



# CITY OF SOUTH TUCSON

## MAYOR & COUNCIL MEETING NOTICE & AGENDA

*Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting, which will be open to the public:*

### **REGULAR AGENDA**

#### **TUESDAY, NOVEMBER 7, 2023, 6:00 P.M.**

**MAYOR AND COUNCIL CHAMBERS 1601 SOUTH 6<sup>TH</sup> AVENUE, SOUTH TUCSON, ARIZONA**

#### **\*TENTATIVE AGENDA**

- 01 CALL TO ORDER
- 02 PLEDGE OF ALLEGIANCE
- 03 LAND ACKNOWLEDGEMENT AND MISSION STATEMENT
- 04 ROLL CALL
- 05 APPROVAL OF MINUTES:
  - REGULAR MEETING – OCTOBER 17, 2023
  - SPECIAL MEETING – OCTOBER 25, 2023
  - SPECIAL MEETING – OCTOBER 30, 2023

The Council may discuss, consider, or take action on any item on this agenda. The Council reserves the right to consider any matter out of sequence.

To accommodate all those who wish to address the City Council and to facilitate the expeditious consideration of the agenda, it is requested that each person wishing to address the Mayor and Common Council under an agenda item limit his or her comments to a maximum of three minutes.

#### **CALL TO PUBLIC**

The Open Meeting Law does not establish a right for the public to participate in the discussion or ultimate decision of the Public Body – Ariz. Atty's Gen. Op78-1. If Public Comment is allowed all individuals desiring to participate must be provided with some period of time to do so. Pursuant to Chapter 7 of the AG Agency Handbook Sections 7.7.7; 7.10.1 and A.R.S. § 38-431-01(H) action taken as a result of public comment will be limited to directing staff to study the matter; responding to criticism at the completion of the call to the public; or scheduling the matter for further consideration and decision at a later date by placing matter on a future agenda.

- 06 MAYOR AND COUNCIL MEMBERS: REPORTS OF CURRENT EVENTS  
PROCLAMATION: VALDEZ FIMBRES FAMILY DAY
- 07 CITY MANAGER AND DEPARTMENT HEADS: REPORTS TO MAYOR AND COUNCIL  
PLANNING AND ZONING COMMISSION APPLICATIONS
- 08 DISCUSSION DIRECTION AND POSSIBLE APPOINTMENT FOR CITY MAGISTRATE

*\*Please note that this tentative agenda may be changed prior to the scheduled meeting by modifying or deleting listed matters or adding new ones. New items may be added up to 24 hours prior to the start of the meeting. Anyone interested in the final agenda for the meeting should contact the City Clerk's Office at (520) 792-2424 twenty-four (24) hours in advance of the meeting.*

### EXECUTIVE SESSION

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38- 431.03(A)(3));
- (iv) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. §38-431.03(A)(4)); Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (v) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6);
- (vi) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property (A.R.S. §38-431.03(A)(7)).

### Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid, or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

### CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at South Tucson City Hall on **November 3, 2023 at 4:00 P.M.** in accordance with the statement filed by the South Tucson City Council with the City Clerk.



Veronica Moreno, City Clerk