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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on June 4, 2024.

Date of Meeting: January 23, 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 5:36 p.m., on Tuesday, January 23, 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:

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 attendance)
Regina Romero	Mayor

Absent/Excused:

Lane Santa Cruz	Council Member Ward 1
Steve Kozachik	Council Member Ward 6

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 January 18, 2024 to be the Old Pascua Community Reservation Day.
- d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager's communication number 29, dated January 23, 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 Council Member Lee, duly seconded and CARRIED by a voice vote of 5 to 0 (Council Members Santa Cruz and Kozachik absent/excused) to appoint Hilari and Alan Forrest to the Citizens' Water Advisory Committee (CWAC), and Margo Sackheim to the Fort Lowell Historic Zone Advisory Board (FLHZAB).

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

No personal appointments were made at this time.

**3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS (CITY WIDE) JAN23-24-18**

Mayor Romero announced the City Manager's communication number 18, dated January 23, 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 given by Mayor Romero, Vice Mayor Dahl and Council Members 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) JAN23-24-19**

Mayor Romero announced City Manager's communication number 19, dated January 23, 2024, was received into and made part of the record. She also announced this was the time scheduled to allow Boards, Committees and Commissions to report on their activities during the past year, as well as anticipated future activities.

No report was given.

**5. LIQUOR LICENSE APPLICATIONS (CITY WIDE) JAN23-24-20**

Mayor Romero announced City Manager's communication number 20 dated January 23, 2024, was received into and made part of the record. He 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. First Watch Restaurant #1021, Ward 3  
City #93-23, Series 12  
Agent: Joanne Karen Feinstein  
Address: 2943 N. Campbell Ave.  
Action must be taken by: January 27, 2024

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

**c. Special Event(s)**

1. Tucson Community School, Ward 3  
City #T113-23  
Applicant: Elise Smith  
Address: 2109 E. Hedrick Dr.  
Purpose: Fundraiser  
Event Date(s): April 13, 2024

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

2. Rialto Theatre Foundation, Ward 6  
City #T114-23  
Applicant: Cathy Michelle Kerry  
Address: 318 E. Congress St.  
Purpose: Annual Gala  
Event Date(s): March 2, 2024

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

3. The Mini Time Machine, Inc., Ward 3  
City #T117-23  
Applicant: Emily H. Laughlin  
Address: 4455 E. Camp Lowell Dr.  
Purpose: Fundraising  
Event Date(s): March 28, 2024

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

4. The Mini Time Machine, Inc., Ward 3  
City #T118-23  
Applicant: Emily H. Laughlin  
Address: 4455 E. Camp Lowell Dr.  
Purpose: Fundraising  
Event Date(s): April 25, 2024

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 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 5 to 0 (Council Members Santa Cruz and Kozachik absent/excused), to forward Items 5b1 and 5c1 through 5c4, 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:

Phoebe Robinson  
Katie Oftedahl  
Kaliana Venet  
Ben Garcia  
Jesse Lugo

Alan Kacic  
Vonda Fugate  
Michael Cajero  
Bruce Plend

Nat Garcia  
Suzanne Schafer  
Suda Billinger  
Timothy Bee

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. He asked the City Clerk to read the Consent Agenda.

- a. APPROVAL OF MINUTES (CITY WIDE) JAN23-24-28
- b. INTERGOVERNMENTAL AGREEMENT (IGA): WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY (RTA) FOR TRANSPORTATION FUNDING AND REGIONAL TRANSIT SERVICE IMPROVEMENTS (CITY WIDE AND OUTSIDE CITY) JAN23-24-22

Resolution No. 23721 relating to Intergovernmental Agreements (IGA's) and Transportation; Authorizing and Approving an IGA between the Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for Regional Transit Service improvements for Fiscal Year 2024 (FY24); and declaring an emergency.

- c. INTERGOVERNMENTAL AGREEMENT (IGA): WITH THE REGIONAL TRANSPORTATION AUTHORITY (RTA) OF PIMA COUNTY FOR THE PROVISION OF FIXED ROUTE TRANSIT SERVICES (SUN TRAN) FOR DESIGNATED AREAS OF PIMA COUNTY, TOWN OF MARANA, AND CITY OF SOUTH TUCSON (CITY WIDE AND OUTSIDE CITY) JAN23-24-23

Resolution No. 23723 relating to Intergovernmental Agreements (IGAs) and Transportation; Authorizing and Approving an IGA between The Regional Transportation Authority of Pima County (RTA) and the City of Tucson (City) for Provision of Fixed Route Transit Services (Sun Tran) for designated areas of Pima County, Town of Marana, and City of South Tucson for Fiscal Year 2024 (FY24); and declaring an emergency.

- d. INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY (RTA) FOR TRANSPORTATION FUNDING AND THE GRANT ROAD IMPROVEMENT PROJECT PHASES 3 AND 4 (WARDS 3 AND 6) JAN23-24-24

Resolution No. 23724 relating to Transportation and Intergovernmental Agreements (IGA'S); Authorizing and Approving an Amendment to the IGA between the City of Tucson (City) and The Regional Transportation Authority of Pima County (RTA) for additional funding for Construction of the Grant Road Corridor, Phases 3 and 4; and declaring an emergency.

- e. REAL PROPERTY: AUTHORIZATION AND ACQUISITION OF DEVELOPMENT FOR A NEW PARK WITHIN THE BARRIO NOPAL NEIGHBORHOOD (WARD 1) JAN23-24-21

Resolution No. 23722 relating to real estate and Parks and Recreation; authorizing and approving the acquisition of a parcel owned by Sunnyside Unified School District located within the Barrio Nopal Neighborhood (the "property"), by the City of Tucson for developing a new park; and declaring an emergency.

- f. SUBRECIPIENT AGREEMENT AMENDMENT: WITH PIMA COUNTY REGARDING THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) EMERGENCY FOOD AND SHELTER PROGRAM (EFSP) (CITY WIDE) JAN23-24-30

Resolution No. 23725 relating to Economic Initiatives; authorizing and approving Amendment to Subrecipient Agreement between the City of Tucson (City) and Pima County (County) to reimburse the City for expenses incurred providing Humanitarian Assistance to migrants from the Southern border as part of the American Rescue Plan Act of 2021 through the Federal Emergency Management Agency (FEMA) and the Emergency Food and Shelter Program (EFSP); and declaring an emergency.

(This item has been continued to a future meeting.)

- g. INTERGOVERNMENTAL AGREEMENT (IGA): WITH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY (DPS) AND THE TUCSON POLICE DEPARTMENT (TPD) CRIME LAB FOR FENTANYL PROSECUTION, DIVERSION, AND TESTING (CITY WIDE) JAN23-24-32

Resolution No. 23726 relating to Intergovernmental Agreements (IGA); approving and authorizing execution of an IGA between the City of Tucson (City) and the State of Arizona on behalf of the Arizona Department of Public Safety (DPS) to provide funding to the Tucson Police Department (TPD) crime lab; and declaring an emergency.

- h. FINAL PLAT: (TD-DIV-0723-00091) FOR PINAL VISTA PLACE (WARD 5) JAN23-24-25

(This item was continued to a future meeting.)

- i. TUCSON CODE AMENDMENT: TUCSON CODE CHAPTER 14 TO ADD A “MEET AND CONSULT” PROCESS IN CONNECTION WITH THE IMPLEMENTATION OF NEW OR MODIFIED CONDITIONS OF EMPLOYMENT (CITY WIDE) JAN23-24-33

Ordinance No. 12069 relating to Labor Organizations; adding a Meet and Consult Process; Amending Provisions in Title 14 of the Tucson City Code; providing an effective date; and declaring an emergency.

It was moved by Council Member Cunningham, duly seconded, and passed by a roll call vote of 5 to 0 (Council Members Santa Cruz and Kozachik absent/excused), that Consent Agenda Items a – i, with the exception of items f and h, which were continued to a future meeting, be passed and adopted and the proper action taken.

**8. ZONING: (TP-ENT-0823-00033) T-MOBILE – SHANNON ROAD (C-1) WIRELESS COMMUNICATIONS FACILITY, ORDINANCE ADOPTION (WARD 1) JAN23-24-26**

Mayor Romero announced City Manager's communication number 26, dated January 23, 2024, was received into and made part of the record. She also announced this was special exception land use, request for a wireless communications facility. She said staff recommends approval subject to certain conditions.

Ordinance No. 12067 Relating to Zoning; A Special Exception Land Use - Wireless Communications Facility - TP-ENT-0823-00033 T-Mobile - Shannon Road - 200 feet East of Shannon Road and 750 feet South of Anklam Road; approving with conditions The Construction of a Wireless Community Facility, 50 feet in height, located in The C-1 Zone; and setting and effective date.



It was moved by Council Member Lee, duly seconded and passed by a roll call vote of 5 to 0 (Council Members Santa Cruz and Kozachik absent/excused), to pass and adopt Ordinance No. 12067.

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**Mayor Romero:** Item 8

**Clerk:** Zoning, TP ENT 0823033, T-Mobile - Shannon Rd, (C-1) Wireless Communications Facility, Ordinance Adoption, Ordinance 12067

**Mayor Romero:** City managers communication #26 dated January 23rd is received into and made part of the record. This is a special exception land use request for a wireless communication facility. The facility is located on East Shannon Rd, South of Anklam Rd. Staff recommends approval of the wireless communication tower as a special exception land use in the in the C1 zone and adoption of the ordinance, which establishes the conditions for approval.

Is the applicant or representative of the applicant present. They're not present. Do we need a agreeable to the proposed agreements.

**Michael J. Ortega, City Manager:** Mayor, that's not necessary. I think that as long as it's already on the record and the approval is subject to those conditions, you don't really need an agreement for them because the approval is subject to that set of conditions, thank you Mayor.

**Mayor Romero:** Perfect, Ms. Clerks you are requested to read ordinance 12067 by number and title only.

**Clerk:** Ordinance No. 12067 Relating to Zoning; A Special Exception Land Use - Wireless Communications Facility - TP-ENT-0823-00033 T-Mobile - Shannon Road - 200 feet East of Shannon Road and 750 feet South of Anklam Road; approving with conditions The Construction of a Wireless Community Facility, 50 feet in height, located in the C-1 Zone; and setting and effective date.

**Mayor Romero:** What is the Council's pleasure?

**Council Member Lee:** Mayor, Council Member of Santa Cruz is good with moving this forward. So, on their behalf, I would like to move that we pass and adopt Ordinance number 12067.

**Vice Mayor Dahl:** Second:

**Mayor Romero:** There's a motion and a second. Any further discussion? Hearing none, let's go to roll call.

**Clerk:** Mr. Cunningham – aye; Ms. Lee. – aye; Mr. Fimbres – aye; Vice Mayor Dahl – aye; Mayor Romero – aye.



**Mayor Romero:** (cough) I'm sorry, Ordinance 12067 passes by a vote of 5 - 0. Item 9

**9. 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 DECEMBER 12, 2023) JAN23-24-27**

(This item was continued to a future meeting.)

**10. APPOINTMENT OF THE CITY CLERK; APPROVING EXTENSION OF EMPLOYMENT AGREEMENT (CITY WIDE) JAN23-24-31**

Mayor Romero announced City Manager's communication number 31, dated January 23, 2024, was received into and made part of the record. She asked the City Clerk to read Ordinance 12068 by number and title only.

Ordinance No. 12068 relating to the City Clerk; Appointing the City Clerk; Approving Extension of Employment Agreement; and declaring an emergency.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 5 to 0 (Council Members Santa Cruz and Kozachik absent/excused), to pass and adopt Ordinance No. 12068.

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**Clerk:** Item 10 is the appointment of the city clerk approving an extension of the employment agreement. Ordinance 12068.

**Mayor Romero:** City manager's communication #31 dated January 23rd, is received into and made part of the record Ms. Clerk you are requested to read ordinance 12068 by number and title only

**Clerk:** Ordinance No. 12068 relating to the City Clerk; Appointing the City Clerk; Approving Extension of Employment Agreement; and declaring an emergency.

**Mayor Romero:** What is the Council's pleasure?

**Council Member Fimbres:** Madame Mayor, I move to pass Ordinance No. 12068, approving the City Clerk for additional two years for Suzanne Mesich as City Clerk, she is a valuable asset to our community. Thank you.

**Mayor Romero:** Absolutely, Thank you. There's a motion and a second any further discussion. Council Member Cunningham

**Council Member Cunningham:** I saw the channel I I The thing is, is that and I'll get a little serious tonight. Suzanne, you don't realize how valuable you are to this team, and I've said

everything I needed to say earlier. But the bottom line is I'm I'm happily voting yes and congratulations.

**Mayor Romero:** Any others?

**Council Member Lee:** We love you. We we've given you this feedback, but again just full of gratitude that you are up for another two years with a team because I don't know where we'd be without you. I don't wanna think about it, so thank you.

**Mayor Romero:** And on my behalf and behalf of, as you can tell all, the Council uhh, really appreciate all the work that you do, you and your team do such valuable work for our elections. Umm. And for all the clerking you do for us, it's very valuable. You keep a straight, you keep the community informed and I'm looking forward to the next two years. I really happy that you decided to stay. Thank you so much. And with that. And let's go to roll call.

**Suzanne Mesich:** And may I just say thank you for all of the support for these first two years and I'm looking forward to the next two years. I couldn't have done it without staff. I see a few of them here and they are by every step of the way with me, so I appreciate that.

**Clerk:** With that Mr. Dahl – aye; Mrs. Lee. – aye; Mr. Fimbres – aye; Mr. Cunningham – aye; Mayor Romero - aye.

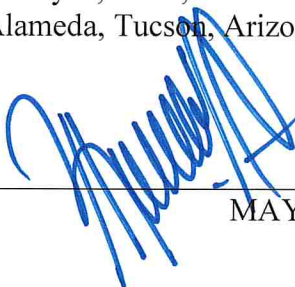
**Mayor Romero:** Ordinance No. 12068 passes by a vote of 5 – 0. Thank you so much. Looking forward to the next two years.

**Clerk:** Me too

**Mayor Romero:** Item 11.

**11. ADJOURNMENT:** 6:36 p.m.

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, February 6, 2024, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

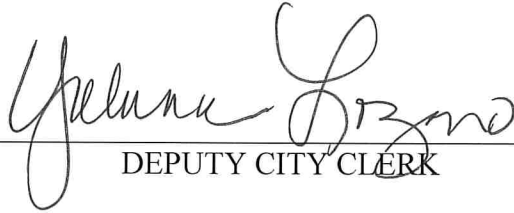
  
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MAYOR

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 23rd day of January 2024, and do hereby certify that it is an accurate transcription.

A handwritten signature in cursive script, appearing to read "Yelena Orzono", is written over a horizontal line.

DEPUTY CITY CLERK

SM:rj:yl