



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 18, 2023.

Date of Meeting: August 23, 2022

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona at 5:45 p.m., on Tuesday, August 23, 2022, all members having been notified of the time and place thereof.

Suzanne Mesich, City Clerk, announced Council Members Dahl and Fimbres would be participating virtually through Microsoft TEAMS.

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
Kevin Dahl
Nikki Lee
Richard G. Fimbres
Steve Kozachik
Regina Romero

Vice Mayor, Council Member Ward 1
Council Member Ward 2
Council Member Ward 3 (electronic attendance)
Council Member Ward 4
Council Member Ward 5 (electronic attendance)
Council Member Ward 6
Mayor

Absent/Excused:

None

Staff Members Present:

Michael J. Ortega
Michael Rankin
Suzanne Mesich

City Manager
City Attorney
City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

a. INVOCATION

The invocation was given by Reverend Ethan McCardell, Sunrise Chapel Swedenborgian.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. PRESENTATIONS:

1. Mayor Romero proclaimed August 23, 2022, to be FC Tucson Women's Day.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager's communication number 219, dated August 23, 2022, was received into and made part of the record. She asked if there were any personal appointments to be made.

There were no personal appointments made at this time.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Romero announced City Manager's communication number 220, dated August 23, 2022, 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 Santa Cruz, Council Members Cunningham, Lee, Fimbres, and Kozachik.

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 221, dated August 23, 2022, 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.

Current event report was given by Suzanne Mesich, City Clerk.

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

5. LIQUOR LICENSE APPLICATIONS

Mayor Romero announced City Manager's communication number 222, dated August 23, 2022, 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: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

1. Screwbean Brewing, Ward 6
City #67-22, Series 7
Agent: Matthew Alexander Taylor
Address: 103 N. Park Ave #101
Action must be taken by: August 25, 2022

Staff has indicated the applicant is in compliance with City requirements.

2. Screwbean Brewing, Ward 6
City #68-22, Series 3
Agent: Matthew Alexander Taylor
Address: 103 N. Park Ave. #101
Action must be taken by: August 25, 2022

Staff has indicated the applicant is in compliance with City requirements.

3. Que Chulada! Mexican Grill, Ward 2
City #70-22, Series 12
Agent: Sarahi Gutierrez
Address: 6910 E. Tanque Verde Rd.
Action must be taken by: August 27, 2022

Staff has indicated the applicant is in compliance with City requirements.

4. Sprouts Farmers Market #47, Ward 1
City #71-22, Series 10 and 10WS
Agent: Amy S. Nations
Address: 4800 S. Landing Way
Action must be taken by: August 27, 2022

Staff has indicated the applicant is in compliance with City requirements.

5. La Herradura Mexican Grill, Ward 4
City #73-22, Series 12
Agent: Emily Francisca Silvas Cabrera
Address: 2530 S. Harrison Rd.
Action must be taken by: September 8, 2022

Staff has indicated the applicant is in compliance with City requirements.

Person and Location Transfer(s)

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant's capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

6. Diamond Event Center, Ward 3
City #72-22, Series 7
Agent: Kevin Luong Bui
Address: 975 W. Prince Rd.
Action must be taken by: August 29, 2022

Staff has indicated the applicant is in compliance with City requirements.

c. Special Event(s)

1. Ronald McDonald House Charities of Southern Arizona, Ward 3
City #T37-22
Applicant: Marisa Lunde
Address: 2155 E. Allen Rd.
Purpose: Fundraiser
Event Date: October 7, 2022

Staff has indicated the applicant is in compliance with City requirements.

2. Underdog Kiddos, Inc., Ward 1
City #T38-22
Applicant: Tori Marie Kittelmann
Address: 4502 N. 1st Ave.
Purpose: Family Festival
Event Date: August 15, 2022 - August 16, 2022

Staff has indicated the applicant is in compliance with City requirements.

3. North Fourth Avenue Merchants Association, Inc., Ward 6
City #T40-22
Applicant: Casey Anderson
Address: 434 E. 9th St.
Purpose: 53rd Annual Winter Street Fair Fundraiser Civic Event
Event Date: December 9, 2022 - December 11, 2022

Staff has indicated the applicant is in compliance with City requirements.
4. The University of Arizona, Ward 6
City #T42-22
Applicant: Elizabeth Cavolo
Address: 1737 E. University Blvd.
Purpose: Tailgating for Home Football Games at the University of Arizona
Event Date: September 17, 2022

Staff has indicated the applicant is in compliance with City requirements.
5. St. Augustine Cathedral, Ward 6
City #T43-22
Applicant: Alan Valencia
Address: 192 S. Stone Ave.
Purpose: Parish Fiesta
Event Date: October 22, 2022 - October 23, 2022

Staff has indicated the applicant is in compliance with City requirements.
6. Chaos Elite Booster Club, Ward 3
City #T44-22
Applicant: Bobby Sutton
Address: 1102 W. Grant Rd.
Purpose: Haunted House
Event Date: October 1, 2022 - October 16, 2022

Staff has indicated the applicant is in compliance with City requirements.
7. League of American Mexican Women, Ward 4
City #T45-22
Applicant: Lory Rivera
Address: 3455 S. Wilmot Rd.
Purpose: League of Mexican Women Florecita Ball
Event Date: September 10, 2022

Staff has indicated the applicant is in compliance with City requirements.

8. Our Mother of Sorrows, Ward 2
City #T47-22
Applicant: Alicia Reyes
Address: 1800 S. Kolb Rd.
Purpose: Annual Parish Fiesta
Event Date: September 30, 2022 - October 1, 2022

Staff has indicated the applicant is in compliance with City requirements.

9. Sacred Heart Parish, Ward 3
City #T48-22
Applicant: Gonzalo Villegas
Address: 601 E. Fort Lowell Rd.
Purpose: Parish Fundraising
Event Date: September 24, 2022

Staff has indicated the applicant is in compliance with City requirements.

10. Perimeter Bicycling Association, Ward 3
City #T50-22
Applicant: TJ Justkiewicz
Address: 4570 N. 1st Ave.
Purpose: El Tour Loop de Loop
Event Date: September 24, 2022

Staff has indicated the applicant is in compliance with City requirements.

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no application(s) for agent changes scheduled for this meeting.

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to forward Items 5b1 through 5b6 and 5c1 through 5c10 to the State Liquor Board with a recommendation of approval.

6. CALL TO THE AUDIENCE

Mayor Romero announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Romero also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “call to the audience.”

Comments were made by:

Elijah Acuña
Vanessa Gallego
Garrett Weaver
Serena Huaraque
Don Copler
Natalie Nguyen

Jaime Guido
Alexa Scholl
Annabel Close
Brendan Anderson
Victoria DeVasto

Elma Alvarez
Brian Williams
Ben Buehler-Garcia
Ojas Sanghi
Robert Bulechek

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

7. CONSENT AGENDA – ITEMS A THROUGH F

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) AUG23-22-223
- b. WATER: APPROVAL OF APPLICATIONS FOR DEBT AUTHORIZATION AGREEMENTS WITH THE ARIZONA WATER INFRASTRUCTURE FINANCE AUTHORITY (CITY WIDE AND OUTSIDE CITY) AUG23-22-227

Resolution No. 23503 relating to Water; authorizing the application for a clean water state revolving fund loan from the Water Infrastructure Finance Authority of Arizona.

Resolution No. 23502 relating to water; authorizing the application for a drinking water state revolving fund loan from the Water Infrastructure Finance Authority of Arizona.

- c. FINANCE: APPROVAL OF FISCAL YEAR 2022 INVOLUNTARY TORT JUDGMENTS (CITY WIDE) AUG23-22-224

Resolution No. 23499 relating to Fiscal Year ("FY") 2023/2024 Primary Property Tax Levy; retroactively approving involuntary tort judgments from FY 2021/2022; and declaring an emergency.

- d. APPROVAL OF INDEPENDENT AUDIT AND PERFORMANCE COMMISSION'S RECOMMENDED INTERNAL AUDIT PLAN FOR FISCAL YEAR 2023 (CITY WIDE) AUG23-22-229

Resolution No. 23504 relating to Budget and Internal Audit; approving the Internal Audit Plan for Fiscal Year 2023; and declaring an emergency.

- e. FINAL PLAT: (S22-026) THE LANDING, LOTS 18A, 18B, 19C AND 19D (WARD 1) AUG23-22-228

Staff recommends that 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.

- f. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA SUPERIOR COURT IN PIMA COUNTY AND THE CITY OF TUCSON FOR PROVIDING JURORS TO THE TUCSON CITY COURT BY THE JURY COMMISSIONER OF THE ARIZONA SUPERIOR COURT IN PIMA COUNTY (CITY WIDE) AUG23-22-226

Resolution No. 23501 relating to Intergovernmental Agreements; approving and authorizing the execution of the Intergovernmental Agreement Amendment No. 1 between the Arizona Superior Court in Pima County, and the City of Tucson for providing jurors to the Tucson City Court; and declaring an emergency.

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

8. PUBLIC HEARING: BINGO LICENSE - CRAZY HORSE RV LLC (WARD 5) AUG23-22-225

Mayor Romero announced City Manager's Communication number 225, dated August 23, 2022, 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 a request for a bingo license at Crazy Horse RV, LLC. She announced the public hearing was scheduled to last no more than one hour and speakers were limited to five-minute presentations.

Mayor Romero asked if anyone wished to speak regarding this license.

There was no one.

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

Mayor Romero asked the City Clerk to read Resolution 23500 by number and title only.

Resolution No. 23500 relating to City Clerk; approval of bingo license application for Crazy Horse RV, LLC.

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to approve the Bingo License request as submitted.

9. **TUCSON CODE: (C8-22-03) UNIFIED DEVELOPMENT CODE (UDC) TEXT AMENDMENTS REQUIRING ELECTRIC VEHICLE (EV) READINESS IN CERTAIN NEW DEVELOPMENTS, INCLUDING MULTI-FAMILY RESIDENTIAL, OFFICE, COMMERCIAL AND LARGE-SCALE RETAIL (CONTINUED FROM THE MEETING OF JULY 12, 2022) (CITY WIDE) AUG23-22-230**

Mayor Romero announced City Manager's Communication number 230, dated August 23, 2022, was received into and made part of the record. She asked the City Clerk to read Ordinance 11953 by number and title only.

Ordinance No. 11953 relating to Planning and Zoning; amending the Tucson Code, Chapter 23B, Unified Development Code, Sections 3.3, 7.4, and 11.4; establishing requirements for Electric Vehicle (EV) readiness in certain new residential and commercial developments, including multifamily residential, office, and certain commercial including large-scale retail developments; establishing parking reduction incentives to encourage EV Readiness; and setting an effective date.

Mayor Romero indicated that the City Manager's Office had a planned presentation regarding this item.

Michael Ortega, City Manager, advised that Timothy Thomure, Assistant City Manager, would be speaking on this.

Mr. Thomure explained that the presentation was a timeline of the overall discussion leading to the evening's item.

Mayor Romero thanked Mr. Thomure for his presentation and explained that the Public Hearing regarding this item had been closed during their previous meeting. She stated that she wanted to include a few thoughts on the item. She stated the need to taking action had been discussed in previous meetings. She noted there had been complaints regarding the speeds of government being "too slow". She recognized the speakers at this evening's call to the audience, and their pleas to act. She acknowledged the Council's desire in acting on the strategies that had been designed regarding those plans.

Council Member Cunningham stated there needed to be flexibility, because in some cases the businesses may opt to use an alternative charging method.

Council Member Lee asked Council Member Dahl if he was open to the flexibility mentioned by Council Member Cunningham.

Council Member Dahl stated he would be open for discussions in a year, after Mayor and Council saw how this version operated.

Council Member Kozachik asked Council Member Dahl to clarify what level of stations was he proposing.

Council Member Dahl responded whatever staff had available. He stated that he did not have the exact figures available at the time.

Council Member Kozachik stated that it was unclear to him as well. He asked for clarification from Mr. Thomure.

Mr. Thomure stated that he would address this, he also stated that Dan Bursuck, Planning and Development Services Department, was available to answer any questions.

Mr. Bursuck responded that the proposal called for level 2 charges (220).

Council Member Kozachik asked Council Member Dahl if he would agree to drop those to level 1, or at least allow it as an option.

Council Member Dahl responded saying his understanding of EV was not technical and suggested that Mayor and Council follow staff recommendations and revisit those questions within the year.

Council Member Kozachik asked Mr. Bursuck why staff would not allow installations of level 1 versus a level 2 charging station.

Mr. Bursuck responded their recommendations on using level 2 chargers were based solely on the speeds of charging, and a level 2 charged faster than a level 1, whereas level 1 charges did not provide a full charge and level 2 chargers would remain consistent with charging stations already in use.

Council Member Kozachik asked if docking stations already established as a level 1 would be grandfathered in.

Mr. Thomure responded that they would.

Council Member Kozachik stated there had been requests for EV stations be replaced at a 1 for 2 ratio of EV outlets. He asked if it was possible to place outlets to meet the required 5% for retail.

Council Member Dahl stated he was not open to that, as retail stations needed the faster charging level 2. He stated the conduits and outlets does prepare for the future but did not meet the current needs.

Council Member Fimbres asked for an explanation of the monetary process for the proposal and how it impacted the Mayor and Council in making changes if necessary.

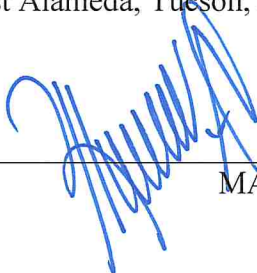
Mr. Thomure responded those could vary quite a bit, but the costs of conduit was roughly \$22 to \$43 per linear foot to trench and adding the conduit. He also stated the general costs of a Level 2 station could be between \$500 and \$6,000 depending on the products. He went on to say it should be noted the costs to retrofitting and adding conduit to an existing site could be four times those costs if they were done at the site developments.

It was moved by Council Member Dahl, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Ordinance 11953.

Michael Rankin, City Attorney, clarified for the record stating this would incorporate an effective date of December 1, 2022.

10. ADJOURNMENT

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, September 13, 2022, 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 23 day of August 2022, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

SM: jc:ds