



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on June 18, 2024.

Date of Meeting: February 6, 2024

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 5:49 p.m., on Tuesday, February 6, 2024, 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	Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Kevin Dahl	Vice Mayor, Council Member Ward 3
Nikki Lee	Council Member Ward 4
Richard G. Fimbres	Council Member Ward 5 (Electronic teleconference)
Steve Kozachik	Council Member Ward 6
Regina Romero	Mayor

Absent/Excused:

None

Staff Members Present:

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

Mayor Romero announced that Council Member Fimbres would be participating electronically through Microsoft TEAMS.

(NOTE: Minutes for Items 8 through 11 and Items considered separately for Liquor License Applications and Consent Agenda Items will be transcribed as verbatim minutes.)

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

a. INVOCATION

The invocation was given by Pastor Larry Munguia of 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 February 2024 to be “Save our Saguaro Month.” Kim Franklin, Conservation Science Manager, University of Arizona, was present to accept the Proclamation.
2. Mayor Romero proclaimed February 2024 to be “Black History Month.” Dr. Cheree Meeks, Director of the NAACP Tucson Chapter, Bob and Beverly Elliot, Founders of the African American Museum of Southern Arizona, Dr. Jaimaca DelMar, President of the African American Student Affairs at the University of Arizona, Marie Ceper and Barbara Mosely, Tucson Educational Empowerment for Minorities, Sierra Conerly-SIMS, Sigma Gamma Rho Sorority Tucson Chapter, Will Blake, Western Hills Community Leader, Kevin Woodard, President of the Sugar Hill Neighborhood Coalition, James Christopher, Founder of the Christopher’s Black Memorabilia Museum, and Ashely LaRusso, founder of Roux Events were present to accept the Proclamation.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS (CITY WIDE) FEB06-24-43

Mayor Romero announced City Manager’s communication number 43, dated February 6, 2024, was received into and made part of the record. She asked for a motion to approve the appointments in the report.

It was moved by Council Member Kozachik, duly seconded, and carried by a voice vote of 7 to 0, to approve the appointment(s) of Andrew Christopher to the Tucson-Pima County Historical Commission (TPCHC).

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

No personal appointments were made at this time.

3. MAYOR AND COUNCIL/CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS (CITY WIDE) FEB06-24-34

Mayor Romero announced City Manager's Communication number 34, dated February 6, 2024, 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 and the City Manager to report on current events and asked if there were any reports.

Current event reports were provided by Mayor Romero, Vice Mayor Dahl, and Council Members Santa Cruz, Cunningham, and Fimbres.

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 (CITY WIDE) FEB06-24-35

Mayor Romero announced City Manager's communication number 35, dated February 6, 2024, 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 (CITY WIDE) FEB06-24-37

Mayor Romero announced City Manager's communication number 37, dated February 6, 2024, 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. Slow Body Beer Company, Ward 5
City #94-23, Series:3
Agent: Lawrence James Combs
Address: 831 E. 17th St.
Action must be taken by: February 9, 2024

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

2. EHotPot, Ward 6
City #95-23, Series: 12
Agent: Alexander Karahalios
Address: 243 E. Speedway Blvd. #141
Action must be taken by: February 17, 2024

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

3. La Botana Tacos, Ward 3
City #96-23, Series: 12
Agent: Arnoldo Silva
Address: 565 E. Wetmore Rd. #155
Action must be taken by: February 17, 2024

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

4. Wooden Tooth Records, Ward 6
City #99-23, Series: 7
Agent: Kevin Arnold Kramber
Address: 108 E. Congress St.
Action must be taken by: February 26, 2024

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

Location Transfer(s)

NOTE: State law provides that for a location transfer, Mayor and Council may consider whether the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license at that location. (A.R.S. Section 4-203; Rule R19-1-102)

5. Scented Leaf Tea House & Lounge, Ward 2
City #98-23, Series: 7
Agent: Shane Michael Barela
Address: 6612 E. Tanque Verde Rd.
Action must be taken by: February 17, 2024

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

c. Special Event(s)

1. Therapeutic Riding of Tucson (TROT), Ward 2
City #T123-23
Applicant: Margaux DeConcini
Address: 8920 E. Woodland Rd.
Purpose: Fundraiser
Event Date(s): March 16, 2024

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

2. Tanque Verde Schools Educational Enrichment Foundation (TVSEEF),
Ward 4, City #2-24
Applicant: Vieri Michael Tenuta
Address: 10801 E. Valencia Rd.
Purpose: Fundraiser
Event Date(s): February 17, 2024

Staff has indicated the applicant is compliance with City requirements.

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no application(s) for Agent Change/Acquisition of Control/Restructure 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 through 5b5 and 5c1 through 5c2 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 called to the audience is scheduled to last for no more than 30 minutes. Tonight, we have a very, very big stack of people that like to speak at call to the audience in the interest of time, I ask all speakers to please indicate if you are a resident of the City of Tucson.

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:

Kimberly Bell	Lynn Davis	Marty Johnston
Carina Bien-Willmer	Betts Putnam-Hildago	Lee Arias
Mohyeddin Abdulaziz	Huseyin Sen	Hassan Ali
Margeaux Weinberger	Ken Kenegos	Micah Gefen
Jessica Yoder	Jennifer Lowenstein	

— 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 C

Mayor Romero announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made part of the record. He asked the City Clerk to read the Consent Agenda.

- a. APPROVAL OF MINUTES (CITY WIDE) FEB06-24-36
- b. SUBRECIPIENT AGREEMENTS WITH PIMA COUNTY REGARDING THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) EMERGENCY FOOD AND SHELTER PROGRAM (EFSP) AND SHELTER AND SERVICES PROGRAM (SSP) (CITY WIDE) (CONTINUED FROM THE MEETING OF JANUARY 23, 2024) FEB06-24-41
- c. FINAL PLAT: (TD-DIV-0723-00091) FOR PINAL VISTA PLACE (WARD 5) (CONTINUED FROM THE MEETING OF JANUARY 23, 2024) FEB06-24-38

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

8. ZONING: (TP-ENT-0823-00035) – INTELLIGENT DESIGN – R-2 & O-3 TO C-2, CITY MANAGER’S REPORT (WARD 3) (CONTINUED FROM THE MEETING OF JANUARY 23, 2024) FEB06-24-39

Mayor Romero announced City Manager's Communication number 39, dated February 6, 2024, was received into and made part of the record. This is the request to rezone approximately 1.94 acres from R2 residential and 03 office to see two commercials for the purpose of a warehouse, office and training facility. The project side encompasses 2 existing parcels. The proposal includes an adaptive reuse of an existing assembly hall with the port spaces and the addition of a one story, 9000 square foot warehouse and two story 12,300 square foot office space totaling approximately 49,950 square feet.

It was moved by Vice Mayor Dahl, duly seconded, and carried by a voice vote of 7 to 0, to pass and adopt Resolution approve the request for authorization to rezone as recommended by the City Manager and Zoning Examiner.

Clerk: Item 8: Zoning: (TP-ENT-0823-00035) – Intelligent Design – R-2 & O-3 to C-2, City Manager’s Report (Continued from the meeting of January 23, 2024) FEB06-24-39

Mayor Romero: City manager’s communication #39 dated February 6th, is received into and made part of the record. This is the request to rezone approximately 1.94 acres from R2 residential and 03 office to see two commercial for the purpose of a warehouse, office and training facility. The project side encompasses 2 existing parcels. The proposal includes an adaptive reuse of an existing assembly hall with the port spaces and the addition of a one story,

9000 square foot warehouse and two story 12,300 square foot office space totaling approximately 49,950 square feet. The Zoning examiner recommends authorization of zoning subject to certain conditions. Is the applicant or representative present. Can you come up to the tall mic, please?

Adam Call, The Planning Center: Good evening. Mayor Romero and council members. My name is Adam Call with the Planning Center, Planning Landscape Architecture representing the owners of Intelligent Design, Plumbing, Solar and Air that it requests this rezoning.

Mayor Romero: Are you umm...are you agreeable to the proposed requirement, Sir? This is agenda item 8. No, this is agenda item 8, which is Intelligent Design. I'm sorry.

Mr. Call: Uh, Mayor. Mayor, Vice Mayor, Dahl. We are amenable to the conditions. I also wanted to thank Vice Mayor Dahl and his office for their work on this project, along with the city staff that has helped us through this adaptive reuse. It's been a pleasure working with them.

Mayor Romero: Thank you so much. Alright, what's the Council's pleasure on this particular item? This is intelligent design.

Vice Mayor Dahl: Let me start off with my thing and I'll come to that. Sorry, I got confused. Intelligent design is an HVAC company with a trade school, and we are rezoning the former Greek Orthodox Church where many of his gone to a Greek festival beautiful building located at Fort Lowell on the corner of Navajo Road, in the Mountain View Neighborhood. Intelligent Design's plan preserves the beautiful church, and inside it is gorgeous., one part of it is burned, and they're even going to make that an adaptive reuse area. During neighborhood meetings, neighbors expressed concern that sidewalks come in as part of this rezoning, which we normally do. But because Navajo Road is part of Navajo Wash, the street is designed to convey rainwater. There were some flooding concerns that impacted what could be done on...the property.

Initially, the Planning Center was told that they could....it only install sidewalks that were flush with the road, which didn't seem very safe, no raised curb. Pedestrian safety, especially because there's a school bus stop on Navajo in that area, the Ward Office, Planning Center, PDSD and DTM work together to find solutions that prioritize both the flight concerns as well as pedestrian safety.

Solution...was pretty simple, we're gonna use flush sidewalks, but we can use Flex-a-post that will separate the road from the sidewalk, creating the safety we need for the children.

One of Ward's three priorities always is getting new and reworked developments to be more green...by adding maximum number of trees and more native vegetation, flooding concerns prevented trees from being planted on the east side of the property, but we worked with the Planning Center to come up with solutions that increase landscaping in a way that's compliant with the flooding concern.

So, congratulations and thank you to Adam and to his colleague Brian Underwood of the Planning Center, Corey Thompson of Rick Engineering and especially to Amy Dobbins of Intelligent Design. With that, Madam Mayor, I move umm, we approve the request for authorization to rezone as recommended by the zoning examiner.

Council Member Cunningham: Second.

Mayor Romero: Alrighty, thank you, Vice Mayor Dahl. I really appreciate you and your staff and the neighbors working towards finding a solution for this really good example of adaptive reuse and really the preservation of umm...of...of you know, tens of years, tens of years, of...of...of the Greek Orthodox Church, that really is important for our community. So, thank you for your work. Really appreciate really getting it right. I know that we had been wanting to move this forward, but you took your time and really got it right. So, congratulations, and I will absolutely support this. Any other comments, discussion points alrighty? All those in favor of this motion, please signify by saying aye.

All: Aye. Any against? Motion carries. Item 9. Thank you.

9. CITY ADMINISTRATION: APPROVING THE APPOINTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR ANN CHANECKA (CITY WIDE) FEB06-24-40

Mayor Romero announced City Manager's Communication number 40, dated February 6, 2024, was received into and made part of the record.

Ordinance No. 12070 relating to Housing and Community Development Department; approving the Appointment of Ann Chanecka as the Director of the City of Tucson Housing and Community Development Department; fixing compensation; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and PASSED by a roll call vote of 7 to 0, to pass and adopt Ordinance 12070 appointing Ann Chanecka as the Housing and Community Development Department Director.

Clerk: City Administration: Approving the Appointment of Housing and Community Development Department Director Ann Chanecka (City Wide) FEB06-24-40

Mayor Romero: City manager's communication #40 dated February 6th, is received into and made part of the record. Ms. Clerk, you are requested to read ordinance 12070 by number and title only.

Clerk: Ordinance number 12070 relating to housing and Community Development Department approving the appointment of Ann Chanecka as the director of the City of Tucson Housing and Community Development Department, fixing compensation and declaring an emergency.

Council Member Cunningham: Ohh...my God.

Mayor Romero: What's the Council's pleasure.

Council Member Cunningham: Yes, your honor, sorry my mic was on. Ann, I wanna say congratulations. It's well deserved. Ann it's been a long road, but this is...a... it's...it's amazing that I think there's, I think you go back three or four city managers, you go back to mayors...uh multiple council members and every single person in the first time they met you have said that you're gonna be a city manager someday.

So, this is where...we're...we're we're honored to have you and thank you for choosing Tucson and congratulations on this appointment. With...that, I move that we appoint Ann Chanecka as Director of HCD.

Council Member Dahl: Second.

Mayor Romero: There's a motion and a second. I too want to make a couple of comments. Where's Ann, there she is. Ann has been with the City of Tucson for over 10 years and at Housing and Community Development...a little over three years. It really demonstrates her deep-rooted commitment to our community, to public service and during this period she has contributed significantly to various projects, initiatives and grants. As an example, helping put together our housing affordability strategy for Tucson, working and engaging with the community about our goals, really helping institute our housing first program when we first were experiencing COVID.

Umm, also really working very, very hard to work with our grant writers to put our choice neighborhoods umm proposal forward. That itself brought in \$15 million that will be leveraged and more than \$300 million created and more than 400 affordable housing units created in the City of Tucson. So, Ann you really are an invaluable Member of this team and I'm looking forward to your continued leadership at the Housing and Community Development Department. I'm looking forward to your further innovation and engaging the most vulnerable community members amongst us. I really am looking forward to you growing and your creativity that we really need in that department to get to the root causes of poverty in urban stress and how we get to display and put into action equity...in our city. So, congratulations. I'm really happy...I'm really happy that we're here and look forward to this vote, any others.

Vice Mayor, we're going to go with Vice Mayor Dahl, and then we'll come to you, Council Member Fimbres.

Vice Mayor Dahl: Congratulations, Ann as and I also wanna say congratulations to Liz and to the city manager and other people on the management team, who I saw how they recognized you and I knew that you were gonna rise up in the ranks. Not only because of the great working relationship we have, Ward 3 has the most public housing in Tucson, we have the Tucson House, we got the \$50 million grant thank you, Anne, thank you, Liz. Thank you for the opportunity to steal a \$50 million check, though the police here didn't try to stop me. I guess I couldn't catch it after I got it. I'm looking forward to working with you more and more. So deserved, you're so talented and skillful. It's...gonna be great. Thank you.

Mayor Romero: Any others...of our colleagues? Council Member Fimbres.

Council Member Fimbres: Yeah, Madam mayor. Ann, you've been outstanding so far. Keep going up. We have lots of challenges still ahead for the...homeless people. This meeting was

unable citizens of our city if it \$1,000,000 grant was very good choice neighborhoods implementation grant in the US, Home and Urban Development, very positive. Look forward to working to continue. Thank you. God bless you.

Mayor Romero: Thank you, Council Members, Council Member Kozachik.

Council Member Kozachik: Just real...quick, you've got a great mentor with Liz Morales. Stay connected and congratulations and look forward to working with you. You'll do great.

Mayor Romero: Alright, any others. Hearing none, and let's go to roll call.

Clerk: Mr. Cunningham – aye; Mrs. Lee - We love you, Ann, aye; Vice Mayor Dahl – aye; Mx. Santa Cruz - Congratulations, Ann, aye; Mr. Kozachik – aye; Mr. Fimbres – aye, Mayor Romero – aye.

Mayor Romero: Ordinance 12070 passes by a vote of 7 - 0. Congratulations. Item 10.

10. CALLING A SPECIAL ELECTION ON AUGUST 6, 2024 FOR A PROPOSED AMENDMENT TO THE TUCSON CHARTER TO ESTABLISH A TRANSACTION PRIVILEGE TAX TO FUND COMMUNITY INVESTMENTS (CITY WIDE) FEB06-24-42

Mayor Romero announced City Manager's Communication number 42, dated February 6, 2024, was received into and made part of the record.

Ordinance No. 12071 relating to Finance and Elections; pursuant to Chapter Iv, Section 1(20), Chapter XVI, Section 6, Chapter XX, Section 2, and Chapter XXVI, Section 1 of the Tucson Charter, and Sections 12-13 and 12-14 of the Tucson Code, calling a Polling Place Special Election (Not Vote-By-Mail) to be held in the City Of Tucson, Arizona, on August 6, 2024, For The Purpose Of Submitting To The City's Qualified Electors A Proposed Ballot Measure or Measures, to include the establishment of a Transaction Privilege Tax contained in Chapter Iv, Section 4 of the Tucson Charter, together with any other Charter Amendments or Ballot Measures that the Mayor and Council may refer to voters for approval or rejection at that election; and declaring an emergency.

It was moved by Council Member Kozachik, duly seconded, and PASSED by a roll call vote of 7 to 0, pass and adopt Ordinance 12071, calling a Special Election on August 6, 2024.

Clerk: Calling a Special Election on August 6, 2024 for a Proposed Amendment to the Tucson Charter to Establish a Transaction Privilege Tax to Fund Community Investments (City Wide) FEB06-24-42

Mayor Romero: City managers communication #42 dated February 6th, is received into made part of the record Ms. Clerk, you are requested to read ordinance 12071 by number and title only.

Clerk: Ordinance number 12071 relating to finance on elections pursuant to Chapter 4, Section 120, Chapter 16, Section 6, Chapter 20, Section 2 and Chapter 26, Section one of the Tucson Charter and sections 12-13 and 12-14 of the Tucson Code calling a polling place special election not vote by mail to be held in the City of Tucson, AZ on August 6th, 2024, for the purpose of submitting to the cities qualified electors a proposed ballot measure or measures to include the establishment of a transaction privilege tax contained in Chapter 4, Section 4, the Tucson Charter, together with any other charter amendments or ballot measures that the mayor and Council may refer to voters for approval or rejection at that election and declaring an emergency

Mayor Romero: Before we get a motion for this item, I'd like our city attorney, Mr. Mike Rankin, to really describe, explain why we're here and why we're doing this.

Mike Rankin, City Attorney: Thank you, Mayor. Mayor, Members of the Council, this item has been scheduled to call a special election for a Charter amendment scheduled for August 6th of 2024, and the reason it's on the agenda now for Mayor and Council consideration and action is because we have a legal issue to try to resolve relating to the timing of our local elections. I think you all know that the Arizona legislature over the years amended the state laws to try and dictate the timing of certain types of local elections. And over the last 10 years, we've had a number of legal battles to preserve the City's Charter authority and local control over the scheduling and timing of local elections. Well, that issue comes up again in the context of this type of proposed Charter amendment election.

So, by acting tonight and calling the election in August, it brings that legal issue to a head and we can attempt to resolve that legal issue now. And then by doing so, it gives you time moving forward to have further discussions, public engagement to discuss and decide what any type of proposed sales tax proposal would actually look like that you look put in front of the voters at the scheduled election.

Mayor Romero: Yeah. Thank you, Mr. Rankin. I think most importantly, Mayor and Council is still in the process of putting together what quality of life issues we want Tucsonans to consider. So, with that, I'd like to entertain a motion that moves this ordinance forward

Council Member Kozachik: Before I make the motion, Mayor, I'd like to ask the city attorney one more thing. Why is this an all-person election all in person election?

Mr. Rankin: Council Member, Kozachik we were, initially calling it an all-mail election. We realized that since it would be operated by Pima County in conjunction with a...certain state primary elections, they will actually operate it to include polling place voting on the date of the primary. But that doesn't mean that people won't be voting by mail. Early ballots will still be I'm guessing the large majority of the submitted ballots on.

Council Member Kozachik: So, it's not exclusively, no, it's not yet.

Mr. Rankin: That's a good point. It is....It's not exclusively a polling place election, but it will include voting at the polling place on the primary election date.

Council Member Kozachik: Thanks. With that, I'd like to move we adopt Ordinance 12071.

Council Member Dahl: Second.

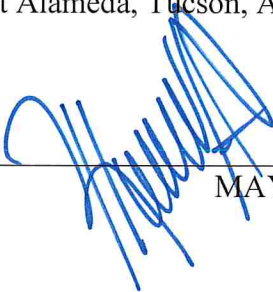
Mayor Romero: There's a motion and a second. Any further discussion? Council Member Cunningham?. Alrighty. So, with that, let's go to roll call.

Clerk: Mr. Kozachik – aye; Ms. Santa Cruz – aye; Vice Mayor Dahl – aye; Mrs. Lee- aye; Mr. Cunningham – aye; Mr. Fimbres – aye; Mayor Romero - aye.

Mayor Romero: Ordinance 12071 passes by a vote of 7 to 0. Item 11.

11. ADJOURNMENT: 7:34 p.m.

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, February 21, 2024, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.



MAYOR

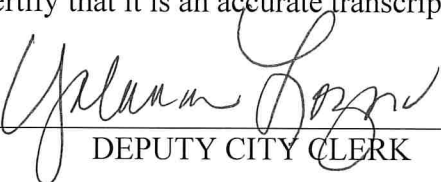
ATTEST:



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 6th day of February 2024, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

SM:yl