

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF FEBRUARY 8, 1999

Mayor George Miller called the Study Session to order at 12:10 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor George Miller
Vice-Mayor Shirley C. Scott, (Ward 4)
Counc. Jose J. Ibarra, (Ward 1)
Counc. Janet Marcus, (Ward 2)
Counc. Jerry Anderson (Ward 3)
Counc. Steve Leal, (Ward 5)
Counc. Fred Ronstadt, (Ward 6)

STAFF: Luis G. Gutierrez, City Manager
John Nachbar, Deputy City Manager
Thomas J. Berning, City Attorney
Rachel Leyva, Assistant City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Proposed Five-Year Capital Improvement Program, Fiscal Years 1999-00 Through 2003-04 (City-Wide) SS/FEB8-99-63</p> <p><u>OPERATIONS</u></p> <p>Council Member Marcus requested that consideration be given to adding \$575,000 for sustainable development upgrades.</p> <p>There was apparent Mayor and Council consensus.</p> <p>(Counc. Ronstadt departed at 12:20 P.M. and returned at 12:22 P.M.)</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is responsible and is to coordinate with <u>DIR. OF OPERATIONS</u></p>
13. \$200,000 Downtown Grant Proposal RFP Selection Process (City-Wide)	

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<p>SS/FEB8-99-60</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Leal, that Mayor and Council direct staff to award 11 grants as outlined below:</p> <table><tr><td>2.</td><td>Viva Arizona Celebration</td><td>\$ 15,000</td></tr><tr><td>3.</td><td>Art (TADPI)</td><td>\$ 36,375</td></tr><tr><td>4.</td><td>Gallery/Arts Space (TADPI)</td><td>\$ 25,500</td></tr><tr><td>8.</td><td>MRO Bus Stop on Broadway at La Placita</td><td>\$ 15,000</td></tr><tr><td>13.</td><td>TPAC, 35 East Toole</td><td>\$ 6,843</td></tr><tr><td>14.</td><td>Museum of Contemporary Art</td><td>\$ 8,300</td></tr><tr><td>15.</td><td>Tucson Origins Project</td><td>\$ 50,000</td></tr><tr><td>19.</td><td>Odd Hall Tree Plantings</td><td>\$ 4,500</td></tr><tr><td>20.</td><td>Freeman Memorial</td><td>\$ 15,000</td></tr><tr><td>25.</td><td>Photo Books by Steve Farley</td><td>\$ 5,000</td></tr><tr><td>27.</td><td>Downtown Alliance Facade Program</td><td>\$ 18,482</td></tr></table> <p>Further, that staff be directed to perform oversight of all these grant-funded programs and to report back to Mayor and Council with an update in June of 1999. Finally, that Mayor and Council approve the transfer of administration of the existing downtown facade program to the Downtown Alliance, with appropriate staff oversight.</p> <p>Also, that #19 above Odd Hall Tree Plantings \$4,500 be moved to the Downtown Street Photograph Project.</p> <p>In addition, that all line items be reduced by 2% and these monies are to be transferred to the Downtown Street Photograph Project.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>(Counc. Leal departed at 12:29 P.M.)</p>	2.	Viva Arizona Celebration	\$ 15,000	3.	Art (TADPI)	\$ 36,375	4.	Gallery/Arts Space (TADPI)	\$ 25,500	8.	MRO Bus Stop on Broadway at La Placita	\$ 15,000	13.	TPAC, 35 East Toole	\$ 6,843	14.	Museum of Contemporary Art	\$ 8,300	15.	Tucson Origins Project	\$ 50,000	19.	Odd Hall Tree Plantings	\$ 4,500	20.	Freeman Memorial	\$ 15,000	25.	Photo Books by Steve Farley	\$ 5,000	27.	Downtown Alliance Facade Program	\$ 18,482	<p><u>CITY MANAGER</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p>
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<p>1. Proposed Five-Year Capital Improvement Program, Fiscal Years 1999-00 Through 2003-04 (City-Wide) SS/FEB8-99-63 (CONTINUED)</p> <p><u>CITY MANAGER’S OFFICE</u></p> <p>Council Member Anderson requested that consideration be given to modestly increasing the Back to Basics Program by \$200,000 per Ward.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is responsible</p>																																	
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<p>Through 2003-04 (City-Wide) SS/FEB8-99-63 (CONTINUED)</p> <p><u>COURT</u></p> <p>Council Member Anderson MOVED, SECONDED by Council Member Marcus, that the City Manager be directed to include in the first year funding the amount of \$694,000 for the build-out of the City Court building and to request staff to identify any savings which can be made to reduce this amount.</p> <p>Vice-Mayor Scott moved to amend the motion that this project be approved at the time funding becomes available.</p> <p>Amendment not acceptable to the maker.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member Leal Absent/Excused).</p> <p><u>POLICE</u></p> <p>Mayor and Council discussed the 5 year Capital Improvement Program.</p> <p><u>FIRE</u></p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Scott, that \$1.750 million to be added in capacity for acquisition of approximately 439 acres to be used as a buffer zone for the Public Safety Academy. The property to be purchased with Certificates of Participation.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p> <p><u>COMMUNITY SERVICES</u></p> <p>Mayor and Council discussed the 5 year Capital Improvement Program.</p> <p>1. Proposed Five-Year Capital Improvement Program, Fiscal Years 1999-00 Through 2003-04 (City-Wide) SS/FEB8-99-63 (CONTINUED)</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is responsible and is to coordinate with <u>CITY COURT</u></p> <p><u>DIR. OF BUDGET & RESEARCH</u> is informed</p> <p><u>DIR. OF BUDGET & RESEARCH</u> is informed</p> <p><u>DIR. OF BUDGET & RESEARCH</u> is responsible and is to coordinate with the <u>FIRE CHIEF</u></p> <p><u>DIR. OF BUDGET & RESEARCH</u> is informed</p>

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<p><u>TUCSON CONVENTION CENTER</u></p> <p>Vice-Mayor Scott MOVED, SECONDED by Council Member Marcus, that the City Manager be directed to develop a proposal for the construction of a parking facility.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p> <p><u>LIBRARY</u></p> <p>Mayor and Council discussed the 5 year Capital Improvement Program.</p> <p><u>PARKS & RECREATION and GOLF</u></p> <p>Council Member Ibarra requested on behalf of Council Member Leal that the discussion of the 5 year Capital Improvement Program for this department be continued to 2/22/99.</p> <p><u>SOLID WASTE</u></p> <p>Council Member Marcus requested that the reinstatement of the Federal tax credits for use of methane gas be pursued as part of our federal legislative effort.</p> <p>(Counc. Ibarra departed at 12:48 P.M. and returned at 12:50 P.M.)</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p> <p><u>DIR. OF BUDGET & RESEARCH</u> is informed</p> <p><u>DIR.OF BDGT & RESEARCH</u> is responsible <u>DIR. OF PARKS & REC.</u> is informed <u>AGENDA COMMITTEE</u> is informed</p> <p><u>OFFICE OF INTGVL. AFFAIRS</u> is responsible</p>
<p>2. Executive Session - State of Arizona v. City of Tucson, et. al., (Civil Parking Surcharge)(City-Wide) (Continued from Meeting of 1/25/99)</p>	

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<p>SS/FEB8-99-64</p> <p>4. Executive Session - Billboard Litigation(City-Wide) SS/FEB8-99-71</p> <p>Vice-Mayor Scott MOVED, SECONDED by Council Member Marcus, 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 in pending or contemplated litigation pursuant to A.R.S. 38-431.03(A) (4) regarding State of Arizona v. City of Tucson, et. al., (Civil Parking Surcharge), and also 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) regarding Billboard Litigation.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> is informed</p>
<p>6. Executive Session - Silverbell Golf Course Driving Range Restrooms and ADEQ Consent Order (City-Wide) SS/FEB8-99-74</p> <p>7. Mayor and Council Direction Regarding Executive Session - Silverbell Golf Course Driving Range Restrooms and ADEQ Consent Order (City-Wide) SS/FEB8-99-75</p> <p>Staff requested that these items be deleted.</p>	<p><u>CITY ATTORNEY</u> is informed</p>
<p>RECESS: 1:34 P.M. RECONVENE: 1:39 P.M. MAYOR & COUNCIL CONFERENCE ROOM MAYOR AND COUNCIL: ALL PRESENT (EXCEPT COUNCIL MEMBER LEAL ABSENT/EXCUSED). STAFF: ALL PRESENT</p>	
<p>2. Executive Session - State of Arizona v. City of Tucson, et. al., (Civil Parking Surcharge) (City-Wide) (Continued from Meeting of 1/25/99) SS/FEB8-99-64</p> <p>4. Executive Session - Billboard Litigation (City-Wide) SS/FEB8-99-71</p> <p>Executive Session was held from 1:39 P.M. to 2:30 P.M.</p>	<p><u>CITY ATTORNEY</u> is informed</p>
<p>RECESS: 2:30 P.M. RECONVENE: 2:35 P.M. MAYOR & COUNCIL CHAMBERS</p>	

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<p>MAYOR AND COUNCIL: ALL PRESENT (EXCEPT COUNCIL MEMBER LEAL ABSENT/EXCUSED).</p> <p>STAFF: ALL PRESENT</p>	
<p>Council Member Ibarra MOVED, SECONDED by Council Member Marcus, that Mayor and Council return to Open Session.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	
<p>3. Mayor and Council Direction Regarding Executive Session - State of Arizona v. City of Tucson, et. al., (Civil Parking Surcharge)(City-Wide) (Continued from Meeting of 1/25/99) SS/FEB8-99-65</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Marcus, that the City Attorney be directed to proceed as discussed in Executive Session regarding State of Arizona v. City of Tucson, et. al., (Civil Parking Surcharge).</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> is responsible</p>
<p>5. Mayor and Council Direction Regarding Executive Session - Billboard Litigation (City-Wide) SS/FEB8-99-72</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Marcus, that the City Attorney be directed to proceed as discussed in Executive Session regarding Billboard Education.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>CITY ATTORNEY</u> is responsible</p>
<p>8. Mayor and Council Discussion of Regular Agenda SS/FEB8-99-61</p> <p>A. <u>Agreement: With the Commission on Accreditation for Law Enforcement Agencies for Accreditation</u></p>	

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<p>Council Member Anderson requested that at tonight's meeting, staff present information regard staffing and City's monetary commitment to this program.</p> <p>Formal action taken at the Regular Session.</p> <p>B. <u>Response To Petition: Submitted by Leo Pilachowski Regarding The Release of Information of 12/7/98 Executive Session on El Con Mall Closure of Streets</u></p> <p>Council Member Ibarra requested staff to provide information. Staff provided the information.</p> <p>Formal action taken at the Regular Session.</p>	<p><u>CHIEF OF POLICE</u> is responsible</p> <p>See AAR&S of the Regular Meeting of 2/8/99, Item #A</p> <p><u>CHIEF OF POLICE</u> is responsible</p> <p>See AAR&S of the Regular Meeting of 2/8/99, Item #G</p>
<p>9. Substandard Rental Housing and Consolidated Code Enforcement Plan (City-Wide) SS/FEB8-99-76</p> <p>Council Member Anderson/MOVED SECONDED by Council Member Marcus, that Mayor and Council approve:</p> <ul style="list-style-type: none"> • The Substandard Rental Housing and Consolidated Code Enforcement Plan, Implementation Dates and Steps as presented in the memorandum. • That staff be directed to return to Mayor and Council in November, 1999 with any additional recommendations to modify or improve upon the plan based upon the magnitude of the substandard rental housing problem when assessment is completed. <p>Further, that staff at that time make a recommendation as to whether or not the intermittent inspectors should be made permanent.</p> <p>Also, that the Tucson Police Department's Crime Free Public Housing Program be included at some level as either educational or as a requirement of this Plan.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p>
<p>10. Request For Civic Event Support For Viva Tucson! Tex-Mex Jam (City-Wide) SS/FEB8-99-77</p> <p>Council Member Marcus MOVED, SECONDED by Council Member</p>	<p><u>DIR. OF BUDGET &</u></p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Ibarra, that Mayor and Council approve the Civic Event Subcommittee's recommendation to provide Civic Event Support in the amount of \$1,610 for the Viva Tucson! Tex-Mex Jam.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p>	<p><u>RESEARCH</u> is responsible</p>
<p>11. Legislative Matters (City-Wide) SS/FEB8-99-67</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Marcus, that Mayor and Council support SB 1174 (Cruelty to Animals).</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Leal Absent/Excused).</p> <p>(Counc. Ibarra departed at 3:18 P.M. and returned at 3:20 P.M.)</p>	<p><u>OFFICE OF INTGVL. AFFAIRS</u> is responsible</p>
<p>12. Federal Legislative Matters (City-Wide) SS/FEB8-99-68</p> <p>Staff advised Mayor and Council that the Special Meeting scheduled on 2/16/99 would be rescheduled.</p>	<p><u>OFFICE OF INTGVL. AFFAIRS</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p>
<p>14. Contingency Fund - Freeze of Requests for Funds (City-Wide) SS/FEB8-99-73</p> <p>Council Member Marcus MOVED, SECONDED by Council Member Ibarra, that Mayor and Council freeze the Contingency Fund.</p> <p>Motion <u>PASSED</u> by a vote of 4 to 2, (Council Member Anderson and Mayor Miller dissenting, Council Member Leal Absent/Excused).</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is responsible</p>
<p>15. Mayor and Council Subcommittees Status Reports (City-Wide) SS/FEB8-99-69</p> <p>Council Member Marcus on behalf of the Public Works Subcommittee recommends that in regard to Sustainable Design and construction of</p>	<p><u>DIR. OF OPERATIONS</u> is responsible</p>

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<p>public facilities that the Green Team be given higher a profile for environmental and link conservation programs and be directed to:</p> <ol style="list-style-type: none"> 1. Develop an inventory of existing sustainable policies and practices; 2. Recommend comprehensive and coordinated approaches to sustainable design and construction of public facilities; 3. Analyze and develop related policy initiatives for life cycle costing and environmentally preferred products; and 4. Analyze the return on investment for such implementation policy. <p>There was apparent Mayor and Council consensus.</p>	<p><u>AGENDA COMMITTEE</u> is informed</p>
<p>16. Boards, Committees and Commissions SS/FEB8-99-66</p> <p>This item was not discussed.</p> <p>Formal action taken at the Regular Session.</p>	<p><u>CITY CLERK</u> is informed</p> <p>See AAR&S of the Regular Meeting of 2/8/99, Item #7</p>
<p>17. Mayor and Council Discussion of Future Agendas SS/FEB8-99-62</p> <p>A. <u>1999-2000 Budget</u></p> <p>Council Member Ronstadt requested that when staff presents the budget to the Mayor and Council that it include identification of government/charted mandated services.</p> <p>B. <u>USGS Subsidence Measures</u></p> <p>Council Member requested that in Mid-March USGS be requested to explain how they measure subsidence and advise the Mayor and Council how much the City has sunk.</p>	<p><u>DIR. OF BUDGET & RESEARCH</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p> <p><u>DIR. OF WATER</u> is responsible <u>AGENDA COMMITTEE</u> is informed</p>
<p>ADJOURNMENT: 3:35 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	