

## Ward 6 Staff



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# Ward 6 Newsletter

## TUCSON FIRST

April 8, 2015

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### Principle of Compassion

On Tuesday, we unanimously adopted a Resolution to support the Charter for Compassion which was authored by Karen Armstrong back in 2009. At its core, it's pretty simple: live by the Golden Rule. Here's the exact language from the website describing the mission of the Charter campaign:

*The principle of compassion lies at the heart of all religious, ethical and spiritual traditions, calling us always to treat all others as we wish to be treated ourselves. Compassion impels us to work tirelessly to alleviate the suffering of our fellow creatures, to dethrone ourselves from the center of our world and put another there, and to honor the inviolable sanctity of every single human being, treating everybody, without exception, with absolute justice, equity and respect.*

*It is also necessary in both public and private life to refrain consistently and empathically from inflicting pain. To act or speak violently out of spite, chauvinism, or self-interest, to impoverish, exploit or deny basic rights to anybody, and to incite hatred by denigrating others—even our enemies—is a denial of our common humanity. We acknowledge that we have failed to live compassionately and that some have even increased the sum of human misery in the name of religion.*

*We therefore call upon all men and women to restore compassion to the center of morality and religion ~ to return to the ancient principle that any interpretation of scripture that breeds violence, hatred or disdain is illegitimate ~ to ensure that youth are given accurate and respectful information about other traditions, reli-*



**Important Phone Numbers**

**Tucson Police Department**  
911 or nonemergency  
791-4444

**Water Issues**  
791-4133  
Emergency: 791-4133

**Street Maintenance**  
791-3154

**Graffiti Removal**  
792-2489

**Abandoned Shopping Carts**  
791-3171

**Neighborhood Resources**  
837-5013

**SunTran/SunLink**  
792-9222

**Environmental Services**  
791-3171

**Park Wise**  
791-5071

**Planning and Development Services**  
791-5550

**Pima County Animal Control**  
243-5900

**Pima County Vector Control**  
Cockroach: 443-6501  
Mosquito: 740-2760

## Continued: A Message From Steve

*gions and cultures ~ to encourage a positive appreciation of cultural and religious diversity ~ to cultivate an informed empathy with the suffering of all human beings—even those regarded as enemies.*

*We urgently need to make compassion a clear, luminous and dynamic force in our polarized world. Rooted in a principled determination to transcend selfishness, compassion can break down political, dogmatic, ideological and religious boundaries. Born of our deep interdependence, compassion is essential to human relationships and to a fulfilled humanity. It is the path to enlightenment, and indispensable to the creation of a just economy and a peaceful global community.*

We on the M&C hear a mantra that we always defer to one another. In fact, we differ on substantive issues, and our ability to do that, find compromise, and continue a collegial working relationship is a hallmark of this group. It's consistent with the Charter for Compassion we adopted. Here's a link to the entire website for the Charter. It contains an opportunity for you to sign on, too, if you wish to: <http://charterforcompassion.org/>.

### Transit Budget

By way of example, one policy area in which we have differed, and yet continue to work towards mutually agreeable decisions, is how we fund our transit system. You'll recall that last year I favored both a fare increase and adopting the full set of Comprehensive Operational Analysis recommendations presented to us by staff. The budget M&C passed had neither. Here's a chart showing cost projections for the transit system impact on the General Fund through fiscal year 2020.

## Five-Year Transit Investment

(Includes Sun Tran, Sun Van and Sun Link)

### Operating Forecast

- General fund accounts for **58%** of investment

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
General Fund	\$47,305,330	\$50,034,240	\$53,477,522	\$54,696,114	\$57,157,728
Other	\$38,562,460	\$37,055,160	\$36,704,668	\$38,451,796	\$39,050,452
<b>Total</b>	<b>\$85,867,790</b>	<b>\$87,063,590</b>	<b>\$90,156,380</b>	<b>\$93,122,100</b>	<b>\$96,182,370</b>

### Capital Forecast

- General fund accounts for **21%** of capital investment

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
General Fund	\$4,290,000	\$1,890,400	\$3,974,400	\$2,778,400	\$2,885,400
Other	\$18,792,000	\$4,995,200	\$15,153,200	\$11,644,200	\$10,291,200
<b>Total</b>	<b>\$23,082,000</b>	<b>\$6,885,600</b>	<b>\$19,127,600</b>	<b>\$14,422,600</b>	<b>\$13,176,600</b>



animals in residential areas. There isn't much conflict on the veggies part of this, although some concerns over frequency and location of the sales events are being addressed. The main discussion is how to regulate the small animals – in particular, chickens and miniature goats.

The current code allows you to have 24 chickens in your backyard as long as certain setbacks from the property line are maintained for the hen house. Since many midtown lots are small, in most cases it's impossible to meet those setbacks. We also already have codes in place to address noise, odor, health and those sorts of things. But the code is silent on which zones (Residential, Commercial, Industrial) the chickens are allowed in. We're being challenged to set rules specifying where they should be allowed, how many can be kept, and how close to the neighbor's yard they should be allowed to be housed.

Here's the reality. People already have them in many residential areas. Those people want rules that will 'legalize' what they're already doing. On the other side is the group who maintains 'farm animals' aren't appropriate in a residential setting. There are those who will concede to their presence, but with conditions as to how far away from property lines they're allowed to be.

Each group brings valid points to the table.



That's Google Earth of much of midtown Tucson. From up high enough it looks pretty homogenous. Kind of like we should be able to come up with a 'one-size-fits-all' approach to Urban Ag. Come to the next Planning Commission study session and you'll quickly hear that that's not at all the case.

Staff and the public have invested a lot of time and effort trying to find a sweet spot that'll work for everybody. I've been to several of the public meetings and applaud their efforts. And yet, in this case I'm becoming more and more convinced that we cannot codify rules that will govern such a widely diverse City as ours. In fact, we can't do that for Ward 6 alone. At the last Planning Commission meeting, each of the speakers represented a different neighborhood, each had a very different perspective, and each made good points.

Sometimes the solution is to find an administrative option that can be made available to people who want to seek a variance to existing code. We have some in place already for things such as adding an extension onto your carport that'd put you too close to your lot line. Unless somebody really presents a compelling option that draws the divergent sides together, I'm right now of the opinion that such a process is what we should be headed towards with respect to Urban Ag. We have a citizen design review committee for architectural review. Maybe something like that would work. I'm still sorting it all out.

There are people raising chickens in backyards all over town right now. In the vast majority of those cases, nobody's bothered, nobody cares. We shouldn't create a code that makes their activities illegal. On the other hand, people don't buy homes in residential ar-

as so they can enjoy the allure of farm life. Homeowners need ways to approach the City and seek protection from those who violate the quiet enjoyment of their property. I think we can devise a process through which each of those goals is respected.

The work of the staff will bear fruit. We need to draw lines around Farmers' Markets, time frames, and ensure we're not creating burdens on residential areas with 'food swap meets' every weekend. There are other things like that that'll come out of this process. But the controversy exists with the animals. At this point, I don't see how a set of codified regulations can reflect the diversity of the City, much less Ward 6 alone.

Come on out on May 6<sup>th</sup>. It'll be another public study session, and I know the members of the Planning Commission would welcome hearing your perspective.

### **More on Animals**

Last year the voters through a Bond election approved a new 50,000 square foot Pima Animal Care Shelter. Right now the Supes are in the process of selecting an architect and contractor to do the work. They hope to have the team in place within a few months. One of the challenges they'll face is doing the work while still operating the shelter. I know from our recent experience with McKale that doing construction in an active building takes some finesse.

The volunteers and staff who keep PACC going are making some great progress. Back in 2008, the live-release rate was a dismal 38%. Now, they're up to over 80%. That improvement comes with a higher price tag, one that will affect our budget talks, and one that a new philanthropic arm they've formed is trying to address.

The 'Friends of PACC' is a project funded in partnership with the Community Foundation for Southern Arizona. Here's their link: [Friends of Pima Animal Care Center](#). They've formed solely to support PACC beyond what help they receive through Intergovernmental Agreements with surrounding jurisdictions.

So far the Friends group has helped to fund a new dental 'scaling and polishing' machine, IV fluid pumps, and they're even helping out with staff salary support to counter-balance the hiring freeze the County has had to impose due to cuts from the State. If you'd like to get involved, or just check out what they're up to, their website is [www.friendsofpacc.org](http://www.friendsofpacc.org). You can also contact Karen Hollish at [karen@friendsofpacc.org](mailto:karen@friendsofpacc.org). Either way, you can get connected.

### **Puppy Mill Update**

Sticking with the animal theme, there has been some movement in the Puppy Mill Ordinance litigation we're waiting on before moving ahead with our own legislation.

Last week, The U.S. District Court for the District of Rhode Island upheld an Ordinance that was very similar in content to our own. Shortly after the City of East Providence, R.I. passed its law, a pet store filed suit to challenge its constitutionality. Last week the Court determined that it's legit for the local jurisdiction to do what we've also proposed, that is, ban the retail sale of dogs unless they're sourced from local shelters and rescues. Here's a comment from the Judge in that case:

*“A government’s interest in preventing the evils associated with ‘puppy mills’ that both parties cite to, including inhumane treatment of animals and overpopulation, are plainly legitimate ends.”*



There are over 70 localities that now restrict the retail sale of puppies – an effort to eliminate the puppy mill industry. We’re waiting on a decision in a lawsuit filed against Phoenix after they adopted their ban. From what I’m told, we should see that ruling by the end of summer.

With the overcrowding we know exists at PACC, and that also exists at the Humane Society and other rescue shelters around the region, getting the commercial pet industry to join in helping to adopt out the overflow is important, and humane.

So is our continued funding for PACC. That’s a budget topic that we’ll be tackling soon.

**Adopt Love / Adopt Local**



**PIMA Alliance for Animal Welfare**

Every year, over 30,000 adoptable pets enter our shelters. As noted above, even PACC doesn’t have a 100% live-release rate. That’s also true of the many other shelters/rescue agencies we have in the region. This Saturday, Pima Alliance for Animal Welfare, with Community Partnership of Southern Arizona is hosting a mega-adoption event to put a dent into the number of pets who are without homes.

The event will be held at the Tucson Expo Center (3750 E. Irvington) from 9am until 4pm. There will be multiple shelters and rescues participating. They’ll also have exhibits from Handy-dogs, pet cemeteries, various veterinarian providers, and plenty of others. The sanctuaries and rescues at the expo will include not only dogs and cats, but other animals, too.

They’ve asked that you please leave your pets at home for this event, but do go and support the mission. This ties in directly with the work and funding for PACC and our consideration of the Puppy Mill Ordinance that’s coming back to us soon.

**Film Incentive Update**

On the topic of updates, the Legislature bailed out of Phoenix again without having addressed the need for a film incentive package. There was some chatter about putting a Film Office into place, but the shingle above the door without the incentive would be not much more than a tease.

The local work we did last year continues to bear fruit. Last week, a friend in the industry was released from a non-disclosure agreement and was able to share with me a shoot that had taken place both in Tucson, and out at Old Tucson and at Mescal. That’s also the County property at which they shot “Hot Bath and a Stiff Drink” last year. This show is an historical drama of the life of Wyatt Earp. Look for it on the Fox Channel in the next cou-

ple of weeks.

The project was produced by Warm Springs Media, and was shot by LionHeart Films. They were in town for several weeks – which means local hotel rooms booked, cars rented, caterers under contract, and hiring the staff which also was a part of the show. In addition to the approximately 60 local extras, they also hired the principal actors, and some film production specialists. Here's a short trailer for the series:

<http://video.foxnews.com/v/4145368048001/a-sneak-peek-at-lamp1-the-real-west/?#sp=show-clips>

Arizona continues to make itself fly-over country for the film industry. I remain grateful to the County and to the Visit Tucson film office folks (Shelli Hall, in particular) for their energy in keeping us in the game to the extent that we are.

I want to also share this post from last week -

*Posted: Apr 03, 2015 10:26 PM Saturday, April 4, 2015 1:26 AM EDT*

By JD Wallace



TUCSON, AZ (Tucson News Now) - Our backyard is once again the backdrop of TV and movie production.

A series featuring the Old West will debut on Fox News Channel a week from Saturday, and some involved say it shows why Arizona should do more to get in the spotlight.

“(I) try to view life from inside someone else's mind and inside someone else's soul and try to get deep enough that I can have compassion for each of these characters,” said Eric Schumacher, a Tucson actor who will be in “Legends and Lies.”

Schumacher has played everything from aliens to historical characters, such as his role as Wyatt Earp in the series. Tucson City Council Member Steve Kozachik said that the city and the county gave the production incentives to film here such as reduced rates on land rental.

“We're not talking about just films. It's ‘what do crews do when they come into town?’ They stay in hotel rooms, they use carpenters and painters and set dressers. They rent cars, they use catering services two or three or four times a day, and they're here for multiple days,” Kozachik said.

He said that the state needs to offer tax incentives to give back to crews who film here so they can spend more in our economy and to prevent Arizona from losing more projects to other states.

“The way these bills have been crafted in the past is that, ‘you, production company, put money into the local economy, and when you reach a certain threshold, you can start pulling money back out to plow back into your film.’ It's kind of a self-feeding sort of incentive,” Kozachik said.

Their hope is that more projects will come to Arizona to help both the local economy and the local talent.

“It’s projects like this that remind people of what we’re capable of here, that remind people that there are actually talented people here, right here in Tucson, right here in southern Arizona. And, I must add, that a lot of people drove in, every day, from Phoenix just to be a part of this,” Schumacher said.

The Arizona Legislature wrapped up for the year; any legislation would have to be introduced next year. One concern is that it benefits one industry. But supporters point out helping that industry brings more money back to a variety of state businesses.

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In addition to the content, I want to use the piece as a way of thanking JD Wallace for his good journalistic work in the Tucson market. He has covered the Tucson Greyhound Park issues, lots of the TUSD budget story, the Broadway expansion project, and plenty of other important topics. He’ll soon be moving onto a different line of work – he’ll be missed locally.

### **Historic Landmarks**



That’s an image of the Broadway Village. You may recall the recently negotiated a deal in which the ownership group agreed to designate the Village as a historical landmark in exchange for a rezoning of a portion of the rear of the property. The designation is essentially a deed restriction they voluntarily place on the structures to protect from future major exterior modifications, thus preserving the historic asset.

The City has a zoning classification called Historic Landmark. When it was adopted, the idea was preservation of assets. It hasn’t been used, probably because to do so is really a property owner self-restricting future options for the property. On Tuesday we had a good discussion about how the rezoning is working, and some of the challenges we see in how it’s being implemented.

Last Thursday, I sat in on a Zoning Examiner public hearing related to the rezoning of Valley of the Moon to this HL status. During that hearing it became clear that we have some policy clarifications to make. Simply put, is an HL rezoning the same as or different from any other rezoning case? If it’s the same, surrounding property owners can request to have conditions placed on the rezoning (hours of operation, parking, sale of alcohol, etc.) The Zoning Examiner can include them in his recommendation to M&C or not, and we can approve the rezoning with them or not. The question is, should that even be a part of an HL rezoning since the owner is voluntarily restricting options on his own property anyway? Should we make it harder to preserve the asset?

I believe the decision to deed restrict to HL should be seamless, but if there are changes of use associated with the property, it’s legitimate to talk about new conditions. And we have

to reserve the right to ensure public safety if properties with that designation fall into structural disrepair.

There were no good guys or bad guys in last week's Zoning Examiner hearing. One side interpreted our zoning rules in one way, and the other had a different view. On Tuesday we provided clarity; the voluntary restricting of one's own property to a Historic Landmark should come with no added conditions unless and until there's a change of use in the structure or other site rezoning requests attached to the property. We asked staff to look into how other jurisdictions handle this and report back to us as soon as they get some concrete ideas for us to consider.

### Gun Legislation Obituary



There is weeping and gnashing of teeth in the NRA HQ, as well as that of groups such as the Arizona Citizen's Defense League and Gun Owners of America. The State Legislature left Dodge without even passing onto the Governor some of the more odious gun bills they had hoped for. Gone for this year is the hope to put guns in public buildings, allow sawed-off shotguns and nunchucks to become legal, join a multi-State compact that would take away voter and future legislatures ability to enact stringent gun safety laws, and gone is their hope of holding guys like me civilly liable for adopting local laws related to gun safety. Here's how the Arizona Defense League reacted:

*"Meanwhile, every critical, and from our perspective important, pro-rights firearm bill suffered unexpected defeat this session.*

*The passage of a bill like HB 2431 (the State compact bill) is critical in derailing Bloomberg's gun owner registration ballot initiative. We will only get one more opportunity to pass a state compact bill before the 2016 election. Let's hope that the Legislative Leadership comes to their senses before then."*

For the Bill that was intended to get me sued and tossed from office, they had this to say:

*"After making it through the Senate, it was amended in the House and sent back to the Senate where it failed to get a final floor vote before Sine Die. SB 1291 was heavily lobbied for by the NRA. According to many legislators, it was the ONLY firearms bill the NRA actively supported this session."*

I imagine they're not happy with some of their otherwise allies in these sorts of Bills. For SB1291, very conservative State Representative Eddie Farnsworth offered a floor amendment that only made what remained meaningless. The amendment eliminated the ability to sue public officials, but changed the bill so we could be represented by the City Attorney just in case we were. Huh? It also said we could be tossed from office *'to the extent allowable under State law,'* but nothing in the bill allows for termination under *'State law.'* Not only was that the only bill the NRA was *'actively supporting this session,'* it was gutted on the floor by its own proponents.

The Governor has signed one gun-related Bill. Here's the language:

**HB2527****13-3118. Possession, transfer or storage of firearms;  
5 restrictions prohibited; exceptions****6 A. Except for the legislature, this state and any agency or political  
7 subdivision of this state shall not enact or implement any law, rule or  
8 ordinance relating to the possession, TRANSFER or storage of firearms other  
9 than as provided in statute.**

The target of this one is our 'rule' (policy) at the TCC forcing background checks on all private gun sales. The Legislature feels that conducting a background check is related to the 'transfer' and is therefore now illegal. I say we fight it and win. It's a condition of managing our building, and that's none of the State's business. We'll see if they have the stomach left to engage.

**Trafficking Bill**

I'll close with this. Last summer, I hosted a press conference announcing that when the State Legislature went into session, State Representative Victoria Steele would take up the challenge of pushing through a bill that vacates a trafficking victim's prior convictions. My friend Beth Jacobs is the poster child of having gone through the horrific experiences associated with being trafficked, both as a minor and later. She was the real champion of the bill.

Several members of the House co-signed onto the bill. The trouble is that it was amended to the point that it's an insult to the victims it's supposed to be helping. State Representative Eddie Farnsworth (the same one who made SB1291 meaningless) did the amending. Three items in particular stand out:

- 1) The bill now only covers convictions that occurred prior to July of last year. The assumption is that trafficking no longer occurs?
- 2) The bill now only covers convictions for prostitution. The assumption is that trafficking victims are not coerced into committing other crimes?
- 3) The bill now includes language that forces the victim to present 'clear and convincing' evidence, a much higher standard of proof than the 'preponderance of the evidence' that was originally intended.

While I appreciate everyone's efforts, I won't be joining them up in Phoenix for the signing when Ducey gets around to it. It's my belief that the assumption it'll be back next time 'for fixing' is naïve. The majority who drove the language into the ground this time will simply take the position that they've dealt with the issue and move along, while the victims of trafficking will have a life sentence on their records for crimes committed under threat of physical, chemical and emotional trauma.

Sincerely,

Steve Kozachik  
Council Member, Ward 6

[Ward6@tucsonaz.gov](mailto:Ward6@tucsonaz.gov)



## Events and Entertainment

### **Bike Fest**

Various events throughout April 2015

Tucson's annual celebration of the bicycle began April 1<sup>st</sup> and continues all month with various events. Bike Fest is a program of the Living Streets Alliance, in partnership with the City of Tucson, the Pima County Department of Environmental Quality's Clean Air Program, and numerous local businesses and community organizations. Upcoming activities include [Walk & Roll to School Day](#) on Friday, April 10, a [bike in movie](#) at Jacome Plaza at 6:45 pm on Saturday, April 11, and the Greater Arizona Bicycling Association's (GABA) [Spring Bike Swap](#) at 7th Street and 5th Avenue on Sunday, April 12, 7 am – 2 pm, and [Cyclovia](#) on April 19<sup>th</sup> from 10am to 3pm. For more events and information, visit [www.bikefesttucson.com](http://www.bikefesttucson.com).

### **The University of Arizona's Spring Fling**

Friday, April 10, 2015: 4 pm – 11 pm; Saturday, April 11: 11 am – 11 pm; Sunday, April 12: 11 am – 6 pm

University of Arizona, East Mall

Starting back in 1974, Spring Fling has become an iconic event providing carnival rides, games, food booths, and entertainment to both the University of Arizona and Tucson communities. Spring Fling is the largest student-run carnival in the nation attracting over 25,000 guests. Visit the Spring Fling website for information about parking, traffic closures, and bike detours: [springfling.arizona.edu](http://springfling.arizona.edu).

### **Sam Hughes Neighborhood Home Tour**

This self-guided walking/biking tour of an historic midtown neighborhood will feature private residences, gardens, a museum/gallery, a historic church, unique businesses, and activities in Himmel Park. Several venues will be offering complimentary refreshments. Catch a sneak peek of the highlights in [a recent article from the Arizona Daily Star](#). Tickets are \$20 and available for purchase at Arte de la Vida at 37 N. Tucson Blvd. Monday through Saturday 10 am – 5 pm and Sunday 12 pm – 4 pm. Tickets will be available the day of the tour in front of Rincon Market, 2513 E. 6th St. beginning at 10 am. For more information, visit: [samhughes.org/home-tour.php](http://samhughes.org/home-tour.php).

### **Ongoing . . . .**

**Fox Theatre**, 17 W Congress St

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

**Hotel Congress**, 311 E Congress St

<http://hotelcongress.com>

**Loft Cinema**, 3233 E Speedway Blvd

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

**Rialto Theatre**, 318 E Congress St

<http://www.rialtotheatre.com/>

**The Rogue Theatre** at The Historic Y, 300 E University Blvd

<http://www.theroguetheatre.org/main.htm>

**UA Mineral Museum**, 1601 E University Blvd

**February 7, 2015– January 31 2016, 10 a.m. - 5 p.m.**

'**Meet the Trilobites - Arizona's First Inhabitants**' - Long before the dinosaurs ruled the earth, the trilobites ruled the seas. Ancient relatives of lobsters and horseshoe crabs, trilobites flourished in the warm seas that covered much of Arizona millions of years ago.

*Meet the Trilobites – Arizona's First Inhabitants*, the new exhibit at the Flandrau Science Center and Planetarium, features world-class trilobite fossils from around the globe. Come travel back in time and discover the wondrous world of trilobites!

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

**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 & Saturdays: 10:00am - 4:00pm

<http://www.tucsonhistoricdepot.org>

**Arizona Theater Company**, 330 S Scott Ave

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

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

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

**Meet Me at Maynards**, 311 E Congress St (north entrance on Toole)

A social walk/run through the Downtown area

Every Monday, rain or shine, holidays too!

Hotel Congress Check-in begins at 5:15pm.

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

**Tucson Botanical Gardens**, 2150 N Alvernon Way

<http://www.tucsonbotanical.org>

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

[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 & Sundays: 10:00am - 5:00pm

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

**Arizona State Museum**, 1013 E University Blvd

November 9, 2013, through July 2015, "Curtis Reframed: The Arizona Portfolios."

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