       | <p><u>CITY MANAGER</u><br/>Is responsible</p> |
| <p>3. Update on Access Tucson/Channel 12: Possible Reconsideration of March 9, 2010 Direction (City-Wide) SS/APR13-10-137</p> <p>Council Member Scott MOVED and it was duly seconded to reconsider the March 9, 2010 motion regarding the co-location of Channel 12 and Access Tucson.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p> <p>Council Member Uhlich MOVED and it was duly seconded to move forward with Option #2 to have Access Tucson and Channel 12 to each remain in their own locations due to budgetary considerations, as recommended by the City Manager.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p> <p>Council Member Kozachik MOVED and it was duly seconded to direct the City Manager to obtain further clarification regarding the proposal for 154 E. Broadway from Holualoa.</p> <p>Council Member Uhlich requested a friendly amendment that if the Mayor and Council does decide to sell 154 E. Broadway, that it be done with a competitive process.</p> | <p><u>CITY MANAGER</u><br/>Is responsible</p> |

| AGENDA ITEM/MAYOR AND COUNCIL ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | STAFF ACTION                                                              |
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| <p>3. Update on Access Tucson/Channel 12: Possible Reconsideration of March 9, 2010 Direction (City-Wide) SS/APR13-10-137 (continued from previous page)</p> <p>Amendment ACCEPTED by the maker.</p> <p>Motion as amended PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |
| <p>4. Tucson Fire Department's Strategic Work Plan Projects (City-Wide) SS/APR13-10-132</p> <p>Presentation was made; no formal direction was given.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                           |
| <p>5. Mayor and Council: Procedures and Direction on Filling Council Member Vacancy (City-Wide) SS/APR13-10-134</p> <p>Council Member Romero MOVED and it was duly seconded to proceed with the following process for filling the Ward 2 vacancy:</p> <p>Step One: Mayor and Council announce that anyone interested in filling the vacant seat has five business days to submit a resume and cover letter to the City Clerk's Office. All those submitting a resume and cover letter will be required to sign an affidavit that they meet all of the eligibility requirements outlined within the City Charter.</p> <p>Step Two: Tucson City Clerk will be responsible for verifying eligibility of candidates. All eligible candidates' resumes and cover letters will be posted to the City Clerk's office website and residents can send "official" comments to the Clerk's Office to be distributed to Mayor and Council. Contact: <a href="mailto:cityclerk@tucsonaz.gov">cityclerk@tucsonaz.gov</a>, 791-4213 phone or 791-4017 fax.</p> <p>Step Three: Mayor and Council and the public hear from all eligible candidates at the next regularly scheduled council meeting. An official public hearing will be on the calendar and each eligible candidate gets five minutes to speak to why they want to represent Ward 2 on the Tucson City Council.</p> | <p><u>CITY ATTORNEY</u><br/><u>AND CITY CLERK</u><br/>Are responsible</p> |

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

5. Mayor and Council: Procedures and Direction on Filling Council Member Vacancy (City-Wide) SS/APR13-10-134 (continued from previous page)

Step Four: Mayor and Council votes on the council member. The eligible candidate receiving a majority vote will be selected. The selected candidate will be placed into office at the following regularly scheduled council meeting.

Draft Timeline:

April 13 – Anyone interested in filling the vacant seat has five business days to submit a resume and cover letter.

April 21 – Clerk’s Office posts cover letters and resumes of eligible candidates to the City Clerk’s website, <http://www.tucsonaz.gov/clerks>

April 21 – Residents can send official comments about candidates to Mayor and Council through Clerk’s Office - [cityclerk@tucsonaz.gov](mailto:cityclerk@tucsonaz.gov), 791-4213 phone or 791-4017 fax.

April 27 – Public hearing at regularly scheduled City Council meeting to hear from all candidates. Each candidate is given 5 minutes to speak to why they want to represent Ward 2 on the City Council. Speeches covered by Channel 12. Live coverage of speeches.

May 4 – Mayor and Council vote for eligible candidate at regularly scheduled Council meeting. New Council Member sworn into office the following day.

Council Member Kozachik requested a friendly amendment to allow the Mayor and Council to interact with the candidates at the public hearing.

Amendment ACCEPTED by the maker.

Motion as amended, PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).

| AGENDA ITEM/MAYOR AND COUNCIL ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | STAFF ACTION                                  |
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| <p>(Council Member Romero departed at 3:02 p.m. and returned at 3:10 p.m.)</p> <p>6. Clean City Task Force (Continued from the meeting of April 6, 2010)<br/>(City-Wide) SS/APR13-10-133</p> <p>Council Member Romero MOVED and it was duly seconded to direct staff to develop an action plan that will enhance internal programs, directives, codes and external initiatives that will have an effect on the physical appearance of the City of Tucson, as recommended by the City Manager.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p> <p>Mike Rankin, City Attorney, indicated that he would send an off agenda memorandum explaining the Business Improvement District.</p> | <p><u>CITY MANAGER</u><br/>Is responsible</p> |
| <p>7. Intergovernmental Relations: Update of 2010 State and Federal Legislation Affecting the City of Tucson (City-Wide)<br/>SS/APR13-10-130</p> <p>No report was given.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                               |
| <p>This item was taken out of order.</p> <p>10. Mayor and Council Regional and National Committee Reports (City-Wide)<br/>SS/APR13-10-127</p> <p>No report was given.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                               |
| <p>This item was taken out of order.</p> <p>11. Mayor and Council Discussion of Regular Agenda (City-Wide)<br/>SS/APR13-10-128</p> <p>Council Member Kozachik requested Consent Agenda items 7A, 7B and 7C be considered separately.</p> <p>This item was returned to after Item 15.</p>                                                                                                                                                                                                                                                                                                                                                                                                                           |                                               |

| AGENDA ITEM/MAYOR AND COUNCIL ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | STAFF ACTION                                |
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| <p>11. Mayor and Council Discussion of Regular Agenda (City-Wide) SS/APR13-10-128 (continued from the previous page)</p> <p><u>7A. - Real Property: Authorization to Acquire Real Property at 2419 East Broadway Under the Advanced Acquisition Program</u></p> <p><u>7B. - Boards, Committees and Commissions: Creating the Broadway Boulevard Citizens Planning Task Force</u></p> <p><u>7C. - Real Property: Authorization to Acquire Right-Of-Way for the Downtown Links Project Between Interstate 10 and Broadway Boulevard</u></p> <p>This item was returned to after Item 15.</p> |                                             |
| <p>This item was taken out of order.</p> <p>12. Mayor and Council Discussion of Future Agendas and Approved Work Plan (City-Wide)SS/APR13-10-129</p> <p>Council Member Kozachik requested weekly updates on the Rio Nuevo Multipurpose Facilities District.</p>                                                                                                                                                                                                                                                                                                                           | <p><u>CITY CLERK</u><br/>Is responsible</p> |
| <p>8. Executive Session – Notice of Claim, TDB Tucson Group v. City of Tucson (City-Wide) SS/APR13-10-138<br/>CITY ATTORNEY</p> <p>14. Executive Session – Repayment by the Rio Nuevo Multipurpose Facilities District of City of Tucson Loans and Advances (City-Wide) SS/APR13-10-140<br/>CITY ATTORNEY</p> <p>Council Member Scott MOVED and it was duly seconded to enter into Executive Session for Items #8 and #14 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).</p>                                                         |                                             |
| <p>RECESS: 3:46 p.m.<br/>RECONVENE: 5:14 p.m.<br/>MAYOR &amp; COUNCIL: All present (Council Member Ward 2, Vacant)<br/>STAFF: All present</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                             |

| AGENDA ITEM/MAYOR AND COUNCIL ACTION                                                                                                                                                                                                                                                                                                                                                                                                | STAFF ACTION                           |
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| Executive Session was held from 3:46 p.m. to 5:14 p.m.                                                                                                                                                                                                                                                                                                                                                                              |                                        |
| Council Member Scott MOVED and it was duly seconded to return to open session.<br><br>Motion PASSED by a vote of 6 to 0 (Council Member Ward 2, Vacant).                                                                                                                                                                                                                                                                            |                                        |
| 9. Mayor and Council Direction Regarding Executive Session – Notice of Claim, TDB Tucson Group v. City of Tucson (City-Wide) SS/APR13-10-139<br><br>Council Member Scott MOVED and it was duly seconded to direct the City Attorney to proceed as discussed in Executive Session.<br><br>Motion PASSED by a vote of 4 to 2 (Council Members Romero and Kozachik dissenting, Council Member Ward 2, Vacant).                         | <u>CITY ATTORNEY</u><br>Is responsible |
| 15. Mayor and Council Direction Regarding Executive Session – Repayment by the Rio Nuevo Multipurpose Facilities District of City of Tucson Loans and Advances (City-Wide) SS/APR13-10-141<br><br>No action was taken.                                                                                                                                                                                                              |                                        |
| This item was taken out of order.<br><br>11. Mayor and Council Discussion of Regular Agenda (City-Wide) SS/APR13-10-128<br><br>Council Member Fimbres requested Regular Agenda Item 10 be continued to meeting of April 27 to allow for further outreach by the Police Department.<br><br><u>10. - Tucson Code: Amending (Chapter 7) Relating to the Current Pawn Shop Ordinance (Continued from the Meeting of March 23, 2010)</u> | <u>POLICE</u><br>Is responsible        |
| ADJOURNMENT: 5:18 p.m.<br><br><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i>                                                                                                                                                                                                                                                                                                                       |                                        |