



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on October 6, 2020.

Date of Meeting: June 9, 2020

MEETING NOTE: Due to the impacts of the COVID-19 pandemic, which prompted declarations of a public health emergency at the local, state and federal levels, this meeting was conducted using measures to protect public health. This meeting was held remotely through technological means, as permitted under Arizona law.

The Mayor and Council of the City of Tucson met virtually in regular session using Microsoft TEAMS, at 6:54 p.m., on Tuesday, June 6, 2020, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Romero and upon roll call, those present and absent were:

Present:

Lane Santa Cruz
Paul Cunningham
Paul Durham
Nikki Lee
Richard G. Fimbres
Steve Kozachik
Regina Romero

Council Member Ward 1
Vice Mayor, Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Council Member Ward 6
Mayor

Absent/Excused:

None

Staff Members Present:

Michael J. Ortega
Michael Rankin
Roger W. Randolph

City Manager
City Attorney
City Clerk

2. INVOCATION AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

a. INVOCATION

The invocation was given by Ana Marrufo, Management Assistant in the City Clerk's Office.

b. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager's communication number 149, dated June 9, 2020, was received into and made part of the record. She asked for a motion to approve the appointments in the report.

It was moved by Council Member Kozachik, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointment(s) of Susannah Dickinson to the Design Review Board (DRB).

Mayor Romero asked if there were any personal appointments to be made.

There were none.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Romero announced City Manager's communication number 150, dated June 9, 2020, was received into and made part of the record. She also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Mayor Romero, Vice Mayor Cunningham, Council Members Santa Cruz, Durham, Lee, and Fimbres.

A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Romero announced City Manager's communication number 151, dated June 9, 2020, was received into and made part of the record. She also announced this was the time scheduled to allow the City Manager to report on current events and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Romero announced City Manager's communication number 152, dated June 9, 2020, was received into and made part of the record. She asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Application(s)

New License(s)

NOTE: There are no application(s) for New Licenses Scheduled for this meeting.

c. Special Event(s)

NOTE: There are no application(s) for Special Events scheduled for this meeting.

d. Agent Change/Acquisition of Control/Restructure

NOTE: The local governing body of the city town or county may protest the acquisition of control within sixty days based on the capability reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

1. Iron John's Brewing Company, Ward 6
City AC8-20, Series
7555 E. 18th St.
Applicant: Kevin Arnold Kramber
Action must be taken by: June 6, 2020

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5d1 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Call to the audience was cancelled but constituents were able to submit written comment to cityclerk@tucsonaz.gov.

7. CONSENT AGENDA – ITEMS A THROUGH K

Mayor Romero announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made part of the record. She asked the City Clerk to read the Consent Agenda.

a. APPROVAL OF MINUTES (CITY WIDE) JUN09-20-153

- b. TUCSON CODE: AMENDING (CHAPTER 2) REPEALING SECTION 2-25 AND SECTION 2-25.1, AUTHORIZING FINGERPRINT AND CRIMINAL HISTORY RECORD INQUIRIES (CITY WIDE) JUN09-20-154

Ordinance No. 11756 relating to Fingerprint and Criminal History Records Check; repealing Tucson Code Chapter 2, Article I, Section 2-25 and Section 2-25.1 and enacting a new Tucson Code Chapter 2, Article I, Section 2-25 authorizing fingerprint and criminal history record inquiries from the Arizona Department of Public Safety and the Federal Bureau of Investigation pursuant to A.R.S. 41-1750 for prospective and current employees, contract employees, volunteers, and interns filling sensitive positions; and setting an effective date.

- c. AGREEMENT AMENDMENT: WITH THE TUCSON PRESIDIO TRUST FOR HISTORIC PRESERVATION FOR OPERATION AND MAINTENANCE OF THE PRESIDIO SAN AGUSTIN DEL TUCSON (WARD 1) JUN09-20-160

Resolution No. 23182 relating to Parks and Historic Tucson; authorizing and approving an amendment to the Agreement for the Operation and Maintenance of Presidio San Agustin Del Tucson (Amendment) between the City of Tucson (City) and the Tucson Presidio Trust for Historic Preservation (Trust); and declaring an emergency.

(This item was considered separately at the request of Council Member Santa Cruz.)

- d. REAL PROPERTY: EXTENSION OF THE LEASE AGREEMENT WITH THE RIO NUEVO DISTRICT FOR PROPERTY LOCATED AT 133 WEST WASHINGTON STREET AND THE TUCSON PRESIDIO MUSEUM BUILDING (WARD 1) JUN09-20-161

Resolution No. 23183 relating to Parks and Historic Tucson; authorizing and approving an amendment to the Lease Agreement (Lease Amendment) between Rio Nuevo Multipurpose Facilities District (District), the City of Tucson (City), and the Tucson Presidio Trust for Historic Preservation (Trust); and declaring an emergency.

- e. INTERGOVERNMENTAL AGREEMENT: WITH AMPHITHEATER PUBLIC SCHOOLS FOR A SCHOOL RESOURCE OFFICER FOR THE 2019-2020 SCHOOL YEAR (CITY WIDE) JUN09-20-155

Resolution No. 23181 relating to Police and Intergovernmental Agreements (IGA's); approving the IGA between the City of Tucson (City) and Amphitheater School District (ASD) for joint funding of one School Resource Officer (SRO) for the 2019-2020 school year; and declaring an emergency.

- f. REAL PROPERTY: VACATION OF SURPLUS ALLEY RIGHT OF WAY, A PORTION OF SOUTH RAYTHEON PARKWAY (WARD 5) JUN09-20-162

Ordinance No. 11757 relating to Real Property; vacating a portion of South Raytheon Parkway Right of Way (ROW), prior to the transfer of property from the City of Tucson (City) to the United states of America (USA) for the Air Force Plant 44 Entry Facility Project and Raytheon Buffer; and declaring an emergency.

- g. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH ACM VENTURES, LLC, OWNERS OF MULTIPLE PARCELS, FOR WATER SERVICE (WARD 2 AND OUTSIDE CITY) JUN09-20-156

Resolution No. 23180 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of a Pre-Annexation and Development Agreement between the City of Tucson and ACM Ventures, LLC, owners of Parcel Nos. 114-21-325D, 114-21-325E, 114-21-325H, and 114-21-325J.

- h. FINAL PLAT: (S19-075) 1450 NORTH BROWN AVENUE, LOTS 1 AND 2 (WARD 2) JUN09-20-159

Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

- i. GRANT AGREEMENT: WITH THE RECYCLING PARTNERSHIP TO HELP COMBAT RECYCLING CONTAMINATION (CITY WIDE) JUN09-20-165

Resolution No. 23186 relating to Environmental Services; approving a grant award from Recycling Partnership in the amount of \$140,750 for Fiscal Year 2021 to help combat recycling contamination; and declaring an emergency.

(This item was considered separately at the request of Mayor Romero.)

- j. REAL PROPERTY: REVERSION OF SURPLUS FEDERAL PROPERTY LOCATED AT 1750 EAST SILVERLAKE TO THE UNITED STATES GENERAL SERVICES ADMINISTRATION (WARD 5) JUN09-20-164

Resolution No. 23185 relating to Real Property; authorizing and approving the return and transfer by reversion from the City of Tucson (City) of Allen Hall Federal surplus property located at 1750 East Silverlake Road to the United States General Services Administration (US GSA); and declaring an emergency.

(This item was continued at the request of Staff.)

- k. RESOLUTION: APPROVING FINANCIAL PARTICIPATION AGREEMENT WITH COMMUNITY FOUNDATION FOR SOUTHERN ARIZONA, YWCA OF SOUTHERN ARIZONA, AND WOMEN'S FOUNDATION OF SOUTHERN ARIZONA FOR THE CITY'S WE ARE ONE/SOMOS UNO RESILIENCY FUND (CITY WIDE) JUN09-20-166

Resolution No. 23187 relating to Resiliency Fund: approving the Financial Participation Agreement with the Community Foundation of Southern Arizona, the YWCA of Southern Arizona, and the Women's Foundation of Southern Arizona, for the purposes of supporting small businesses, non-profits and workers and families impacted by the ongoing COVID-19 public health emergency; and declaring an emergency.

Mike Rankin, City Attorney, announced that for Item 7k, there were a couple of blank lines in the Agreement. He said that the 2nd installment of funding would be no later than August 1, 2020 and the other date for when each of the program partners were required to submit their final accounting of the program would be February 1, 2021.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Lee recused due to a conflict of interest) that Consent Agenda Items a – k with the exception of Items c and i, which were considered separately, and Item j , which was continued at the request of staff, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEM C

- c. AGREEMENT AMENDMENT: WITH THE TUCSON PRESIDIO TRUST FOR HISTORIC PRESERVATION FOR OPERATION AND MAINTENANCE OF THE PRESIDIO SAN AGUSTIN DEL TUCSON (WARD 1) JUN09-20-160

Resolution No. 23182 relating to Parks and Historic Tucson; authorizing and approving an amendment to the Agreement for the Operation and Maintenance of Presidio San Agustin Del Tucson (Amendment) between the City of Tucson (City) and the Tucson Presidio Trust for Historic Preservation (Trust); and declaring an emergency.

Mayor Romero announced the first item to be considered separately was Consent Agenda Item C at the request of Ward 1. She asked staff to make a brief presentation on the item.

Albert Elias, Assistant City Manager, stated this was an agreement with the Presidio Trust to continue the operation and maintenance related to the Presidio facility. He continued that it also included a thirty thousand dollar a year option for the City to obtain programming, subject to annual appropriations by the Mayor and Council.

Mayor Romero asked for clarification on how the partnership worked.

Mr. Elias stated it was a living history and cultural heritage sponsorship with the idea of programming at the Presidio facility such as Tucson's Birthday event, Mexican Independence Day on September 16th, Day of the Dead in November, Luminaria Nights in December, Native People's Day in February and those types of cultural events.

Mr. Elias said, with regards to Rio Nuevo, his understanding was that the other portion of the site was Rio Nuevo owned and the agreement allowed Presidio to continue their use of the Rio Nuevo property.

Council Member Santa Cruz expressed concern regarding City sponsored events that used the Confederate flag. She said she was concerned with some of those cultural events using the flag and wanted to have conversations to that affect.

Mr. Elias stated he would facilitate the conversation to ensure those concerns were made clear.

Mayor Romero asked if it was possible or if there was still time to add this stipulation into the agreement.

Mr. Elias responded in the affirmative.

Vice Mayor Cunningham stated he thought this conversation was previously held and they were in agreement with that but agreed the item should be continued until it could be confirmed.

After discussion by the Mayor and Council, it was decided to continue the item to the June 23, 2020 meeting.

7. CONSENT AGENDA – ITEM I

- i. GRANT AGREEMENT: WITH THE RECYCLING PARTNERSHIP TO HELP COMBAT RECYCLING CONTAMINATION (CITY WIDE) JUN09-20-165

Resolution No. 23186 relating to Environmental Services; approving a grant award from Recycling Partnership in the amount of \$140,750 for Fiscal Year 2021 to help combat recycling contamination; and declaring an emergency.

Mayor Romero announced the next item to be considered separately was Consent Agenda Item i. She asked for clarification on how the grant agreement would work.

Carlos De La Torre, Environmental and General Services Department Director, stated the City had participated in a nationwide leadership summit group which presented an opportunity to apply for future funding to improve the City's recycling program. These improvements, specific to reducing recycling contamination, would establish a baseline for contamination rates by sampling a cross section of roughly thirty thousand bins and

educating residents about specific contaminants. He said by reducing the contamination rate below 18.7%, it reduced the City's exposure rate of the cost they paid to Republic Services for excessive residue, which amounts to approximately four hundred thousand dollars a year.

Mayor Romero asked what the methodology was for selecting the thirty thousand households.

Mr. De La Torre stated the households were chosen "A" and "B" pick-up weeks in each of the service days, Monday through Friday throughout the City and every Ward.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Item 7i be passed and adopted and the proper action taken.

8. PUBLIC HEARING: CITY OF TUCSON RECOMMENDED ANNUAL BUDGET FOR FISCAL YEAR 2021 (CITY WIDE) JUN09-20-167

Mayor Romero announced City Manager's communication number 167, dated June 9, 2020, was received into and made part of the record. She also announced this was the time and place legally advertised for a public hearing on the Fiscal Year 2021 recommended budget. She said the public hearing was scheduled to last for no more than one hour and speakers were limited to five minute presentations.

Comments were made by:

Tyler Besh	Paco Cantu	Aubrey King
Kristina Sonderegger	Lisette DeMars	Garrett Philbin
Maddie Guyott	Morgan Toone	Lauren McCullough
Zakarya Everson	Conor Kintston	Colleen Linehan
Cindy Hauserman	Michelle Jahnke	Erika Hamden
Tai Huesgen	Carolyn Grigar	Brayton Brandis

Mayor Romero announced that the Mayor and Council, during the Study Session, decided to extend the date for adopting the budget to June 30, 2020. She also announced that the public hearing would be continued to the meeting of June 23, 2020, and would begin at or after 5:30 p.m.

9. FINANCE: TENTATIVE ADOPTION OF FISCAL YEAR 2021 BUDGET (CITY WIDE) JUN09-20-168

Mayor Romero announced City Manager's communication number 168, dated June 9, 2020, was received into and made part of the record. She also announced this item was being continued to the meeting of June 23, 2020.

10. CITY ADMINISTRATION: APPROVING THE APPOINTMENT OF JEFFREY YATES AS THE BUSINESS SERVICES DEPARTMENT DIRECTOR (CITY WIDE) JUN09-20-157

Mayor Romero announced City Manager's communication number 157, dated June 9, 2020, was received into and made part of the record. She asked the City Clerk to read Ordinance 11758 by number and title only.

Ordinance No. 11758 relating to the Department of Business Services; approving the appointment of Jeffrey Yates as the Director of the Department of Business Services and Fixing Compensation; setting an effective date and declaring an emergency.

Council Member Santa Cruz asked for clarification regarding to whom the Director of the Department of Business Services would report. She also requested an organizational chart for this position. She also requested a short summary of the services that would fall under the Director.

Michael Ortega, City Manager, stated the Director of the Department of Business Services would report to Joyce Garland, Chief Financial Officer

Joyce Garland, Chief Financial Officer, explained there were many functions of this department including: accounting, treasury, cash collection, procurement, risk management, revenue, business licensing, budgeting. She also stated she would send an organizational chart to Council Member Santa Cruz.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11758, appointing Jeffrey Yates as the Business Services Department Director.

11. ECONOMIC DEVELOPMENT: AUTHORIZING RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT TO PROVIDE GPLET ABATEMENT FOR ONE SOUTH CHURCH (WARD 1) JUN09-20-158

Mayor Romero announced City Manager's communication number 158, dated June 9, 2020, was received into and made part of the record. She asked the City Clerk to read Resolution 23184 by number and title only.

Resolution No. 23184 relating to Economic Development Incentives and Rio Nuevo Multipurpose Facilities District ("Rio Nuevo"); approving an eight-year Tax Abatement to be included in the Government Property Lease Excise Tax (GPLET) Lease Agreements between Rio Nuevo and 1 SC Partners SPE and Rio Nuevo and 1SC Hotel QOZB, LLC ("Prime Lessees") for the redevelopment project at One South Church Avenue (The "Project").

Mike Rankin, City Attorney, reminded the Mayor and Council of the revisions made during the Study Session which would be written into the Resolution.

It was moved by Council Member Santa Cruz, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Resolution 23184, with the amendments as voted on during the Study Session.

12. TUCSON CODE: AMENDING (CHAPTER 23A) ADOPTION OF DEVELOPMENT IMPACT FEE RATES, EMERGENCY RELIEF RATES, AND FEE REPORT (CITY WIDE) JUN09-20-163

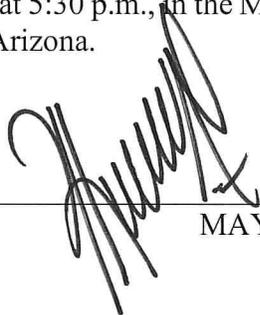
Mayor Romero announced City Manager's communication number 163, dated June 9, 2020, was received into and made part of the record. She asked the City Clerk to read Ordinance 11759 by number and title only.

Ordinance No. 11759 relating to Development Impact Fees; adopting the fee report and development impact fee rates and schedules for Fire, Police, Street, and Parks and Recreational Facilities; amending Tucson Code, Chapter 23A, Development Compliance Code; Article III, Development Impact Fee Regulations; Division 1, Applicability and Intent; Section 23A-73; Division 2, Fee Calculation; Section 23A-81; Division 4, Development Impact Fee Schedules and Effective Dates; Sections 23A-90 and 23A-91; and setting an effective date.

It was moved by Council Member Kozachik, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11759.

13. ADJOURNMENT: 9:06 p.m.

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on June 23, 2020 at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.



MAYOR

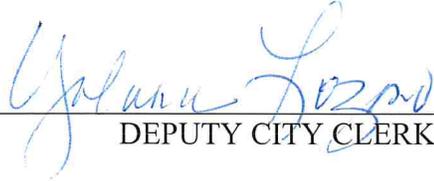
ATTEST:



CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 9th day of July 2020, and do hereby certify that it is an accurate transcription.


DEPUTY CITY CLERK

RWR: sb:ds