

Minutes of the Regular Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Monday, January 12, 2015, at 6:00 p.m. at the City of South Tucson Council Chambers, 1601 South 6th Avenue, South Tucson, Arizona.

Council Present: Paul Diaz
Herman Lopez
Anita Romero
Miguel Rojas
Oscar Patino
Idelfonso Green

Staff Present: Benny Young, City Manager
Veronica Moreno, City Clerk
Joel Gastelum, Planning Director
Marilyn Chico, Housing Director
Ed Machett, City Attorney
Michael Ford, Police Chief
Lt. Inorio, Police Dept.
Dennis Rankin, Police Dept.
Rey Alvarez, Fire Chief
Mick Jensen, Planning

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

ITEM #03 – INVOCATION – Councilman Patino led the Invocation.

Mayor Diaz asked for a moment of silence to remember former Mayor of the City of Tucson, George Miller, who passed away.

ITEM #04 – ROLL CALL – All members of the Council were present, except for Councilwoman Mendoza, who was excused.

ITEM #05 – APPROVAL OF MINUTES: SPECIAL MEETING, DECEMBER 10, 2014 AND SPECIAL MEETING, DECEMBER 12, 2014

Motion by Councilman Rojas to approve the minutes of the Special Meeting of December 10, 2014. Seconded by Councilman Patino. Motion passed unanimously.

Motion by Councilman Rojas to approve the minutes of the Special Meeting of December 12, 2014. Seconded by Councilman Green. Motion passed unanimously.

ITEM #06 – PUBLIC HEARING: PURSUANT TO A.R.S. 9-499.15 – NOTICE OF THE CITY'S CONSIDERATION TO ASSESS NEW FEES, INCREASE EXISTING FEES OR MAKE OTHER FEE CHANGE

Motion by Councilman Rojas to open the Public Hearing. Seconded by Councilman Patino. Motion passed unanimously.

Mr. Young stated Item #06 and Item #07 are companion items and asked Mr. Gastelum to provide information to the public regarding the two items.

Mr. Gastelum: Basically, what this public hearing is addressing is an ordinance adopting the 2012 International Building Codes, and also amendments to Chapter 4 Building and Building Regulations in the City Code. With those amendments will come changes to Chapter 4 Division 3, which is specifically inspection. And you will notice all those are with your attachments.

Mayor Diaz: Could you also give us some review on some of these changes? Just an overview.

Mr. Gastelum: Sure, I could try but in all honesty, it's basically just updating a lot of the technical codes to a lot of the health and safety improvements and technologies that have evolved over the last few years since 2008, since you last adopted these. There's not a whole lot of changes, but it's clarifications of codes. I'd be more than happy to sit down with anybody if they have specific questions, but to be quite honest, it's pretty extensive. There are deletions of certain sentences, adding a paragraph, so it varies.

Councilman Rojas: I just have one question. I was not aware that we had cesspools in South Tucson. Do we?

Mr. Gastelum: To my knowledge, we do not but when we're adopting the codes, we pretty much adopt the full basic 2012 International Building Codes with all the local amendments.

Councilman Rojas: So we do have to include cesspools although I don't think we have any. I don't foresee having any.

Mr. Gastelum: Correct.

Councilman Rojas: Okay. I was just wondering if we didn't have it there then we could say we can't have any because it's not in the code.

Mr. Young: Mr. Mayor, members of the Council, it might help to also just simply point out that this brings our building code current with the code that's being used by the other agencies in this area, and our fees will be consistent with what the City of Tucson, for example, charges for their building services. So it brings a consistent approach amongst the agencies in the Tucson region.

Mayor Diaz: And the format that was used was the lines that was drawn through the item is cancelled and the bold ones are being added?

Mr. Gastelum: Correct. The striped through is cancelled and the bold underlines are what the new additions are. That's correct.

Councilman Green: Didn't we adopt 2012 in 2012?

Mr. Gastelum: No, we have not. The last code we adopted were in 2008, and those were the 2006 International Building Codes.

Mr. Young: Mr. Mayor, maybe it will help to remind the Council that I believe you saw this once before but there's a 60-day publishing requirement and that's why it's coming back now for final consideration and adoption.

There were no comments from the public.

Motion by Councilman Rojas to close the Public Hearing. Seconded by Councilman Green.

ITEM #07 – ORDINANCE NO. 15-01 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, RELATING TO THE TECHNICAL CODES AND TO THE OFFICE OF BUILDING OFFICIAL(S); ADOPTING VARIOUS INTERNATIONAL AND UNIFORM CODES AS THE OFFICIAL CODES OF THE CITY OF SOUTH TUCSON; VESTING AUTHORITY IN THE OFFICE OF BUILDING OFFICIAL; PROVIDING FOR CODE COMPLIANCE AND PENALTIES FOR VIOLATIONS THEREOF; PROVIDING FOR APPEALS PROCESS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AMENDING THE SOUTH TUCSON CITY CODE BY AMENDING CHAPTER 4, ARTICLES I AND II, AND ALL APPLICABLE SECTIONS THEREOF

Mr. Young explained that this ordinance will effect the code changes and the fee updates in reference to the Public Hearing conducted in Item #06. Motion by Councilman Rojas to adopt Ordinance No. 15-01. Seconded by Councilman Patino. Motion passed unanimously.

ITEM #08 – RESOLUTION NO. 15-01 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 "2014 AMENDMENTS TO CHAPTER 4, DIVISION 3 OF THE SOUTH TUCSON CITY CODE" ORDINANCE AMENDMENT ADOPTED PURSUANT TO ORDINANCE NO. 15-01

Mr. Young explained this resolution makes public record the passage of Ordinance No. 15-01. Motion by Councilman Rojas to accept Resolution No. 15-01. Seconded by Councilman Patino. Motion passed unanimously.

ITEM #09 – RESOLUTION NO. 15-02 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, AUTHORIZING FY 2014-2015 MIDYEAR INTERDEPARTMENTAL BUDGET REALLOCATION (BUDGET TRANSFERS) WITHIN ESTIMATED REVENUE AND APPROPRIATIONS FOR FISCAL YEAR 2014-2015; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Mr. Young: We're about halfway through, well, we are halfway through the current budget year and there are some internal changes we would like to make to the budget. I would like to ask the Finance Director Lourdes Aguirre to describe for me briefly, but essentially what this does is there's a budget

unit where we have funds allocated and we will not be utilizing those funds and so we would like to move those to areas within the organization where the funds can be utilized. And I will make another comment after Lourdes describes the specific changes.

Ms. Aguirre: This resolution that the City Manager mentioned is a mid-year adjustment to the budget. And it is recommending the removal of \$50,000 from line item in Development Services to two lines items in the Police Department. One which is training and travel, and the other which is Communications. It would also move some monies into Public Buildings, an area in which we've already experienced some expenditures with the replacement of a generator, fixing the AC units. And this, I think, would more accurately reflect the City's operations and provide the adequate budget capacity.

Councilman Patino: Can some of these funds that are going to be shuffled around be used to at least paint this building? I mean I don't think this place has been painted in a long time, to just give it a facelift.

Mr. Young: This particular item may not provide enough capacity to do that because we're having to cover some other things. But if you will allow me, I will get back to the Council on that because one of the things I wanted you to know is these are not necessarily the only budget adjustments that we'll need to bring to the Council for approval. We're presently evaluating kind of our fiscal status at the middle of the budget year and we may have some other changes that we could bring to you as well, and so we'll look at whether or not it's a possibility to include some budget capacity with subsequent Mayor and Council item to do what you've suggested. Because I do think we're going to need to make a few more changes, you will probably see this kind of an item on your agenda again in a couple of weeks. So with your permission, I'll look into that and we'll answer that specifically when we bring back another set of changes.

Mayor Diaz: I guess a more appropriate then to stay on the, the way the item is written that is there a possibility that there be some input regarding any changes that the rest of the Council would like to see changed or input?

Mr. Young: Mr. Mayor, I appreciate your question, and I think it's a good one. One of the things that I was going to cover in my report to you tonight is I would like to see us consider having a work session or study session with regard to the budget and our current fiscal status, perhaps in two weeks. Next week is Martin Luther King Day so we won't be meeting but I think that would be a really good topic for a study session for the Council if we were to convene in the new kind of, I turned the City Manager's Office into kind of a Community/Mayor and Council meeting room. And we could convene for a work session and discuss the budget and get your thoughts in that regard and give you kind of our current synopsis of where we stand from a budget perspective, from an expenditure and revenue standpoint, and then you could give us direction and we could bring back the actual subsequent changes for formal adoption by Mayor and Council.

Mayor Diaz: Okay. Thank you.

Motion by Councilman Rojas to accept Resolution No. 15-2. Seconded by Councilman Green. Motion passed unanimously.

ITEM #10 – REPORTS

Mr. Young: Just a couple things to think about. I think it would be good for us to plan to the extent that we can, do the regular business of the City Council and the City on the 2nd and 3rd Mondays of the month. Your code asks that we consider meeting 2nd, 3rd and 4th Mondays, and to the extent that we can, we won't always be able to, maybe that 4th Monday could be sort of reserved for the study session type items where we need you all to be able to discuss policy issues that you all need to have a voice in and to give me direction for subsequent implementation. So we would do, either try to do the regular business of the City on the 2nd and 3rd Mondays and then try to reserve that 4th Monday for work sessions for the Council. So that's something for you to think about and you could let me know, separately, if that's a good idea. And I would like to have you think about that and maybe even for that 4th session, the 4th Monday, the work session Monday we'll call it, consider meeting at 5:00, just something to think about. I don't need your final decision on that now. Even if we do it at 6:00, if we still need business items, we'll adjourn the work session and come back in here and conduct the business items. Because I already know on the 26th we're going to need several business items, particularly given the fact that we're not able to meet next week due to MLK day. A couple of personnel items, we have our new Police Chief just started today and he's still with us. Mr. Ford, we're really delighted to have him here and I think he's going to provide terrific leadership for our police department. And the Court has hired a new Court Supervisor. She is not able to be here tonight but you may have a chance to meet her at some point. Her name is Terri Luber. And I think that's going to help with our court operations as well.

Councilman Rojas: I'd like to hear from the Chief.

Police Chief Ford: Today was actually a very good first day. I think of a lot of firsts that I've had and today was a really pleasant day. I felt like I'm getting a chance to meet with some of the staff. We looked at the strategic plan. I spoke to the City Manager about some 30, 60 and 90-day action plans, some things we can do so we can effect some immediate change that I think is going to make the department more efficient, more effective, and just a more congenial work place for the staff. I think if we're working together and we're working happy and we're working in unity, that's the goal here.

ITEM #11 – CALL TO THE AUDIENCE - no response from the audience.

ITEM #12 - ADJOURNMENT

Motion by Councilman Rojas to adjourn the Regular Meeting. Seconded by Councilman Green. Motion passed unanimously. The meeting adjourned at 6:20 p.m.

Paul Diaz, 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 12th day of January, 2015. I further certify the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 2015.

Veronica Moreno, City Clerk