

TUCSON CHARTER REVIEW COMMITTEE MEMBERS:

Bonnie Poulos, CHAIRWOMAN
Randi Dorman, Vice-CHAIRWOMAN
Bruce Burke
Tom Burke
Mark Crum
John Hinderaker
B. Joseph Howell
Luke Knipe
Leonard (Lenny) Porges
Jeff Rogers
D. Grady Scott
John Springer
Joe Yee

MEMBERS ABSENT:

Tannya Gaxiola
Tom Prezelski

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
Yolanda Lozano, City Clerk's Office
Silvia Amparano, Finance Director

Raphe Sonenshein, Facilitator

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1 CHAIRWOMAN **POULOS**: I'd like to call the meeting to
2 order. Looks like we have a quorum. Hello, everyone. May we
3 have a roll call, please, Yolanda.

4 CLERK: Mr. Tom Burke.

5 MR. BURKE: Here.

1 CLERK: Mr. Bruce Burke. Mr. Crum.

2 MR. CRUM: Here.

3 CLERK: Ms. Dorman.

4 MS. DORMAN: Here.

5 CLERK: Ms. Gaxiola is absent. Mr. Hinderaker.

6 MR. HINDERAKER: Here.

7 CLERK: Mr. Howell.

8 MR. HOWELL: Here.

9 CLERK: Mr. Knipe.

10 MR. KNIPE: Here.

11 CLERK: Mr. Porges.

12 MR. PORGES: Here.

13 CLERK: Ms. Poulos.

14 MS. POULOS: Present.

15 CLERK: Mr. Prezelski. Mr. Rogers.

16 MR. ROGERS: Here.

17 CLERK: Mr. Scott.

18 MR. SCOTT: Here.

19 CLERK: Mr. Springer. And Mr. Yee.

20 MR. YEE: Here.

1 CLERK: We have a quorum.

2 CHAIRWOMAN **POULOS**: Thank you, Yolanda. Our
3 facilitator is here this evening, Dr. Raphe Sonenshein. And so
4 I thought maybe we could go around the room, starting with
5 Yolanda, coming this way, introduce ourselves so be able to get
6 acquainted. And if you'd like to say something brief about
7 yourself or who appointed you, that would be great, too.

8 MS. LOZANO: Hi. I'm Yolanda, **from** the City Clerk's
9 Office.

10 MR. SCOTT: Grady Scott.

11 MR. YEE: Joe Yee.

12 MR. CRUM: Mark Crum. Welcome back.

13 MR. SONENSHEIN: Thank you, Mark. (Inaudible)

14 **Mr. HOWELL: Hi, Joseph Howell.**

15 MS. DORMAN: Randi Dorman.

16 MR. TOM BURKE: I'm the new kid. I'm Tom Burke. I am
17 appointed by the City Manager.

18 CHAIRWOMAN **POULOS**: Bonnie Poulos, Chair. Appointed
19 by Ward 3.

20 MR. KNIPE: Luke Knipe. Appointed by Ward 1.

1 MR. ROGERS: Jeff Rogers. Appointed by the Mayor.

2 MR. HINDERAKER: John Hinderaker. Appointed by
3 Council Member Kozachik.

4 MR. PORGES: And Lenny Porges, via Councilman Paul
5 Cunningham.

6 MR. RANKIN: Mike Rankin, City Attorney.

7 MR. RANDOLPH: Roger Randolph, City Clerk.

8 MS. RAINONE: Deborah Rainone, Chief Deputy City
9 Clerk.

10 CHAIRWOMAN **POULOS**: All right. Thank you all. Let's
11 see. We have the Minutes and two Legal Action Reports to
12 approve this evening. Do I have any motions to approve these?

13 MR. KNIPE: So moved.

14 MS. DORMAN: Second.

15 CHAIRWOMAN **POULOS**: And is that for all of them?
16 Okay. Are there any changes or corrections, problems that
17 anybody had?

18 All right. Then all those in favor of approving the Minutes
19 from the January 11th meeting and the Legal Action Reports from
20 January 4th and January 11th, please say "aye".

1 (Affirmative.)

2 CHAIRWOMAN **POULOS**: Any opposed? Great. Those pass.
3 Thank you very much. We have several speaker cards for Call to
4 the Audience. Please come up to this front table. If you
5 wouldn't mind stating your name and any association you have,
6 and you do have three minutes. And I don't know, are we timing
7 that?

8 ~~MALE SPEAKER~~ **Mr. RANDOLPH**: Yes, we are.

9 CHAIRWOMAN **POULOS**: You're timing it. Great. Thank
10 you very much. The first speaker is Ted Maxwell.

11 **MR. MAXWELL**: **Do I** have to ~~(inaudible)~~ **come to the**
12 **front** table this time?

13 CHAIRWOMAN **POULOS**: Yes, please.

14 **MR. MAXWELL**: Okay. Going front and center.

15 CHAIRWOMAN **POULOS**: Is that, is that where they go?

16 **MR. ~~MAXWELL~~ RANDOLPH**: That's fine. Either one.

17 CHAIRWOMAN **POULOS**: They can't see the, they can't see
18 the timer.

19 **MR. MAXWELL**: I'm sure somebody will yell at me real
20 quick -

1 CHAIRWOMAN **POULOS**: All right.

2 MR. MAXWELL: - but first of all, I want to thank you
3 all for giving up your time and service. My name is Ted
4 Maxwell, I'm with the Southern Arizona Leadership Council, and I
5 represent (inaudible) CEO leaders and business leaders and
6 community leaders that make up the organization.

7 Last November, one good thing that I'd say came out of
8 the elections, or one of the best things that came out of the
9 elections was the Charter. That was a huge effort, and I was
10 convinced that 70% was the passing rate only because it had a
11 four in front of it. So it was affiliated with the bonds
12 indirectly.

13 If it had been - had another number, I think it would
14 have been 80%-plus that would have supported the Charter
15 changes. So there was a lot of support out in the community,
16 but it would not have happened if it hadn't been for the efforts
17 of all of you who gave up your time on the Committee.

18 I welcome the new members of the Committee. It's a,
19 it's big hall. There's gonna be a lot of people that are gonna
20 come talk to you a lot, a lot of folks like myself. I

1 appreciate it. I don't want to take any more of your time. I
2 really just came to say thank you.

3 I saw some feedback from the earlier meetings, and
4 ~~(inaudible)~~ **the depth they are** gonna go on the election in the
5 election process I think is critical. I think that's really
6 important.

7 I highly encourage you to take a look at something
8 other than the current hybrid system. I understand the Ninth
9 Circuit Court, the action could still be overturned in the
10 future. There's always that possibility. But the reality is,
11 we've always believed at SALC, that either the ward-only or some
12 sort of at-large system that would be, in our opinion, more
13 representative, and it won't be a hindrance to things like
14 annexation, other things that the City needs to consider in
15 trying to create more revenue here in the City of Tucson.

16 I think everyone involved in the process is here to
17 make our community better, as are we. And thank you again for
18 all your time, 'cause it's, it's a lot of hard work, and I'm
19 sure you meet a lot of people giving you their ~~(inaudible)~~
20 **opinions**. So thanks again.

1 CHAIRWOMAN **POULOS**: Thank you. The next speaker card
2 I have is Ruth Beeker.

3 MS. BEEKER: Do I have to come up there? I like to be
4 able to make eye contact (~~inaudible~~) **with everybody**. I'm Ruth
5 Beeker. I'm with the Tucson Residents of Responsive Government,
6 known as TRRIG (ph.). And when writing up the key points to
7 your last meeting, one comment kept coming back to me, which I
8 did not actually write down (inaudible) But I think it was
9 Jeff's.

10 And he made, somebody made the comment that your
11 decisions needed to be based on what is good government. Good
12 government kept running through my mind, and it embraces so
13 much. Everything from a lofty, philosophical ideal to basic,
14 basic services that are very pragmatic.

15 I urge you to include in your recommendations, the
16 attention to the pragmatic. How can the City present the fiscal
17 Charter changes so that voters can understand why these ballot
18 propositions are necessary for good government? And how do
19 groups that support the City Charter changes get the message out
20 using 2016 communication means?

1 There were lessons to be learned, I believe, from the
2 County bond failure. One, propositions must be connected in the
3 eyes of voters to needs, not wants. There was a grocery list of
4 all these things that wouldn't these be nice to have? And
5 people voted them all down.

6 Number two. Accumulating an impressive list of
7 endorsements from groups like the Metro Chamber of Commerce, the
8 Southern Arizona Leadership Council, the Interfaith Council, and
9 so on didn't translate to getting enough votes.

10 And third, TRRIG held three educational forums, one
11 east side, one midtown, one on the southwest side, and we didn't
12 draw enough people to make a difference to the community's
13 understanding. A total of 40 people showed up to those three
14 forums, which Bonnie incidentally put together, and Lenny
15 participated in and they did not do any real good (inaudible)

16 So if your deliberations are to be fruitful in the
17 end, I believe you cannot stop with "what", with the "what".
18 What do you think should happen? You need to include the why,
19 and give consideration to how for the propositions you are
20 proposing. I don't know who else would do the "how", if you

1 don't do it, 'cause the City cannot put forward their own
2 publicity on how to get around to doing it. Somebody has to
3 take responsibility for the "how".

4 Unless you tie the recommendations to good government
5 in terms that the voters can comprehend, I fear that all your
6 hard work is going to be for naught. Thank you.

7 CHAIRWOMAN **POULOS**: Thank you. And the last speaker
8 card I have this evening for this Call to the Audience is Arnold
9 Urken.

10 MR. URKEN: Thank you. I just wanted to observe that
11 from what I can see about the plans for discussing electoral
12 systems, obviously, it's a very complex issue, and there are a
13 lot of possibilities. What I see is - what I don't see that I
14 think would be interesting to consider is some objectives for
15 considering the design of the systems, because there's not just
16 one single design. (Inaudible) tools that you can use.

17 But unless you have some broad objectives and some
18 ideas about balancing and trade-offs, you'll get mired in the
19 details, and you may not take advantage of some of the benefits,
20 for example, (inaudible) that are not listed in the (inaudible),

1 or for example that, considering Mayor's powers that there's no
2 discussion of an override which might be an interesting
3 possibility, particularly for creating some sort of citywide
4 constituency. Thank you very much.

5 CHAIRWOMAN **POULOS**: Is there anyone else in the
6 audience who'd like to come up and address us at this Call to
7 the Audience? Seeing none, we will move on to the discussion on
8 the Current and Proposed Charter Taxing and Bonding Limitations.
9 Please note Mr. Springer has arrived.

10 This is really a discussion - well, first - well,
11 let's do that first. I would like to ask Dr. Sonenshein to
12 address us, but he is next on the agenda, so I will wait until
13 then to do that. We took two tentative votes at the last
14 meeting concerning changes to the Charter regarding more
15 flexibility in financing by the City.

16 But we had a discussion on the sales tax, but we
17 really didn't reach any conclusions. And so I would like to
18 start out this evening's discussion with the sales tax. And I
19 guess the first thing I wanted to discuss is a little bit of my
20 confusion about Slide No. 27 from the power point presentation

1 that we got last week. And I thought I had that in my notes,
2 but I'm not seeing it. It was the one where it listed some of
3 the objectives. Thank you. Options, I'm sorry, options for the
4 Charter amendment sales tax. And there were five options that
5 were stipulated on this slide that Silvia had put together.

6 And I, I guess my question was that for Nos. 2, 3 and
7 4, authorize Mayor and Council to propose voters of business
8 transaction tax, sales tax that exceeds two percent leave as is
9 unless the voters approve an increase higher than two percent,
10 and keep a percentage cap, but set it at a higher rate.

11 And I guess in my mind, I can't really distinguish
12 what the differences are between those three. And let me just
13 explain my understanding at the moment is that currently there
14 is a cap on what the City can charge as a sales tax, and that is
15 at two percent.

16 If you look at the handout that we received at last -
17 at the last meeting which is the large folded-out handout -
18 yeah, I've got it - that looks like this, City of Tucson is
19 listed first. And as you can see that in most cases, City of
20 Tucson is already at a two percent sales tax for all of those

1 items.

2 The ones where we're greater than that, it's because
3 the Charter allows a greater sales tax to be levied on those
4 items. However, what I don't see in the Charter is a
5 requirement to go to the voters for a sales tax unless it
6 exceeds the two percent cap.

7 So in my mind, in the current situation, if we want to
8 increase the sales tax while already at the cap, therefore we
9 have to go to the voters to ask for a change in the Charter to
10 exceed that cap. And so regardless of what we recommend, it
11 seems to me we have to go to the voters.

12 But if we go to the voters and we ask for, say, a
13 three percent cap on the sales tax, my understanding is that the
14 Mayor and Council could approve a two and a half percent sales
15 tax and not have to go to the voters for any other approvals.

16 If we remove the cap entirely, my understanding is
17 that Mayor and Council would then be free to raise the tax to
18 whatever amount they want without going back to the voters for
19 any approval. Is that correct, Silvia?

20 MS. AMPARANO: Yes. That's true. So I think right

1 now we are capped at two percent. We don't have the flexibility
2 for Mayor and Council to go above that without the voters
3 approving that. The different options here were to either
4 increase the cap from two percent to something else, or take the
5 cap off altogether which are two very different actions.

6 So that's, you know, but those, these were just the
7 options available for you to consider, which is different from
8 the recommendation that was made from the last Charter Review
9 Committee, which was the second, which just authorizes the Mayor
10 and Council to place something on the ballot for voters to
11 approve.

12 CHAIRWOMAN **POULOS**: Okay. And in looking over the
13 recommendation that this Committee made to Mayor and Council
14 last time, I don't think it's a really very clear recommendation
15 that we made. So I guess I'd like to start the discussion from
16 the point of view of if we recommend, if we recommend increasing
17 the cap, but keeping a cap on, what would that be? And do we
18 want to include in that the requirement that the Mayor and
19 Council go to the voters for any increase in the sales tax?

20 And the other question is, do we want to remove the

1 cap altogether, still with the idea in mind, does the Mayor and
2 Council need to go to the voters for, for an increase in taxes,
3 whether we remove the tax or we increase it? So does anybody
4 want to jump - Luke.

5 MR. KNIPE: Sure. One question that I would like to
6 add to this discussion is what are the arguments in favor of
7 requiring Mayor and Council to go to the voters to do what most
8 cities and towns, mayors and councils don't need to do? In
9 other words, why, why should Tucson face a unique legislative
10 burden that limits their revenue options that other cities don't
11 have?

12 We, we've talked about this pretty extensively at the
13 last meeting, at our last meeting. But one, one thing I didn't
14 hear in all of that discussion was an argument in favor of that
15 restriction, because it would be a unique restriction.

16 CHAIRWOMAN **POULOS**: Randi.

17 MS. DORMAN: I think most people don't realize that
18 it's a unique restriction. And honestly, I wasn't clear on
19 that. So when we were discussing last week, and thinking about
20 what would be palatable, and what would have proper checks and

1 balances, voting on an increase seemed like an option for a
2 checks and balance.

3 So I think that's where it stemmed from. I'm not
4 saying that that's the right decision, but I think that that's
5 where it stemmed from. I bet most people don't realize that,
6 that we would be unique.

7 CHAIRWOMAN **POULOS**: Jeff.

8 MR. ROGERS: I know it's been a couple of weeks, but
9 was it my understanding when we were discussing this with some
10 of the other people that we're the only city in, in Arizona, the
11 only Charter city in Arizona that has this limitation? Is my
12 memory correct on that?

13 MR. RANKIN: And I don't - I'm not familiar with
14 everyone's charters, I'm gonna start with that. But I, I
15 believe that at least one other city has a cap, or a voter
16 requirement that applies to any tax issue.

17 I think the one that I remember, I think it was
18 Bisbee, that has a voter requirement for any change in the sales
19 tax, whether it be up or down, just as an example. But, so I,
20 I'd be careful saying it's unique, but I think it's certainly

1 unusual.

2 MR. KNIPE: Most of Arizona's incorporated
3 municipalities are towns and not cities, and don't have
4 charters, and therefore don't have this (~~inaudible~~)rule.

5 MR. RANKIN: There's 19 charter cities and then
6 there's 71, you know, non-charter cities and towns.

7 CHAIRWOMAN POULOS: When I looked at the handouts that
8 we had gotten last time, and what I noticed from these two
9 handouts that listed Arizona cities and for the most part, there
10 are charter cities, but I think there may be some non-charter
11 cities in this list, is that with few exceptions, almost all the
12 large cities in Arizona levy a 1.75 to 2% sales tax.

13 So currently, we're in line with the other major
14 cities in Arizona. There are a number of cities that have taxes
15 in excess of two percent, but they tend to be the smaller
16 communities, like Sedona, Willcox, Douglas, Bisbee, Benson.

17 And the other thing I noticed when I was going through
18 that list was that several of the large cities, Mesa, Phoenix
19 and Flagstaff, also do not charge a sales tax on food for home
20 consumption similar to Tucson. But it looked like all of the

1 rest of the other communities do charge a sales tax on food.

2 And our understanding from previous discussions was
3 that when the cap was originally increased from one percent to
4 two percent, removing the tax on food for home consumption was
5 one of the selling points for getting voters to approve that.
6 Whether or not that influenced the vote, I don't know. But that
7 was one of the things that was done.

8 So even though other cities may not have a cap on the
9 sales tax, we do. And I don't know what the perception of
10 voters would be if we simply said, "Let's take away the cap on
11 the sales tax, and not require any kind of voter input into the
12 decision to have a new sales tax." Mr. Burke, and then Mr.
13 Scott.

14 MR. **BRUCE** BURKE: I just need a ~~(inaudible)~~ **bit of**
15 clarification. Is there any limit imposed by state statute on
16 sales tax?

17 MR. RANKIN: No.

18 MR. **BRUCE** BURKE: So by, by removing the cap on the
19 Charter, it would then be an open-ended legislative decision for
20 the Council with no restraint?

1 MR. RANKIN: Correct.

2 MR. **BRUCE** BURKE: No, no constitutional or statutory
3 restraint?

4 MR. RANKIN: Correct.

5 CHAIRWOMAN **POULOS**: Mr. Scott, then Randi.

6 MR. SCOTT: Are there any cities in Arizona that use
7 other than sales tax for their cities or is sales tax the way
8 cities are financed?

9 CHAIRWOMAN **POULOS**: Silvia, do you have a -

10 MS. AMPARANO: Well, it's usually a combination of
11 revenues. Though sales tax is primarily what they ~~(inaudible)~~
12 **budget** revenue source, they also collect primary property tax,
13 which is a smaller portion ~~(inaudible)~~ **compared to counties.**
14 Fees, fines, license, permits, all those other types of general
15 fund revenues ~~(inaudible)~~ **occur in** Tucson, the biggest portion
16 is sales tax.

17 MR. **BRUCE** BURKE: Okay. Follow-up?

18 CHAIRWOMAN **POULOS**: Uh-huh.

19 MR. **BRUCE** BURKE: The reason I had a question is that
20 if you take the cap off, I don't know that the voters would go

1 for that, 'cause you can say 20% (inaudible) But if there was
2 another revenue stream, say, a smaller property tax that would
3 possibly (inaudible)

4 CHAIRWOMAN **POULOS**: And I think, and I think that's
5 what we've done with the other two recommendations that we made
6 concerning the cap on the secondary property tax, and not being
7 able to pledge excise taxes towards bond repayment. But I
8 think, Silvia, if I'm not mistaken, sales tax is the biggest
9 revenue generator of all of those, is that correct?

10 MS. AMPARANO: Correct. And to answer your question
11 specifically, there are descriptions by state statute on the
12 primary property tax. So that's why we're limited in how much
13 we can increase it year to year.

14 CHAIRWOMAN **POULOS**: Randi and then Mark.

15 MS. DORMAN: Okay. In this (inaudible) **pamphlet** that
16 we have here - thank you (inaudible) It says, Avondale,
17 Flagstaff, Glendale and Winslow all require voter approval
18 before a local transaction privilege tax may be enacted. Bisbee
19 and Peoria require voter approval for an increase transaction
20 privilege tax. Bisbee also requires voter approval for a

1 decrease in this tax. Mesa, Prescott, Scottsdale, Tempe and
2 Yuma limit the local transaction privilege tax to one percent
3 unless the voters approve an increase. The City of Nogales
4 limits its local transaction privilege tax to one and one-
5 quarter percent (inaudible) **and allows** special tax exemptions in
6 other areas of taxation for businesses paying the local sales
7 tax. (Inaudible) **Similar restriction** is contained in Tucson's
8 Charter, blah, blah, blah.

9 City of Yuma limits its local transaction privilege
10 tax, privilege tax to one percent, but there's an additional two
11 percent tax levied on the (inaudible), blah, blah, blah. So we
12 would not be unique (inaudible).

13 CHAIRWOMAN **POULOS**: Mark.

14 MR. CRUM: You asked for a perception of the voters.
15 I think (inaudible) But one perception will be this, 'cause
16 I've read it. By removing the cap on the sales tax, some will
17 look at that as giving the City an unlimited ability to tax and
18 spend money.

19 CHAIRWOMAN **POULOS**: Well, one of the things that was
20 pointed out at two of our previous meetings that I think is

1 worth repeating is that in some ways, it's self-limiting because
2 if a politician or a body of politicians raise taxes to a point
3 that the public was dissatisfied or felt there was no need for,
4 they would probably not be re-elected.

5 However, the tax would already be in place, which
6 would mean you'd have to repeal it if you got a new set of
7 elected officials. There is something else, though, that we
8 might want to consider, and it was from looking over these
9 papers about what other cities do, is that there were some rec-
10 -- talk about possibly raising construction sales tax above two
11 percent.

12 And it could be justified by the need for
13 infrastructure, and because of the new restrictions that the
14 State placed on using impact fees, we could reduce or eliminate
15 impact fees, and impose a construction tax to replace that which
16 would give the City greater flexibility on where to spend those
17 tax dollars for infrastructure that's a result of new
18 development.

19 Advertising tax. I have no idea why it was removed
20 from the City of Tucson, and what it would cover. But we have

1 no tax on advertising, but many communities in Arizona do have a
2 tax on advertising. Also we do not tax jet fuel, but other
3 communities do. And I think the important thing to consider is
4 if that were something we wanted to recommend to Mayor and
5 Council, it would probably be more beneficial to recommend a
6 percent tax on jet fuel as opposed to a price per gallon because
7 the price per gallon would not change in the event that the
8 price of jet fuel went up.

9 However, an increase, or a percent increase would be
10 subject to the fluctuations of the price of gas. So if jet fuel
11 decreased in price, then the revenue from that would decrease if
12 you had a percent on it as opposed to a stated number per
13 gallon.

14 And the other thing that we've talked about that I'm
15 still not clear about is the City imposing or collecting a sales
16 tax on internet sales. And, Luke, you had your hand up, and
17 then Bruce.

18 MR. KNIPE: Well, two comments on what you just said.
19 I don't believe that there's any kind of provision in the Model
20 City's Tax Code for taxing internet sales. As far as jet fuel

1 is concerned, it's my understanding that there are no airports
2 in the city limits. In other words, no places where jet fuel is
3 sold. We would have to annex the Tucson International Airport,
4 and in order to do that, I think that would be a wonderful
5 thing, but we haven't done that yet.

6 CHAIRWOMAN **POULOS**: Bruce.

7 MR. **BRUCE BURKE**: You know, as I, I sit here and
8 struggle with the idea of the notion that we (inaudible) and
9 that is, you know, doing the ideal thing versus the pragmatic
10 thing. And I guess where I come down philosophically is we've
11 got, we've got to come up with something that has a realistic
12 opportunity to pass.

13 And, Bonnie, when you sit there and recite through all
14 of those things, I'm just, you know, I apologize for saying
15 this, but it (inaudible) **can almost** put you to sleep, and we're
16 all interested in it. It doesn't strike me that that's the
17 answer.

18 So we move back to the notion of a cap, and the idea
19 that if you simply repeal the cap and talk about, well, the
20 voters can punish any Council that exceeds its grasp in terms of

1 too rich a tax, that's a prescription for the campaign against
2 (inaudible)

3 So I think we have to live with the reality that we
4 have a cap, unique or not. And how can we pragmatically go to
5 the public and, and succeed in doing what we really all believe
6 we need to do, I think, and that is find a way to (inaudible)
7 **enhance** revenue in a means that passes (inaudible) theoretical
8 model. And so that's correct. I think you have to (inaudible)

9 CHAIRWOMAN **POULOS**: Randi and then Joe.

10 MS. DORMAN: Okay. It seems like the three most
11 pragmat- - pragmatic options, I'm not speaking properly today,
12 is that you (inaudible) **either** just remove the cap, remove the
13 cap, but require voter approval for increases which would not be
14 Charter change approval, as it would just be tax approvals where
15 we increase the cap to a level that we are comfortable with, and
16 give Mayor and Council the flexibility within that area. Does
17 anyone think that there are other options that are really viable
18 at this point?

19 CHAIRWOMAN **POULOS**: John?

20 MR. HINDERAKER: One of the options I thought of when

1 you were going through that list of what other cities and towns
2 do, one of the options I thought I heard you say is limit - cap
3 the tax at two percent unless the voters will approve an
4 increase. And that's what essentially will allow the, the
5 Council to go to the voters, if I understand what you said
6 correctly, and increase it without amending the Charter. And
7 that seems like a pragmatic approach to me -

8 MS. DORMAN: We'd have to amend the Charter -

9 CHAIRWOMAN **POULOS**: Regardless.

10 MS. DORMAN: - regardless, 'cause it's two percent.
11 We're at two percent. So that's why we either remove the cap
12 and require voter approval for any, any increase, but just on
13 the tax part. The Charter change we do at one time, and any
14 increase in taxes another time. We remove the cap altogether,
15 and let ~~(inaudible)~~ **free market** decide who's in or out, and vote
16 them out.

17 MALE SPEAKER: (Inaudible) politicians.

18 MS. DORMAN: Yeah. And vote them out if we don't like
19 what they do, or we increase the cap to three and a half or four
20 percent, and give Mayor and Council flexibility within that

1 manageable area, or whatever we deem is manageable. So besides
2 those three, are there any other really viable options?

3 CHAIRWOMAN **POULOS**: Joe and then Mark. And Jeff
4 wanted to - and Jeff. Sorry.

5 (TRANSCRIBER'S NOTE: MR. YEE IS EXTREMELY DIFFICULT TO HEAR AND
6 UNDERSTAND. HIS TESTIMONY IS VERY FRAGMENTED, BUT IT HAS BEEN
7 LEFT IN TO POSSIBLY HELP YOU RECALL THE SUBJECTS HE SPOKE

8 ABOUT.) MR. YEE: You know, to remove the cap, I think a
9 voter would not approve it. And even though someone said that,
10 you know, if the, if the politicians (inaudible) But the voter
11 would think this way. Why would I ~~(inaudible)~~ **campaign, if I**
12 **don't like this, vote it down, when you say, you know, remove**
13 **the cap and just say, "No, you may not do so."** So that seems to
14 ~~(inaudible)~~ **me that increasing.**

15 Another thing that, you know, I, myself, don't, don't
16 know this, but I would like information how much the sales tax
17 we now have two percent ~~generally~~ **generated**. What portion is,
18 is supporting the City's operation ~~(inaudible)~~ **percentage wise**
19 **or in totallity (inaudible)**

20 CHAIRWOMAN **POULOS**: Can you -

1 MR. YEE: So the thing we need to look at would be,
2 well, if ~~(inaudible)~~ **if we gonna**, let's say, if we can get
3 another four percent on the sales tax, and - but we put a limit
4 of maybe three percent, on 2.75%, the amount that's
5 ~~(inaudible)~~ **parable** to the voter, and at the same time, you would
6 ~~(inaudible)~~ whatever, whatever portion we would need from that
7 sales tax increase to ~~(inaudible)~~ **increase** to mitigate the
8 structure deficiencies about revenue.

9 So let's say it's four percent, and then you, you -
10 the, the, the - and then you, you cap at 2.75, and you can
11 educate. You would say, "You know, we need it. We have
12 structured deficiency." We cannot keep on doing what we've been
13 doing the last ten years. Let's allow this amount, allow the
14 City to have this much ~~(inaudible)~~ revenue because you still
15 have the ability to, you know, to, to have this cap, 2.75%, but
16 the City at the same time still have another half percent
17 ~~(inaudible)~~ **that way will increase.**

18 See, the thing that we have to determine is how much
19 we want ~~(inaudible)~~ **from** sales tax, and what percentage we would
20 need to put it in ~~(inaudible)~~ to generate that much income.

1 Another thing as, as someone that would have a role in
2 determining which way we're gonna go, I would like to be
3 educated.

4 What (inaudible) you have construction tax ~~(inaudible)~~
5 **hotel** tax, and you have (inaudible) and you have (inaudible) jet
6 fuel, and you know, so we need to, to, to have education as to
7 how much each one of these, these taxes contribute to the
8 totality percentage-wise (inaudible) total revenue city
9 generated.

10 And we need that education in order to say, "Hey,
11 maybe we can - a little bit of this, little bit of that increase
12 (inaudible) **on different ones**. And then maybe we can make it
13 (inaudible) **parable** for the voter to approve (inaudible)

14 You know, I also want to point out that Phoenix and
15 Mesa do not have a food sales tax. Even though Phoenix is just,
16 just in the last year ~~(inaudible)~~ **in a worse place than us**. And
17 still another thing I notice ~~(inaudible)~~ **in Glendale** they have
18 all kinds of taxes. (Inaudible) And yet, they only have much
19 less (inaudible) 200,000 residents. And so, so those kind of
20 things we need to take a look at, too. ~~(Inaudible)~~ **You know,**

1 for us to promote something, and I think for me individually, I
2 would say, I need a little more education (inaudible) And I see
3 that I have (inaudible) tax contributing to the City budget, and
4 then (inaudible) is passed, what is optimum than ~~(inaudible)~~ **and**
5 **parable amount that we can allow the City (inaudible)**. We can do
6 that because we need to, the City need to have that revenue.

7 CHAIRWOMAN **POULOS**: Thank you, Joe.

8 MR. YEE: (Inaudible)

9 CHAIRWOMAN **POULOS**: Mark, and then Jeff.

10 MR. CRUM: Now, is it not the case that we can
11 increase the cap by Charter amendment on a case-by-case basis?

12 MR. RANKIN: You can increase the cap by a Charter
13 amendment. I'm not sure what you mean by case-by-case.

14 CHAIRWOMAN **POULOS**: For each item that we tax.

15 MR. CRUM: Let's say a half cent or (inaudible)

16 MR. RANKIN: Yes.

17 MR. CRUM: And, and that's what I figure it is. Leave
18 the cap on a case-by-case basis by Charter amendment. And any
19 resulting increase could be for a specified purpose. What
20 really gives me heartburn, though, is where that increase can

1 go. And I can understand for capital improvements or certain
2 maintenance work. But it could also be used to balance the
3 operating budget, including contributions or subsidies to
4 certain purposes. That's where I'd have the biggest problem is
5 where the money is ultimately spent. Thank you.

6 CHAIRWOMAN **POULOS**: I just want to make a comment
7 first. I don't think that it's possible for us as a Committee
8 to really make recommendations, or even get really clear
9 information about each individual item that we tax as a sales
10 tax, as an excise tax. And I think that for us to do that would
11 really tie the hands of the Council in a way that it isn't now.

12 I think what they - that's the job of the City Manager
13 and the Council when they agree on the budget, even though we
14 would say recommend an increase in the cap to four percent.
15 That doesn't mean that the Mayor and Council is gonna go in and
16 raise every tax by a half percent. I think they can go in for
17 each item and raise each item half percent, another item one
18 percent. Is that correct, Mike?

19 MR. RANKIN: They could raise, and establish a rate
20 under that cap for the different categories, the taxation under

1 the Model City Tax Code. So -

2 CHAIRWOMAN **POULOS**: But that's really, I think, the
3 job of the City Manager and the Council. What we would do is
4 recommend a change to the Charter that would allow them to
5 function within that cap on each item that they felt was
6 important. So I just wanted to bring up that clarification.
7 Jeff and then Grady, and then I'll go back to you, Mark.

8 MR. ROGERS: I concur completely with you. I do not
9 want to tie the hands of the Mayor and Council. I think that
10 would be foolish in short term and in the long term. But what,
11 what I think we have to do here is we have to put something on
12 the ballot that we think has a really good shot at passing.

13 This city is in really dire financial straits. And
14 there are some things that are totally out of our control like
15 the, the anchor around the neck of us financially, like public
16 safety retirement contributions are just, are, are something
17 that only the legislature can fix. And we need something
18 that'll - has a high ~~(inaudible)~~ **degree of probability of**
19 **passing**. So I think we just raise the cap.

20 Now, what do we raise it to? I think two and a half

1 percent is easy to sell to the public. Three percent's a little
2 harder. 2.75 might be a compromise, but I think we just raise
3 the cap. I, I think we've got, we've gotta win this election,
4 and, and, and I think philosophically, I would like to say let's
5 get rid of the cap.

6 But I just, you know, we can't let (inaudible) **perfect**
7 **be the enemy of the good** and we have to do something practical
8 (inaudible) **that is expected by** the public by, you know, people
9 who are here tonight and others. So I, I think it's, we need to
10 pick a number and just raise the cap, two and a half, 2.75 or
11 three.

12 CHAIRWOMAN **POULOS**: Thank you, Jeff. Grady and then
13 Mark.

14 MR. SCOTT: Kind of favor the idea of a cap that the
15 Mayor and Council can take to the voter. The reason I say that
16 is we have to keep coming back to the Charter to change it.
17 People start getting suspicious and they're gonna vote "no",
18 they're not gonna listen because (inaudible) **if I come**, we just
19 had a (inaudible) **Charter** change on the ballot, we'll put a
20 Charter change on this ballot. So we're continually changing

1 our Constitution.

2 Is there a medium ground where we can say the cap
3 would be this, and Mayor and Council can raise that with voter
4 approval? So that way it's still in the hands of the people,
5 but you're not continually going back asking for money, because
6 I think that's what happ- - when you say, "We need more money,"
7 people go, "Well, what are you doing with the money you got?"

8 That's just a ~~(inaudible)~~ **the nature of the people** and
9 if, as Mark was saying, if you can't say this is where the
10 money's going don't ~~(inaudible)~~, **we'll just say no.** So I, I
11 don't know that removing the cap altogether 'cause people are
12 just - I think people are too suspicious of, of any Mayor and
13 Council, not just this one, but any Mayor and Council with carte
14 blanc on how much your tax (inaudible)

15 CHAIRWOMAN **POULOS**: Mark and then Randi.

16 MR. CRUM: I'm sorry if I confused this, but what - if
17 I didn't say this, this is what I meant to say. The voters, not
18 us, would specify the purpose.

19 CHAIRWOMAN **POULOS**: Okay.

20 MR. CRUM: Okay. Thank you.

1 CHAIRWOMAN **POULOS**: You're welcome. Randi.

2 MS. DORMAN: So any tax increase has implications both
3 negative and positive. So our goal is to give the City
4 flexibility to increase revenues which are desperately needed.
5 But whenever you raise sales tax, it has some negative
6 implications for businesses in that people may go to the County
7 to buy their cars or many other things.

8 It would be great to get some additional information
9 from the business community perhaps, or from finance about what
10 past implications of increase in taxes has been because it feels
11 odd to me to pick a number that sounds like a good sell versus
12 one that's actually effective because let's say we do 2.75. Are
13 we just kicking the can down the road and the Charter's gonna
14 have to be changed again in the future?

15 I'm, you know, I'm processing all of this, and I don't
16 think that just removing the cap is the right solution. I don't
17 think we could get that approved. But if you remove the cap
18 with voter approval for any increase, then you don't have to
19 keep changing your Charter and the voters can vote on specific
20 areas of increase as the Mayor and Council deem is necessary.

1 CHAIRWOMAN **POULOS**: Silvia, you had a response, I
2 think?

3 MS. AMPARANO: Yes, I did. So thank you for bringing
4 up the section in this (inaudible) At the last meeting, you
5 asked about whether we're unique in, in being the only city that
6 has that exemption, or that limitation. And you mentioned
7 ~~(inaudible)~~ **in the State**, Mesa, Prescott, Scottsdale, Tempe and
8 Yuma all have the one percent limit in their charter. They
9 allow the voters to have increases to that if it's passed by the
10 voters.

11 All of those have a higher percent than one percent.
12 Mesa's at 1.75, Prescott's at two percent, Scottsdale's at 1.65,
13 and Yuma's at two percent (inaudible) But what you're saying is
14 the option of eliminating the cap, but still having an increase
15 go to the voters and whatever amount is decided at that time is
16 an option as well. And so, and it could be ~~(inaudible)~~
17 **dedicated for a specific purpose** depending on how the question
18 is written for the voters to pass at that point. To answer -

19 MS. DORMAN: I have a follow-up question 'cause I
20 think I might just be understanding something for the first

1 time. You could put in the Charter that the cap is two percent,
2 but any increase above that is just voter approval not Charter
3 change approval?

4 ~~MALE SPEAKER~~ **MR. RANKIN:** Correct.

5 **MS. AMPARANO:** My understanding is -

6 **MR. RANKIN:** Correct. That was the recommendation the
7 first time around.

8 **CHAIRWOMAN POULOS:** So our recommendation -

9 (Multiple speakers - inaudible conversation.)

10 **MR. RANKIN:** (Inaudible) **The Charter** says that. It
11 says the cap is two percent. However, if Mayor and Council are
12 authorized to impose tax above two percent if it's first
13 approved by the voters.

14 **CHAIRWOMAN POULOS:** Okay. All right. That clears up
15 a lot. Bruce, did you want to -

16 **MS. DORMAN:** Oh, so then that's another option?

17 **CHAIRWOMAN POULOS:** Yes, that would be another option.

18 **MS. AMPARANO:** That was Option 2 on that Slide 27
19 (inaudible)

20 **CHAIRWOMAN POULOS:** So that's where the -

1 MS. DORMAN: That was the confusion.

2 CHAIRWOMAN **POULOS**: Bruce, did you have a -

3 MR. **BRUCE** BURKE: Well, I guess that -

4 CHAIRWOMAN **POULOS**: - question, comment?

5 MR. BURKE: - that explanation (inaudible) **could**
6 **change the discussion a little bit.** I'm not sure I'm processing.

7 'Cause I think what I'm hearing for the most part in this
8 discussion is there's a consensus around the need for more
9 revenue? This is the source for that revenue, I mean it's the
10 major source for that new revenue, and how do we get there to
11 get that passed?

12 And so I was thinking about Jeff's proposal of finding
13 that percentage that works, the ~~objects~~ **optics** of it, if you
14 will, that gets to the right substantive number. But maybe this
15 other alternative, if seen as a cap in itself, maybe that's the
16 way it has to be phrased. I guess the phraseology of this
17 becomes critical, and I don't know what that looks like. But if
18 that would work, then we're not talking about lifting the cap,
19 we're talking about going for voter approval essentially.

20 CHAIRWOMAN **POULOS**: Jeff and then -

1 MR. ROGERS: The only problem I see with that is that
2 is if we ~~(inaudible)~~ **go down**, and I think that is a good
3 compromise and a good thing to take to the voters, and I think
4 it could be easily sold. However, one, one problem with it is,
5 let's say we ~~(inaudible)~~ **sell it and it** passed in November,
6 we're gonna probably have to wait 'til the following November
7 to, to put it back before the voters to get what I think is
8 probably gonna be another nickel tax. And so we're delaying
9 implementation by one more year.

10 So I think it's something that is probably more easily
11 sold and, and I, in theory I agree with it, but it doesn't give
12 us any immediate relief which is I'm troubled on.

13 CHAIRWOMAN **POULOS**: I have a question for either
14 Silvia or Mike. Currently, we do not have a City sales tax on
15 cons- -- or we have a two percent tax on construction
16 contracting. Okay. My question is, what were the changes in
17 the state law, what were the impacts of the changes in the state
18 law regarding impact fees?

19 And does anybody have a sense of how the business
20 community would feel if there was an increase to the

1 construction tax, but an elimination of the impact fees?

2 MR. RANKIN: The State legislature fundamentally
3 changed the City's authority to impose impact fees, and the
4 process you have to go through to establish an impact fee, and
5 how they can be expended.

6 As part of that, the legislation that is now state law
7 makes it very clear that if a city increases its construction
8 sales tax, it has to then provide an offset against its impact
9 fees for, for -

10 CHAIRWOMAN **POULOS**: So that's required.

11 MR. RANKIN: - the new revenues brought in through
12 construction sales tax, okay? So one of the things that the
13 Committee talked about (inaudible) think a little bit the first
14 time around was the potential of if the City had the ability to
15 raise construction sales tax above two percent to substitute for
16 what we currently collect through impact fees, the number of
17 which I forget (inaudible) 'cause it's varied up and down.

18 It's just a more flexible revenue source, the
19 development impact fees because under the statutes, we can only
20 expend (inaudible) **development** impact fees for specific

1 categories of public infrastructure. And you have to go through
2 a pretty painstaking process to establish what those projects
3 are, whereas construction sales tax, like other sales taxes,
4 just come into the general fund and can be expended on an annual
5 basis through the budget operation (~~inaudible~~) **process.**

6 CHAIRWOMAN **POULOS**: Okay. And the impact fees
7 themselves are enacted through ordinance, or are they specified
8 somewhere in the Charter?

9 MR. RANKIN: By ordinance.

10 CHAIRWOMAN **POULOS**: By ordinance. So that would not
11 require an ordinance, I mean a Charter change if the Mayor and
12 Council chose to eliminate impact fees?

13 MR. RANKIN: Correct. The Mayor and Council could
14 choose not to impose impact fees just by repealing the impact
15 fee ordinance.

16 CHAIRWOMAN **POULOS**: Okay. And do you know what we
17 generate in impact fees on a yearly basis?

18 MS. AMPARANO: ~~Not~~ **I don't know** on impact fees. On
19 construction sales tax fees, ~~they~~ **we use to** collect about \$10 to
20 \$11 million a year. That's down to \$8 million last year, and

1 the last year even lower than this amount because of the changes
2 in legislation regarding how they're ~~(inaudible)~~ **reported.**

3 Impact fees vary from year-to-year, and that number doesn't
4 stick in my head, so I'll bring that ~~(inaudible)~~ **back.**

5 MR. RANKIN: They've been low for the last several
6 years -

7 MS. AMPARANO: Yeah.

8 MR. RANKIN: - because of the dip in new construction.

9 CHAIRWOMAN **POULOS**: Okay.

10 MR. RANKIN: If I remember right, don't rely on this,
11 but we'll double-check it. I think we'd estimated that it would
12 take less than doubling of the construction sales tax to make up
13 for what we get in development impact fees.

14 CHAIRWOMAN **POULOS**: Okay. Well, I get a sense from
15 the comments I've heard so far, and I haven't heard from
16 everyone, that simply removing the cap is not really on the
17 table. Okay, so let's eliminate that maybe from our (inaudible)

18 (Multiple speakers - inaudible conversation.)

19 CHAIRWOMAN **POULOS**: Wait, wait. No, no, no. Just
20 removing the cap. If, if we remove the cap and then require

1 voter approval for instituting a tax that, I think, is one of
2 the options for us on the table.

3 The problem with that is that that might still be seen
4 by the voters as giving more chance for taxes to be raised. The
5 other option, other two options that I think we, we should
6 consider and maybe we should have a motion on the floor one way
7 or the other and see where it goes, is to leave the two percent
8 cap, but encourage the Mayor and Council, or authorize the Mayor
9 and Council to go to the voters to request an increase over that
10 cap either for all the taxes, that means citywide, all the sales
11 taxes, or individual items to be increased.

12 And the other would be to raise the cap by some
13 percent, half to one percent is what I'm hearing, so to two and
14 a half to three percent, and then not necessarily require any
15 voter approval until you exceed that cap. So those seem to me
16 the three most logical options. Yes, Luke.

17 MR. KNIPE: The question for, I guess, Silvia. Last,
18 at our last meeting, we had a brief discussion about a poll that
19 I think that has been authorized by Mayor and Council that would
20 measure community support for a tax increase in a percentage of,

1 I think, a half percent, is that right?

2 MS. AMPARANO: Uh-huh.

3 MR. KNIPE: Okay.

4 CHAIRWOMAN **POULOS**: Do we know when those results
5 would be in?

6 MS. AMPARANO: No. The poll hasn't even started yet,
7 so I don't know.

8 CHAIRWOMAN **POULOS**: Okay.

9 MS. AMPARANO: Might be a few weeks at a minimum to
10 get those results in. And so a half cent sales tax is one of
11 the options that was placed on the - as an option to Mayor and
12 Council. There was also ~~(inaudible)~~ **three** one-half, one-fifth
13 sales tax. And so the poll results should tell us what the
14 community would be willing to pay for ~~(inaudible)~~ **for services**
15 **they think should be, not be reduced (inaudible)**

16 CHAIRWOMAN **POULOS**: Grady.

17 MR. SCOTT: Didn't we have a, on the ballot, a few
18 years ago a half-cent sales tax increase that went down in
19 flames?

20 CHAIRWOMAN **POULOS**: I don't remember.

1 MR. KNIPE: That was something that the City was
2 calling a core tax. It was put to voters in 2010. It was Prop.
3 400 in 2010 which would have been a, a half-cent increase, and
4 it was soundly defeated.

5 CHAIRWOMAN **POULOS**: However, the - did the City
6 support the increase in taxes when the RTA was passed, or was it

7 MR. KNIPE: Yes.

8 CHAIRWOMAN **POULOS**: - did it pass just in the County?

9 MR. KNIPE: No, it was Mayor and Council passed a
10 resolution in support of the RTA (inaudible)

11 CHAIRWOMAN **POULOS**: But that (inaudible) Okay. That
12 vote was a County-wide vote for the RTA. It raised our taxes
13 for transportation, but it was a County vote. So do we know
14 where the City fell in terms of their voting on that particular
15 item?

16 MR. KNIPE: I would imagine that it was supported. I
17 mean, typically, when these things pass County-wide, it can be
18 passed (inaudible)

19 CHAIRWOMAN **POULOS**: Well, see - yeah.

20 ~~MALE SPEAKER~~ **MR. KNIPE**: I don't know.

1 CHAIRWOMAN **POULOS**: Yeah. Okay. I think it failed in
2 the City and passed in the County. John?

3 MR. HINDERAKER: I'd like to make a motion.

4 CHAIRWOMAN **POULOS**: Sure, John.

5 MR. HINDERAKER: I would move to recommend amendment
6 to the Charter that would leave the two percent cap in place
7 such that Mayor and Council would be limited to two percent
8 sales tax. But they could exceed the two percent cap with a
9 single vote of the voters, and without having to go back and
10 amend the Charter.

11 MR. CRUM: Second.

12 CHAIRWOMAN **POULOS**: So, Mark, you second it. So
13 essentially, that is the recommendation that we voted on
14 previously. Do we want to have further discussion on this?
15 Lenny.

16 MR. PORGES: Since you haven't heard from me yet -

17 CHAIRWOMAN **POULOS**: Yes.

18 MR. PORGES: - I'm going to speak up. And those of
19 you who were not on the Committee in its first iteration, let me
20 tell you that I have never been afraid to go against the stream.

1 Last time I had one motion that I was the only one that voted
2 for, and none of (inaudible) not give me a second. So, I'm
3 going to jump out on a limb again.

4 I'm gonna disagree with the basic premise that many of
5 you have voiced so far, and that is that we have to come up with
6 something that will pass the voters. We had a couple of people
7 in our Calls to the Audience the first time around that made a
8 big impression on me. I absolutely agree. Our job is to come
9 up with the best possible recommendations for the best possible
10 Charter for the City of Tucson.

11 Whether or not it passes is not our business. That's
12 up to the folks out there to decide. Our job is to use our
13 expertise and the things that we've gleaned from our
14 distinguished colleagues and guests as to what is best for the
15 City. Given that, I will agree with, with Luke, who I think
16 last meeting suggested that we're empowering the Mayor and
17 Council to make decisions. I think we should empower them to
18 make decisions.

19 I am going to vote to remove the cap and not require
20 any voter approval for anything. I believe that's what the City

1 needs. Our goals are to give the Mayor and Council the powers
2 they need to carry out their job and I think that's very
3 important.

4 CHAIRWOMAN **POULOS**: Luke, you had your hand up.

5 MR. KNIPE: Yeah, just because he mentioned it, I
6 wanted to clarify my position on this, and my remarks at the
7 last meeting. What I said was that I would support removing the
8 cap altogether, and I would. I don't think there's a good
9 argument to be made that the City of Tucson should face a
10 financial burden that other cities don't face. I trust our
11 Mayor and Council, and I trust our voters to vote them out of
12 office if they behave irresponsibly. But I also said that I
13 would support something weaker.

14 For example, I think that Jeff's proposal that we pick
15 a number that we think we are going to be able to sell to the
16 voters. I would support that. I would support increasing the
17 cap to two and a half percent, which would accommodate the, the
18 proposal that's part of this poll that's currently in the field.
19 But I, I cannot support the motion that's on the floor.

20 CHAIRWOMAN **POULOS**: And why not?

1 MR. KNIPE: Because I don't believe that - I think
2 that leaving the cap in place forces a unique legislative burden
3 that has the potential to interfere with the City's credit
4 rating. It has the potential to interfere with our revenue
5 polls, and times are tight. We need flexibility.

6 CHAIRWOMAN **POULOS**: Well, and I happen to agree with
7 you about not really wanting to leave the two percent cap and
8 then say, "But you can ask for anything you want, because it
9 doesn't seem like it's a well-written Charter in my mind if you
10 do that." But Jeff and then Randi.

11 MR. ROGERS: Do you know when that poll's going into
12 the field? Do you have any idea at all?

13 MS. AMPARANO: The next couple of weeks, I think.

14 MR. ROGERS: You know, we're gonna meeting a lot more,
15 and I think we flushed out where we're at on this. I would move
16 to table the - Mr. Hinderaker's motion until we - for a few more
17 meetings until we receive the results of the poll. That might
18 educate us into doing what we, you know, - I mean I think we
19 have strong feelings here, but I think we also are kind of
20 coming to a compromise and sort of getting together here. But

1 maybe that would inform us a lot.

2 CHAIRWOMAN **POULOS**: Randi.

3 MS. DORMAN: I actually agree with Jeff. I think
4 that's a good idea because I think we have to work in facts,
5 like to say that, that it would tie, to have the two percent
6 still on the Charter would tie anyone's hands. What, what
7 information do we have that would support that?

8 These other cities do that, and at one percent, and
9 they seem to be fine. So I just want us to be dealing with
10 actual information and not kind of nebulous feelings.

11 CHAIRWOMAN **POULOS**: Bruce.

12 MR. **BRUCE** BURKE: I, I think this has been a most
13 helpful discussion. And I think that this Committee is
14 succeeding in, in moving to a consensus. And so I think that
15 the more information we have, the better off we're going to be.
16 As long as there's no time frame that's immediate, and I
17 understand there isn't a time frame that's immediate. What's
18 the, what's the time frame for ultimate recommendation that
19 meets the, the Council's needs?

20 CHAIRWOMAN **POULOS**: April.

1 MR. **BRUCE** BURKE: April. So -

2 CHAIRWOMAN **POULOS**: We'd have time.

3 (Multiple speakers - inaudible conversation.)

4 MS. DORMAN: ~~'Cause that one could~~ **but that was to** get
5 on like **an** early ballot, -

6 CHAIRWOMAN **POULOS**: Right.

7 MS. DORMAN: - right?

8 CHAIRWOMAN **POULOS**: Correct.

9 MS. DORMAN: That's not for November. The April was
10 not to get on the November ballot. That was when you guys were
11 ta- -- when I read the Minutes 'cause I wasn't at that first
12 meeting. That was for like an August -

13 CHAIRWOMAN **POULOS**: A special election.

14 MS. DORMAN: - special election. So we actually have
15 more time than that if we need it. It'll be great to get done
16 sooner.

17 MR. KNIPE: So if you had April -

18 ~~MALE SPEAKER~~ **MR. RANDOLPH**: Mayor and Council actually
19 wrote this recommendation (inaudible) **come back** from this
20 Committee in April.

1 CHAIRWOMAN **POULOS**: Okay. All right.

2 ~~MALE SPEAKER~~: So that is **was** part of the productive
3 work adopting ordinance.

4 (Multiple speakers - inaudible conversation.)

5 MR. ~~KNIFE~~ **BRUCE BURKE**: Would the expectation be that
6 the poll results would be in by February?

7 CHAIRWOMAN **POULOS**: Okay. So before I ask if the
8 maker and seconder of the motion will withdraw their motion,
9 Joe, you had your hand up. Did you have a comment?

10 MR. YEE: You know, I was gonna say it's - I support
11 Jeff's motion, and I think we, we (inaudible) but I think if the
12 poll comes back, they'll probably (inaudible) 'cause I cannot
13 support the motion that's on the floor.

14 CHAIRWOMAN **POULOS**: John?

15 MR. HINDERAKER: So before I withdraw it, I just want
16 to say, I, I don't mind how we do this. I just think that there
17 should be a requirement that tax increases are approved by the
18 voters. That's really where I (inaudible) I don't know whether
19 the two percent cap has to stay in place, in my mind or not. I
20 would note, however, that at least the ranges I was hearing, if

1 we're at two percent, we're already at the upper end of sort of
2 a comparison (inaudible) **of what other municipalities are doing.**

3 So I don't think that's an unreasonable statement to say we
4 should go up, up two percent unless the voters approve it. So I
5 will, with that, withdraw my motion.

6 CHAIRWOMAN **POULOS**: Okay. Motion is withdrawn, and it
7 seems like we have - Mark?

8 MR. CRUM: I thought that mo- -- that Jeff's motion
9 was to table -

10 ~~MALE SPEAKER~~ **MR. BRUCE BURKE**: To table.

11 MR. CRUM: - our motion.

12 ~~CHAIRWOMAN~~ **MS. DORMAN**: Jeff did make a motion
13 (inaudible)

14 (Multiple speakers - inaudible conversation.)

15 MALE SPEAKER **MR. BRUCE BURKE**: I'll second the motion
16 to table.

17 CHAIRWOMAN **POULOS**: Okay. I think we've had a motion
18 to withdraw (inaudible) the maker of the motion has withdrawn
19 the motion. And I get a sense from the Committee that we would
20 like to postpone this until perhaps a March meeting when we will

1 have results from the poll.

2 MR. DORMAN: And maybe more information if we think of
3 something that we need.

4 CHAIRWOMAN **POULOS**: Okay. Yes, Mr. Burke, Tom.

5 MR. **TOM BURKE**: Prior to the March meeting, I actually
6 think it'd be good to get some information from the Finance
7 Department about just how much the impact of the various changes
8 as what does one-quarter percent yield? What type of - so that
9 we have some feeling of what we're recommending, what it
10 actually does for the City.

11 MS. AMPARANO: Sure. I gave a presentation last time
12 that I'll share with you -

13 MR. **TOM BURKE**: Okay.

14 MS. AMPARANO: - that has estimates in there, so a
15 half-cent sales tax is about \$50 million.

16 ~~MALE SPEAKER~~ MR. **YEE**: How much?

17 MS. AMPARANO: Fifty million.

18 MR. **TOM BURKE**: But that, then that in relation to the
19 City budget and to what, you know, what type of a problem we
20 have to resolve. I, I, and I, and I tend to - for those who

1 don't know my background, I was the Finance Director for Pima
2 County for 11 years. I'm now a Deputy County Administrator, and
3 I'm feeling the burn of the last bond election. And I would
4 agree with Mr. Burke that we have to - who's not related - that
5 we, we do have to take into consideration what can actually
6 pass.

7 And I appreciate we should do what's best, but in, you
8 know, the environment we're living in today, we have to make
9 sure that we give something that's good and that we can stand up
10 and, and respond to any question saying it makes sense.

11 MS. AMPARANO: Sure. So just to clarify. Is there
12 additional information other than what was given last week that
13 you need?

14 MR. **TOM BURKE**: Maybe that just if I go through what
15 was - because I just learned for sure of my appointment this
16 afternoon. So I haven't seen that yet.

17 MS. AMPARANO: Yes, I will share that, and if you have
18 additional questions, I'll be more than (inaudible) **happy**.

19 MR. **TOM BURKE**: That'd be great, Silvia. Thank you.

20 CHAIRWOMAN **POULOS**: All right. Thank you. And Joe.

1 Thank you, Tom.

2 MR. YEE: Silvia, how does this \$50 million
3 ~~(inaudible)~~ **if you were to get it.** How does that impact the
4 structure of deficiency in our budget?

5 MS. AMPARANO: So for fiscal year '17, we're
6 estimating a \$35 to \$40 million deficit, and that's mostly
7 ~~(inaudible)~~ because of the pension increase ~~(inaudible)~~ 25
8 million of the \$40 million deficit, and that's preliminary
9 numbers. We're working on those, but - so \$50 million would
10 cover that structural deficit, and also potentially do - help us
11 find some of the things that we've deferred like maintenance
12 ~~(inaudible)~~ **on** facilities, replacement of vehicles, technology,
13 projects that we tend to put off until we became structurally
14 balanced.

15 So, you know, there is a immediate need for about \$35
16 million, and that's if ~~(inaudible)~~ pass that sales tax, there is
17 a little bit of ~~(inaudible)~~ the things we deferred for many
18 years.

19 MR. YEE: So if any ~~(inaudible)~~ \$50 million were added
20 to ~~(inaudible)~~ 2017, and then ~~(inaudible)~~ **pension fund is in**

1 **horrible shape, are we (inaudible) 2017 structural deficiencies**
2 **and 2018 comes along what are the structural deficiencies**
3 **(inaudible)**

4 MS. AMPARANO: I think the biggest challenge is the
5 increases to the public safety pension. There is a pending
6 lawsuit that hasn't been settled yet that can have another
7 potentially negative impact (inaudible) We're already thinking
8 about that and building it into the five-year model.

9 The biggest increase is probably gonna be in fiscal
10 year '17 and then fiscal year '18, just revenues are not
11 increasing at the pace that expenditures are projected to come
12 in. So I think (inaudible) that's the primary reason. Of
13 course, you know, health benefit increases are happening. We
14 haven't given raises in many, many years, and so all that stuff
15 is to be discussed at every budget cycle with Mayor and Council
16 on how to prioritize the general fund monies.

17 And you had a question about how much the sales tax
18 goes to operations. All of it goes to it. All general fund
19 monies that go to fund operations and Mayor and Council decide
20 how to spend that through the budget process.

1 MR. YEE: So you have a serious - Tucson have a
2 serious (inaudible) structure deficiency. And now, you know,
3 2017, let's say that that 50 million gonna come in. Maybe in
4 2018, we have increase of maybe \$55 million into (inaudible)
5 But how does (inaudible) Are we gonna have a serious year-
6 after-year (inaudible) structure deficiency (inaudible)

7 MS. AMPARANO: So Slide 4 of the presentation I made
8 last year (sic) kind of gave the, the delta between revenues and
9 expenditures for the next four years. If we didn't do anything,
10 the deficit in four years would be \$63 million. That's a
11 cumulative amount. So it'd be \$30 million for fiscal year '17,
12 another (inaudible) add another \$7.3 million on top of that, and
13 it just keeps adding on if we don't take care of the structural
14 balance now.

15 So that \$50 million, if the half-cent sales tax was
16 approved, would be a recurring revenue that could be, you know,
17 set to (inaudible) And if there is additional increases past
18 that, then the City has to manage its expenditures on the other
19 side (inaudible) **not that still isn't going to happen.** We're
20 still always looking at deficiencies and how to (inaudible)

1 **business.**

2 **CHAIRWOMAN POULOS:** Thank you.

3 **MR. YEE:** (All statements inaudible)

4 **MS. AMPARANO:** I think it doesn't adjust **address** to
5 immediate needs and, you know, (~~inaudible~~) **immediate** for the
6 last, next five, ten years. I mean I think a half-cent sales
7 tax is a big increase, and it does solve the problem for the
8 next couple of years, and then you have to manage, again, like
9 we have been for the last six years. We have to reduce
10 expenditures to meet the incoming recurring revenues.

11 **MR. YEE:** (All statements inaudible)

12 **MS. AMPARANO:** Yes. So it's part, it's part of a - if
13 there is a, a ballot question put on voters (inaudible), our job
14 is to educate the community of what is the deficit situation,
15 what's driving the expenditures higher than normal right now
16 than we've seen in the past. So when we hit the recession, the
17 impact to the general fund was that revenues took a decrease.

18 **MR. YEE:** How much? (Inaudible)

19 **MS. AMPARANO:** Oh, gosh. (Inaudible) So it went from
20 what it is now, 'cause right now, we're barely getting back to

1 what we were in 2008. It dipped down to ~~(inaudible)~~ **we lost**
2 **about** \$20, \$25 million (inaudible) tax revenues from the high to
3 low. And now we've regained that. Revenues are up to what they
4 were in '08, but the expenditures now are outpacing the
5 revenues. So the revenues have stabilized, they're growing, but
6 they're growing at much smaller pace than the expenditures that
7 are now coming in.

8 MR. YEE: (All statements inaudible)

9 CHAIRWOMAN **POULOS**: Thank you.

10 MS. AMPARANO: So I think the - to answer part of
11 their question is usually when there's an economic downturn,
12 that you have reserves set aside so that you can weather that
13 storm. So you're not having to increase fees, or fines, or
14 sales tax amounts if you have that flexibility.

15 We haven't rebuilt those reserves, that we used some
16 of those reserves to help us through the '08, '09 and '10
17 budgets. And so if another recession were to come within the
18 next, you know, three years, we're not in a good place to
19 weather a storm like that. And so that's one of the goals as
20 part of the, you know, five-year model is to try to rebuild

1 reserves so that we are in a better place to (inaudible) because
2 sales tax is a (inaudible) **volatile** source of revenue.

3 I mentioned property tax isn't a big source for, for
4 the (inaudible) **General Fund** and we're restricted in how much we
5 can increase that from year-to-year. So that's about \$14
6 million of, of a \$400-plus million dollar general fund budget.
7 So it's a very small amount.

8 The other big sources are fines and permits which if
9 you add all those together, it doesn't make up the amount of the
10 sales taxes coming in. So I think we, we - everything's on the
11 table at this point until, you know, we can - and if revenues
12 don't come in, that means we have to reduce services and it's by
13 eliminating programs. And that's what we're looking at.

14 CHAIRWOMAN **POULOS**: Okay. Thank you. I'd like to -
15 Grady, did you -

16 MR. SCOTT: I just - what is the restriction of
17 property taxes?

18 MS. AMPARANO: So the state law - go back to the
19 presentation - is a state law that restricts an increase of two
20 percent per year. And so we, we have been increasing it the

1 maximum we're allowed by state which isn't very much in dollars
2 to us.

3 And there's also a restriction on the limited property
4 value that just went into effect this year that says you can't
5 increase it more than five percent annually. The assessed val-
6 - the limited value amount can't be increased more than five
7 percent.

8 CHAIRWOMAN **POULOS**: However, if we take the cap off of
9 the secondary tax, and only levy it on the primary tax, the
10 primary tax currently is, what, .49?

11 MS. AMPARANO: Uh-huh.

12 CHAIRWOMAN **POULOS**: And so it would give a lot more
13 flexibility to the City for raising the primary tax because it's
14 not even close to the cap that is now being applied to both the
15 primary and the secondary, is that right? (Inaudible)

16 MR. AMPARANO: The state limitation is the one that
17 really limits us. We can't increase it (inaudible) we can't
18 increase it more than two percent annually per state statute.
19 So the, eliminating the cap off the combined really gives us
20 more bonding capacity, so we can have a higher secondary

1 property tax.

2 CHAIRWOMAN **POULOS**: Okay. All right. Luke. And then
3 I'd like to end this discussion and move on to our next item.

4 MR. **KNIPE**: I just wanted to, to Silvia's answer to
5 Grady's question. The, the two percent per annum limit on
6 increases to the primary property tax is actually a provision of
7 the State Constitution. It's not something even the legislature
8 can change.

9 CHAIRWOMAN **POULOS**: Thank you. All right. Thanks to
10 everyone who was in the discussion. You gave us good
11 information, and we will revisit this at a future meeting. And
12 I'd like to move on to Item No. 6. We're gonna discuss Forms of
13 Elections. We've asked Dr. Sonenshein, Raphe, to give us a
14 presentation about how other people do it, and what we might
15 consider if we do make some of the changes that we've thrown out
16 onto the table.

17 And then I'd like to take, after that, a discussion of
18 what are the topics on - that are in the handout related to the
19 electoral process. And I'd like to take us to a place where we
20 can prioritize those in terms of what we'd like to go into depth

1 at the next meeting. So, Raphe, it's all yours.

2 DR. SONENSHEIN: Thank you very much, Madam Chair.
3 Thank you very much for having me back. It's, it's a great
4 pleasure to be back in Tucson. It's nice to see the people I
5 worked with before, and to be a member of the Committee as well.
6 I'm gonna try to be as, as helpful as I can in your process,
7 certainly not to make decisions for you in any way, but to
8 provide the background you need as you're making these really
9 hard decisions.

10 This is really a thorny set of decisions that you're
11 gonna be facing about election ~~days~~ **issues**, and before you even
12 start, or to start is to understand how interconnected
13 everything is, including decisions that the Committee made in
14 its earlier iteration about the roles of the Mayor and the
15 Council.

16 Decisions about elections have an impact on the roles
17 of the Mayor and the Council, the City Manager and others in
18 ways that I think you'll start to see. And the whole complex of
19 issues that go along with an at-large or district elections
20 really do affect each other. You decide one thing and it opens

1 up another door, and you have to follow down that door and see
2 where that takes you.

3 Elections are as big an issue as the governance
4 questions that were taken up in the first round of this, of this
5 Committee. As you know, the current model in Tucson of the
6 election of the City Council is an unusual one where it's called
7 a hybrid, but there's actually two kinds of hybrid systems.
8 This is the most unusual one where candidates are, run in a
9 primary and a district and then are elected citywide.

10 I'm not telling you anything you don't know, that
11 there's a court case moving its way through. I would say as
12 near as I can tell, you actually still do have the option to
13 vote as a Committee to preserve the current system pending a
14 court decision.

15 So I want to start out by, by saying what I think is
16 your big decision and then maybe cast some light on the history
17 of these systems and some things you might want to consider.
18 Then the rest of the time, I'd like to answer your questions if
19 that's okay rather than taking up your time by speaking too
20 much.

1 **If** there's four different choices, you have the
2 current system, which we could call the Tucson hybrid. I think
3 it'll be easier to remember it that way. There is, of course,
4 the at-large system in which every, every candidate runs
5 citywide, and in whatever form that's done. There's a lot of
6 different ways to do that. And another is, of course, a pure
7 district system.

8 And the court decision seems to be discussing those
9 two options. There's also a fourth option that I'm sure you're
10 familiar with which is to have district elections with some
11 additional members of the City Council elected at-large.

12 Generally we call that a mixed system. But when you
13 see the statistics on mixed or hybrid systems, I think they're
14 mixing together that last one, in any version such as the Tucson
15 one, and it's very difficult to unpack who has which one. But I
16 can tell you that among the mixed systems, the far more common
17 one is the second one I just mentioned which is to have a
18 majority of the members elected by district, and a smaller
19 number elected at-large.

20 I am gonna answer, try to answer two questions that

1 were ~~said~~ **sent** to me by the Committee. One was, what is the
2 trend on these matters in, in Charter thinking? There's a whole
3 bunch of issues I was asked about, and I want to sort of let
4 those emerge in your questions about what the trends are.

5 And the other is, what are the differences between the
6 life of a city with district elections and the life of a city
7 with at-large elections? I'm here to tell you, the differences
8 are very significant, including ways you might not even
9 anticipate how different these systems are.

10 Because Tucson's been poised halfway between both
11 systems for so long, it's gonna be difficult at first to see how
12 different the two sides are, 'cause I know when I was here last
13 time (~~inaudible~~) **I asked** are your Council Members district
14 representatives or are they at-large representatives? And
15 everybody said the same thing. They said, "They're both."

16 Now if you move away from that system, you're gonna go
17 to something that has a very distinct characteristic where the
18 answer is not "both". Now on the other, the hybrid system, your
19 Council will have both, but each person will not be both. So,
20 all four of these are really very, very distinct.

1 So let me tell you kind of how we got to this point in
2 the debate, and see how we're, we're coming into the debate,
3 where we're joining the Charter debate about at-large versus
4 district elections.

5 The original form of local government in the United
6 States was a very traditional Mayor-Council district elections,
7 partisan elections in the 19th century, all the way to the early
8 part of the 20th century. That would have been considered the
9 normal way of doing business.

10 Just so you know that everything is interconnected,
11 when people came to critique that system in the beginning of the
12 20th century, they critiqued all the pieces of it, not just one
13 piece at a time. And therefore, the (inaudible) instituted a
14 whole of interrelated ~~(inaudible)~~ **things** such as at-large
15 elections, the Council-Manager form of government, and non-
16 partisanship were all supposed to flow together.

17 Of course, they never anticipated that in the duty of
18 Charter Reform, every city can mix and match whatever they want
19 to do, and that's what they do now. But the original idea was
20 that that was the only way you could possibly do anything in

1 order to prevent corruption in City government.

2 And that was pretty much the dominant view, especially
3 in the West and the Southwest where the progressive movement was
4 so strong. But by the 1950's and 1960's, and especially in the
5 '70's and '80's, there was a lot of push-back against many of
6 these. And that led to waves of Charter Reform in a lot of
7 cities, and we're still a part of that. Those waves continue.

8 So among the things that began to change, one was the
9 belief that partisan elections are not always the end of the
10 world, and don't necessarily lead to corruption. But I have to
11 say non-partisanship has proved **out** to be a very hearty survivor
12 of the original, the original movement.

13 Strengthening mayors starting in the 1960's became a
14 very big part of charters, of Charter Reforms. You will rarely
15 see a Charter Reform, whether it's successful or a failed
16 Charter Reform that doesn't either keep the mayor's role the
17 same or increase it. You rarely see Charter Reforms whose goal
18 is to reduce the role of the mayor. Doesn't mean the voters
19 always agree to it, but if you're asking what's the trend, it's
20 marginally on behalf of having so much stronger mayors.

1 But when it comes to district elections and at-large
2 elections, there was a real revolution about this that really
3 took hold in the '70's, and the 1980's. And it had to do with
4 minority representation.

5 In 1986, a very important federal lawsuit was filed in
6 Watsonville, California against the at-large system under the
7 Voting Rights Act of 1965, arguing that at-large systems
8 discriminate against racial minorities in terms of
9 representation.

10 As it turns out, it was pretty easy to show that if
11 you had a white majority that voted in unison in geographically
12 concentrated minority communities, they could not win
13 representation on the City Council. There are literally places
14 where not a single Black or Latino elected official had served,
15 first had served on the City Council literally in decades.

16 And little by little, cities were forced under court
17 order to get rid of at-large systems and replace them with
18 district elections. It is now 2015, and those lawsuits are
19 continuing to be filed. And in many cases, continuing to be
20 successful even with the weakening of the Voting Rights Act from

1 the Supreme Court.

2 In other words, it has become kind of the established
3 thought that if you have a community that has geographically
4 compact minority communities, who together represent a minority
5 of the voters of the city, that there's - it could be the
6 beginning of an argument for having district elections.

7 It doesn't mean, though, that every city is dealing
8 with that particular question where that that's the question
9 you're dealing with in Tucson. But what I'm saying is, because
10 of the primacy of that debate, at-large elections have been less
11 popular within City governments (inaudible).

12 A second reason is the rise of neighborhood
13 participation as a value, and neighborhood identities as a
14 value, sort of parallel to the issue of minority representation.
15 Now you'll discover nothing is a slam dunk about what works to
16 make things better.

17 And I am not gonna offer you any, any of the four
18 options to be perfect. For example, what some research has
19 started to show is that women have greater opportunities of
20 being elected to City Councils in cities that have at-large

1 elections than have district elections.

2 It would be so simple in Charter Reforms if all of the
3 good things happened with one form, and then you could just toss
4 the one that you think doesn't work, and actually there's a cost
5 **in** benefits of, of all the different options.

6 For any group that's not geographically dispersed, at-
7 large elections may actually prefer ~~their~~ **better** opportunities
8 for representation. And in some cities, that's actually true of
9 racial and ethnic minority communities that are not
10 geographically concentrated.

11 Example is Los Angeles where with 420,000 people in
12 the population who are Asian-American, there was not a single
13 Asian-American City Council Member between 1993 and the most
14 recent election in 2015. That's more people unrepresented than
15 probably the population of most American cities, did not have a
16 representative partly because of geographical dispersal within
17 the city. District elections were of, of no utility to Asian-
18 American representation.

19 Long way of saying, district elections have a better
20 name now than they did before, but it doesn't necessarily solve

1 every problem in the universe. At-large elections have a less
2 good reputation than they used to have, but still have some
3 virtues that for this Committee, given that, as they say,
4 necessity is a virtue, the City has been forced to consider all
5 these alternatives now. It might be worth kind of taking them
6 out for a ride and seeing what they're like.

7 Let me suggest a couple of things about
8 interconnectedness which is why you should not rush into this
9 decision. I'm also very happy to hear the sentiment of take
10 your time to make the right decision. That's especially true of
11 election systems, 'cause one of the questions that was asked, I
12 think, I think you asked at the last meeting, and from the
13 Minutes, I think it may have been Mr. Rogers, but kind of what's
14 the characteristic of these different ways of doing business in
15 a city?

16 I'm here to tell you a district representative and an
17 at-large representative are completely different creatures. And
18 in Tucson, that difference has been obscured for you because
19 both of those characteristics are in the same person. And I
20 don't know whether they carry ~~(inaudible)~~ **half each** in them, I

1 doubt it. You can't do that.

2 But in the real world, what you see is good and bad
3 about both. And in fact, one of the things that entertains me
4 since I have read so many charter ballot measure pro and con
5 arguments, you can take the pro and con argument on a district
6 versus at-large in any city in the United States and inter- --
7 interchange it with another's, and change the name of the city,
8 and it would all be the same arguments.

9 But in each city they're, they're surprised. But the
10 truth is, these characteristics are now pretty well known. An
11 at-large representative will have spent most likely considerably
12 more money to be elected to that office than the district
13 representative, may have a number of different supporters around
14 the city, making it a relatively diverse basic support around
15 the city, will certainly be part of the city's leadership team
16 in terms of the big citywide projects, the stadium - another
17 thing that's, that's carried on as a citywide project.

18 They are considered important because they're elected
19 at-large just as the Mayor is considered important. And one of
20 the things that I want to say about the Mayor is the Mayor, by

1 definition is not quite as super-prominent in the at-large
2 system as in a system where the Council Members are elected by
3 district, and the Mayor's the only one elected citywide.
4 Everybody's elected at-large, and it's almost like a team that's
5 addressing various projects.

6 Now when people like that system, they say, "This is
7 great because we have six people that we can go to with a
8 problem, each of whom represents all of us." That usually
9 appears in the ballot argument, and to some degree, there's some
10 truth to that, that everybody is supposed to respond to your
11 problem.

12 Now the flip side is what it's like when you have a
13 City Council that's elected by district. And the district
14 people will counter by saying, "When everybody represents you,
15 nobody represents you, because nobody has your corner of the
16 city in mind."

17 District representatives usually have to spend less
18 money to get elected, and they are the gods of their district.
19 And that's kind of the way a local government tends to work when
20 it's much more on a district basis.

1 They, if they're gonna stay in office, know every inch
2 of that district. I mean down to the fire hydrants, down to
3 which alley hasn't been picked up, and their selling point is,
4 "I am there for you. I will be there for you come hell or high
5 water. Here's my phone number. It's in the phone book. You
6 can call me at 2:00 in the morning. If something's happening
7 there, I will be there, but I will not step across the line into
8 the next district, 'cause then I'm in a fistfight with the
9 neighboring council member whose territory that is."

10 Better or for worse, there's a lot of territoriality
11 in a district system. What it means is the, is the
12 neighborhood, or the community has an advocate at City Hall for
13 them in all matters having to do with City issues.

14 Now you can imagine how the budget looks a little
15 differently when a budget is done with the Mayor and an at-large
16 Council, and a Mayor and a district Council. And I'm not gonna
17 tell you which one is better because I think it's like telling
18 you what the various fashions are and then you have to try it on
19 and see kind of what fits.

20 There's no perfect thing that's gonna say, "That's the

1 perfect way to do it 'cause those district people (inaudible)
2 at-large." But they're very different tunnels. For example, an
3 at-large system will miss things that are small but important.

4 And sometimes you end up with big revolts in systems
5 that are at-large because that little neighborhood protest that
6 didn't seem like a big deal, well, it's just - oh, must have
7 been just a few malcontents on one block, turns out to be
8 something that six months later electrifies ten neighborhoods
9 who are ready to just head down to City Hall with 500 people
10 (inaudible) **and people at City Hall are** ~~And you're~~ saying,

11 "Well, how did that happen?"

12 Conversely, the district system may sometimes miss
13 things. In terms of maybe the overall value to the community of
14 a new project that is really upsetting in my district. Should I
15 block it? Well, logically, I should block it. If it's in my
16 district, and my district hates it, I don't think I necessarily
17 should fall on my sword to get the project put through.

18 Now what I may do is not insist that my colleagues
19 kill them (inaudible) You know, I may not say this is something
20 on which I will fight to the death to stop, but you have to

1 become very cognizant of what the council member of the district
2 is feeling.

3 And in the district system, I will tell you, you think
4 very long and hard about what's going on in that district in
5 conversation with a council member. You really do. And if
6 you're the Mayor, you survive, at least in part, because you at
7 least know if you're gonna have trouble with that council
8 member. If you have trouble with a council member, you're
9 having trouble with that district. And you need, you see the
10 city and district (inaudible)

11 As you can see, there's strengths and weaknesses
12 really for both. In the at-large system, you could almost
13 sometimes think of the Cabinet as, the council is like your
14 Cabinet in a certain kind of way. They're elected by the same
15 people you are which allows a kind of trust between the Mayor
16 and Council that's maybe a little bit more collaborative in a
17 Mayor who's kind of trying to figure out what to do with these
18 dis- -- these feisty district level council members.

19 But consider, if those council members have missed
20 something and you've missed something, you now have a circle of

1 people who have all missed something that's going on in the
2 district. So trade-offs. What's ended up happening is the
3 systems adapt.

4 The district people are crazy. They want the budget
5 to work. I mean they're not sitting there trying to break the
6 City's budget. They're certainly not trying to raise taxes for
7 their own district, given that they'd have to run on voting for
8 a tax increase as we were discussing.

9 The at-large people are crazy. They're not purposely
10 trying to miss what's going on in the districts. But they're
11 watching in a different way. They're all operating in a
12 different way. It is certainly true that when you elect council
13 members by district, there will be more conflict - now I would
14 never misinterpret political conflict, by the way, as something
15 that lasts beyond what somebody says when they're in public, you
16 know, you all have been around this long enough to know that you
17 go out and have a drink afterwards, and it's not like they're
18 gonna never talk to each other again.

19 But when you have district representatives, and you
20 say something that affects my district, I am gonna get right

1 back in your face about it, and say, "You can't talk about
2 District No. 3 that way, you know, we have very specific needs."
3 At-large districts -- at-large elections will put a little bit
4 more premium on, "We're all part of the same kind of citywide
5 endeavor."

6 Now let's talk about where the Mayor fits in on all
7 this, and the kind of Mayors you get with the different, the
8 different systems. Right off the bat, if you go to a district
9 system, you're gonna be thinking a little bit about adjustments
10 you might be thinking about for the role of the Mayor, because
11 the Mayor will now be the single citywide elected official on an
12 executive level of the City. And that is a big change. That's
13 a, that's a big deal.

14 Now, not as a big change in Tucson because you've
15 already got the fifty-fifty thing going. But it's still
16 nonetheless ~~(inaudible)~~ a change. Let's say you had seven
17 district members and you might start asking yourself, "Should
18 the Mayor have a veto?" Which is a big step, by the way. It's
19 a very big step, not necessary, you don't have to do it. But
20 the fact is, you'll start thinking about it, if that's true.

1 If the Mayor is just one of the members of the
2 council, and in the first Charter Reform, the last Charter
3 Reform, the Committee made sure that the Mayor was a full member
4 of the city council, but if the Mayor is looking as part of a
5 district-elected city council, you'll want the Mayor to be able
6 to play a role calling the citywide voice to the table. And
7 maybe that's why when thinking about whether the Mayor should
8 have a somewhat bigger role.

9 If they're all elected at-large, there's probably less
10 interest necessarily in changing the Mayor's role. In fact, the
11 Mayor could largely continue as the Charter Committee set it up
12 in the previous round as a honorable member of the city council.
13 Don't forget, if you do the first one, you're gonna need to
14 change the numbers of members of the city council to an odd
15 number, because if the Mayor has a veto, the Mayor would
16 probably have to be a non-voting member of the council, or not a
17 member of the council at all.

18 I guess what I'm saying is, each of these changes
19 affects the culture of City Hall. Whichever way you go, it's
20 different than where you are now because you'll no longer have

1 council members if you go the at-large system who can say,
2 "Well, I ran in the Primary in the district, and I'm assigned to
3 District One, or District Two, or District Three." That second
4 part will not be meaningful (inaudible). It'll be more of sort
5 of a citywide cabinet with the Mayor in some ways.

6 As you go to district elections, and the council is
7 gonna want to probably pass things by a majority which would
8 mean you have to have an odd number to do that, and then
9 consider whether the Mayor has a different role.

10 It's a way of saying everything touches on things.
11 For example, I know you're interested in the campaign finance
12 laws, or the campaign finance rules. Those would be different
13 in an at-large system versus a district system because your
14 analysis of the costs would be different (inaudible)

15 So it grabs at everything. And we haven't even
16 considered the fact that a lot of what people are talking about
17 in elections these days is about how to make it more likely that
18 people will vote, and the system is part of that. But there's a
19 whole range of things that the public is asking about, about
20 when elections are held, elections (inaudible), how voting is

1 done when putting things like all-mail ballots, weekend voting,
2 early voting, all the things that actually political scientists
3 can give you a pretty good list of all the things that work.

4 An easy way to figure that out, by the way, is anybody
5 who wants to reduce voting turnout eliminates those. And anyone
6 who wants to increase voting turnout adds them. I mean it's,
7 it's not rocket science anymore. But sometimes they're hard to
8 get approved, and sometimes they'll require charter changes.

9 All that is in the election system. But I think that
10 the last one is hybrid one. It's kind of interesting because if
11 there's any of these forms that is getting picked up a little
12 bit more separate from the debate about minority representation,
13 it's the hybrid of a majority by district, and then a few by at-
14 large.

15 Here's the thing - I can just tell you what I know
16 about this. It's pretty recent, and I wish I could tell you
17 that there was 30 years of data to say how well it works. State
18 of Washington does it in a bunch of their cities, but a lot of
19 them are pretty small cities.

20 But Seattle adopted it in 2013, and it's early. It's

1 early to know. Boston has had it for a long time, and we'd have
2 to find out more about that. Detroit, which for many years, was
3 the only major city that had at-large elections, in 2013 voted
4 to move to a system like this with a majority elected by
5 district, and several elected at-large.

6 I think that's a fourth alternative that, that you may
7 want to research as well. And you do have the option that, by
8 the way, the voters could adopt, because if you put one of these
9 other three on the ballot, and the voters turn it down, then
10 you're still, until the court rules otherwise, you still have
11 your existing system. So therefore, I think you should keep the
12 existing system in the mix to discuss what you want to do.

13 Gets to the question of how to make this decision, and
14 some of it, I think, is to ask questions and for us to talk it
15 through and see what the issues are. Send me out to dig up
16 things that you might find interesting and helpful, which
17 experiences of which kind of things would you like to know most
18 about. I didn't want to come here to just drop everything in
19 the universe without knowing what you want to hear and what you
20 want to find out.

1 But I would urge you to think of what kind of
2 representation or system you want to have rather than deciding
3 too quickly which of these is better. What do you want to
4 accomplish? What do you want City Hall to look like? What kind
5 of elected officials do you want ~~(inaudible)~~ **in City Hall,**
6 because you will get very different, very different types of
7 people, depending on the system.

8 So I think if it's okay, I would stop there and, and
9 hear what questions people have and, and help in any way that I
10 can.

11 CHAIRWOMAN **POULOS**: Raphe, I'm gonna let you choose
12 who to -

13 DR. SONENSHEIN: Oh, okay.

14 ~~MALE SPEAKER~~ **MR HINDERAKER**: One question I have. Do
15 these pros and cons become more pronounced depending on the size
16 of the population (inaudible) geographic size of the city?

17 DR. SONENSHEIN: It's a, it's really important
18 question, which is, do these values change, depending on the
19 size of the city?

20 Absolutely. I think that the question of districts

1 becomes sort of critical over, you know, 150,000, 200,000. You
2 start to see a big switch in the percentage of cities using
3 district elections when you get over 200,000.

4 ~~MALE SPEAKER~~ **MR. HINDERAKER:** Why is that?

5 **DR. SONENSHEIN:** Well, I think the reason is, it's
6 just that it almost like electoral visits which is once the city
7 gets big enough, neighborhoods begin to feel neglected. I mean
8 forgetting the question of minority groups (~~inaudible~~)
9 **representation**, which is in large diverse cities is very
10 important. I think what you start to see is people say, "I live
11 in -," and they describe a section where they live in as much as
12 they describe the city.

13 And when a city gets big enough, complaints often
14 become neighborhood complaints. So there's at least - if they
15 don't switch the district elections, City Hall finds other ways
16 of adapting, such as neighborhood councils or other
17 decentralized advisory groups, because the bigger the city, the
18 more the pressure for the local.

19 So I would say the size really does, does matter. And
20 **certainly** size matters for the role of the Mayor. The bigger

1 cities really usually have a bigger role for the Mayor. Yeah?

2 MR. KNIPE: Does district voting versus at-large
3 voting provide any kind of empirical visions you're aware of?
4 Impact ~~(inaudible)~~ **voter turnout.**

5 DR. SONENSHEIN: You know, I was, I was thinking about
6 that on the way in. I doubt you're gonna find a big improvement
7 with one or the other. Of all the things that we know increase
8 turnout, that's not one of them. What I do think what changes
9 is people's sense of how they're represented, but not
10 necessarily their turnout.

11 In fact, we'll sometimes find in district elections
12 the turnout can be very, very low. And a small number of very
13 well organized people can have a, a very large impact. There's
14 a movement now even, by the way, in school districts to elect
15 their school boards by district, and which is an interesting
16 idea. One of the things that's gonna happen is the turnout's
17 gonna be very, very low. School board races already draw very
18 few voters.

19 Compared to the things that increase turnout that are
20 three or four things that we know, this would not be whether

1 district election, or at-large would not be one of them I would
2 say. Yeah?

3 ~~MALE SPEAKER~~ **MR. BRUCE BURKE:** The third one in your
4 presentation, you made the comment you want to focus on what
5 makes, what works to make things better. What's, what's the
6 measure? What are we (inaudible) We'd say, "What's better?"

7 **DR. SONENSHEIN:** Well, this is, as you pointed out in
8 your philosophical question about what makes things better, what
9 I can say when it comes to elections, there's really two values
10 that you want to have better. And one of them is a sense of
11 representation. And the other is the reasonable effectiveness
12 of the City government. And those are, I think, the two things
13 that you need to balance.

14 You know, in our earlier discussion about the roles of
15 elected officials, we talk more about the second than about the
16 first. And representation, unfortunately, is not always
17 something that's just an objective thing, it's a subjective
18 thing. It's whether people feel connected to the City
19 government. That is measurable.

20 ~~MALE SPEAKER~~ **MR. BRUCE BURKE:** How so?

1 DR. SONENSHEIN: Well, you - this is where surveys are
2 helpful, and there's very specific questions that are asked
3 about, "Do you feel that people like yourself can be heard at
4 City Hall," for example. Or you ask, "Do you recognize any of
5 the following people as people you might go to if there's a
6 problem?" One question we've asked in surveys is, "If you had a
7 problem at City Hall or with the City government, whom would you
8 ask?" Oddly enough, in Los Angeles, nobody asked the Mayor.
9 Everybody said their Council Member.

10 It's astonishing, even though the Mayor is directly in
11 charge of the delivery of City services under the Charter. So
12 subjectively you can ask those questions, and you can ask people
13 - nowadays, people are so kind of in such a rotten mood that
14 they'll often say, "Nobody," or "They're all horrible." But if
15 you give them some choices, they will start to say some things
16 that are kind of interesting.

17 You want to know, how does your election system help
18 people get access to City Hall? It's very important to feel the
19 decisions made are legitimate. But then the City's (inaudible)
20 So I wish I could tell you that, you know, there's an easy

1 measurement for both, but certainly the size of the city's a
2 factor. The ability of the city in the past to operate
3 effectively, usually means whatever system you adopt, you know,
4 isn't gonna **that** hurt that too badly.

5 Or if you change the system, put in some checks to
6 make sure that those things are happening. Example. If you
7 switch to an at-large system, I would very quickly figure out
8 what supplementary connection you need to the neighborhoods if
9 you're gonna have an at-large system, 'cause you've just cut out
10 sort one-half of your representation system.

11 I would immediately be thinking about neighborhood
12 representation which a lot of cities are doing now, neighborhood
13 council. I know you already have. I would, I would strengthen
14 that. I would look at it as an immediate urgent need if that
15 were to happen.

16 Conversely, if you go to a district system, you'd have
17 to strengthen some systems at City Hall with your realization
18 that now the Mayor is the one person with the at-large
19 perspective in the budget, and the Mayor and the City Manager.
20 And you might want to make some adjustments in terms of how that

1 is done.

2 So that's how I think you fix one - what I love about
3 charters is you fix one thing, it throws everything out of whack
4 and you better fix the other thing, too, to kind of rebalance
5 it. But either one of those would be a reasonable way to make
6 sure you did the right thing.

7 But cities go wrong when they adopt one of them and
8 forget that they've just introduced some new problems that they
9 haven't, that they haven't resolved. Yeah?

10 MS. DORMAN: What does the end game look like for us?
11 Like do you just put one thing on the ballot that people vote
12 for or against? Are there three options? Is there - are there
13 two options and you vote for one of them?

14 DR. SONENSHEIN: I'm pretty sure, and I've checked
15 this with Mike. I know that the tradition about the rules of
16 City Charters is you can't get people to trust. You can't say,
17 measure number one says, would you like at-large or district?
18 You have choice one is at-large, choice two is district.

19 The general form of ballot measures is "yes" or "no"
20 on a proposal. Now you could put two proposals on the ballot,

1 each of which, one of which said "at-large", one of which said
2 "district", and then whichever got more votes would win.

3 Now I'll tell you why I don't think that's a good
4 idea. First of all, as a Committee, the community is expecting
5 you to have come to a recommendation on research and thought and
6 analysis. And I'm not sure people would know how to weigh two
7 contrasting proposals that we're all just starting with tonight.
8 The voter would be where you are now, not where you're going to
9 be in several months.

10 You could make it an advisory question, but then it's
11 just a poll. And there's a lot of kind of complaints these days
12 about too many advisory measures going on the ballot. There's
13 even lawsuits about it. And so (inaudible) I'd be inclined to
14 recommend that you recommend one or none.

15 If you recommend none, then the default option is the
16 current system. But if you feel that there's a better system, I
17 would think it would pay to put it on, or to ask the Council to
18 put it on the ballot. But you may decide, you may decide not
19 to. Yeah?

20 ~~MALE SPEAKER~~ **MR. ROGERS:** Well, since 2009, things

1 have gotten (inaudible) or strained, shall we say, to put it
2 mildly. We currently have a Board of Supervisors that's done by
3 district, five members. And we have one member that's, I think
4 everyone pretty much agrees, is completely dysfunctional.

5 DR. SONENSHEIN: Uh-huh.

6 ~~MALE SPEAKER~~ **MR. ROGERS**: And (inaudible) really
7 doesn't participate what I would consider to be good government.
8 Do you see trends like that develop when you go to ward-only?
9 Do you see extremists on both end of the spectrum more likely to
10 get elected?

11 DR. SONENSHEIN: It's been my experience that a lot of
12 governing bodies these days, whether they're district or at-
13 large, you've got one person who people have all kinds of names
14 for. And then you see the other members going to the library
15 and coming up to meetings with this book called Coping With
16 Difficult People ~~(inaudible)~~ , **I think you've seen it** and
17 they've all got the book in front of them, and they're saying,
18 "This is in Chapter 3," and everybody's like comparing notes
19 afterwards.

20 Unfortunately, I think it's not uncommon regardless of

1 system. I saw it in a charter I was doing in a medium-sized
2 city with at-large elections. The people elected a gadfly onto
3 the City Council who began, you know, verbally abusing the City
4 Staff and making unreasonable demands under the Public Records
5 Act for thousands of copies.

6 But consider the real reason that this happens is
7 probably not the structure, but the low voter turnout in local
8 elections is getting so cataclysmic that you can have
9 circumstances, let's say you have the top three candidates are
10 gonna get in, and only the first two are really well known, and
11 the third one has 50 friends who think that this gadfly is, you
12 know, a wonderful person. And suddenly that this guy's on a
13 council.

14 I mean, it was - I had to present the new charter to
15 this person. And I was shocked. And that was an at-large
16 system. So I think, I think nowadays, unfortunately it's, it's
17 a feature. It's a local government feature, I think, in a lot
18 of ways.

19 ~~MALE SPEAKER~~ **MR. ROGERS:** And let me follow up here.
20 Last time I looked at this, at this issue of non-partisan was

1 probably four or five years ago when we did that other package.

2 And we were looking at non-partisan and it seemed to me that the
3 literature seemed to say that going to non-partisan caused a, a,
4 a rather significant drop in voter turnout. That it, it really
5 (inaudible) and it was significant (inaudible)

6 DR. SONENSHEIN: Well, actually, there's a long
7 literature on that that goes back about 40 years that people
8 looked at cities that have had non-partisan elections, and that
9 it had partisan elections. And invariably, the turnout was
10 lower in non-partisan elections amongst specific groups.

11 And it was among working class voters, among minority
12 voters, and among voters with less than a college degree were a
13 far less significant part of the electorate, of the voting
14 electorate than in partisan systems.

15 Now it's relatively old research, and a lot of the
16 bigger cities that are non-partisan are not really non-partisan.
17 Los Angeles is non-partisan, but everybody knows who's in what
18 party. Chicago is non-partisan. **That should tell you**
19 **something.** So I think if you were to go to non-partisan
20 elections, it might not have all the, the downward impact that

1 it has had over the last 40 years simply because the partisan
2 forces operate wherever.

3 But it definitely, non-partisan elections have a
4 different tone. One of the issues with non-partisan elections
5 is whether the voters know who the candidates are. That's been
6 one of the explanations is that the information cost of
7 identifying the candidate closer to your point of view is higher
8 without a party label.

9 Now when areas are dominated by one party, however,
10 the same problem reasserts itself because if all the candidates
11 are Republican, or all the candidates are Democrat, now you no
12 longer have a party cue to tell you what your preference is.
13 Some of those same problems come back.

14 Our problem of voter information now is so serious
15 that if it were a medical question, it would be like a crisis
16 treated like an epidemic. I mean it's - I think it's worth your
17 considering, because you're now talking about something that is
18 really gonna interest the public. And which is why I'm gonna
19 recommend that you hold some, definitely consider holding some
20 public hearings and let people weigh in on this. People are

1 gonna have a lot to say on this.

2 They'll have less to say about the role of the Mayor,
3 the role of the Council, something about finance (inaudible)
4 But this one, this is the part of Charter Reform that's for them
5 in many ways. They're gonna see this as about their
6 representation. There's a lot of sensitivity in this. Yes.

7 **CHAIRWOMAN POULOS:** So several times you've mentioned
8 the things that increase or decrease voter turnout. What are
9 some of those things?

10 **DR. SONENSHEIN:** Well, from - there's a growing
11 consensus that there's a few things that'll increase voter
12 turnout. One of them is the day the elections are held, and
13 the, and the fewer elections there are, and the more
14 consolidated there are, until you get to the point where you
15 consolidate it so much, that there's 10,000 items on the ballot,
16 okay? I know you're gonna potentially face in November. I know
17 California is gonna face in November. And the (inaudible) stuff
18 is really a problem.

19 Clearly the turnout is way higher in even-numbered
20 elections now, although even that is happening mostly in

1 presidential elections. There's been a consistent decline in
2 turnout in the mid-term elections that seems to have nowhere to
3 go but down. It just seems just to be dropping like a stone
4 nationwide. So certainly that is important.

5 Registration, voter registration continues to be one
6 of the biggest barriers to voter turnout, and a number of states
7 are now starting to experiment with what's called automatic
8 voter registration. Oregon was the first. California is doing
9 a moderate version of it, not quite as significant as Oregon's
10 where when you turn 18, the State takes on more of the
11 obligation for registering.

12 As it turns out, the hardest step is to get eligible
13 voters onto the registration ~~halls~~ **rolls**, and there could be a
14 lot of people (inaudible) Tuesday voting, which is a relic of a
15 rural America and, and earlier days has turned out to be an
16 obstacle. States that have adopted early voting, which by the
17 way, California is not one of those surprisingly.

18 But one of the pioneers of this was North Carolina
19 which had a regime of early voting which allowed people to cast
20 their vote a certain block of time before, and at a minimum,

1 weekend voting and in a number of areas, Sunday voting turned
2 out to be very popular and heavily used.

3 So making it easier for people to vote. Clearly you
4 could assume that certain things should not be on ballots.
5 Judges, in general. I have yet to figure out how to cast a vote
6 of any intelligence at all for a Judge. Ballot measures, which
7 are not simple to understand. A lot of people just walk right
8 past them and don't vote.

9 We do know it'd be a simple way to get more people to
10 vote intelligently on measures is to omit the text of the
11 measure and only put who favors it and who opposes it. And the
12 odds are you would cast your vote very intelligently that way.

13 And think about it. That would be a perfect way to
14 just put a title ~~(inaudible)~~ **or a** title say, Safe Streets and
15 Healthy Communities Act of 2016. You'd have no idea what it is,
16 but you'd find out where people you like feel. See most of the
17 best stuff is old-fashioned stuff, which is voting cues.

18 We also know that direct contact with voters works.
19 The old-fashioned, not the TV ads which seem to depress voter
20 turnout according to a lot of the research, but door-to-door and

1 telephone contact seems to actually bring people out to vote
2 surprisingly.

3 We've also been told where people (inaudible) learn
4 this one, that shame is a factor. Finding out that your
5 neighbors voted and they know you didn't vote. And one campaign
6 decided to go a little too far, and did like a whole shaming
7 thing for people, and it was - I, I don't think they quite did
8 it on Facebook, but it was almost as bad, and it led to a big
9 reaction. But the fact is, it's public information who has cast
10 a ballot.

11 So it is all these things, but you can see a lot of it
12 is about restoring the notion of it as a personal activity that
13 is doable within your, your sort of daily life. But, but
14 clearly, election dates -- all-mail voting has turned out to
15 have a significant impact in the states and localities
16 ~~(inaudible)~~ **that used**, allowed people to vote entirely by mail
17 has been quite successful in increasing turnout as well.

18 I mean these things are all pretty simple. I have not
19 seen any evidence that the election system, except historically
20 non-partisan, and I don't want to go so far as to say that doing

1 it now would necessarily depress the vote. It's hard to depress
2 the vote (inaudible) much more than it's depressed. Yes.

3 MR. KNIPE: Oh, well, in 2011, our Mayor and Council
4 took the step of implementing all-mail elections by an
5 ordinance. And that's in place today. But I suppose we could
6 have, and could still do it by charter and make it even
7 stronger. Do - are, are there cities that you're aware of that
8 have all-mail elections by charter?

9 DR. SONENSHEIN: I don't have any right in front of
10 me. I could, I could easily find that out. I know that Oregon
11 has it for the whole state. Los Angeles considered it, did not
12 put it in the charter, but I have the feeling it's only a matter
13 of time before they do. But that's something I can easily find
14 out how widespread.

15 It's funny, it's like most reforms. At first people
16 say, "Where's my precinct place gonna go? And I always go to
17 the same precinct." You know, it's like most things. You know,
18 people didn't want to use ATM machines, and they wanted to go
19 stand in line at the bank to find out they had no money instead
20 of going to the ATM.

1 Well, people discovered that it's a lot easier to get
2 a ballot mailed to you at home, sit around with your family.
3 Everybody sort of talk about and then mail it back in. So my
4 guess is, it'll continue, but I'll find that out. I'll find out
5 how, how widespread that is. Yeah?

6 ~~MALE SPEAKER~~ **MR. TOM BURKE:** If you go - if we were to
7 go towards a district type of arrangement, would that - how
8 would that affect the way that we currently stagger our
9 elections for, for members?

10 DR. SONENSHEIN: I don't think it would - I just
11 looked at the Charter yesterday on this. I don't think it would
12 necessarily change the timing of your elections. As I recall,
13 is it three and three right now?

14 ~~MALE SPEAKER~~ **MR. TOM BURKE:** Yeah.

15 DR. SONENSHEIN: So you would probably pretty much do
16 the same thing. You never want to elect an entire Council at
17 the same time. There's no question about that. You always want
18 to, to separate it.

19 Again, with low voter turnout, to go back to your
20 comment from before, how would you like six or seven people to

1 be like the one person that everybody's got the Coping With
2 Difficult People? You have the safeguard that it's not the same
3 electorate electing the entire Council all at once. So I'm not
4 sure I would recommend - I think it probably shouldn't change it
5 very much, I would think.

6 CHAIRWOMAN **POULOS**: But in Tucson, we elect the Mayor
7 with the same three wards -

8 DR. SONENSHEIN: Yes.

9 CHAIRWOMAN **POULOS**: - every time. And it doesn't seem
10 from the numbers that that makes a difference. But does it?
11 Does it increase or decrease the other three district elections-

12 DR. SONENSHEIN: Well, that -

13 CHAIRWOMAN **POULOS**: - ~~for~~ or the ability of a Mayor to
14 get elected?

15 DR. SONENSHEIN: Well, let me ask you guys. Is there
16 a higher turnout in those races when the Mayor's on the ballot?
17 I can't imagine it wouldn't be.

18 MALE SPEAKER: Absolutely.

19 DR. SONENSHEIN: Yeah. I mean -

20 MALE SPEAKER: Almost (inaudible)

1 DR. SONENSHEIN: Almost double. That's a very
2 interesting question because if you have a district election and
3 therefore the Mayor is the only one elected citywide, and
4 turnout is much higher when the Mayor's on the ballot, it does
5 affect your thinking about timing now that you mention. I mean
6 I'd be totally shocked if the turnout wasn't way higher.

7 MS. DORMAN: But also the makeup of who turns out -

8 DR. SONENSHEIN: And the composition of the electoral-

9 MS. DORMAN: - because those three -

10 DR. SONENSHEIN: - will be different.

11 MS. DORMAN: - those three districts -

12 DR. SONENSHEIN: Yes.

13 MS. DORMAN: - would turn out for sure. And you don't
14 know if the other three district people -

15 DR. SONENSHEIN: That's right.

16 MS. DORMAN: - would show up just for the Mayor for
17 that.

18 DR. SONENSHEIN: That's exactly right. That's
19 actually the, I'd say a really intriguing problem.

20 MS. DORMAN: That was one of our big issues last time.

1 DR. SONENSHEIN: Yeah. And was - I mean if nothing
2 else, it does illustrate that, that no good deed goes
3 unpunished. And basically any change you make flips something
4 around that, that could be an issue. That's really - 'cause
5 nowadays, they're all different. There's an at-large election
6 going on when the Mayor is running -

7 MALE SPEAKER: Right.

8 DR. SONENSHEIN: - regardless of the primary, which is
9 in the district. And now you'd have only half the districts
10 voting.

11 ~~MALE SPEAKER~~ MR. ROGERS: Let's put the rubber where
12 it meets the road. The two most conservative and (inaudible)
13 and heavily Republican areas of town, they would be on the
14 ballot with the Mayor, and only one (inaudible) So if it
15 decided (inaudible) to the conservatives, if we did not change
16 away from the standard nature of our elections, then secondly, I
17 have to wonder if you could - I mean it's possible that you
18 would see a seat change of all six seats in the election.

19 DR. SONENSHEIN: Hmm.

20 ~~MALE SPEAKER~~ MR. ROGERS: But when you go to the ward-

1 only, you know, I mean a person is running only in that ward,
2 doesn't that mitigate the chances for there being a seat change
3 (~~inaudible~~) **in all** six seats, or five out of six?

4 DR. SONENSHEIN: That's a really interesting - this is
5 a really interesting puzzle. And when you say it that way, you
6 could imagine a circumstance where you could elect everybody at
7 the same time because it's not at-large anymore.

8 MS. DORMAN: Right.

9 DR. SONENSHEIN: And your biggest danger of the seat
10 change is that everybody's elected by the same electorate at the
11 same time. So I would, I would withdraw my quick statement that
12 it can't be done, especially given that whatever solution you
13 come up with is gonna pass through a lens in town of people
14 saying, "Here's who wins now, and here's who loses now." What
15 would be the impact of this on who wins and who loses? So I'm
16 going to stand corrected on this. Yeah?

17 MS. DORMAN: The other option that we discussed
18 regarding this issue was do you change the Mayor's term to
19 either two or six years so that he gets elected with different
20 Council people?

1 DR. SONENSHEIN: Well, terms would become a factor.
2 That might be a strong way of changing, of adapting to what
3 maybe could be solved more simply in this way. But a two-year
4 term would do that more, and a six-year, six years is a long
5 ~~time~~ **term**.

6 And if you do that, then you're gonna introduce pretty
7 quickly the subject of term limits. And a lot of people agitate
8 for one term, which I think is not healthy. It's never good to
9 not have a re-election, I think, (inaudible) But the term thing
10 is gonna come up in your minds, I think. Yeah?

11 CHAIRWOMAN **POULOS**: So if you went to district
12 elections for your Council, and you stage them at a presidential
13 election when you have your greatest -

14 DR. SONENSHEIN: Uh-huh.

15 CHAIRWOMAN **POULOS**: - turnout, and then you stagger
16 your Mayor two years later, which is how ours are staggered now,
17 every two -

18 DR. SONENSHEIN: Uh-huh.

19 CHAIRWOMAN **POULOS**: - years, but your Mayor often
20 turns out a larger electorate, might you increase voter turnout

1 at both of those elections by doing that?

2 DR. SONENSHEIN: You might. It's a clever, it's a
3 clever proposal. I will tell you what we're finding is that
4 mayors' races are not attracting all that much by themselves,
5 even in cities like New York, L.A., and Chicago where you would
6 think these are always gonna be gigantic turnout elections. The
7 last two mayor races in New York and L.A. in 2013 contested
8 races drew under 30% of registered voters, which is -

9 MR. DORMAN: That's (inaudible) got elected.

10 DR. SONENSHEIN: - which is not great. But it's an
11 interesting model, though, for other reasons. And -

12 CHAIRWOMAN **POULOS**: Well, I was thinking of increasing
13 turnout because -

14 DR. SONENSHEIN: Yes.

15 CHAIRWOMAN **POULOS**: - of the district issue.

16 DR. SONENSHEIN: But even if you were not even
17 thinking of it simply as a way to increase turnout as a way to
18 kind of balance off things so that the partisan and ideological
19 advantages are kind of neutralized one way or the other, and
20 then having a focus on the citywide in one election, and the

1 focus on districts in the other, I mean I think there's some
2 creative ideas. I mean a couple of these - but I wouldn't hold
3 out a ton of hope that stand-alone mayors' race will generate a
4 huge turnout. Yeah?

5 ~~MALE SPEAKER~~ MR. KNIPE: Did somebody else have their
6 hand -

7 DR. SONENSHEIN: Oh, Mark?

8 MR. CRUM: Yeah. First (inaudible) initial question.
9 Have you written about all of this?

10 DR. SONENSHEIN: Have, have I written about which
11 part?

12 MR. CRUM: Just your presentation tonight.

13 (Multiple speakers - inaudible conversation.)

14 MR. CRUM: I would (inaudible) first this, did weekend
15 and did a search for academic papers on - well, which one is
16 better.

17 DR. SONENSHEIN: Uh-huh.

18 MR. CRUM: There is not much in terms of things that
19 are data driven -

20 DR. SONENSHEIN: Uh-huh.

1 MR. CRUM: - that (inaudible) valid and reliable

2 research. Did I miss - I missed you, I guess.

3 DR. SONENSHEIN: Oh, so you're counting this is good.

4 (Inaudible) whether we're on the right track or not.

5 MR. CRUM: What I, I - I wrote a lot - well, I would
6 favor district elections and just (inaudible) **for example** even
7 with election by ward, there will still remain citywide issues
8 that will require a citywide perspective and approach, such as
9 budget, public safety, police and fire protection, economic
10 development, street and other capital improvements.

11 These functions and needs are not designed around
12 individual wards, rather demonstrable needs. But then it
13 occurred to me, well, gosh, that's an argument for general
14 elections.

15 DR. SONENSHEIN: For at-large elections?

16 MR. CRUM: Yeah, for at-large elections. And I came
17 to the conclusion that in conclusion, do I favor election by
18 ward? At this time, I'm not certain that I know for certain.
19 But I'm, but I'm trying (inaudible)

20 DR. SONENSHEIN: That really is the place to be. At

1 this moment, that's where you should be, yeah.

2 MR. CRUM: Yeah. But I'm trying to learn.

3 DR. SONENSHEIN: You know, I think a, a fun way to
4 think about it sometimes is to try to visualize how people's
5 roles would be different in a different system. It's always
6 better in Charter Reform to pretend none of the people who are
7 in office now are in office now, that you're thinking about 10
8 to 15 years from now that if you were electing a Mayor to govern
9 the City with at-large elections, what kind of person would be
10 most suited for that?

11 If you were looking for a Mayor to govern the City
12 where everyone's elected by district, what kind of Mayor would
13 you look for to govern that kind of a city? And I think you'd
14 start to think about somewhat different people, different types
15 of people, I would guess. And again, you haven't had to
16 confront that yet because your Council is now neither fish nor
17 fowl, they're both fish and fowl. That's ~~(inaudible)~~ **by the way**
18 **f-o-w-l**. Anyway, did I see another (inaudible) Yeah?

19 ~~MALE SPEAKER~~ **MR KNIPE**: I know we've all been here a
20 long time. I'll try to make this my last question. What can

1 you tell us about the difference between district elections and
2 at-large elections in terms of the influence of money?

3 DR. SONENSHEIN: Yes.

4 ~~MALE SPEAKER~~ **MR KNIPE**: In other words, some of the
5 interest groups - what, what is - is one system favorable to
6 large special interests?

7 DR. SONENSHEIN: It's favorable to different special
8 interests, which is a different, slightly different answer to
9 the question. You take your basic city that has a Mayor-Council
10 system, with the Council elected by district and the Mayor
11 citywide, for example.

12 You'll find that organized labor does better in the
13 Council races than in the citywide races very often. That, that
14 the business community does well in the citywide, and especially
15 with citywide policy, but sometimes isn't very successful in the
16 politics of the district.

17 You'll find that a small, well-organized group, who is
18 neither business nor labor, can do quite well in the Council
19 races. It could be, for example, somebody might oppose a
20 project that's happening that's considered damaging to the

1 neighborhood.

2 And in a district system, you can at least try to get
3 your Council Member on your side, and you can cause a lot of
4 issues to arise, and it gives you kind of a handhold. So, in a,
5 in an at-large system, you might have trouble finding that
6 handhold.

7 I think when somebody comes in with a big development
8 project, kind of a really, say a stadium or something like that,
9 they'll get a very good hearing from the at-large people, and
10 the Mayor in that kind of a system because they'll be sort of
11 thinking of it as a, as kind of a general good. But in a
12 district system, especially if it's gonna be placed in your
13 district, you might be - have a different view for or against.

14 So, I wouldn't say it's true in every city, but I
15 would say you do see that somewhat different play of business
16 and labor on the different levels in some ways. Now they're
17 both very sophisticated, so they're not gonna be shut out at the
18 level that's not the best level for them. But certainly I do
19 see, I think you see those different approaches.

20 Business operates well at that level, labor operates

1 when there's a relatively smaller race to where a small
2 difference of, of people can make a difference. Oh, yeah?

3 MR. YEE: (Inaudible) no matter what kind of - well,
4 the, the form of the election (inaudible) that a city have to be
5 selected, and if you gonna be fulfilled, the representation, and
6 the, the well-being of the city (inaudible) **effective function**
7 **of the city,**

8 DR. SONENSHEIN: Uh-huh.

9 MR. YEE: (Inaudible) you won't fulfill that to
10 critical element (inaudible) related to the election system.
11 You, you know, one must look at the city's composition. How is
12 - how well is economically doing? The composition of its
13 population. The concentration of ethnic group that it has.
14 And, and also (inaudible) movement, how strong it is, how
15 organized it is. And how well the business community is
16 organized.

17 And, and then another thing, it is what are the salary
18 of the Mayor and Council (inaudible) of their leadership and
19 desire to do a good job and stay in this position? And so, you
20 know, so it's a (inaudible) effort you need to what kind of

1 election system? What form of government (inaudible) system
2 would be best suited for it because from, you know, so I can't
3 ~~foree~~ **forsee** the City of Tucson have this unique demand for, for
4 the right kind, you know, for the, for the kind of form of
5 election system that would best to fulfill (inaudible)

6 And then also (inaudible) of the elections (inaudible)
7 Tucson, you get anywhere from 18% to 27%, most (inaudible)
8 approaching 30%, that's about it. So, you know, so you have 18%
9 of eligible voters **voting** ~~(inaudible)~~ (Inaudible) and one more
10 person are (inaudible) would determine the outcome of your
11 representation, and therefore, how, you know, how each group's
12 interest would be protected, or, or be promoted.

13 And so I guess what I, what I'm saying is, you know,
14 is you have to know the city real well, and who are the players,
15 and then at the same time, and it's can you, can the, can the
16 city through this election system, can it somehow help the city
17 to become better?

18 What is the circumstance have (inaudible) But that
19 would have to do with how well the, that the city, the Mayor and
20 Council (inaudible) And, and then how well - what kind of

1 participation and the, the (inaudible)

2 But the ones that are working (inaudible) you have to
3 hold two jobs. All family members are working, and you barely
4 can pay the bills, and it's difficult to participate in
5 community activities such as about elections (inaudible) So,
6 you know, so, it all (inaudible) I'm just thinking out loud
7 (inaudible)

8 CHAIRWOMAN **POULOS**: And that's really wonderful, but
9 we're five minutes to the end of our meeting. We're only - we
10 meet 4:30, we had agreed to meet 4:30 to 7:00 'cause we thought
11 we were gonna meet three times a year (sic).

12 MR. KNIPE: This is efficiency, this is (inaudible)

13 CHAIRWOMAN **POULOS**: But what I'd like to do, if it's
14 okay, is stop this discussion. Postpone 6(b) until next week.
15 And instead of - do we have anybody to do a Call to the
16 Audience? No? Okay.

17 Is I'd like to talk the meeting schedule while we have
18 Raphe here, because I know Randi has to leave, and ~~(inaudible)~~ a
19 **number of other** people have to leave. So we were told, Raphe,
20 that you were not able to come to three meetings a month.

1 DR. SONENSHEIN: Two a month, I can do two a month

2 (inaudible)

3 CHAIRWOMAN **POULOS**: You can do two. So my first
4 question is, could you come next week on Monday, the 8th?

5 MS. DORMAN: The first.

6 DR. SONENSHEIN: The first.

7 CHAIRWOMAN **POULOS**: I'm sorry. Monday, the first.

8 DR. SONENSHEIN: What I was gonna propose, and you
9 consider whether this would work. Sometimes it's good to have a
10 little time in between, if there's - 'cause I could see there's
11 a lot of things I can bring back now, sort of more detailed out
12 of these - about these issues. So I didn't know if you wanted
13 to do consecutive weeks, or maybe do it every other week with
14 me, and then - unless that would mess up your flow (inaudible)

15 MS. DORMAN: We were just (inaudible) **wanting to get**
16 **to the** first and third Monday every month.

17 CHAIRWOMAN **POULOS**: Yeah. I think -

18 MS. DORMAN: Right? 'Cause John can't do the second
19 Monday.

20 CHAIRWOMAN **POULOS**: Yeah. We have a couple of people

1 who cannot do the second Monday. We have a couple -

2 DR. SONENSHEIN: Oh, okay.

3 CHAIRWOMAN **POULOS**: - of holidays. So what I was
4 going to propose to the group was that we try to meet on the
5 first and third Monday of the month -

6 DR. SONENSHEIN: Right.

7 CHAIRWOMAN **POULOS**: - for February and March. And
8 then should it seem like we need additional meetings in April,
9 we can increase the number of meetings, but it may be that we
10 want our public meeting in April. Grady?

11 MR. SCOTT: I can make the third in February.

12 MALE SPEAKER: The third week is a holiday.

13 CHAIRWOMAN **POULOS**: Okay. So, you're right. So I
14 would propose February 1st, February 22nd, March 7th and March
15 21st. And then on March 21st, we'll look at the April schedule.
16 Does that sound okay with everyone?

17 (Multiple speakers - inaudible conversation.)

18 CHAIRWOMAN **POULOS**: Can everybody make that?

19 ~~MALE SPEAKER~~ **MR KNIPE**: Please say those one more
20 time.

1 MALE SPEAKER: One more time.

2 CHAIRWOMAN **POULOS**: Okay. February 1st is a Monday.

3 February 22nd is a Monday. March 7th is a Monday, and March

4 21st is a Monday. Is there anyone who knows right now they

5 could not make any of those dates? Can you make those dates or

6 do you have -

7 ~~MALE SPEAKER~~ **MR. PORGES**: I will miss the 22nd, and

8 March 7th.

9 CHAIRWOMAN **POULOS**: Oh, dear.

10 ~~MALE SPEAKER~~ **MR. PORGES**: I will be out of the country

11 those, so -

12 CHAIRWOMAN **POULOS**: Okay. Well, it seems like we need

13 to meet at least one of those two because we have no meeting on

14 the 29th. Okay.

15 ~~MALE SPEAKER~~ **MR. PORGES**: I think you'll do just fine

16 without me.

17 CHAIRWOMAN **POULOS**: I don't know about that.

18 (Multiple speakers - inaudible conversation.)

19 DR. SONENSHEIN: I can do that.

20 CHAIRWOMAN **POULOS**: You can do next week?

1 DR. SONENSHEIN: I can do the 1st and the 22nd, that's
2 what I'll do.

3 CHAIRWOMAN **POULOS**: So is that schedule amenable to
4 everyone here?

5 (Affirmative.)

6 CHAIRWOMAN **POULOS**: Okay. So that will be our
7 schedule. I will work with the Vice-Chair and Roger and Mike
8 and Raphe to put together the next agenda that will start with
9 some information from Raphe based on the discussion we had
10 today. Thank you so much everyone.

11 MALE SPEAKER: Shall we move adjournment?

12 CHAIRWOMAN **POULOS**: And I guess, do we need a motion
13 to adjourn?

14 MALE SPEAKER: Everybody's leaving.

15 CHAIRWOMAN **POULOS**: Okay. We're adjourned.

16 (Meeting adjourned.)
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I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 02/02/16

KATHLEEN R. KRASSOW - Owner
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