

Minutes of the Regular Agenda Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Tuesday, December 5, 2023, at 6:00 p.m., at the City of South Tucson Council Chambers, 1601 S. 6th Avenue, South Tucson, Arizona.

Staff Present: Veronica Moreno, Interim City Manager
Lourdes Aguirre, Finance Director
Danny Denogean, Public Safety Director and Chief of Police
Michelle Stinson (for Jon Paladini, City Attorney)

Councilors Present: Mayor Paul Diaz
Vice Mayor Herman Lopez
Acting Mayor Rita Rogers
Councilor Anita Romero (Excused)
Councilor Cesar Aguirre (Telephonically)
Councilor Brian Flagg
Councilor Roxanna Valenzuela

Others Present: Joey Rodgers, Non-resident
Elvira Fike, Non-resident
Andy Luna, Fire Department
Michael Herndon, Non-resident
Melissa Brown Dominguez, Resident

Mayor Diaz called the Regular Agenda Meeting of December 5, 2023, to order at 6:03 p.m. Please stand for the Pledge of Allegiance, and Land Acknowledgment and Mission Statements.

ITEM #03 – LAND ACKNOWLEDGMENT AND MISSION STATEMENT

Vice Mayor Lopez: On behalf of South Tucson residents, we honor the Tribal Nations who have served as caretakers of this land from time immemorial and respectfully acknowledge the ancestral homelands of the Tohono O’odham Nation and the multi-millennial presence of the Pascua Yaqui Tribe within South Tucson. Consistent with the City of South Tucson’s commitment to diversity and inclusion, we strive toward building equal-partner relationships with Arizona’s Tribal Nations.

Acting Mayor Rogers: The Mission Statement of the City of South Tucson is to build up this community through mutual cooperation between we, your public servants, and you our citizens so that jointly we can build a safer and stronger City. Amen.

Mayor Diaz: Thank you. There are going to be some adjustments to the order of the agenda. Item #08 will become Item #09, and Item #09 will become Item #08, just for your reference. The next item is Roll Call.

ITEM #04 – ROLL CALL (By City Manager Moreno):

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Here.

Councilor Romero. (Excused).

Mayor Diaz. Here.

Councilor Flagg. Yes.

Councilor Aguirre. Here. Let the record reflect Councilor Aguirre is present telephonically.

Councilor Valenzuela. Here.

Mayor Diaz: I would like to make an announcement in regards to Anita Romero. William Powell, her brother-in-law, has passed and that makes the fourth member of her family that deceased this year so far, so please consider her mental stage, and it's really hard on her that she is going through a lot of deaths in her family. William Powell was an employee of South Tucson, by the way.

Councilor Flagg: For a long time.

Mayor Diaz: Yes, he was. Thank you.

ITEM #05 – APPROVAL OF MINUTES

Mayor Diaz: Are there any objections, corrections, deletions for the meeting of November 21? Hearing none, is there a Motion to Approve?

Vice Mayor Lopez: Mr. Mayor, I make a Motion that we approve the minutes for Tuesday, November 21, 2023.

Acting Mayor Rogers: Second.

Mayor Diaz: It's been Moved and Seconded. Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Aye.

Mayor Diaz. Yes.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Mayor Diaz: The next item is the Call to the Public. Ms. Aguirre.

Call to the Audience

Ms. Aguirre: Good evening, Mr. Mayor. We have quite a few calls to the audience cards. The first one we have here is from Joey Rodgers, he is not a resident but the address is 88 W. 38th Street, topic is Dancing in the Streets AZ Nutcracker.

Mr. Rodgers: Hello, Mayor and Council. May I approach the bench.

Acting Mayor Rogers: Yes.

Mr. Rodgers: Now what I'm doing is, each year you are going to be seeing me, and then you are going to have a collection of Nutcrackers, and then anybody that comes over is going to say, where did you get all these Nutcrackers. And you are going to say, well, there's this black man in the City of South Tucson who gives out free Nutcrackers, you know what I'm saying. So that's right, so free Nutcrackers to everyone. I don't know who are, but you get a Nutcracker. Alright, there you go, everyone. Dancing in the Streets is doing a Nutcracker again, on our 16th year. We are going to be at the Temple of Music and Arts December 15 and 16,

two shows, a Saturday and a Sunday, at 2:00. We've got some special guests dancing in our show. We've got Paul Cunningham dancing in our show.

Councilor Flagg: No!

Mr. Rodgers: Yeah, that's right. So he's messing up my rehearsals, he's having a good time and as a matter of fact, we've got Chris Edwards, "where low cost is our priority". That's right, he's going to be dancing in the show as well. So, yeah, exactly, it's going to be a fun show so I'm just here to let you all know that Dancing in the Streets is in a very good place. We just got a very good generous grant from the Arizona Commission of the Arts, \$15,000, and out of the 20 organizations, they were very impressed with us because we are inclusion and diverse, which is the two hottest topics ever, too close to affordable housing. So, they love, out of the 20 organizations that we, in the City of South Tucson, that we are the most diverse Performing Arts School in the State of Arizona.

Council Members: (Applause).

Mr. Rodgers: But they love that we are here in the City of South Tucson, that's what blew them away. They kept on saying, you're where? City of South Tucson. Huh? Where? Say that again. I mean, I'm telling you all, so hopefully I am trying to do the best I can, hopefully I still need the help that I need. I'm still battling the Tucson Ballet. Right now, they are hot on my tail now because they want my diversity. That's what they want. They want it bad, U of A wants it bad, everybody wants it bad, but we get it organically. So I wish you all the best. I wish you all a Merry Christmas, and hopefully you come support us with the Nutcracker, and thank you very much, everyone.

Councilor Valenzuela: Joey, when is it again?

Mr. Rodgers: December 15 and 16. Thank you very much, everyone.

Mayor Diaz: Thank you, Joey.

Ms. Aguirre: The next speaker is Elvira Fike, not a resident but address is 6935 S. Valley Stream, the topic is Street Lighting and Safety.

Ms. Fike: Hello, my name is Elvira Fike. I come before you as a graduate student who is studying Public Administration, and as a former resident who was raised in the City of South Tucson, I am concerned for the community of 4,600 residents, but more specifically, those who live in the cul de sac of 28th Street and 10th. I often come to this City to visit and spend time with my friends who live in my childhood home at 426 W. 28th Street. South Tucson is a very special place for me as it has a lot of culture and a lot of tradition, and it's where I grew up. This is my first home and as a child I remember my parents often questioning themselves as to how we managed our taxes, and why we are always asking for more funds and why we can't manage our funds more appropriately. So now as an adult, in the accounting profession and working at the U of A, I'm finding myself asking about State, County, City, and Federal institutions that serve the public and manage our funds. Being able to come back to my community, to my parents, to those that surround me, and educate them as to what I've learned and I can explain the whys and the hows of how our public monies are administered. And so, that's why I entered into Public Administration because I wanted to know why and how, and be able to explain to those. So I am here to advocate for those who live in this great City because I love it, I really do. And so when I looked at the website, I found myself lost in trying to identify who I could contact in regards to a street light that has been out of service for more than a year. Who is the responsible

City Department to contact. The website is not a resourceful tool in providing me or other residents who visit it for information. The pole that is at the light has a makeshift sign. So it has a phone number that's just like a yard sale that has a phone number, like advertising. So I called that phone number and that phone number took me to the City of Tucson Traffic Department, Streets and Traffic Maintenance. So when I informed them of the issue of the light that is not working, they said it is not their responsibility, it's TEP. I called TEP and I get the same run around. I'm here because to me and those that live on that street, more specifically my parents, I find that to be a safety issue.

Mayor Diaz: Your time is up but excuse me, so I apologize. It will be referred to the Interim City Manager, and the Interim City Manager will contact you and discuss the problem and whose responsibility it will be.

Ms. Fike: Thank you, I appreciate it.

Ms. Aguirre: The next speaker is Andy Luna, not a resident, but has listed the address as City Hall, 1601 S. 6th Avenue, and the topic is Fire Department.

Mr. Luna: Thank you, Mr. Mayor, Members of the Council. I'm Andy Luna and have been working for the Fire Department a little bit over 22 years and I am a Captain there. I am here to extend an invitation to our Annual Christmas event in South Tucson that we've had every year for just about 20 years now. So every year the Fire Department puts on and hosts this event to give toys out and food boxes for the citizens and children in South Tucson. So, that's going to happen in December. I'll send you all the specific information and where it is going to be and how it is going to be distributed, but the invitation is to go out there and watch what we do as far as food boxes for families and giving toys to kids. And like I said, this has been going on for about 20 years and we are going to have Santa there, we're going to have the Marine Corps League there, we're going to have folks from outside the community, as well as inside the community, and this event is specifically for the residents and kids in South Tucson. We've been doing this, like I said, for about 20 years now. I'm happy to do it, so if you are available when I send all the information out as far as the date and where it's going to be, I would hope that you would attend and see what we do for the community. Thank you very much.

Mayor Diaz: Thank you.

Ms. Aguirre: Our next speaker is Michelle Herndon, not a resident, address 3002 S. 6th Avenue, topic is Apartments behind Burger King.

Mr. Herndon: She is sick so she won't be speaking here today.

Ms. Aguirre: Oh, ok, so it will actually be Michael Herndon, same information.

Mr. Herndon: Good evening, let's see if I can do this.

Acting Mayor Rogers: Yeah, you can.

Mr. Herndon: I just wanted to bring you up-to-date on some of the things that are going on around that area of the apartments. I own the Burger King that is right in front of them at 3002 S. 6th, and we've had a lot of problems with people that reside at that apartment building and hide and I'd just like to tell you about a few things that occur there. Every morning, there is three or four people passed out at our front door, usually with needles still in their arms. After we get them to leave, whether we have to help them off or call an ambulance, we have to go out and clean up blood and the feces. It is so bad. For instance, one of my girls that works there, she noticed something wrong outside. She went outside and found shoes, pants, underwear, a

shirt, and followed a trail over to those apartments. They use my location there as a toilet. Yet, people will come in, they will go to a booth and pass out. This is very dangerous to my people. We have to, it's usually my girls, they're brave, the girls are very brave and they will ask the people to leave. Oftentimes it ends in a fist fight, and not started by my people, it's the people that pass out there. They don't want to leave. It's too comfortable. We can't allow them in our bathrooms anymore like we used to. But after having to clean up the walls with the , the urine, the fecal matter, the floors, all over. Outside when we get there after we get rid of the people at the front door, we walk around the building and I don't know how they do it, but there is fecal matter on the walls. How do they do that? I don't know, but it's all over the walls. My people have to clean that up. I don't see that as very healthy. We have had numerous occasions where people come in naked. We ask them to leave and all of a sudden, it's a brawl. They start throwing stuff at my employees, anything they can get their hands on, napkin dispensers, whatever. It gets really, really bad. I had a security guard. They tried to stab him so that didn't work out real good. I can't have my people living like this, working like this in these conditions. Somebody is going to get hurt. I think at that apartment building there has been some shootings and a couple murders, I believe. If I could have another three minutes because I would like to speak on behalf of three other businesses in that area.

Acting Mayor Rogers: Yeah.

Mr. Herndon: If you familiar with that, there are two dental offices right near me, one across the street and one across the parking lot. They both have the same issues. The one across the parking lot from me cannot allow people to come in and use their restrooms anymore, but they come in and when they are told they can't use their restrooms, they will urinate behind their (inaudible). The people across the street say they are constantly bothered, constantly. The gentleman that owned the pawn shop, he wants to rebuild it but all the copper plumbing, all the copper wiring, has disappeared. It's horrible. I have often had the drug addicts, they will be in my drive thru and they will bang, not knock, but bang on customer's windows, their cars, demanding money. What my customers do is they drive off. That hurts us. My sales, I have eight Burger Kings, and all of them but this one have shown an increase in sales and customer count. This one is the only one that is negative customer count and sales. People tell us they are afraid to come to our establishment. I don't know what to do. I don't know who to turn to. I've called the Health Department. They've pretty much said, nothing they can do. It doesn't make sense to me, but the place is roach infested but what I do hear about a few people from there, they are trying to live a normal life. They have complained to us about the living conditions in there, and they are horrible from what these people tell us, they are horrible. There's a lot of incidents. I've got videos of a lot of things that went on, people shooting up on my premises at my front door. I've been keeping a log of all contacts we make with these people. Other than that, what do I do? I don't know. I'm supposed to call the Police every time somebody does something that could be dangerous. They are under budget; they are understaffed, but I call them constantly. Nothing against the Police Department, they're great, but they can only do so much with the manpower they have. The question is, what do I do? I need some help. Thank you.

Mayor Diaz: We hear you loud and clear. Thank you.

Acting Mayor Rogers: Thank you.

Councilor Valenzuela: Thank you.

Ms. Aguirre: We just received another card, Mayor. The next speaker is Melissa Brown Dominguez, resident, address is 28 W. 28th St., topic is Neighborhood Updates.

Ms. Dominguez: Good evening, Mayor and Council. I haven't seen you guys in a while, I missed a few minutes. I just want to take a few minutes just to kind of echo what has been discussed already, but first of all, I want to invite you all this Sunday at the Galeria. We have an art opening that you are welcome to come. It's from 1-4:00 on Sunday and it's going to be Guadalupe Tonantzin art show, so you are welcome to come join us on Sunday. I just wanted to talk about the increase of folks that are, in the five years that we have been in the Galeria, we haven't had this many people coming into the Galeria. They're not causing trouble, so I haven't had to call the Police, but it's been making me feel very uneasy, which I've never felt this before and we've dealt with lots of things, but there's more people like sleeping on the side of the Galeria, defecating on the side of it. Not just at the Galeria but at the church, down where LA Tires used to be, which people agree, it's an increase of these kinds of activities. Paraphernalia of drugs being left at the Galeria, at our home on 28th, and in the alley, the same thing happening. There's an uptick in, I don't have any evidence, but prostitution and solicitation is happening very frequently at the corner of 28th and 6th. It happens all the time. I want to commend the Police Department because they are constantly patrolling the neighborhood but it's still happening. I have really good friends, Todd and Sherri, that own Tucson Tamale Company. They had to, they installed a fence around the old Malone Meat Department because Todd and Sherri were tired of having to run people off every single morning, and then have the health and safety standards, they make tamales there. They have people leaving excrement and urine everywhere, and it's terrible for kids in the neighborhood and our families and elders and our community members to have to continually see that we have to put fences up everywhere to keep people out. It's just horrible that another fence has to go up to keep these people out and they just find another place to do it. So it's just really sad what's happening and I know that everyone is trying, but I really want to emphasize that it's getting worse out there in the neighborhood and we're seeing it. As the gentleman before me said, some of the interactions are becoming more aggressive, you know, and it makes you feel uneasy. I know that, just this couple months ago someone was solicited and kind of harassed and they put a fence at their front door and so, this is our neighborhood. It would be nice to be able to go outside and walk around, not feel uneasy and be able to open the Galeria door and not be worried about who is going to come in next and what are they hustling me for this time. I can handle people like that, they don't bother me, but the fact that it is happening more and more just makes me nervous. So I just wanted to give a little update from my point of view. Thank you.

Vice Mayor Lopez: Thank you.

Acting Mayor Rogers: Thank you.

Ms. Aguirre: Mr. Mayor, that concludes the speakers for this evening.

Mayor Diaz: Ok, thank you.

ITEM #06 - MAYOR AND COUNCIL MEMBERS: REPORTS OF CURRENT EVENTS

Vice Mayor Lopez: Mr. Mayor. Yesterday was Regina Romero's inauguration and some of us attended that event which was very nice. And then on the 7th, the Tucson Metro Chamber of Commerce is having their Christmas party up at one of the Diamond Casinos up at Nogales Highway and it's from 4-7:00. And then on 12/17 at Greyhound Park there's going to be Christmas party at 31st Street Miracle in which Councilwoman

Valenzuela is involved with. And then also we have on December 9th the South Tucson food give-away at the Bernie Sedley Complex. That's all I have, Mr. Mayor.

Acting Mayor Rogers: Is the Fire Department on there?

Vice Mayor Lopez: No.

Councilor Flagg: Yeah, these are High Holy days for those of us who are Catholic so on behalf of Santa Cruz Church, I'd like to invite people to participate. There's a Novena from last Sunday and the ninth day is going to be December 12th, Feast Day of Our Lady of Guadalupe. So that will be a big, huge day and there will be a big procession from Pia Guadalupe on 31st and 3rd over to Santa Cruz and there will be Mass there at that time and they'll have menudo. And it's going to be good because the chicas from Casa Maria are the cooks, so we can guarantee the menudo. And then there's midnight Mass, too, so everybody is invited.

Mayor Diaz: Thank you. Any more reports? Hearing none, Item #07.

ITEM #07 - CITY MANAGER AND DEPARTMENT HEADS: REPORTS TO MAYOR AND COUNCIL - FIRE DEPARTMENT REPORT UPDATE

Mayor Diaz: For the City Manager Report, an update on the Fire Department report update.

Ms. Moreno: Yes, good evening, Mayor and Council. I have a report and Fire Department report will be done by Public Safety Director, but I did provide you with my report that you have in front of you. I'll go over it and read it out loud. Today is December 5th. The topic is Fire Department and is in regard to the Fire Department fire suppression and emergency medical services. At the direction of the South Tucson City Council, Staff met with City of Tucson on April 21st of this year, 2023, for fire suppression and emergency medical services to be provided by the City of Tucson. After months of communication and several meetings, the City of Tucson replied on December 1st, which was last Friday, accepting the proposal. That proposal requests that fire suppression and emergency services be provided from the current South Tucson Fire Station. This would include all necessary personnel and equipment to adequately meet the requirements and demands of service delivery within our jurisdictional boundary. Additionally, I have been working with Members of the Council to meet with Pima County and Tribal entities requesting financial assistance that would help close the funding gap. It is notable that the City of Tucson acknowledged the urgency to adapt the IGA negotiations due in part to our current situation with staffing challenges. As previously conveyed by the City of Tucson, "Tucson Fire crews are often the only resource available for fire suppression in the City of South Tucson which places an ongoing and a burden to our personnel and resources." An IGA with the City of Tucson will provide a seamless response model to the community of South Tucson resulting in a (inaudible) Department. The next steps are for the City Attorney. We are going to draft an IGA and are going to bring that back to Mayor and Council. Attached to the report that I provided you with is an outline, and it outlines Staff's efforts to keep Mayor and Council abreast throughout the challenges, concerns and crisis facing the Fire Department. That concludes my report on the Fire Department. At this point, we had mentioned previously we did fill the vacancies with the exception of one to the Planning and Zoning Commission. We do have a vacancy on Board of Adjustments as was brought up at the last meeting from the Planning Director, so we will post that on our website for any potential candidates to be interested in the Board of Adjustments. And that concludes my report.

Mayor Diaz: Are there any questions?

Chief Denogean: Good evening, Mayor and Council. I am going to start off with the Police Department section. So this week we are starting our Citizen Patrol with the Ranger Patrol. It's a program that we have two Rangers who have qualified, we have many Rangers that work with us, but only two of them have qualified for the highest ranking to qualify for this, so they will be out doing patrol in a patrol vehicle. They are out there mostly for visibility. They cannot take any law enforcement action. They drive around in a patrol vehicle that says Citizen Patrol on it. The main focus of them is to be driving the patrol vehicle through the businesses on South 6th Avenue. We think this will be a good thing and we hope to get more Rangers involved, but there has to be training that goes along with it, and there has to be even on their side a certain level of confidence to deal with this type of situation. To go along with that, I pulled back our DEA officer back from the DEA and I put him back into patrol. He starts this week. There's many reasons that go into that decision but the biggest reason is I think we need more officers on the streets, on patrol here than have ever before. That's one of the main reasons why we're doing that. That's not the only reason, that's the main reason. Second of all, we have an officer who is in field training who will finish this week, and he will be out on his own. So the goal with increasing the patrol is to focus on South 6th Avenue. Focus on the Walgreens, focus on the Circle K, to focus on Food City and the Burger King, in those areas and try to increase the visibility there. The next item we are going to go on to is the Fire Department. As everybody knows, on Thanksgiving Day, we were not able to staff it with our own personnel. I want to make sure that everyone is clear, we have never gone to where the citizens of South Tucson have gone without service. The City of Tucson Fire covered the fire services for us, and American Medical Response covered the medical calls for us. That's the way it's always been when we face these types of situations. There's never been a time where we haven't gone without services to the public. That being said, I know the City Council has expressed desire for us to hire some more reserves. In October and November, we hired two more reserves. In the month of December we hired two more reserves, so we've hired four in the last two months, and there's another person we are looking at to hopefully get here within the next month. We are still looking forward in that direction, in that area, but what I want to emphasize as I have before, the model that we are currently running on where we have one full-timer and 38 reserves, or even more than that now, is not a model for success. It just can't work. We've gone over the reasons before many, many times and it's just not a model for success. There is a great deal of risk and liability to the City of South Tucson that we face, and we need to strongly work to fix it. And I strongly encourage you guys to work with the City of Tucson and come to an agreement that we get the service that we need here in the City of South Tucson. I think that is all I have.

Mayor Diaz: Go ahead.

Councilor Flagg: Do you pay the Rangers, are they paid?

Chief Denogean: No, the Rangers are all volunteer.

Acting Mayor Rogers: Oh, good.

Councilor Flagg: Wow.

Chief Denogean: And they do an excellent job for us.

Mayor Diaz: I don't know if you came for me or not, but I appreciate you talking with the Rangers and coming up with an agreement with the Rangers, but my understanding is that they can do citizens arrests and be a legal, I guess, viewer of the situation and require it in their laws so the crime is actually looked at at the present time, not afterwards or anything, so it's a good thing that the Rangers are working with us.

Chief Denogean: It is a good thing. They have been working with us for several years here already with us. They are volunteers. We have to remember they are volunteers and they have ridden with our Police Officers many, many times, and they act as a supplement to us, but they can only do things at our direction. They can never be out of our sight, it's completely our direction. As far as making citizens arrests and stuff like that, that's something we want to keep our hands off for right now and leave that alone. Basically, the instructions for them is if they see something they are to call us, have us come and deal with that. Like I said, they won't take any law enforcement action and we don't want to get into a liability situation with that to begin with. Once we get there, we can direct them to assist us in any way we need, so they are very helpful in that way.

Mayor Diaz: Thank you.

Chief Denogean: Certainly.

Councilor Valenzuela: Mayor.

Mayor Diaz: Yes, go ahead.

Councilor Valenzuela: So it seems like the next step is for the attorney to draft up an IGA to bring back to Mayor and Council.

Ms. Moreno: Yes.

Councilor Valenzuela: Do we have a timeframe of when that will be completed?

Ms. Moreno: Well, if I may, Mayor and Councilor Valenzuela, since this is an urgent matter and we are in a crisis, the sooner we get that put together, the better, especially since Holidays are coming up and we know the calendar right now shows that there is no coverage, as I mentioned at the last meeting for Christmas Day and New Years' Day, so that's a challenge already, that in and of itself, so the sooner we can get an IGA in place the better and the attorney is on it as we speak.

Councilor Valenzuela: Ok.

Councilor Flagg: Can we do it tomorrow? I mean, it's urgent.

Ms. Moreno: I plan, Mayor and Council, since we have already been given direction to work on the IGA, we can simultaneously ask the City of Tucson to come in as we work on the IGA. I think, I hope they are willing to work with us since we are already facing no coverage on the upcoming holidays, I am happy to do that on your behalf. I will get back with the Council because we are already drafting the IGA and we are already of the consensus that's the direction of the City. I will definitely reach out to the City Manager and ask for assistance, especially on those holidays, like they acknowledged on Thanksgiving Day.

Acting Mayor Rogers: Mr. Mayor.

Mayor Diaz: Yes, go ahead.

Acting Mayor Rogers: Mr. Mayor, are we talking about the Fire or the Police at this moment?

Mayor Diaz: Fire.

Acting Mayor Rogers: Fire? Ok, I have something to say about it. It's very important to me because I keep hearing it's one, we only have one, we only have two, we only have one, we only have two. So after Church

on Sunday, Dennis who owns the land in the 1.2 mile City, I mention that there, we called, because I saw the fire and they were there within 10-15 minutes, five of them. And all I ever hear about is there's only one or two.

Chief Denogean: There's only one full-time firefighter.

Acting Mayor Rogers: Ok, there were five there. I just wanted you to let you know, and it was taken care of in 10 minutes. We've got to tell the truth.

Mayor Diaz: I have a question. In regards to the IGA, at what time would that be made public and does that include the dollar amounts?

Ms. Moreno: If I may, Mayor and Council. Once the IGA is prepared I'll show Mayor and Council, hopefully within the next several weeks it will be presented to the Council in a public setting. We have already been told by the City of Tucson the cost associated, as a matter of fact, you have responses that were given to you regarding the City of Tucson. Attached to your update I provided you with is a timeline indicating all the information that Staff has been providing to you since 2013 and all the conversations we have been having. So the recent communication with the City of Tucson started in about, let's say, looking at my dateline was in 2021. So when we say communication with the City of Tucson (inaudible-coughing) a little over \$2 million dollars, so we did express that to Mayor and Council that there is a funding shortfall which is approximately \$400,000, which is the reason why we are reaching out to Pima County and Tribal entities try to help close that gap. So for the record it was \$2.1 million, not to be exact, but around that number. The City of South Tucson is facing a shortfall of about \$400,000, so we're reaching out to the County as well as the Tribal entities to try to help fund that. The letter from the City of Tucson did convey that we are working towards that, and I will actually read it that they would help with that since they understand that there is that concern from the City of South Tucson.

Councilor Flagg: Are you going to read it?

Ms. Moreno: I can read it, if I may, Mayor. If you like, I will read the letter in its entirety so I don't miss anything. So again, this is a letter dated December 1st, last Friday, from the City of Tucson sent to me, December 1st, 2023 regarding IGA for fire suppression and emergency services next step. And this is from City Manager Mike Ortega. I'm sorry, let me clarify that, I'll correct that. It's not from the City Manager, it's from the Deputy City Manager Timothy Thomure. "Dear Ms. Moreno. I am writing to advance discussion about entering into an IGA with the City of Tucson through the Tucson Fire Department to provide fire suppression and EMS services to the City of South Tucson. Based on the information exchanged at our November 8, 2023, meeting it is my understanding that the City of South Tucson continues to be interested in pursuit of this IGA that you are actively working on closing the funding gap to be able to accommodate the City of Tucson for providing these services. Through this letter I want to express both a sense of urgency to advance this IGA negotiation as well as the City of Tucson's willingness to co-develop a road map for the City of South Tucson to close the funding gap. Our urgency emanates from the current situation where Tucson Fire crews are often the only resource available for fire suppression in the City of South Tucson which places an ongoing and undue burden on our personnel and resources. Further, this places the citizens of the City of South Tucson at risk in the event that our resources are unavailable in a time of urgency. Finally, Tucsonans are bearing the costs that should not be on their shoulders. We ask that work begin immediately on the IGA so we can enter productive partnership to reduce community risk in both our Cities. As we discussed, I am willing to work with

you and your team to develop strategies to assist the City of South Tucson in addressing the current funding gap. Alternately, I seek confirmation that if the City of South Tucson is no longer interested in having Tucson provide these services, if that is the case, it is my expectation that Tucson Fire will no longer be routinely dispatched to events in City of South Tucson, retaining only the limited mutual aid support role provided under our current agreement. As noted in prior correspondence, the training of personnel and ordering of equipment takes time and it could be as long as six to nine months before we can adequately staff the services to the City of South Tucson in a safe and efficient manner. Time is of the essence. I look forward to hearing from you and continue our partnership to include working through this proposal.” I did email this to Mayor and Council Friday shortly after I received it advising you that I received this letter and that the City Attorney would be working on the IGA along with the City of Tucson City Attorney.

Councilor Valenzuela: Thank you.

Mayor Diaz: Thank you. Any questions?

Councilor Flagg: I would like to thank Chief Denogean for hammering this Council every time he stands at that mic that this is really an urgent thing we need to deal with. Thank you. And the other thing is some people in the community act like we’re not going to have a Fire Department based on what happens. Well, as this goes through because we are going to find the money to make it happen, because it costs money, we’re going to have way better fire service for our 1.2 square mile. So this is a real positive thing, and it’s urgent, so if we can like work on it starting tomorrow from a Staff point of view, that would be great. Thanks for doing urgency, urgency, urgency, Chief.

Chief Denogean: Thanks.

Ms. Moreno: And thank you Mayor and Council for listening to the Fire Department. They have some major concerns with staffing and listening to Staff as well because we continue to offer a level of those services. Thank you.

Mayor Diaz: Thank you. So since we changed the order of the agenda, we will be doing Item #09.

ITEM #09 - DISCUSSION AND DIRECTION REGARDING CODE ENFORCEMENT OF SLUM AND BLIGHTED PROPERTIES IN SOUTHERN PART OF THE CITY

Ms. Moreno: Yes, Mayor, thank you. If you recall, at the last meeting we had was on November 21st, it was a pretty long meeting, I think we were done close to 10:00 p.m. When we exited from Executive Session we quickly adjourned the meeting and Staff did not get direction on what was discussed, so I put this back on the agenda for purposes of getting direction from Council to move forward with items discussed in Executive Session, so we ask the Council for a Motion at this time.

Mayor Diaz: Ok.

Councilor Flagg: So, can we

Mayor Diaz: Hang on just a minute.

Councilor Valenzuela: The Motion would just be to -

Ms. Moreno: To move forward with items discussed in Executive Session relating to the Code Enforcement of slum and blighted properties in the southern part of the City.

Councilor Valenzuela: So we have to make a motion and a second before discussion, right?

Mayor Diaz: Yeah.

Councilor Valenzuela: So moved.

Mayor Diaz: You said so moved?

Councilor Valenzuela: Yes.

Mayor Diaz: In regards to the direction?

Councilor Valenzuela: Right, right.

Councilor Flagg: It's the direction we came up with.

Mayor Diaz: Right. So it's been moved. Is there a Second?

Vice Mayor Lopez: Second.

Mayor Diaz: It's been Moved and Seconded. Discussion? Brian.

Councilor Flagg: So, I always have a problem with this Executive Session stuff because I feel that we are not doing our business in public when we are doing it behind closed doors. And I understand there is a legal part of that.

Ms. Moreno: Right.

Councilor Flagg: But I've seen the City of Tucson abuse that whole thing and in effect, the City Attorney is making policy for them behind closed doors. I think it's wrong. I think my and our charge is to do business in front of the people of South Tucson, so at the very least, can we put into one sentence what we talked about in Executive Session? Because I have watched a whole bunch of City Council meetings and they come back from Executive Session, and they spend five minutes saying that they are going to proceed in general terms on what they discussed in the Session. If I was sitting out there, like I always was, I would want to know a little more.

Councilor Valenzuela: Right.

Ms. Moreno: If I may, Mayor and Councilor Flagg, the topic on the agenda helps me explain. So the topic was Code Enforcement of slum and blighted properties in the southern part of the City. I know that we all recognize that there are some light issues with regard to crime issues in the southern part of the City. There is also some Code Enforcement that needs to be done, so part of the conversation in Executive Session had to do with that topic. So the consensus in that setting was to move forward with that topic. So therefore, when we exited we never got actual direction to move forward on that topic, so therefore we are coming back to Mayor and Council for direction to move forward on that topic.

Councilor Flagg: That's a little better.

Mayor Diaz: We still had other discussions in Executive Session, some of it regarding the issues of criminal, or the meetings that we've had with the owner, a little bit in regards to that.

Ms. Moreno: Mayor, I'm going to have you stop there, which is the reason why we don't talk of our conversations because we don't want to get specific as to who, what, when, where, why, so we are very general in what we are discussing around the public, and if the Attorney wants to chime in on what we discussed I'll refer to her.

Mayor Diaz: But isn't this what Councilman Brian is talking about?

Ms. Moreno: Which is the reason why we talk in a general nature.

Attorney Stinson: What is discussed in Executive Session we need to keep it in general terms until we are ready for it.

Councilor Valenzuela: But I think, Mayor if I may, they just summarized it in Item #09 to move forward with the redevelopment which is all encompassing of what we talked about in that Executive Session. Is that correct?

Councilor Flagg: I'm fine, yeah.

Acting Mayor Rogers: Mr. Mayor, I ask that they get notified that I made no decision in Executive Session. I don't know what they're talking about.

Mayor Diaz: So it has been Moved and Seconded. The discussion is that we go with development?

Councilor Flagg: Yeah.

Councilor Valenzuela: So everything we discussed at that Executive Session we are moving forward with and we put it under the Code Enforcement of the slum and blighted properties in the southern part of the City.

Councilor Flagg: Yeah.

Councilor Valenzuela: It's all encompassing of everything we talked about.

Mayor Diaz: Ok, so the direction is?

Ms. Moreno: Is, Mayor and Council is giving direction to Staff regarding the Code Enforcement of slum and blighted properties in the southern part of the City, to move forward with what was discussed in Executive Session regarding the Code Enforcement of the slum and blighted properties in the southern part of the City.

Mayor Diaz: Thank you.

Ms. Moreno: So we got a Motion from Councilor Valenzuela and a Second by Vice Mayor Lopez.

Mayor Diaz: Ok, Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. No.

Mayor Diaz. No.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Ms. Moreno: Motion passes.

Mayor Diaz: Ok. Thank you.

Ms. Moreno: Thank you.

Mayor Diaz: The next item on the agenda is Item #08.

ITEM #08 - SWEARING IN OF CITY MAGISTRATE MARYLOU NATIVIDAD

Ms. Moreno: Mayor, Members of the Council, as I indicated when Mayor and Council formally appointed Ms. Marylou Natividad as City Magistrate Judge on November 9th, her start date wouldn't begin until November 27th. So, I have already had her sign the Loyalty Oath of Office but I think it would be appropriate for her to have a public Loyalty Oath of Office done. Her husband will be performing the Loyalty Oath of Office and holding the Bible.

Judge Natividad: Good evening Honorable Mayor, Members of the Council.

Ms. Moreno: Philip Harms, Mr. Philip Harms, the Judge's husband.

Judge Natividad: This is my husband, and he will do my Loyalty Oath of Office.

Mr. Harms: The Loyalty Oath of Office. Repeat after me. I, state your name.

Judge Natividad: I, Marylou Natividad.

Mr. Harms: Do solemnly swear.

Judge Natividad: Do solemnly swear.

Mr. Harms: That I will support the Constitution of the United States.

Judge Natividad: That I will support the Constitution of the United States.

Mr. Harms: And Constitution and laws of the State of Arizona.

Judge Natividad: And Constitution and laws of the State of Arizona.

Mr. Harms: In the City of South Tucson.

Judge Natividad: In the City of South Tucson.

Mr. Harms: And that I will bear true faith and allegiance to the same.

Judge Natividad: And that I will bear true faith and allegiance to the same.

Mr. Harms: And defend them against all enemies foreign and domestic.

Judge Natividad: And defend them against all enemies foreign and domestic.

Mr. Harms: And I will faithfully and impartially discharge the duties.

Judge Natividad: And I will faithfully and impartially discharge the duties.

Mr. Harms: Of the position of Magistrate.

Judge Natividad: Of the position of Magistrate.

Mr. Harms: According to the best of my ability.

Judge Natividad: According to the best of my ability.

Mr. Harms: So help me God.

Judge Natividad: So help me God.

Members of the Council: (Applause)

Mayor Diaz: Speech, speech.

Judge Natividad: Thank you so much Honorable Mayor and Honorable Members of the City Council. I am really deeply honored for giving me this opportunity to serve the people of South Tucson. I have assumed the office for a week now and I am happy to report that I have met with our City Attorney and our Public Defender who has agreed to join us, and we are in full agreement that we will work together to reduce criminality and recidivism in South Tucson. We just heard from a couple of people here and it's going to be tough order, but you know, with everybody's cooperation, especially the Chief as well, we're going to be up there, I'm hopeful. And thank you again for your opportunity, for the vote of confidence, and thank you to Ms. Moreno and Councilor Roxana Valenzuela, for their guidance, direction and their assistance. Thank you all very much and if I don't see you before the holidays, Merry Christmas and Happy New Year to all of you.

Councilor Flagg: Alright.

Councilor Valenzuela: Thank you.

Mayor Diaz: The next item is Adjournment.

ITEM #10 - ADJOURNMENT

Vice Mayor Lopez: So Moved.

Councilor Valenzuela: Second.

Mayor Diaz: Moved and Seconded. All in favor, signify by saying Aye.

Council Members: Unanimous Ayes.

The meeting adjourned at 6:57 p.m.

Mayor

ATTEST:

Veronica Moreno, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Agenda Meeting of the City Council of South Tucson, Arizona, held on the 5th day of December, 2023. I further certify the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 2023.

Veronica Moreno, City Clerk