

Minutes of the Regular Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Monday, February 9, 2015, 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: Paul Diaz  
Anita Romero  
Miguel Rojas  
Idelfonso Green  
Vanessa Mendoza  
Herman Lopez

Staff Present: Benny Young, Interim City Manager  
Veronica Moreno, City Clerk  
Joel Gastelum, Planning Director  
Marilyn Chico, Housing Director  
Ed Matchett, City Attorney  
Michael Ford, Police Chief  
Dennis Rankin, Police Dept.  
Mick Jensen, Planner

Mayor Diaz 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 Patino, who was excused.

ITEM #05 – CALL TO THE AUDIENCE

Mayor Diaz: I have a couple of cards here already. And we'll call Mr. Maurice Saroni. Would you please come to the mike, give you name and address.

Mr. Saroni: Good evening, Mayor, councilmen, my name is Maurice Saroni. I'm the President of the Georgiana Corporation, doing business in South Tucson as A Handy Man's Haven at 1724 South 6<sup>th</sup> Avenue, South Tucson, 85713. Is there anything else that you request? Ladies and gentlemen, Mayor and Council, we business and property owners along the corridor of South 6<sup>th</sup> Avenue have created a business association. It's entitled "South Tucson Business Association (STBA)". The STBA founded on the strengths of business and property owners that provide exceptional financial support to the South Tucson government through the transactional privilege taxation (TPT), commonly called sales tax. The South Tucson Council is attempting to change the description of South Tucson (inaudible) without informing the business and property owners of such change in a timely manner. We, the business owners, collect and pay the majority of the operating expenses for the South Tucson government through TPT collection; business licensing, signage permits, garbage collection and other fees, which are collected by the City. Our owners and businesses have Constitutional rights to be informed concerning the decisions that the Council may enact which may have a financial or perceptual affect on our rights. Our businesses and properties along with the Mayor and Council is reminded that we all serve the public. As landowners, the land from the center of South 6<sup>th</sup> Avenue through our property, the right of way, generates approximately 140,000 per

week in both directions, north and south, along South 6<sup>th</sup> Avenue. Businesses know that individuals passing by are one of the greatest revenue producers of their profit margin. The Mayor and Council now have burned every business owner with the increase of TPT to a 10.6% rate per dollar, a rate that is 2.5% above the cities in the area and 4.5% above Pima County. Approximately south of the 25<sup>th</sup> Street, the northerly border, and north of I-10, the southerly border on 6<sup>th</sup> Avenue purchasers of South Tucson products pay 2.5% more than the immediate surrounding areas. One of the goals of South Tucson Council included increasing the visibility and usability of the City's website. Just take a look at it. The website lacks information about why someone should come to the City for business purposes, whether it is to invest, start a business, or develop a profit center, or establish a residence, or purchase products from South Tucson. Also, support and reestablish of the City of South Tucson's Business Association to lend assistance to the profitability of businesses. Since 1936, businesses in most aspects have worked on their own, that is without City assistance. Three, creating a marketing strategy where the business can support and recruit other businesses focusing on attracting a populace to buy the products offered in South Tucson. The City Council is promoting renaming the 6<sup>th</sup> Avenue corridor the "Cesar Chavez Corridor". This renaming is proposed without business and property owners being informed. Personalizing our community can affect our property and business as to the perception. Is this type of labeling a proper drawing mechanism for businesses in South Tucson. The postcard the property and business owners received declaring a business association was paid for directly out of business' pocket but not the City of South Tucson. The Council has been very busy with in fighting instead of providing a proper business atmosphere that provides finances for the budget. The Council is attempting to reroute the street car through South Tucson. This rerouting would further restrict the proper transport of many automobiles along 6<sup>th</sup> Avenue. Remember that 6<sup>th</sup> Avenue formally Highway 80 from Benson to Tucson through downtown South Tucson. The reduction of 140,000 weekly autos would further reduce the public from spending dollars in our City. This would cost the City additional taxes and then would entice the City to rectify the cash loss by increasing the TPT greater than the recent 2.5%. Increased taxes drive customers away, lose revenue, then taxes are increased to gain revenue, then drive customers away, losing revenue, and the cycle continues towards bankruptcy, bankruptcy for one and for all. Have you heard about the aim of South Tucson's Economic Development Strategy Plan? It is to provide guidance to the City government and business owners on how to capitalize on existing South Tucson assets. Have you heard of the Empowerment Zone and how it assists the City and business owners? Many people don't even know about the Empowerment Zone and what an asset it is to the City of South Tucson. We, as business and property owners, have assets and our consumers pay an additional 2.5% to obtain our assets. Remember, more than the surrounding cities. Further insult to the property and business owners, the Mayor and Council are looking at large plots of property to entice large box stores to the area, and further reduce the assets of our business entrepreneurs. A major function of the Council is to establish future housing commercial development and redevelopment along South Tucson's transportation corridors. These corridors include: South 4<sup>th</sup> Avenue, partially since it's blocked on both ends from continuing straight through; South 6<sup>th</sup> Avenue, a through roadway, and 29<sup>th</sup> Street or sometimes called Silverlake. The Tucson Business Plan was developed with the South Tucson staff, and I and many other businesses have not been consulted by the staff or attended a staff business meeting concerning the development of that plan. If businesses have, what has been the result? I have been in business serving the community in South Tucson since 1999, without the City's assistance. I have never met one of the staff coming in my doors and asking about a business plan. The City of South Tucson claims as well their involvement with local property owners and residents. By reading the newspapers, one may remember the Mayor has demanded that the Council approve the Children's Home in the vicinity of the elementary school, the home to be

converted to a commercial drug rehabilitation center housing unit, placing our children and families in harm's way. I do not know about each of you, but to have another drug rehabilitation center among us is not desirable for our community, let alone the patrons of our business. The City is full of rehabilitation centers and soup kitchens.

Mayor Diaz: Mr. Maurice ...

Mr. Saroni: As a reminder, ...

Mayor Diaz: Excuse me, is there a way to wrap it up with your statement?

Mr. Saroni: Yeah (inaudible) continue reading, Mayor.

Mayor Diaz: And then if you would please give your statement to the City Manager and make an appointment. I encourage you to make an appointment with that. Some of this information that we're receiving is incorrect, but make an appointment with the City Manager and he'll take care of that.

Mr. Saroni: Okay. As a reminder, vagrants enter our businesses. Prostitutes roam our street in the daytime, as well as all hours of the night. They harass our customers that they may arrive to pay the additional 2.5% increase in TPT. These consumers undesirable beg spare change, cigarettes (inaudible) in motion as a diversion for shoplifting, breaking windows and causing havoc with business owners and their insurance underwriters. I have had all these happen to me in my business. How about this action? University of Arizona professors Emily Nottingham and Jason Haider are supervising graduate students to analyze South Tucson's economics, business activity in an attempt to provide planning assistance to South Tucson? I have been down this road several times to know avoid. The utilizing of the TPT increase could be used to provide a professional consulting company specializing in small business development, which would be a great use of the revenue contributed by the consumers and the business owners. The students and professors do not have an active interest in our community, only grades towards graduation.

Mayor Diaz: Again, Mr. Saroni, please turn in the information to the City Manager and we'll take care of that, sir.

Mr. Saroni: Did you ask me to terminate my comments, sir?

Mayor Diaz: I appreciate it if you would. We're allowed three minutes and you're way over your limit.

Mr. Saroni: Okay. I'll give this to the City Clerk. Thank you very much.

Mayor Diaz: Thank you. I got another one for Mr. Beltran.

Mr. Beltran: Council, Mayor, thank you. My name is Edward Beltran. I live at 220 East 39<sup>th</sup> Street. I was reading the agenda as far as one of the proposed banners that are gonna be suggested put around South 6<sup>th</sup>, Cesar Chavez banners. You know, with honoring Cesar Chavez, I agree with that. I think it's something that is very noble. But I feel that not everything was really, I think there's some other things that we can do that would honor Cesar Chavez. Me, personally, as a kid, I remember going to these meetings with my mom. We're farm workers. Didn't know what these meetings were

about. All I remember is the outside of the building, this giant mural of this red flag with an eagle on it, a black eagle. As I got older, I realized my mom was going to these meetings to hear Cesar Chavez speak and also incredible leaders like Dolores Huerta and Bill Soltero. As I got older, I was able to help out and work with Cesar Chavez also. And I even brought some pictures if you guys are ever interested in seeing some pictures of Cesar Chavez that no one has ever seen; him playing softball with kids out in the fields, it's incredible. One of the things that I realized in working with Cesar Chavez and working with a lot of great people around him, his heart was to really serve people. That was his whole goal for us as farm workers, to make sure that there was equal rights, 'cause there was a lot of things going on out there in the fields that a lot of people don't know about, a lot of stuff that unfortunately kids were exposed to. And I feel that if Cesar was here, and knowing Cesar, I think that the idea of putting up banners is awesome. But I think he would want something different. In talking to some people, some residents here, one of them, a good neighbor of mine who works at the Community Food Bank, he's in charge of creating all kinds of gardens for all the schools in TUSD. And he's in charge of all the logistics that go with it. But also, a good friend of mine, Eva Dawn who does a lot of things in the community, we were talking just today about just some things how we can honor Cesar Chavez. And one of the things that I'd like to propose is, if possible, even creating a, not only just a community garden, but something that could benefit people by even creating a farmer's market in honor of Cesar Chavez. I think that's something that would give back to the community more than banners out in the street, or even renaming the street. I think it's something that we can look into. And as far as the logistics on that, there are so many people that I know that would be interested in participating and volunteering their time, the work, and also money for this. So it's something that I'd like for you to consider and if there's any questions, I'd be more than happy to sit down with you and talk about exactly what we've been doing as far as even wanting to honor Cesar Chavez in a different way that no one's really done before. And I think this is something that would make an impact, not only for the City of South Tucson, but more importantly, the people in South Tucson. So I just want you to consider that. And if there's something that I can do to help out, I'll be more than happy to be part of the committee to start that and help out. And I'm sure there's a lot of people out there that I know who would be willing to help out with that also. Thank you.

Mayor Diaz: Thank you. I have another one that's Charlene Preciado.

Ms. Preciado: Hello Mayor Diaz, Councilwoman Mendoza, Councilman Lopez, Vice-Mayor Romero, Councilman Rojas, Councilman Green, I'm not complaining any more because I'm tired of complaining and thank you, sir. But I got this much to say. This is our town. Little by little, it's gonna be ripped off. And there's the two minute warning. Men and women are coming from other places, other towns, other countries, and they will split us up. This is a two minute warning. Not only that, but if we're gonna be together, let's pull together. This is our land. And the reason why I'm saying this is because I've heard other people from other voices. Now it's been in the newspaper. This place has been run down back and forth, left and right, A to Z, and it's gotta stop please. It's got to stop. We have to act together. We are a family. And if we're ready to die, well let us die with dignity and let us be proud. Now the only complaint I have right now is because I walk early in the morning, it's not the cars, it's the dogs. I get attacked by ten dogs every corner. Now if we can just submit something to do with the dogs. And last time it was the cars. But you guys heard it from the merchants. And left and right, we all have a heart. Okay? Let's stick together? Alright? Okay? Alright.

Mayor Diaz: Thank you.

Ms. Preciado: Thank you.

ITEM #06 – APPROVAL OF MINUTES: SPECIAL MEETING DECEMBER 29, 2014, AND REGULAR MEETING JANUARY 12, 2015

Motion by Councilman Rojas to approve the minutes of the Special Meeting of December 29, 2014. Seconded by Vice-Mayor Romero.

Councilman Green: On the Call to the Audience on the Special Meeting of December 29<sup>th</sup>, can we have all that verbatim? All we got, that was on the first page. Call to the Audience.

Mayor Diaz: Okay.

Councilman Green: And the same for the next one so.

Mayor Diaz: You have to hang on for that one.

Councilman Green: Okay.

Mayor Diaz: It's been requested that it be done verbatim. So we have a motion. We have to include that in there so we're ...

Councilman Rojas: Well, if you have to amend it, that will be verbatim (inaudible).

Councilman Green: Yeah.

Mayor Diaz: Okay. So second. It's been moved and seconded.

Motion passed unanimously.

Motion by Councilman Rojas to approve the minutes of the Regular Meeting of January 12, 2015. Seconded by Vice-Mayor Romero.

Councilman Green: Same thing with this one. It's the last agenda item on it.

Mayor Diaz: Okay. So the motion is to ...

Councilman Green: Verbatim.

Mayor Diaz: Verbatim. Okay. We'll ...

Councilman Green: It's item, actually Item #11 for January 12.

Mayor Diaz: No, it's gonna be verbatim for the regu-, for the whole meeting.

Councilman Green: Yeah, but it's meeting for January 12, is that still the same one we're discussing, right?

Mayor Diaz: Right.

Councilman Green: Okay.

Mayor Diaz: So the motion is to approve the minutes verbatim Regular Meeting January 12, and there's been a motion. Does the second accept the, ...

Councilman Rojas: Yes.

Mayor Diaz: ... you, you're the second.

Vice-Mayor Romero: Second.

Mayor Diaz: Okay. It's been moved and seconded. All in favor of the motion signify by saying aye. Opposed. Hearing none, it's been moved.

Motion passed unanimously.

Mr. Young: May I ask a question of the Council?

Mayor Diaz: Yes.

Mr. Young: And maybe to the maker of the motion. Are you asking that we have a verbatim transcript for the entire meeting or just the Call to the Audience?

Councilman Rojas: Call to the Audience.

Mr. Young: Just Call to the Audience.

Mayor Diaz: Well, ...

Councilman Green: It would be nice to have it verbatim because that way it's, everything is on the record.

Mr. Young: For the whole ...

Councilman Green: Because I, I've gone back and actually tried to find items that I know that we discussed and they weren't there. So if we can continue doing verbatim, I understand, you know, there's a little cost factor in it, yeah, or more, but that way at least it will be part of the official record. Right now, you can't tell unless you start playing tapes. So, you know, in this case I would say do both verbatim.

Mr. Young: The entire ...

Councilman Green: The entire, yeah.

Mr. Young: I was just trying to get that clear so that you ...

Councilman Green: Thank you.

ITEM #07 – RESOLUTION NO. 15-05 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, APPROVING THE AGREEMENT FOR SERVICES BETWEEN THE CITY OF SOUTH TUCSON, ARIZONA, AND PIMA ASSOCIATION OF GOVERNMENT, FOR THE PROVISION OF ONGOING SUMMER YOUTH TRANSPORTATION ART PROGRAM, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST

Mr. Gastelum: Mr. Mayor, members of the Council, basically, what this item is it's just the adoption of the Intergovernmental Agreement between the City of South Tucson and Pima Association of Governments to ensure that we receive our share of the Highway User Revenue Funds for public youth art. Present terms of this IGA roughly we receive \$25,000 a year, but we've been lumping that into three years for one \$75,000 project. If you all remember previously, there was a presentation made from an artist that, well, there's no project definite yet but that's the kind of idea we're going with with the public art.

Councilman Rojas: Mr. Mayor.

Mayor Diaz: Councilman Rojas.

Councilman Rojas: It's a question to Mr. Gastelum or the Manager. So instead of \$25,000, we're going for a \$75,000?

Mayor Diaz: No.

Councilman Rojas: Package?

Mr. Gastelum: Councilman Rojas, members of the Council, it's a \$25,000 a year set aside with the option of storing up three years worth of funding to get a better project, pretty much.

Councilman Rojas: Okay.

Mr. Gastelum: If you're just going after \$25,000, you don't really get, you know, a nice project. Once you've put in three years worth of funding, you get a lot more bang for your buck.

Councilman Rojas: And this is the first year?

Mr. Gastelum: No, this is an ongoing IGA we've had for probably, I don't know, fifteen plus years. A lot of the youth art on 4<sup>th</sup> Avenue, things of that sort, this is the type of funding we used. This is just a five-year renewal so this will keep us good until 2019.

Councilman Rojas: Oh, alright. Thank you.

Councilman Green: I'd like to ask a question, Mr. Mayor.

Mayor Diaz: Councilman Green.

Councilman Green: Okay. It's a five-year project. It will expire in December of, or December 2019, right? Okay. So we're taking the first three years upfront. We won't receive ...

Councilman Rojas: No, (inaudible).

Councilman Green: Oh, okay. So we're setting aside \$25,000 for the next three years.

Mr. Gastelum: Generally, that's what we've been ...

Councilman Green: And then we'll ...

Mr. Gastelum: ... (inaudible) correct.

Councilman Green: And then we'll work with it at the end of there years, \$75,000?

Mr. Gastelum: Correct. And currently, at this point with our previous IGA, we were at the \$75,000 mark. We did do a project this year.

Councilman Green: Okay.

Mr. Gastelum: This is just renewing our IGA ...

Councilman Green: Okay. See, ...

Mr. Gastelum: ... (inaudible).

Councilman Green: ... I was under the impression, yeah, a little confused that we were gonna take \$75,000 for the next three years, not receive anything and then two years down the road, '18, '19, to ...

Mr. Gastelum: Yeah, the ...

Councilman Green: ... (inaudible).

Mr. Gastelum: ... maximum amount we could receive three years, \$25,000.

Councilman Green: Okay. Okay. Thank you.

Motion by Councilman Rojas to approve Resolution No. 15-05. Seconded by Councilwoman Mendoza. Motion passed unanimously.

Councilman Rojas: I do have a comment after the motion has passed. It's just a comment and one of the things that I want to make sure that we all, so we don't come back and hear the, the novel again about what happened, and no involvement, I'm hoping that we get community involvement, business involvement when we do this project so we don't have this situation that only it was decided by staff and City Manager and City Council to have this thing happen. Because, you know, it's something for the community and we want participation from them, feedback. Thank you.

Mayor Diaz: And that include the, that we've already had some kind of presentations for that parti-, funding maybe?

Mr. Gastelum: Mr. Mayor, members of the Council, I'd like to come back. We have some new Council members since that last presentation we've given so bring 'em back, bring back ...

Councilman Rojas: Sure.

Mr. Gastelum: ... the artists and see where we're at and just go from there.

Councilman Green: Mr. Mayor.

Mayor Diaz: Councilman Green.

Councilman Green: Question. Is that the only artist that has submitted anything or are we opening it up to other artists, to artisans to come in and give us their interpretation of what they'd like to do?

Mr. Gastelum: I know previously there was discussions previously with this artist. And I know he just did a little mock up and I don't know, there's nothing set in stone with that specific artist at this point.

Councilman Green: Okay. Can we direct to get other (inaudible) to get an interpretation of another forms of art that might want to come put up?

Mr. Young: Mr. Mayor, Mr. Green, my suggestion would be that you just approve the IGA which keeps our funding going tonight and that we come back to the Council and ask for your specific direction with regards to the process for selecting projects.

Councilman Green: Oh, okay. Fine.

Mr. Young: (Inaudible) on that.

Mayor Diaz: Thank you.

ITEM #08 – RESOLUTION NO. 15-06 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE EXECUTION OF THE DEED PROVIDED BY THE REGIONAL TRANSPORTATION AUTHORITY FOR RTA BUS PULLOUT PACKAGE 14

Mr. Young: Mr. Mayor, members of the Council, there are six projects that are being executed by the Regional Transportation Authority in South Tucson for bus pullout. I'll have Joel summarize that in just a moment. The only specific action you're taking tonight is to approve a deed that would be conveyed to the City of South Tucson for the right-of-way for one of those six pullouts, the one that would be right here on 29<sup>th</sup> Street. And the reason we need to take that action is even though the RTA is funding the design and installation and the right-of-way acquisition for these six pullouts, it will be the City's responsibility to maintain pullouts once they're constructed. Having said that, Joel, is there anything else that we need to add?

Mr. Gastelum: I think you pretty much covered it unless there are specific questions.

Mr. Young: So this is just, we're just dealing with one of the six, but I wanted the Council to know that there are a total of six being planned for South 6<sup>th</sup> Avenue.

Motion by Councilwoman Mendoza to approve Resolution No. 15-06 of the Mayor and Council of the City of South Tucson, Arizona, Authorizing the City Manager to Proceed with Execution of the Deed Provided by the Regional Transportation Authority for RTA Bus Pullout Package 14. Seconded by Councilman Rojas.

Councilman Rojas: I just have a question. It's probably not relating to this but is anything planned for South 6<sup>th</sup> Avenue, I mean South 10<sup>th</sup> Avenue and Silver, 29<sup>th</sup> Street, as I've always known it, but Silverlake bus pullout?

Mr. Gastelum: Councilman Rojas, members of the Council, at this time, I do not believe that's on the package. They go by ridership. Pretty much, 6<sup>th</sup> Avenue has the most ridership in all the County so that's pretty much why the RTA is focusing on 6<sup>th</sup> Avenue.

Councilman Rojas: Okay. Whoever represents South Tucson at the RTA, I would like to have them take a message back to the RTA. Not only should ridership be considered but also safety. Now there's a couple of places on 29<sup>th</sup> Street where the bus stops and all it does is just clutters the street. It's dangerous for people trying to get on the bus or dangerous for motorists to try to get over, or around the bus. And I mean, you know, I'm surprised we haven't had more accidents. Some of the way these buses stop, I know the street's not wide enough but we need to have a better way of managing that type of traffic, or managing that type of stop.

Mr. Young: Mr. Mayor, Mr. Rojas, what we can do is your staff is, through the committee structure at the RTA, we're on the Technical Advisory Committee. I think Joel is on that and I'm on the management committee. It ultimately comes to an executive committee that the Mayor sits on. So we can reflect that desire and concern back through the process. It may be too late for this package, but we could look for ...

Councilman Rojas: Sure.

Mr. Young: ... opportunities in the future.

Councilman Rojas: Thank you. Call the question.

Mayor Diaz: All in favor of the motion signify by saying aye. Opposed. Hearing none, it's so moved.

Motion passed unanimously.

ITEM #09 - RESOLUTION NO. 15-07 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, APPROVING AND DIRECTING THE CITY MANAGER TO TAKE ACTION TO EXECUTE SUGGESTED APPROACH FROM PIMA COUNTY PERTAINING TO THE EL PASO GREENWAY PROJECT

Mr. Young: Mr. Mayor, members of the Council, we've been approached by Pima County with an offer that I think is a very good one and so we've recommended it to you. Joel can describe some of the details in just a moment, but essentially what is involved is they have a need to build an interceptor sewer within the Greenway right-of-way through South Tucson and so they have offered to not only do that but proceed to develop the initial phase of the Greenway project in South Tucson, which would be a bike path in the area that they're going to build this interceptor sewer. And then beyond that, they're offering to take over the Greenway project through South Tucson, consummate the right-of-way acquisition, the design, and oversee design and construction and then most importantly, my perspective in terms of our long-term cost obligations, they would maintain the Greenway project (inaudible) so that it would not be a long-term maintenance responsibility of the citizens and taxpayers of South Tucson. So Joel, please fill in the gaps for me and we'll be happy to answer questions.

Mr. Gastelum: Sure. I think the City Manager kind of covered it but it's basically that, in a nutshell, you were previously presented with a project by (inaudible) public land as well as our department, letting you know what the Greenway was and what it was all about, as far as a multi-use path, and the connectivity with the rest of the region. With this case, the City Manager stated, I mean it's pretty much, it's a win-win for us. As he stated, there will be no operation of maintenance for the life of the project, and they'll maintain it forever. We do have plans in the bond funding for 2015 if we were to receive it and you'll notice some correspondence within there. There's two different scenarios on transmittal from the County. So you'll notice that in your packet. And either way, it will be built, the pathway will be built. They're looking at going to construction on that sewer line probably within the next year or so.

Motion by Councilman Rojas to approve Resolution No. 15-07. Seconded by Councilwoman Mendoza.

Councilman Green: I have a question. Joel, the monies that were programmed for this will be going back to them from the bonds?

Mr. Gastelum: So, Councilman Green, members of the Council, the question, the money that's remaining, we have two outstanding invoices currently to the trust for public land. We're going to pay those invoices. The County will reimburse us for what we've already spent on that project and that will go into our RTA allocation, overall allocation for the project, which is approximately \$670,000. Now that funding can only be used to design and construct the Greenway so that will make our RTA funding whole again like we never spent any money out of it. And then we're going to proceed with design and some construction (inaudible) using those same funds.

Councilman Green: Okay. So where are they going to commence building versus where are we going to (inaudible)?

Mr. Gastelum: They're going to build in that same area. When they start their sewer lines, they're going to be building that same area. They're just going to kind of go along, depends on where they're, where they're going to start upstream or downstream. They're still in their design phase of the sewer line.

Councilman Green: Right. Okay. So let me make sure. Will the monies be retained by the City or are they going to be given back to the RTA?

Mr. Gastelum: Back to the RTA.

Councilman Green: Okay.

Mr. Young: Mr. Mayor, if I may, Mr. Green, the County will essentially just take over the project, using the remaining funds from 670, after the right of the acquisition is accomplished. They'll just take over (inaudible) from there. That money, what's left over will go toward the Greenway.

Councilman Green: Okay. Except for the two properties that, I guess, that haven't been paid for completely.

Mr. Young: It's just two minor invoices for upfront administrative work ...

Councilman Green: Oh, okay.

Mr. Young: ... (inaudible) public lands was doing on behalf of the City.

Councilman Green: Okay.

Mr. Young: When it was thought that we would have to acquire the right-of-way and manage the project. And then there's a million and a half dollars in pending bond election, portfolio projects, if the County decides to move ahead with the bond election there would be a million and a half dollars. It's like a joint project between the City of South Tucson and Pima County to build the Greenway through South Tucson, and so the County would manage that project. So not only does it get us off the hook for long-term recurring operation and maintenance cost, it gets us off the hook for having to invest in a project with limited staff (inaudible).

Councilman Green: Okay.

Mr. Young: Hope that makes sense.

Councilman Green: Yeah.

Councilman Rojas: I have a question for I guess both City Manager and Mr. Joel, here we go again. Okay. It's just a sewer line. Am I correct?

Mr. Young: The initial project is a sewer line.

Councilman Rojas: Not a drain. Now what's going to happen to the drainage?

Mr. Young: I'm really glad you asked that question. Thank you. Mr. Mayor, Mr. Rojas, in the preliminary meeting with the staff from Pima County that were just handling the design of the sewer line, we asked that they also look at some of our (inaudible) drainage issues that we have in that area, particularly at 10<sup>th</sup> and 33<sup>rd</sup>.

Councilman Rojas: Right.

Mr. Young: And if they can open that up and while they're in there anyway doing the sewer project, to reduce some of our neighborhood flooding to the south of the railroad bed and it actually overflows because of inadequate ...

Councilman Rojas: Correct.

Mr. Young: ... (inaudible) 10<sup>th</sup>. It goes into the neighborhood north. We asked if they could, if they're doing the sewer project, they'd consider just opening that up for us and they have indicated a willingness to do that. So I anticipate, I'm hopeful that will be part of the Phase I project, sewer project, to help us with the drainage.

Councilman Rojas: Hang around, we want you to be there when it happens, man, because I got patience (inaudible) underwater every time it rains.

Mr. Young: Right.

Councilman Rojas: I mean residents.

Mr. Young: Correct.

Councilman Rojas: And that's not fair. And cars getting flooded. Thank you very much. That's all I have. Call for question. Do we have a motion? I'm sorry.

Mayor Diaz: Yeah.

Councilman Rojas: Call for question.

Mayor Diaz: Okay. All in favor of the motion signify by saying aye. Opposed. Hearing none, it's so moved.

Motion passed unanimously.

ITEM #10 - RESOLUTION NO. 15-08 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, APPROVING AND DIRECTING THE CITY MANAGER TO PROCEED WITH THE PLACEMENT OF COMMEMORATIVE BANNERS HONORING CESAR CHAVEZ

Mr. Young: Mr. Mayor, Council, thank you. I have asked that this item be brought to you for decision tonight because Cesar Chavez Day is at the end of March and if we want to do something recognizing his contributions beyond just the normal holiday events, we need to have a Council decision so that we have enough lead time to do that. And what we are suggesting, this is a staff suggestion, is that we consider commemorative set of banners that would be, we already have the design from a local artist (inaudible) Mena, and he's willing to allow his image to be utilized for this purpose and so it would be thirty banners (inaudible) using that image and they wouldn't run the full length of South 6<sup>th</sup>, but rather kind of when you come into South Tucson from both directions, the banners would be located there. And there's some expense involved, not quite \$3,000, about \$2,000 to produce those banners. And then some staff-related expenses to actually install the banners on existing light poles, largely using existing hardware. And it would be a commemorative dedication, not a formal renaming of South 6<sup>th</sup> Avenue. As your staff, I'm suggesting that you consider doing that. I would appreciate a decision tonight, if you can, because it's already almost the middle of February so if we want to do this, I need to get, we need to get to work on this as soon as we can. And that's why I've gone ahead and placed the item on your agenda for a possible decision and direction tonight. It was kind of in the works when I got here and I perceived early on that if we wanted to do this, we would need a decision fairly quick. So I've sort of brought it to you with my suggestion one way that it might be done. And Joel, did you have anything to add?

Motion by Councilman Rojas to adopt Resolution No 15-08 of the Mayor and Council of the City of South Tucson, Arizona, authorizing the City Manager to Proceed with the Placement of Commemorative Banners Honoring Cesar Chavez. Seconded by Councilman Lopez.

Councilman Green: I have a question.

Mayor Diaz: Councilman Green.

Councilman Green: Yeah, one of the things that I'm looking at and I agree with the individual who came and spoke that it really wouldn't be appropriate to name or even do a commemorative type PO for Cesar Chavez on South 6<sup>th</sup> Avenue because of the condition of South 6<sup>th</sup> Avenue. Knowing Cesar Chavez and meeting Cesar Chavez in my youth also, I don't think that that's exactly what he would want. The other thing that I would like to mention is that I believe that we're trying to implement an ordinance or, you know, an agenda, brought an agenda item to benefit one organization. And that is not the rule of law for a Council to enact an ordinance to benefit (inaudible) because John Arnold is waist deep in this. Okay? Now your, it comes up to us as a staff movement, but it's not. Because I have a letter dated the 23<sup>rd</sup> of June that was written by the Mayor to two Council members from the City of Tucson, saying that we had public hearings. Have we had that public hearings, Mr. Mayor?

Mayor Diaz: That's correct.

Councilman Green: I'd like to see an agenda item where that shows that we had a public hearing, okay, and (inaudible) comments regarding the naming of South 6<sup>th</sup> Avenue. And in your letter, you put "In addition, numerous business people have been polled," I'd like to see who exactly you polled.

Because I've gone down, up and down South 6<sup>th</sup> and it's not. And I think it's, and I told you what my position was back in June is that it was a gross overreach of your power. And we're back to this. Now we're hiding it, we're in the cur-, under the coattails of staff wanting this? I don't believe that. And I believe that, you know, (inaudible) something like this for a man who gave so much. No, we have Cesar Chavez Bridge, we are one of the few in the State that have a Cesar Chavez holiday. I think he would want us to concentrate more on our community, more on the development of our community, and our citizens within the community. And the expenditure of funds that were paid by taxpayers, mostly the business people that you heard this afternoon, or this evening. And to say we're going to expend \$3,000 without giving them any notification when we have police department that was told they can't buy toner ink. I think that the use of the monies that we would plan would be better suited within our community and within our own departments. Thank you.

Mayor Diaz: Any more comments?

Councilman Rojas: Call for question.

Mayor Diaz: All in favor signify by saying aye.

Councilman Rojas, aye; Councilman Lopez, aye; Vice-Mayor Romero, aye; Councilwoman Mendoza, nay; Councilman Green, nay.

Mayor Diaz: It's two to three. Passed. Thank you.

Councilman Green: Oh, and another thing ...

Mayor Diaz: No.

Councilman Green: Okay. I'll make it at the end.

Councilwoman Mendoza: Alright. Can I, Mr. Mayor, can I ask a question real quick?

Mayor Diaz: Sure.

Councilwoman Mendoza: It said that there was a example of the banner. Do we have that available?

Mr. Young: I'm sorry I didn't get that ...

Councilwoman Mendoza: Oh, it's okay.

Mr. Young: ... on this, I'll, I'll have it in all of your boxes by tomorrow morning.

Councilwoman Mendoza: Okay.

ITEM #11 – REPORTS

Mr. Young: Mr. Mayor, members of the Council, just a couple things. As many of you are aware that our Fire Chief is struggling with a health issue and so I would request that the Council and the community continue to keep him in our thoughts and prayers, and our hearts go out to him and his family as he deals with this. Secondly, your meeting on the 23<sup>rd</sup>, you will not be meeting next week because of President's Day and so your meeting on the 23<sup>rd</sup> may be a little busy. I have several study session items that I would like to bring to you, including an update on our library lease with Pima County, our Public Safety Retirement System obligations, and maybe a (inaudible) the Southwest Gas franchise. They'd just like to present the Council with information so that you can kind of track along but no decision is needed at this point, but just maybe track the issue and then give you some (inaudible) so it'll be kind of a busy meeting. There's also an opportunity that, there's a possibility, rather, that I may need an Executive Session that evening. So I will know more as discussions progress this week with Waste Management. There will be a couple of routine agenda items for regular business, but those should be able to go fairly quickly. And so then if we could plan to devote maybe a half hour, forty-five minutes to those study session items, I would really appreciate it. I just wanted the Council to be aware of that before the 23<sup>rd</sup>.

Mayor Diaz: Okay. Mr. Matchett, I have a question for you.

Mr. Matchett: Yes.

Mayor Diaz: Earlier, we had some discussion regarding these two particular agenda items and the motion was modified to include verbatim. And then it was also to continue the minutes verbatim. Does that need a motion for the next agenda as an agenda item for the next session to be discussed?

Mr. Matchett: Well, the, was the original motion just for the Call to the Public to be verbatim? How was that motion worded?

Mayor Diaz: Yes, it was a motion to, for just the Public Session to be verbatim.

Mr. Matchett: Yeah, (inaudible) ...

Mr. Young: Just a clarification though, Mr. Matchett, I requested the Council clarify that.

Mr. Matchett: Right.

Mr. Young: And it was clarified to instruct staff to do verbatim for the entire meeting.

Mr. Matchett: So I think instead of being for the entire meeting.

Mayor Diaz: Right. I understand that but continuing, does that need to be in the form of a motion for the next agenda that we come up with for discussion? Because it does incur costs and other factors involved.

Mr. Matchett: I thought it was clarified but Mr. City Manager, if you want to comment on this.

Mr. Young: Mr. Mayor, members of the Council, I think, and Mr. Matchett, I think the question is if we're going to do this routinely, do we need further direction from the Council and I would think that perhaps we should have an item for you to provide direction subsequently on whether or not this is so-, it's clear that you want it for these two meetings and we will do that. But if that's something you want to continue to do routinely, perhaps there should be a Council item to discuss that ...

Councilman Green: Mr. Mayor ...

Mr. Young: ... (inaudible) direction.

Mr. Matchett: I think ...

Councilman Green: City Manager ...

Mr. Matchett: ... it's always wise to err on ...

Councilman Green: I'm sorry. This has happened in the past. It's been agreed on that it would be from now on. I mean we can ask the Clerk of the City. It has been done. It has been approved by the previous individuals prior to the Mayor being the Mayor. So I believe that this is a direct shot across my (inaudible) to do this. And if it was proposed in the past, and I know that he's requested items in the past to be verbatim also. So why all of a sudden the urgency? Let's just do it. It's a matter of record. It's on record. It's that. That's it. That's all I'm asking for, ...

Mayor Diaz: (Inaudible) ...

Councilman Green: ... transparency.

Mayor Diaz: Well, right now, the question is for the City Attorney to say if we do need it per recommendation of the City Manager to continue it for the next, as an agenda item for next meeting.

Councilman Green: No, but hold on. That's why I'm saying is that it wasn't an agenda item in the past when you thought it was okay, but it's an agenda item when somebody else requests it?

Mr. Young: Mr. Mayor, Mr. Green, forgive me. I want to be very clear. I understood the Council direction tonight to be that staff, Clerk and I, make sure you have verbatim minutes for those two meetings that were in your packet tonight. And we will do that. The only question I'm not clear on is whether the Council wants us to do that prospectively for every meeting that you have. And my thought was if that's something you wish to consider, I would appreciate the opportunity to have a larger discussion about that.

Councilman Rojas: Yeah.

Mr. Young: Because of the staff resources involved with doing that for every meeting. And if that's the Council's direction, I will be happy to implement the Council direction. But I would appreciate the chance to engage in a larger issue at a subsequent meeting for direction.

Councilman Green: Okay.

Mr. Matchett: And I think, under that circumstance from a legal standpoint, to go beyond what was the City Manager's understanding and probably should have an agenda item that allows for discussion on both sides.

Mayor Diaz: Okay.

Councilman Rojas: Okay.

Mayor Diaz: So does anybody want to make a motion?

Councilman Rojas: No, well, my, I was going to do a recommendation. I would like to have the City Manager at the third meeting, I guess, that we're going to discuss it. Just bring us a report of what this would entail.

Mr. Young: I will.

Councilman Rojas: It doesn't have to be a motion. It can be ...

Mayor Diaz: (Inaudible).

Councilman Rojas: ... a ...

Mayor Diaz: It needs to be a motion at this time. That's ...

Councilman Rojas: Why?

Mayor Diaz: Because it's an agenda item for the next agenda. So it needs to be a motion.

Councilman Green: But it wasn't ...

Councilman Rojas: No.

Councilman Green: ... an agenda item prior ...

Councilman Rojas: (Inaudible) ...

Councilman Green: ... to you making it an agenda item.

Councilman Rojas: It doesn't have to be an agenda item.

Mayor Diaz: No, the ...

Mr. Young: May I suggest something? I have a sense of what Council's direction is and I will just do that.

Councilman Rojas: Yeah.

Mr. Young: You know, as far as I'm concerned, you don't have to have a motion ...

Councilman Rojas: Yeah.

Mr. Young: ... to direct me to do it. I will (inaudible).

Mayor Diaz: Any more for the reports? Any more discussion?

(No discussion)

ITEM #12 - ADJOURNMENT

Motion by Councilman Rojas to adjourn the Regular Meeting. Seconded by Councilman Green. Motion passed unanimously. The meeting adjourned at 6:50 p.m.

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Paul Diaz, 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 9<sup>th</sup> day of February, 2015. I further certify the meeting was duly called and a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Veronica Moreno, City Clerk