



***REVISED**

**City of Tucson
Charter Review Committee
Legal Action Report**

DATE: Monday, February 9, 2015
TIME: 4:00 p.m.
LOCATION: City Hall Meeting Room (1st Floor)
City Hall, 255 W. Alameda
Tucson, Arizona

1. Roll Call

The meeting was called to order at 4:05 p.m. by Chair Nye. Those present were:

Members Present:

Richard Miranda
Stephanie Healy, arrived at 4:09 p.m.
Kasey C. Nye
Edna Meza-Aguirre
Diana Rhoades
Lenny Porges
Tom Prezelski
Tannya R. Gaxiola
Bonnie Poulos
John A. Springer
Moon Joe Yee
Randi Dorman
D. Grady Scott, arrived at 5:05 p.m.
John Hinderaker
Mark Crum

Appointer:

City Manager's Office
Mayor
Mayor
Ward 1
Ward 1
Ward 2
Ward 2
Ward 3
Ward 3
Ward 4
Ward 4
Ward 5
Ward 5
Ward 6
Ward 6

Staff Present:

Roger W. Randolph, City Clerk
Mike Rankin
Deborah Rainone
Suzanne Mesich
Stephanie Montoya
Theo Fedele
Alma Armendariz-Murrieta
Raphe Sonenshein

Representing:

City Clerk
City Attorney
City Clerk's Office
Facilitator

Approved on 2/19/15

2. **Approval of Legal Action Report**

It was moved by Mr. Yee, duly seconded, and carried by a voice vote of 13 to 0 (Stephanie Healy and D. Grady Scott absent/excused) to approve the legal action report of the January 20, 2015 meeting and the minutes of the January 8, 2015 meeting.

3. **Summary by Chair of Committee's Prior Actions**

Information and handout was provided by Chair Nye.

Discussion ensued; no formal action was taken.

(Ms. Healy arrived at 4:09 p.m.)

4. **Call to the Audience**

The following individuals spoke at the Call to the Audience:

Si Schorr, Sarah Smallhouse, Roberto Bedoya, Ron Shoopman, Ruth Beeker, John Laitner, Garry Brav, Betsey Bolding, and Matthew McDonnell.

5. **Deliberations and Vote Regarding Ward Only General Elections and Mayoral Veto/Council Override Amendments**

Introductory comments were provided by Chair Nye.

Information was provided by Mr. Hinderaker, Ms. Dorman, Mr. Prezelski, and Ms. Poulos. Mr. Hinderaker and Ms. Dorman provided pros and cons regarding ward only elections. Mr. Prezelski and Ms. Poulos provided pros and cons regarding Mayoral veto.

Discussion ensued, with questions fielded and answered by Raphe Sonenshein, Facilitator.

It was moved by Mr. Porges, duly seconded, to adopt Chair Nye's form of government proposal and include the Mayor having a 2 year term with no limits and allowing the Mayor to vote in the event of a tie.

It was moved by Mr. Prezelski to amend the motion to eliminate the Mayor's vote in the event of a tie and include two 4 year terms. The motion died due to lack of second.

Mr. Porges withdrew his motion.

Chair Nye asked for a consensus on granting mayoral veto, resulting in a roll call vote of 10 to 5 (Bonnie Poulos, Diana Rhoades, Randi Dorman, John Springer and Edna Meza-Aguirre dissenting.)

It was moved by Mr. Prezelski, duly seconded, and failed by a vote of 2 to 13 (all but Chair Nye and Tom Prezelski), to recommend a two four-year term limit on the Mayor.

It was moved by Mr. Porges, duly seconded, and failed by a vote of 6 to 9 to add one more council member.

It was moved by Ms. Healy, duly seconded, and carried by a roll call vote of 8 to 7 (Grady Scott, Bonnie Poulos, Joe Yee, Diana Rhoades, Randi Dorman, Edna Meza-Aguirre, and John Springer dissenting) to hold ward only general elections ***if there is a mayoral veto.**

It was moved by Mr. Hinderaker, duly seconded, and carried by a vote of 11 to 4 to hold ward only elections if there was no mayoral veto.

(Mr. Yee departed at 4:46 p.m.; returned at 4:48 p.m.)

(Mr. Scott arrived at 5:05 p.m.)

6. **Presentation and Discussion on Reconsidering of Granting Mayor & Council parallel authority to City Manager to Remove Department Directors**

Introductory comments were provided by Chair Nye.

Information and presentation was presented by Raphe Sonenshein, who fielded and answered questions.

Discussion ensued.

It was moved by Ms. Poulos, duly seconded, and carried by a voice vote of 15 to 0 to recommend the City Clerk, City Attorney, City Manager, and Magistrates will be appointed by a majority vote of the Council and can be removed by a majority of vote of the Council; the City Manager will appoint all Department Directors with approval by a majority vote of the Council; Department Directors can be fired by the City Manager; the Police Chief and Fire Chief will be under the same category as Department Director but will have the limited civil service protection they currently have.

(Mr. Prezelski departed at 5:25 p.m.; returned at 5:27 p.m.)

7. **Preliminary Presentations and Discussions regarding Elected Official Salaries, Campaign Finance Provision, Value Issues, and Preamble**

Information was presented by Mike Rankin, City Attorney.

Discussion ensued, with questions fielded and answered by Mr. Rankin, Roger W. Randolph, City Clerk, and Raphe Sonenshein.

It was moved by Mr. Porges, duly seconded, to recommend Mayor and Council be considered full time employees and the salary left to the Citizens' Commission on Public Service and Compensation.

A substitute motion was made by Ms. Rhoades, duly seconded, to support a raise for Mayor and Council.

The first motion failed by a vote of 1 to 14 (all but Lenny Porges dissenting).

***Ms. Rhoades stated she supported pay raises for Mayor and Council and** asked the committee to discuss the Value Issues before Campaign Finance.

It was moved by Ms. Rhoades, duly seconded, to include the language as presented in the letter received from the Tucson Pima Arts Council in the cleanup of the charter.

A friendly amendment was offered by Ms. Dorman, accepted by the motion maker, to include the spirit of the recommendations from the Tucson Pima Arts Council in the charter.

Ms. Rhoades withdrew her motion.

Information was provided by Mike Rankin, City Attorney, regarding Campaign Finance and the limitations on contributions.

Additional information was provided by Raphe Sonenshein regarding the creation of a preamble for the Charter.

(Mr. Miranda departed at 6:24 p.m.; returned at 6:26 p.m.)

8. **Call to the Audience**

The following individual spoke at the Call to the Audience:

Ruth Beeker.

9. **Adjournment 6:58 p.m.**

The next regularly scheduled meeting of the Charter Review Committee will be held Thursday, February 19, 2015, at 4:00 p.m. in the City Hall Meeting Room (1st Floor), City Hall, 255 West Alameda, Tucson, Arizona.