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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on February 18, 2026.

Date of Meeting: August 6, 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 5:49 p.m., on Wednesday, August 6 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	Mayor
Lane Santa Cruz	Vice Mayor, Council Member Ward 1
Paul Cunningham	Council Member Ward 2
Kevin Dahl	Council Member Ward 3
Nikki Lee	Council Member Ward 4
Rocque Perez II	Council Member Ward 5
Karin Uhlich	Council Member Ward 6

Absent/Excused:

None

Staff Members Present:

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

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

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

a. INVOCATION

The invocation was given by the invocation was given by Rabbi Avi Alpert, Congregation Bet Shalom.

b. PLEDGE OF ALLEGIANCE

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

c. PRESENTATIONS – there were no presentations made at this time.

d. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Romero announced City Manager’s communication number 219, dated August 6, 2025, was received into and made part of the record. She asked for a motion to approve the appointments in the report.

It was moved by Council Member Lee, duly seconded and carried by a voice vote of 6 to 0 (Council Member Perez, abstained) to appoint Claire Zucker to the Citizens' Water Advisory Committee (CWAC), Wesley Fawcett Creigh to the Public Art and Community Design Committee (PACDC), and Rocque Perez to the Metropolitan Education Commission (MEC).

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 209, dated August 6, 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 made by Mayor Romero, Vice Mayor Santa Cruz and Council Members Cunningham and Dahl.

**4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Romero announced City Manager’s communication number 210, dated August 6, 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 made by Tim Thomure, City Manager.

## 5. LIQUOR LICENSE APPLICATIONS

Mayor Romero announced City Manager's communication number 219, dated August 6, 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. Redbird Scratch Kitchen + Bar, Ward 6  
City #22-25, Series: 12  
Agent: Sergio Ivan Pinon Reyes  
Address: 2515 E. 6th St.  
Action must be taken by: August 22, 2025

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

2. Welcome Diner, Ward 5  
City #31-25, Series: 12  
Agent: Jared Michael Repinski  
Address: 902 E. Broadway Blvd.  
Action must be taken by: July 29, 2025

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

3. Taqueria El Pueblito, Ward 3  
City #32-25, Series: 12  
Agent: Marcos Arturo Moreno Jr.  
Address: 1800 E. Fort Lowell Rd. #A156  
Action must be taken by: August 3, 2025

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

4. Kintoki Sushi House & Bar, Ward 3  
City #34-25, Series: 12  
Agent: Jared Michael Repinski  
Address: 2960 N. 1st Ave.  
Action must be taken by: August 5, 2025

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

5. Bag O'Crab, Ward 3  
City #36-25, Series: 12  
Agent: Nian Chai Lin  
Address: 4811 N. Stone Ave.  
Action must be taken by: August 17, 2025

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

Person Transfer(s)

NOTE: State law provides that for a person to person transfer, Mayor and Council may consider the applicant's capability, qualifications and reliability. (A.R.S. Section 4-203)

6. Miss Lee's Bar & Grill, Ward 6  
City #35-25, Series: 6  
Agent: Jared Michael Repinski  
Address: 2101 S. Alvernon Way  
Action must be taken by: August 15, 2025

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

c. Special Event(s)

1. Children's Museum Tucson, Ward 6  
City #T39-25  
Applicant: Aya Kosuge Pickett  
Address: 200 S. 6th Ave.  
Purpose: Evening of Play  
Event Date(s): October 4, 2025

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

2. Children's Museum Tucson, Ward 6  
City #T40-25  
Applicant: Aya Kosuge Pickett  
Address: 130 S. Scott Ave.  
Purpose: Evening of Play:VIP Speakeasy  
Event Date(s): October 4, 2025

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

3. Ronald McDonald House Charities of Southern Arizona, Ward 3  
City T41-25  
Applicant: Kerri Burgerhoff  
Address: 2155 E. Allen Rd.  
Purpose: 2025 House Party  
Event Date(s): October 10, 2025

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

4. Tucson Jewish Community Center, Ward 3  
City #T42-25  
Applicant: Chloe Alexandra Loos  
Address: 3800 E. River Rd.  
Purpose: Sculpting the Season  
Event Date(s): September 14, 2025

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

5. The Mini Time Machine Museum, Ward 3  
City #T43-25  
Applicant: Djamila Jean-Charles  
Address: 4455 E. Camp Lowell Dr.  
Purpose: Minis + Sip: Pinball Machine  
Event Date(s): August 28, 2025

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

6. Saint Augustine Cathedral, Ward 1  
City #T44-25  
Applicant: Rev. Alan Valencia  
Address: 192 S. Stone Ave.  
Purpose: Parish Fiesta  
Event Date(s): October 18, 2025 - October 19, 2025

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

7. Perimeter Bicycling Association of America, Inc., Ward 3  
City #T45-25  
Applicant: Thomas Juskiewicz  
Address: 4502 N. 1st Ave.  
Purpose: El Tour's Loop de Loop  
Event Date(s): September 20, 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 Perez, duly seconded, and carried by a voice vote of 7 to 0 to forward items 5b1 thru 6, and 5c1 thru 7, to the Arizona State Liquor Board with a recommendation for approval.

## 6. CALL TO THE AUDIENCE

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

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

Comments were made by Hector Macias, JP Salvatierra, Roxann Gagnon, Alan Blumberg, Hector Macias, J. P. Salvatierra, Raymundo Aguirre, Reyez Suarez, Carissa Sipp, JD Butler, Dan Hunt, Garrett Newell, Reed Spurling, Elaina Richards, Sochi McKenna, Athena Schmidt, Allen Benz, Jason Smith, and Maddie Griffith.

## 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) AUG06-25-211
- b. FIFTH AMENDMENT EXTENDING THE MANAGEMENT AGREEMENT FOR THE TEMPLE OF MUSIC AND ART (WARD 6) AUG06-25-224

Resolution No. 23961 relating to Real Property; authorize and approve the Fifth Amendment to the management agreement dated February 1, 1988, by and between the City of Tucson and Arizona Theatre Company; and declaring an emergency.

- c. SALE OF SELECT EL PORTAL PROPERTIES (CITY WIDE) AUG06-25-222

Ordinance No. 12184 relating to Real Property; authorizing and approving the sale of select properties owned by the City; and declaring an emergency.

- d. INTERGOVERNMENTAL AGREEMENT (IGA): WITH PIMA COUNTY FOR THE 2024 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANT GRANT PROGRAM AWARD (CITY WIDE) AUG06-25-212

Resolution No. 23957 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement (IGA) between the City of Tucson (City) and Pima County for the 2024 Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award; and declaring an emergency.

- e. INTERGOVERNMENTAL AGREEMENT (IGA): FOR PARTICIPATION IN THE ARIZONA CHILD ABDUCTION RESPONSE TEAM (CITY WIDE) AUG06-25-220

Resolution No. 23958 relating to Intergovernmental Agreements (IGAS); approving an IGA among various local jurisdictions in Arizona, the Arizona Department of Public Safety, and the Federal Bureau of Investigation (FBI), for ongoing cooperation related to the Arizona Child Abduction Response Team (AZCART); and declaring an emergency.

- f. SUBAWARD AGREEMENT FOR FY23-THE SMART POLICING INITIATIVE GRANT PROGRAM (CITY WIDE) AUG06-25-225

Resolution No. 23962 relating to Subrecipient Agreements; approving the Federal Assistance Subaward Agreement (Agreement) between the City of Tucson and the Collaborative Solutions Lab, LLC; and declaring an emergency.

- g. FINAL PLAT FOR (TD-DIV-1124-00084) CIELO RESERVE LOTS 1-51 AND COMMON AREA 'A' (WARD 5) AUG06-25-213

- h. TITLE VI FARE EQUITY ANALYSIS FOR MASS TRANSIT (CITY WIDE AND OUTSIDE CITY) AUG06-25-221

Resolution No. 23959 relating to Transportation and Public Transit; approval of the City of Tucson Transit Services Title VI Fare Equity Analysis to Submit to the Federal Transit Authority (FTA); and declaring an emergency.

- i. FINANCIAL PARTICIPANT AGREEMENT: STRATEGIC FRAMEWORK COMMUNITY REINVESTMENT (CITY WIDE) AUG06-25-227

Resolution No. 23964 relating to Business Services; authorizing and directing City staff to establish Financial Participation Agreements with Mayor and Council Strategic Framework General Fund Allocation Recipients; and declaring an emergency.

(This item was considered separately.)

- j. INTERGOVERNMENTAL AGREEMENT (IGA): AMENDMENT WITH PIMA COUNTY FOR ANIMAL CARE AND ENFORCEMENT SERVICES (CITY WIDE) AUG06-25-226

Resolution No. 23963 relating to Intergovernmental Agreements; authorizing and approving the execution of Amendment No. 1 to the IGA between the City of Tucson and Pima County for the Provision of Animal Care and Enforcement Services within The City; and declaring an emergency.

It was moved by Council Member Perez, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Items a – j, with the exception of Item i, which was considered separately, be passed and adopted and the proper action taken

## 7. CONSENT AGENDA – ITEM I

- i. FINANCIAL PARTICIPANT AGREEMENT: STRATEGIC FRAMEWORK COMMUNITY REINVESTMENT (CITY WIDE) AUG06-25-227

Resolution No. 23964 relating to Business Services; authorizing and directing City staff to establish Financial Participation Agreements with Mayor and Council Strategic Framework General Fund Allocation Recipients; and declaring an emergency.

(This item was considered separately at the request of Council Member Perez.)

Opening remarks were made by Council Member Perez. Information was presented by Timothy M. Thomure, City Manager.

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

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**Clerk:** The item to be considered separately is Item I.

**Council Member Perez:** Hey. I had only just wanted to bring this up for discussion, for explanation, for myself and colleagues. Umm, obviously, this was prompted. With. Programming out of Ward 5, and so I kind of just wanted some clarity as to kind of going forward as to how myself and my colleagues will navigate the use of our framework funds.

**Mayor Romero:** Mr. Manager,

**City Manager Timothy M. Thomure:** Honorable Mayor, Members of the Council, if I heard the question correctly, it was about what the process is from here. This item if adopted by the

Mayor and Council, would then authorize staff, namely me, to directly enter into financial participation agreements with entities in the Community that meet the requirements of the strategic framework, which are fairly flexible but are intentional by the Mayor and Council. Council to achieve certain outcomes, and as long as we have that in place, we can administratively do those agreements so things can move forward much more quickly.

**Council Member Perez:** Awesome. Thank you.

**City Attorney Mike Rankin:** Honorable Mayor, Members of the Council, my request is that we establish clearly for the record that the manager has secured the approval by the Mayor and Council, the legislative body, for the subsequent administrative approvals of these agreements as they go forward.

**Mayor Romero:** And then I believe we need a motion to proceed and move the item forward.

**Council Member Perez:** So, moved

**Council Member Dahl:** Second.

**Mayor Romero:** Alrighty. So, there is a motion and a second. Any further discussion? Hearing none, I believe we need a roll call.

**Clerk:** Mr. Cunningham - aye; Mr. Dahl – aye; Mrs. Lee – aye; Mr. Perez – aye; Mx Uhlich – aye; Vice Mayor, Santa Cruz – aye; Mayor Romero – aye.

**Mayor Romero:** Item I on the consent agenda is approved by a vote of 7 - 0.

8. **PUBLIC HEARING: APPEAL OF ZONING EXAMINER SPECIAL EXCEPTION LAND USE DECISION, TP-ENT-1024-00022 TEP PERPENDICULAR CROSSING – ORACLE AND GRANT INTERSECTION, C-2 (WARD 3) AUG06-25-214**
9. **PUBLIC HEARING: APPEAL OF ZONING EXAMINER SPECIAL EXCEPTION LAND USE DECISION, TP-ENT-1024-00024 TEP PERPENDICULAR CROSSING – EAST 36TH AND SOUTH KINO PARKWAY INTERSECTION, PAD-15 AND R-2 (WARD 5) AUG06-25-215**
10. **PUBLIC HEARING: APPEAL OF ZONING EXAMINER SPECIAL EXCEPTION LAND USE DECISION, TP-ENT-1024-00023 TEP PERPENDICULAR CROSSING – BROADWAY AND EUCLID INTERSECTION, C-3, R-3, AND I-1 (WARDS 5 AND 6) AUG06-25-216**

(Items 8, 9 and 10 were considered together.)

Mayor Romero announced City Manager's communication numbers 214, 215. And 216, dated August 6, 2025, were received into and made part of the record. She said

this was the time and place legally advertised for an appeal of the Zoning Examiner's decision in Special Exception case TP-ENT-1024-00022 TEP Perpendicular Crossing – Oracle and Grant Intersection, TP-ENT-1024-00024 TEP Perpendicular Crossing – East 36th and South Kino Parkway Intersection, and TP-ENT-1024-00023 TEP Perpendicular Crossing – Broadway and Euclid Intersection.

Mayor Romero asked if the applicant or representative were present. She said the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations.

Information and presentation were provided by Tucson Electric Power (TEP) representatives Steven Eddy, Clark Breiner and Adam Melton.

Comments were made by Henry Werden, Daniel Dempsey, Mike Atwood, Kathie McLaughlin, Bernice Vanover, Aaron Paxton, J.P. Salvatierra, and Betsy Larson.

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

Discussion ensued.

It was moved by Council Member Perez, duly seconded, to approve the appeal request with any additional conditions the Mayor and Council deem necessary.

Discussion continued. Comments were made by Council Members Cunningham, Dahl, Lee, Perez and Uhlich.

(Vice Mayor Santa Cruz departed at 7:14 p.m. and returned at 7:21 p.m.)

Council Member Perez withdrew his original motion that was 36<sup>th</sup> and Kino Parkway specific.

It was moved by Council Member Lee, duly seconded, and passed by a roll call vote of 5 to 2 (Council Members Cunningham and Uhlich dissenting) to grant the appeals with respects to 36<sup>th</sup> and Kino, to Grant and Oracle subject to all the conditions as recommended in the Planning Development and Services Department recommended conditions in the report and the additional condition that no relief is sought by Tucson Electric Power with respect to Broadway and Euclid.

Tucson Electric Power representative, Adam Melton confirmed they will withdraw their special exception relief with regards to Broadway and Euclid.

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**Mayor Romero:** So, I might need the help of our city attorney to just helping me proceed with these. These are the public hearings announced. What I am going to do is I'm going to take items 8-9 and 10 together. At the same time and we were. We are going to consider them together as

well. So, let me read the heading City Managers' communication number 214, 215, and 216, dated August 6th, are received internally. Part of the record. This is the time and place legally advertised for an appeal of the Zoning examiner's decision in a special exception case. TP-ENT. 2400022 TP perpendicular crossing Oracle and Grant intersection. TP-ENT-1024-0024 TEP perpendicular crossing E 36th. And the S. Kino Parkway intersection. And TP-ENT 10240023 TEP perpendicular crossing Broadway and Euclid intersection is the appellant present. This is TEP. Please come to the MIC and introduce yourself.

**Tucson Electric Power, Director of Public Affairs Steven Eddy:** Madam Mayor, Honorable Council Members, for the record, my name is Steven Eddy. Address is 88 E Broadway. I appreciate all hearing the item this evening with me. We have TEP's assistant general counsel, Adam Melton. In addition, we have Clark Breiner, manager of citing outreach and engagement. So, I just want to provide just a little bit of context before I turn it over to Adam. The item before you this evening. Is an appeal to the zoning examiner's decision on a special exception process established by the Mayor and Council. That process provides relief from the city's gateway and ordinance for overhead construction within those corridors, so long as it meets specific criteria. And obviously, as noted in the case, perpendicular crossings are applicable to seeking relief. As I stated, Adam is going to go through some of the legal points that we have related to this case. But what I wanted to touch on briefly is the collaboration and partnership, as well as compromise, that TEP has established with the City of Tucson, not just for this project, but other initiatives that we have ongoing throughout the city. The Midtown Reliability Project dates back to 2019. During the six years that we've been engaged in that project, we have held dozens of public meetings, received thousands of public comments, which we believe speaks to the city's desire to really take public input and hear the community on major infrastructure projects like Midtown reliability. We feel that collaboration, partnership, and compromise apply to this project and this case. I will turn it now to Adam for his comments. Thank you.

**TEP Assistant General Counsel Adam Melton:** Madam Mayor, Council Members, thank you for having me again. As Steven said, my name is Adam Melton. I am an assistant general counsel at TEP. And I personally want to echo the sentiments about collaboration. I've been involved in several. Meetings with the city and its staff. I feel like it's a very productive relationship, even though many times we don't see eye to eye. I think one of the challenges. That we have before us today is that there's a bit of an elephant in the room in terms of. The concept of the Midtown Reliability Project is because. For six years, it feels like the battle has been TEP VS city undergrounding versus overhead, right? That is not what today is about. Through the six years of this project's development. When I highlight some things that we have actually collaborated with the city on the special exceptions themselves, some of you may recall that in 2020-2021, senior leaders of both the city and TEP got together and looked at common sense situations where. An underground crossing of a gateway route may not be the best choice, not simply because it costs more, but as I'm going to show you with some pictures. There's a real question that it doesn't look better either. We've gone through that effort and created some language. It was presented to this body and is passed into law, which is now found in UDC section 4.9, point 11, A 13. That is a mouthful. I'm just gonna say special exception from now on. Um. We've collaborated on the location of the line.

We heard loud and clear that Campbell was a non-starter. It is now moved. The line is not located within any gateway route. It is an 8 1/2 mile line. It connects the Arcino substation, which is at Kino and 36<sup>th</sup> Street, to our Demoss Petrie substation at about Grant and I-10. It crosses 91 roads. Three of them are gateways, as you all know. It's Kino crossed on 36 Broadway, crossed on Euclid, and Oracle crossed on Grant. As part of this project and as yet another further indication of collaboration, very recently, TEP and city staff have worked through what a possible solution to this could be. Obviously, it is in your hands. But I will echo the city staff's recommendation before the acting and zoning examiner was to approve all three overhead crossings. That is certainly TEP's position, and we think that is correct. Legal Result. However, there's been a conversation about assuming Oracle and Grant, and Kino, and 36 were approved. Overhead crossings were allowed. Could a condition be that the Broadway and Euclid intersection be crossed underground, meaning a denial of the appeal, or withdrawal of the appeal? From the TEPS perspective, if that was the decision today, we would live with it. It is something that's doable. But I want to make sure that you guys are making decisions with eyes wide open.

And so, I know we have a presentation I'd like to highlight a few things. And I want to recognize that your decision it's easy for lawyers to get lost in the words, make legal arguments, and you forget about that. They are real-world, practical impacts. I think it's important to look at the practical issues here. In terms of what's the difference between an overhead crossing and an underground crossing at these three intersections? Because it's not. Undergrounding is always better than overhead and vice versa. You have to look at each intersection. So, if we go to the next slide, please, this is just a map of the route. You know it. By now, I'm going to skip ahead. Next slide, please, and next slide. All right, so this is Kino on 36th, starting at the South, and what you'll notice is that the top picture is what it looks like today. The middle is a simulation of what an overhead crossing would have, and the bottom is a simulation of what an underground crossing would look like. The unique characteristics of Kino in 36 are that there are already poles there. An overhead crossing simply hangs the wires on those poles. There are no new pole structures. What you'll notice also is in the top.

The current layout has distribution and telecommunication lines going across the left side of the picture. All of that is going to be removed in underground as part of any of these two choices. If you look at the simulated condition, what's left is that you remove the poles on the left. The same poles exist; you just have more wires on them. It's a very clean-looking intersection. An undergrounding crossing. If you'll notice that there is a riser structure, we call it. That's on the left side of the road. I want to talk a little bit about those as part of this conversation. What these structures really are, but I think the size differential between them and a typical transmission pole will be evident shortly. Next slide, please. That's OK. This is just a yet another angle of Kino in 36. Again, if you notice on the bottom a simulated undergrounding crossing, you've got a riser structure on the left and a riser structure on the right. And this is what you would see driving north on Kino. There's, of course, no wire crossing between those riser structures, but there is the existing lines. The middle photo would be what a simulated overhead crossing. It would look like at this intersection. Next slide, please. Ultimately, what this does is it creates. Less wires in the air at this intersection by a fairly substantial amount, cutting the number of structures in half.

So, overall, we think that from just a generalized clutterness of an intersection, you can see the benefits here. Next slide, please. And one more, OK, this is the slide I want you guys to pay attention to closely. In the middle you see in the right-hand part of the photograph. This is a typical normal transmission pole. At the base, the foundation is approximately 2 feet wide, and it tapers up. And the bottom picture is an underground riser that would have to be installed at the same location. And I'll explain that in a second, too. Those riser structures. The pole then itself is 6 feet wide, and the concrete foundation is 8 feet wide. These are not insignificant pieces of infrastructure. There's a reason we don't have them in our system. You can see that as you're driving along this road, you see the other riser structure on the opposite end, sort of in the foreground of the picture. And that's because.

Two underground, you're taking an overhead line. Have to draw it underground under the road and bring it back up continually on. The Gateway Quarter zoning ordinances would require or prohibit, let me say, any utilities within the Gateway Route. More than 150 feet of the Gateway route, which means whether it's an overhead crossing or an underground crossing, you're gonna have some form of a pole structure, more or less 150-ish feet from the gateway routes. And the difference is sheer size and magnitude. What I would also encourage you to do is, as part of our papers that we filed, there are a number of exhibits. Look at exhibit E. It is an engineering schematic that shows essentially a scaled version. Of a pole versus riser structure. So, you can again get the kind understanding of what the difference is. But to say categorically that undergrounding and intersection with those structures is less impactful on the land around it than much smaller poles and wires, I think it is flawed to be.

To be perfectly candid. But again, it is not technologically impossible. Next slide, please. These are just further statistics of the of the overall reduction of the structures and wires from the current to an overhead crossing situation. Again, it's due to undergrounding, the distribution and the telecommunication lines, and therefore being able to retire several of the Poles. Next slide. And finally, one more in this historical and grant on Oracle and Grant is an intersection. The rhino has no utilities in it. But as you also know, it's a heavily commercialized area. The middle is again simulated. What an overhead crossing would look like, and the bottom is an underground section where you could see the riser structure there. The one thing I want to point out on this is. These simulations were created. Several months ago, at the time, it was intended that the line in the middle would cross, and then that pole would look more robust than usual. It's because it was going to be what we call a turning structure. It would have wires come in and then turn you to just the laws of physics. You need something more sturdy. That's actually not the case now. So, we would have what I'm going to call a normal pole. I think it's also important to recognize that these riser structures are the same height as a normal transmission pole, so they're not shorter and they're not less invasive. So that's sort of the lay of the land of what it would actually look like, more or less. Obviously, these are simulations. Real world would have some minor alterations, depending upon infield adjustments. But I think it's also important to recognize a couple of things, too, and that is. In total.

If there were three underground crossings, the effect is undergrounding about 3/10 of a mile of line. That's a little over 3 1/2 percent of the total mileage of this of this line. Let's turn to cost now. We've done preliminary. Engineering designs for undergrounding, one of the intersections. Broadway Euclid to get an estimate of what that cost would be. Our estimate is that the

incremental increase is about \$5.9 million. Now, look, that's an estimate. Could it be less than that? Sure. Could it be more than that? Sure. We don't know for certain, but it's a reasonable number. And even if you knock it in half, you're talking millions of dollars of extra cost for undergrounding about 3/10 of a mile of a line. And not to. Avoid the obvious costs or concerns.

We are concerned about affordability. We know that our Commission has particular interests over this, and so we are very cautious about inviting these types of costs on for our customers. And so, I will say I if you look at the acting zoning examiner's decision. Umm. We believe it's severely flawed, not because of the conclusions he reached, but because of how he reached those conclusions. I state this in the papers we've submitted, and I'm not going to rehash them over and over here, except to say that his interpretation. Of UDC, Section 3, points 4.5. If left standing makes it so that it's impossible for any special exception to ever be granted. And that is an absurd and an arbitrary, and capricious interpretation of the statutes, and so we encourage you not to just adopt his analysis. And so, with that, again, I'll yield the balance of my time. But again, I want to reiterate that. The Planning Development Services Department recommends overhead crossings. We believe in the plain language of the ordinance Councils towards overhead crossings. We believe it's more aesthetically pleasing not to have those riser structures bracketing these roads, and it's certainly cheaper for our customers. And so, our ask is that all three appeals are accepted. Thank you.

**Mayor Romero:** Thank you, Sir. Yeah, I'm gonna go to our city attorney just in case you want to add us and then help lead us, and then our City Clerk, Suzanne Mesich, to help us go through this public hearing.

**City Attorney Mike Rankin:** Sure, Mayor. And as has been discussed, this is a public hearing. Actually, scheduled as three consecutive public hearings on appeals by TEP from the zoning examiner's decision in these three cases. The cases, as you know, are asking for relief from the undergrounding requirements that otherwise apply. Where transmission lines go along a gateway corridor, and so as was described, the three intersections in question are Oracle and Grant, Kino, and 36 and Broadway and Euclid. The zoning examiner denied the special exception request, and pursuant to the Code. TEP has now appealed those decisions to you as the Mayor and Council. So, what you do tonight is you consider the information in the record and the testimony that you hear tonight, and then the Mayor and Council will close the public hearing and make a decision on the three appeals. You can choose to deny each appeal and affirm the Dec. That the zoning examiner made. Or you could grant the appeals and reverse those decisions. Or you could grant the appeals and impose additional conditions. And in your materials, the Planning and Development Services staff provided recommended conditions in the event that you do grant the appeals at each of these locations, which is what the recommendation from staff was, as has been mentioned, these were three separate appeals for three separate applications scheduled for.

One-hour hearings each, the appeals all relate to the same project. And the same alignment. So, my suggestion, I agree with the Mayor to consolidate the date of the public hearing process so that the speakers now don't have to get up, talk about one, sit down, get back up, talk about the next one, etcetera. Just let them talk about all three, and then you can consider your decision for each of the individual cases. In the event that you do decide that a reasonable outcome would be to grant the appeals with the additional conditions recommended by staff. With respect to the two

intersections. But requires the undergrounding at the Broadway and Euclid intersection. That is an outcome that you can achieve. And I'll help you guide through that if you if that is the decision you make after the public hearing.

**Mayor Romero:** Thank you, Mr. Attorney. Ms. Clerk?

**Clerk:** Yes, your honor. This is also an appeal, as Mike said, so we have an order of appeal. We've heard from Mr. Eddy and Mr. Melton from Tucson Electric Power. We will have a public hearing for people who want to address the Mayor and Council, followed by a rebuttal or further information from TEP, response from the Planning and Development Services Department director, if any. And then the Mayor and Council may direct questions to the parties appearing before them or any other persons who may have relevant information in order to establish the reasons for the decision. And then the Mayor and Council may discuss the case or cases or act on them.

**Mayor Romero:** Thank you so much, Ms. Clerk. I'm looking at the cards and I am not seeing any repeat names so. I am going to just take him in order and when I call your name, please come forward and state your name, whether you live in the City of Tucson or not, who you are representing and whether or not you are a paid speaker. So, our first speaker is going to be Tommy Mercado. And remember that speakers are limited to five-minute presentations.

Comments were made by Tommy Mercado, Henry Werden, Henry Urcin, Daniel Dempsey, Mike Atwood, Kathy McLaughlin, Bernice Vanover, Erin Paxton, JP Salvatierra, and Betsy Larson.

**Mayor Romero:** Thank you, That was the last card for this public hearing, but I do want to ask if there's anyone else in the audience wishing to be heard on this issue. You can speak now. OK, I'm not seeing any. If not, I may have a motion to close the public hearings.

**Council Member Uhlich:** So, moved.

**Council Member Dahl:** Seconded.

**Mayor Romero:** There's a motion and a second. Any further discussion on the motion to close the public hearing? Hearing none, all those in favor, please indicate by saying aye.

**All:** Aye.

**Mayor Romero:** Any opposed, the public hearing is closed. What is the Council's pleasure on these items?

**City Attorney Rankin:** And, honorable Mayor, the order of proceedings, the applicant does get an opportunity to respond to or rebut the comment that came up during the public hearing, before the Mayor and Council deliberate on your decision.

**Mayor Romero:** Is the applicant willing to rebut?

**Applicant TEP:** The rebuttal is going to be short. There are feelings that this is the TEP's attempt to violate city law. It's actually quite the opposite. We are trying to comply with city law. City law says utilities shall be underground in any gateway route unless certain conditions are met. For these perpendicular crossings. And that's what it issues. So, that's it. We support the attorney's office. His recommendations in terms of the choices you have before you, and as I said before, I look forward to your decision. Thank you.

**Mayor Romero:** Thank you. What is the Council's pleasure on these items?

**Council Member Perez:** Mayor Romero, I'm uh. You know, I. This has been a discussion for years. I remember where I was when I first learned about this. What, four or five years ago? That being said, you know I might have my own thoughts on undergrounding Ward 5 residents. Through the intensive engagement that TEP had done with them. Had no opposition to overhead lines and so. That being said, the one in particular of interest that I would be in support of. Overhead lining would be Kino Blvd. I'm unsure as to how I would proceed with Broadway and Euclid, though.

**Mayor Romero:** Mr. Attorney, can you help us with this particular? Do it one at a time, or do we do it all at the...

**City Attorney Rankin:** So, they should each be voted on one at a time. I would suggest starting with the 36th in Kino. If there's a motion to approve to, grant the appeal and reverse the zoning examiner's decision, however, is subject to the conditions as recommended by staff in the Attachment. I think it's an F.

**Mayor Romero:** OK. So that's your motion, Council Member Perez, to move to approve the appeal request with any additional conditions the Mayor and Council deem necessary and appropriate.

**Council Member Perez:** Yes

**Council Member Cunningham:** Seconded.

**Mayor Romero:** So, there is a motion and a second, and there's further discussion. Council Member Dahl.

**Council Member Dahl:** I have a question. What are the conditions? So, I don't have to look it up on my computer.

**City Attorney Rankin:** It's actually a fairly extensive list. It's in your materials attachment F. It includes that a development package in compliance with the revised preliminary development Plan requires reports dated January 24th is submitted and approved in accordance with the requirements of TEP to comply with all conditions listed in the approved Certificate of environmental compatibility. That's the CEC. That was considered in the docket. By the ACC, historic or prehistoric features or artifacts discovered during the future ground disturbing

activities must be reported to the city of Tucson, a historic Preservation Office officer pursuant to ARS 41865, discovery of human remains and associated objects found on private lands in a. must also be reported to the director of the Arizona State Museum. Condition 4.

Any relocation or modification of existing utilities or public improvements necessitated by the proposed development shall be at no expense to the public condition. 5-5 years are allowed from the date of initial authorization to implement and effectuate all the code requirements and conditions of the granting of the special exception, then a series of land use. And compatibility conditions 6. Transmission pole height is not to exceed 92 feet. 7 subsurface installations will require a submittal to RWRD utility coordination. A TEP to notify the Planning and Development Services department of any route or pole placement changes prior to submitting for a right-of-way permit with DTM. Our Department of Transportation and Mobility 9 TEP to collaborate with each neighborhood and or Neighborhood Association that parallels the project intersection I want. To make sure this one refers to Oracle and Grant, but as I'm reading it, but this is for the 36th in Kino. Paul finishes may include weathered steel, galvanized, or painted. It's more conditions with respect to finishing the 10th TEP to remove the. 46K VS substations and lines. And 11 to remove existing parallel overhead lower voltage distribution lines underground. So those are the general conditions that have been tailored for each of individual. Intersections as they apply.

**Council Member Dahl:** Thank you. I appreciate that.

**Mayor Romero:** Any others? Council Member Uhlich.

**Council Member Uhlich:** Thank you. I want to appreciate the folks who have come to speak and TEP for presenting your perspective. We all last summer, I think, sat through a good month's worth of ACC Line Sightings, subcommittee or committee meetings. I really want to give a shout out to Dan Dempsey, a volunteer who. Had. You know, filed to have standing, I guess, or status to be at that table to offer expert testimony. And I'm telling you the depth of knowledge. It is just deeply respected and appreciated. I don't. You know, I don't know what we would do as a city without folks. Like Dan, who volunteered that much time. So. I will be supporting the zoning examiner. I typically do. It's very unusual for me not to agree with either the zoning examiner or the Planning Commission, because I do believe they know more than me. And. So that's one thing. And you know, there are kind of broader questions I appreciate hearing from the neighborhood.

I really hear you loud and clear, and I respect your Council Members listening to exactly what you're willing to accept in this case. I'm part of the struggle; for me, it's even on the map we received. It shows. The route that's been approved, but the line citing committee also did. Say, or you can do Campbell Ave., right? They didn't rule out Campbell Ave., and I think the cost estimate that during I can't remember all the numbers but was it around \$60 million to have to go underground along the right. And now we're saying 3 intersections are gonna cost what 20 million did you? How much are they? Each of these didn't you say 6,000,000 per intersection. So, 18,000,000, I thought that's what you just testified. I'm sorry.

**City Attorney Rankin:** Yes. Now he can address the question because the rules allow a direct questioning of the applicant.

**Applicant TEP:** Yeah, and I'm happy to answer any more. The preliminary engineering estimate to underground at Broadway and Euclid, which would include the riser structures as I talked about, sort of the shortest span of undergrounding, which we'd like the cheapest span, was an additional \$5.9 million. Again

**Council Member Uhlich:** 6,000,000.

**Applicant TEP:** Yeah, 6,000,000. The overall 1 intersection in one year. To put that into context, the overall budget for the entire ANF mile line is 19. So. It has a huge impact on costs. The actual impact on cost is unknowable. Here it is because we don't have final designs. But yes, it is not insignificant.

**Council Member Uhlich:** Thank you. I appreciate it. I'm you know, it's just a lot to process, but what just occurred to me, having sat through last summer, is 60 million to do all of Campbell, 18,000,000 to do these three intersections. It's been challenging.

I respect the opinions and positions of my colleagues. I really do the notion that all of this will absolutely have to be passed on to ratepayers. It's challenging, right? We've been on a lot of dialogue on a lot of things right now and of late. You know, these were agreements that we thought we had, right, and that cost wouldn't be the factor. And., I don't know what the total cost of this legal process has been. You must believe that it's long-term. Gonna save a lot of money because there will be other instances where undergrounding will not be what you want to do. But I just, yeah, I can't support the motion, and I'm gonna hold to the zoning examiner's recommendations.

**Mayor Romero:** Council Member Cunningham.

**Council Member Cunningham:** So, a few things. I'm gonna do this one. And talk about this one specific intersection. Because. I'm going to side with the neighbors on it, specifically this one, but I wish the neighbors would ask for more, like an underground credit for some of the other residential lines in the neighborhood. If there's a place they want, if there's like a line going across the park or something, they could get that at least underground. The whole process to me is. We made the rules for a reason. And, I happen to live on Kolb Rd off Kolb Rd., which has both sides of the street with transmission lines, and it isn't pleasant, and I've not liked it forever. And I can't stand driving to other communities in Arizona. And there are no overhead lines. And one of the things that's come up is our mountains and our views. And we have the most aggressive overhead lines, a utility partner in what I feel is the state.

So that's my first thing. The second thing is your lineup card with the photos you've ever heard of an unduly suggested lineup. That's when, back in the day, I loved the lawyers laughing at that. That's like when back in the day they had a police lineup with five guys and they put in like 10 fat guys and one skinny guy and the one skinny guy's a suspect. That's what these pictures tell me. Is you made the worst possible picture? So that's not sincere. That's not sincere. And you

guys came out; you went and got 25% in three years, and you asked for another 14% on top of the 25%. You got the previous decade on top of that with the 4% from 1980-98 to 2010. Something's gonna give you. Remember my newsletter six years ago when I said you weren't a good community partner, and we kind of made up. We kissed and made up. And to be fair. The two guys you got working government liaisons, I mean Joe and Stephen, are going guys, they're excellent. They're totally responsive to me. They're good people. But I am so frustrated with TEP and the decisions that your team is making. So, are you a feeder to the fire for me? I'm gonna side with the neighbors because they're here and I've got your back. And besides, the overhead, lime does look better because of the way that I got you. I got you. But at the end of the day. Hey, I think y'all should ask for more. I mean, not only did they get three rate increases, but Ruko, which is the official government office that advises recommended against it. And the bottom sole corporation Commission agreed to it.

So, there I'm not within. I've already said for the record, I'm not even sure if we should renew the franchise agreement. We've now gone on the voters twice, and this model is flawed. We do not answer to Canadians. Stockholders, that's just not what our utility should be doing. So, for me, I'm going to vote for this one. But the other two are a big fact. No, and not only that. I think we should add a condition that you don't get to do the stand-up stanchion thing. I think we should add those conditions in, and I'm fine with that. That's what I'm willing to do. That's kind of where I'm at for the next two items. But. We've got some things to fix with TEP because we just went through that franchise agreement process, and I had to sit there defending him, and a lot of people are super, super upset with you guys, and I'm not going to carry that water.

**Mayor Romero:** Any others? Council Woman Lee,

**Council Member Lee:** I just have a quick clarifying question for TEP. I hear from the neighbors; I hear the frustration. I hear the concern. The one piece that I would like to confirm is really who would be paying the cost of the \$5.9 million difference. On Broadway and Euclid, because I've heard from Ward 4 residents that we too live by giant transmission lines and asking the rest of the community to pay higher rates so that one area. Doesn't have to look at transmission lines. It doesn't feel very fair to some folks in other parts of town, so I'm just trying to understand who actually pays, because I've heard that they're not supposed to pay the rate. Payers are not supposed to have to pay for it, but it sounds like we do. So how does it actually work?

**Applicant TEP:** Attorney Rankin. I'm not sure it's my place to give the Council true legal advice on this, but I will say this from a rate structure, so the cost of any capital investment of any project, like this particular transmission line are simultaneously born through the FERC rate. The federal rate for wholesale transmission customers is a piece of it. But the bulk of it could be passed through to ratepayers through a rate case. A concern that exists is that there's nobody in this room. Not one person who can stay for certainty. How that will go about? There is an active situation at the Commission right now involving the town of Sedona. Where, through their ordinances. I think there was a requirement to underground a water storage tank despite the utility and the town staff stipulating on how that funding would be covered and sort of socialized in a way that's the least impactful on a per customer basis. This Commission did order on its own a surcharge only to the ton of Sedona residents, and so the rate-making process is one that is

controlled by the Commission, and the Commission has. Their own views of the world. Which often conflict with our local views of the world. And so, to say how it's going to be recovered. It's an impossible question to answer. But there's a risk that it's going to be borne by the city of Tucson residents.

**Council Member Lee:** I appreciate. That's helpful because, like Council Member Cunningham said, I know folks are very tired of seeing their electric bills going up, and it's really hot, and everybody's electric bills are really high right now. So, I'll just put it out there. That is based on what I hear from folks in Ward four; they do not see this as a fair situation across the city. So, I will be voting to just personally accept the appeal and not share the cost of this across all ratepayers if we can avoid that for the three. But I understand where everyone's coming from, and it sounds like the votes are probably there, but that's just kind of a perspective from what I hear from Ward 4 folks often.

**Mayor Romero:** Any others? Council Member Uhlich

**Council Member Uhlich:** And I really appreciate that Council Member Lee, and it's a persuasive point that you make, and you know, looking forward, I would say that in order to address those kinds of concerns, I mean, we established gateway corridors. And so, if we. I just. I guess that's the crux of the zoning examiner's recommendation that those were and established by the Mayor and Council with certain rules and expectations, and requirements. And so that's, I just wanted to clarify that that's what I'm trying to hold to.

**Mayor Romero:** Any others?

**Mayor Romero:** Council Member Cunningham.

**Council Member Cunningham:** Couple of things in. Work, even if these only costs 12 million bucks, because you're going to get one of them, you're going to get Kino. So, let's say this costs 12 million bucks. That's \$4.00 amortized over 10 years per repair over 60 months. That's like \$0.08. So, you're not going to sell me that this is should be affecting rates that much. You can't go back to a 14% increase when we're talk when we're talking about 200, and excuse me, 220,000. Residential accounts in three and 60,000 commercial accounts and tell me that you got to raise everybody \$30.00 a month when you got to raise only 12 million bucks over 10 years. You're just not going to sell me on that.

So that's kind of why I'm like, wait a minute, not so fast. Your math isn't mapping. It's the same discussion we had last time I talked to you guys, where you're carrying \$160 million in debt service, you're carrying 600 million in O&M. And your report and total revenues at 1.3 million, your tax, your stockholders are only allowed to get 137 million of that? So, where's the other \$340 million? That's why I'm so. I'm so frustrated with this whole situation. And for me? It's kind of messed up with. It's messed up our town a little bit. We have had the opportunity to start undergrounding a long time ago, so I'm super sensitive to this. I just don't think. We've been where we are. I've tried to help you guys out. I suggested having underground credits, where if it made sense, fine, we'll do the thing, and then. But at least we could have a place where we can stay underground at other spots. Or hey, if you want these exemptions, that's fine. Then at least

sign something that says you're not going to raise rates. For two years, if we're going to save all this money, but we didn't get either of those things. So, what are we really talking about? Because we're not talking about good faith.

**Mayor Romero:** You know, I just want to add in Council Member Perez, I understand. You know you've had conversations with your residents? I agree with Council Member Cunningham that. As neighborhoods, we should be asking for more. Adding funds for aesthetics and beautification, there is a reason why we have seen each other in corridors in our community, and you know the City of Tucson. On, especially in areas of historic disinvestment. The Mayor and Council have moved. To add. Infrastructure and beautification efforts to areas right there on 36th and Kino, Las Vistas, and Western hills. This is a project that is near and dear to my heart. The City of Tucson, with federal funds, is adding more than \$20 million. Dollars to this area, trees, and safe routes to school. So, so many amenities to make sure that aesthetically, the people in this area receive the much needed and well-deserved investment.

But I do understand if that's what the Community wants to do, work with TEP. Make sure that TEP is a good partner with you. But I agree with Council Member Cunningham that that's as far as I'm willing to go. I think that as a city corridor, Broadway Euclid is important, and that we keep the same in Oracle and Grant is an area that. Again, we're trying to invest in infrastructure and. Beautification efforts, right? That's the Thrive in the 05 and. We need to make sure that we continue investing in our community. Aesthetically, I think that. Looking at the simulations. It really looks horrendous on Oracle and in Grant. It doesn't look as bad based on the simulation on Kino and 36. But that's where I am. I will support on this, but I think that it's important that we, the other two corridors, are protected. And that we, you know, ask TEP to make them investments.

**Mayor Romero:** So, we have a motion on the floor. Anyone else who wants to add.

**Council Member Perez:** Would actually be amenable to withdrawing my motion. OK,

**Mayor Romero:** Yeah. OK.

**Council Member Perez:** I think if anything, it sounds as though it might be, and I'm unsure if we decided to proceed with it.

**Council Member Cunningham:** I think I'll be honest with you. I think that we should do 36 in Kino because the actual simulation looks better, and the neighbors have already kind of made their deal. I think that the neighbors should go back to TEP and try to get some extra, but I'm willing to do that tonight. Because. We have got to respect what our constituents want, and at the end of the day, it's a double whammy, the constituent said. Hey, we'd rather have the over ground because they're going around the one place. And in the picture, it actually looks better. So, I get that part, but for the other two, no, no, no, no. And so that's kind of my thing. I think it would be irresponsible to try to go back and get a Community benefits agreement or something like that right now for this, because I've already put enough bad faith with TEP out there. So, I think we'll be fine. In negotiations going forward, OK, great. And

**City Attorney Rankin:** Honorable Mayor, Members of the Council, I just want to accurately read the last two conditions. That is, in fact, specific to the 36 in Kino I mentioned that there were tailored conditions for each of the three with respect to land use and compatibility, and this goes somewhat to Council Member Cunningham's point. The two additional conditions specific to the 36th and Kino Location would be necessary if you grant the special exception, but with these additional conditions, 9 TEP shall remove, including along the north side of 36th St. All 46 KV substations and lines, including wires, poles and other equipment that are no longer required as a result of the upgraded 138 KV substation and transmission line period removals, are estimated to begin in 2027 and complete by 2037 based on. An estimated in-service date for the Vine substation and associated 138KV transmission line in 2027. TEP coordinates and works with both PDS and DTM. On meeting this condition. And then, condition 10 TEP shall remove all existing parallel overhead lower voltage distribution lines. I shall move on them underground, currently located within the same road right of way as the project as constructed. TEP shall notify all joint use attached within six months of certificate approval so they can begin to relocate their facilities.

**Mayor Romero:** I have a question. Mr. Rankin. How do we proceed? Because it is, it seems as though. There, there's a certain direction that my colleagues on the Council and I wanna proceed in does. Does this give TEP an additional layer of appeal or what? What? What's the? What's the process as we move forward with? With what we have as an option right now.

**City Attorney Rankin:** Mayor Romero, Members of the Council, so this is the final step in the decision-making process with respect to you. Decision on appeal. What you act tonight, you either grant or you deny the appeals, thereby either reversing or affirming the decision of the zoning examiner, with the additional condition. If they are imposed after that, that's the end of the road in terms of the administrative proceedings; TEP could seek judicial Relief and file an action in Pima County Superior Court. Seeking a special action relief from what your decision is here can TEP, it's a denial.

**Mayor Romero:** Can TEP approach our attorney's office so that they can? That you all can speak before there's any appeal to the Superior Court, in other words, can you? All attorneys talk and see there if this is something that TEP can. Agree with.

**City Attorney Rankin:** Certainly, those conversations could always occur. What I would not have the authority to do would be to disturb the decision of the Mayor and Council.

**Mayor Romero:** So, Council Member Uhlich.

**Council Member Uhlich:** So, just a question because I thought I had heard at the introduction of this I or maybe you said, Mike, 1 option would be to say yes on two, not on the other. Now I don't know where we are, but it sounds like we might be. Yes, on one and no on two. So, I guess my question is, we've closed the public hearing, and I think maybe what the Mayor's question is? If the direction is No on one. Two. Yes on this one. Do we need to continue this item to allow for more? For more understanding, or ...

**City Attorney Rankin:** Council Member Uhlich and I would say no.

**Council Member Uhlich:** And I don't suggest that that's Council Member Dahl's motion at this time for Grant and Oracle. But I am just trying to process how this is getting a m

**City Attorney Rankin:** Council Member Uhlich. I would say no; you don't have to do that. I think the point of making that point at the beginning was to let you know that. In the event that the first two were in fact approved, 36th in Kino and Oracle and Grant, then TEP would be prepared to withdraw its application for special exception with respect to Broadway and Euclid, which would mean they wouldn't be able to pursue any relief in Superior Court because they would have withdrawn that. But you are free to make your decision on each of the three if ultimately, it's to grant the relief. At Kino, but not at Broadway and Euclid, and not at Grant and Oracle, then those are your decisions. And then they have a decision to make. OK. Thank you.

**Mayor Romero:** Council Woman Lee.

**Council Member Lee:** I'll just say just super quick. Paul, you did change my perspective in the fact of putting it at \$0.08. So, I'm I understand that. I appreciate that extra context. I'm just very. Sensitive. To asking everyone to pay for things that are only going to benefit in certain areas, and that's kind of how some of the sentiment is. So, I will support what we decide to do on this front because it is such a small amount of money, but I'm just very, very sensitive to how we move forward

**Council Member Cunningham:** And to be fair, it's between 8 and 27 cents,

**Council Member Lee:** OK, eight and 27 cents, OK. I think that is acceptable for the folks, but that's just a bigger piece that's resonating for me right now.

**Mayor Romero:** Also, as barring board was the board. Of our own utility water utility. And I know that as a board of our water utility, we put away money for capital investments. And so, I know that there's room for capital investments in a utility company. If you know if they're doing responsible investments and planning. So just wanted to add that Council Member Dahl. And then I don't know, Council Member Perez, if you had your hand up. OK, go ahead.

**Council Member Dahl:** So, coming into this, I reviewed that the staff recommends that we overturn all three and allow over. Above-ground transmission lines at all three intersections. That is right? But there was this other option of Kino and 36th and Grant and Oracle. We agreed to it with a provision that would be on each of those motions, subject to TEP withdrawing their appeal for Broadway and Euclid. To me, Broadway and Euclid is the most important, and I was leaning towards that. And I think I still AM. I hope that it also encourages TEP to look seriously about undergrounding into the neighborhoods north of there. Because I think that's significant and that's going to be a big fight no matter what. But by taking it out of the potential for appeal, that's what's appealing to me. Because we can vote, and it won't resolve it.

Because I assumed that there would be further legal appeals and further expense, so that's what I'm leaning towards, and I don't know if I need to encourage my colleague Council Member Perez to put in that provision. When I do Grant and Oracle, and I assume I will because it's worth

3:00 AM, I'm thinking about Grant and Oracle. Is there transmission lines down, Grant? Having that one little thing as a scenic window doesn't make sense to me. I like what we're doing in Thrive in the O5, and it has improved. I mean, Milagro and Oracle, is you see from McGarry's, is a good-looking business on that corner. We still have Circle K, we still have a car sale, but. To have a few lines over that. In exchange for certainty on Broadway and Euclid, I thought that was a good deal. So that's how I'm leaning. Thank you.

**Council Member Perez:** I would concur.

**Mayor Romero:** All righty. So, we need that in the form of a motion.

**City Attorney Rankin:** Yes, I mean, if you want to proceed down that path, what I'd recommend at this point, then withdraw the motion that was 36 and Kino specific. You can make that motion, Council Member Dahl, if you're so inclined, that the Council approve the two with the condition, that the Broadway and Euclid you could be withdrawn, and then we'll see what happens. There's one motion that's fine by me.

Yes, seconded.

**Mayor Romero:** Please, please repeat the motion.

**City Attorney Rankin:** As I understand it well, first of all is the first motion is withdrawn, and it's agreed to with us by those who've made the second.

**Mayor Romero:** Yes.

**City Attorney Rankin:** OK. So, from what I understand, the appropriate motion would be to grant the appeals with respect to 36<sup>th</sup> and Kino and 2) Grant and Oracle are subject to all the conditions as recommended in the PDS recommended conditions in the report. And the additional condition that no relief is sought by TEP with respect to the Broadway and Euclid intersection.

**Council Member Perez:** How was you? I'll move the motion forward.

**Mayor Romero:** So, there is a motion and a second and. Council Member, you're free to do it as you'd like. I just want to make sure that the Council Member is satisfied. Including Grant and Oracle on that.

**Council Member Dahl:** Yes, your honor.

**Mayor Romero:** OK. Alrighty, so then there's a motion in a second.

**Constituent JP Salvatierra:** And is there any point of? Information for the discussion online.

**Mayor Romero:** There is further discussion, JP, and please stop interrupting our meetings. Please, please stop interrupting our meetings. So, there is a motion and there's a second. If there's any further discussion, Council Member Cunningham.

**Council Member Cunningham:** Look, they said they do Broadway and Euclid anyway and. We're gonna grant. I'm OK. Granting him 36th. I'm OK with 2/3 of this motion. Unfortunately, Grant and Oracle is a poison pill. I think that we can't put overhead lines where they're already where there are no overhead lines right now. We should not do that. I'm just. I'm not gonna be cool with that. And we gotta, what's the point of me having expectations for people if I'm not gonna have expectations? For our partners. So, what I'd say is we should do these one at a time. Let's see if this one has, but if this doesn't pass, I think we should do these one at a time. That's what I'll say.

**Mayor Romero:** OK. So, there's a motion to 2nd. Any further discussion? On this motion. OK. I think we need to go to Roll Call.

**City Clerk Suzanne Mesich:** Yes, your Honor, Mr. Cunningham – No; Mr. Dahl – aye; Mrs. Lee - aye; Mr. Perez – aye; Ms. Uhlich – No; Mayor Romero – aye; and I left out Vice Mayor Santacruz – Sorry - Aye.

**Mayor Romero:** Alrighty. Motion. Passes, so we have direction. Please interpret.

**City Attorney Rankin:** What I would like is for TEP to confirm on the record that, based on that, they will, in fact, withdraw from the request for special exception relief with respect to Broadway and Euclid.

**Applicant TEP:** As stated, TEP hereby withdraws the appeal of the special exception denial for Broadway and Euclid.

**Mayor Romero:** OK. Anything else? Alrighty, so motion passes. 5-2, all right. We move on to item 11.

**9. PUBLIC HEARING: APPEAL OF ZONING EXAMINER SPECIAL EXCEPTION LAND USE DECISION, TP-ENT-1024-00024 TEP PERPENDICULAR CROSSING – EAST 36TH AND SOUTH KINO PARKWAY INTERSECTION, PAD-15 AND R-2 (WARD 5) AUG06-25-215**

(This item was considered at the same time as Item 8.)

**10. PUBLIC HEARING: APPEAL OF ZONING EXAMINER SPECIAL EXCEPTION LAND USE DECISION, TP-ENT-1024-00023 TEP PERPENDICULAR CROSSING – BROADWAY AND EUCLID INTERSECTION, C-3, R-3, AND I-1 (WARDS 5 AND 6) AUG06-25-216**

(This item was considered at the same time as Items 8 and 9.)

**11. PUBLIC HEARING: AMENDMENT TO GRANT ALVERNON AREA PLAN (WARDS 3 AND 6) AUG06-25-223**

Mayor Romero announced City Manager's communication number 223, dated August 6, 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 on the Grant-Alvernon Area Plan. The planning area is approximately three and one-half square miles within the central portion of the City of Tucson. It encompasses the seven neighborhoods in the Grant and Alvernon area, as well as a section in the northeast of the planning area that is not covered by a neighborhood association. The area is bounded by Fort Lowell Road to the north, Columbus Boulevard and Swan Road to the east, Country Club Road to the west, and Speedway Boulevard to the south.

Mayor Romero said the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations.

Comments were made by JP Salvatierra, Vicki France, and Ronnie Kotwica.

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

Discussion ensued.

Mayor Romero asked the City Clerk to read Resolution 23960 by number and title only.

Resolution No. 23960 relating to Planning and Zoning; approving an update of the Grant-Alvernon Area Plan, in Case TP-AMD-0625-00007 for properties bounded by Speedway Boulevard on the south, Fort Lowell Road on the north, Swan Road and Columbus Boulevard on the east, and Country Club Road on the west; and setting an effective date.

It was moved by Council Member Dahl, duly seconded, and passed by a roll call vote of 7 to 0, to pass and adopt Resolution 23960.

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**Clerk:** Public hearing amendment to the grant Alvernon area Plan Resolution number 23960.

**Mayor Romero:** City Manager's communication number 223 dated August 6th is received into and made part of the record. This is a time and place legally advertised for a public hearing to take formal action on the grant award area plan. The planning area is approximately 3 1/2 miles within the central portion of the city of Tucson. It encompasses the seven neighborhoods in the grant and Alvernon area, as well as a section in the Northeast of the planning area that is not covered by a Neighborhood Association. The area is bounded by Fort Lowell Road to the north and Columbus Blvd. And Swan Road to the. East. Country Club Rd. To the West and Speedway

Blvd. On the South. This public hearing is scheduled to last for no more than one 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 or not you are a paid speaker. Ms. Clerk, do we have any speakers?

**Mayor Romero:** No, your honor. All righty. We do not have any speakers. Is there anyone in the audience? Wishing to be heard on this item. Alrighty, Mr. Salvatierra. And then we'll call them on a return. Please use the higher mic.

Comments were made by JP Salvatierra, Vicky France, and Ronnie Kotwica,

**Mayor Romero:** Thank you, Ronnie. Alrighty, if no others want to be heard on this item, I need a motion to close the public.

**Council Member Dahl:** So, moved

**Council Member Cunningham:** Seconded

**Mayor Romero:** There is a motion and a second. Any further discussion, hearing none, all those in favor of closing the public hearing, please signify by saying aye.

**All:** Aye.

**Mayor Romero:** Any against, motion carries. This public hearing is closed. Ms. Clerk, you are requested to read Resolution 23960 by number and title only

**Clerk:** Resolution No. 23960 relating to Planning and Zoning; approving an update of the Grant-Alvernon Area Plan, in Case TP-AMD-0625-00007 for properties bounded by Speedway Boulevard on the south, Fort Lowell Road on the north, Swan Road and Columbus Boulevard on the east, and Country Club Road on the west; and setting an effective date.

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

**Council Member Dahl:** Madam Mayor, I move that we adopt Resolution number 23960.

**Council Member Uhlich:** Second,

**Mayor Romero:** There is a motion and a second to pass an adopted Resolution 23960. Any discussion.

**Council Member Dahl:** My express great thanks and admiration. Should the citizens who work so hard.

**Mayor Romero:** Yes,

**Council Member Dahl:** I watched you from afar occasionally. There was a flurry of emails where something needed to be done, and I noticed you got something done.

**Mayor Romero:** Congratulations. Absolutely. Thank you so much for your work. We know that this is volunteer work and that you do it for the love. Of our community, not just your neighborhood, not just your area. So, thank you so much for the time invested in this. Any others?

**Council Member Cunningham:** I want to a point of personal privilege,

**Mayor Romero:** Council Member Cunningham.

**Council Member Cunningham:** So first of all, thank you for your work on the Grant and Alvernon. I've had a crazy year. So, Ronnie and Ron, I just wanted to tell you guys on how much I love you. And. You know, with Reed and just all the stuff that I don't get to say enough and. I think I see. I think about my dad. I just wanted to tell you guys on how much it was fun to see you all these years on the Council, every like we never got to really talk and reconnect. But both of you had amazing impacts from Parks and Rec to Rincon High School in my life and. And so, thank you so much for everything you do for our city. Thank you.

**Mayor Romero:** Thank you, Council Member. Any others? All righty, hearing none. We need to go to Roll call.

**Clerk:** Mr. Cunningham – aye; Mr. Dahl – aye; Mrs. Lee – aye; Mr. Perez – aye; Ms. Uhlich - aye; Vice Mayor , Santa Cruz – aye; Mayor Romer – aye.

**Mayor Romero:** Resolution 23960 passes by a vote of 7 - 0. So, you took it through across the line. Thank you so much. Thank you. Item 12

**12. ZONING: CITY MANAGER'S REPORT, ORDINANCE ADOPTION, TP-MOD-0924-000009 Los Reales PAD – Major Change, MH-1, R-1 to PAD-14 (WARD 5) AUG06-25-217**

Mayor Romero announced City Manager's communication number 217, dated August 6, 2025, was received into and made part of the record. She asked the City Clerk to read Ordinance 12183 by number and title only.

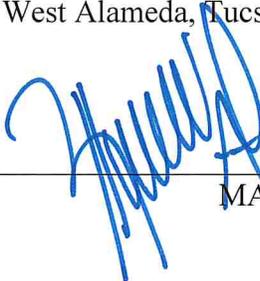
Ordinance No. 12183 relating to zoning: amending Zoning District Boundaries in the area located at 5115 E Los Reales Road, east of Swan Road and South of Los Reales Road, and southwest of Interstate-10 in case TP-MOD-0924-000009, Los Reales Planned Area Development, MH-1 and R-1 to PAD-14; and setting an effective date.

It was moved by Council Member Perez, duly seconded, and passed with a roll call vote of 7 to 0, to pass and adopt Ordinance 12183.

Discussion ensued; no further action was taken.

**13. ADJOURNMENT: 8:39 p.m.**

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

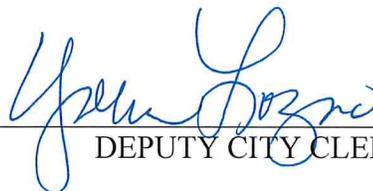
  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
INTERIM CITY CLERK

**CERTIFICATE OF AUTHENTICITY**

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 6th day of August 2025, and do hereby certify that it is an accurate transcription.

  
\_\_\_\_\_  
DEPUTY CITY CLERK

SM:aj:yl