

Minutes of the Regular Agenda Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Tuesday, February 20, 2024, 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
 Josue Licea, Planning Director
 Jon Paladini, City Attorney

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

Others Present: Melissa Brown, Resident

Mayor Diaz called the Regular Agenda Meeting of February 20, 2024, 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 of the City of South Tucson is to build up our community through mutual cooperation between we, your public servants, and you our citizens so that jointly we can build a safe and stronger City. Amen.

Mayor Diaz: Thank you.

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

Vice Mayor Lopez. Present.
Acting Mayor Rogers. Here.
Councilor Romero. Here.
Mayor Diaz. Here.
Councilor Flagg. Yes.
Councilor Aguirre. Here.
Councilor Valenzuela. Here.

Mayor Diaz: All members of the Council are present.

ITEM #05 - APPROVAL OF MINUTES

Mayor Diaz: Approval of Minutes for the Regular Meeting of February 6, 2024. Are there any corrections, deletions to the Minutes? Hearing none, I will accept a motion to accept.

Acting Mayor Rogers: So moved.

Mayor Diaz: It's been so moved.

Councilor Aguirre: I'll second it.

Mayor Diaz: Moved and Seconded. Thank you. Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Aye.

Councilor Romero. Aye.

Mayor Diaz. Yes.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Call to the Public

Mayor Diaz: For anybody that would like to address the Council at this time, please, Ms. Aguirre.

Ms. Aguirre: Yes, Mr. Mayor, we have one card here. Speaker is Melissa Brown, 1802 S. 4th Avenue, on the topic of Community Events.

Mayor Diaz: Ok.

Ms. Brown: Hi, Mayor and Council, good evening. A couple things as far as special events coming up, I just wanted to plant this seed with you all. The Tucson City of Gastronomy, we, Mel and I and Ranch House Media co-produce the Pueblos del Maiz Festival at Kennedy Park and that is scheduled to happen on April 13th. It's a free community event. Last year we had 4,000 community members attend and it's all about supporting local restaurants. We have restaurants here from South Tucson come and been there. We have art and it is all about celebrating our heritage and cultures here in the desert lands, and also the importance of mais in our cultures. So I just wanted to plant that date so you all can have that. And I also come up here to advocate again for the extension of the El Paso Greenway. I just want to say that I feel that personally, that's a really important path that needs to be made much more safe than it is, especially as you get from 4th Avenue going east to the railroad tracks. That path, there is one that kind of exists on the side where the Greyhound Park used to be, but there's a certain point where that path just doesn't exist and it's really unsafe as you get close to the railroad tracks, and I just also feel it might be unfortunate that that path would be brought all the way up from Pueblo Gardens down 36th to the railroad tracks, and then between the railroad tracks and Pico de Gallo it wouldn't exist. I feel that our community members deserve to have the same amount of safe paths, especially multi-purpose paths, that all members of our community could use. I know that there are going to be some more listening sessions that are going to go out into the community. I would also like to advocate that our senior citizens at public housing and our disabled community members there, be contacted or maybe

a discussion there because there are some of those folks, like there is one elder that we know personally, he actually drives his scooter, his little motorized scooter, and he crosses those railroad tracks which is very unsafe, because he goes to Walmart that way, because he prefers to drive himself in his little scooter than going on the bus. And that's just one story. So I just want to advocate that you all really hear all the voices in the community. Thank you.

Mayor Diaz: Thank you.

Acting Mayor Rogers: Thank you.

Councilor Aguirre: Thank you.

Mayor Diaz: Are there any others that want to address the Council? Hearing none, seeing none, we will go ahead and go to the next item.

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

Mayor Diaz: Are there any reports from Council?

Vice Mayor Lopez: Mr. Mayor, I would like to report that my wife and I attended, the lady that we presented the Proclamation about the women,

Acting Mayor Rogers: Cowgirls.

Vice Mayor Lopez: Either way, they were supporting the survival of the Mustang Ranch, mustang horses that are wild and free and they just want to be kept that way. But it was a good event, the country western music, whether you have the ear for it or not, I don't get it, so I don't care. That's all I have, Mr. Mayor.

Mayor Diaz: Ok, is there anymore?

Councilor Flagg: Yeah, the Tucson City Council is meeting tomorrow instead of today because of the holiday yesterday, and they are going to have an item on there in their study session about the RTA Next and what they should do about it, and it should be a real informative issue and you can turn your computer on and watch it. It looked to me like the meeting starts at 1:30 and it looked to me when you look at the agenda that it might come on about 2:30, so I would encourage people if they want to think about the RTA to see what the City of Tucson is saying. That's one thing. And the other thing is that there is going to be a gathering outside the City Hall at 4:30 tomorrow and then people are going to go into the City Hall and take part in the Call to the Audience, and the community is urging the City Council to be like more than 70 other jurisdictions and urge an immediate cease fire to the genocide in Palestine, which I think would be something good for us to do, too. So that's tomorrow.

Mayor Diaz: Ok, thank you. Yes?

Councilor Valenzuela: I just want to share that a close friend of mine passed away. He and his family lived in South Tucson and there was a horrific accident. He was travelling to Pescara from Agua Prieta and him and his wife and two daughters passed away, and so yeah, they were our constituents, and were all excited about the changes happening in South Tucson, so I want to ask for silence for the family. His name is Jose Angel Tanco, and I know that his daughter went to Pueblo with my daughter. It is a tragedy that we lost that family. There is a fundraiser that is happening for them on Thursday at 11:00 a.m., and they're going to be selling barbacoa,

beans, bread and soda for \$10.00 and it's at 140 W. Teton Street. So, anybody that would want to come or donate, I appreciate the go-fund me page. Thank you.

Mayor Diaz: I would like to ask for us to stand up in a moment of silence in regards to the passing away of the family. Thank you.

(Moment of Silence)

Mayor Diaz: Thank you. The other thing is, would you go ahead and draft a letter of sympathy for me, please, from the City of South Tucson?

Councilor Valenzuela: Sure.

Mayor Diaz: Thank you. I do have something to share. It's in regards to the parade on Thursday. Please be there before 7:00 and be at the rodeo grounds. The rodeo grounds will be open for parking there. They will shuttle us or whoever attends from the rodeo grounds all the way to the beginning of it, which is 12th and Drexel, so if you're planning to be there, please be there before 7:00. The other thing is that tomorrow around noon we will be at the rodeo grounds decorating the wagon. So, if anybody would like to be there to help, just information with regards to the parade. Any future items? Ok, thank you.

Councilor Flagg: What did he say?

Councilor Valenzuela: Any future items for the agenda.

Councilor Flagg: I would like, I have a Resolution that the City was considering to do a cease fire. I would like that to be on the next agenda. I'll get everybody the sample on the, we will get the Resolution sent to everybody and then we can discuss and vote on it next time.

Mayor Diaz: Ok. Is that it, anymore? Ok, next item.

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

Mayor Diaz: Any reports?

Ms. Moreno: Yes, good evening, Mayor and Council. I do have a report on behalf of Vice Mayor and other members of the community. He has been expressing to me here since about last summer that they would really like to see the Park reopened that's at 2020 S. 5th Avenue. That park has been closed for, I think, at least seven years if not more. And that park was closed due to vandalism and a lot of the equipment was damaged, so the City decided to just close it permanently up until recently. So what we have done so far as Public Works, is replace new fixtures, (inaudible) remove graffiti, and completed major cleaning inside and outside the perimeter. So what we would like to do is appoint members of the community who have offered themselves, such as people from the Garden Kitchen, and I know Vice Mayor and his wife offered to help with the opening and closing, so we could open it as a pilot to see how it goes, how it is welcoming to the community, to make sure that we don't go back to what it was at one point, but also to make sure it is open for use of the basketball court and things like that. So I will let Mayor and Council know once we are ready so we can have an opening. I do want to make sure that members of the community are given the responsibilities that we are asking of them and making sure that the park is open certain times of the week and closed before we come back, but I want to share with you that we are working on getting that park reopened real soon.

Mayor Diaz: Thank you.

Ms. Moreno: You're welcome. And the Planning Director has some reports as well, Mayor.

Mr. Licea: Good evening, Mayor and Council. I will be quick with some minor topics, nothing major. I had a brief meeting with the Primavera Foundation this morning. I am sure everyone is aware the Primavera Foundation, one of our local non-profit partners here in South Tucson. They do a lot of good work around the community. They received a grant in the past to do some services in the community. They do door-to-door knocking. They have three years, or three separate times, starting back to I think 2013, then 2016, then 2019, and they are about to roll out the fourth outreach process here. It was supposed to happen around '21, '22, obviously Covid, you know, had to take a back seat, so they are starting that again this year in 2024. So, they actually want to come share this information with us, obviously not the survey that is going to come out. The survey is exactly the same as it was in past years, which is aging data and trends, so it's some pretty interesting stuff about what the community sees as needs and wants here in South Tucson. So they actually offered to come out here sometime in the near future and give us a presentation and talk about some of the other work they are doing, too. I'll set that up here in the near future. So other things that are going on, we are working on our first newsletter here. We are looking for ideas, you know, obviously any ideas you guys might have, something to include in there, would be appreciated. One of the first things Staff thought about would be good is to meet your Council. So I would extend an invitation to every Councilmember here, you know, to either submit a picture to us or give us a picture you have of you, and then give us a short little narrative, a mini-bio and some of your passion and interests in the newsletter. So that's up to you guys, something we can put in our first newsletter, in addition to City services, our website and other improvements that we are doing. Let me see, going down the line, we talk about some revitalization efforts, you know, fear of gentrification, and in this meeting with Primavera they mentioned a program in the City of Decatur, Georgia, where they actually have tax exemptions for folks that meet certain qualifications, that to be owner occupants, obviously that means their homes, some are elderly, some are disability, some are income based. Long story short, it's an application-based system and it allows folks to face some tax exemptions, something that is predetermined. So that may be something you want to direct or have us look into or do some research.

Councilor Valenzuela: Is that a property tax exemption?

Mr. Licea: Yes, so again, a lot of the things we talk about here is the fear of gentrification and displacement, so this would be an avenue to keep some of our owner occupant homes stay here by basically capping their taxes. It would affect other services and functions, obviously, but it is something to consider at least. So we can look into that a little more going forward. I also wanted to mention last meeting when the City of Tucson was here, they were talking about the RTA-funded project between the City of Tucson and South Tucson, the El Paso Southwestern Greenway, just looking for some more direction on this, you know. We said we wanted to do our own outreach events, just looking for some direction, how do we want to do this, when and where, who is funding what. Another thing to consider is if we are going to go out and do some of these things on our own, there is going to be a cost associated to this. Just to be very clear so you understand what some of the footwork that we are going to have to do and pay for is, the design of this project is being funded through the City of Tucson. We have \$150,000 for construction. We don't have a contract with Kimley-Horn to do this part of the project for us. It's been done on our beat, on the City's behalf for us. That's just something to consider for us if we go this route. Also, if we do these events, we only have some designs we can show the community. Anything thereafter that needs to be modified, that needs to be looked into by a consultant or an

engineer, verification for what is (inaudible) out in the field, all that stuff has a cost to it, so that is something to keep in mind on how we go through with it, ok. Yes.

Councilor Valenzuela: Ok so we have one design only, right, that's been presented to the community?

Mr. Licea: Well, that design is what has come up after several pop-up meetings, so yes, it's the one design right now, yes. It doesn't mean it's final, though, yet.

Councilor Valenzuela: Let's say we come up with another design, another option, that the City of Tucson would still pay for that, right, because they are paying for the design process.

Mr. Licea: Partially, yes, so here's the thing too though, you have to keep in mind when we have these meetings, we have technical experts that are driving this process. You have the engineering, you have people looking at the flood plain and all these things, so yes, they could do the design but the people that are really going to do the work need to be paid.

Councilor Valenzuela: Ok.

Mr. Licea: That's something, once we are straying away from the current process, we are opening up our own process and we need to have a way to pay for those services.

Councilor Flagg: Didn't you say last time that the \$150,000 will buy very little?

Mr. Licea: Very little, yes.

Councilor Flagg: So, the other question I have is, does the RTA Next have viability of that? Does that affect this whole thing?

Mr. Licea: The current push is, as far as I feel from the RTA is yes, they want us to table this project now, they did not do anything with it right now, and put it all on the RTA Next, ask for more money for us to do it then.

Councilor Valenzuela: Which might not even happen.

Mr. Licea: And it might not even pass, yeah.

Councilor Aguirre: Which means we could lose what we have already.

Councilor Valenzuela: I think at our last meeting you guys were going to look into if the RTA owes us money.

Mr. Licea: Yes, that's something we have to do.

Councilor Valenzuela: So that hasn't been figured out?

Mr. Licea: No.

Councilor Valenzuela: Ok. When do we start that because if we have no money to work with or have no money for the planning and better community outreach.

Mr. Licea: Yes.

Councilor Valenzuela: And maybe you can start there.

Councilor Flagg: And is that you that would do that or would it be City Manager, or would it be all the Staff?

Mr. Licea: I think it's going to be a combination of folks, honestly. I think this exercise may have happened in the past and it got to the point to where I think there was consultants involved, like some folks that really knew some number crunching. I don't think it's the first time we inquired about it. I think that may have passed already.

Councilor Valenzuela: Do we have a timeline? Again, you said we have to do this pretty quickly.

Mr. Licea: To pass the Southwestern Greenway project?

Councilor Valenzuela: Yeah, to finalize it?

Mr. Licea: Well, I'm just trying to stay on board with the City of Tucson's process, so that way if we could bid at the same time they go out to bid, it would be awesome, but if not, we would just delay our side of it.

Councilor Valenzuela: Ok.

Mayor Diaz: So you really need consensus in regards to changing the design, is that more or less what we are attempting to do now?

Mr. Licea: The idea is we need more South Tucson input is what I understood from the last meeting, South Tucson resident engagement and input on the design.

Mayor Diaz: But you also need direction from the Council.

Mr. Licea: Yeah.

Councilor Aguirre: I believe he is asking for direction on how to collect the information, right? You want to know how we are going to go about reaching out, doing the outreach, and get the residents to start to get engaged and help us create a plan.

Mr. Licea: Yes, talk about doing our own events, yeah, but is that something you guys want us to determine or do you guys want to have a say when those dates are because they are asking from up here to do the outreach events.

Councilor Flagg: Well, I think that the Council meeting tomorrow by the City is an important one because they might bow out of RTA Next and that would shoot the thing down, I mean, right now, you know. So timeline wise, I think that has to play out over what, a month or two months, three months? And then I think you have a better lay of the land at that point. That would be the thing, I don't know.

Councilor Valenzuela: And the budget, make sure once we know what our real budget is.

Councilor Flagg: Yeah.

Mr. Licea: Yes. Ok, do you guys have any questions for me?

Mayor Diaz: No, wait, summarize for me what we have decided.

Councilor Valenzuela: Go ahead, Mr. Licea, I guess.

Mr. Licea: I guess we will just table this until after we hear more from the City of Tucson?

Acting Mayor Rogers: Yes.

Councilor Valenzuela: Ok.

Mr. Licea: Ok.

Ms. Moreno: Also, if I may, Mayor, this is a report, so I think the last direction of the Council was to have those meetings and tomorrow, we will know tomorrow what happens down at the City of Tucson. We will have more as an agenda item after tomorrow's meeting at the City of Tucson. That's the plan for now to have more meetings for community outreach.

Vice Mayor Lopez: Mr. Mayor.

Mayor Diaz: Go ahead.

Vice Mayor Lopez: I would like to continue pursuing this and Council giving our Director here a sense of direction so that make sure he is working for us and with us to provide that service for the community, or us lacking us doing our portion of it.

Mr. Licea: It's all good, thank you.

Councilor Valenzuela: Sorry, I just want to add one thing in regards to the newsletter. It would be great if there was a section highlighting like, our legacy businesses and having a space to maybe, I don't know how many issues there will be, but an opportunity to maybe do a spotlight on one or two businesses per issue, and also it would be good to have a recap of what is happening in these Council meetings, because I think a lot of people are left in the dark, and just as we be transparent.

Mr. Licea: Ok.

Councilor Valenzuela: I mean, it could be just a few key points or just a brief paragraph summarizing. Those are the two things I think would be important to come from the City of South Tucson's newsletter.

Mr. Licea: Sounds good.

Mayor Diaz: Thank you.

Councilor Aguirre: Thank you.

Acting Mayor Rogers: Thank you.

Mayor Diaz: There is a note in here regarding the lawsuit. Did you want to cover that, or should we just go ahead and accept the fact that we did get the information.

City Attorney Paladini: Mayor and Council, I think you all have the information. Now we are in the process of finalizing the formal settlement agreement and once that agreement is signed, the property owner has 60 days to complete all of the tasks on the list, so I think that it is a significant step forward for the City for these properties.

Mayor Diaz: Ok.

City Attorney Paladini: I'd be happy to answer any questions you may have.

Mayor Diaz: No questions. Thank you.

Councilor Flagg: Can I ask a question on that, real fast?

Mayor Diaz: Real fast.

Councilor Flagg: Like, so, you were there, Chief, on the 9th of February, like how has it been from February 9th until today in terms of those two properties, because supposedly they have that security company that's operative.

Chief Denogean: There's been no significant events that I can report since that day, but the agreement still has not been signed and so we haven't seen any, except for the security guards who are very proactive and very cooperative with the Police, I haven't seen any progress putting for up fencing or any of the other stuff, but we need to wait for the agreement for that to start with.

Councilor Flagg: When do the agreements get signed?

Acting Mayor Rogers: Yeah.

City Attorney Paladini: So we just sent over a draft settlement agreement to Mr. Bowers' attorney today, so we expect to have these approved, agreed to, finalized this week.

Councilor Flagg: Ok, and the 60 days starts on the day of the Court, I think it was February 9th.

City Attorney Paladini: It's really going to be 60 days from the signing of the agreement. It's not really a significant time difference.

Councilor Flagg: I think we really need to push him to sign it tomorrow, you know.

City Attorney Paladini: Well, we have to finalize the agreement. In other words, we sent the agreement, you can have comments on some of the terms, so we will have to finalize it.

Councilor Flagg: Can you tell us when you can come back with it, and it really does need to be, like two weeks from now is too late.

City Attorney Paladini: We anticipate it will be signed within the next day or two. It's Tuesday today, so we should have it signed within the next day or two. Once it is signed, we will let you know.

Acting Mayor Rogers: Mr. Mayor, I would like to speak to this item.

Mayor Diaz: Ok.

Acting Mayor Rogers: Ok, because I live between, exactly between these two things that are happening plus El Camino, and today I think I got 19 people off our property that are coming from three other properties. Well, last night two cops came to help me with 9 people who are in that little spot at El Camino where you can hide, and so I got two cops to come over, etc., and they told me that they go back over to Spanish Trail. Of course, 100% I knew they would go to Dennis' property, which is where they went, but the cops had already left and I can't call again. But it is very sick there, every time I go, I took 12 people today off with things. One was with a gun. I kept hearing all this great stuff that's happening, it's very sad between all of them. I wanted it in the Minutes.

Mayor Diaz: Ok.

City Attorney Paladini: Well, just to be clear, the settlement agreement is regarding Spanish Trail, the 6th Avenue Suites and the crime activity that occurs on those. If there's crime occurring on other properties, that is a separate issue. I would contend that it is, as we did in this instance, that it's the property owner's responsibility to either fence off their property or put security there, or do something to keep people from crossing, you know.

Mayor Diaz: Ok, thank you.

City Attorney Paladini: It's an open range state, you know, people will roam just like cows where there's no fencing, they'll just roam onto your land, and so please don't take that the wrong way.

Mayor Diaz: Right.

City Attorney Paladini: I'm making an equivocal, but if a property owner has property and part of the first thing you have a right to do is fence it off and pardon it from other people going on to it.

Chief Denogean: And I think one thing to add to that is not only fence it and secure it, but as we talked with you and Dennis, Councilor Rogers, it needs to be cleared off to stop enhancing or attracting people to come hang out or camp in those areas, also.

Acting Mayor Rogers: I totally agree. The Church on the Streets has been there all week and it doesn't really help because they don't get taken out when we ask the cops. The cops know when we call them, they know they are supposed to leave when the cops say so.

Mayor Diaz: Ok, thank you.

Acting Mayor Rogers: But they don't, so I just want you to know it's a real deal.

Mayor Diaz: We are kind of getting off the subject. This is pertaining to the comments we are going to.

Councilor Valenzuela: I just want to say that I agree with Councilmember Rogers that while the El Camino needs to be dealt with, I know we are working with Public Works to try to remove that or relocate that so at the next Council meeting if we can have a report on that, please, City Manager, but yes, I agree, it is creating some nuisance.

Mayor Diaz: Ok, moving on to Item #08.

ITEM #08 - RESOLUTION NO. 24-01 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON ["CITY"] ARIZONA, RATIFYING, APPROVING, AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT [IGA"] WITH PIMA COUNTY ["COUNTY"] FOR THE MANAGEMENT AND IMPEMENTATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ["CDBG"]

Mayor Diaz: I will go ahead and make the motion for Resolution No. 24-01 as stated above.

Councilor Aguirre: I'll Second.

Mayor Diaz: It's been moved and Seconded. Is there any discussion regarding the Resolution?

Ms. Moreno: If I may, Mayor, make a report for purposes of putting it on the record. This Resolution was on the agenda for the last Council meeting and Councilor Flagg asked if we could, I'm sorry, Councilor Aguirre asked if we could request Pima County remove Item #29 which I don't have it in front of me, but it was

pertaining to the Israel Boycott. Our Finance Director reached out to Pima County and sure enough, they agreed to remove the item, and the Contract you have before you does have the removal of the Item #29 and therefore, I think that satisfies the wishes of Mayor and Council. That concludes my report.

Mayor Diaz: Ok, Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Yes.

Councilor Romero. Yes.

Mayor Diaz. Yes.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Mayor Diaz: Ok, the next one is Item #09.

ITEM #09 - RESOLUTION NO. 24-03 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, DESIGNATING THE ELECTION DATES AND PURPOSE OF ELECTION; DESIGNATING THE DEADLINE FOR VOTER REGISTRATION AND DESIGNATING THE PLACE AND THE LAST DATE FOR CANDIDATES TO FILE NOMINATION PAPERS

Mayor Diaz: Ms. Moreno.

Ms. Moreno: Yes, Mayor, this Resolution is required by State Law to set a date for the Primary and General election. The dates scheduled for the Primary and General are July 30th for the Primary and November 5th for the General Election.

Mayor Diaz: Thank you. Are there any comments or questions regarding this? Do I have a motion to accept?

Acting Mayor Rogers: So moved.

Vice Mayor Lopez: Second.

Mayor Diaz: It's been Moved and Seconded and there's no comments, so Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Aye.

Councilor Romero. Aye.

Mayor Diaz. Yes.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Mayor Diaz: So Item #10 is for Executive Session. I need a motion to recess Regular Meeting and to go into Executive Session.

Councilor Flagg: Can I ask a question on that? How do we, so we are going to go disappear into a room and talk about it. The Fire guys have been here, and the public has been here for what, an hour or something? And how do they know what's going on with, you can call it the biggest issue in our town right now, I mean, how do we deal with that? The poor guys have been sitting there all this time, then we are going to go into

this room and they don't get to hear it, I don't know, what can we do about that? Maybe I should ask you, Jon, like I always do, I mean, City Attorney.

City Attorney Paladini: Typically, when you talk about negotiating terms, you don't want to talk about it publicly because, at least what the terms of the offer and counter offer are. I suppose it wouldn't hurt if you just want a report on what the current status is, you don't have to go into Executive Session. We can just give you a report on it then adjourn the meeting, if that is what you want.

Councilor Flagg: Really?

Ms. Moreno: And not give any specifics.

City Attorney Paladini: Not giving any specifics.

Councilor Flagg: And you don't have huge problems with, you don't have big legal problems with that, I guess?

City Attorney Paladini: No, because it's a choice. If you choose not to go into Executive Session, I would suggest you don't get into, we don't get into discussing what we should propose for terms in the agreement in public, you know, because you don't want to let your negotiating positions known. There's really maybe three items to report.

Ms. Moreno: I think we could be general.

Councilor Flagg: Could we do that?

City Attorney Paladini: We could be general and go over what the status is. You don't have to go into Executive Session. The item is agendaized to talk about the draft IGA so if you choose not to go into Executive Session, that's your, the Council's call, it's our call to go into Executive Session or not. If you don't go into it and you want a public report, we would give you sort of a general public report without too much detail.

Councilor Valenzuela: Can we do both? Can we get a report and then go into Executive Session?

City Attorney Paladini: Sure. That's up to you. Or we can go into Executive Session now and come back, it's up to you.

Councilor Valenzuela: Do a report since everybody's here before they have to go.

Councilor Flagg: Yeah.

Ms. Moreno: Sure, Mayor and Council, I would be happy to do that. I will be as general as possible. So at the last Pima County Board of Supervisors meeting that we attended, the City of South Tucson was on the agenda, I believe it was on February 6th. The item on the agenda was the City of Tucson asking Pima County to assist the City of South Tucson on the funding gap that we are seeing with the costs associated with EMS and Fire. So the City of Tucson, we reached out to the City of Tucson and I can get into the depth of it, but I think you all know where we are at, the Mayor and Council gave Staff direction to reach out to the City of Tucson for EMS and Fire services. They gave us a quote. The estimated cost that we were proposing was \$1.6 million. The cost that we receive as far as from the City of Tucson was a portion we are seeing from our \$100,000 shortfall. With direction from Council we talked to Pima County asking for assistance not as a hand out but as a hand up is what said up at the last Pima County Board meeting. So at that point, the Board of Supervisors tabled the

item because they wanted to know what part of this amount is the City of Tucson contributing. So we know that of that \$100,000 shortfall for the City of South Tucson is asking Pima County, Pima County is asking (inaudible). They went ahead and tabled that item and County Manager said we will have a meeting with City of Tucson Manager and include City of South Tucson before the meeting closed, and it happened this afternoon. So we had a meeting this afternoon with County Manager and City of Tucson Manager Abeyta, John Rusher, Michael Ortega was in the room as well as myself and other members of the City. The conversation like we said, basically, we had three takeaways from that. One is the County recognizes that the City of South Tucson disproportionately has a number of social services agencies within the community and also persons that are not residents of South Tucson. So the City of South Tucson does carry the brunt of what the other jurisdictions don't, and they realize that that is a deterrent for South Tucson. So, therefore, they realize that that is what hurts us. The City of Tucson did indicate that they do want to help the City of South Tucson so part of the arrangement is showing that the City of Tucson has been helping South Tucson since our agreement in 2008, I'm sorry, 2010, where we had an IGA in place for them to help us at times with fire suppression and recently they have been helping us when it comes to we had no staffing, helping us with calls for medical services. So, there is an indirect cost for this around 2010. The value of that is how much is that. The City of Tucson will be putting together what is the value of that that they have been carrying, and how does that reflect in moving forward as far as admin costs and indirect costs. So they will put that together in writing, so it would be like a three-way agreement where it would be Pima County, City of Tucson, and City of South Tucson. So that would be put in place for the City, Pima County to consider, and rather than it being a five-year agreement, we are looking at a ten-year agreement, because what we would like to propose to Mayor and Council because the costs are at amounts that, you know, as proposed we would like to be able to defer some of those costs, or amortize some of those costs. I think I covered the three bullets that we had without getting into specifics.

City Attorney Paladini: That's where we're at.

Mr. Ortega: Council, may I speak? My name is George Ortega.

Mayor Diaz: Hang on just a moment. Did we say it was ok for the audience?

Mr. Ortega: I'm also part of the program for South Tucson, Sir.

City Attorney Paladini: It's up to you. Whether you want to take it is your call. It's not a public hearing, but you can take comments from the public or not, Mayor, you run the meeting.

Mayor Diaz: Ok, I'll take comments from the public, then.

Mr. Ortega: Hello Council Members, I'm George Ortega.

Ms. Moreno: Mayor, if I may. Are you on duty right now?

Mr. Ortega: I am on duty and I'm about to get off in about ten minutes.

Ms. Moreno: Ok.

Unknown Speaker: He's off duty now.

Ms. Moreno: Ok.

Mr. Ortega: Hello. So my name is George Ortega, I've been a Reserve Firefighter here going on seven years. I have a full-time job in Green Valley and I've been a Reserve Firefighter here for seven years. Over the course of this time I haven't seen no new equipment, really, and about South Tucson, we've been in this truck since I can remember, so with all of these agreements going on, I feel like we should be able to invest in our own Department. We've got guys from Green Valley working here, guys from Northwest Fire District, we have professionals that come out here and work, paramedics. To get rid of this Reserve program would be a loss. We spend a lot of money dealing with the City of Tucson. Like I said, I've lived here for 33 years and for you to just kind of get rid of the tradition that we have with all the guys we have here with this Department now, that would be just a total loss. And speaking of that, on behalf of myself, just because it kind of makes me sad to see this is going the way that it's going. I live on 2nd Avenue. I got my first fire job here at the City of South Tucson, I live here, I did ride-alongs here. There's not a lot of places you can do ride-alongs. You can't do, you can't just go sign up for a ride-along anywhere else. This place has been a huge stepping stone for me in my career and I hate to see it go. That's all I have to say.

Acting Mayor Rogers: Thank you.

Councilor Valenzuela: Thank you.

Vice Mayor Lopez: Thank you very much.

Mayor Diaz: Thank you. Ok, I have a couple comments. You know, I had always been concerned about the process and the way that we have been doing it and we talk about it being financial, and you know, the letter that was addressed to us in regards to being able to pay back the amount of money, so it can only be allocated with taxes. To me it's a good deal for the City but bad business for the County. And that's in respect to knowing that we are actually putting the Station, the City of Tucson, here. And the fact is that the City has darkened four Stations already. So for us to do, for them to claim now that they have four minus one, which is going to be South Tucson. And then the fact that the response time because of that has gone from four minutes to eight minutes. We are down from ten years ago until now, 65 personnel, 65, ok. That means that we in South Tucson will be paying for their staffing by this agreement. In other words, we are actually building the City of Tucson another Fire Station completely.

Acting Mayor Rogers: Yep.

Mayor Diaz: And keep paying them every year for more as the costs go up. So like I said, it's a good business for the City of Tucson and if Pima County wants to go ahead and get into this business agreement with us where we don't even have economic plan. We don't have, and I guess we turned down the infrastructure to support our economic plan. So it really is a bad situation and I really believe that people will not accept this and that goes to whatever is being planned for the economic development, and also the fact that you are going to ask the new businesses to take on the (inaudible) or take on some other kind of funding to come in to South Tucson, and then request them to fix our infrastructure, and yet the businesses here in South Tucson are going to be asked for more taxes, or the residents will be asked for more taxes. How are we going to pay for it then if you are shaking your head saying no?

Ms. Moreno: Mayor, what you are saying is not true. I hate to contradict you and make it seem like you are not being forthright, but you are not. And that is nothing we presented to you what was said out loud. Nothing of what you just mentioned here has been recommended to the Council, nothing what was said what Council gave us direction to do.

Mayor Diaz: That's correct, that is correct.

Ms. Moreno: I think that by you saying out loud in public that we are asking the community, the business community, for money is false. You can ask your peers, but I know that I have sat here before you with the Finance Director and we have not one time asked Mayor and Council to go to commercial businesses.

Mayor Diaz: That is correct.

Ms. Moreno: Ok, so I wanted to correct that.

Mayor Diaz: Ok, but don't forget that the first instance this issue came up was the fact that it was driven by Staff to us.

Acting Mayor Rogers: Yes.

Mayor Diaz: Completely driven to us by that. We offered, or at least I offered, different options regarding this vision of straightforward and now that we are at this point after all these months of negotiations, we are still going to pay for it somehow. Somehow, we are still going to pay for it. Right now, what was it, \$19-22 million in debt and you're going to add more?

Acting Mayor Rogers: Yes.

Mayor Diaz: Who is going to pay? My great-great grandkids will stay here in South Tucson and will end up paying for it if we don't keep adding, but we are going to be adding. So again, I caution you regarding the agreement, I really do.

Councilor Romero: I think that we need them, we need the Fire Department because this is the City of South Tucson. I grew up here, I went to the Elementaries here, my life has been here. My father and my brother retired from South Tucson Public Works, and we never had this problem. And they went to my house a couple times for my brother and they go there right away. I won't go with the City coming to us as they do, because they care about South Tucson. The City doesn't care, they just want the money. But these people that work for us do care about South Tucson. And I think if they care so much, then they should stay. I don't want to bring no City here, why don't you just give the whole City? All of you retire and give the City if you're going to do that, but I don't want it. My life has been in South Tucson since I was in Elementary and I think I am the only one here in this room that has been here this long, because I still live in my parents' house, and I always admired them because they went a few times to my house right away when my brother was still alive. And yet the City won't come that fast, they don't care, they have their problems, but they put us down sometimes, I've heard that before.

Councilor Aguirre: Thank you. I know this is a heated issue, it's very emotional. We as a community have invested a lot of time and energy, blood, sweat and tears, you all firefighters have invested into this community, to this Fire Department. So I understand the feelings and emotions behind this all, but I want to talk about some facts. I want to state some facts because as of right now, we only have one full-time employee in the Fire Department. The rest are Reserves. There are days where we don't have our shifts covered. How are we going to protect our residents when we don't have a fully staffed Fire Department? The gentleman, Jorge, George, that spoke right now, talked about how we haven't had the equipment. We haven't been able to purchase the equipment. We know that South Tucson has been struggling for money. We have the highest sales tax rate in all of the State. We need to bring in more revenue. We can't do it

through sales tax. There is only so much we can increase our property tax. We are in a jam. The other big part of this that we are not talking about facts again, is the pension, 3-1 that we've got to pay out. We cannot afford to pay right now. If the City was in a different financial situation that might be possible but we're not. Now this idea in the community that our Fire Department is going to disappear and be gone is a false narrative. I understand that it is not going to be run directly by the City of South Tucson for five, and now that I am hearing maybe ten years, depending on the agreement. That is something that we as a City can take back. Our leadership, our Councilmembers can take back. Later on down the road if we decide we are in a financial situation where we can now support the pension, now we can support the Fire Department, ok, our IGA is almost over, let's take it back over. What this is is a loan, yes, the City of Tucson is going to do well, we are all going to do well. That's fine, that's the plan, that's the hope that we can all benefit from this. The County wants to know that they are going to benefit and that's why we haven't come to an agreement yet because they are so unsure of what South Tucson really wants to do. When they see these meetings and they hear us fighting like this, again, I understand it's emotion, it is, but we've got to look at the facts. We've got to look at the numbers and we've got to understand what's going on. What happened before I was sitting in this seat, I can't speak to none of it. All I can say is what is put in front of me, and where we are at now. What has happened has already happened. How we got to this point, we got to it, we are here, now let's deal with it.

Mayor Diaz: And I disagree. Again, again, we are stuck with the fact that we are looking at a tunnel vision of this proposal. And I'll give you the facts if you want facts. We talked about hiring two people before this crisis happened and the attorney was saying, you're not going to get a better deal if you go a different way. You've tried Drexel, you've tried some other fire stations. That's true, we're not going to get a better deal. Yes, the City is planning to use this as a Station for the City. Again, now, what would happen if you hire six full-time people instead of the 12 that you want. We hire six, three of them being paramedics, three of them being engineers. The rest of the crew would be volunteers. That gives you four in, four out all the time. Lease the fire truck. That covers all the bases that we were concerned about before.

Acting Mayor Rogers: Yep.

Mayor Diaz: Before the holidays.

Councilor Aguirre: Where is the money going to come from for that? The 3-1 pension, where are we going to pay that from?

Mayor Diaz: It's already there.

Councilor Aguirre: It's not, it's not. We looked, we went over the budget as a Council together and it's not there.

Mayor Diaz: It is. \$1.8 million will cover it.

Councilor Aguirre: Bring up, create a budget for us, with our existing budget, and present it to us, please, Mayor, please, please.

Mayor Diaz: Ok.

Councilor Aguirre: If you present it to me and I can go over a budget where you can show me the money.

Mayor Diaz: I'm working on it right now and it does fit into \$1.8 million, including the pension.

Councilor Valenzuela: Just something to include in that budget, Mayor, is that for the last thirteen years the City of Tucson has not charged us for mutual aid, and we will not continue that mutual aid if we don't come into agreement with another IGA. So that's something that needs to be included in the budget that you want to present.

Mayor Diaz: Ok. So the mutual agreement states only for structure fires.

Councilor Valenzuela: But they have been coming here.

Mayor Diaz: 90% or 89% of our calls are medical.

Councilor Aguirre: They've been covering, they've been helping us when they don't need to.

Mayor Diaz: Ok, again, EMT's can push the drugs, EMT's can do just about everything a paramedic can do, ok. The problem still exists with AMR, when there's a heart attack, they send a truck with a paramedic in there. The truck with the paramedic assigned to the truck at all times is enough for AMR to carry, you know, to do their responsible part and arrive whenever they need to. So again, yes, I stand alone. I agree because I have been here for quite a while and I've seen the budgets, and I've seen the way the budgets are built. So you request something and maybe it gets done and maybe it doesn't. We bet quite a bit expensive, in fact, when we went to Sahuarita, all of their employees had input.

Acting Mayor Rogers: Yep.

Mayor Diaz: But we can't have an input. We do in respect to yes, you still decide to what you want or whatever it is presented to your department heads. Is that really true? You say about equipment not being replaced, ok, was there a request? Do you know if there was a request to have it replaced?

Councilor Aguirre: There's a point when I came on here -

Mayor Diaz: You've got \$25,000 in the CDBG Grant.

Councilor Aguirre: When I came on board there wasn't enough money to buy a new truck. If we would have bought a new truck, then we would have been out of the money.

Mayor Diaz: You stand corrected, then, because it was allocated that the truck was going to be purchased for \$600,000 and the money was taken away.

Councilor Valenzuela: I think those were previous budgets before we came on board.

Mayor Diaz: Right, right.

Councilor Aguirre: That's what I'm saying, up to that point. I don't know what happened before that.

Mayor Diaz: What you're saying, ok, I'll bring you up to speed. We did have the money to purchase a truck at \$600,000, and that's when this agreement started coming up.

Councilor Aguirre: Then we've got to pay the workers. We have to continue to operate, and you can't just drain all the money and expect it to operate.

Mayor Diaz: You could bring me a budget. I'll bring you the budget.

Councilor Aguirre: Thank you.

Mayor Diaz: I'll show it to you.

Councilor Aguirre: Show me some numbers and we will go from there.

Mayor Diaz: Before you do this, and it really bothers me that we go on and make deals and stuff. What I have learned is that the City is taking advantage of us, they want their money.

Acting Mayor Rogers: Yeah.

Mayor Diaz: Their Fire Department is in dire need of money. They are negotiating between the City Manager, the Fire Department and the Union. They are negotiating because their budget cannot be met right now. So where are they going to get the money, hey, from South Tucson. Tell me it's not true. We can't do it.

Vice Mayor Lopez: Mr. Mayor. You know, I've been in the Council here long enough and I see the Fire Department like a light switch. They come when they want to and they don't when they don't want to. It's their option as Reservists or the whole way it portrays, but either way, we can't go on this way anymore. It's time to make some kind of improvement that's going to protect our citizens and their lives, whether the City of South Tucson if they get three vans in the future, but right now we are focusing on the City of Tucson to coming in and get it going.

Mayor Diaz: Didn't you hear what I said? We hire six permanent. That way, nothing gets shut down in South Tucson.

Vice Mayor Lopez: What you are doing is creating another financial headache during reaching the Pension Plan. And right now we are just dealing with one, and you want to create more pension plans for others? You know what, it's not worth it. We need to keep focusing and see what options we have because right now, all you are talking is a bunch of garbage because I don't see it in writing. You whip it out so we can discuss it and we will have something to compare with whatever the City of Tucson offers, and we will compare it with that.

Mayor Diaz: You are using a lot of words that are really, it bothers me that you as a Council person, Vice Mayor, cannot understand the difference between what you are supposed to do under your Oath of Office. Your Oath of Office says that you are supposed to represent the people, not yourself.

Vice Mayor Lopez: Listen, I know we've been through a lot of meetings pertaining to the Fire Department. Where were you? Why aren't you attending any of these meetings? You know, you are too busy writing your own little creation as to what you want to do as for, we're talking about the reality of things. Real firemen, real fire trucks, and they just need our approval to come on down here and politely assist us.

Fire Dept Speaker: I'm not a real fireman, is that what you said, Sir? We all have the same certs as the City of Tucson. You don't recognize that.

Acting Mayor Rogers: Mr. Mayor, can I speak now or is someone speaking, I can't tell.

Mayor Diaz: Ok.

Acting Mayor Rogers: I just want to say is what I think everybody should do, all seven of the Councilmembers, at least us, you should, and like I have done, is find out what the people think and what they are ready to do with you all, but at any rate, you all need to get about 20 people that you all know and see what's going on with what's really going on, which is how this is going. You need to know you are for the people. I read the

mission statement every single time we have a meeting, that part of it, that the people are part of it in the thing. Together we know what to do but they have been left out. My opinion.

Councilor Aguirre: Mayor, if you would, I would like to Move to Adjourn.

Vice Mayor Lopez: Second.

Mayor Diaz: So we stand adjourned. Thank you.

The meeting adjourned at 7:09 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 20th day of February, 2024. I further certify the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 2024.

Veronica Moreno, City Clerk