

## Ward 6 Staff



Steve Kozachik



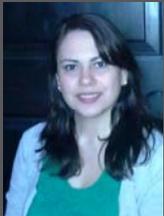
Ann Charles



Teresa Smith



Bonnie Medler



Diana Amado



Molly Thrasher



# Ward 6 - Newsletter

Tucson First

January 09, 2012

ADOPTED BY THE  
MAYOR AND COUNCIL

January 8, 2013

### A MEMORIAL

RELATING TO STATE PREEMPTION IN THE REGULATION OF FIREARMS ON CITY PROPERTY; ASKING THE ARIZONA STATE LEGISLATURE TO REPEAL ITS PREEMPTION OF LOCAL REGULATION OF FIREARMS AS RELATING TO CITY PROPERTY.

YOUR MEMORIALIST RESPECTFULLY REPRESENTS AS FOLLOWS:

WHEREAS, the City of Tucson is a charter city, formed and organized under the authority of Article XIII, Section 2 of the Arizona Constitution, and as a charter city does not exist subject to the will of the Arizona Legislature and instead is sovereign in its municipal affairs where the power to be exercised is granted by the city's charter; and

WHEREAS, as a charter city, the City of Tucson is independent of any state legislative interference in connection to subjects that are of solely local concern; and

WHEREAS, under the Tucson Charter, the City and its Mayor and Council have the authority to make, adopt and enforce all necessary rules and regulations that help maintain, protect and promote public health, safety and welfare; and

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intended to send a signal to the State Legislature that we want our rights as a Charter City respected, and in particular when it comes to adopting our own Ordinances related to carrying firearms on publicly owned property. I'm including the exact text of that Memorial so you can see what we have sent to the folks up in Phoenix to consider.

Interesting times we live in. This week we have held a community forum in which elected officials from Federal, State, County and City offices had the chance to share their thoughts on issues of the day, a significant part of which was talking about firearms – more on that below – and we held a voluntary gun buy-back that was funded by the citizens of this community – more on that below, too – and on Tuesday, this M&C adopted the Memorial



**Important  
Phone Numbers**

- Tucson Police Department  
911 or 791-4444  
nonemergency
- Mayor & Council Comment Line  
791-4700
- Neighborhood Resources  
791-4605
- Park Wise  
791-5071
- Water Issues  
791-3242
- Pima County Animal Control  
243-5900
- Street Maintenance  
791-3154
- Planning and Development Services  
791-5550
- Southwest Gas  
889-1888
- Gas Emergency/ Gas Leaks  
889-1888
- West Nile Virus Hotline  
243-7999
- Environment Service  
791-3171
- Graffiti Removal  
792-2489
- AZ Game & Fish  
628-5376

## Continued: A Message From Steve

WHEREAS, since 2000, the Arizona Legislature has approved multiple amendments to the Arizona Revised Statutes, including but not limited to A.R.S. Section 13-3108, that have increasingly restricted and preempted the authority of Arizona cities and towns, including charter cities such as the City of Tucson, to enact any ordinance or rule relating to the transportation, possession, carrying, sale, transfer, purchase, acquisition, gift, devise, storage, licensing, registration, discharge or use of firearms or ammunition or any firearm or ammunition components or related accessories in this state; and

WHEREAS, these amendments to Arizona law include provisions that, on their face, preempt the City of Tucson from enacting any law or rule relating to possession, sale, discharge or use of firearms even with respect to public parks or other City-owned properties, and provide that any City rule or ordinance that relates to firearms and that is inconsistent with or more restrictive than state law is null and void; and

WHEREAS, the Mayor and Council believe that local authority to regulate firearms in connection to City properties should be restored to cities and towns, and in particular to cities that operate under the Constitutional authority of a voter-approved charter:

NOW, THEREFORE, YOUR MEMORIALIST, THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA:

SECTION 1. Request that the Fifty-first Legislature of the State of Arizona introduce and approve legislation during its First Regular Session that will repeal the statutory preemption of the local regulation of firearms, to include the existing

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2

Each of us on the Council knows that the State has trumped our local ordinances with ARS 13-3108. For the reasons set forth in the Memorial we believe that action was not only inappropriate, it was also an illegal overstep of their Legislative authority. We'd like to see them exercise the integrity to rescind the portion that usurps our rights as a Charter City.



**Important Phone Numbers**

- Senator John McCain (R)  
520-670-6334
- Senator Jon Kyl (R)  
520-575-8633
- Congressman Ron Barber (D)  
(8<sup>th</sup> District)  
520-881-3588
- Congressman Raul Grijalva (D)  
(7<sup>th</sup> District)  
520-622-6788
- Governor Janice Brewer (R)  
Governor of Arizona  
602-542-4331
- Toll free:  
1-800-253-0883
- State Legislators  
Toll Free Telephone:  
1-800-352-8404
- Internet:  
[www.azleg.gov](http://www.azleg.gov)
- Mayor Jonathan Rothschild  
791-4201
- City Infoguide  
<http://cms3.tucsonaz.gov/infoguide>

preemptive provisions of A.R.S. Section 13-3108, to the extent that those provisions restrict or preempt City regulations that relate to property owned or controlled by the City, such as City parks.

SECTION 2. The City Clerk is hereby authorized and directed to send a copy of this Memorial to the City's legislative representatives, the President of the Arizona Senate and the Speaker of the Arizona House.

PASSED, ADOPTED, AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, January 8, 2013.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

REVIEWED BY:

  
\_\_\_\_\_  
CITY ATTORNEY

\_\_\_\_\_  
CITY MANAGER

MR/dg  
01/02/13

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3

This Memorial relates to City owned property – explicitly. Adopting the change we’re after would not set up a patch-work quilt of laws around the State that would cause people who are simply driving from one City through another to be in violation of the law intermittently as they drove along. What it does is to allow each City to listen to its constituents and adopt standards as they relate to City owned property (buildings, parks, etc) that are consistent with the will of the people who live in a given locale. Some very reasonable people with whom I’ve communicated on this have misunderstood the intent and breadth of it. Simply put, the Legislature has silenced your voice. We’d like to see it restored. That will

take an affirmative move by the Legislature. If you agree, let them know. My guess is that with the current cast of characters, well...



probably when we see this floating around over the Catalina’s. Or more changes in the make-up of the State Legislature, whichever comes first.

**Firearm Buy-Back**



The residents of this community came together as one in the aftermath of the January 8<sup>th</sup>, 2011 shootings. They have also stepped up in support of the Connecticut victims. Now, as a testament to you all, in about two weeks, over the Holidays when we’re all busy with other activities, your involvement has resulted in funding over \$10K in donations to support the gun buy-back project we held on Tuesday morning.

The event served many valuable purposes. First, to draw us back together again in the common goal of finding rational ways to address the proliferation of firearms in our City. The buy-back was a totally benign opportunity for people to dispose of weapons they didn't want in their homes. These are not "community assets" as they were described in the run-up to the event. Note to the civil libertarians who objected to the buy-back: they're private property, the disposition of which is left up to the owner. Nobody – nobody – advertised this as a step towards the disarming of the citizenry. Nor was it advertised with the expectation that 'gang-bangers' would be throwing themselves at the mercy of the Police. That mental leap is a fiction.

The event also gave notice to an unhealthy preoccupation that a small faction in the community have with guns. In an effort to make a flea market event out of this, some people showed up trying to engage in a bidding war. All they accomplished was to openly demonstrate the fact that there is a huge hole in the law when an individual can pay cash for a firearm and simply walk away as the proud new owner. What's lost in that transaction is a background check to ensure the mental stability or criminal history of the purchaser. I suppose those of us interested in adopting sane laws related to gun purchases should thank those who unwittingly made the point on our behalf.

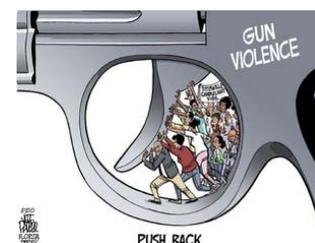
Perhaps the biggest benefit of the buy-back was to keep the discussion alive in the community as we head into the new legislative sessions. News cycles have a way of evaporating in pretty short order, especially in these days of internet, micro-wave cooking and "gotta have it now" approaches to how we live. After Columbine, we talked for a few days, and then went on with our lives. After Aurora, the same thing. And after Connecticut, we could have done the same thing – enjoyed the Holidays and turned the page on the calendar and forgotten that we still have to bring the issue to some level of legislative closure. Until the State acts on our Memorial, we can't do much locally. But the State and Feds will soon be back in session, so having had the chance to keep the momentum going through what could have otherwise been a Holiday lull is beneficial in terms of showing that this can no longer be given a short-term focus without any governing body having taken meaningful action.

Thanks to all of you who participated, and thanks to those of you who treated the event as a serious way to properly dispose of handguns you no longer wanted around your homes. Those responses demonstrate what this City is made of – not the peripheral stunt-men who seem to think that volume is a good substitute for rationality.



Here's a view of a small portion of what was collected.

...and here's what these conversations are all about:



### Ward 6 Town Hall and Roast

And while I'm in the 'thanking' mode, these people deserve thanks for having participated in the Ward 6 Town Hall at The Loft on Monday evening.

Congressmen	Raul Grijalva
Congressmen	Ron Barber
State Senators	Olivia Cajero Bedford
State Senators	David Bradley
State Senators	Steve Farley
State Representatives	Sally Ann Gonzales
State Representatives	Macario Saldade
State Representatives	Ethan Orr
State Representatives	Victoria Steel
County Supervisors	Richard Elias
County Supervisors	Sharon Bronson

Supervisor Bronson had planned on attending but did the right thing in taking care of significant family medical needs. Her participation was missed, but her priorities were right.

And of course, representing the City, I was joined by **Mayor Rothschild**.

Rabbi Sam Cohon did an excellent job of setting the tone for the evening. All of us on the dias are grateful to him for having taken the time to join in as a significant part of the evening.

The range of questions was a good reflection of the diversity of issues we're facing as a City, County, State and Nation. Of course we discussed firearms, and the issues related to how we work from a preventative mode when it comes to the shootings that are now far too common around the country. We talked about the proposed Film Incentive Bill, the impact of DM on the community, the Federal budget situation, local issues related to roads, public safety and development, and plenty of other topics that impact the quality of life, and the values of the residents of Tucson. I'm grateful to those who took the time to participate. I hope those in attendance left with a sense of it having been an informative exchange.



The Loft Staff, and Peg Johnson put up with some disruption to their regular routine in the planning and implementation of the event. For that, we at the Ward 6 office are thankful. Lisa Horner and her group from Access Tucson taped the event and will air it on Cox Ch. 20, and Comcast Ch. 74 starting on January 13<sup>th</sup>. It'll air at 11am on Saturdays, and 7pm on Sundays. She and her people volunteered their time. They also deserve to be mentioned for their work. And of course, Fitz was on hand to keep us all properly acquainted

with humility as a necessary human trait. We thank him for donating his time and talents to the event. Lots of folks put lots of time into doing this. While we can't replicate The Loft or Fitz, the concept of the event can be replicated in other areas of the City. Access to elected people is a good thing.

And thanks to TPD for their professionalism and assistance in making sure the people in attendance, as well as those people on the stage had a sense of security throughout the evening.

### **Film Incentive Bill**

On the heels of the Town Hall, it's exciting to announce that the Legislature will convene with a sponsor identified for the Film Incentive Bill. Senator Al Melvin has committed to sponsor the bill. With the support noted at the Town Hall, there is a very positive sense of momentum going into this session that the bill will successfully end up on the Governor's desk for her signature.

While the details of this year's bill are of course not hammered out, the gist of it from last time around (when there was strong bi-partisan support) is that a rebate may be applied for by a film production company when they have reached a certain threshold of investment in the community. Last session that threshold was a quarter of a million dollars. It can be in hotel rooms, rental cars, money spent in support of the film by buying construction materials to build sets, food, entertainment, or pre/post production costs. More is tossed into the kitty for the amount of local labor they hire.

Shelli Hall from the CVB film office, Brent DeRaad from the CVB top floor and our man in Phoenix Barry Aarons all deserve 'thanks' for moving this along, and for organizing rally's in support of the measure.

Until the '90's, Arizona was in the top 3 National film markets. Now we're in the bottom three. This bill will be a huge help in reversing that, and it will create thousands of much needed jobs around the State.

Thanks to each of the Town Hall attendees who voiced support for the bill. No letting up the foot off the gas pedal until it's signed, sealed and delivered to the film studios so they know this welcome mat is laying out there on the TIA tarmac.

### **Poverty and Urban Stress Report**

On the heels of the film incentive bill, I'd like to share some data that highlights the importance of the Legislature jumping on that issue early in the session.

On Tuesday, staff presented to us an update on how our residents are doing financially. Some of the data was mildly encouraging – slowly coming up out of the recession – but much of it paints the picture of our needing to continue to foster new job creation, and the expansion of existing businesses in the Tucson area.

The poverty rate in the City of Tucson is over 26%. Just under 30% of our kids (under 18 years of age) live under the poverty line. Citywide, 43% of us live as renters, and in Ward 6 that figure is over 53%. In Ward 3, that figure is just under 60%. Combining the data

from Wards 6 and 3, our burglary rates account for nearly one-half of those committed citywide. While there may not be a causation effect, there certainly is a correlation between rentals and burglaries. It has to do with being invested in the neighborhood, or not, and the transitory nature of residency in non-owner occupied housing. That data highlights the importance Karin and I have placed on working together on behavioral issues as they relate to the residential neighborhoods in our Wards.

In addition to that, we've got to be serious about job creation. Median household income in Tucson is \$37K. In Ward 6, it's \$33K, and in Ward 3 that figure is slightly above \$27K. The data make the point that it is the mid-town area that requires attention in terms of the job issues, crime prevention (fully funding public safety,) and ensuring our residents have access to a reliable transit or multi-modal system that facilitates their getting to and from work. Ward 6 has a few pretty affluent areas. And yet, even with those incomes factored in, the numbers don't lie, and they demonstrate how critical it is for us to keep plugging away at sensible corridor development, business incentives (safe harbor ordinance provisions, for example,) and making sure we have enough trained police and fire workers to respond to calls when dispatched.

We're going to be hearing your input on our Plan Tucson planning document, and then begin our budget discussions. The data presented to us will have to be a key guidepost that helps to inform the direction we prioritize our still limited fiscal resources.

### **Economic Development funding**

We used to fund TREO @ \$400K annually. Now that they've decided to forego those dollars and work more towards full private sector funding, we've got that money to invest into our own economic development efforts. To that end, the City Manager brought us some suggestions as to how to allocate it. The mayor and other council members each had ideas to share, as well.

I'm sure that it's rare when any elected official is asked to support a bill/ordinance that he or she feels is exactly what they're after. When we finalize the decision on how to allocate our former TREO money, each of us will see areas in which we'd have preferred other amounts – and if we do this right, we'll also each see areas that fit our individual priorities. That's how public policy is made when it is aimed at meeting the needs and interests of a diverse population.

My most basic instinct is that we don't need to feel the money is burning a hole in our pocket and that we need to jump at deciding how to spend it. I want to strategically invest the money into areas that we know will return a good amount on our investment. My reaction to the City Manager's recommendation was that, with the exception of funding our liaison to Mexico, we're being asked to put \$300K into studies with outcomes that are hard to measure.



Of the \$400K, the recommendation we received was to put \$100K into a new person who will act as our liaison to Mexico. I don't think we're investing enough into that effort. Between the work of Richard, Regina and the Mayor, we've already established some very

potentially valuable relationships south of the border. I'd like to see us put on a full court press on that opportunity and corner the market for Tucson's economy. To that end, I'd increase the funding for the CM Mexico office, and also increase our funding to Felipe Garcia's work in the MTCVB. His work is extremely important, and I believe we should put more into it.

While on the MTCVB topic – I also recommended that we keep an eye on the Film Incentive Bill and be ready to increase our funding to Shelli Hall's office in the CVB once it passes. That and Felipe's work are two areas in which the VisitTucson folks can show a direct ROI on our investment. Those are strategically invested dollars.

There was a suggestion that we put \$100K into the UA Tech Launch effort. That's a new effort being made by the University in which they're trying to take entrepreneurial ideas and translate them into marketable goods or services. The work is certainly valuable, but it's in its infancy and the mission of the UA department is still being formed. Until we know exactly how your money will be used in that new work, we deferred on writing them a check.

There was also a recommendation that we put \$100K into some studies related to the streetcar corridor, the Ronstadt Center Master Plan and mapping work needed for future annexations. None of those have specifics tied to them to the extent that I'm comfortable telling somebody that we're giving them your money to earmark for those areas. As with Tech Launch, I believe those ideas need more specificity before we give the green light to spending.

Finally, there was a suggestion that we put an additional \$100K into workforce development. That's money we allocate through an RFP process. As is consistent with the Poverty and Urban Stress report, we should do what we can to support the training and development of our local workforce. We agreed to add that \$100K into the existing allocations at the same percentages as we have already approved through the RFP's.

We also allocate money into the support of Civic Events (El Tour, Tucson Meet Yourself, etc.) and as long as we're talking about increasing money being directed through the competitive RFP process, those events also deserve strong consideration.

So, I'm 100% behind the hiring of a Mexico liaison, and fully funding that person's work / and increasing MTCVB's funding in support of that, too. I'm ready to invest more money into the CVB Film Office once the incentive bill passes. Workforce development gets the nod, and I'm hopeful that our Civic Events allocation will be adjusted upwards during the upcoming budget cycle.

### **RTA Intergovernmental Agreements**

On Tuesday, we were asked to approve a series of IGA's that tap into RTA dollars for some voter approved work that's of a little different nature than widening roadways and taking out valuable 'community assets' (the real kind.) These are reflected in the extension of several Bike Boulevards, many of which run through Ward 6.

The 2006 RTA ballot language included these four "Elements:"

**Roadway Improvement Element**

- o RTA funding: \$1.2 billion
- o Other funding: \$334 million

**Safety Element**

- o RTA funding: \$180 million

**Environmental and Economic Vitality Element**

- o RTA funding: \$115 million

**Transit Element**

- o RTA funding: \$534 million
- o Other funding: \$75 million

Each of the Bike Boulevard's we were asked to approve come under the "Safety Element" of the package. Those include:

- a. A Blvd that consists of constructing improvements along the Treat alignment from the Rillito River out to Aviation Parkway
- b. A Blvd that consists of constructing improvements along the Fifth Street alignment from Main Avenue over to Highland Avenue.
- c. A Blvd that consists of constructing improvements along the Copper Street alignment from Oracle Road out to Swan.
- d. And a Blvd that consists of constructing improvements from the northwest side of Reid Park, west to Robison elementary School. These improvements will include an urban greenway element, along with a bike/pedestrian-activated traffic signal at Country Club and Camino Campestre.

I write often about the Broadway widening project and speak in terms of our unnecessarily spending tax dollars on a project that isn't needed and isn't wanted. It's also key to note that when an RTA project goes over budget, we either fund the balance out of City resources, or we engineer it down to a point where it fits the RTA funding allotment. Treat and Copper didn't pass that test for us. Specifically, the money being projected didn't seem sufficient to give us the confidence that at some point we'd be asked to dip into our General Fund to top off the cost of the projects. We'll take a closer look at those next time we meet. The other two are examples of work that the voters approved that make sense in our regional goal of reducing miles driven, mitigating our impact on air quality, providing for healthy commute options and adding a safety element into the mix.

These projects are funded by your 1/2 cent sales tax contribution to the RTA Plan. Each of these IGA's was on the consent agenda. I wanted to share them with you so you can see how in these cases the Plan is playing a role in improving mobility around town.

**TFD and the University of New Mexico**

Another Intergovernmental Agreement that we approved on Tuesday relates to the Tucson Fire Department and its involvement with training paramedic interns who are studying at the University of New Mexico. This IGA gives clinical vehicular experience to students who are in the Pararescue Paramedic Program at UNM's School of Medicine, Emergency Medical Services Academy. Many of these are USAF Parajumper students. They do these ride-alongs to gain hands on training in their field, later to put it to use when deployed overseas – lately to Iraq and to Afganistan.

I've shared before how we put millions of dollars into training our public safety personnel, only to too often lose them to other jurisdictions that pay more than we do. This IGA is an example of a program that extends the reach of our TFD workers far beyond this City. In the truest sense of the words, our Firefighters and paramedics are doing a service that is felt world-wide.

The funds received from this program are going into the General Fund. I'd have preferred to begin a dedicated fund with these dollars that will over time build up and purchase new TFD vehicles. Staff didn't feel this project was the right one through which to initiate such a plan, but the topic is on their minds as we enter the new budget cycle.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Kozachik". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Steve Kozachik  
Council Member, Ward 6  
[ward6@tucsonaz.gov](mailto:ward6@tucsonaz.gov)