



Minutes of MAYOR AND COUNCIL Meeting

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 regular session remotely through Microsoft Teams at 5:54 p.m., on Tuesday, September 13, 2022, all members having been notified of the time and place thereof.

Suzanne Mesich, City Clerk, announced Council Member Fimbres could be participating electronically 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	Vice Mayor, Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Nikki Lee	Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5 (electronic attendance)
Steve Kozachik	Council Member Ward 6
Regina Romero	Mayor

Absent/Excused:

Kevin Dahl	Council Member Ward 3
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Staff Members Present:

Michael J. Ortega	City Manager
Michael Rankin	City Attorney
Suzanne Mesich	City Clerk

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

a. INVOCATION

The invocation was given by Pastor Larry Mungia, from the S.O.B.E.R. Project.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. PRESENTATIONS:

1. Mayor Romero proclaimed September 2022 to be “National Suicide Awareness Month.” Kristina Bickelman, NAMI Executive Director accepted the proclamation.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager’s communication number 231, dated September 13, 2022, was received into and made part of the record. She asked if there were any appointments in the report.

There were no personal appointments made.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Romero announced City Manager’s communication number 232, dated September 13, 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, and 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 233, dated September 13, 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 Michael J. Ortega, City Manager.

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 234, dated September 13, 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. Breakthru Beverage Arizona, Ward 5
City #74-22, Series 4
Agent: Ryan Witner Anderson
Address: 6360 S. Tucson Blvd. #140
Action must be taken by: September 18, 2022

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

c. Special Event(s)

1. Tucson Celtic Festival Association, Ward 3
City #T46-22
Applicant: Angela Nelson
Address: 4502 N. 1st Ave.
Purpose: 36th Annual Tucson Celtic Festival & Scottish Highland Games
Event Date: November 4, 2022 - November 6, 2022

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

2. University of Arizona Foundation, Ward 5
City #T49-22
Applicant: Licett Hernandez
Address: 1303 E. University Blvd.
Purpose: Hospitality and entertainment area for guests attending the UAZ Family Tailgate
Event Date: October 8, 2022

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

3. Watershed Management Group, Ward 6
City #T51-22
Applicant: Lauren Monheim
Address: 1137 N. Dodge Blvd.
Purpose: Community Educational and funding for Watershed Management Group
Event Date: September 27, 2022

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

4. Mariachi Youth Music Sonido de Mexico Inc. (DBA my Music Foundation), Ward 1
City #T52-22
Applicant: Andrea Marie Gallegos
Address: 115 N. Church Ave.
Purpose: Fundraiser for Mariachi Youth Music Foundation -25th Anniversary Celebration
Event Date: September 30, 2022

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

5. Rotary Club of Tucson, Ward 2
City #T53-22
Applicant: Wayne L. Meyer
Address: 3231 N. Craycroft Rd.
Purpose: Funding for the Rotary Club of Tucson Charities
Event Date: October 14, 2022 - October 15, 2022

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

6. Legislative District 20, Ward 1
City #T54-22
Applicant: Michael David Bryan
Address: 3700 S. La Cholla Blvd.
Purpose: Carshow and Concert
Event Date: October 15, 2022

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

7. Spark Project, Inc., Ward 6
City # T59-22
Applicant: John Vasquez
Address: 814 E. University Blvd.
Purpose: Runway Show for Charity
Event: September 23, 2022

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

8. United Cerebral Palsy of Southern Arizona, Ward 3
City #T69-22
Applicant: Bobby Sutton
Address: 4500 N. Oracle Rd
Purpose: Halloween Event
Event: October 7, 2022 and October 8, 2022

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

9. United Cerebral Palsy of Southern Arizona, Ward 3
City #T70-22
Applicate: Bobby Sutton
Address: 4500 N. Oracle Rd.
Purpose: Halloween Event
Event Date: October 14, 2022 and October 15, 2022

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

10. United Cerebral Palsy of Southern Arizona, Ward 3
City #T71-22
Applicant: Bobby Sutton
Address: 4500 N. Oracle Rd.
Purpose: Halloween Event
Event Date: October 21, 2022 and October 22, 2022

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

11. United Cerebral Palsy of Southern Arizona, Ward 3
City #72-22
Applicant: Bobby Sutton
Address: 4500 N. Oracle Rd.
Purpose: Halloween Event
Event Date: October 28, 2022 - October 31, 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 Kozachik, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Dahl absent/excised), to forward liquor license applications 5b1 and 5c1 through 5c11 to the Arizona State Liquor Board with a recommendation for 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:

Ruben Reynoso	Peter Norquest	Patrick Robles
Mark Bejarano	Amy Gaudet	Patricia Yango
Larry Starks	Stella Heflin	Eddie Sapp
Xavier Martinez	Kaleb Nichols	Benjamin Granger
Taylen Yazzie		

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 I

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) SEP13-22-235
- b. ELECTIONS: AMENDMENT TO THE CAMPAIGN FINANCE ADMINISTRATION RULES AND REGULATIONS FOR THE PUBLIC MATCHING FUNDS PROGRAM FOR CANDIDATES FOR CITY OFFICE (CITY WIDE) SEP13-22-241

Resolution No. 23509 relating to elections; adopting amended Campaign Finance Administration Rules and Regulations for the administration of the provisions contained in subchapters A and B of Chapter XVI of the Tucson Charter that govern the Public Matching Funds Program for candidates for City offices; and declaring an emergency.

- c. BOARDS, COMMITTEES, AND COMMISSIONS: RENAMING THE TUCSON COMMISSION ON GAY, LESBIAN, BISEXUAL, AND TRANSGENDER ISSUES (GLBT) (CITY WIDE) SEP13-22-238

Resolution No. 23506 relating to Boards and Commission; changing the name of the "Tucson Commission on Gay, Lesbian, Bisexual, and Transgender (GLBT) Issues" to the "Tucson Commission on Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Issues," providing that in all other respects, the parameters set for the Commission by Resolution No. 18345, as amended by Resolution No. 21292, are reaffirmed and remain in force; and declaring an emergency.

- d. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR ANIMAL CARE AND ENFORCEMENT SERVICES (CITY WIDE) SEP13-22-236

Resolution No. 23507 relating to Intergovernmental Agreements (IGA); authorizing and approving the execution of an IGA between the City of Tucson (City) and Pima County to provide animal care services with Pima Animal Care Center (PACC) for fiscal year 2022/23 to fiscal year 2024/25; and declaring an emergency.

- e. REAL PROPERTY: APPROVING THE THIRD AMENDMENT TO LEASE WITH NORRIS DESIGN_AZ, LLC. FOR SPACE LOCATED IN THE HISTORIC DEPOT AT 418 N TOOLE AVENUE. (RP #2475) (WARD 6) SEP13-22-237

Ordinance No. 11956 Relating to real property and economic development; approving amendment No. 3 to the lease agreement between the City of Tucson (City) and Norris Design-AZ, LLC for space located in the historic depot at 418 North Toole Avenue; and declaring an emergency.

- f. GRANT AGREEMENT: APPLICATION 1667-2022-1 AND 1667-2022-2 FOR FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5307 (URBANIZED AREA FORMULA PROGRAM) SECTION 5339 (BUS AND BUS FACILITIES PROGRAM), AND FEDERAL HIGHWAY ADMINISTRATION (FHWA) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STGB) AND APPLICATION 1667-2022-3 FOR FTA SECTION 5337 (STATE OF GOOD REPAIR GRANTS) (CITY WIDE) SEP13-22-242

Resolution No. 23505 relating to Transportation and Mass Transit; authorizing and approving the submission of Grant Applications 1667-2022-1 and 1667-2022-2 for Urbanized Area Formula Funds (Section 5307), Buses and Bus Facilities (Section 5339), and Federal Highway Administration Surface Transportation Block Grant Program (STBG) Funds; and Grant Application 1667-2022-3 for State of Good Repair Grants (Section 5337); and declaring an emergency.

- g. FINAL PLAT: (S21-072) SOUTH MISSIONDALE LOTS 1 THROUGH 4 (WARD 5) SEP13-22-239

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.

- h. INTERGOVERNMENTAL AGREEMENT: SEMIANNUAL AHCCCS AGREEMENT WITH THE STATE FOR TMC PARTNERS (CITY WIDE) SEP13-22-245

Resolution No. 23510 relating to intergovernmental agreements (IGA); approving an IGA between Arizona Health Care Cost Containment System Administration (AHCCCS) and the City of Tucson (City) to allow the City to provide funding to secure federal matching funds for supplemental payments for graduate medical education (GME) programs at Tucson Medical Center (TMC); and declaring an emergency.

- 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

Resolution No. 23508 relating to streets; authorizing and approving naming the Interstate 10 (I-10) Ruthrauff Road Overpass the "State Trooper Juan Cruz Memorial Overpass," and declaring an emergency.

(This item was considered separately at the request of Council Member Fimbres)

Mike Rankin, City Attorney, announced he had a correction he needed to read into the record for Consent Agenda Item b. Section 2.9 of the Rules and Regulations the following verbiage was added to the changes already noted in the section, "A person shall be deemed a candidate for office on the filing of a nomination paper pursuant to A.R.S. § 16-311, subsection A, but not making a formal declaration of candidacy for that office."

It was moved by Council Member Fimbres, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Dahl absent/excused), that Consent Agenda Items a through h, with the correction to Item b and the exception of Item i, which was considered separately, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEMS I

- 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

Resolution No. 23508 relating to streets; authorizing and approving naming the Interstate 10 (I-10) Ruthrauff Road Overpass the "State Trooper Juan Cruz Memorial Overpass," and declaring an emergency.

Suzanne Mesich, City Clerk, announced the item to be considered separately was Consent Agenda Item i at the request of Council Member Fimbres.

Council Member Fimbres stated on December 9th, 1998, Department of Public Safety Officer Juan Cruz was killed in the line of duty on I-10 at Ruthrauff and whose name was now been selected for the naming of the Arizona Department of Transportation Overpass. The County Board of Supervisors as well as City of Tucson Mayor and Council, has been asked to weigh in on the petition which has over 7000 names and support. The Board of Supervisors voted to approve the proposal at their September 6th meeting, this agenda item does not cost city taxpayers money to say the City of Tucson supports the effort to name the I-10 and to recognized Officer Cruz for his work, his family and legacy. I moved that we approve consent item i.

Mayor Romero announced she was happy to support the request.

It was moved by Council Member Fimbres, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Dahl absent/excused), that Consent Agenda Item i, be passed and adopted and the proper action taken.

8. ZONING: (C9-21-03) CASAS DEL CERRITO – PORTIA AVENUE, SR TO R-1, ORDINANCE ADOPTION (WARD 4) SEP13-22-243

Mayor Romero announced City Manager's communication number 243, dated September 13, 2022, was received into and made part of the record. This is a request to rezone approximately 9.65 acres from SR to R-1 zoning for the development of a residential subdivision on a vacant parcel located between Portia Avenue and Bonanza Avenue, east of Harrison Rd. The preliminary development plan (PDP) proposes a subdivision with forty-nine (49) single-family homes and provides 0.3 acres of functional open space. The project will be limited to single-story homes, with a maximum height of 19 feet.

Mayor Romero asked if the applicant was present and agreeable to the proposed requirements.

Paul Oland, Paradigm Land, representing the property owner and the developer, affirmed they were in agreement with the proposed requirements.

Council Member Lee said she wanted to thank the representatives and neighbors within the Old Spanish Trail Neighborhood Association, Tucson Unified School District and TK development for continuing to work together with my team. The development plans have come a long way since 2020, mitigating the many concerns from the residents, including lowering the height of the land. Limiting houses to single story, adding traffic mitigation measures, enhancing the functional open space and providing additional screening and privacy to the existing residents. Casas del Cerrito would not only help increase our housing inventory at a price point that was needed for our Tucsonans, but the

sale of the property would go directly towards USD capital investments and paying down the districts bond debt as approved by the voters.

It was moved by Council Member Lee, duly seconded, to pass Ordinance 11652.

Mayor Romero asked the City Clerk to read Ordinance 11652 by number and title only.

Ordinance No. 11955 relating to Zoning: amending zoning district boundaries in the area located between Portia Avenue and Bonanza Avenue, approximately ½ mile south of Golf Links Road and ¼ mile east of Harrison Road in case C9-21-03, Casas del Cerrito – Portia Avenue, SR to R-1 and setting an effective date.

Ordinance 11955 was passed and adopted by a roll call vote of 6 to 0 (Council Member Dahl absent/excused).

9. ZONING: (C9-22-04) ST. MARY’S AND SILVERBELL, R-2 TO C-1, CITY MANAGER’S REPORT (WARD 1) SEP13-22-244

Mayor Romero announced City Manager's communication number 244, dated September 13, 2022, was received into and made part of the record. This is a request to rezone an approximately 0.9-acre parcel from R-2 to C-1 zoning to construct a drive through coffee shop/restaurant with outside seating. The rezoning site is located at the northwest corner of the intersection of N Silverbell Road and W St. Mary’s Road. Staff recommends authorization of C-1 zoning subject to certain conditions. The Zoning Examiner recommends authorization of C-1 zoning subject to the recommended conditions

Mayor Romero asked if the applicant was present and agreeable to the proposed requirements.

Rory Juneman, Lazarus & Silvyn, representing the property owner, affirmed they were in agreement with the proposed requirements.

It was moved by Vice Mayor Santa Cruz, duly seconded, and passed by a voice vote of 6 to 0 (Council Member Dahl absent/excused), to approve the request for rezoning as recommended by the Zoning Examiner.

10. CITY MANAGER: AMENDMENT NO. 4 TO EMPLOYMENT AGREEMENT (CITY WIDE) SEP13-22-246

Mayor Romero announced City Manager's communication number 246, dated September 13, 2022, was received into and made part of the record. She asked the City Clerk to read Ordinance 11957 by number and title only.

Ordinance No. 11957 relating to the City Manager; authorizing and approving Amendment No. 4 to the employment agreement with the City Manager; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Dahl absent/excused), to pass and adopted Ordinance 11957.

11. **ADJOURNMENT:** 7:11 p.m.

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, September 27, 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 13th day of September 2022, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR:rg:yl