

Ward 6 Staff



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Ward 6 – Newsletter

A Message from Steve

JUNE 29, 2011

With the onset of summer, people will be traveling and, in many cases, leaving their homes vacant for periods of time. In the past week I have had three different people from in and around Ward 6 mention to me that their homes had recently been burglarized. With that in mind, I want to pass along the following link from TPD <http://nsn.soaz.info/> that will show you how your own neighborhood is faring in terms of police activity. Click on the link, then click on “Police Incidents” (left hand column) and you'll see a listing of registered neighborhoods around Tucson. Click on your own and you'll see an up-to-date report of police activity in your area. It's quite revealing. Then, navigate back to this page and click on this link <http://cms3.tucsonaz.gov/sites/default/files/ward6/link%20.pdf> to review some of the suggestions TPD offers for protecting yourselves and your possessions. As much as I respect and support our first responders, by the time they get a burglary or larceny call, it's too often too late to catch the criminal in the act and yours will be yet another in the list of on-going investigations they're pursuing. These are sobering reminders of the importance of the budget debates we engage in at City Hall.

While on the topic of TPD, at Tuesday's Council meeting we adopted the new labor contract with the Tucson Police Officers Association. Realizing that the City is in tough economic times, it is also true that in the case of both Police and Fire, we invest significant sums of dollars and effort in training the men and women who serve as our first responders. In light of that, it makes no sense to bargain terms and conditions of employment for them that place us, as a jurisdiction, behind the employment packages offered by nearby cities. A few items in the new labor agreement that I would like to see improved upon next time are:

- a) Right now the City Manager sits as final arbiter in issues of contract interpretation. Regardless of his other qualities, I'm not sure our City Manager is well versed enough in the terms and conditions of our Police and Fire labor agreements to be left with that authority. If both sides agree and decide to fund it, I'd prefer to see an arbitrator make those contractual decisions.
- b) Police officers receive \$640 annually to purchase all of their personal body armor, required firearms, ammunition used when training at the range, secondary duty side arms, and more. I don't believe our Police officers should be coming out of



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

pocket to purchase gear that is needed for their own protection on the street. The same concept applies to Firefighters. There is not a comparable condition that applies to other City workers. Other jurisdictions have a more robust package for their Police. I hope we can do better next time around for ours.

c) We have a trigger in the Police labor agreement in which a recalculation of the mid-point salary range kicks in. The trouble is that when their pay is recalibrated, it comes in at 95% of the average mid-point of Mesa, Scottsdale, Tempe, Glendale and Phoenix. Why is it not equal to the average midpoint of those cities? We see nearly nightly on the news the level of danger faced by our Police officers in nearly every area of the City. They should receive at least 100% of the average mid-point of those other Cities.

d) There is no provision for being made whole when attending the funeral of a fallen officer. I would argue that the time lost attending such a funeral to be at least included under the list of "relatives" listed for bereavement leave.

These are some concrete examples of what happens inside of the labor contracts we negotiate with Public Safety agencies when we reduce their budget. The safety of the public, as well as the safety of the men and women on the force, is compromised.

For the past few weeks, since I initially wrote a letter on behalf of local subcontractors trying to get them paid for work done at the TCC over 18 months ago, I've given you an update on how that is progressing. This week, I brought a few related items to M&C for the City Attorney to respond to.

One of those relates to the Rio Nuevo adopted budget for FY'12. I attended their meeting last week and spoke at their "Call to the Audience" and pointed out to them that in government accounting you need to build at least the capacity into your budget if you think you're going to be paying on a particular line-item during the upcoming year. There is no line-item and therefore no capacity built into the Rio budget to pay the subcontractors. I am hopeful that that was an oversight and they'll at least reopen that part of their discussion and insert a place-holder so that even if they want to pay the subcontractors, they'll have the ability to do so.

Also, I read into the M&C Study Session record some commitments made by Turner/Sundt during their initial selection process. When asked by Garfield Traub if they planned to follow all of Tucson's city ordinances, they replied "Yes...including prompt payment." Below is an excerpt from the Tucson City Code that defines what "prompt payment" is:



Important Phone Numbers

Senator John
McCain (R)
520-670-6334

Senator Jon Kyl (R)
520-575-8633

Congresswoman
Gabrielle Giffords
(D)
(8th District)
520-881-3588

Congressman
Raul Grijalva (D)
(7th 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 Bob Walkup
791-4201

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

SECTION 2. Adding a new Section I 1 -38, Prompt Payment hereby amends the Tucson Code, Chapter I 1,

Crimes and Offenses.

A Violation. It shall be a civil infraction and punishable as provided in this section if in bad faith: a) an owner fails to pay for work performed by a general contractor or contractor, or b) a general contractor fails to pay for work performed by a subcontractor, or c) a subcontractor fails to pay for labor or materials provided, within 14 days or within the time otherwise agreed upon between the parties following the completion of the work or labor or delivery of materials.

It has been 18 months, not 14 days. The Rio budget has over \$800,000 allocated to attorneys' fees and "miscellaneous." Rio needs to amend their budget, insert capacity to pay the subcontractors, get them paid, and pursue recourse with Turner/Sundt and Garfield Traub. The businesses who did the work certainly should rate higher than "miscellaneous." One of the new Rio Nuevo board members is a highly qualified accountant. He was out, due to personal business, during their budget discussion. I'm hopeful that upon his return this week, he'll give them sound advice and we can put this to rest.

In an effort to continue to grab the attention of Rio, Turner, Sundt and Garfield Traub, on Tuesday we unanimously passed a motion by which, once the subcontractors have performed some procedural steps, M&C will direct the City Attorney to review for prosecution under the "Crimes and Offenses" section our City Prompt Pay Ordinance. The financial sanctions included in that Ordinance are not at all threatening to any of the entities involved. What I am hopeful of, is that simply having the City begin that process will be of significant public relations concern to them and the subcontractors will finally be paid for the work they performed.

Over the course of the most recent legislative session up in Phoenix, there were numerous bills introduced that would preempt local decision-making authority. The City was successful in fighting some, the Governor vetoed some, and a few slipped through. One of the bills that made it into law is HB2500. It is a change to our Sign Code that regulates placement and size of political signs. Previously they were restricted to private property, not the Public Rights of Way. Now, that is all changed. With the adoption of HB2500 you will now see political signs of up to 32 square feet lining our Right's of Way and political signs on residential property of up to 16 square feet (previously these were restricted to six square feet). This is a total preemption that the City cannot simply sidestep out of our interest in maintaining a particular visual aesthetic in our community. If you find the new law bothersome, as I do, let your State Senator and State Representative know. What they adopt, they can rescind.

Also related to signs, on Tuesday we adopted an Historic Landmark Sign amendment to the Sign Code. This will allow for signs of greater than 50 years of age to be considered conforming and not be forced to be removed, even when taken down for repairs. It will establish Zones in which relocated historic signs may be placed. It allows for replicas to be manufactured in exactly the same as original sign materials and placed on the original site.

The Council ensured that adequate public process is included in the designation process and that we will take a second look at this Ordinance within 12 months to ensure that no unintended consequences are popping up in its application. If done right, this could be a change to the local streetscape that preserves a part of our unique heritage. We'll keep an eye on it, but I'm hopeful that this will be a new, positive and novel change to what we embrace in what makes us a community.

Lastly, I don't want to let a week go past without mentioning something related to job creation. I offered to M&C on Tuesday a menu of incentives that I am hopeful will form the basis of further discussions near the end of summer and that will end up in changes to permits, fees and processes by which we make it less onerous for businesses to thrive in our community. I proposed the consideration of deferring several fees until occupancy, reducing the level of fees charged for a variety of permits, some tax incentives, expedited plan review, and more. If there are other Council Members who would like to collaborate on some of these items, I welcome that opportunity. To the extent that we put in place reasonable policies that incentivize job creation in our community, we all win.

Sincerely,



Steve Kozachik
Council Member, Ward 6
www.tucsonaz.gov/ward6



Fourth of July Fireworks!

This year marks the 15th Annual A-Mountain Fireworks and is presented by Desert Diamond Casinos and Entertainment. On Monday, July 4th, 2011 come to the Tucson Convention Center Parking Lot B to see the show. From 7:00-9:00 PM, there will be the Southern Arizona Mustang Club along with food and beverages. The Fireworks Show starts at 9:15. Visit <http://cms3.tucsonaz.gov/tcc/announcement/4th-july-fireworks> for more details

Silver Paw Special

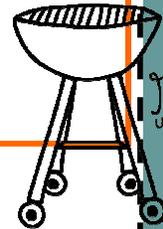
Every Wednesday, The Humane Society of Southern Arizona, at all locations, will allow individuals 55 and older to adopt dogs and cats five years old or older for FREE! Animals five months and older are half-off. Same day adoptions, does not include licensing. Contact 327-6088 or www.hssaz.org



We are closed Monday July 4 in observance of Independence Day.

Let Freedom Sing 2011

Join the Arts Express Choir and Orchestra for Tucson's 27th annual patriotic presentation of *Let Freedom Sing*. This performance will be held on July 4th at 3pm in Centennial Hall on the University of Arizona campus at Park and University. This year's theme is *United We Stand*. Admission is free but a ticket is required for guaranteed seating. Donations will gladly be accepted to support Arts Express arts education programs for youth in Tucson and for concert expenses. Please click this link for more information
<http://www.arts-express.org/let-freedom-sing/>



The Greatest Show on Earth June 30-July 3

The Ringling Bros. & Barnum and Bailey Circus arrives in town this weekend. The circus showcases 130 performers from six continents, elephants, cowboys, pirates, and mermaids at TCC Arena. Please visit <http://www.ringling.com> for more information on the show and how to buy tickets.

Beowulf Alley Theatre Company celebrates 10 years in Tucson

On July 1st, 2011 Beowulf Alley Theatre Company is inviting the community to come and celebrate their 10-year anniversary in Tucson. There will be a gallery display, tours of the theatre, live performances, music, and samples of what the future holds for Beowulf. There will also be a silent auction and light food and drinks. Come bring your friends and family to this community wide event. A donation to support their work would be accepted. The fun starts at 2p.m and will last to 11:00pm at 11 South 6th Avenue. Visit <http://www.beowulfalley.org> or call (520) 622-4460.

Cinema La Placita Outdoor Film Series presents "Jaws"

on Thursday, June 30 at 7:30 p.m.

To view full schedule visit:

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

