



Independent Audit and Performance Commission
Wednesday, July 10, 2019, 3:00 PM
City Hall, City Manager's Conference Room, 1st Floor East
255 W Alameda St
Tucson, Arizona 85701

Legal Action Report
*** REVISED – Item 4a***

1. Call to Order/Roll Call: 3:00 PM

COMMISSION MEMBERS PRESENT: Jeff Singleton, Vice Chairperson (Mayor); Dennis Woodrich, Chairperson (Ward 1); Mark Crum (Ward 2); Brian Andrews (Ward 4); Eddie Rios (Ward 5)

COMMISSION MEMBERS ABSENT/EXCUSED: Lydia Hunter (Ward 3)
Ward 6 (Vacant)

A quorum was established.

COMMISSION MEMBERS LATE: None

STAFF MEMBERS: Joyce Garland, Chief Financial Officer / Assistant City Manager; Aaron Williams, Principal Internal Auditor; Robert Kulze, Principal Internal Auditor; Elizabeth Caiz, Administrative Assistant

2. Approval of the June 5, 2019 IAPC Meeting Minutes

It was moved by Commissioner Crum, duly seconded and carried by a voice vote of 5 to 0, to approve the minutes as issued.

3. Staff Update

Chief Financial Officer / Assistant City Manager Joyce Garland provided an update to the commission on the following topics:

- a. Department Directors: The interim director of Housing and Community Services has resigned. A new interim director, Liz Morales from the City of Mesa, has been appointed until a new director can be hired. Also, interviews for Fire Chief will be conducted next week. Seven applicants will be interviewed.
- b. Property Tax Levy: The Mayor and Council approved the property tax levy at their June 18, 2019 meeting. The property tax rates were reduced for fiscal year 2020.
- c. Mayor and Council Meeting on July 9, 2019: Mayor and Council approved an agreement with the Pascua-Yaqui tribe to place certain City lands at

Grant Road and Interstate 10 into a trust for the tribe. A GPLET development incentive with the Lewis Hotel Lofts on Broadway was also approved.

- d. Staff is working on a policy for Municipal Improvement Districts. The districts are used to finance neighborhood improvements that have been requested by property owners. The policy will be presented to Mayor and Council in August.

Ms. Garland fielded and answered questions. No action was taken.

4. Discussion of Items for Potential Review by the IAPC

Chairperson Woodrich led a discussion of items previously identified for potential review by the IAPC.

- a. Public Information Requests: Discussion was held. It was moved by Commissioner Crum, ~~* duly seconded *~~ and carried by a voice vote of 5 to 0, to invite the City Clerk, or City Clerk's representative, to make a presentation about public information requests at the next IAPC meeting.
*** Correction - Upon further review of the audio recording, it was determined that the motion did not receive a second; therefore, the subsequent vote is null and void.**
- b. Contract Change Orders: Commissioner Crum responded to this item. He had requested this item because he wondered how closely change orders to professional services contracts are being monitored. Discussion was held. Commissioner Crum agreed to set this item aside. No action was taken.
- c. Americans with Disabilities Act (ADA) compliance: Commissioner Andrews responded to this item. He explained that he suggested this item in the context of transit and the obligations of the City with overall compliance with the ADA. Discussion was held. Commissioner Andrews suggested to Chairperson Woodrich that this item be tabled at this time. No action was taken.
- d. "A" Mountain Landfill: Commissioner Rios responded to this item. He had requested this item because of the cost the City would incur to remove the methane from the landfill, the City's liability in the event of an explosion, the potential contamination to the ground water, and the amount of material removed in order for Caterpillar to use that parcel. Discussion was held. It was moved by Commissioner Rios, duly seconded, to request an update from Environmental Services about what they have done as far as past studies and their estimate of the cost to remove the landfill material. Additional discussion was held. Commissioner Andrews made a subsidiary motion, duly seconded and carried by a voice vote of 5 to 0, to table the discussion about the "A" Mountain landfill issue until such time as additional information is brought forward by Commissioner Rios.
- e. Medical Self-Insurance Trust Fund: Chairperson Woodrich responded to this item. He was interested in how the trust fund was going to work. In consideration of the number of City offices and departments that would

have vetted the fund, he does not see a project here, it would just be informational. Chairperson Woodrich asked if any other commissioner had any interest in this item. There was no response and no action was taken.

- f. Franchise Fees: Commissioner Crum responded to this item and made a report to the commission about the franchise fee process and expressed a desire to know more about the process. Commissioner Crum made a motion, duly seconded, for the commission to look at franchise fees. Chairperson Woodrich asked if there was any more discussion. Commissioner Rios called the question. The motion failed by a voice vote of 2 to 3 (Commissioners Andrews, Singleton, and Woodrich dissenting). Additional discussion was held. No action was taken.

5. IAPC Six-Month Activities Report to Mayor and Council: January – June 2019

Principal Internal Auditor Robert Kulze presented a draft of the IAPC's six-month activities report to Mayor and Council for the period of January – June 2019. After the presentation and allowing for questions, Mr. Kulze asked for a motion from the commission to approve the report and send it to the Mayor and Council. Vice Chairperson Singleton made a motion, duly seconded and carried by a voice vote of 5 to 0, to approve the report to Mayor and Council.

6. FY 2019 Audit Plan – Fourth Quarter Update

Principal Internal Auditor Aaron Williams provide an update to the commission about the FY 2019 audit plan. Ms. Garland and Mr. Williams fielded and answered questions. No action was taken.

7. Call to the Audience

Mr. Dave Devine spoke.

8. Future Agenda Items

- Presentation about Public Records Requests
- Discussion of Franchise Fees
- IAPC Reports Available on the City's IAPC Webpage
- Discussion of Requests from Mayor and Council

9. Adjournment – 4:17 PM