

MAYOR AND COUNCIL – STUDY SESSION

LEGAL ACTION REPORT

TUESDAY, JUNE 7, 2022

MAYOR AND COUNCIL CHAMBERS

CITY HALL, 255 W. ALAMEDA, TUCSON, AZ

Mayor Romero called the Study Session to order at 12:04 p.m. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

OFFICIAL MEMBERS

PRESENT:

Mayor Regina Romero
Vice Mayor Lane Santa Cruz (Ward 1)
Council Member Paul Cunningham (Ward 2)
Council Member Kevin Dahl (Ward 3)
Council Member Nikki Lee (Ward 4)
Council Member Steve Kozachik (Ward 6)

OFFICIAL MEMBERS

ABSENT/EXCUSED: Council Member Richard G. Fimbres (Ward 5)

STAFF: Michael J. Ortega, City Manager
Michael Rankin, City Attorney
Suzanne Mesich, City Clerk

AGENDA ITEM / MAYOR AND COUNCIL ACTION

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- 1. Executive Session – Discussion of the City of Tucson’s Cybersecurity and Critical Infrastructure Posture (City Wide) SS/JUN07-22-111**

3. **Executive Session – Tucson Electric Power Co. (TEP) and Related Issues, Including Undergrounding Requirements, and the Irvington-East Loop Transmission Line (City Wide)** SS/JUN07-22-113

(This item was taken out of order.)

5. **Executive Session – Exchange and Conveyance of City-Owned Property Located at 7575 E. Speedway Boulevard and a Portion of Tax Parcel No. 133-13-005E for Property Owned by Centre East Center, LLC Located at 7820-7840 E. Broadway Boulevard (Ward 2)** SS/JUN07-22-115

(This item was taken out of order.)

It was moved by Council Member Dahl, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused0), to enter into Executive Session as noticed on the agenda.

RECESS: 12:04 p.m.

RECONVENE: 2:06 p.m.

MAYOR & COUNCIL: All present (Council Member Fimbres absent/excused)

STAFF: All present

Executive Session was held from 12:07 p.m. to 1:52 p.m.

It was moved by Council Member Cunningham, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused), to return to open session.

2. **Mayor and Council Direction Regarding Executive Session – Discussion of the City of Tucson’s Cybersecurity and Critical Infrastructure Posture (City Wide)** SS/JUN07-22-112

There was no direction for this item. The City Attorney noted that prior direction from the April 5, 2022, Study Session was still in effect.

3. **Executive Session – Tucson Electric Power Co. (TEP) and Related Issues, Including Undergrounding Requirements, and the Irvington-East Loop Transmission Line (City Wide)** SS/JUN07-22-113

(This item was taken out of order and considered after Item #1.)

4. Mayor and Council Direction Regarding Executive Session – Tucson Electric Power Co. (TEP) and Related Issues, Including Undergrounding Requirements, and the Irvington-East Loop Transmission Line (City Wide) SS/JUN07-22-114

It was moved by Council Member Lee, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused), that the Mayor and Council direct the City Manager and City Attorney to proceed as discussed in Executive Session; and to schedule the easement agreements relating to the Irvington-East Loop project at the next available council meeting for consideration by the Mayor and Council.

5. Executive Session – Exchange and Conveyance of City-Owned Property Located at 7575 E. Speedway Boulevard and a Portion of Tax Parcel No. 133-13-005E for Property Owned by Centre East Center, LLC Located at 7820-7840 E. Broadway Boulevard (Ward 2) SS/JUN07-22-115

(This item was taken out of order and considered after Item #3.)

6. Mayor and Council Direction Regarding Executive Session – Exchange and Conveyance of City-Owned Property Located at 7575 E. Speedway Boulevard and a Portion of Tax Parcel No. 133-13-005E for Property Owned by Centre East Center, LLC Located at 7820-7840 E. Broadway Boulevard (Ward 2) SS/JUN07-22-116

It was moved by Council Member Cunningham, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused), that the Mayor and Council direct the City Manager and City Attorney to proceed as discussed in Executive Session; and to draft and finalize a Real Estate Exchange Agreement that is consistent with the terms discussed in Executive Session. This direction includes directing the City Manager to schedule that agreement for consideration and approval by the Mayor and Council, as early as the July 12th Mayor and Council meeting if the remaining issues are resolved in time.

7. **City Manager's Report and Update on COVID-19, Ongoing City and County Mitigation Measures; Funding and Appropriations; and Related Legal Matters (City Wide and Outside City) SS/JUN07-22-110**

Introductory comments were made by Mayor Romero.

Information was provided by Michael J. Ortega, City Manager, who fielded and answered questions.

Discussion ensued; no formal action was taken.

8. Discussion of Adoption of Fiscal Year 22/23 Budget (City Wide) SS/JUN07-22-117

Introductory comments were made by Mayor Romero.

Information was provided by Michael J. Ortega, City Manager, who fielded and answered questions the FY 22/23 Final Budget. Presentation included Key Concepts (tentative budget discussion items, changes between tentative and final budget, update on supplementals/next steps). Some discussion points included homeless work program, summer heat protection for the unsheltered, parks & pools, transit fares, community connectivity assessment and planning, Tucson Medical Center, environmental services cost of service study, in-kind events, solar for low income, and positions added in FY 21/22, as well as fuel, conversion of temporary positions to permanent, IT needs, revenue contingency.

Mr. Ortega said some next steps were work on supplemental requests (working list to the Mayor and Council in late summer, department presentations through August and Mayor and Council approval by October).

Discussion ensued regarding the homeless work program, summer heat protection, cooling centers, and community connectivity assessment and planning.

It was moved by Council Member Cunningham, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused), to redirect the \$3 million from community connectivity assessment and planning to affordable housing.

Discussion continued regarding increasing what the City pays for employee's insurance premiums as a way for retention.

It was moved by Council Member Cunningham, duly seconded, that the City cover the increase of current employee's health insurance premiums, so their rate stays the same as in FY 22.

A friendly amendment was made by Council Member Dahl to also include premiums for retirees.

Discussion continued.

The friendly amendment died due to lack of a second.

The original motion to cover the employee's health insurance premium for another year was CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused).

Discussion continued. It was decided that free transit fares be extended for the next six months, as well as the environmental services, community connectivity, parks and pools, capital improvements, primary/secondary tax rates, and public engagement.

11. Parks and Recreation Budget and Status of Pools (City Wide) SS/JUN07-22-119

(This item was taken out of order.)

Introductory comments were made by Mayor Romero.

Information and presentation were made by Lara Hamwey, Parks and Recreation Department Director, who fielded and answered questions the parks budget, staffing resources, priorities (level of services, compliance, tree investment, engagement, and build capacity), facilitating change (sports fields – allocation and use, improved sports field conditions, construction inspection and management, building community, mobile stage replacement, securing parks) reinvestment strategies (PC replacements, buffelgrass abatement, GSI Maintenance, wayfinding, aquatic program rec assistant, and plumber).

Discussion ensued regarding fields, various parks and pools, splash pads, staffing, lifeguards, academy swim clubs, and equipment needs.

No formal action was taken.

**9. Thrive Expansion Update; Consideration and Approval of Target Area (City Wide)
SS/JUN07-22-118**

Introductory comments were made by Mayor Romero.

Information and presentation were provided by Liz Morales, Housing and Community Development Department Director, who fielded and answered questions on Choice Neighborhood, Workforce & Economic Development, and Community-Based Crime Reduction. The presentation included, Thrive in the 05 Transformation Plan, Action Activities (Commercial Corridor Catalysts, Tactical Placemaking + Neighborhood Identity, and Green Space Removal), Tucson House Rehabilitation Project, Lessons Learned – Next Thrive Zone (Joint Leadership, Extension community visioning and engagement, Data and market studies, Comprehensive Approach, Cross-sector partnerships and collaborations, Funding for Action Activities/Early Implementation. The presentation also included the Target Area Selection Process (Neighborhood Vulnerability Index, Crime Data, Area between 1-2 miles with shared identify, Anchor institutions, HUD-Assisted Housing, Existing leadership and/or community organizations) and Next Steps (Mayor and Council Direction, Hire Coordinator, More Community Conversations and Establish Steering Committee, and Develop RFP for Community Engagement Partner(s).

Discussion ensued regarding PNI areas.

It was moved by Council Member Lee, duly seconded, to move forward with the expansion of the 29th Street area as a Thrive Zone.

Discussion continued.

A substitute motion was made by Council Member Kozachik to start with the Grant and Alvernon Area as a Thrive Zone and do 29th Street next. The substitute motion died for a lack of a second.

The motion to move forward with the expansion of the Thrive Zone to include the 29th Street area was CARRIED by a voice vote of 5 to 1 (Council Member Fimbres absent/excused and Council Member Kozachik dissenting).

**10. Planning and Development Services Department Level of Service Review (City Wide)
SS/JUN07-22-101**

Introductory comments were made by Michael J. Ortega, City Manager

Information was provided by Timothy Thomure, Assistant City Manager, who fielded and answered questions regarding deficiencies in customer service (answering phones, answering emails, helping constituents, archaic records system. He said there was also concerns over processes, policies and were they challenging the way the conducted business on a daily basis.

Mr. Thomure stated they had made numerous process improvements, technology enhancements, rolling out of a solar app and remote inspections as well as daily collaboration with Pima County and many other stakeholders. He said by the fall, they hoped to have a new on-line permitting system.

Discussion ensued.

(Vice Mayor Santa Cruz departed at 4:33 p.m. and returned at 4:37 p.m.)

It was moved by Council Member Lee, duly seconded and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused), to approve the City Manager's recommendation for: 1) Allocation of a Project Manager, 2) \$250,000 for system upgrades, and 3) approval for 14 new FTEs.

11. Parks and Recreation Budget and Status of Pools (City Wide) SS/JUN07-22-119

(This item was taken out of order and considered after Item #8.)

RECESS: 4:54 p.m.

RECONVENE: 5:03 p.m.

MAYOR & COUNCIL: All present (Council Member Fimbres absent/excused)

STAFF: All present

12. Update on Colorado River Shortage, Drought Responses, and Conservation Measures (City Wide and Outside City) SS/JUN07-22-120

Introductory comments were made by Mayor Romero.

Information was provided by Timothy Thomure, Assistant City Manager, who fielded and answered questions on the status of the water shortage on the Colorado River, Lake Mead, and Lake Powell, the drought stage and conservation measures.

Discussion ensued regarding water audits for water efficiency, largest water using facilities, outreach to customers, outreach campaign related to drought, increased toilet rebates and the use of passive water harvesting rebates.

It was moved by Council Member Dahl, duly seconded, and CARRIED by a voice vote of 6 to 0 (Council Member Fimbres absent/excused), to direct Tucson Water to return to the Mayor and Council with a plan to continue conservation efforts, outreach/education outwork on city facilities, continue working with residential customers and looking at potential new programs in terms of conservation, as well as explore the possibility of a net zero water for all new construction.

Discussion continued; no further action was taken.

13. Updates on State and National Legislation and Regional Committees (City Wide) SS/JUN07-22-107

Information was provided by Andrew Greenhill, Intergovernmental Relations Manager, who fielded and answered questions.

Discussion ensued; no formal action was taken.

14. Mayor and Council Discussion of Regular Agenda (City Wide) SS/JUN07-22-108

Council Member Dahl requested that Consent Agenda Item 7a be considered separately:

Item 7a Intergovernmental Agreement Amendment: with Pima County for
Transportation Funding for the Sunset Road - Silverbell Rd to
River Rd Improvement Project (Ward 3) JUN07-22-155

Mayor Romero requested that Consent Agenda Item 7g be considered separately:

Item 7a Resolution: Supporting the Constitutionally Protected Right to Abortion
Services; Opposing the Supreme Court Draft Opinion in Dobbs v.
Jackson; Denouncing Arizona Laws Criminalizing Abortion
Services; and Authorizing the Chief of Police to Revise General
Orders to Protect the Well-Being of Pregnant People (City Wide
and Outside City) JUN07-22-159

15. Mayor and Council Discussion of Future Agendas (City Wide) SS/JUN07-22-109

Council Member Kozachik requested an update on the Income Source Discrimination Ordinance discussed a few months back.

ADJOURNMENT: 5:29 p.m.

AUDIO RECORDING AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE FOR TEN YEARS FROM THE DATE OF THIS MEETING.



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