

Ward 6 Staff



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Ward 6 - Newsletter

Tucson First

March 28, 2013

Genna's Law



In June of last year, Genna Ayup was shot and killed by a person who had been drinking prior to the shooting. He alleged that it was an accident, and has been freed. Of course, there are no living witnesses who testified at trial. According to the Pima County Attorney's Office, "the evidence is insufficient to prove beyond a reasonable doubt there was criminal intent." I'm sure that's true, under existing law.

Right now, trying to make its way through the State House is HB2631 – "Genna's Law." The operative portion of the text reads as follows:

B. A person who with criminal negligence discharges a firearm in this state while the person has an alcohol concentration of 0.08 or more is guilty of a class 6 felony. A law enforcement officer who has reasonable suspicion to believe that a person has committed a violation of this subsection shall require the person to submit to a blood, breath or urine test to determine the person's blood alcohol concentration.

The penalty section of the proposed law reads:

If the person was convicted of a violation of section 13.3107 the person may not file for the restoration of the right to possess or carry a gun or firearm for five years from the date of the person's discharge from probation

Credit to Bruce Wheeler and Ethan Orr for sponsoring this bill – and to Council Member Cunningham for staying on top of it at our level. On Wednesday Paul moved that we approve a Memorial to be sent to the Legislature encouraging adoption of this common sense gun law. Ethan will probably be blasted again for co-sponsoring a sane bill on a bi-partisan basis (remember the Behavioral Health First Aid bill he co-sponsored with Victoria Steele.) There were no other Republicans who signed onto it. Earlier in the day on Wednesday, we were told that the bill was not moving forward during this session.

To Paul's motion, I offered a "friendly amendment"; that is, that we direct the City Attorney to draft language for a local ordinance that does what the State yet again failed to accomplish. We're going to have a local Genna's Law and let the State see again what it looks like to take the lead on a common sense gun-related issue.

To those who are offended by that phrase (common sense) all I can say is that it's accurately descriptive. It was rational to pass our background check requirement (despite the fact that the National Criminal Background Check System needs to be improved,) it was rational for us to require people to let TPD know when their guns are lost or stolen, and tonight we took another leadership role in this State by honoring Genna Ayup.

The Mayor and Council invite you to join us in writing to the Legislature and getting this Bill passed next session on a State-wide basis. If you're handling a loaded weapon, you probably shouldn't be drinking. And if the current court system isn't properly armed with Statutory authority



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

to enforce such a rational standard, then this bill is needed.

Green Valley Forum

...and thanks to the folks who live down in Green Valley for inviting me to present what we've done at the local level related to common sense gun laws, despite the efforts at the State to shut us down. On Saturday, my wife and I took the trip down south of here and spent a couple of hours describing the recent history of:

- a. The Home Rule Memorial
- b. The Gun Buy-Back
- c. City requiring background checks on private person to person sales
- d. City adopting a requirement that guns lost or stolen be reported to TPD

Reading that list, I'm again struck that none of the items are fringe and out of touch with some pretty basic and middle of the road ideas. And yet, none have a prayer of being adopted at the State level.

On Friday of last week, there was a 4 hour time window during which TPD and UAPD were caused to have to do a lock down of the UA campus around the Student Union and Old Main while they investigated a possible shooter who was thought to be hold-up in one of the buildings. I mention this because one bill that is making its way towards the Governor's desk is allowing guns on campus – again. We can't get background checks, have to fight to keep drunks from firing weapons, but we want them in classrooms.

...and then comes this from leadership of the Pima County GOP

**ARMED
CITIZEN
PROJECT
TUCSON**

NOTHING in my house is worth your life. Their plan is to give away 12,000 shotguns, with ammunition. They call it Guns for Indigents. They say it'll make us safer. They say they'll do background checks, and yet it is common knowledge that the National Instant Criminal Background Check System (NICS) is woefully inaccurate – especially in regard to entries made from Arizona. Last year the Mayor and Council voted unanimously to support improvements in that check system. It's clearly a work in progress. This program exists in Houston, Texas. To date, nobody has been refused as a result of failing a background check.

Here's the timeline of what has happened in this area since the first of the year:

- My Gun buy-back provokes a State House Bill to prevent buy-backs
- Gun lobby holds their own buy-back at the one I sponsored – M&C adopts requirement for background checks on private person to person sales
- NRA announces that they won't support keeping inventories of guns to track thefts – M&C pass Ordinance requiring people to report lost or stolen guns.

And now, the same party that sold a glock and a rifle last year as fund raisers is standing alongside a former Republican council and mayoral candidate who is proposing to give away 12,000 loaded shotguns in the City of Tucson as a safety measure. From their website, here are some of the new "recruits" to this project (in Houston, Texas)



These women refuse to be victims, and now have the training and tools to put holes in those that seek to do them harm!



Important Phone Numbers

Senator John
McCain (R)
520-670-6334

Senator Jeff
Flake (R)
520-575-8633

Congressman
Ron Barber (D)
(2nd District)
520-881-3588

Congressman
Raul Grijalva (D)
(3rd District)
520-622-6788

Governor Janice
Brewer (R)
Governor of Arizona
602-542-4331

Toll free:
1-800-253-0883

State Legislators

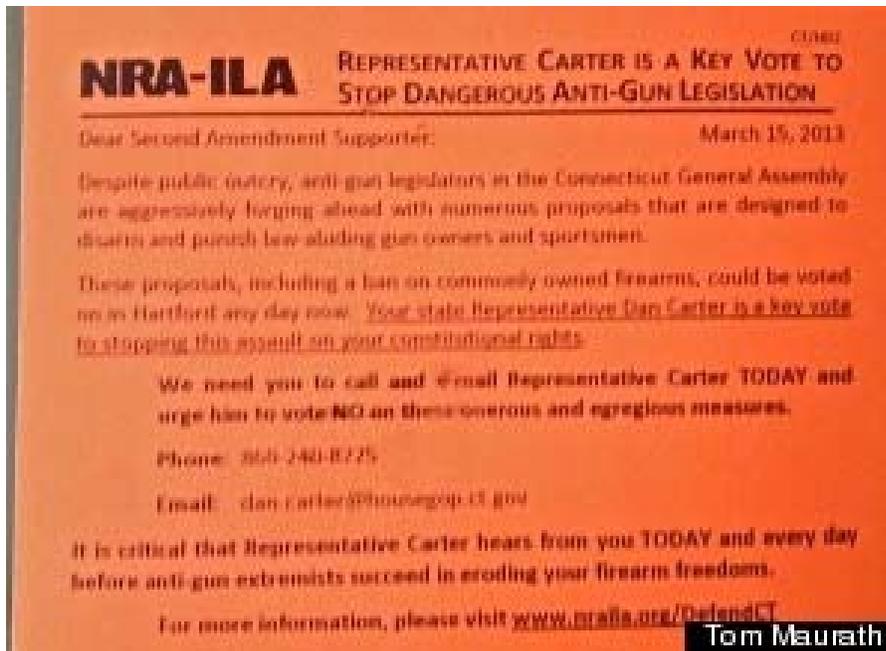
Toll Free
Telephone:
1-800-352-8404
Internet:
www.azleg.gov

Mayor Jonathan
Rothschild
791-4201

City Infoguide
[http://
cms3.tucsonaz.gov/
infoguide](http://cms3.tucsonaz.gov/infoguide)

Nice group to have in the neighborhood...and speaking of neighborhood, I've already been in touch with State Representative Victoria Steele and Marcario Saldade / and they in touch with Representative Chad Campbell. We'll be working together to make sure that the sponsor of the shotgun effort learns something about public process in the days ahead. More on this to come...

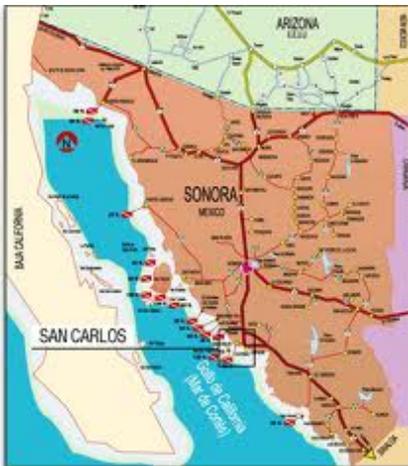
And from foolish to slimy, this is a flyer being sent out by the NRA to residents of Newtown, Connecticut:



Dan Carter is the lawmaker who represents Newtown. They're also making Robo calls with a similar message to the residents of the town. It's the First Amendment gone wild.

We live in strange times – and this is going to be an interesting next several months if the PGOP decides to run a candidate against me.

Mexico Trade – Film Incentives



Above I gave high marks to Paul for pushing Genna's Law along. Now the Mayor gets credit for his consistent advocacy with respect to our relationship with Mexico. This is a commerce gem waiting to be nurtured. This Mayor and Council get it – and we're building a positive relationship with leadership in Sonora.

Last week, Jonathan hosted 11 Arizona Mayors on a trip to Nogales. They met with several leaders from the Mexican side of the border, and generally continued the commerce conversation. This will bear fruit in the days ahead. It will mean local jobs.

An element of the trip that also means jobs is a comment made by Javier Tapia Camou, the coordinator with the Sonoran State tourism department. "The tourism industry is focusing on the filmmaking market." This is yet another example of a neighbor who understands that the film industry is about jobs, tourism and is really low hanging fruit

given our proximity to the large L.A. media market. Our legislature is in the process of letting an Arizona film incentive bill die again this year.

Good for Jonathan for pushing this relationship along. Good for Sonora for seeing the wisdom of promoting the film industry. Too bad "leadership" in Phoenix can't grasp that wisdom.

Budget and Compensation

We're still working our way towards a fy'14 budget. A big part of that will be the compensation package. That's because 65% of the General Fund spending is for personnel costs, including pay, benefits and pension. The City base pay lags the market by about 10%. That leads to both turnover, and difficulty in recruiting.

Last year we gave an across the board 1% pay increase. I did not support that because it treated people at the high end of the pay scale much better than those at the low end. About 45% of our workers fall in the lowest quartile, and 16% fall at the high end. That's skewed. An optimal compensation package would have those numbers be 25% at the low end, and 10% at the high end. We exacerbated the problem by what we did last year.

Staff is proposing a flat rate adjustment of .55 p/hr across the board. I do not support that. We've got a bottleneck at the entry level positions, and owe it to those who need it most to take care of that. No merit increases have been given since 2006, and the last COLA was in 2007. The argument made against pushing the bulk of the pay increases towards the low end of the pay scale is that it causes 'wage compression' (reduces the gap between grades and steps.) While that's true, the only people who are particularly bothered by the compression are those at the top end of the scale. I'm not feeling as great an obligation to take care of them again this year as I am for trying again to give a larger percentage increase to those at the bottom. Those are the comments I shared on Wednesday. We have 44% of our workers bunched up in the lowest quartile of their pay grades. The staff recommendation would cost the City over \$5M. My proposal was to give the pay increase to the lowest paid quartile only (about 2,000 workers) at a cost of \$2M. I believe that will help us in recruitment and retention, not put an added burden on our pension obligations (paying more to those at the top just before they retire,) and doesn't cost us another \$5M. We'll revisit the compensation item in the next couple of weeks. I felt it was important to get my thoughts on the record ahead of when we have to make a final decision on this.

Budget and Transit

We also received an update on our transit department. Among the items we reviewed were costs, revenue potential, and strategies we may be adopting to address stresses on the General Fund. As with the compensation and other parts of the budget puzzle, this is still a moving target. Here are some bullet points that will generally show you what sorts of things are on the table for consideration.

The projected General Fund cost for transit this year is \$43M. For comparison purposes, Fire is around \$72M, Police is around \$135M and Parks is around \$34M out of the General Fund. With Police and Fire, we don't have the opportunity to mitigate the costs by revenue streams. Parks and Transit do have potential revenue streams. Each of them can make service delivery changes though to offset some of the costs. Our responsibility is to find new ways of doing business in each of our core services – including looking at creative funding models – so the service to and safety of the public is not diminished.

Some good news:

- In comparison to peer systems, Sun Tran ranks above average in Passenger trips per revenue mile, operating expense per passenger trip, operating expense per passenger mile and operating expense per revenue mile. But, in comparison to peer systems, Sun Tran ranks below average in farebox recovery and average fare per passenger boarding.
- To address the farebox recovery we're looking at some possible reductions in service in terms of hours of operation, possibly an express route, weekday frequencies on certain routes, and a calculation-based fare increase process.
- Operationally, we'll look at increasing the number of smaller busses we buy to service particular routes that don't need full sized busses (or on weekends and holidays,) putting in place fare incentives for groups such as a business who buys bulk passes for employees, working with the UA and PCC to get bulk passes for students and making ease of transfer from one mode to another (bus to streetcar, for example) to encourage ridership on both modes.

Back in 1997, the City contracted for a Comprehensive Operational Analysis – a study that looked at operations, fares, ridership trends and offering conclusions and recommendations, some of which were imple-

mented to help offset rising costs. On Wednesday, we agreed to conduct another COA. Generally they're done about every 5 years, but we haven't had the money to invest in one – we decided to get one funded at this time so we have a better roadmap of where we are, and where we need to go. The COA will be a year-long study, but once we've got those data, we'll be in a much better position to make long term plans for how we operate and fund our transit system. Included will be both busses and the streetcar. We'll need to look at that overall system so one of them doesn't simply shift riders from the other. Ultimately the goal is to increase net ridership on both – and do so in a way that helps us to hold costs in check.

Finally, to those who simplistically say that we should just shut down routes, the answer is more complex than that. We're obligated by Federal law to ensure that changes we make pass a social equity test; that is, we're not disproportionately impacting certain groups vs. others. Any changes we make will have to pass some stringent equity tests – shutting down the system, or large chunks of it are inconsistent with our Federal requirements.

We all understand the financial challenge, and I'm sure we'll be making changes during this budget cycle in some areas related to the transit system. Getting the COA done will serve as a good tool for moving the system into a fiscally sustainable mode.

Budget and Parks

As noted above, the General Fund cost for Parks is around \$34M. When adding in fees collected, the budget bumps \$40M. The projected budget for FY' 14 doesn't contemplate any significant service changes. With the completion of the new elephant exhibit at Reid Park Zoo, attendance has increased and with that revenues are helping to offset the General Fund investment into our Parks system.

Some challenges we have to address include the continuing losses due to copper metal theft (there's legislation being considered in Phoenix that will increase penalties,) replacement of vehicles (a problem that also impacts Police, Fire and Transit,) and nearly \$95M in other infrastructure needs. Some of that will be addressed in bonding, possibly next year during the County bond elections. But that's up to the voters, and it's not immediate. We've got continuing challenges all over the budget, and these are examples. Other potential funding sources include the Parks Foundation, Tribal Grants, the United Way and the Zoological Society. We'll need all of them, and more.

The current Parks request is \$8M less than when I took office. We've made cuts, and we've weathered some pretty tough economic conditions. Now we're focused on preservation of our programs, and working to rebuild the infrastructural needs that have built up over time, doing so with about 150 fewer workers than we had in 2009.

As you can see, each of our core services is in need of revenues and management efficiencies. We're working our way to a final budget proposal – now we've got most of the data and it's closing in on time to make specific proposals.

The bad news is that we also learned that the State is considering two pieces of legislation that, if adopted could set us back by another \$4M - \$10M during fy' 14. We won't know that until they close up shop in Phoenix – and that may not happen until just about the end of our current fiscal year on June 30th.

...first steps –

So on Wednesday, we gave some direction that made a few attempts at first steps towards the budget. Those included:

- a. Budget in \$4M in land sales (we have a couple of parcels now, or about to be placed on the market)
- b. Budget in an increase of \$1M in administrative charges to enterprise departments
- c. Adjust by \$2M the fee we charge for Pima County Wastewater billings
- d. Charge Utilities for graffiti clean up (projected to be around \$1M).
- e. There's some interest in looking at how we award overtime / I've asked to see the negotiating history on how we got to our present practice. This may be more a matter of good-faith bargaining than one of what makes sense on paper for the budget, but we'll see.

If we adopt all of those, we're about \$7M closer to our \$15M deficit (not counting what might be coming from

Phoenix in terms of pending legislation.) Pensions are a large part of the problem.

Pensions

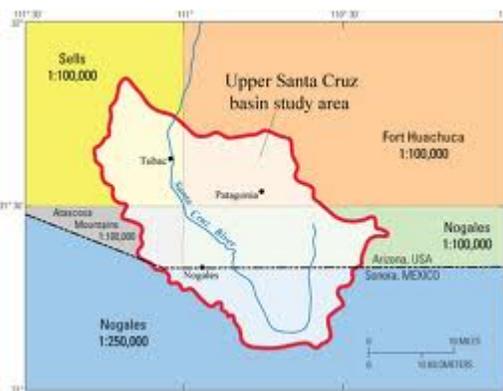
I wrote about this a few weeks ago when staff first presented some options. Generally they're suggesting that we do the analog of refinancing a home loan (extend the amortization period) to lower the costs to the City, and at the same time we decrease the employee contributions for newer workers so all of our employees are paying similar amounts. Right now the disparity is close to 7% of their paychecks. If we don't address that, we'll continue to lose our newest workers – and the training dollars we've invested in them.

Earlier I noted my proposal to give a pay increase to our workers who are at the lowest quartile of their pay grades. With that in place, there's less of a reason to double up on that and give quite as large a bump as staff was proposing on the pension side (this is the reason I objected a few weeks ago when we were being asked to decide on what we were going to do with pensions / they're not independent of the rest of the employee pay/benefits package.)

Staff had proposed that we reduce the employee contributions to no less than 50% of the normal cost of the program. That would put most of our workers in the 6%-7% contribution range. Since I'm suggesting that we give a pay increase to the lowest quartile of our workers, I proposed that we change the staff proposal on pensions to no less than 65% of the normal cost of the program. That increases their percentage contribution rate by a couple of points, and by plowing those dollars back into paying the unfunded long term liability, we get the plan back to health sooner. Council chose to stick with the 50% of the normal cost of the Plan. I understand the rationale, but simply felt putting the pension system on track for long term structural health was the priority.

So we made some progress on Wednesday in terms of putting some fixes into the pension plan, and taking some steps towards balancing the FY' 14 budget. We've still got more to do, but these were good starts.

Pima Mine Road Recharge Project



What is outlined is the Upper Santa Cruz river basin. Its health and longevity is the lifeblood to several communities in Southern Arizona, Tucson included.

Right now, I'll simply introduce this item and will build on it in the weeks to come. It's a very big deal.

We've got a CAP pipeline down in the Upper Santa Cruz region of the Tucson Aquifer Management Area. Several groups want to tap into it, each with the stated intent of preserving our groundwater down in that area. That's the goal we should be shooting for.

The truth of the matter is that this has the potential to be a very politically charged decision. The FICO pecan growers are large users of groundwater, and the Green Valley Community Water Company is aligned with Rosemont Mine, and if they got to tap into our line, it's likely it'd feed CAP water to Rosemont. But to deny everybody access to a CAP source that if used will preserve, and in fact rehabilitate the aquifer down in that area, would be self defeating.

We have been told by staff that both the CAP and Tucson Water have mutual vetos on who the other party allows to tap into the CAP line. We've also been told that it's CAP policy that if one group is allowed to tap in, everybody should be allowed to do the same. My preference is to put some objective criteria into place that all applicants would have to meet before we give access to our CAP line. It's that list of selection criteria that I'm working on putting together right now. Once it's done, I'll be asking to have this issue brought forward as a study session item.

I'm writing this in the first person, but to be fair, all of us on the council are looking at how we make a fair decision on access to the Pima Mine pipeline, and at the same time ensure that the long term interests of the Upper Santa Cruz aquifer are protected. My sense is that is achieved by putting standards in place that all

applicants have to meet before we give our approval to tap in. With such a list, the CAP position with respect to “if one gets it, everybody gets it” isn’t quite so black and white. That is, if we’re making objective decisions based on protecting our assets, CAP would be hard pressed to veto them simply based on a “come one, come all” position.

I’ve said before that water policy and land use decisions are the two most complex areas we deal with at the council level. With that, I’m working with some experts in the field to come up with a good set of selection criteria that we can apply to this decision. I suspect other council members are crafting a similar set of standards. We’re all after the same goal. Soon we’ll all compare notes in a public setting and put a policy into place that will hopefully depoliticize the decisions we make with respect to access to our CAP supply.

More on this, soon.

Hoops

A quick congratulations to the ‘Cats for their progress into the Sweet 16 of the NCAA basketball tournament. Coach Miller has done a great job keeping the players together through some tough times all season. The staff and players have a lot to be proud of.

Boys and Girls Clubs of Tucson

Finally, it’s time again to begin planning for The Event – the annual fund raiser for the Boys and Girls Clubs of Tucson. The date is April 14th from 6pm until 9pm. It’ll be held under the stars out at La Encantada again. In addition to the live music, there’ll be wine tasting, and food from over 50 local restaurants. Last year over 1,500 people attended. This year should be no different.

There are over 8,000 kids who benefit from BGC. This event is the major funding source for the more than 40 programs that are offered. Go to theeventtucson.com and you’ll be able to see a full description of the evening, and most importantly, what it does for the kids.

Sincerely,



Steve Kozachik
Council Member, Ward 6
Ward6@tucsonaz.gov

Arts and Entertainment Events Calendar

This week and next week at the arts and entertainment venues in the Downtown, 4th Avenue, and Main Gate areas . . .

Rialto Theatre, 318 E. Congress St.

Thursday, March 28, 8:00pm. “**Mix Madness DJ Battle**” all ages.

Friday, March 29, 8:00pm. “**Jeff Mangum**” all ages.

Saturday, March 30, 8:00pm. “**Blackalicious**” all ages.

Monday, April 1, 8:00pm. “**Soul Asylum**” all ages.

www.RialtoTheatre.com

Fox Theatre, 17 W. Congress St.

Thursday, March 28, 7:30pm. “**Crazy Heart**”

Friday, March 29, 7:30pm. “**Booker T. Jones**”

Saturday, March 30, 7:30pm. “**The Big Lebowski**”

www.FoxTucsonTheatre.org

Temple of Music and Art, 330 S. Scott Ave.

Arizona Theatre Company presents “**Clybourne Park**” by Bruce Norris

Saturday, April 6 – April 27, 2013.

www.arizonatheatre.org

Tucson Convention Center <http://cms3.tucsonaz.gov/tcc/eventcalendar>

Music Hall

Wednesday, March 20 through Sunday, April 7. “Broadway in Tucson presents: **Wicked**”

Ongoing

Tucson Museum of Art, 140 N. Main Ave.

Ongoing exhibition, Opening Saturday, January 26 and ending June 16:

“**Desert Grasslands**,” “**Feminina: Images of the Feminine from Latin America**,” and “**Elements in Western Art: Water, Fire, Air, and Earth**”

www.TucsonMuseumofArt.org

Museum of Contemporary Art (MOCA), 265 S. Church Ave.

Current exhibition: “**Peter Young: Capitalist Masterpieces**”

Hours: Wednesday to Sunday, 12:00 to 5:00pm.

www.Moca-Tucson.org

Children's Museum Tucson, 200 S. 6th Ave.

Tuesday - Friday: 9:00am - 5:00pm; Saturdays & Sundays: 10:00am - 5:00pm

www.childrensmuseumtucson.org

The Drawing Studio, 33 S. 6th Ave.

Ongoing Exhibit, Opens March 2 and runs March 30

“**The Journey Continues: Pat Frederick, Mikaela Quinn, Roberta Miller**”

<http://www.thedrawingstudio.org/>

Jewish History Museum, 564 S. Stone Ave.

Open Wednesday, Thursday, Saturday, and Sunday, 1:00-5:00 and Friday, Noon to 3:00pm

Special hours for school and group tours, for more information call 670-9073

www.jewishhistorymuseum.org

Meet Me at Maynards

A social walk/run through the Downtown area
 Every Monday, rain or shine, holidays too!
 Maynards Market and Kitchen, 400 N. Toole Avenue, the historic train depot
 Check-in begins at 5:15pm.
www.MeetMeatMaynards.com

Tucson Farmers' Market at Maynards

Saturdays 9:00am – 1:00pm
 On the plaza at Maynards Market & Kitchen. 400 N Toole in the Historic Train Depot

Santa Cruz Farmers' Market Mercado San Agustin, 100 S. Avenida del Convento
 Thursdays, 4:00 – 7:00pm.

For other events in the Downtown/4th Avenue/Main Gate area, visit these sites:

www.MainGateSquare.com
www.FourthAvenue.org
www.DowntownTucson.org

Other Community Events

Loft Cinema www.loftcinema.com/

Thursday, March 28, 5:30pm. “Play Again”

Saturday, March 30, 12:00pm. “Journal de France”

Arizona State Museum – Woven Wonders (beginning April 28)

The Arizona State Museum is debuting a sample of 500 pieces from the world’s largest collection of South-west American Indian basketry (over 25,000 pieces). Visit www.statemuseum.arizona.edu for more information.

UA Mineral Museum – Ongoing

“100 Years of Arizona’s Best: The Minerals that Made the State”

Community Food Bank Citrus Gleaning for 2013

The Community Food Bank is offering to pick surplus citrus from homes and businesses in some areas of town. They term this service “Gleaning” or harvesting food that would otherwise go unused. They are currently accepting and picking up already picked fruit now, but will begin the actual gleaning program on January 22 and end on April 30. For more information on how to turn your excess fruit into food for those who need it, contact Lou Medran at 449-8340 or

lmedran@communityfoodbank.org

Sam Hughes Historic Neighborhood and Home Tour – Sunday, April 7

Sam Hughes Historic District encompasses one square mile bordered by Speedway/Broadway and Country Club/Campbell. This popular self-guided tour features homes, gardens, businesses and sample-serving restaurants. Unique this year are four alternative living arrangements that display the diversity of this mid-town neighborhood. The tour is Sunday, April 7 (12-5). Tickets are \$20, available beginning March 28 at Arte de la Vida (37 N. Tucson Blvd., just north of Broadway---398-6720 or day-of-tour at Rincon Market (2516 E. 6th St.).