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## MAYOR AND COUNCIL Study Session Minutes

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Approved by Mayor and Council  
on November 5, 2025.

Date of Meeting: March 18, 2025

The Mayor and Council of the City of Tucson met in a study session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona at 1:04 p.m., on Tuesday, March 18, 2025, all members having been notified of the time and place thereof.

### OFFICIAL MEMBERS

#### PRESENT:

Mayor Regina Romero  
Vice Mayor Lane Santa Cruz (Ward 1) (arrived at 1:10 p.m.)  
Council Member Cunningham (Ward 2)  
Council Member Kevin Dahl (Ward 3)  
Council Member Nikki Lee (Ward 4)  
Council Member Richard G. Fimbres (Ward 5) (electronic attendance)  
Council Member Karin Uhlich (Ward 6)

### OFFICIAL MEMBERS

#### ABSENT:

None

#### STAFF:

Timothy M. Thomure, City Manager  
Mike Rankin, City Attorney  
Yolanda Lozano, Chief Deputy City Clerk

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

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

### **1. Executive Session - Weil v. City of Tucson, Notice of Claim No. 30750 (City Wide) SS/MAR18-25-44**

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 6 to 0 (Vice Mayor Santa Cruz absent/excused), to enter into executive session as noticed on the agenda.

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**Mayor Romero:** For the record, Council Member Fimbres is attending this meeting electronically. All righty. So, let's call this meeting to order. Item 1 is an executive Session. Ms. Clerk.

**Yolanda Lozano, Chief Deputy City Clerk:** Item 1 - Executive Session is noticed as Weil v. City of Tucson, Notice of Claim No. 30750 and is being held pursuant to A.R.S. Section 38-431-03(A)(3) and (A)(4).

**Mayor Romero:** May I have a motion to go into executive session please so moved.

**Council Member Fimbres:** So, moved Madam Mayor.

**Mayor Romero:** There's a motion in a second. Any further discussion? All those in favor, please indicate by saying aye,

**All:** Aye.

**Mayor Romero:** Any against, motion carries. It'll take us about 25 minutes. We'll be back in 25 minutes. Thank you.

RECESS: 1:05 p.m.

RECONVENED: 1:25 p.m.

MAYOR & COUNCIL: All present

STAFF: All present

Executive Session was held from 1:05 p.m. to 1:21 p.m.

(NOTE: Vice Mayor Santa Cruz arrived at 1:10 p.m.)

**Mayor Romero:** Is there's a motion to return to session.

**Vice Mayor Romero:** So, moved.

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

**All:** Aye.

**Mayor Romero:** Any against, motion carries. Item 2.

**2. Mayor and Council Direction Relating to Executive Session – Weil v. City of Tucson, Notice of Claim No. 30750 (City Wide) SS/MAR18-25-45**

It was moved by Council Member Fimbres, duly seconded, and carried by a voice vote of 7 to 0, to direct the City Attorney to proceed as discussed in executive session and to settle the claim for the amount of \$55,000.

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**Mayor Romero:** Item 2 is direction to staff. What is the Council's pleasure for Item 2?

**Mike Rankin, City Attorney:** Honorable Mayor, Members of the Council. I'd ask for a motion that the Mayor and Council direct the city attorney to proceed as discussed in executive session and to settle this claim for the amount of \$55,000.

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

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

**All:** Aye

**Mayor Romero:** Any against? Motion carries. Item 3.

**Attorney Rankin:** And Mayor just very quickly. I'd like to thank the really excellent work done by the risk management staff and was particularly Keisha on bringing this matter to a successful resolution. Thank you.

**Mayor Romero:** Thank you, Mr. Rankin.

**3. Fiscal Year 2025 (FY25) Financial Update and Fiscal Year 2026 (FY26) Budget Discussion (City Wide) SS/MAR18-25-48**

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

Information and presentation were provided by Anna Rosenberry, Assistant City Manager/Chief Financial Officer and Angele Ozoemelum, Business Services Department Director, who fielded and answered questions on the Compensation Plan, in range pay placement, market adjustments, pay progression and Key Components of Multi-Year Employee Investment Plan.

Discussion ensued; no action was taken.

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(Note: Vice Mayor Santa Cruz departed at 2:21 p.m. and returned at 2:24 p.m.)

**Mayor Romero:** Alrighty, so Item 3, time has been set aside for discussion regarding the fiscal year 26 budget. Mr. Manager.

**Timothy M. Thomure, City Manager:** Honorable Mayor and Members of the Council. Thanks for the opportunity to give you another update on our progress reporting toward a balanced

Fiscal Year 26 budget. We're not there yet, but we are making progress. And so again with me here today, our CFO, Anna Rosenberry and our Business Services Director and Angele Ozoemelum and we are at the point where for today there's really no decisions, hard decisions that need to be made. It's, we got your health care, health benefits decision, last meeting, that was extremely helpful for us because it allows us to do 2 things; 1) have that accurate information in the budget that we're building and 2) proceed toward the open enrollment that'll start in May and get a lot of information out to the employees. So, thank you very much for that, that progress last meeting.

As it stands today, we are still working on a comprehensive compensation plan, that we would be bringing to you not for action, but as a next update at the April 8th meeting and ultimately that would also be when the HR director will bring her recommended comp plan. So, April 8th will be a big meeting for compensation. It'll be our next progress meeting on the budget, but that will what ultimately gets close to the recommended budget that comes to you on April 22nd. So, April 8th will be a big meeting for that. But we give you a glimpse of where we're headed with compensation today.

We have \$17.8 million at the moment, programmed into the FY26 budget that we're building to address compensation and we'll talk more about the details of that. But what I wanna highlight is that is a higher number than we've had in recent years as far as allocated to compensation because we have kind of three different issues we're trying to deal with there. And then the in range pay placement adjustments is one that we've talked about a few times. It's one of the ones where we've used different language as we've talked about it, we've landed on in range pay placement. It doesn't roll right off the tongue, but essentially what we're talking about is we've used the word pay parity before and it means that when people are in a job classification and there's a range for that job classification, there should be some reasonable expectation that the more experience and qualifications and education you have in that area, you would be placed more highly in that range than others who have less education, experience, qualifications. In our system right now, we don't have that accurate for everybody right now. So, we want to address in range pay placement. We know it's going to take us a couple years to do that, but we've got money in this fiscal year's budget to do it.

The market adjustments mean that different jobs move differently with market and therefore we are looking at all the different jobs of the city and how we would recommend we move the people in those jobs based on market. So, in range pay placement is the individual and how they're placed within their job range, and then market is those ranges move and the individuals within those ranges would move. And then finally, Council Member Cunningham, we're trying to do both within the same fiscal year, but mechanically it's difficult to do both at the same pay period, so when we bring the compensation plan forward, there will be some elements of it that would be recommended to go into effect July 1<sup>st</sup>, essentially the new fiscal year, but some that would be in October, not for a decision point like we did this last year, we would be recommend you adopt A budget that includes it. But mechanically, we would do those market adjustments in the fall.

**Council Member Cunningham:** I just want to make sure that we're able to adjust our in range pay with the market accordingly. It seems like there's been a disconnect where the market the

market pay has influenced our in range pay on certain occasions and basically put us out of whack or on the other hand, we've been in such a rush to do in range pay and fix it that we're not keeping up with market or we're behind in market forces anyway, so it doesn't make any difference, and so everybody gets bumped up at once. Or whatever, and so that's kind of what I think led to some of this. We've got folks that got hired from a market standpoint and got hired at a higher rate than people who'd been on a job for like 7 years or eight years. And so, we know that happened and there's actually, I hate to, I'm not trying to make excuses, but there is a reasonable explanation for that. So now the thing is that it's a little bit more difficult to fix with what you're telling me than we think. But if we're going to make two independent adjustments within a four-month period, the question then to me is how many people are not going to be how many people are going to miss the boat when we make these adjustments? What's more, what's our goal as far as fixing some of these discrepancies from a holistic, I mean 98 percent, 90. Percent. I'm hoping that our goal is our goal is 100%, but that 90% of the people at least experiencing this bizarre pay discrepancy because when it comes to qualifications, education, experience are made whole or not made whole, but at least caught up and paid what they're worth. So that's kind of my, my ask.

**City Manager Thomure:** Honorable Mayor, Members of the Council, we share that goal. It will take us two fiscal years in order to do that because what we are going to be proposing to do, on in range pay placement, which is fixing where people should be placed, is based on data that we've had in hand in the system about people's resume, education experience, although all the factors that go into it as of a snapshot in time and we will make those, we're proposing in the budget to make those corrections this fiscal year coming up. We also know we have imperfect information about many of our employees. Many of our employees who came into the system may not have had to submit a resume when they were first hired or there's been fundamental changes in their resume since the last snapshot we took. So, we are programming into the financial plan, another tranche of money that would come forward in FY27 to address in range pay placement round two and we will have a process this fall and winter to guide all employees through that process of updating their information in the system so that we when we take the next snapshot, we now have correct information.

**Council Member Cunningham:** And so, I guess my answer is to some of the folks that are really paying attention to this piece, it is not going to be perfect. There's always gonna be a situation where, something unforeseen or unpredicted can happen. So, we're gonna have, we need to be prepared, at least to some degree for the folks that don't fall into the proper channels like they don't, they just miss this requirement or they just miss this entire date or they just miss this parameter and it's still totally unfair, we've got to have some leeway to make that work. That's what I'm, just make sure we've got some built in flexibility there because it's, yeah, we want to be proactive to make sure it's as fair as possible, but there's always a situation that we can't predict and we've just got to be prepared for that. That's what I tell you.

**Mayor Romero:** Alrighty. So, I have a comment. Thank you very much to you and your team for adding in range pay placement and market adjustments and pay progression. Especially in light of concerns from the state legislature and past governor former Governor Ducey passing a flat tax and that hitting our budget so hard. I know that next year and for FY27, we still have to have many discussions with the community, especially in light of Prop 414 not passing. But I do

want to thank you and your team for putting thought into the pay range pay placement. That particular piece is going to respond to the concerns of some employees being with us for six, eight years and sometimes making less to those that are coming in because of market rate adjustments. So, I absolutely understand that when we did a couple years back, I think it was three years back, that we did historic investment in our employee pay. There were some concerns there because of market rate adjustments. So, will this particular piece take care of those concerns?

**City Manager Thomure:** Honorable Mayor, Members of the Council, that is the intent. So, those that have been with us for the longest have been through number of different cycles of compensation or lack thereof. And we've had a number of over the last nine years, especially either one-time payments or decompression or market and we and we've actually done across the board approaches as well. That generally moved most people upward through the pay ranks, but it didn't necessarily correct their positionality relative to others. And not that everything should come down to your resume, but there's a reasonable expectation that if you have more years of experience and more qualifications that you would be and doing the same job you would, you would have a higher compensation and that's what in range pay placement will address. When we've done market before, though, when we've addressed market by a range, we've typically moved that group up, but not necessarily retain where they should be placed in the new range. So, let's say the range went up by 10%. What we did was actually took anybody that was in that job that now fell below the new range, we would move them up to the minimum, which is good, but then you just created a whole bunch of compression at the bottom of a pay range. They all got a raise, but they didn't get placed where they should be placed based on all those factors.

So that's why there's like 3 big components to it and the last one is the pay regression that you mentioned. That is something reasonably across the board for most, if not all employees, to get some pay progression annual, but most of the employees will either get a more significant adjustment would be pay placement or a market adjustment and then everybody would get something. And that's if everything holds together. We still have a deficit to close before we could actually propose this to you. The \$17.8 million is about the size of our deficit, for right now. So, we still have to get the budget to balance. The goal is to get the budget to balance and preserve that \$17.8 million.

**Mayor Romero:** OK, Councilman Lee, I know that you had a question.

**Council Woman Lee:** Thanks, Mayor. I didn't mean to raise; I wasn't sure if we were question answer mode yet. Again, appreciate the \$17.8 million investment in our employees. I think one thing that could be helpful, at least for my brain, is since we're talking about these four big components is some sort of a road map to execute those specifically because you mentioned round one, round two. I think that would help me understand. Besides the bulleted list kind of the timeline associated with these four changes and then I know when we get to the idea about performance and evaluations, I can see both sides of it. I'm a supporter of, I think most organizations do have some sort of, for the top performers, the ability to give them a little bit more versus a flat for everybody else. But it's also kind of tricky. So, I just want to encourage you as you move through that process, to really work closely with labor and everyone involved

to make sure that we're doing this in a very intentional way and everyone feels like it's something positive. So those are my only comments right now.

**City Manager Thomure:** Thank you, Mayor and Councilmember Lee. What, you brought me to that last bullet, which is the performance and, in this case, it it's fair to say across the City of Tucson for the last several years we've not had a robust performance management system. Many employees have not had a performance review from one or many years at our at our employee budget down Hall, we had at the beginning of the month show of hands and at least 3/4 of the hands went up saying I've not had one in the last three years. This is, to this particular stage of our maturity on compensation is to get everybody a baseline performance review and it'll essentially be targeted at if your meeting expectations and you qualify for these adjustments. If you're not meeting expectations, we need to give the road map by which you would qualify because if we've not pointed out to you what your deficiencies are in performance for the last three years, that's on us as much as it is on the employee. So, we're and this month is when we're rolling out the beginning of that performance review. So, all four of those things are interrelated, but everybody in this organization, the expectation is they will have a performance review, in the in this time frame, and there will be some level of compensation adjustment going into next year. And if even if it's not related to market or not related to in range pay placement, there would be some baseline adjustment that employees would receive and with market that means it might be different for everybody as well. Hopefully that answered your questions. With that, I'm gonna turn it over to the team to take and, oh, I'm sorry you asked for. OK, a schedule, a timeline more information. That is precisely what you're going to receive in the April 8th study, the HR director's compensation recommendation includes all of that detail, and we'll layer that into the budget discussion as well.

**Chief Financial Officer/Assistant City Manager Anna Rosenberry:** Thank you Mayor and Council. The next portion of the information that we provided you in the memo is a brief discussion about outside entity requests for funding. And some information regarding the City's ability to do some fairly large fundings to outside agencies over the last couple of years has been primarily through that community partnership funding, which was a portion of ARPA dollars that the city received. With those ARPA dollars, the City has awarded \$28 million to community partners to deliver almost 150 different projects across the City. Awards were provided in three rounds of funding and that if you recall that final round of funding was awarded in the current fiscal year. So, all of the funds have been awarded prior to FY26, so this doesn't become an element of our budget or a decision point in the FY26 budget. But those projects continue and they're spending will occur, and it will span FY26 and FY27. But that amounts that are being spent now represent the final available funding that we have. And as you know, the federal government hasn't reauthorized or authorized anything similar to that for us to draw on. So, when the when the program ends, we have already allocated the resources that we had for it and the program will end in a couple of years once our partners spend their dollars.

And we've given you some information about the Pima Early Education Program, we call it PEEPS or PEESSP. \$750,000 was budgeted for the for the program from the General Fund in FY25. The county has made a request for the coming year from us of \$778,000, a little bit more than we had budgeted in FY25. That funding is uncertain at this point, as we don't have the recommended budget completed. Regarding Community Home Repair Projects of Arizona

(CHERPA), it's a nonprofit organization that does assistance for low income homeowners and emergency home repairs. The city provides \$400,000 from our water utility and \$90,000 from Housing's General Fund allocation. We're expecting that the amount from the water utility will remain flat in the FY26 budget and the General Fund portion is uncertain just as we get to balancing the General Fund. So, we'll have sort of finalized recommendations on that on April 22<sup>nd</sup>. We've got a fair amount of information for you in this memo about our five-year Capital Plan. I'm going to turn it over to Director Ozoemelum for discussion of that item.

**Business Services Department Director Angele Ozoemelum:** Thank you so much we're looking at the screen right now, which is included in the March 18th meeting Council memorandum, we're looking at the capital improvement projects. Included in the City's budget process is a development and maintenance of a five-year Capital Improvement Project or CIP. The outlines the departments under which the projects fall and shows a total of \$2.1 billion over a period of five years, Fiscal 26 to 30 with a proposed budget of \$683.3 million in FY2026. I will highlight a few of the major projects included in the March 18th memo to Mayor and Council, beginning with water and of course, water is not the first item in the table. However, I'm trying to keep in line with the memo, how it is presented in the memo. We'll begin with water and is showing in FY2026 a total of \$145.6 million to be expended. The projects under water include the Northwest Wells Treatment System project. This project is currently in the design phase and will include the addition of treatment for PFAS and 1-4 dioxane at three wells, which were removed from the portable water system due to underground groundwater contamination. This project will return these three wells into service and will restore over 3,000,000 gallons per day in portable water supply and the estimated project cost is \$33.5 million with an estimate for 26 to 27 of \$16 million and \$9.2 million respectively. There is also the two the Tucson Airport remediation program under the Water Utility Capital Improvement Plan projects. This project is currently under construction and is estimated at approximately \$27 million with an estimated 12.25 and 2 million to be expended in fiscal year 26 and 27. I will also note here that the Arizona Department of Environmental Quality has provided \$25 million in funding to aiding the design and construction of the new system.

We will look at the Department of Transportation and Mobility, of course Tucson delivers as well, as you all know better streets, better streets, safer streets, program prop 411. This program extends a previous temporary half cent sales tax for an additional 10 years. The funding will be used for improvements to neighborhood streets and system wide street safety. The City anticipates using \$94.3 million to fund these projects in FY26. We go to the collector roadways, still on the Department of Transportation and Mobility, would repair program is to improve this road repair program is to improve street safety system wide. The City dedicated \$11 million per year for five years from the HURF, the Highway User Revenue Fund in support of Prop 411 better streets and safer streets. This commitment began in FY23 and combined with \$4 million per year in the General Fund investment plan.

We'll look at Parks and Recreation first, the Morris K. Udall Park that this park is funded again by a proposition, Proposition 407, along with impact fees. This project will include two covered basketball courts, a new parking lot, 2 new playgrounds with shade, baseball field and two soccer fields, field light upgrades to led, two new lighted soccer fields and renovated restrooms. The fiscal year budget request for this project is 500,000 and the combined with a combined total of

\$17.5 million in FY 27 and FY28. We have another project for under parks and recreation, the Robert A. Price Senior Park that also is funded by Prop.407 and impact fees. This brand-new Park is in the divine design phase with construction scheduled to begin later this year. It will include two Little League fields and soccer fields with LED lighting parking lot, playground with shade, ramada, restroom and splash pads are all on the way. The fiscal year budget request is \$7,000,000 for the Robert A. Price Senior Park.

On the Housing and Community Development, we have the housing zone three asset management properties better known as the AMP. This project is to modernize online units across public housing arms to make ready for occupancy. Improvements to the exterior of the site, such as Greenstorm infrastructure to include sidewalks, fencing, landscaping, solar for Willard senior unit, phase two, Econo Lodge, Stone Avenue, youth transition, housing rehab project, remodeling of 49 unit motel into transitional housing units. All of these programs fall under the Housing and Community Development Department and for a budget in fiscal year of \$1.5 million.

Under the Environmental Services Department, we have Los Reales new building for ByFusion, it is for the development of a by block manufacturing facility to reuse hard to recycle plastics. Fiscal year for that is \$1 million and is slated to come from the General Fund framework dollars.

On public safety, we have a new south side complex, which is a joint complex for police and fire, and this project is currently underway with an anticipated budget of \$18.4 million in FY26. Then we also have the east end annex, which is another police project. It will construct a facility to support the east side operations based on expansion in the southeast area of the city. This project broke ground on February 25th of this year and the budget for this fiscal year is \$4 million.

As mentioned earlier, these projects, along with several others, are components of the City's five-year improvement plan projects outlined in the table before us at a total of \$2.1 billion.

**City Manager Thomure:** Honorable Mayor, Members of the Council. What I wanted to do is pause here at this moment and just talk a little bit about what's not on this table. So, when you when you look at what's there, it's kind of what's known, what's approved, what we are moving forward with and especially there's a high degree of confidence in what's in FY26. But when you move out from there and you see the trends of declining CIP in every department except Water, that is a false indicator of the need. We are beginning to work with each department to be able to put together a longer term, robust multiyear CIP. So I'm going to use water as the example, not just because I used to be the water director, but they're an example of a department that's had a robust long term ongoing annual capital program that is a rolling five year and you can see that is relatively level through that. But I'll point out, though, is five years ago that was \$75 to \$80 million a year. Now it's \$140 million a year, largely driven by price escalation. So that 40% price escalation over the last five years, that's not doing more work, that's doing the same work for a lot more money.

Starting at the top transportation mobility it, it isn't presuming an RTA Next yet. So, when that decision is made, these numbers may go up significantly when there's projects from RTA Next.

The Environmental Services doesn't include all of the efforts to get to zero waste and biogas to landfill gas to to CNG. So, there's a lot of unmet need Environmental Services. I'm gonna take fire and police together. What you see is the end of the investments of Prop 101 and the General Fund investment plan. The dollars are done in 26, essentially. There might be projects that carry to 27 but no new dollars. And so, when we talk about the lack of approval of Prop 414, that's where you see a big impact is no capital dollars available. One of the things I'll be bringing to you as part of the budget recommendation is to build up some level of General Capital fund that we need in order to do the work of those departments and others .You see HCD, there's a lot more work going on in HCD than what's shown there. When you have things like the \$50 million Choice Grant and other things. Parks and Rec, you see the end of Prop 407, it's in our horizon now, so there needs to be a dialogue about unmet needs and parks and rec. So, there's a lot of things not set on the slide that I think we need to really pause and understand. And then also that when we bring the FY26 budget to you, one of the self-imposed challenges is to move from zero investment in some of these areas, based on we've not had it in the base budget, moving that into the base budget to the extent we can.

**Mayor Romero:** Any comments or questions on that. Council Member Cunningham.

**Council Member Cunningham:** So, on a capital, on the capital improvements is fine and I appreciate that. I like to submit that, and this was a discussion we had for a number of years, but now that we've been challenged to be proactive about our budget. One of the pieces that I see with capital improvement board capital investment is it's actually two folded capital improvement and investment is building actual and acquiring actually new things. But asset management is maintaining the things we have. And I think there's a piece where some of our asset management, that's non personnel, in other words not staff related, this is, you know, new doorknobs, or something, yeah. So, asset management is I think a piece that we wanna put into. It's not really capital investment. It's not really one-time dollars, but it's not really year to year dollars. They're standard asset management, like every week we're going to get the floors waxed and stuff like that. But there's also just stuff that comes up and you can fix it. You're not getting a 20-year fix, you're getting a three-year fix or a four-year fix. And so, I'd like to have us add that category into how we do things.

And the reason we should do that is because everybody should do that, one of the reasons that we have, if you really want to talk about the environment, you should talk to this guy here. But one of the reasons that we've had this mentality around the country where if you're gonna something new and replace something you already have. When what you already have can probably be used if you just maintain it properly and you continue to work on it. I'd rather replace a carburetor than buy a new car, right? And we've kind of lost that, not just in Tucson, I mean, in fact probably less so in the City of Tucson, but around the country. So, I'd like to put some type of asset management piece together into this budget that can offset 1 some of the capital investment improvements we have, but also preserve some of the things that we have at work. We don't need to buy a new car every single time it breaks. We need to be able to put it back together and make it work if it cost less, especially if it costs less or if we have internal equipment to do so.

And I'll tell one quick story then I'm please indulge me for 45 seconds. My mom's very environmentally conscious. My mother is a person who was an environmental advocate for years and years and years and years, and in 2006 she bought a car and about eight years later it was, quote unquote time to buy another car. But she'd only put about 40,000 miles on it. And my mother actually went and researched and she found that her carbon footprint for the rest of her life, if she lives to 88 years old, would be less if she did not buy a new car and just maintain the car she bought. So, when we talk about asset management, we're talking about those core values. So that's the challenge that I have to this team is that we add CAP asset management and not like not the regular stuff. I'm talking about the things that come up as a piece of our capital investment and capital protection. And asset protection. So that's my little blurb.

**Mayor Romero:** Council Member Uhlich.

**Council Member Uhlich:** Thank you. I suppose this is an appropriate place, maybe to ask a bit more about property taxes. In my mind, you know capital investments and bonds often are an approach to bring the voters, et cetera. So, I asked some questions about the current property tax rate in Tucson, where we are, what are the limitations and what's the process if we wanted to go to voters or otherwise amend that? And so just currently our combined primary and secondary property taxes are at about \$1.03 per \$100 of assessed valuation. The Charter cap is no more than \$1.75 per \$100, and furthermore, the Mayor and Council some years ago said, hey, we're gonna do better than the Charter. We're not gonna go above \$1.50. We're at \$1.03 right now, so I believe we may be shortchanging the community's options if we don't explore further, what's possible under this area. And there are limits, right? I mean, certainly we would need to and go to the voters for a GO Bonds and that's related to the secondary property tax. So, we could say we need XY and Z for different things and put a GO Bond.

The question I have relates to the primary property taxes and the specific phrasing that was included in the answer that I got. So, we're at \$0.43. That's so it's, you know, 40% of the buck that we're charging right now per 100, there's a limit imposed on how much we can raise that per state statute. It's limited to an increase of 2% over the previous years. What is maximum allowable primary property tax mean, Maximum allowable? Does that mean 2% on what we charged last year? Or what? What's the definition of maximum allowable.

**City Attorney Mike Rankin:** Honorable Mayor, Council Member Uhlich. It's actually a constitutional provision, Arizona Constitution provision, that applies to the primary property tax and how much it can be raised by the taxing entity City of Tucson in any given year over the preceding year. And it sets that annual increase at no more than 2% and that 2% is actually measured by the amount, total amount of the levy, not the percentage of the primary property tax. So in a given year, the way the levy, which is the actual revenues that are brought in by the primary property tax as a function, both of the tax rate at 43 cents per \$100 per valuation and any adjustments to valuations because that produces the levy. So, you take that total amount, which for this year I think are 43 cents, was bringing in little less than \$20 million, has the amount of the total levy. So, a 2% increase is allowed above that based on that preceding year, which would generate maybe close to \$400,000? And there is an additional adjustment that allows for an increase beyond that to account for annexations that have occurred during the year. So if new

property has come into the city, that doesn't diminish that 2% that you can add on to the priority. So, you look at the levy, so you add that and then you can go 2% above that.

**Council Member Uhlich:** OK, all right. So, that I think is critical information, we're getting questions about just how we navigate these things and I do want to note again part of why and we get very high in improving ratings all the time lately from bond rating agencies. I think this is an example of where the Mayor and Council historically is recognized that even though our Constitution and Charter says we're not going above \$1.75./\$100, Mayor and Council said, you know what, let's keep a buffer to protect the budget and go no higher than \$1.50, and in fact we are closer to a dollar per assessed valuation. And I think this is also an area that I would be worth studying further in terms of comparisons with other jurisdictions. Because if and, I'm not saying we are, but if we do go to the voters for bond funding through the secondary property tax, this is the kind of context that I think is going to be really critical for just educating voters about how we are maintaining fiscal accountability and imprudence even as we look at very important investments that we need to make to keep up with what the actual needs are. So, thank you.

**Mayor Romero:** I wanted to follow up on the conversation that Council Member Cunningham was having in terms of asset management, and capital investment? Asset management, there had never really been a line item that we could see, right? We have General Services Department that we always budget for, but asset management is something that hasn't been really clear in previous years, as we build a budget. And I believe that's the sin of the past, right? A sin that other mayor and councils. did not include any capital improvement funding in the general fund. And asset management funding in the General Fund so that we can maintain, right. That's what's happened with our roads. The roads in residential areas and the roads throughout the City of Tucson, other mayor and councils, this is the first Mayor and Council that have put in funds millions of dollars of funds from the General Fund to our roads, specifically to repair and rebuild our roads.

So, as we talk about building budgets into the future. We have to make sure that we're adding that capital improvements, of course we have them here and then asset management funds and that would include funds from the General Fund unless we, the Mayor and Council, decides to go out for a bond election to invest in capital. But I don't think the community, I don't think Tucsonans have the appetite for any type of investment right now. There's a lot of uncertainty with this federal administration, there's a lot of concern, and not just in the pocketbooks of people. Because of there's tariffs today, there's none tomorrow, there's tariffs the next day, there's none the next day. With this Trump administration, we are seeing a lot of economic uncertainty and so. We're just gonna have to tighten the belt.

And so, my question, Mr. Thomure is, now as we continue to plan for closing the \$16 million deficit this year and a possibility of having more than a \$66 million deficit, next year, what happens now? We presented to the voters the possibility of investing in public safety. They very clearly said no. What happens now? What would our what are you envisioning we move towards in terms of both engaging mayor and council and the community to make the difficult budget calls into the future.

**City Manager Thomure:** Honorable Mayor, members of the Council, that is exactly where we're at, is making sure that we're putting together the information necessary to be able to answer those very questions and working with the public on those solution sets. So as a snapshot of where we are kind of precisely in this moment when we look to FY26 and we've been saying this consistently throughout the impacts of not having the Prop 414 pass on FY26 are not 0, they're not catastrophic, but they're not zero. Because as you can see, even on this slide, we still have the General Fund investment plan dollars carrying us one more year. We have Prop 101 projects still getting completed. The real impacts are in FY27, but we can't wait till FY 27 to make structural changes to prevent that 60+ million-dollar deficit for next year.

So, we have to do a couple things. One is make sure that we're very strategic about what comes forward as new spending, because even though our revenues are going down from the from the flat tax that was implemented, there are other revenues that are, you know because of economic growth, they tend to rise a little bit, but we're betting on winning every year. So, our financial plan assumes we're winners every year and that the state legislature does no further harm. Neither of those are good assumptions, but let's pretend that. We have to start, as you've clearly said here, multiple voices at the table putting the investments in that our capital needs, our asset management needs, are. That's why when Pre 414, I was talking about a \$13 million deficit and we were working on that. We're needing to add about \$15 million of additional spending because there are core services in 414 that are not funded by 414, they must find their way into this budget.

So that's some of the decision tree that's going on right now, but it's also the build and prevent future cliffs. So, when you talk about the many years that there was no road investment, we're paying for that now and the many years where the public safety pension was shorted and not funded at its full capacity, you had to take out \$600 million worth of debt two years ago in order to get us on a path to getting out of that hole. So, our goal is to not dig future holes. That all comes to roost in FY27, you know FY 26., we're gonna be OK, we're gonna figure it out. DY27 it gets much harder. So that's when we have to understand what are the right funding scenarios, what are the right investments, what a future conversation with the voter look like if there is one, you know, and just you know, Prop 407 was exactly what Council Member Uhlich described, that's tapping into that secondary property tax, bonding for projects voter approval.

Most of the stuff in 414 cannot be bonded, but much of it could. So, there's all of those different strategies need to be coalesced over the next three weeks because well, by the time we get to April 8th, you know, we're in the home stretch of presenting a budget for you. We're working regularly on with all the directors on what their asks are, what their needs are and being able to find efficiencies where we can and really forcing the conversation toward, it's not a question of what new stuff or what are we adding, is a question about where can we find efficiency or cut things back in areas where the impact of that cutback is not dire and we can afford the things that we need that are that are urgent.

So that's a long way of saying that's what we're doing right now. On the 8th, we'll be able to give you a much more clear snapshot of that, but the things like this capital program, things like asset management, you're gonna see much more explicitly in the budget coming forward.

**Mayor Romero:** Vice Mayor.

**Vice Mayor Santa Cruz:** Thank you, Mayor, and thank you for the presentation. I think going back to the employee pay and I know that this has been ongoing conversation, thank you for keeping it at the forefront, City Manager. I think the piece that I'm still concerned about is like how did we ever get to a place where we don't do performance reviews and how do we make sure that that doesn't ever happen again? How do we make sure that, we as an organization are organized to better support our art workers and our employees and help you know, develop them as professionals in this field? So, I want to make sure, if y'all can answer that, and then I think the other piece, as we're looking at the budget overall is that this Mayor and Council has worked really hard from the start of the pandemic to really try to minimize the negative impact on our most vulnerable communities and we bled with that and that as we are looking at the budget overall that we don't pick to that right away. We already know these are these are elders, these are young families, single moms, head of households that were not running to, oh, let's cut, you know the programs that are helping keep families housed and stable to like, you know, take care of these other things.

So, I think it would be helpful as we continue these conversations and as we're talking about, where can we have efficiencies, where are their vacancies, maybe that we don't need to fill. That sort of thing. That we do paint a picture of like, if we're gonna fund this and this thing goes and that we have maybe more of like a menu of options that we get to work through and discuss, rather than kind of instilling fear in people that I don't know, we can, I know it's an unsettling times right now and there is a lot of fear, but how do we not feed into it, but have a realistic conversation of what are some of the opportunities and the sacrifices that we're gonna have to make in the coming years?

**City Manager Thomure:** Honorable Mayor, Vice Mayor to your first question about how did we get to the point where performance reviews were not robustly done within the city? I wasn't here during the time frame coming out of the Great Recession, if you will. But there was a timeframe of about 10 years, where there was little, if any, compensation for employees. Many of them say we went ten years without a raise. That's more true than not true, but it's not wholly true. There was like a 55 cent raise in there one time, a couple of other minor adjustments and one of the things that Council did do at the time is protect them from health care increases for most of that time.

So, but there was almost no salary progress. There was no cost of livings. There were no merit adjustments. Since there was no market, there was almost nothing. That led to a culture of, why am I doing performance reviews when there's no carrot or compensation attached to it? Now, I can take issue with that because performance management should not be about money, performance management is professional development growth understanding all the things. But in order to keep it moving, if there's a tighter compensation conversation that is a strong motivator both to the supervisor and the employee. And then employees have probably been demanding it throughout, but it's not been something that we resurrected very early on. we ran into a couple of false starts on technology that we don't need to, you know, go through throughout here 'cause I came back to the City in 2016 and we were gonna have performance reviews within that year. Now it's 2025, and we're gonna have them this month.

So, that's my kind of background and history there. It just it seems like it lost value to the organization because of that long time period of compensation of not being an element of the discussion.

**Vice Mayor Santa Cruz:** And I think going back to what Council Member Cunningham said, I think that's kind of scarcity mindset allowed also for us to not manage the assets that we already had and why so many of our pools broke right a lot of, our A/C units, you know things that weren't getting maintained then cost us more in the long run had we just had a plan for maintaining them.

**City Manager Thomure:** Vice Mayor, you're absolutely correct. If we hadn't had, and none of most of us were not working in any of those issues, so I just take what I'm saying with, I'm looking at it through hindsight. But if we weren't trying to come out from underneath a \$600 million deficit in the, or unfunded liability in the public safety pension, if we didn't have 80% failed roads before 411, it's improving now we're 25% where we're bringing it back to normal. If all we were doing was maintaining well maintained things, we'd be having a very different conversation right now.

So we're trying to do both things. We're trying to not let our assets degrade and recover failed assets and meet the underserved needs of our community and that we're trying to do all that when the state has decreased our revenues significantly over the last two years. But we're doing, I mean, I know I'm pretty straight with where we're at. We're doing pretty well. I mean I want to understand that just because we're looking at a deficit for this year. We'll have that solved and we'll solve what we can, and we'll be positioning ourselves better for next year. And we'll be doing that while being very employee centric with what we're providing as far as opportunity for employees.

**Mayor Romero:** Absolutely, Council Member Cunningham.

**Council Member Cunningham:** This is just one really quick thing on some of our, it's been a moving target with the original, you know, if you go back to last May where our projection was with our deficit a year ago. And it's been 13.2 was a number I heard on the radio. And then we also have about 17.8 today and I know that there's always 5 million that, but I know one thing that we were gonna do was I hear it right an actuarial adjustment which saves us 10 million. Is that included or not included and maybe it's not an actuarial adjustment on pension? It says it was something else, but it saves about 10 million bucks. You know what I'm talking about is that included or not included in this 17.8 between 13 and \$17 million deficit.

**City Manager Thomure:** Honorable Mayor, Members of the Council, Council Member Cunningham, what you're referring to is, I believe, the annual General Fund contribution to the PSPRS, which is, we have General Fund dollars that go to fund that public safety pension and we have the 115 Trust that the Mayor and Council established, which was one of your greatest achievements, doesn't sound so sexy, but it believe me, it we want it. There're dollars that come out of the 115 Trust and the General Fund. In the fiscal, in the financial plan because of where we projected things to be based on reality and how the fund has been performing, we have been

able to reduce the amount coming from the. General Fund by about \$10 million. And that still leaves us with paying what we need to pay and paying ahead to bring down that unfunded liability. Long way to say yes, but I want to give the context to that question.

**Council Member Cunningham:** Thank you. Pension adjustment could have just been the word we could've used, but that's not actuarial.

**Mayor Romero:** I'd like to think that we've been able to have a lot of good success around this table. The 115 Trust being one of them. Being able to invest in our parks and roads and invest in our most vulnerable as the Vice Mayor said. And being able to try new evidence-based programs that are proving to succeed, our Community Safety, Health and Wellness, our Housing First approach, lots of good things and I think that we've got to continue. We unanimously passed a Prosperity Initiative for Tucsonans. And that I eye on the prize focus needs to continue. But the reality of it is, is that we do have to take a really deep look at our budget. And be smart about how we proceed in the coming years, without a fear based approach but, with the priorities of the Community together with ours to make sure that we're serving the residents of Tucson through tough times and we've done it before, but from the previous recession that I lived through as a council member, I think that we've learned how to work with our labor groups, work with the community, but also learn from mistakes that we did during that time.

And so that's why the capital investments and the asset management approach is going to have to be part of how we move forward, so that we don't have what was left to this Mayor and Council by previous councils, crumbling roads, crumbling pools, lack of investment in our parks, lack of investment in our pension systems, etc. We've got to really make sure that we're moving forward so that we can continue progressing as a community and digging ourselves out of previous holes that were dug not by us, but that we've had to fill.

So, thank you for your presentation. I don't think you need any direction on this item, correct.

**City Manager Thomure:** That's correct, Mayor.

**Mayor Romero:** Alrighty, thank you. So, we're gonna move on.

**City Attorney Mike Rankin:** Just one quick thing, if I can, I'd like to go back to Council Member Uhlich's question about the phrase maximum permissible limit because it occurs to me that I didn't answer it. But that phrase is used in that constitutional provision I was mentioning that sets an annual increase of no more than that cap of 2% over the preceding year's levy. It refers to maximum permissible limit to say that if you choose as a jurisdiction not to increase in a given year by that 2%, you're a maximum limit still goes up by the 2%.

So, say for example you go three years without increasing the levy at all, and then that 4th year you want to increase the levy, you've had the benefit of those 2% increases for three years and then that 4th year you could actually raise it by 8%. Right, that's what it means by maximum permissible limit. It says even if you don't happen to use it, you you don't lose it.

**Council Member Uhlich:** And so that I guess is a question. Have we done that 2% every year for the last 10 years or what's the pattern and what is the right?

**City Attorney Rankin:** My recollection is that we have a standard practice included that 2%, but we'll take a look to make sure that there's not a hidden 2% or 1% in there.

**Council Member Uhlich:** I appreciate it. It's really helpful to have that clarification.

**Mayor Romero:** So just to be clear, the response is that the Mayor and Council have been moving forward with the primary property tax, with a 2% allowable increase every year, correct. OK. Thank you. Alrighty, so, thank you so much, really appreciate the work. Item 4.

**4. Discussion regarding the Environmental Services Advisory Committee (ESAC) removing the Eight Year Cap on the ESAC Membership. (City Wide) SS/MAR18-25-47**

Introductory comments were made by Timothy M. Thomure, City Manager regarding the removal of the eight-year term limit for members of the commission.

No action was taken

(Note: Council Member Cunningham departed at 2:25 p.m. and returned at 2:26 p.m.)

(Note: Council Member Uhlich departed at 2:22 p.m. and returned at 2:23 p.m.)

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**Mayor Romero:** Time has been set aside to for a discussion regarding removing the eight-year cap on the Environmental Services Advisory Committee (ESAC) membership, Mr. Manager.

**City Manager Timothy M. Thomure:** Honorable Mayor, Members of the Council, this this is a study session item that has a companion regular session item on for tonight. And really, it's not something we've talked about before with the public, so we wanted to make sure we had a study session to just kind of cover it. The basic background is the City of Tucson has a number of Boards and Commissions that service different areas of expertise. or different departments. And we have often people who serve on those committees. These are members of the public. They're appointed by either you or the manager, and they're currently limited to 8 years' worth of service, and then they'd have to take a break at minimum, and then they could potentially come back.

Because of the passion that many of these folks have and the expertise they develop, coupled with the fact that it can be difficult to find new people to engage with different committees, a member of the ESAC had asked us, you know what, why is that limit there and could that be removed? Ultimately this might be something we would consider for more than one Board and Commission, but we wanted to start with this one to say for the Environmental Services Advisory Committee and we consulted with the Director Carlos de la Torre about is there any downside to removing this term limit? And what we feel like is we would recommend that you act tonight to remove that term limit. You still have the capability if it's one of your appointees to

remove somebody or appoint somebody new, you're not compelled to continue to appoint somebody, but it gives you the option to continue somebody's good service if they're doing well.

**Mayor Romero:** Council Member Uhlich.

**Council Member Uhlich:** Thank you. Is there a reason why this would, would this strictly apply to ESAC and why, why not? I mean, Women's Commission, we've got so many good advisors. And so should we just for simplicity's sake, just change that.

**City Manager Thomure:** Honorable Mayor, Members of the Council, we'd be happy to bring back a broader removal of this. But we wanted to start with the most simple because we had people actually coming to the end of their term at ESAC that we wanted to make sure we could capture or recapture if we've lost them and get them back into service. And there might be one or two or more than that commissions where maybe the term limits do apply or are of value.

So, we wanted to make sure we did an assessment of them all before we brought you an omnibus. But we're, I'm taking this conversation as willingness to entertain more than one Commission and or even a whole group of them if we if we brought that forward. You bet.

**Mayor Romero:** Alrighty, anything else? Any other questions on this? OK. We're good. Well, thank you so much. And we're gonna have the item on the regular agenda today, right?

**City Manager Thomure:** Yes, Mayor, that's correct.

**Mayor Romero:** OK, perfect. So, we can move on to Item 5.

**5. Update on Strategic Initiatives Related to Unsheltered Homelessness and the Fentanyl/Opioid Public Health Crisis SS/MAR18-25-46**

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

Information was provided by Brandi Champion, Community Safety Program Director, who fielded and answered questions on the encampment assessment team, daily outreach, coordinated services, and shelter operations.

Discussion ensued; no action taken.

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**Mayor Romero:** I have requested this item for an update on the efforts to support housing unsheltered persons and the regional opioid response and how the city is addressing the concerns expressed by residents, and business owners in Tucson. Mr. Manager. Hi, Brandi. Come and join us, please.

**City Manager Thomure:** Thank you, Honorable Mayor, Members of the Council joining us is our Community Safety Program Director, Brandi Champion, settling into the role after a couple months now, and I'm just gonna turn it right over to Brandi.

**Community Safety Program Director, Brandi Champion:** Hello, Honorable Mayor, Members of the Council. I'm gonna provide you an update on strategic initiatives related to unsheltered homelessness today. Our encampment assessment team continues to provide daily outreach and coordinated services. All done through the Encampment Protocol Dashboard, working with our partnering agencies on all the outreach efforts. Encampment data shows that out of the 39, 3,910 cases created since the inception of the tier system in October of 22 shows 34% of these were immediate removals, 21% were tier ones, which only require a cleanup, there's no people living in those areas, it's just debris. Tier twos are low impact encampments, and that shows at 14%. And Tier 3 is requiring a 72-hour decommissioning notice was 24%. And lastly, private property reports that were sent to Code Enforcement were at 4%.

Environmental Services continues to support for site cleanups. They ensure that proper tracking and reporting is done. They send us a list weekly of where they'll be clearing out mostly debris encampments and cleaning up and their cleanup schedule, and they provide that to our Tucson Police Department core unit, as well as our encampment team so that we're aware and can assist where needed and provide outreach if necessary. Tucson Pima Collaboration to End Homelessness, or TPECH, as most people know it has led the effort Housing Central Command, as we all know, that that's been going on for a while. This initiative utilized a three-year HUD grant to rapidly house unsheltered individuals with a concentrated effort being on the homeless encampments. This funding was also how our multidisciplinary outreach team was formulated. Since January of 2024, 245 participants have been assessed and 119 successfully housed through this initiative in just over a year. So that's pretty incredible. A lot goes into housing in person, from collecting documents to the outreach that that gets them started all the way to getting them in a unit.

A new coordinated entry model or a coordinated outreach model has been developed by TPECH and is launching to streamline housing placements across agencies. This system shifts serves to optimize and enhance outreach for a more rapid enrollment into programs that these that people are eligible for. Currently, the by name list can be perceived as kind of like a waiting list that goes nowhere as we know, the coordinated entry process. So, in this new model, we make more concentrated effort on small priority batches with strategic coordination. And so, this can in essence serve as a new way to deliver coordinated entry services, right and systems. Stay tuned, we're working on that and we'll give you an update in the very near future about how that's working.

Housing First continues to collaborate with City departments and external partners to ensure housing stability and access to housing. Currently, the City of Tucson temporary extreme weather and respite shelter running out of partnering hotel serves 137 people. And that's 93 adults and 44 children. So, the extreme weather and respite shelter is working, and we're utilizing it the way it needs to be utilized because of the winter weather. Additional City of Tucson shelters are operated by our community partners such as Desert Cove, Community Bridges operates that and there's 17 adults and 2 children there. The Craycroft, which is operated by Pima

County, has 57 adults and 81 children because they serve bigger families. And yeah, so that that's been a really good thing. So, Amphi 8, operated by OPCS, currently has 17 adults there. There are no children and there will not be children at that shelter, and I'll talk about that a little more in just a few minutes.

The Housing Emergency Action Response Team or HEART, provides wrap around services for long term stability and is currently working with 45 households, keeping them housed and giving them the wrap around services they need. Multidisciplinary Outreach Team, which just focuses on high needs encampments, has referred 50 people into permanent supportive housing and is engaging with 76 volunteers for a total of 228 hours on five different events so far. And so that's great. We're building our volunteer base, having people from the community come in and see exactly what we do, what it looks like to serve the homeless population. So, it's a good collaboration. Shelter Operations, the city manager's office, directed Housing and Community Development Department to open an emergency shelter, with 70 plus beds on March 1st that has happened, Amphi Housing Resource Center, formerly Fire Station 8 is now operational with 17 adults and ramping up and that's operated by Old Pueblo. Priority is given to unsheltered individuals in the Amphi neighborhood. And that concludes my update, if there's any questions.

**Mayor Romero:** Thank you so much. I really appreciate the presentation. Most recently, not that it's a new thing, I started meeting with the new chair of the Board of Supervisors, Supervisor Scott with Jan Lecher, the County Administrator and our city manager, and myself. And we had been doing that with previous Chair Grijalva and the conversations that we've been having with supervisor Scott are twofold; One, how can we as a city and the county be much more effective in making sure that we are providing a safer space for our unsheltered residents, in other words, it's very dangerous for them to be out in the community, they get assaulted, stolen from, etc., and one of the conversation pieces that we've had, which is the second piece and we've talked about Amphi with them and how low barrier shelter is actually really good. I know that the County has several properties that we have talked about. That the conversation is still happening there, but there's also opioid settlement funds and one of our concerns with the unsheltered, and I think you have seen that first hand, Brandi, is that we have another group of unsheltered individuals that find themselves in the throes of addiction and just want to be left alone.

And, in our city, what we want to see is we want to be able to provide the resources necessary for individuals to accept the resources, right, but also to be able to fit those resources for their needs. And the opioid settlement funds are something that the City of Tucson, this Mayor and Council and the County decided to put together. We've requested on the side of the City of Tucson, we've requested the task force that makes decisions for the opioid settlement money to really investigate the possibility of creating a detox facility on the properties that Pima County has availability in and so I just want to make sure that I inform my colleagues on the Council. Part of 414 we just talked about capital improvements was to have money invested in that. I believe Mr. Thomure, you called it safer center. And I mean what do we need to do now? Now, right? There're opioid settlement funds. Does the Mayor and Council want to make sure that we, you know, hit the pedal to the metal on using those opioid settlement funds to create a safer center.

Just putting it out there, Mr. Thomure. I don't if you wanted to add any information on that. And see how we can be guided to move as quickly as we possibly can to create that Safer Center.

**City Manager Thomure:** Thank you, Mayor, and safer for the public, sobering alternative for recovery, SAFR, and it truly, you know, we think in terms of a detox center. What makes opioids so complex is the difficult journey to sobering that occurs with it, and one of the key strategies is often medically assisted treatment. That's not the only way to approach it, so it's not just quick cold turkey and get over it and move on. It's a very different challenge. And so, having a place for somebody can be stable, have the medical and social supports, and in in many cases across over the mental health support that needs to occur. It's a very robust thing and it's something that we're lacking. So, I'll turn it to Brandi in a second to talk about, you know, how we might move forward with the County on such a thing, because there are places that exist where it could be done now. And the resources we thought we'd have, we don't have. So, we're have to figure out how do we be creative.

But what I want to point out is that three months ago, when we had this conversation, it was we were lacking in low barrier shelter capacity, and we were lacking this safer and the city, through the Mayor and Council's leadership, stepped up and took care of that low barrier shelter. We likely need more beds than what we've created, but in three short months we went from an empty fire station to a low barrier shelter and I'd like to take a moment to thank a few people, if you'll indulge me, Mayor. Brandi yourself, but also Antonio Carranza, Pete Lee and Allison Chapel with Housing First. Literally I will, I found out we had an open, we were gonna get an architect out there and engineer stuff and I just showed up and said no, we're gonna do this. And then in about 30 days, they did it. But also, Ernesto Portillo, Manisha Bewter, Nathan Dow from Procurement, Matthew Sage, Rolando Mazeika, Sarah Megason, Elisa Hamblin from Planning Development Services, Joanna Hernandez, HCD, Juan and Josh Garcia and Ernie Stevens, also from PDSO and we also had TFD fire inspectors who came out and found a way to make it so that we can be safely in operation, so John Fordney and Christopher Gates. That's the kind of team that came together in a literally the drop of a hat and got it opened by early March. And I'll turn it back to Brandi on the safer center.

**Director Champion:** So honorable Mayor, Members of the Council, the city manager and his team will be meeting with Pima County leadership this week and discuss the next steps to establishing that task force that you're talking about. And we'll report those findings when we have them. But what I want to say is that as somebody with lived death experience, this is what it takes to tackle this issue and I don't mind saying that out loud because here I am today with all of you and this is where my peers can get to if we. Give them the right help. If we put the right work in the right hands and give them the right support and help. So, I really appreciate I'm going to get emotional. I really appreciate this Mayor and Council's effort on pushing these things in our community. I don't think our community hears about it enough. The passion that you all have for this and solving these issues and having our county partners in on this is exactly what we need. So again, I appreciate it.

**Mayor Romero:** We appreciate you, Brandi so much, and your entire team. And of course, the city manager and the executive leadership team for, you know, believing in the much more holistic approach to community safety for our residents and be able to look at the evidence that we have been created in terms of taking people from unsheltered homeless, to. I mean, thousands being housed permanently and finding solutions in that way. I think we need to move on the area that we can, especially with the opioid settlement funds. I've said it once and I'll say it again, the

opioid funds are there because of how difficult opioids have been to communities across the United States. And it is a public health crisis. Pima County is in charge of finding solutions for public health crises. We as a city have declared opioid and fentanyl use in our community as a public health crisis and I think that together, we need to make sure that we advance in a very tangible way the solutions that we know can work for opioid and fentanyl misuse in our communities. So, I know Paul that you have some questions or comments go ahead and then Vice Mayor.

**Council Member Cunningham:** So first of all, I just want no one to in advance to make any mistake that I'm not, I'm totally on board with setting up safer like that's but and there is a big but. The other gap in our service right now is the mandated care piece that comes with this, especially alternative to booking. We get hammered on booking. We have no and not only do we get hammered on booking; we get hammered on booking twofold. We get hammered by the county in cost. We also lose police activity time because officers have to stay. The safer site is I think, a voluntary care site. And for me, I'm looking to expand that to be an alternative to jail site where it's not, (sigh), look, I know that it's really a hard, fine line to dictate to people that they need help, like mandated care doesn't work. Anybody with social work background doesn't know that, but mandated care can advance the case a little bit, especially if you go two or three times four times. We're gonna keep asking you to get help until you decide until you figure it out.

And so, I'm thinking about the opioid dollars and I'm OK with the safer site, but we have to have an alternative. we have to have a jail alternative that basically asks folks, 'what is it you really wanna do here?' It's totally OK for us to have expectations of people. Totally OK for us to have expectations of people. And so right now, we are engaging folks in the field, and I know this because I'm going to the field and we're engaging folks in the field and saying, look, "Gold Ticket, Detox today." What do you want to do? What do you want to figure out? But this situation isn't really sustainable. And what we get is, I don't know. We get not so sure. I have a lot of things going on right now and we really want to be empathetic. we really want to be receptive to that, but at the same time. it's still not, we're never going to get that case, and that isn't every single case. There's no one-size-fits-all case.

I mean, let's be very realistic for those of us who've done social services this long, there is no, there's never been a one size fits all case plan, it doesn't exist. It's like a Unicorn man. It's like a Griffin. it doesn't exist, the Fair fairy tale. But there should be, to some degree, a way we can provide an alternative to jail which allows some of us some of our folks that have some FTA, some Failure to Appear, that have multiple that maybe have a couple warrants, we're not just sitting there taking them to jail. But we're also not just leaving them be in a situation that is unacceptable to the neighbors and to the folks around who reported them in the first place and find the situation completely unacceptable.

And so that's my challenge to us. We have to do the safer program first because we've got to figure out like, kind of the creeks and the dinks and doons of like what kind of works in this alternative safer environment. But once we have it, I think we can evolve it to also an alternative to booking an alternative jail environment. I think that will be helpful to our officers on the ground, I think it'll be helpful to our citizens in their competence in the city to act, but I also think it'll be helpful to our potential clients who've really been apprehensive, engaging the

system. And they might be surprised if they go to this alternative a couple times and go OK, maybe it's time. In other words, we're pushing that moment of clarity that I brought up at this table multiple times.

So, I appreciate the safer sentiment, but I think in the planning process we have to add the idea of an attention alternative or jail alternative to us. And by the way, this can help with court cases. They could do iPad court from that safer center and get some of their warrants cleaned up, they could get assigned at least a CSP case worker for an intake. I mean that can be some of the stuff that can be required in this. I know where I'm knowing in the weeds and that's not our job. But this is something that I've worked on a very personal level from age like 23. So, I think there's some opportunities here. I appreciate the safer center model, but at some point we've got to be able to, we have to be able to be persuasive to people and say, look, we've got a few expectations of you as well and this is what we want to do and I think that's a really important piece that because we've been so focused on trying to get people housing. and find our gaps. This is one of those pieces that's kind of been lost and we we've got to meet that.

So that's my input on this and I knew this was coming up today, so I was ready, but the issue is, is that we're not just hearing frustration from people who don't, who hate homeless people anymore. We're hearing frustration from case managers. We're hearing from. we're hearing frustration from social workers. we're hearing from frustration from providers that they're trying to engage folks, and no one wants to engage. And I don't think that's true. I think some of our folks are engaging. We've put a couple people in detox, even in the last month, but still not. We're never going to get to where we want to go unless we can try to be able. you got to be able to engage that social services system and the court system at the same time.

**Mayor Romero:** Well, I think Puma County and the Board of Supervisors, they want to, they have to want to do this. Because the jail is part of the work that they do, and public health is part of their mandated work that they do. So, we will continue meeting with Supervisor Scott and County Administrator Leshner. We do have continued discussions on this and other issues. And we, we just need to show that we're moving forward in a tangible way for the Community to understand that we're not just sitting on our hands on this, that there's a lot of work that's being put into it. And the Amphi Resource Center as a low barrier shelter is a big piece of what we needed and still need in this community, low barrier shelter in order for those things that you talked about Council Member Cunningham that neighborhoods and businesses really feel the concern in terms of unsheltered homelessness and they're feeling it, and they want their Mayor and Council, and hopefully they also want their Board of Supervisors to do something about it and be able to partner with the City of Tucson to find long term solutions to a very difficult thing, complex issue.

The other piece of what we've talked about with Supervisor Scott, is that we would like to collaborate and communicate with the Tucson, Pima Collaboration to End Homelessness members. We understand that there is a strategic planning happening right now, that I feel Mayor and Council and the Board of Supervisors should participate in. We should know what they're doing, we should know how they're planning on moving forward, they are the recipients of federal funds that have to deal with unchecked homelessness. I believe, and I know that Supervisor Scott believes as well that it is in our right as elected officials, both on the Mayor and

Council side and on the Board of Supervisors side to be able to participate in that strategic planning effort because it is this Council and their Board that have to respond to the Community. And so, it would be wonderful to be able to invite TPCB to this table to explain to us what they're planning, to engage us and be able for our offices to participate in their strategic planning efforts. I know that Vice Mayor, you have questions or comments, and then Council Woman Lee, and Council Member Uhlich.

**Vice Mayor Santa Cruz:** All right, so sometimes when we have this item, I feel like we get kind of convoluted. So it does feel like we're not moving the needle forward 'cause I think, I mean, I've talked about it in the past about separating these two items because if we think of them in concentric circles, yes, there's a little bit of overlap and we hyper focus on the overlap and then we're missing the rest of it. So even, I think I mentioned last time we see the tip of the iceberg, we don't see everything else that's at the bottom.

I just came back to from Mexico City and I got to hear President Claudio Sheinbaum speak about their efforts to curb the trafficking of drugs and then just to like, put on the record that over 80% of the people trafficking drugs are U.S. citizens. Like this is very much a US problem, it's not a Mexico problem. There is a demand for it, and where does it come from? Yes, we know the pharmaceutical companies created this crisis at the moment. So I think we need to continue to focus on the opioid crisis as a whole, that it doesn't just impact our unsheltered folks, so many of our family members, I will say it over and over again, you know that I my family is a victim to that as well as so many of ours are. In that we need to address that. I was in therapy this morning and in talking about, you know, the issues that we have to navigate as a Council around unsheltered homelessness and opiate use. You know, my therapist reminded me that it's very much like cancer. That the best thing is to prevent it from happening, and then it's the early interventions because once it's full blown there, it's all we're doing is managing it. We're not going to solve the problem. All we can do is manage the crisis that is at hand.

And so that was kind of very grounding for me in that moment to think about the work. And so that I think by us just hyper focusing on the very visible side of it, we're missing and making sure that we are preventing this and that we are also focusing on the interventions, because at the end of the day, even if our folks go to detox. They're using, you know, fentanyl as a way to manage some kind of pain. And so, unless and that could be an emotional mental, you know, behavioral or physical pain, if we're not getting to that and providing that ongoing support, we're just going to keep repeating these cycles and we're just going to be running, you know, chasing our tails around.

So, I want to make sure because especially the fentanyl piece has so many layered jurisdictions, you know, including our justice organizations where the unsheltered one is not necessarily a crime to be unsheltered, right. So, how do we kind of separate them, address all the different layers and then yes there's a piece that's going to overlap, but that shouldn't be all of it. And so, the reason I'm saying that because like I have questions about like the number of beds that we have available now, what is the number of beds that we need? You know, to address the need or the demand for low barrier shelter beds and then also like what is our plan over the next five years to address that need. So, my two cents.

**Mayor Romero:** \Great. Council Woman Lee and then Council Member Uhlich.

**Council Woman Lee:** Thank you, Mayor, and thank you, Vice Mayor, for always bringing your really important voice to the table on this having the experience that you have. I have just more of a technical question to follow up on Council Member Cunningham's concept. Who is responsible for that? If we were to say, with the Safer Center. Who is responsible for saying this is an alternative? So, I mean, like technically, who is that that does that? Is it the county? Is it us courts? Who is it?

**City Manager Thomure:** Honorable Mayor, Members of the Council, it's kind of a combination of all. There are some authorities that a police officer has in the field and it and I'm referring to, you know, alternatives to jail. And ideally, you'd have a safer center and a justice transition center co-located so that those resources are available to both. But we do have some authority for an officer to make decisions about whether to take somebody in to book them or take them or leave them in place. Really, right now we haven't given that third option where there's a place to take them and just as Council Member Cunningham decided you described, the officer can bring them under the intention of, all things, being equal, you're going into the jail. And then there's a process by which they're booked into the jail. But you can have a have a fork in the road. Where it's like if you choose to go this way, we're going to provide you support, gonna provide you detox, we can provide you a lot of things that are the alternative to going to jail. But we don't have that, and you need the sheriff involved, you need the Pima County Health Department involved, you need the courts involved, you need the prosecutors and defenders all involved. Right now, we put all that burden on the on the police officer and they're in a no-win situation.

So, they're going to, unless they have a high degree of confidence that that 4 to 8 hours, they're going to invest in taking that person to jail, is going to result in some kind of positive outcome, which for them is they end up in jail. They're going to often leave them in the environment they're in, because they're not necessarily doing harm directly to somebody else. So, until we provide that middle ground, which has OK, follow the blue mile into the jail, follow the Orange one to there and then when you get there you get further decision making. It's really unfair and limiting to the officer.

**Council Woman Lee:** So, we can't do anything though, until there is a safer center. Is that what we're saying?

**City Manager Thomure:** Honorable Mayor, Members of the Council, there are some things we can do. We do have some City Court options we can do, we have specialty courts we can do, we have mental health options that are a lot more robust than the substance abuse options available to us. But right now, again, all the decision making is put on a police officer instead of what is being envisioned by this task force that's being put together, including, you know, Sheriff, the Chief of Police, the prosecutors, the County Attorney. If you have everybody in a room in a workshop setting where we map out what those decision trees look like, then we can get to better outcomes even without the safer center, but ultimately you have to have that safer center,

**Council Woman Lee:** OK. Thank you, because I'm always looking for what we have control over and then, but it sounds like through this task force, those things will come to the surface for action. OK.

**Mayor Romero:** Council Member Uhlich.

**Council Member Uhlich:** Thank you and thank you, Mayor, for really advancing this as a concern that we can partner with the county on. Just really appreciate how you're tracking so many different moving parts and pieces and you just keep moving things forward. I really appreciate that. And I agree as well with our partnership with TPCCH and our nonprofits. I just saw a press release from the homing project. They got their permits for their village, which is additional housing resources. I just think there's a whole lot happening that we want to be able to paint the full picture, right? And I know that Brandi and the team really effectively partner with so many different groups. TPCCH, I think through perhaps our liaison is establishing an Executive Council. That's one of the challenges is really getting the leaders of those organizations in the room. So, I just want to make sure that we do that and just to emphasize again, there's so much that we may not either be aware of or able to communicate yet to the community.

But just one example that I've shared with some, Primavera recently made the decision not to require folks in their shelter to leave every morning. And that seems like such a little thing in a way, but if every shelter would consider partnering with us to figure out how that can be done, it's just that many fewer people outside just trying to survive every different challenge. And that it just could make a huge difference. And to be resource smart, how can we build on what's already there and really have some impact? So, I feel very hopeful about that partnership and I think there's actually a lot there that we may not even yet be aware of. Brandi knows it, but I'd like to know it as well, and I know the community wants to know. So, thanks again, Brandi.

**Mayor Romero:** Alrighty, if there's no other comments, thank you so much, Brandi and your entire team. Thank you, Mr. City Manager, for requesting that we have a March 1<sup>st</sup>, I think it was like March 1st deadline, to create those seventy additional beds for low barrier shelter. Again, there's more than 50 beds still available in the Amphi Resource Center. And I know that Old Pueblo Community Services is operating that low barrier shelter. Really appreciate that work. So yeah, let's continue moving forward and be able to try and find solutions for complex issue, and most importantly I think, showing tangible results for our community. We move on to Item 6.

**6. Update on and Direction Relating to State and National Legislation, Executive Orders and Administrative and Agency Orders; and Update on Federal, State and Regional Committees; and Update and Direction Relating to Any Associated Litigation (City-Wide and Outside City) SS/MAR18-25-41**

Introductory comments and information were provided by Mayor Romero regarding cities and towns not receiving federal funding.

Information was provided by Mike Rankin, City Attorney on the litigation related to federal funding.

Information and presentation were provided by Andres Cano, Intergovernmental Relations Director, who fielded and answered questions.

Discussion ensued.

It was moved by Council Member Lee, duly seconded, and carried by a voice vote of 7 to 0, to formally oppose SCR 1002 and approve the full list of legislative recommendations as presented.

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**Mayor Romero:** Time has been set aside for Mayor and Council to receive an update on the state and national legislation in regional committees, executive orders and direction to any associated litigation.

I just wanted to start this out because there's so much chaos and craziness happening at the federal level and including in the state legislature, we can't forget that there are a lot of bills coming out of there that are not good for cities and towns throughout the state. But for months we've watched uncertainty and dysfunction dominate in Washington creating a landscape of instability for local governments across the country. The inability to pass full year appropriations, the reliance on short term continuing resolutions and the ongoing political gridlock have made it nearly impossible for cities like Tucson to plan effectively for our future.

And now the consequences of that dysfunction are heading home, despite making it through the Congressional appropriations process. Despite of months of advocacy committee approvals and bipartisan support, several of Tucson's most critical projects will not receive federal funding we were counting on. These aren't just delays, these aren't projects that will be revisited in the coming months. Because of the inaction of Congress, these projects will not be funded. The Speedway and Stone housing development, a transit oriented mixed income housing project designed to address Tucson's growing affordability process, won't receive \$4 million in federal investments we fought for. The Tucson, Pima County Navigation Center, an essential expansion of shelter and support services for our unsheltered residents will not receive \$3 million requested to move forward.

The long overdue improvements to Barrio Nopal Park, which would have brought safe green public space to a historically underserved community will not receive funding as planned. The Tucson Police Department's Vehicle Fleet modernization, which would have provided updated patrol car cars, motorcycles and a mobile command unit to support community safety will not happen with federal dollars, which we would have received \$3.5 million for. And the Northwest Reclaim System Augmentation, a critical water sustainability project, to expand Tucson's reclaimed water system will not receive federal support. This is not just disappointing; it makes a mockery of congressional directed spending processes. The entire point of the system is to allow local governments to identify community needs and work in partnership with our congressional delegation to deliver results for Tucsonans, that is millions and millions of dollars not coming to Tucson.

When we go through the process, our projects make it through committee, secure support and are on the verge of being enacted, only to be wiped away by Washington's inability, and this new Congress's inability to govern. It undermines not just the funding cycle, but the faith in the system itself. This, by the way, is not a partisan issue. The projects that I mentioned above were sponsored by members of Congress, of both parties, representatives Grijalva and Ciscomani, Representatives Gallegos, Senator Kelly, Senator Sinema. This means fewer housing options for Tucson families. This means a diminished ability to serve our most vulnerable residents. This means lost opportunities to improve our neighborhoods, modernize public safety, and secure Tucson's water future. And yet, despite the setback, we will continue to fight for these projects. We will reapply. We will pursue alternative funding sources and we will not allow Congressional inaction and their inability to pass a budget, which, by the way, the Mayor and Council have to do every year and we deliver that to our Community.

So, we will continue to report on the loss of Federal funds, that one we either applied for in competitive grants and were chosen and selected and were designated to receive, and on the bills and initiatives that are going through Congress, that will affect our federal funding. We are uncertain how the cuts in federal employees will affect our departments. But we are already confronting the inability of being able to talk to people at HUD and other departments, Department of Justice and other departments where our request federally appropriated CDBG funds and home funds are not coming to us because of lack of staff in federal departments.

So, thank you. I needed to say this so that we could inform both Mayor and Council and the Community about how the decisions that are being made by Congress today are going to affect our residents today, tomorrow and into the future. So, with that, I'm going to pass the mic over to Mr. Thomure. Andres Cano, if you'd like to add anything or I know, Mike, that you. Mr. Rankin, you also have an update. So, let's start with Andres and then move to Mike.

**Intergovernmental Relations Director, Andres Cano:** Thank you so much, Honorable Mayor and Members of the Council. Since we're sticking to federal issues, I'm going to turn it over to our city attorney really quick and then I'll provide an update on the legislative process at the Capitol. Mr. Rankin.

**City Attorney Mike Rankin:** Thank you, Mayor, Members of the Council, we through my office and working with Managers, Office and Andres and others, we continue to monitor and participate in the developments in the nationwide litigation relating to federal funding and to assess the impacts to our own grants and federal funding like the Mayor's been talking about. As mentioned in our last study session, we have more than \$250 million in federal funding. I'm talking about already previously approved, that is uncertain at best and certainly at risk. Some of the examples we talked about last week include infrastructure projects like the 22nd Street Bridge, essential programs like Continuum of care. You've already provided to me the authority to jump into litigation, either as an amicus or as a named party, a plaintiff when the opportunity is right in order to protect our interests and the funding that has been awarded to the City.

I can tell you that we are. Currently examining several specific opportunities to do that. And as a matter of fact, based on your authority, we have just in the last week or so in between your last meeting and this meeting jumped into two matters and I'll update you on that. First, is we joined

as a friend of the court Amicus in a matter filed in the Northern District of California. It was brought by the American Federation of Governmental Employees and other labor organizations that represent federal employees against the US Office of Personnel Management. It challenges well exactly what the Mayor was just talking about. The mass layoffs and cuts of federal employees in the hobbling of federal agencies through indiscriminate personnel cuts that leave those agencies unable to perform the functions that they are charged with. We joined along with a couple dozen other municipalities and governmental entities to emphasize the point that the crippling of those federal agencies has a direct and immediate and negative impact on local government's ability to provide essential services in our communities.

Just as one example, when HCD calls HUD to resolve an issue relating to housing and there's no one there to answer the phone or to respond to the e-mail, or to provide an update on the grant status or the funding request. That puts a stop on what we're trying to do to provide services to the members of our community, just as the mayor was just describing. So, we've jumped into that case. Another case that we joined as an amicus last week, it's not specific to the executive orders or those federal funding issues, but it does relate to state and national legislation relating to reproductive health care access, we joined as an amicus in the case of *Medina versus Planned Parenthood*, which is litigation currently pending in the United States Supreme Court. The issue has to do with Medicaid patients access to providers of choice and their ability to enforce those rights through a private cause of action. It's in response to certain state legislation, not yet in Arizona, but in other states, to attempt to kick certain providers out of Medicaid coverage based on ideological reasons rather than their qualifications as a care provider, that includes Planned Parenthood.

So, in other words, we've jumped in to support the continuing access of patients to providers of choice. We will provide you with any other updates in terms of other litigation that we jump into between now and the next meeting, but you've already provided that authority, and we're examining those opportunities now. Thank you, mayor.

**Director Cano:** Thanks again, Honorable Mayor and Members of the Council. And I want to also thank Mr. Rankin for closely tracking so much of the federal impacts on your behalf. Now it's time to give you a quick update from the state capital. I promise, I'm not counting, but it's day 65 of the legislative session. It means we're 45 days away from day 100. The committee deadline is fast approaching on March 28th, though, the appropriations committees will have an additional week to act on any pending legislation. As we near these deadlines, we should expect Stryker amendments which are last minute efforts to revive bills that previously were considered dead, or perhaps a new idea from a legislator. This is a common tactic, and so we'll be watching closely to see which proposals emerge or reemerge.

The state budget, there has been no movement. Republican leadership and the governor have yet to begin serious negotiations. The expectation remains that once the legislature passes Day 100, which is when legislative per diems go down, the legislature may be starting to take extended recesses as we've seen in the past two sessions. So, if that pattern holds, Mayor and Council a final budget deal likely won't come together until June or July, by July 1st. This situation on the budget is further complicated by the state's agencies supplemental funding request, notably the Division of Developmental Disabilities, which you may have heard of facing \$122 million deficit

due to higher than expected costs in providing essential services to Arizonans with developmental disabilities. This is an important point because it means that this, accommodating for this particular supplemental, will mean less available one-time dollars in the overall budget negotiation process. Turning really quick to Proposition 123, you'll recall that this is a voter approved measure from 2016 that increased funding for our public schools by adjusting state land, state Land Trust fund distributions. It allows a 6.9% annual payout from the trust supplement our K12 funding without raising taxes. That measure is set to expire this year, which is why discussions are underway on how to extend or modify the proposal. So, where things stand on that is that the governor has agreed to continue the 6.9% drawdown. She had different numbers at the start of session. She's pushing for a November 2025 special election this year. Legislative Majority Leaders are advocating for next year in November. There's some discussion about increased teacher pay, but any deal will likely require negotiations related to the Empowerment Scholarship accounts that we are familiar with, which has a significant sticking point that makes negotiations even more complex.

Meanwhile, we're still tracking the 34 ballot referrals that are being proposed for the 2026 election. At this stage we are receiving word that Republican leadership appears to be holding them all in the legislative process and Rules Committee waiting to decide which ones they're going to advance. This means we likely won't see any movement on key measures until later this session, and you'll recall that those ballot referrals bypass the governor if approved by both the House and the Senate. Two more final quick updates related to housing. Governor Hobbs recently introduced her own proposal for the Starter Homes Act aimed at spurring negotiations with lawmakers on this matter. We appreciate the proposal and the discussion but continue to stress the Mayor and Council's opposition to this particular legislation due to the broad concerns that we have about the preemptions that would essentially gut local authority, your decision-making authority over zoning decisions. It's an evolving conversation, and at this moment, legislators are meeting with majority lawmakers and the governor's office has a meeting on Thursday on starter homes.

Lastly, Honorable Mayor, Members of the Council, the city manager, is recommending four additional bills be added to our legislative tracker. Those recommendations are in your inbox and have been provided to you for consideration today. With that, I'm happy to answer your any questions on state and federal.

**Mayor Romero:** Council Woman Lee.

**Council Woman Lee:** So, Andres, thank you for the update. Probably just a uninformed person here asking a question, but the Prop 123 funding I wrote down the same question about does that bucket of money also fund the ESA expansion that's happened? Are those connected through Prop 123 in any way?

**Manager Cano:** Honorable Mayor, Members of the Council and Council Member Lee, I do believe that they will be different negotiations, will be two different bills. The Prop. 123 language is gonna be pretty cut and dried due to the fact that it's voters who will actually be asked to approve it. But a lot of times what happens is the majority will hold legislation

essentially hostage in exchange for another piece of legislation that is being considered and so to the extent that there will be revisions to the ESA program, I think that will be a separate bill.

**Council Woman Lee:** OK. Thank you for explaining that 'cause that's obviously ballooned way out of out of control in the ESA side. I'd also wanna see if my colleagues, in addition to the list that you provided, would be open to considering formally opposing SCR 1002, which is a proposed ballot referral that would prohibit automated traffic enforcement statewide. While Tucson does not use photo enforcement radar this measure goes much further restricting our ability to implement proven technologies that enhance public safety. We're hearing all the time that folks want our roads to be safer, and this is clearly this is concerning because it would prohibit our ability to use technology in the future when applied equitably to reducing speeding, aggressive driving and other accidents and fatalities, and many cities across the State: Avondale, Chandler, Mesa, Phoenix, Winslow and Paradise Valley, along with the Arizona Police Association and the League of Arizona Cities and Towns, have all registered their opposition to SCR1002 and we just need to remain flexible and have the ability to adopt data-driven Traffic Safety strategies that meet our community's needs.

So, with that, I would like to move that we formally add our opposition to SCR1002 and approve the full list of legislative recommendations as presented by the city manager for today's study session.

**Council Member Dahl:** Second,

**Mayor Romero:** Alrighty, there's a motion and a second any further discussion.

**Council Member Cunningham:** I'm very good with supporting the surveillance stuff and all the other traffic monitoring, but the people were pretty vehement about the red light cameras and we put it on referendum. The other piece about that was a lot of it's how the system's managed. I think actually there's an avenue, whereby cameras, can be of value if the program itself is managed properly. And it's not seen as only a revenue source, which is whether or not that was true for the city is irrelevant, because that's what it was perceived as. So, I'm gonna vote for this, but I wanna be on the record that I still don't think the way our red light program was managed was the best way.

**Mayor Romero:** Council Woman, is this is this SCR preemption of any city or town, doing their public safety work the way they need to do it. Mr. Rankin, can you explain a little bit?

**City Attorney Rankin:** Absolutely. It's directly preemptive of any municipal use of photo enforcement, which is defined now in this SCR. very broadly for enforcement, both of state as well as local laws, they regulate either speeding or compliance with traffic control devices.

**Mayor Romero:** Any others, any further discussion? Hearing none, all those in favor signify by saying aye.

**All:** Aye.

**Mayor Romero:** Any against, motion carries. Any others? All righty. Thank you so much. Really appreciate it. OK, Item 7.

**7. Mayor and Council Discussion of Regular Agenda (City Wide) SS/MAR18-25-42**

Information was provided by Mike Rankin, City Attorney who fielded and answered questions on ordinances related to unsafe traffic median solicitation, camping in washes and parks.

Discussion ensued; no action taken.

Information was provided by Timothy M. Thomure, City Manager read into the record there was a correction needed on the Development Impact Fee, Infrastructure Infill Plan, listed in the attachment, page fifty-two stated a new development was \$30 million and would be corrected to \$4 million.

No action taken.

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**Mayor Romero:** Does anyone have any items to remove from the consent agenda or related to regular agenda Mr. Rankin? I know that you wanted to talk about and clarify some issues and then Mr. Thomure as well.

**City Attorney Mike Rankin:** Thank you, Mayor, Members of the Council, as you're well aware, we have an item on tonight's numbered agenda that we've talked about a couple of times, but it includes three ordinances relating to an arising out of the voter's approval of Proposition 312. In November, just as a quick reminder, Proposition 312 approved by Arizona voters has now created a new state statute that gives property owners the ability to first file an administrative claim and or later a lawsuit to claim reimbursement for their primary property taxes paid to the jurisdiction in which they live, if they assert that they incurred a cost due to that jurisdictions alleged failure to enforce certain types of laws that are on the books. Those laws relate to trespass, urinating or defecating in public, obstructing public thoroughfares, creating associated public nuisances, illegal panhandling or camping, those kinds of things.

So, in light of Proposition 312, the last thing that a jurisdiction wants to have on the books is an ordinance that it controls, a local ordinance that, for whatever reason, we either cannot legally enforce or that is difficult to legally enforce. Because that then is fertile ground for a Prop 312 claim because then the property owner can cert, "hey, there's this law in the books, City of Tucson isn't fully enforcing it the way I think they should as the property owner and as a result, I was harmed, and I incurred some costs."

So, to that end, you had previously given me direction to bring back some ordinances to clear them up. Either make them enforceable or to make them more readily and straightforward enforceable. So, to that end, we have three ordinances in front of you tonight. One is, relates to traffic medians and this revised ordinance would replace provisions that were adopted in the year

2000 which that median ordinance focused on the conduct of soliciting, engaging in the act of soliciting on the traffic medians. At the time as written it was, I'll call it state-of-the-art based on the law that was in place at the time. We had a legal challenge to that law back in 2000. I remember it because I defended the city in the action, we prevailed on. And then the then existing law. But in the subsequent 20 years, federal decisions changed as jurisdictions quite frankly overplayed their hands with those types of ordinances and it became unenforceable based on those federal rulings finding that the act of soliciting is protected First Amendment activity and those ordinances cannot be constitutionally enforced.

So, the proposed ordinance with respect to the medians would take out any reference to the constitutionally protected activity and just focus on the public safety component of keeping people off a median because it is not designed for pedestrian use and because it is dangerous. To that effect at tonight, in the context of that specific ordinance, we're going to have a very short presentation from our director of DTM and from our police and fire departments to explain and put on the record that medians are not designed for pedestrian use or travel, except for the limited purpose of safely crossing the street during a cycle the lights. We will talk about the direction that the Mayor and Council's already given to take actions to reduce pedestrian injuries and fatalities. Something you talked about just a month ago in study session and from the fire department, they went back and reviewed five years' worth of incident reports involving cars versus pedestrians, I'll call it, and found that there was a meaningful number of cases where it's documented in the reports that the pedestrian was struck at or immediately adjacent to a median. So, it's a real Traffic Safety issue.

The other ordinances on the agenda tonight relate to camping and washes and camping in parks, and I'll talk briefly about each of those. The camping and washes proposal would amend Title 11, Chapter 11 of the Tucson Code and establish a new law, but it would create a more straightforward local enforcement mechanism to deal with this particular issue. We already do as you are well aware, take enforcement actions in washes throughout the city. But it is not a straightforward process in that there isn't an ordinance that's directly on point that says, hey, no camping and washes camping being defined in a way that tracks exactly from the Grants Pass case from the Supreme Court in 2024. Instead, we have to sort of cobble together some existing state and local laws relating to reckless burning and or open burning or trespass laws where we have to post notice and give time for people to get out, even if it's in a dangerous situation. So, while this would be a new law, it would address a situation we already try to address from a series of other laws. And it would apply directly to camping and washes.

In turn, we already have an existing provision that prohibits camping in parks. What this amendment in front of you tonight would do would amend the definition of camping so it would match up with that new definition of camping with respect to the washes. So, it's consistent, it's based on what the Supreme Court of the United States has said that's OK and it would resolve an issue of enforcement we have under our existing camping and parks definition, which is based on a definition that if we applied it uniformly, would prevent, say, a soccer dad or soccer mom putting up an easy up temporary shade structure during a game. Which wouldn't be fair to allow them to do that, but not allow other people who are using similar structures for other purposes. So, this would revise that definition, eliminate that conflict with respect to equal enforcement, and allow us to proceed uniformly against all your users of the park.

As you discuss and evaluate the ordinances tonight, you can address them either all three under one motion, or you can pull them apart and discuss and address each proposed ordinance individually.

**Mayor Romero:** Council Member Cunningham.

**Council Member Cunningham:** Let's start with the first question that I have on this. My number one concern when as we review the material was that by having these ordinances, are we not opening ourselves up to exposure on a 312 challenge by not enforcing them because we don't have the resources to enforce them every single time. Are these complaint based or is this required immediate enforcement and how do we reduce our exposure on a 312?

**City Attorney Rankin:** So, reducing our exposure under Proposition 312 is gonna be an ongoing challenge because you're always going to be in the situation citywide where not every law is enforced every time that it is violated. That is an impossible and unrealistic situation. No city has those resources. What these ordinances do is actually improve our position because when we are in a position to enforce the laws themselves are enforceable much more straightforward, and so we can enforce more readily. I also want to note that in each of these ordinances, I included a provision that said if going forward, if these are approved and adopted, they actually become the basis for successful claims for property tax reimbursement under Proposition 312. Then we're going to bring them back to the mayor and council to see if we need to modify them or repeal them to eliminate or reduce that proposition 312 liability.

**Council Member Cunningham:** So that that's my first big concern right now is the exposure piece. I think it's really, we may need to tweak it so that it's compliant based we need we may need to make a couple of adjustments there. More importantly, if we're going to do this, and I'm not saying we will, we've got to have an adjustment. We've got multiple, multiple folks living in 100 acre woods, we've got folks in residence at Santa Rita Park and they're not, they're going to be completely displaced on an immediate basis, not to mention everybody in the washes, and they have nowhere to go. Realistically, I don't know how we can make an immediate transition. In that scenario, with the camping piece, it's just not realistic. Now we talked about urban camping in the past and I'm not a that's had some mixed results in different cities. It's not the best thing, but if we do it as a interim or as a provision, to kinda allow us to transition out, with some of these places that we have identified as safe park areas or have been basically traditional camping areas, then maybe that can help.

But right now I'm just, I'm very concerned about the transition piece because, look, everybody knows we've gone into 100-acre wood, we've gone south of Freedom Park to the wash along Golf Links, we've gone along Aviation Highway, we've gone to Santa Rita Park multiple times, at least 15 times. Not only that, we have done little spot checks on different camps that have popped up close to residences or close to schools. We have a hot spot near us that's next door to the Autism Academy. And I can tell you right now that situation with children who are enrolled at the autism school does not mix when there's interaction between the folks through the wall and through the fence, it just doesn't work.

So, we've got these challenges on the ground that are really realistic when we talk about the practical and pragmatic application of ordinances like these. This, the electorate or our citizenship has been very clear. They want us to entrust that house, and we've sat at this table and said it is so much more complicated than anybody really begins to understand and without community partners and without the county being all in with us, we're kind of doing this with one hand behind our back. I absolutely submit that reducing our exposure to 312 and having straightforward ordinances has value. But if we can't figure out like a reasonable transition and provisional transition period for this, we're gonna be in big, we're gonna actually increase our exposure.

So, I wanna challenge you to think about that between now and about oh 8:00 this evening, 7:00 this evening, because we have to have a plan in place to do this and we may need to pass these ordinances. There's no doubt about that. We may not be without a plan in place, we may not be ready to have them go into effect immediately. That's kind of where I'm going with this. It's not because I don't agree that something quote unquote must be done. It absolutely needs to be. The issue is that there is a very realistic practical challenge in applying and making the transition into these laws and we've got to be cognizant of that. That's what we were elected to do.

**Mayor Romero:** Vice Mayor Santa Cruz.

**Council Member Cunningham:** Second, but Council Member Cunningham said. I know that my office recently heard from some folks who were living in the wash doing their best to be good neighbors, cleaning up their trash, keeping noise down. But they were told that they had to move within a couple of days. And they were just short on days before receiving their housing voucher. We know that one of the persons living there was able to find a spot as Sister Jose but lost a lot of their belongings. So, we know that this repeated displacement is slowing people down from, you know, getting the permanent supportive housing that they need. And when we were discussing these ordinances last year, that was the feedback that we also got from a lot of folks that were just moving people around into more public places, not actually solving the issue of getting people sheltered.

So, I am concerned by not having a plan 'cause what does this, what does enforcement look like? Like you said, we don't have the resources the personnel to go out and every time we get a call to enforce. So, I'm not sure that we're addressing what the voters pass. I think part of the frustration is that the situation keeps getting worse and that government is moving slow and addressing it, and as we've been having this discussion even earlier today, like what is our responsibility, the city as a governing body, and I think it's for us to create the conditions so that everybody plays a role in addressing it. So, whether it's meant like reducing the barriers for doing this micro shelters or looking at, you know, diverse housing options like Council Member Cunningham just mentioned that I think that's the, you know, that's the frustration that they're not seeing anything happen. And I think when people continue to just see the same thing over and over, and I think, you know, it's easier to be like just, you know, lock them up or just want them out of sight, out of mind.

So, I want to make sure like Council Member Cunningham mentioned, like what, what is the plan? So, we're putting in ordinances and then what?

**Mayor Romero:** I just want to, I wanted to comment on this and that's why I keep asking Mr. Rankin to clarify why these ordinances are necessary in order to prepare what, by the way voters in Tucson passed by 54%. I'm really conflicted on what voters want right now. This Mayor and Council has been really creating programs that had never existed before in the City of Tucson with our Housing First policies and programs with our Community Safety, Health and Wellness, with our housing affordability strategy and focus on creating affordability. From low barrier shelter all the way to home ownership and keeping people housed and keeping people from becoming homeless through the eviction prevention and intervention investments that we and the county have been doing.

And so, I'm very, very conflicted with this. I unfortunately, believe that voters have said they want local government to do something about this. And some in the community think that we should just pick everyone up and take them to jail. I don't believe that, but there are some in our community that believe that. Because we passed, these ordinances does not mean that we will not continue to do the programs that we created to help these people. It's not going to turn off the lights on Housing First, it's not going to turn off the lights on Community Safety, Health and Wellness. It is not going to turn off the lights on our low barrier shelters and the investments that we do in other shelters like Sister Jose's and Primavera, it's not going to do that. But we've got to prepare, unfortunately, voters voted for a misinformed and misdirected initiative. I, as the mayor of Tucson, advocated for a no vote. And this and so many other horrific issues that would put. on for voters to approve or not?

Unfortunately, the voters did not pass Proposition 414. Which would help put more community service officers and more housing first navigators, and more and more Community Safety, Health and Wellness staff. They did not approve that. That's why I am conflicted. I am conflicted, but then these Proposition 312 will expose us, will expose us and it will be coming from groups and it will be coming from individuals that many of us know the names of already. So, we need to help protect, one, protect the City of Tucson from further lawsuits, and two, we've got to prepare to make sure that we're following the will of the voters. They want us to do something. And so, I'm conflicted and confused with what voters are doing recently and I think that is created by the chaos and misinformation that is being put out there by groups that in one second pick everyone up and take them to jail. And that is not going to happen in the City of Tucson. I do agree that we do need to have a defined plan, as we consider these ordinances a defined plan that will give us a way, and this is where our city manager and our executive leadership team and all of us to help put together.

But I do really feel that we need a defined plan as we move forward. Working with the community and I like that you put language in there that says if this is going to cause lawsuits, then we have to come back to the table and pivot on what will help further protect the City of Tucson and the taxpayers, frankly, from any individuals trying to come after us. So, I know that Council Member Uhlich has a question or comment, but Mike, did you want to respond? And then, Tim, you also wanted to go first and then...

**Council Member Uhlich:** Thank you. OK, so 312 is about private property being impacted by our lack of enforcement of ordinances. And so, in looking over these ordinances and I'm, yeah,

I'm, this is really hard for all of us, right. And I think, I mean, I've been arrested twice for civil disobedience in this town, and one of them was at Ajo in I-19 when the city decided to bulldoze a homeless camp. Not OK, right? I mean, so I have been at this for 30 years in this town and our role at this table is to represent the community's interests and the city's interests writ large, and it involves 550,000 people who need us to step up and do that. And so, I'm trying to think through that lens. And so, there are elements of this, that makes sense to me. You know, if I drive the Arroyo, Chico, wash, it's pretty lush, it's very highly vegetated, no fires, no, no. You can't have fires in that environment because it actually could burn down other it could burn, yeah, including the folks in the tent right there, so that makes sense to me. For the washes it and because of flooding and we're all dealing with neighborhoods that just get ripped with water when we have deep monsoons and we have swift water rescues of folks who thought it was the safest place to be. And it turns out to be the most dangerous place. But in terms of flooding, if we have tents, furniture, you know, massive obstructions that relate to camping, then it does affect the flow of water and I believe that that's a fair, it's a safety issue. So, I'm just thinking out loud 'cause this one, I mean, you know, it's very challenging.

So, and to me, that does relate to 312, right? I think that the piece about camping that's resonating with so many people and I'm just listening and trying to digest it and I just feel that there's a deeper concern triggered when people set up camp, right? It essentially communicates this is my space now, not yours, right? And so, in the parks and other areas, I don't, I think that's a piece of this and I don't know how we address it by ordinance. I think I mentioned to Mike, I agree we shouldn't allow mattresses in washes, whether or not we allow somebody to sleep with a blanket in the wash because it's the safest place. That to me is there's a line there, right? I think a blanket or a sleeping bag, I don't know. And I'm confused about the whole bedding thing. Like are we saying people aren't allowed to sleep at night? Because if they're not allowed to sleep in the washes or the parks, they'll end up in the alleyways or on city halls porch right out here, understandably, right, they're not going to spontaneously combust.

My concern with 312 and these ordinances is if we make it, essentially illegal to sleep in these different places, which we might need to do, we might be doing it tonight. We do have to recognize they're going to go somewhere because they don't, they're not, they need to lay their head somewhere and sleep as safely as possible without disrupting. So, the bedding piece, especially blankets and sleeping bags. Mattresses, those kinds of things, and I know you've we've been trying to define this so that's, that's a thing too. The homesteading piece, or the thing about setting up home, that concerns me for homeless folks and folks with houses and all of us on the edge, whoever we are. I think part of what people are observing is once folks are settled and claim their space, whether it's in the park or otherwise, and then other behaviors start to happen, like I probably drink more heavily at my house than I do at the bar because there's no witnesses that are going to narc on me, right or whatever, right? I mean privacy and space that you can claim, I'm sorry that I'm just going on and on, but I'm trying to sort through this. What I hear from our neighbors is that then people start fighting, right, because this park corner is mine, I've been here for six weeks, this is my space and somebody else can come up and say hell no, right? Or drug use and drug dealing because there's a cover, a sense of cover.

So how do we address those concerns and behaviors and is that partially basically to say you are going to have to be on the move a bit more than we all would like we don't want to make you

keep moving however we, you know, there is a pattern that emerges in the Community when that happens. So, I don't know how I'm voting tonight, and I don't know if I am going to offer any amendments, this has really been a baffling. I read a whole book last night about homelessness and the different folks who are homeless. And I mean, I know we're all really agonizing over this. I want to get it right so that neighborhoods and folks are not in jeopardy. I want to define what it is that puts people at risks. In my mind, it is structures, furniture, it's, you know, claiming a public space as your own, when it's not. I'm sorry that there's not a space that you're claiming as your own right now, but that ain't it, honestly. And so, that's a piece of it, fire, flooding, those are pieces of it and just trying to come up with actions that we not only that we need to take because voters are saying so, etc. But in our neighborhoods, and we know this, there's stresses that are really permeating and resonating, that I mean that I think it's OK for people to say I, you know, I'm compassionate, but this is too much. It's too far. I'm watching a fire in the wash that's out my backyard. So that's where I'm at. Glad I could be helpful.

**Mayor Romero:** Mr. Rankin. Actually, Council Member Dahl

**Council Member Dahl:** I think your confusion expresses it for all of us. It is a tough one to grapple with. I've been monitoring the emails all day on both sides. I do have one suggestion. I would like that we vote on these separately because I think we can agree the median one is pretty clear. There's no reason for anybody to be in a median and the statistics shows that it causes lots of problems, well, there is a reason, but it's not a great it's not a protected reason.

There are many compassionate people who are arguing that this criminalizes being homeless, and I think that's, I don't think we want to be in that business. So I'm not likely to vote for those two, but I think the continued discussion and continued working for and part of why I don't want to vote for it is because we are actively dealing with encampments in parks and Thompson Park, there's an encampment. We go through the process. They're moved, comes other people come or they come back and there is a process. We are taking steps. In washes, it may take a little longer in some washes and some washes it doesn't take longer because it's posted trespassing and it's closed to people, and it's working., I think people make an excellent point that maybe for some people being hidden in a wash far away from other people means they have less impact on our community and a little more safety for them themselves. Again, not an ideal solution, and I think we need to work maybe a little faster for some of those pre housing first things we've been talking about a place to safely park in your car. We've got some new congregate shelter with low barrier congregate shelter which is great in Ward 3 and elsewhere. And maybe working with the county, especially maybe there'll be some opportunities for you. You need to camp outside; we have a space for you to do it where you can get services and it'll be hygienic and you'll be safe. Those are my thoughts.

**Mayor Romero:** Council Woman Lee.

**Council Woman Lee:** I'll be very brief. I appreciate all of the feedback from the colleagues. I agree with you, Mayor. We have to protect taxpayers; we have to protect the interests of the City of Tucson while also addressing everything that we've talked about. I know that we're gone through the process of the GAP analysis and identifying a lot of the impediments that people face from getting in their current state of unsheltered into housing. I think that the Vice Mayor

brought up a really important point, to understand the demand and the capacity, right. I don't have a good idea of how many folks need housing options and how many housing options are truly there. I know we have some capacity at Station 8, but what does that really look like in terms of the amount of folks that we're talking about that are going to be impacted by these policy decisions? So, I think having some sort of a like you all have said some sort of a timeline or a road map or what this actually looks like to implement is gonna be really key to this being meaningful.

**Mayor Romero:** Mr. Rankin.

**City Attorney Rankin:** Thank you, Mayor, Members of the Council, I'll probably be less brief than usual in responding to your discussion. First, I want to apologize if my framing of the issues made it sound like this is a simple or straight forward issue. It is anything but, and the fact of the matter is, that the approval by the voters of Proposition 312 makes dealing with the behaviors that are the subject of Proposition 312, actually much harder, in light of Proposition 312, then easier. In fact, it would probably surprise the advocates of 312 to realize that its adoption makes it less likely that local jurisdictions in Arizona are going to keep laws on the books to address these behaviors if they're not confident that they can consistently enforce them, right. At the same time, as a jurisdiction, we need to have laws that are clear and straightforward, constitutional and readily enforceable. Because when we do need to enforce, we are all best served, if the law were enforcing is clear and straightforward and easy to point to, right?

A couple of things in response are for your consideration tonight with respect to the median ordinance. We have an existing law in the books, and we cannot enforce it constitutionally. My recommendation is if you're not comfortable moving forward with a revision to that ordinance, I'm going to be asking you to repeal what's on the books, because there's no sense in having a law on the books that someone can point to and say you're not enforcing that one. And then I have to go to court and say well, but we can't because you know this 9th Circuit and this 4th Circuit and this 6th Circuit, you know, there's no sense in having a law we can't enforce on the books. So that one I think is a clear decision one way or another for you all, OK.

Secondly, what does this mean for enforcement? I think you all know, and you know me well enough for so long enough that none of us are about arresting and jailing everybody who is in violation of a particular law, state law or city law. But what I am an advocate of is having the laws in place that when we do need to enforce them are constitutional, they're plain, they can be explained to the person who is the subject of the enforcement action in a in a very clear way, so that we can get compliance OK.

Enforcement, as you know, and this is emphasized in the Mayor and Council Communication is always dependent on resources and the ability to enforce. But it's also dependent on the priorities that you've set as the Mayor and Council, and that the chief has set through his general orders that the Manager has set through his direction to staff and those enforcement policies would not change based on whether you adopt these ordinances or not.

With respect to camping, the tier system that has been in place for a long time now and that you all talk about and you talk about when you have your updates and these study sessions every few

weeks, this would not disturb any of those tier systems or those policies. OK, what it would do is it would replace the laws that were trying to enforce when we need to enforce them, when it reaches a certain tier with laws that are much more plain and straightforward and easy to enforce. They're still not easy. How you define camping means something different to everybody, and what's really important to keep out of the wash is what's really important to keep out of the parks, right? That's very difficult and I and I acknowledge that.

If you want a transition phase, with respect to the adoption of new ordinances, you have a few ways to do that. You've done it before in the context of other new ordinances. I can remember when we were regulating texting and driving before the state got in the business of doing that. You know we included in the direction with the ordinance that there would be a 30-day educational period, that it would only be enforced by warnings and education before any citations were issued. You could, in these ordinances, include with respect to the penalties that the first offense will be a warning before there is any citation or arrest. OK. That's another thing you can do.

With and I already covered the point about the camping in the washes and parks. The tier systems would remain in place, which, by the way, you're also free to change over time and nothing would change in this by adopting or moving forward with these ordinances, would change your ability as a legislative body of the City of Tucson to change those priorities over time.

**Mayor Romero:** Thank you for the clarity, Council Member Uhlich. Just one question that I'm that relates to just this concern about where people do end up, could you know and if we prevent presence on public in public spaces is it more or less likely that folks will end up trespassing on private property to find a place. That, that piece is hard in terms of that element of this? And I mean, you know. So, I think that folks need to understand that if we don't take action, for example, on moving people out of the parks, it is out of the understanding, if not there, then where. And you know, so again, I just, I keep looking at that 312 nexus and also what the real dangers are for certain camping, right. And I do think fires and I do think the flood, you know that those are, that seems really tight to me and I, you know. So anyway, the washes make more sense to me than the parks at this point. And it's not that we don't want parks to be open and accessible all the time to everybody, it's just folks are gonna end up somewhere and in some ways we might trigger more 312 complaints because if the police don't respond within 15 minutes to a trespassing concern, and there is and something, there's 312, right at us. So, I can't help but feel for the TPD and CSOs out there who you know are going to be expected to enforce whatever we pass and I want to give them tools to help keep the community safe and be realistic about what can happen at this juncture to accomplish that so.

**Mayor Romero:** Mr. Thomure.

**City Manager Thomure:** Madam Mayor, so my comments were to a different item. So, if you're and that was, that was interesting. So, we're still on Item 7. So, what I wanted to address was two elements of Consent Item 7d, this is the infrastructure infill or IIP, and the land use assumptions for development impact fees. One is a correction that I wanted to mention today, and I'll mention it tonight at the meeting. And then the other is some explanation of what it,

there's one area where you talk about what other projects could be. So, we have the listed projects in the IIP, but then we say, or other things and I wanted to give you an example of that.

So the correction would be in the attachment from the consultant, we talk about, there's this Figure S7, it's on page 52, but it really points out some of the different types of investments that are subject to impact fees when it comes to a calculation of it. One of those is traffic signal systems and we have in there, traffic signal systems in Figure S7 listed at a \$30 million cost. Based on some of the input we got from SAHBA, especially Southern Arizona Home Builders Association, they challenged that piece of it and we've looked at it as a team and we have determined that that number is incorrect. It actually overstates the impact on that element from new development and so we are going to want to correct that from \$30 million to \$4.83 million, which is what would be eligible under that.

So rather than have you have to reconsider everything and kick the can down the road, I'd rather read that in tonight and that's what would be the basis for calculations when you adopt fees in a future step. So, it's a pretty straightforward correction. Then the other one is in Figure S17 of the same Exhibit one of the ordinance, it lists different service areas in different projects and in this case we're talking about the streets category and then there's a there's language that says or other projects as needed. There's one example I want to give to you just so we get clarity with the Council when you're approving that other category one project that we would be wanting to bring forward under that and it's an ADOT is doing a project that we thought was going to be, five years out, it's actually going to be one year out. And this is Country Club north of I-10. So, there ADOT about a block off of the I-10, they're gonna be doing a widening of Country Club. It's an ADOT project, but there's like one block that the City would need to do, so it's Country Club from Michigan to Millburn and that is something that we would want to be impact fee eligible, but we didn't list it in the program. But we would be using that language that says other projects as identified as that mechanism by which that project could become impact fee eligible. And it'd be under the citywide category. So, it's really those two things. I'll repeat them again tonight. One correction and one explanation. Thank you.

**Mayor Romero:** All righty. Any other comments or issues on the regular agenda, if not Item 8.

#### **8. Mayor and Council Discussion of Future Agendas (City Wide) SS/MAR18-25-43**

No items were identified.

#### **Mayor and Council Discussion of Future Agendas (City Wide) SS/MAR18-25-43**

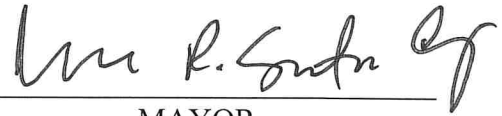
No items were identified.

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**Mayor Romero:** Does anyone have any future agenda items at this moment? If not, any study session is adjourned, and we will convene at 5:30 PM. Thank you everyone.

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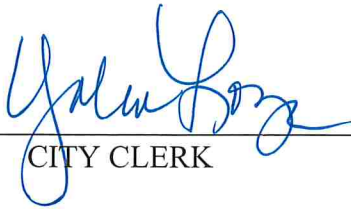
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MAYOR

**PRO-TEMPORE**

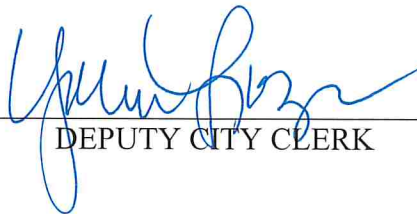
ATTEST:



CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the study session meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 18th day of March 2025, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

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