

TUCSON CHARTER REVIEW COMMITTEE MEMBERS:

Kasey Nye, Chair
Diana Rhoades, Vice-Chair
Mark Crum
Randi Dorman
Tannya Gaxiola
Stephanie Healy
John Hinderaker
Edna Meza-Aguirre
Richard Miranda
Lenny Porges
Bonnie Poulos
Tom Prezelski
Grady Scott (Absent)
John Springer
Joe Yee

TUCSON CHARTER REVIEW COMMITTEE STAFF MEMBERS:

Roger Randolph, City Clerk
Mike Rankin, City Attorney
Deborah Rainone, Chief Deputy City Clerk
Suzanne Mesich, Assistant City Clerk
Stephanie Montoya, Management Assistant
Theo Fedele, Management Assistant
Alma Armendariz-Murrieta, Secretary
Raphe Sonenshein, Facilitator

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1 MR. NYE: The Charter Review Committee will stand in
2 session. I apologize for starting a little late. I'm being
3 responsible for that. My five year old has got pinkeye and his mom
4 works at the Cancer Center, and I -- it's hard for me to tell -- have
5 her tell patients -- "Hurry home," because dad wants to get to a
6 meeting. So, I apologize for that, for the late start.

1 We'll start with the roll call. Mark Crum?

2 MR. CRUM: Here.

3 MR. NYE: Randi Dorman?

4 MS. DORMAN: Here.

5 MR. NYE: Tannya Gaxiola?

6 MS. GAXIOLA: Here.

7 MR. NYE: Stephanie Healy?

8 MS. HEALY: Here.

9 MR. NYE: John Hinderaker?

10 MR. HINDERAKER: Here.

11 MR. NYE: Edna Meza-Aguirre?

12 MS. MEZA-AGUIRRE: Here.

13 MR. NYE: Richard Miranda?

14 MR. MIRANDA: Here.

15 MR. NYE: Kasey Nye, present.

16 Lenny Porges?

17 MR. PORGES: Here and ready.

18 (Laughter.)

19 MR. NYE: Okay. Bonnie Poulos?

20 MS. POULOS: Present.

21 MR. NYE: Tom Prezelski?

22 (No response.)

1 MR. NYE: No Tom.

2 Diana Rhoades?

3 MS. RHOADES: Here.

4 MR. NYE: Grady Scott called me this afternoon and has a
5 doctor's -- has a medical thing that he had to, unfortunately, attend
6 to, or, hopefully, it's fortunate, but, anyway . . .

7 MR. NYE: John Springer?

8 MR. SPRINGER: Here.

9 MR. NYE: Joe Yee?

10 MR. YEE: Here.

11 MR. NYE: All right. Approval of the Minutes and Legal
12 Action Report. May I have a motion to approve the Legal Action
13 Reports and Minutes from February 19th, March 10th, March 12th, and
14 the Legal Action Report for the Preamble Subcommittee of March 21st?

15 MR. CRUM: So moved.

16 MS. DORMAN: Second.

17 MR. NYE: All in favor?

18 (Aye responses.)

19 MR. NYE: Any opposed?

20 (No response.)

21 MR. NYE: Motion to approve the Legal Action Report and
22 Minutes pass -- passes -- pass. Okay. There we go. Okay.

1 MS. MEZA-AGUIRRE: Excuse me, Mr. Chair?

2 MR. NYE: Yes.

3 MS. MEZA-AGUIRRE: Sorry to interrupt you. Before we get
4 into your summary, since this is our purported, alleged last meeting
5 --

6 MR. NYE: Knock on wood.

7 MS. MEZA-AGUIRRE: -- I -- I -- or hopeful last meeting,
8 I did want to thank all the members of the City of Tucson and their
9 Staff for helping us out so much.

10 MS. DORMAN: Yes.

11 MS. MEZA-AGUIRRE: We know we couldn't have done this
12 without you, so thank you.

13 (Applause.)

14 MS. MEZA-AGUIRRE: Thank you, Mr. Chair.

15 MR. NYE: Thank you. Okay. Beat me to the punch a little
16 bit there.

17 (Laughter.)

18 MS. DORMAN: Just (inaudible).

19 MR. NYE: A bit, yeah. Fair enough.

20 MS. MEZA-AGUIRRE: I apologize, Mr. Chair.

21 MR. NYE: No, no worries. All good.

22 Mr. Yee?

1 MR. YEE: You know, in that vein, I would like to express
2 my appreciation to the Chairperson --

3 MS. DORMAN: Yes.

4 MR. YEE: -- Kasey --

5 MS. DORMAN: Yes.

6 MR. YEE: -- how puritan and how responsive he is to the
7 task he been assigned to. I think he exercised very strong and very
8 considerate leadership in guiding the Committee to accomplish what
9 we have accomplished, so he, too, deserve a big hand.

10 But, before you applaud, though, I want to mention one
11 thing. I got a call from someone by the name of Danielle and --

12 MR. NYE: I'll ask you later.

13 MR. YEE: -- and she say she appreciate working
14 independently of two person -- you know, two persons tasked for many
15 months and he (sic) would -- he's (sic) hoping -- and that there will
16 be -- coupled with a vacation to Hawaii in two week, two -- two week
17 of rest --

18 MR. NYE: Yeah.

19 MR. YEE: -- and -- and rest. I thought I'd give you that
20 message.

21 MR. NYE: Okay. I -- I appreciate that. So noted.

22 (Applause.)

1 MR. NYE: I hope it -- Raphe suggested that I have
2 everybody pinged by telephone that we're starting early and, of
3 course, I'm the one running late. So, my assistant, Danielle, very
4 kindly has helped me --

5 MR. CRUM: Yes.

6 MR. NYE: -- try to keep up with my professional life and
7 this, throughout this process. And thank you for your very kind
8 words. All right.

9 Well, this is kind of exciting. We've been working really
10 hard at this for how many months now? Since September, August
11 really.

12 MS. DORMAN: August.

13 MR. NYE: Wow! I guess that's not even a full school year.
14 I shouldn't be whining. But the -- I get -- I've circulated a memo.
15 Sorry, I didn't get it out to you all until very late.

16 I also would like to thank City Staff, which has been very
17 diligent and helpful. I'd like to thank the public, which has also
18 been very attentive to this process, and I'm very appreciative of
19 that.

20 And I went in a little bit of a different format, because
21 I happened to be looking at my -- my Twitter account, which I barely
22 use, the evening before -- this week, and I saw this from the U of

1 A basketball team getting ready for its game tomorrow night. Go,
2 Cats! I know there's an ASU grad somewhere on this Committee, but
3 -- sorry --

4 MS. MEZA-AGUIRRE: Yes.

5 MR. NYE: -- which I'm probably -- but one of the things
6 that I've really always loved about Shawn Miller is his -- mantra
7 to honor the process, and I thought that was very apropos for this
8 group. We've -- I've been very proud of the diversity of this group,
9 very proud of the hard work of this group, and the thoughtfulness
10 of it.

11 And, you know, this is a process where Tucson -- this isn't
12 the first time this rodeo has been through Tucson, and we've got a
13 lot of reason to come to this with a lot of biases and, you know,
14 already with our conclusions, and I've really appreciated the open
15 mind with which everybody has approached this. And, you know, we've
16 taken it one step at a time, and I thought we've tried to do a good
17 job of being systematic and standing up to our own biases and outside
18 pressures, so start by thanking you as well.

19 And now, in terms of the process for today, I'm going to
20 mention a couple of things related to that. You'll see on the agenda
21 that I've got an Item A where we -- one of the things that has been
22 raised to us over time, and we've talked about, actually, I think

1 since our first meeting in August, from time to time, is whether our
2 recommendations would be bundled as one or a la carte menu. We had
3 public comment on that topic as well. And I -- because a lot of these
4 things are pretty well formed, we could have a preliminary discussion
5 about it, then work our way through the evening item by item, and
6 then wrap up with a final discussion of -- of how we think they --
7 we would -- may or may not recommend they be packaged for voters,
8 if Mayor and Council approve what we -- or refer what we refer to
9 them to voters. And then, secondly, Item J, I believe it is, wrap
10 up discussion of recommendations and menu of recommendations with
11 my inarticulate way of saying we would revisit that issue.

12 And, also, what I'd like to do is that as we -- we're going
13 to vote on a bunch of issues, some more or less contentious than
14 others. Even if we -- speaking for myself, I'm going to ask for a
15 motion to approve the entire package as we've come together as a group
16 tonight to refer it. And no matter -- you know, you all know I have
17 strong feelings about this, but I'm going to ask for a motion that
18 we approve the entire package, that way as a group, and, hopefully,
19 say, you know, I may not have gotten what I wanted on this issue or
20 that issue, but we can at least say to Mayor and Council we had a
21 vote on the entire package.

22 MR. CRUM: For purposes of discussion --

1 MR. NYE: Yes.

2 MR. CRUM: -- I recommend adoption of the entire package.

3 MR. NYE: Well, I'm going to address that finally this
4 afternoon, yeah. So -- and then spacing-wise, we -- everybody --
5 we're going to take a break 5:00ish. Hopefully, it'll be at the end
6 of one of these discussions -- and I didn't try to guess where on
7 the list it would be -- and we're going to snack and we're going to
8 finish when we're done. And I intentionally put the hardest stuff
9 last because, otherwise, we'd never get to the other stuff, so there
10 you go.

11 With that, the other thing that I've -- I've -- I just want
12 to walk through for everybody -- and I'm going to -- I -- I had
13 circulated to everyone on this Committee -- and it didn't seem to
14 necessarily get into the public -- a detailed memo describing the
15 recommendations we put out for public comment, together with the
16 recommendations, as well as an Executive Summary version of that.
17 I borrowed the -- with some alterations -- the discussion of the
18 rationale for the recommendations, and incorporated those into the
19 format I had for the Executive Summary. So, we've got here a
20 recommendation, reasoning, recommendation, reasoning, and I've
21 added a little section on Chair's observations. For the most part,
22 for the purposes of this, I'm going to work from back to front very

1 quickly.

2 Clean up. We had recommended clean up. Mr. Rankin, who's
3 not yet here with us, has -- included in our materials for tonight
4 is a memo which is, I believe, from his first memo about areas where
5 we could go through clean up. This is going to take a little bit
6 of time when we get to it, but the idea, of course, is so that this
7 is a more usable document for future generations. We had some public
8 comment, but, you know, was saying, hey, I -- we think only this issue
9 or that issue should be on the ballot, don't make it too long. Ballot
10 question being too long, or ballot questions being too many, is a
11 legitimate question for us, but, you know, for the most part we didn't
12 get much -- too much comment, and I believe Mr. Rankin has some very
13 specific suggestions about how that might be approached.

14 Enumerated powers. Again, we didn't get a lot of feedback
15 on that one, other than some folks were in the same vein, concerned
16 of too many ballot questions and too long a ballot question. And
17 we will address that later.

18 Preamble. I want to thank our Preamble Subcommittee which
19 has done the yeoman's work of preparing a preamble for us to work
20 from tonight. And, in the same vein, we didn't really have a lot
21 of comment on that issue, or we had similar public comment on that
22 issue.

1 We had a lot of public comment on whether or not we should
2 address the sales tax cap, and I intend that we will address that
3 as a substantive issue when we talk about the fiscal issues. I didn't
4 identify it specifically, but in the category of fiscal issues, we
5 will address that tonight in the agenda.

6 The issue on sales taxes, like it was confusing for us,
7 I think it was confusing for the public. We didn't get a lot of
8 comment on it. So, I don't -- other than noting that when we
9 recommend it, we may recommend to Mayor and Council that there be
10 a lot of thought given into how this is presented to the voting public.
11 Likewise, with the property tax cap, we have some people who said
12 -- commented against it, but that was very few. And, again, I think
13 it was confusing. So, you know, similar kind of comment there.

14 The noninterference, mutual respect clause didn't have a
15 lot of comment -- I know you all experienced informally -- but there
16 you go. Then what little comment we got seems favorable to the idea,
17 or at least checked boxes that we were favorable to the idea.

18 Let's see. Department head removal process and the civil
19 service piece. Again, there was very little comment, what little
20 comment was mostly favorable; that's my characterization of it. So,
21 you'll see that I've kind of stacked these ones where there wasn't
22 a lot of comment and mostly favorable comment for the beginning of

1 our work tonight. So, hopefully, we gather momentum like a snowball
2 -- Go, Buffalo Bills! -- rolling downhill. All right.

3 Now to the hard stuff, little harder stuff, which is at
4 the end of our agenda. The changes to the election system -- I'm
5 going to be consistent with working backwards -- we're going to
6 address this one last tonight. This is far and away, as you all know,
7 the most controversial; it was controversial when we voted on it the
8 first time; it was controversial in the public. We had lots of
9 comments on this issue. Comments went both directions.

10 And I'm going to make a little bit of an observation here that
11 I kind of feel like a lot of the -- this either side -- both sides
12 have really good arguments, and both sides also have arguments that
13 aren't really fighting fair. And, you know, maybe that's part of
14 the game, but my -- and a lot of people cited things that I -- knowing
15 -- because I'm a geek and into data -- know aren't true. We've had
16 people who have said to us, well, the Ward 5 Councilman in office
17 didn't win his ward. Well, that's not what the data says. The Ward
18 5 Council Member did win their ward. We've had a lot of stuff about
19 voting rights act stuff, which has, I think, been misleading.

20 On the other side of it, the pro-current-system people --
21 I say "people," I refer to the pro-ward-only people -- the
22 pro-current-system people are also a little bit, I think, unfair in

1 the argument that, oh, gee, this is -- this has mostly come from
2 out-of-towners. Remember State Legislature Peyton passed something
3 in the legislature to try to do this and it was unconstitutional.
4 Tucson's gone all the way to the Court of Appeals, or the Supreme
5 Court defending this, this system. The fact that the -- that one
6 party has a hard time getting people elected, what -- that's their
7 problem for not nominating the right -- not nominating people. I
8 -- while I appreciate that, I find that argument to also be kind of
9 unfair. And so -- and I think that it's -- and, again, I think that
10 it's important, in terms of the data. So, I've included somewhat
11 prettier versions of things that the Clerk has already given us, and
12 there are three -- well, there are four pages. At the back of this
13 memo, I've got the party registration citywide and by ward, with the
14 minority populations on the side of it, because I think that that's
15 valuable information when we get to that discussion.

16 I also was curious about the turnout stuff and how these
17 things may or may not relate, and I -- because I'm an Excel geek --
18 ranked the primary turnout of our election since 1991 in order of
19 highest to lowest turnout, with some notes about who's running and
20 I've tried to be nondescript -- well, relatively nonpartisan. And
21 then the next two pages on the back are -- I did the same thing with
22 general elections, and I included the special elections that were

1 in November, just for context's sake here, and it includes
2 information about who was running, margins of victory, where council
3 members lost a ward, there's notes on that, so we have it kind of
4 all in one place, just for everybody's information. And I hope that
5 that -- having data in a way that for me was useful in the way it
6 was organized, in terms of thinking about, could be helpful to the
7 Committee.

8 And then last, working backwards, we also had made
9 recommendations about the Mayor's authority, and, clearly, we had
10 a lot more comment in one direction than the other on that, and so
11 that will, no doubt, shape our -- our discussion. And a possible
12 -- and there may not be enough controversy over this still to talk
13 about an alternative to one of our proposals, but an alternative had
14 been raised to me that I thought was interesting and worth sharing
15 with you all, and I'm not going to talk about it now, we'll cross
16 that bridge when we come to it. But, again -- oh, I've already taken
17 a really long time in this meeting on my thing, so I'm going to shut
18 up now and thank you all again.

19 All right. Next item on the agenda is Call to the
20 Audience. At this time, members of the public, any member of the
21 public, is allowed to address the Charter Review Committee on issues
22 related to the Charter only. Speakers are limited to three-minute

1 presentations. Call to the Audience is scheduled to last for ten
2 minutes. I'm not optimistic about that, given the number of cards
3 we have. I -- does -- would -- does anyone on the Committee object
4 to just giving everybody the opportunity to speak and not limiting
5 it to ten minutes? We're in for a marathon tonight.

6 MS. DORMAN: I'm sorry? I --

7 MR. NYE: Limit it -- giving everyone an opportunity to
8 speak --

9 MS. DORMAN: Right.

10 MR. NYE: -- even if we go over the ten minutes at this
11 time. Any objections to that?

12 (No response.)

13 MR. NYE: No. Okay. That's what I'm going to do.

14 Please make sure you -- members of the public, in the Call
15 to the Audience, we're not allowed to respond to questions directed
16 at us, and so please refrain, if you will, from doing that. There
17 are a lot of people who have asked to speak tonight. We've got lights
18 indicating your time frame there. Please try to do your best to stay
19 within the three minutes we're allotting. And then -- and please
20 make sure you've read the speaker information card.

21 So, the first speaker information card that I have is for
22 Ted Maxwell from SALC. And, having learned from prior experience,

1 I'll have an on-deck speaker of Eric Schindler (ph.), I believe, from
2 Strong Start Tucson. Mr. Maxwell?

3 MR. MAXWELL: Chairman, Committee members, Staff. My
4 name is Ted Maxwell, I'm with Southern Arizona Leadership Council.
5 And the first thing I want to do is thank all of you for the time,
6 effort, hard work, thought, consideration that you've put into it,
7 that's both the Staff members, as well as the Committee members.

8 As most of you know, I've been at a majority of the
9 meetings, as well as the public hearings, and I found your discussions
10 both interesting, informative, and thoughtful. You expressed a lot
11 of the concerns and a lot of the different beliefs that I think make
12 up the diversity that we have here in Tucson. And, on behalf of
13 Southern Arizona Leadership Council, I'd like to encourage you at
14 this point to push it over the finish line. You're there. You've
15 got great recommendations. You've given a lot of hard thought, a
16 lot of effort.

17 Initially, as a Committee, you all kind of agreed, looking
18 for accountability, looking for transparency, and looking for
19 leadership, and making changes that will allow our city government,
20 both current elected officials, as well as those are -- come in the
21 future, to function better, and I think you've done that in a lot
22 of -- a lot of ways, but I'd like to highlight what I believe are

1 some of the most significant:

2 One, you've really established the Council/Manager form
3 of government by empowering the City Manager, the professional that
4 the Council and the Mayor hire for respon- -- are responsible for
5 hiring and empowering to truly effectively and efficiently run our
6 city operations, and through giving that City Manager the hiring and
7 firing authority, through the elimination of the civil service
8 protection for the department heads, and probably as important as
9 any of the others, the incorporation of the language to honor the
10 Council/Manager form of government into the Charter. You've really
11 strengthened the ability for that City Manager to continue to perform
12 efficiently, effectively, and, ultimately, be held accountable for
13 the performance of the City Manager.

14 SALC is made up of 130 community leaders, business leaders,
15 and CEOs that are residents -- many of them are residents of Tucson.
16 Many of them conduct business in Tucson, and many of them interact
17 on a team basis with the city government, and this accountability
18 and power that you are improving in getting the accountability of
19 the City Manager will definitely make a difference.

20 The only other issue I'd like to address on behalf of SALC
21 is the ward-only elections, and I know it's critical and I know it's
22 controversial. My personal belief is that the current system is not

1 a true representative form of an election. Yes, ultimately, those
2 Council members represent their wards, but if you look at it on the
3 federal level, we have Congress, congressional districts, we have
4 states. In -- within the state we have legislative districts.
5 These are all boundaries that are drawn. And those who form that
6 representative government are elected by those people that reside
7 within those boundaries. I believe that strongly should be also the
8 situation in the city. I think we don't give our public elected
9 officials, who sacrifice time and effort for very little money, the
10 credibility to think that they are not going to think citywide when
11 they're making those decisions, and, ultimately, they are
12 accountable for those who they represent.

13 So, thank you. SALC stands by to help a broad coalition,
14 to include the arts, the neighborhoods, and everybody else who
15 believes that what you are recommending will be an improvement, and
16 thank you for all your efforts.

17 MR. NYE: Thank you, Mr. Maxwell. And on deck -- on deck
18 is John Kromko (ph.).

19 DR. SCHINDLER: Hi, everybody. My name is Dr. Eric
20 Schindler. I'm the President and CEO of Child and Family Resources.
21 I'm here representing a coalition of people -- along with my
22 colleague, Peg Harmon (ph.), who will speak -- called Strong Start

1 Tucson.

2 We are committed to the idea that the best thing that we
3 can do in Tucson is make sure that more children enter school ready
4 to learn and succeed; that's the most strategic research proven
5 intervention that can be done to get us to where we want to be:
6 economic, self sufficiency, a community that can compete with the
7 rest of the world.

8 And we have come to the conclusion that the state is not
9 going to do it for us, and that we would like to pass an initiative,
10 give the voters a chance to pass an initiative, that would increase
11 funding for early childhood education, high-quality early childhood
12 education. When you do that, you reduce prison costs, you increase
13 high school graduation costs, you reduce even divorce rates, all
14 kinds of fabulous research showing that what you do in birth to five
15 years is the most important use of dollars.

16 So, how do we do that? We wanted to bring an initiative
17 to the people. We learned that we couldn't do that without a change
18 in the sales tax cap, because it's capped right now. Our early
19 efforts being naive politicians, we know how to run social service
20 organizations, we realize that we've got to come to you and ask you
21 to increase the sales tax cap in order to give us the chance to ask
22 the voters to join progressive cities like Seattle and Denver, and

1 many others, that have chosen to fund high-quality early childhood
2 education. We believe the people would pass it. People of Tucson
3 passed the sales tax increase to maintain the one-cent sales tax,
4 Prop 304, even though the state turned it down. So, we want the
5 people to have a chance to support early childhood education, because
6 we believe -- and our polling data suggests -- that they would pass
7 that. We can't do that without your help, without raising the sales
8 tax cap, which acts as a barrier, because it precludes the opportunity
9 to vote on an initiative such as this.

10 This is a good use of money we believe. And I'm here --
11 I won't even take all my time. It's very simple. It's a fair,
12 equitable way to change outcomes for Tucson. We have one of the
13 lowest percentage of people in preschool in the country. Arizona
14 is in the bottom of the barrel, no surprise to you. Tucson is lower
15 than the State of Arizona average. We have to change this. We've
16 got to come up with more funds, and we believe that an increase in
17 the sales tax the voters would approve, and we'd like to give them
18 the chance to do that. We can't do that without a change in the cap
19 on the sales tax. Thank you.

20 MR. NYE: Thank you, Mr. -- thank you, Dr. Schindler.

21 I was going to say, Mr. Kromko, you're next. And on deck
22 I have Peggy Harmon.

1 MR. KROMKO: How you doing? I thought I'd come down and
2 see y'all. My name is John Kromko. And I've sent in some
3 suggestions, because when I read over what you've had, I saw all the
4 stuff that the bureaucrats want, but I didn't see really much that
5 the people wanted, so I made a list that's in the file here.

6 And -- and something that the people would really want, and you
7 wouldn't need a campaign for it to pass, would be term limits for
8 the Mayor and Council. I don't think it was ever intended that people
9 should have lifetime appointments, which is essentially what they
10 have. And, if you go to ward-only, you can be sure that nobody will
11 ever be defeated once they're in. So, knowing that, I think you
12 should consider it. If you do that, that you put term limits in so
13 that people wouldn't spend their whole lives on the City Council.
14 Okay. So that's one hope.

15 The gift clause needs to be tightened up. One of the
16 reasons why people don't trust the City Council in the city is because
17 you're giving so many things away. Once in a while a scandal will
18 come out, but now that we don't really have newspapers anymore, that
19 doesn't happen too much. So, I think you should do -- tighten it
20 up, make it better than what the state has. You shouldn't be giving
21 gifts to anybody for any reason, no free rent. When you let people
22 off of the prop- -- no property tax, nobody even thinks of what that

1 does to our schools, you know. You see what you're doing? You get
2 a whole new building and no property tax, that really hurts Pima
3 College, it really hurts and the high schools, and the whole school
4 system, and that never comes up. So, make it nice, no -- no gifts.

5 I put in personal use of city vehicles. We have way too
6 many vehicles. People are driving their vehicles home, going to
7 their other places of employment in city vehicles. Just end that.
8 It's probably illegal for the city to even -- for the City Council
9 to have vehicles, because their pay is specified by the Charter, and
10 you can't be getting around that by giving them things. So, I think
11 you should consider doing away with that completely.

12 And all this creative financing, certificates of
13 participation, that was even too corrupt for the legislature, and
14 they repealed it years ago for the state because it was so awful,
15 and you guys are using that, the City of Tucson is using that. You're
16 using tax increment financing. Get rid of all this stuff.

17 What else? And campaign finance, again, if you go to ward
18 election, we have a campaign finance flaw in this town that is worse
19 than nothing. When some big developer gives a gift, a contribution,
20 a contribution, the city matches it, which makes that developer twice
21 as horrible. You should switch to something like the state has.
22 Tucson has always been more progressive than the rest of the state,

1 and our whole country has gone bad with this campaign financing. I
2 mean, everybody's taking money, and that's why the will of the people
3 is not carried out. You guys should do something about it.

4 And what else did I have here? Oh, and it's really funny
5 here with all these letters from business people who support raising
6 -- using sales tax for bonding, because it's a tax they don't pay.
7 I want you guys to know that I am in favor of raising all the taxes
8 that I don't pay, okay? I mean, what an insult to see a business
9 writing to raise the sales tax and it's --

10 MR. NYE: Thank you, Mr. Kromko.

11 MR. KROMKO: Okay. Yeah, I'm sorry.

12 MR. NYE: Yeah, I let it go a minute over.

13 MR. KROMKO: I'm starting to get worked up. I'm sorry.

14 MR. NYE: All right. Thank you. And next up is Peggy
15 Harmon. And then John-Peter Whilhite is next.

16 MS. HARMON: Hello, I'm Peg Harmon. My paid job is as the
17 CEO of Catholic Community Services of Southern Arizona. And I'm here
18 today, both on behalf on my organization, but also because of the
19 volunteer work I do through Arizona First Things First, and through
20 the coalition, I'm a member with Dr. Schindler called Strong Start
21 Tucson.

22 And I'm going to make three -- I won't repeat what Eric

1 said, but I do want to make three comments on three elements of the
2 Charter changes that you'll be considering. And one is to, again,
3 reemphasize the support of the elimination of the prohibition on
4 pledging sales tax, because I think that's important. It appears
5 that you, as a Charter Committee, are going to go ahead -- go forward
6 with eliminating that prohibition. But, alongside that, of course,
7 is the support of the concept of increasing the cap on the sales tax.
8 Again, Dr. Schindler discussed why we believe that increasing the
9 cap is important, because we believe that we need to take our destiny
10 for our community into our own hands, and one way to do that is to
11 have adequate revenue to do the kinds of things we need to do as a
12 community.

13 The final comment I want to make is in the preamble to the
14 City Charter, somebody earlier said what a great job the Committee
15 and the Subcommittee did on this, and I completely agree. But, of
16 course -- I have that but -- I would like to -- for you to consider
17 that when we use the term "education," most people think K-through-12
18 education. And so, as a community, to have the kind of economic
19 diversity that we need, the kind of economic drivers that we need,
20 which include education, to modify that language to say either
21 "birth-through-career education," sometimes it's called
22 "cradle-through-career education," but just to clarify that in our

1 preamble that we're concerned about all levels of education, not
2 simply the commonly understood K-through-12 education.

3 Thank you for all the work you've done on the Charter; it's
4 an amazing job and an amazing amount of volunteer time.

5 MR. NYE: Thank you. And then after Mr. Whilhite, Robert
6 Bedoy (ph.).

7 MR. WHILHITE: Thank you, Mr. Chairman, and thank you,
8 Committee members. So, members of the Charter Review Committee,
9 first I want to thank you for accepting verbiage to include during
10 this Charter review process about the importance and value of a
11 vibrant arts and cultural community in Tucson.

12 In my capacity as the Executive Director at Sonoran Glass
13 School, I see the positive impact that making glass art has on our
14 local community every single day of my life, seven days a week. So,
15 whether you're a native Tucsonan or a visitor, making art accessible
16 to all improves reputation and image of Tucson as a whole. So, as
17 you move through the rest of the process, and take the next steps
18 of your process, I want to encourage you to make a concerted effort
19 to keep this verbiage in the body of the Charter.

20 Before I left my school today, I was fortunate to be able
21 to see one of our local schools bring in a group of kids who have
22 studied with us all week. I have local Tucsonans who live here who

1 come on a regular basis and use the school. And every single day
2 I see visitors coming from our various resorts, the different hotels,
3 people coming through Tucson, and they come to us because they say:
4 Wow! it's an experience I had in Tucson that I've never had anywhere
5 else. They enjoy the arts.

6 So, again, thank you for all the hard work you've done.
7 I really appreciate it.

8 MR. NYE: And Roberto Bedoy. I apologize.

9 MALE SPEAKER: Bedoya (ph.)

10 MR. NYE: Bedoya. Sorry. I'm -- Bedoya. I'll
11 eventually get it right.

12 MR. BEDOYA: Huh?

13 MR. NYE: I will --

14 MR. BEDOYA: Bedoya.

15 MR. NYE: -- eventually get it right.

16 MR. BEDOYA: Hello, my name is Roberto Bedoya, and I'm the
17 Executive Director of the Tucson Pima Arts Council. I want to thank
18 you all for your efforts on behalf of the city and Tucsonans. I also
19 want to thank Staff. And the consultant, you've been really smart
20 and I've been watching you over the weeks and like how you listen
21 and figure out little pathways is good, something to model.

22 Since this process has begun, the cultural community has

1 been observing your work and speaking to you on occasion with the
2 intention of getting a better understanding of how the city supports
3 the cultural sector and its contributions to Tucson and our civil
4 well-being.

5 I shared with you -- and I'm going to repeat some of this
6 information so you don't forget it -- that the nonprofit sector is
7 an \$76 million engine that contributes \$8.1 million in tax revenues
8 to the city and the county. As a small business community, which
9 numbers about 2,224 arts-related businesses, our contributions to
10 the vitality and livability of Tucson is significant. As a
11 designated arts agent for the city and county for 30 years, we are
12 different than other cities in that we're not a department of city
13 government; yet, the identity and the distinctiveness of Tucson is
14 shaped by our cultural community, prompted by the Arts Council, and
15 the city's contributions to it. The way Tucson expresses itself,
16 we have festivals, attendance at cultural events. In the last --
17 there's about -- the -- the annual attendance in 1,925,000. So
18 everybody in the city goes to at least two cultural events, maybe
19 not everybody, maybe some go to five and some go to zero, but that's
20 how it rolls. So, it's an active community of participation, and
21 they participate in community choirs, theater, as a writer, a visual
22 artist, a musician, they feed the prosperity and the sense of

1 belonging to a city that cares about how we live together.

2 We have presented to you recommended language to be
3 included in the Charter in a couple areas, which was accompanied by
4 a petition of support signed by over 200 individuals. We support
5 your recommendation of stating in the city values, in the preamble,
6 mentions to the arts and cultures.

7 Also, in regards to enumerating power, we're in support
8 of the recommendation that you make -- add -- make -- add clarity
9 to -- God, I can't read my handwriting here -- make clear the support
10 of arts and cultural projects.

11 Finally, thank you for listening and responding in a
12 proactive way that affirms our cultural industry and its economic
13 impact, and the ascetic experiences that the arts and cultural
14 community produces that celebrates, explores, and defines our lives
15 together as Tucsonans. Thank you so much.

16 MR. NYE: Thank you. All right. Item 5. Discussion and
17 voting regarding final recommendations to Mayor and Council. Okay.
18 Do I have a motion? No, I'm just kidding.

19 MR. CRUM: So noted.

20 MR. NYE: And, here, we thought we'd be all night.

21 The -- the -- the discussion -- Item A, I put on here as
22 a preliminary discussion regarding a menu -- well, whether we intend

1 to recommend these as a la carte and -- or menu items, and, perhaps,
2 a preliminary discussion of grouping if we're talking about a la
3 carte. I keep going with these food things. What's up with that?
4 It had been suggested to me that we take this up early, and then again
5 at the end, as we are in the public comment period. So, does anyone
6 want to start the discussion? Otherwise, I'll keep talking. Ms.
7 Dor- -- Ms. Rhoades? Sorry. I know better.

8 MS. DORMAN: You're used to be talking (inaudible; voices
9 overlap) --

10 MS. RHOADES: Well, I like your grouping that you've done
11 so far, and I kind of like the idea of presenting them to Mayor and
12 Council within the group as has been -- so far, you know, like fiscal
13 issues and that would be in a group.

14 MR. NYE: Question: Is that how you'd like to see them
15 on the ballot, as a group?

16 MS. RHOADES: Yeah, if they were within those, you know,
17 categories.

18 MR. NYE: Ms. Dorman?

19 MS. DORMAN: I think that, for the highest possibility of
20 success, we should separate them as much as possible, except for where
21 there are issues that are so linked that they really can't be
22 separated, because we've seen in past efforts where a single issue

1 has sunk a group of issues, and I'd like to see as many of our issues
2 passed as possible.

3 MR. NYE: Mr. Hinderaker?

4 MR. HINDERAKER: I agree with Ms. Dorman's comment 100%.
5 I think there are sort of a group of recommendations that I think
6 there's broad consensus on, and those would be forwarded as a group,
7 and probably would do well if they appeared on a ballot as a group.
8 And there are others that if they do make it to the ballot, they should
9 be separate items because they're controversial and I don't like --
10 her concern, the concern that they would drag down the rest of the
11 package is a -- is a very real concern.

12 And I -- again, I go back to the comment I made during an
13 earlier meeting that there's a lot of low-hanging fruit here and other
14 committees and efforts have failed to pick that low-hanging fruit.
15 And I think one of the things we need to accomplish here today is
16 we need to move forward in a way where we can accomplish those things
17 at least. I think that's the best way to do it.

18 MS. MEZA-AGUIRRE: Mr. Chair? I --

19 MR. NYE: Ms. Meza-Aguirre?

20 MS. MEZA-AGUIRRE: -- I wholeheartedly concur with Mr.
21 Hinderaker and Ms. Dorman.

22 MR. NYE: Anybody else then? I'll -- I'll just throw out

1 there that -- especially as I looked at the different elections, as
2 I was geeking out on turnout, and seeing all the different
3 initiatives, it struck me that in -- for example, in 1997, we had
4 12 issues on the ballot, one was the infamous water debate sponsor
5 -- with Mr. Beaudry being the prominent driver of that -- but then
6 there were 11 Charter ones, some of which seemed to conflict. And
7 a lot of things didn't pass one by one, and a handful of things did.
8 I think there's probably a Goldilocks just right to this, but I also
9 agree that we should break out the most difficult ones for individual
10 selection.

11 An example for me where I think a group makes sense -- and
12 we'll talk about it more later, but -- is the Department Director
13 ones -- civil service and the Department Director appointments, and,
14 perhaps, the -- the respect for Council/Manager form of government
15 might do better as a group, and --

16 MS. RHOADES: That's what I'm saying --

17 MR. NYE: -- and --

18 MS. RHOADES: -- you lump them together like that.

19 MR. NYE: -- three different recommendations. So --

20 MS. RHOADES: And fiscal issues, I think those are the ones
21 that we've supported, I think so far, you know.

22 MS. DORMAN: I think we've had enough comments where

1 people support part of it, but not all, that those will probably have
2 to be separate. I think it's too hard to tell until we decide what
3 our final list is.

4 MR. NYE: Ms. Poulos?

5 MS. POULOS: I feel like we've had a good deal of consensus
6 on some issues, and division on others, and I think that was also
7 reflected in the public comments that we received. And -- and I
8 agree, I think a couple of the fiscal issues we did all agree on,
9 but I also think that the difficulty of the public understanding,
10 for example - pledging of the sales tax, might make it better to
11 separate those out. And I think that we need to be cognizant of the
12 fact that whatever we recommend to Mayor and Council, although they
13 have the choice of accepting it or not, by our recommending it to
14 them, we are putting political pressure on them that was not there
15 before we made those recommendations. And I think that we should
16 be very careful if we are going to recommend things to be separated
17 or bundled, that we pay close attention to the fact that what we
18 recommend will be fuel for people outside the Mayor and Council to
19 use and say this is why it should be on the ballot, this is why it
20 shouldn't be. And I think we should be aware of that when we're
21 making those decisions.

22 MR. NYE: Thank you. Mr. Crum?

1 MR. CRUM: Well, just for clarity's sake, I heard
2 Department Director appointment and removal process, mutual respect
3 for Council/Manager form of government, and civil service
4 protections eliminated for department heads be grouped as --
5 together. I would also suggest that within that group we also put
6 in Mayor's responsibilities.

7 MR. NYE: Interesting. Interesting. Okay. Anybody?
8 I'm not entertaining motions at this time on this, but is there any
9 other discussion on -- on grouping and -- it sounds to me like we
10 got a consensus, that we want some a la carte and we want some groups,
11 and we've got --

12 MS. DORMAN: Right.

13 MR. NYE: -- some --

14 MR. CRUM: Correct.

15 MR. NYE: Mr. Prezelski?

16 MR. PREZELSKI: Thank you, Mr. Chairman. Is our main
17 concern putting things that are -- it seems there are different
18 theories about how to group things. We could group them just purely
19 thematically, we could group them by what seems to have a consensus
20 versus what doesn't, or we could group them by which ones are
21 complementary toward each other, like there's some -- there's some
22 amendments that don't make sense without other amendments, or we

1 could do some combination of those things. It sounds like right now
2 we're looking more at kind of a thematic approach. So --

3 MR. NYE: I don't know that --

4 MR. PREZELSKI: -- I just think that's something to think
5 about moving forward.

6 MR. NYE: Okay. Mr. Hinderaker?

7 MR. HINDERAKER: I think -- I think we do have a consensus
8 that once we sort of go through the votes it'll be clearer, much
9 clearer how to group them. I think we should just move on to the
10 next item and (inaudible; fades out).

11 MR. NYE: I agree, unless anybody else wants to be heard
12 on it. Okay.

13 Let's start with the fiscal issues, and I want to take this
14 first with the things we've already made recommendations on, and
15 before we take up the sales tax cap, I think -- I've asked Mr. Rankin
16 to address some issues related to that when we get to it.

17 So, I don't know, is there any discussion, or are we already
18 at a -- about changing any of these recommendations at all, either
19 how they're phrased or -- or the recommendations on the two fiscal
20 issues? Starting --

21 MS. HEALY: Can you --

22 MR. NYE: -- we'll start with --

1 MS. HEALY: -- can you --

2 MR. NYE: -- the property tax cap one.

3 MS. HEALY: -- I've got clogged ears right now -- can you
4 repeat that last part? I . . .

5 MR. NYE: Does anybody have any -- want to make any -- raise
6 for discussion any changes to -- we'll start with the property tax
7 cap; and, if not, or is there a motion to recommend that to Mayor
8 and Council?

9 MR. SONENSHEIN: Mr. Chair? If I could just suggest, for
10 ease of everybody, just to show where we are by page number and where
11 -- because we're going in a different order, and that would be
12 helpful.

13 MR. NYE: Oh, yeah. Sorry. My -- my memo is not in the
14 order I'm taking them.

15 MR. SONENSHEIN: I think --

16 MS. DORMAN: So --

17 MR. SONENSHEIN: -- the beginning -- the middle of page
18 7; is that correct?

19 MR. NYE: Yeah, if you look at my Summary Status Report,
20 Recommendations to Eliminate Unnecessary Fiscal Restrictions, A,
21 modify the property tax cap. That recommendation was modified, the
22 \$1.75 per \$100 of assessed value, to make it apply only to the primary

1 property tax and not the secondary property tax. And, again, you
2 know, we -- when we discussed this we learned that the city cannot
3 raise the secondary property tax without it being accompanied with
4 a vote -- approval of the voters for a specific bond issue. And
5 so what the property tax cap has the effect of now is preventing the
6 voters, ultimately, from considering projects at all.

7 MS. GAXIOLA: Mr. Chair?

8 MR. NYE: Ms. Gaxiola?

9 MS. GAXIOLA: So, in order -- in order to move this
10 forward, what is it that we need? A motion to make this our
11 recommendation to --

12 MR. NYE: Unless there's --

13 MS. GAXIOLA: -- Mayor and Council?

14 MR. NYE: -- unless somebody wants to discuss any changes.

15 MR. SPRINGER: Don't you have Mr. Rankin who's going to
16 explain something to us first or -- on this --

17 MR. NYE: That's on the sales tax --

18 MR. SPRINGER: Okay.

19 MR. NYE: -- cap is what --

20 MS. GAXIOLA: So --

21 MR. NYE: Yeah, I'm sorry. As to the sales tax cap, I've
22 asked Mr. Rankin to address that, just want people who have been

1 interested in that in the audience to know we're going to address
2 that after we discuss what we've already recommended.

3 MS. DORMAN: So, I motion that we adopt our -- the
4 recommendations on modifying the property tax cap, and eliminating
5 the prohibition on pledging sales taxes per the Chairman Summary
6 Status Report of March 25th.

7 MS. GAXIOLA: Second.

8 MS. MEZA-AGUIRRE: Second.

9 MR. NYE: Any discussion?

10 (No response.)

11 MR. NYE: All right. All in favor?

12 (Aye responses.)

13 MR. NYE: Any opposed?

14 (No response.)

15 MR. NYE: All right.

16 MS. DORMAN: Whoohoo!

17 MR. NYE: We're off to a unanimous start. Okay.

18 MS. MEZA-AGUIRRE: We (inaudible) on something.

19 MR. SONENSHEIN: An early basket.

20 MR. NYE: Yeah, we're shooting -- Ms. Poulos?

21 MS. POULOS: Could we also accompany this -- this
22 recommendation to Mayor and Council with a caveat that there needs

1 to be a good campaign to explain what the pledging of taxes means
2 to the public?

3 MR. NYE: A good --

4 MS. POULOS: Because I --

5 MR. NYE: -- yes.

6 MS. POULOS: -- think that in the public comments that was
7 the main thing that people really were confused about.

8 MS. DORMAN: Especially the way it was presented in that
9 one document, which was not our document --

10 MR. NYE: Oh, yes.

11 MS. DORMAN: -- right?

12 MR. NYE: Mr. --

13 MR. PORGES: Mr. Chair --

14 MR. NYE: -- Porges?

15 MR. PORGES: -- Ms. Poulos, I think that's the last thing
16 we need to worry about, since this Committee was really created for
17 exactly that purpose, those are the two things that the Mayor and
18 Council really wanted, so I'm sure they will spend the vast majority
19 of their effort and money in getting that passed.

20 MR. NYE: I don't know that they -- Mayor and Council can
21 spend any of their money getting it passed, but the -- I'm sure that
22 they're -- they'll be motivated as to this one. Okay.

1 We've had a lot of public comment about the sales tax cap.
2 And, discussing this informally with some of you, it's -- I've asked
3 Mr. Rankin to clarify for me, and for us, exactly the nature of this
4 restriction and whether we -- if, by raising this cap, whether Mayor
5 and Council would be able to raise the sales taxes without going to
6 voters, or whether -- or what the nature of -- what role voters might
7 have in -- in any recommendation we might make in that regarding.
8 So, Mr. Rankin.

9 MR. RANKIN: Mr. Chair, the answer would depend on how the
10 amendment was written and structured. If the Charter were amended
11 to just say move the tax cap on the sales tax from 2% to 3%, then,
12 in any given year, as the Council addresses its budget, they could
13 make a determination that they needed to raise the sales tax rate,
14 and they could do that by ordinance, without having to go to the voters
15 to approve a sales tax increase.

16 One thing you'll notice, though, is that even in
17 jurisdictions -- like, I was looking at Phoenix -- where the Charter
18 didn't impose a cap that required them to go to the voters for any
19 raising -- it's not uncommon that the elected officials choose to
20 put the sales tax increase in front of the voters, rather than just
21 doing it by ordinance. But the -- the direct answer is if that's
22 how it was structured and just raise the cap, and just using 3 as

1 an easy example, then the Council could raise the tax from the current
2 2% without going to the voters.

3 If the amendment were structured a little differently,
4 such that it said that the cap is 3%, but for any imposition of a
5 rate above 2%, it requires prior voter approval, then the Council
6 would have the authority to raise it only by putting a ballot in front
7 of the voters to -- to approve that increase.

8 MR. NYE: Mr. Miranda?

9 MR. MIRANDA: Mr. Chair, a question: Could -- could the
10 ordinance specify what the sales tax expenditure would be around?
11 For example, 1% on --

12 MR. RANKIN: Yes.

13 MR. MIRANDA: -- or 2% for public safety?

14 MR. RANKIN: Yeah.

15 MR. MIRANDA: Would the Council have that authority?

16 MR. RANKIN: Within those two examples I just described,
17 there are probably several permutations where it could be -- yeah,
18 it could be leave the sales tax cap at 2%, or up to 2.5% if that
19 additional .5% is dedicated exclusively to X, right? In which case,
20 the Council could raise it up to 2.5% if that delta goes specifically
21 to X. Or, you could just require any increase above the current 2%
22 to still go to the voters and still be limited to a specific purpose.

1 So, you know, the cap is at 2%, however, the Mayor and Council, upon
2 prior voter approval, could increase it to 3% if that additional 1%
3 is limited to transportation costs or public safety, whatever it is.
4 But, when you put those limitations in the Charter, just in mind then
5 that if the Council -- a future Council wanted to raise the dedicated
6 sales tax for some other purpose, then it would require both a Charter
7 amendment and then the voter approval for whatever that tax is.

8 MR. NYE: Ms. Gaxiola?

9 MS. GAXIOLA: Yeah, I think that's an important point,
10 especially because as we think about why we wanted to make some of
11 these changes to the tools, the fiscal tools that Mayor and Council
12 have available to them, we really talked about ensuring that we're
13 giving them the flexibility to accomplish the goals of the city.
14 And, if we were to put in some sort of a designation of what that
15 tax could be used for, we would be immediately reducing the
16 flexibility of the tool that we're trying to give them.

17 So, I think it would -- you know, if we -- as we think about
18 potentially increasing the sales tax cap, it'd be important to make
19 sure that when we do so, we're preserving that flexibility for the
20 Mayor and Council to able to do the business of the city.

21 MR. NYE: One -- oh, sorry. Ms. Healy?

22 MS. HEALY: Thank you. This -- actually, this issue

1 surfaces another question I have for, I suppose, you and Mr. Rankin,
2 and that is: The wording of these amendments, and the actual
3 specific language that we are going to put forth as a recommendation
4 to the city, is pretty critical in a number of instances, this being,
5 obviously, a very clear case of that. So, I hate to pause us, because
6 we had such good momentum getting one recommendation out there, but
7 can you help me to understand? The final set of recommendations
8 clearly needs language that this group supports as well, is it our
9 intention tonight to have that final language, Charter change
10 language, scripted in a way that we would see it on the ballot, or
11 are these just broad recommendations that we will send to the Council
12 to then turn into the specific language?

13 MR. NYE: I'll tell you what my --

14 MS. HEALY: And then I have follow-up questions --

15 MR. NYE: -- was --

16 MS. HEALY: -- on that.

17 MR. NYE: -- I'll tell you what my understanding was, which
18 was we're setting the policy and we're going to ask Mr. Rankin to
19 write the legal language, and the City -- City Attorney to write the
20 legalese language of it, and we're not going to do the legal drafting
21 tonight because then it'd be --

22 MS. HEALY: Then that would --

1 MR. NYE: -- a really long meeting.

2 MS. HEALY: So, my follow-up question -- agreed -- and that
3 was my concern when I raised that point at the last meeting when we
4 talked about this meeting, I guess. My following question then is:
5 Is it the plan of this group then to see that draft language come
6 back to this body, even though we intend to adjourn tonight? As we
7 complete our work, will we see the final language?

8 MR. NYE: I'm sure we will see it. I didn't know that we
9 needed to vote on --

10 MR. SONENSHEIN: We deliberate on it.

11 CHAIRMAN: -- the legal draft -- that we need to deliberate
12 on it.

13 Mr. Sonenshein, what is typical in these processes?

14 MR. SONENSHEIN: Well, let me separate out two things
15 here, which is -- and I'm sure the City Attorney will be whispering
16 over here about it -- presumably, the City Council will take
17 recommendations and then direct the City Attorney to write language.
18 And, if it's for the ballot, it has to be neutral language, and it
19 can't be the same language that we would use to convey to the Council
20 why we've adopted something. So, I think those are two different
21 questions.

22 But the second one doesn't require formal City Attorney

1 type language, but I would recommend that in the memo that goes to
2 the Council to say, for example, in the interests of accountability,
3 the Committee recommends the following. In the interests of greater
4 flexibility, the Committee recommends the following. Obviously,
5 the City Attorney's can't write neutral ballot language. Is that
6 -- am I being (inaudible; voices overlap)?

7 MR. RANKIN: I think you've described it accurately.
8 And, you know, to the extent the Committee comes up with
9 recommendations -- just because we're talking about it now, the sales
10 tax cap -- and if you were to come to a final recommendation on that,
11 yeah, I would just ask that you be specific in the parameters in terms
12 of, yes, we want to lift the sales tax cap, but we want to fix it
13 at no higher than X; and, yes, it will be limited to a specific purpose
14 or, no, it won't be limited to a specific purpose. And don't worry
15 about the specific language to accomplish that, but -- but explain
16 what it is you want the amendment to actually accomplish.

17 MS. HEALY: Thank you. My encouragement to this group
18 then is to think carefully about those parameters for each one of
19 these recommendations.

20 MR. NYE: Mr. Crum?

21 MR. CRUM: I've thought about this a lot. Of course,
22 several folks have come to us on increasing the sales tax cap and

1 have early childhood education. City Staff came to us about funds
2 for public infrastructure relating to new private developments when
3 they were talking about eliminating the development fee. I've been
4 contacted by the public relevant to, well, certain funds should be
5 dedicated to public transit. So there's -- there's a lot of interest
6 out there for this.

7 My issue is: How much, and more -- and particularly where
8 to? And I understand about flexibility, do I ever. But how it
9 really works now is the sales tax would go into the general fund,
10 which is sort of a catch-all, which includes City Staff salaries,
11 benefits, travel, supplies, commodities, and commodities, for
12 example, that could be the ability to buy paper for copy machines,
13 or asphalt to put into potholes, but we don't know. And that's where
14 I -- I -- I -- as a voter, I don't think I could adopt this, because
15 it gives the city a blank check to where -- the Mayor and Council
16 a blank check to where it wants to spend the money on any particular
17 (inaudible; someone coughing). There's no guarantee where that
18 money gets spent.

19 So -- but I think it begins a really fundamental and
20 important conversation. Absolutely. And I'm glad, you know, this
21 was brought up. And that's why I favor, if we do adopt this -- and
22 I'm not certain that -- that we -- we wouldn't have time or the ability

1 to do this -- but for the Mayor and Council to look very carefully
2 at dedicating certain percentages or a balance, or whatever, of the
3 sales tax to the particular purposes.

4 MR. NYE: Ms. Poulos?

5 MS. POULOS: I think one -- one reason we -- we did not
6 take a vote on the sales cap, on the sales tax cap, was because we
7 felt it might be something that the voters would react negatively
8 to and, therefore, reject a lot of the other changes.

9 But I think that if we want to provide flexibility for
10 funding certain things that the state has either failed to fund, or
11 has retracted money from communities to be able to fund, that I think
12 we need to give them full flexibility. And my recommendation would
13 be to allow a certain percentage to be raised through a public vote,
14 and leaving it up to the Mayor and Council at the time whether or
15 not to designate that money for a specific purpose. And I think if
16 it has to go for a vote, oftentimes it will have a specific purpose
17 in order to be able to get it passed.

18 MR. NYE: And before I call on -- I've got one question
19 for Mr. Rankin, if I may. Right now, anytime -- there have been a
20 few instances where there have been sales tax initiatives on the
21 ballot in the last 20 years, let say. Do each of -- were each of
22 those accompanied a change to the Charter as a separate ballot item,

1 or how did that -- you said something along those lines. I just
2 wanted some clarity there.

3 MR. RANKIN: I don't know that we've had a sales tax --

4 MR. NYE: Didn't we have some --

5 MR. RANKIN: -- proposal that got to the ballot. I know
6 we -- I recall discussing at the Council table, there was a proposal
7 to have a dedicated sales tax for some public safety costs, and that
8 was going to be proposed as sort of a combined Charter amendment and
9 proposal at the same time, and I think they called it "Penny For Public
10 Safety," and I don't think it made it to the ballot. Let's see, what
11 year was that?

12 MR. NYE: There was a -- okay. Ms. Dorman?

13 MS. DORMAN: I want to thank Mr. Rankin for clarification
14 on this issue. And I agree with Ms. Poulos that we're trying to,
15 in the Charter changes, give the Council the ability to manage and
16 run the city the way that it -- the way that they need to, which
17 requires giving them the ability to finance things that they can't
18 currently finance. And I'm in favor of language such as increasing
19 the sales tax cap to 3%, but any imposition of a rate increase above
20 2% would require voter approval, and I'm in favor in not being
21 specific in the Charter as to what that would be, because any
22 voter-approved initiative would most likely be specific in order to

1 be approved.

2 MR. NYE: I think I almost hear a motion and a second.

3 MS. DORMAN: I --

4 MR. NYE: Mr. Sonenshein's making -- Professor
5 Sonenshein's making faces.

6 MR. SONENSHEIN: I'm grimacing just a little bit. A few
7 things to think about. When you put a number in the Charter that
8 was not there before, it would have to be because you've given a lot
9 of thought that that's the best number to put in the Charter. And
10 one of the certain rules about a Charter is to try to get as many
11 numbers out of the Charter as possible. And when there is one, you
12 should always question it. You should always ask: Was that put in,
13 you know, a long time ago and is that no longer the right way to go?

14 So, I'd be a little cautious maybe -- now that you're
15 thinking about separating so many of these issues, you have to ask
16 yourself a few questions, which is -- I don't want to sound -- don't
17 want to sound very southern California -- but like what's in your
18 heart on this, as opposed to what's a strategic question about what's
19 acceptable, because it may not be that this is one that if it goes
20 down is going to doom everything else; it may be one worth fighting
21 for, in terms of flexibility. Conversely, if you're really sure that
22 a number like 3%, you know, is really the right number, then you might

1 have to talk about that, you know, a little bit, because you're
2 putting a number in that wasn't there before in place of another
3 number, that you're questioning that number.

4 So, I would just say be careful not to over-think this one
5 strategically; it may pass or it may fail. And the question is:
6 What do you think is the right thing that the city government should
7 do in this case? And then maybe take your chances. So, that's --

8 MR. NYE: A question --

9 MR. SONENSHEIN'S: -- that's one thing is --

10 MR. NYE: -- question for Mr. Rankin, which may be on the
11 tips of a lot of our tongues. What -- right now there's a 2% cap
12 in the Charter --

13 MR. RANKIN: Correct.

14 MR. NYE: -- is there not? Okay.

15 MS. DORMAN: So it says 2%; right?

16 MR. RANKIN: Correct.

17 MR. HINDERAKER: If that cap were removed, would it --
18 would it be subject to a cap under state law? And what would that
19 cap be?

20 MR. RANKIN: I'm not aware of any state law cap on the sales
21 tax, yeah.

22 MR. HINDERAKER: So it can float to whatever?

1 MR. RANKIN: There's more of a political cap on
2 (inaudible; fades out).

3 MR. NYE: Fair enough. Ms. Gaxiola?

4 MS. RHOADES: But the voter approval would limit it,
5 because when it goes to voters you would --

6 MR. RANKIN: Right.

7 MS. RHOADES: -- you would specify what it was --

8 MR. RANKIN: Right.

9 MS. RHOADES: -- for, whether early childhood education
10 or --

11 MR. RANKIN: Right. And just to seem --

12 Ms. RHOADES: -- the arts.

13 MR. RANKIN: -- simple in the complete banter, if I could,
14 the question the Chair asked earlier, there was apparently a
15 proposition in 2002 for a half-cent increased sales tax committed
16 exclusively to transportation purposes.

17 So, you know, if there's some difficulty, you thinking,
18 okay, what would be the right number to have the cap at, but you just
19 want to give the ability for the Council to put in front of the voters
20 the ability to raise the sales tax, subject to voter approval, you
21 can do that by just leaving the cap at 2%, saying -- but create an
22 exception for increases that are approved by the voters; that's

1 (inaudible; fades out) we could do.

2 MR. SONENSHEIN: Actually, we need more --

3 MR. HINDERAKER: You just --

4 MR. SONENSHEIN: -- Charter -- sorry. I'm sorry.

5 MR. HINDERAKER: You just gave an example of a -- of a sales
6 tax increase going to the voter; correct? And it didn't pass.

7 MR. RANKIN: Right.

8 MR. HINDERAKER: How did that happen, in light of the cap
9 that we have in the Charter?

10 MR. RANKIN: I'd have to pull it up, but I'm assuming it
11 went as a Charter amendment.

12 MR. RANDOLPH: It was a Charter --

13 MR. RANKIN: It was a Charter amendment --

14 MR. HINDERAKER: Okay.

15 MR. RANKIN: -- as opposed to just a proposition to
16 increase the sales tax, it was a proposition to amend the Charter
17 to allow for an increase in the sales tax for X, the following things
18 to occur.

19 MR. HINDERAKER: So, it's sort of --

20 MR. NYE: So -- so -- time out, everyone. Mr. Yee's been
21 patiently waiting. Sorry.

22 MR. YEE: You know, Mr. Rankin, this -- let me ask you this:

1 The sales tax currently apply -- allocate to the general fund; is
2 that right?

3 MR. RANKIN: Yes.

4 MR. YEE: And the -- the Police Department and Fire
5 Department -- is appropriation coming out of the general fund; is
6 that correct?

7 MR. RANKIN: Yes. There are some other funds that --
8 yeah, police and fire also get grant funds and other sources of funds.

9 MR. YEE: Okay. You know, first of all, you know, we all
10 know that -- well, it's been said that the sales tax is one of the
11 most aggressive tax there is, you know, applied to the -- to the
12 -- to the -- both. I'm not (inaudible) this, I heard that if you
13 specifically assign, what if that percentage that sales tax was
14 increased to a specific purpose (sic). Now, since -- since -- let's
15 say you apply to one particular department currently (inaudible) the
16 funding from the general fund. So, when you -- when you have that
17 percentage of sales tax increase -- let's say if we approach them
18 and have the -- that the voter approve it, but what would we win,
19 the politicians, take the proposal amount of that percentage increase
20 in sales tax, apply the specific purpose that was presented to the
21 voter, and take -- take the same amount out of the general fund, apply
22 to the project, you know. So, therefore, when you say apply for

1 specific purpose, if that's the case, it's lenience, you know.

2 MS. POULOS: That's with the state Legislature.

3 MR. YEE: And then another thing is this: Someone also
4 said, well, what happen if the state take the funding off there and
5 then we would increase our sales tax to compensate for it. Well,
6 when we say that -- well, the people in Phoenix love to hear that,
7 you know. They will keep on cutting off. That's why they cut off
8 the -- the \$100 million, \$200 million funding from the university
9 system that we have.

10 So, even it is -- while we have very good intention, we
11 are real -- very, you know, we -- want to do the right thing, our
12 -- our purpose real honorable, but I just -- you know, it's so
13 (inaudible) so -- so many move- -- moveable part. I just wonder how
14 -- how -- you know, I mean, I would have very difficult time to --
15 to devise something that would be really -- to accomplish a purpose
16 that we intend for that increase to apply. And if -- you know, if
17 it does apply to the specific purpose that I, or the Committee, or
18 both would -- we say, oh, yeah, that's what we want of that, it's
19 -- it's very good, a good use for it, I'm all for it, but I'm not
20 sure that can be done, you know, under the circumstance.

21 MR. NYE: Ms. Healy?

22 MS. HEALY: I appreciate the caution about -- you know,

1 where is there is no rapport, and recognize the most -- work this
2 Committee has done to try and make this a modern document. I guess,
3 my -- my southern California or southern Arizona heart is telling
4 me that one of the things we talked about, back in our goals
5 discussion, is the -- the notion of being predictable and stable;
6 and, when we look at it from that standpoint -- although I -- I
7 understand the caution, I think my concern here is that without that
8 cap, we then create an environment, or propose to create an
9 environment, that it no longer feels predictable or stable. To me,
10 if you don't know, as somebody looking at business development or
11 business opportunities or relocation in this community, what your
12 -- what your cost of doing business could potentially be in this
13 community. I think that's number one of something I'm struggling
14 with around this conversation, and I, too, agree that this is a great
15 topic for this group to debate and discuss.

16 My second issue here is I feel like a 3% cap -- having said
17 what I just said, I think a 3% cap feels arbitrary and it's just a
18 number we just grabbed at. So, I would like to see this group either
19 make a decision that we need to debate that, what that right cap looks
20 like, if we are in agreement that there needs to be a cap in there,
21 or maybe we're not.

22 And then I guess the first point is I come back to the notion

1 of the low-hanging fruit, and this one doesn't feel to me like
2 low-hanging fruit, it feels like an important topic that the Council
3 should definitely have further debate around and consideration, but
4 it may not be that one that goes off in that first set of
5 recommendations. Thank you.

6 MR. NYE: Mr. Prezelski?

7 MR. PREZELSKI: Thank you, Mr. Chairman. I was wondering
8 if someone on Staff, or maybe the -- the consultant, could tell me
9 how many other cities in Arizona have such a cap.

10 MR. NYE: (Inaudible) could tell us.

11 MR. RANKIN: You know, I can't answer it in confidence.
12 I don't -- and specifically with sales tax; right?

13 MR. PREZELSKI: Uh-huh.

14 MR. NYE: It may have been in Ms. Gottschalk's materials
15 for us for --

16 MR. PREZELSKI: Yeah, I seem to remember it was discussed
17 at some point.

18 MR. RANKIN: I remember it being --

19 MR. NYE: I know it was as to that. Okay. Well -- all
20 right. Do you have anything else, Mr. Prezelski?

21 I -- swift start of a motion --

22 MR. PREZELSKI: Well -- well --

1 MR. NYE: -- out there, so I want to see if we can get this

2 --

3 MR. PREZELSKI: Mr. Chairman? I -- I just -- I -- I don't
4 know if the sales tax cap -- I don't know if there's evidence that
5 the sales tax cap somehow helps our economic development by making
6 our sales taxes more predictable, I think kind of the evidence of
7 our senses kind of says that maybe it doesn't. But, that being said,
8 I think that -- that there's a lot of economic development, and
9 infrastructure development, that we can't do because of the sales
10 tax cap, and that may be hurting us more than -- than helping.

11 And I think also we're in an environment where state-shared
12 revenue is -- with cities is constantly under attack and may disappear
13 soon, and the purpose of state-shared revenue specifically was to
14 allow cities to keep their sales taxes down; and, if that disappears,
15 Tucson, and every other city, will be left with trying to figure out
16 how to make up for that lost revenue in -- in -- with other forms
17 of taxation, and that'll include sales taxes. So, I don't know if
18 it -- if it's wise to continue crippling our ability to -- to use
19 that tool.

20 MR. NYE: Ms. Gaxiola?

21 MS. GAXIOLA: I guess I'm feeling a little bit
22 uncomfortable with this conversation, because the -- going back to

1 your initial point when we -- when you convened the meeting today
2 of honor the process. We've gone through a very deliberative --
3 deliberate process of making sure that we're educated on an issue,
4 of getting lots of data and information and input, giving the
5 community the opportunity to share their thoughts and opinions with
6 us, and deliberating over two different meetings on every topic that
7 we discussed. And now we are, because we want to honor and respect
8 the input of the community that came here and shared with us their
9 -- their thoughts that this was a cap that we need to address, this
10 is an issue that we need to address in the Charter, we want to make
11 a decision -- or it seems like we're talking about potentially making
12 a decision today, and that's not been our process. And so I would
13 be -- personally, I'd be uncomfortable with making a recommendation,
14 or making a decision, when we aren't well-educated on the subject
15 --

16 MR. NYE: We --

17 MS. GAXIOLA: -- when we don't have the data that we need,
18 when we're asking ourselves questions, that if we were to have one
19 more meeting we would be able to answer.

20 So, I would -- I think instead what we should do is we should
21 take this to ourselves as the -- as much as I'm loathe to recommend
22 another meeting -- I think we should -- if this is a subject that

1 we want to address and that we think this is an issue that's important
2 for us to deliberate on and to make a recommendation to Mayor and
3 Council about this, I think that we should take the time to get smart
4 on it and come back and make a recommendation at a different meeting
5 in the future when we have the time to get the data to really have
6 the discussion about it, and to make a strong recommendation that's
7 going to be deliberate and thoughtful.

8 MR. NYE: We -- we did have a preliminary presentation on
9 this from Ms. Gottschalk, and we did get a bunch of data on this;
10 in fact, we -- we decided to table it because we didn't think we had
11 -- as I recall, the motion was to table this discussion because we
12 didn't have -- we were concerned about it being a poison pill, and
13 we may have even had two meetings on it, it's just not at the tip
14 of our tongues and may not be in -- at the -- at our fingertips in
15 the materials, although --

16 MS. GAXIOLA: And --

17 MR. NYE: -- I see some people have all of their materials
18 with them -- thank you, Ms. Dorman -- with the -- with the spreadsheets
19 and everything, which is quite cool.

20 And so I'm going to ask if there's any motions out there,
21 and we'll see if people are able to vote for it --

22 MS. GAXIOLA: Okay.

1 MR. NYE: -- okay?

2 MS. DORMAN: Can -- can --

3 MR. NYE: Not -- or we want to -- or a discussion. We can
4 still --

5 MS. DORMAN: Can I make --

6 MR. NYE: -- discuss about --

7 MS. DORMAN: -- a suggestion? I think it would be helpful
8 to know if the group, in general, feels that some kind of lifting
9 of the sales tax feels appropriate, because, if not, it's kind of
10 a non-starter, but I'm getting the sense that everyone feels like
11 some kind of lifting would be appropriate. I just want to check.

12 MR. NYE: And Ms. Poulos --

13 MS. POULOS: Well, I thought --

14 MR. NYE: -- seems to be trying to form a motion here.

15 MS. POULOS: -- Mr. Rankin said something about perhaps
16 not specifying a number, leaving the 2% cap that's already specified
17 in the Charter, and simply stating in the Charter that should the
18 Council feel it necessary to go above the 2% cap, that it goes to
19 the voters for approval. And just provide that flexibility without
20 specifying what that would be, if they think it's -- the public would
21 go along with 1% for education, but they wouldn't go along with half
22 a cent for transportation, let them make that decision, that's what

1 we elect them for. So, that would be my recommendation as something
2 that we could move forward here.

3 MS. RHOADES: Is that a motion?

4 MS. POULOS: No, it's for -- if we're going to go around
5 the table, that would be my -- my motion, should I make it, but I
6 rather just hear from the Committee and see where we're at.

7 MR. NYE: Mr. Porges, and then Ms. Gaxiola.

8 MR. PORGES: Well, that strikes me as unnecessary. It
9 would seem that the Council can ask for an increase in the sales tax
10 under rules today, all it has to do is word it as a Charter amendment
11 if this is something that they put in a year ago. So, the Council
12 still has the ability to increase the sales tax, they simply have
13 to call it a Charter amendment/sales tax increase. So, I think we're
14 attacking a problem that doesn't necessarily exist.

15 MS. POULOS: But if it's not written in the Charter, would
16 they have that ability? I think people feel like, oh, this is
17 something additional, they need to change the Charter in order to
18 be able to move forward and use it. Whereas, if we changed the
19 Charter now and give them that ability, then when they go forward
20 they can focus not on the fact that they're changing the Charter,
21 but on --

22 MR. NYE: All right.

1 MS. POULOS: -- the fact --

2 MR. NYE: Okay.

3 MS. POULOS: -- that we need funds for this particular
4 (inaudible; fades out).

5 MR. NYE: I -- I appreciate that. Ms. Gaxiola was next.

6 MS. GAXIOLA: Yeah, I just -- I just -- I -- sorry -- I
7 just feel like that, you know, if we're going to come up with a
8 preliminary -- it's not even a preliminary recommendation -- if we're
9 going to come up with a recommendation, it seems like we're so
10 divorced from the facts, and that previous conversation where we
11 actually tabled a bunch of stuff, that we aren't going to be able
12 to have the opportunity to answer those questions that we need to
13 answer in order to make a really deliberate, thoughtful decision.
14 And I think one of the things that we've had in feedback from the
15 community is really a lot of praise for the process that we've
16 undertaken, and this is going to pull it entirely out of that.

17 Now, that said, I am absolutely in favor of us, as a
18 community, funding early childhood education, like, I would love to
19 see us do that. I just don't know that this process right now is
20 going -- is the right way to go about getting us there in a way that
21 is really thoughtful, because it raises a lot of questions that we
22 don't have expertise in the room right now to answer. So, for

1 example, if we were to do something, where we were to eliminate the
2 cap, like, what is the impact for us on bonding; right? What does
3 that do to our debt rating? I don't know. And do we have the
4 expertise in the room right now to be able to answer that question
5 for us, you know? I mean, I think there are other issues that would
6 be raised by us trying to figure this out, and we don't -- we're not
7 giving ourselves the time to make that deliberative decision.

8 So, I would just reemphasize and strongly suggest that if
9 this is something that we want to make a recommendation on -- and
10 it seems like, perhaps, it is -- that we would just need to come back
11 for one more meeting, unfortunately, to give ourselves the time to
12 get smart and do that, it's -- I mean, if this is important for us,
13 it is worth our time to do it right.

14 MR. NYE: Mr. Prezelski, I think, had a stand --

15 MR. PREZELSKI: Well, I --

16 MR. NYE: -- or has it been said?

17 MR. PREZELSKI: Well -- and, Mr. Chairman, I just wanted
18 to point out I think there used to be an issue in Florida where you
19 could not -- you could put something on the ballot, but it always
20 had to be a constitutional amendment. And the consequence was, was
21 that Florida had the longest state constitution in the country,
22 because minor policy items that people wanted to pass through the

1 initiative process ended up having to be phrased as constitutional
2 amendments.

3 So, I think that when we say, oh, well, we can lift the
4 sales tax for a specific issue simply by amending the Charter, that
5 becomes problematic because we -- we'll end up eventually having a
6 very long city Charter. So, my --

7 MR. NYE: Longer City Charter.

8 MR. PREZELSKI: -- longer City Charter. So, you know --
9 and -- and, you know, Bonnie -- Bonnie had a very good -- I'm sorry
10 -- Ms. Poulos had a very good point --

11 MS. POULOS: That's okay.

12 MR. PREZELSKI: -- in that there's also a very different
13 psychology about amending the Charter, rather than just referring
14 something to the voters that kind of puts a very different weight
15 on things. So, I think -- I understand where you're coming from,
16 but I -- I -- I think it's probably wiser to address this in the
17 Charter, provide a mechanism in the Charter, rather than the current
18 method.

19 MR. NYE: I believe the professor had something to say.

20 MR. SONENSHEIN: A quick thought here. Things always
21 look different on an individual item when you've seen the whole thing
22 and are looking back on it, and I think we're going to get really

1 stuck on this for quite a while. I think if you put it to the side
2 for the moment, not to put aside for movement, just for the moment,
3 look at the whole package that you get to, then see how it looks to
4 you then; it'll actually -- will be a lot more clarity about, well,
5 is it -- does it stick out like a sore thumb? Is it unlike everything
6 else, or is it like everything else? Probably aren't going to know
7 that until you take a fresh look. I think --

8 MR. NYE: I was --

9 MR. SONENSHEIN: -- the whole -- different ideas at the
10 table, it'll be hard to not get kind of the wheels cluttered, but
11 -- for a while, but I think it'll go a little smoother in a few hours.

12 MR. NYE: And Mr. Rankin?

13 MR. RANKIN: Mr. Chair, I've been able to find information
14 in response to Mr. Prezelski's question about what's in other
15 Charters. Sixteen of the Arizona Charter cities have provisions
16 specific to sales tax within them; of those, Avondale, Flagstaff,
17 Glendale, and Winslow all require voter approval before any sales
18 tax can be approved; Bisbee and Peoria require voter approval for
19 any increase in the sales tax, but they don't specific account; Bisbee
20 requires voter approval for a decrease in the sales tax -- (laughter)
21 --

22 MR. NYE: Got to love --

1 MR. RANKIN: -- Mesa, Prescott --

2 MR. NYE: How cool is that? So moved.

3 MR. RANKIN: -- Mesa, Prescott, Scottsdale, Tempe, and
4 Yuma all include a cap of 1%, but allow an increase if approved by
5 voters; and then Nogales has a provision that I've read here a couple
6 times and I don't understand it. (Laughter.) So there's --

7 MR. NYE: How awesome is that? And you just got a civics
8 lesson in Arizona.

9 MR. PREZELSKI: And that -- that being said -- to -- to
10 Mr. Rankin's point, I think Yuma still has like the highest sales
11 taxes in the entire state, despite the fact they have that cap.

12 MR. RANKIN: And Yuma had a cap that's 1% on some things,
13 but 2% on hotels and motels, bars and restaurants, and then other
14 exemptions that have resulted in minor sales taxes.

15 MR. NYE: Okay. I like the idea of holding back on calling
16 -- doing a motion. When we get to J, we'll have a brief discussion,
17 and I intend for that discussion to be with a motion. I think there's
18 a motion out there, but we'll see when we get to the end. And we
19 will keep moving, okay? All right.

20 Onwards and upwards. Okay. The -- what time is it?

21 We are -- the next item is Changes to Department Director
22 Appointments and Removal Process. And in the memo, we are talking

1 about page 6 of 9, and, perhaps, also, the -- the mutual respect --
2 yeah, page 6 of 9, C, and possibly D, in this category.

3 Is there discussion or any changes or comments to -- or
4 changes that people want to discuss related to Recommendation 1 in
5 terms of appointment and removal?

6 (No response.)

7 MR. NYE: Okay. Is there a motion? Ms. Dorman?

8 MS. DORMAN: I motion that we move forward with
9 Recommendations No. 1, to change appointment and removal procedures
10 as follows: First bullet, Council appoints and removes the City
11 Manager, City Clerk, City Attorney, and Magistrates with a majority
12 vote; second bullet point, granting the City Manager authority to
13 appoint all other department directors with approval by a majority
14 vote of the Council; and, the third bullet point, granting City
15 Manager sole authority to remove department directors.

16 MS. MEZA-AGUIRRE: Second.

17 MR. NYE: With one clar- -- question -- clarification.
18 We'll fill in whether it's Mayor and Council, or how that works when
19 we get to the Mayor --

20 MS. DORMAN: Yes.

21 MR. NYE: -- right?

22 MS. DORMAN: Thank you.

1 MR. HINDERAKER: I would just offer a friendly amendment
2 that we're making a motion to recommend to Mayor and Council that
3 they place on the ballot -- they refer to the ballot that question.

4 MR. NYE: Yes.

5 MS. DORMAN: Yes.

6 MR. NYE: Okay.

7 MS. DORMAN: Thank you.

8 MR. NYE: Thank you. Any discussion? Mr. Porges?

9 MR. PORGES: Clarification, please. So does that mean
10 that Fire and Police Chief are losing their civil service protection?

11 MR. NYE: Or -- civil service --

12 MS. DORMAN: That's --

13 MR. NYE: -- is Recommendation 2.

14 MS. DORMAN: -- that's Recommendation --

15 MR. NYE: We address --

16 MS. DORMAN: -- 2.

17 MR. NYE: -- that in Recommendation 2. We're not there
18 yet. We're almost there --

19 MS. DORMAN: Well --

20 MR. NYE: -- Mr. Porges.

21 MS. DORMAN: -- I just made a --

22 MR. PORGES: Okay.

1 MS. DORMAN: -- recommendation to go -- I just make a
2 motion to go with Recommendation 1.

3 MR. NYE: And we will move on to Recommendation 2 after
4 --

5 MR. PORGES: Well, the only --

6 MR. NYE: -- we take this vote.

7 MR. PORGES: -- thing is Recommendation 1 says "all other
8 department directors."

9 MR. NYE: Yes.

10 MS. POULOS: That's -- what he's referring to -- I see what
11 you're saying.

12 MR. PORGES: I imagine Mr. Rankin can clear that up in his
13 wording.

14 MR. RANKIN: Absolutely.

15 MR. PORGES: I'll leave that to you.

16 MR. NYE: Well, the current -- well, the idea behind this
17 one is -- this is what I've been saying repeatedly is our patchwork,
18 where there are -- it varies by department who appoints and who fires,
19 or who terminations. I should stop saying "fire." This is just
20 about who does it. All right.

21 I think we've got a motion, and did I hear a second?

22 MS. MEZA-AGUIRRE: Yes, you did.

1 MR. NYE: Yes.

2 MR. SPRINGER: Well, I'm still not clear. Does this --
3 does -- are you -- by doing this, you're removing the civic service
4 protection from the Police and Fire Chief?

5 MR. NYE: No, we are -- we are going to address
6 Recommendation 2, related to the civil service protections for
7 Department Directors and Police and Fire in Recommendation 2, which
8 is the next paragraph, making Department Directors --

9 MR. PORGES: So, if Recommendation 1 passes --

10 MS. DORMAN: Well, I could combine --

11 MS. RHOADES: (Inaudible; voices overlap) -- service --

12 MR. NYE: Well, we can combine some, that's --

13 MS. DORMAN: I'd like to make an amendment to my motion

14 --

15 MR. NYE: Okay.

16 MS. DORMAN: -- to add Recommendation No. 2 --

17 MR. PORGES: Yeah.

18 MS. DORMAN: -- to make all department directors, at-will
19 employees, exempt from civil -- civil service protections, except
20 that the Police Chief and Fire Chief will retain their limited
21 advisory civil service appeal rights.

22 MS. MEZA-AGUIRRE: Second.

1 MS. DORMAN: No change would be made to the civil service
2 protections of rank-and-file employees.

3 MR. HINDERAKER: Second.

4 MS. MEZA-AGUIRRE: Second.

5 MR. NYE: Is there any further --

6 MS. MEZA-AGUIRRE: I jumped the gun.

7 MR. NYE: Does that help, Mr. -- did that help with
8 everybody?

9 MR. PORGES: That --

10 MR. NYE: Okay.

11 MR. PORGES: -- clarifies it.

12 MR. NYE: And they actually really do go hand in hand.

13 MS. DORMAN: They do.

14 MR. PORGES: Yes.

15 MS. DORMAN: Thank you.

16 MR. NYE: Do we -- is there any discussion before we vote?

17 (No response.)

18 MR. NYE: Okay. All in favor?

19 (Aye responses.)

20 MR. NYE: Any opposed?

21 (No response.)

22 MR. NYE: We went from losing momentum, to gaining

1 momentum here. Okay. So then the next one I would like to address
2 in relation to this bullet point is -- well, no, Item D. We're on
3 to Item D. I separate -- had it --

4 MS. DORMAN: D.

5 MR. NYE: -- separate as a presentation. We had
6 previously adopted a recommendation that the language in the Code
7 of Ethics related to mutual respect and noninterference between City
8 Staff respecting Mayor and Council's policy-making role, and Mayor
9 and Council and their Staff respecting the City Manager and the
10 administration's role and implementing policies, be added to the
11 Charter. Is there any dis- -- further discussion of this, or is there
12 a motion that we . . .

13 MR. HINDERAKER: I have a motion.

14 MR. NYE: I hear a motion. Is there a second?

15 MR. CRUM: Second.

16 MR. NYE: Any --

17 MS. MEZA-AGUIRRE: Well, Mr. Chair, he didn't make his
18 motion.

19 MS. RHOADES: Make the motion.

20 MR. NYE: Yeah, make your motion.

21 MR. HINDERAKER: Recommend to the Mayor and Council that
22 they refer to the voters of the City of Tucson, at the next city

1 election, an amendment to the City Charter that incorporates the Code
2 of Ethics ordinance for mutual respect and noninterference
3 (inaudible; fades out).

4 MR. NYE: Thank you. You're going to get to make all of
5 our motions now -- (laughter) -- even if you don't agree with them.

6 Is there a second?

7 MR. NYE: Okay. All -- any further --

8 MS. POULOS: Can I --

9 MR. NYE: -- discussion?

10 MS. POULOS: -- raise a point of clarification? Didn't
11 we only incorporate a portion of the ordinance?

12 MR. NYE: Oh, we --

13 MS. POULOS: And I had --

14 MR. NYE: -- rephrased it --

15 MS. POULOS: -- question about --

16 MR. NYE: -- actually.

17 MS. POULOS: -- the wording -- yes -- and so I'm looking
18 for that --

19 MR. NYE: Thank you.

20 MS. POULOS: -- in my notes. and I don't remember --

21 MR. NYE: That would've be in the Legal Action Report.
22 That's right. There was a friendly amendment that -- to adopt the

1 language we adopted in the Legal -- before -- there's a Legal Action
2 Report that says exactly what we adopted before.

3 MS. POULOS: Okay. I have Legal Action --

4 MR. NYE: Shockingly, I haven't memorized the dates of our
5 Legal Action Reports. Adopt our prior recommendation.

6 MR. HINDERAKER: So, I would make an amendment to my motion
7 that we adopt -- the ordinance be adopted in the form that we
8 previously (inaudible; fades out).

9 MR. CRUM: Second. Second.

10 MR. NYE: Second. All right. Is there any further
11 discussion of that?

12 (No response.)

13 MR. NYE: Okay. All in favor?

14 (Aye responses.)

15 MR. NYE: Any opposed?

16 (No response.)

17 MR. NYE: All right. So -- all right. Now we're on --
18 okay -- we -- where are we? We're at a quarter to 5:00. Do we want
19 to begin the preamble -- undertake the preamble discussion and start
20 -- finish that if we can? Okay.

21 I would ask that the -- let's start with the presentation
22 from the Preamble Subcommittee. And, mercifully, Mr. -- mercifully

1 for me and my life -- and I want to also specifically thank the three
2 folks who met on a Saturday, this past Saturday, I believe, Mr. Crum,
3 Ms. Poulos, and Pastor Scott met, and I didn't see how long -- I didn't
4 -- don't recall how long the meeting was.

5 MS. POULOS: An hour and a half.

6 MR. NYE: Hour and a half.

7 MS. POULOS: We'd like to, I think, initially thank Mike
8 Rankin for giving us a draft of something that made our job a lot
9 easier, even though we've changed it beyond recognition I think, but
10 --

11 MR. NYE: All right.

12 MS. POULOS: -- yes, it helped a lot.

13 MR. NYE: And we have it in our material. So you present
14 this --

15 MR. CRUM: Yeah, I -- I'd just like to add that Bonnie and
16 Grady were great to work with; they're prompt, reliable, intelligent,
17 practical, wise, and really nice. I emphasize really nice. And I'm
18 afraid I was kind of just along for the ride, because their work was
19 excellent. And, again, Mike -- great work. You've really gave us
20 a template and the (inaudible) or bantam we needed to do our work
21 quickly and easily.

22 The words on the draft are -- draft preamble are for your

1 review, comment, and your approvement (ph.) (sic), they truly are.
2 The words basically speak for themselves. So allow me to speak
3 briefly to the process. We went through all of the handouts relative
4 to the preamble, the Summary Status Reports, great preamble examples
5 for the jurisdictions. We added two -- two of them to the list.
6 Let's see. The Committee's goals for changes. We also had on hand
7 Plan Tucson's goals -- thank you very much -- and the criteria used
8 by the County, Pima County Bond Advisory Committee. And of great
9 interest, also, were the comments that we received during the calls
10 to the audience and the -- and the public meetings, and they really
11 did serve as a reality check and checklist for our work to make sure
12 we at least addressed them.

13 Also, we had our own checklist, both implicit and explicit,
14 some of which were -- when I -- when writing the preamble, put the
15 people first and take their comments seriously. "Don't -- don't"
16 -- excuse me -- "don't use catch phrases just to use -- to be using
17 them; it's not about sound byte -- about a sound byte for elevator
18 music; if that's what you end up with, then maybe you shouldn't have
19 a preamble at all."

20 Each person seems to have their own pet interest or
21 project, or even a word they want mentioned in the preamble, but some
22 words may have an interconnection with each other. The future

1 success of the city is admitting those interconnections and
2 dependencies.

3 "Can a preamble engage and inspire, or is that asking too
4 much? The preamble needs to be written by the people, because it
5 is for the people. You don't need a preamble. Get to the point.
6 Get to the Charter."

7 I want to honor all those comments. "The preamble is the
8 basis for who we are. The preamble needs to be vital, relevant,
9 current, but also dynamic and evolving. Try to use -- try to avoid
10 the use of value-laden and culturally-laden words; they may have
11 relevance and meaning, but to who, it varies. So, don't use current
12 popular, overly-general or overly-used words that five years from
13 now will seem, oh, whatever, over-arch."

14 And the ones that I -- the one I really like the best is:
15 "The qualities of good government is what I look for in a good friend,
16 likes movies, has a sense of humor, good -- good dancer." Then they
17 add: "But, seriously, is the person a good listener, honest, and
18 dependable? Can I expect government to be the same?"

19 So, with that, you have it. And, Bonnie, would you like
20 to add anything else?

21 MS. POULOS: No, we -- we had a list of items from the
22 public and from our meetings that we thought were important to

1 include, but we also wanted a preamble that did not go on for pages
2 and pages, and that respected all of the different parts of the
3 community that make us (inaudible; fades out).

4 MR. CRUM: Mr. Chair?

5 MR. NYE: Well, no, I -- I --

6 MR. CRUM: Again?

7 MR. HINDERAKER: Yes.

8 MR. NYE: Again.

9 MR. HINDERAKER: Before I make the motion, I'll do a
10 preamble of my motion --

11 MR. NYE: That's --

12 MR. HINDERAKER: -- and say Mr. Crum, Ms. Poulos, and
13 Reverend Scott, you guys did a great job. Thank you for your efforts,
14 and this is really well done. And so, as a result, I'm going to move
15 that we recommend to Mayor and Council that they refer to the voters
16 of the City of Tucson, at the next city election, an amendment to
17 the City Charter that incorporates the preamble to the Tucson City
18 Charter that has been provided us -- to us by the subcommittee.

19 MR. CRUM: Second.

20 MR. NYE: Ms. Rhoades?

21 MS. RHOADES: I was going to offer, just on the education
22 piece, since we had such -- a lot of folks talking about the early

1 childhood education, and I -- I mean, I see, you know, in the top
2 of the sentence it's just kind of a general, you know, mention of
3 education. But I wondered if we could just -- we could keep it simple
4 and offer just one more "education" in that sentence that says, "to
5 provide economic opportunities that --

6 MS. POULOS: That's exactly --

7 MS. RHOADES: -- allow all citizens to prosper, we could
8 provide education and economic opportunities that allow all citizens
9 to prosper." I would if that could be a friendly amendment -- it's
10 just one word --

11 MR. NYE: Right. So --

12 MS. RHOADES: -- because education is so important to your
13 prosperity.

14 MR. NYE: I'm writing the carrot in my -- here. So, to
15 provide education and --

16 MS. RHOADES: And economic opportunities.

17 MR. NYE: Is that a friendly amendment --

18 MS. RHOADES: Is that a friendly amendment?

19 MR. NYE: -- to the motion?

20 MR. HINDERAKER: So what I do? Do I say "yes?"

21 MR. NYE: Yes.

22 MS. RHOADES: Yes.

1 MR. NYE: Yes. You say "yes."

2 MR. PORGES: It's a catch-all.

3 MR. CRUM: Yes. Thank you.

4 MS. RHOADES: It's in the sentence that says, "to provide
5 economic opportunities that allow all citizens to prosper," just to
6 add --

7 MS. POULOS: Education.

8 MS. RHOADES: -- "provide education" --

9 MS. DORMAN: Education or --

10 MS. RHOADES: -- just add the word.

11 MS. DORMAN: -- educational?

12 MS. POULOS: Educational.

13 MS. RHOADES: Educational opportunities.

14 MS. POULOS: Educational opportunity.

15 MR. NYE: Educational --

16 MR. PORGES: Do you have (inaudible) in your office?

17 MR. NYE: Thank you.

18 MR. RANKIN: Yes.

19 MR. NYE: Grammatically, thank you for the --

20 MR. SONENSHEIN: Perfect.

21 MR. NYE: Ms. Gaxiola?

22 MS. GAXIOLA: Yeah, I would -- I would also like to suggest

1 a friendly amendment, if I could?

2 MR. NYE: Okay.

3 MS. GAXIOLA: The -- I -- first of all, I think this is
4 fantastic and super well done, and I really appreciate how brief and
5 succinct it is. So, kudos to the committee for doing that.

6 But I would like to suggest or recommend that we actually
7 change the word "citizens," where it says, "allow all citizens to
8 prosper." We have a lot of folks who are important contributing
9 members of our community who are not citizens here, and so I would
10 recommend that we change it to another word that could be "individual"

11 --

12 MS. RHOADES: Residents.

13 MR. SONENSHEIN: Residents.

14 MR. NYE: Residents.

15 MS. GAXIOLA: -- "residents" is also a loaded term for
16 immigration purposes.

17 MS. RHOADES: "People?" What about "people?"

18 MR. NYE: "All people."

19 MS. GAXIOLA: Sure.

20 MR. NYE: How about Tuc- -- how about "Tucsonans?" How
21 about "Tucsonans?"

22 MR. PREZELSKI: Or (inaudible)?

1 MS. GAXIOLA: No, no, no.

2 MR. NYE: Well, what about --

3 MS. GAXIOLA: "Tucsonans," is -- it's very -- it's
4 limiting --

5 MR. HINDERAKER: Or how about just take the word --

6 MS. GAXIOLA: -- it's limiting to have --

7 MR. HINDERAKER: -- "citizens" out?

8 MS. DORMAN: Well -- but that's --

9 MR. NYE: Well, that's --

10 MS. DORMAN: -- but that's --

11 MR. NYE: -- who it's for.

12 MS. DORMAN: -- that's who we're serving.

13 (Inaudible; multiple speakers.)

14 MS. GAXIOLA: That's a good point, so that's okay, yes.

15 MS. DORMAN: Yeah.

16 MS. GAXIOLA: Okay.

17 MS. DORMAN: I would -- I --

18 MS. GAXIOLA: Okay. So then my friendly amendment
19 suggestion is just to -- where it says --

20 MR. HINDERAKER: I do.

21 MR. SONENSHEIN: We're not getting married now.

22 MR. HINDERAKER: I know.

1 (Inaudible; multiple speakers.)

2 MS. POULOS: Well . . .

3 MR. NYE: Okay. Just so I'm with you. "To provide
4 education and economic opportunities that allow all to prosper."

5 MS. RHOADES: "Educational."

6 MS. GAXIOLA: Yes.

7 MR. NYE: "Educational" -- so "educational and economic
8 opportunities that allow all to prosper."

9 MS. GAXIOLA: Uh-huh.

10 MR. NYE: So --

11 MS. GAXIOLA: Yes.

12 MR. NYE: Professor?

13 MR. SONENSHEIN: Can I throw -- one little tiny thing? I
14 think this is beautifully done, by the way. I've -- I've seen a lot
15 of these, this -- this really is exceptionally well done.

16 Next-to-the-last word, I just think it clinches it more if you say
17 "the uniqueness of this city," not "the city," because you've really
18 managed to make it particular to this city, so might as well try to
19 hone there.

20 MR. NYE: Okay.

21 MR. HINDERAKER: I would so amend my motion.

22 (Laughter.)

1 MR. YEE: So seconded.

2 MS. MEZA-AGUIRRE: I -- I second the most -- the third
3 amendment to Mr. Hinderaker's motion.

4 MR. NYE: All right. Yeah. All right. I think we're on
5 a roll. We've got a motion and a second, after several friendly
6 amendments.

7 All in favor?

8 (Aye responses.)

9 MR. NYE: Any opposed?

10 (No response.)

11 MR. NYE: No -- none opposed, the motion passes. And that
12 took five minutes. We are rocking and rolling.

13 MS. DORMAN: We haven't gotten to the really hard stuff.

14 MR. NYE: We haven't got to the hard time stuff, but it
15 wouldn't have been as fun if we did the hard stuff last. Okay. All
16 right. Okay.

17 With that, why don't we move on to Item F, although this
18 one I'm afraid may take a little bit more time. We may break in the
19 middle of this one, but we might as well get started --

20 MR. HINDERAKER: So we're at F?

21 MR. NYE: -- perhaps.

22 MR. RANKIN: So, I have that --

1 MR. NYE: Mr. Rankin?

2 MR. RANKIN: -- handout, and I'm sorry that it's now, but
3 I didn't get to this earlier, but I can -- and it looks a lot longer
4 than it really is. It was earlier in your discussions when -- and
5 really it was in the context of looking at that initial summary
6 document that I provided to the group to give you some orientation
7 to the Charter -- and at each of the -- for each of the sections that
8 were called out, I have provided some comments about possible
9 amendments in those, characterize some things that could be captured
10 as clean-up amendments. And one of your first recommendations, or
11 tentative recommendations, was to move forward with things that could
12 be characterized as clean-up, and you referred to that -- that
13 document.

14 What I'm suggesting in the -- in the memorandum that's
15 being distributed is that the context of what clean-up amendments
16 you might want to recommend to the Mayor and Council to incorporate
17 within a proposed Charter amendment, there -- there's a lot of
18 possibilities for clean-up throughout the Charter. So, if you were
19 to try to capture all of these that were in this earlier memo, you
20 may end up with a very long proposal or list -- or series of proposals
21 just to capture the clean-ups.

22 So, one thing I think you might want to consider is -- first

1 of all, you were all very clear, I think, that you wanted to try and
2 achieve a general neutrality in the Charter as a clean-up type
3 amendment. I think that can be accomplish with a single question
4 put to the voters saying, you know, amend all references to "he" to
5 "he/she," et cetera, et cetera, as well as just put a standard
6 statement in the front that says, "Any reference to the masculine
7 in the Charter includes the feminine and vice-versa," and you'll see
8 that device used in various Charters that have been updated over the
9 years. So, I think you can do that as one question without setting
10 out all of the examples in the Charter, there's hundreds of -- where
11 you would have to do individual clean-up. So, I think that could
12 be a stand-alone clean-up item.

13 Beyond that, or just as philosophically, you may want to
14 consider only proposing clean-up amendments where the opportunity
15 to do the clean-up is in connection with one of the other amendments
16 that you're suggesting. So, in other words, if you're recommending
17 changes to how officers are appointed and removed, and whether they
18 have civil service or not, that captures a fair number of sections
19 in the Charter; and, as part of that, let's take the opportunity to
20 make the clean-ups better identified in the -- in the Charter summary
21 document associated with that.

22 So, as an example, if you're changing how the

1 Superintendent of Streets is appointed and removed, let's use that
2 as an opportunity to update it to the Water Director, right? Or
3 Superintendent of Streets, Transportation, Superintendent of Water,
4 Water Director, and then we would make those -- that clean-up
5 consistent with that change.

6 But you may not -- as another example, if you're not going
7 to touch the provisions in your other more substantive
8 recommendations -- say, for example, there's a provision that
9 addresses how you -- how wage disputes are handled through an
10 arbitration process -- none of your recommendation today touch that
11 provision. So do you really want to include a proposal on the ballot
12 that makes a clean-up recommendation that I noted in the earlier memo,
13 which was about some of the awkward language that used in that
14 section. It would add probably, you know, half a page to the ballot
15 proposal to -- to the voters just to achieve that clean-up. So I
16 don't know if that really is what you had in mind when you were
17 thinking about, yeah, let's agree to move forward with all the
18 clean-up-type provisions in the Charter.

19 So, using that as kind of the guideline, if you go to page
20 2 of the memo that was just distributed, applying that sort of
21 philosophy, I identified sort of five categories of clean-up
22 amendments that you might want to consider. The first was the gender

1 neutrality amendments, as I mentioned earlier.

2 Another is that in the context -- if you do move forward
3 with a substantive amendment with respect to either property taxes
4 or sales, they're both lumped into the same section right now, and
5 the section heading just says "Business Privilege Tax," it makes no
6 reference to property taxes, even though that's a key feature of that
7 provision. Well then, let's clean that up and reflect that in the
8 section heading for -- for Chapter 4, Section 2.

9 The third category is the example I gave earlier, that if
10 you're going to move forward with a recommendation on appointment
11 and removal methods, then the clean-up that would be associated with
12 that would be to update the names of the directors where they're out
13 of date, and the elimination of references to officers who don't exist
14 anymore, because there's a few references to the Treasurer or the
15 Post Auditor, the Library Board, those -- those don't exist anymore,
16 so let's clean them up as the sections come up for substantive
17 amendment.

18 There are the two sections that I think you're familiar
19 with where they're very lengthy lists of the specific enumerated
20 powers of the Mayor and Council and of the City, and it's within those
21 lists that you tend to find some of the -- the oldest language, the
22 abattoir, the -- you know, the slaughterhouses, et cetera. So, to

1 the extent that we're amending those anyway, to maybe shorten the
2 Charter a little bit, that would be the focus, would be to get rid
3 of that outdated language.

4 And then the fifth category that I saw is the clean-up that
5 maybe isn't directly implicated by your more substantive amendments
6 that you're considering, but is probably one worth considering as
7 a stand-alone, which is there's a reference in the Charter, due to
8 the former dates of elections under the old system of elections of
9 the city, that references the elected officials being sworn in in
10 May, when, in fact, they're sworn in in December because we now have
11 November elections. So, we could take care of that as a clean-up
12 item in the context of the amendments that -- that you made before
13 relating to the authority of the Mayor and Council and the veto power,
14 et cetera.

15 But, if you were interested in other items that were
16 previously characterized as potential clean-ups, what I did is I went
17 back and I put out that -- that former summary provision again and
18 added a new color of highlight to identify all the things that were
19 characterized as clean-up -- and it's that kind of grayish-violet
20 color there -- and so that you have an opportunity to go through where
21 I had identified incorrect cross-references or outdated language or,
22 you know, some obsolete nature of the language. So, those are my

1 suggestions.

2 MR. NYE: Mr. Miranda?

3 MR. MIRANDA: Mike, if our clean-up proposal doesn't pass,
4 are we stuck with the old language?

5 MR. RANKIN: Yeah, and if you do it as -- as stand-alone,
6 that's one of the reasons I was thinking, well, you know, if you do
7 a stand-alone item to capture all the clean-up, you may end up being
8 stuck with the old language; whereas, if it's captured within your
9 other substantive amendments, it's going to clean it up as part of
10 the approval of those substantive amendments. So, if voters approve
11 the amendment about civil service and methods of appointment, with
12 them doing that, they'll clean up the names of the officers and get
13 rid of the ones who don't exist anymore, et cetera.

14 MR. MIRANDA: But, if it doesn't pass, do we have to
15 (inaudible)?

16 MR. RANKIN: And, if it doesn't pass, that language stays
17 in the Charter.

18 MR. MIRANDA: We have to have a Superintendent of Streets
19 and that's . . .

20 MR. PREZELSKI: Well --

21 MS. MEZA-AGUIRRE: If it gets in there.

22 MR. NYE: Mr. Prezelski?

1 MR. RANKIN: Well, we just call them something different.

2 MR. PREZELSKI: Thank you, Mr. Chairman.

3 MR. MIRANDA: These --

4 MR. PREZELSKI: I think -- I think -- I don't remember
5 which town it is in Arizona, still officially their Charter says
6 "Marshal," and it just -- they have actually an ordinance that says
7 the Chief of Police shall be the City Marshal, or vice-versa, I can't
8 remember.

9 MR. RANKIN: Right.

10 MR. PREZELSKI: So, I think that's -- that's how -- that's
11 how this has been cope- -- I'm sure that's what Tucson has --

12 MR. RANKIN: That's how we've --

13 MR. PREZELSKI: -- to cope with.

14 MR. RANKIN: -- coped with it. We've identified the
15 Director of Transportation as the Superintendent of Streets and --
16 yeah, things like that.

17 MR. PREZELSKI: And I -- I -- I'm fascinated by the fact
18 that the term "body houses" exists in state law, considering -- I
19 mean, the -- the whole Arizona Revised Statutes was completely
20 rewritten in the '50s, and they still kept that word in there.

21 MR. RANKIN: Well, they must've still had a body house
22 somewhere.

1 MR. PREZELSKI: Yeah. So . . .

2 MR. NYE: Okay. Other discussion? Is there -- do we want
3 to break? Mr. Springer?

4 MR. SPRINGER: We received a memo back on the --

5 MR. NYE: Oh, thank you.

6 MR. SPRINGER: -- 4th from the Fire Chief --

7 MR. NYE: Yes.

8 MR. SPRINGER: -- some of the same issue with -- would this
9 be a place where you would put that in, or do we need another amendment
10 to do that?

11 MR. RANKIN: If -- I'm glad you raised that -- if -- if
12 the Committee was comfortable, you know, moving that recommendation
13 forward, it could be part of a -- characterized as a clean-up. That's
14 what I was trying to capture when I said, you know, in some instances
15 we have that classic long-form Charter language that lists out all
16 the different things, and part of that is outdated, and the fire
17 service is one of the examples where -- what the fire service does
18 today is very different than what the fire service did in 1929. So
19 --

20 MR. NYE: And --

21 MR. RANKIN: -- short answer, yes.

22 MR. NYE: -- and I -- well -- okay. So, is there any kind

1 of -- Ms. Rhoades?

2 MS. RHOADES: Well, does the arts -- we were
3 characterizing that as clean-up as well --

4 MR. NYE: I --

5 MS. RHOADES: -- when we -- when we offered the motion.

6 MR. NYE: Did we?

7 MS. RHOADES: Yeah, I did.

8 MR. NYE: It's one of the enumerated --

9 MS. RHOADES: I did.

10 MR. NYE: -- powers, isn't it?

11 MS. RHOADES: I thought --

12 MR. SONENSHEIN: If it turns out --

13 MS. RHOADES: -- it was clean-up.

14 MR. SONENSHEIN: -- I think if it turns out, based on what
15 the City Attorney is saying, that we doesn't mess around much with
16 the enumerated powers, that we pay more attention to obsolete names
17 of officers and things appropriate, then maybe that original proposal
18 about the arts would actually have a place to go, not that different
19 from what the proposal that came before the Committee was that the
20 Committee put on hold because we felt the enumerated powers were going
21 to be heavily cut back. Weren't they added as one of the -- like
22 a subsection of enumerated -- an amendment to something that now may

1 not be going out, so it might have a place where it was originally
2 proposed.

3 MR. NYE: Yeah.

4 MS. RHOADES: I just remember in --

5 MR. SONENSHEIN: That's my recollection.

6 MR. NYE: Yeah --

7 MS. RHOADES: -- talking about it --

8 MR. NYE: -- that's right.

9 MS. RHOADES: -- it was about clean-up, because we knew
10 the fire one was coming out as well.

11 MR. SONENSHEIN: And we thought we were going to remove
12 the whole sections to which the proposal had been attached, but now
13 it looks like we might not be, so it could actually go back to some
14 degree as it was proposed to the Committee, also.

15 MR. RANKIN: And I would just suggest that you don't get
16 too hung up on what you characterize as clean-up or not. I think
17 you have your -- your next item listed as -- to talk about that arts
18 item to include within the enumerated powers some -- you know, we
19 can do that.

20 MR. NYE: Okay. So, yeah, and that's -- I agendized them
21 --

22 MS. RHOADES: Okay.

1 MR. NYE: -- separately that way to make sure we didn't
2 miss anything. So --

3 MR. RANKIN: And part of that is I've trying to be
4 sensitive to when you characterize something as clean-up, some people
5 are suggesting that, oh, that's not important or you're just -- and
6 -- and, you know, some legitimate issues were raised about, well,
7 there was a provision in -- in this document that I characterize as
8 clean-up that was actually a voter initiative, you know, a created
9 provision, and it's like, yeah, let's stay away from that kind of
10 thing where we're characterizing (inaudible; fades out).

11 MR. NYE: Mr. Prezelski?

12 MR. PREZELSKI: Thank you, Mr. Chairman. It's a question
13 for Mr. Rankin. I've been meaning to ask you for a while about the
14 -- the Boards and Commissions, and it deals with the library. The
15 city and the county now partner to run the library system. One of
16 my concerns is that -- well, so, basically, under the Charter, even
17 as written, that was somehow okay; right? I mean, it wasn't -- it
18 wasn't difficult to do that. So, down the road, without any changes
19 in the Charter we could, presumably, merge the city and county park
20 system, which has been discussed on and off, even under the current
21 Charter.

22 MR. RANKIN: I think that we could, but it'd have to be

1 merged into the city instead.

2 (Laughter.)

3 MR. PREZELSKI: Well, let's -- let's not discuss that.

4 MR. RANKIN: I'm just kidding. Just kidding.

5 MR. NYE: Okay. All right. Does anybody want to -- we're
6 now at 5:10, 5:05. Why don't we take -- unless there's a motion
7 springing out, why don't we take our -- our little snack break and
8 --

9 MR. SONENSHEIN: Just quickly -- I don't want to stand
10 between the Committee and a break, including myself -- but I just
11 had a question for the City Attorney. I think --

12 MR. NYE: Absolutely.

13 MR. SONENSHEIN: -- that it's a really good step not to
14 mess around with all the enumerated powers, even the old ones that
15 popped up, that's exactly the right approach. But I wonder if it
16 would be possible to have a stand-alone piece, no matter what else
17 happens, that's not only tied to the passage of particular items,
18 but simply said gender neutrality and the correct names and titles
19 of all posts, because a Charter's supposed to be an educational
20 document, and when people see a superintendent of something that
21 doesn't exist, who's just not playing that role, and that might be
22 a fairly straightforward way of doing at least that level of clean

1 up, without limiting it to those sections on which a decision is being
2 made; is that --

3 MS. DORMAN: That's a good idea.

4 MR. SONENSHEIN: -- is that workable?

5 MR. RANKIN: It -- I think it could be. I think it could
6 -- like the example language I gave for the gender neutrality where
7 it says "all references to Councilman will be Council Member,
8 Councilmen will be Council Members," you know, it could be all
9 references to Superintendent of Streets shall be --

10 MS. DORMAN: Transportation.

11 MR. RANKIN: -- Transportation Director. But, I think,
12 to the extent we're eliminating references, we have to at least list
13 what those are, say -- and eliminating references to Library Board,
14 Treasurer --

15 MR. MIRANDA: (Inaudible)?

16 MR. RANKIN: -- yeah -- which were eliminated with prior
17 repeals.

18 I saw one example of a ballot proposal from Arizona, and
19 a Charter amendment, which -- it just said, "and approves of
20 eliminating language that's no longer necessary or it's out of date"
21 or -- or something like that, and I was like, well, who's making the
22 decision on (inaudible; voices overlap).

1 MR. PREZELSKI: Well, yeah, that's --

2 MR. RANKIN: So, it can't -- I'm just giving that as an
3 extreme, but -- so maybe there's somewhere in the middle.

4 MR. SONENSHEIN: Okay.

5 MR. NYE: All right. With that, we're going to adjourn
6 -- we're going to -- not adjourn -- we're going to have intermission
7 for a half hour. Well . . .

8 MS. DORMAN: That's too long.

9 MR. NYE: Well --

10 MS. RHOADES: Fifteen --

11 MS. DORMAN: No, 15 minutes.

12 MR. NYE: I know you all want to get out of here.

13 MR. CRUM: How about 15 minutes?

14 MS. DORMAN: Yeah, 15.

15 MR. NYE: We'll adjourn -- we will have an intermission
16 for 20 minutes.

17 MR. RANDOLPH: Mr. Chair?

18 MR. NYE: No, 15, 15 minutes and come back, 15 minutes.

19 MR. RANDOLPH: Mr. Chair?

20 MR. NYE: Yes.

21 MR. RANDOLPH: If the Committee would like to adjourn into
22 the Mayor and Council conference room, we have some snacks provided

1 for you.

2 MS. MEZA-AGUIRRE: Thank you.

3 MS. DORMAN: Ah . . .

4 MR. NYE: Thank you.

5 MR. RANDOLPH: The only caution is you do not discuss the
6 activities of the Committee while you're in there.

7 MR. NYE: There's a big basketball game tomorrow. I think
8 we're all right.

9 MR. PORGES: No, we'll talk about the UCLA Bruins.

10 (Inaudible; multiple speakers.)

11 (Break taken.)

12 MR. NYE: Okay. We're back being recorded. So, before
13 we discuss whatever movies and talking about any further -- let's
14 get back at it.

15 Is -- I'll just ask: Are there any motions related to the
16 clean-up proposal presented by Mr. Rankin that anyone would like to
17 start with, or do we need additional discussion? I think we can
18 probably make a motion. Somebody?

19 MR. HINDERAKER: I'll make a motion, sure.

20 MS. RHOADES: Yay!

21 MR. NYE: Oh, yeah, our designated motion-maker, Mr. --

22 MR. HINDERAKER: At least for the -- I'm just going to

1 start with the gender one. I think we'll start at -- the other ones,
2 as I understand it -- let's see -- certainly the gender one is ripe
3 now, some of the other ones may be ripe down the road when we get
4 those (inaudible). Let's take it one at a time. So, I rec- -- I
5 move to recommend to Mayor and Council that they refer to the voters
6 of the City of Tucson, at the next city election, an amendment to
7 the City Charter to provide that -- to amend the City Charter
8 throughout to replace Councilman with Council Member, Councilmen
9 with Council Members, he with he/she, and his with his/her. This
10 proposal should also include a provision in the Charter stating that,
11 quote, "in this Charter, all references to the masculine also include
12 the feminine, where the context so requires, and vice-versa."

13 MS. MEZA-AGUIRRE: Second.

14 MR. NYE: Any comment? Okay.

15 MS. DORMAN: I have one question.

16 MR. NYE: Ms. Dorman?

17 MS. DORMAN: We had discussed a little bit if we would add
18 and correct names of department head positions into this -- into the
19 gender neutrality thing. I don't know where we ended up on that.
20 Just the correct --

21 MR. NYE: We didn't end up --

22 MS. DORMAN: -- okay.

1 MR. NYE: -- with one name. Is that a -- are you making
2 a friendly amendment or -- or are you asking if anybody wants to make
3 a friendly amendment?

4 MS. DORMAN: Well, if that was an idea that people
5 supported, I would make a friendly amendment, because it seems like
6 a good place to add the correct names of department head positions,
7 should be --

8 MR. HINDERAKER: Can we ask Mr. Rankin to, perhaps,
9 recommend a form of motion on that point?

10 MR. NYE: We can, yes. Mr. Rankin?

11 MR. RANKIN: In terms of whether to incorporate within the
12 same motion or as a separate or . . .

13 MS. DORMAN: Someone had mentioned earlier that that area
14 was the right area to also correct incorrect department head names,
15 so that's why I was asking about it.

16 MR. RANKIN: I think it could be, or it could be just as
17 part of the -- a more general -- in connection with the recommended
18 amendments about the appointment and removal of the Department
19 Directors, because I think each of those sections is going to be
20 implicated by that substantive amendment, and we can correct the
21 names while we do that, but --

22 MS. DORMAN: If that passes.

1 MR. NYE: If any of them pass.

2 MS. DORMAN: Right.

3 MR. HINDERAKER: Can I --

4 MR. RANKIN: Well, that's true.

5 MR. HINDERAKER: Can I suggest that we vote on the motion
6 that's on the table --

7 MS. DORMAN: Sure.

8 MR. RANKIN: Yeah.

9 MR. HINDERAKER: -- and then in a moment come back to Mr.
10 Rankin and he can recommend to us a motion on the new officers --
11 I think he's right -- and then we can take that as a separate one
12 --

13 MR. NYE: Okay.

14 MR. HINDERAKER: -- and then he can package them, I think,
15 when the time comes.

16 MR. NYE: Okay. All right. We've got a motion and a
17 second. All in favor?

18 (Aye responses.)

19 MR. NYE: Any opposed?

20 (No response.)

21 MR. NYE: Okay. One down.

22 MR. RANKIN: So then capture the appointive officers,

1 making a motion recommending that the Council consider for -- in the
2 proposed Charter amendment at the next election, an amendment that
3 would update the names of the appointive officers, the Superintendent
4 of Water and Superintendent of Streets to Water Director and Streets
5 Director, and to remove any references to appointive officers whose
6 -- who have -- who no longer exist because of prior amendments to
7 the Charter.

8 MR. HINDERAKER: Mr. Chairman, I would so move.

9 MR. CRUM: Second.

10 MR. NYE: Any discussion?

11 (No response.)

12 MR. NYE: All in favor?

13 (Aye responses.)

14 MR. NYE: Any opposed?

15 (No response.)

16 MR. NYE: Okay. Motion passes. Motion passes. I
17 should not mumble that part, and also not talk with my mouth full.
18 Okay.

19 Are there -- is there a motion related to the property --
20 we've -- we've already approved a -- a recommendation that we alter
21 the property tax cap language, and there's a clean-up item that's
22 been suggested related to fixing the headings so that it references

1 property taxes. Is there a motion related to that clean-up item that
2 could, perhaps, be tied together there?

3 MR. HINDERAKER: Perhaps this will be another good time
4 to ask Mr. Rankin to recommend a motion on that.

5 MR. NYE: Mr. Rankin, would you recommend a motion on that?

6 MR. RANKIN: I'm sorry, the Clerk was --

7 (Laughter.)

8 MR. RANKIN: -- (inaudible; voices overlap) -- any motion.
9 Sorry. I didn't hear.

10 MR. NYE: The -- about the property tax heading, is there
11 a form of motion that the City Attorney would recommend?

12 MR. RANKIN: Oh, with respect to the property tax heading
13 --

14 MR. NYE: Or the business --

15 MR. RANKIN: -- and did you already -- yes, you're --

16 MS. DORMAN: We're on number 2.

17 MR. NYE: We skipped 2 and did 3.

18 MR. HINDERAKER: We -- we approved the cap, changing the
19 cap on the property tax.

20 MR. RANKIN: Okay. Changing the cap on the property --
21 so, as part of that, I would just recommend that the actual heading
22 for -- it's Chapter -- what chapter? -- Chapter 4, Section 2 refers

1 to both business privilege tax and property tax.

2 MS. DORMAN: I'll make that motion.

3 MR. HINDERAKER: Second. I would second the friendly
4 amendment that that recommendation be added to our prior
5 recommendation that -- the cap on secondary property tax, so that
6 it's all one recommendation.

7 MS. HEALY: Second.

8 MR. NYE: Okay. All in favor?

9 (Aye responses.)

10 MR. NYE: Any opposed?

11 (No response.)

12 MR. NYE: Okay. Motion passes. All right.

13 Number 4, relating to the enumerated powers. Are there
14 any motions rela- -- in Mr. Rankin's memo on page 2 -- are there any
15 motions related to that, or is there a motion that we not address
16 that?

17 MR. PORGES: Well, that -- doesn't that tie into 5(G) on
18 your agenda for today? We should probably get to that first.

19 MR. NYE: Okay. Is there any mo- -- okay -- is everybody
20 in favor of addressing Number 4 about the list of enumerated powers,
21 eliminating references to -- antiquated references and archaic and
22 obsolete language be addressed when we deal with the next item on

1 the agenda? Any opposition to that?

2 I think Mr. Rankin had a final suggestion related to
3 out-of-date time frames we may want to visit. Is there any motion
4 related to 5 on Mr. Rankin's memo on page 2 at this time, or do we
5 want to take that up after we're -- looked at the elections issue?

6 MR. HINDERAKER: My impression, that was (inaudible).
7 Maybe we could just leave it alone, rather than have (inaudible).

8 MR. PORGES: Or could we just simply move it when we deal
9 with Board elections, since it has to do with elections?

10 MR. NYE: Okay. Well, let's cross that bridge when we
11 come to it and move on in the agenda.

12 We'll move on to 5(G), discussion of possible additions
13 to enumerated powers clarifying authority related to arts and
14 cultural projects in light of clean-up. Discussion? I think we had
15 moved that we would -- my recollection of what we recommended before
16 was that the Committee favored including the language requested by
17 the arts community, so long as we weren't eliminating the things that
18 they were wanting us to include it in when we did the clean-up of
19 enumerated powers, so -- if we did a clean-up or elimination of the
20 long list of enumerated powers. So, let's discuss it, I guess --
21 or not I guess, let's discuss this or see if there are motions.

22 MS. RHOADES: So, I move that we clean up the list of

1 enumerated powers as per Mike Rankin's suggestion on Number 4; and,
2 while we do it, include the language in the appropriate place that
3 we already approved regarding arts and culture.

4 MS. MEZA-AGUIRRE: Second.

5 MR. NYE: Any discussion?

6 (No response.)

7 MR. NYE: Okay. All in favor?

8 (Aye responses.)

9 MR. NYE: Any --

10 MR. HINDERAKER: I would just have a friendly, quick
11 discussion and then, perhaps, a friendly amendment.

12 MR. NYE: So --

13 MR. HINDERAKER: I -- I continue to have -- I don't think
14 this language is necessary. I think this change -- why it is
15 necessary, and we can ask the City Attorney about why we're making
16 this change, whether it's necessary. He said it wasn't needed for
17 the city to bond for projects related to arts and culture. I don't
18 oppose it, but I would ask that it be broken down into separate items
19 on the ballot, because I did see some opposition to it in the comments
20 that we received. So, I would offer a friendly amendment that, if
21 this ballot -- if this item is placed on the ballot, it be separated
22 out as a separate question.

1 MS. RHOADES: You been ques- -- separated from the
2 enumerated powers?

3 MR. HINDERAKER: No, that -- that can all go on there
4 together, but separate it from the larger package that I think --
5 that has sort of the low-hanging fruit on it, if I would.

6 MR. NYE: Well, I -- I had intended that we would revisit
7 how we're packaging --

8 MR. HINDERAKER: Okay.

9 MR. NYE: -- whatever we've agreed to when we get to J.
10 And so it would be my preference not to add that at this stage, and
11 talk about those altogether once we get through the, frankly, the
12 hard stuff here coming up. Okay.

13 So, we've got a motion and second, and I think we started
14 to vote, but we'll do that again. All in favor?

15 (Aye responses.)

16 MR. NYE: Any opposed?

17 (No response.)

18 MR. NYE: Motion passes unanimously.

19 Eight, oh, here -- here we are. We've been racing along
20 with the fun stuff. Discussion of changes to the Mayor's
21 responsibilities and vote on motion setting forth final
22 recommendations. I -- I -- I'm just going to -- that is on the memo.

1 My -- on my memo --

2 MS. DORMAN: Page 4.

3 MR. NYE: -- page 4, which there's a blank page. Page --
4 I didn't mean for page 3 to be blank. Yes, page 4, yeah, it is page.
5 I -- I was just going to throw out there this, which had -- it had
6 been raised to me in a couple of separate conversations, and I've
7 raised it a couple of times myself, that it seems to me pretty clear
8 that the community was very ambivalent about, and across the board,
9 mayoral veto, and generally the comments were against that.

10 Comments, to my mind, were a little bit confusing in the
11 sense there was a fair number of people that said they wanted a
12 stronger Mayor, and even -- and some even who suggested going as far
13 as appointive authority for a Mayor, but then at the same time were
14 opposed to a veto for a Mayor, which, in our -- maybe I'm boxed in
15 by the continuum that Mr. -- Professor Sonenshein gave us,
16 intellectually, but was confusing to me.

17 But, the -- the -- an item that has been raised as a possible
18 smaller step related to a veto that I'd like the Committee to consider
19 discussing, or discuss possibly, or shoot down right away, go right
20 ahead, is: What if the Mayor was granted a full voice and vote on
21 all matters, with one exception, that exception being the appointive
22 responsibilities, appointing and removing City Manager, Attorney,

1 Department Directors, in which event, the Mayor would have no vote,
2 but would have a veto on that one.

3 The -- and it was, as I've articulated the idea, and as
4 it was articulated to me, part of the reason people wanted to move
5 towards the veto idea was that people associate with the Mayor being
6 the elective Chief Executive, and parity gives the Mayor the same
7 rights and authority that Coun- -- each individual Council Member
8 has. This would be a somewhat stronger right, but would not have
9 the threat of being as disruptive to ordinary Council business. And
10 there you go, I'll just throw that out there for discussion and see
11 if there's any reactions to it, or entertain motions. Mr. Prezelski?

12 MR. PREZELSKI: Oh, I think --

13 MR. NYE: I saw you first.

14 MR. PREZELSKI: Okay. Thank you, Mr. Chairman. I keep
15 on thinking back to Sesame Street where one of these things is not
16 like the others. So far, I mean, I have been in favor of -- from
17 an intellectual standpoint, of granting the Mayor a veto; however,
18 we've been -- everything we've discussed so far, with the exception
19 of the sales tax issue, which -- which seemed to have been
20 problematic, has been passed basically through consensus. And we're
21 getting to some items where there is no clear consensus on this Board,
22 and I don't want to see us moving forward something that passes with

1 a narrow vote. Mr. Sonenshein already said when we started with
2 this, that we don't want a situation where someone has -- feels
3 obligated to have a minority report, or there are people on this Board
4 who really couldn't -- couldn't fairly argue in favor of what comes
5 out of this Committee because there really wasn't consensus on it.
6 And it looks to me like, on this particular issue, there's not
7 consensus and --

8 MR. NYE: There's not consensus for -- any further than
9 parity; that maybe --

10 MR. PREZELSKI: Yeah, yeah, that's --

11 MR. NYE: Okay.

12 MS. GAXIOLA: Mr. Chair?

13 MR. NYE: Ms. Gaxiola?

14 MS. GAXIOLA: On this one, the recommendation that we made
15 we actually provided two alternatives, and, if I recall correctly,
16 part of that was that, because we couldn't come to a consensus, we
17 really wanted to give the community the opportunity to input and tell
18 us what it was that they want.

19 And I think that what we heard from the community,
20 generally, was people being really supportive of the idea of a
21 stronger Mayor, people endorsing the idea of mayoral parity, but when
22 we took to the next step and said do you want a veto? The reaction

1 was strongly against that.

2 So, I think, you know, as part of our process, we
3 deliberated, we come up with what we thought were two good ideas that
4 we could at least agree to put them into the public, and I think the
5 public has told us what they want. And it seems that what they're
6 asking for, at least from the input that we've received, is mayoral
7 parity.

8 MS. DORMAN: I agree.

9 MR. YEE: That's what I heard --

10 MR. NYE: I -- I hear a motion --

11 MR. YEE: -- I heard the same.

12 MR. NYE: -- coming.

13 MS. DORMAN: Yes.

14 MR. NYE: I hear -- I hear a motion.

15 MS. GAXIOLA: I would -- I would move that we advance to
16 -- or that we recommend to Mayor and Council that they forward to
17 the voters or whatever -- all the right stuff that John would've put
18 into the motion -- alternative 1, which would've been the Charter
19 to grant the Mayor a full voice and vote on all matters before the
20 Council, and for the Mayor to count towards a Council quorum.

21 MS. MEZA-AGUIRRE: Second.

22 MR. NYE: All in favor?

1 (Aye responses.)

2 MR. NYE: Any opposed?

3 (No response.)

4 MR. NYE: All right. We've come full circle. We did that
5 one --

6 MS. POULOS: Wow!

7 MR. NYE: -- another very first vote --

8 MS. POULOS: Wow!

9 MR. NYE: -- was it not?

10 MS. MEZA-AGUIRRE: We have come full circle.

11 MR. NYE: Or pretty close to our first vote. All right.
12 Wow! We're only -- we may --

13 MS. HEALY: We're getting there.

14 MR. NYE: -- get this done and -- with a break.

15 MS. DORMAN: Don't jinx it. Don't --

16 MR. NYE: Yeah.

17 MS. DORMAN: -- don't jinx us.

18 MR. NYE: All right. Now the really, really hard one --
19 item. I say really, really hard, because as everyone knows, this
20 is not only where we were the most divided, this is where the public
21 comment was the most divided. Discussion of Council elections and
22 vote on motions related to that.

1 So, before I dig into this, I'll just ask -- I was going
2 to refer people, if you find it at all useful, I've -- I included
3 the voter registration percentages and -- and numbers by each ward
4 here for everybody's information. And I've also included turnout
5 in City elections for primaries, ranked in order of primary, and
6 turnout in terms of general elections, in terms of voter turnout as
7 a way to organize it, with notes about Council Members not carrying
8 their wards.

9 And I know at one of our meetings someone suggested that
10 the current Council Member in Ward 5 hadn't carried their ward, and
11 that's false; they won their ward -- that he won his ward, won Ward
12 5. But, because I geeked out on this stuff, I'll just share a couple
13 of my observations about this.

14 One, when we had a special election during a presidential
15 election year, we have huge turnout. When we have a special election
16 during a congressional year, we have a larger, but -- and regular
17 city turnout, but not as much as a presidential race. Clearly, the
18 city is not driving turnout in those races.

19 Then after that, contest- -- genuinely contested mayoral
20 races between two credible candidates for Mayor have turnout in the
21 -- over 40%. So, the example is in the last 24 years, which was what
22 the election list we were working -- I was working from, or we were

1 provided, was Walkup/McCasson. You had two credible candidates for
2 Mayor, and that had a 41% turnout. And then Walkup/Volge, and Mr.
3 Volge was the former Mayor of Tucson. Professor Volge, isn't it?
4 Doctor Vol- --

5 MR. CRUM: Doctor, yes.

6 MR. NYE: -- doctor -- doctor in the Ph.D. sense.

7 Then -- and you'll see the '99 election is one where there
8 was a ward that was -- the Council Member lost their ward. I've got
9 -- we were provided, I think, in the materials that were circulated
10 -- or, perhaps -- perhaps, not, no, the -- I got from Mr. Randolph
11 the margins in those elections, and so the Ward 2 Council Member who
12 won citywide by 5.8%, lost their own ward by 15%, almost 16%; that's
13 Ward 2.

14 1997, we had kind of -- we had a ton of Charter initiatives,
15 and if it's sobering that even our a la carte menu will get
16 hit-and-miss passing, the column on the right will tell you that,
17 that that's -- no matter how good we think our things are, there --
18 there was a lot of the ballot. The driver, if you were living here,
19 was the -- or my view of the driver on that was the water initiative
20 in '97, 37% turnout.

21 Then after that, they all kind of group together, with a
22 high of 33, to a low of 16% turnout in the 1993 general election.

1 And if -- the number of contested races seems to drive turnout in
2 that, not that turnout is the main driver of this.

3 The last couple of observations, speaking for myself, Ward
4 2 on the east side, if you go back to the registration percentages,
5 you'll see it's our most competitive ward in registration, 30 -- it's
6 actually -- 35 exaggerates it, it's 34.7% Democratic registration,
7 34.3% Republican registration, and 31% Independent. Since 1991, the
8 Council Member representing that ward has prevailed in that ward
9 twice. In 2003, Carol West ran unopposed and prevailed in the ward.
10 And then in 2007, Rodney Glassman won contested elections, both
11 citywide and in the ward. Other than that, over the last 24 years,
12 every time it's -- the Council Member has done that. And you'll
13 see, percentage-wise, it's a competitive ward, but it's varied a lot,
14 and sometimes it's been really large percentages.

15 Then, my other observation about it is there's an element
16 of randomness to where the candidates live. Wards 3 and 6 have each
17 had Council Members who lost their ward and won citywide at different
18 times, 2009 and 1997 -- not '97, 2001.

19 So, there's lots of data here for you, and I don't mean
20 to be geeking out about it, but I want to make sure people are not
21 -- it's affected both -- my observation is that it's affected both
22 Democrats and Republicans, it's affected different parts of the city,

1 it's affected -- for all the -- right now there's a lot of momentum
2 behind it on the Republican side of it really wanting it. But, you
3 know, the last time the Republicans elected a Council Member who
4 prevailed in their ward was Fred Ronstadt in 1997. And so, you know,
5 the political wins cut both ways on that, so let's not get too carried
6 away with that.

7 Last observation. I don't think it's fair to say this is
8 all out-of-town influence. The east side has really been
9 disproportionately affected, and that is what it is, but they're two
10 very competitive wards, you know. And I also think that we shouldn't
11 be dismissive on the ward-only side of the idea that I, as a voter
12 right now, have a vote with every member -- elected person in the
13 city. I -- if you take that away from me, I lose 5/7 of the offices
14 that I influence. So, with that, hopefully, relatively reasonably
15 neutral introduction, I'd like to open it for discussion. Ms.
16 Poulos?

17 MS. POULOS: I would also like to bring up one other issue,
18 and that is if we go to ward-only elections, the way our cycle is
19 now, the Mayor will always be elected at the same time that three
20 of the six wards are elected, and there's never any opportunity for
21 a mayoral race when the other ward elections are taking place. And
22 I feel that that could disproportionately influence the vote; however

1 -- and you sent me these -- I have no basis for feeling that way,
2 because I don't think it's really based on -- I think we have such
3 low voter registration and low voter turnout, that there really is
4 a very small percentage of us who (inaudible) decision.

5 MR. NYE: Mr. Prezelski?

6 MR. PREZELSKI: Thank you, Mr. Chairman. I just want to
7 reiterate the comments I made regarding the other item that, again,
8 this was even -- the disparity here was even tighter than it was with
9 the other issue. And I know that I supported ward-only elections
10 in previous meetings, but there's a few concerns I have that really
11 haven't been addressed. Like Mr. Crum and I, we both served on the
12 City's redistricting panels, and those are very, very friendly
13 affairs, and mostly we're talking about, well, population shifted
14 this way, there's this annexation, we got to re- -- redraw the --
15 the wards.

16 The year I served on the redistricting panel was the year
17 when we had what effectively was a Republican majority on the Council.
18 There was one member of the Committee who tried to pull some
19 shenanigans that were basically voted down by the other -- other
20 members of the Committee.

21 I kind of see -- especially when you look at what's going
22 on with redistricting nationally -- that that process, that

1 redistricting process, is going to be fundamentally changed if we
2 go to ward-only elections, and it's going to be highly contested and
3 it's going to be messy, and I don't really want to -- I'm not
4 comfortable moving forward, unless we have some way of addressing
5 that, and I don't know if that's really something we can address here.

6 And, also, I'm -- unlike Mr. Nye, I was uncomfortable with
7 a lot of the comments we got. There were a lot of things that people
8 speaking in favor of ward-only elections were saying that were simply
9 factually incorrect. There were people who were not outright
10 saying, but implying that no Republicans had ever been elected to
11 the City Council. Ten years ago we had an effective Republican
12 majority on the City Council. People seem to think this is going
13 to change everything, and it really -- you know, you're still going
14 to have, basically, two people -- if it works the way they think it
15 will -- you're going to have two people who are still outvoted. And
16 I -- I don't really -- I don't really see this being that effective
17 at changing everything, and it's also kind of inconsistent with
18 everything else we've been doing on this Committee.

19 MR. NYE: I --

20 MR. PREZELSKI: I mean, I know there's really no other way
21 of --

22 MR. NYE: Oh, it's going to be contested no matter what.

1 I mean, it's not going to -- a recommendation not to put ward-only
2 out there is -- I'd be surprised if that suddenly swings to a -- not
3 a close vote. So, it may -- you know, I have a hard time believing
4 on this one, with where the Committee was and where the -- the public
5 was, that it -- we're going to suddenly swing to a consensus.

6 MR. PREZELSKI: Well -- but if you don't have consensus
7 for -- I mean, we would be having a consensus not to do something,
8 which is a little different than having -- moving forward with no
9 consensus, but we narrowly pass something by one or two votes.

10 MR. NYE: Or narrowly didn't pass something by one or two
11 votes. So, I -- I'm going to comment, add one comment here, which
12 -- except I lost it -- so somebody else had their hand up.

13 Ms. Gaxiola?

14 MS. GAXIOLA: Thank you. I think -- yeah, I don't -- I
15 don't think we should go to ward-only. I think -- I continue to
16 believe that we have a really unique hybrid in our community that
17 allows us to have people who are put forth by the wards in which they
18 live and, yet, are accountable to the entire city. And, because it
19 doesn't seem like we have a good consensus around the table, and we
20 know there's not consensus in the community about what folks want,
21 I think we -- I guess I really want to see us pass those things that
22 we know are going to make a difference to the way that the city works

1 and that are going to be really important in moving the city forward
2 now, and that we've talked repeatedly about voting (inaudible) and,
3 as much as I hate that term, I think -- I think it's just really --
4 it's -- you know, I think we need to put forth those things that are
5 going to pass. We've had so much trouble, as a community before,
6 getting this done, and there's so many -- and there are things here
7 that are important, that we all agree are important, that we need
8 to get done, and this is not one of them. We don't know clearly how
9 this is going to change the way that the city functions. We don't
10 agree, as a community, how this is going to change the way that the
11 city functions, and there's just not a good -- there's like not a
12 good vi- -- I don't know, it's stupid to say it, but there's just
13 not -- not good vibes around this part. I feel like this is really
14 divisive.

15 And so -- so I think it's really important for us, as a
16 community, to -- to pass some Charter reform so that we can come back
17 and try again, and it's not a poisonous topic for our community every
18 time it comes up. So I would like us just to leave this one alone
19 and not recommend it change to ward-only.

20 MR. NYE: Okay. Mr. Yee?

21 MR. YEE: You know, I can -- I do support the current
22 system. The reason for my supporting it is this: If we going to

1 have democracy, we should (inaudible), many voters as possible come
2 out, that's how democracy really works.

3 Now, to have ward-only election, what happen is this:
4 something small, comparatively small, one at 6 -- at 17% of the city
5 population, and that can be -- comes to money and connection, and
6 that can be used disproportionately, affecting the (inaudible)
7 outcome of that particular election in that particular ward.

8 So, what happen is that if -- that you -- if you -- some
9 -- you know, you -- you spread that out so what (inaudible) six ward
10 that we have, that means people have the financial resources, and
11 this -- hire the right kind of campaign staff, you can really bought
12 election (sic). You can buy election.

13 Now, for you -- when you -- when you spread out the entire
14 city, you generally have more rating effect for the -- you know, for
15 the outcome, and so that's better for -- for democracy, impacts the
16 amount that's there.

17 And so -- you know, so it's -- another thing is this: if
18 -- if the -- the ward -- because the money can -- can play such --
19 can play such important role, it can effectively discourage certain
20 portion of the population not coming out to vote because they say,
21 well, he's going to always win this particular (inaudible), this
22 particular candidate. So -- now that is not good for this as well.

1 MR. NYE: Okay.

2 MR. YEE: So --

3 MR. NYE: I -- I'm going to throw a question for everybody.

4 To me, the most pernicious thing -- anyone who knows me knows I'm
5 a pretty darn -- I was going to say damn -- partisan Democrat. I
6 -- I fundraise for Democrats. I've almost exclusively voted for
7 Democrats. I'm active for that.

8 To my mind, the problem with the current system is this:
9 is that it undermines a large percentage of the community's
10 perception of the legitimacy of Tucson's government. When you've
11 got -- and I'll just -- I'm not going to pick on anyone currently
12 in office -- but when you've got Janet Marcus in 1991 winning
13 citywide, but losing her ward by 20 percentage points almost, or more
14 than 20 percentage points -- or the Fred Ronstadt example, my own
15 ward, Ward 6, Mr. Ronstadt got elected, got kind of a famous name
16 around there, there's a celebrity sister, won a majority in his ward.
17 When I wanted to vote him out -- not sister, family member, famously
18 liberal family member -- when I wanted to vote him out the next time,
19 my ward did, and he lost it by 13 or 14 percentage points. Made me
20 feel that it's a legitimate system.

21 And once in a while it creates a level of randomness about
22 it, and it creates an uncertainty for elected officials, making every

1 seat a contested seat, which reduces the -- the predictability of
2 it. So -- and the thing that jumps out at me is when it happens over
3 and over and over and over in one ward, that's creating 17% of the
4 city's population questioning whether they've got a city government
5 that they can effect. Happens to be the one that should be the most
6 competitive, back and forth, interesting ward election that there
7 is, in terms of registration. That, to me, is the thing that I have
8 the hardest time with.

9 And I -- and I also feel very -- agree about losing
10 influence as an individual voter, but that's the thing that bothers
11 me about it. And my concern about not referring this to the ballot,
12 to Mayor and Council and to the ballot, is that then there's going
13 to be a large enough percentage of -- my goal for this whole process
14 is let's not have anything out there that's just going to kill it
15 -- there's going to be a large enough percentage of voters out there
16 that they're going to say, oh, well, this is, you know, the same ole
17 cooked Tucson stuff, and are not -- and are going to vote against
18 everything and anything, because it's not there. So that just --
19 that's my little speech.

20 Mr. Hinderaker?

21 MR. HINDERAKER: I would (inaudible) there's good
22 arguments on both side of this issue, and I'm not going to go back

1 over those because we all know what they are, but I think there's
2 a few other issues that we should consider at this juncture, and
3 clearly there's strong support for this. There's also strong
4 opposition for it.

5 The notion that we shouldn't take this up because there's
6 divided opinions about that on the Committee and within the
7 community, I don't think is a valid argument. I think this is an
8 issue that ultimately is for the voters to decide. And this is a
9 process that we've started and we've said repeatedly, you know, that
10 the first thing we're going to say to the public at these meetings
11 is, understand we don't decide this, the voters decide it. And this
12 is the first step, and there's a three-step process to get this thing
13 approved.

14 And I would encourage everybody to think about just moving
15 this along to the next step, a vote in favor of this moving it onto
16 the ballot is not necessarily a vote in favor of ward-only elections;
17 it's simply a vote in favor of moving it forward so that it gets on
18 the ballot and so that our community, which is sharply divided over
19 this issue, but there's a lot of people who would like to have a chance
20 to vote on this issue, so they can vote. And, ultimately, this
21 Charter is supposed to be the will of the people. So, in order --
22 so that the will of the people can be heard and expressed in the

1 Charter, this should get on the ballot.

2 It's not -- the reason I think Mr. Sonenshein said we need
3 to be careful if there's not a consensus about a particular item is
4 if it's a package that goes onto the ballot, it's just, you know,
5 a whole package and it's not broken out, you need to be careful because
6 that one divided -- divisive issue can sink the whole package; that
7 was the point he was making.

8 We should break this item out separately. We should
9 suggest that it be broken out separately on the ballot so it stands
10 alone on its own merits, and so it doesn't sink anything else that
11 we're doing here. And, if that's the way we do it, then the -- the
12 fact that there really isn't a strong consensus really shouldn't doom
13 this.

14 The unique hybrid, it is a unique hybrid. We're the only
15 city in Arizona that has this hybrid. We looked at multiple cities
16 from around the country, nobody else, none of the other cities that
17 we looked at has this hybrid system. And I would suggest to you that
18 it's because what we've done is we have ward representatives who are
19 supposed to be representing the interests of a particular ward, and
20 then they're elected at-large, and that, I think, creates a lot of
21 tensions that are unhealthy.

22 So, either we should have ward representatives that are

1 elected by the people they are supposed to be representing, or we
2 should have at-large representatives that represent the whole city,
3 and they're viewed as at-large representatives. That's the way
4 every other city in Arizona does it, and every other city that we've
5 looked at.

6 So, ultimately -- my last point I think is one that Kasey
7 was starting to allude to. If -- if we vote in favor of this at the
8 first stage to say, yes, we want to move onto the ballot, we have
9 our discussions back here. I get the sense that we may also put on
10 the ballot, or recommend to put on the ballot, Item 4, increasing
11 the sales tax; if we do that, and then we step back from this and
12 don't move forward with just putting it onto the next level, the
13 second step, the optics of this are going to be very -- I think bad.
14 And I think our Commission risks losing a certain degree of
15 credibility because, let's face it, the optics are what they are,
16 but we are 15 members, we've all been appointed by Democratic
17 politicians, and if this is the one issue that we step back from,
18 it doesn't take a lot of imagination to hear, you know, the attacks
19 that may (inaudible) at this process, and I don't think that's what's
20 going on here. I'm not suggesting that's what's going on here, but
21 I -- I would hope that we avoid that and don't open up ourselves for
22 that attack by, again, just moving this forward to the next step in

1 the process.

2 MR. NYE: Ms. Poulos?

3 MS. POULOS: Well, I guess I'll -- I've said it before,
4 I'll say it again, just because we're the only one doing it this way,
5 doesn't mean it's a bad system. And I honestly, honestly, truly
6 believe that we have a far more representative system of government
7 in Tucson than other communities who have ward-only elections,
8 because they are not looking at the city as a whole, they are looking
9 at their little piece of turf, and I don't think that that really
10 happens in the City of Tucson.

11 And, I guess, I'm trying to figure out what is the problem
12 we're trying to solve? I think the strongest case that Kasey made
13 was Ward 2 and how Ward 2 hasn't been able to elect the representative
14 that the city sees as also a viable candidate, but they haven't been
15 disenfranchised, they haven't lost out on services, they haven't been
16 neglected in terms of how the city spends their money out in Ward
17 2.

18 And so I don't really see that going to this issue on the
19 ballot, because there's a certain strong sentiment that this is the
20 way everyone in the country should have to run their elections, is
21 a good enough reason for me to support it. And I honestly believe
22 that we're a stronger community because we allow candidates, and we

1 encourage candidates to be chosen by their ward, and then they need
2 to go out and understand the city as a whole in order to be elected.
3 And, for me, that gives us a much better system than any of those
4 other systems around us.

5 MS. GAXIOLA: Ms. Gaxiola?

6 MS. GAXIOLA: Yeah, I have to second what Bonnie said, that
7 just because we're the only ones that have it, it doesn't mean it's
8 not good, you know. Probably it's a little bit of an accident of
9 history that we have this, but -- but I don't think that that makes
10 it any less valid of a system for electing, or any less
11 representative.

12 And I also think that -- I don't think that we should
13 forward something to the voters for the sake of forwarding something
14 to the voters. I think that it's important on -- for us, as a
15 Committee, to forward to the voters what we think is the right
16 decision for this community, not just a proposal for the voters to
17 select from. And, unless we really believe that ward-only elections
18 are the right decision for this community at this time, then we should
19 not advance that to the voters, regardless of what the optics are.
20 I mean, our job here is to try to do the best thing that we can for
21 this community, and I -- and I think that we need to keep that very
22 much in mind.

1 And there are other things that would make a difference
2 for this community that the community would love to have a vote on,
3 would love to have input on, but we have chosen, as a Committee, to
4 say we're not going to tackle that right now because it's not the
5 right time. We said that about campaign finance, and something else
6 that I don't recall --

7 MS. DORMAN: Salaries.

8 MS. MEZA-AGUIRRE: Raises.

9 MS. GAXIOLA: -- salaries, right. Yeah, I mean, my God
10 --

11 MS. DORMAN: Nonpartisan.

12 MS. GAXIOLA: -- such a difference for the community, not
13 the right time to do it. And so I think that -- that, you know, we
14 need to look at this in the same way. And I just come back to the
15 point of I really think it's important for us to have a successful
16 Charter reform effort, because we haven't been able to do it yet as
17 a community, and with this we have a really good shot here, folks,
18 we have a lot of stuff that everybody is agreeing on and we can put
19 that forth and have a really successful outcome to this, and have
20 another Committee come back and -- and change -- make more changes
21 in the future, and we will have set them up to tackle more difficult
22 issues, because the community will have trust in this system and in

1 -- and in our community's ability to make the right decisions when
2 we do this.

3 MR. NYE: Ms. Healy?

4 MS. HEALY: I -- I, too, have been obviously, you know,
5 on the record as to my support for ward-only, so I don't necessarily
6 want to go back through every argument and point - counter point,
7 but I -- there are a couple of things that I don't want to let pass.
8 Number one, I think -- I feel strongly that our unique hybrid system
9 -- and I believe I've heard in some of the public input, as well as
10 the input that I've received in and around this community -- that
11 our unique hybrid system is not serving us well. I would challenge
12 the notion on this Committee that it's serving us well. If we can
13 say we are an economically prosperous community that is flourishing
14 and our citizens feel that, then by all means I say our unique process
15 is serving us well. I am challenged to say that that is occurring.
16 I'm very challenged to say that there aren't people that are feeling
17 disenfranchised. I think my concern is we went east, in my opinion,
18 for a reason, to hear our public input. We were very selective in
19 how we determined how we were going to receive public input. And
20 I heard very clearly in that public input a very clear recommendation
21 to move forward with ward-only. I, too, agree, divisive, I couldn't
22 tell you sitting here if this is going to pass. I, however, feel

1 strongly on the other side of this, not putting this forward, to me,
2 is what sinks this Commission. I believe if we don't put this out
3 there and let the voters make their decision -- and I'm, again, not
4 wanting to debate each point here -- I think we have actually just
5 sunk this Charter Commission's efforts.

6 MS. MEZA-AGUIRRE: Mr. Crum.

7 MR. NYE: I saw Mr. Crum first.

8 MS. MEZA-AGUIRRE: Right.

9 MR. NYE: Mr. Crum?

10 MR. CRUM: Okay. I'm a registered Republican, always
11 have been. Last election, I voted straight Democrat, because I vote
12 the issues. But I do favor sending this on to the Mayor and Council
13 for consideration, for their consideration of putting ward-only on
14 the ballot, because what I heard is it does matter to at least two
15 wards in particular, 2 and 4. What I don't have a handle on is how
16 the Independents really feel about this.

17 We also have a large number of folks who have allowed their
18 registrations to lapse entirely. I'm not certain why, but it
19 disturbs me. I'd like to know why, but probably never will. But
20 I feel fairly strongly about this, attending the public meetings and
21 the Call to the Audiences -- Audience, and reading the input that
22 previously (inaudible), I think there are a fair number of people

1 out there who are interested in ward-only elections, and I think they
2 should be given an opportunity to vote up or down on this issue, rather
3 than us saying, no, let's stop it right here. That's it. Thank you.

4 MR. NYE: Ms. Meza-Aguirre?

5 MS. MEZA-AGUIRRE: So this is a question for Mr.
6 Sonenshein. So, in your experience, what, if any, has been the
7 effect of something like this, where it goes out to the public, they
8 give us our responses, and then the Charter Committee decide a
9 particular issue isn't going to be put forth to the voters? Have
10 you seen that happen, and have you seen any ramifications as a result
11 of it? Or, put more directly, what's our credibility if we do this,
12 or our credibility in front of Mayor and Council if we do this?
13 What's your opinion on that?

14 MR. SONENSHEIN: This is really (inaudible). I have a
15 bunch of things to say, if you don't mind, about all this. This is
16 really important, it seems to me, for the good of the Committee, in
17 a sense. It definitely happens that you get -- a Committee gets
18 public comment and doesn't do what the public appears to say. One
19 of the things you have to do as a Committee is you have to weigh the
20 representativeness of the comments that you heard from the community,
21 and even if 80% of the people who came to the hearing feel a certain
22 way, it's only one other piece of information for you, among many

1 other pieces of information that you weigh.

2 I believe from the start that is what is making and breaking
3 this Committee is the process that you've done overall, and that's
4 why the process you've done is so important; that's what allows you
5 to not feel that the whole process is going to collapse if your
6 consensus goes in a way that might not accord with some of the public
7 comment that you heard. I haven't seen Committees lose all their
8 credibility for that, as long as your process continues to be a
9 reasonable one. In other words, beginning to end, I've never heard
10 this Committee have an unreasonable debate on any topic, and that's
11 really remarkable, and the public sees that, too, or the word gets
12 out, you know. Those people who are here tell other people about
13 it.

14 But, going out a little bit longer, this is an important
15 time to think about what you've earned for ourselves with the nature
16 of your deliberations. People have taken strong positions and have
17 looked for consensus, and haven't backed down even when they're in
18 the minority on a view, which is all exactly the right thing to do.
19 At the end of the day, there's probably not a person here who can't
20 defend every decision that's ultimately made by this Committee, even
21 if they got outvoted on it. That's your process. That is so much
22 more important than whether people will feel that you should have

1 gone a different way and that you ignored them. One of the big rules
2 about these kinds of committees is just because you don't do what
3 somebody wants, does not mean you ignored them. In fact, you
4 probably gave it extremely -- probably more detailed attention than
5 this issue has had in years would be my bet, more focused attention,
6 not from just one side, but from both sides. That's what the public
7 really needs from a Charter Committee. At the end of the day, they
8 want to know what your best is, not their best, what your best is,
9 and I think you've earned that. So, actually, that actually doesn't
10 concern me so much.

11 What I think is important about this issue is of all the
12 issues you've taken up, you could certainly get consensus in some
13 sense, but it's going to be a little bit of a forced consensus, because
14 the opinions are very strong on both sides, even if one side outvotes
15 the other. I'm thinking that you might want to give some
16 consideration to what I perceive to be the minority view on the
17 Committee, is that the issue shouldn't be killed by the Committee,
18 even if it's defeated, which is two different things.

19 I, by the way, do not think you killed Council salaries.
20 I think you simply decided that, for a lot of reasons, you didn't
21 have right now a better answer, but you didn't kill it; in fact, you
22 lived to fight another day; and, had you jumped too quickly, you

1 wouldn't killed it permanently probably, and maybe killed the
2 Commission itself.

3 So, you might ask yourself a little bit, which is out of
4 the goodwill on the Committee, how does the majority show the minority
5 that, if this does not go forward -- and I think, by the way, the
6 burden is higher on the change to the status quo, than the status
7 quo, from the standpoint of the community, that if it's 50/50, the
8 changed side always has the higher case, that's always going to be
9 true, because you can always just keep the status quo. That's not
10 an argument for the status quo, I'm just saying that that's true.

11 But, how do you keep it alive? Well, there's a few ways.
12 One is you can discuss the possibility that there ought to be, at
13 the next election after this one, an advisory measure to assess public
14 sentiment in an election that's already scheduled so that people will
15 already be going to the poll. I can tell you -- I've been sitting
16 in your meetings and I don't feel like I know what the voters think
17 about these two things. But I also think it's probably a little
18 concerning to put something on the ballot with the imprimatur of this
19 Committee that the Committee doesn't, in its firmest majority, hope
20 will actually happen. That's a message which is -- messages are very
21 important. They'll see it on the ballot and they'll say these are
22 the ten things this Committee wanted, what is this eleventh thing?

1 I -- that's the one you're not so sure about and want to know what
2 we want? Well, we told you what we wanted, don't look like you --
3 now you've got a problem. You've put it on the ballot, now it
4 actually does look like you're not listening, because you only half
5 responded, you put it on there, but you're not backing it, because
6 the majority doesn't back it.

7 Advisory measures, by the way, although people complain
8 about them, are not really the end of the world. They're often the
9 precursor to a change happening. You put it on and you -- and you
10 put in huge letters, "Advisory Only," this is not going to change
11 the Charter right now. Well, if 70% of the people say ward-only is
12 the way to go, you clearly -- you've given the minority to transform
13 the conversation for the next round of this.

14 So, I think this is an important moment. I -- I can see,
15 I think, where the balance is, but you have to walk out of here with
16 everybody feeling that if they lose the idea hasn't been killed for
17 consideration. That's my long speech about it. But you're not
18 going to be in trouble because of not doing what you think people
19 want you to do. What people want you to do is what you think you
20 should do and what the city should do, and you've done that all along.

21 MR. NYE: Ms. Dorman?

22 MS. DORMAN: I, actually, surprisingly, have been quite

1 torn about this issue, because I have listened and I've tried to be
2 so open-minded, I've really tried to look at all of the information,
3 and for me I still strongly feel that there are unintended
4 consequences of ward-only elections that are far worse than people
5 feeling that they're not included, or perception of a problem of
6 legitimacy, but I haven't wanted to discount those feelings. But
7 I do have an issue with putting something on the ballot that would
8 change just to make people feel better, as opposed to actually solving
9 a problem.

10 So, I have a question, because your proposal is intriguing,
11 because I don't want people to feel that we didn't listen to them,
12 but I don't want to put something out there that I can't stand behind.
13 And I was even prepared to just abstain to not prevent something
14 moving forward that I couldn't fully support. So, are you saying
15 that we could put something on the ballot asking people their opinion,
16 as opposed to a binding vote, or are you saying that we should
17 recommend that as a next step they create -- the Mayor and Council
18 create an Advisory Committee specifically to evaluate ward-only
19 elections, maybe even nonpartisan elections? I'm just -- I want
20 clarification on what you were proposing.

21 MR. SONENSHEIN: Both of those -- both of those, in
22 different versions, are possible. I absolutely think if you put this

1 on, you should consider an advisory measure, which is labeled in huge,
2 bold letters which -- I don't know how many advisory measures, though,
3 they're fairly rare --

4 MS. DORMAN: Yeah, I --

5 MR. SONENSHEIN: -- you don't see them very often --

6 MS. DORMAN: -- I don't recall --

7 MR. NYE: We ever done it?

8 MS. DORMAN: -- ever seeing one.

9 MR. SONENSHEIN: -- if you do them too many times, it
10 starts to look like the city government is just running a poll, you
11 know, but occasionally it can be done.

12 You could also recommend, though, your second option,
13 which is that the city establish a working group -- I wouldn't call
14 it a commission, because they just had a commission -- but a working
15 group to do further research on various election alternatives that
16 ended up beyond the -- whatever you want to describe it on this
17 particular (inaudible; someone coughing) and to report back with a
18 possible ballot, but then you couldn't decide, that committee could
19 decide that it should go on the ballot, based on a whole set of
20 research that could go on for quite some time.

21 I guess what I'm trying to say is don't completely kill
22 something that has significant minority support on the Committee,

1 but you don't need to make it a -- what would appear to be a
2 recommendation of the Committee. But I think, actually, it's -- it's
3 how you communicate this to the Council, and it might be the only
4 thing you communicate that isn't in the form of a measure to go on
5 the ballot, it might be a communication from the Committee about the
6 nature of the conversation that you had, and emphasizing that you
7 did not determine -- you may determine not to change the status quo,
8 but you did not determine unanimously that the status quo, you're
9 absolutely certain, is the only way to go; that's the message you
10 want to get across anyway. I don't know.

11 MR. NYE: Mr. Prezelski?

12 MR. PREZELSKI: Thank you, Mr. Chairman. I think what Mr.
13 Sonenshein is suggesting is rather intriguing, given kind of the
14 conversations that we've been having over the last several years
15 about this issue, and some of what's been said here where we -- some
16 of the discussion has been of how can you -- you might be able to
17 compromise by having some at-large seats and seats -- you know, and
18 looking at how the elections are scheduled and that sort of thing.
19 So there are a lot of issues wrapped up in this, and simply saying
20 we're going to be voting ward-only isn't going to address most of
21 those issues, and that might be -- that might be a better way to go,
22 I mean, kind of to actually discuss how we conduct these elections

1 in a broader way.

2 MR. NYE: All right. I -- to my mind, for what it's worth,
3 when people -- there's going to be a large segment of this community
4 who the single most important thing, in terms of their belief that
5 there's not trust in city government, relates to this, and I tried
6 not to talk about this, but -- specifically, but the Council Member
7 -- I like her -- Ward 4, lost her ward by 26 percentage points last
8 time, 63 to 36. I think she's a great Councilwoman. I think she
9 works hard, she reads all the stuff, I think she's -- I like her,
10 but if you -- if you've got two wards, one where you go for 24 years
11 and -- and you have one person win their ward and win the seat, and
12 then another ward -- you're talking 34% of the city that their Council
13 Member can lose by 26 percentage points, 63 to 30-something.

14 And then we had a bunch of people come and talk to us, we
15 don't trust city government. I -- and you're not really talking
16 about one, you're talking about two wards. I have a really hard time
17 at -- not at least putting on the ballot an advisory measure on it,
18 the sooner the better, because it's not -- I mean, it's -- because
19 the way I like to think this works -- and I like to think we've done
20 a really good job cleaning up the accountability on the department
21 side. The Department Director should be accountable to the Manager,
22 the Manager should be accountable to the elected officials, and then

1 the next set -- the next sentence there, the elected officials should
2 be accountable to the voters.

3 Boy, again, you know, that -- I -- we talk about trust and
4 we talk about low-hanging fruit, and I also find the -- the discussion
5 on this being vastly different for the inside baseball people versus
6 the folks in the right field bleachers. The inside baseball folks,
7 the activist folks, really want to be able to talk to the Council
8 Member across town and be able to say, no, you got to return my call
9 and you got to meet with me because I elect you, too. The inside
10 baseball folks who are in and close to Mayor and Council clearly have
11 a -- or, to my mind, seem more comfortable with it than folks at the
12 top of the right field bleachers.

13 MS. DORMAN: You're losing me with this one.

14 MR. NYE: Oh, the baseball analogy. Well, whether you're
15 watching --

16 MS. DORMAN: Who's inside --

17 MR. NYE: -- the bleachers or you watch -- or --

18 MS. DORMAN: Who's inside and what are they favoring? I'm
19 not -- that's (inaudible; voices overlap) --

20 MR. NYE: The inside -- the -- the -- my observation would
21 be people closer to the Mayor and Council and active, really, really
22 active in city politics and city government, are much more

1 comfortable with our current system than people who only interact
2 with a low-information voter outside of it and, you know, anyway --
3 sorry for my little impassioned play on words.

4 MS. POULOS: I think Raphe had an excellent suggestion,
5 and I'm going to throw out an idea that we send a recommendation to
6 Mayor and Council that this Committee was divided on the issue of
7 ward-only elections, but we feel that it's an important issue to be
8 investigated further, either through an advisory ballot issue, or
9 through a working group that can assess public sentiment and whether
10 or not making that change would be a good idea. And that would be
11 my motion and see whether or not we have support.

12 MS. MEZA-AGUIRRE: I'm sorry. Did you make a motion on
13 that? I second it.

14 MR. HINDERAKER: I'd like to make a substantive motion.
15 I think that's the same as killing this. That was our job, that's
16 why we were formed, was to consider this and make some kind of
17 decision. So, my substantive -- substantive motion would be to
18 recommend to Mayor and Council that they refer to the voters of the
19 City of Tucson, at the next city election, an amendment to the City
20 Charter to provide that all candidates running to represent a
21 specific City Council ward be nominated in the primary and elected
22 by the voters of the ward in the general election, and that this issue

1 be placed on the ballot as a separate item from the other items that
2 we worked with.

3 MR. SPRINGER: You have a motion on the floor, though,
4 don't you --

5 MS. POULOS: No, he's putting --

6 MR. SONENSHEIN: -- and a second?

7 MR. NYE: He put --

8 MS. POULOS: -- he has a --

9 MR. NYE: -- put up a substantive motion.

10 MR. SPRINGER: Do you agree with that?

11 MR. CRUM: Second.

12 MR. NYE: Okay. So we've got two motions, two seconds.

13 This will be fun.

14 MS. POULOS: Substitute goes first.

15 MR. NYE: Substitute goes first.

16 MR. RANKIN: The substitute motion gets heard first.

17 MR. NYE: Yes.

18 MS. POULOS: Correct.

19 MR. NYE: Thank you. Because I didn't bring my Roberts
20 Rules of Order, and I'm pretty terrible --

21 MR. HINDERAKER: You can always --

22 MR. NYE: -- with them already.

1 MR. HINDERAKER: -- use my substantive motion. So --

2 MR. NYE: Yeah.

3 MS. POULOS: Tannya?

4 MR. NYE: Huh?

5 MS. GAXIOLA: Discussion?

6 MR. NYE: Discus- -- is there -- Ms. --

7 MS. GAXIOLA: Can we --

8 MR. NYE: -- Gaxiola? Yeah, other --

9 MS. GAXIOLA: Great.

10 MR. NYE: -- have more discussion.

11 MS. GAXIOLA: Good. Yeah. No, I would -- I would just
12 like to say -- add to that -- or add to the discussion that I think
13 that the problem -- one of the main problems for me with forwarding
14 the ward-only recommendation to the voters is that it's really too
15 simplistic and we haven't tackled the whole issue, which involves
16 when the Mayor gets elected and whether or not, you know, who -- who
17 is -- which wards are voting when the Mayor gets elected. We haven't
18 tackled the partisan versus nonpartisan, which was part of the
19 conversation that we had. When we talked about forwarding the idea
20 of ward-only to -- as a preliminary recommendation, we talked about
21 it in conjunction with a mayoral veto, so that we would have a strong
22 Mayor who's responsible for overseeing the entire City we're thinking

1 in a systemic way, as opposed to those people who would have the
2 incentive to really think much more appropriately.

3 So, I think that this is a much larger issue in the way
4 that our Charter is written, it's not a single, stand-alone issue.
5 And so I think by forwarding it to the voters in a single, stand-alone
6 way, you're doing a disservice to the voters, and you're
7 communicating that this is a stand-alone issue, when it really is
8 not, it's a lot more complex than that. There's going to be a lot
9 of unintended consequences to having something like that on the
10 ballot if it passes. So -- and, again, I think it's going to be hugely
11 divisive. So, I would just like to add that for consideration before
12 we vote on the substantive motion.

13 MR. NYE: Ms. Dorman?

14 MS. DORMAN: I would just like to add that it was not
15 actually what we were formed to decide. We were formed to decide
16 more of the financial issues, recommend the financial issues, and
17 it's an issue that we chose to take up because we thought it was
18 important enough to discuss and debate, which we did, but it was not
19 what -- specifically what we were tasked for as a Committee --

20 MR. NYE: Well, as I understand --

21 MS. DORMAN: -- or whatever --

22 MR. NYE: -- as I understand, the initial resolution

1 creating this Committee specifically referenced those issues. When
2 Mr. -- then that was added to that -- and when they had a scope of
3 work for the Profes- -- good Professor here, they certainly gave him
4 a much broader scope of work than just the financial issues, Mayor
5 and Council. So, I -- I -- I don't want to say we're outside of the
6 bounds of what we were formed for, to be discussing this issue.

7 Mr. Prezelski?

8 MR. PREZELSKI: Thank you, Mr. Chairman. I think one
9 thing we have to be careful of is -- and this, I think, was kind
10 of an unspoken, guiding principle for a lot of the work we've
11 done here -- is: Are we addressing a specific issue with a
12 personality, or a specific policy that we don't like that's
13 current, or are we discussing kind of the broader systemic
14 issues that could potentially be problems in the future? And
15 it sounded to me -- the whole debate about this sounds to me
16 very much like we're talking about this particular political
17 moment. Would this discussion have been the same in 2000 when
18 you had Fred Ronstadt on the City Council? Would it have been
19 the same people coming out and saying we need to have ward-only
20 elections? Would it have been the -- the -- would -- would the
21 arguments have been the same? And we know it would not have
22 been the same. This has -- you know, and when Ms. Healy brought

1 up, well, we have these -- these problems in the city today.
2 Well, yeah, but does that really have to do with the way we elect
3 people, or does that have to do with specific policies that we're
4 following right now? And, you know -- and -- and another fact
5 is -- is that, you know, it's almost April and one political
6 party has not yet forwarded any candidates for any city offices.
7 Maybe the dysfunction isn't really with this system, maybe it's
8 just a problem of -- of political culture, which could, no doubt,
9 change in a few years.

10 MR. NYE: Mr. Yee? Sorry. And then Ms. Healy's up.

11 MR. YEE: You know, Bonnie mentioned the fact that Ward
12 2, they can -- if the constituent -- can they share services and
13 improvement -- I know I live up in the east side, so I know the Ward
14 2 agenda there, the road development in Broadway, in Speedway, and
15 Houghton Road, they all done the fair share of road development out
16 there. So that means Council is doing a good job to taking care of
17 the constituent needs.

18 Now, to echo what you said, you know, you say Ward 2 is
19 -- is one that the Council Person that -- consistent in losing at
20 that ward. But, yet, you said that you like her, she read all the
21 stuff, she does a good job, and that tells me the voter citywide
22 exercise good wisdom, they see that in her, so the democracy working

1 well in that sense, because that's what you -- Council Persons do,
2 do a good job.

3 So now another thing really to think about. There was
4 Republican Council Person elected and, well, you know, that
5 particular member (inaudible) what he said and try to be
6 constructive, work -- you know, work -- work with them, the rest of
7 the Council to -- took it up with the city, but he's getting so much
8 pressure from some (inaudible) and (inaudible) have to change. So,
9 you know, therefore, it means that maybe some internal problem, and
10 it's not too much with the ward itself -- ward election itself, you
11 know.

12 So, it's really to think about if -- you know, if our job
13 is to recommend something that we think is (inaudible) is not right
14 and impede the city, then, yeah, we make a recommendation; but, if
15 that's not the case, we just want you to work with the Mayor
16 (inaudible) that's a problem, but not a real problem. Then are we
17 doing our job as a Committee? So we need to think about that as well.

18 MR. NYE: Ms. Healy?

19 MS. HEALY: I appreciate these comments. And I don't
20 want to go back on my word of saying I didn't want to have a floor
21 debate and point -- counterpoint on this, but, at the same time, a
22 couple of things I want to raise, too, in response to some of the

1 things that have been said.

2 I think in terms of my comment regarding challenging the
3 notion that our current hybrid system works for us, it was just that
4 -- I just raised the question for us to think about when we're thinking
5 in terms of what works and what doesn't work. I'm not saying that
6 the ward-only system would be the -- you know, the golden nugget to
7 fix that. I'm just saying I think we should caution ourselves to
8 not believe that the hybrid system is the answer to all of our problems
9 either.

10 I guess I'm a little struck by the disconnect also in this
11 conversation -- not to be confrontational -- however, about the fact
12 the discussion we've had around the arts is not being viewed in the
13 same way as the discussion around the ward system, and the notion
14 of we're trying to solve a problem that doesn't exist by wards-only
15 -- does not apply also to the argument of the fact that we move forward
16 as much as we all -- and are in total 100% agreement of the value
17 of arts in this community. There was, I think, some discussion --
18 and we've heard from others as well -- that are we really trying to
19 solve a problem that exists by putting in that language of those
20 enumerated powers for the art community. I struggle with the fact
21 -- I think many of us did -- that that's what was solved, the arts
22 community's challenges in this community through the Charter.

1 I think to also -- a counterpoints discussion to your
2 point, Mr. Prezelski, about the fact that in 2000, it may have been
3 a very different world. I -- I agree, maybe it would've been. But
4 I come back to the fact that I don't necessarily agree with it, when
5 I think about the fiscal impact of ward-only, or the notion that we
6 can't do proper annexation in this community until we say whether
7 going forward or looking behind when we talk about one of the major
8 issues that brought this Committee together was trying to find ways
9 to help give the city the fiscal tools it needs. And we have sat
10 here and debated all of these different measures, but we won't look
11 at one thing that we know we have been told, we have evidence to
12 support the fact that one of the challenges to annexation is exactly
13 the hybrid system that we're sitting in.

14 So, I think that -- and you can -- you can suppose that
15 maybe in 2000 this wouldn't have been argument, I would challenge
16 that and say, absolutely, it was an argument at the time, too, and
17 going forward it's going to be an even more critical argument when
18 we look at the way that this city is going to have to raise funds,
19 to your point earlier, what it's going to potentially have to face
20 with the state. We need to absolutely set, I think, in place some
21 discussion around how do we do annexation more effectively? And,
22 to me, this is one of the tools to do that.

1 I think also that this -- the current system probably, from
2 where I've been -- you know, what I've seen in the years that I've
3 lived in Tucson, has as much of an impact in dissuading potential
4 candidates as the salary issue does. I think we should look at it
5 in terms of the ability to create a competitive system and have
6 candidates that are viable, and have that balance. When we look at
7 the salaries, you know, to me, it's part and parcel.

8 So, I just would encourage this group to give consideration
9 to the fact that we move it forward. We allow the voters to vote
10 on something that has been clearly discussed and debated in this
11 community for some time. If it goes down by the voters, I don't think
12 that there's any negative impact to the rest of the Charter. The
13 bigger risk in my mind, in my opinion, and based on the feedback I've
14 received, is that if it doesn't go onto the Charter -- or onto the
15 ballot, we really risk the other recommendations, with all due
16 respect to Mr. Sonenshein. I think that there's some other
17 challenges inherent in this community that -- you know, time limited
18 here, and we don't want to be here till midnight -- but I think it
19 will become a challenge for us.

20 MR. NYE: I'm about to poll everyone on the substitute
21 motion here, but we won't -- I promise we won't go till midnight.

22 MR. CRUM: I've said my piece.

1 MR. NYE: Mr. Crum? I pointed.

2 MR. CRUM: I feel -- I feel listened to. And however this
3 issue turns out, I will not be questioning the integrity or dignity
4 or thoroughness of this -- of this Committee.

5 MALE SPEAKER: Amen.

6 MR. NYE: Cheers to that.

7 MS. DORMAN: Ditto.

8 MS. MEZA-AGUIRRE: So -- Mr. Chair? Excuse me. So
9 you're going to ask for a poll --

10 MR. NYE: I'm going to --

11 MS. MEZA-AGUIRRE: -- or are you --

12 MR. NYE: -- 'cause I know if I say --

13 MS. MEZA-AGUIRRE: -- going to call for a vote on the --

14 MR. NYE: We're going to do a poll vote. I'm going to ask
15 everyone to vote on the substitute motion individually, because I
16 have a hard time --

17 MS. MEZA-AGUIRRE: Oh, a poll vote. Okay.

18 MR. NYE: -- to be able --

19 MS. GAXIOLA: I understand. Okay.

20 MR. NYE: -- that I'm going to be able to guess the ayes
21 and nays as I do it. I could be mistaken, maybe overwhelming. But
22 we'll talk about the substitute motion. One -- I'm going to make

1 one last point and people -- anyone wants to talk about that last
2 point, we will.

3 Ward 3 -- in 2009, our Council Member in Ward 3 won Ward
4 3 by 100 -- one -- her seat by 175 votes, and carried -- carried her
5 ward by nearly 20 percentage points. I believe that it would be
6 liberating, and improve the ability for our elected leaders to lead,
7 if all of them didn't have a certain randomness to what was going
8 to happen to them in the next election.

9 There's some -- well, I love Congressman Grijalva -- to
10 talk about my politics a second -- and he's not got to worry about
11 his election, and he can take voter positions for what he believes
12 in because of that, and there's -- you can overdo that. But I -- I
13 -- that's one thing that I wanted to make sure was out there, and
14 if anyone wants to address that point, I'll let anyone address it.
15 Then we're going to vote -- I guess vote. Okay.

16 I'm going to start on that end. The substitute motion is
17 to put --

18 MR. SPRINGER: Can we get the motion repeated, the
19 substitute --

20 MR. NYE: Yeah, the substitute motion.

21 MR. HINDERAKER: Recommend to Mayor and Council that it
22 be forwarded to the voters of the City of Tucson, at the next City

1 election, an amendment to the City Charter to provide that: one, all
2 candidates running to represent a specific City Council ward to be
3 nominated in the primary and elected by the voters to that ward in
4 the general election --

5 MR. NYE And --

6 MR. HINDERAKER: -- and, two, this issue be placed on the
7 ballot as a separate item.

8 MR. NYE: And, actually, I'm going to go for my roll call,
9 because I think that'll be ran- -- more random.

10 So, first on my roll call is Mark Crum.

11 MR. CRUM: Aye.

12 MR. NYE: Randi Dorman?

13 MS. DORMAN: Nay.

14 MR. NYE: Tannya Gaxiola?

15 MS. GAXIOLA: Nay.

16 MR. NYE: Stephanie Healy?

17 MS. HEALY: Aye.

18 MR. NYE: John Hinderaker?

19 MR. HINDERAKER: Aye.

20 MR. NYE: Your motion. No kidding, yeah.

21 Edna Meza-Aguirre?

22 MS. MEZA-AGUIRRE: Yes.

1 MR. NYE: Richard Miranda?

2 MR. MIRANDA: Aye.

3 MR. NYE: Kasey Nye? Aye.

4 Lenny Porges?

5 MR. PORGES: Nay.

6 MR. NYE: Bonnie Poulos?

7 MS. POULOS: No.

8 MR. NYE: Tom Prezelski?

9 MR. PREZELSKI: Nay.

10 MR. NYE: Diana Rhoades?

11 MS. RHOADES: No.

12 MR. NYE: Grady Scott is not present.

13 John Springer?

14 MR. SPRINGER: No.

15 MR. NYE: Joe Yee?

16 MR. YEE: Aye.

17 MR. NYE: Really?

18 MR. YEE: Yeah, because I -- I want to settle this once
19 and for all, let the Board decide --

20 MR. NYE: Okay. I was just --

21 MR. YEE: -- so we will know.

22 MR. NYE: -- I was just making sure.

1 (Laughter.)

2 MS. DORMAN: Wow!

3 MR. NYE: Okay.

4 MR. YEE: Yeah.

5 MS. DORMAN: I think it's tied, though.

6 MS. POULOS: It's tied?

7 MS. DORMAN: Yeah.

8 MR. NYE: Yeah, we're tied. It doesn't move forward.

9 MR. PORGES: The result -- the result, Chair?

10 MR. NYE: Result, Chair, is one, two --

11 (Inaudible; multiple speakers.)

12 MR. SONENSHEIN: -- procedurally, the consultant breaks
13 the tie.

14 (Laughter.)

15 MR. NYE: We're -- we're tied.

16 MS. MEZA-AGUIRRE: How about that.

17 MR. HINDERAKER: Somebody get --

18 MR. NYE: We're seven to seven.

19 MR. HINDERAKER: -- Scott on the phone.

20 MS. POULOS: Mr. Chair? I would like to --

21 MR. NYE: Well, I tell you I --

22 MS. POULOS: -- put forward my original motion in the

1 interest of trying to send something forward to Mayor and Council
2 with regard to ward elections. And that is to let them know that
3 we had no clear consensus on this issue, and that we believe that
4 there should be an advisory vote or working committee to address this
5 issue.

6 MR. HINDERAKER: Nice.

7 MS. DORMAN: Yes.

8 MR. HINDERAKER: That's just a point of (inaudible) here.
9 What's the effect of the tie?

10 MR. NYE: I -- it doesn't --

11 MR. RANKIN: Nothing happened.

12 MR. NYE: The motion fails, yes.

13 MR. RANKIN: And you automatically revert, in this
14 instance, to the primary motion because the substitute failed.

15 MR. NYE: Right.

16 MR. PREZELSKI: According to Colonel Robert, former --
17 former commandant of Fort (inaudible), Arizona.

18 MR. NYE: No kidding?

19 MR. PREZELSKI: Yes.

20 MR. SONENSHEIN: A very interesting comment.

21 MS. GAXIOLA: Right.

22 (Laughter.)

1 MR. SONENSHEIN: I don't want to sound like Mr. Spock, but
2 this is fascinating.

3 MR. NYE: Says the -- the --

4 MR. PORGES: Maybe we'll change the names.

5 MR. SONENSHEIN: And, I mean, it really goes to what you
6 want to communicate about this to the Mayor and --

7 MS. POULOS: Right.

8 MR. SONENSHEIN: -- Council --

9 MS. POULOS: Right.

10 MR. SONENSHEIN: -- because, while the motion fails, it's
11 actually --

12 MR. NYE: Right.

13 MR. SONENSHEIN: -- it's actually balanced on a precipice
14 on a Committee that has been overwhelmingly united on just about
15 everything, it's literally split right down the middle, which is --
16 it doesn't matter if another person walked in the room and made it
17 8/7 or 7/8, it's already established that the Committee is -- and
18 I would -- I would be reluctant to rely too heavily on the fact that,
19 therefore, the motion fails because it's a tie; it's more of a
20 technicality, because the motion could've been to preserve the
21 current system, and then that is a tie, and then that -- it's a tie;
22 it's completely tied.

1 I think that would require some stronger language in terms
2 of how you want the Mayor and Council to treat this. I don't think
3 it requires it to go on the ballot right as-is, but it has to be stated
4 more clearly, even if it was 8/6, I mean, it could almost be on the
5 edge of doing that, but at 7/7, it's -- it's -- it's -- that's --
6 it is what it is. I'm interested -- it's like watching --

7 MS. MEZA-AGUIRRE: So, Mr. Chair?

8 MR. SONENSHEIN: -- an egg --

9 MS. MEZA-AGUIRRE: Oh, I'm sorry.

10 MR. SONENSHEIN: -- like (inaudible).

11 MR. NYE: Yeah. Okay. I'm sorry. I've lost what the
12 original motion is. But -- Mr. Crum, yeah.

13 MR. CRUM: I really like this. This is democracy. This
14 is great. And we've have terrific discussion, truly a discussion,
15 not a conversation. I -- I -- I have all the respect for you folks
16 that I can have. I really do.

17 MR. NYE: I'm sorry.

18 MR. CRUM: Thanks.

19 MR. PORGES: There's still a motion on the --

20 MR. NYE: Yeah, and I -- and I --

21 (Laughter.)

22 MR. NYE: -- keep losing the motion.

1 MS. MEZA-AGUIRRE: No, no, that's --

2 MR. NYE: I've lost track of --

3 MS. MEZA-AGUIRRE: -- I have all --

4 MR. NYE: -- what the original --

5 MS. MEZA-AGUIRRE: -- the respect in the world, but don't
6 we have a motion?

7 MR. NYE: Yeah. No, no, I -- I --

8 MR. CRUM: That's okay.

9 MR. NYE: Ms. Poulos, could you please --

10 MR. CRUM: I apologize.

11 MS. MEZA-AGUIRRE: No offense, no offense, Mr. Crum.

12 MR. NYE: -- restate your motion to make sure I -- well,
13 so I know what --

14 MS. POULOS: The assumption is --

15 MR. NYE: -- what I'm voting on.

16 MS. POULOS: -- the Committee is divided on whether or not
17 the issue of ward elections should go on the ballot, and we recommend
18 at the very least that they do a advisory vote or form a working
19 committee to decide this issue. And I don't know how that's changed
20 from the first one. I'm sure the tape's recording this.

21 MS. GAXIOLA: Can I make -- Mr. Chair?

22 MR. NYE: Ms. Gaxiola?

1 MS. GAXIOLA: Yeah, can I make a friendly amendment there
2 to your motion? Just to encourage the Mayor and Council to study
3 -- to really study this issue and sort of the related electoral
4 issues, or the related issues as well around, you know, timing of
5 the election of the Mayor and sort of the other things that -- that
6 we talked about, because I think -- I'm concerned that if we get --
7 if we -- if they -- yeah, we -- we can't look at this as an isolated
8 issue, it's just not. And so if you would amend your motion to --

9 MS. POULOS: To ask the Chair to write the letter?

10 MS. GAXIOLA: Yeah.

11 (Laughter.)

12 MS. GAXIOLA: Yeah.

13 MR. NYE: So, is there -- where was the second? I'm
14 confused. And -- and here's a ques- -- I just want to throw out a
15 question about the motion for the --

16 MS. MEZA-AGUIRRE: How about --

17 MR. NYE: -- moving -- for the moving. Do we want to put
18 an "or" in this, or do we want to choose one?

19 MR. PREZELSKI: No.

20 MR. NYE: No?

21 MR. PREZELSKI: No, I -- I think if we have the Committee
22 that I think they're envisioning, we want them to have a fairly

1 open-ended mandate.

2 MR. NYE: And then -- well -- but the motion was an "or"
3 -- an advisory --

4 MR. PREZELSKI: Oh.

5 MS. POULOS: An advisory vote or a working committee.
6 I think a working committee would actually be better because --

7 MR. PREZELSKI: Yes.

8 MS. POULOS: -- they could address --

9 MS. GAXIOLA: Yeah.

10 MS. POULOS: -- multiple issues --

11 MS. GAXIOLA: Yeah --

12 MS. POULOS: -- if that's --

13 MS. GAXIOLA: -- I agree.

14 MS. POULOS: -- what we want to put forward, I'm fine --

15 MS. GAXIOLA: Yeah.

16 MS. POULOS: -- amending the motion.

17 MR. NYE: Okay. So --

18 MR. CRUM: Just -- a question. Oh, go ahead.

19 MR. NYE: Ms. Dorman?

20 MS. DORMAN: I just wonder, is there a way to word it more
21 strongly, because it's not just that we were divided on the issue,
22 it's that there's so many complexities to this issue and so many

1 different places where it will impact, that, given all the issues
2 we were studying, you know, this one could've taken every discussion
3 and we could've brought in expert -- and done whole -- I mean, we
4 could've spent the whole time on this one issue. So, I think it's
5 the complexity of the consequences of a decision that make it
6 necessary for an advisory committee to focus on this. So, is there
7 just a way to word it stronger -- more strongly than the Committee
8 was divided and so we -- I guess I'm asking that question. I don't
9 have a suggestion.

10 MR. NYE: Well, as I understand the motion -- the friendly
11 amendment to the motion is to form an advisory committee and not --
12 and not -- a working group on city elections.

13 MS. GAXIOLA: Specifically looking at this issue of
14 ward-only elections and the other interrelated issues such as timing
15 of the election of the Mayor and --

16 MS. MEZA-AGUIRRE: Annexation.

17 MS. GAXIOLA: -- some -- and the other things that we've
18 mentioned throughout the conversation, and that -- and that -- and
19 that you would write a letter about it.

20 (Laughter.)

21 MS. POULOS: You (inaudible).

22 MR. SONENSHEIN: Part of the motion could -- part of the

1 motion could be to include a date certain by which the Committee
2 should be created and report back. You can always take a shot, I
3 mean, they might throw you out the door. But, on the other hand,
4 an open-ended motion could be something like, yeah, we'll take that
5 out, you know, when it starts raining again. So, you might --

6 MR. NYE: Probably July.

7 MR. SONENSHEIN: -- want to really put some parameters on
8 it to move this forward, and let them take the parameters out if they
9 wish, but why not -- why take it out in advance before they've even
10 had a chance to react to it. You could -- I mean, a year is
11 reasonable, nine months is reasonable, anything is reasonable to move
12 it or --

13 MR. NYE: Okay. So, I'm --

14 MR. SONENSHEIN: -- designed (inaudible; voices overlap)

15 --

16 MR. NYE: -- not I'm back to having lost --

17 MR. SONENSHEIN: -- to appear at the next regularly
18 scheduled election after this one.

19 MS. GAXIOLA: Right, for the next election.

20 MR. SONENSHEIN: The next regularly scheduled election
21 after this coming one, so if the working group could be designed to
22 have it worked done in time for what. I mean, the more specific you

1 are, the better I think in terms of showing the seriousness of the
2 Committee about it.

3 MR. NYE: Okay. So --

4 MS. POULOS: So, let's write the motion.

5 MR. NYE: -- let's write the motion or -- and then figure
6 out if we have the second for it. All right. It's your motion, Ms.
7 Poulos.

8 MS. POULOS: I don't know, it's been changed so many times.

9 MR. NYE: It has been changed a bunch of times, but --

10 MS. POULOS: Any suggestions?

11 MS. GAXIOLA: So, is it -- it was a motion --

12 MR. RANKIN: So it's a motion that asks the Mayor and
13 Council to consider forming a citizens committee or other working
14 group to examine -- continue to examine the issue of ward-only
15 elections, together with other interrelated election issues,
16 including, but not limited to, how they relate to annexations,
17 nonpartisan structure of the elections, as well as the timing of the
18 mayoral election in relation to the other elected officials.

19 MR. SONENSHEIN: (Inaudible) say.

20 MS. GAXIOLA: (Inaudible) board --

21 MS. MEZA-AGUIRRE: Yes.

22 MS. GAXIOLA: -- that, Mr. Rankin.

1 MR. RANKIN: And there will be other issues like campaign
2 finance which is currently based on a citywide system versus a
3 ward-only system.

4 MS. GAXIOLA: Right.

5 MS. RHOADES: Should the term -- term limits in there for
6 good measure?

7 MS. GAXIOLA: Number of wards.

8 MS. HEALY: Actually, I -- I know that there's some gesting
9 going on here, and I appreciate that, and, for the record, I, too,
10 appreciate, as much Mr. Crum did, all the conversation. But I guess
11 I have to stop and pause here when you start to say we're going to
12 throw in everything else we couldn't make decisions on into this
13 bucket because -- going back to Mr. Hinderaker's earlier point, that
14 I think was somewhat misconstrued, was -- I think the point is we
15 were brought forward to bring forward recommendations, and not to
16 bring forward additional commissions or committees for discussion
17 (inaudible).

18 MR. PREZELSKI: Right.

19 MS. HEALY: I would caution us lumping everything in
20 there. I'm struggling with how I feel about this whole solution or
21 our attempt to find consensus here. I think that --

22 MR. NYE: Well --

1 MS. HEALY: -- I definitely couldn't support it if we're
2 lumping in everything else.

3 MS. POULOS: No, and I think it should deal with ward
4 elections and things that are related to them, because I think the
5 issue has to stand on its own, but it has to address those other
6 factors that would, again, have -- whether or not people would feel
7 they were truly being represented.

8 MR. SONENSHEIN: What if you just --

9 MS. DORMAN: So it's really ward-only elections and
10 corollary issues, which are annexation, timing of mayoral elections.

11 MR. NYE: Timing of ward elections, number of wards --

12 MR. SONENSHEIN: (Inaudible; voices overlap) --

13 MR. NYE: -- number of representatives.

14 MR. SONENSHEIN: -- all those out and just say --

15 MS. DORMAN: Say just --

16 MR. SONENSHEIN: -- to really focus it, just say ward
17 elections and related issues --

18 MS. DORMAN: It's a corollary issue.

19 MR. NYE: Right. Ward elections --

20 MR. SONENSHEIN: -- (inaudible; voices overlap) ward
21 elections piece, but it indicates that there are at least some related
22 issues and not specify the others.

1 MS. HEALY: Could I ask --

2 MR. NYE: Ms. Healy?

3 MS. HEALY: -- you -- is there value in us having a
4 conversation about the sales tax before we have the conversation
5 about the ward-only?

6 MR. NYE: No, we got to finish this. I think that we've
7 got a motion pending. We've got --

8 MS. POULOS: Yeah --

9 MR. NYE: -- and do we have a second --

10 MS. POULOS: -- do we want to --

11 MR. NYE: -- to that motion?

12 MS. POULOS: -- do we want to put a time frame on this
13 working committee, that it should --

14 MS. HEALY: By the November 2015 election ballot.

15 MS. MEZA-AGUIRRE: Yeah.

16 MR. NYE: November 20- --

17 MS. MEZA-AGUIRRE: '16.

18 MR. NYE: -- no, 2016.

19 MS. HEALY: No, I meant 2015.

20 (Laughter.)

21 MR. NYE: Nice try. Mr. Miranda?

22 MR. MIRANDA: A procedural question. When this is

1 recorded, is it recorded that the vote was 7 to 7 and, therefore,
2 did not pass?

3 MR. RANDOLPH: Yes.

4 MR. MIRANDA: That's my question.

5 MR. NYE: On the last motion --

6 MR. MIRANDA: Yes.

7 MR. NYE: -- on the substitute motion.

8 MR. YEE: Mr. Chair? If we can form the working committee
9 to -- to rehash again this ward election, if that is the case, then
10 I would like to change my previous vote from yes to no.

11 MR. NYE: It doesn't change -- the result's the same for
12 the last --

13 MR. PREZELSKI: I think he just wants to make --

14 MR. YEE: Because -- because that was why --

15 MR. PREZELSKI: -- let the record show.

16 MR. YEE: -- (inaudible) the motion was advisory to put
17 up there for the vote to be considered.

18 MS. GAXIOLA: No, it wasn't.

19 MR. RANKIN: No, it wasn't.

20 MS. DORMAN: No, it was --

21 MR. NYE: No, no, no, no, no.

22 MS. DORMAN: -- to put up for the voters to vote on, that

1 was the motion.

2 MR. NYE: But, regardless, the motion didn't pass, either
3 tied or you changed your vote.

4 MR. YEE: Yeah, I would change it, because when we do --
5 we form --

6 MR. NYE: Okay.

7 MR. YEE: -- the committee (inaudible).

8 MR. NYE: All right. Is there a second?

9 MS. POULOS: (Inaudible) committee, working committee, to
10 deal with ward elect- -- ward-only elections and related issues to
11 propose -- well, to propose a ballot initiative for the 2016 November
12 election?

13 MS. GAXIOLA: Well -- but -- well, I don't know that we're
14 asking them to propose ballot initiatives. I think we're asking them
15 to study it and decide --

16 MR. NYE: But there's got to be --

17 MS. GAXIOLA: -- if they should propose --

18 MR. SONENSHEIN: If that is appropriate.

19 MS. GAXIOLA: -- yeah, if it's appropriate to propose.

20 MR. NYE: Okay. I think we've got a motion. Is there a
21 second or --

22 MS. HEALY: I second.

1 MR. NYE: Mr. Crum?

2 MR. CRUM: Just as a reminder to myself so I don't get all
3 that emotionally invested in this, the Mayor and Council still can
4 say we want to see ward-only elections.

5 MS. GAXIOLA: Uh-huh, yeah.

6 MR. NYE: Yes, that's right. I'm --

7 MS. GAXIOLA: Yes.

8 MR. NYE: -- and I'm sure they'll hear a lot about that
9 between now and when they refer anything.

10 MS. GAXIOLA: Yes.

11 MR. NYE: Okay. So --

12 MR. CRUM: Reverse order?

13 MR. NYE: Sure. Joe -- Joe Yee?

14 MR. YEE: (No audible response.)

15 MR. HINDERAKER: Can we have some discussion on that or
16 are we pass the point of discussion? No, go ahead.

17 (Laughter.)

18 MR. HINDERAKER: I've said my piece. Yeah (inaudible)
19 money.

20 MR. NYE: Okay. John Springer?

21 MR. SPRINGER: Yes.

22 MR. NYE: Diana Rhoades?

1 MS. RHOADES: Yes.

2 MR. NYE: Tom Prezelski?

3 MR. PREZELSKI: Yes.

4 MR. NYE: Bonnie Poulos?

5 MS. POULOS: Yes.

6 MR. NYE: Lenny Porges?

7 MR. PORGES: Yes.

8 MR. NYE: Kasey Nye. I'll vote yes.
Richard Miranda?

9

10 MR. MIRANDA: No.

11 MR. NYE: Edna Meza-Aguirre?

12 MS. MEZA-AGUIRRE: Yes.

13 MR. NYE: John Hinderaker?

14 MR. HINDERAKER: No.

15 MR. NYE: Stephanie Healy?

16 MS. HEALY: No.

17 MR. NYE: Tannya Gaxiola?

18 MS. GAXIOLA: Yes.

19 MR. NYE: Randi Dorman?

20 MS. DORMAN: Yes.

21 MR. NYE: Mark Crum?

22 MR. CRUM: No.

1 MR. NYE: I was busy taking roll. Do I make it -- well,
2 with that, it passed 8/6, because I vote -- I flipped my vote.

3 MS. MEZA-AGUIRRE: I'm sorry. Mr. Chair?

4 MR. NYE: It passed by one vote.

5 MS. POULOS: No, wait -- no --

6 MR. NYE: No.

7 MS. POULOS: -- it was four votes --

8 MS. MEZA-AGUIRRE: No, Mr. Chair, I count four --

9 MR. NYE: Four.

10 MS. MEZA-AGUIRRE: -- no votes.

11 MS. POULOS: That's --

12 MS. MEZA-AGUIRRE: Mr. Miranda, Mr. Hinderaker --

13 MR. NYE: Oh, yeah.

14 MS. MEZA-AGUIRRE: -- Ms. Healy --

15 MR. NYE: Yeah.

16 MS. MEZA-AGUIRRE: -- and Mr. Crum.

17 MR. NYE: Yeah, you're right.

18 MS. RHOADES: I'd like to change my vote to no.

19 MS. MEZA-AGUIRRE: And now Ms. Rhoades.

20 MR. NYE: Ms. Rhoades?

21 MR. HINDERAKER: Anybody else?

22 MR. NYE: Well, wait, wait, wait. So, I'm -- I'm lost.

1 No --

2 MS. MEZA-AGUIRRE: Okay. So --

3 MR. NYE: -- you don't want another working group. Okay.

4 MR. HINDERAKER: Kasey, are you a yes vote or a no vote?

5 MS. DORMAN: He forgot.

6 MR. NYE: I --

7 MS. DORMAN: He voted yes.

8 MR. NYE: -- I was at a yes, but I actually was going to
9 vote no and then I changed my mind --

10 (Laughter.)

11 MR. NYE: -- so I'm going to vote no.

12 MS. POULOS: We could table this and not send any motion
13 forward at all on (inaudible), I mean, that's our option.

14 MR. MIRANDA: Well, I think by (inaudible; voices
15 overlap).

16 MS. MEZA-AGUIRRE: So, I'm -- I'm confused. We took a
17 vote, but now we're seeing if we really took that vote and we're asking
18 folks, did you really vote --

19 MR. NYE: No --

20 MS. MEZA-AGUIRRE: -- that way? I need to be clear here.

21 MS. GAXIOLA: I think we took --

22 MS. DORMAN: Yeah.

1 MS. GAXIOLA: -- a vote.
2 MR. NYE: We took a vote.
3 MS. GAXIOLA: We took a vote and there was an outcome and
4 --
5 MR. NYE: Well, I'm -- okay -- one --
6 MR. RANDOLPH: Mr. Chair, we're --
7 MR. NYE: -- the board's still open.
8 MR. RANDOLPH: -- missing Mr. Yee's vote.
9 MS. POULOS: No.
10 MR. NYE: No, he voted --
11 MR. PREZELSKI: He voted yes.
12 MR. NYE: -- he voted first.
13 MR. YEE: And --
14 MS. POULOS: He voted yes.
15 MR. YEE: You don't have to. When you -- when you
16 (inaudible).
17 (Inaudible; multiple speakers.)
18 MR. NYE: Yeah, Mr. Yee -- yeah, it passed because -- it
19 passed by one vote. I think people need to go --
20 (Inaudible; multiple speakers.)
21 MR. NYE: Mr. Yee?
22 MS. HEALY: This getting a little sloppy.

1 MR. NYE: Yeah.

2 MS. MEZA-AGUIRRE: No, I'm just saying if we vote --

3 MR. NYE: For which one?

4 MS. DORMAN: Yeah.

5 MS. GAXIOLA: Yeah, we took a vote.

6 MR. NYE: Your vote is no --

7 MR. YEE: Yeah.

8 MR. NYE: -- would be no for the committee? Okay.

9 MR. RANKIN: Mr. Chair, the voice vote was 9 to 5 in favor.

10 MS. MEZA-AGUIRRE: Thank you.

11 MR. NYE: Four, five, six. Although now we have two
12 people who have -- or three who want to switch.

13 MR. RANDOLPH: With those three switching, the vote is 8
14 to 6, Mr. Chair.

15 MR. NYE: Yeah, that ain't good.

16 MR. HINDERAKER: Should we --

17 MR. SONENSHEIN: Could I suggest --

18 MR. NYE: I'm completely --

19 MR. SONENSHEIN: -- a third motion?

20 MS. RHOADES: Yeah.

21 MR. MIRANDA: Yeah.

22 MR. NYE: Although I think that there are some folks --

1 MR. SONENSHEIN: I can't make it --

2 MR. NYE: -- on the Committee --

3 MR. SONENSHEIN: -- I -- I can't make it --

4 MR. RANDOLPH: Mr. Chair?

5 MR. NYE: What?

6 MR. RANDOLPH: Before we continue, I think you need to
7 return to the vote. So you need to count the vote as 8 to 6.

8 MR. NYE: The vote is 8 to 6 --

9 MR. RANDOLPH: In favor.

10 MR. NYE: -- in favor.

11 MR. RANDOLPH: If the Committee now wishes to change that,
12 they need to have a motion to reconsider that vote and you need to
13 take a vote --

14 MS. MEZA-AGUIRRE: Right.

15 MR. RANDOLPH: -- to reconsider.

16 MR. NYE: To reconsider. You're right, yeah. Thank you,
17 Mr. Clerk. Okay. The vote for 8 -- was 8 to 6 in favor.

18 Is there a motion to reconsider that vote?

19 MR. RANKIN: And only a person who voted on the prevailing
20 side can make the motion to reconsider.

21 MS. GAXIOLA: You're going to vote to reconsider it?

22 MR. NYE: Well, the people -- yeah, other people who want

1 -- (inaudible; voices overlap) --

2 (Inaudible; multiple speakers.)

3 MR. NYE: -- if you voted yes, and you want to vote no now,
4 then you should move to reconsider.

5 MS. GAXIOLA: Wait, but -- Kasey, but Dr. Sonenshein said
6 he had a suggestion.

7 MR. NYE: Oh, we have a suggestion for a substitute.

8 MR. SONENSHEIN: I -- I have a suggestion for a motion,
9 and I'll explain it before I make it, which is that you -- the two
10 sides have successfully -- has since blocked each other, which is
11 --

12 MR. NYE: Although, we have to do --

13 MS. DORMAN: Technically not.

14 MR. NYE: -- we have to do it procedural count.

15 MR. SONENSHEIN: -- that's quite reasonable. I would
16 suggest a motion that says that it is the sense of this Committee
17 that we are completely divided on this question, period. There's
18 nothing wrong with communicating that. There's nothing at all wrong
19 with that. One side would like the message to be that it should go
20 on the ballot, the other has a message about a future committee, both
21 messages don't have consensus for it, but the one thing that is
22 accurately true, that I think everybody could vote yes on, is that

1 the Committee is deadlocked, honestly, passionately, thoughtfully
2 deadlocked on this question.

3 MR. HINDERAKER: I think the --

4 MR. NYE: Well -- yes, Mr. Hinderaker.

5 MR. HINDERAKER: The comment I was about to make earlier
6 -- when I got a stare on it to set it down -- (laughter) -- was the
7 vote we already had that was 7/7 communicates that very clearly to
8 the Mayor and Council, and I don't think we need to set up another
9 commission. If the Mayor and Council want to set up another
10 commission, have at it, but we've done our work, we're evenly divided,
11 the vote's on the record, Mayor and Council can take from that what
12 they will. And so I would encourage someone to make a motion to
13 reconsider so we can just reconsider the last vote, and leave the
14 record the way it is on the first vote and let that speak for itself.

15 MR. SONENSHEIN: The same (inaudible).

16 MR. SPRINGER: But I -- but I think that the Mayor and
17 Council really do not want -- from what I -- from my understanding
18 from talking to Council Members, they don't want a ward-only
19 election. So, if we tell them that, basically what you're saying,
20 and don't give them this recommendation, they're going to go ahead
21 and say let's leave it the way it is. But by doing this, at least
22 you're giving them an option to say the Committee would like you to

1 look at the possibility of having ward-only elections. The other
2 way, you just tell me leave the status quo the way it is. To me,
3 that's the way I would --

4 MS. DORMAN: I agree.

5 MR. NYE: Okay.

6 MR. SPRINGER: At least give them another option that the
7 Committee would like you to do something else, other than leave it
8 at this. To me, from talking to them, they would like to leave it
9 the way it is.

10 MR. YEE: Mr. Chair? I voted yes on John's motion before,
11 so I -- you know, I want to ask for reconsideration on that so I can
12 formally say -- vote no instead of yes.

13 MR. NYE: On John's --

14 MR. YEE: It was 7/7, but it turned to 8 the second --

15 MR. PREZELSKI: I don't --

16 MS. DORMAN: No.

17 MR. PREZELSKI: -- we can't reconsider -- well, can we
18 reconsider that?

19 MR. YEE: I was the one voting yes.

20 (Inaudible; multiple speakers.)

21 MS. GAXIOLA: -- you're going to change your vote to no.

22 MR. SONENSHEIN: You haven't yet taken a binding vote yet

1 (inaudible; voices overlap) --

2 MR. NYE: Oh, no --

3 MS. POULOS: I think we should just move on.

4 MR. HINDERAKER: That's a good one --

5 MS. MEZA-AGUIRRE: Let's move on.

6 MR. NYE: Okay. Well --

7 MS. MEZA-AGUIRRE: Seriously, we have voted.

8 MR. HINDERAKER: Let's move on.

9 MR. NYE: Okay. Ms. --

10 MS. DORMAN: I just want to echo what Mr. Springer said,
11 because for me I felt like there was not enough information about
12 what consequences would be, and that that was beyond our capacity
13 to study, but I think it should be studied, because I'd like to base
14 a decision more on -- on facts. And so I would like to convey to
15 Mayor and Council that we were split in moving it forward now, but
16 we feel that more information is needed. I think that's a very
17 different message than we rejected ward-only elections, and I think
18 it's an important message.

19 MR. SPRINGER: That's true. And -- and --

20 MR. NYE: Well, right now that -- the --

21 MR. SPRINGER: That's what we've got right now.

22 MR. NYE: -- the study group passed 8/6.

1 MR. SPRINGER: Okay.

2 MS. MEZA-AGUIRRE: Right.

3 MR. NYE: So, is there -- is there a motion to reconsider
4 the -- the study group, this -- well, the working group vote?

5 (No response.)

6 MR. NYE: Hearing none, that passed. That's --

7 MR. SPRINGER: Yes.

8 MR. SONENSHEIN: Correct.

9 MR. NYE: -- going on to Mayor and Council.

10 MS. DORMAN: Okay.

11 MR. PORGES: Personal privileges, if I may?

12 MR. NYE: Yes.

13 MR. PORGES: The garage downstairs closes at 8:00 o'clock,
14 and I'm parked in the garage.

15 MS. DORMAN: Oh, me too.

16 MR. PORGES: Yes. So, we need to either --

17 MS. DORMAN: Move on.

18 MR. PORGES: -- finish by then or we need to break so we
19 could move our cars and come back.

20 MR. RANDOLPH: Mr. Chair? We've -- we've contacted the
21 garage, it will stay open.

22 MR. PORGES: Oh, problem solved. Thank you.

1 MS. POULOS: Actually, I'm in the garage across the
2 street, it closes at 9:00. So --

3 MS. MEZA-AGUIRRE: But they all close at --

4 MR. NYE: Okay. Let's --

5 MS. MEZA-AGUIRRE: -- some point; right?

6 MR. NYE: We've got --

7 MR. RANDOLPH: That's if you're in the garage downstairs.

8 MR. NYE: We've got two more things that we're going to
9 get done tonight. Let's take a five-minute break because people --
10 many people need to take a break. We'll take a break. There's like
11 three or four -- I want to take a five-minute break because we've
12 got two substantive things. People need to leave or worry about
13 their cars or go to the restroom.

14 MR. SONENSHEIN: We don't need to do the cars because
15 apparently --

16 MR. NYE: No, she needs to by 9:00.

17 MR. SONENSHEIN: Oh, I'm sorry.

18 MS. POULOS: I'm in a different parking --

19 MR. NYE: Well, hopefully, we're done by 9:00.

20 MS. MEZA-AGUIRRE: Well --

21 MR. NYE: We're only at 7:30, we're a long ways from 9:00.

22 MS. MEZA-AGUIRRE: I know.

1 MR. HINDERAKER: What are the two issues that are just
2 left? Just --

3 MR. NYE: We're going back to the sales tax one, and then
4 the vote -- final vote on the overall package. So --

5 MR. PORGES: So are we taking a five-minute break or --

6 MR. NYE: I want to take a five-minute break, 7:30. We'll
7 get done as soon as we can, hopefully. I don't think it's going to
8 be that much longer.

9 (Break taken.)

10 MR. NYE: Okay. We're -- okay -- we're -- we're back.
11 All right. We will go back in session.

12 MR. PORGES: Here we go.

13 MR. NYE: We're back on. Thank you for -- we've worked
14 hard tonight, too. Okay. We --

15 MS. MEZA-AGUIRRE: Mr. Chair, if I may --

16 MR. NYE: Ms. --

17 MS. MEZA-AGUIRRE: -- since we're all here?

18 MR. NYE: -- Ms. Aguirre.

19 MS. MEZA-AGUIRRE: If I can ask Mr. Scott (sic) to please
20 re-educate us on what he has said previously about votes and how
21 they're done and when they're final just so we're all clear.

22 MR. NYE: Mr. Randolph.

1 MS. MEZA-AGUIRRE: Mr. Randolph. I'm sorry.

2 MR. PREZELSKI: Randolph Scott.

3 (Laughter.)

4 MS. MEZA-AGUIRRE: It's 7:40. I'm a little tired.

5 Therefore, please re-education our -- my entire Committee, our
6 Committee, on how the voting process works and when it's done, it's
7 done.

8 MR. RANDOLPH: So when you take a roll call vote, if you
9 pass, two pass -- go back around and the second pass is an automatic
10 yes vote, and you can abstain. Once the Chair reads the results of
11 the vote, the vote's done, you can't change your vote at that point
12 in time.

13 MS. MEZA-AGUIRRE: Thank you, sir.

14 MR. NYE: All right. I think we've got two things to
15 finish tonight. We had an extensive discussion on the sales tax,
16 and it was suggested by the Professor here that we come back to it
17 at the end, so here we are. And then the last one is to talk about
18 the whole package and -- and get a vote on the entire package as a
19 group, a vote. So, I want this -- we all want this to be brief.

20 Is there a motion about the sales tax cap out there?

21 MS. RHOADES: I would -- I would support a motion --

22 MR. NYE: Okay.

1 MS. RHOADES: -- to lift the sales tax cap with voter
2 approval, if approved by voters.

3 MR. NYE: Mayor and Council authority to --

4 MS. RHOADES: Give Mayor --

5 MR. NYE: -- raise --

6 MS. RHOADES: -- and Council authority to lift the sales
7 tax cap --

8 MR. NYE: -- with voter approval.

9 MS. RHOADES: -- with voter approval.

10 MR. NYE: Or -- not the cap, the -- raise the sales tax.

11 MS. DORMAN: Raise the --

12 MS. RHOADES: Raise the --

13 MS. DORMAN: -- sales tax. You --

14 MS. RHOADES: -- sales tax.

15 MS. DORMAN: -- you need to say raise the sales tax above
16 2%, with voter approval.

17 MS. RHOADES: Yeah, vote to raise the sales tax above 2%,
18 with voter approval.

19 MS. POULOS: Second.

20 MR. NYE: With all the -- with all of Mr. Hinderaker's
21 prefatory language --

22 MR. HINDERAKER: Yes, with the prefatory language.

1 MR. NYE: -- add it.

2 MR. HINDERAKER: Refer to the voters of City of Tucson,
3 at the next city election, an amendment to the City Charter that --

4 MS. RHOADES: Thank you.

5 MR. NYE: This is like mad libs. And there's a motion and
6 there's a second. And is there any discussion of the motion and a
7 second?

8 MR. CRUM: They can't do that already?

9 MS. POULOS: Only if they try to make Charter changes.

10 MR. CRUM: Oh, got it. Duh! Thank you.

11 MR. SONENSHEIN: Staff is eating right now.

12 (Laughter.)

13 MR. NYE: And just one thing that I like about that -- this
14 motion is it keeps us from having to get into any of the policy stuff.
15 Mayor and Council can be worried about that policy stuff at the time
16 they want to raise -- they consider it necessary to raise the tax,
17 go to voters with their case, why it's good policy, and not have to
18 have this added burden of worrying about amending the Charter at the
19 same time, which sounds much more drastic.

20 Ms. Dorman?

21 MS. DORMAN: Not to create any complications -- because,
22 in general, I'm in favor of this -- but I'm also aware of the previous

1 conversations we had regarding we haven't studied this item as fully
2 as some others. Could we have a little bit of discussion, especially
3 from some of the professionals in the room, regarding what could be
4 foreseen as unintended negative consequences in having a motion like
5 this?

6 MR. SONENSHEIN: I'm not going to pretend to be a
7 professional on this topic, except to say that this seems to be a
8 pretty safe motion with a lot of fail safes. It goes along -- I forgot
9 who commented that -- who kept saying -- kept saying in public
10 hearings nothing can happen without a vote of the people --

11 MS. DORMAN: Right.

12 MR. SONENSHEIN: -- this has that provision in it. It
13 keeps the existing level, doesn't change the existing level. And what
14 it does do is probably correct, which is it forces groups in the
15 community, all of whom have worthy goals, often who present them in
16 isolation as why don't you do my -- the thing that I want you to do?
17 Well, actually, there's four or five different things people want
18 done and they would have to go and get some support in order to make
19 that the priority, and that seems -- and then the voters still have
20 the last word and --

21 MS. DORMAN: Okay.

22 MR. SONENSHEIN: -- the odds are will not very often

1 approve. So (inaudible) I don't see a lot of down side.

2 MR. RANKIN: I think that's right. I think this will be
3 one that you're going to want to think about, if it's a stand-alone
4 proposal.

5 MR. NYE: Oh, that's --

6 MS. DORMAN: Yes.

7 MR. NYE: -- next on the agenda --

8 MS. DORMAN: Right.

9 MR. NYE: -- so we'll --

10 MR. SONENSHEIN: Absolutely.

11 MR. NYE: -- get that. Okay. Any other discussion or --

12 MR. HINDREAKER: I got a suggestion. I feel exactly the
13 way (inaudible) earlier. I think you risk -- I think we're risking
14 our integrity on this one, because this is not a recommendation we
15 put out to the public. We didn't get any public feedback on this.
16 I kind of think back to the vote that we took where we voted to give
17 Mayor and Council the ability to fire department heads, and then sort
18 of after we took that vote, which was a bit of a fire, we left and
19 we heard that was not such a good idea, and I'm fearful that that
20 might happen on this. Well, I just don't think you've had enough
21 process or deliberation or thought about this at this juncture. I
22 could get behind something like that. I would -- I mean, I would

1 personally support a sales tax increase for education and things like
2 that, but I can't do it at this point.

3 MR. NYE: Is there any other discussions?

4 MS. DORMAN: Where did -- so I would --

5 MR. NYE: Ms. Dorman?

6 MS. DORMAN: -- I'm sorry -- I would like us to be done
7 tonight, but I also would like us to feel as good about all of our
8 -- just the thoroughness of all of our decisions. And does it make
9 sense on this one issue to put it out that we're going to have one
10 more meeting to discuss this one issue so that the public can comment
11 on it. We could get Ms. Gottschalk back to talk about it a little
12 more. Because I think it would be a missed opportunity --

13 MR. NYE: She's got a new job.

14 MS. DORMAN: Oh, has she got -- she's --

15 MR. NYE: I don't know what she's got, but we're going to
16 just --

17 MS. DORMAN: Whoever is in charge of that department now
18 -- (laughter) -- a financial expert of the city to come and talk to
19 us about this one issue, because I think it would be a missed
20 opportunity to not address it with all the issues that we are
21 addressing, and I think that it wouldn't require as much research
22 as, for example, the ward-only issue.

1 MR. NYE: Speaking for myself, I feel that this motion is
2 so mild, simply taking away the step of having a Charter change
3 anytime there's a tax, and has the -- look at how often Mayor and
4 Council salaries get approved -- you know, asking voters to approve
5 sales tax increases or changes are going to get approved so rarely.
6 I don't feel the need to have a bunch of additional data, why the
7 City could use more money from sales taxes, to be comfortable voting
8 on this one; it's just -- we're staying out of all the policy. We're
9 just saying, great, ask the voters and don't have to go there. And
10 any of these ones related to the taxes, I do know from my conversations
11 with the Mayor, the feeling -- the campaign is going to have to start
12 early and often on these and raise a bunch of money to get any of
13 these over the finish line.

14 So, I, personally, don't think another meeting and another
15 bunch of spreadsheets and another presentation will add anything to
16 this motion, because there's -- it's doing so little. That's my
17 perspective on it.

18 Ms. Gaxiola?

19 MS. GAXIOLA: Right. So, just to reiterate, I think we
20 -- we just don't know. I mean, it's doing so little, potentially,
21 but we don't know because we haven't heard what the impact would be
22 on the city and, in particular, on bond ratings. We also don't know

1 if this is sufficient. So, maybe -- maybe 2%, plus, you know, you
2 can raise it more with voter approval, is too low and we don't --

3 MS. DORMAN: Two percent is current.

4 MS. GAXIOLA: Yeah, I know.

5 MS. DORMAN: Okay.

6 MS. GAXIOLA: So, maybe -- maybe that's too low. Maybe
7 what -- what we should be sending to the voters is let's raise the
8 cap to 3%, and then if the City Council wants to raise it beyond that,
9 they have to get voter approval, or whatever, like we just don't know.

10 And so because we were asked to do something, it seems like
11 our reaction is to do the bare minimum possible so that we feel like
12 we did it, without taking the time to have a deliberative process
13 to get ourselves educated and to make the right recommendation for
14 the community. And, because we don't have the information, I would
15 not be comfortable voting on this tonight.

16 MR. NYE: Ms. Rhoades?

17 MS. RHOADES: I feel like -- I mean, the reason why I want
18 to do is just that we heard overwhelmingly from people that they want
19 this education, increase the sales tax for education, and we've just
20 heard it time and time and time again, and maybe education is the
21 right issue, but maybe it's potholes, you know. We're already
22 increasing for property taxes and we -- we're giving Mayor and Council

1 flexibility on the property tax issue, why not give Mayor and Council
2 flexibility on property tax and sales tax if they choose to use one
3 of those tools? And -- I mean, people -- I mean, in my mind, if --
4 if you were going to go out again for -- for potholes and road repair,
5 which seems like an important issue in this community, people are
6 talking about it constantly -- sales tax, to me, makes more sense
7 than a property tax. So, that's just me listening to people saying
8 they want a sales tax for education. There might be other issues
9 that people might want flexibility to -- to talk about.

10 MR. NYE: Mr. Porges, and then Mr. Hinderaker.

11 MR. PORGES: I will support the motion if it comes to a
12 vote, but I repeat I think it's unnecessary. All it does, in reality,
13 is change the way the Council has to word a ballot initiative. So,
14 I think we're spending a lot of time on something that makes very
15 minor change.

16 MR. NYE: Mr. Hinderaker?

17 MR. HINDERAKER: I think the reason we've heard those
18 comments in favor of this was because there was concerted campaign
19 within the education community to try to advance this issue. That's
20 commendable. I applaud their efforts to do that. I think we
21 might've heard a lot of noise on the other side of this issue if it
22 had been one of our recommendations that had gone out for public

1 comment, and I think -- I think you will -- I think you will hear
2 it a lot if this one is approved here tonight. I think we're going
3 to hear a lot of it after tonight, compared to (inaudible; fades out).

4 MR. NYE: Mr. Yee?

5 MR. YEE: Thank you, Mr. Chair. Mr. Rankin, currently,
6 the State has 6% sales tax; right? And then (inaudible) have half
7 a cent; right? And the city has 2% already --

8 MR. RANKIN: Right.

9 MR. YEE: -- so the state has half a cent. If we -- you
10 know, as proposed, we say we authorize -- or we suggest -- recommend
11 the City Council to -- and the Mayor -- to ask the voter approval
12 above and beyond the current 2%. So we got to real- -- you know,
13 you got to realize what the current tax -- sales tax already
14 (inaudible). So how -- how much more can they agree and the voter
15 would say yes? So, keep it in mind.

16 MR. NYE: That's part of what comforts me.

17 Ms. -- Ms. Healy, and then Ms. Poulos.

18 MS. HEALY: I think that the outreach that the educational
19 community is absolutely critical and it was a well organized effort
20 for a good cause, and it brings forward a very valuable conversation
21 like we've had about other issues here. I, too, feel that there's
22 not enough information for me to understand the entire suite of

1 implications that this could have. I don't feel, as some of the other
2 members do, that this is, you know, a minor change. I think there's
3 a perception, as well as an understanding, too, of the law and
4 unintended consequences on this change as well. So, I would support
5 either tabling this item for a future meeting, or the philosophy we
6 used in the last one, moving it forward with a recommendation not
7 to put it on the Charter, but to study it further.

8 MR. NYE: Ms. Poulos?

9 MS. POULOS: I have my notes from November 10th when we
10 discussed this and we had Ms. Gottschalk here, and, essentially, we
11 had the option of doing nothing, we could lift the cap, we could remove
12 the cap, we could require -- ask Mayor and Council to require a
13 super-majority in order to raise the cap, or we would change the cap
14 on specific items. And we generated \$200 million in sales tax
15 revenue last year by the City of Tucson.

16 And the issues that I have down as to why we did not further
17 discuss this is that one or two members felt the taxes aren't valid,
18 could be a poison pill and kill all of the other Charter changes.
19 And the other comment was that it was highly technical and, if we
20 did pass it on, we have to find a way to make it understandable to
21 the public. And so we shelved it for those two reasons, and not
22 because we haven't discussed it and we hadn't gotten information.

1 MR. NYE: Ms. Healy, and then --

2 MS. HEALY: Ms. Poulos, thank you for your record.

3 (Laughter.)

4 MS. HEALY: Is there anything in that conversation or in
5 those materials that gets to the previous question regarding the
6 bonding capacity and the conversations around them?

7 MS. POULOS: Bonding capacity, I have down here -- the only
8 thing I have down about bonds in these notes were TO bonds as being
9 the best issue, and that if we doubled the construction tax, we could
10 eliminate impact fees. So, that's all I have.

11 MR. NYE: Professor?

12 MR. SONENSHEIN: Oh, go ahead. I'll --

13 MR. NYE: Oh, Mr. Crum. I'm sorry. I keep missing you.

14 MR. CRUM: Oh, that's okay. I'm easy to miss.

15 MR. NYE: No (inaudible).

16 MS. RHOADES: No, you're not.

17 MR. CRUM: And -- and, perhaps, City Management
18 (inaudible) would help me on this one or two of these things that
19 I'm going to say. I think the city has learned some recent important
20 lessons, particularly when it went out for getting monies to repair
21 the streets, and that didn't pass. And -- but with specific to
22 streets, we had a citizens committee that is watching the city like

1 a hawk in terms of determining which streets and where. So there's
2 a lesson to be learned. And I -- and I -- and I like the way it's
3 stated, because my suspicion is that this Council -- Mayor and Council,
4 and any future Mayor and Council, are going to learn from this lesson,
5 saying you really didn't indicate how much and where it's to go.

6 The other thing is we talk about education, but I seem to
7 remember City Manager Miranda once -- was once talking about beyond
8 met needs of this city itself, and I'd like perhaps them to elaborate
9 a bit about it, because he really did some great work and research
10 on that, coming up with some pretty horrendous numbers.

11 Now, given that, though, when we were talking about
12 ward-only elections, I like the term "unintended consequences," and
13 I would like to know if there are any unintended consequences of this;
14 and then, perhaps, doing some due diligence in terms of City Staff
15 saying, well, here's some negative consequences that you may -- they
16 we'll need to make you aware of, or there may be none; regardless,
17 I'd like to know that.

18 MR. RANKIN: Well, I can try and answer. The bonding
19 capacity would not be affected by the sales tax issue. The bonding
20 capacity of the city is determined by the valuation of property, and
21 that's connected to property taxes.

22 To the extent it would have any impact on bond ratings,

1 I don't think anyone could tell you whether -- you know, how it would
2 change how the bond rating agencies would view the city, other than
3 I don't see how it could be negative, because the bond rating agencies
4 look at the entity's ability to raise revenues. What ability do they
5 have to raise revenues. And one of the negatives against the city
6 is the cap.

7 So, to the extent there's more flexibility, the bond rating
8 agencies, to the extent they would look at it at all, would see it
9 as a potential positive, but it would still require voter approval.
10 So, how much of a positive the rating agencies would view it is hard
11 to say, particularly if they're looking at a -- like if the city is
12 trying to finance something that's being supported and paid for by
13 revenues other than sales taxes. So, really, it wouldn't matter what
14 your flexibility is on whether you can raise sales taxes or not. So,
15 I don't think it would have a dramatic effect on bond ratings; but,
16 to the extent it would have an effect, it would be a positive.

17 MS. RHOADES: I'm just not sure.

18 MR. NYE: Ms. Rhoades, and then Mr. --

19 MS. RHOADES: I would like to just withdraw my motion,
20 since this will be another vote that will be divided, and I don't
21 think we need to have two votes that are divided. I'd just like to
22 withdraw my motion.

1 MR. NYE: I don't know how divided it is, but -- Mr.
2 Miranda?

3 MR. MIRANDA: I was just going to say -- I was going to
4 ask Mike, I think that when we start getting into tax increases, the
5 rigor that goes in, in terms of interrogating unintended
6 consequences, really come out in truth in taxation documentation that
7 has to come forward. And my experience with the road bonds, that
8 we -- we had to interrogate that issue very heavily to really document
9 and expose what the issues are with -- with that bond issue. And
10 I think that the sales tax issue would have that same rigor attached
11 to it, in terms of the truth in bonding and the truth in taxation
12 that would come about.

13 So, I -- I felt -- I feel fairly secure that if there were
14 issues that would come out, and if the issue were brought forward
15 for the voters to vote on, that that truth in taxation issues would
16 be exposed to the public.

17 MR. NYE: Ms. Gaxiola?

18 MS. GAXIOLA: So, earlier today we approved a
19 recommendation that we would allow -- that we -- that -- that there
20 be a change allowing the city to pledge our sales taxes for bonding
21 capacity, so that, in and of itself, is increasing the ability of
22 the City to issue bonds based on different sources of revenue, and

1 then now we would be increasing -- adding an additional source of
2 revenue which then could be used for additional bonding capacity.
3 So the City could potentially take on -- no? Am I wrong?

4 MR. RANKIN: No (inaudible; voices overlap).

5 MS. GAXIOLA: The City could then potentially take on --

6 MR. NYE: Yes.

7 MS. GAXIOLA: -- the incremental debt, beyond the debt
8 that we just approved in a previous recommendation and --

9 MR. NYE: Well, we didn't approve anything.

10 MS. GAXIOLA: Yes, we did. We approved --

11 MR. NYE: Oh, we --

12 MS. GAXIOLA: -- pledging sales taxes to secure bonds.

13 MR. RANKIN: But we --

14 MS. GAXIOLA: And so if we were now --

15 MR. NYE: The authority.

16 MS. GAXIOLA: -- to increase -- allow an increase in the
17 amount of sales taxes, we would then be able to, additionally, enable
18 the City to issue more debt; am I correct in my understanding of how
19 that works?

20 MR. RANKIN: I think we're kind of talking over each other,
21 because bonding capacity is -- is a term of (inaudible) that is tied
22 specifically to property taxes and the -- the scope of your secondary

1 property tax that you can collect and expend, and that's tied to a
2 formula based on the assessed valuation of property located within
3 the city limits, and that's how the state limit on bonding capacity
4 is determined.

5 You're right that if the Charter ultimately were amended
6 to do both of the things you pointed to, to allow the city to pledge
7 excise sales tax revenues without prior voter approval, and to raise
8 sales taxes, you would create greater financial flexibility and
9 potential revenues to finance projects with sales taxes, but it
10 wouldn't be measured by the -- the measurement of bonding capacity
11 would just be measured by what the voters approved.

12 MS. GAXIOLA: But we would still be enabling -- so are we
13 up against -- see, I just have too many questions about this -- are
14 we up against our bonding capacity limit the way that things stand
15 right now?

16 MR. RANKIN: Under the Charter, under property tax, yes,
17 we're right up against -- we have about \$75 million remaining of
18 bonding capacity.

19 MS. GAXIOLA: So, as it stands right now, even if we were
20 to approve this, the sales taxes that would be -- so, let's say that
21 they then raise sales taxes to 3% from 2% -- then that incremental
22 1% of sales tax could not be -- probably used to pledge towards

1 additional bonds because the city would be limited, coming up against
2 its upper bonding capacity that is set by the state based on property
3 taxes?

4 MR. RANKIN: No.

5 MR. NYE: No.

6 MR. RANKIN: And -- and the reason I've confused it is
7 because the bonding capacity applies to general obligation bonds,
8 which are secured through property taxes. So, the whole notion of
9 bonding capacity doesn't apply to the sales tax financing mechanisms.
10 So, the flexibility you may be giving by removing that restriction
11 on pledging sales taxes, it doesn't apply to general obligation
12 bonds; it's a different type of financial instrument altogether.

13 MS. GAXIOLA: So -- but we would -- so, in effect, we would
14 be enabling -- I'm sorry -- I use bonding capacity differently,
15 because I have --

16 MR. RANKIN: Yeah.

17 MS. GAXIOLA: -- a finance --

18 MR. RANKIN: Yeah.

19 MS. GAXIOLA: -- background, but it's not --

20 MR. RANKIN: Yeah.

21 MS. GAXIOLA: -- municipal finance. So, we would be
22 still, in effect, giving the city the ability to issue debt above

1 and beyond in a significant way, because now they'd be able to pledge
2 2% sales -- so the 2% sales tax revenue that they currently have,
3 in addition to whatever additional sales tax revenues that were
4 approved by any voter, that would be available for pledging the secure
5 bonds, which would thereby give us the ability to --

6 MR. NYE: To raise more money.

7 MS. GAXIOLA: -- issue significant amounts of additional
8 debt if the Council were to decide to do so.

9 MR. RANKIN: Yes, except as a practical matter, it's going
10 to be a very small percentage of your actual sales tax revenue that
11 you would ever pledge, because it's needed for all the general funds
12 services.

13 MR. NYE: Just to my mind, I know we've got a whole bunch
14 of police and fire who are retiring and we've got to hire a whole
15 bunch of firemen; we've got lots of needs for more money in the general
16 fund in the city; and, you know -- and this is one of the things that
17 they referred to us to look at. And, just for me, I would like us
18 to have the motion on the table. I know you've withdraw it, but have
19 a motion on the table and vote on it and see if -- and, in terms of
20 unintended consequences, Mayor and Council will have from today until
21 July 4th or 3rd, or something like that, and once we refer this to them,
22 all the tax-hating people will comes out in spades and they'll show

1 up at the Council meeting and we'll all hear from them. I don't know
2 that we need to have another meeting to revisit it. I would like
3 to hear a motion and just see if it passes. If it passes close, it
4 passes close or that is what it is, so -- well, we need --

5 MS. POULOS: I would like to reinstate Ms. Rhoades' motion

6 --

7 MR. NYE: (Inaudible; voices overlap).

8 MS. POULOS: -- to recommend to Mayor and Council that they
9 consider a Charter change that would allow them to raise the cap on
10 sales tax --

11 MR. NYE: Raise the sales tax.

12 MS. POULOS: -- above 2%, with voter approval.

13 MR. NYE: Raise the sales tax.

14 MS. POULOS: Raise the sales tax.

15 MS. MEZA-AGUIRRE: Second.

16 MR. NYE: All in favor?

17 (Aye responses.)

18 MR. NYE: Any opposed?

19 MS. GAXIOLA: Aye -- I mean nay.

20 MR. NYE: Nay.

21 MR. HINDERAKER: I just want it on the record that I'm
22 abstaining.

1 MS. DORMAN: I'm --

2 MR. NYE: Okay.

3 MS. DORMAN: -- abstaining, too.

4 MR. NYE: Okay. So we've got --

5 MS. GAXIOLA: I didn't vote.

6 (Inaudible; multiple speakers.)

7 MR. NYE: -- oh, we've got three absten- --

8 MR. RANDOLPH: It's 13 to one --

9 MS. GAXIOLA: I'm abstaining.

10 MR. RANDOLPH: -- Your Honor.

11 MS. DORMAN: No, I abstain.

12 MR. RANKIN: Yeah, as the Clerk explained earlier, an
13 abstain is considered a pass. Under the Mayor and Council rules for
14 voting, two passes is deemed a yes. So, you can't just abstain unless
15 you have a conflict of interest, which I don't think anyone here has.

16 MS. GAXIOLA: Okay. I'm still a no.

17 MR. HINDERAKER: Well, I don't know.

18 MS. RHOADES: So it's yes or no. There's three no's.

19 MR. NYE: There's three no's.

20 MS. DORMAN: And I abstain.

21 MS. MEZA-AGUIRRE: I got three.

22 MS. DORMAN: -- abstain.

1 MR. NYE: And we call division? I don't -- I'm not good
2 enough at Robert's Rules --

3 MR. HINDERAKER: Can we take --

4 MR. NYE: -- to be --

5 MR. HINDERAKER: -- a roll call vote?

6 MS. DORMAN: Take -- yeah.

7 MR. PREZELSKI: We have division.

8 MS. MEZA-AGUIRRE: Mr. Chair, may I recommend a roll call
9 vote?

10 MR. NYE: Okay. We'll do a roll call vote. Where's my
11 -- Mark Crum?

12 MR. CRUM: No.

13 MR. NYE: Randi Dorman?

14 MS. DORMAN: Abstaining.

15 MR. NYE: Tannya Gaxiola?

16 MS. GAXIOLA: No.

17 MR. NYE: Stephanie Healy?

18 MS. HEALY: No.

19 MR. NYE: No.

20 John Hinderaker?

21 MR. HINDERAKER: No.

22 MR. NYE: Edna Meza-Aguirre?

1 MS. MEZA-AGUIRRE: Yes.

2 MR. NYE: Richard Miranda?

3 MR. MIRANDA: Yes.

4 MR. NYE: Kasey Nye? Yes.

5 Lenny Porges?

6 MR. PORGES: Yes.

7 MR. NYE: Bonnie Poulos?

8 MS. POULOS: Yes.

9 MR. NYE: Tom Prezelski?

10 MR. PREZELSKI: Yes.

11 MR. NYE: Diana Rhoades?

12 MS. RHOADES: Yes.

13 MR. NYE: Grady Scott's absent.

14 John Springer?

15 MR. SPRINGER: Yes.

16 MR. NYE: Joe Yee?

17 MR. YEE: Yes.

18 MR. NYE: So the motion passes -- two, three, four, five,
19 six, seven, eight, nine in favor, four against and one abstention.

20 MS. MEZA-AGUIRRE: Oh, who abstained?

21 MS. RHOADES: Randi.

22 MR. NYE: Randi.

1 MS. HEALY: I thought we had that conversation that we
2 weren't --

3 MS. DORMAN: I thought two abstentions make a yes.

4 MR. RANKIN: Right --

5 MS. DORMAN: I was the only one.

6 MR. RANKIN: -- you can't -- it has to go back to you if
7 you pass, so -- and you have to vote --

8 MR. NYE: Oh, okay. It's like --

9 MR. RANKIN: -- you have to vote, you abstained twice. So
10 --

11 MR. PREZELSKI: You're not abstaining, you're passing.

12 MR. RANKIN: -- yeah.

13 MR. NYE: You're passing, got it.

14 MS. DORMAN: Oh, so now I have to vote?

15 MR. NYE: Yes.

16 MS. DORMAN: I would like one more meeting about it, so
17 I'm going to vote no.

18 MR. NYE: Okay. Motion still passes. One, two, three,
19 four, five against, and there are 14 of us, and nine for it. All
20 right. Finally. All right.

21 Let's -- the last item on the agenda before the attempting
22 adjournment item here, is -- is --

1 MS. DORMAN: Don't tease us.

2 MR. NYE: -- is a wrap-up discussion of the
3 recommendations, which is a final discussion on combining things
4 where -- and what we want to combine, recommend combining, and what
5 we believe should be a la carte. We have -- that didn't pass. So,
6 let's -- tonight we have passed three items as fiscal items. Is there
7 a -- do we want to have those a la carte or together, or what's the
8 feeling on that? Ms. Dorman?

9 MS. DORMAN: I think the sales tax should be separate from
10 the other items, because I think that that is going to be more
11 controversial and so --

12 MR. NYE: Ms. Poulos?

13 MS. POULOS: I agree.

14 MR. NYE: So combine the sales tax bonding and the property
15 --

16 MS. DORMAN: Property.

17 MR. NYE: -- tax cap?

18 MS. DORMAN: Right.

19 MR. NYE: My feeling is that they all three need to be
20 separate, the two --

21 MS. MEZA-AGUIRRE: I'm sorry. I can't hear you.

22 MR. NYE: My feeling is that all three need to be separate

1 --

2 MS. HEALY: All three.

3 MR. NYE: -- because we're we --

4 MS. DORMAN: Sales tax pledging --

5 MS. HEALY: All the (inaudible; voices overlap) broken
6 out.

7 MS. DORMAN: -- and sales tax increase, so, yeah, I would
8 -- yeah, I would --

9 MR. NYE: So --

10 MS. DORMAN: -- I would go for that. Well, that's --

11 MR. NYE: That's a lot of ballot items, though.

12 MR. PREZELSKI: Yeah. So --

13 MR. NYE: Mr. Prezelski?

14 MR. PREZELSKI: -- I guess this is a question for Ms.
15 Dorman. Do you see those three items as not being necessarily
16 complementary to each other or dependent on one another?

17 MS. DORMAN: I don't think that they are dependent on each
18 other. No, I don't think that they are dependent on each other.

19 MR. NYE: Mr. Crum?

20 MR. CRUM: I think they're independently complicated,
21 that they get served separated.

22 MR. HINDERAKER: Make a motion -- can I make a motion?

1 MR. NYE: Yes.

2 MR. HINDERAKER: (Inaudible) thing. So, I make a motion
3 that we recommend to Mayor and Council that, of the items that we've
4 voted to recommend referral to the voters of the City of Tucson, in
5 the next City election, the following items be presented to the voters
6 as a package: Number one, the noninterference provision, inclusion
7 of the noninterference provision in the Charter; number two, the
8 preamble; number two (sic), provisions relating to civil service
9 protections; number three -- or, number four, mayoral parity; number
10 five, hiring and termination of Department Directors; and, number
11 six, clean-up related to gender, gender terms include -- that would
12 be six items. And that the others items --

13 MR. NYE: And the Department Director, I --

14 MR. HINDERAKER: -- and that the other items to be
15 considered be presented as separate ballot items.

16 MR. NYE: Gender and the -- did you want to include the
17 department title --

18 MR. HINDERAKER: Sure.

19 MR. NYE: -- fixes?

20 MR. HINDERAKER: And the department titles. And I would
21 put the preamble first, so I'd make that number one, as it comes before
22 the (inaudible; voices overlap) --

1 (Laughter.)

2 MS. GAXIOLA: Because it comes first.

3 MR. NYE: Yeah, it was kind of random that you started with
4 noninterference.

5 MR. HINDERAKER: And if they start on that, they'll be so
6 inspired.

7 MR. SONENSHEIN: Yes.

8 MR. NYE: And all the other items be --

9 MR. HINDERAKER: Separate items.

10 MR. NYE: -- separate items. Mr. --

11 MR. SPRINGER: And the memo from the Fire Chief, where
12 would that be fit in your --

13 MR. NYE: Oh, yeah.

14 MR. HINDERAKER: Okay. I missed that one.

15 MR. NYE: The Fire Chief one is fixed to make sure the
16 description of his -- of the Fire Chief's job matches what he does,
17 rather than whatever it --

18 MR. PREZELSKI: Could that go in with the clean-up or is
19 that two dif- --

20 MR. SPRINGER: Well, that's what I'm asking.

21 MS. DORMAN: That's what he's asking.

22 MR. SPRINGER: Could it go -- that's what we had agreed

1 to, but it is --

2 MR. NYE: I think it --

3 MR. PREZELSKI: Oh.

4 MR. NYE: -- that would --

5 MR. SPRINGER: -- in his motion, that's not --

6 MR. HINDERAKER: I'm -- I'm okay with doing that in my
7 motion --

8 MR. SPRINGER: Okay.

9 MR. HINDERAKER: -- as far as the general package. I'd
10 like to hear what the group thinks about that, but, for purposes of
11 the motion, I'll be happy to take (inaudible; fades out).

12 MS. DORMAN: So, clean up gender, title, and job
13 description?

14 MR. HINDERAKER: And the Fire Chief issue.

15 MR. NYE: That's the Fire Chief issue.

16 MS. DORMAN: That's the Fire Chief issue.

17 MR. NYE: So -- and the items that would individual --
18 about measures would be the three fiscal ones, and remind me where
19 the arts enumerated powers thing was.

20 MR. HINDERAKER: That would be --

21 MS. DORMAN: That's a separate --

22 MR. PREZELSKI: In the enumerated powers.

1 MR. NYE: That'd be a separate --

2 MR. HINDERAKER: In my motion, arts and culture would be
3 a separate item --

4 MR. NYE: Okay.

5 MR. HINDERAKER: -- or it's referenced in the preamble
6 (inaudible).

7 MR. NYE: That it would be a separate item in terms --

8 MS. POULOS: Does that include the enumerated powers
9 clean-up as well?

10 MR. HINDERAKER: I haven't included that.

11 MS. POULOS: But, if you did a clean-up of the enumerated
12 powers, that seems to me where we would put the arts and culture as
13 enumerated.

14 MR. HINDERAKER: That's --

15 MS. POULOS: So --

16 MS. RHOADES: Those are together.

17 MS. POULOS: -- that, to me, would be a separate issue,
18 but they would be together, so we deal with enumerated powers.

19 MR. HINDERAKER: And I would support that.

20 MR. NYE: Okay. That's a friendly amendment to Mr.
21 Hinderaker's motion.

22 MR. HINDERAKER: Does that make sense, though? So

1 there's one package and those two will be packaged (inaudible) Ms.
2 Dorman.

3 MR. NYE: And then -- okay -- is everybody following the
4 motion? Was there a second yet or not?

5 MALE SPEAKER: Yeah, second.

6 MR. NYE: You don't count.

7 MS. POULOS: I'll second.

8 MS. MEZA-AGUIRRE: There's a second.

9 MR. NYE: Okay. There's a second. Is there any
10 additional discussion?

11 (No response.)

12 MR. NYE: No. Okay. All in favor?

13 (Aye responses.)

14 MR. NYE: Any opposed?

15 (No response.)

16 MR. NYE Well --

17 MS. DORMAN: Yay!

18 MR. NYE: -- can I change my vote?

19 (Laughter.)

20 MR. NYE: Okay. All right.

21 MR. PREZELSKI: Mr. Chairman --

22 MR. NYE: So --

1 MR. PREZELSKI: -- look over this.

2 MR. NYE: I'd like to -- so --

3 MR. SONENSHEIN: Was that actually a motion to approve the
4 recommendations or only to approve the (inaudible)?

5 MR. NYE: Okay. Is there a motion to approve the
6 recommendations as grouped by Mr. Hinderaker?

7 MR. PREZELSKI: I haven't made a motion --

8 MS. DORMAN: I thought that's what we just --

9 MR. PREZELSKI: -- the whole meeting, so I will move.

10 MR. HINDERAKER: Why start now?

11 MR. NYE: Why start now?

12 MR. HINDERAKER: I'll second the motion.

13 MR. NYE: All right.

14 MS. DORMAN: What was the first thing we did?

15 MR. NYE: The grouping.

16 MS. MEZA-AGUIRRE: The group --

17 MS. DORMAN: Oh, okay.

18 MS. MEZA-AGUIRRE: -- the first was the group.

19 MS. DORMAN: And so what's the second thing we're going

20 --

21 (Inaudible; multiple speakers.)

22 MR. NYE: Approve the --

1 MS. DORMAN: Okay.

2 MR. NYE: -- entire package --

3 MS. DORMAN: Thank you.

4 MR. NYE: -- as a package and send it over.

5 MS. DORMAN: Got it.

6 MR. SONENSHEIN: May I indicate one thing? That this is
7 the first binding vote, final vote --

8 MR. NYE: Oh, this --

9 MR. SONENSHEIN: -- of the Committee in the however many
10 months we've been together, everything else was tentative until this
11 vote.

12 MR. NYE: Well, in that case --. Ms. Healy?

13 MS. HEALY: Just a comment -- or, I guess, a request. I
14 support the recommendations and moving them forward. And, I guess,
15 I would like to see how we message that in terms of what that -- if
16 there's a memo that attached to it, what the wording is, is really
17 important to me, how we convey some of the votes, because we've had
18 a lot of discussion around some of the divisiveness around the vote.
19 So, my request would be however mechanically we can do this, that
20 this group has an opportunity to look at that, that final document
21 that goes forward.

22 MS. DORMAN: I agree.

1 MS. HEALY: I'll (inaudible; voices overlap) --

2 MR. NYE: And we will --

3 MS. MEZA-AGUIRRE: May I have -- may I ask a question from
4 --

5 MR. NYE: Ms. --

6 MS. MEZA-AGUIRRE: -- the City Staff? So --

7 MR. NYE: -- Meza-Aguirre?

8 MS. MEZA-AGUIRRE: -- this will go forward and you all will
9 look at it, and then we have a chance to look at it afterwards, your
10 final document; is that how it works procedurally?

11 MR. RANKIN: So, your recommendations -- the Chair will
12 put together a letter and recommendations will be forwarded to the
13 Mayor and Council. I expect that they will schedule a Study Session
14 item to formally accept and start the discussion of those
15 recommendations; I think that'll occur April 21st, not at the April
16 7th meeting, since it's already been agendaized.

17 MR. SONENSHEIN: It's been on the calendar for eight
18 months.

19 MR. RANKIN: And so then the Council will start the
20 discussion and may start the direction to me to start putting language
21 together for certain revisions --

22 MS. MEZA-AGUIRRE: Okay.

1 MR. RANKIN: -- or not. So that'll be the next step.

2 MS. MEZA-AGUIRRE: So, to Ms. Healy's point, when are you
3 envisioning in your motion that we would see something back? What
4 juncture are you talking?

5 MS. HEALY: I don't know that I had a juncture in mind,
6 I guess that's helpful --

7 MR. NYE: Well --

8 MS. HEALY: -- clarity for me. I just -- I think it's
9 important that we have an opportunity to review and understand what
10 that (inaudible; voices overlap) --

11 MR. NYE: I think that the next step is I get to write a
12 letter, or some kind of communication, to Mayor and Council, which
13 I will circulate to all of you for review and comment and --

14 MR. PORGES: I think that's what Ms. Healy is worried
15 about.

16 MR. NYE: -- and -- and --

17 MS. HEALY: But --

18 MR. NYE: -- it'll be on the agenda for the April 21st --

19 MS. HEALY: -- I think we would ask that there be adequate
20 time for -- from the point at which --

21 MR. NYE: I'm going to try to get this done tomorrow.

22 MR. SPRINGER: Is it possible that when you -- it's placed

1 on the agenda, that be notified at that time and then get a copy of
2 it? That's the -- that's when you will have the final documents,
3 correct? That we see that. So, if they can notify --send that to
4 us, then -- then we would have probably two weeks to --

5 MS. RAINONE: About a week.

6 MR. SPRINGER: -- so about a week.

7 MR. RANDOLPH: Mr. Chair, if -- once -- once you've done
8 your memo and you send it to me, I will make sure that it gets out
9 to all of the Committee so that you can make your comments back to
10 me --

11 MS. MEZA-AGUIRRE: Okay.

12 MR. RANDOLPH: -- communicating with one another.

13 MS. MEZA-AGUIRRE: Okay.

14 MR. RANDOLPH: I'll provide those comments to the Chair
15 so that he can incorporate those into the final document, it'll be
16 agendized. Once that agenda is set, we will provide you notice, or
17 you can see that agenda item online, so that you can make sure we
18 didn't change anything and that everything's fine. I
19 would encourage you, once we agendize it for Council, Study Session,
20 to attend and be there in case they want to congratulate you or thank
21 you or ask you questions.

22 (Laughter.)

1 MS. RHOADES: When do you think that would be?

2 MR. RANDOLPH: I would anticipate April 21st.

3 MS. RHOADES: Okay.

4 MR. NYE: Ms. Dorman?

5 MS. DORMAN: I'd like to just make one comment, because
6 people will start to take away whatever was decided here, and I think,
7 particularly on the ward-only election issue, it's important that
8 as a group we convey that the Committee and the public were divided,
9 and that we advised that the issue be further researched in time for
10 the 2016 election.

11 MR. NYE: We have a motion that we passed.

12 MS. DORMAN: I know, but just on how we speak about -- I
13 mean, that's the motion --

14 MR. NYE: That's what we --

15 MS. DORMAN: -- but just how we speak about it, I think
16 --

17 MR. RANDOLPH: Based on that, it would be 2017 -- 2016 by
18 the calendar; right?

19 MR. NYE: 2016.

20 MS. DORMAN: The 20- --

21 MR. NYE: Mr. -- Professor?

22 MR. SONENSHEIN: Yet another unsolicited comment, if you

1 don't mind. But you raise a really important question, which is,
2 at this moment, how should the Committee members speak to the public
3 --

4 MS. DORMAN: Right.

5 MR. SONENSHEIN: -- and I'd just like to just address that
6 for just a minute. I wouldn't say anything to anybody about
7 anything; that's the simplest thing.

8 MS. HEALY: That's pretty clear.

9 MR. SONENSHEIN: Think about process here. The Chair is
10 going to write a letter, the letter is going to be drafted and sent
11 to the Clerk who's going to circulate it to the Committee members
12 to look at, send comments back to the Clerk, which will sent to the
13 Chair who will then forward it to the City Council. So, folks,
14 nothing has happened --

15 MS. DORMAN: Right.

16 MR. SONENSHEIN: -- other than that you've held a
17 unanimous vote to agree to send forward the package. If you start
18 getting into individual discussion with people, it's going to be
19 endless, and you'll be explaining a lot, and you'll only be speaking
20 for yourself, which is not a good --

21 MR. PREZELSKI: Yeah.

22 MR. SONENSHEIN: -- situation to be in. You'll think

1 you're speaking for the Committee, but nobody really can do that very
2 easily, the Chair can. I would refer questions to the Chair. I know
3 it's going to be hard because you all know what went on and you know
4 what you think about it, but if you get into 14 separate conversations
5 with the community now, before it even goes to the Council, then what
6 has seemed like a very kind of smooth and unified process is going
7 to become like a series of side conversations with everybody in town.
8 I know we can't really enforce that very well, but I think you can
9 tell people that the Chair is preparing a summary of all this, it's
10 going to be going to the Council very soon, look forward to hearing
11 what everybody has to say about it. Anything you're explaining,
12 you're in the wrong place explaining. It's going to be presented
13 to the public when the Commission -- Committee presents it to the
14 Mayor and Council; that's going to be a big moment. They also don't
15 want to sort of have tons of conversations beforehand. I mean, you
16 can't keep everything secret, I mean, it's out there. Whatever you
17 do, if you find yourself explaining, you're probably too far -- you're
18 probably stepping too far ahead of the Committee --

19 MR. NYE: And --

20 MR. SONENSHEIN: -- to be the explainer.

21 MS. MEZA-AGUIRRE: Mr. Chair?

22 MR. NYE: And I -- well, I was just going to say I will

1 commit to turning around my -- my letter as quickly as I can and --

2 MS. MEZA-AGUIRRE: Can I ask Mr. Rankin a question?

3 MR. NYE: Yes.

4 MS. MEZA-AGUIRRE: So, for purposes of open meeting law,
5 though, that's still in effect until this Committee is dissolved,
6 right, in terms of we -- what we all discussed with one another and
7 how we discussed the point; correct?

8 MR. RANKIN: As it relates to the subject matter of this
9 Committee --

10 MS. MEZA-AGUIRRE: Yes.

11 MR. RANKIN: -- right.

12 MS. MEZA-AGUIRRE: Right. Okay.

13 MR. NYE: Mr. Randolph?

14 MR. RANDOLPH: And, also, the Legal Action Report of
15 tonight's meeting will be posted within three days. So, it will --
16 the actions that you've taken today will be out there for the public
17 to see, so they're going to know what you (inaudible).

18 MS. MEZA-AGUIRRE: Okay.

19 MR. SONENSHEIN: Yeah, it's not going to be a secret.

20 MS. MEZA-AGUIRRE: Right, right.

21 MR. NYE: Yeah, it's not.

22 MR. SONENSHEIN: All I'm saying is don't into a lot of one

1 -- one person at a time arguments, discussions with people about why
2 we did what we did and everything. Answer briefly, I mean, just keep
3 your answers real brief. I think that is probably the safest thing
4 to do.

5 MR. NYE: And there you go. All right. And we've been
6 at this on the record --

7 MS. HEALY: We're not -- and we stay as a group until to
8 your point of (inaudible; someone coughing) to December; is that
9 correct?

10 MR. NYE: Or does the Committee get some dissolved at some
11 point.

12 MS. RHOADES: I think that's (inaudible; voices overlap)
13 --

14 MR. RANKIN: I think under the resolution it was December.

15 MS. HEALY: (Inaudible; voices overlap) --

16 MS. MEZA-AGUIRRE: Yeah, there was some set in December.

17 MS. HEALY: -- and dissolved.

18 MS. MEZA-AGUIRRE: Yeah.

19 MR. NYE: Yeah, Mayor and Council may decide to dissolve
20 it.

21 MS. DORMAN: And how many of us together constitute --

22 MR. PREZELSKI: We better make sure they actually do.

1 MR. NYE: Okay. I don't remember actually voting on that
2 last one. Did we -- Mr. Clerk, the -- the forwarding -- you voted
3 on the package, but did we actually vote on referring --

4 MR. PORGES: On Mr. Prezelski's motion?

5 MR. NYE: On Mr. Prezelski's final motion?

6 MS. POULOS: Yes.

7 MS. DORMAN: No.

8 MR. NYE: No, I don't think we voted, no. Okay.

9 MS. MEZA-AGUIRRE: Okay.

10 MR. NYE: And there was a motion and there was a second.
11 Your big moment where we -- we --

12 MS. DORMAN: A big drum roll.

13 MR. NYE: -- we -- all in favor?

14 (Aye responses.)

15 MR. NYE: Any opposed?

16 (No response.)

17 MR. NYE: Yay! Okay. Thank you. Thank you, everybody.

18 And then --

19 (Applause.)

20 (Meeting was adjourned.)

21 * * * * *

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CERTIFICATE

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the audio-recorded City of Tucson Charter Review Committee Public Hearing held on March 25th, 2015.

Transcription Completed: April 5, 2015.

DANIELLE L. KRASSOW
M&M Typing Service

**City of Tucson, Arizona
Charter Review Committee
Meeting of March 25, 2015**

Verbatim Transcript

CITY CLERK NOTE: This transcript was prepared from a recording of the Charter Review Committee on the date shown. The transcript was prepared and certified by Danielle L. Krassow, M&M Typing Services.



Roger W. Randolph
City Clerk

Date: 4/17/15