

Minutes of the Regular Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Monday, June 15, 2015, at 6:00 p.m. at the City of South Tucson Council Chambers, 1601 South 6th Avenue, South Tucson, Arizona.

Council Present: Miguel Rojas
Anita Romero
Idelfonso Green
Vanessa Mendoza
Oscar Patino
Herman Lopez
Robert Larribas

Staff Present: Benny Young, Interim City Manager
Veronica Moreno, City Clerk
Ed Machett, City Attorney
Michael Ford, Police Chief
Dennis Rankin, Police Dept.
Joel Gastelum, Planner
Lorenzo Gonzales, Staff Intern
Cory Lakosky, Fire Dept.
Marilyn Chico, Housing Director
David Carranza

Mayor Rojas called the meeting to order and led the Pledge of Allegiance. Councilman Lopez led the Invocation.

ITEM #04 – ROLL CALL – All members of the Council were present.

ITEM #05 – CALL TO THE AUDIENCE

(No response from the audience)

ITEM #06 – APPROVAL OF MINUTES: NONE AVAILABLE

ITEM #07 – APPOINTMENT OF ACTING MAYOR

Mr. Young: Mr. Mayor, members of the Council, there's an option in the City Code for you to designate an acting Mayor and it's a Mayoral decision. It doesn't require a vote of the Council. And it's to be selected if you want to do that. If you want to do that, it's to be selected first meeting after you've been appointed as the Mayor, which happened at the last meeting. And the Acting Mayor acts as the Mayor pro-tem in the absence or disability of the Mayor and the Vice-Mayor. So it's your option, Mr. Mayor, should you decide to designate another member of the Council as the Acting Mayor. You should do it at this time. It does not require a vote.

Mayor Rojas: Thank you very much. I am appointing Mr. Herman Lopez, Councilman Lopez, for that position until further notice.

Mr. Young: So noted.

Mayor Rojas: Thank you very much.

ITEM #08 – PUBLIC HEARING: RELATING TO REDEVELOPMENT OF THE CITY OF SOUTH TUCSON: SOUTH TUCSON/AVENIDA CUATRO REDEVELOPMENT AREA; THE UNDERTAKING OF SURVEYS AND PLANNING ACTIVITIES IN CONNECTION THEREWITH; AND THE PREPARATION OF A REDEVELOPMENT PLAN

Mr. Young: This is a public hearing and then there are two companion items that follow this, the resolution attached. We're gonna take the first step tonight (inaudible) to establish a redevelopment area on the end of South Tucson in the area between 4th Avenue and the railroad tracks, excuse me, 6th Avenue and the railroad tracks. This is the first step of a process that will take probably over a year before we can actually utilize the redevelopment area and a specific tool for financing called (inaudible). I'd like for Joel to just elaborate a little bit. So you have a public hearing under Item 7 and then you have companion resolutions for adoption under Items 9 and 10 to take the first step towards establishing the redevelopment.

Mr. Gastelum: So, Mr. Mayor, members of the Council, City Manager pretty much, you know, covered it in a nutshell. We presented this previously to you guys at the meeting of April 27th, kind of what the GPLET is. The opportunities, the (inaudible) tax abatement, the whole (inaudible) we went through. There's also a pretty thorough document included in your report. All the necessary steps required to go through with this process. As the City Manager stated, this will be a public hearing. And following the public hearing, you'll be asked to approve the attached resolutions. One will be approving the redevelopment area. And the other, approving the essential business district, which is within that redevelopment area. They do have the same boundaries. And there's a formula, per state law, how we came up with it, roughly 5% of the geographic coverage of us, so it's roughly 37 acres. And based on our findings, there's also a findings report, you'll notice another attachment on another resolution stating how we're determining that to be blight and slum area. And with that, I'm open to if you guys have any specific questions.

Mayor Rojas: Any questions from Council?

Councilman Green: Don't you have to open the public meeting first?

Mayor Rojas: Well, that's where we're gonna go next. But ...

Councilman Green: Oh, and that's ...

Mayor Rojas: Yeah.

Councilman Green: ... (inaudible), okay. This is just the info.

Mayor Rojas: Yeah.

Councilman Green: Okay. So I'm going, I skipped.

Mayor Rojas: Then we go, okay, we'll now be opening the, go to make a motion to open the public hearing.

Motion by Councilwoman Mendoza to open the public hearing. Seconded by Vice-Mayor Patino. Motion passed unanimously.

Mayor Rojas: Okay. Now we have the public hearing. Now we have questions from anybody, staff and/or anybody else in the ...

Councilman Green: Well, I do ...

Mayor Rojas: ... (inaudible).

Councilman Green: ... have a question. On the public hearing, this was just, how was it disseminated to the public?

Mr. Gastelum: All the property owners were sent notices in the mail. Every single property owner listed within the redevelopment areas, roughly 37 acres, they were all sent a public hearing notice.

Mr. Young: Mr. Mayor, Council member Green, thank you for that question. In addition to that, Mr. Carranza and I met with representatives of all the major landowners in the area ...

(Background conversation)

Mr. Young: ... (inaudible) every landowner but (inaudible) major ones like the Spanish Trail property and (inaudible) Deconcini property. And Centro Cristiano Church. We have follow-up meetings with the church next week to discuss it further. But, so I believe all the major stakeholders in the area are tracking what we're doing. And from what I can tell, appear to be supportive for the City's efforts in this regard.

Councilman Green: Okay. Thank you.

Mr. Young: This will be a major economic development incentive, the GPLET tool will be a major economic development incentive for us.

Mayor Rojas: And then that's the ...

Mr. Young: If I may, I believe it would be appropriate to ask if there are any members of the public here tonight that would like to address the ...

Mayor Rojas: Right.

Mr. Young: ... Council.

Mayor Rojas: Well, I was gonna, any members in the public be interested in addressing this, questions about it, concerns?

(No response from the audience)

Mayor Rojas: Okay. And the map is there in the booklet. Okay.

Vice-Mayor Patino: So how far is this far? All the way to the bead store?

Mr. Gastelum: Yes. On your attached map, everything that's shaded in whitish color, that is all roughly 37 acres. Really, all it's doing is it's a designation. It doesn't give us, the City any (inaudible) powers, nothing like that.

Vice-Mayor Patino: No, no, just ...

Mr. Gastelum: It's just a designation for that area.

Mayor Rojas: That's like a boundary. A noted boundary.

Mr. Young: Mr. Mayor, Council member Patino, that map that Joel is referring to is actually about the 4th page into Item 9, the aerial photo, the light grey area is the redevelopment area. Mr. Mayor, if I may, if there is no one from the audience wishing to address the Council, you could close the public hearing and we'll happy to continue to answer, as your staff, any other questions that the Council might have before you take action on subsequent items.

Mayor Rojas: Right. Since I don't hear any comments or anybody in the audience that would like to address the Mayor and Council, I would go ahead at this point and entertain a motion to close public hearing.

Motion by Councilman Green to close the public hearing. Seconded by Councilwoman Mendoza. Motion passed unanimously.

ITEM #09 – RESOLUTION NO. 15-26 RELATING TO REDEVELOPMENT; AUTHORIZING AND APPROVING THE SOUTH TUCSON/AVENIDA CUATRO REDEVELOPMENT AREA; APPROVING THE UNDERTAKING OF SURVEYS AND PLANNING ACTIVITIES IN CONNECTION THEREWITH; AND APPROVING THE PREPARATION OF A REDEVELOPMENT PLAN

Mayor Rojas: Is there a motion to that? Item 9. I'd like to entertain a motion to discuss it now.

Mr. Young: Mr. Mayor, members of the Council, the appropriate motion would be to consider adoption of Resolution ...

Mayor Rojas: Of resolution ...

Mr. Young: ... No. 15-26.

Motion by Councilwoman Mendoza to approve and adopt Resolution No. 15-26 relating to the redevelopment. Seconded by Councilman Green. Motion passed unanimously.

ITEM #10 – RESOLUTION NO. 15-27 RELATING TO REDEVELOPMENT; AUTHORIZING AND APPROVING THE CENTRAL BUSINESS DISTRICT

Mr. Young: This is a companion item. It's another legal requirement that we declare the Central Business District associated with the redevelopment district and as Mr. Gastelum pointed out, the new CBD (Central Business District), has the same boundaries as the redevelopment area. So an appropriate motion for this item would be to move Resolution No. 15-27. We'll be happy to answer any further questions the Council might have.

Motion by Councilwoman Mendoza to approve and adopt Resolution No. 15-27. Seconded by Councilman Green.

Mayor Rojas: Any questions, any comments from the City Manager on this?

Mr. Young: Other than to thank you for asking that, Mr. Mayor, I think this GPLET tool which this will authorize has to go through the State's process to allow the use of government property lease excise tax, that's what GPLET stands for, it's a tax abatement incentive to encourage private investment within the redevelopment area that you just declared. And I think it's a fabulous tool. The City of Tucson is doing it quite extensively downtown. That tool has been used for the redevelopment of what used to be the Armory Park Senior Housing and now it's public apartments called the Herbert. And they also were developing a hotel downtown, a Marriott Hotel at the intersection of 5th and Broadway. There are other projects, so we're not the first ones in this area to utilize this tool. And I believe that it's a significant incentive to private investment within the redevelopment area. So thank you for (inaudible).

Mayor Rojas: Thank you very much, Mr. City Manager.

Motion passed unanimously.

ITEM #11 – APPOINTMENTS TO THE BOARD OF ADJUSTMENTS

Mr. Young: Mr. Mayor, members of the Council, you may recall that we had a request for us to have our Board of Adjustment consider an appeal (inaudible) the Zoning Administrator made on that land use case here in South Tucson. And when we attempted to convene the Board of Adjustment, we found out the five members that we normally have, we only had three. And one of those had a potential conflict of interest. And so you directed the Planning Director and myself to come back to you with recommendations to fill that up, membership on the Board of Adjustment. Joel and I have spent the last month or 45 days talking to people who have been recommended to us for consideration for appointment. Altogether, including the existing members of the Board of Adjustment, we considered about 13 people for this, and actually interviewed about 10. And the results of our recommendations are contained in the staff report. We've recommended, with regard

to the three people who are presently on the Board of Adjustment, they were given an opportunity to let us know whether they wanted to stay on or go off. One indicated that he wanted to go off, or she wanted to go off, rather. We were unable to reach a second person, and then the third person wanted to stay on. Mr. Boyle wanted to stay on the Board of Adjustments, so he's still on. And then there would be 4 new members to fill out a 5-member Board of Adjustment. And if you approve our recommendation, then we can proceed to agendaize that the hearing that we need to have for the Board of Adjustment on your (inaudible). The four members that we recommended are Eli De la Cruz, Alonzo Garcia, Fernando Loya, and Manny Valencia. And Joel and I talked to all of them and we're very impressed with their commitment to South Tucson. They are not all residents. At least two of the four residents, and the other two have significant business interest and presence in South Tucson. And under our Code, you can business interest or be a resident. So it will be a nice mix. I was impressed with all of the people we talked to. These are the four that stood out for Joel and myself, and they're the ones that we're recommending be considered for appointment to the Board of Adjustment. We'll be happy to answer questions you might have.

Mayor Rojas: And with these committees, you can continue the process you're ...

Mr. Young: Yes.

Mayor Rojas: ... (inaudible)? Okay.

Mr. Young: We can convene a hearing on the, one of the things that was really important as we talked to every person that was considered at some length we want people who can be objective. And just because we recommend something, doesn't mean they have to go with it. They're allowed to hear it, hear the facts, and make a determination. Their jurisdiction is limited to appeals from zoning interpretations and possible approval of zoning variances, and zoning ordinance requirements under certain conditions. Their decisions are then final. It does not have to come back to you as the Mayor and Council. If any agreed party doesn't like a decision, then it's appealable to Superior Court, so it kind of keeps the Council out of having to be in the middle of somebody's sticky zoning cases. So this is your Board. They make final decisions on zoning interpretations and variances.

Councilman Green: Mr. Mayor, a couple questions. The three new members and, well, let's say all five members, there is a training requirement for these people? Because I mean a lot of these individuals that we're gonna reappoint or appoint, you know, how well or how knowledgeable are they, the City zoning, State, yeah, and, you know, land bureau, land use, yeah. Is there any kind of training out there? Because to just appoint 'em and put 'em into a meeting and fire, you know, that's fire by baptism and that's not what we need. We need somebody that's going in there, yeah.

Mr. Young: Point well taken, Mr. Mayor and Mr. Green. When we discussed the position with each of the people being considered, we emphasized the requirements associated with the Board of Adjustment, and made sure that they understood that and I think all four of them did. However, before we actually convene a case, I think we should have an additional hands on training with the new members of the Board and existing members, too, for that matter, to make sure they understand their responsibilities and there are some limitations that it's important (inaudible).

Councilman Green: Okay. And ...

Mr. Young: But we'll do that.

Councilman Green: And the second part was the other Boards that we have, have we made contact with those members to make sure that those, you know, because we have to have running members on those and has anybody made contact with members from other Boards?

Mr. Young: No, Mr. Mayor, Mr. Green, we have not, but we need to keep working through our Boards and Commissions. I would view this as a starting point that's thrust on us because of the urgency and the need to, ...

Mayor Rojas: Yeah, let's, let's ...

Mr. Young: ... but I would like ...

Mayor Rojas: ... get this one going.

Mr. Young: ... suggest we also want to do the same thing with our (inaudible) Commission.

Councilman Green: Oh, no, that's, yeah.

Mr. Young: Technically, the appointments are for one year, but they're automatically extended unless the Council makes new appointments.

Councilman Green: Then they're required 60 days notice ...

Mr. Young: Yeah, we should ...

Councilman Green: ... and blah, blah, blah, yes.

Mr. Young: We should refresh all of our Boards and Commissions.

Councilman Green: Yeah, and it would be nice to put 'em on the Internet, on the website.

Mr. Young: Right. Okay.

Mayor Rojas: More questions, comments?

(No response)

Motion by Councilman Green to approve the four recommendations for appointment to the Board of Adjustments. Seconded by Councilman Patino. Motion passed unanimously.

Councilman Green: Welcome aboard.

Mayor Rojas: Welcome to work free. Thank you very much for your participation and we appreciate it. I appreciate it and the City appreciates it.

ITEM #12 – WORK SESSION – TOM BELSHE, DEPUTY DIRECTOR OF ARIZONA LEAGUE OF CITIES AND TOWNS TRAINING – COUNCIL MANAGER FORM OF GOVERNMENT

Mr. Belshe provided the Mayor and Council with a refresher training on the Council Manager form of government.

ITEM #13 – REPORTS

Mr. Young: Just a few things that I thought would be of interest to the Council. First of all, we're going to be submitting a COPS 2 grant this week for SRO officers in the school. (Inaudible) likelihood of success is but I wanted the Council to be aware of that. And we will make sure you have a copy of the grant application in your boxes. Secondly, you'll be pleased to know that we have some street sweeping that will commence tomorrow and conclude, hopefully, by the end of the week of all the major corridors in South Tucson. I wanted to get that done before the monsoon rains, if we could. And so our Public Works Director has arranged that. We've, through an IGA, asked the City of Tucson to come in and help us with that. And we have funds available in our Highway User Revenue Fund Maintenance Account to cover the cost. I wanted to do it before the summer rains start because we have sediment and other possible contaminants on the streets that goes into the storm drains and that's irresponsible in my view, so not only does it help to have clean streets, it helps from an environmental perspective to be more responsible stewards. Also, the Public Works Department has arranged to start replacing street light circuit that has been a source of concern for me on South 6th Avenue, probably you too, down towards I-10 from like 35th on down. East side has been out for a while (inaudible) and we have that work commencing this week as well. And that will take a little while, probably go into next week but I wanted you to know that we're gonna get those street lights back on. I'm concerned about that and some of our other street lights and so we're just gonna keep plugging away at this until we get them all on. And the lack of lighting down in that area may have cost us, may have been a contributing factor for the loss of a significant business interest that was considering coming into South Tucson. And that's not the only reason to get the lights on; public safety is more important. Our IT Department has managed to replace the Evidence server in the Police Department (inaudible). I'm very pleased with that. And finally, our Finance Department has already found some of the revenue that I told you I was hoping we would be able to locate going into next fiscal year. It appears that there was \$30,000 in taxes improperly (inaudible) to Tombstone, so Tombstone is going to give us \$30,000. That's part of \$100,000 in additional revenue that I had in my budget recommendation that you tentatively approved. And the County has agreed with us that they missed at least one payment of the John Valenzuela Youth Center. And they're going to give us \$56,000. And then we landed our first sponsor, thanks to the efforts of Sgt. Cajas and our Police Department; \$4,000 from La Frontera to be the main stage sponsor for the fiesta that we're planning for South Tucson turns 75 years old this year. You'll have to come back down for that, September 19th. And so that's my report, Mr. Mayor.

Councilman Green: Mr. Mayor, I have a question. With the circuits being fixed on the lighting on 6th Avenue between 35th and I-10, that's been a problem before, has Public works come up with an idea of how to prevent this in the future? I know they're getting more creative day by day, but, yeah.

Mr. Young: Mr. Mayor, why don't I take that up with them and give you a report? I'll put a report in your boxes when I talk to them.

Councilman Green: Yeah, because I know ...

Mr. Young: I don't quite know the answer.

Councilman Green: I know when we were working in transportation we were doing that. We were filling up the boxes with foam.

Mr. Young: I'll follow up.

Councilman Green: And then (inaudible).

Mayor Rojas: And I have a follow-up to Councilman Green. Does anybody else have a comment?

Councilman Lopez: Yes, I'd like to, Mr. Mayor, sir, could you mention something about the conference that you're going to have at the Star Pass? That ...

Mr. Belshe: Absolutely.

Councilman Lopez: ... is something that I'm interested in attending. And I'd just like for the rest of my council members to see whether they want to jump on board, but I think it's that you'd like to highlight 'cause I think it's important that if you're here with us, that we should be with you in this, I believe it's a conference, right?

Mr. Belshe: That's correct. It's our League Annual Conference. We have it every year. This year, we're going to my favorite place which is the Star Pass Resort. I love that place. We're not supposed to have favorites as staff, but there you go. I believe it's the week of August 17th.

Mr. Young: I have the information. The League has been good enough to send it to me and I will share that with the Mayor and Council.

Mr. Belshe: There's two reasons every Council member should plan to attend; number one, the opportunity to network with other communities that have similar issues and problems. We have over 1,200 elected officials, staff, state representatives, senators. We have federal government senators and the governor will attend. But the second thing is you get a lot of really good training. We're going to talk about why the Department of Revenue is putting your money with Tombstone instead of (inaudible). We'll talk about all of those kinds of things and there will be training for, individual staff members will have things, sessions that will be important to them as well. So, and then it's just, we always have nice dinners, lots of opportunities for you to network with your colleagues from across the state and so, since it's so close for you, we really hope that you'll make the effort to drive up the road and be there. So we would really like to see you all there. Thank you for asking me that.

Mayor Rojas: We had passed the Call to the Audience, but I'll go ahead and make an exception since, I guess, you were (inaudible).

(Inaudible background conversation)

Mayor Rojas: Well, that was a mistake.

Mr. Young: That was my mistake, Mr. Mayor, Mr. Green. I'm sorry.

Mr. Green: Okay, thank you.

Mr. Young: I didn't mean to miss the Call to the Audience.

Mayor Rojas: Okay. You have your three minutes, please.

Mr. Green: Thank you. Raul Green, 307 West 36th Street. I wanna talk about Pasadera. The zoning committee, or whatever you call the people, we were expecting more community involvement in this since this is a community issue. That's one of the things we, the community knows so very little about what's going on with Pasadera with this group that's gonna make a decision for us. We know that one of the people, well, I don't know, I don't know who most of the people are, but I do know that Alonzo Garcia is one of the persons who's gonna be against, in the group. Alonzo does not live in South Tucson. He has a business on 29th, almost at the edge of South Tucson.

Mayor Rojas: Right.

Mr. Green: He's not, were you saying something?

Mayor Rojas: No, but I guess you must have missed the City Manager's comment when he says they don't have to live in South Tucson.

Mr. Green: I know, I know. But the thing, this being a community issue, we would rather have, I heard. We would rather have someone from South Tucson. The thing is that someone on 29th who doesn't live in South Tucson, at the edge of South Tucson on 29th making a decision for the people on 36th, 37th and 38th, I don't think it's fair. First of all, the thing is that we need an impartial person. We know that Mr. Garcia is a good friend of Luis Gonzales. And Gonzales is one of the two people who gave the green light to Pasadera. So I don't know how it could be impartial. And it seems like maybe Luis Gonzales is pushing him in here. And we want someone who at least gives the appearance of being impartial. There seems to be a little poison here. I don't know why they're picking this guy. He's not interested in whether Pasadera comes in or not. So think it over.

Mayor Rojas: Thank you very much.

Mr. Green: Thank you.

Mayor Rojas: Appreciate it.

Mr. Young: Mr. Mayor, I'm just going to indicate that I'm gonna talk to Mr. Green after the meeting, separately, and a little bit more about that topic. We really shouldn't get into it in depth right now, but the Board of Adjustments meeting will be open to the public and so ...

Mayor Rojas: Yeah, it is.

Mr. Young: ... both sides will be ...

Mayor Rojas: It's a public ...

Mr. Young: ... (inaudible).

Mayor Rojas: ... meeting. Yeah, I was just gonna mention, Mr. Green, those meetings are public. So if you wish to attend when they do meet, you're definitely welcome.

Mr. Green: If he gets selected (inaudible) doesn't matter if this is ...

Mayor Rojas: Okay. Thank you very much.

Mr. Green: ... a public forum or not.

ITEM #15 - ADJOURNMENT

Motion by Councilman Green to adjourn the Regular Meeting. Seconded by Councilwoman Mendoza. Motion passed unanimously. The meeting adjourned at 6:57 p.m.

Mayor

ATTEST:

Veronica Moreno, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of South Tucson, Arizona, held on the 15th day of June, 2015. I further certify the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 2015.

Veronica Moreno, City Clerk