

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF DECEMBER 13, 1999

Mayor Robert E. Walkup called the Study Session to order at 1:30 P.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. Steve Leal, (Ward 5)
Counc. Fred Ronstadt, (Ward 6)

STAFF: Luis G. Gutierrez, City Manager
Thomas J. Berning, City Attorney
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Executive Session – Committee to Incorporate the Town of Tortolita v. The State of Arizona, City of Tucson and Town of Oro Valley (City-Wide) SS/DEC13-99-601</p> <p>19. Executive Session – Pima County Effluent and Managed Recharge Project Litigation (City-Wide) SS/DEC13-99-606</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to go into Executive Session for discussion or consultation for legal advice with the attorneys for the City of Tucson 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 in pending or contemplated litigation regarding the Committee to Incorporate the Town of Tortolita v. The State of Arizona, City of Tucson and Town of Oro Valley and Pima County Effluent and Managed Recharge Project Litigation pursuant to A.R.S. Section 38-431.03 (A) (3) and A.R.S. Section 38-431.03 (A) (4).</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
RECESS: 1:31 P.M.	

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<p>RECONVENE: 2:56 P.M. MAYOR & COUNCIL: ALL PRESENT (EXCEPTING COUNCIL MEMBER RONSTADT ABSENT/EXCUSED). STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 1:32 p.m. to 2:52 P.M.</p>	
<p>Council Member Leal MOVED, SECONDED by Council Member Ibarra to return to Open Session.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ronstadt Absent/Excused).</p>	
<p>2. Committee to Incorporate the Town of Tortolita v. The State of Arizona, City of Tucson and Town of Oro Valley (City-Wide) SS/DEC13-99-602</p> <p>Council Member Leal MOVED, SECONDED by Council Member West, to direct staff to move forward to work with Tortolita and Casas Adobes to facilitate their efforts to incorporate concurrently with ongoing litigation relative to the 1961 law. Staff is to return with an update or resolution by the second meeting in January, 2000.</p> <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>20. Mayor and Council Direction Regarding Executive Session – Pima County Effluent and Managed Recharge Project Litigation (City-Wide) SS/DEC13-99-607</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to direct the attorney to proceed as discussed in Executive Session regarding Pima County Effluent and Managed Recharge Project Litigation.</p> <p>Motion PASSED by a vote of 6 to 1, (Council Member Anderson dissenting).</p>	<p><u>CITY ATTORNEY</u> Is responsible <u>DIR. OF WATER</u> Is informed</p>
<p>3. Intermodal Center Development Update and Report on First Phase Projects (Wards 1, 5 & 6) S/DEC13-99-594</p>	

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<p>Council Member Scott MOVED, SECONDED by Council Member West to accept the recommendations of the City Manager.</p> <p>Council Member Anderson requested an oversight committee be formed, as a subcommittee of the Mayor and Council, to work with the City Manager's Office regarding space needs.</p> <p>Council Member West added that merits of City Hall also be included.</p> <p>There was apparent consensus.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY MANAGER</u> Is responsible</p>
<p>4. Boards, Committees and Commissions SS/DEC13-99-591</p> <p>No discussion.</p> <p>Formal action taken at the Regular Session.</p>	<p>See AAR&S of the Regular Meeting of 12/13/99, Item #11</p>
<p>5. Mayor and Council Discussion of Regular Agenda SS/DEC13-99-588</p> <p>Council Member Scott removed Consent Agenda items C & F, so that they can be considered separately.</p> <p>Council Member Anderson commended the City Court and their efforts to reduce uncollectable accounts.</p> <p>(Counc. Leal departed at 3:20 and P.M. returned at 3:22 P.M)</p>	<p><u>CITY CLERK</u> Is informed</p>
<p>6. Mayor and Council Subcommittees Status Report (City-Wide) SS/DEC13-99-597</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ronstadt to dissolve the standing subcommittees and replace them with workgroups.</p> <p>The City Attorney advised the motion is inappropriate for this subject.</p> <p>Motion was withdrawn.</p>	
<p>16. Request for Contingency Funds – Garden Group (Ward 5) SS/DEC13-99-600</p>	

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<p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson to direct staff to allocate \$11,800 from the Contingency fund to support the community garden and marketplace at the new Quincie Douglas Center.</p> <p>Council Member West amended the motion to request a progress report.</p> <p>Amendment accepted.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ronstadt Absent/Excused).</p> <p>(Counc. Ronstadt departed at 3:32 P.M. and returned at 3:37 P.M.)</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> Is responsible</p>
<p>18. Discussion of Downtown Saturday Night (Wards 1 and 6) SS/DEC13-99-605</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member West to continue this item until after the January 12, 2000 CDOC meeting.</p> <p>Council Member Anderson requested this item come back no later than the last meeting in January, 2000.</p> <p>Motion PASSED by a roll call vote 4 to 3, (Council Members Anderson and Ibarra and Vice-Mayor Leal dissenting).</p>	<p><u>CITY MANAGER</u> Is responsible</p> <p><u>AGENDA COMMITTEE</u> Is informed</p>
<p>15. Request to Exceed Fee Waiver Cap– Sonora Cohousing (Ward 3) SS/DEC13-99-604</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West to approve the request for \$39,000 in fee waivers for the Sonora Cohousing Project.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF DEVLPMNT. SERVICES</u> Is responsible</p>
<p>14. Request for Funds – Thunder in the Desert (City-Wide) SS/DEC13-99-596</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Ibarra to</p>	<p><u>DIR. OF BUDGET</u></p>

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<p>allocate \$27,430 from the Contingency Fund to support the request from "Thunder in the Desert."</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>& RESEARCH</u> Is responsible</p>
<p>8. Reclaimed Water Master Plan (City-Wide & Outside City) SS/DEC13-99-598</p> <p>Council Member West requested staff return annually with updates. Any challenges encountered should be brought back as needed.</p> <p>Formal action taken at the Regular Session.</p>	<p><u>DIR. OF WATER</u> Is responsible</p> <p>See AAR&S of the Regular Meeting of 12/13/99, Item #7</p>
<p>9. Reclaimed Water Service Agreement with Davis-Monthan Airforce Base (Ward 4) SS/DEC13-99-590</p> <p>Item discussed, formal action taken at the Regular Session.</p>	<p>See AAR&S of the Regular Meeting of 12/13/99, Item #4</p>
<p>12. Comments to EPA on Proposed Rule for Radon in Drinking Water (City-Wide and Outside the City) SS/DEC13-99-599</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to direct staff to respond to the EPA's Radon Rule.</p> <p>Council Member West offered an amendment to request that Mayor Walkup send a letter to our congressional delegation calling attention to the lack of direction from the EPA program at the State level.</p> <p>Amendment accepted.</p> <p>Staff advised the deadline set by the EPA has been moved back to February 4, 2000.</p> <p>12. Comments to EPA on Proposed Rule for Radon in Drinking Water (City-Wide and Outside the City) SS/DEC13-99-599 (CONTINUED)</p> <p>Council Member Anderson requested staff return to Mayor and Council prior to responding to the EPA should something significant come up.</p>	<p><u>DIR. OF WATER</u> Is responsible</p> <p><u>OFFICE OF INTGOV'L AFFAIRS</u> Is responsible <u>DIR. OF WATER</u> Is informed</p>

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<p>Motion PASSED by a vote of 6 to 0, (Council Member Ibarra Absent/Excused).</p> <p>(Counc. Ronstadt departed at 4:30 P.M. and returned at 4:31 P.M.) (Counc. Ibarra departed at 4:30 P.M. and returned at 4:34 P.M.) (Counc. Ibarra departed at 4:35 and returned at 4:36 P.M.)</p>	
<p>7. Mayor and Council Discussion of Future Agendas SS/DEC13-99-589</p> <p><u>Big Box Ordinance</u> Council Member Ronstadt requested the Big Box issue return on January 3, 2000 to allow staff to update the Mayor and Council regarding:</p> <ol style="list-style-type: none"> 1) limiting or monitoring the amount of space used for food sales in light of recent Federal Court judgement in Nevada, 2) Dodge closure 3) El Con's mitigation plan <p><u>Flood Control</u> Council Member Ronstadt requested a future agenda item regarding possible modifications to the floodplain ordinances to address clean water scour/erosion downstream of the detention basins/systems connected with new development.</p> <p><u>Subcommittees</u> Council Member Anderson requested an item be scheduled January 3, 2000 to discuss the possibility of dissolving the standing subcommittees and establishing work groups.</p> <p><u>Contingency Fund</u> Council Member West requested a future agenda item to discuss the purpose of the Contingency Fund.</p> <p><u>Study Session</u> Council Member West requested a future discussion regarding the purpose and objectives of a Study Session.</p>	<p><u>DIR. OF PLANNING AND CITY ATTORNEY</u> are Responsible <u>AGENDA COMMITTEE</u> Is informed</p> <p><u>DIR. OF TRANS.</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p> <p><u>CITY CLERK</u> Is responsible</p> <p><u>DIR. BUDGET & RESEARCH</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p> <p><u>CITY ATTORNEY</u> Is responsible</p>
<p>10. Tucson City Golf Business Plan (City-Wide) SS/DEC13-99-595</p> <p>Item discussed</p> <p>Formal action at the Regular Session.</p>	<p>See AAR&S of the</p>

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	Regular Meeting of 12/13/99, Item #8
<p>11. Impact Fees – Ordinances from Glendale and Apache Junction (City-Wide) SS/DEC13-99-603</p> <p>(Counc. Ibarra departed at 4:44 P.M. and returned at 4:52 P.M.) (Counc. Ronstadt departed at 5:07 P.M. and returned at 5:14 P.M.)</p> <p>Staff advised they will return with an update on February 28, 2000.</p> <p>Council Member Anderson requested a coalition be formed including all the school districts within the city limits to ascertain where they stand on this issue and to work with them.</p> <p>There was apparent consensus, Mayor Walkup will initiate action on this item.</p>	<p><u>AGENDA COMMITTEE</u> Is informed</p> <p><u>OFFICE OF SPECIAL PROJECTS</u> Is responsible <u>DIR. OF PLANNING</u> Is informed</p>
<p>21. Alternate Mayor and Council Meeting Dates for 2000 (City-Wide) SS/DEC13-99-608</p> <p>Continued to the meeting of January 3, 2000.</p>	<p><u>AGENDA COMMITTEE</u> Is informed</p>
<p>13. Contingency Fund Update (City-Wide) SS/DEC13-99-592</p> <p>Item not discussed.</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u> Is informed</p>
<p>ADJOURNMENT: 5:17 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	