

**CITY OF SOUTH TUCSON  
REGULAR MEETING  
MONDAY, JUNE 27, 2011 6:00 P.M**

**\*TENTATIVE AGENDA\***

- 01 CALL TO ORDER
- 02 PLEDGE OF ALLEGIANCE
- 03 ROLL CALL
- 04 APPROVAL OF MINUTES: REGULAR MEETING, JUNE 20, 2011
- 05 RESOLUTION NO. 11-20 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, ADOPTING A FORMAL RESOLUTION IN SUPPORT OF RESOLUTION NO. 11-842 PASSED AND ADOPTED BY THE CITY OF DOUGLAS, THROUGH THE ARIZONA LEAGUE OF CITIES AND TOWNS, CALLING UPON THE ARIZONA STATE LEGISLATURE NOT TO REDUCE HURF FUNDS AND TO RESTORE HURF FUND ALLOCATIONS TO FY 2008 LEVELS OVER A 3 TO 5 YEAR PERIOD, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST
- 06 DISCUSSION AND POSSIBLE ACTION TO DIRECT THE CITY MANAGER TO INCORPORATE THE "FY 2011-12 PROPOSED REORGANIZATIONAL PLAN" ONTO THE FY2011-12 TENTATIVE BUDGET TO BE PRESENTED ON THE NEXT SCHEDULED MEETING.
- 07 REPORTS
- 08 CALL TO THE AUDIENCE
- 09 ADJOURNMENT

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

Minutes of the Regular Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Monday, June 20, 2011, at 6:00 p.m. at the City of South Tucson Council Chambers, 1601 South 6<sup>th</sup> Avenue, South Tucson, Arizona.

Council Present: Jennifer Eckstrom  
John Garcia  
Pete Tadeo  
Mary Soltero  
John Felix  
Carlos Salaz

Staff Present: Enrique Serna, City Manager  
Ruben Villa, Asst. City Manager/Finance Director  
Veronica Moreno, City Clerk  
Hector Figueroa, City Attorney  
Richard Salaz, Personnel/Planning and Zoning  
Richard Vidaurri, Assistant Police Chief  
Larry Anderson, Fire Chief  
Angel Lopez, Public Works Director  
Ron Wilson, Judge  
Mick Jensen, Planning  
Joel Gastelum, Planning Administrator  
Josue Licea, Building Official  
Marcela Fontes, Planning  
Tom Rankin, Volunteer Police  
Dan Knieter, Volunteer Police

Guests: Jorge Santiago – 5056 S. Lavender Moon Way  
Tucson, Az 85743

Mayor Eckstrom led the Pledge of Allegiance.

Councilman Garcia led the invocation

ITEM #03 – ROLL CALL – All members of the Council were present except for Councilman Rojas, who was excused.

ITEM #04 – APPROVAL OF MINUTES: REGULAR MEETING OF MAY 9, 2011  
Motion by Councilman Garcia to approve the minutes of the Regular Meeting of May 9, 2011, as presented. Seconded by Councilwoman Soltero. Motion passed unanimously.

ITEM #05 – CANVASS PRIMARY ELECTION CERTIFICATION HELD MARCH 8, 2011 – Motion by Vice Mayor Tadeo that the results of the Primary Election be accepted. Seconded by Councilman Garcia. Motion passed unanimously.

ITEM #06 – CANVASS GENERAL ELECTION CERTIFICATION HELD MAY 17, 2011 – Motion by Vice Mayor Tadeo that the results of the General Election be accepted. Seconded by Councilwoman Soltero. Motion passed unanimously.

ITEM #07 – INSTALLATION OF NEW COUNCIL MEMBERS –

Mayor Jennifer Eckstrom: Before that happens, I would like to thank Councilman Garcia, for his many many years of service to the City of South Tucson. For those of you who that know John, he is honest, has integrity, and I am glad I got to serve with him on the City Council. He cares about his community, he cares about the City of South Tucson, he cares about everyone. So, it's with a heavy heart that I say goodbye to you today, but thank you. (applause) Is there anything you want to say?

Councilman John Garcia: Yes, I'd like to take this opportunity to thank the residents of the City of South Tucson for the many years of service they have given me. It's over thirty-eight years. I thank you for the time that you have given me here and serving and I hope and pray that you will continue to serve this good council and that you will remember that you are living in very critical times, we are living in very lean times, so be aware of that. I hope and pray that Mayor, and thank you Mayor for the fine job that you have done, as well as this fine council, and I thank you. Thank you also for our employees, great, all these years that I have helped you serve. I thank you employees for all the fine work that you do and continue to do and are doing in spite of budgets and so forth. Again thank you and I appreciate it, and I say I won't say goodbye, but until we come back again.

Mayor Jennifer Eckstrom: Thank you John. Item number 7 is the installation of the new council members. If I could have all the council members come forward and Judge.

(Honorable Judge Ronald Wilson performed the Oath of Office for the newly elected council members; Paul Diaz, Jennifer Eckstrom, Anita Romero and Mary Soltero. Judge Wilson asked the newly elected council members to raise their right hand and he cited the Loyalty Oath Office)

Judge Ronald – I (state your name) do solemnly swear (or affirm) that I will support the Constitution of the United States; Constitution and laws of the State of Arizona and City of South Tucson; that I will bear true faith and allegiance to

the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge and the duties of the position of Council Member according to the best of my ability, so help me God (or so I do affirm).

ITEM #08 – ELECTION OF MAYOR –

Mayor Jennifer Eckstrom: According to the Code, the Council shall appoint a Mayor from among the members of the Council.

Motion by Vice-Mayor Tadeo that Jennifer Eckstrom is appointed Mayor. Seconded by Councilman Felix. Ney – Councilman Diaz, Ney Councilwoman Romero. Motion passed by majority vote; 4 – aye 2 - ney.

Mayor Jennifer Eckstrom: Jennifer Eckstrom is named Mayor again. I'd like to take this opportunity to thank my colleagues who have willingly selected me to be Mayor again. I appreciate it. These are hard times were going through. I love South Tucson. I love our residents of South Tucson, and I promise you we will do everything in the best of our ability to keep services as they are. So that is my promise to you. Thank you.

ITEM #09 – APPOINTMENT OF VICE MAYOR –

Mayor Eckstrom: According to the City Code, the Mayor shall appoint a Vice-Mayor, at this time I'd like to appoint Pete Tadeo as my Vice-Mayor.

Vice Mayor Tadeo: I accept, thank you.

ITEM #10 – APPOINTMENT OF ACTING MAYOR –

Mayor Eckstrom: Item number ten is the appointment of Acting Mayor. This job is going to be given to someone in case I am not available to be at these meetings or our Vice-Mayor. At this time I'd time like to appoint Council Member John Felix as Acting Mayor. Would you accept?

Council Member Felix – Yes, I accept.

Mayor Eckstrom: Thank you.

ITEM #11 – APPOINTMENT OF CITY MANAGER - Motion by Vice-Mayor Tadeo that Enrique Serna be appointed City Manager. Seconded by Acting Mayor Felix. Ney – Councilman Diaz, Ney Councilwoman Romero. Motion passed by majority vote; 5– aye 2 - ney.

ITEM # 12 – APPOINTMENT OF CITY ATTORNEY-

Motion by Vice-Mayor Tadeo that Hector Figueroa be appointed City Attorney. Seconded by Acting Mayor Felix. Ney – Councilman Diaz, Ney Councilwoman Romero. Motion passed by majority vote; 5 – aye 2 - ney.

ITEM #13 – APPOINTMENT OF CITY MAGISTRATE -

Motion by Vice-Mayor Tadeo that Ronald Wilson be appointed City Magistrate. Seconded by Acting Mayor Felix. Motion passed unanimously.

ITEM #14 – ORDINANCE NO. 11-01- OF THE CITY OF SOUTH TUCSON, PIMA COUNTY, ARIZONA, CREATING, AMENDING AND ADOPTING CITY CODE CHAPTER 13, ARTICLE 1, §§ 13-1 THROUGH 13-7, FIREWORKS RULES AND REGULATIONS, BY REFERENCE.

Enrique Serna: Mayor and members of the council we have taken the opportunity to mirror the Fire Code Ordinance of the City of Tucson to prohibit the firing off of fireworks here on July 4th and other holidays. Typically there is a penalty associated with violation of this ordinance and there has to be a 30 day notice however to make that effective but we thought we would bring it forward anyway. The penalty portion of it will not be necessary at this time but at least we'd still have it in place. City Attorney I don't know if you have additional commentary to add to that.

Hector Figueroa – Madman Mayor and members of the Council, especially with all the fires we've had, you all know I'm the City Attorney for the City of Wilcox we cancelled our fireworks. I'm mean it's that bad, it's so dry and we need to let the public know that we are concerned with any kind of fireworks are this time.

Motion by Acting Mayor Felix to pass and adopt Ordinance No. 11-01 of the City of South Tucson, Pima County, Arizona, creating and amending or adopting City Code Chapter 13, Article 1 Section 13-1 through 13-7, Fireworks rules and regulations, by reference. Seconded by Councilwoman Soltero. Motion passed unanimously.

ITEM #15 – RESOLUTION NO. 11-19 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK'S OFFICE AND ENTITLED AMENDMENTS TO CHAPTER 13, §§ 13-1 TO 13-7, FIREWORKS RULES AND REGULATIONS ADOPTED PURSUANT TO ORDINANCE NO. 11-01 AND DECLARING AN EMERGENCY

Mr. Figueroa: Madam Mayor and members of the council, the reason for this resolution is the ordinance was a short form adopting by reference the actual regulations. What this resolution is going to do is then order, Mayor and council is going to order the City Clerk, under the ordinance, to maintain three copies of the regulations. Regulations themselves are about 10 pages long, and it has all the detail. By doing this, this resolution is then authorizing that the clerk maintain that for public inspection.

Motion by Acting Mayor Felix that Resolution No. 11-19 of the Mayor and Council of the City of South Tucson, Arizona declaring as public records those certain documents filed with the City Clerk's office and entitled Amendments to Chapter 13, §§ 13-1 to 13-7, Fireworks Rules and Regulations adopted pursuant to Ordinance No. 11-01 and declaring an emergency. Seconded by Councilwoman Soltero.

Councilman Paul Diaz: Mr. Figueroa, regarding this, I noticed that to provide for permits, for example will there be a fee for the permit and so forth, is that covered here also?

Mr. Figueroa: In the actual regulations that provides for permits. However, fireworks, there is two types. There are permissible fireworks that can be sold. The City cannot preclude the sale of certain type of fireworks. However, the City can, by Ordinance, provide stricter regulation, where they can be located. They definitely cannot be sold to anybody that is sixteen years old or below. And to show all the regulations that are included in that particular specifics are included in that document adopted by reference.

Councilman Diaz: In regards to permits, do religious organizations need to apply for a permit for using?

Mr. Figueroa: Permits for what? For fireworks? Displays?

Councilman Diaz: They do that during Easter.

Mr. Figueroa: Right. The fireworks for this particular aspect is just the main regulation set by statute. There's regulatory salutatory scheme. But we are passing here, is what the local scheme is going to be. The locations and the types of fireworks that are permitted. You can even require, I mean not require, you can prohibit the sale of certain types and those types are outlined in the regulations. The regulations also include the ones that are permissible, that can be. Such as you know the little flicker things that you can hold in your hand. Nothing that is projectiles that go up in the air that might cause a fire, those are restricted. I'd be happy to go over those regulations at any time you wish once

you have a copy of this, there is three copies going to be available. I'd be happy to sit down and go over it with you.

Councilman Diaz – Thank you.

Mayor Eckstrom: Motion and a second any other discussion. All those in favor, Motion passed unanimously.

ITEM #16: REPORTS –

Enrique Serna – I know that perhaps Councilman Diaz has some familiarity with Council Manager form of government which all cities and towns operate under in the State of Arizona. I specifically invite Councilwoman Romero to come in so I can brief you on what those requirements are in terms of how the City is run including your position as a council person and mine as City Manager. So as before with all elected officials you're invited to come to my office to bring you up to date and answer any questions you may have, now that you're a City Councilwoman.

Councilman Diaz – I have a question for the City Manager if I may.

Mayor Eckstrom – If it's not on the agenda we can't discuss it, correct?

Enrique Serna – That is correct.

Councilman Diaz – It's in regards to the minutes that you have.

Enrique Serna – If it's not on the agenda I can talk to you afterwards, after the council meeting.

Councilman Diaz – Okay.

ITEM #17: CALL TO AUDIENCE –

Mayor Eckstrom – I have one speaker card, Jorge Santiago. If you could state your name and address for the record, and you have three minutes.

My name is Jorge Santiago 5056 S. Lavender Moon Way Tucson, AZ 85743. We are just here mostly to educate the public on the Fire Department. We understand there is financial turmoil; concerns are raised about staffing cuts. There is a lot of questions coming from us and the public. Speculations from three-man companies, different agencies coming in for coverage, inexperienced fire fighters to replace existing positions. To give you an example, we recently had, on the corner or 29<sup>th</sup> and 5<sup>th</sup>, a structural fire, it was extinguished and

controlled because of the tactics, teamwork, operational experience of the whole crew. Another example was an incident that took place December 31<sup>st</sup>, when a young woman was pulled from a falling vault structural fire, the woman survived, thanks to the quick response and good rapport of the crew. One of the firefighters received a fire fighter of the year award for this heroic act. An issue was brought up that the department is not self sufficient. This year the federal government distributed \$810 million on grants, I have the grants right here, things like that to back up my statements. Based on our demographics, we are the busiest station per capital in the State of Arizona. We could be self sufficient but we lack support from our administration. The whole process helped us educate and realize that what we need to do to save our departments. All we need is the support from our City. If speculation changes were made, it would hurt many people, including people in this room which we've ran calls from people who are here present supporting us. This would throw off the standard of care if all these changes were made for Fire EMS you deserve more than that, all the citizens here deserve more than that. Many concerns come from other fire fighters who are not affiliated with this agency by live here which I'm not going to mention. Any standard lower than the one we have right now is going to be unacceptable. It's unacceptable to them; they are worried about that as well. They come to us. They are friends of ours. They are brothers. Fire behavior doubles per minute. As time goes on the incidents gets bigger. Any delay response, can make salvageable efforts useless. That could mean people's lives and property. Communities familiar with the fire fighters and changing fire fighters on a daily basis. That would significantly in the future compromise the departments trust, the trust people have on us. And compromise maybe the City. Who knows? I'd like to thank my brothers for the support they display towards each other, our families, our communities, our city. Frankly there is no other group of better human beings and I think you guys have represented South Tucson very well. So thank you guys very much (applause).

Mayor Eckstrom – Thank you.

(applause)

ITEM # 18: ADJOURNMENT -

Motion by Vice-Mayor Tadeo to adjourn the Meeting. Seconded by Councilwoman Soltero. Motion passed unanimously. The meeting adjourned at 6:21 p.m.

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Jennifer Eckstrom, Mayor

ATTEST:

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Veronica Moreno, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of South Tucson, Arizona, held on the 20<sup>th</sup> day of June, 2011. I further certify the meeting was duly called and a quorum was present.

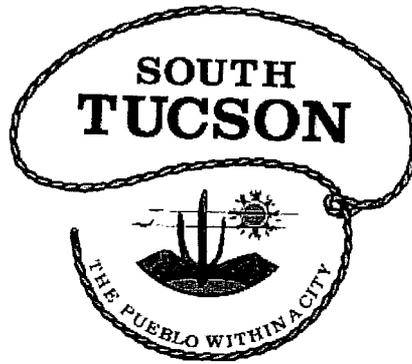
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Veronica Moreno, City Clerk

**REGULAR MEETING:** JUNE 27, 2011

**ITEM NO 05:** RESOLUTION NO. 11-20 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, ADOPTING A FORMAL RESOLUTION IN SUPPORT OF RESOLUTION NO. 11-842 PASSED AND ADOPTED BY THE CITY OF DOUGLAS, THROUGH THE ARIZONA LEAGUE OF CITIES AND TOWNS, CALLING UPON THE ARIZONA STATE LEGISLATURE NOT TO REDUCE HURF FUNDS AND TO RESTORE HURF FUND ALLOCATIONS TO FY 2008 LEVELS OVER A 3 TO 5 YEAR PERIOD, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

**RECOMMENDED MOTION:** MOVE TO PASS AND ADOPT RESOLUTION NO. 11-20 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, ADOPTING A FORMAL RESOLUTION IN SUPPORT OF RESOLUTION NO. 11-842 PASSED AND ADOPTED BY THE CITY OF DOUGLAS, THROUGH THE ARIZONA LEAGUE OF CITIES AND TOWNS, CALLING UPON THE ARIZONA STATE LEGISLATURE NOT TO REDUCE HURF FUNDS AND TO RESTORE HURF FUND ALLOCATIONS TO FY 2008 LEVELS OVER A 3 TO 5 YEAR PERIOD, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.



## CITY OF SOUTH TUCSON RESOLUTION NO. 11-20

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A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, ADOPTING A FORMAL RESOLUTION IN SUPPORT OF RESOLUTION NO. 11-842 PASSED AND ADOPTED BY THE CITY OF DOUGLAS, THROUGH THE ARIZONA LEAGUE OF CITIES AND TOWNS, CALLING UPON THE ARIZONA STATE LEGISLATURE NOT TO REDUCE HURF FUNDS AND TO RESTORE HURF FUND ALLOCATIONS TO FY 2008 LEVELS OVER A 3 TO 5 YEAR PERIOD, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

**WHEREAS**, A.R.S. §28-6540 provides a method of distributing motor vehicle fuel tax revenues to Arizona Counties, Cities, and Towns for the mandated purpose of road construction, reconstruction or maintenance of roads within the jurisdiction; and

**WHEREAS**, the State of Arizona has swept portions of these revenues from Counties, Cities, and Towns each year since FY2008; and

**WHEREAS**, on June 8<sup>th</sup>, 2011, the City of Douglas passed and adopted Resolution No: 11-842 calling upon the Arizona State legislature not to further reduce the HURF allocations to Arizona Cities and Towns; and

**WHEREAS**, the City of Douglas Resolution No: 11-842 further advocates that the Arizona State Legislature develop a plan to, at a minimum, restore HURF funding to Arizona Cities and Towns to the FY2008 levels over the next 3 to 5 year period; and

**WHEREAS**, the Mayor and Council of the City of South Tucson, Pima County, Arizona desire to have this Resolution presented at its Monday, June 27<sup>th</sup>, 2011 Council Meeting; and

**WHEREAS**, the Mayor and Council of the City of South Tucson, Pima County, Arizona have determined that passage and adoption of this Formal Resolution in Support of City of Douglas Resolution No: 11-842 is of the utmost importance as this

City is one of many that will be fiscally impacted with any further reductions of HURF allocations; and

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of South Tucson, Arizona, that an emergency be declared to exist, and that this Resolution be effective immediately upon its passage and adoption.

**THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of South Tucson, Arizona, passing and adopting Resolution No: 11-20 for the purpose of Formally Supporting City of Douglas Resolution No: 11-842.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the City of South Tucson, Arizona, that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of South Tucson, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

**PASSED AND ADOPTED** by the Mayor and Council of the City of South Tucson, Arizona, this 27th day of June, 2011.

**APPROVED/EXECUTED**

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MAYOR, JENNIFER ECKSTROM

ATTEST:

APPROVED AS TO FORM:

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City Clerk, Veronica B. Moreno

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City Attorney, Hector M. Figueroa

**REGULAR MEETING:** JUNE 27, 2011

**ITEM NO 06:** DISCUSSION AND POSSIBLE ACTION TO DIRECT THE CITY MANAGER TO INCORPORATE THE "FY 2011-12 PROPOSED REORGANIZATIONAL PLAN" ONTO THE FY2011-12 TENTATIVE BUDGET TO BE PRESENTED ON THE NEXT SCHEDULED MEETING.

**Background**

Presentation by City Manager and Finance Director detailing the projected shortfall for FY 2011-12 and recommendations to satisfy statutory requirements to adopt a balanced tentative budget.

**RECOMMENDED MOTION:** Move to approve the "FY 2011-12 Proposed Reorganizational Plan" and direct City Manager to incorporate said document onto the FY 2011-12 Tentative Budget.