

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER \_\_\_\_\_

ADMINISTRATIVE ACTION REPORT AND SUMMARY  
MAYOR AND COUNCIL STUDY SESSION OF MAY 10, 1999

Mayor George Miller 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 George Miller  
Vice-Mayor Janet Marcus, (Ward 2)  
Counc. Jose J. Ibarra, (Ward 1)  
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  
John Nachbar, Deputy City Manager  
Thomas J. Berning, City Attorney  
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Rio Nuevo South Update (Ward 1) SS/MAY10-99-237</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Marcus to direct staff to evaluate both proposals and pursue the possibility of combining the two proposals to see if they are compatible, then return to the Mayor and Council for approval.</p> <p>Council Member Leal requested the committee and the community have input to ensure what staff reviews includes a full range of possibilities.</p> <p>Council Member Anderson requested that Santa Cruz Committee on Multiple Benefits Water Projects be included.</p> <p>Council Member Ronstadt requested that the proposal that is returned to Mayor and Council include a residential component which is key to downtown redevelopment.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY MANAGER</u> Is responsible</p>
<p>1. Rio Nuevo South Update (Ward 1) SS/MAY10-99-237</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Council Member Anderson requested a formal response from the City Attorney to the questions submitted by Lillian Lopez-Grant.</p>	<p><u>CITY ATTORNEY</u> <u>Is responsible</u></p>
<p>RECESS: 10:56 A.M. RECONVENE: 12:07 P.M. MAYOR AND COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Council Member Scott MOVED, SECONDED by Council Member Ibarra, that Mayor and Council return to Session.</p>	
<p>2. Executive Session – City of Tucson v. Joseph F. and Helen M. McGuire, et. al. (City-Wide) (Continued from meeting of 5/3/99) SS/MAY10-99-242</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member, 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 the case of City of Tucson v. Joseph F. and Helen M. McGuire, et. al. pursuant to A.R.S. 38-431.03(a)(4).</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>RECESS: 12:07 P.M. RECONVENE: 12:08 P.M. MAYOR AND COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>2. Executive Session – City of Tucson v. Joseph F. and Helen M. McGuire, et. al. (City-Wide) (Continued from meeting of 5/3/99)</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>SS/MAY10-99-242</p> <p>Executive Session was held from 12:08 P.M. to 12:17 P.M.</p>	
<p>RECESS: 12:15 P.M. RECONVENE: 12:17 P.M. MAYOR AND COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Council Member Ibarra MOVED, SECONDED by Council Member Scott, that Mayor and Council return to Open Session.</p> <p>Motion PASSED by a vote from 7 to 0.</p>	
<p>3. Mayor and Council Direction Regarding Executive Session – City of Tucson v. Joseph F. and Helen M. McGuire, et. al. (City-Wide) (Continued from meeting of 5/3/99) SS/MAY10-99-243</p> <p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council direct the City Attorney to proceed as discussed in Executive Session for the City of Tucson v. Joseph F. and Helen M. McGuire, et. al.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>4. High Technology Incubator (City-Wide) SS/MAY10-99-238</p> <p>Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that the City Manager’s recommendation to provide preliminary approval of a \$50,000 commitment to the Tucson Technology Incubator (TTI) for each of the next three fiscal years subject to annual performance review and budget appropriation with two one-year options to extend, this commitment is contingent upon TTI receiving sufficient commitments to operate the program.</p> <ul style="list-style-type: none"> <li>• Staff is also directed to negotiate a participation agreement with the nonprofit entity TTI and return to Mayor and Council for approval.</li> <li>• Staff is also directed to continue exploring the possibility of annexing the Technology Park.</li> </ul> <p>4. High Technology Incubator (City-Wide) SS/MAY10-99-238 (CONTINUED)</p>	<p><u>OFFICE OF ECON. DEVELOPMENT</u> Is responsible <u>DIR. OF BUDGET &amp; RESEARCH</u> Is informed</p>

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<p>Council Member Leal requested staff look at having a pre-annexation agreement drafted for the entire Technological Park that includes some discussion of performance criteria for wages and this agreement should be brought back to Mayor and Council as a condition of the previously mentioned participation agreement.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Council Member Anderson requested an annual review of the Tucson Technology Incubator to see how it is working and whether or not incubated companies remain in the Tucson area.</p>	<p><u>OFFICE OF SPECIAL PROJECTS</u> Is informed</p> <p><u>OFFICE OF ECON DEVELOPMENT</u> Is informed</p>
<p>10. El Presidio Neighborhood Association Covenant Enforcement (Ward 1) SS/MAY10-99-236</p> <p>Item discussed. Discussion of this item completed after Item #8.</p>	
<p>5. State Legislative Matters (City-Wide) SS/MAY10-99-246</p> <p>The State Legislative Session ended May 7, 1999, after 117 days.</p> <p>Education was the overall winner. A complete written report will be forwarded to the Mayor and Council that will include the final numbers (funding) on job training and domestic violence.</p> <p>(Counc.Anderson departed at 12:45 P.M. and returned at 12:46 P.M.)</p>	<p><u>OFFICE OF INTGVL. AFFAIRS</u> is responsible</p>
<p>6. Federal Legislative Matters (City-Wide) SS/MAY10-99-247</p> <p>No comment.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION		STAFF ACTION
	Council Member Scott alerted the Mayor and Council to the federal cuts in CDBG funding.	<u>OFFICE OF INTVL. AFFAIRS</u> is informed
7.	<p>Consideration of Support for HUD202 (Housing for the Elderly) Project at Old Drachman School (Ward 6) SS/MAY10-99-240</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Anderson, the City Manager’s recommendation with the designated entity defined as:</p> <ol style="list-style-type: none"> <li>1. Barrio Historico Neighborhood Association</li> <li>2. Community Development and Design Center</li> <li>3. Catholic Community Services</li> </ol> <p>Council Member Leal amended the motion to include direction to work in partnership with the Santa Rosa area.</p> <p>Amendment acceptable to the maker.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0, (Council Member Ibarra Absent/Excused).</p> <p>(Counc. Ibarra departed at 1:02 P.M. and returned at 1:10 P.M.)</p>	<p><u>DIR. OF COMMUNITY SERVICES</u></p> <p>Is responsible</p>
8.	<p>Livable Tucson Vision Program Update on Community Indicators of Sustainability (City-Wide) SS/MAY10-99-250</p> <p>Council Member Leal requested staff to consider livability and sustainability indicators when neighborhood plans are created or updated and to utilize the criteria and indicators at the neighborhood and ward level.</p>	<p><u>OFFICE OF SPECIAL PROJECTS</u> is responsible</p>
8.	<p>Livable Tucson Vision Program Update on Community Indicators of Sustainability (City-Wide) SS/MAY10-99-250 (CONTINUED)</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ibarra, that Mayor and Council approve the City Manager’s</p>	

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<p>recommendation to:</p> <ol style="list-style-type: none"> <li>1. Endorse the current report on the Community Indicators of the Livable Tucson Vision Program;</li> <li>2. Direct staff to identify corporate and institutional partners to complete the development of the remaining Community Indicators through surveys or other appropriate means; and</li> <li>3. Direct staff to present the results of the Livable Tucson Vision Program to community organizations and relevant City Boards and Commissions and report their comments.</li> </ol> <p>And to identify an advisory group to work with staff and annually report back to Mayor and Council with indicators reflecting city wide and ward information.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	
<p>10. Presidio Neighborhood Association Covenant Enforcement (Ward 1) SS/MAY10-99-236</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Leal to direct the City Attorney to intervene in the case of the El Presidio Neighborhood Association v. Ellen Paige and that it seek to enforce the covenant that requires 329 W. Franklin be maintained as a residence.</p> <p>Motion <u>PASSED</u> by a vote of 5 to 2, (Council Members Ronstadt and Scott dissenting).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>9. Transit Restructuring Update and Funding Considerations (City-Wide) SS/MAY10-99-251</p> <p>Council Member Leal requested staff consider the concept of a minimum farebox recovery level that could be used to evaluate new routes and be used to evaluate existing routes annually.</p> <p>Vice-Mayor Marcus MOVED to direct staff to prepare for a ¼ cent sales tax that would be dedicated funding source for transit and related capital improvements and to be placed on the ballot in November, 1999.</p> <p>9. Transit Restructuring Update and Funding Considerations (City-Wide) SS/MAY10-99-251 (CONTINUED)</p> <p>Motion <u>FAILED</u> due to lack of a second.</p> <p>Council Member Anderson MOVED, SECONDED by Council Member</p>	<p><u>DIR. OF TRANS.</u> Is responsible</p>

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<p>Ronstadt, that Mayor and Council move forward with a ½ cent sales tax and schedule it for a May election contingent upon identification of any other dedicated funding sources.</p> <p>Council Member Ronstadt offered an amendment to the motion to add accountability. The sales tax should be reaffirmed after five years, if we do not deliver what was promised, the voters could remove the tax.</p> <p>The amendment was rejected.</p> <p>The motion was withdrawn.</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Leal to direct staff to return in one month with a plan detailing what we could offer the citizens with a ¼ cent sales tax, and this plan should address issues of increased accountability, and take into account the calendar for other questions that may be presented to the voters.</p> <p>Council Member Ronstadt offered an amendment to the motion to also include information for a ½ cent sales tax.</p> <p>Amendment accepted by the maker.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 1, (Council Member Ibarra dissenting).</p> <p>Council Member Anderson requested this item be scheduled on the same date as Impact Fees.</p> <p>Council Member Scott requested the Management Team that has been working on this issue be included.</p> <p>Vice-Mayor Marcus MOVED, SECONDED by Council Member Anderson to direct staff to proceed with the transit restructuring project.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF TRANS.</u> Is responsible</p> <p><u>AGENDA COMMITTEE</u> Is informed</p>
<p>RECESS: 2:48 P.M. RECONVENE: 2:59 P.M.</p>	
<p>11. Review of 1999-00 Recommended Budget Elected and Official, Organizational Support Public Safety and Community Services Program</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p data-bbox="199 228 633 260">(City-Wide) SS/MAY10-99-239</p> <p data-bbox="199 302 565 336"><b><u>I. Elected and Official</u></b></p> <p data-bbox="293 380 753 485">A. City Attorney B. City Court C. Office of the Public Defender</p> <p data-bbox="190 529 1117 674">Council Member Ibarra MOVED, SECONDED by Vice-Mayor Marcus, that the Mayor and Council direct the City Manager to build into the City Court budget the ability to increase the Magistrate's compensation to \$79,500 and to work on revenue issues.</p> <p data-bbox="190 718 1135 863">Mayor Miller amended the motion to direct the City Manager to appoint someone from his staff to establish an improved revenue collection process at City Court that is more responsive and reflects the process the Finance Department uses. The amendment was acceptable to the maker.</p> <p data-bbox="190 907 1112 1087">Council Member Leal offered a substitute motion, SECONDED by Council Member Ronstadt to direct staff to address the accountability of the City Court, to fold the Magistrates into the compensation process for City employees, and to include Mayor Miller's direction to improve the revenue collection process.</p> <p data-bbox="190 1131 1122 1199">The substitute motion <u>FAILED</u> by a vote of 2 to 5, (Mayor Miller, Vice-Mayor Marcus, Council Members Ibarra, Scott and Anderson dissenting).</p> <p data-bbox="190 1243 1050 1310">The original motion <u>PASSED</u> (Council Members Leal and Ronstadt dissenting).</p> <p data-bbox="190 1354 1127 1421">Council Member Leal requested information, in the form a monthly report that details the sentencing activity by Magistrate.</p> <p data-bbox="97 1654 1112 1764">11. Review of 1999-00 Recommended Budget Elected and Official, Organizational Support Public Safety and Community Services Program (City-Wide) SS/MAY10-99-239 (CONTINUED)</p> <p data-bbox="190 1808 1135 1873">Council Member Leal requested the City Attorney explore opportunities in a creative way to financially strengthen 88-CRIME and to return to Mayor</p>	<p data-bbox="1162 529 1446 636"><u>DIR. OF BUDGET &amp; RESEARCH</u> Is responsible</p> <p data-bbox="1162 737 1406 804"><u>CITY MANAGER</u> Is responsible</p> <p data-bbox="1162 1373 1354 1440"><u>CITY COURT</u> Is responsible</p> <p data-bbox="1162 1839 1419 1873"><u>CITY ATTORNEY</u></p>



AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
and Council in the future to discuss.	Is responsible
<b><u>II. Organization Support</u></b>	
A. Operations	
No formal direction was given.	
<b><u>III. Public Safety</u></b>	
A. Police	
B. Fire	
Council Member Scott invited the Tucson Police Department to the Public Safety Subcommittee to discuss police officers in high school. She will also extend the same invitation to any high school within the City that is interested.	<b><u>CHIEF OF POLICE</u></b> Is responsible
Council Member Anderson requested the subcommittee report back to the full Mayor and Council by end of July.	<b><u>AGENDA COMMITTEE</u></b> Is responsible
Council Member Leal requested the Mayor and Council meet publicly with the school board.	
<b><u>IV. Community Development</u></b>	
A. Planning	
B. Development Services	
C. Community Services	
Council Member Leal requested that after the Inspector(s) for Historic Preservation are trained, staff should consider having that individual (or those individuals) attend the plans review of the Historic Commission.	<b><u>DIR. OF DEVELOPMENT SERVICES</u></b> Is responsible <b><u>OFFICE OF HISTORIC PRESERVATION</u></b> Is informed
11. Review of 1999-00 Recommended Budget Elected and Official, Organizational Support Public Safety and Community Services Program (City-Wide) SS/MAY10-99-239 (CONTINUED)	
Council Member Scott MOVED, SECONDED by Vice-Mayor Marcus, that Mayor and Council approve the Recommended Budgets for the	<b><u>DIR. OF BUDGET &amp; RESEARCH</u></b>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>program categories of:</p> <p><b><u>I. Elected and Official</u></b></p> <p>A. City Attorney</p> <p>B. City Court</p> <p>C. Office of the Public Defender</p> <p><b><u>II. Organization Support</u></b></p> <p>A. Operations</p> <p><b><u>III. Public Safety</u></b></p> <p>A. Police</p> <p>B. Fire</p> <p><b><u>IV. Community Development</u></b></p> <p>A. Planning</p> <p>B. Development Services</p> <p>C. Community Services</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p>Is informed</p>
<p>17. Request For Funds – Fort Lowell Soccer Club, Inc. (City-Wide) SS/MAY10-99-252</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Anderson, that \$1,1275 be identified out of the Parks Budget to pay for the Fort Lowell Soccer request.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF PARKS &amp; RECREATION</u> Is responsible</p>
<p>15. Mayor and Council Discussion of Future Agendas SS/MAY10-99-249</p> <p>Report on Development Services Reorganization.</p> <p>City Manger, Luis Gutierrez, requested this item be scheduled within 30 days.</p>	<p><u>AGENDA COMMITTEE</u> Is informed</p>
<p>13. Mayor and Council Discussion of Regular Agenda SS/MAY10-99-248</p> <p>This item was not discussed.</p>	
<p>12. Boards, Committees and Commissions (City-Wide) SS/MAY10-99-241</p> <p>This item discussed.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
Formal action taken at the Regular Meeting.	See AAR&S of the Regular Meeting of 5/10/99, Item #6
14. Mayor and Council Subcommittee Status Reports (City-Wide) SS/MAY10-99-244  This item was not discussed.	
18. El Con Mall Status Update (Ward 6) SS/MAY10-99-253  Staff requested this item be brought back on June 7, 1999, during the Regular Meeting.	<u>DIR. OF TRANS.</u> Is responsible <u>CITY MANAGER</u> Is informed
ADJOURNED: 4:20 P.M.  <i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i>	