



MAYOR AND COUNCIL Study Session Minutes

Approved by Mayor and Council
on April 8, 2025.

Date of Meeting: November 7, 2024

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 12:37 p.m., on Thursday, November 7, 2024, all members having been notified of the time and place thereof.

OFFICIAL MEMBERS

PRESENT:

Mayor Regina Romero
Council Member Lane Santa Cruz (Ward 1)
Council Member Paul Cunningham (Ward 2)
Vice Mayor Kevin Dahl (Ward 3)
Council Member Nikki Lee (Ward 4)
Council Member Richard G. Fimbres (electronic attendance)
Council Member Karin Uhlich (Ward 6)

OFFICIAL MEMBERS

None

ABSENT:

STAFF:

Timothy M. Thomure, City Manager
Mike Rankin, City Attorney
Suzanne Mesich, City Clerk

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

(NOTE: Minutes for Study Session are transcribed in verbatim format.)

1. **Executive Session -Update on Legal and Litigation Matters Concerning Per- and Polyfluoroalkyl Substances (PFAS) Contamination; Potential Claims against the United States; and the United States Environmental Protection Agency's (EPA) Emergency Administrative Order for Response Action issued to the United States Air Force and Arizona Air National Guard**
3. **Executive Session – Potential Sale of City-Owned Property Located at 202 E. Mohave Rd. and 201 E. Navajo Rd. (Ward 3) SS/NOV07-24-204**

(This item was taken out of order.)

It was moved by Vice Mayor Dahl, duly seconded, and carried by a voice vote of 7 to 0, to enter Executive Session as noticed in the agenda for Items 1 and 3.

Clerk: The first executive session is noticed as item 1, the Emergency Response Emergency Administrative Order for Response Action issued to the United States Air Force and Arizona Air National Guard docket number PWS AO2024-10 and is being pursued. Help pursuant to ARS section 38-431.03(A)(3) and (A)(4). The second executive session is noticed as item 3 potential sale of city owned property located at 202 E. Mojave Rd. and 202 E. Navajo Road and is being held pursuant to Ars Section 38-431.03(A)(3) (A)(4) and (A)(7).

Mayor Romero: May I have a motion to go into executive session please?

Vice Mayor Dahl: So, moved.

Council Member Cunningham: Second.

Mayor Romero: There's a motion and a second. If there's no further discussion, all those in favor signify by saying aye.

All: Aye.

Mayor Romero: Any against, motion carries. This executive session is going to take what do you think about 45 minutes to an hour, An hour. So just for the public and for those that are here for other items, we're going to take about an hour time to do the executive sessions, with that let's go ahead. Thank you.

RECESS: 1:36 p.m.

RECONVENED: 1:46 p.m.

MAYOR & COUNCIL: All present

STAFF: All present

Executive Session was held from 12:40 p.m. to 1:46 p.m.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to return to open session.

Mayor Romero: There's a motion a second. All those in favor, please signify by saying aye.

All: Aye

Mayor Romero: Any against motion, carries what is the Council's pleasure for item 2? Mr. Rankin.

Mike Rankin, City Attorney: Thank you, Mayor. I'd ask for a motion that the Mayor and Council authorize and direct the city manager, the city attorney and city staff to proceed as discussed in executive session, including as discussed relating to the United States and in particular the United States Air Force and the resolution of the EP as May 29th Administrative Order. The direction includes continuing to advocate and advance the city's interests for a long-term solution to providing safe water to all Tucson Water customers and to hold the responsible parties fully accountable for the associated costs.

Mayor Romero: Can I have a motion please?

Council Member Lee: So, moved.

Council Member Fimbres: Second.

Mayor Romero: There's several motions and several seconds, there's a motion in a second. Any further discussion on this item? Hearing none, all those in favor signify by saying aye.

All: Aye.

Mayor Romero: Any against motion carries. What is the Council's pleasure for item 4?

Mike Rankin, City Attorney: Honorable Mayor I'd ask for a motion that the Mayor and Council direct the city manager and city attorney to proceed as discussed in executive session and that you authorize the city manager to transfer the described properties to the Pima County Flood Control District using the district's standard form of purchase and sale agreement for appraised value.

Vice Mayor Dahl: So, moved.

Council Member Fimbres: Second.

Mayor Romero: There's a motion in a second. Any further discussion on this item? Hearing none, all those in favor signify by saying aye.

All: Aye.

Mayor Romero: Any against? Motion carries. Item 5.

**5. Development Impact Fee Program Update: Land Use Assumptions (City Wide)
SS/NOV07-24-201**

Introductory comments were made by Timothy M. Thomure, City Manager.

Information and presentation were given by Angele Ozoemelum, Director of Business Services, Carson Bise, President of Tischler Bise, and Koren Manning, Interim Director of Planning and Development Services, regarding an update and data on an Impact Fee

study which includes land use assumption calculations, infrastructure improvement plans and development impact fees, who fielded and answered questions.

Discussion was held.

(Note: Council Member Lee departed at 2:23 p.m. and returned at 2:26 p.m.)

Comments and questions were made by Vice Mayor Dahl, Council Member Cunningham and Mayor Romero.

No further action was taken.

Mayor Romero: Mayor and Council are to receive an update and give direction on the City's progress to date on Land Use Assumptions, Infrastructure Improvement Plans and Development Impact Fees. Mr. Manager.

Timothy M. Thomure, City Manager: Thank you, Honorable Mayor and Members of the Council. Joining me at the table today will be our Director of Business Services Department, Angele Ozoemelum and our Interim Director of Planning and Development Services, Koren Manning, and we also have a presentation from our consultants that have been working on this issue with us to date. So, with that, we do have the presentation that will have the clerk bring up and we have a the remote on the table. So, without further ado, I'll turn it over to the team to start the presentation. Thank you, mayor.

While we're loading. What? What I'll add to that is this is part of a routine statutory required update of our impact fees and development impact fees. This is actually the first of what ultimately would become probably three study sessions on the item, and today it's the step one is the land use assumptions calculations that go into and set it starting begin the form, the basis of impact fees that would be charged in the future.

Mayor Romero: Alrighty and we're still loading. So, if you'd like to start and then we'll get the presentation to where you're at.

Angele Ozoemelum, Business Services Department Director: Sorry, good afternoon Mayor and Council. We are here to present to you an update on the impact feast study impact fee study is made-up of three components land use assumptions, infrastructure improvements plans, and also the development impact fees. The city retained the services of Tischler Bise Consultant that is well known, or consulting firm that is well known throughout Arizona for the development of impact fees studies. What we will be presenting to you today while we wait for the agenda to come up is a timeline of the processes involved in the study. Then our consultants will take over and present on the land use assumptions and the accessory dwelling units and then I will come back and wrap up with our next steps.

At the table with me this afternoon is our interim director for planning and development Koren Manning, who of course you all know is a planner. I'm not, so she will be, she will help in fielding some of the questions that you have related to the Lua data specific to the operations of the city. All right. I will start with the timeline. OK. I'll start with the, I'll start with the timeline which I think the timeline was discussed with mayor and Council staff over the last one to two weeks. The timeline it runs from March to March of 2024 to August of 2025. We had a kickoff meeting with our stakeholders and developers in March on March 7th of 2024. And Mayor and Council update session was held on March 19th. That was done by Antonio Carranza. After which the agencies or the departments for whom impact fees, assess transportation, public safety and parks met and developed the capital needs and cost related with those needs. They are certain the necessary public services for the development of the land use assumptions.

Then there was discussion on the preliminary methodologies and policy options as they relate to the land use assumptions and then infrastructure improvements plans. We had, we also had development impact fee meeting with...with stakeholders on August 13th and between the month of September to December we will continue those discussions with our developer stakeholders. You know on October 17th we had a discussion with our developers on the land use assumptions, we also will hold another meeting on the 14th of November for the discussion of the infrastructure improvement plan. There will be a study session following that meeting on the 19th of November. We start with Mayor and Council to provide you with an update on the infrastructure improvement plans. Most of the...the timing of these activities, the timing is based on state statute that requires certain things to happen over a certain number of days and over a period of time.

And ultimately we are hoping to have the development impact fee for Mayor and Council by May 20th of 2025, for an effective date of roll out after adoption of August 4th, 2025, that will keep us well in line with the five year term from the last study session, I mean the last impact fee study. I will turn the discussion over to our consultant, Mr. Carson Bise who will take over to discuss the land use assumptions along with the access dwelling units.

Carson Bise, President of Tischler Bise Consultants: Mayor, Members of the Council, it's my pleasure to be with you today. I'm Carson Bise, President of Tischler Bise. You also see during this process Julie Herlands, our Vice President, she'll be presenting in some of these sessions as well. We were the two staff members involved in the last study that we conducted for the city in 2019. As was mentioned in the introduction, there are three separate components required for the impact fee studies now in Arizona. That changed in 2012 and they include a land use assumptions document, an infrastructure improvement plan, also known as an IIP, and then the actual development fee study itself, depending on the on the jurisdiction, sometimes they are packaged together, sometimes they are presented individually and it's been decided that we will present. These individually here in the City of Tucson.

So, let me get started. Here we are going to present the draft land use assumptions today. Turn on, there we go. Thank you. She's done that before; she's done this before. Let's see here I'm gonna cheat a little bit and show my or read from my slide or have my slides in view here. So, in terms of land use assumptions, we have to document as part of the study what we call demand indicators and those demand indicators from a residential perspective include things like

population vehicle average daily vehicle trips. If we were looking at water and sewer, we'd be looking at Yeah. How many gallons does an average single-family house consume, et cetera, from a nonresidential perspective, those demand indicators typically are you know the number of employees per thousand square feet, the average trip rates, the trip, adjustment factors, etcetera.

So what we have to do is part of what we call establishing the Nexus as part of the impact fee studies, we have to document where the City of Tucson is now in terms of residential and nonresidential development as well as project that growth going forward, and we also have to look at part of as part of the what we call the benefit test associated with impact fees, which has two, two different aspects. One is the timing of the expenditure, and the Act requires that you spend the money within 10 years. But the second part of benefit is do we need to establish service areas or benefit areas for different fee categories? So, I'll talk a little bit about that as we go along as well as the project timeline. OK so the first thing we're going to talk about are the residential demand...demand indicators in terms of persons per housing unit.

And we're...we're showing the 2020 numbers compared to what we've come up with in 2024. We first do it by number of bedrooms because we have the fees by size of house and so the first thing, we have to do is document persons in units in terms of bedroom size and overall, the average persons per household. Excuse me, persons per housing unit size is fairly similar, it was two third 2.13 in 2020, it's 2.12 in in 2024 and this data comes from the...the one year unweighted average or excuse me for this year comes from the five year weighted averages from the American Community Survey, which is pretty standard data source published by the US Census Bureau that we use for impact fee studies.

So, the second step involves us then making that relationship between bedrooms and size, and we also use census data for that. And we show in in this slide both 2020 and 2024. But in most communities, we find, and you know the anomalies are in you know places like you know Florida, where there's, you know, large retirement populations, etcetera. Where the demographics are a little bit wonky. Where in most communities there's a correlation between the size of the unit and the number of people that reside there, the number of vehicles they own, which then influence vehicle trip rates for transportation fees and what's different from community to community, is where the leveling off happens because usually the curve goes like this and then it levels off and in some communities at that level point, maybe 3500 square feet.

Other communities that maybe you know, 5500 square feet, but what we've done is...is we then come up with the different bands or tiers for size thresholds based on the community's demographics and the data exists so that we can have a House housing unit size for units that are 750 square feet or less and then they go up in bands of about 600 or, excuse me, 500 square feet. And as you can see here that we've leveled off or the leveling off point is about 3750 square feet. And that has an average household size of 3.51 compared to the average that we showed earlier 2.13 OK. And then obviously the average is somewhere in the middle. And so, it's that's in the sort of the 1251 to 1750 square foot range is where the averages in the community. OK so I mentioned we have to document where we are in terms of population and nonresidential development. So, we know, we knew what the population was in 2022 from the estimates from the Pima Association of Governments. So what we've done is as we've looked at well, what, how many building permits have been issued since that time and then we apply the average persons

per housing unit to those numbers to get a January 1st, 2024 population estimate for the city approximately 559,102 residents.

So, this slide here summarizes the residential projections and what we've done is we've summarized this for a 10-year period as...as required in the Statute. And so over the next 10 years, we are projecting an increase of 2100 no, 21,605 units in households and then another increase of 1042 residing in what's known as group quarters by the Census. So, we get a total population increase over the next 10 years of 22,000, almost 22,650 additional persons now in terms of housing units, that equates to an increase of about 10,190 housing units over that same 10 years. So next we have to estimate nonresidential floor area of so this I want to make sure we're not missing a slide here, yeah OK mine...mine is blank so...so when we get into the nonresidential demand indicators, what we have to do is because we you know there...there so many different nonresidential categories within the city, it's impossible for us to make projections for every single you know North American industrial classification code.

So, what we do is we sort of roll them up into these larger prototypes and sort of you refer to them as light industrial General Office, you know, shopping center and then your institutional type uses. And then we have to define that in terms of a prototype right. So, we have lots of different industrial prototypes we could have used. We could have used manufacturing; we could use heavy industrial we could use transportation. We could have used manufacturing. We could have used, you know, storage facilities etcetera. We take a look at Tucson in general, what is sort of the...the...the standard industrial use and so that's what we that's how we choose the prototype just like we choose the office prototype based on whether you have a bunch of height you know high rise tech offices or some more low rise General office type of development.

And so what we do is we...we categorize them or define them by ITE codes or ITE codes or...or the latest codes published by the Institute of Transportation Engineers and then we look at well, what are those different prototypes generate in terms of vehicle trips per thousand square feet and then how many employees do they generate per thousand square feet? And so, these are the factors we're gonna use to project nonresidential development going forward. So, our estimates we have the 2021 estimates on the left side of the slide and January 1st, 2024 estimates on the right side. So we are estimating that there are 162,000,000 square feet of existing nonresidential floor area in the in the city and in terms of the allocations you can see here about 13 1/2 percent is industrial, a little over 13 1/2 is commercial because of the university and the associated, you know, spin off development associated with that you have a huge amount of institutional uses here compared to most of our clients.

And then at 61% and then office and other services is about 11 1/2 percent of your total nonresidential floor area base. So, we now do the same thing with the nonresidential base in terms of projections and if we work our way from top to bottom, we are projecting approximately almost 1900 or excuse me, 19,800 jobs. Most of those jobs would be in the institutional arena, followed by industrial, then office and other services, and then commercial at at...at...at the lowest amount. In terms of nonresidential floor area, that equates to about another 15, almost 15,200,000 square feet of additional nonresidential space within the city. Because we're doing transportation and we also use vehicle trips to allocate public safety costs, we have, we have to make a projection of vehicle trips or determine the number of vehicle trips by unit

type for residential development. And it's the same sort of analysis we did for the for the persons per household, where we can take the census data that shows the number of vehicles per residence and...and convert that to size and so just as we saw with population as an as the size of house increases, so do the number of vehicles and so do the average trip generation rate.

I believe the average trip generation rate for a single family house in the Institute of Transportation Engineers is 9.42 right now nationally, and you can see here that, you know that's around as we had in the as we showed in the in the per House. It's somewhere in the middle there in the 2200 to 2250 square feet to 2750 is that band that your average would be here in Tucson, but as you get larger, the larger homes have more people, more vehicles and so the trip rate for the largest unit is 11.9 vehicle trips per unit. So, I mentioned service areas, so for police and fire, it's very unusual for us to have benefit or service areas for police and fire because of the nature of that service. We provide police and fire on a city wide basis, particularly as it relates to fire, there's a redundancy built into the system, so if the station closest to you is on a call to your...your home, another station fills in to serve the other homes and vice versa. So, it really is a, it works as a system, so it's a citywide service area.

Police is the same way. Police typically has one large facility and as...as we know, as technology is has is enhanced police service over the last 20 years. Really, the vehicle is the office for the police officer and they're responding citywide. And so, we have City wide service areas for those two infrastructure categories now as we move into Parks and Recreation and streets, we have service areas there, there are three there. This is the same service areas that were considered in 2020 and we looked at, we evaluated whether those needed to be changed in 2020 and it was determined that it did not and so we're keeping those service areas the same.

And in this update to the City study for Parks and Recreation and streets. So in summary as you can see, there's not been any, you know, real material change in the demographics or any you know, interesting anomalies that we're seeing compared to, you know, some jurisdictions we see that in. Household sizes are relatively same, residential vehicle trips have increased minimally. We are using the most updated vehicle trip rates data from ITE which came out in 2021. Significance amounts of growth are still expected here in the city over the next ten years and we're recommending that the service areas stay the same. Fast forward here yes, almost there. There we go.

What do you want to talk about the timeline? You want me to talk about because I don't see the slide in here about the accessory, Dr. OK and I will then I will speak to that. OK. And let you leave the timeline to you. So one of the things we were asked to look at and this is increasing around the country is...is you know, how do we deal with accessory dwelling units and you know, by definition, most accessory dwelling units are technically a multi-family or an apartment use, right? And you know typically smaller than 750 square feet. Unfortunately, the Census Bureau and other data sources aren't tracking demographic data specific to accessory dwelling units versus apartments. And so, there are some data limitations that that we have and we're finding as we investigate that here.

However, you know when we did the 2020 update, one of the things that we recommended, and I think you're the only Arizona jurisdiction that's taken us up on this. Is moving to a progressive

residential fee structure that that, that by size of house, all of our other Arizona clients have shield away from that are still just charging single family versus multifamily. So, by definition there's some housing equity and, you know, included or baked into the methodology since we are using the size-based approach and so I'm a big proponent of it. So is everybody else in the firm, you know it's it helps with better proportionality plus it helps with housing affordability and equity issues as we talked about. Which are, you know, we're working anywhere in the country where housing affordability is in a huge, huge issue.

So, we sort of have that baked in right now and so right now, you know the accessory dwelling, which would...would fall under that 750 square foot or less band on the proposed impact fee schedule. But as part of this we are researching what other communities are doing relative to accessory dwelling units. And as I mentioned, you know the census doesn't have data on it. The ITE manual doesn't don't have trip generation data that that's specific to accessory dwelling units. And so unfortunately, you know the other remedies that we have are going to be from a policy perspective where as part of the fee study, we can have policies related to you know whether we're going to entertain reductions or modifications or other measures in order to accommodate accessory dwelling units.

One of the challenges as I see it, is that you know, accessory dwelling units are essentially market rate housing units and not really in most cases, they're not an affordable housing option, but those are discussions that we can have as we continue on through the process, particularly when we get to the IIP and more, more specifically when we get to the actual development impact piece itself, because that's when. The rubber hits the road and that's when we start to think, you know, that's when a lot of the questions come out come up about well, how do we treat these land uses and how does this fit in with our...our land use, our transportation and our economic development policies. Which I think are important because a lot of jurisdictions we work with seem to have lost sight of the fact that impact fees are indeed a land use regulation. It just happens to generate revenue, right? A lot of people just see it as a revenue source and so we were we were prepared to present data later on and have the have these policy discussions related to accessory dwelling units. And I guess before we go into the timeline, I'm happy to answer any questions that you may have about the data that I presented today?

Mayor Romero: Any questions? Vice Mayor.

Vice Mayor Dahl: Thank you, Mayor. I love this report, I'm real interested in population growth and how...how we project into the future and...and it seems like you took pegs projections from the year 2022. So, at the year 2034 or 12 years from the starting point and I suspect they get less accurate, less accurate and you're also making the assumption that the growth of housing is based on population and in that we're in a housing crisis. It seems to me that we've grown faster in population...population than we have in housing. And I wonder if there's if, if we could somehow develop thoughts based on what we think is gonna be developed. There're areas in...in Council Member Lee's ward that will be really developed. I've been driving around my ward a lot in the last couple of weeks. I won't tell you why, but you can guess knocking on doors and I'm seeing lots of construction of smaller lots that I assume is multi units going in and I wonder if probably not from your level, but from our level if we can fine tune. It may not be important for this for the impact fees, but I think it's important for our understanding of what we're gonna be

dealing with in the future. So that really wasn't a question, was it? Originally was a question and then I answered it myself so.

Mr. Bise: Can I, can I add something to it?

Vice Mayor Dahl: Oh please.

Mr. Bise: I think those are both excellent points that you raised. And just two thoughts about that, one is, you know, one of the reasons that you look to PAG and...and we're in Phoenix area, most of the studies we use or we...we use the mag data because most people bought into it. And what you do is you sort of truth it up and look at well, you know, based on the housing trends, you know, like for instance in Gilbert, AZ a few years ago, they thought that I can't remember the sequence of this, whether they thought the...the 2040 number was their 2035 number, or the 2035 number was the 2040 number based on the growth.

So sometimes we adjust it based on what we've seen on the ground in terms of your...your comment about population growth or number of people per unit you know. It is interesting that that it's almost the same years later or, five years later in this study. But that's why you update the studies every five years is to catch those things. And the thing we don't want to do is we don't want to speculate or guess how household sizes are going to decline in the future, OK. And the other thing is we in most cases the methodology we use the growth projection has a de minimis of impact on what the actual fee is because we use the consumption-based approach. It's not like we're saying, hey, here's the infrastructure cost, we're going to divide it by, you know, the increase in population and for wrong the numbers wrong, right?

Vice Mayor Dahl: It's the number of permits that actually happen that brings in the money. Another question I have was on the service area. I don't think your argument for the police holds true. There are some units that work citywide, but we are divided into districts and a lot of the enforcement happens on a district. I'm not sure that that means that we should allocate impact fees for public safety based on that district, but I'm...I'm interested in, in, in someone who's dealt with that in the past. Does this make sense to you? The citywide districts for.

Mr. Thomure: Honorable Mayor, Vice Mayor Dahl, yes, at. Because of the way, yes, we do have the different districts and...and our actually our districts kinda can ebb and flow. Sometimes we add a fifth district, sometimes we retract, but the...the overall approach. The...the argument that the patrol vehicle is the office is actually quite true. The the...the number of stations is a kind of a less important part of the operation than it is. They all pretty much operate independently. They might have a home station, but they're basically out anywhere in the town where they're needed. And when we look at the deployment of technology. Across the...the city and in law enforcement, as we've been seeing lately, it really is a platform that communicates across the entire city. So, I would tend to agree with the sticking with a single service area for...for police, that's...that's good enough for me. My final question is one of these picky what questions on slide 15, the Park and recreation streets, there's a blue rectangle. I was curious as to what that was. Oh, it's a city of South Tucson, how easily I forget that city. Thank you very much.

Mayor Romero: Any other questions or comments on this Council member Cunningham.

Council Member Cunningham: Can you so a few things and thank you for the work that you guys do. I appreciate all the methodology. I wanna think about some things. On the classifications I had some questions about that. We have our SFRs and we also have our ADUs. Did we delineate between that, are we strictly doing size? What are we thinking about there?

Mr. Bise: Yeah, so there wouldn't, it wouldn't be by type of unit at all. It's strictly by size.

Council Member Cunningham: So, I'm gonna push back a little bit. I don't know how the statute reads. I definitely wanna stay within the law. I don't, I don't want to give up impact fees per se, but I...I would submit that the impact of an ADU compared to the impact of a new single-family resident that's the same size as much is less. It's a it's just less, your because it's the same household, it's a transgenerational household. We've gone round and round and I've probably been the most stringent on it ad us at least conforming to certain things, but in this case the impact fees are kind of dollar are...are apples and oranges and I'll bet dollars to Donuts, two old phrases, but I'll bet dollars to Donuts that we have some data that will probably tell us the same things at the end of the day.

If you build an ADU, we should probably, especially if it's under like, say, 750 square feet, which is I think one of our cut offs here. There should be just a set amount and we can't...we can't make it so low that it's not worth charging it. Otherwise, we should just make it free. But we should have a ceiling and a basement of the of the range that we have. So, if you're, if you're building some at monstrosity at some point where it just gets ridiculous, but we'll cap it. But by the same token, the smaller and smaller you go you still have to pay the minimum base amount, and that's for SF Rs and multi housing. By the same token, ADU should be ADU should probably be held to a different standard in that their...their basement should be a little bit lower and that's kind of where I go. We can't have a situation where people trying to build ad us get priced out of building ad us. That's not what the aim is for and so what...what's happened is that how I understand it is that umm, we've got folks that are doing ad US and they're coming in and yeah, they're not having to subdivide, but they're still having to re permit in some cases, kind of customize their plat.

And then they've got some setbacks to deal with and then not only that, they're getting hammed down with like 6 grand in impact fees, which for you know, for basically what...what equates to an extended add on. So, your mom and dad can live out their years and possibly your teenager live there or even middle school if the kids really out of control. But the bottom line is...is that, I know I love throwing stuff like that in there, but the bottom line is...is that you're...you're equating it to an extension of the residence. And so, we're and we end up charging that. So I just look at that piece where on the smaller ad us there's a, you know, once you get to no matter what, once you get 400 feet, that'll be our minimum and this is what we'll charge once you get to save 600 and 56125 feet on an SFR or multi housing or townhome. This is what you're gonna pay and that'll be it. But at the same time that ADU piece will be a little bit lower. Needs to be, it just should be and so those are

Mayor Romero: Council Member were you thinking of doing a presentation 'cause I know many of us here are wondering about ADUs and that's why we had our consultant look into ADUs. There's a report and a memo attached to our item. That talks about what other states are doing regarding ADUs, but Mr. Rankin did you, did you, did you wanna add something?

Mike Rankin, City Attorney: I would, I would Mayor, thank you so as our qualified expert, and that's a term of art under the statute has been explaining. The, putting together of the...the final impact fees, the actual fees requires all these statutorily required components. And as you've heard him say over and over again during the presentation, it all has to be databased. And not only does it have to be database, but that data has to become from generally accepted financial engineering or planning standards. So that's why you see during the presentation references to the census or to the ITE standards etcetera ad US and it's referenced in the attachment to the mayor and Council memorandum.

There simply isn't data that supports a different approach that we've identified yet, ok to try to approach of a specific fee, a fee specific to ADUs that isn't built in like it already is based on size. So right now, the size that under which the impact fee is significantly less, it's more than more than 50% less, OK less than half of the next band is based on that 750 square foot threshold, OK. Our commitment based on all the questions that we've got about 80 ADUs, we're gonna continue to look at that and is will there be data that we can point to that satisfies the statutory requirements that would allow for a a distinct fee relating to ADUs or even if it's not relating specifically to ad us, that looks at that size requirement OK. But and you, you'll see in the report that yes, there are some examples from California where they exempt out ad US or prohibit localities from imposing development impact fees on ADUs that it's important to note that this is all statutory in California is not Arizona, and a few of you were here back in 2012.

I think it was when the Arizona statutes were fundamentally rewritten with respect to development impact fees and they became far more prescriptive in terms of what the impact fee can be based upon. It requires the land use assumptions, the infrastructure improvement plan. This databased approach also it drills down to what the necessary public services are that can be used as the basis for the fee and what can't be used for what types of public facilities can't be paid for. And so, this is all very statutorily regimented and the danger of trying to use an impact fee schedule for policy reasons is then you're not gonna satisfy the statutory requirements and you jeopardize the validity of your overall fee schedule, OK. So that said, everyone's heard all the issues about ADU. It's gonna take a little while for the data on ADUs to catch up to what's actually happening in our communities. But we're gonna continue to look at it as we go through this process. Right now, we have not identified data that we could rely on to say you know what? Yes, the day the percentage of you know the impact on these necessary public services based on growth associated with ADUs is distinct in a way that we can defend.

Mayor Romero: So, for example, if I may. We still don't know what the impact of ADUs are on our transportation system or on our parks. We don't know if we want to stay, stay with facts and data. We don't know if ADUs use less transportation, maybe they use bikes and transit. We don't know because we don't have the data and we also don't want to put our entire system that we use for impact fees in danger just because we all feel and believe that ad US cost less of an impact, am I correct? Am I saying that?

Mr. Rankin: I think you're saying that correct and...and that we don't have the data to point to say that the impact is distinct or less from the way we're measuring single family residences overall. And I think even in references in the Memorandum or the report, you know that data is out there that that most of the folks living in the ADUs, you know, they have their own car, they're driving their own car. So, but our commitment is to continue to look at that issue because it's clearly important to the Mayor and Council in terms of keeping a ADUs won't say affordable but less unaffordable.

Mayor Romero: All righty. You had your hand up. If you did want to say, add anything to what we were saying. No. Good. OK, so Council Member Cunningham, you, you needed to finish, but if you could do it fast so that we can go.

Council Member Cunningham: Sure, so there's no big piece on that is that when I prefaced it to be within the statute, I prefaced what I said to be within the statute, but more importantly. We can't collect it until we build more ADUs. Right now, we're not gonna build ad us B, if we're if we're cost prohibitive. So, it's kind of like going well we can't hire you because we need more experience and you're like, well, how do I get experience if you don't hire me? It's the same type of, I mean, that's my favorite scene in the movie cocktail. So, this is this is where I'm at. Let's try to I think HCDI think we have resources in House where we can at least get a survey of ADU dwellers right now and get an average of the number of people living in them. I mean, what if we did that? Would that be helpful?

Mr. Bise: Maybe so when you when you your first statement sort of made the point I was trying to make in the in the memo, which the whatever you do right now is gonna have to be outside of the impact Vista to really impact fees for based on averages, right and the data now says that single payer or any house under 750 hear me out. You're speculating on behavior, and my former neighborhood was next to American University in Washington, DC. and you used it, you said it's, it's transgenerational. It's you're speculating. It's gonna be a family member in the apartment for the accessory dwelling. My former neighborhood, there were more people in accessory dwelling than there were in a studio apartment because of the of the university there. But on average, right, you got to take the average, so we can't just speculate that any accessory dwelling unit is going to have the grandmother in there right, has to be based on data.

Council Member Cunningham: Well, let's go get it.

Mayor Romero: We're gonna to the Council Member Uhlich did you, Council Member Fimbres?

Council Member Fimbres: Fine, Madam Mayor. I have one question though, how much are the current fee is used for citywide capacity needs and how much of the current fee is used for non RTA non city wide street improvements projects and what are going to do to incentivize community to go after ADUs.

Ms. Ozoemelum: OK, to Mayor to Council Member Fimbres, 20.5% of the impact fees collected are going to city to fund citywide projects on 79.5% of the fees collected are going to the service area funds.

Council Member Fimbres: Thank you, appreciate it. I know that California and Washington are doing away with impact fees for use like City, Everett, Wisconsin and San Jose, CA. Where we consider, I would consider waiving the fees right now. Thank you, Madam Mayor.

Mr. Rankin: Mayor, Members of the Council, Council Member Fimbres. Yes, and it's useful to look at the statutes from other states, at least in terms of if we want to suggest or join the league of cities and Towns or other advocates in looking at possible amendments to the impact fees statutes so that they can catch up to the reality in the changing of the housing dynamic and the housing crisis throughout our state. And I think obviously we are not the only Community dealing with this. Every community is dealing with this and the legislature is certainly even last session enacted bills specifically relating to ADUs and the costs etcetera and middle housing etcetera. So, I wouldn't be surprised that there could be another look at the statutory framework over time.

Mayor Romero: Alrighty Council Members Santa Cruz, and then we're going to have to.

Council Member Santa Cruz: That was something I wanted to ask is if it's something we can ask our state legislature to provide clarity because we just had this ADU legislation that we had to update our ordinances if we can ask for clarity on that and I know we kind of talked about this, but if we could clarify, do we currently charge impact fees for construction of additions or adding sleeping units to an existing residential home?

Koren Manning, Planning and Development Services Department Director: Mayor, Council Member Santa Cruz. No, we do not charge for an addition or a sleeping quarters because that is not considered its own dwelling units. An accessory dwelling unit is meant to be an independent dwelling unit that could have its own household, because that's an addition is just considered an expansion of an existing household, we do not charge any impact fees.

Council Member Santa Cruz: So, I understand that. But then, when the census is looking right at that property, they're seeing it all as one household. They're not counting them as separate households. So how do we, I'm just trying to think with what we have right now, could we, could we read it as it's just an addition, you know, to the household if the census reads it that way. So that's, you know, one of the things I'm thinking about, the other one is as if you know the state ledger piece takes more time to give us clarity to create the data that we need, you know to, to, to be, to be in line with what's required of us, could we as these impact fees are being charged, are being charged, could they be held in a different pot so that if once we are able to reduce those fees that people who paid them could get reimbursed for having paid into it.

Mayor Romero: I think what I'm hearing around the table is the desire for us to charge less for impact fees and we might not be able to because of our time limitations be able to find solutions right here right now, but I think it would be good for staff, including HCD staff to have these conversations so that we can figure out how to make the impact fees to accessory units based on

our system that we have based on data. While we pursue legislation, which would figure out the policy of this all to be able to, to either wave, you know, the impact fees that we have to charge for ADUs. With the possibility of some Redis deed restrictions for affordability, it's going to be an affordable dwelling unit for grandma or a child or you know another family.

Anyway, these are things that are possible, but we'd have to be pretty creative of how we do it. We now offer impact fee waivers to affordable housing multifamily developments. Maybe we could do impact fee waiver for ADUs, I don't know. I'm thinking, I'm trying to think outside the box so that we can provide some affordability, Tim, and then we're gonna have to, I have one question regarding the stakeholder holder meeting on infrastructure improvement plan, but go ahead, Tim and then we'll wrap up.

Mr. Thomure: Thank you Mayor, Members of the Council just point of clarification on the impact fee waiver for affordable housing. The city actually pays those fees, so the fees are assessed, but you budget out of the general fund to pay the fees. So, you do have that policy discretion, but it's not. I just want to be clear; we're not waiving impact fees that are legislatively required to be charged.

Mayor Romero: Yeah, someone has to pay those fees and for the affordable housing projects here in the city the city has a fund where we pay those impact fees. Alrighty So my question is regarding the next steps the developer's stakeholder meeting on Infrastructure improvement plan. I know when I was a Council member and I am now very still very interested in that list of projects for improvements that has to be created for the impact fee study. I know my colleagues on the Council are interested in terms of what are the named projects in that list. And so, it would be nice to also have me, and my colleagues updated in terms of what is in that list. Cause, I mean, we all know our wards very personally and we all know the needs based on what the communities asking for. So, it'd be nice to be able to have that opportunity for all of us to give input as the developer stakeholders are giving input as well.

Ms. Ozoemelum: Yes, Mayor, as we did with the land use assessments, we intend to have round of meetings with May and counts on word of the staff to update them and provide them copies of the IP for review before the next study session.

Mayor Romero: Perfect, thank you so much. I know that you're gonna come back to us and do a presentation for the. Infrastructure improvement plan as well. So, looking forward to that, thank you all so much really appreciate you. Now we're moving on to Item 6.

6. Discussion of Tucson Code Provisions and Administrative Policies Relating to Permit Requirements for Distribution of Food, Beverages or other items in City Parks (City Wide) SS/NOV07-24-207

Introductory comments were made by Council Members Karin Uhlich and Lane Santa Cruz.

Information was provided by Lara Hamwey, Director of Parks and Recreation, regarding the evolution in administrative policies that has occurred with feeding permits since 2022

and the support needed to effectively offer resources at City parks, who fielded and answered questions.

Discussion was held.

Comments and questions were made by Mayor Romero, Vice Mayor Dahl, and Council Member Fimbres and Santa Cruz.

It was moved by Council Member Santa Cruz, duly seconded, and carried by a voice vote of 7 to 0 to, direct City Manager and the Community Safety, Health and Wellness team, to support Parks and Recreation to engage in citywide conversations about the code requirements and administrative policies relating to the issuing of permits for the distribution of food and other items to the public in city parks then return to Mayor and Council in 60 days with recommendations to update our feeding permit process.

Mayo Romero: Council Members Santa Cruz and Uhlich have requested this time to discuss the issuance of permits authorizing the distribution of food, beverages and other items in city parks. Council member Uhlich, Council member Santa Cruz, the floor is yours. Who wants to jump in?

Council Member Uhlich: Thank you, Mayor, and thank you, Council Member Santa Cruz. So I know probably most of us, if not all of us are hearing from a number of interested segments of the Community about a desire to compassionately serve folks who are in need in our community and a degree of compassion fatigue in neighborhoods where people are feeling that the quality of their lives may, is eroding, to some extent based on the impacts of services I will just very briefly state that I've had experience in working on managing meal programs and providing outreach and services to folks on the streets in Tucson and learned a whole lot at that time about trying to do it in a fair manner, a compassionate manner and a responsible manner.

And one of the big challenges is how to ensure that the services are accessible to folks who are legitimately in need of help. If there's a way to define that people need food, they need water. And at the same time do it in a way that's responsible so that they don't have to travel long distances and that no individual, neighborhood or segment of the community. Has a disproportionate share of that hospitality being served, so from my perspective and I certainly want to offer my colleagues opportunity as well think Community dialogue at this juncture is really critical. Because what I'm witnessing, as I said, is tremendous compassion groups, faith-based communities, churches, you know, outreach groups going to the parks, wanting to help and folks who are concerned fatigued and I don't want to lose compassion in this community because we aren't proactively #1 providing an opportunity for folks to come together and talk through what makes the most sense and to solve for this together.

So, I just want to offer a couple of quick examples of what I'm seeing in the existing program. It may be exactly right on, and we might think it's not even about the permits, it's not even about the parks. I don't know the dialogue will help lead us there but for example right now. There are no permits will be offered to locations within or may not be issued for parks within 1.5 miles of

an existing congregate meal program. Maybe that's the exact sweet spot right distance, maybe it's not. There are hours of operation to find, there are hotspots defined where we want to try and bring services close. To me, the key is we want to bring the Community together. I don't, I I just, I think there's an abundance of people who want to help, but they want I think they'd like to see us as a city, help manage this and orchestrate it very intentionally so that our goals which are multiple can be met to serve with compassion and to acknowledge that. Folks want to enjoy the peace and quiet and safety in their homes, in their neighborhoods and in their businesses and those we can hold both of those truths and pursue both of those goals. So, I'll say that and pass it on to Council Member Santa Cruz.

Council Member Santa Cruz: No, thank you, Council Member Uhlich and I've appreciated you know, the conversations that we've had on this. I believe that when this policy was first put into place that time was very different. Our unsheltered population was a lot smaller and that part of the community coming together, the audience bringing this up to us, has been coming from a place of trying to help and trying to fill a void that we have in our community right now.

So thank you for centering how we do this with compassion. I know that for me personally is I'm I want to understand more of the history and context of this policy to make sure that we're building on what's worked. And addressing any of the shortcomings that we're currently experiencing. Similarly to what Council Member Uhlich said, we need a genuine Community engagement process to hear from those most impacted, including unsheltered individuals, local organizations and mutual aid groups, to understand their challenges and needs, and that we need to build structures of care that are rooted in Community so that we're more resilient during times of crisis, offering support from the ground up.

We know that our faith-based organizations. Groups have invaluable knowledge and experience that we need to learn from and support as we work to address our housing crisis. And given our budget constraints, we must get creative about leveraging partnerships with community organizations and exploring alternative funding sources to support our unsheltered neighbors. And finally, that I believe that collaboration is key, that we can work together with these Community leaders, organizations and residents to create a more sustainable, compassionate solution to this crisis that we have right now. So, with that, I'm not sure, Tim, if staff had presentation.

Lara Hamwey, Parks and Recreation Department Director: So, I will speak to what I know from the time that I started, which happens to be when we started the process of figuring out a way to manage feeding permits. When I came to the city in 2021, they the feeding permits were almost on. An autopilot issuance to just two locations, Armory Park and Santa Rita Park, and what we recognized is that the need was starting to grow beyond those two particular locations and those two locations both happen to also be near to congregate meal sites. So, thanks to actually the guidance from Greg Jackson, because I was newer to City of Tucson, he was aware that the work that Brandy was doing this was just before she actually was officially the housing first director. They were already starting to do mapping of where they were doing outreach, where they were going out to provide services.

And so, we built based on the data that we knew was available. The and that is a map that would show us where a heat map the concentration of where we knew homeless individuals were congregating, and then utilizing the resources and the information that Brandy's team also had. Where were there currently feeding established feeding programs through a congregate meal location. And So what we recognize is that we had a lot of hot zones that didn't have any services available, and so in an attempt to find a way to do it in an equitable fashion, we thought, OK, we can use that data to help inform people and say this is where we would encourage you to pull a permit and to do, bring food to a park.

And so that's pretty much how it all began. I want to say we launched officially in like the summer of 2022. And we have found that Mansfield and Reed are the most commonly polled locations. And that's been pretty consistent during this time and most recently I've met with all of your offices because we've done a check of the current heat map, which is now has also evolved based on the homeless encampment reporting. And that's generating that data for us. And so I met with each of you to talk through where we would recommend for us to establish as best list of parks. But we're totally open to doing dialogue, to hearing and trying to be to apply that compassion that that you are asking for, and then figure out how is a mechanism to make it so that my staff can be ready to know that there's going to be a feed permit pulled for this particular day on on this particular time because they do end up seeing an increase of, you know, the trash cans, making sure the bathrooms are available. You know the mindfulness that comes for us to also support and then also I think it's a good opportunity for us to then let the cashew team know because they can also then use that time that someone is gonna be going out to distribute food as a method of also knowing that that's an opportune time to also offer resources so

Mayor Romero: I like, I like this data. I like to make data-driven decisions for our community and I love what both Council Member Uhlich and Council Member Santa Cruz have talked about, right, we are compassionate city and, But I can recall at the time when we started the feeding permits, we were worried about a few things. That it was highly concentrated in certain words and there was additional need in other areas of our city. And so, there are Council colleagues at that time that were concerned about hitting one area too much. The other concerns were health, especially public health and we all thought there has to. It has to be a location that has access to bathrooms and sinks so people can wash their hands, hands and use the restroom if they need to. And so that's why parks were natural space to do these feeding permits. I want to make sure that we are using data as to where those permits are used, my question is a lot of these churches and mutual aid groups complain because they have to pull a permit in order to feed? Is the process complicated to pulling a feeding permit?

Ms. Hamwey: Madam Mayor, they can call our front desk staff at admin. They can do it over the phone, we can e-mail them a copy of the permit. The other benefit of pulling a permit is we remind them that they need to make sure that they're complying with the Department of Health guidelines when it comes to food distribution. Packaged food has kind of one rule, but if you're going to do prepared foods, you need to make sure you're doing their training. Of course, because that contributes to keeping food safe. And the permit is currently free and has been free from the time I believe, 2015, when the ordinance was modified to provide this Avenue of being able to use a permit, a feeding permit to distribute food and water in parks.

Yes, so City Manager Thomure has just asked, could they apply for multiple days on one permit? They certainly can. Generally, what we see is they will pull a permit for the entire month and an entity will say they want to do every Tuesday and Thursday. So those dates would be listed on the permit.

Mayor Romero: OK so it's it, the permit is free, they could do it over the phone or by e-mail and they could say we're going to do it at this park every Tuesday and Thursday and Thursday for the entire month, OK. Another concern that I've heard is they tell us we can't give water. Is there any truth in that? So, does the city or parks and rec or any other city employees say you cannot give water out?

Mike Rankin, City Attorney: Mayor, when the Mayor and Council amended the ordinance in 2015, you expressly exempted the distribution of water for free from the permit requirement.

Mayor Romero: All righty. How? Tell me a little bit more about this data, I like data. How, how is the information used to recommend which parks are approved for hosting feeding permits? Does the city of the Parks and Recreation say no you can't feed in this particular park? Are the parks prechosen based on, where the congregations of individuals, unsheltered individuals explain a little bit more?

Ms. Hamwey: Happy to, Madam Mayor. So, we will connect with housing 1st and ask to see their dashboard. Their dashboard is Agis map that is basically logging where all of our homeless encampment reporting is coming in and a lot of that is fed by the community and then we look at where the larger concentration of red spots are showing on the map. And then that's when we start to explore. Are there parks that are nearby? Those large concentrations are there, and then also we rely, cause Bambi's team has a better line on where the congregate meal programs currently are being offered. When we see that we have the Nexus of a park with no food access near it, and it is close to one of those concentrated areas on the map, then it automatically, in our mind is deemed an eligible park to be situated for a feeding permit to be pulled.

Recently been doing is going around and talking with each ward, office and Council member and their staff and saying, hey, this is what the data is showing us, a good example Mansfield has been consistently showing up on the heat map as being a close proximity, but we are not aware of any congregate meal program nearby and we've had people entities pulling permits for that location. So, we recommend for that location to stay on our permit program.

Mayor Romero: What's the difference between our feeding permits at parks, for example, and either churches or mutual aid groups doing or like for example Community organizations like Casa Maria or Caridad Community Kitchen that already provide meals at their locations. Do we, do we take under consideration any church or mutual aid group or nonprofit that is already feeding at their locations.

Ms. Hamwey: Madam Mayor, that yeah, that is what we are looking for to see, do we, so a good example would be Casa Maria. We know that they have food that they serve at their particular location. So, then we consider is there a park in proximity to that which I believe in that particular case is Santa Rita, so we do know that you have the concentration of homeless

individuals at Santa Rita. But we do know that they have access to food very nearby and so that's why that park would not fall into a location that we would recommend because people do have the ability to source food there. Whereas, say, Silver Lake Park, which is where I just recently talked with Council member Fimbres about we do see on the heat on the heat map that is a concentration area, but there's no available food in that in that neighborhood and so we would recommend that be where we would enable folks to pull a feeding permit for.

Mayor Romero: Have we ever denied a feeding permit to any organization?

Ms. Hamwey: Madam Mayor, I don't know of any denials recently, like anybody calling and being denied since I have been.

Mayor Romero: Would we deny, would we deny a feeding permit at Santa Rita.

Ms. Hamwey: Since it's not currently on the list and, and it's not on the list. By not meeting the criteria, we would not encourage someone to take a feeding permit there or pull up feeding.

Mayor Romero: Because of its proximity to Casa Maria. OK

Ms. Hamwey: And Sister Jose.

Mayor Romero: And Sister Jose, that also feeds. Council Member Fimbres has his hand up. Council Member Fimbres Do you have any questions? And then we'll go with the vice mayor after. He's on mute.

Vice Mayor Dahl: Richard, you're on mute.

Council Member Fimbres: Thank you. Is there a clause in the feeding permit application that the organization feeding the homeless must clean up the area and take food, not distribute it? What are the consequences for those who will violate any of the terms of the permit? Is there any organizations continue to not follow feeding purposes? Are there consequences, how is this resolved or enforced?

Mr. Rankin: Yes, Mayor. Council Member Fimbres. So, as part of the revision of the ordinance back in 2015, the mayor and Council also revised the standards for issuance for these permits and not just the issuance, but the automatic renewal. So, the way it works is they're good for initial 10 days, but they automatically renew five additional times, up to a total of 60 days. But if sanitary, unsanitary conditions develop or it has been shown that they haven't complied with the conditions by not doing cleanups afterwards. Or there are other public health and safety issues that have happened because of the issuance of the permit, then it will not automatically renew. So that's the enforcement mechanism.

Council Member Fimbres: Thank you Michael, also I have a lot of people complaining about Santa Rita Park all the time. What can you do about that? We close the park down and feeding permits are available right now, cause we're going through massive planning of it.

Mr. Rankin: Honorable Mayor, members of Council, Council Member Fimbres, the city has taken clean up actions in Santa Rita Park on a number of occasions and other locations as well, It's not all about Santa Rita Park, and I think you're all aware of future redevelopment and improvements to the park that are coming in the future.

Mayor Romero: OK. Alrighty, Council member, whom does vice mayor?

Vice Mayor Dahl: Thank you, Mayor, thanks for the presentation. This is a good way to collect data, though we're not getting complete data because I know of mutual aid groups who no longer care, bother to get the permit and there's we haven't gone into any enforcement action, which I probably is not appropriate this time, but there's still an issue. For instance, if we think that feeding shouldn't happen at Santa Rita, then I think we need to negotiate with those mutual aid groups. And I think talking to the mutual aid groups is important. I've started doing it, I've had several conversations and have one with another one tomorrow and I'm going to invite all of them to a meeting to meet with some of our housing 1st and other agency people.

There're people who have brilliant ideas out there. In the conversation this week, someone from Cashew joined us, and with this particular mutual aid group, who has complained loudly before us in the past, we recognize they are developing relationships with people who need help. And they may be in a conduit for our navigators and our social workers to reach those people and get them into a better situation, whether that's dealing with their mental illness, their fentanyl addiction, or just finding 4 walls. Homelessness is a people who don't have a place to live find parks a pretty nice place. When I was younger, on the road and if I came to a community and didn't have a place to bed down, I would sleep in a park at the level it's happening. It's not appropriate and it's degrading the park experience for residents and families that want to use those facilities.

So, I think this is a larger problem that we will be dealing with the next few years and the feeding permits are part of it. But thank your mutual aid groups, thank you churches for feeding, people giving water to people who need water. Our city people, everybody involved in this do the same thing and I have to, I think we have to recognize that we're an aid group. We're not mutual, we're just a government aid group. But again, thank you for the parks for dealing with this and for providing the data that we need for changing this. I wonder if the requirement that it has to be the 1.5 miles. I wonder if that's something that could go away. The argument I've heard at Santa Rita is not my ward.

So it's not something I think a whole lot about, but they say, well Casa Maria is for lunch, we're feeding people in the evening and on the weekends, so and they're going to do it anyway. So, and we're not using it to really enforce what they're doing. We're doing it to help direct groups that wanna help to the places where their help is most needed. We're doing it to collect the data, we're doing it to make sure they're doing it safely. All those are great things, so those are my thoughts. Thanks mayor.

Mayor Romero: Thank you, Vice Mayor. I agree that that being able to have a conversation as a council member like and Council Member Santa Cruz are indicating it's time. I think we need to review our policies. To match with the realities, but also if there is something that we're not

doing correctly or that we haven't thought about, like weekend work and Casa Maria, Carrillo Community Kitchen are not open on the weekends, right? What and I love the idea of being able to layer the mutual aid group and nonprofits and churches that are doing this work with our very own housing first navigators and Co behavioral health, which we contract with or our Community safety, health and Wellness navigators to be able to because I agree as beautiful as our parks are, parks are and as green as they are, they're not homes, right? That we all understand that.

And so we also wanna be able to respect the needs of neighbors and community that wants to take their kids or their dog out to play at, you know, at our parks so we've got to be able to be organized and I love to take an opportunity to have conversations with mutual aid groups and neighbors and talk about how we work together with those churches, how we work together with those mutual aid groups to organize ourselves, to be able to say when are you giving out food at, you know, Reid Park, so that we can send our housing first navigators and we can send our community safety, health and wellness navigators to see to offer additional resources. For the people that are receiving food and we want to make sure that the food that is given out is safe for consumption. And have the possibility of having the restrooms and the you know the sink so that people can wash their hands and try and avoid as much as we possibly can public health incident. So, do you all have a motion or specific direction in terms of how you'd like to do this?

Council Member Santa Cruz: I wanna just make sure, like you're pointing out, mayor, just like all the different stakeholder groups you know, to be a part of that conversation. Including the existing soup kitchens and organizations are the Pima County Public Health Department. I know that when I've been out there at Armory, in the Armory, Santa Rita Park on a Saturday, while mutual aid groups were there giving out things, they're giving out more than just like water and food. You know it's toiletries, it's a shirt, you know, pair of shoes.

Whatever it is, you know that somebody might have in their time of need and that they're operating from or just trying to meet people where they're at. And putting more burden on them to have to find these things on their own. And so with that, I wanted to move that the Mayor and Council direct the city manager that through the Community Safety, Health and Wellness team, support Parks and Recreation to engage in citywide conversations about the code requirements and administrative policies relating to the issuing of permits for the distribution of food and other items to the public in city parks then return to Mayor and Council in 60 days with recommendations to update our feeding permit process.

Mayor Romero: There's a motion in a second, any further discussion on this item? Alrighty hearing none, all those in favor of the motion, please signify by saying aye.

All: Aye.

Mayor Romero: Any against? Motion carries. Thank you so much, really appreciate the discussion. Alrighty, so we move on to item 7.

7. Annual Update on SkillBridge and Veteran Programs within the City of Tucson (City Wide) SS/NOV07-24-206

Introductory comments were made by Council Members Nikki Lee and Richard Fimbres.

Information and presentation were provided by Matthew Langseth, Military Veteran Coordinator, regarding the City's Military Veteran Program for transitioning service members and Skill Bridge internships, who fielded and answered questions.

(Council Member Santa Cruz departed at 3:20 p.m. and returned at 3:22 p.m.)

Discussion ensued; no formal action taken.

Mayor Romero: Council Members Lee and Council Member Fimbres have requested an update on the City's military veteran programs, including Skill Bridge. Council Woman Lee and you guys have the floor.

Council Member Lee: Perfect, thank you, Mayor, and thank you I know it's a busy agenda. Thank you for giving us time to talk about this and get a really exciting update and thank you to Council member Fimbres for partnering on this item. Just so everyone knows, there's no action, no request. This is just a time to come back and talk to you all and update you on the progress we've been making together to support veterans right here in the City of Tucson Organization as well as the community. So, Council Member Fimbres has been doing a lot of work for many, many years around veterans and recognizing veterans right here in our organization, as well as the city by and large. And I since coming into office have been focused more internally to our organization on how we address recruitment and retention. I have shared a few times, but I had a very difficult transition out of the military.

It took me a very long time to find a job at a City of Tucson employer and I really wanted to help where I am now to make the process a lot easier for folks who are getting out and then create an environment within the city of Tucson for military veterans. Because we are a unique group of folks, and if you know you know and having a place for us to create a community within our community has been a priority. So that people are welcome, they're supported here and hopefully they for a very long time at the city. So Matthew is here, he will be giving us a nice update on the progress we've made since last year, but first I want to turn it over to Council Member Fimbres for any words he might want to say, and then we'll have Matt take it away and then I'll have a few things at the end.

Council Member Fimbres: Thank Nicki for expertise in this area, Madam Mayor, but I also want to thank all the staff, my staff who've been working on this since we came up with the coin we recognize the challenge coin that we recognize with a lot of people with. Can you guys hear me?

Vice Mayor Dahl: Yes, yes.

Council Member Fimbres: OK. Also, the midday and the hope we created to help recognize our veterans. It is so important, Madam Mayor, that experience and knowledge could put provide for us in our Community thinking, even finding this program, moving it forward. I would like Matt take Matt, who's also here. He was an army vet 5th into that, Madam Mayor. Take care, wait and it's Matthew.

Matthew Langseth, Military Veteran Coordinator: Thank you very much, Madam Mayor, City Manager Tim Thomure, Members of the City Council and ELT. Thank you so very much. So, the program today again covers 4 areas going to be job training and career development, which is broken down into four additional areas. Skill bridge, which we'll which we'll talk about military spouse hiring, and pathway veteran, second chances and veteran hiring pathways which are still in development, but we have updates, a community outreach events. The ERGs and then other veteran support and the slides. Oh perfect, absolutely so community outreach, events and support.

The military inventory program has been very active in the community, both virtual and in person events, working closely with Davis Month and Fort Huachuca, the Arizona Army and Air National Guard, as well as the Tucson Metro Chambers Military Advisory Committee as well as the Veteran Affairs Committee which happens to have its next meeting on the 13th of November, so we're very excited about that. Continue again under city vets our next ERG meeting is going to be on the 30th of January. There's going to be an event we'll talk more about that and then we have a social slated for the 5th of December and some more details on that further on in the presentation. We continue to provide support internally through one team and the resources that are posted there we currently have over 100 talk a little bit more about that going forward.

We've had five keynote speakers to include entrepreneurship as well as getting out and moving and stretching so health and Wellness and many other folks and been super excited about the support there and through new employee welcome that has recently been rebranded, we've been able to speak to about 189 new employees coming in about the different resource groups and the different support that's available to them, both for veterans and non-veterans. On the next slide, you'll kind of see a couple of graphics, the one on the left in black and white is kind of the skill bridge overview, which will go into a lot of more detail there. But again over 8900 hours of intern support has been provided to the city. 7 departments, there's several departments that have more than one business unit in there. In a average internship is going to be about 98 days.

Currently, 4 SKILLBRIDGE members are with the City of Tucson. I'd like to thank the three that are here with us today. We have Kelvin Ringgold, who's currently a staff assistant with the City Clerk's Office. We have doctor Lashonda Lee, who's currently working with our learning and development team and HR, and then we have Lizeth Parks, who is currently working with City Courts in paralegal and happens to speak three languages, I'm just saying. Yes, yes you can.

Council Member Lee: Just really quick to just to remind everyone, cuz you all don't focus on this every day and obsess about it like I do. Just a refresher, the skill bridge program is a program that allows a transitioning service member to come work at a skill bridge employer like US, which it took a lot of effort to be that for up to the last six months of their active duty military service while the DoD pays for them to be here, so it's at no cost to us. It provides a really great

platform for folks who are transitioning to land in a nice place. So I just wanted to bring that that context back to the front of your minds, just in case you hadn't remembered since last year. So, I'm sorry, Matthew. Please continue.

Mr. Langseth: Not at all and not currently able to make it today in Tucson. Water is Juan Mendez, and he's currently working as a security program manager there. So, lots of great skills, and again, the last thing to go with Council Member Lee's remarks, the skill bridge program today has saved the city of Tucson and this is an extremely conservative estimate, around \$200,000 in training. Initial onboarding labor cost, so that's super exciting and we'll go into a little bit more. So again, the graphic on the right talking about the city vets, ERG, we've had two veteran benefits and resource events.

These resource events have allowed folks to start getting additional benefits that they've earned or increased benefits. So, we've definitely impacted and affected not only current employees of the City of Tucson, but we've also so coordinated with Customs and Border protections of veteran ERG, as well as to hold them police departments, veteran ERG and we've helped impact that. There's some more community outreach with other ERGs that's happening again. We talked about it 5 speakers over 100 plus resources on the city vets one team page. 175 folks have come to different meetings this year and we have a 91 1/2 percent attendance satisfaction, so really making an impact and providing those resources and support to not only the community, but as well as the employees of the City of Tucson.

Any questions before I continue? Perfect, so again, skill bridge program highlights over \$200,000 in cost savings since the program's inception. Since I came on board and the MVP was created in roughly April 2023 but that's been about 167,000. We've increased participation from 4 to 13 people. Increased our pipeline from 8 to 22, you can see the updates and days we're doing well there as far as increases departments from three to seven, and we've increased the average internship over a month. Total Community outreach 143 contact follow-ups 368 total attendees over at the 8 events and as far as hitting advertising from the time of this slide, we're averaging about 591 clicks specifically targeted to our job board from military spouses, veterans and transitioning service members and that only increases.

Some additional program highlights in reference to the ERG again, the 91 1/2 percent satisfaction rate from attendees, two mixers. We had our volunteer day with Boulder Crest, so we were able to utilize the amazing 8 hours of volunteer time given to city employees. We went out and helped prepare this 134-acre property for incoming veterans, military spouses for one of their programs. Again, 111 newsletters increase identify veterans 12.3%, so we're up to 428 within the city and we continue to provide support as well for veterans in crisis, for support for the National Guard and reserves.

Again, we've increased claims education, and all this can't be done with these ERG without the support of everyone at the table as well as ELT and thanks to Laurice Walker for all her support and all the other executive leadership members. Again, Amigos Unidos thank you, they're doing great things. Why caught women in City Tucson, they're doing great things and I hear there's some additional ERGs being stood up, so I'm very happy to help support that and later on, not right now. It's not supposed to be a big presentation, but we got some stuff for y'all and it's from

all the ergs. It might say city vets on it, but it's supporting all of them and saying thank you for all the continued support. Any questions?

The next slide, we've increased the program 225% in about 12 1/2 months. You can kind of see, there are our past employees. They're different departments. E.g., SDIT Tucson Fire, multiple PSCD Tucson Water public defenders. Learning and development. We'll have some folks hopefully starting in the CM OS office helping with emergency response here in the future and then continue support in HR as well. So super excited, lots of great stuff happening. And not directly related to the program, but I think it's pretty cool. The City of Tucson has already outpaced veteran hiring in 2024. I think we added another one last month, so I think the total is 57 this year and just as a general little piece of information on veterans Tennessee 2.31 years more with the city. And we remain extremely proud of our 89% offer rate. Now this is a competitive offer rate. So, folks, they go through the program, they find a job that they like here with the city they apply. They go through the competitive process and so we're doing really, really well, not only training and giving experience to transitioning service members, but they're staying with the city. Any questions?

If not, then we have a few testimonials. The first one is from Jason McCoy. Worked was the head, was one of the head, there's two commands, but was a senior enlisted leader for one of the commands in Fort Huachuca, Netcom, and he's currently with our IT department and he's doing great and amazing things. He really loved his time. He was here 100 and 707 days with the city of Tucson. After that, it's Jennifer Denton, project manager and e.g. SD. Did great things over there and is continuing to work in the architecture and engineering department as a project manager as well. Matthew Taylor worked with Tucson Water didn't end up staying with us, but had a great time, used his experience and but he still lives here, and he was a very good candidate as well. And then we have a couple from PSAD, Tyler Jackson, Batiste Noemi, Leighton, Wilson and then Charles Dunn. So, Jack Tyler and Noemi, we're with PSCD, they are still there. Dickon Wilson is working as a water treatment plant operator doing great things and Charles Dunn graduated the Academy and is an active firefighter. Any of your questions?

Mayor Romero: I have a question 1st and most importantly thank you so much. Thank you, Council Woman Lee, for bringing this program to the City of Tucson and the work that you're doing. What is next for skill bridge? How can we grow it? How can we be more supportive and how do we also connect additional veterans that maybe are not going through the internship, but just our veteran employees. Add to, to the military veteran program.

Mr. Langseth: Thank you very much, Madam Mayor, for your question. So, skill bridge is departments. If you're interested, all you have to do is come talk to me, come talk to me. The list is there, we have folks interested looking for opportunities all the way out to September of 2025 for their start date. Transitioning service members continue to reach us through various avenues. LinkedIn as well as the DoD SkillBridge website itself, we are on there and then there's also word of mouth. So that is that is there, not to continue with the question. So, one of the updates for military spouses is we're looking into a few different things. One of them is the military spouse employment partnership, currently working with the HR director, thank you very much Teri, for your support of with that to be able to get to 100,000 military spouses looking for employment to be able to advertise, help them as well.

So again, a different talent pool there as far as veterans working with different organizations, local nonprofits doing stuff online through different organizations. Like can I mention them or is that not a OK so, well, there's organizations like Millcroot that are doing great things, a vets industry, there's boots to books, there's Act Now education, triple nickel, there's, there's all these great organizations that are out there. And so, we're connected with them to highlight them and showcase the opportunities that are with the City of Tucson and so that's where we're currently working.

Mayor Romero: Yes, absolutely.

Council Member Lee: OK, thank you. Well, Matthew, thank you for all of your work, it is the reason that this was able to grow 225% is because as a group we allocated and fought for a person to run point on all of these programs and to help shepherd everything to be at DM and to be at Fort Huachuca and to be at the go to person here. And you know, you mentioned briefly about Jason and for folks who don't know military rank, he was a command Sergeant major at NETCOM, which means he was the senior enlisted person overseeing thousands of troops. And so the caliber, and Jason is one of so many people we have a PhD employee or intern out here in the audience today we have such high quality, highly talented people who we are able to bring into the city and that enables us to deliver services even better cause we have such amazing people and to know that they stay at the city even longer.

That's really the goal, that was my secret agenda, so thank you Matthew and thank you to each of you, and I know Matthew, you have something you want to do too, but I really appreciate all every one of you have been so supportive. Every year with pushing this program forward and we really appreciate it and we're still to me in the beginning phases, I mean, we're growing at a great rate, but I think we're just getting started, so great work to you into the team and yeah, I hope there's a lot more to come.

Mr. Langseth: Again, and it's, it's not without the support of everyone here, community partners, folks like the Watts, Davis Monthan, Fort Huachuca. It doesn't happen with all without them. So, I do have some thank yous and it says in recognition for your continued support of all City and Tucson employee resource groups, including the city vets, Wikot and Amigos Unidos, both present and future. Your dedication and efforts continue to make lasting impression while fostering strong inclusive and supported community connections and so we have some there, oh, thank you very much. Well, then, there's yours. Oh, I'm I, no, no, no, no. But there's yours and then Council Member Santa Cruz.

Mayor Romero: That is so nice. Thank you so much, this is beautiful. Wow oh, thank you so much, Matthew. Beautiful

Mr. Langseth: Again, again and it's support from all the ERGs. It may say city vets on there, but it's from all of them. There're so many great things going on and all the support being provided to all the employees is just amazing. So, thank you very much.

Mayor Romero: Thank you so much, Matthew.

Council Member Cunningham: Matthew one thing. Anybody you bring over from Watts, I wanna meet him. I was out there for like 4 years and I'd love to talk to him about it.

Mr. Langseth: Absolutely. And they've been very gracious. They actually posted us posted the ERG down there and yeah, we they got to fly The Sims so it's fun.

Mayor Romero: Thank you so much. Really appreciate the update. I love that we've grown 200 and plus percent looking forward to additional growth and just keep us informed in terms of how else we can help. I know that ERGs are gaining a lot of steam in the city and that's always really good to keep our employees, to have them feel as though they have support systems in the city of Tucson. So thank you all the interns thank you so much for considering the City of Tucson. Really appreciate your service to us and your service to our country. Anything else?

Council Member Fimbres: I wanna have a couple questions. I may have a couple questions.

Mayor Romero: Richard.

Council Member Fimbres: Thank you, Madam Mayor, thank, thank you, Lee for outstanding work on this project. Thank Matthew, but Paul Cunningham is also reserves retired 10 years and we're doing an event, Madam Mayor, where you, I think you noticed, I've been in office we've done an event where we go to the VA hospital. We have 25 schools this year participating. Lopez Robles gets involved with it, happens a lot. 25 cars we'll be presenting on Friday, 9:00 in the morning if you wanna come let us know. in my community events I talked about the number of schools involved and who the principals are there this event is so important, Madam Mayor they have a lot of experience, a lot of knowledge, and they give a lot to their families and Tucson back. Thank you, that's all I gotta say. Thank you, Paul, thank you for your service. Thank you, Nikki for your service and thank you Mr., God bless you all.

Mayor Romero: Council Member Fimbres and thank you for bringing this before veteran's day. I know that Council Woman Lee was very interested in having this update before our veteran's day holiday. So very appropriate timing, very wonderful work that you're doing and happy veteran's day to all of our city of Tucson veterans out there. Thank you for your service. So, with that, we're going to move on, thank you, Matthew. OK, alrighty item 8.

8. Updates on State and National Legislation and Regional Committees and Election Results (City Wide) SS/NOV07-24-198

Information and presentation were provided by Andres Cano, Intergovernmental Relations Director.

Mike Rankin, City Attorney, provided additional information on Proposition 312 and Position 314. Under the terms of Proposition 314 it recognizes the example bill it was based on from Texas, which is currently under litigation in the federal courts, provides that Proposition 314 will not go into effect until after the resolution of this litigation. To be legally enforced.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to authorize the City Attorney to join in amicus positions in the litigation, that are consistent with prior direction, resolutions, motions and actions of Mayor and Council.

Mr. Rankin provided additional information on Proposition 312 and the impact it will have on existing laws. He made mention of bringing back existing Ordinances which need repeal/update because the enforcement of the Ordinances has been deemed unconstitutional. He further explained he does not want these current laws to be used as the basis for the property tax claims.

Mayor Romero: This time has been set aside for Mayor and Council to receive an update on state and national and regional committees. We will also receive an update on election results as much as we possibly have based on the ballots that have been counted. First of all, I just like to personally thank everyone who participating in making sure our elections were safe, secure and accessible to voters on Election Day. Thank you to the volunteers, staff and public safety folks in our public safety communications team working on Election Day.

I just want to reiterate that our elections are safe, secure and that the City of Tucson and Pima County really coordinated well with each other. We are all committed to making sure that every vote counts and that means taking the time for ballots to be counted cured and certified it is not unusual to take a few days or even a week or so to do that work. Our democracy deserves our patience. Once all the voter, all the votes, are counted, all of the races will be called and certified. I'm looking forward to the results and I really appreciate the work that has been put together so far. So, with that, I'd like to seize the floor to Andres Cano.

Andres Cano, Intergovernmental Relations Director: Thank you. Good afternoon, Honorable Mayor and Members of the Council. Thank you for the opportunity to present an overview of Tuesday's election on the federal and state side. I'm going to cover some updates on voter turnout election outcomes and also discuss some of the legislative seats that we were tracking as the City of Tucson. I did not come gifts, with gifts like the other presenter however, so I do apologize for the next meeting I'll keep that in mind if we can go to the next slide. Wanted to give you a snapshot of the voter profile in Arizona, 4.3 million registered voters, 2.5 million voters chose to cast a ballot in this election. That's turn out about 57 percent. 97% of precincts are reporting statewide ballot tabulation.

As the mayor mentioned, continues there are about 944,000 ballots that are still left to be counted throughout the entire state Arizona, I am curious, I'm sure that you are curious about what that number is like here in Pima County, and so shortly before coming, I pulled those numbers for you. There are 175,000 ballots left and we expect that those will be counted in several batches throughout the next several days. Next slide, please. In the presidential race, current projections indicate that president-elect Trump will have 295 electoral votes. Here in Arizona, the former president received 52.3% of the vote total 1.3 million votes this election cycle, and the transition of power set to move forward with state electors casting their votes on December 17th to go to

the next slide this number has changed for the Senate. Republicans have gained a seat over the last three hours, with Bob Casey losing in Pennsylvania. The number is now 53 for the GOP in the US Senate and for the House, the house is still undetermined in terms of who is going to have the House majority.

Right now, the numbers are at 206 for the Republicans in 192 for Democrats. In Arizona, we will continue to have Senator Kelly represent us through his term 2028. We do have Ruben Gallego leading by 50,000 votes right now. He received about 1.2, 3 million votes so far. Should that lead stay constant, he will serve his term through 2030. Next slide please. These are the 9 races for the congressional districts throughout the state of Arizona. The ones overlapping in Tucson are districts 6:00 and 7:00. It's District 6 Representative Ciscomani is currently ahead with 49.1% of the vote, Kirsten Engel 48.6. Congressman Grijalva received 62%.

Next slide please. The state legislature for a quick background, 90 seats were up for grabs. 30 Legislative Districts 1 state senator and two state representatives per district. Current composition is 16/14 in the Senate 16, Republicans, 14 Democrats. House is 31 Republicans and 29 Democrats. All of those seats were up for grabs on Tuesday, with six toss up districts. Two of those toss up districts were right here in Tucson.

So, with we go to the next slide, you'll see where we're at with some of those key races. The yellow indicates that the numbers are still not certain, and they're going to need some more time for the tabulations to proceed. The bold indicates if they're an incumbent and the green means that those races have been decided. So, what you'll see in southern Arizona is that most of our legislative delegation was already decided prior to the November election, pretty much in the primary.

However, in District 17 in particular, which includes Oro Valley, John McLean is leading in the state Senate race and so is Kevin Bolk on the House side. We will continue to pay close attention to those numbers as the tabulation comes in. You may now wonder what these numbers mean for the whole pie and if we go to the next slide, the numbers tell us right now and I've checked in with your contract lobbying team is well, shortly before coming to see you. We do expect the numbers to stay the same at the state Capitol, with Republicans maintaining control of both the House and the Senate, expecting a 16/14 the same number in the state Senate. The reason why that's happening is there, although we did win a seat here, it appears in southern Arizona, the Democratic Party, there is a there was a democratic incumbent that is losing in Maricopa County.

And so, the numbers are, you know, we're making up another different area that way. Republicans appear to be on track to maintain control of the chamber perhaps be 32/28, which would mean an additional loss for the Democrats but right now the number is at 31/29. For the next slide, the state propositions, 13 propositions were on Arizona's ballot this year. Five received voter approval, these were all referred all but two of them by the state legislature. And the ones that passed were Proposition 139 abortion access enshrined in the Arizona Constitution, received 61% of the vote, Proposition 311. Adding additional life benefits for first responders killed in the line of duty. 64% of the vote allowing property tax refunds for private property clean-up costs approved with 58.4% those Prop 312 Mr. Rankin will answer some questions and give a quick update on that shortly. Prop 13 increase child sex trafficking sentencing approved

with 64% of the vote and Proposition 314 immigration enforcement measures approved with 62.91%.

We do expect most of these numbers to continue to change and we also expect some of these propositions that did pass to be in the courts for a long time. And so, I wanted to just quickly defer to Mr. Rankin on particularly Propositions 312 and propositions 314.

Mike Rankin, City Attorney: Thank you, Mayor, Members of the Council and Andreas, yes, I wanted to talk a little bit about 314 and 312. 314 is short titled to Secure the Border Act some folks refer to it as SB1070 version 2.0. It's the immigration law well, that is going to be approved with the final vote and certification and we're all getting questions already. What does this mean and what is it going to mean for local law enforcement? The answer is we don't know yet. Under the terms of the bill itself, it recognizes that the example bill it was based on from Texas is already in litigation in the federal courts.

And so, the bill provides that it doesn't go into effect until after the resolution of that litigation, and if that resolution allows the bill provisions to be legally enforced. I'm confident in saying that the Texas litigation will not be the only litigation relating to this and similar measures in other states. Other actions are certain to follow with respect to this bill, in fact, I would appreciate if the Mayor and Council gave me authorization to join in amicus positions in that litigation that are consistent with what I understand is very clear direction from the Mayor and Council from prior resolutions, motions, actions by the Mayor and Council, so that I wouldn't have to come back to you. Sometimes those have very short windows to say yes, we sign on as a friend of the court Amicus. So, a simple motion authorizing Amicus participation by the city in that Texas and or similar litigation that is consistent with the city's interests.

Council Member Cunningham: So, moved

Vice Mayor Dahl: Second.

Mayor Romero: There is a motion and a second. Any discussion on this proposition or the motion? All righty, all those in favor signify by saying aye.

All: Aye.

Mayor Romero: Any against, motion carries.

Mr. Rankin: Thank you, Mayor. And then the other proposition I wanted to talk about is 312. That's the one that provides for a property tax rebates for property owners who claim that a city, a town or a county has either created a nuisance on their property that has caused them damage or has adopted or follows a policy pattern or practice of not enforcing existing laws relating to, and then there's a laundry list, and it includes illegal camping, occupying a thoroughfare, panhandling, loitering, various other conduct. This is the bill that really that grew out of the zone issues in Phoenix etcetera. The, based on the fact that this is approved by the voters and will become law. I'm going to be bringing back to you at least one ordinance and maybe a few others. We're going to go through our existing ordinances because we have laws on the books currently

that they're an existing law, but we cannot enforce them because it's unconstitutional and so we haven't enforced them for years and in some cases for many, many years. And I don't want those laws to become the basis, then for these property tax claims. You know, why isn't the city enforcing its law that prohibits panhandling from a median? Well, because federal law says we can't and without violating the Constitution. So, we'll be, I'll be bringing back that as an example, either to repeal an existing law or to rewrite it so that it can be enforced constitutionally. So, I don't need direction on that I just wanted you aware, you know, why is this ordinance coming back.

Mayor Romero: Do you think that this initiative, this proposition, will it, will it get any legal challenge to it.

Mr. Rankin: I haven't figured that out yet. What I do, what I think it's very easy to predict, is it's gonna create a lot of litigation. It's gonna create a lot of claims against cities, towns and counties. And there's a short fuse between the time that a claim is submitted, and it doesn't come to the city or town or county, it goes to the assessor, right? Because that's where property taxes are assessed. Saying I want refund of my property tax, right? Because for whatever reason, you know the city's not being aggressive enough and its enforcement activities. And then, if the city, county or town doesn't respond within, I think it's 30 days then it's deemed to have been agreed to or admitted that the claim is valid and the property tax from that city, county or town is refunded to the property tax to the property owner. So, at a minimum, we're going to need to establish practices and procedures and people responsible for responding to individual refund claims as they come in. But then in the background, what we want to do is clean up some of our codes so that they can't be the basis for these claims in the 1st place.

Mayor Romero: Council Member Uhlich.

Council Member Uhlich: Couple of quick questions when, when or if claims are filed, let's say against the City, would it be the city's share of the property tax implicated and not the whole county, schools, full property tax.

Mr. Rankin: That's how I read it, that it would be the refund of the property tax that's attributable to payable to the jurisdiction that didn't follow its policy or created the nuisance, etcetera.

Council Member Uhlich: OK. And are these aren't considered torts or, you know, under the recoupment of actions?

Mr. Rankin: What? No. I mean, this wouldn't be something that this wouldn't be a payout by the city, you know, to settle or to pay a judgement on a tort that we committed.

Council Member Uhlich: OK.

Mr. Rankin: What it would be is just a. It's a completely new door to open.

Council Member Uhlich: OK.

Mr. Rankin: To bring a claim to say I want my property taxes back.

Council Member Uhlich: Gotcha.

Mr. Rankin: Because of, this policy that the City of Tucson.

Council Member Uhlich: Yeah, this is gonna be important cause. I know we're all hearing from different folks throughout the community that you know there are concerns associated. So, I think I appreciate how proactive you're being and helping to navigate this Mike. Thank you.

Mr. Cano: Thank you, Mr. Rankin. Are there any other questions before I go into the final synopsis OK, OK. I'll make it brief some important dates to be on a lookout. We expect Congress to be in session next week, November 12th. The House and Senate will meet for their leadership elections on the Republican and Democratic side to see who's the next Senate President and Speaker of the House. Next Tuesday, the State House and state Senate will also be doing the same, both parties. We expect the state electors to meet on December 17th in each state for President.

And you may recall from a few weeks ago in my update that we have a continuing resolution on the table federally that will be expiring on the 20th, so there will be a lame duck session. If we go to the next slide, Congress will be convene on January 3rd. January 6th is when the electoral votes will be counted and the inauguration is on January 20th. The lame duck legislative priorities include the continuing resolution, the National Defense Authorization Act, the Water Resources Development Act reauthorization and the Farm Bill. And with that honorable mayor, members of the Council, I am open for any questions.

Mayor Romero: Any questions, Vice Mayor?

Vice Mayor Dahl: The leadership election is at when within committees like this Natural Resource Committee, the leadership of the Chair of that will be picked and the Majority Leader.

Mr. Cano: Thank you. Honorable Mayor, Council members and Council Member Dahl is for this, for the state legislature, for the for the federal committee assignments, usually to my know take a bit longer. This would just be for who the speaker and leader's leadership positions are speaker Pro Tempore, you know, President Pro Tempore, things of that nature. Committee assignments probably would come out within two or three weeks after that.

Mayor Romero: Thank you so much Andres, really appreciate your presentation. Thank you. Alrighty item 9.

9. Mayor and Council Discussion of Regular Agenda (City Wide) SS/NOV07-24-199

No items were identified.

Mayor Romero: Does anyone have any items to remove from the consent agenda? Hearing none, we move on to item 10.

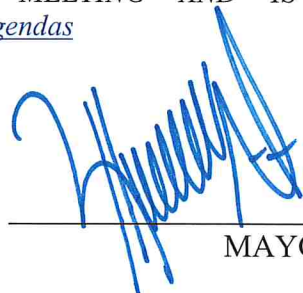
10. Mayor and Council Discussion of Future Agendas (City Wide) SS/NOV07-24-200

No items were identified for future agendas.

Mayor Romero: Does anyone have any items for future agenda? Study session is adjourned. The regular session will begin at 5:30 PM today. The next study session will be Tuesday, November 19th, 2024. Thank you all so much. Really appreciate you. See you in a bit.

ADJOURNMENT – 3:43 p.m.

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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 7th day of November 2024, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

SM:RJ:yl