

Minutes of the Regular Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Monday, December 17, 2012, 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  
Pete Tadeo  
Paul Diaz  
Mary Soltero  
Anita Romero

Staff Present: Enrique Serna, City Manager  
Ruben Villa, Finance Director  
Veronica Moreno, City Clerk  
Richard Munoz, Police Chief  
Marilyn Chico, Housing Director  
Dennis Rankin, Police Dept.  
Patrick Moran, City Attorney

Mayor Eckstrom called the meeting to order and led the Pledge of Allegiance.

ITEM #04 – ROLL CALL – All members of the Council were present except for Councilman Felix and Councilman Salaz, who were excused.

ITEM #04A – DISCUSSION AND APPROVAL OF STATUTORY PROVISIONS ALLOWING FOR TELEPHONE AND VIDEO COFERENCE PARTICIPATION IN COUNCIL MEETINGS WHEN UNABLE TO PARTICIPATE IN PERSON

Mr. Serna: This language that you see before you is, actually, we're going to ask you to table it because typically, the State likes to see policies and procedures in place before, it's done very rarely but in cases like tonight when we've got someone in the hospital, etc., that it might be beneficial. So we just suggest that you table.

Councilman Diaz: Madam Mayor.

Mayor Eckstrom: Councilman Diaz.

Councilman Diaz: Is this for discussion now?

Mr. Serna: Well, it's tabled. I mean we ...

Mayor Eckstrom: Do we have to have things in order with our own policy before we can act on this?

Mr. Serna: The State typically expects that.

Mr. Moran: We can have discussion if he wants since it was noticed on the agenda ...

Mayor Eckstrom: Okay.

Mr. Moran: ... for tonight so if there wants to be discussion by the Council, certainly it can be. And excuse me, Madam Mayor, members of the Council, my suggestion to the Council and also to the City Manager is that we develop a Mayor and Council guideline or rules for Mayor and Council, one of which would be this rule as far as what would be required to allow a member to appear telephonically. But that's something I think that we need to develop for the Council and also the Council has to have an opportunity to have input on it, as Mr. Diaz wants to tonight. And then later on, it can be brought back for the Mayor and Council approval.

Mayor Eckstrom: So it's up for discussion, something we don't have to act on tonight, since it's recommended that we don't, so it's up to you.

Councilman Diaz: So can I have discussion?

Mayor Eckstrom: Yes.

Councilman Diaz: Okay. It seems that the, we are (inaudible) the Council for spending public funds on ordinance that we got violated already by doing it this way, teleconferencing. Is that why we're doing this or why we're adding? You mentioned that he was in the hospital or somebody was in the hospital, but.

Mr. Serna: Madam Mayor, Councilman Diaz, members of the Council, we've never done this. It was contemplated that we have policy in case we ever had to do it regardless of what the excuse of the absence. There might be a matter of urgency that's required, that requires a super majority and (inaudible) so it's just something that was contemplated. It's never been invoked at all 'cause it doesn't exist.

Councilman Diaz: Well, the attendance is compelled by our own ordinances under Section 218 and 251, Sections 2 and 3, so we are covered in respect to those absences or excused absences.

Mayor Eckstrom: That's correct. But as other jurisdictions allow, they allow their members to call in. For example, the City of Tucson Mayor and Council, you're allowed to call in, be on the meeting telephonically. The Board of Supervisors does the same thing so it's not like we're creating this whole new thing that, you

know, just the City of South Tucson does. So, I mean we would be falling in line with our other jurisdictions in the County.

Mr. Moran: Correct. And Madam Mayor, and specifically Councilman Diaz, if the policy was something that we were going to go forward on, it's up to the body to vote on it. And so it isn't just that we're saying we're approving it, it would have to be approved by Mayor and Council to allow a member to appear telephonically or by video conference.

Councilman Diaz: But it's not a resolution.

Mr. Moran: No, it's not a resolution. It would be essentially at your bequest or at your request to allow a member to appear by telephonic or video conference.

Councilman Diaz: Is this each and every time?

Mr. Moran: That would be part of what the policy would state would be when it would be allowed, and what procedures would be for that. And so at this point, that has not been brought before this, so the, I don't think the issue is ripe at this point. However, there was discussion that a member of the Council may want to appear telephonically tonight, so it was put on the agenda. And before it was going to be allowed, it would have to have been voted by the members that were present today. And a majority vote would have had to have been required in order to allow that person to appear telephonically.

Councilman Diaz: Well, I guess why are we not enforcing these other ...

Mr. Serna: Madam, ...

Councilman Diaz: ... sections ...

Mr. Serna: ... Madam ...

Councilman Diaz: ... (inaudible)?

Mr. Serna: ... Council member Diaz, members of the Council, that's not on the agenda tonight. We can't talk about it. Your topic that you're raising now, it's not listed on the agenda. We can't talk about it. That's a completely different matter from what we're talking about, has nothing to do with what we're talking about.

Mr. Moran: And Madam Mayor and Councilman Diaz, if there, I will, just to briefly respond to your statement, if you believe that some conduct of the meetings is going against our Code or something, I would welcome you to alert me and make

me aware of what you think is being violated, and I certainly will look into it and give you an opinion.

Mayor Eckstrom: It's like any other process. If you want to be involved with the City and the processes, or if you think that there is something wrong, you need to bring it forward. You just, it needs to be stated. So your suggestion is to just have this informational discussion and leave it at that. Correct? City Attorney?

Mr. Moran: Yeah, because it has been called. So if there's a motion on it, then it can be tabled, it can be voted on tonight. But I don't think it's ripe at this point.

Mayor Eckstrom: Okay. So do I hear a motion to table Item 04A?

Motion by Vice-Mayor Tadeo to table the item. Seconded by Councilwoman Soltero. Motion passed unanimously.

ITEM #05 – APPROVAL OF MINUTES: SPECIAL MEETING, DECEMBER 10, 2012

Mr. Serna: Madam Mayor, members of the Council, I'd like the City Attorney to address some issues relative to that before the Mayor and Council takes a vote on the minutes.

Mr. Moran: Thank you. Madam Mayor, members of the Council, as everyone recalls, we had a vote last week on a rezoning case. And that rezoning case was number 12-002. According to the minutes, and also from the vote that took place, the vote was 3 to 2 to pass the rezoning. Councilman Diaz made a point, order, stating that he believed that the vote had to be a two-thirds vote because it was a rezoning. At that point, there was some further discussion. The Mayor had actually already, after the vote, had already stated on the record that the motion had passed. The discussion was made. Then essentially there was nothing else stated on the record as to the motion passing or failing. And then we moved on and the next rezoning case was tabled. Upon researching the matter, I found that the vote that was taken last week on that rezoning case actually did pass. And the reason that it did pass was because under the City Code Section 24-43d and also under Arizona Revised Statute 9-462.04(h), the only time a super majority or more than a majority vote is required in a zoning case is if 20% of the persons living within 150 feet of the proposed rezoning file an objection with the City to object to the rezoning. In this particular matter, there was no dissents or there was no opposition to the rezoning that were filed with the City within the time frame. And in fact, it doesn't sound like there was anything that was filed one way or the other. Therefore, and if that had happened, then Mr. Diaz is correct. There is a super majority requirement. And

it's actually a three-fourths vote that would be required if there had been that opposition that had been filed with the City. So, therefore, it would have taken a more than majority vote to have passed that rezoning application. Therefore, the record needs to be clear and the minutes ...

Councilman Diaz: (Inaudible) ...

Mr. Moran: ... need to clear that, and I'll be finished in just a moment, Mr. Diaz, the minutes need to be clear that that vote that was taken last week was passed, and that that rezoning case was approved by Mayor and Council by a 3-2 majority vote. As to the issue of on the agenda tonight we do have a agenda item for a motion to reconsider on that rezoning. As that issue is moot, that motion to reconsider doesn't necessarily need to be made. And if anyone has any questions, I'm obviously here to answer them.

Councilman Diaz: I need to correct you on a couple of items there.

Mr. Moran: Okay.

Councilman Diaz: The first item was that the meeting was called for a Tuesday. And the people that showed up for that meeting were there because the statement on the notice for the 300 foot people state the fact that you have to be in person to testify under oath your testimony. Okay? They did not have a quorum so it went to a Thursday meeting, and all the commissioners were notified. The community of the 300 feet limit were not allowed that notice. And that's why. The other item is that in the record, Mr. Felix states that the buildings are supposed to be stuccoed, tempered, and so any walls and ceilings, which is not the case. And the other item is that the commissioners were told at the very beginning that the City wants this passed. For the record, thank you.

Mr. Moran: Just to clarify, Madam Mayor and Council member Diaz, under our City Code, our City Code is actually 150 feet, rather than under the, under the, under the A.R.S. is also 150 feet, as far as the property owners vicinity to the rezoning. As far as the issue that you proposed as to, I guess as to what is being built or anything like that, that's, I think, certainly something for you to consider in making your vote as to whether to pass the rezoning, but as far as the information that I have been provided by our staff, all of the City Code has been followed as far as notice and everything else. Again, if you're aware of a particular case or cases, or persons or person that they believe that they were not notified legally or anything like that, please bring them to my attention and I will investigate. But as far as what I've been provided, it was properly noticed under the Code. It was ripe for vote by the Council. The vote was taken last week. The vote was 3 to 2 in favor of passing the rezoning. And to clarify the minutes, that should be clarified by the Council so that it's clear in the minutes

that that rezoning case was passed. Motion by Vice-Mayor Tadeo to amend the minutes, clarifying that rezoning no. 12-002 did pass. Seconded by Councilwoman Soltero. Councilman Diaz; nay. Motion carried.

ITEM #06 - PUBLIC HEARING AND DISCUSSION OF THE PROPOSED ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE OPTION)

Motion by Vice-Mayor Tadeo to open the public hearing regarding the proposed Home Rule Option. Seconded by Councilwoman Soltero. Motion passed.

Mayor Eckstrom: We are now in the Public Hearing for the Home Rule Option.

Mr. Villa: Madam Mayor, members of the Council, this is hearing number two out of four of the scheduled Council meeting/public hearings to discuss the Home Rule Option. It's a, a question that will be asked to our voters in May in the General Election. It's been passed since the adoption of the amendment to the Constitution back in '80. And it's, it's, I mentioned this in the past, these topics are incredibly important to the finances of the City. If this measure is not passed by our voters, it represents a reduction and a possible cut of our operational expenses simply because the formula that is used by the State would allow for a lot less expenditure total than we are able to afford. I have to remind you that the total that is adopted on an annual basis is only the total of the money that is available, not any more, not any less. And that's the luxury, I guess, if you will, by having a Home Rule Option that you're not bound by the smaller limit imposed by the State that is a formula based on population figures back in 1980, not the inflation factor. As you may recall, in 1980 the population of South Tucson was well over 6,000. Now, it's less. So we are on a negative factor. We have less population to take a share of the State dollars. So in that alone, that formula alone allows for a lot less money to be available to be spent. So I don't have to mention to you that a total of \$4,000,000, which is the estimated level that the State formula is roughly the amount of money that the City needs to keep Public Safety operational. So again, from a finance perspective, it's one of those measures that are incredibly important that the right message is taken to the voters. And this is the opportunity to answer those questions to our residents and that's why we have allowed for two additional Public Hearings to do so.

Mayor Eckstrom: So just to clarify, if this were not to pass, if the voters were not to pass this Home Rule Option, we would have a major reduction in Public Safety because it does come from General Fund.

Mr. Villa: Yes. It could represent a cut in several places, but we understand that our largest expense is Public Safety so that would be the first place to look at adjusting to the minimal and to the smaller amount. Next Public Hearing, which

is on the 27<sup>th</sup>, and the 3<sup>rd</sup>, we will provide the Council with the estimated totals at that time. And then we can compare the formula and then our estimates for the next four years. Our estimates include a lot more than we will potentially get, but idea is that at this point, we are unaware of potential Federal, State, and local dollars, but we want to put them in there just in case. And that's, that's the principal behind Home Rule.

Mayor Eckstrom: Is there any discussion from Mayor and Council, or questions from City Manager?

(No response)

Mayor Eckstrom: Would anyone in the audience like to address Mayor and Council regarding this issue?

(No response)

Mayor Eckstrom: If not, yes.

Mr. Latrell: Yes, Dennis Latrell from 305 East Benson Highway. Does this mean because there's less people, and you establish the Home Rule, there will be more of a tax burden on the people here?

Mr. Villa: No. The answer is no. What, the answer is that we can only operate, even with taxation, to a certain amount. It means that we would have to adjust our operation to that level. And it has nothing to do with money available (inaudible).

Mr. Latrell: You mean if, just, the Home Rule, the Home Rule is passed, where will the additional funds come from? The State or the people in the City?

Mr. Villa: Madam Mayor, members of the Council, members of the public, the amount of money that is budgeted for, on an annual basis, is only the amount of money that is available and comes from all sources; State-shared revenues, taxation, local fees and fines. And Home Rule only allows you to spend as much money that is available to be able to operate. And also allows to budget in accordance to those sources. Not any more, not any less. Compared to a State-imposed limit, which even if you have the money, and you have the taxation, you're only limited to that formula, meaning that for a year or two until voters would approve, you're only limited and bound by that limit.

Mayor Eckstrom: So even if we were to make, say an additional \$5,000,000, this is just hypothetical, we wouldn't be able to spend to that amount.

Mr. Villa: There are, there are some constitutional exclusions that are allowed, which means that there's certain types of expenditures that can be spent above and beyond the limit. But the problem is that, as the Mayor has mentioned, if we were to arrive at a total of \$5,000,000 in a certain grant or any item like that, we, you simply couldn't spend it. We couldn't, we couldn't apply it to our operation. Because again, have to be, we're bound by what the State, now I have to say that almost all the cities in Arizona, if not two, are on a Home Rule. Or some sort of alternative ...

Mayor Eckstrom: Does, does ...

Mr. Villa: ... (inaudible).

Mayor Eckstrom: ... that make sense, Mr. ...

Mr. Latrell: Yeah, ...

Mayor Eckstrom: ... Latrell?

Mr. Latrell: ... just one last question. Okay, then under the Home Rule, if you spend more money, could the Council levy additional taxes to the people? I mean not the town, the City Council.

Mr. Villa: Well, the answer is yes. The answer, again, is the budget is limited to the amount of money that is available. It, it really, I guess between the two, we're not talking about increasing revenues or decreasing anything. What we're saying is what is available and what needs to be spent can't, that, that's the only answer to Home Rule. It doesn't mean that the Council has a blank check to go and tax and add additional revenue sources. It does not mean that.

Mr. Serna: Madam Mayor, members of the Council, a couple of things. One, I think we'll look at, when we come back and provide you more specific numbers, hopefully clarify a little bit better, a better answer, you know, a better answer to Mr. Latrell's questions, by way of example, but I think the major focus should be that the economy has not turned around. If the economy were to turn around, and revenues started to come back to a time in the past even that would allow us to rehire firefighters and bring additional police on, which is something we always direly need, we would not be able to do so if we're constrained by this rule or formula. So it's not, no, it's not a smoky topic. I mean it's not, it's not anything that we're devising of our own accord. It's something that almost all the cities and towns in the State are doing exactly what that title is, is a Home Rule, that the cities rule it selves and they're not ruled by the State legislature, which is what they were trying to do back in 1980. So I would look at it more positively as an ability, at some point in the future, should revenues ever come up, we, if those

revenues came up and we didn't have Home Rule, we wouldn't be able to hire additional firefighters or policemen or anything else. We couldn't do anything to improve the services even. So that's kind of the gist of it. And again, if, as the Mayor said earlier, if you have specific questions, we can deal with those face-to-face with you. Come on in and, you know, the City Attorney has invited you as well. And I've done so repeatedly, come in and talk and we can flush these issues out. That way, we can, when you all come together as a Council, you'll have more information that you've had an opportunity to digest before the final meeting on December 3<sup>rd</sup>, which is when we ...

Mayor Eckstrom: January 3<sup>rd</sup>.

Mr. Serna: January 3<sup>rd</sup>, which is when we vote on (inaudible).

Mr. Villa: I have to add that just as easily as it is for the Council on an annual basis to, I mean the Council has the authority to cut, add, delete, move, and Home Rule does not remove those authorities. Home Rule only allows for the Council to be able to move freely on an annual basis without having a ceiling to worry about.

Mayor Eckstrom: Are there any other questions from anyone?

(No response)

Motion by Vice-Mayor Tadeo to close the public hearing and reconvene the Regular Meeting. Seconded by Councilwoman Soltero. Motion carried.

ITEM #07 – MOTION TO RECONSIDER RE-ZONING #12-002

Mayor Eckstrom: Do we have to address this, Mr. Moran?

Mr. Moran: It's been noticed, Your Honor, so it does need to be open for, if there's, if there's a motion.

Mayor Eckstrom: Is there a motion to reconsider zoning #12-002?

Vice-Mayor Tadeo: Miss Mayor, so moved.

Councilwoman Soltero: Second.

All members of the Council voted aye, with the exception of Councilman Diaz, who voted nay. Motion carried.

Mr. Moran: So on the motion to reconsider, it ...

Mayor Eckstrom: We don't have to because it's already passed.

Mr. Moran: It's already been passed but it's been noticed on the agenda. So it needed to be called as to, ...

Mayor Eckstrom: Okay.

Mr. Moran: ... as to whether or not somebody wanted to make a motion to reconsider.

Mayor Eckstrom: Okay. So ...

Mr. Moran: Under the Roberts Rules, a motion to reconsider can only be made by the prevailing party, which in this case would have been the party that voted for the rezoning. And so at this point, there was a motion, there was a second, so if there, if, if there wants to be a discussion or perhaps another vote to rescind the motion to reconsider, then that would be proper on the table. But since it has been moved and seconded, there does need to be discussion. And what I'll state is part of the discussion is that since we clarified the minutes from last week, the rezoning case did pass already. And so unless any of the members of the Council that voted for that want to reconsider that rezoning, then it would be proper, but likely to not motion to reconsider.

Mayor Eckstrom: So then?

Mr. Moran: But now since the motion has been made, we could have a discussion or there could be a motion to rescind the motion to reconsider and ...

Unknown: Or vote again.

Mr. Moran: Or vote again.

Mayor Eckstrom: What are the ...

Mr. Moran: Any of those ...

Mayor Eckstrom: ... wishes of ...

Mr. Moran: ... options ...

Mayor Eckstrom: ... the Council?

Mr. Moran: ... are on ...

Mayor Eckstrom: Okay.

Mr. Moran: ... the table.

Mayor Eckstrom: So if there's nothing, can we move forward?

Mr. Moran: We do need to have either a vote on the reconsideration or a subsequent vote to overlay the motion to reconsider.

Councilman Diaz: We already did.

Mr. Serna: Just vote, vote again to approve.

Mayor Eckstrom: Vote again to approve. Okay. Vice-Mayor Tadeo.

Vice-Mayor Tadeo: Aye.

Mayor Eckstrom: So we need another motion to approve. Okay. So you need to make the same motion if you want to ...

Vice-Mayor Tadeo: Miss Mayor, I move to approve the request to rezone Lot 8, Block 17 of Southern Heights subdivision from SR-1 to SR-2, subject to standard and special conditions.

Councilwoman Soltero: Second.

Mayor Eckstrom: Motion and a second. Is there any discussion?

(No response).

All members of the Council voted aye, with the exception of Councilman Diaz, who voted nay. Motion carried.

#### ITEM #08 - RE-ZONING #12-003

Mr. Serna: Madam Mayor, members of the Council, the same circumstances occurred with this particular item in that the Zoning Commission approved unanimously. Again, there were no comments submitted against this rezoning. So the motion is to approve the request to rezone. The information is listed there.

Mayor Eckstrom: Do I hear a motion to approve Rezoning Case #12-003?

Vice-Mayor Tadeo: Madam Mayor.

Mayor Eckstrom: Vice-Mayor Tadeo.

Vice-Mayor Tadeo: I move to approve the request to rezone Lot 8, Block 17 of Southern Heights subdivision from SR-1 to SR-2, subject to standard and special conditions.

Councilwoman Soltero: Second.

Mayor Eckstrom: Motion and a second. Is there any discussion?

Councilman Diaz: Madam Mayor.

Mayor Eckstrom: Council member Diaz.

Councilman Diaz: Mr. Serna, are you also going to deny the fact, the information that I presented earlier?

Mr. Serna: Madam Mayor, Councilman Diaz, members of the Council, I don't know that what you stated is correct. I've been told that everything has been complied with. I'm familiar with the numerous attempts to get people to show up for meetings, etc. But a valid meeting was held and notices were provided. And so this item, again, Mayor and Council, it's been approved. We're looking for it to be passed. And there is a certain urgency about getting housing built in our community. For, unfortunately, some members of Mayor and Council are not up to date on what we're doing with Chapter 7 and how some of the difficulties we've had on this particular lot until Primavera picked up this property. We would have continued to see all the trash accumulating on that lot and it's an uphill battle we've been fighting so there, there are a lot of angles to what's taking place here, but Primavera is our housing partner. If it weren't for them, we wouldn't be having people that don't have housing get housing. So I know there have been some concerns about the kind of housing that it is, but it's housing and people are buying the houses. And that's all I've got to say, Madam.

Mayor Eckstrom: It's homeowner-occupied housing.

Mr. Serna: Yes.

Mayor Eckstrom: Okay. Is there any other discussion?

(No response)

All members of the Council voted aye, with the exception of Councilman Diaz, who voted nay. Motion carried.

ITEM #09 – RESOLUTION NO. 12-59 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, APPROVING THE SOUTH TUCSON HOUSING AUTHORITY’S REQUEST TO CLOSE THE HOUSING CHOICE VOUCHER SAVINGS ACCOUNT AND AUTHORIZING THE EXECUTION OF THIS RESOLUTION FOR THE PURPOSE OF AUTHORIZING THE CITY OF SOUTH TUCSON HOUSING AUTHORITY DIRECTOR TO CLOSE SAID ACCOUNT AND TO SUBMIT SAME TO HUD AND DECLARING AN EMERGENCY TO EXIST

Mr. Serna: Madam Mayor, members of the Council, we just recommend the suggested motion.

Motion by Vice-Mayor Tadeo to approve and adopt Resolution No. 12-59 of the Mayor and Council of the City of South Tucson, Arizona, approve the South Tucson Housing Authority’s request to close the Housing Choice Voucher savings account and authorizing the execution of this resolution for the purpose of authorizing the City of South Tucson Housing Authority’s Director to close said account and to submit same to HUD and declaring an emergency to exist. Seconded by Councilwoman Soltero. Motion passed unanimously.

ITEM #10 – RESOLUTION NO. 12-60 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT WITH PIMA COUNTY FOR THE MANAGEMENT AND IMPLEMENTATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM THAT INCLUDES ADMINISTRATION, COMMUNITY POLICING & CRIME PREVENTION, FIRE SAFETY EQUIPMENT, YOUTH PROGRAMS AND FAMILY ASSISTANCE AND GRAFFITI ABATEMENT PROGRAM ACTIVITIES AND DECLARING AN EMERGENCY TO EXIST

Mr. Serna: Madam Mayor, members of the Council, you are familiar, over the years, with the allocation of fund distribution of CDBG monies and the amounts are listed there. They’re a mirror image of what they have been appropriated. Actually, they’re less in terms of the appropriations, but along the same major categories and we recommend the suggested motion.

Motion by Vice-Mayor Tadeo to approve and adopt Resolution No. 12-60 of the Mayor and Council of the City of South Tucson, approving and adopting the

intergovernmental agreement with Pima County for the management and implementation of the CDBG Program that includes administration, community policing & crime prevention, fire safety equipment, youth programs, and family assistance and graffiti abatement program activities and declaring an emergency to exist. Seconded by Councilwoman Soltero. Motion passed unanimously.

ITEM #11 - REPORTS – Mr. Serna reported there will be an employee luncheon on Wednesday and everyone is invited.

ITEM #12 – CALL TO THE AUDIENCE

Dennis Latrell: I'm Dennis Latrell from 305 East Benson Highway. I wanted to comment and express Item #04A that was up for discussion. It's my understanding that the open meeting laws are built so that the audience can not only hear the Mayor and Council or the government, but they can also hear the discussion of others that are in the meeting. And one of the things that I have concerns about is, is should the wrong Council people that (inaudible) Council. For example, there could be somebody that has some type of influence. It could be like me standing behind the Mayor and telling her what to say and do because somebody else reacted. And, in other words, for example, Mayor, picture yourself on a video camera. And I'm sitting to the right off camera. Now I can coach you then, but it's (inaudible) the people in the audience are unaware of the impact (inaudible) or any type of influence that may be improper for a Council member, that could be going on. For example, when I ask questions of the Council here, you give instructions, you cannot respond. But if I'm a Council member and I'm on camera, you don't know if I'm responding to somebody else. And neither does the public. And I think, for example, that's one of the reasons that the Congress of the United States requires congressmen be there for the vote, is to help limit that type of, that type of problem and I believe that not having the council people that he's present, and so that all discussions to be heard by the public violates the spirit of (inaudible).

ITEM #11 – ADJOURNMENT - Motion by Vice-Mayor Tadeo to adjourn the Special Meeting. Seconded by Councilwoman Soltero. Motion passed unanimously. The meeting adjourned at 6:33 p.m.

---

Jennifer Eckstrom, 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 Meeting of the City Council of South Tucson, Arizona, held on the 17<sup>th</sup> day of December, 2012. I further certify the meeting was duly called and a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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