

MAYOR AND COUNCIL, APPOINTED OFFICIALS AND DEPARTMENT HEADS

FROM: CITY MANAGER _____

ADMINISTRATIVE ACTION REPORT AND SUMMARY
MAYOR AND COUNCIL STUDY SESSION OF MAY 22, 2000

Mayor Robert E. Walkup called the Study Session to order at 12:43 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. 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. Human Relations Commission – Annual Martin Luther King, Jr. Event (City-Wide) SS/MAY22-00-234</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member to support the Human Relations Commission efforts regarding the Martin Luther King event.</p> <p>Council Member Ronstadt amended his motion to include expanding the capacity of the Human Relations budget in order to accommodate the fundraising efforts needed for the honorarium.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY CLERK</u> Is responsible</p> <p><u>DIR. OF BUDGET & RESEARCH</u> Is responsible</p>
2. Report from the Ad Hoc Subcommittee Regarding Sun Tran and Van	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Tran Service Levels (City-Wide) SS/MAY22-00-244</p> <p>17. Review of the Fiscal Year 2000-2001 Recommended Budgets for the Library and Transportation Departments (City-Wide) SS/MAY22-00-249</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ibarra:</p> <ol style="list-style-type: none"> 1) to retain Sunday and Holiday service 2) to eliminate routes 250 and 200 3) to continue the Pima County routes and include \$500,000 to \$600,000 in revenue from Pima County 4) to retain the Raytheon shuttle at full cost recovery 5) to increase fares 5 cents for FY 2000-2001 6) to demand the University of Arizona pay for the full cost of football shuttles 7) to retain student fares with an increase reflective of the economy fare. <p>Council Member Ronstadt offered an amendment to privatize the bus shelters and allow advertising in commercially – zoned areas and to ensure the contractor provides residential shelters without advertising.</p> <p>Motion not accepted.</p> <p>Motion FAILED by a vote of 2 to 5, (Mayor Walkup, Vice-Mayor Leal Council Members West, Ronstadt and Scott dissenting).</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to follow the City Manager’s recommendation.</p> <p>Council Member Ronstadt offered a friendly amendment to maintain the ad hoc committee for the next year to look at long term solutions and revenue sources.</p> <p>Motion PASSED by a vote of 4 to 3, (Vice-Mayor Leal and Council Members Ibarra and Anderson dissenting).</p> <p>Council Member Ronstadt requested a future discussion be scheduled regarding bus shelter advertising.</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p><u>DIR. OF TRANS</u> Is responsible</p> <p></p> <p></p> <p><u>DIR. OF TRANS</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p>
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AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>Tran Service Levels (City-Wide) SS/MAY22-00-244 (CONTINUED)</p> <p>17. Review of the Fiscal Year 2000-2001 Recommended Budgets for the Library and Transportation Departments (City-Wide) SS/MAY22-00-249 (CONTINUED)</p> <p>Council Member Anderson MOVED, SECONDED by Council Member West to not only continue the Ad Hoc Committee but to charge them with the responsibility of developing a process to include steps needed for a dedicated funding source.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Council Member Anderson requested staff return in 30 days with a report on expanding the pilot program used by Tucson Association for the Blind.</p> <p>Council Member Anderson MOVED, SECONDED by Council Member Ibarra to approve the expansion of library hours to include Sundays from 1-5 at Miller/Golf Links, Woods, Mission and Green Valley.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Council Member Scott MOVED, SECONDED by Council Member West to approve the recommended budgets for Transportation and Library.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>(Counc. Ibarra departed at 1:40 P.M. and returned at 1:43 P.M.)</p>	<p><u>DIR. OF TRANS</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p> <p><u>DIR. OF LIBRARY</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p> <p><u>DIR. OF BUDGET & RESEARCH</u> Is informed</p>
<p>3. Updated Tucson Water Financial Plan: FY 2000 through FY 2005 (City-Wide and Outside the City) SS/MAY22-00-233</p> <p>Item discussed.</p> <p>Formal action taken as part of the Regular Meeting, item #5.</p> <p>(Counc. Ronstadt departed at 1:56 P.M. and returned at 1:57 P.M.) (Counc. Ibarra departed at 2:18 P.M. and returned at 2:30 P.M.)</p>	<p><u>CITY CLERK</u> Is informed</p> <p>See AAR&S of the Regular Meeting of 5/22/00, Item #5</p>
<p>4. Mayor and Council Discussion of the Regular Agenda</p>	

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<p>SS/MAY22-00-239</p> <p>Council Member West requested Consent Item J-8 be considered separately.</p> <p>Council Member Scott requested Consent Item B, be considered separately.</p>	<p><u>CITY CLERK</u> Is informed</p> <p><u>DIR. OF PARKS & REC.</u> is informed</p>
<p>5. Boards, Committees and Commissions (City-Wide) SS/MAY22-00-236</p> <p>Nothing.</p>	
<p>6. Mayor and Council Discussion of Future Agendas SS/MAY22-00-240</p> <p>Council Member West requested a discussion item regarding the closure of the Center for Performing Arts be scheduled in a couple weeks.</p> <p>Council Member Anderson requested for the end of June, an item regarding subsidence and impact on older neighborhoods. He requested the Department of Community Services provide information on potential sources of funding for repairs. Council Member Ronstadt requested the USGS be invited also.</p> <p>Council Member Ronstadt requested the Amicus Brief be removed from Future Agendas.</p> <p>Council Member Ronstadt requested a discussion item on a long term plan for Water resources after CAVSARP is gone. Discussion should include as many jurisdictions as possible.</p> <p>Council Member Ronstadt requested a discussion item on creating a capital fund that the City could contribute to annually thereby minimizing the necessity to authorize and sell bonds.</p> <p>Council Member Ronstadt requested the Downtown Alliance budget be brought back prior to the adoption of the FY 2000-2001 budget.</p>	<p><u>DIR. OF PARKS AND RECREATION</u> Is responsible</p> <p><u>DIR. OF OPERATIONS</u> Is informed</p> <p><u>DIRS. OF WATER And COMM. SRVCS.</u> Are responsible</p> <p><u>AGENDA COMM. AND CITY ATTORNEY</u> Are informed</p> <p><u>DIR. OF WATER</u> Is responsible</p> <p><u>DIR. OF FINANCE</u> Is responsible</p> <p><u>CITY MGR'S OFFICE</u> Is responsible</p>
<p>7. Progress Report – Changes in the City's Development Review Process (City-Wide) SS/MAY22-00-242</p>	

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<p>Item discussed.</p> <p>No formal action required at this time</p> <p>(Counc. Anderson departed at 3:14 P.M. and returned at 3:30 P.M.)</p>	<p><u>DIR. OF DVLPMNT. SERVICES</u> Is informed</p>
<p>RECESS: 3:15 P.M. RECONVENE: 3:30 MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>8. Continuing Employee Salary Concerns For the 2000-2001 Position Compensation Plan (City-Wide) SS/MAY22-00-243</p> <p>Council Member Ibarra MOVED, SECONDED by Vice-Mayor Leal to go with the City Manager's recommendation and to come back with the specific financial impact for the following pay adjustments:</p> <p>Police Clerk Typist II @ Range 113 or 114 Police Crime Lab Techs @ Range 123 Building Equipment Mechanics @ Range 222 And some sort of compromise should be looked at for the Administrative Assistant III and the Survey classes.</p> <p>Council Member Ronstadt requested that the analysis also include the effects of compression and any other positions that may be affected via comparisons.</p> <p>Council Member Anderson requested staff respond to the issues brought up by the non-public safety employees.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>(Counc. Ibarra departed at 4:14 P.M. and returned at 4:17 P.M.)</p>	<p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p> <p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p> <p><u>DIR. OF HUMAN RESOURCES</u> Is responsible</p>
<p>9. Proposed Bond Sales and Consultant Contracting (City-Wide) SS/MAY22-00-235</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to approve the City Manager's recommendation.</p> <p>~ Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF FINANCE</u> Is responsible</p>
<p>10. Waiver of Construction Transaction Privilege Tax on County Bond Projects (City-Wide) SS/MAY22-00-238</p>	

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<p>Vice-Mayor Leal MOVED, SECONDED by Council Member Anderson to explore the possibility of creating a mechanism to fund the “waiver” of sales tax on county bond projects located within the City.</p> <p>City Manager, Luis Gutierrez, requested that the contribution not be tied to the completion of the project, but rather that the City make the commitment that City funding will be added to the County Bond project, in some fashion.</p> <p>Motion PASSED by a vote of 4 to 3, (Council Members West, Ronstadt and Scott dissenting).</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Ronstadt that staff pursue state legislation that would provide for the contribution of state sales tax to local bond projects.</p> <p>Motion PASSED by a vote 5 to 2, (Council Members West and Scott dissenting).</p> <p>Council Member Ronstadt requested this be agendized for the regional meeting.</p>	<p><u>DIR. OF FINANCE</u> Is responsible</p> <p><u>OFFICE OF INTER- GOVERNMENTAL AFFAIRS</u> is responsible</p> <p><u>OFFICE OF INTER- GOVERNMENTAL AFFAIRS</u> is responsible</p>
<p>11. Pima Association of Governments (PAG) Regional Council on May 24, 2000 (City-Wide) SS/MAY22-00-237</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Anderson, the City Manager’s recommendation.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF TRANS</u> Is responsible</p>
<p>15. Executive Session – Personnel Matters – Appointment of City Attorney (City-Wide) SS/MAY22-00-247</p> <p>Cancelled.</p>	
<p>13. Executive Session – Gilmore v. City of Tucson (City-Wide) SS/MAY22-00-245</p>	
<p>18. Executive Session – City of Tucson v. State of Arizona Et. al., Case</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>#320926 (City-Wide) (Continued from the Meeting of 5/15/00 SS/MAY22-00-250)</p> <p>Vice-Mayor Leal MOVED, SECONDED by Council Member Ibarra to go into Executive Session for discussion or consultation for legal advice with the attorneys for the City of Tucson regarding Gilmore v. City of Tucson pursuant to A.R.S. Section 38-431.03 (A) (3) and 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 pursuant to A.R.S. 38-431.03 (A) (4) for City of Tucson v. State of Arizona Et. al., Case #320926.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>RECESS: 5:08 P.M. RECONVENE: 5:34 P.M. MAYOR & COUNCIL: ALL PRESENT (COUNCIL MEMBER IBARRA ARRIVED AT 5:35 P.M.) STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 5:08 P.M. to 5:33 P.M.</p>	
<p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to return to Open Session.</p> <p>Motion PASSED by a vote of 6 to 0, (Council Member Ibarra Absent/Excused).</p>	
<p>14. Mayor and Council Direction Regarding Executive Session – Gilmore v. City of Tucson (City-Wide) SS/MAY22-00-246</p> <p>Council Member Scott MOVED, SECONDED by Council Member Ronstadt to direct the City Attorney to proceed as discussed in Executive Session regarding Gilmore v. City of Tucson.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>19. Mayor and Council Direction Regarding Executive Session City of Tucson v. State of Arizona Et. al., Case #320926 (City-Wide) (Continued from the Meeting of 5/15/00) SS/MAY22-00-251</p> <p>No action needed.</p>	

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Formal action taken as part of Regular Meeting.		See AAR&S of the Regular Meeting of 5/22/00, Item #13
16.	<p>Open Session – Appointment of City Attorney (City-Wide) SS/MAY22-00-248</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt that:</p> <ul style="list-style-type: none"> The Human Resources and Procurement Departments are directed to immediately begin a search for the highest qualified applicants for the position of City Attorney. This search shall be done throughout the State of Arizona. All appropriate means shall be used to encourage and invite the maximum number of applicants who meet or exceed the minimum requirements outlined in the Charter. The qualifications for the City Attorney as outlined in the City Charter include: <ul style="list-style-type: none"> Admission to the Arizona State Bar At least 5 years of active practice of law in the State of Arizona In addition: <ul style="list-style-type: none"> At least 5 years of active practice of law in the State of Arizona immediately preceding recommendation At least 5 years State of Arizona residency immediately preceding recommendation A superior record of achievement in legal practice Demonstrated ability to fulfill and surpass all the requirements of the position as outlined in the City Charter The highest moral character 	<p><u>DIR. OF HUMAN RESOURCES</u></p> <p>Is responsible</p>
16.	<p>Open Session – Appointment of City Attorney (City-Wide) SS/MAY22-00-248 (CONTINUED)</p> <ul style="list-style-type: none"> The Mayor and Council shall form a City Attorney Selection Committee. This committee will consist of seven members; each member of the Mayor and Council will appoint one member of this 	

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<p>committee with the Mayor's appointment serving as the Chair. Members of the committee must be residents of the City of Tucson and may not hold elected or appointed public office at this time. A quorum of the committee shall consist of four members. Committee members shall not be part of any other appointed committee.</p> <ul style="list-style-type: none">• This Committee will screen and rank all the applications received and forward all materials to Mayor and Council. The Human Resources Director will advise this committee and take all necessary steps to solicit applications for the position and submit them to the committee for its consideration.• All appointments to the committee shall be made on or before June 5, 2000. The committee shall make its recommendations on or before August 7, 2000. <p>Council Member Ibarra MOVED, SECONDED by Council Member Anderson a substitute motion to appoint Tom Berning as City Attorney for two years.</p> <p>Substitute failed 3 to 4, (Council Members West, Ronstadt and Scott, and Mayor Walkup dissenting).</p> <p>Vice-Mayor Leal requested the input from the Citizen's Committee be received with comments only and not rankings.</p> <p>Motion PASSED by a vote of 4 to 3, (Vice-Mayor Leal, Council Members Ibarra and Anderson dissenting).</p>	
<p>ADJOURNMENT: 5:59 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	