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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on May 23, 2023.

Date of Meeting: September 27, 2022

The Mayor and Council of the City of Tucson met in regular session remotely through Microsoft Teams at 6:27 p.m., on Tuesday, September 27, 2022, 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	Vice Mayor, Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Kevin Dahl	Council Member Ward 3(electronic attendance)
Nikki Lee	Council Member Ward 4(electronic attendance)
Richard G. Fimbres	Council Member Ward 5(electronic attendance)
Steve Kozachik	Council Member Ward 6

Absent/Excused:

None

Staff Members Present:

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

Suzanne Mesich, City Clerk, announced that Council Members Kevin Dahl, Nikki Lee and Richard G. Fimbres would be participating electronically through Microsoft TEAMS.

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

a. INVOCATION

The invocation was given by Rene Figueroa, Administrative Assistant, City Clerk's Office.

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the entire assembly.

c. PRESENTATIONS:

1. Mayor Romero proclaimed September 25th - October 1st, 2022, to be "American Indian Awareness Days". Phoebe Cager, Health Services Director, Tucson Indian Center, accepted the proclamation.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager's communication number 250, dated September 27, 2022, was received into and made part of the record. She asked for a motion to approve the appointments in the report.

The appointments in the report were not considered and will be brought back to the Mayor and Council on October 5, 2022.

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

Council Member Fimbres announced his personal appointment of Beki Quintero to the Parks and Recreation Commission.

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Romero announced City Manager's communication number 251, dated September 27, 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 given by Mayor Romero, Vice Mayor Santa Cruz, and Council Members Dahl, 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 252, dated September 27, 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.

**5. LIQUOR LICENSE APPLICATIONS**

Mayor Romero announced City Manager’s communication number 262, dated September 27, 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. MOD Pizza, Ward 5  
City #75-22, Series 12  
Applicant: Andrea Dahlman Lewkowitz  
Address: 3460 S. Kino Parkway  
Action must be taken by: October 2, 2022

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

c. Special Event(s)

1. TD4 Tucson, Ward 6  
City #T55-22  
Applicant: Ben Chulick  
Address: 1200 E. University Blvd.  
Event Date: December 30, 2022  
Purpose: Hospitality & Entertainment area for guests attending the Arizona Bowl

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

2. TD4 Tucson, Ward 6  
City #T56-22  
Applicant: Kym Adair  
Address: 55 N. 5th Ave.  
Purpose: Arizona Bowl Downtown New Year's Eve Event  
Event Date: December 31, 2022

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

3. Dusk Charities, Inc., Ward 1  
City #T57-22  
Applicant: Page Repp  
Address: 101 N. Stone Ave.  
Purpose: Music Festival  
Event Date: November 11, 2022 - November 12, 2022

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

4. Living Streets Alliance, Ward 6  
City #T60-22  
Applicant: Valerie Sipp  
Address: 439 N. 6th Ave. #201  
Purpose: Beer Garden to Raise money for Living Streets Alliance & Cyclovia Tucson  
Event Date: October 30, 2022

5. Old Fort Lowell Neighborhood Association Inc., Ward 2  
City #T61-22  
Applicant: Thomas Marshall Collier  
Address: 5230 E. Fort Lowell Rd.  
Purpose: Art Show & Sale Fundraiser  
Event Date: November 18, 2022

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

6. Tucson Firefighters Benevolent Association, Inc., Ward 6  
City #T63-22  
Applicant: Matthew Jones  
Address: 222 S. 5th Ave.  
Purpose: TFFA Local 479 Firefighters Chili Cook Off  
Event Date: October 15, 2022

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

7. Salpointe Catholic High School, Ward 3  
City #T65-22  
Applicant: Jennifer Harris  
Address: 1545 E. Copper St.  
Purpose: Salpointe Catholic High School Homecoming Celebration  
Event Date: October 21, 2022

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

8. Pima Paws for Life, Ward 3  
City #T73-22  
Applicant: Bobby Sutton  
Address: 1102 W. Grant Rd.  
Purpose: Haunted House  
Event Date: October 20, 2022 - October 23, 2022

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

9. Pima Paws for Life, Ward 3  
City #74-22  
Applicant: Bobby Sutton  
Address: 1102 W. Grant Rd.  
Purpose: Haunted House  
Event Date: October 27, 2022 - October 31, 2022

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

10. Coyote TaskForce, Ward 6  
City #T75-22  
Applicant: Jeff Grobe  
Address: 66 E. Pennington St.  
Purpose: Fundraiser  
Event Date: October 15, 2022

11. Youth On Their Own, Ward 6  
City #T76-22  
Applicant: Brittany Smith  
Address: 134 S. 5th Ave.  
Purpose: Fundraiser Brunch  
Event Date: October 2, 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 Lee, duly seconded, and carried by a voice vote of 7 to 0, to forward Items 5b1 and 5c1 through 5c11 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

Stephen Myer	Xavier Martinez	Stephanie Zill
Suzanne Schafer	Melissa Starr	Andrew Haine
Kassy Lookingbill	Shawn Cole	Eddie Baron
Thomas Reese	Halley Hughes	Ben Buehler-Garcia
Victoria DeVasto	Miranda Schubert	

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 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) SEP27-22-259
- b. WARD REDISTRICTING: CREATING THE 2022 REDISTRICTING ADVISORY COMMITTEE, NAMING ITS MEMBERS, AND EXTENDING ITS DEADLINE TO FILE WRITTEN RECOMMENDATIONS TO MAYOR AND COUNCIL (CITY WIDE) SEP27-22-247

Ordinance No. 11958 relating to the redistricting of wards; creating the 2022 Redistricting Advisory Committee, pursuant to Tucson Charter Chapter XVI, Section 8.1; naming the Committee's membership; requiring the Committee to submit its written recommendations to the Mayor and Council no later than

November 30, 2022; stating that Tucson Code §§ 10A-42 and 10A-45 do not apply to the 2022 Redistricting Committee; and declaring an emergency.

- c. APPROVAL TO PROVIDE EMERGENCY SERVICE CONNECTION WITHIN THE SAN XAVIER DISTRICT OF THE TOHONO O'ODHAM NATION (OUTSIDE CITY) SEP27-22-248

Resolution No. 23511 relating to Tucson Water; authorizing Tucson Water, on behalf of the City of Tucson, (City) to provide emergency service connection to a City water service distribution system located on the San Xavier District (District) of the Tohono O'odham Nation (Nation) Reservation and negotiate a comprehensive water service agreement with the Nation and the District to provide water service to the District in the future, and declaring an emergency.

- d. GRANT AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL'S OFFICE FOR THE VICTIMS' RIGHTS PROGRAM (CITY WIDE) SEP27-22-249

Resolution No. 23512 relating to Victims' Rights; approving and authorizing execution of an Award Agreement with the Arizona Attorney General's Office for the Fiscal Year (FY) 2023 Victims' Rights Program; and declaring an emergency.

- e. LABOR MEMORANDUM OF UNDERSTANDING: WITH TUCSON FIREFIGHTERS ASSOCIATION (TFFA) (CITY WIDE) SEP27-22-261

Resolution No. 23516 relating to Employee Relations; authorizing the City Manager to execute a Labor Agreement between the City of Tucson ("City") and Tucson Fire Fighters Association (International Association of Firefighters, Local 479) ("TFFA"); and declaring an emergency.

- f. FINAL PLAT: (S21-045) 910 N RICHEY BLVD, LOTS 1 AND 2 (WARD 6) SEP27-22-253

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.

- g. TITLE VI SERVICE EQUITY ANALYSIS FOR MAJOR SERVICE CHANGES: SUSPENDING THE SUN EXPRESS ROUTES (CITY WIDE AND OUTSIDE CITY) SEP27-22-254

Resolution No. 23513 relating to Transportation and Mass Transit: approving the Title VI Service Equity Analysis, major service changes; suspending Sun Express routes; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Santa Cruz.)

- h. CITY OF TUCSON TRANSIT SERVICES TITLE VI PROGRAM (CITY WIDE AND OUTSIDE CITY) SEP27-22-255

Resolution No. 23514 relating to transportation and mass transit: approving the City of Tucson Transit Services Title VI Program for submission to the Federal Transit Authority; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Santa Cruz.)

- i. TITLE VI SERVICE EQUITY ANALYSIS FOR SUSPENSION OF FARES (CITY WIDE AND OUTSIDE CITY) SEP27-22-260

Resolution No. 23517 relating to Transportation and Mass Transit: approving the Title VI Fare Equity Analysis regarding suspended bus fares; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Santa Cruz.)

- j. INDEFEASIBLE RIGHT TO USE AGREEMENT: WITH VALLEY TELEPHONE COOPERATIVE FOR USE OF TWO DUCTS WITHIN GRANTOR'S COMMUNICATION SYSTEM IN CITY RIGHT OF WAY (CITY WIDE) SEP27-22-263

Resolution No. 23518 relating to communications systems; approving Indefeasible Right to Use (IRU) agreement with Valley Telephone Cooperative; and declaring an emergency.

- k. HOUSING AND COMMUNITY DEVELOPMENT: APPROVING THE AFFORDABLE HOUSING IMPACT FEE SUBSIDY REQUEST FOR CASCADE APARTMENTS (WARD 3) SEP27-22-256

Resolution No. 23515 relating to Affordable Housing and Development Impact Fees; authorizing and approving an Affordable Housing Impact Fee Subsidy for Cope Community Services, Inc.; 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 – k, with the exception of Items g, h, and i, which were considered separately, be passed and adopted and the proper action taken.



**7. CONSENT AGENDA – ITEMS G THROUGH I**

- g. **TITLE VI SERVICE EQUITY ANALYSIS FOR MAJOR SERVICE CHANGES: SUSPENDING THE SUN EXPRESS ROUTES (CITY WIDE AND OUTSIDE CITY) SEP27-22-254**

Resolution No. 23513 relating to Transportation and Mass Transit: approving the Title VI Service Equity Analysis, major service changes; suspending Sun Express routes; and declaring an emergency.

- h. **CITY OF TUCSON TRANSIT SERVICES TITLE VI PROGRAM (CITY WIDE AND OUTSIDE CITY) SEP27-22-255**

Resolution No. 23514 relating to transportation and mass transit: approving the City of Tucson Transit Services Title VI Program for submission to the Federal Transit Authority; and declaring an emergency.

- i. **TITLE VI SERVICE EQUITY ANALYSIS FOR SUSPENSION OF FARES (CITY WIDE AND OUTSIDE CITY) SEP27-22-260**

Resolution No. 23517 relating to Transportation and Mass Transit: approving the Title VI Fare Equity Analysis regarding suspended bus fares; and declaring an emergency.

It was moved by Vice Mayor Santa Cruz, duly seconded, and carried by a voice vote of 7 to 0, that Consent Agenda Items g, h, and i, be passed and adopted and the proper action taken.

**8. PUBLIC HEARING: (C8-22-02) REVISIONS TO PREVIOUSLY ADOPTED DEVELOPMENT REVIEW FEE SCHEDULE TO SUPPORT NEW PERMITTING SYSTEM (CITY WIDE) SEP27-22-257**

Mayor Romero announced City Manager's communication number 257, dated September 27, 2022, was received into and made part of the record. She announced this was the time and place legally advertised for a public hearing on a proposed fee restructuring for Development Review to support new permitting system.

Mayor Romero said the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations. She asked if there was anyone wishing to be heard on the item.

There was no one.

It was moved by Council Member Cunningham, 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 Ordinance 11954 by number and title only.

Ordinance No. 11954 relating to Planning and Zoning; amending Ordinance No. 11845 as adopted and approved by the Mayor and Council on June 22, 2021, which amended Section 4, Development Review Fee Schedule of the Administrative Manual - a supplement to the Tucson Code, Chapter 23B, Unified Development Code, by amending Exhibit B and, delaying the repeal of current fees and setting a new effective date of the previously adopted Development Review Fee Schedule; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and PASSED by a roll call vote of 6 to 1 (Council Member Fimbres dissenting), to pass and adopt Ordinance 11954.

**9. TUCSON CODE: AMENDING (CHAPTER 17) RELATING TO HUMAN RELATIONS TO PROHIBIT DISCRIMINATION IN HOUSING BASED ON INCOME SOURCE (CITY WIDE) SEP27-22-258)**

Mayor Romero announced City Manager's communication number 258, dated September 27, 2022, was received into and made part of the record. She asked the City Clerk to read Ordinance 11959 by number and title only.

Ordinance No. 11959 relating to human relations and fair housing; providing definition of "source of income;" amending Tucson Code Sections 17-1, 17-50, and 17-52 to prohibit source of income discrimination; and declaring an emergency.

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 11959.

**10. ADJOURNMENT: 7:33 p.m.**

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, October 5, 2022, at or after 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

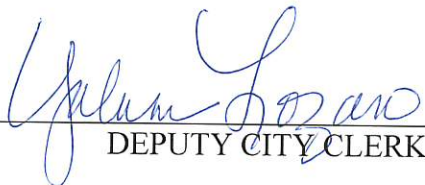
  
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MAYOR

ATTEST:

  
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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 27th day of September 2022, and do hereby certify that it is an accurate transcription.

  
DEPUTY CITY CLERK

SM:yl