



MAYOR & COUNCIL MEETING NOTICE & AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting, which will be open to the public:

REGULAR AGENDA

TUESDAY, OCTOBER 20, 2020 - AT OR AFTER 5:30 PM

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

THE PUBLIC WILL ALSO HAVE TWO OPTIONS TO PROVIDE COMMENT TO THE MAYOR AND COUNCIL FOR CALL TO THE AUDIENCE AND PUBLIC HEARINGS:

1. Members of the public may submit written comments on any items scheduled. To do so, send an email to cityclerk@tucsonaz.gov (mailto:cityclerk@tucsonaz.gov). The email should include the individual's name, the agenda item for comment and be limited to no more than 500 words.

Comments must be received by no later than 5:00 p.m., Monday, October 19, 2020.

2. Individuals wishing to speak during call to the audience and/or the public hearing (subject to technological availability) will join the meeting via teleconference. You must submit a written request to cityclerk@tucsonaz.gov (mailto:cityclerk@tucsonaz.gov). The email should include your name, and the phone # you will use for the teleconference. The phone # will be used to identify the individual when/if being called upon to speak. Once your request to speak has been received by the City Clerk, you will be provided instructions on how to connect to the teleconference.

Requests to speak must be submitted no later than 12:00 p.m., Tuesday, October 20, 2020.

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.

1. ROLL CALL
2. INVOCATION, PLEDGE OF ALLEGIANCE, AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS
 - a. PLEDGE OF ALLEGIANCE
 - b. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

1. Mayor and Council Communication (CITY WIDE) OCT20-20-33
2. Design Review Board (DRB): Rosemary Bright
3. Metropolitan Education Commission (MEC): Ricardo D. Hernandez and Camilano Solorio Juarez

3. **Mayor and Council Report: Summary of Current Events** (CITY WIDE)
OCT20-20-334

4. **City Manager's Report: Summary of Current Events** (CITY WIDE)
OCT20-20-335

5. **LIQUOR LICENSE APPLICATIONS**

- a. Mayor and Council Communication (CITY WIDE) OCT20-20-336
- b. Liquor License Application(s).

New License(s)

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

1. Nocturnal Creatures Lounge, Ward 5
City 52-20, Series 6
1021 S. 6th Ave.
Agent: Keith Wayne Caywood
Action must be taken by: September 19, 2020
2. SOIE, Ward 6
City 65-20, Series 10
64 E. Broadway Blvd.
Agent: Kevin Arnold Kramber
Action must be taken by: October 22, 2020
3. Market Friendly, Ward 3
City 67-20, Series 10
3541 E. Fort Lowell Rd.
Agent: Hussain A. Saleh
Action must be taken by: October 24, 2020

c. Special Event(s)

1. American Legion Auxiliary Cocio-Estrada Unit 59, Ward 1
City T39-20
750 N. Grande Ave.
Applicant: Anna Marie Arenas

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no application(s) for agent changes scheduled for this meeting.

6. CALL TO THE AUDIENCE

Individuals wishing to speak during call to the audience (subject to technological availability) will join the meeting via teleconference. You must submit a written request to cityclerk@tucsonaz.gov. The email should include your name, and the phone # you will use for the teleconference. The phone # will be used to identify the individual when/if being called upon to speak. Once your request to speak has been received by the City Clerk, you will be provided with instructions on how to connect to the teleconference.

Requests to speak must be submitted no later than 12:00 p.m.,
Tuesday, October 20, 2020.

7. CONSENT AGENDA

a. APPROVAL OF MINUTES (CITY WIDE) OCT20-20-337

b. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD (CITY WIDE) OCT20-20-338

Resolution No. 23249 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement (IGA) between the City of Tucson (City) and Pima County for the 2019 Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award; and declaring an emergency.

c. INTERGOVERNMENTAL AGREEMENT: WITH VARIOUS AGENCIES FOR PARTICIPATION IN THE ARIZONA CHILD ABDUCTION RESPONSE TEAM (CITY WIDE) OCT20-20-339

Resolution No. 23250 relating to Intergovernmental Agreements (IGA); approving an IGA to allow the Tucson Police Department (TPD) to enter into an IGA with the Town of Oro Valley, the Town of Marana, the Town of Sahuarita, the Pima County Sheriff's Department, the Arizona Department of Public Safety, the City of Sierra Vista, the City of Nogales, the City of Florence, the City of South Tucson, the City of Apache Junction, the City of Chandler, the Federal Bureau Of Investigation (FBI), the Town of Gilbert, the Town of Maricopa, the City of Mesa, the Town of Paradise Valley, the City of Phoenix, The City of Scottsdale, the County of Maricopa, the City of Glendale, the County of Navajo, the City of Page, the City of Peoria, the County of Pinal, the City of Show Low, and the City of Tempe to create the Arizona Child Abduction Response Team (AZCART); and declaring an emergency.

d. TUCSON CODE: AMENDING (CHAPTER 22) ARTICLE V LEAVE BENEFIT PLAN (CITY WIDE) OCT20-20-349

Ordinance No. 11795 relating to the Tucson Supplemental Retirement System, amending the Tucson Code Section 22-34(f), Membership Contributions, Accrued Vacation Cash Out; Section 22-36(b)(2), Accumulation Of Credited Service, Accrued Service for City Employment, Periods of Leave; and relating to the Leave Benefit Plan, amending Section 22-90(1), providing for the Leave Benefit Plan, Vacation Leave Accrual; and declaring an emergency.

e. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH CALGARY CANYON TRUST, OWNER OF PARCEL 114-03-3500, FOR WATER SERVICE (WARD 2 AND OUTSIDE CITY) OCT20-20-354

Resolution No. 23257 relating to Pre-Annexation and Development Agreements; authorizing and approving the execution of a Pre-Annexation and Development Agreement between the City of Tucson and Calgary Canyon Trust, owners of Parcel No. 114-03-3500.

f. ECONOMIC DEVELOPMENT: NOTICE OF INTENT TO ENTER INTO A TAX INCENTIVE DEVELOPMENT AGREEMENT WITH TUCSON GROUP HOLDINGS LLC (WARD 6) OCT20-20-345

Resolution No. 23252 relating to Economic Development; adopting a notice of intent to enter into a Retail Development Tax Incentive Agreement (“Agreement”) with Tucson Group Holdings LLC (“Tucson Group Holdings”); and adopting an independent economic analysis relating to the agreement.

g. GRANTS: WITH NATIONAL FITNESS CAMPAIGN (NFC) FOR OUTDOOR FITNESS COURTS (CITY WIDE) OCT20-20-346

Resolution No. 23253 relating to Parks; approval of an acceptance of a grant award of the National Fitness Campaign Grant for five (5) outdoor fitness courts; and declaring an emergency.

h. TUCSON CODE: AMENDING (CHAPTER 27) UPDATING THE TUCSON WATER DEPARTMENT DROUGHT PREPAREDNESS AND RESPONSE PLAN (CITY WIDE AND OUTSIDE CITY) OCT20-20-347

Ordinance No. 11794 relating to Water; amending the Tucson Code, Chapter 27, Water, Section 27-114 entitled “Triggers for each drought response stage”; and declaring an emergency.

- i. INTERGOVERNMENTAL AGREEMENT: WITH ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION (AHCCCS) FOR FEDERAL MATCHING FUNDS FOR THE ACCESS TO PROFESSIONAL SERVICES INITIATIVE AT TUCSON MEDICAL CENTER (CITY WIDE) OCT20-20-348

Resolution No. 23254 relating to Intergovernmental Agreements (IGA); approving an IGA between Arizona Health Care Cost Containment System Administration (AHCCCS) and the City of Tucson (City) to provide funding to secure federal matching funds for supplemental payments for the support of the Access to Professional Services Initiative (APSI) at Tucson Medical Center (TMC); and declaring an emergency.

- j. INTERGOVERNMENTAL AGREEMENT: WITH RINCON VALLEY FIRE DISTRICT FOR BACKUP AMBULANCE TRANSPORTATION (OUTSIDE CITY) OCT20-20-350

Resolution No. 23258 relating to Intergovernmental Agreements; authorizing and approving the execution of an intergovernmental backup ambulance transportation agreement (IGA) for mutual aid between the Tucson Fire Department (TFD) and Rincon Valley Fire District (RVFD); and declaring an emergency.

- k. INTERGOVERNMENTAL AGREEMENTS: WITH NORTHWEST FIRE DISTRICT AND GOLDER RANCH FIRE DISTRICT FOR BACKUP AMBULANCE TRANSPORTATION (OUTSIDE CITY) OCT20-20-351

Resolution No. 23256 relating to Intergovernmental Agreements; authorizing and approving the execution of intergovernmental backup ambulance transportation agreements for automatic aid between: (1) the City of Tucson Fire Department (TFD) and the Northwest Fire District (NWFD); and (2) TFD and the Golder Ranch Fire District (GRFD); and declaring an emergency.

- l. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR REPAYMENT OF COVID-19 TESTING EXPENSES (CITY WIDE) OCT20-20-352

Resolution No. 23255 relating to Intergovernmental Agreements; approving, and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County for repayment of COVID-19 testing expenses; and declaring an emergency.

- m. RESOLUTION: REQUESTING THAT THE UNIVERSITY OF ARIZONA REQUIRE DIAGNOSTIC COVID-19 TESTS FOR ALL STUDENTS (CITY WIDE AND OUTSIDE CITY) OCT20-20-353

Resolution No. 23259 relating to Public Health: asking that the University of Arizona require diagnostic COVID-19 testing of all students; and declaring an emergency.

8. PUBLIC HEARING: THIRD SUBSTANTIAL AMENDMENT TO THE 2019 ANNUAL ACTION PLAN IN RESPONSE TO THE COVID-19 PANDEMIC (CITY WIDE) OCT20-20-340

Hearing: on a Substantial Amendment to the 2019 Annual Action Plan in response to the COVID-19 Pandemic to include funding provided to the City of Tucson by the Department of Housing and Urban Development as a result of the passage of the CARES Act.

Resolution No. 23251 relating to Public Housing; approving the third substantial amendment to the 2019 Annual Action Plan in response to the COVID-19 pandemic; and declaring an emergency.

9. PUBLIC HEARING: ORIGINAL CITY ZONING (C15-88-04) VISTA DEL NORTE ANNEXATION DISTRICT, 1511 EAST PROSPECT LANE, CHANGE OF CONDITIONS, ORDINANCE ADOPTION, AND AMENDING ORDINANCE 7286 (WARD 3) OCT20-20-341

Hearing: on a request for a change of conditions for a site located at 1511 East Prospect Lane. The applicant is Brian Underwood of the Planning Center, representing the property owner, La Mesa Properties, LLC, to consider removing a condition of original City zoning for the 1.21-acre property located at 1511 E. Prospect Lan. The preliminary development plan proposes to allow the property owner to replace four existing manufactured homes with four new site-built homes. The proposed homes will sit on individually subdivided lots as opposed to the current configuration of four homes on one single parcel. The proposed project density is 5.8 units per acre, based on a total of seven (7) units on the property since three (3) of the units will include a second-floor ‘mother-in-law/caretaker’ suite.

Staff recommends approval of the requested change of conditions and adoption of the ordinance, subject to the conditions.

Zero (0) approvals and zero (0) protests have been received for this case. The Campus Farms Neighborhood Association has submitted a letter of approval with conditions.

Ordinance No. 11789 relating to Zoning: amending zoning conditions for property zoned MH-1 located at 1511 East Prospect Lane in rezoning case C15-88-04 Vista Del Norte Annexation District; and setting an effective date.

A simple majority vote will be necessary to adopt the attached ordinance.

10. PUBLIC HEARING: ORIGINAL CITY ZONING (C15-88-04) VISTA DEL NORTE ANNEXATION DISTRICT, 1635 EAST LIMBERLOST DRIVE, CHANGE OF CONDITIONS, ORDINANCE ADOPTION, AND AMENDING ORDINANCE 7286 (WARD 3) OCT20-20-342

Hearing: on a request for a change of conditions for a site located at 1635 East Limberlost Drive. The applicant is Michael Owen of American Pacific Engineering, LLC representing the property owner, Cam Anderson, Amazon Trust, to consider removing a condition of original City zoning for two parcels (1.25 acres) located at 1635 East Limberlost Drive. The preliminary development plan would allow the property owner to develop these parcels with seven (7) single-family homes similar to the subdivision to the south. The project would be a mix of single and two-story structures up to 25 feet in height on individual lots. The dwelling density would be 5.6 residences per acre (RAC).

Staff recommends approval of the requested change of conditions and adoption of the ordinance, subject to the conditions.

Zero (0) approvals and zero (0) protests have been received for this case. The Campus Farms Neighborhood Association has submitted a letter of approval with conditions.

Ordinance No. 11790 relating to Zoning: amending zoning conditions for property zoned MH-1 located at 1635 E. Limberlost Drive in rezoning case C15-88-04 Vista Del Norte Annexation District; and setting an effective date.

A simple majority vote will be necessary to adopt the attached ordinance.

11. ZONING: (C9-20-06) BALL-PAYLORE HOUSE HL – EAST WAVERLY STREET, R-1 TO HLR-1, CITY MANAGER’S REPORT, ORDINANCE ADOPTION (WARD 6) OCT20-20-343

This is a request by Demion Clinco, of the Tucson Historic Preservation Foundation, on behalf of the property owner, Tucson Historic Preservation Foundation, for rezoning to designate the Ball-Paylore House at 2306 East Waverly Street as a Historic Landmark. The Historic Landmark (HL) designation changes the zoning from R-1 to HLR-1 zoning. The rezoning site is located approximately 1,821 feet east of the intersection at Campbell Avenue and E. Waverly Street.

Staff recommends authorization of HLR-1 zoning and adoption of the ordinance.

The Zoning Examiner recommends approval of HLR-1 zoning.

Three (3) written approvals and zero (0) written protests have been received for this case.

Ordinance No. 11791 relating to Zoning: amending Zoning District Boundaries in the area located on the south side of Waverly Street approximately 1,750 feet east of Campbell Avenue, at 2306 E Waverly Street, in case C9-20-06, Ball-Paylore House Historic Landmark, R-1 to HLR-1; and setting an effective date.

A simple majority vote of the Mayor and Council will be required to adopt the ordinance.

**12. CITY MAGISTRATES: APPOINTMENT OF SPECIAL CITY MAGISTRATES
AND FIXING COMPENSATION (CITY WIDE)**

OCT20-20-344

Ordinance No. 11792 relating to City Magistrates; appointing Rosemary G. Panuco as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; setting retroactive effective date; and declaring an emergency.

Ordinance No. 11793 relating to City Magistrates; appointing Sylvia R. Lafferty as Special City Magistrate to serve upon call by the Presiding Magistrate of the City Court; fixing compensation; setting retroactive effective date; and declaring an emergency.

13. ADJOURNMENT