

Minutes of the Regular Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Monday, April 14, 2014, at 6:00 p.m. at the City of South Tucson Council Chambers, 1601 South 6th Avenue, South Tucson, Arizona.

Council Present: Paul Diaz
Miguel Rojas
Vanessa Mendoza
Anita Romero
Idelfonso Green
Oscar Patino

Staff Present: Luis Gonzales, City Manager
Veronica Moreno, City Clerk
Joel Gastelum, Planner
Richard Vidaurri, Deputy Police Chief
Sgt. Edward Cajas, Police Dept.
Marilyn Chico, Housing Director
Andrea Mathesen, City Attorney

Guests: Johnny Basha, Vice-President Bashas, Inc.
Robert Ortiz, Sr. Vice-President Bashas, Inc.

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

ITEM #03 – INVOCATION – Councilwoman Romero led the Invocation.

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

ITEM #05 - APPROVAL OF MINUTES: REGULAR MEETING, MARCH 24, 2014
– Motion by Councilman Rojas to approve the minutes of the Regular Meeting of March 24, 2014. Seconded by Councilwoman Mendoza. Motion passed unanimously.

Mayor Diaz stated the Executive Session will be moved to the end of the meeting.

ITEM #06 – ORDINANCE NO. 14-02 – The following is the transcript of Item #06:

Mr. Gonzales: Thank you, Mr. Mayor, members of the Council, Item No. 06, your agenda item, number 06, is an issue that came to you before in Public Session. It came to you approximately a month ago. What this does it puts you in compliance with a mandatory statutory law that moves and consolidates the elections for the following year from odd numbered years to even number years. What that means is that the City of South Tucson has historically had elections in odd numbered years. What this is going to do is it's going to move your election dates to the normal even numbered years, which will be held, have a Primary either in September or August, depending on the, where the dates fall on the calendar. And then a General Election would move to the following November, if an election is to be held for the November election because you're still going to, would be operating under your existing non-partisan elections, which are part of your codes. So what this ordinance basically does is makes the changes to comply with the State law which you are mandated to have done this year, sometime this year. So, in essence, what's going to happen now is that your next election, for those individuals who are up for re-election in 2015, will not be up for re-election until 2016. That means there is an extension on your terms. As you recall, when we did the public hearing, we put out a flier that went to every household in the community, asking for public input regarding that change. The next thing that is going to happen is those individuals who just been elected in 2011, are now going to move forward, also, another year and ...

Councilman Green: Six months.

Mr. Gonzales: ... I think four months, roughly. When we put this thing together and when we did the research on this, you had in 2009, I believe, when you did your, I believe it was 2009, not exactly sure, when you did your non-partisan elections, that was a vote of the people. It was an initiative. And that initiative basically said you're now going to be having elections non-partisan, without any partisan affiliation. What occurred there, since that time forward, that was never put into the ordinance. It was never codified as an ordinance. So when I started doing the research based on this law, we needed to codify it. So what you're seeing here is you're doing two things; one, you're codifying the initiative, it's going into a procedure portion of Chapter 2, which is your administrative portion in a place where it's, with a common Council and is identified. So now it's going to be an actual code that's going, that should have been done some time ago but wasn't. And then underneath that, then you're going to have your election consolidation. And that's the way it reads in the information that's before you. So that's basically what it is. Again, it's not something that you're doing because you want to. Some of you may not like it. I don't know. But nonetheless, it's a mandate from the State Legislature. Everyone who has, been having their elections in odd numbered years have been making those changes. I believe that last one that made the change was Marana. And I think we're, indeed, we're

the only one left, at least in Southern Arizona that hasn't done it. If there are any questions, I'll try to answer them.

Mayor Diaz: Mr. Gonzales, in regards to the proposition that's 402, that's the one that created the non-partisan election, and that occurred November of 2008. Okay.

Mr. Gonzales: I believe that's, that's what it is in your resolution. Is that the date in the resolution ...

Mayor Diaz: Right.

Ms. Matheson: Now, the proposition went to the voters on November 4th of 2008.

Mr. Gonzales: 2008. It wasn't 2009, it was 2008, so I stand corrected.

Mayor Diaz: Okay. Is there any more questions?

(No questions)

Motion by Councilman Rojas to pass and adopt Item #06, Ordinance No. 14-02 of the Mayor and Council of the City of South Tucson, Arizona, relating to City Council amending Chapter 2 Administration Article 2 Common Council Division 2 Rules of Order and Procedure of the City of South Tucson City Code, adding and inserting new Section 2-38, Non-Partisan Elections, and editing certain new section 239, Council Members Terms, inserting Section 1, Primary Elections, to establish the date of the Primary Elections to establish the basis for circulating the majority of the Votes Cast in Primary Elections that include the elections of Council members, lengthening the terms of the Mayor and Council members elected in 2011 and 2013 to conform to the new election dates as per Arizona Revised Statute 16-204, and designating an effective date. Seconded by Councilman Green.

Mr. Gonzales: Just one additional comment on that, just for your information, it does not take effect until 30 days after this passage.

Mayor Diaz: Okay.

Mr. Gonzales: It's not an emergency measure.

Mayor Diaz: Okay. And also let the record reflect that Councilman Patino is present for the vote.

Motion passed unanimously.

ITEM #07 – RESOLUTION NO. 14-08 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, DECLARING AS PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK’S OFFICE AND ENTITLED CHAPTER 2, ADMINISTRATION ARTICLES 2, COMMON COUNCIL DIVISION 2, RULES OF ORDER AND PROCEDURE OF THE CITY OF SOUTH TUCSON, CITY CODE ORDINANCE AMENDMENT ADOPTED PURSUANT TO ORDINANCE NO. 14-02

Mr. Gonzales: Thank you, Mr. Mayor, members of the council. What this basically does, it makes the document you just voted on a public record.

Motion by Councilwoman Mendoza to approve and adopt Resolution No. 14-08 of the Mayor and Council of the City of South Tucson, Arizona, declaring as public record those certain documents filed with the City Clerk’s Office and entitled “Chapter 2, Administration Article 2, Common Council Division 2, Rules of Order and Procedure of the City of South Tucson, City Code Ordinance Amendment adopted pursuant to Ordinance No. 14-02. Seconded by Councilman Rojas. Motion passed unanimously.

ITEM #08 – RESOLUTION NO. 14-09 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, APPROVING THE SOUTH TUCSON HOUSING AUTHORITY 2014 ANNUAL PHA PLAN AND AUTHORIZING THE EXECUTION OF THIS RESOLUTION FOR THE PURPOSE OF AUTHORIZING THE CITY OF SOUTH TUCSON HOUSING DIRECTOR TO SUBMIT SAME TO HUD AND DECLARING AN EMERGENCY TO EXIST

Mr. Gonzales: Mr. Mayor, members of the Council, this resolution has to do with the Public Housing Authority annual plan. This plan comes to you every year as HUD makes revisions every year. So this is your annual ritual regarding this particular item. Ms. Marilyn Chico is here and available to explain any changes and, or any questions that you might have.

Councilman Rojas: Ms. Chico, have we always had a 100% Fair Market Rent for residents? Or 100% means what? Is it 100% of the income or 100% of the value of the home? What, what?

Ms. Chico: Mr. Mayor, Council member Rojas, we have historically adopted 100% of the Fair Market Rent. That is what HUD has determined is the average pricing for studios through 4, 5 bedrooms. So we have adopted the full amount of what their Fair Market rent is.

Mayor Diaz: So we do have a choice?

Ms. Chico: We do have a choice. As a matter of fact, a couple of years ago when we were having some issues with our Section 8 Program, we were thinking about reducing and I, if I'm, if memory serves me correctly, we may have reduced it to about 90 or 95% for that one year. Normally, though, we try to keep it at 100%. As a matter of fact, I guess there were quite a few Housing Authorities that had reduced theirs this year to less than 80%. And HUD is making every, all those Housing Authorities go back to the board and Mayor, revise it so it's higher than 80%. What they typically like is 100%. And we adopt, you know, we're, what we had proposed 100% in October and it was approved by Mayor and Council. It was ...

Councilman Rojas: So ...

Ms. Chico: ... (inaudible).

Councilman Rojas: So when somebody makes the decision of 100 versus 90 versus 80, is it somebody lives in the Arizona area, California, D.C., Hawaii? I mean when they make the decision, how did they come out to who that decision, I mean 'cause again, you said HUD.

Ms. Chico: Well, ...

Councilman Rojas: They're the one that kind of pushes the, the string on this one, or the train.

Ms. Chico: The Fair Market Rents are actually put together by HUD. It's up to each Housing Authority to determine what percentage of that Fair Market Rent they're going to use for flat rents and for the payment standards for their Section 8 program. We have elected to use 100% of it. It doesn't impact any of our tenants or our Section 8 clients. It, what it does is between the utilities the tenant has to pay and the fair market, or what the contract rent is that a private owner would want for rent, they can't be over the Fair Market Rent. So it keeps it reasonable.

Councilman Rojas: So this amount would probably include utilities?

Ms. Chico: Yeah, the Fair Market Rent is the contract rent plus utilities cannot be over ...

Councilman Rojas: Right.

Ms. Chico: ... the Fair Market.

Councilman Rojas: That's what I mean. So it would include utilities amount, dollar amount. Okay. Thank you.

Mayor Diaz: So did it go above last year's?

Ms. Chico: As a matter of fact, it was raised. It's part of the PHA Plan. I showed for 2014, just for instance, a studio for this year is \$507. For 2013, it was \$495. So it went up \$12. One bedrooms, this year, are \$633. They were \$618. So they've gone up a few dollars. Nothing significant. But they have gone up, which is showing that the economy is improving. That's really what Fair Market Rents are also based on is the economy, what people are getting for their rents, what they compare houses of certain type, same amenities, and util-, and apartments, the same way. One, you know, studios up to 4, 5 bedrooms, plus the utilities and so on. So they do the, they do the research for us and then they're published in the Federal Register every October.

Councilman Rojas: So what happens when all of a sudden TEP, Southwest Gas, and the City of Tucson decide that they want their increases of 2%, 5%, etc. and the percentages of raising the utilities, how do, is there a way for an adjustment to make, you know, so that the poor resident doesn't get stuck with now, you know, now they gotta pull more money out of their pocket to make that gas bill or pay that light bill.

Ms. Chico: Council member Rojas, we check the utilities schedules. As a matter of fact, I'm going to be coming to Mayor and Council for an increase in our utility schedules just because TEP and I think water went up also. Right now, we have no landlords that are receiving the full Fair Market Rent. Okay? So if we had somebody that the contract rent was high and the utilities went up, they became high, then we would have to adjust. But that would be coming to Mayor and Council. We don't take that upon ourselves. We would come to you with a reason and then it's up to Mayor and Council to approve or disapprove the resolution to adjust those Fair Market Rents. Right now, they've not affected anybody, the Fair Market Rents, 'cause we had very, very few that between the contract rent and utilities match the Fair Market Rents.

Councilman Rojas: What my question would be is I would hate to have some landlord decide that, well, you know, this person that is not capable of paying this increase can and no, no longer live in this, my house because, you know, they're not (inaudible) utilities.

Ms. Chico: Councilman Rojas, one of the things about the payments that our clients, especially in Section 8 make, has nothing to do whatsoever with the price

of the whole or anything else. Their rent is simply based on their adjusted income, minus utilities, and every other deduction we can come up with like children, or kids going to school that are 18 and over. So, and we put those utilities in. And we, that's why we have the utility schedules. Now if they're, if we have an increase in utilities, then of course we bring that to the Mayor and Council again. And we'll increase that utility schedule. If it's simply that somebody is using more electricity than the average, that's up to them to pay.

Councilman Rojas: Okay.

Ms. Chico: But it does not affect, these do not really affect the clients.

Mayor Diaz: Does it affect the Seniorial and the elderly low-income?

Ms. Chico: It affects everybody the very same way. Their income is, the rent that they pay is all based on their income minus deductions. Thirty percent of that, minus utilities. So we keep subtracting. So they have a very reasonable rent. That's why people love the Section 8 program. It's a reasonable rent. So this is not going to hurt them.

Mayor Diaz: I was asking about the Seniorial and the elderly housing and the low-income.

Ms. Chico: We pay all their utilities. None of those, none of our residents ...

(Simultaneous conversation in background)

Ms. Chico: ... in either building pay any utilities.

Mayor Diaz: The rent?

Ms. Chico: The rent is based on their income, minus, most of them are elderly or disabled, so we subtract out medical expenses that are paid out of pocket, they're not reimbursed for.

Mayor Diaz: But their rent goes up?

Ms. Chico: The rent only goes up if their income went up. We don't have, we don't jump everybody's rent by ...

Mayor Diaz: No, but this is Fair Market Value, right?

Ms. Chico: The flat rent, if we had somebody, and it's not going to happen in El Seniorial or Casa de Bernie Sedley, believe me, it's never happened. If we had a

family in our family section and say mom and dad are both working and they're making outstanding money, what the flat rent does and that's, Villa del Mar, is they can choose, we can either go through the formula in determining their rent with all the deductions, or they can choose the flat rent which is the actual (inaudible) for whatever bedroom size apartment they're in. We, you know, we offer it. It's part of what we have to do, it's mandatory. We've never had anybody take us up on it.

Councilman Rojas: Okay, thank you.

Mayor Diaz: Thank you. Are there any more questions?

Councilman Green: Let me, let me ask a question. So basically what you're doing is you have a set price for the unit of \$500. Or you have a set price of the unit for \$500, let's say.

Ms. Chico: Fair Market.

Councilman Green: Yeah, Fair Market (inaudible). Then the bill, electric, or utilities are \$200. You reduce that rent from \$500 to \$300, basically, right?

Ms. Chico: Basically, yes.

Councilman Green: Okay. So then if, then anything above that is what's paid through the other sources.

Ms. Chico: If we had a family, say they were in an apartment it was \$300, the utilities are \$200. This is a family. Say they've got a couple of kids. That's (inaudible) it's \$480 per kid so it's \$960, another deduction. Any other deductions we can come up with. Then it's 30% of that.

Councilman Green: Right.

Ms. Chico: That's how we figure their rent.

Councilman Green: So you can have somebody either paying zero, you know, negative renters or, or you could have minimal \$32, or yeah.

Ms. Chico: In Casa de Bernie Sedley and El Senorial, because we're paying all of the utilities, they do not get that utility ...

Councilman Green: Allowance.

Ms. Chico: ... deduction because we're paying it all. They do have a minimum payment, which is in PHA plan for, of \$25. Okay? We do have hardship cases, case by case, and I can void that, depending on what's going on. In our family section, because they are paying utilities, we have a lot of families who cannot afford the rent. When we do all the deductions, we actually will pay part of their utilities for them. That's the utility reimbursement payment.

Councilman Green: Right. Okay. Thank you.

Ms. Chico: You're welcome.

Mayor Diaz: Are there any more questions?

(No response).

Motion by Councilman Rojas to approve Resolution No. 14-09 of the Mayor and Council of the City of South Tucson, Arizona, approving South Tucson Housing Authority's 2014 Annual PHA Plan and authorizing the execution of this resolution for the purpose of authorizing the City of South Tucson Housing Director to submit same to HUD and declaring an emergency to exist. Seconded by Councilman Green. Motion passed unanimously.

ITEM #09

Mr. Gonzales: Mr. Mayor, members of the Council, this item is for discussion, not for any action. Basha Company, Food City had requested an audience with the Council to talk about issues that are pertaining to their business. Apparently, they have been experiencing a downturn in new business over the past, at least the past year or two. What they would like to do is address you regarding the taxation issues that deal with taxes on food that the City of South Tucson imposes. We impose a special tax, many cities do not, which is basically the home consumption tax on food. They would like to address the Council regarding that issue so I would like to introduce Mr. Johnny Basha, who is here.

Mr. Basha: Mayor Diaz, Vice-Mayor Romero, ladies and gentlemen of the South Tucson City Council, my name is Johnny Basha, Vice-President of Bashas, Inc. With me is Robert Ortiz. Mr. Ortiz is the Senior Vice-President of Bashas, Inc. and he is in charge of all of our retail stores, Bashas, Food City, and A.J.'s. I very much appreciate you providing me with this opportunity tonight to speak to you. I'd like to take just a moment and give you a little familial history so you know where I fit in the family tree. In 1932, Bashas was founded by brothers Ike and Eddie Basha, Sr. I am the son of Ike Basha, the late Ike Basha. My cousin, first cousin would be Eddie Basha, Jr., a man who most of you know who passed

away in March of last year. His father, Eddie Basha, Sr., and my father, were brothers. So that's where I fit in the family tree and I'm probably the last (inaudible) generation, member left in the family (inaudible) in the family business. Probably 15 or so years ago, Eddie came down here to South Tucson and made a commitment to the people of South Tucson that he wanted to be your grocer and it would be a privilege for him to serve you. And it's been our privilege for 14 years to be located in Food City Store at South 6th and I-10. And we want to continue to do so. As most of you know, in 2009 with a lot of the economic and financial crisis that occurred in our economy, Bashas, Inc. filed bankruptcy. In August of 2010, we emerged from bankruptcy, a much leaner company and I'm very proud to say that over a 3 year period, 100% of our secured and unsecured creditors were paid off in full and all of the bankruptcy debts have been paid (inaudible). So we're back to being a viable company. I did say that we became quite lean. I may not look lean because I like to eat. Our company is very lean and we look very carefully on stores that are not performing well. And unfortunately, the store in South Tucson is not performing well. And we can look at the trends and we can see where the employers, I believe it was the employer sanction law happened in 2008 and the store dropped in volume then. Then we had SB1070 debacle that we had to deal with in 2009. The store dropped again. It has continued to decline since then for reasons that I'm not aware of. So this year, we decided that we were going to recommit additional dollars to the store here. And we just completed a \$700,000 renovation to the store. We've seen a 10% increase in sales since we've completed that renovation. I will say that we've done to other Food City stores with, I would say pretty close to an identical renovation and we've seen anywhere from 30 to 40% increase in sales. So we, what we're here for, and to ask, I'm just wanting to call to everyone's attention that the store is not profitable. It loses a substantial sum of money. We have to be very judicious with these stores we operate and that we operate them profitably. And if there is anything that the Council can consider, the City of South Tucson can consider in giving us some relief and helping us be more competitive in this market, we would appreciate your consideration. I'm not asking for anything tonight. I'm not suggesting anything tonight. I'm just here asking for help, that we want to stay here, we want to continue to operate. We've made big financial commitment again and we need some help.

Mayor Diaz: Great. Okay. Thank you.

Mr. Basha: Robert, is there anything you'd like to add?

Mr. Ortiz: I will tell you the El Super that we, the competitor that's across the freeway there, is a very tough competitor. They're owned by a large Mexican company and they do very well. They have very deep pockets. You may have seen on Channel 4 a while back that they had our ads, we actually run our

advertising paper, we run lower prices for this particular store because, again, we try to even the playing field by the consumer. So we actually take more of a loss here because we're trying to compete. We want to stay here. But under the circumstances, it's very difficult because there's a stigma (inaudible) consumer that they come in and say, "Well, we have to pay taxes here. We don't have to pay it across the street," and it just, it just, it, it, it's a, it's a stigma with them and they talk about it a lot and we hear it a whole lot. And it's a difficult situation so.

Mr. Basha: And approximately 90% of the sales from (inaudible) store and this is an average, 90% of the sales would be for home consumption (inaudible), 10% would be from non-foods. So really what we're talking about when we compare ourselves to our competitor across the street, 90% of our sales have a 2 ½% tax and theirs don't. And when we're at a 1% business, that's a lot of money. So I'm, I appreciate you taking the time to listen to me. And I'll answer any questions that you might have.

Councilman Rojas: Mr. Mayor, I do want to make a comment that that's the only place I go buy my meat. And that's the only place that I actually do buy all of my other stuff for the family so.

Mr. Basha: Thank you, sir. We appreciate ...

Councilman Rojas: Convenient. I mean why do I want to go another extra half mile there? I go into those Mexican supermarkets over there across the border in Nogales. Scary sometimes.

Mr. Basha: Do you like to remodel?

Councilman Rojas: Lovely, lovely. I even had some mariachi music there, I think it was over the weekend. I don't know where they were. They didn't play for me so they were playing for somebody else, but that was still music.

Mr. Basha: Alright. Anyone else have any questions?

Mayor Diaz: No. Again, I'd like to add to that. I also shop at Food City. And the remodeling looks great. It really helped.

Mr. Basha: Okay. Well, we'll get you out there carrying placards for us (inaudible). Thank you, ladies and gentlemen for your time.

Mayor Diaz: Thank you. We'll go ahead and go to Item #11.

ITEM: #11 – REPORTS

Mr. Gonzales: Mr. Mayor, members of the Council, the proclamation before you proclaiming (inaudible) Peace Day, April the 12th, is coming to you a little bit later because today's the 14th and you had no Council meeting prior to that. And it's a proclamation that was requested by Council member Mendoza (inaudible) was at this, I'm not sure if you were at the (inaudible) and actually, already read the proclamation. So basically, it's just asking you to ratify it.

Mayor Diaz: Are there any more reports?

Mr. Gonzales: Mr. Mayor, I do have, well, first of all, I don't know if everybody here has met Mr. Roy (inaudible). He's been with us now for about three weeks. I apologize he has not been (inaudible) Council before. But Roy is here on loan to us from the City of Tucson as the interim Finance Director while we continue to make some changes within the department, structural changes we're going through, and beginning to go through our budget process. We need to have a new budget by June, and also to help us finish out the annual audit. I just want him to stand up, you haven't met him. He has been loaned to us by the City of Tucson, like I said, for approximately 90 days, unless we decide to maybe steal him. He's doing a great job for us and I just wanted to do that. You will be receiving a report from him later in Executive Session but I just wanted you to be aware of who Roy is in case you hadn't had a chance to greet him. The other report that I have is I'm very pleased to report, as all of you know, the Feria de Sur Tucson was held last Sunday, April the 6th. And that was an event that was organized in a very short period of time, about three months. Our staff, Ms. Moreno, Ms. Valencia, all the police department, everyone in Fire Department and all the departments were very, very helpful with assisting to put that together. As you know, we partnered with Cyclovia who has their annual two-day event which starts in downtown Tucson, Armory Park, and then goes down South 8th Avenue, 34th, and then down north on 4th Avenue. They reported that they had approximately between 10,000 and 20,000 people attending their event. The reports that we're getting back from the organizers of our event that we had on South 4th Avenue, closed that down from 36th Street to 28th Street, are upwards of 35,000 people. They estimate 35,000 to 40,000 people who (inaudible) between the hours of 12 noon to 7:00 p.m. That is absolutely phenomenal in terms of the response from the community so what we're doing now is beginning to look at starting to see how we're going to organize the next one for next year. Possibility of moving that to two full days. Obviously, like any event, this is the first time we've had an event here like this in the last, what, 14 years? So I guess people were very hungry to see something like this. You had about 80 vendors in a 10 block area. You had more than 40 entertainers that performed on that day. All the businesses along the stretch were all participating in one way or another. Many of them, like Mr. Baca for example, brought in, I think, at least seven groups and had them there on 31st and 4th Avenue throughout the day,

which helped a great deal. The fact that we did partner with Cyclovia, I think, was extremely helpful to the Feria de Sur Tucson, and contributed greatly to its success. So we're looking at doing it again next year. We're going to be having a gathering, I believe, tomorrow to kind of just debrief and talk about some of the things we did right, some of the things we didn't do right, some of the things we should have done but didn't do, some of the things that we can do, etc. But I've had nothing but good and positive comments from the businesses along the street. Just to report to you that yesterday I went to lunch at one of the businesses and I got a free lunch. I told, told me that throughout the day they had one hour of waiting time for this restaurant. So that tells you something. And we had a number of vendors who actually sold out. They actually sold out there and they closed down an hour, hour and a half early, before the event was over. So we're very pleased with the results and all of you, at one point or another, were at the feria. And really appreciate your participation and I particularly want to thank all our staff for helping. Now that we all got behind in our normal everyday work, it's time to go back to work. Thank you very much. I also wanted to tell you that Food City was a major sponsor of the event. They actually came out and everything that they did for us was at no cost, including the stages. They were put there, the large stage, that all belongs to them. They put together a carnival over at their grounds because we couldn't house a carnival here because they needed at least two days to be able to make ends meet with them. So they held it over there and they committed 25% of those profits after they paid all of their expenses on it to non-profit organizations that the feria had wanted to help. So just wanted to make that comment so that you'd know that they have been working with the City.

Mayor Diaz: Thank you.

Mr. Gonzales: That's all I have, Mr. Mayor.

Mayor Diaz: Thank you.

ITEM #09 - CALL TO THE AUDIENCE – No response from the audience.

Mr. Gonzales: I wanted to also mention Herman. I think Herman is here. Is Herman here? Herman here took the bull by the horns early on and he and Maria Garcia went out to every possible business owner that they could find and they worked directly with them, assisted them in anything that they needed, and they put together the whole business section of the Feria de Sur Tucson. And I'm sorry that I didn't mention them but in my old days I forget things once in a while. But I actually went back and (inaudible) they did a great job out there.

Mayor Diaz: It will be added to the record. Thank you.

ITEM #10– EXECUTIVE SESSION - Motion by Councilwoman Mendoza to move into Executive Session. Seconded by Councilman Rojas. Motion passed unanimously.

RETURN FROM EXECUTIVE SESSION: Motion by Councilwoman Mendoza to convene into Regular Session. Seconded by Councilman Rojas. Motion passed unanimously.

Mayor Diaz: It was moved and approved that we are back in Regular Session now. What are the decision for the Executive Sessions?

Councilwoman Mendoza: Mr. Mayor, I move that we direct the City Attorney to continue negotiations with ACLU to finalize agreements and documents.

Seconded by Councilman Rojas. Motion passed unanimously.

Mayor Diaz: Mr. Gonzales, in regards to the Waste Management, Inc. issue, it was discussed and it was information only.

Mr. Gonzales: There was, it was information and legal advise on that issue. Basically, the only thing you really need to do is to direct the Manager and the Attorney to continue talking regarding the possible revisions to ...

Councilman Rojas: On the contract.

Mr. Gonzales: ... (inaudible) contract.

Motion by Councilman Rojas that the City Council direct the City Manager and Legal Counsel to seek information on this contract and continue negotiations with proper people for this item to get resolved. Seconded by Councilman Green. Motion passed unanimously.

Mayor Diaz: In matter of the personnel, Mr. Gonzales.

Mr. Gonzales: We don't need any motions on that.

Councilman Rojas: It's informational.

Mayor Diaz: It was informational only?

Mr. Gonzales: Yes.

Mayor Diaz: Thank you. In regards to the finance tax legal advise and consultation.

Mr. Gonzales: We don't need a motion on that. Legal will resume the research on that. That's about it.

Mayor Diaz: So it was regard as informational only?

Councilman Rojas: Yes.

Mayor Diaz: That's all the items that were discussed in Executive Session.

ITEM #11 – ADJOURNMENT – Motion by Councilman Rojas to adjourn the Regular Meeting. Seconded by Councilman Green. The meeting adjourned at 9:36 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 14th day of April, 2014. I further certify the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 2014.

Veronica Moreno, City Clerk