

## Ward 6 Staff



Steve Kozachik



Ann Charles



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Molly Thrasher



Amy Stabler



# Ward 6 - Newsletter

TUCSON FIRST

November 7, 2013

## *Nightmare Before Christmas at The Loft*



Final week before the screening of *Nightmare* on Sunday, November 10<sup>th</sup> @ 2pm. As I noted last week, Peg Johnson and her crew at The Loft will be hosting a screening and Q&A of *Nightmare Before Christmas*. My brother Pete was the Director of Photography for the show and is right now putting together a presentation that he'll give following the screening / then Q&A. *Nightmare* was nominated for an Oscar the year it came out. Pete will give the technical and creative background on how the show came together, plus other insights into stop motion animation.

Many people think that image is me and my bride – when we were a little younger. While it looks a lot like her, I was never quite that thin.

Here's a link to The Loft promotional material, including a trailer for *Nightmare* in case you haven't seen it in a while.

<http://www.loftcinema.com/film/the-nightmare-before-christmas-2/>

Pete has worked on several stop-motion films with Tim Burton. They include *Coraline*, *Corpse Bride*, and *James and the Giant Peach*. In addition he has done special effects for some of the *Matrix* series, the Disney show *Honey, I shrunk the kids*, and a bunch of others that are listed in the bio shown in the Link. The screening will be a part of The Loft Film Fest:





### 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

### Highest and Best Use

I get a lot of compliments on the amount of content I put into these newsletters. In the past four years of doing them, on a couple of occasions I've had to make a correction. That's the case this week. It's a situation where the layman's interpretation of what appears on its face to be clear language with a clear meaning is at odds with the intent of the language as it is used by practitioners. In this case, Real Estate Appraisers.

I reported that our Real Estate staff directed our appraisers to place a value on the El Rio Golf Course site based on the assumption that the parcel of land was vacant and unimproved. It's not "vacant and unimproved" and so the impression I related was that the appraisal was a low-ball estimate in order to attract a willing buyer. The practitioners don't use the phrase in that fashion.

Follow me on this because it's my goal to be fair to both our Real Estate folks (Mr. Martinez in particular) and the Singleton & Lee consultants who gave us the appraisal. It's important to me that when you read this newsletter, you can put it down and know that it's factual.

When a land appraisal is made, the appraisers consider the "highest and best use" of the land. Let's say they're valuing land that's now being used for retail – and that use is consistent with what's physically, legally and financially possible with the site, and it's the that use maximizes the productive potential of the site. In that case, they'd likely appraise the site as it was improved at the time the appraisal was made. As it sits, the use mimics what would be the greatest productive potential for the site. Where that is not true, Appraisers follow a different approach.

That approach is to assume the land is vacant, and from there they assume a use that meets the four standards I listed above; physical, legal and financially possible, and that maximizes the productive potential of the land. If they assumed the current use was the best that the site could yield, then assuming it was vacant would in fact be a low-ball appraisal. But where reaching that ultimate yield involves eliminating the current use, they begin the valuation process from a baseline of it being vacant. It does not eliminate the consideration of utilities and other amenities that exist at the property line. What it does is suggest that for appraisal purposes, what exists on the property can be eliminated and a greater yield realized. Thus, assume it's a vacant parcel, with utilities stubbed out to the property line, and begin to place a value on the contributions of improvements.

In the case of El Rio, the City gave the appraisers a potential use; that is, a University sitting on the land. Whether that was the best site in the City for that potential client or not wasn't the question the appraisers were answering. What the City asked them was to appraise the site as though it would handle that use. To get there, they began with the assumption of it being vacant and unimproved, and then built the value from that benchmark.

Is that clear to the layman who reads that the City appeared to tell the appraisers to as-



### Important Phone Numbers

Senator John  
McCain (R)  
520-670-6334

Senator Jeff  
Flake (R)  
520-575-8633

Congressman  
Ron Barber (D)  
(2<sup>nd</sup> District)  
520-881-3588

Congressman  
Raul Grijalva (D)  
(3<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](http://cms3.tucsonaz.gov/infoguide)

sume no amenities existed on the land? Nope. But I've been given a crash course in the 'art' of land appraisal so I now understand better the logic behind the instruction. My thanks to both Mr. Martinez and to the folks at Singleton & Lee for their help in clarifying.

Does that mean I think the site should have been turned into the home of Grand Canyon University? No. And I maintain that for the several reasons I've previously outlined (Conquistadors' contract, and RFP we're considering for management of our golf enterprise.) But the City asked for an appraisal assuming GCU – and that's what we got. Two different questions. We're still wrestling with the golf management question, but that's not a concern for how Real Estate and our consultant were asked to consider the property.

#### **Golf RFP / Original Motions**

We've been wrestling with the golf issue for over a year. Now we have the two finalists from the Request for Proposals process and have directed Staff to go back and seek some clarification as to their offers. If we award a management contract, we've got to make sure the taxpayers are protected, and that there are quality standards written into the agreements so our courses are maintained and attractive assets to the golfing public.

Here's a summary from the Clerk's legal action report that shows each motion, and how we got to where we are today. I had asked for this in order to clear up any questions that may still exist with respect to where we are in the process:

#### **MAY 8, 2012 MOTION**

**Council Member Romero MOVED and it was duly seconded that golf repay the general fund (the general fund removed by friendly amendment) for any subsidy provide in the past and any future subsidy; that golf must cover its annual expenses with its annual revenues within the next two years; and that a five year plan be developed detailing how they plan to accomplish the given direction.**

**Council Member Scott requested a friendly amendment to include all of the options provided by the City Manager on May 4, 2012.**

**Amendment ACCEPTED by the maker.**

**Substitute motion by Vice Mayor Kozachik to direct staff to balance the golf fund by FY 14 and to prepare a business model to sustain that balanced budget.**

**Council Member Scott requested a friendly amendment to include all of the options provided by the City Manager on May 4, 2012.**

**Amendment ACCEPTED by the maker.**

**Substitute motion, as amended, FAILED by a vote of 2 to 5 (Council Members Romero, Cunningham, Uhlich, Scott and Fimbres dissenting).**

**Council Member Scott requested a friendly amendment to the main motion to remove the words "the general fund" from the motion.**

Amendment ACCEPTED by the maker.

Main motion, as amended, PASSED by a vote of 6 to 1 (Vice Mayor Kozachik dissenting).

Council Member Romero MOVED, and it was duly seconded, to direct staff to develop one or more competitive RFPs to evaluate potential alternatives including golf management, alternative operational structures and asset utilization within the next 4 weeks.

Staff Update/Action:

Staff presented a recommendation to Mayor and Council on October 23, 2012 that included developing an RFP that was intended to solicit alternatives for golf management, alternative operational structures and asset utilization as directed in the September 11, 2012 motion.

It was FURTHER moved that any proceeds from any future sale of the Civano property or any Golf asset be used to reduce the cash deficit in the Golf Enterprise Fund.

It was FURTHER moved that the City Manager should evaluate possible partnerships with the University of Arizona or Pima Community College that will benefit the City of Tucson and its golf enterprise.

Mark Schneider provided information and answered questions about his analysis of Tucson City Golf utilization, rates, expenses and results.

Council Member Romero clarified that the motion does not preclude other future options; it allows staff to look at available options and return in October for additional recommendations by staff and the City Manager.

Council Member Romero and Ms. Gottschalk clarified that the motion provided for an RFP to be one of the options presented in 4 weeks or sooner.

Mr. Miranda stated that the motion provided the necessary flexibility to consider all options that might be brought back to Mayor and Council in October.

Mayor Rothschild clarified that an RFP would not be issued in 4 weeks.

MOTION passed by a vote of 7 to 0.

OCTOBER 23, 2012 MOTION

It was moved by Council Member Romero, duly seconded, and CARRIED by a voice vote of 7 to 0, to approve the City Manager's recommendations (see list below) and extend the timeline for closing the Fred Enke Golf Course from six (6) months to eight (8) months.

City Manager's Office Recommendation - To achieve the direction of Golf expenses being covered by Golf related revenues within a two year period and to begin to repay

the subsidy from the General Fund, the City Manager recommends the following actions and analysis to determine the best overall approach for the Golf and General Funds:

1. Transfer the Houghton Road Golf Property (Civano) to the General Fund in exchange for the General Fund assumption of the Golf Course Certification of Participation (COPs) debt service obligations.

a. This action would reduce the annual expenses of the Golf Course Fund and aid in achieving the goal of generating annual Golf revenues that meet or exceed annual Golf expenses. Using the value of the Civano land as an offset to the COPs debt assumption had the best benefit for both the Golf and General Funds.

2. Analyze the encumbrances and the highest use for any excess Golf owned property and take action to sell any marketable parcels.

a. An example is the approximately 3.5 acres at Silverbell that is not being used as part of the golf course.

3. As directed by the September 11, 2012 motion, issue a competitive Request for Proposal (RFP) for the privatization of Golf operations, maintenance and management.

a. The proposals will be reviewed to determine whether privatizing the operation of one or more courses would result in greater revenues and/or reduced expenses to the City than the current operational structure. Included in the RFP would be an analysis of the interest and impact of University of Arizona golf partnership opportunities.

Recognizing that the RFP process for privatization of Golf operations, maintenance and management may not result in a proposal that is the most beneficial option for the City, the following concurrent actions are also recommended:

4. Immediately begin the process to gain approval from the National Park Service (required by the Land and Water Conservation Fund Grant) to close Fred Enke golf course and clubhouse and convert to an outdoor recreation facility such as a natural resource passive park.

a. The driving range and practice facility would remain open for public use and become a General Fund Parks and Recreation operation.

b. The course would continue to be operated as a golf course while approval is being sought, which will take a minimum of six months.

5. Immediately develop a plan, including programming and land use, for the El Rio golf Course which would transform the golf course from a typical Golf enterprise asset to a Family Learning Center and Park as a General Fund Parks and Recreation activity.

a. The concept would be to maintain the First Tee program and consider other programming to allow golf and park activities that are more accessible to families, youth, Kidco, schools, beginning golfers and player development for future golfers.

6. Continue to seek operational efficiencies and increase marketing productivity at all courses.

7. Work with the University of Arizona to determine if a City course could serve the needs of the University's men's and women's golf teams' practice facility and/or home course.

8. Develop an ordinance that annually requires a presentation of Golf Fund audited financial results to Mayor and Council.

a. At a minimum, the presentation will include operating revenue compared to operating expenses, net income or loss, actual results compared to budget, amount of the outstanding liability to the General Fund, the amount of any charges not assessed, to the Golf Course Fund such as waived administrative service charges.

JANUARY 15, 2013 MOTION

It was moved by Vice Mayor Romero, duly seconded, and CARRIED by a voice vote of 7 to 0, that the second phase of the RFP process include a requirement that the management company pay for the capital needs of the golf courses that they want to operate, maintain and manage and that the language of the RFP be brought back to the Mayor and Council for approval.

Council Member Uhlich asked for clarification that the motion included operating costs as well. Vice Mayor Romero confirmed that it did.

Discussion was held.

It was moved by Vice Mayor Romero, duly seconded, and CARRIED by a voice vote of 6 to 1 (Council Member Cunningham dissenting), that the City of Tucson challenge the National Park Service's claim that a full NEPA (National Environmental Policy Act) process be required to convert Enke Golf Course to a park and that the City's federal lobbying firm, Bracy Tucker Brown & Valanzano, be used for guidance, if needed, to have a successful challenge.

Michael Rankin, City Attorney, clarified that his office would work with Mr. Gray's office in the framing of the challenge request to maximize the opportunity to be able to proceed without having to go through a NEPA or similar process and to pursue an exclusion in the categorical exemption.

So that's a lot. What it simply means is that we're at the final stages of reviewing the proposed management contracts. At the same time, we are maintaining the First Tee program out at El Rio, and if none of the management deals work out, we're ready to consider other options for that course. Our motion was to keep First Tee, but to transfer the course over to a Parks Department asset. That would mean a General Fund obligation, so we have to be careful in how we program the space. We're also looking at options related to Fred Enke course. Both changing El Rio and Enke have costs to the General Fund.

For example, changing El Rio to a 9-hole course operated as a Family Learning Center, building a public driving range and the development of an approximate 38 acre park would cost \$5M in construction and an estimated \$330K annually for O&M. The First Tee program would continue to have access to and use of the 9-hole course. We have an existing contract with the Conquistadors and for us to do this would require us to renegotiate that deal. I'm not at all in favor of strong-arming them into agreement. It'd have to be something in which both sides gained and agreed on.

For Enke, there are two options being considered (other than leaving it as a golfing operation.) Option One is keeping a driving range, but turning the rest into other park amenities (hiking, picnicking, seniors center, bmx, etc.) The estimated cost would be \$4.3 million for construction and \$250,000 for O&M annually. The other option is to keep a nine-hole course and turn the rest of the park into some of those other park amenities. The cost for this option would be \$2.3 million for construction and \$165,000 for O&M annually. Of course these are estimates, but they're our working numbers. Changing the golf operations for both the El Rio and the Enke courses into some component of a park would shift the costs from the Golf Enterprise over to our General Fund.

Staff has told us that in the past year the golf operations have made money. Not a ton, but they're in the black as it relates to operating expenses. The courses will need capital investment, and putting those costs into the management deal was also a part of one of the motions cited above. That'll be a challenge for the companies bidding the job, but we'll soon have the results of the negotiations and see how that sorts itself out.

My preference would be to hire an outside company to run the courses, somebody who is in the business and who will have a vested interest built into their contract in keeping them in top condition. But the devil would be in the details of any proposed agreement. Final word on this coming soon. Here's the language of the motion we made on Wednesday giving direction to staff to negotiate with the finalists:

***To move forward with the RFP and negotiate an agreement for the management of City Golf. The agreement shall not result in the sale of any of the City Golf courses or Golf assets, and City Golf will remain a municipal program, and will include citizen oversight. Any awarded contract shall require compliance with the City's Living Wage Ordinance, and shall require the development of a capital improvement plan.***

***To the extent that awarding a management contract will affect existing City employees, the Manager is directed to minimize that impact and ensure the application of all Civil Service rights and protections.***

This was a step in the process. At the end of negotiations, if we can't strike a mutually beneficial deal, we might be back at status quo as far as management of the program is concerned.

#### **Pension Discussion**

From appraisers to actuaries. Pretty arcane stuff.

On Thursday of last week, I hosted the pension meeting at the Ward 6 office that I've been

promoting in the newsletter and on the radio.

Most importantly, thanks to all of the participants, both from the City and from the outside. The City was very well represented by the City Manager, Mayor, Asst. City Manager Kelly Gottschalk, and pension/budget folks Doris Rentschler, Mike Hermanson, and Susanna Horn. Plus four others who came to both observe and answer questions from the audience. Full house, and our staff brought their A game. Our guests were Igor Shegolev, Daisy Jenkins and Jun Peng (all HR/Pension experts.)



In addition to the direct participants, there were about 15 concerned people, generally City retirees who came to watch the exchange. It was good to see that this issue is very much on the minds of so many.

Here are a few highlights from the meeting:

Our current ratio of workers to retirees in both the non-public safety pension (TSRS) and the public safety pension (PSPRS) is approximately 1 to 1. That's not good.

Our current funding ratio for TSRS is just under 68%. That's not real good, but it's also not a disaster.

We do not have any control over the changes made to any part of the PSPRS system.

That's run by the State. The funding ratio for the police pension is 47.9%. For fire it's 45.9%. Those are both very bad.

Our asset allocation has a target 7.75% rate of return. So far this year it is yielding 14.84%. Last year that was 13.15%. Over the past 5 years it has yielded 5.33%, and over the last 10 years the rate of return has been 7.26%. Remember the severe market dips we've seen in the last ten years.

The group shared thoughts on the current state of the plan, and most importantly we jointly recognized that due to contract law, we cannot decrease the benefits of current retirees, or for current employees. That means any changes we make that diminish the value of a person's pension will only impact future workers. If we're going to attract top quality applicants, we have to weigh the changes we make against them working as a disincentive to good prospects from even applying. That's our balancing act. That is, putting the plan on more solid financial footing, but doing that in a way that doesn't drive away quality recruits.

The plan is not going broke. Could it be more healthy? Of course, but so could everybody's portfolio after the severe market drops that took place about 5 years ago. Can we make changes to help the financial stability? Sure. Things such as capping or somehow adjusting the application of unused sick and vacation leave as pensionable income, increasing employee contribution rates within the range of actual plan costs (by no more than a 2.5% increase annually,) and adjusting age of retirement on a phased in basis. None of those are game changers, but the cumulative effect would be helpful if we can agree on the details and timing of each.

Last summer there was a failed attempt to place a pension proposition on the ballot. Had it passed, the impact on the City general fund would have been severe. One thing everybody

in the room last Thursday agreed on was that the change being proposed in that ballot measure was a bad deal all around for our pension plan. If it comes back again, we'll have the support from outside experts in defeating it.

We're facing pension cost increases even without the harsh impact that proposition would have inflicted. Now the burden shifts to us to continue to consider creative changes to the current system that will pass legal muster and at the same time have a positive impact on the structural challenges being faced. At the end of our meeting the three guests agreed to get together and produce a list of suggestions that they'll pass along to me and to Staff. We know before seeing the list that it will be necessarily modest. As I noted, the law constrains what changes we're allowed to make. But everybody from the City side of the table is grateful for the time commitment they're going to invest in this very important item.

Next fiscal year we're facing a \$6M increase in pension costs. That's on top of the \$24M we're already paying from the General Fund. We're interested in all the suggestions they can propose.

### Children and Guns

When I was about 10 years old, I took an NRA rifle safety course in the basement of a local YMCA. It was a good experience. But there are not so good connections that kids have with guns, too.



The background story on the picture shown to the left of little Lucas is that his father, Mr. Heagren had been planning to go out shooting, so he took his pistol from the bedroom, where he normally kept it in a holster between the mattress and the box spring. When Lucas and his mother returned from buying an inflatable swimming pool, Mr. Heagren slid his gun under the couch before heading outside to set up the pool.

At some point, his mother became distracted by her phone a few steps away, Lucas discovered the gun, grabbed the butt and squeezed the trigger with his thumbs.

After an examination of all available evidence, I do find that the deceased came to the death by:

STATE OF OHIO { Gunshot wound to the head.  
 { HOMICIDE: Shot himself with an unsecured handgun.  
 COUNTY OF SUMMIT {

Dr. Lisa Kohler is the Summit County Medical Examiner. Her comments on the incident: “Our thought process was, parents have a duty to keep their child safe. Leaving a loaded weapon in an area where the child can easily access it is neglect in our mind. Therefore parents have failed to keep a child safe, and therefore it’s a homicide”.

Fewer than 20 states make adults criminally liable for allowing children access to guns. As you might imagine, Arizona is not one of them. Every year, 500 children and teenagers are killed from gunfire and another 7,500 kids are hospitalized from gun injuries, according to a new study from doctors who reviewed a decade’s worth of hospital pediatric records. Two weeks ago I shared an event with Moms Demand Action on the issue of guns and Domestic Violence. I thought I’d share this similar aspect of the issue.

Some of the areas being legislated in relation to kids and access to guns are:

***Imposing Criminal Liability for Allowing a Child to Gain Access to the Firearm, Regardless of Whether the Child Uses the Firearm or Causes Injury***

***Imposing Criminal Liability Only if a Child Uses or Possesses the Firearm***

***Imposing Criminal Liability for Negligent Storage of Unloaded Firearms***

***Prohibiting Intentional, Knowing or Reckless Provision of Firearms to Minors***

Here’s the link to a web site that describes how some of those laws are defined and implemented:

<http://cms3.tucsonaz.gov/files/ward6/11-7-13StateChldAccesLws.pdf>

If you have a gun in your home, come by the Ward 6 office and we’ll give you trigger locks – free. And now that we’re done with the Council election cycle, the next one coming is for the State Legislature. I’m committed to continuing the dialogue of gun safety and protecting the vulnerable among us. I hope you’ll join me in holding candidates accountable for supporting common sense regulations on the safe handling, storing and operating of weapons.

### **Sun Van**

Councilmember Cunningham brought to our attention a State program in which we might qualify for reimbursements of just over \$9 per trip for eligible Sun Van riders. On September 10<sup>th</sup>, we gave direction to Staff to check into the program.



Generally, it works like this. We have to apply to become a Home and Community Based Service Qualified Vendor (HCBS.) That’s something we do through the ADES. Once we’re approved the ADES would provide reimbursements to us for our riders who are deemed qualified by the State. The criteria by which a rider is deemed eligible relate to disability based issues. Right now we can only estimate how many of our current riders would qualify. Once we get access to the ADES database, we’ll firm up the figure.

A part of our becoming an eligible carrier is putting our drivers through CPR/First Aid training, fingerprinting and background checks and some other safety training offered by the ADES. Given that that’d be an increase in driver qualifications, it’s likely that some

pay increase would be requested. That's a cost we don't have any way of estimating at this point. In addition, any new driver would have to go through that same protocol before we could turn them loose behind the wheel. Frankly, I don't have any problem giving the drivers a bump if they go through this regimen. They're already poorly paid for the work they do.

Nothing's decided yet except that we gave Staff the ok to go ahead and begin the application process. I'd like to see some better data on how many of our clients will actually qualify for the reimbursed rides, and a better idea of how much we'll be paying extra in employee costs. The initial training is being estimated at costing just under \$200K. We have to balance that, and annual costs (turnover, and administration of the program) against the revenues we'd expect to see coming in.

One added benefit – any rider for whom we get the reimbursement doesn't have to pay to ride. I'm hopeful that the numbers work out once we have more information. It sounds promising. Thanks are due to Paul for bringing this to us.



### Cell Towers

We've all seen them. And we're seeing them closer and closer to residential areas. There's a market driven reason for that. As more and more of us use our cell phones for things such as apps, email, internet, sending images, and of course texting and phoning – all from our homes – the need for cell capacity is increased. And the need is increased close to the source of the demand; our neighborhoods.

On Wednesday Council Member Fimbres and I asked for a report from Staff on the nature of our requirements under FCC rules, any State statutes that govern our allowing cell towers to be built, where some of the needs are in conflict with our current City Codes, and what some of the providers can do to help locate the towers in unobtrusive areas, but still provide the service we're asking of them. There are no easy solutions. What Staff instead proposed was a series of Text Amendments to our Uniform Development Code and including some Federal rules in our existing Wireless Communications Facility Ordinance.

Richard and I sent Staff a memo ahead of the meeting saying that what was being proposed was far too heavy of a lift for one study session. We have asked for a stakeholder group to be formed by staff, have them study the statutory issues related to towers and then bring back to us some suggestions that we'd then send onto the Planning Commission for a full public dialogue.

We have a master lease agreement with AT&T that generates the City revenues based on our providing them tower sites. We have run into situations in which the company has requested a particular site, the City has countered with an alternate site and the Company has rejected the alternate. In cases like that, everybody loses because it ends up in litigation and the customers are not seeing the improved service they want. At this time though, we don't have the expertise in-house to challenge the Company contention that the proposed alternate site isn't workable. One possibility is to require an independent third party to make that determination. Some jurisdictions build that into any application fee the Companies are paying. It's something we need to consider.

There are issues raised about collocation of antennae on a single tower. That can work when the providers have a coverage/capacity need in the same location and their signals require a tower of the same height. But that's rare. So we have an incentive as a City to work with the Companies to find locations that are suitable, but that do not encroach unnecessarily into residential areas. We have City parks that could serve that purpose.

There is also talk that the FCC and/or the Arizona Corporation Commission may be putting together new regulations that would have the effect of pre-empting any local voice in where towers are located. Anybody who reads this newsletter knows that I'm a big "home rule" guy. So regulations imposed from on high aren't something I'm real interested in seeing. For that reason, I supported the Council's direction to form a stakeholder group under staff direction to study this issue and report back to us with recommendations for how we might put in place our own rules that are less restrictive, but that incentivize the towers' locations to areas outside of residential sites. It'll be interesting to see what the group brings back to us in the form of suggestions.

### **Immigration / SB1070**

On the November 13<sup>th</sup> study session agenda is an item that will give us the opportunity to discuss our policies related to how TPD enforces SB1070. Its State law, so the one thing we cannot do is to direct the police to simply ignore it. I know many of our command staff in TPD would love for the law to disappear. And yet short of that, I think all of us believe there are policy changes we can make legislatively that respect our Officers' sworn oath to uphold the law, and the rights of the people with whom they come into contact out in the community.

It's my belief that the most effective course of action would be the total repeal of 1070. I've written as much in a recent op/ed for the Tucson Weekly. Failing that though, this M&C will be looking for ways to mitigate the negative effects its having. Some of those might include how we deal with juveniles, and how long we detain people following a normal traffic stop. I'm sure my colleagues will have other ideas for us to consider. The goal is respect for all parties who are now in the midst of the community fall-out that SB1070 is causing. Plan on coming next Wednesday if you'd like to be in the room while we're discussing our options. We're scheduled to start at 1:30. That could change, so if you're coming, check the City web site first.

### **Election, 2013**

Finally I'd like to say "thanks" to all of you who supported me this year during the election campaign. I'm committed to continuing to do my homework and to hear multiple voices on each of the issues we'll be facing during the upcoming term. For the small faction who still feels the need to just inject negative energy into so much of our dialogue I'd just say that you're invited to join the rest of us in celebrating who we are and where we're headed as a community.

We've got lots of good things ahead and I'm honored to have your trust in helping to manage us moving in that direction.

Sincerely,



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

## Events Calendar

### **“Fancy Pants”**

Please consider participating in the “Fancy Pants” undergarment clothing drive to support the children of Sojourner Center, a domestic violence shelter for women and children.

Many abused children arrive at the Sojourner Center with only the clothes on their back. When they come via the police department or hospital, many arrive without even that – socks and undergarments are often confiscated as evidence.

You can help bring a sense of “community, peace, and pride” to these young victims of domestic violence by dropping off donations of new, packaged undergarments or socks for boys or girls ages 4-14 at the Ward 6 office anytime before November 22<sup>nd</sup>.

For more information: [http://cms3.tucsonaz.gov/files/ward6/Sojourner\\_Center\\_Request\\_Letter\\_110713.pdf](http://cms3.tucsonaz.gov/files/ward6/Sojourner_Center_Request_Letter_110713.pdf)

*What’s happening this week in the Downtown, 4<sup>th</sup> Avenue, and Main Gate areas . . .*

### **Downtown Lecture Series on Happiness**

This fall, the UA College of Social and Behavioral Sciences will present the first annual Downtown Lecture Series - five talks given by UA Faculty exploring topics that shape our everyday lives. In this year’s series, faculty will investigate “happiness” and present research from their diverse fields of study, including sociology, anthropology, psychiatry, philosophy, and integrative medicine which could help us to lead happier – and healthier – lives. All lectures will be on Wednesday evenings from 6:30 at the Fox Theatre starting October 16. For more information visit:

[www.downtownlectures.arizona.edu](http://www.downtownlectures.arizona.edu).

### **Tucson Pima Arts Council 2013 Open Studio Weekend**

Saturday November 9<sup>th</sup>-Sunday November 10<sup>th</sup> 11 AM-5 PM

The Open Studio Tour this year includes 224 gifted artists working in an amazing range of mediums, styles and genres, throughout the whole of Tucson and Pima County.

[www.TucsonPimaArtsCouncil.org](http://www.TucsonPimaArtsCouncil.org)

**Loft Cinema** 3233 E. SpeedwayNovember 7 - November 11, 2013 **Loft Film Fest**

Celebrating its fourth year in 2013, The Loft Film Fest is dedicated to showcasing the best independent, foreign and classic films, as well as celebrating the work of established and emerging directors, writers, producers and actors.

[www.loftcinema.com/](http://www.loftcinema.com/)

**Ongoing . . . .****Rialto Theatre**, 318 E. Congress St.

[www.RialtoTheatre.com](http://www.RialtoTheatre.com)

**Fox Theatre**, 17 W. Congress St.

[www.FoxTucsonTheatre.org](http://www.FoxTucsonTheatre.org)

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

“The Mountaintop” October 19-November 9

*In this gripping re-imagining of the events on the eve of his assassination, we find Martin Luther King Jr. in his hotel room after delivering his most memorable speech - when an unexpected visitor arrives with surprising news.*

[www.arizonatheatre.org](http://www.arizonatheatre.org)

**Tucson Museum of Art**, 140 N. Main Ave.

[www.TucsonMuseumofArt.org](http://www.TucsonMuseumofArt.org)

**Jewish History Museum**, 564 S. Stone Ave.

The Jewish History Museum presents "Cowboys, Merchants, Miners, & Booze," an exhibit that celebrates the lives of Tucson's Jewish pioneers.

[www.jewishhistorymuseum.org](http://www.jewishhistorymuseum.org)

**Children's Museum Tucson**, 200 S. 6<sup>th</sup> Ave.

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

[www.childrensmuseumtucson.org](http://www.childrensmuseumtucson.org)

**Arizona State Museum** 1013 E. University BlvdNovember 9, 2013, through July 2015 **Curtis Reframed: The Arizona Portfolios**

[www.statemuseum.arizona.edu](http://www.statemuseum.arizona.edu)

**UA Mineral Museum** 1601 E University Blvd

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

**Southern Arizona Transportation Museum** 414 N Toole Ave.

Explore regional transportation history, and see a freight trains passing by, or ring the locomotive bell at the Southern Arizona Transportation Museum every Saturday, year round.

Tuesday – Thursday, Sunday: 1100am - 3:00pm; Friday &amp; Saturdays: 10:00am - 4:00pm

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

**Sacred Machine Museum & Curiosity Shop** 245 E Congress St

<http://sacredmachine.com/>

**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](http://www.MeetMeatMaynards.com)

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

[www.MainGateSquare.com](http://www.MainGateSquare.com)

[www.FourthAvenue.org](http://www.FourthAvenue.org)

[www.DowntownTucson.org](http://www.DowntownTucson.org)