

2022

**Tucson-Pima County Historical Commission**  
Plans Review Subcommittee

**LEGAL ACTION REPORT/Minutes**

**Thursday, April 14, 2022**

Pursuant to safe practices during the COVID-19 pandemic, all in-person meetings are cancelled until further notice. This meeting was held virtually to allow for healthy practices and social distancing. The meeting was accessible at provided link to allow for participating virtually and/or calling in.

**1. Call to Order and Roll Call**

Meeting called to order at 1:16 P.M., and per roll call, a quorum was established.

Commissioners Present: Terry Majewski (Chair), Joel Ireland, Jan Mulder, and Rikki Riojas

Commissioners Absent/Excused: Carol Griffith and Savannah McDonald

Applicants/Public Present: Vero Arguello, Alonso Carrillo (University of Arizona student), Martha McClements, Ken Scoville, and David Burbank

Staff Present: Michael Taku and Jodie Brown, PSDS; Jennifer Toothaker, Department of Transportation and Mobility

**2. Approval of the Legal Action Report (LAR)/[Minutes] from Meeting of March 24, 2022**

**Motion:** It was moved by Commissioner Mulder to approve the Legal Action Report/Minutes for the meeting of March 24, 2022, as submitted.

Commissioner Riojas seconded the motion.

The motion passed unanimously by a roll call vote of 4-0. (Commissioners Griffith and McDonald absent)

**3. Rio Nuevo Area (RNA)/Infill Incentive District (IID) Review Cases**  
*UDC Section 5.12.6.E.2; 5.12.7 & 5.12.10*

- 3a. HPZ 20-061, Parcel No. 117-05-068F [CHANGE IN CONDITION]**  
Demolition of a pumphouse located next to the Stone Avenue underpass and the Southern Pacific Railroad (SPRR) for construction of Downtown Links.  
Contributing Resource

Chair Majewski noted that she would have to recuse from the discussion of this item (as she had done previously), which would result in loss of a quorum at this meeting. This item will be rescheduled to the next Plans Review Subcommittee (PRS) meeting, scheduled for April 28, 2022 (Commissioners Ireland and Mulder said they would attend; Commissioner Riojas will not attend). Chair Majewski will reach out to ensure there is minimally a quorum + one at that meeting so that her recusal will not affect the case being heard and discussed. She also requested that Staff Brown resend any comments received for today's meeting again for the April 28, 2022, meeting and that the documentation report for the pumphouse be provided. Commissioner Riojas asked if there will be additional meetings regarding the pumphouse (in addition to PRS). Staff Brown said she believes there will be, but she will follow up and let PRS know. Commissioner Mulder asked if Staff Brown could ask Staff Toothaker to bring information to the next meeting that shows the efforts made to both deal with the proposed buyer for the pumphouse and any other efforts they made to find a home for the structure. Staff Brown said she would request this information. Additionally, Commissioner Mulder noted that she recalled that Mayor and Council (when they met on this previously) were very interested in the Department of Transportation and Mobility (DTM) finding an alternative to demolition of the building meeting, and she expressed concern that on April 28, we'll be faced with DTM's self-imposed deadline for removal/demolition at the end of May.

Case to be rescheduled. No action taken.

#### **4. Task Force on Inclusivity Recommendations**

##### **4a. Discussion on incorporation of the Task Force on Inclusivity report recommendations.**

Chair Majewski shared the most recent draft of the Best Practices document and went through the document section by section, explaining what had been updated when she and Commissioners Griffith and Riojas met on March 29 and what remained to be finalized. Discussion was held, and a few additional edits were made "live." Commissioner Riojas noted that since March 29, she was able to speak to Commissioner Sadongei to solicit her opinion from a tribal perspective. Commissioner Sadongei had no issues with the draft document and felt it was crafted in the spirit of the Task Force on Inclusivity's recommendations. The working group (Majewski, Griffith, and Riojas) will clean up the document, and Chair Majewski will send out the document for internal review to Staff Brown (City) and Staff Mayro (County), the chairs of the TPCHC Transportation Subcommittee and the TPCHC Historic Landscape Subcommittee, and Commissioner Steere (as Tribal Historic Preservation Officer [THPO] of the Tohono O'odham Nation) and Dr. Karl Hoerig (Pascua Yaqui THPO). The goal is to bring the best practices document to the full commission meeting in June.

##### **Best Practices for Naming of City- and County-Owned Physical Assets**

Place names can convey important information related to the significance and history of a property or place. The naming and renaming of City- and County-owned physical assets (i.e., buildings, structures, objects, roads, landscapes, and properties) should reflect the rich history, culture, and ethnic diversity of

Tucson and Pima County. The Tucson-Pima County Historical Commission (TPCHC) created the Task Force on Inclusivity Regarding the Naming of City- and County-Owned Buildings and Properties to investigate current practices and make recommendations. Based on the findings of this Task Force, the following are “Best Practices” recommended by the TPCHC. It is recommended this document be used especially for the naming/renaming of potential eligible historic resources and resources located within HPZs.

1. Consider the meaning or significance of the proposed name
  - a. Appropriateness to (acceptance by) the surrounding area and the local (or impacted/referenced) community
2. If renaming, determine and evaluate why the new name is more relevant than the previous one. Renaming should occur if the original name is offensive to the community or other cultural group(s). Names should reflect relevancy to place, while also being mindful of history with respect to minority groups that have used or continue to use the physical asset.
3. Conduct historical research to support proposed name
  - a. Information must be authenticated/cited
  - b. If proposed name is that of a living person, research into their background is required, and the significance of their contribution must be established.
  - c. Is the name one already being used by residents in the area?
  - d. Are there any archaeological ties?
  - e. Was or is the property/landscape used by Native Americans?
  - f. Who has the property previously belonged to?
4. Determine/evaluate impact on the community
  - a. If approved, will there be a need for address changes?
    - List of affected properties/businesses
  - b. Does it bring representation of an underrepresented population whose contribution has been inadequately recognized?
  - c. Cost involved (any sign changes)
  - d. Hold public opinion meetings
  - e. Letter(s)/notice(s) given to the community regarding the meetings and the proposed change
  - f. Meeting minutes & community comments
  - g. Multiple meetings, at differing times, must be held in the vicinity of the proposed renamed building, structure, object, landscape, etc.
  - h. Obtain letters of support from surrounding community – e.g., neighbors in a neighborhood, nearby businesses if a commercial building
  - i. If affecting address changes, then resources on how to do so must be provided
5. Solicit full commission presentation through a staff request to \_\_\_\_ [When would this be in play? Only when it's a designated or potential eligible historic resource, in an HPZ, NR property, etc.? Reminder to Staff Brown and Staff Mayro – help with ideas on the process issue; Staff Brown – review AD from

City on naming.]

- a. Letter of support generated if a majority of commission members support the name
  - Letter to be distributed to Mayor & Council or the Board of Supervisors, as determined by the location of the physical asset.
- b. Recommendation of other possible names by the commission
- c. Considerations for Commemorative naming for living or deceased persons
- d. The person has a direct and long-term or early association with the property being named.
- e. The person has made a significant contribution to the area, community, state where the property is located.
- f. The person played a significant role in the protection or long-term preservation of the property, community, or area for public benefit.
- g. The person has made a significant contribution to the restoration, rehabilitation, or maintenance of original elements of the property that convey its historical or cultural importance.

The document has purposefully excluded properties that are named after large donors due to existing legislation. It is still recommended that the document be used alongside the county's guiding principles to evaluate if a donor is [suitable] ~~of clean background~~ and community supported. [Discussed the need to find a better word instead of "clean" – tension is beyond illegality and immorality – a higher bar than that – will need a different phrase. Not a suitable person for that site. Suitable and supported by the community.] When naming a property after a living subject, special attention should be paid to historical distance and perspective in order to ensure applicability. At any time, the naming authorities of Pima County and the City of Tucson have the right to revoke a name should the name fail to follow county naming guidelines, prove inaccurate, or be named after an individual who is no longer reputable.

Also excluded in this document is the naming of streets, subdivisions, and other properties or geographic features that fall under the jurisdiction of the Arizona State Board on Geographic and Historic Names or the United States Board on Geographic Names. [Additional clarification requested for this statement.]

In conclusion, the Tucson-Pima County Historical Commission supports naming and renaming if it is more representative of the history, culture, and ethnic diversity present within the City of Tucson and Pima County. The use of the "Best Practices" document provides both guidance and resources for ensuring more inclusive naming.

## **Possible resources for information concerning the history of the property and the community**

- State Historic Preservation Office/City Historic Preservation Office- Context studies, National and State Registers of Historic Properties
  - a. <https://azstateparks.com//shpo-consultation-on-historic-preservation-compliance>
- Tribal Historic Preservation Offices- Directory is listed for ease of finding the contacts for the office necessary
  - a. <https://members.nathpo.org/thpodirectory/Find?term=&advFilter=eyJkdXN0b21GaWVsZFZhbHVlcyI6W3siSWQiOiJkyMTI5LlJWYWx1ZSI6W119XSwiQ291bnRyaWVzIjpbXSwiU3RhdGVzIjpbIkJkFall0sIkNpdGlcyI6W10sIlBvc3RhbENvZGVzIjoilwiQ2F0ZWdvcnIiWYWX1ZXMlOltldLCJSYWRpdXMiOilwIn0%3D>
- City and County Historic Preservation Offices
  - a. City: <https://www.tucsonaz.gov/preservation/historic-preservation-contact-information>
  - b. <https://www.tucsonaz.gov/historic-preservation>
  - c. County: <https://webcms.pima.gov/cms/One.aspx?pagelId=51010>
  - d. <https://webcms.pima.gov/cms/One.aspx?portalId=169&pagelId=18493>
- City and County Parking & Transportation [Chair Majewski will include correct names for these departments]
  - a. City: <https://www.tucsonaz.gov/tdot/transportation-department-offices>
  - b. County: <https://webcms.pima.gov/cms/One.aspx?portalId=169&pagelId=53243>
  - c. <https://webcms.pima.gov/cms/One.aspx?portalId=169&pagelId=18804>
- Universities/special collections, Arizona State Museum
  - a. Please note, limited records are available online <https://speccoll.library.arizona.edu>/<https://statemuseum.arizona.edu/>
- Arizona Historical Society and local historical societies
  - a. <https://arizonahistoricalsociety.org/>
- Federal land managing agencies such as National Park Service, US Forest Service, Bureau of Land Management [Chair Majewski noted that we need to ensure that this is comprehensive and whether DOI's initiative should be included]
  - a. <https://www.nps.gov/subjects/historicpreservation/index.htm>
  - b. <https://www.nps.gov/articles/000/cultural-and-natural-resource-consultation.htm>
  - c. <https://www.blm.gov/arizona>
  - d. <https://www.blm.gov/maps>
- National Register of Historic Places
  - a. <https://azstateparks.com/national-register-of-historic-places>
  - b. SHPO guidance: <https://azstateparks.com//shpo-consultation-on-historic-preservation-compliance>
  - c. <https://www.nps.gov/subjects/nationalregister/database-research.htm>

- State land managing agencies such as Arizona State Land Department, Arizona State Parks
  - a. Arizona State Land Department: <https://land.az.gov/>
  - b. State Parks: <https://azstateparks.com/public-records-request/>
- State Library & Archives, including the Board on Geographic and Historic Names
  - a. <https://www.nps.gov/subjects/nationalregister/database-research.htm>
  - Research guides: <https://azsos.libguides.com/>
  - c. Digital catalog: [https://asla.ent.sirsi.net/client/en\\_US/default](https://asla.ent.sirsi.net/client/en_US/default)
- *Arizona Place Names* by Will C. Barnes
- Historical Maps - Sanborn maps, USGS maps
- *Historical Archaeology Research Guide* – This guide provides information on how to conduct historical research as well as a comprehensive source of records and where they are available.  
<https://www.arizonastateparks.com/SHPO>

Links are current as of 4/13/2022 and provided for ease of resource access to the general public. It is recommended they are checked and updated every 6 months-1 year to ensure consistency in access.

Still to do:

1. Internal review by Staff Brown and Staff Mayro, TPCHC subcommittees, tribal contacts, other? Schedule for completion/dissemination before commissions separated?
2. Need to address process and City and County historical commissions' involvement. Review City of Tucson Administrative Directive and make suggestions for amending it, referring to best practice document, etc. [Where does this go? Who writes it?]

## 5. Current Issues for Information/Discussion

### 5a. Minor Reviews

One minor, on-site review was held recently at 141–147 W. Simpson (Barrio Historico HPZ) (Commissioner Mulder assisted along with a representative from the historic zone advisory board). The property, east of Meyer, had been reviewed previously, and PRS has approved some rehab work. After the project on Simpson began, it was found that the addition at the back of the property was unsafe to work in and unsalvageable. Emergency authorization to demolish the addition was sought, granted, and implemented. This minor review was an after-the-fact review to discuss how the building should be rebuilt. PRS has already approved a double-framed wall along the north façade, where there wasn't adobe, and this method was reaffirmed for the reconstructed addition. The rebuilt portion will look like the shed-roof addition that had been in the back, with a construction joint between the historic adobe wall and the new frame wall on the east to distinguish the original building from the later lean-to addition. There is only one façade where this is even visible. Minor documentation of exterior walls

and existing conditions after the roof was sufficiently braced to retain as much of the existing building as possible was recommended to be undertaken. The original taller row house adobe shall be protected and retained. Both Commissioner Mulder and the Barrio representative thought this was the best outcome given the reality of the situation

Upcoming minor reviews to be scheduled include projects in West University, Armory Park, and signs in Downtown [RNA].

**5b. Appeals**

Staff Taku noted that there are no current appeals.

**5c. Zoning Violations**

Staff noted that there are ongoing and pending cases being worked on for compliance and/or in the review process, and that staff is working with their zoning violation code enforcement liaison.

**5d. Review Process Issues**

Staff Brown noted that the Mayor and Council will potentially be going back to meeting in person soon. The City Clerk has not yet provided direction on how that would impact the other BCCs (Boards, Committees, and Commissions) and whether there will be a hybrid option for meetings and how that would work, including what equipment would be required. City Clerk's Office has looked at some equipment, but it is unknown if it is portable. PDS currently meets with BCCs in a variety of locations. Staff Brown will keep us posted Commissioner Mulder asked if minor reviews will also go back to being in person. Some virtual meetings have worked out well. It is situational. Chair Majewski wondered how BCC attendance has been affected since going virtual. Staff Brown noted that the only current location with the equipment to support hybrid meetings is the Mayor and Council chambers. There would be considerable competition for the room, and she also reminded us that PDS no longer has a large meeting room as it had in the past.

Reflecting on the current situation with the pumphouse located next to the Stone Avenue underpass, Commissioner Mulder commented that we should try to avoid 11th-hour reviews. She asked if moving the "Ugly but Honest" historic sign near the César Chávez statue will be coming through PRS for review, and Staff Brown said it would be reviewed by both Armory Park and PRS, as it is part of an IID case.

**6. Summary of Public Comments (Information Only)**

Public comments were received by the deadline for item 3a and will be read into the record when the case under Item 3a on this agenda is heard on April 28, 2022.

**7. Future Agenda Items for Upcoming Meetings**

Staff mentioned that in addition to the pumphouse demolition case on April 28 (Chair Majewski asked Commissioner Mulder to chair the pumphouse item when she [Chair Majewski]) recuses), there may be HPZ cases. Chair Majewski noted that there will be an update on the Best Practices document (see Item 4a, above).

The next scheduled meeting is April 28, 2022. PRS meetings to be conducted virtually until further notice.

**8. Adjournment**

Meeting adjourned at 2:14 P.M.