



MAYOR AND COUNCIL Study Session Minutes

Approved by Mayor and Council
on July 12, 2022.

Date of Meeting: October 5, 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, October 5, 2021. The meeting was called to order by Mayor Romero at 2:00 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 – Review of Legal Issues Relating to City of Tucson Ordinance No. 11869 (Adopted August 13, 2021) and Implementation of COVID-19 Vaccine Requirements for City Employees and Other Mitigation Measures; Impact of Attorney General’s Office Report No. 2021-03 (September 7, 2021); and Legal Implications of Federal Actions Announced September 9, 2021 by President Biden Relating to Vaccine Requirements for Federal Employees and Contractors, and for Large Employers (City Wide) SS/SEP14-21-176**

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: 2:05 p.m.
RECONVENE 3:14 p.m.
MAYOR & COUNCIL: All present
STAFF: All present

Executive Session was held from 2:06 p.m. to 3:05 p.m.

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

2. City Manager's Report and Update on COVID-19; and Mayor and Council Direction Following Executive Session: Review of Legal Issues Relating to City of Tucson Ordinance No. 11869 (Adopted August 13, 2021) and Implementation of COVID-19 Vaccine Requirements for City Employees and Other Mitigation Measures; Impact of Attorney General's Office Report No. 2021-03 (September 7, 2021); and Legal Implications of Federal Actions Announced September 9, 2021 by President Biden Relating to Vaccine Requirements for Federal Employees and Contractors, and for Large Employers; Other Related Legal Matters, Including Pending Litigation in ASBA v. State of Arizona, Maricopa County Superior Court Case No. CV 2021-012741 (City Wide and Outside City) SS/OCT05-21-197

It was moved by Council Member Uhlich, 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 to continue to carry out the direction of the Mayor and Council as provided on September 14th and 28th,
- authorize and direct the City Attorney to participate as amicus in the ASBA v. State case now pending in front of the Arizona Supreme Court,
- authorize and directed the City Manager to move forward with the Administrative Directive and associated policies as previously approved by the Mayor and Council on August 13th, to include the implementation of the 5-day suspensions for non-compliance, and
- direct the City Manager to return to the Mayor and Council on the meeting of October 19, 2021, with a plan for additional consequences for employees who remain non-compliant, up to and including termination.

3. Continued Discussion of the American Rescue Plan Act (ARPA) (City Wide and Outside City) SS/OCT05-21-198

Introductory comments were made by Mayor Romero.

Information and presentation were provided by Liana Perez, Deputy City Manager, who fielded and answered questions on CARES vs ARPA, Mayor and Council Framework adopted on June 8, 2021, Life-Cycle, Sustainably Achieving the Framework, Request for approval of Funding Allocation Framework.

Discussion ensued

It was moved by Council Member Uhlich, duly seconded, and carried by a voice vote of 7 to 0, to:

- adopt the Strategic Framework and Plan as presented with the inclusion that Mayor and Council be updated by staff on a quarterly basis on the ARPA funding process, programmatic updates and eventually to include evaluation metrics based on the Mayor and Council equity framework, and
- To direct staff to provide monthly updates during times of heightened activity and to seek approval on changes to or renewal of funding partnerships as well as changes in funding levels and allocation of reserve dollars.

4. RTA Next Framework and Project List Discussion (City Wide) SS/OCT05-21-199

Introductory comments were made by Michael J. Ortega, City Manager.

Discussion ensued regarding the framework, participation in RTA Next, and next steps for the City.

It was moved by Council Member Uhlich, duly seconded, to:

- adopt the framework and \$600 million in named project s list as presented and
- direct staff to provide the name project list and the entire \$1.4 billion prioritized Move Tucson projects to ensure the RTA understands the significant needs in other categories.

Discussion continued.

The motion was carried by a voice vote of 6 to 1 (Council Member Cunningham dissenting).

5. Updates on State and National Legislation and Regional Committees ((City Wide)) SS/OCT05-21-193

Information was provided by Andrew Greenhill, Intergovernmental Relations Manager, who fielded and answered questions.

Discussion ensued; no formal action was taken.

6. Mayor and Council Discussion of Regular Agenda (City Wide) SS/OCT05-21-194

Michael J. Ortega, City Manager, requested that Consent Agenda Item 7b be moved to the October 19, 2021, as a Study Session item, and Items 7f and 7g be continued to the Regular meeting of October 19, 2021.


- Item 7b Labor Agreement with Tucson Police Officers Association
(City Wide) OCT05-21-307
- Item 7f Intergovernmental Agreement Amendment: with Arizona Health
Care Cost Containment System Administration (AHCCCS) for
Federal Matching Funds for Graduate Medical Education at
Tucson Medical Center (City Wide) OCT05-21-310
- Item 7g Intergovernmental Agreement Amendment: with Arizona Health
Care Cost Containment System Administration (AHCCCS) for
Federal Matching Funds for Graduate Medical Education at
Tucson Medical Center (City Wide) OCT05-21-310

7. Mayor and Council Discussion of Future Agendas (City Wide) SS/OCT05-21-195

No items were identified.

12. ADJOURMENT – 5:44 p.m.

*AUDIO RECORDING FOR THIS MEETING IS AVAILABLE ON-LINE AT
<https://www.tucsonaz.gov/gov/meeting-schedules-and-agendas> 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 5th day of October 2021, and do hereby certify that it is an accurate transcription.



DEPUTY CITY CLERK

RWR:yl