



Ward 6 Staff



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Council Member



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Ward 6 - Newsletter

Tucson First

June 13, 2012

Rio New

It was with great sadness that we bid good-bye to some of the former Rio Board members...



...and it is with the hope for a new, productive and more cordial relationship that we reach out to the new members, expecting that the third time will be a charm.



Despite the claims to the contrary by some, there is nothing being swept under the rug. Bring out the audit and investigation results. But that's an old refrain now. While those are being finished, it is long past time to move ahead producing tangible results with your tax money. The TCC sits waiting.

So – welcome to the new members of the Board. It is my belief that as soon as they have met and elected their officers, the M&C should sit publicly with the entire Board and lay out the Term Sheets that we had both agreed on nearly 1½ years ago, see which of the items are still relevant, and recommit to those deal points as a first step forward in the relationship. I'm going to argue for a new paradigm in this relationship; no negotiating between the two bodies out from the view of the public.

It'd be helpful also if both sides quashed the litigation and started fresh with the hope of finally making progress in the development of the District. It'd be helpful if



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

the Legislature made a simple tweak in the statute by which the new board was authorized to spend TIF money on something other than just a hotel or an arena.

Already on the Rio agenda is an item that relates to using the Bond money that has been sitting around gathering dust. I've been crying out for them to invest those dollars in the TCC for two years. Now, within a week of the changing of the guard they're looking seriously at the opportunity.

Here's the issue with the Bond money. It was supposed to have been invested in any of the 2008 Bond projects by November 30th of last year. The old Board let that date pass. If you'll recall, they also stopped paying for work that was being done on the Depot Plaza Garage. The project was one of the Bond projects and was nearly complete, so the City made payments on Rio's behalf to keep the job moving. Those payments should have been coming from the Bond money – we (the taxpayers) paid about \$2M to finish the work while the old Board sat by and watched that money come out of our General Fund.

The problem is this. In order to spend any of the remaining 2008 Bond money Rio now has to get approval from their Bond trustee. If they do not, the approximately \$6M left unspent will simply go to debt service at the end of the fiscal year. While that sounds ok, the fact is that because the Legislature tied the hands of the District to use TIF money only for existing debt service, the TCC or a hotel, once the Bond proceeds disappear into that pool, the City potentially loses its ability to recoup our \$2M because the Depot Plaza Garage is not an allowed expenditure under the statute. So, for all of their claims of guarding the public interests, this is just one example of many where the inaction of the old Board may well cost you a couple million dollars.

But let's turn the page and start fresh with the new Board. We can find areas of agreement, and investment in the TCC is one obvious example. Even without changes in the statute, Rio can use the expired Bond money on that asset. So there exists an opportunity to agree on a compromise solution. The new board members could be a long-time-coming good news for the community.

In that guarded optimism I have to note that there are two significant impediments that need to be removed before time lines and conditions can be laid on the City and Rio to progress in the relationship.

In the Sunday Arizona Daily Star, State Senate President Steve Pierce penned an op/ed, near the end of which he laid out two conditions that have to be met or he'll "do what I can to close it (Rio)." Those two conditions are to report on "the audit" and to put in place a "plan for the future" of the relationship.

On Sunday of last weekend I sent Senator Pierce an email, and followed up with hard copy on Monday making these two points:

First, with respect to the audit – the only neutral investigation that is on-going is tied up in



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 Jonathan
Rothschild
791-4201

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

the Attorney General's Office. To the extent that he can help to expedite its completion, I asked for his assistance. The use of the word "audit" though conjures up the reality that there is one remaining audit being conducted by the firm that is also representing Rio in its litigation against the City. That is hardly a neutral report and so I suggested to the Senator that it will be the A.G. report that we'll be looking forward to with greater confidence in its results.

Second, in August of 2010 I sent Senator Pierce a note asking him to clarify whether the intent of the 2009 legislation by which the new Board was seated was to lock up TIF spending on just an arena and/or hotel (as is stated in the strict reading of the legislation) or if the real intent was to allow for investment in revenue generating projects. His reply at that time was that there was "no consensus" as to the intent of the legislation. So in my note to him last weekend I indicated that until the legislature clarifies the appropriate uses of the TIF money, putting together a Plan isn't possible.

Here's the letter I sent to Mr. Pierce:

<http://cms3.tucsonaz.gov/sites/default/files/ward6/06-11-12az.pdf>

I look forward to his speedy reply because if there's a six month meter ticking, we all have to row together in the same direction.

Road Repair

At the request of M&C, staff conducted a survey to gauge the receptivity of the public to a bond election that would earmark funds for road repair. Recall that this year we're investing \$20M towards that work. While that is a significant sum of money, it won't get the job done. So, we wanted to know whether or not a bond package would be well received. Here are the survey results:

66% of you are either "concerned" or "very concerned" about the condition of our major streets. 66% (in a different distribution) of you are either "concerned" or "very concerned" over the condition of our neighborhood streets.

When asked if you'd pay more in property taxes to fund bonds to fix the roads, 79% of you said you'd either "definitely" or "possibly" support an increase of about \$27 p/yr in taxes on a \$150K home. That's \$100M in bonds over a five year period. Of course, with all surveys, the numbers are rough, and the costs are subject to changes in interest rates and assessed valuations on your homes. But this was important data to begin with.

On June 19th, we'll hold a public hearing so we can get more input from you. Following that, we'll decide whether or not to spend the nearly \$350K to place the bond question on this November's ballot. If it passed, the money would begin to be spent in \$20M annual increments in FY'14.

Of significance, we're considering this investment ahead of \$78M in unmet infrastructure needs that TFD is living with, and ahead of \$130M in unmet infrastructure needs that TPD is living with. Including all departments (Parks, Transportation, I.T., Finance, Clerk, etc) we have over \$1.2B in unmet physical needs in the City. Roads need to come first.

Come down next week to let us hear from you.

Arizona Baseball

The 'Cats are off to the College World Series in Omaha. The partnership between the City and the UA is off to a great start over at Hi Corbett.

One of the most frustrating parts of coaching college baseball is the Pro Draft. Already we know that five of the current Junior Class have been drafted to play next year in pro ball. That doesn't mean they'll all sign, but it shows how tough it is to build a program and then have the rug pulled out from under you. The players involved are:

Alex Mejia – Pac 12 Player of the Year and
Defensive Player of the Year (St. Louis Cardinals)
Robert Refsnyder – All-Pac 12 Infielder (N.Y. Yankees)
Kurt Heyer – 3 time All-Pac 12 selection and a Louisville Slugger
2nd team All-America (St. Louis Cardinals)
Seth Mejias-Brean – All-Pac 12 selection @ 3rd Base (Cincinnati Reds)
Joey Rickard – at one point played in 156 consecutive games/sixth
longest in UA history (Tampa Bay Rays.)

So, congratulations to Coach Lopez for the great season, no matter what happens in Omaha. It'd be great to have these five guys go out with a 4th UA National Championship.

Broadway/RTA/PAG

Here are some meeting dates for the next couple of weeks that relate to this whole issue of how we preserve the spirit of the RTA ballot, but do so in a way that reflects the reality of budget and actual needs.

June 20th at 5:30 will be the first Citizen's Task Force meeting held to talk about the Broadway project. The meeting will be held at the Copper Room over at Randolph Park. We expect the design consultant and TDOT will be ready to listen to input from members of the public, both who are on the CTF and those who wish to share but are not included in the formal task force.

Then, on June 21st at noon, I have been invited to share with the Citizen's Accountability for Regional Transit committee. That meeting will be held at the PAG office at 177 N Church on the 5th floor. They also have a spot on their agenda for public input.

That same night, the 21st at the Ward 6 office a different group will be meeting to talk about the design components relative to the Grant Road Overlay. All of these items play together in terms of how we are going to engage the input of the public in design considerations in our corridor development work.

Ahead of any of those meetings, I have requested a June 19th study session review from TDOT (lead agency on these projects) of how they intend to incorporate citizen input into the design considerations of the Broadway project. That will form the template for similar groups' meetings on other work around the Region. In previous newsletters I've shared excerpts from ordinances and statutes that should make incorporating significant citizen input into design discussions pretty much S.O.P. from here forward. Affirming that will be the purpose of the agenda item on the 19th.

Here's a quick review – the RTA has in mind a 150' wide corridor along Broadway from Euclid to Country Club. That will force the purchase and subsequent demolition of well over 100 businesses and residences at a cost of in excess of \$43M. And yet, traffic volumes on Broadway have hardly risen since the 1980s. There was a 1987 study that showed 30,000-40,000 cars/day in 1984. The City's own study showed 30,000-40,000 cars/day in 2008. They keep "projecting" growth but it has not materialized in nearly 3 decades. Last month the RTA came up with yet another projection – this time to 2040 – and they seem to have finally found a point in time at which they feel we'll need to knock down all of those structures and spend the money we don't have, and have not identified. But the assumption is that we should simply design to not only accommodate, but to encourage more auto use.

Thus – the need for creative input from the CTF.

The County Administrator has agreed to 6 lanes as long as functionality is preserved. The current curb-to-curb width will accommodate 6 lanes at 10' apiece, and even the 5' bike lane that is currently on the south side. There is no need to do any demolition. With bus pullouts and turn bays a higher volume of traffic could flow smoothly, if it ever materialized. Or two of those 6 lanes could be dedicated transit lanes. We just need to ensure the door to that level of design discussion is contemplated by staff.

I do project design and management. It's during the design phase that all of the creative people get together and come up with good project design elements. We'll get there in these corridor projects.

North End Zone Stadium Addition

In this project, design is done. We're making good progress towards getting the structure in place for the north end zone stadium addition to Arizona Stadium. The big deal items for the '12 season are getting the turf in place and ready, and having a functional "game-in-progress" scoreboard up in the north for teams moving in that direction to see. The new facility will not be in use during this upcoming season, but getting the structure done will put us in the position of being able to finish out the interior spaces after the end of Rich Rod's first year here. Here's a shot of some of the progress we're making.



When the project is done, there will be no real net addition of numbers of seats, but what is installed will be more comfortable than the old metal bleachers. The finished product will free up considerable space in McKale as the football program moves out. The probable next domino to fall will then be a significant face lift to the arena.

TREO Trip

You fund TREO at \$400K per year through the line item in our budget that we allocate for economic development. You also fund it through a County allocation. By now you know of the San Diego trip and the issues it raised with respect to its costs and whether or not we got a legitimate return on our investment in it.

I asked for a report on not only that trip, but also the semi-annual report we're due from TREO as a part of our contract with them. On Tuesday, we heard about the trip.

With respect to the trip itself, we were told that it cost \$58K, but none of that money came out of the TREO coffers. We were told that somewhere between \$6K and \$10K was public money and that the rest was privately funded. We were told that they made several important contacts and sat in on several important presentations from San Diego economic development people, learning that if you build up home-grown companies, the economic benefit to the locale is greater than it would be if you recruited new blood from the outside.

Most of us know that intuitively. But I'm sure it was good to have it reinforced over at Torrey Pines Resort. In the alternative, we might consider flying in a couple of the people from San Diego, or some similarly situated City for a presentation here based on the assets we have locally; the Sonoran Desert, the mountains, Saguaro National Park, and the rest – we don't have an ocean. We might also have selected spending money in a City that did not vote to boycott the State about a year ago. We have resorts around Tucson that are hurting financially and they could have used a couple of extra room nights and renting out some meeting space.

TREO says they are responsible for \$2B in economic development to the region. They talk big numbers. I am suspicious of "multiplier effect" data because people can paint whatever picture they want. And yet, I would concede that it is difficult to place cause/effect examples on the table when defending your role as an economic development recruiter. But at least two things are true:

- a. If you cite data, be ready to show where it came from
- b. If you take trips, be ready to show how you intend to apply the lessons back home.

Some of that was shown to us – buying a buffer area around Raytheon following a trip to Huntsville.

Here is what is also true and that reflects a discrete data set: under its current contract with the COT, TREO is annually responsible for adding 500 high wage jobs regionally and 250 high wage jobs in Tucson.

We have just hired two new business/economic development people in City Hall. I don't think we've established the game plan or the bench yet to take on all of the functions needed to bring the task back in-house. But we certainly need more direct contact with, and consultation from, the people we're funding than what is happening now. Let's keep our dollars local, let's not reward Cities that hosed us a year ago, and let's hold our partners more closely accountable for the Return on Investment you deserve to see your tax dollars earning.

The TREO contract needs a close look and it might also need rework on the deliverables so they're more easily measured, and less subjective. That'll happen before the end of the fiscal year.

Code of Conduct

We received a report from the City Attorney relative to what other areas do in Codes of Conduct as they apply to elected officials. We already have examples of behavioral standards and their consequences listed in some of our own Administrative Directives. They do not apply to Mayor and Council though.

For example, since February, 2010 this rule has been in effect for all "City employees" (except us).

All City workers are to "conduct themselves in a manner, on and off duty, that:

- a. Does not compromise their ability, or that of other employees, to perform assigned work and/or duties in an efficient, non-discriminatory, and professional manner;
- b. Does not discredit the City or department in a manner that affects its ability to perform its mission;
- c. Does not cause the City or department to question the employee's reliability, judgment or trustworthiness in carrying out assigned responsibilities."

Under COT Civil Service Commission Rules and Regulations, some of the criteria that constitute "just cause" for disciplining an employee are "discourteous treatment of the public, supervisors or fellow employees" and "tending to cause discredit to the City or the department..."

Here's what the City of Phoenix has in place:

It is the policy of the City of Phoenix to uphold, promote and demand the highest standards of ethics from all of its employees and officials, whether elected or appointed...members of the city council should maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants..."

The City of Mesa allows for removal from office by a vote of 5 council members and the mayor for violations of conduct "demonstrating a lack of fitness for office."

Other jurisdictions have similar codes of conduct with varying sanctions. Right now, the Tucson Charter allows the Mayor to fine a Council Member up to \$50 for acting up at a council meeting. Beyond that, the voters are the judge and jury.

As long as privacy, due process and medical conditions are taken into consideration in meting out punishment, and there is language drawn into any ordinance that addresses our own Code of Conduct that keeps it from being used as a political tool against other council members or the Mayor, then I'm good with applying to electeds the sorts of standards we have in place that apply to non-elected City workers.

The City Attorney will bring back to us a draft ordinance sometime later this summer.

Dr. Andrew Weil

In the context of this being a somewhat eclectic newsletter, I thought I'd share a relaxation technique that I ran across last week. Dr. Andrew Weil is one of our local UA assets. Among his many accomplishments, he's the founder and director of the [Arizona Center for Integrative Medicine \(AzCIM\)](#) at the University of Arizona Health Sciences Center. One facet of what they teach is balance – nutrition, exercise, relaxation (not my strong suit) and spirit/inspiration generally. Last week I came across this breathing/relaxation technique that is a part of his program. I won't pretend that I've adopted it into my daily walk, but in sharing it that may serve as a reminder to me and to you, if you'd like to give it a try. It's totally non-invasive and takes about 2 minutes.

The technique is called the “4-7-8 breath.” He recommends doing it at least twice daily – or when you're experiencing a particularly stressful situation. Here are the steps:

1. Rest the tip of your tongue on the roof of your mouth, behind your top teeth.
2. Exhale completely through your mouth, with your lips slightly pursed, to make a whoosh sound.
3. Close your mouth and inhale deeply and slowly through your nose to a silent count of 4.
4. Keep your mouth closed and gently retain your breath for a silent count of 7.
5. Exhale slowly through your open mouth for a count of 8, making the same whoosh sound.
6. Repeat steps 3, 4, and 5 for a total of four breaths. Perform this twice daily for optimal results.

As I frequently point out, the UA is a wonderful asset in the community. Dr. Weil is one of the not-so-hidden gems in the mix.



On Friday evening I joined Congressman Ron Barber, his gracious wife Nan, and our mutual friend Jen out at TIA for the return home of 22 WWII veterans from their Honor Flight trip to D.C. There were between 200 and 300 people out at the airport greeting home this great group of Tucsonans. Joining in were TFD, TPD and numerous branches of the military. Mostly, the crowd was comprised of volunteer citizens who just wanted to make sure our returning WWII soldiers knew that their work on our behalf was/is appreciated.



MISSING IN AMERICA PROJECT

VETERAN RECOVERY PROGRAM



During the event I also met Betty Hornat, wife of Oro Valley council member Joe Hornat. She introduced me to another great program called MIAP (Missing in America Project) It locates the remains of fallen soldiers and connects with family members – then coordinates a proper burial.

Here's the mission statement that appears on their web site:

Mission Statement:

The purpose of the MIA Project is to locate, identify and inter the unclaimed cremated remains of American veterans through the joint efforts of private, state and federal organizations. To provide honor and respect to those who have served this country by securing a final resting place for these forgotten heroes.

What they do is to conduct a nation-wide search to locate and identify the unclaimed remains of forgotten veterans. This involves a significant cooperative effort by members of the American Legion, other volunteer service and veteran organizations, local Funeral Homes, State Funeral Commissions, State and National Veterans Administration Agencies, and the State and National Veterans Cemetery Administrations. There are legal constraints that have to be followed at the local, state and national level related to the identification, claiming process and proper interment of the unclaimed remains of forgotten veterans. It's all quite involved and yet the people who are working on the project (like Betty) are working from a heart-felt desire to respect those who have served us all.

Here's some data that shows how successful their work has been:

Total Funeral Homes Visited - 2242 Remains Found - 13800*
Veterans Remains Identified - 1898 Veterans Interred - 1631

* 3500 of these Remains were found in one institution
*2600 more names recently received from two funeral homes in Missouri

These are two wonderful groups who are working on behalf of the veterans who have served us so bravely. We owe them our freedom.



The 4th of July is coming. The County just renewed its ban on fireworks being shot off by private individuals. The desert is dry as a bone and we're entering the fire season again. What's the point? Simply that anybody who reads many of these newsletters knows of my

strong support for our public safety workers. Last Friday we lost a firefighter in a crash that occurred while he was on duty fighting the Montezuma Fire southwest of Tucson, near Sells. The fire has burned over 1,800 acres. Now it has taken a life.

The agency working the fire is the U.S. Bureau of Indian Affairs. There were three firefighters injured in the wreck, but one of them lost his life. Here's a quote from Tohono O'odham Nation Chairman Ned Norris:

"This is a tragic incident that reminds us that firefighters risk their lives every day to protect the public."

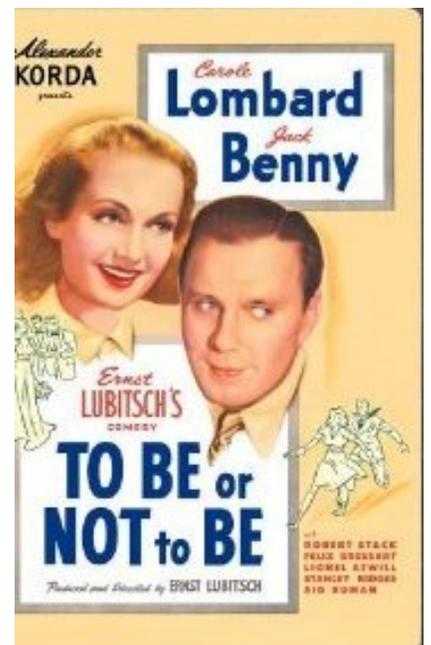
Of course, Ned's right. And as we near the 4th of July celebration and the fireworks tents begin to pop up in the empty lots around town, please think twice about the cost/benefit of making something explode vs. the potential of costing a life or other less serious injury. We'll have fireworks to celebrate Independence Day – conducted under controlled conditions.

Sincerely,



Steve Kozachik
Council Member, Ward 6

Cinema La Placita Outdoor Film Series
presents "To Be or Not to Be"
on Thursday, June 14 at 7:30 p.m.
To view full schedule visit:
<http://www.cinematoplacita.com/>



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, June 14, 8:00pm. “**Los Lobos**”. All ages.
www.RialtoTheatre.com

Fox Theatre, 17 W. Congress St.
Friday, June 15, 8:00pm. “**Riders in the Sky**”
Saturday, June 16, 7:30pm. “**Roger McGuinn 2012**”.
www.FoxTucsonTheatre.org

Ongoing

Tucson Museum of Art, 140 N. Main Ave.
Ongoing exhibition, Opening Saturday, June 16 and ending September 23:
“**100 Years 100 Ranchers: Spirit of the West**”
www.TucsonMuseumofArt.org

Museum of Contemporary Art (MOCA), 265 S. Church Ave.
Current exhibition: **The AIR Show**
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 Saturday June 2 and runs until July 29
“**Fundamental Skills**”
<http://www.thedrawingstudio.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
Thursdays, 4:00 – 7:00pm.
Mercado San Agustin, 100 S. Avenida del Convento

Science Downtown: Mars + Beyond
Thursday through Monday, 9:00am to 5:00pm (until 6:00pm on Fridays and Saturdays).
300 E. Congress St.
<http://www.sciencedowntown.org/index.html>

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

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

Other Community Events

Loft Cinema www.loftcinema.com/
Wednesday, June 13, 7:30pm. “Chely Wright: Wish Me Away”
Sunday, June 17, 12:00pm. “Dr. No”

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”

Flandrau Science Center

Join the Flandrau Planetarium on the University of Arizona Campus for their weekly Planetarium and Laser Show. Call (520) 621-4516 or visit www.flandrau.org/ for events and information.

Main Gate Square Friday Night Live – Jazz Summer Concert Series

On select Friday’s this summer, discover (or rediscover) Main Gate Square through the Jazz Summer Concert Series. Concerts begin at 7:00 in the Geronimo Plaza Courtyard and admission is free. Please visit http://saaca.org/Main_Gate_Square.html for more information and listing of bands and restaurants.

Tucson Pops Orchestra – Music Under the Stars

Every Sunday night through June 17, the Tucson Pops Orchestra will be having their yearly concert series at the DeMeester Outdoor Performance Center at Reid Park. This fun, Tucson institution is family friendly and begins at 7:00. Bring chairs and a blanket and enjoy some beautiful music. Visit <http://www.tucsonpops.org> for more information and a schedule of concerts.