



MAYOR AND COUNCIL Study Session Minutes

Approved by Mayor and Council
on December 21, 2021.

Date of Meeting: June 8, 2021

MEETING NOTE: Due to the impacts of the COVID-19 pandemic, which prompted declarations of a public health emergency at the local, state and federal levels, this meeting was conducted using measures to protect public health. This meeting was held remotely through technological means, as permitted under Arizona law.

The Mayor and Council of the City of Tucson met in study session remotely through Microsoft Teams on Tuesday, June 8, 2021. The meeting was called to order by Mayor Romero at 2:02 p.m.

OFFICIAL MEMBERS

PRESENT:

Mayor Regina Romero
Council Member Lane Santa Cruz (Ward 1)
Council Member Cunningham (Ward 2)
Council Member Karin Uhlich (Ward 3)
Vice Mayor Nikki Lee (Ward 4)
Council Member Richard G. Fimbres (Ward 5)
Council Member Steve Kozachik (Ward 6)

OFFICIAL MEMBERS

ABSENT:

None

STAFF:

Michael J. Ortega, City Manager
Michael Rankin, City Attorney
Roger W. Randolph, City Clerk

- 1. Executive Session – Legal Implications of Arizona Supreme Court Decision in State of Arizona v. City of Tucson, Case No. CV-20-0244-SA; Mayor and Council Direction Relating to Pending Litigation in City of Tucson v. State of Arizona, Pima County Superior Court Case No. 2020-1904 (City Wide) SS/JUN08-21-130**

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to enter into Executive Session as noticed on the agenda.

RECESS: 2:04 p.m.
RECONVENE 2:40 p.m.
MAYOR & COUNCIL: All present
STAFF: All present

Executive Session was held from 2:04 p.m. to 2:36 p.m.

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to return to open session.

2. Mayor and Council Direction Regarding Executive Session – State of Arizona v. City of Tucson, Supreme Court of Arizona Case No. CV-20-0244-SA, and City of Tucson v. State of Arizona, Pima County Superior Court Case No. 2020-1904 (City Wide) SS/JUN08-21-131

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to direct the City Attorney and City Manager to proceed as discussed in Executive Session, and specifically to take all actions necessary for calling and conducting an election in May, 2022 for the purpose of giving voters the opportunity to decide whether to extend the Transaction Privilege Tax previously authorized in 2017; together with any Charter amendments or ballot measures that the Mayor and Council choose to put to voters at that time. This direction includes directing the City Attorney to schedule an ordinance for calling this election.

3. Report and Update on the Continuing COVID-19, Emergency: City Response and Emergency Management; Coronavirus Relief Fund (CRF) Mayor and Council Strategic Plan and Expenditures; American Rescue Plan (City Wide and Outside City) SS/JUN08-21-127

Information was provided by Michael J. Ortega, City Manager. He gave an update on the status of vaccination sites, where to go from here, and where to find information regarding these sites. He also spoke about scheduling, at the next Study Session on June 22nd, time to discuss and give an update on the American Rescue Plan (ARP).

Discussion ensued regarding the ARP Strategic Investment Plan submitted by Mayor Romero and Council Members Santa Cruz and Uhlich.

Council Member Fimbres asked about the moratoriums currently in place that were set to expire, specifically, bus fares, evictions, and utility shut-offs.

Mr. Ortega responded that staff was on the path of reducing delinquencies, providing assistance to those individuals who needed it, and said the City was “back to normal” with regard to water as well as the other utilities. However, per the City’s commitment and the Utility Companies, there was a willingness to work with families affected or impacted by the pandemic by setting up payment plans.

Mr. Ortega stated that part of the tentative budget proposal and recommendation was to not charge bus fares through the end of calendar year 2021 (December 31st). He said previous direction from the Mayor and Council was to begin charging fares in July, but the recommended budget included that language through December 31st. He said his goal was to bring back a plan to the Mayor and Council in November 2021 to take a look at the issue as a whole and possibly extend the “no fares” through the end of the fiscal year in June 2022.

It was moved by Council Member Fimbres, duly seconded, to continue with not charging bus fares through the end of December 2021 and return to the Mayor and Council in November with a recommendation on how to proceed in January 2022 through June 2022.

Discussion continued.

The motion was CARRIED by a voice vote of 7 to 0.

4. Continuation of the FY 2021/22 Budget Discussion: Tentative Budget Adoption (City Wide) SS/JUN08-21-133

Opening remarks were made by Michael J. Ortega, City Manager. He explained that the tentative adoption of the budget was to set the cap for the City’s expenditures, not necessarily establishing the chemistry of those expenditures. He stated that the evening’s public hearing was not required but was the second public hearing the Mayor and Council would hold. The required public hearing was scheduled for June 22nd. Lastly, he stated he wanted Mayor and Council direction to include and message Visit Tucson, \$500,000 as a film incentive, which had been built into the budget. He said he would not normally give authorization on such an expenditure prior to the budget adoption.

Information and presentation were provided by Jeffrey Yates, Business Services Department Director, who fielded and answered questions on the FY 22 Tentative Budget to include aligning the vision, engaging the community, achieving fiscal sustainability, by the numbers and next steps. He touched on community safety, resilient recovery, office of equity, employee retention, other budgetary considerations and recommendations for the tentative budget. He shared information about past engagement opportunities, real time engagement report, on-going and future engagement opportunities. He also reviewed the Unrestricted General Fund Financial Projections and Highway User Revenue Fund (HURF) Annual Data.

Discussion ensued.

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to allocate \$500,000 from the FY 2022 Budget to Visit Tucson.

Discussion continued; no further action was taken.

5. Discussion of House Bill 2111, the “2nd Amendment Firearm Freedom Act” (City Wide) SS/JUN08-21-132

Opening remarks were made by Council Member Kozachik, stating that Governor Ducey, on April 6th, signed a bill announcing that the State of Arizona would not be recognizing the authority of any federal gun laws. He said it was the first gun law nullification bill to be signed in the country; since then, five or six other counties within the State had declared themselves “2nd Amendment Sanctuary Counties.”

Council Member Kozachik said the Biden Administration was considering a series of new gun control laws, extending background checks, etc. He said HB 2111’s intent was to say that the State would not recognize any of those federal laws within the State. He said the U.S. Constitution, Article 6, Clause 2, the Supremacy Clause, which was a law of the land, states that States could not pre-empt the United States Government on issues of federal control. He said he was asking Mayor and Council to support a resolution that stated the City’s intention to enforce federal gun laws in the City of Tucson.

It was moved by Council Member Kozachik, duly seconded, to direct the City Attorney to draft a resolution for adoption that within the City of Tucson, federal gun laws, would apply regardless of what the State says.

Discussion ensued.

Mike Rankin, City Attorney, stated that as part of the resolution, it be included to authorize the City Attorney to participate and sign on, on behalf of the City, as amicus in litigation relating to this issue.

The motion was CARRIED by a voice vote of 7 to 0.

6. Move Tucson Prioritized List (City Wide) SS/JUN08-21-134

Opening remarks were given by Michael J. Ortega, City Manager. He said it was an opportunity for the Mayor and Council to weigh in on the Move Tucson Priority List.

Information and presentation were given by Diana Alarcon, Department of Transportation and Mobility (DTM), Director and Andrew Bemis, DTM Senior Project Manager, who fielded and answered questions on the Move Tucson Prioritized Project List to include the steps in the prioritization process, net scoring, project calibration, network improvements, projects, catalyst corridors, project examples, strategic solutions, local connections, high-capacity transit, draft proposed system-wide categories and next steps.

Discussion ensued. Comments were made by Council Member Fimbres, Santa Cruz, Kozachik, and Mayor Romero

No formal action was taken.

7. Update on the City of Tucson's Electronic Payments Program (City Wide) SS/JUN08-21-129

Opening remarks were provided by Council Member Fimbres.

Information and presentation were given by Jeffrey Yates, Business Services Department Director, who fielded and answered questions how the pCard program worked, how it is used, program growth, pCard spend by Department, vPayable Spend by Month, and vPayable Spend by Department.

Discussion ensued.

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to direct the City Manager to meet further with Department Directors regarding the usage of the pCard and vPayables and to report back to the Mayor and Council at the first meeting in September, with an update on how the City will increase its usage of both the pCard and vPayables at a minimum to 15% for FY 22 to a potential maximum of 50% of all city purchases by FY 26.

8. Review of Business Incentive Application and Results of Economic Impact Analysis for Precision Shooting Equipment, Inc. (Ward 5) SS/JUN08-21-128

(This item was continued at the request of staff.)

9. Updates on State and National Legislation and Regional Committees (City Wide) SS/JUN08-21-124

Information and update were given by Andrew Greenhill, Intergovernmental Relations Manager, who fielded and answered questions on the State's budget regarding the Flat Tax Adjustment Proposal, PFAS/PFOS bills, and Postal Reform legislation.

Discussion ensued; no formal action was taken.

10. Mayor and Council Discussion of Regular Agenda (City Wide) SS/JUN08-21-125

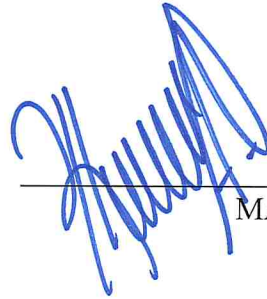
Discussion was held; no items were identified.

11. Mayor and Council Discussion of Future Agendas (City Wide) SS/JUN08-21-126

No items were identified.

12. **ADJOURNMENT:** 4:30 p.m.

AUDIO RECORDING AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE FOR TEN YEARS FROM THE DATE OF THIS MEETING.



MAYOR

ATTEST:



CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the study session meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 8th day of June 2021, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR:yl