

Minutes of the Regular Agenda Meeting of the Mayor and Council of the City of South Tucson, Arizona, held Tuesday, September 3, 2024, at 6:00 p.m., at the City of South Tucson Council Chambers, 1601 S. 6th Avenue, South Tucson, Arizona.

Staff Present: Veronica Moreno, Interim City Manager
Lourdes Aguirre, Finance Director
Danny Denogean, Public Safety Director and Chief of Police
Jon Paladini, City Attorney

Councilors Present: Mayor Paul Diaz
Vice Mayor Herman Lopez
Acting Mayor Rita Rogers
Councilor Anita Romero
Councilor Cesar Aguirre
Councilor Brian Flagg
Councilor Roxanna Valenzuela

Others Present: Kate Saunders, Cyclovia, not a Resident
Benji Rouse, Cyclovia and Bike Club, not a Resident
Lin A. Rodriguez, Resident

Mayor Diaz called the Regular Agenda Meeting of Tuesday, September 3, 2024, to order at 6:00 p.m. Please stand for the Pledge of Allegiance, and Land Acknowledgment and Mission Statements.

ITEM #03 – LAND ACKNOWLEDGMENT AND MISSION STATEMENT

Vice Mayor Lopez: On behalf of South Tucson residents, we honor the Tribal Nations who have served as caretakers of this land from time immemorial and respectfully acknowledge the ancestral homelands of the Tohono O’odham Nation and the multi-millennial presence of the Pascua Yaqui Tribe within South Tucson. Consistent with the City of South Tucson’s commitment to diversity and inclusion, we strive toward building equal-partner relationships with Arizona’s Tribal Nations.

Acting Mayor Rogers: The Mission of the City of South Tucson is to build up our community through mutual cooperation between we, your public servants, and you our citizens so that jointly we can build a safer and stronger City. Amen.

Mayor Diaz: Thank you.

ITEM #04 – ROLL CALL (By City Manager Moreno):

Vice Mayor Lopez. Here.
Acting Mayor Rogers. Here.
Councilor Romero. Here.
Mayor Diaz. Here.
Councilor Flagg. Here.
Councilor Aguirre. Here.
Councilor Valenzuela. Here.

ITEM #05 - APPROVAL OF MINUTES

Mayor Diaz: Approval of minutes for Regular Meeting of August 20th. Do I hear a motion to accept the minutes as corrected, deleted or additions to it.

Acting Mayor Rogers: Mr. Mayor, I have some corrections and then we can move it and accept them.

Mayor Diaz: Ok, is there a Second?

Councilor Valenzuela: Second.

Acting Mayor Rogers: So page one is basically when naming the other people present at the last meeting that we are doing right now, Tuesday, August 20th, it was not Melissa Brown that was speaking at the thing. There was Susan Barnett, not a resident, but the other one was Mr. Mel Dominguez, and you will see in all the thing it is all about Mel Dominguez, not Melissa. That needs to be corrected.

Mayor Diaz: Ok.

Acting Mayor Rogers: On then page 5, Ms. Moreno, on the bottom there, she answered that Ms. Ochoa was not, she was excused and not at the meeting, but we don't have that Cesar also was not here and it needs to be. So, we just have the resident missing but not the Councilmember as well. That must be added, page 5. Those are the only things I saw as not correct.

Mayor Diaz: Ok, so as corrected, Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Yes.

Councilor Romero. Yes.

Mayor Diaz. Yes.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Call to the Audience

Mayor Diaz: I would like to read the following: "To accommodate all those who wish to address the City Council and to facilitate the expeditious consideration of the agenda, it is requested that each person wishing to address the Mayor and Council under an agenda item limit his or her comments to a maximum of three minutes".

"The open meeting law does not establish a right for the public to participate in the discussion or ultimate decision of the Public Body. If public comment is allowed all individuals desiring to participate must be provided with some period of time to do so. Action taken as a result of public comment will be limited to directing staff to study the matter; respond to criticism at the completion of the call to the audience; or scheduling the matter for further consideration and decision at a later date by placing matter on a future agenda".

Mayor Diaz: Those wishing to speak to the Council, please turn in a card.

Ms. Aguirre: Mr. Mayor, we received a couple of cards. One was submitted by Kate Saunders, not a resident, address 820 E. Blacklidge Drive, and the topic is Cyclovia.

Ms. Saunders: I am going to hand you all flyers. Good evening, my name is Kate Saunders. I work at Living Streets Alliance. We are a small non-profit here in Tucson that hosts Cyclovia. It is one of our signature events. We just wanted to come tonight to share more of those details with you and open that pathway of communication if you have any questions or ideas. It's an invitation if you want to come and enjoy the event and invite folks. Many of you may have already been to Cyclovia before or know what it is. It's been around for a while, and maybe you have been involved in part of it but for those of you who haven't, Cyclovia is basically a large block party where we close down the streets to cars, and we open them up to people. So, think like a 3-5 mile long bike party where roads are closed, and people can flow freely and spend the day in a way that is safe and free. We have activity hubs along the way. We hosted it in South Tucson I think seven times before I worked at LSA, and we rotate routes throughout the City. Most recently last year we had one that connected downtown to the Amphi neighborhood and that was really cool working with the neighbors in the Amphi area. Before that, we had one on South Park in the Los Barrios and then weaved through neighborhoods that connected with Himmel Park. We host the event two times a year and kind of rotate through a series of routes depending on what neighbors want to see, where our partnerships are, and my colleague Benji will be able to share more about our partnerships at some of the schools in the City of South Tucson. There's no charge; it's not a race, there's no start, there's no finish, so families and neighbors can come and join at any point along the route. The only thing that they would maybe pay for is if they want to buy food, and on occasion, we have specialty markets that we invite to be a part of it, so we don't typically have folks selling stuff, but on occasion, like we are hosting an indigenous art market this time at Mission View Elementary. In the past we have hosted small markets. I am running out of time, but I will tell you this route is from the past. This is what we kind of used to do when we connected South Tucson to downtown, but that's quite an ambitious route with lots of mileage, so we are narrowing it down to a more simplified route. This is just a save the date. We are still working on our materials, but there is going to be another hub here at the Luna y Sol Coffee Shop that is opening up, the community based on 29th and 8th. So, it starts at Mission View Elementary on South 8th and 37th then moves its way up to 29th and 8th at Luna y Sol, then Ochoa and JVYC, and then we across 22nd Street to downtown. We have a lot of cool stuff. We are working with a lot of neighbors in the area specifically to design the hubs at Mission View and Ochoa and at Luna y Sol. We can share my contact information, and super exciting things like resources, bringing resource offices to neighbors, an indigenous arts market. The school is participating in raising money for their PTAs, bike clubs and things like that.

Mayor Diaz: Thank you.

Ms. Saunders: Thank you so much, and I will leave my card, too, if you have questions or you want to get in contact with me.

Ms. Aguirre: Thank you very much. Also, with Cyclovia and Bike Club is Benji Rouse.

Mr. Rouse: Hi, good evening, everyone.

Acting Mayor Rogers: Good evening.

Mr. Rouse: Like Kate said, I am Benji with Living Streets Alliance and I work with the bike clubs at the John Valenzuela Youth Center and Mission View Elementary, and at the bike club we take groups of youth between

ten and fifteen youth, twice a year, two semesters of ten club sessions, so we teach them how to ride a bike if they don't know how. We teach them skills, how to look over your shoulder while you are biking in a straight line and that way that can watch for traffic. We teach them how to use their brakes safely, and always take their helmet on field trips or around the neighborhood, so we get to explore neighborhoods in a better group, communal way. We get to wave hi to the neighbors, point out that's where grandpa lives and different things. It's a really special thing and one thing I want to share with you is that South Tucson City leadership is invited to join the bike club. If any of you would like to experience what it is like, you are welcome to come, so just contact Kate, you have her card and you can reach out to her. Also, I just want to say, too, through a lot of experience like Cyclovia, really enjoyed it getting to experience the streets with everybody. The last time Cyclovia was in South Tucson a bunch of the different bike clubs all gathered together and they got to ride the streets and got to feel a lot of pride. It's something they get to do on a regular and they get to see the whole neighborhood show up, too. It's just a special thing. I just like to spread the gospel of the specialness of all the kids getting to enjoy the streets and experience freedom and some of these cool things that come out of getting to be in the neighborhood. That's all I wanted to share, thank you.

Mayor Diaz: Thank you.

Acting Mayor Rogers: Thank you.

Ms. Aguirre: We have one final card. Lin A. Rodriguez, resident at 31 W. 34th Street, topic is Address the Council.

Ms. Rodriguez: What is the name of this building? What is it called? Court of Law, correct?

Mayor Diaz: Correct.

Ms. Rodriguez: It's a Court of Law. Are we not supposed to honor the Court of Law? Why do we wear a hat in the Court of Law, Sir? People fussing with their hair in a Court of Law, it is very distracting. Also, I complained about Circle K, and when I complain and they go check it out. And then after a week, two weeks, they are back there again. Squad car 216 parks on this side of Walgreens, right next to 30th and watches the traffic, in and out. And I just looked at it and went around and they moved out and went south on 6th. That's ridiculous. Again, why? Are we going to respect our Court with conduct? Isn't there a conduct code, dress code? Yes, or No? Yes, there is.

Mayor Diaz: Thank you.

Acting Mayor Rogers: Thank you.

Ms. Aguirre: That concludes the speakers for today.

Mayor Diaz: Thank you.

ITEM #06 - MAYOR AND COUNCIL MEMBERS: REPORTS OF CURRENT EVENTS AND FUTURE AGENDA ITEMS

Mayor Diaz: Are there any reports, current events?

Vice Mayor Lopez: Mr. Mayor, myself and a couple members of City Staff attended the League of Cities conference. Councilwoman Valenzuela attended also. It seemed to be very informative for things of constant information, and good food. That's all I have, Mr. Mayor.

Mayor Diaz: Anymore? Future agenda items? I guess it's more like having a report from the Administration for the, I guess myself, would really be interested in the, for example, the money saved by the 2030 audit. I know that's been going on but it's not necessarily an agenda item, but a report due. And then also the information on the sale of the impound cars and golf carts and so forth is, how do we figure that out into the budget. The other one is the corner signs that, is there a significant plan to update those corner signs to show for safety reasons. That's about it as far as reports instead of agenda items. That's all I have.

ITEM #07 - CITY MANAGER AND DEPARTMENT HEADS: REPORTS TO MAYOR AND COUNCIL

Ms. Moreno: Yes, Mayor, members of the Council, we will provide you, Mayor, with a status of the requested items at the last meeting that were read aloud. You tapped into the street signage, so we did receive a quote here recently, so it is already in the works. The company already started to install new lighting throughout the City. They are starting with the major corridors and moving to the residential streets. So that is already happening as we speak. As far as calculating the total amounts the City has received in terms of the sale of the vehicles that we have in storage, a lot of them have been there for many, many years. I don't know what value they have at this point. The 2030 audit, the savings was not very significant, and I will get a report for you on that as well. I know you mentioned the golf carts. We will look into the golf carts. I do know the Police did sell theirs, the ones owned by Public Works and Fire we still have in our fleet. You had also asked about an item which is on the agenda, recognition awards, and other items you asked for were disclaimer of public officials, Board of Appeals, Board of Adjustments, and police mergers with Pima County Sheriff's Department. I have not received direction to explore that option at this point.

Mayor Diaz: Ok. Any more reports?

Ms. Moreno: No, Mayor.

Mayor Diaz: Thank you.

ITEM #08 - DISCUSSION AND DIRECTION REGARDING AN RFP FOR COMMUNITY AWARDS DESIGN

Mayor Diaz: This is one of the items that I brought up, is one of the items that was brought to our attention by one of residents, but I offer this design here, as far as more or less for the awards. It shows how South Tucson existed a few years ago but I think it is still valid as far as some of the location of stuff that I think people are really proud of South Tucson in this mode. I offer that as part of a design. If everybody agrees, we will send it out to see the cost, at least to start, at least maybe the purchase of five plaques, maybe 10x12 plaques with the name of the person who is going to receive the awards. I offer that for discussion and if anybody else wants to submit something else, I'm more than happy to consider.

Councilor Valenzuela: Mayor, I suggest that we put that off until the new Council is sworn in because one of the Council members, her specialty is in the arts, so I would like to hear her opinion on what design we could use and maybe strategize a little bit more and be more intentional about those awards and how they are distributed, instead of just making unnecessary expenses at this time.

Mayor Diaz: I guess you are more or less suggesting we wait for the next Council to decide on the community awards. Is that my understanding?

Councilor Valenzuela: Yes, so just table it until the first week of December?

Acting Mayor Rogers: No, I'm not waiting for new people. It's for people like that came here, what's his name? His name is Rodgers. We can do that, we don't have to wait for new people in December, that's not right.

Mayor Diaz: That's right, I mean.

Acting Mayor Rogers: No.

Ms. Moreno: Mayor, if I may, I would just like to make a comment. If the Council moving forward wishes to use that particular design, you would probably have to reach out to the artist and probably pay them. It's beautiful artwork but I think they would deserve some right, legally.

Mayor Diaz: Right. I understand that and that is why I mentioned it would be the RFP, the Request for Proposal. I would reach out to the artist and get permission to do that as a plaque.

Councilor Aguirre: Mayor, if I could. I want to make sure I am understanding this correctly. This is for discussion and direction regarding an RFP. So, if we are going to be deciding on that design tonight as a Council, I don't think we can do that because Requests for Proposals, we actually have to go out and request artists to propose artwork for us. Am I mistaken?

Mayor Diaz: Alright.

Councilor Aguirre: I believe what that item is, it's regarding a Request for Proposal. I think that is where we would be looking for somebody. I think we could even reach out to this artist and maybe have him do an updated one. That could be one of the proposals, but I think the purpose of this discussion and direction is to decide if we are going to actually do a Request for Proposal or not.

Ms. Moreno: Yes, Mr. Mayor, Councilor Valenzuela made a motion to put it off and we still need a Second.

Councilor Aguirre: And I would Second it.

Ms. Moreno: A Motion and a Second to push it off to a later date.

Mayor Diaz: So, the Motion is to put it out for the next Council to decide on the RFP, Request for Proposal, and it was Seconded. Roll Call.

Vice Mayor Lopez. Abstain.

Acting Mayor Rogers. No.

Councilor Romero. No.

Mayor Diaz. No.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Mayor Diaz: Thank you.

City Attorney Paladini: Mayor, let me look up something. We need to look at your City Code because in certain places an Abstain is a yes vote, and in certain places, an Abstain is a no vote, and there are other, and I just want to see what your Council rules say before we move on.

Acting Mayor Rogers: If that were true, it would still fail, 3-3.

City Attorney Paladini: The Code is silent, at least at first glance, so that means it is a tie vote, which means that the Motion failed. So, somebody can either make another motion or you can move onto the next item. That would be your call, Mayor.

Acting Mayor Rogers: Mr. Mayor, I believe that 3-3, if we didn't have that extra one, is a no vote anyway, 3-3, it doesn't make any difference.

City Attorney Paladini: No, the motion failed.

Mayor Diaz: So, would you propose a Motion to continue with the RFP, Request for Proposals, and costs and so forth to be accomplished with that for the community awards.

Acting Mayor Rogers: (Inaudible)

Ms. Moreno: It's hard to pick up what you are saying. What are you saying?

Acting Mayor Rogers: I'm just saying we already have it. It is a thing that happened with this Council. I am on the Council for the next two months and we have been working to give these people something, but why would we need to wait for the new people.

Mayor Diaz: I need a motion.

Acting Mayor Rogers: My motion is that we should be doing what we are doing. I can get the minutes out and three times we can try to get this done.

Mayor Diaz: The motion would be to continue.

Acting Mayor Rogers: To continue what we are doing, however you wish to use the words.

City Attorney Paladini: I think we need some clarity on what this specific motion is.

Acting Mayor Rogers: This is crazy.

City Attorney Paladini: Do we want to continue what we are doing is just vague.

Mayor Diaz: No.

Councilor Valenzuela: So, is there nothing existing right now that we can present to community members? Like, is there other awards that we have that exist where we don't have to go out to get a bid and create something. Is there something in-house that we have right now? I understand the importance of recognizing our community. It's just another expense that we should just hold off. If we have something now, why can't we use that?

Ms. Moreno: If I may, Mayor and Councilor Valenzuela, the answer to your question is yes. So, if the Mayor simply asks for an award on behalf of the Mayor and Council to give it to Dancing in the Streets, we can certainly do it. The topic of this particular item has to do with creating a design. That is what this particular discussion is all about. It is not so much about the award and who it is going to, it's more about approving the RFP and design you are asking for.

Mayor Diaz: Yes, correct.

Ms. Moreno: So if you want it, we can definitely issue an award on your behalf, Mayor and Council, to anybody in the community. We can do it for Dancing in the Streets.

Mayor Diaz: Right, that's it, do you understand the Motion?

Councilor Flagg: Yeah.

City Attorney Paladini: So, the topic here, Mayor and Council, is whether or not you want to put out an RFP to solicit designs for community awards.

Mayor Diaz: Correct.

City Attorney Paladini: That's the topic, so the RFP would go out to I guess to artists and graphic designers to then propose the design for community awards.

Mayor Diaz: Correct.

City Attorney Paladini: So, that is what you are proposing.

Mayor Diaz: Correct.

City Attorney Paladini: There was a motion to table it to a future date. That was a tie vote, so that motion failed. So, here we are.

Mayor Diaz: Correct. So, that is the motion?

City Attorney Paladini: The motion is to put out an RFP for designs for community awards.

Mayor Diaz: For community awards, yes.

City Attorney Paladini: That is your motion.

Acting Mayor Rogers: Second.

Councilor Aguirre: So, is there discussion?

Mayor Diaz: Discussion?

Councilor Aguirre: Yeah, I just want to, I think there are a lot of details we have got to think about, too, if we decide to start moving forward with this. My concern is, you know, we know we are struggling with finances and if we already have an award that we have used, a design that we have used and an award that we can use to give to community members that we have used in the past, I don't see why if the issue is recognizing community members, I don't feel that we should go to any more expenses as a City to try to solicit artwork for an award. I think that we can use what we have available for, you know, to recognize our community and we could even have an event when we do it. I think that would bring more recognition than spending money on artwork that one person is probably going to see hanging on the wall of their office. That's just my opinion. Thank you.

Councilor Flagg: I assumed when we got this, we would hand out a letter with something like that on it? That seems fine to me, we should just move on it. I don't think we should design a new one. I think to just go with what we have.

Mayor Diaz: Is there any more discussion? Ok, so the motion is for the RPF for community service awards.
Roll Call.

Vice Mayor Lopez. Abstain.

Acting Mayor Rogers. Yes.

Councilor Romero. Yes.

Mayor Diaz. Yes.

Councilor Flagg. No.

Councilor Aguirre. No.

Councilor Valenzuela. No.

City Attorney Paladini: Because of the tie, this motion failed.

Mayor Diaz: So, the Motion failed, so at this time we will withdraw the motion, or the discussion with Item #08 and we will put it on for the next Council meeting and see if we have changed our minds or not for the agenda item for discussion and direction regarding community service awards for the next agenda.

Councilor Aguirre: If I could, Mr. Mayor, I don't know if we, if this is possible or how to do this, if we can also maybe get at that time if we need to put it for a different agenda item, maybe get a sample of a recognition award we have given out in the past so we can have something to look at, too, at that time for the next Council meeting if possible.

Councilor Valenzuela: And, also Mayor, I'm thinking that a budget to your next motion and details of your motion would be great.

ITEM #09 - RESOLUTION NO. 24-32 OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, RATIFYING, APPROVING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT WITH FESTER & CHAPMAN P.C. FOR THE CITY OF SOUTH TUCSON ANNUAL INDEPENDENT AUDIT SERVICES FOR FISCAL YEAR 2023/2024

Mayor Diaz: (Mayor Diaz read aloud the above Resolution No. 24-32.)

Councilor Aguirre: Mayor, I would like to move to pass Resolution No. 24-32 as written.

Mayor Diaz: It's been Moved, is there a Second?

Councilor Valenzuela: Second.

Mayor Diaz: We have a Second. Any discussion?

Acting Mayor Rogers: I'd like to hear about it first, before we vote. Can you say something, please?

Ms. Aguirre: Sure. Mr. Mayor, Members of the Council, as indicated on your agenda report, this is a pretty standard and recurring item. So, typically when we go out to RFP we get quotes for at least the next three years. Of course, this request is for the audit to be completed for fiscal year 2023/2024, but then we will have options to renew for two years after that. I had provided you with an example of the services that are going to be included and just for purposes of the record, I will mention that this will include the audit, the annual expenditure minute reports, the financial statements, ongoing consultation with management and also the Housing Authority's audit, otherwise referred to as REAC. We are hoping to be able to start the audit work

here within the next two months. It's a little earlier but in light of the ballot measure that is being placed on the ballot for voters in November, we need to be ready with our audit.

Mayor Diaz: Ok. How many years has Fester & Chapman been working with us?

Ms. Aguirre: Mr. Mayor and Members of the Council, Fester & Chapman have been working with us for a number of years, actually, more than five years. We consider them to be a part of our financial team. They came on board when the City was cleaning up the books. Mr. Mayor, you may recall there was a lot of findings, and this was about the time when I took over. There were actually 14 deficiencies and findings that were, you know, some of them that were not good, and others that were more procedural. But yes, they have worked with us through all that and even through our lawsuits, so it's really good to have good partners. Just like we have Mr. Mark Reader we also have as part of the City's financial team to insure we are all tracking along with our issues moving forward, so yes, quite a few years.

Acting Mayor Rogers: I like that so that the people that come to hear what we are doing know. Thank you.

Ms. Aguirre: You're welcome.

Mayor Diaz: Thank you. Any more discussion? Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Yes.

Councilor Romero. Yes.

Mayor Diaz. Yes.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

ITEM #10 - DISCUSSION AND DIRECTION REGARDING RFQ REVISION FOR FIRE AND EMS CONSULTANT

Ms. Moreno: Yes, Mayor, Members of the Council, I am going to read from the executive summary that gives us the facts as to how we arrived here now. So, during the meeting of August 6th, the City Council engaged in discussion and Staff was directed to proceed in issuing an RFQ for Fire and EMS Consultant Services. A motion was made by Councilor Flagg, seconded by Acting Mayor Rogers and unanimously approved by the rest of the Council. On August 20th, which was the last meeting, the Interim City Manager reported to Council that the RFQ related to Fire/EMS Services was issued and zero responses were received. Given the level of expertise possessed by the consulting firms that were contacted, it was recommended that the RFQ be reissued to include a revised scope of work, assist in determining the structure and cost for regulatory compliance, fiscally sustainable City Police Department with the analysis of various service model options. As previously indicated, these consulting firms provide services that include neutral high-level analysis and solutions for anything from EMS, consolidations, separations and service alternatives to operations budget for fiscal review and stand-by coaching and consulting. As I mentioned last week, a revised scope of work was recommended to Mayor and Council to be pretty basic and I think the needs of the department is to keep it that simple. Basically, the RFQ was a needs assessment, that was the term we recommended to Mayor and Council to reissue the RFQ so a consultant can come in and look at the Fire Department based on the needs of what a reliant regulatory compliance operation would look like, based on the Department as it is now.

Mayor Diaz: Discussion?

Councilor Valenzuela: Mayor, I just want to make a motion for us to reissue an RFP, RFQ? An RFQ for a full needs assessment for the Fire Department. Does that encompass all the language?

Ms. Moreno: Yes.

Mayor Diaz: Is there any cost to the needs assessment?

Ms. Moreno: A cost? Yes, there would be.

Acting Mayor Rogers: Yes.

Mayor Diaz: There would be?

City Attorney Paladini: Yes, just like the original RFQ that was put out for a consultant to advise on purchasing a fire truck, there would have been a cost to that. To hire a consultant, there would be a cost. There is a state law that prohibits when you are doing RFQs for professionals, it doesn't allow you to bid it for an amount, you have to choose the person based on qualifications and then once you choose your top qualified party, then you negotiate the scope of work and the price. If you don't reach an agreement with your top choice, then you can go to your second choice. So, it really is a statement of qualifications from the various consultants, then you pick one that you think best suits the City's needs.

Mayor Diaz: But we didn't get any results from Requests for Proposals, did we?

City Attorney Paladini: Requests for proposals on the truck? Did we get any responses?

Ms. Moreno: We didn't get direction to do that. This was to implement, the direction was to go out and get a consultant. The consultant, the intention originally was for the consultant to come in and do a needs assessment, but our RFQ and the way Council discussed it was too broad so we got no responses, so then we went back and had to redraft the scope of work so it is more specific in terms of what will determine the needs of the Department, so it's a needs assessment versus talking about terms of operation, equipment, that will all be encompassing in the needs assessment, versus you are looking at staffing, you're looking at specific things that we do everything in one.

Mayor Diaz: I understood it was just looking for more or less bids on a fire truck last time and that you were not accepting the one proposal that was being done by Capt. Luna. That was not sufficient enough for us to really put our money in on that particular truck, and the discussion went on to, Sir?

City Attorney Paladini: No, that was not the direction.

Ms. Moreno: Right.

Mayor Diaz: Well, that was not the direction but that was the discussion.

City Attorney Paladini: There was discussion about that, but the problem with that is that even if the Council decided it wanted to buy a fire truck, you can't just go buy one. You have to go through the procurement process and some employee presenting you with a truck for a specific price is not the procurement process you are obligated to follow. So, that was part of the discussion and then the Council decided it wanted a broader consulting report on what Veronica just said and so that was the majority of the Council.

Mayor Diaz: So, it would more or less be a fee of another \$53,000 that we are going to spend on a consultant?

City Attorney Paladini: It just depends, no, you don't know what the price is going to be until you get your statements of qualifications in from your various proposers and then you pick one, then you negotiate a price and a scope of work, and then, if you don't like the price, you don't have to hire anybody. It's a process you go through, but there is no set price for it.

Mayor Diaz: So, we are talking about the process of procurement?

City Attorney Paladini: No, we are talking about a needs assessment for the Fire Department, what does the Fire Department need, and it may or may not include a new truck. That is what the consultant will be able to advise you of.

Mayor Diaz: Ok.

Councilor Aguirre: If I could, Mayor, I believe part of the reason why we came to this conclusion as a Council is because at the last meeting I was at, I remember the discussion we were having about how do we know that is, well, we don't have a plan moving forward of exactly how we are going to rebuild our station. What are our needs that need to be met immediately. What is it that we can afford to do right away. I think there needs to be a broader plan moving forward. We can't just start purchasing things without actually analyzing exactly what it is that our Fire Department needs or where we should put our money first. And then a long-term plan on how to rebuild it back to the way that South Tucson deserves to have a Fire Department, and I think the only way we can do that is through hiring somebody that can help us figure that out, a consultant who is a professional in the fire industry that can help us really figure out and create a plan, so that we move forward, because I hate to shoot ourselves in the foot buying stuff that later on we realize might not be the right move. I think that is how I believe we came to the idea of looking for a consultant.

Councilor Valenzuela: First of all, I am concerned that Mayor, you are not fully understanding the motions that you are voting for. This is a very important issue, and we all need to be on the same page. So, there is a motion, I made a motion, if I could get a Second.

Councilor Aguirre: I will Second that, and just to make sure it was to,

Acting Mayor Rogers: What is the Motion?

Councilor Aguirre: I'll repeat the motion just to make sure I am seconding the correct motion. It is to put out the RFQ again with the revised scope of work to include needs assessment. That was the motion and that is what I seconded.

Councilor Valenzuela: Yes.

Mayor Diaz: So, there is a Motion and a Second. Roll Call.

Vice Mayor Lopez. Yes.

Acting Mayor Rogers. Yes.

Councilor Romero. Yes.

Mayor Diaz. No.

Councilor Flagg. Yes.

Councilor Aguirre. Yes.

Councilor Valenzuela. Yes.

Mayor Diaz: Item #11 is Executive Session, so I need a Motion to Recess Regular Meeting and Convene into Executive Session.

Councilor Flagg: So moved.

Councilor Valenzuela: Second.

Mayor Diaz: It's been Moved and Seconded. We are going into Executive Session.

City Council exits Regular Session and enters Executive Session at 6:49 p.m.

ITEM #11 - EXECUTIVE SESSION PURSUANT TO A.R.S. §38-431.03(A)(3) FOR DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY

1. Council discussion and direction regarding investigation report arising from a complaint and allegation of a hostile work environment by a City employee.

Mayor Diaz: I need a Motion to Reconvene into Regular Session and to Adjourn Executive Session.

Councilor Aguirre: So Moved.

Councilor Valenzuela: Second.

Mayor Diaz: Moved and Seconded, all in favor, signify by saying Aye.

Council Members: Unanimous Ayes.

City Council exits Executive Session and enters back into Regular Session at 7:38 p.m.

ITEM #12 - COUNCIL DISCUSSION AND DIRECTION REGARDING AN INVESTIGATION ARISING FROM A COMPLAINT AND ALLEGATION OF A HOSTILE WORK ENVIRONMENT BY A CITY EMPLOYEE

Mayor Diaz: (Mayor Diaz read aloud the above Item #12.) So, discussion and direction at Council's desire.

Councilor Aguirre: Mayor, I would like to make a Motion to make the investigation of the allegations of the hostile work environment public, to waive the confidentiality.

Councilor Valenzuela: I'll Second that.

Mayor Diaz: It's been Moved and Seconded. Roll Call.

City Attorney Paladini: So, just so everyone understands, when you waive a confidentiality, then the investigation documents become public record and are available to the public and the media like any other public record, just so we are all clear.

Councilor Valenzuela: Yes.

Mayor Diaz: Ok. Is there any more discussion? Do you want to read your statement?

Ms. Moreno: I will save that for last on the agenda.

Councilor Aguirre: I would just like to say that I think it is important that, you know, the allegations a lot of times in these things are private in the workplace, but we know that this was kind of a public matter also. We had speakers come and speak as part of the audience and make allegations, so I think it's important for the

community to know what the results of the investigation were, what happened throughout the investigation, and have access to that information.

Councilor Flagg: I agree.

City Attorney Paladini: I will just remind the Council that by waiving the confidentiality on the investigation, the discussion in Executive Session still remains confidential and privileged, just so it is very clear that the documents are public record, the discussion that we had is not.

Councilor Flagg: So, you can't summarize what the findings of that report was right now.

Councilor Aguirre: Not until after we pass –

City Attorney Paladini: Not until you make the vote, I would let the documents speak for themselves.

Vice Mayor Lopez: Yeah.

Councilor Flagg: Ok, alright.

Mayor Diaz: Understood?

Councilor Valenzuela: Uh huh.

Mayor Diaz: Roll Call.

Vice Mayor Lopez: Yes.

Acting Mayor Rogers: No.

Councilor Romero: I didn't understand.

Ms. Moreno: The Motion is if you would like to allow the investigation to be able to be able to be read publicly. People can ask for it and they can look at it, for transparency, so are you ok with that, yes or no?

Councilor Romero: No.

Mayor Diaz: No.

Councilor Flagg: Yes.

Councilor Aguirre: Yes.

Councilor Valenzuela: Yes.

Ms. Moreno: Thank you, thank you Council, for helping me with this. It's been really hard and at the next meeting I will make sure we this is made public. I appreciate it.

Councilor Valenzuela: One last thing, I just want the record to reflect that Councilwoman Rita Rogers is telling Councilmember Anita Romero how to vote.

Acting Mayor Rogers: I did not.

Councilor Valenzuela: I just heard you, I just saw you.

Mayor Diaz: You did to Herman, so why are you doing that?

Acting Mayor Rogers: He didn't even look this way. I am upset with that.

Ms. Moreno: It's on the audio, whatever happened.

City Attorney Paladini: It's all good.

Acting Mayor Rogers: I would never tell anybody which way to vote. That's crazy.

ITEM #13 – ADJOURNMENT

Councilor Aguirre: Mayor, could I move to adjourn? Are we there yet?

Mayor Diaz: Yes.

Councilor Aguirre: I would like to Move to Adjourn.

Councilor Flagg: Second.

Councilor Aguirre: All in favor?

Council Members: Unanimous Ayes.

The meeting adjourned at 7:46 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 Agenda Meeting of the City Council of South Tucson, Arizona, held on the 3rd day of September, 2024. I further certify the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 2024.

Veronica Moreno, City Clerk