



MAYOR AND COUNCIL Study Session Minutes

Approved by Mayor and Council
on May 9, 2023.

Date of Meeting: September 13, 2022

The Mayor and Council of the City of Tucson met in study session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona at 1:10 p.m., on Tuesday, September 13, 2022, all members having been notified of the time and place thereof.

OFFICIAL MEMBERS

PRESENT: Mayor Regina Romero
Vice Mayor Lane Santa Cruz (Ward 1)
Council Member Paul Cunningham (Ward 2)
Council Member Nikki Lee (Ward 4)
Council Member Richard G. Fimbres (Ward 5) (electronic attendance)
Council Member Steve Kozachik (Ward 6)

OFFICIAL MEMBERS

ABSENT: Council Member Kevin Dahl (Ward 3)

STAFF: Michael J. Ortega, City Manager
Mike Rankin, City Attorney
Suzanne Mesich, City Clerk

1. **Executive Session – Christopher Day v. City of Tucson, et al., Pima County Superior Court Case No. C20220577 (City Wide) SS/SEP13-22-160**
3. **Executive Session – Discussion of the City of Tucson’s Cybersecurity and Critical Infrastructure Posture (City Wide) SS/SEP13-22-164**

(This item was taken out of order.)

It was moved by Council Member Cunningham, duly seconded and CARRIED by a voice vote of 6 to 0 (Council Member Dahl absent/excused), to enter into executive session as noticed on the agenda.

RECESS: 1:11 p.m.

RECONVENE: 2:52 p.m.

MAYOR & COUNCIL: All present (Council Member Dahl absent/excused.)

STAFF: All present

Executive Session was held from 1:14 p.m. to 2:40 p.m.

It was moved by Vice Mayor Santa Cruz., duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Dahl absent/excused), to return to open session.

2. Mayor and Council Direction Regarding– Executive Session – Christopher Day v. City of Tucson, et al., Pima County Superior Court Case No. C20220577 (City Wide) SS/SEP13-22-161

It was moved by Council Member Kozachik, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Dahl absent/excused), to authorize and direct the City Attorney to proceed as discussed in Executive Session and to settle the case, Christopher Day v. City of Tucson, in the amount of \$65,000.

3. Executive Session – Discussion of the City of Tucson’s Cybersecurity and Critical Infrastructure Posture (City Wide) SS/SEP13-22-164

(This item was taken out of order and considered after Item #1.)

4. Mayor and Council Direction Regarding Executive Session – Discussion of the City of Tucson’s Cybersecurity and Critical Infrastructure Posture (City Wide) SS/SEP13-22-165

It was moved by Council Member Kozachik, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Dahl absent/excused), to authorize and direct the City Manager, City Attorney and staff to proceed as discussed in Executive Session, and to continue to engage in measures necessary to ensure the safety of the City’s critical infrastructure and cybersecurity, and to protect sensitive data including personally identifiable information.

5. City Manager’s Report and Update on COVID-19, Monkeypox Virus, Ongoing City and County Mitigation Measures; Funding and Appropriations; and Related Legal Matters (City Wide) SS/SEP13-22-159

Update and information were provided by Mayor Romero and Michael J. Ortega, City Manager, who provided updates; and fielded and answered questions on COVID cases, Monkeypox cases, vaccination availability and locations.

Michael J. Ortega, City Manager stated although the COVID cases are lower than they have been, they are still of concern. He mentioned the continued effort to emphasize and encourage people to get vaccinated. He stated there are 44 cases reported in Pima County and he did reach out to the County regarding vaccines, they indicated there is enough.

Mayor Romero gave an update from Pima County Health Department and indicated the COVID-19 community level remains low with a daily average of 63.02 cases per 100,000. She also mentioned the new bivalent vaccines that target the most prevalent

COVID-19 sub variants are available at the Pima County Health Department, the Abrams Public Health Center, Walgreens, and CVS pharmacies.

Mayor Romero also provided the Pima County Health Department phone number and encouraged people to call their primary care physicians if they do test positive for COVID.

Discussion ensued; no formal action was taken.

6. Tucson Police Chief's Report on Community Listening Sessions and Community Engagement (City Wide) SS/SEP13-22-162

Opening comments were made by Michael J. Ortega, City Manager.

Information was presented by Chad Kasmar, Chief of Police, who fielded and answered questions regarding community conversations. Topics covered in the conversations included strategies, mental health, addiction, homelessness and houselessness concerns, growing up, policeman were not their friends, vehicle deaths and gun violence, system accountability, defunding the police vs reimagining the police, internal issues, credibility, turnover, ongoing relationships with the community and restorative practices. He also spoke about increased enforcement for open air drug use, violent and property crimes.

Discussion ensued.

Council Member Lee spoke about her confidence in Chief Kasmar, problems the City was currently facing, mentioned his attendance of the opening of the Splash Pad in Ward 4, and reiterated that Chief Kasmar had her full support moving forward.

Vice Mayor Santa Cruz said Chief Kasmar was a testament as to why they needed to continue investing in the City's "own," people that were homegrown because of their love and care for Tucson and its community. She mentioned the Chief's involvement in the Ward 1 bike rides and his seeing the community from the perspective of other people and being a bridge builder in the community.

Chief Kasmar said his priorities were simple: 1) create a sense of connection no matter what he was doing or who he was interacting with, and 2) contribute to a safe community.

Council Member Kozachik commented that he was appreciative of the outreach and empathy displayed by the Chief in dealing with the refugee community and their needs. He said he also appreciated the several multi-neighborhood meetings he and his team had and their working through some tough problems.

Council Member Fimbres asked about staffing shortages, police officers and CSOs were critical and hours of operation for smoke shops in Ward 5.

Council Member Cunningham also spoke about staffing issues, recruitment, training, equipment and resources.

Mayor Romero spoke and said she wanted to follow-up on some conversation about staffing. She said the Mayor and Council were supportive and had given TPD the appropriate tools to hire additional officers. She touched on the recent market study rate increase for police officers, but also asked about recruitment efforts in terms of what additional help they could give TPD. She reiterated that the commitment of the Mayor and Council was there to provide infrastructure and equipment to keep officers safe and that they were doing everything they possibly could.

Mr. Ortega summarized some of the pieces that he felt were important. He said first and foremost, from the Chiefs responses and his command of the leadership they needed to move the department and community in a real positive way. He said the support the Chief had of the Community was demonstrated in some of the comments they had heard. He said he also thought that to Council Member Fimbres' and to some level Council Member Cunningham's questioning about staffing, that was an ongoing discussion and was all inclusive. He stated he had a conversation earlier in the day with the spouse of an officer that said it was not about just the equipment that they needed, they wanted officers to have the best equipment available.

Mr. Ortega stated that had resonated with him in the sense of, okay, how and what responsibility id the City have to provide that environment? He said it was not just a singular focus. and with Chief Kasmar's leadership and really looking at what the future of the department and the City's relationship with the Community and some of the challenges they had, that would be a key conversation.

Discussion continued; no formal action was taken.

7. Solar Empowerment Program Assessment and Recommendations (City Wide) SS/SEP13-22-163

(This item as continued at the request of staff.)

8. Update on Community Safety Strategy for Tucson (City Wide) SS/SEP13-22-167

Introductory comments were made by Mayor Romero and Michael J. Ortega, City Manager regarding root causes of crime, community safety, mental health, substance abuse, strategies moving forward, recruitment and retention of police officers, and investments in other areas.

Information was presented by Chad Kasmar, Chief of Police, Sharon McDonough, Public Safety Communications Department Director, and Sarah Launius, Community Safety, Health & Wellness Director, who fielded and answered questions.

Ms. McDonough provided information on the public safety communication centers, how they work and what the process was for 911 calls, partnering with Tucson Fire and

Tucson Police to reduce calls requiring a response, sending calls to the right resource, right place and right time. She also spoke about non-emergent needs of the public, 311 calls and platform, hiring of a data analyst to take a deeper dive into utilizing 911 services and the resultant response and outcome, worked with parks and recreation on utilizing park security cameras in order to assist them in taking a look at what was going on in parks and to provide real time analytics to responding officers in the field.

Ms. Launius provided information on community safety, health and wellness. She said it was really intended to help provide this kind of continuum of services and approaches both internally and externally, they were working with a number of pre-existing teams in the city, including TC3 under Tucson Fire Department. She said the program was identifying ways to also bring in nonprofit partners more efficiently to assist, focusing on gun violence, and hot spots in the City. She said two primary areas they continue to work in was working closely with nonprofit partners in recover and addiction as well as housing.

Chief Kasmar also commented it was truly a partnership working with the other two areas to ensure community safety, health and wellness. He said they had to use various strategies to tackle this process. He also spoke about how technology could help create safe spaces in the community.

(Note: Vice Mayor Santa Cruz departed at 4:06 p.m. and returned at 4:09 p.m.)

Discussion continued. Additional comments were made by Council Member Cunningham.

Vice Mayor Santa Cruz requested information on traffic fatalities and the infrastructure to mitigate them, suicide prevention and mental health issues and the approaches we need to keep the community safe.

Council Member Lee requested the City review the cost to arrest offenders, jail costs and alternatives to jail.

Council Member Kozachik asked the City Attorney how some of the laws passed by the government can be effectively be enforced by the City in terms of some of the Resolutions they had recently passed with regards to gun laws, how the City can explore moving forward with expansion of video surveillance in the downtown area, and know what the rules in place were with the County Attorney to adopt a zero tolerance when TPD brings in a suspect and firearms are involved.

Mike Rankin, City Attorney, responded that Council Member Kozachik had summarized well the interplay with respect to the federal laws and then the preemptive effect of state laws. He said under state law, the City Could not adopt their own ordinances that were more restrictive or conflicted with state law with respect to firearms, however, his point about the federal laws being supreme over state laws was correct He said he was also correct in that the legislature, in the past had made

statements or passed bills that said, they did not care what the federal gun laws said and did not apply in Arizona.

Mr. Rankin stated they did apply, and the Mayor and Council made that clear with the adoption of a resolution Council Member Kozachik had described. He said the federal gun laws applied within the city limits of Tucson, and folks need to be aware of that. He said the question was what the City's role was with respect to enforcement of those changes in federal law or how could the Mayor and Council leverage those changes to help make the Community safer. An example that was pointed out was to enhance the red flag laws. He said the City's legal advisors, who were directly assigned to the Tucson Police Department were already taking the request for to get court orders for the surrender of weapons under the federal red flags laws over to federal court, where those federal laws can be leveraged to get those kinds of orders.

(Note: Vice Mayor Santa Cruz departed at 4:40 p.m. and returned at 4:44 p.m.)

Mr. Ortega touched on the conversation regarding technology because it was important in the whole scheme of what was being discussed, but also broader than this. He said technology was an opportunity for the City and was a discussion to be had on a macro scale in order to keep the community safe, but also taking into consideration privacy of the residents and the community.

Discussion continued regarding fentanyl/drugs in the community, resources, wrap around services, investment, low jail population, incarceration, arrests, enforcement, totalities, safer streets, drag racing, gun crime, technology, etc.

No formal action was taken.

9. Grant Road Urban Overlay District (Wards 3 and 6) SS/SEP13-22-166

Opening comments were made by Council Member Kozachik. He said that the *Unified Development Code* (UDC), required the Mayor and Council to initiate an overlay process. He said, currently, phases three and four of Grant Road were already under construction and phases five and six were in design. He stated there were miles of vacant parcels that were begging to be developed, but sometimes the existing zoning did not match the current Community vision. He said that what he was asking was for the Mayor and Council to authorize the initiation of the overlay process, stating there would be substantial public outreach.

It was moved by Council Member Kozachik, duly seconded, to begin the Grant Road overlay process with no specific terms of where the boundaries were yet, and all of the details could come through the public engagement process. He said he just needed to start the overlay process with the Mayor and Council

Mayor Romero stated she was happy to see the support of the movement and the investment in the corridors for the Grant Road overlay. She stated it needed some changes to move into the additional space for Grant Road to be expanded.

Mayor Romero reiterated her gratitude in the creating of the overlays for incentivizing development in the city of Tucson. Especially since she has talked about it a lot with Council Member Kozachik.

The motion was passed by a voice vote of 6 to 0 (Council Member Dahl absent/excused).

10. Updates on State and National Legislation and Regional Committees (City Wide) SS/SEP13-22-153

Information as provided by Andrew Greenhill, Intergovernmental Relations Manager, who fielded and answered questions on postal service, PFAS, Inflation Reduction Act and the Marriage Equality Act. He also reported on the Housing Supply Committee who met in the Mayor and Council chambers on how to increase housing supply across Arizona.

No formal action was taken.

11. Mayor and Council Discussion of Regular Agenda (City Wide) SS/SEP13-22-154

Council Member Fimbres requested Consent Agenda Item i be considered separately.

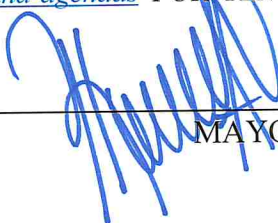
Consent Agenda Item i – Resolution: Supporting the Naming of the Interstate 10 Overpass at Ruthrauff Road as the “State Trooper Juan Cruz Memorial Overpass” (Outside City) SEP13-22-240

12. Mayor and Council Discussion of Future Agendas (City Wide) SS/SEP13-22-155

No items were identified.

ADJOURNMENT – 5:14 p.m.

AUDIO RECORDING FOR THIS MEETING IS AVAILABLE ON-LINE AT <https://www.tucsonaz.gov/gov/meeting-schedules-and-agendas> FOR TEN YEARS FROM THE DATE OF THIS MEETING.



MAYOR

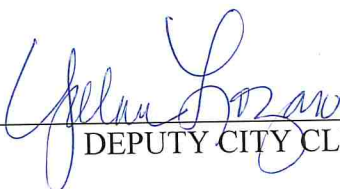
ATTEST:



CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the study session meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 13th day of September 2022, and do hereby certify that it is an accurate transcription.


DEPUTY CITY CLERK

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