

MAYOR AND COUNCIL – STUDY SESSION

ADMINISTRATIVE ACTION REPORT AND SUMMARY SEPTEMBER 7, 2005

FROM: CITY MANAGER 

Mayor Robert E. Walkup called the Study Session to order at 4:05 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup
Vice-Mayor Kathleen Dunbar, (Ward 3)
Council Member Jose J. Ibarra, (Ward 1)
Council Member Carol West, (Ward 2)
Council Member Shirley C. Scott, (Ward 4)
Council Member Steve Leal, (Ward 5)
Council Member Fred Ronstadt, (Ward 6)

STAFF: Mike Hein, City Manager
Mike Letcher, Deputy City Manager
Mike Rankin, City Attorney
Kathleen Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Executive Session – Rodriguez v. City of Tucson (City-Wide) SS/SEPT7-05-221</p> <p>Council Member West MOVED, SECONDED by Council Member Scott to go into Executive Session for Item # 1 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>RECESS: 4:06 p.m. RECONVENE: 4:12 p.m. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 4:06 p.m. to 4:12 p.m. (Council Member Ibarra did not attend the executive session.)</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>Council Member West MOVED, SECONDED by Vice Mayor Dunbar to return to open session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>2. Mayor and Council Direction Regarding Executive Session – Rodriguez v. City of Tucson (City-Wide) SS/SEPT7-05-222</p> <p>Council Member West MOVED, SECONDED by Council Member Ibarra to direct the City Attorney to proceed as discussed in Executive Session regarding Rodriguez 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>3. 2006 League of Cities Resolutions (City-Wide) SS/SEPT7-05-216</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member West to SUPPORT Resolutions 1 - 9, with the following clarifications:</p> <ul style="list-style-type: none">• Resolution 4 - Ensure that it will not preempt or diminish MBWE ordinance practices of Arizona Cities.• Resolution 5 - Ensure that organizations will be able to utilize both federal and state New Market Tax Credits Programs.• Resolution 8 - Indicate that CDBG programs should be fully funded in accordance with the direction of the National League of Cities. <p>Furthermore, it was moved to OPPOSE Resolution 10.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF INTERGOV. RELATIONS</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

4. Including Pro/Con Arguments in Informational Materials for Revenue Bond Elections (City-Wide) SS/SEPT7-05-217

Council Member Leal MOVED, SECONDED by Council Member Ibarra to direct staff to work with Cities that include such arguments for advisement and return in 30 days for an update.

Motion PASSED by a vote of 7 to 0.

CITY ATTORNEY
Is responsible

5. Discussion of Methamphetamine (City-Wide) SS/SEPT7-05-223

Vice Mayor Dunbar MOVED, SECONDED by Council Member Ronstadt as follows:

1. City staff shall prepare ordinance amendments for Mayor and Council consideration that include:
 - A. Limitation of 9 grams of pseudoephedrine per purchase, as consistent with SB1473.
 - B. Requirement of retail storage of pure pseudoephedrine products behind the counter, as consistent with SB1473.
 - C. Requirement of retail storage of other pseudoephedrine products behind a glass case or other restricted access so that only store employees can access the products for customers.
 - D. Requirement of restricted access in retail businesses to other meth-making products as recommended by TPD, possibly including substances such as tincture of iodine.
 - E. Giving retailers the right to refuse sales of pseudoephedrine products under suspicious circumstances (Tucson Police Department (TPD) will suggest the definition of "suspicious circumstances" for Mayor and Council approval).
 - F. Providing that failure to satisfy the requirements for restricted access to the specified products will result in forfeiture and disposal of the product by TPD if the product is not secured after a first warning.
 - G. Reinstating previous regulations of Junk and Scrap Dealers that will require reporting of transactions involving items such as scrap metals in the same manner as pawn shop transactions.

CITY ATTORNEY
AND POLICE CHIEF
Are responsible

AGENDA ITEM/MAYOR AND COUNCIL ACTION

STAFF ACTION

5. Discussion of Methamphetamine (City-Wide) SS/SEPT7-05-223
(Continued from previous page)

2. City staff shall lobby the state legislature:

- A. To require formal, documented training and licensing regarding the scope of the meth problem in Arizona, the requirements of SB1473 and any related local ordinances. The training and licensing must be verifiable so that failure to train employees can be enforced as it is with licensed liquor establishments.
- B. To enable—both legally and with state resources—the establishment of an electronic registry. The registry will document all purchases of pseudoephedrine related products. It should be a statewide registry, tamper-proof, protective of privacy and convenient for legitimate purchasers. The effort to establish and administer the statewide registry must necessarily include the Arizona State Board of Pharmacy as a key stakeholder.
- C. To provide right of refusal for sales of pseudoephedrine products state-wide.
- D. To provide funding for 2-3 meth-related crime prosecutors for each county in Arizona.

3. City staff shall:

- A. Meet with the County Attorney and the Presiding Judge of the Superior Court to discuss the possibility of removing meth-related cases from Drug Court and the possibility of requiring mandatory evaluation and treatment for those awaiting trial for methamphetamine related charges.
- B. Pursue existing available funds, and lobby federal, state and other governments for increased funding for educational efforts for retailers, neighborhoods, schools, places of worship and other community groups affected by meth abuse.
- C. Identify city resources that could be used to help augment these educational efforts.
- D. Work with the Meth-Free Alliance and other agencies, such as the Pima-Tucson Commission on Addiction Prevention and Treatment, to coordinate educational and other efforts across the Metro-Tucson community.

DIR. OF INTERGOV.
RELATIONS

Is responsible

CITY ATTORNEY
AND POLICE CHIEF

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5. Discussion of Methamphetamine (City-Wide) SS/SEPT7-05-223
(Continued from previous page)

- E. Establish a pilot program that implements a multi-disciplinary approach to prevention, treatment, law enforcement and criminal justice that includes the City of Tucson, Pima County, TPD, Sheriff's Department, County Attorney and any other stakeholders. Working together we can make Tucson the model of how to deal effectively with methamphetamine abuse in Arizona.

Additionally, staff was directed to return to Mayor and Council in 30 days with ordinance amendments.

Council Member Ibarra offered an amendment to the motion to direct staff to return in 60 days to give an overview of short and long term goals, plan of action and timeline, and collaboration plans with the County and State.

Amendment accepted by maker.

Motion as amended PASSED by a vote of 7 to 0.

Council Member Leal directed staff to identify the chemical companies role and their chemicals, find out what the Federal Government's plans are for such chemicals, and determine what is being done in California, New Mexico and Texas as well for a unified effort.

Council Member Ronstadt directed staff to investigate the potential impact on places of manufacture such as disclosure and sales of homes by working with the Arizona Association of Realtors, health impacts by working with Hazmat, and what actions to take by working with the Fire Department.

Vice Mayor Dunbar requested staff investigate funding sources for education.

Council Member Leal directed staff to find funds for the electronic registry from Federal Government and to create a local database immediately, then merge with state.

AGENDA ITEM/MAYOR AND COUNCIL ACTION

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<p>6. Mayor and Council Subcommittee Reports (City-Wide) SS/SEPT7-05-218</p> <p>There were no reports given at this time.</p>	
<p>7. Mayor and Council Discussion of Regular Agenda SS/SEPT7-05-219</p> <p>Council Member Scott requested Consent Agenda Items 6-E and 6-F be discussed separately</p> <p><u>6-E. - Assurance Agreement: (S03-001) Lakeside Ridge Subdivision (RCP), Lots 1 to 68 and Common Area "A"</u></p> <p><u>6-F. - Final Plat: (S03-001) Lakeside Ridge Subdivision (RCP), Lots 1 to 68 and Common Area "A"</u></p>	<p><u>DIR. OF DEV. SERVICES</u> Is responsible</p>
<p>8. Mayor and Council Discussion of Future Agendas SS/SEPT7-05-220</p> <p>There were no requests made for future agenda items.</p>	
<p>ADJOURNMENT: 5:30 p.m.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE</i></p>	