



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on June 17, 2025.

Date of Meeting: February 4, 2025

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 6:09 p.m., on Tuesday, February 4, 2025, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Romero and upon roll call, those present and absent were:

Present:

Regina Romero
Lane Santa Cruz
Paul Cunningham
Kevin Dahl
Nikki Lee
Richard G. Fimbres
Karin Uhlich

Mayor
Vice Mayor, Council Member Ward 1
Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5 (electronic attendance)
Council Member Ward 6 (electronic attendance)

Absent/Excused:

None

Staff Members Present:

Timothy M. Thomure
Mike Rankin
Suzanne Mesich

City Manager
City Attorney
City Clerk

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

(NOTE: Minutes for Items 8 through 9 and any Items considered separately for Liquor License Applications and Consent Agenda Items will be transcribed as verbatim minutes.)

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

a. INVOCATION

The invocation was given by given by Reverend Lynn Bartlow, St. Mark's United Methodist Church

b. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was presented by the Mayor and Council and public in attendance.

c. PRESENTATIONS:

1. Mayor Romero proclaimed February 2025 to be "Black History Month." Bob and Beverly Elliott, Donna Liggins, Rose Tolton, Doris Snowden, Pastor Grady Scott, Frieda Marshall, Willie Blake, Kevin Woodard, Lee Sims, Ron Burton, Desiree Cook, Ashley DeLaRosa, Barbara Mosley and Lehman Benson, Larry Starks, Antonio White, James Christopher, Sadie Shaw, Dr. Shari Meeks and Lance Meeks accepted the proclamation.
2. Mayor Romero proclaimed February 2025 to be "I am Somebody Month." Lovely Ganthier, Lisa Higgins, Margot Susko and Marjorie Miller accepted the proclamation.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager's communication number 35, dated February 4, 2025, was received into and made part of the record. There were no appointments were made at this time.

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

No personal appointments were made at this time.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Romero announced City Manager's communication number 29, dated February 4, 2025, was received into and made part of the record. She also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

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

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Romero announced City Manager's communication number 30, dated February 4, 2025, was received into and made part of the record. She also announced this was the time scheduled to allow the City Manager to report on current events and asked for that report.

Current event report was given by Timothy M. Thomure, City Manager.

5. LIQUOR LICENSE APPLICATIONS

Mayor Romero announced City Manager's communication number 38, dated February 4, 2025, was received into and made part of the record. She asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Application(s)

New License(s)

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

1. 405 Shell, Ward 1
City #95-24, Series: 9
Agent: Thomas Robert Aguilera
Address: 405 W. Speedway Blvd.
Action must be taken by: February 14, 2025

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

Written Argument(s): Opposed

2. Lindy's on 4th, Ward 6
City #96-24, Series: 12
Agent: Conrad Rafael Rodriguez
Address: 500 N. 4th Ave,
Action must be taken by: February 16, 2025

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

c. Special Event(s)

1. Tucson International School Inc., Ward 3
City #T2-25
Applicant: Jessica Palma
Address: 1701 E. Seneca St.
Purpose: International Day
Event Date(s): March 1, 2025

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

2. The Mini Time Machine Museum, Ward 3
City #T3-25
Applicant: Djamila Jean-Charles
Address: 4455 E. Camp Lowell Dr.
Purpose: Minis + Sip: Mini Portrait and Gallery
Event Date(s): February 27, 2025

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

3. Second Saturdays, Inc., Ward 6
City #T4-25
Applicant: Fletcher J McCusker
Address: 2 E. Congress St. #100
Purpose: February Event at Treasury
Event Date(s): February 22, 2025

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

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no new license application(s) scheduled for this meeting.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to forward Items 5b2 and 5c1 through 5c3, to the State liquor Board with a recommendation of approval.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Application(s)

New License(s)

1. 405 Shell, Ward 1
City #95-24, Series: 9
Agent: Thomas Robert Aguilera
Address: 405 W. Speedway Blvd.
Action must be taken by: February 14, 2025

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

Written Argument(s): Opposed

It was moved by Vice Mayor Santa Cruz, duly seconded, and carried by a voice vote of 7 to 0, to forward Items 5b1 to the State Liquor Board with a recommendation of Denial.

Vice Mayor Santa Cruz added the motion was based on the testimony heard, the information provided by City departments, as well as the written statements of opposition that were submitted. The testimony and the submitted statements showed that:

1. There was considerable opposition from people who reside within one mile of the proposed premises.
2. The Number of licenses within one mile of the proposed premises were extremely high already (171 existing licenses within 1 mile); and this includes 20 existing series 9 licenses.
3. The nature of the proposed business, its potential market, and its likely customers shows that is not compatible with other activity within one mile of the proposed premises; and granting this license at this location is likely to have a negative impact on nearby businesses and the residential neighborhood, as well as other nearby resources that included Estevan and Anza Parks; the Salvation Army shelter; Caridad Kitchen; Davis Elementary school; and various religious institutions.

Based on all of the above and the other evidence in the record, this application does not substantially serve the best interests of the community, and the application should be disapproved and denied.

Vice Mayor Santa Cruz: Yes, thank you, Mayor. I wanted to invite some folks who put in a request to address my Council on this item, City Attorney Mike Rankin. I don't know if it's helpful to have the attorney go first and then some of the. Some of the opposition, or vice versa for this item.

City Attorney Mike Rankin: Honorable Mayor, Vice Mayor. I would suggest letting the folks who've put in cars speak either in favor of or in opposition to the application. Speak first and that way the applicant's representative can come up last and have an opportunity to address the concerns that have been raised.

Vice Mayor Santa Cruz: OK. Thank you. So, with that in mind, the first person here I have is Karen Green. Did you move? Thank you.

Karen Green, Constituent: Listen. Good evening, Mayor and Council. My name is Karen Green and I'm a 22-year resident of the Dunbar Spring neighborhood and I represent myself. I care deeply about the well-being of Dunbar Spring and have held three different positions on the board and attended countless meetings over the years. Please do not approve the liquor license for the 405 Shell station at Speedway and Main. While we, as a neighborhood dreamed of an affordable housing project on that corner. We instead have a gas station and this gas station wants to sell alcohol. State law says that the license must quote be in the best interest of the community, which will be substantially served by the issuance UN quote. Well, as far as I can tell, Speedway in Maine is not a beer desert. You can go to Speedway and stone to Wildcat liquors or to Drachman and Stone to the Chevron Station. To Speedway and 6th to the Circle K. We're West of I-10 to the ARCO. There's lots of places to get alcohol nearby. This shell station is directly across the street from the Salvation Army's hospitality house. Do I need to point out the irony of this? This shell station is quite close to Estevan Park. You can go to the Circle K at 6th Ave. and just follow the trail of trash and debris over to Anza Park. Do we need to repeat that? Blocks away. There are daycare centers north-south and east of this location, plus an elementary school. Due South, there are churches and a mosque nearby. There are lots of things that Tucson needs a liquor license at Speedway and Maine is not one of them. Please vote no. Thank you for your time and consideration.

Vice Mayor Santa Cruz: Thank you, Karen. Next, we have Natasha Winnick.

Natasha Winnick, Constituent: Hi, my name's Natasha Winnick. I'm a resident of the Dunbar Spring neighborhood. I lived there for 24 years and I've owned my business in the neighborhood for 21 years. My business is one block South of where the Shell Station is going in. We have repeatedly have homeless camps at and near S Von Park, which is just South of this location, and we do not need a place to purchase alcohol added into the mix. There's a lot of vandalism, garbage, fires and humid feces that we already deal with right in that area. Adding a closer location to buy alcohol will make it even harder to occupy the neighborhood. Petty crime is already an issue in the neighborhood because of all the transient traffic between Esteban Park, Anza Park, Salvation Army and the churches that offer food. On certain days, there's a large homeless contingent in the area, including the Salvation Army, directly across the street from where the. Proposed location of this. Liquor permit will go. Carried out Kitchen runs, the community food bank two blocks South of there, there are as AK-5 school, two blocks South of there at Main and 2nd, the idea school. And as Karen says, liquor is available everywhere. There's two Circle K locations, both within a mile 2 liquor stores, one on stone and the other on St. Mary's, in addition to tap and bottle and time market within half a mile of that location and just to point out a social service organizations, there's a Salvation Army, carried out community kitchen. Holy Family is right there. There're 123456 religious' institutions within the neighborhood. There're many parks within that area. Esteban, Anza, Carlos Francis Francisco Elise, Esquire Park University Blvd. Bike Blvd. Knife Castro Ave. Bicycle Blvd. 15th Ave. bicycle Blvd. The Chuck Huckleberry loop. There's the history. For the past five years of liquor violations and reported criminal activity at the prose premise. Provided that the applicant

received a detailed report of the violations and criminal activity, at least 20 days before the hearing, 30 times in one month, are there police reports and police action on that block? There's proximity to proposed childcare facilities. There're 12345678 childcare facilities, all within a very short distance of this proposed new liquor license. So, I'm asking you to deny the liquor license. This is not something that the neighborhood needs. And there's plenty of other places that you can get alcohol.

Vice Mayor Santa Cruz: Thank you, Natasha. Next, we have Mr. Thomas Aguilera representing the applicant. OK.

Thomas Aguilera – Liquor License Attorney, Representative for the Applicant: Thank you. I didn't think I'd get booze, but anyhow, this is an applicant who. Has a lot of experience running liquor license establishments over many years here in Tucson without violations. This particular applicant. Is in California undergoing medical treatment. Otherwise he would be here but. He was unable to get on a plane to come back today, so I just wanted to let you know that. But I like many of you, participated in the pit count on the 29th and my client was also going to join but couldn't because of the health issues but. It seems to me that a vacant lot. Does attract the crime that the young lady spoke of earlier? The sciences in on whether a developed area and building brand new building from the ground up. With security cameras outside inside that are all registered with TPD, we share all of our surveillance video upon request. With TPD, you have to register for that. We do that. We have the trespass letter where TPD could come on to our properties at any time, day or night. We close at 10:00 PM. So that means that TPD, if they see an issue going on that 405 address, can simply go on the property. One of the things that you do notice with convenience markets and the sciences in on this is if they're open 24 hours, that does create some issues because you can sell alcohol legally in Arizona till 22 am here. That's not going to be the case. We reached out to Barrio Anita in Blue Moon. We've been very successful in hearing their concerns.

The reason I didn't address Miss Green and the others is because their addresses and phone numbers are redacted, and when I, you know try. I talked with Gabriela in your office. Council Member Santa Cruz and she indicated. That your office wasn't really in a position to help facilitate those conversations. We are open. To that conversation, this process won't be over tonight, Honorable Mayor and Council members. You know that you've all seen me up here before. What I have learned from being up here and working with Council members not. Only Ms. Uhlich. You remember those days? She taught me a lot about what I should be doing differently. So did Steve, so did Paul Cunningham, and Romero\ you have also encouraged me to look at these matters holistically.

So, I don't take on a lot of new clients these days. Back in the day, you saw me up here almost every week. It's because if a client isn't willing. To take a hard look at what kind of neighbor they're going to be, I can't come alongside of them. Here you have our word. I suspect tonight we'll receive a recommendation of denial. I had to speak because I have to put on the record. That you have 60 days from the date of the filing of the application to hold this type of meeting. That's sixty days passed on February 1st, so I do have to. Just put that on the record that I'll object to the timeliness. Of this meeting. But that's procedural. I only do it because at a board hearing, I don't want to be looked at. I've waived that. It's still lawyer thing. I know people hate

lawyers for that. But the other one is also the protests are not timely for the 20-day standpoint as well.

So, I just want to put that on the record. I don't want to dwell on that. That's procedure. This community is interested in substance. Is this neighbor going to sell to one clientele only? And that is the unhoused? No, we can under Title 4 refuse service for a number of reasons. Alcohol is kept locked behind counters. We card everybody. We have state-of-the-art ID checkers. We work closely with the liquor department. We're highly regulated. We intend to it. Barrio Anita has asked us to attend their neighborhood meetings. Blue Moon has done the same. We'd love to do that with Dunbar. We just haven't been able to make that connection. I didn't go on the Internet and try to find the phone numbers of these protesters. I think that would be a little intrusive.

So, the option is there to let us know. We can certainly have that conversation. We have reached out to karidad. We've reached out to neighbors in the area. We're opening a dialogue with Salvation Army. That is something we have to consider. We would be foolish to think investing millions of dollars in this project. And to waste that with flagrantly just. Making the area worse, we want to light this area up with a new brand new building. Right now, the gem show, we think it would be if we were open. We think we would be a positive for Tucson for its busy times.

Mayor Romero: Mr. Aguilera come to a conclusion, please,

Mr. Aguilera: Yes, so. You can Boo. Go ahead.

Mayor Romero: No, I need, I need everyone to not please.

Mr. Aguilera: The reason I did that, and I know I went long. Mayor, thank you for indulging me is because I had to make some sort of record for the board hearing. If I got a recommendation of denial that that's why I did it. You know my request would be that you give us a no rec, but I suspect. After talking, you know, with your office, that's not likely.

Mayor Romero: So, thank you, Mr. Aguilera, Vice Mayor.

Vice Mayor Santa Cruz: Thank you, Mayor. Thank you, Mr. Aguilera. I just also, for the record, want to say that the neighborhood associations and their leadership. For public information, and you're always welcome to be able, you know, to access that information.

Mr. Aguilera: If it wasn't the neighborhood,

Mayor Romero: No, no, I'm no. I'm sorry, Mr. Aguilera. You got your time.

Vice Mayor Santa Cruz: And I'm saying that just the way that you talked about reaching out to Barrio Anita and to Blue Moon that this lot is indeed in Dunbar. So that would have been an important neighborhood to address. I have similar sentiments to the folks who wrote letters about position and who showed up here today. I feel like in ward one, especially along the freeway, we have an over saturation of convenience stores with all the issues that come with all of them. That

we have to then be responsive to neighbors who also then put more work on police and fire to show up and be responsive to.

And so, with that in mind. I move that the Mayor and Council forward this application with the recommendation for disapproval. This motion is based on the testimony we've heard tonight. Night the information provided by reviewing city departments as well as written statements of opposition that were submitted, the testimony and the submitted statements show that there is considerable opposition from persons who reside within one mile of the proposed premises. The number of licenses within one mile of the proposed premises is extremely high. Already, 171 existing licenses within one mile and this includes 20. Existing Series 9 licenses. The nature of the proposed business it. Its potential market, and its likely customers show that it is not compatible with other activity within one mile of the proposed premises. And granting this license at this location is likely to have a negative impact on nearby businesses and the residential neighborhood, as well as the other nearby resources that include Esteban and Anza parks. The Salvation Army shelter Kitchen, Miles Elementary school and various religious institutions based on all of the above and the other evidence in the record, this application does not substantially serve the best interest of the community, and the application should be disapproved and denied instead of miles I meant. To say. Yes, thank you.

Council Member Dahl: Second, yes,

Mayor Romero: There's a motion and a second to deny. Any further comments on this. Alrighty, hearing none. All those in favor of the motion to deny signify by saying I.

All: Aye

Mayor Romero: Any against? Motion passes. Thank you all for showing up. All righty. We move on to item 6.

6. CALL TO THE AUDIENCE

Mayor Romero announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Romero also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

Comments were made by April Putney, Jeanee Luhasko, Clifton Mayes, Lee Ziesche, Ali Erdman, Kurt VanOhlen, Francisca Montano, Janice Padilla, Teresa Martin, Becci McPherson, Cindy Federico, Jerrod McMurrich, Ben Lucero, and Desi Navarro.

Mayor Romero stated she was seeing a lot of women that were serving the community asking for pay equity. She asked the City Manager what conversations had happened from his office were and what the plan was to fix this issue.

7. CONSENT AGENDA – ITEMS A THROUGH J

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

- a. APPROVAL OF MINUTES (CITY WIDE) FEB04-25-31
- b. ELECTIONS: CALLING THE 2025 PRIMARY AND GENERAL ELECTIONS AS VOTE BY MAIL ELECTIONS (CITY WIDE) FEB04-25-32

Ordinance No. 12142 relating to Elections; pursuant to the provisions of Tucson Charter Chapter IV, Section 1(20) and Chapter XVI, Section 6; Tucson Code Sections 12-13 through 12-16; and Arizona Revised Statutes Section 16-409, calling the August 5, 2025 City Primary Election and the November 4, 2025 City General Election, and giving notice that these elections, and any special elections occurring on either of those dates, will be conducted as mail ballot elections supplemented by on-site voting locations in each Ward; and declaring an emergency.

- c. ELECTIONS: DESIGNATING VOTING LOCATIONS AND APPOINTING ELECTION BOARD WORKERS FOR THE SPECIAL ELECTION (CITY WIDE) FEB04-25-39

Resolution No. 23883 relating to Elections; pursuant to Tucson Charter Chapter 16, § 10 and Tucson Code §§ 12-13(B) and 12-16, designating the voting locations for the City of Tucson's 2025 vote by mail Special Election; and declaring an emergency.

Resolution No. 23884 relating to Elections; pursuant to Tucson Charter Chapter XVI, § 6 and Chapter IV, § 1(20), and Tucson Code § 12-23, appointing officials who will serve as members of Election Boards required for the City of Tucson vote by mail Special Election to be held on March 11, 2025; and declaring an emergency.

- d. INTERGOVERNMENTAL AGREEMENT (IGA): WITH TUCSON UNIFIED SCHOOL DISTRICT (TUSD) FOR JOINT USE OF CERTAIN MIDDLE SCHOOLS AS NEIGHBORHOOD PARKS (CITY WIDE) FEB04-25-33

Resolution No. 23881 relating to Intergovernmental Agreements (IGA); approving and authorizing the execution of an IGA between Tucson Unified School District (TUSD) and the City of Tucson (City) for joint use of certain middle schools recreational areas as neighborhood parks; and declaring an emergency.

Comments were made by Council Member Cunningham and City Attorney Rankin

- e. INTERGOVERNMENTAL AGREEMENT (IGA): WITH PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR DESIGN, CONSTRUCTION, AND MAINTENANCE OF THE RITA RANCH DETENTION BASIN (WARD 4) FEB04-25-36

Resolution No. 23882 relating to Water; authorizing and approving an Intergovernmental Agreement between the City of Tucson and the Pima County Regional Flood Control District for to construct, maintain, and monitor features at the Rita Ranch Detention Basin to enhance the recharge of stormwater runoff into the aquifer; and declaring an emergency.

- f. INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT: WITH PIMA COUNTY AND MUNICIPAL FIRE DEPARTMENTS AND FIRE DISTRICTS FOR EMERGENCY RESPONSE BY HAZARDOUS MATERIAL TEAM (CITY WIDE AND OUTSIDE CITY) FEB04-25-40

Resolution No. 23885 relating to the Tucson Fire Department; approving an amendment to the Intergovernmental Agreement for Hazardous Material (Hazmat) Emergency Response between the City of Tucson, acting through the Tucson Fire Department; Pima County, acting through the Pima County Office of Emergency Management and Homeland Security; and six other regional fire districts for cooperative provision of emergency response to hazmat incidents within Pima County; and declaring an emergency.

- g. ORDINANCE: AMENDING THE DEFINITION OF "PARK" AS SET FORTH IN TUCSON CODE § 21-1(4) (CITY WIDE) FEB04-25-41

Ordinance No. 12144 relating to Parks and Recreations; amending Tucson Code, Chapter 21, Parks and Recreation, Article I, Operation and Regulation of Parks, Sec. 1-21, definitions, by amending the definition of Parks in Section 21-1(4); and declaring an emergency.

- h. TUCSON CODE AMENDMENT: CHAPTER 10A, ARTICLE X, SECTION 10A-113, FOR THE COMMISSION ON EQUITABLE HOUSING AND DEVELOPMENT (CEHD) ALLOWING OVERSIGHT OVER THE TUCSON HOUSING TRUST FUND (CITY WIDE) FEB04-25-37

Ordinance No. 12143 relating to Boards, Committees, and Commissions; amending Tucson Code, Chapter 10A, Article X, Section 10A-113(B) to clarify that the Commission on Equitable Housing and Development is responsible for providing advice and recommendations regarding the Tucson Housing Trust Fund; and declaring an emergency.

- i. HOUSING AND COMMUNITY DEVELOPMENT: TUCSON HOUSE REHABILITATION UPDATE AND APPROVAL TO SUBMIT THE APPLICATION FOR SECTION 18 DISPOSITION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (WARD 3) FEB04-25-44

Resolution No. 23887 relating to Affordable Housing and Community Development; authorizing the disposition of certain Public Housing Units located at 1501 N. Oracle Road, Tucson, Az 85705; and declaring an emergency.

- j. HOUSING AND COMMUNITY DEVELOPMENT: ACCEPTANCE OF THE PATHWAYS TO REMOVING OBSTACLES TO HOUSING (PRO HOUSING) GRANT AWARD BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (CITY WIDE) FEB04-25-42

Resolution No. 23886 relating to Housing and Community Development; accepting the \$7,000,000.00 Pathways to Removing Obstacles to Housing (Pro Housing) Grant from the U.S. Department of Housing and Urban Development (HUD) and Creating Two Grant-Funded Positions; and declaring an emergency.

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

8. PUBLIC HEARING: DEVELOPMENT IMPACT FEE UPDATE ON LAND USE ASSUMPTIONS (LUA) AND INFRASTRUCTURE IMPROVEMENTS PLAN (IIP) (CITY WIDE) FEB04-25-43

Mayor Romero announced City Manager's communication number 43, dated February 4, 2025, was received into and made part of the record. She said this was the time and place legally advertised for a public hearing to take formal action regarding the Land Use Assumptions (LUA) and Infrastructure Improvements Plan (IIP). She asked if staff would be making a presentation.

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

Comments were made by Brenndon Lyons and Corbin Barker.

Julie Herland, Consultant from Tischler Bise, responded to questions raised during the public hearing.

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to close the public hearing.

City Clerk: Public Hearing on Land Use Assumptions, LUA and Infrastructure Improvement Plans (IIP).

Mayor Romero: City managers communication #43 dated February 4th, is received internally, part of the record. This is the time and place legally advertised for a public hearing to take formal action regarding the land use, assumptions and infrastructure improvements plan. Will staff be making a presentation today?

City Manager Timothy M. Thomure: Honorable Mayor, no presentation tonight.

Mayor Romero: So, no presentation. Alrighty, this public hearing is scheduled to last for no more than an hour. Speakers are limited to five-minute presentations. Please come forward when I call your name and make your presentation state your name. Whether you live in the city, whom you are representing and whether you are a paid speaker or not. We do have one person interested in speaking Brendan Lyons.

Brendan Lyons: Good evening, Honorable Mayor, Members of the Council. My name is Brendan Lyons. I live in unincorporated Pima County. I serve as the government affairs director for the Southern Arizona Home Builders Association. On behalf of SABHA, thank you for the opportunity to provide comments on the draft, LUA and IIP. Impact fees are an important tool to fund necessary infrastructure, but it's equally important to ensure that they are reasonable, transparent, calculated with statute and do not unduly burden housing affordability. We would like to highlight key areas where further discussion is needed.

First, we would like additional details or supporting documentation provided for replacement cost for park amenities and other facilities. For example, the replacement cost for Ramada appears to be substantially higher than what we've seen elsewhere. Second, it is unclear and to what extent existing levels of service were assessed and considered. And considered particularly to the issue of excess capacity. Or existing roads and existing multimodal facilities. Third, we would like to better understand the choice of using the incremental cost methodology instead of a buy in approach. May be more appropriate, especially when current facilities may not be fully utilized, or the same mix of projects will not be built in the future. We recognize the complexity

of impact fees and that they are an important tool for the infrastructure invest. In toolbox, therefore, we respectfully request an opportunity to engage staff and consultants in further discussions. Thank you for your time and consideration.

Mayor Romero: Alrighty, I do not have any more speaker cards for this item. Is there anyone in the audience wishing to be heard on this item? Please come to the tall mic and state your name and if you live in the city of Tucson.

Corbin Barker: Hi, my name is Corbin Barker. I live in Ward 2 in the City of Tucson. This is my first time here to a Council Township meeting. I don't know what I'd call this, but I'm. Is this like a call to the audience? Just to clarify, or is it specifically,

Mayor Romero: It's specifically for this particular item.

Corbin Barker: Ah, I see. I see. I had like a whole rent. I believe that I'm allowed to boo. It's my First Amendment right. I know that you said it first that we have to behave in a civil manner, but one thing our government officials need to understand is we are fully able to criticize you guys regardless of if it makes you feel comfortable. I'm very sorry. But we are in a constitutional crisis right now in this country and I am terrified for our future. I've been living here in Tucson, AZ for. Past 13 years and I have never seen a world more scary. I've never seen more homeless people on our streets. I've never seen more struggling if I slit my throat on this stage right now and let all over your fancy podium, then maybe you guys would care about my mental health.

But how do I believe that you guys would care about my mental health whenever I'm stepping over homeless people every single day? I'm watching people overdose on the bus. You guys took out the bus stops. You guys remove the protections from the elements. Recently they just got rid of one on Grant and Oracle right by my house. I am a taxpayer. I work hard exhaustingly, and I'm not afforded the luxury of a covered bus stop, and I got to believe that you people care about us. I don't believe it for one second and I am super upset that I was skipped on the call to the audience. I don't believe that that was right either. I wanted to come here and yell at my leaders. I intend to come here and yell at my leaders. This is the chance that I've been waiting for mayor Council members. I'm I stand before you today, concerned and terrified at the federal level. We are seeing blatant violations of our rights from 14th amendment infringement to unchecked surveillance and threats to our democracy itself. Elon Musk has illegally accessed our Social Security numbers and the Treasury, a billionaire right, and your your concern right now. Is me booing my city attorney? That is a redress as my grievances, because I don't like what he was saying. So, boo.

Mayor Romero: Oh, what's your name again?

Corbin Barker: My name is Corbin Barker. Barker.

Mayor Romero: Mr. Barker, I absolutely understand your frustration. Very important that you also address your Congressional delegation, who is really can do something about it. What I would highly recommend is that you go and Congressman Grijalva as well as Senators Gallego as well as Senators Kelly.

City Attorney, Mike Rankin: Mayor. This item is scheduled for a public hearing with respect to the land use assumptions and and the IIP.

Mayor Romero: Thank you so much. Alrighty, anyone else wanting to be listened on this item and this item alone? OK? If none, then I need a motion to close the public hearing please.

Richard Fimbres: Some moved.

Council Member Dahl: Second.

Mayor Romero: There's a motion and a second. Any further discussion to close the public hearing? Alrighty, all those in favor of the motion, please signify by saying aye.

All: Aye

Mayor Romero: Any against? Motion carries.

City Manager Timothy M. Thomure: And Mayor, Members of the Council. The schedule going forward is for the adoption of the impact fees as described in the Mayor and Council materials.

Mayor Romero: Alrighty, is there a motion to approve the land use assumptions and infrastructure improvements plan as recommended.

City Clerk: I'm sorry, your Honor, I don't think we need a motion tonight. Because,

City Attorney Rankin: Right, we just need to have the public hearing under the statutory process to allow for comments relating to the proposed LUA and IIP and the remaining adoption process will be carried out throughout this statutory process as described.

Mayor Romero: Alrighty, thank you.

Council Member Lee: I didn't realize that PC there. Could I add just a quick yes question. Brandon, I would, I appreciate your questions, concerns. I don't know if those have been answered or those could be answered to SAHBA. I think those are all really important, so I would really appreciate to know what those answers are as we move forward.

Mayor Romero: Did you want to respond, Angele?

Business Services Department Director, Angele Ozoemelum: OK. Good afternoon, Mayor and Council. We have asked our consultant Julie from Tischler-Bise to be present at this hearing and she's on the phone to respond to the questions.

Tischler-Bise Consultant, Julie Herland: Good evening, Mayor and Council. Can you hear me OK?

Mayor Romero: Yes, we can.

Julie Herlands: OK, great. So, as I understand it, the two questions were present or opposed on the amenity's costs for parks and rec or parks improvements. Those were provided from city staff based on recent projects. And a line item fashion. That's illustrate, you know that that's documented in the report. So those are reflective of current cost to provide those specific amenities in the parks. The other questions in terms of methodology? The choice of methodology, particularly I think I believe he was referencing. You mentioned parks and transportation, so the approach is to, and he referenced using. Incremental approach as opposed to buy in approach. So, the incremental approach in an impact fee analysis is identifying what current levels of service are today and collecting dollars to then continue to provide that same level of service in the future. So that is a policy choice. As the city grows, there is the assumption on the collection of those fees. Based on that methodology that the city will continue to provide that same level of service.

So that is a choice. That is a policy decision. The approach or the assumption here is that. That that what you have in the ground today? In the infrastructure categories that we've included in the in the that you've included, and you've been collecting for all the way along in your current impact fee program, the assumption is that. Again, this is your current level of service as new growth comes in, you're going to continue to provide. Capacity to maintain that level of service and again so in parks its amenities per thousand, it's acres per thousand and improvements if in some instances there is. An indication or there is a decision or? Or identification that there is excess capacity in any of these systems then then? A different methodology would be appropriate, however, current your current system, your current program is such that. These components are that are they. Are they are calculated and collected based on a current on this on this incremental approach, and again that is you collect these fees that you will continue as a matter of within your with your CIP with your capital improvement planning to continue to provide that same level of. capital. Capacity in the system as you go forward and it may take a different slightly different form and that is OK as long as the expenditures are used to expand capacity again to serve growth from the from which that it's been collected from that those fees are. Then again used to provide additional capacity to maintain levels of service in the future.

Council Member Cunningham: So one of the things I'll just this what I'll head back on as we start talking about the corridor tool the next 10 years when we have higher density that means that we need to look at the increase of impact fees in that area because those. Parcels will be serving way more people than designed, so I think that's a big piece to this as we as we examine density long term and density. In an overlay where parks already exist, that's where the parks impact fees are gonna have to see increases. Otherwise it doesn't make any sense to me. So, I think those are some of the discussions we'll have, but I'm not giving up any parks impact fees. They're too important to the city.

Mayor Romero: Any others? OK. Thank you so much for being online for us. Really appreciate it. OK. And so public hearing is closed. We're not going to approve the LUA, and the IIP will be coming back and doing that at a later date

City Attorney Rankin: It is scheduled to come back on March 18th.

Mayor Romero: Perfect. Alrighty. Thank you. We are moving on to Item 9

9. ZONING: (TP-ENT-0924-00019) TECHNICIANS FOR SUSTAINABILITY (PARKING STRUCTURE) 932 S. SANTA RITA AVENUE, R-2 TO I-1, CITY MANAGER'S REPORT (WARD 5) FEB04-25-34

Mayor Romero announced City Manager's communication number 34, dated February 4, 2025, was received into and made part of the record. She said this was a request to rezone a 0.21-acre property from R-2 residential to I-1 Industrial, for the purpose of a commercial vehicle parking and storage structure. The subject parcel will add a new development area to be included with the existing industrial parcel to the north expanding the operating site area from 0.83 acre to approximately 1.05 acres. The single story 5,600 square-foot parking structure will be used to park commercial trucks and storage.

Mayor Romero announced the Zoning Examiner recommends authorization of zoning subject to certain conditions. She asked if the applicant or representative were present and agreeable to the proposed requirements.

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 7 to 0, to approve the zoning subject to the conditions as described in the meeting material.

City Clerk: Zoning: TP-ENT 0924-0019, Technicians for Sustainability (Parking Structure) 932 S. Santa Rita Avenue, R-2 to I-1, City Manager's Report.

Mayor Romero: City manager's communication #34 dated February 4th, is received into and made part of the record. This is a request to rezone approximately 0.21 acres from R2 residential to I-1 industrial for the commercial vehicle parking and storage structure. The subject parcel will add a new development area to be included with the existing industrial parcel to the north, expanding the operating site area from .83 Acre to approximately 1.05 acres. The single story 5600 square foot parking structure will be used to park commercial trucks and storage. The zoning examiner recommends authorization of zoning subject to certain conditions. Is the applicant or representative of the applicant present?

Keri Silvyn, Lazarus & Silvyn, P.C.: Mayor, Members of the Council, Keri Silvyn, with Lazarus and Silvyn, representing Technicians for Sustainability.

Mayor Romero: Ms. Silvyn is the applicant agreeable to the proposed requirements?

Keri Silvyn: Yes.

Mayor Romero: Alrighty. What is the Council's pleasure on this item?

Council Member Fimbres: I move to approve the request for rezoning at 932 S. Santa Rita Ave. from R-2 to I-1 as recommended by the zoning examiner.

Council Member Cunningham: Second, your honor.

Mayor Romero: So, there is a motion and a second. Any further discussion on this motion? Alrighty, hearing none, all those in favor, please indicate by saying I.

All: Aye

Mayor Romero: Any against? Motion carries.

Council Member Cunningham: Your Honor. Just wanna say really quick. We're really lucky to have a group like Technicians for Sustainability in Tucson.

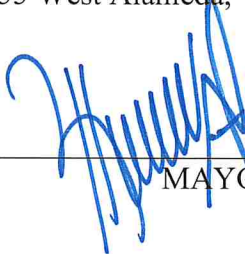
Mayor Romero: Yes, and thank you,

City Attorney Mike Rankin: Your honor. And for the record, the motion was the approval of the zoning subject to the conditions listed as described in the Mayor and Council materials. Thank you.

Mayor Romero: Thank you, Mr. Rankin. Item 10

10. ADJOURNMENT: 8:00 p.m.

Mayor Romero announced the next regularly scheduled meeting of the Mayor and Council would be held on Wednesday, February 19, 2025 at or after 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.



MAYOR

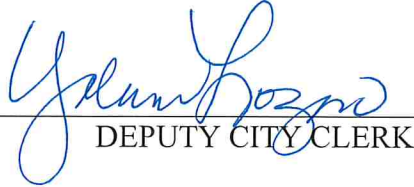
ATTEST:



CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 4th day of February 2025, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

SM:af:yl