



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 6, 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 5, 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 6, 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 AND APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS
 - a. INVOCATION
 - b. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

1. Mayor and Council Communication (CITY WIDE) OCT06-20-317

There are no appointments to be made at this time.

3. **MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**
(CITY WIDE) OCT06-20-318

4. **CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**
(CITY WIDE) OCT06-20-319

5. **LIQUOR LICENSE APPLICATIONS**

- a. Mayor and Council Communication (CITY WIDE) OCT06-20-320
- 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. Goodness Go, Ward 3
57-20, Series 10
2502 N. Campbell Ave.
Agent: Kevin Arnold Kramber
Action must be take by: September 28, 2020
2. Tucson Tamale Company, Ward 2
City 58-20, Series 10
7159 E. Tanque Verde Rd.
Agent: Kevin Arnold Kramber
Action must be taken by: September 28, 2020
3. Circle K Store #9554, Ward 6
City 59-20, Series 10
3434 S. Kino Parkway
Agent: Kim Kenneth Kwiatkowski
Action must be taken by: October 2, 2020
Planning & Development Services Department have indicated the applicant is not in compliance with city requirements.
4. Courtyard by Marriott Tucson Williams Centre, Ward 6
City 60-20, Series 11
201 S. Williams Blvd.
Agent: Ryan Witner Anderson
Action must be taken by: October 1, 2020
5. Speedy Mart, Ward 6
City 62-20, Series 10
745 S. Tucson Blvd.
Agent: Harikrishna K. Patel
Action must be taken by: October 9, 2020

6. Kiwami Ramen Bar, Ward 6
City 63-20, Series 12
4610 E. Speedway Blvd.
Agent: Liang Dong Zhou
Action must be taken by: October 6, 2020

7. Qpa's Grill, Ward 6
City 64-20, Series 12
500 N. 4th Ave. # 2-6
Agent: Qais Papoutsis
Action must be taken by: October 9, 2020

Person Transfer(s)

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

1. Residence Inn Williams Centre, Ward 6
City 61-20, Series 7
5400 E. Williams Circle
Agent: Ryan Witner Anderson
Action Must be taken by: October 1, 2020
- c. Special Event(s)
There are no application(s) for Special Events schedule for this meeting.
- 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 6, 2020.

7. CONSENT AGENDA

- a. APPROVAL OF MINUTES (CITY WIDE) OCT06-20-321

- b. MAYOR AND COUNCIL: MEETING SCHEDULE FOR 2021
(CITY WIDE) OCT06-201-328

Ordinance No. 11786 relating to Administration; establishing the Mayor and Council's 2021 meeting schedule; and declaring an emergency.

c. FINANCE: APPROVAL OF FISCAL YEAR 2020 INVOLUNTARY TORT JUDGMENTS (CITY WIDE) OCT06-20-322

Resolution No. 23247 relating to Fiscal Year ("FY") 2021/2022 Primary Property Tax Levy; retroactively approving Involuntary Tort Judgments from FY 2019/2020; and declaring an emergency.

d. FINAL PLAT: (S20-043) TUCSON MARKETPLACE PHASE 4, LOTS 1 AND 2 (WARD 5) OCT06-20-323

Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

e. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: NOTICE OF INTENTION TO INCREASE APPLICATION FEES AND SCHEDULING A PUBLIC HEARING FOR DECEMBER 8, 2020 (CITY WIDE) OCT06-20-331

Resolution No. 23248 relating to Water; approving the publication of a Notice of Intention to establish Pre-Annexation and Development Agreement ("PADA") application fees and scheduling a public hearing; and declaring an emergency.

f. TUCSON CODE: AMENDING (CHAPTER 7) RELATING TO BUSINESS REGULATIONS FOR THIRD PARTY RESTAURANT DELIVERY SERVICES, PROHIBITING DELIVERY OF FOOD FROM NON-PARTNERED RESTAURANTS AND ESTABLISHING CAPS ON COMMISSIONS (CITY WIDE) OCT06-20-329

Ordinance No. 11787 relating to Businesses Regulated; establishing regulations of third party restaurant delivery services; prohibiting delivery of food from non-partnered restaurants; establishing caps on commissions during time of a declared emergency; by amending Chapter 7 of the Tucson Code by adding a new Article XXVI, "Third-Party Restaurant Delivery Services," Sections 7-510-514; and declaring an emergency.

g. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FREE LIBRARY DISTRICT FOR CONVEYANCE OF MISSION LIBRARY (WARD 1) OCT06-20-332

Ordinance No. 11788 relating to Real Property and Public Libraries; authorizing conveyance of the City-owned Mission Library ("Library") to the Pima County Free Library District ("District"); and declaring an emergency.

8. **ZONING: (C9-20-04) 4-D PROPERTIES – CAMPBELL BENSON, R-1, MH-1 AND C-2 TO OCR-1, CITY MANAGER'S REPORT** (WARD 5) OCT06-20-324

This is a request by Brian Underwood of The Planning Center, on behalf of the property owners, 4-D Properties, LLC, to rezone approximately 23 acres from R-1, MH-1, and C-2 to OCR-1 zoning. The rezoning site is located east of Kina Parkway, south of Kino Sports Complex between Benson Highway and the Julian Wash, approximately one-half mile south of Interstate 10. The preliminary development plan (PDP) proposes a mixed-use activity center with a sports and tourism focus including retail, restaurants, entertainment, and hospitality.

The Zoning Examiner and Staff recommend approval of OCR-1 zoning.

Land use policy direction for this area is provided by the Kino Area Plan (KAP) and Plan Tucson (PT).

Eight (8) written approvals and zero (0) written protests were received prior to the Zoning Examiner's public hearing on June 30, 2020, at that time requiring a simple majority vote of Mayor and Council to adopt a rezoning ordinance.

9. **FINANCE: AUTHORIZING THE SALE OF CERTIFICATES OF PARTICIPATION, SERIES 2020** (CITY WIDE) OCT06-20-330

Resolution No. 23243 relating to Real and Personal Property: authorizing the execution and delivery of an Equipment Lease, a Lease-Purchase Agreement, amendments to Lease-Purchase Agreements, Depository Trust Agreement and a continuing disclosure undertaking; acknowledging and approving the execution of a Certificate Purchase Agreement, or similar agreement providing for the Sale and Purchase of the 2020 Certificates, and amendments and supplements to a Declaration of Irrevocable Trust and the sale and delivery of one or more series of Certificates of Participation and Refunding Certificates of Participation in the Lease-Purchase Agreements Pursuant thereto; and declaring an emergency.

10. **ADJOURNMENT**



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