

Ward 6 Staff



Steve Kozachik
Council Member



Ann Charles



Teresa Smith



Bonnie Medler



Diana Amado



Ward 6 – Newsletter

FEBRUARY 23, 2012

A Message from Steve



Rio Dots

As you know, last week the Council on a 5-2 vote called for all of our mediation deal points / both ours and Rio's / to be made public. The 5 of us believe the mediation process is not a serious attempt to find a reasonable settlement, but is nothing but a political game that is headed towards legislation taking the TIF dollars up to Phoenix, and trying to set up the City as having been the partner who was unwilling to bargain in good faith.

I've reported on the fact that legislation is being crafted with the complicity of certain members of the Rio Board.

Last week, at the exact same time we were voting in favor of transparency, Rio was serving you with their \$47M lawsuit. Their attorney, Mr. Sean Brearcliffe, and their chair, Jodi Bain were both quoted in the release announcing the lawsuit. Miss Bain missed the last mediation session because she had to be in Phoenix on legislative business. It's good that their legal staff was here to serve the lawsuit. None of us would want political agendas to get in the way of trying to work together.

Party moderation?

The past couple of weeks have seen the issue of how to work within the Party and across Party lines as a moderate amp up to quite a degree. It has now achieved national attention. Credit to:

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

New Breeding Program Aimed At Keeping Moderate Republicans from Going Extinct

February 13, 2012

A rare moderate Republican is safely tranquilized before being brought to his breeding pen.





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

WASHINGTON — Saying the now critically endangered species of politician is at high risk for complete extinction within the next 10 years, Beltway-area conservationists announced plans Monday for a new captive breeding program designed to save moderate Republicans. Click on this link for the rest of the article:

<http://cms3.tucsonaz.gov/sites/default/files/ward6/2-23-12modrepublican.pdf>

With tongue planted firmly in cheek, I was contacted by members of the Initiative to Protect the Political Middle (IPPM), centrist Republicans, and asked to take part in their breeding program. I had to decline due to my very old school commitment to marital fidelity and, after 32 years of being married, you know that there are certain questions you don't even want to ask your wife. Participating in a mating program falls into that category. I did consent to give them some DNA.

Legislature

But in the spirit of looking at the moderation coming at us from the Legislature, I'll again share with you a few great ideas:

HB2561: Wouldn't it be great if we could exempt certain buildings from complying with "building, plumbing, electrical, fire prevention and mechanical codes adopted by the City?" Wouldn't that help drive the building industry? Would you feel the same way if we were talking about building public schools and not holding them to those building code standards? Specifically targeting Pima County (again) that's exactly what HB2561 does. Those codes do not apply to "a public school district owned building in a county with a population of more than 700,000 persons, but less than 2,000,000 persons." They leave the fire code in effect. Aren't buildings housing children all day sort of the ones we would want to hold to electrical, and other building code standards? And why would that apply only in Pima County. This stuff makes no sense.

HB2416: Wouldn't it be great if we could bail out a Dallas investor for having paid a premium for property, ignore the fact that the City's water service policy was upheld in court with respect to that property, and bulldoze saguaro's in order to build several hundred homes on that same parcel out in the Painted Hills Tucson Mountain foothills? That's exactly the expressed intent of HB2416. What you can't win in court, get from the Legislature. Oh, wait. I thought I'd heard forever from my Party the objection to people getting from the courts what they couldn't get through legislation. Evidently, the same principle doesn't apply going the other way. This bill is specifically aimed at Painted Hills, and it will reverse the court having protected our ability to keep that as open space. And most importantly, it will put in jeopardy our water service policy.

HB2571: Wouldn't it be great if in one simple piece of legislation we can alienate our work force, make us less competitive as an employer vs. other jurisdictions, eliminate any due process when it comes to what we called back in my industrial relations days "employment capital punishment (i.e. terminations)" and set the stage for cronyism in the hiring process? That's the net result of HB2571, being pushed by the Governor as trade bait for the anti-union bills being pushed by the legislature. It's not all bad though. You can opt-into this program and give away all of your current rights if you're an existing employee by taking a 5% pay increase. Is there deadwood that the civil service system



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)

makes difficult to off-load? Certainly but you don't throw out the entire system of employment checks and balances to address that issue, unless the game is to get your own planks into the system without having to go through the standard employment process.

HB2815: Wouldn't it be great if every taxpayer in the State could claim a tax credit for what he/she felt was "excessive regulation" by the jurisdiction in which he/she lived, and that the annual cap per jurisdiction was \$100,000 (certainly helping out our budget deficit), and that the things considered to be "excessive regulation" were "any regulation that primarily serves esthetic or cultural purposes," "any regulation that restricts or prohibits ordinarily harmless property conditions (like sign codes, lighting codes, noise ordinances, etc.)," or "any regulation that does not protect individuals from civil or criminal fraud or verifiable and substantial damage to their health and safety." On a first come, first served basis, pretty much every ordinance we have on the books is subject to challenge, tying up the Department of Revenue and the State Treasurer's offices, pulling up to \$100K from the State coffers from every jurisdiction in the State – all based on the notion that everything the government does is, well, "excessive."

SB1304: And finally, wouldn't it be great if we had absolutely no voice in how we regulate the use, handling or discharge of weapons within the City? In this case, I'll let the clear preemptive language of SB1304 speak for itself:

A. Except as provided in subsection F of this section, a political
7 subdivision of this state shall not enact any ordinance, rule or tax relating
8 to the transportation, possession, carrying, sale, transfer, purchase,
9 acquisition, gift, devise, storage, licensing, registration, discharge or use
10 of firearms or ammunition or any firearm or ammunition components or related
11 accessories in this state.

If they were going to be purists about it, they'd include language that says the State can't enact any statute that at the State level controls any of those areas either. If this is a true blue second amendment argument, no level of government should be allowed to infringe on gun advocates' "rights" of any sort. But the State legislators who have drawn up this bill reserve that right for themselves. In fact, they protected the State Capital building in which they deliberate. But, they know better than you do what is best for the City of Tucson.

So, ya, I'm hopin' somebody else can use some moderate Republican DNA.

City of Tucson saving your money

So, now that we see Phoenix telling us to build unsafe schools, bull doze saguaros, give tax credits for barking dog regulations, and put in place an employment system guaranteed to step on due process, let me share some good news coming out of the Tucson Finance Director's office.

Kudo's to Kelly Gottschalk and her staff for staying vigilant and researching how we can save your dollars through intelligent reinvestment of debt. Last month the Council authorized her to refinance some of our Water Bond debt. She did, and as a result we will save nearly \$7.5M over the course of the payoff period (until 2021). Those millions of dollars will have an impact on our ability to hold down potential water rate increases in the coming

years and will free up dollars for investment in infrastructure upgrades that are sorely needed.

With the RTA shifting costs for water line relocations onto the TW ratepayers and with the State telling us that we cannot control where we are forced to serve water, we're going to need smart investment moves such as this from our staff. Many thanks to Kelly and her group for their work. You won't see that reported in the local media, it doesn't bleed.

Streetcar Update

With the completion of the bidding process, you are about to start seeing construction begin along the Streetcar corridor. It will be disruptive, and it will be a temporary imposition on surrounding businesses, as well as to people who use the streets on which the tracks will be laid.

When the City engaged the FTA for funding, the Feds made it clear that they wanted assurances that the operation of the system would not be interrupted. The City negotiated an exemption for the 4th Avenue Street Fair, two weekends per year. The agreement is that the Streetcar will stop at the northern end of the Fair, the Merchants Association will pay for a bus bridge that will shuttle passengers to the southern end of the Fair, and the passengers can then re-board the Streetcar and continue their trip into downtown. That's a creative solution that will allow the Fair to stay in its location, uninterrupted.

I want to see that same accommodation be given for 2nd Saturday's, Club Crawl, the All Soul's Procession, the Parade of Lights, the Centurions and other events that use the areas on which we're about to lay track. Those events last for hours, not for days as does the 4th Avenue Street Fair. And even if the Streetcar was running at full capacity, thousands more people will be taking part in the events I've listed than would be on the Streetcar for those several hours.

At the Wednesday study session, I requested that Staff work on finding ways to keep those events up and running. It is events such as those that have to a large degree kept, and increased peoples' awareness of what's going on in the downtown core. The Streetcar is supposed to capitalize on that awareness, not stifle it. Certainly some safety issues will need to be addressed, but I believe that we're good enough to come up with mutually acceptable solutions, assuming staff has not already tied our hands with the FTA. Nobody indicated that to me at the study session, so I'll be looking forward to seeing how the event organizers are invited to work with staff on keeping their events alive after construction has been completed.

Land Use Code

Prior to my election, I met with a wide variety of groups and talked about any number of issues that impact the quality of life in our community. One of the commitments I made to people was that, regardless of whether or not we were in agreement, I'd do my best to ensure their voice was included in the conversation on matters of local importance.

Fast forward to one topic that everybody involved with building, and protecting the quality of life in our established neighborhoods can relate to; making the Land Use Code more user friendly.

The City employed the services of Clarion to go through our Code and make changes related to format, eliminating duplicative sections, and generally simplify the way the document is put together so that going through it and applying its contents was not so arduous. What Clarion was not empowered to do was to make substantive changes to the content of the Code. When it was brought to my attention by members of one of the citizen's groups who keeps track of some of these rather arcane, and yet important parts of how we govern that in fact changes in content were being proposed, I invited that group to meet with me and City staff in an effort to go through the proposed changes.

Clarion was doing a nice job of pulling out duplications and rearranging the format of the document, but they overstepped their authority when they effectively included policy changes related to the amount of area on a lot that a structure may occupy, and how close to adjacent structures building may occur. I won't pretend that I would have caught these changes and I'm grateful to Ruth Beeker and her cohorts who brought these issues forward.

During our Wednesday study session item on this, the rest of the Council and I made it clear that we want adequate process included when changes of substance are being contemplated. Clarion doesn't hear your voice, but we do. So, we advanced the continued reformatting of the document with the caveat that a variety of stakeholder groups will be invited to share their observations with staff and the Planning Commission prior to our adopting a final product.

The reasons changes to the Land Use Code are so important to get right the first time are that (a) in the era of Proposition 207, if we adopt a Land Use policy and later pull it back, if that affects the value of a person's property, we (you) can be sued, and (b) what we are adopting relates to the quality of life in our residential areas. It's worth it to take our time and get it right the first go around.

Women in Public Service

For the second year in a row, The Tucson Women's Commission is taking nominations for women to be recognized for their work in public service. The nominees will be honored during Women in Government Day on March 23rd. The celebration will take place at the Tucson Museum of Art from 11:30 until 1:30.

The award is entitled "Woman Who Shines." I can think of several – if you'd like to submit a nominee, please go to this link and you'll see how to put a name into the hat.

http://intranet/docs/pctwc_wig_flyer.pdf

Texting While Driving Ban

Under co-sponsorship with Council member Uhlich, the discussion of this issue began last November with a study session agenda item. Flowing from that was a public hearing held on January 10th during which you all were given the opportunity to weigh in on the topic. The opposition at that hearing and the opposition I've heard since then have been far overshadowed by the support I've received for this ordinance.

The draft ordinance we were provided on Wednesday included some exemptions that I found to be unwarranted, specifically for public transit drivers. We asked that that exemp-

tion be eliminated.

The council was also unanimous in asking that the ordinance be made a primary offense, not secondary. That simply means that a cop can pull you over if he see's you texting, and it does not have to be something for which you're cited that is secondary to his having pulled you over for another reason. The new ordinance applies to when your car is in motion, and is not something you can be cited for while stopped.

The fines begin at \$100. The City is not going to get rich off from this and that was never the point. The point is to put into place a disincentive to those of us who have put the safety of others at risk by texting while operating a motor vehicle. I'm grateful to the rest of the council for their work on this. I'm grateful to those of you in the community that has voiced your support. And I'm done with those who can't get beyond their evident inner drive to find fault with pretty much whatever we do at the council. What we did on Wednesday is as intuitive as are DUI laws.

The provisions of the ordinance will become effective on April 1st of this year. No joke.

Broadway/RTA

In 2006, the voters approved a package that contained 27 RTA Road Projects. Each of them came with their own individual justifications of need based on traffic and growth projections. Each had its own cost projection that set a cap on the amount of RTA money that would be invested towards the projects.

Last week I reported on the concerns many of us on the Council have over uncertain costs and funding sources related to the widening of Silverbell Road. Since we asked staff to provide us with more information on how your dollars are being spent, the County elected to move ahead without us, and to target non-Tucson segments of the work. Marana residents might want to ask for an accounting of how their money's being spent.

Another RTA project I've noted in the past is the $\frac{3}{4}$ mile extension of Kolb Road. The RTA ballot noted that \$9.1M would be spent on the work. The costs for that extension are now in excess of \$20M.

Now comes the widening of Broadway. The total project cost is north of \$71M. The RTA is funding \$42M. County Bond money was the suggested funding source for the balance, but we've recently run up against issues of available Bond money on other projects, so it's worth making sure we're not walking down a similar path here.

The basis on which you were told the road needed to be widened was 1987 traffic volume data and assumptions of significantly increased volumes based on that baseline. The volumes have never come close to matching what was projected.

The City and RTA have moved ahead in acquiring properties along Broadway, assuming an alignment that nobody has yet approved. Just under \$1M has been spent on design and planning, and we are just now getting to the point at which a Citizen's Task Force is being formed to weigh in on the project.

I believe that in cases where the “voter approved” project is no longer developing in the manner in which it was sold to the voters, there needs to be a conversational off-ramp that gives the people paying the freight an opportunity to suggest that perhaps there are better ways to spend their tax dollars. With that in mind, Council member Fimbres and I have asked for a study session item, specifically related to the Broadway project, and have asked Staff to be ready to discuss the following points:

Amount of money spent to date - funding sources - and what was it spent on?

Specific project budget as shown in the RTA plan and the basis on which it was arrived.

Identify Broadway widening funding shortfalls and describe likely sources for filling the gap between RTA costs and the final project cost total.

Traffic volumes predicted prior to the RTA election that were used to justify the need for the project - current traffic volumes in comparison to predictions.

The original traffic study and plan were compiled in 1987, and approved by Mayor and Council in 1989. When will the RTA and the City conduct a new traffic study?

Status of current design - process undertaken to arrive at current design. At what phases of current design development was public input solicited? Where is it reflected in the current design?

Update on status of naming a Citizen's Task Force to engage staff in final design development

Per the enabling statute, what events can trigger a reconsideration of a given project, and what are the steps for reconsideration that are involved at each of those triggers?

The result of that dialogue might well be continuing on with the project as planned. And yet, with the passage of time, conditions change from the standpoint of economics, and the needs of the community. I believe that rolling out the plans and making sure we're all pulling in the same direction is a good idea. If other Council Members want to engage that process for projects taking place in their Wards, I'd be supportive.

Central Business District

There are several public sector incentives that are statutorily available to builders, the purpose of which is to lower their entry cost or debt burden while a project stabilizes after construction. The majority of those incentives involve allocating site specific sales taxes to help in paying debt for the project. These are already allowed by State law, as long as they don't violate the State Constitution Gifting Clause; i.e. the benefits back to the taxpayer exceed the value of the tax assistance given to the builder.

One incentive that is not already available in Tucson is called a GPLET (Government Property Lease Excise Tax). If the government takes ownership of a property (on paper – not for operating the property) a builder can take a property tax write off for eight years while the project is increased in value due to the construction. In order to offer that incentive, the local jurisdiction must establish a Central Business District, and the GPLET can only be used within the boundaries of that CBD.

There are rules that govern where and how large the CBD may be – generally in areas designated as economically depressed or blighted, and in the case of Tucson, less than 20 square contiguous miles. The CBD must lie within a designated Redevelopment Zone. We have already designated an area in the central core of downtown as one of those Zones, but on Wednesday, the Council asked staff to consider new and expanded boundaries for that Zone, with the intent of our designating the CBD in as large an area as we are allowed by

Statute. What we should eventually see is an area that will touch Wards 1, 3, 5 and 6. Once in place, this new tool will be on the table for potential use by people who want to invest in the boundaries of the new CBD.

With the current lending climate, nothing of any scale is being done without some level of public/private partnering. The addition of the GPLET is simply adding one more element that can be considered by a developer who is trying to make sense of the economics of a particular project. The existence of a CBD does not obligate the City to agree to terms with a given developer that include the GPLET. The entirety of the development plan still has to come before us, and must make economic sense for the community, or we don't approve the plan. But the CBD adds one more element to the options.

Greyhounds

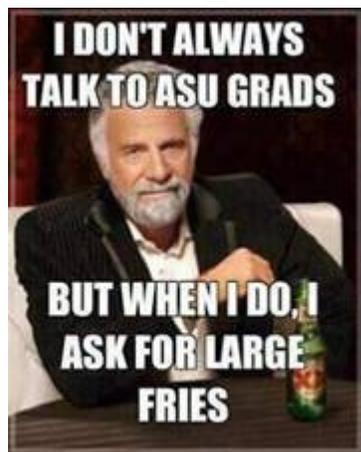
If you've read this newsletter in the past, you know I love dogs, and I have no love for Greyhound racing. With that in mind, I found it a partial victory when the Legislature passed SB1273 – a bill that limits Greyhound racing in this State. It's not the final solution, but it's a small step in the right direction. With our legislature, that's a giant leap for mankind. Here's how Grey2K describes the new legislation:

<http://www.grey2kusa.org/pdf/AZfactsheet2012.pdf>

I don't want the dogs to be housed for 100 race dates per year, but to the extent that reflects a step towards freeing the animals from the conditions in which they're housed, I'm happy to give thumbs up to the State.

Territorial cup

Each year The University of Arizona and ASU compete head to head in athletic events. The school who wins the majority of those events holds the Territorial Cup for a year. We're early in the season and the UA leads 4.5 to 2.5. There's more basketball, baseball, softball, track and field, swimming, etc. to come, but right now the only thing to do is send our ASU opponents this greeting:



I have friends who attended ASU. I'm always happy to support their gainful employment. Oh, that'll be "to go."

Garden Party

No, that's not a new political group. What it is, is an event taking place on 2/25 from 8am

until 2pm in the Garden District. The goal is neighborhood improvement through neighbors collaborating with one another, in this case in tree planting, development of a walking path off the street, and passive water harvesting.

If you'd like to participate, meet at the Martha Cooper Library at 8am this Saturday. The work is being performed under the acronym "SHAPE" (Shade Helps All People Exercise). Many thanks go out to the organizers of the event. They're still looking for help on the 25th, so if you live in the area and have been wondering about how to get plugged into your immediately surrounding community, this would be your opportunity.

Sincerely,



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



International Polar Bear Celebration – Saturday, February 26

Saturday, February 25, the Reid Park Zoo will celebrate polar bears. There will be activities and demonstrations by zoo staff. There will also be activities to welcome our new polar bear Snow to Tucson. All activities are free with regular admission to the Zoo.



***** FEBRUARY-MARCH 2012*****

The Tucson Police Department is now accepting applications for the position of **Police Officer Recruit.**

Please visit this website for more information:
www.jointucsonpd.org

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, February 23, 8:00pm. "Gomez". All ages.

Friday, February 26, 8:00pm. "Guitar Masters Tour". All ages.

www.RialtoTheatre.com

Fox Theatre, 17 W. Congress St.

Friday, February 24 and Saturday, February 25, 7:30pm. "The Godfather: Part II"

Sunday, February 26, 5:00pm. "OSCAR Night America 2012"

Tuesday, February 28, 7:30pm. "Merle Haggard"

www.FoxTucsonTheatre.org

The Screening Room, 127 E. Congress

February 17-19 & 24-26, 1st Annual "Out in the Desert, Tucson's International LGBT Film Festival"

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

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

Arizona Theatre Company presents F. Scott Fitzgerald's *The Great Gatsby*

Saturday, February 25 – March 17, 2012.

www.arizonatheatre.org

Tucson Convention Center

Friday, February 24 and Saturday, February 25, 7:30pm. Wildcat Hockey vs. ASU

Music Hall

Saturday, February 25, 7:30pm. and Sunday, February 26, 2:00pm. "TSO Pops! Series – Back in the Saddle Again, More Music of the West."

<http://cms3.tucsonaz.gov/tcc/eventcalendar>

Ongoing

Tucson Museum of Art, 140 N. Main Ave.

Ongoing exhibition, Opening Saturday, January 28 and ending Sunday, June 3:

"Frida Kahlo, Through the Lens of Nickolas Muray"

www.TucsonMuseumofArt.org

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

Current exhibition: Armando Miguélez: *Legislate Crazy*

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 January 28 and runs until February 25

“Bridges II, US – UK Artist Collaboration”**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

Flandrau Planetarium Show – Sunday, February 26 at 1:30

Join the Flandrau Planetarium on the University of Arizona Campus for their weekly Planetarium Show. Learn the stories behind the constellations with their “Legends of the Night Sky.” Stick around for a family friendly laser show starting at 2:30. This will be a fun day for the entire family. Call (520) 621-4516 for more information.

UA Mineral Museum Special Exhibit – Opened February 3

“100 Years of Arizona’s Best: The Minerals That Made the State” will commemorate the Centennial with a display of minerals on loan from top collectors. The exhibit looks at the state’s rich mining history through archival photos and some of Arizona’s most incredible minerals gathered in one place.

Doggie Woggiez! Poochie Woochiez! At The Loft – Friday, February 24 at 9:00pm

Everything is Terrible! returns to The Loft with their new show, “Doggie Woggiez! Poochie Woochiez!” Tickets are \$8.00 for general admission and \$7.00 for Loft members. Visit www.loftcinema.com for more information.