

MAYOR AND COUNCIL – STUDY SESSION

LEGAL ACTION REPORT FOR THE MEETING OF TUESDAY, JUNE 22, 2021

MEETING NOTE: Due to the impacts of the COVID-19 pandemic, which have prompted declarations of a public health emergency at the local, state and federal levels, this meeting will be conducted using measures to protect public health. This meeting will be held remotely through technological means, as permitted under Arizona law.

IN-PERSON ATTENDANCE BY MEMBERS OF THE PUBLIC WILL BE PROHIBITED.

A live stream of the meeting will be broadcast so that members of the public may view and listen to the meeting online at this location:

<https://www.tucsonaz.gov/gov/mayor-and-council-live>

The meeting will not include any items that will involve time set aside for public comments.

PLEASE BE AWARE THAT THESE MEASURES ARE IN PLACE TO LIMIT THE NEED FOR MEMBERS OF THE PUBLIC TO PARTICIPATE IN LARGE PUBLIC GATHERINGS, WHILE ENSURING THAT THE DISCUSSIONS, DELIBERATIONS AND ACTIONS OF THE MAYOR AND COUNCIL ARE TRANSPARENT AND CONDUCTED OPENLY.

Mayor Romero called the Study Session to order at 2:02 p.m. The meeting was held remotely using Microsoft Teams.

OFFICIAL MEMBERS

PRESENT: Mayor Regina Romero
Council Member Lane Santa Cruz (Ward 1)
Council Member Cunningham (Ward 2) (arrived at 2:04 p.m.)
Council Member Karin Uhlich (Ward 3)
Vice Mayor Nikki Lee (Ward 4)
Council Member Richard G. Fimbres (Ward 5)
Council Member Steve Kozachik (Ward 6)

OFFICIAL MEMBERS

ABSENT/EXCUSED: None

STAFF: Michael J. Ortega, City Manager
Michael Rankin, City Attorney
Roger W. Randolph, City Clerk

AGENDA ITEM / MAYOR AND COUNCIL ACTION

1. Report and Update on the Continuing COVID-19, Emergency: City Response and Emergency Management; Coronavirus Relief Fund (CRF) Mayor and Council Strategic Plan and Expenditures (City Wide, Outside City) SS/JUN22-21-138

Information and presentation were provided by Michael J. Ortega, City Manager, who fielded and answered questions on the status of vaccine sites and pop-up sites. He said information regarding vaccines could be found on Pima County's website at <https://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=669257>.

Mr. Ortega updated the Mayor and Council on FEMA's reimbursement to the City for some of the COVID expenses and eviction moratoriums scheduled to end on June 30, 2021.

Information was provided by Liz Morales, Housing and Community Development Director on affordable and stable housing.

Discussion ensued.

It was moved by Council Member Fimbres, duly seconded, to direct the City Manager and staff to return to the Mayor and Council with an extension to the eviction moratorium within the City limits to December 31, 2021.

Discussion continued.

The motion was CARRIED by a voice vote of 7 to 0.

2. Discussion of the American Rescue Plan (City Wide) SS/JUN22-21-140

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

Information and presentation were provided by Liana Perez, Deputy City Manager and Jeffrey Yates, Business Services Department Director, who fielded and answered questions on Mayor and Council priorities, Investment in the Community, Understanding the Draft Federal Framework and Designing a Strategic Approach. Some of the suggested uses for the American Rescue Plan (ARP) were Relief for Families, Essential Frontline Workers & Small Businesses; Community Reinvestment; Workforce & Youth Development; Investment in Digital Literacy; Affordable and Stable Housing; Strategic Reserves; and Organization Needs.

Discussion ensued; no formal action taken.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

3. Continued Discussion of the Fiscal Year 2022 Operating Budget (City Wide) SS/JUN22-21-142

Opening comments were provided by Michael J. Ortega, City Manager, who fielded and answered questions on the on-going budget discussions. He said the presentation contained information about the final budget adoption later in the evening. He stated a couple of thoughts to consider was that the budget included the ARP funds as a grant with no specifics on the expenses, \$14 million for roads, a participatory budget component of \$250,000 allocated to each ward and the Mayor's office, and allocation of over \$33 million in staff salary adjustments to market. He said the budget was structurally balanced.

Information and presentation were provided by Jeffrey Yates, Business Services Department Director, who fielded and answered questions on the FY22 Budget Engagement Report, Participatory Budgeting Program and Neighborhood Roads Program.

Discussion ensued regarding an employee retention plan and utilizing vacancy savings to provide funding for the market rate salaries city-wide.

It was moved by Council Member Santa Cruz, duly seconded, to direct the City Manager to return to the Mayor and Council in September with some guiding principles for sweeping City vacancies and that from now until September, the City Manager shall conduct an assessment of said vacancies to get the City to a lower and accurate staffing number based on current trends and projections.

Discussion continued regarding the homeless program, p-chip funding, and vacancies and staffing.

The motion was CARRIED by a voice vote of 7 to 0.

4. Central Business District (CBD) and Government Property Lease Excise Tax (GPLET) proposed modifications and policy update (City Wide) SS/JUN22-21-139

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

Information and presentation were made by Barbra Coffee, Economics Initiatives Department Director, who fielded and answered questions regarding the proposed expansion areas for the Central Business District (CBD) and modifications to the GPLET policy. She reviewed the process to this point and asked for the Mayor and Council's consideration of the Proposed Modified CBD and Final GPLET Policy Framework.

Discussion ensued.

Council Member Santa Cruz requested the City Manager to return to the Mayor and Council with some recommendations on what the CBD and Bridgebuilders had advised that the City establish a fund that supports development of affordable workforce housing or small business assistance in the area of where a project would go. She said she felt this still needed to be worked through. She asked if that needed to be in the form of a motion.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Mr. Ortega replied a motion was not necessary and that the first step was to get what they all wanted on the boundary and then further conversations could be held and brought back for further consideration.

Discussion continued; no formal action was taken as this item was scheduled for consideration at the Regular meeting.

5. Amendment to Building Code to Require New Residential Construction to be Electric Vehicle-Ready (City Wide) SS/JUN22-21-141

Opening remarks were made by Council Member Uhlich, noting that the work first began with her predecessor Council Member Durham.

Information and presentation were provided by Scott Clark, Planning and Development Department Director and Dan Bursuck, Planning and Development Department Principal Planner, who fielded and answered questions on the Electric Vehicle (EV) Charging Code Amendment which included Electric Vehicle Roadmap, EV Charging Amendment-Residential Construction to one- and two-family residential construction, 40 amp circuit vs. 50 amp,

It was moved by Council Member Uhlich to direct staff to begin the stakeholder outreach and development of draft EV Ready ordinance language for new commercial and multifamily developments in the City of Tucson. It was further directed that staff ensure they consult with a broad range of stakeholders including industry groups, environmental experts in EV technology, as well as advocates for affordable housing and return to the Mayor and Council with proposed language in sixty (60) days.

Discussion ensued regarding the timeline of sixty (60) days before there was a second to the motion.

Council Member Uhlich amended her motion to say rather than returning to Mayor and Council with proposed language in sixty (60) days, return with an update on draft language within sixty (60) days. The motion was duly seconded.

Discussion continued.

The motion, as amended, was CARRIED by a voice vote of 7 to 0.

6. Updates on State and National Legislation and Regional Committees (City Wide) SS/JUN22-21-135

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

Discussion ensued.

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It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to oppose HB2893, SB1241 and SB1821.

Discussion continued regarding the state budget legislature, federal updates on PFAS, housing infrastructure, postal reform, voting rights bills, eviction moratorium, and advance child tax credit proposal.

No further action was taken.

7. Mayor and Council Discussion of Regular Agenda (City Wide) SS/JUN22-21-136

Mike Rankin, City Attorney, announced that rather than discussing items separately at the Regular Meeting, he had some corrections that needed to be made to some items:

1. Item 7d – Correction to the Communication to correspond with the Attachment.
 2. Item 7e – Update to schedule A if the item on magistrates salaries is approved at the Regular meeting.
 3. Item 7g – Resolution would be amended to include other types of safety equipment to include bike helmets
 4. Item 10 – Correction to EV item will be read into the record.
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8. Mayor and Council Discussion of Future Agendas (City Wide) SS/JUN22-21-137

No items were identified.

ADJOURNMENT: 4:51 p.m.

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

ADOPTED BY THE
MAYOR AND COUNCIL

July 7, 2021

RESOLUTION NO. 23366

RELATING TO INITIATION OF LOCAL AMENDMENTS TO THE BUILDING CODE AND UNIFIED DEVELOPMENT CODE TO REQUIRE ELECTRIC VEHICLE OUTLETS FOR MULTI-FAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENT; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Tucson (“City”) desires to make text amendments to the Building Code and Unified Development Code (UDC) to require Electric Vehicle (EV) Outlets for multi-family residential and commercial development and,

WHEREAS, at a duly noticed Study Session on June 22, 2021 the Mayor and Council discussed a code amendment to the Building Code to require new residential construction to be EV-ready; which was subsequently considered and voted upon during the Regular Session at that same meeting and,

WHEREAS, at the duly noticed Study Session on June 22, 2021 Mayor and Council also discussed potential text amendments to the Building Code and UDC to require multi-family and commercial development to be EV-ready, and voted 7-0 to direct staff to initiate the process of making these code amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council hereby formalize the direction given to staff at the Study Session on June 22, 2021 to initiate potential code amendments to the Building Code and UDC to require EV Outlets for multi-family and commercial development.

SECTION 2. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Resolution.

SECTION 3. If any provision of this Resolution or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or circumstance, and to this end, the provisions of this Resolution are severable.

SECTION 4. This Resolution becomes effective immediately upon its adoption by the Mayor and Council and as soon as available from the City Clerk.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, July 7, 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

REVIEWED BY:

CITY ATTORNEY

CITY MANAGER