

## Ward 6 Staff



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# Ward 6 – Newsletter

MARCH 20, 2012

## A Message from Steve

### Legislative Immunity

The Arizona State Constitution states:

#### 6. Privilege from arrest; civil process

Section 6. Members of the legislature shall be privileged from arrest in all cases except treason, felony, and breach of the peace, and they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.

Twice in the past month members of the Arizona State Legislature (one Democrat and one Republican) have claimed they were above the law due to the “legislative immunity” clause found in the Arizona State Constitution. Their alleged offenses occurred during the legislative session and therefore any legal proceedings had to be deferred until later, if at all.

That’s a crock.

Elected officials are no better than the rest of the taxpaying population and should not be allowed any immunity from the laws that the rest of us have to abide by. Whether it’s being accused of beating up your significant other or violating traffic laws, claiming an exemption because you hold public office is an absurd and elitist dodge.

Instead of claiming they’re above the law, the most recent two guys should put forward a bi-partisan bill that does away with that immunity clause or at least tweaks it so that legislative business is not hampered, but there’s no being held to a lower standard than constituents.

Bi-partisan? Doing away with immunity? Unlikely.

I think the intent was to ensure legislators were able to do the peoples’ business in times of emergency – not to simply give them (us) a “get out of jail free” card.

### RTA Community Conversation

As an update to my RTA/Broadway project issue, let me start by showing you the property tax base we are going to demolish if we simply move ahead with this project. Check out this link:

<http://cms3.tucsonaz.gov/sites/default/files/ward6/3-20-12rta.broadway.pdf>



### 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

Another way to look at the taxes in relation to the RTA is to note that approximately 65% of every RTA project is paid for by City taxpayers: roadways, streetcar, transit services, etc. Taking into consideration PAG's own data, based on Level of Service and Congestion Management, it is the City arterials that need the most investments because they carry the bulk of the regional cross-town traffic. But you know that by having driven on them. Tucson citizens and business owners bear the brunt of regional traffic congestion and other negative impacts, such as the horrible condition of the roads.

I think we can do better than moving ahead with a 25 year old plan, eliminating those taxes, plus the sales taxes associated with each of the retail properties shown in that link, spending \$71M that we don't have, and widen a road while so many of our other roads are in terrible condition.

Last week I met with leadership from the RTA and stakeholders from along the Broadway corridor. Our goal was to begin to identify ways to reconvene the community conversation that began nearly 25 years ago that resulted in this proposed project. More broadly, it was to identify a process by which each of the PAG jurisdictions can join that same conversation.

We made very little progress.

Our roads are in terrible condition. Funding levels are down for a few very basic reasons. The State has continually reduced our HURF allocations. I've noted that in the past. In addition, our use of more fuel efficient cars has reduced our gas tax revenues. And finally, the fact that much of the road repair material is made from petroleum products has resulted in the cost of those materials having risen with the price of fuel.

So, we have to advance some creative solutions. None of those factors are about to go through any fundamental changes. Our revenue or cost streams are not going to improve to any great extent any time soon.

The RTA is bound in a mental cul-de-sac that will not allow it to think beyond the specific ballot language that the voters approved in 2006. While I understand the desire to do what the electorate asked, what is truly lacking in that desire to maintain credibility is the understanding that in sticking to the strict language of the ballot, the RTA in fact loses the credibility it wishes to retain.

Let's be clear. I am not suggesting that the RTA unilaterally violate the letter or the spirit of the ballot. What I am certainly suggesting is that the RTA Board recognize that conditions, funding, and assumptions have changed since that vote took place. It is not only appropriate, but it is the responsibility of the RTA to recognize and to act on those changed conditions. The action it needs to take is to do what you and I do every day in our own homes; look at the checkbook, look at our real needs and make provision to prioritize. That will require the RTA Board being proactive and to either use existing language in their authority, or ask the County Board of Supervisors to give the voters a second look at some of the RTA work, either through community conversations, or put it on the 2012 ballot.



### Important Phone Numbers

Senator John  
McCain (R)  
520-670-6334

Senator Jon Kyl (R)  
520-575-8633

Congresswoman  
Gabrielle Giffords  
(D)  
(8<sup>th</sup> District)  
520-881-3588

Congressman  
Raul Grijalva (D)  
(7<sup>th</sup> District)  
520-622-6788

Governor Janice  
Brewer (R)  
Governor of Arizona  
602-542-4331

Toll free:  
1-800-253-0883

### State Legislators

Toll Free  
Telephone:  
1-800-352-8404  
Internet:  
[www.azleg.gov](http://www.azleg.gov)

Mayor Jonathan  
Rothschild  
791-4201

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

Specifically, I'd like to see the RTA and County Board of Supervisors ask the voters if they would approve the PAG jurisdictions' ability to set aside 15% - 20% of their RTA tax dollars and earmark it for road repair. None would be obligated, but each would have the option. Those that exercised that option would identify from within their respective jurisdictions the road projects they'd put on hold until some date certain in the future while the road repair work is completed. Put that on the ballot and let the voters decide.

In addition, the Broadway expansion is so filled with issues related to under funding, invalid assumptions, and Right of Way plans that contain glaring flaws that the voters need to be asked if they want to continue on with the current scope at \$71M and a 150' wide corridor, or refocus/rescope back to within the \$42M RTA planned budget. That too can go on the 2012 ballot if the Board of Supervisors is asked to do that, if the RTA Board makes that request. Both bodies need to hear from the taxpayers who simply want to see our roads repaired, our RTA tax money spent wisely, and who see the foolishness of moving in a direction we can neither afford, nor that is justified by the objective facts related to traffic flows/preservation of tax base/preservation of small businesses/good urban design criteria.

Coincidentally, there's a Board of Supervisor election this fall. I am sure that road conditions will be in the forefront of voters concerns.

What could the reallocation of RTA dollars to road repair mean for Tucson? If we base the allocation on population, and base it on the 20 year \$2B RTA projected revenues, for the region as a whole we'd see \$300 million at 15% and \$400M at 20% reallocated from new road construction projects to maintenance of existing roads. Tucson is about 52% of the regional population (I shared that with you last week) so of the \$400M, we'd have \$208M to use for road repair in Tucson – a guaranteed revenue stream, not a new tax, but based on the existing RTA tax you're already paying.

Maybe it's a smaller percentage – or maybe it's project by project. But we have to be smart enough to rethink the Regional Transportation Plan according to present day realities.

I think that's a conversation worth starting with the RTA and our regional partners. It's a conversation that needs a quick resolution or the excuse will soon be that there is no time to get the questions on the November ballot. With that in mind, I will be urging a quick resolution to the question.

### Redevelopment

And speaking of redevelopment, in past newsletters I've raised the issue of the Central Business District, tax incentives that are associated with it, and the possibilities of condemnation/eminent domain/demolition that might also go along with our adopting a map of what would be called a Redevelopment District. I am still waiting for City Staff to answer my specific questions related to that last issue – a significant one – but in the mean time I wanted you to know about the following public forum on the topic:

### Presentation re CBD and Redevelopment

**Date:** Friday, March 23, 2012

**Time:** 4:00 pm to 6:00 pm; presentation at 4:30 pm

**Location:** Pima Community College Downtown Campus (North Stone Ave.), Amethyst Room (located in Building CC)

Also, on the April 3<sup>rd</sup> M&C meeting, we will be holding a public hearing on the same topic.

By then I'm sure I will have heard from staff on the condemnation topic and I'll certainly share with you what I'm told. Both the forum and the public hearing are opportunities for you to share your own thoughts on our forming such a District. Here is the map of the proposed Redevelopment District that has been prepared by Staff:

<http://cms3.tucsonaz.gov/sites/default/files/ward6/3-20-12redev.districtmap.pdf>

The District is supposed to be "compact and contiguous," and it is to be characterized as blighted or slum areas. I'm not an attorney, but I'm guessing that there are some out there who won't believe the proposed map meets those criteria.

So, several issues still to be worked out with respect to the CBD.

### **Tucson Police Department**

You read a lot in these newsletters about all sorts of crime that's going on in our community. You also see it in and around your neighborhoods. Graffiti, break-ins, drug use, and shootings – we experience it all on a pretty regular basis.

Last week there was an incident at the Greyhound Bus station that required TPD to detonate a suspicious package. Here is the Chief's report about this particular incident:

[http://cms3.tucsonaz.gov/sites/default/files/ward6/3-20-12hoax\\_ied.pdf](http://cms3.tucsonaz.gov/sites/default/files/ward6/3-20-12hoax_ied.pdf)

While we were fortunate that in this case the package turned out to be a hoax, the men and women who responded to the incident and put their own safety at risk deserve our thanks. They do it daily and generally go unrecognized.

Police and Fire work is dangerous. It's also a vital service that the City provides to every taxpayer in the valley. You've seen the bumper stickers – "Thank a cop." Go ahead and include a firefighter, too.

### **Trafficking of Minors**

Continuing on the crime theme, I've noted in past newsletters the issue of selling sex and drawing minors into a subculture of prostitution, drugs and exploitation. backpage.com is a web site that specializes in doing that, hidden behind the veneer of offering "escort services." Backpage.com's estimated annual revenue from its adult services section is approximately \$22.7 million. Attached is a letter written by nearly every one of our State Attorney's General to the Backpage counsel. It contains 21 specific demands, each aimed at cleaning up the site. Here is the letter:

<http://www.tn.gov/attorneygeneral/cases/backpage/backpageletter.pdf>

Enter Southern Arizona Against Slavery. This local non-profit will join me on 3/27 at our study session and present some shocking statistics about how the use of social media is resulting in tragic personal stories for far too many of our kids. Nationwide, millions of our daughters are drawn in and being trafficked. Locally, it's the young girl (or boy) who lives next door, often times unwittingly answering Facebook "friends" and ending up on the wrong side of a proposition.

We televise all of our council study sessions on Channel 12. I would encourage you to either watch, or tape the show on 3/27 and watch this presentation. You might very well find it worth sitting with your kids and sharing. It's real life stuff – it's local – and because of the way the deals are done, every one of our kids is a potential victim.

There will be a Power Point presentation as a part of the study session item. I've gone through it and cleansed some of the less wholesome slides – you won't be offended by any pictures, but if you've got kids living at home, it will get your attention.

On Friday, March 30<sup>th</sup>, I'll be joining SAAS in El Presidio Park, just outside of City Hall at 3:30 for a presser and rally to bring attention to this important topic. On a related note, on Thursday, March 22<sup>nd</sup> at the Ward 1 Office (940 W. Alameda) there will be a "Community Conversation to help end Street Harassment." There will be a presentation by representatives from the Pima County Attorney's office. That event runs from 5:30 – 7:30. All of this impacts the quality of life in our community.

### **Arizona Accord**

Final add on the crime issue.

None of you will be shocked to hear that we have a problem with illegal immigration. The issue of illegal immigration has been the subject of litigation between the State and the Federal Government, and has been the subject of numerous bills emanating from the State legislature. It is fair to characterize many of those bills as having resulted in the perception that Arizona is unfriendly to immigrants. In the midst of a down economy, an area that relies on tourism didn't need the negative press (to be balanced, calls for a boycott of the State were also unhelpful).

And none of you will be shocked to hear that in many cases, the immigrants have been here for years, working and in some cases raising a family. That doesn't make them legal, but it sets many of them aside from the drug cartel traffic that constitutes the safety threats to border town residents and to our public safety personnel who work the Tucson Sector and others further to the south.

How do we form good public policy that doesn't constitute an open-door policy that effectively vitiates the security of our border?

The Tucson Hispanic Chamber of Commerce has joined numerous other organizations and governmental agencies in supporting a moderate, and yet to the point, policy document called the Arizona Accord. It is important to note this coalition of agencies reflects the over 65,000 Hispanic-owned businesses in Arizona, and the \$1 trillion dollar buying power of the Hispanic population on a nation-wide basis. The issue is about more than simply "build the fence."

Here is a partial list of the groups who have joined the THCC in embracing the Arizona Accord:

- Greater Phoenix Leadership (GPL)
- Greater Phoenix Economic Council (GPEC)
- Arizona Farm Bureau
- Western Growers
- Arizona Hispanic Chamber of Commerce
- Tucson Hispanic Chamber of Commerce
- Chicanos Por La Causa
- The Real Arizona Coalition
- Arizona Interfaith Network
  - Valley Interfaith Project

- Northern Arizona Interfaith Council
- Yuma County Interfaith Council
- Pima County Interfaith Council
- The City of Tolleson
- City of Mesa Human Relations Advisory Board
- City of Phoenix Human Relations Commission
- City of Tucson Human Relations Commission
- Arizona Employers for Immigration Reform
- Friendly House
- East Valley Patriots
- One Arizona Interfaith Leaders
- Promise Arizona
- Ironco Enterprises
- Sundt Construction
- McCarthy Construction
- Valle del Sol
- Farnsworth Companies

And here's the text of the Accord:

#### **THE ARIZONA ACCORD**

##### **A DECLARATION OF FIVE PRINCIPLES TO GUIDE ARIZONA'S IMMIGRATION DISCUSSION**

**FEDERAL SOLUTIONS** Immigration is a federal policy issue between the U.S. Government & other countries, not Arizona and other countries. We urge Arizona's congressional delegation, and others, to lead efforts to strengthen federal laws and protect our national borders. We urge state leaders to adopt reasonable policies addressing immigrants in Arizona.

**LAW ENFORCEMENT** We respect the rule of law & support law enforcement's professional judgment and discretion. Local law enforcement resources should focus on criminal activities, not civil violations of federal code.

**FAMILIES** Strong families are the foundation of successful communities. We oppose policies that would unnecessarily separate families. We champion policies that support families and improve the health, education and well-being of all Arizona children.

**ECONOMY** Arizona is best served by a free-market philosophy that maximizes individual freedom and opportunity. We acknowledge the economic role immigrants play as workers and taxpayers. Arizona's immigration policies must reaffirm our global reputation as a welcoming and business-friendly state.

**A FREE SOCIETY** Immigrants are integrated into communities across Arizona. We must adopt a humane approach to this reality, reflecting our unique culture, history & spirit of inclusion. The way we treat immigrants will say more about us as a free society and less about our immigrant neighbors. Arizona should always be a place that welcomes people of goodwill.

You can visit the Arizona Accord web site and learn more. I present it here in an effort to

suggest that as we enter a new election season, keep in mind that there are suggested ways to deal with the issue of illegal immigration that are thoughtful, and that may warrant your consideration.

I appreciate the leadership Lea Marquez Peterson and the THCC have shown in embracing this moderate document. It does not define public policy, but it offers a framework in which balanced policy may be developed.

#### **Adopt-a-Park**

Change of focus – last week Bonnie and I were honoured to take part in acknowledging the work of AZDES volunteers who have adopted two parks in the mid-town area. The workers are developmentally challenged, and yet with the excellent supervision provided by staff, they have filled a gap in the maintenance of some of our City park property. Given our budget needs, the work is a wonderful example of how the community is coming together and doing its part to keep Tucson a great place to live, work and play.

I appreciate the support of Tucson Clean and Beautiful in overseeing the Adopt-a-Park program, and in particular Evren Sonmez who is active in organizing the work, and putting together the recognition events that are so well deserved. This past week that recognition went to Bridget Duran, leader of the Community Employment Services division of the AZDES, and her group of workers. We at the City are very thankful for the help.

Your group can participate in this program by contacting [evren.sonmez@tucsonaz.gov](mailto:evren.sonmez@tucsonaz.gov). You'll find the application form on the top right of their home page.

#### **Downtown Façade Program**

A few weeks ago I told you about the competition for façade grant money being offered through the Downtown Tucson Partnership. Last week the DTP announced that the three finalists for the Façade Improvement Program are: the Pioneer Building (100 North Stone), the Chicago Store (130 East Congress), and the Shoe City Building (37 East Pennington.)

Two or all three of these companies will receive up to \$100K, the purpose of which will be to restore the façade of their buildings. More than a dozen applicants submitted proposals. The near term goal of this program is to improve the appearance of downtown, in advance of the arrival of the Streetcar, and the new student housing that will further activate the downtown core. The next step in the process is for each of the finalists to use a \$5K allocation from the DTP to work with design firms and come up with their conceptual design plan. A design review committee will look them over and will announce the winners at a press conference on April 30, 2012. Good luck to each of the finalists.

#### **Cornerstone Awards**

One final segment on community recognitions. Since 1994 the Cornerstone Building Foundation has been recognizing community builders and architects for their contributions to the aesthetic of our City. The membership includes Women in Construction, the AIA, marketing, design and engineering groups. It's a wide base of the design and building community that works too often without the recognition it deserves for both its sensitivity to good urban design, and to its support of education through the Foundation.

These are business leaders who understand the importance of supporting education, irrespective of the uphill battle we so often fight in that area at the legislative level.

This year's winners of this highly valued set of awards are:

- **Architect of the Year** - Swaim Associates, Ltd.
- **Design Consultant of the Year** - Kelly, Wright & Associates, P.C.
- **General Contractor of the Year with projects in excess of \$2 million** - CORE Construction Services of Arizona, Inc.
- **General Contractor of the Year with projects under \$2 million** - Division II Construction Company
- **Professional Service of the Year** - Mulholland Art & Design Commercial Interiors
- **Owner of the Year** - Tucson Electric Power / UniSource Energy Services
- **Supplier of the Year** - Dunn-Edwards Paints
- **Subcontractor of the Year** - Achilles Air Conditioning Systems

And a very special one to me (because I worked with Jerry on several projects through my project management job in the athletics department):

**Jerry Wyatt Community Service Award**

John Nyman, AIA

Concord General Contracting

Thanks to each of these firms for their contributions to the responsible and appropriate growth of our community over the past year. And thanks to Cornerstone for its support of education.

**Rio Nuevo Forensic Audit**

Even before I was elected I called for investigations of Rio Nuevo to be made public - that includes the demands being made by Rio Nuevo in mediation. Any of you who read my newsletters or watch TV, know that from the beginning I told you about the millions of dollars that have been lost due to mismanagement both by the City and the past Rio Nuevo Board. I have openly called for and spoken about the investigations of those lost taxpayers dollars. Last week, the Rio Board created a media event where the first of the audits was released.

Mistakes were made. We knew that. But for those wanting pounds of flesh and criminal trials as a way of extending this dysfunction, that is not what the audit revealed.

There are several things that I find troubling. First, let's be clear that the audit was not conducted by an independent auditor or by the Auditor General's Office. It was coordinated and managed by one of the Board's law firms, Rusing, Lopez and Lizardi. That is the same law firm handling the Board's litigation against the City of Tucson. I would have preferred more independence, but we got what they paid for, with over \$40K more your tax money.

The City provided to the audit firm (Regier, Carr, & Monroe) over 4,100 pages of documentation related to the Depot Plaza projects. This was not a complete audit of all Rio expenditures. There's still one audit and an FBI investigation yet to be released.

The audit was commissioned to investigate if there was adequate documentation to support billing, proper expenditures of Rio Nuevo money, and whether there was any indication of misuse, misallocation or fraudulent activity. Some of that was found. And yet, we

knew that in 2010 when the Auditor General report was released. The term used then was “gross mismanagement” of the projects.

If you read the audit (probably something radio talk show hosts don’t bother doing, but that doesn’t stop them from drawing conclusions) you’ll see that there were two primary findings:

- a. \$2.3M of Rio expenditures that are being considered “questioned costs” primarily due to lack of adequate documentation.
- b. \$2.2M of costs for which the audit could not verify Rio authorization.

In the initial reply to the audit release, the City finance people stated:

“The City of Tucson has documentation of the expenditures associated with the Depot Plaza and Garage project. The City has conducted an analysis of the project and can provide documentation of the expenditures and approvals.”

As you may recall, the costs to complete construction of the Depot Garage were higher than initially expected largely due to perching the aquifer, which was contaminated with diesel fuel. The water that flooded the project site had to be pumped out and the contaminated soil had to be removed and relocated.”

The audit contains phrases such as “approval of funding is murky,” “costs were not supported or approved by District,” “the District was erroneously charged,” and “no supporting documentation.”

One area in which the audit appears to have identified a misallocation of funds is in paying salaries to City staff for work on Rio projects. The ARS citation in the audit states “A District established pursuant to Section 48-4202 may not use monies distributed... for the salaries or compensation of any employee of the municipality in which the District is located.” That appears to have happened. The audit cites \$48K, and possibly another \$66K, but cannot specifically identify that last amount as being for “labor.”

So here’s my take away from reading the audit. If the City can in fact document all of the expenditures, it must do so immediately. Clear the record. If it cannot, we may owe the District for some of the \$2.3M in costs not properly documented. There’s the possibility that some of the charges for which Rio approval was not granted are from the City paying to keep the projects moving forward after the current legislatively appointed Board refused to continue to fund the work. If that’s the case, the questions of motive and bad faith enter the conversation.

Would it come as a huge surprise if the records were not recoverable? Not at all. Remember, just as the current Board routinely bemoans their being “volunteers,” so was the previous Board. Neither are trained in project management or governmental accounting procedures. The primary difference is that the current Board has spent over \$1M on attorney’s and has spent effectively zero on projects. The prior Board at least spent money trying to do things (much of which was ill advised) and relied on City staff to handle their books. Given that scenario, some co-mingling of funds probably occurred. Inappropriate – probably. Criminal – probably not. Let’s wait on the FBI to make that determination and not default to that conclusion.

Also realize that the City staff now running our finance department is not the same group who ran it nearly a decade ago when many of the activities that are the focus of this audit were taking place. They cannot recreate that which doesn't exist if the records were poorly maintained. But understand that the current finance staff is not the same group who was primarily being audited.

Finally, one thing the prior Rio Board did that is both beyond dispute and that is not in the least bit implicated by this audit was to take on debt specifically earmarked for upgrades to the TCC. The 2008 Bonds and 2009 COP's are still sitting gathering dust. The current Board has no excuse for not investing those dollars in the "Primary Component" of the District, even while the audits and investigations are still being conducted.

Accountability is important but let's focus on advancing this relationship and hope the final audit and the investigation are released quickly so all of the suspicion is laid to rest and the books can be reconciled between the two parties. And let me remind you that regardless of whose account the dollars are sitting in, it's all your money and deserves to be invested in the manner in which it was intended. That was always called the "Primary Component."

#### **Broadway in Tucson – TCC/Music Hall/Leo Rich**

If we're going to pour money into the TCC (and included in that facility description is the Leo Rich Theater and the Music Hall) we have got to ensure that we are managing contracts in a way that maximizes our ability to retain those tenants who are bringing the most revenue to the City. We pay out of the General Fund over \$5M annually in support of the TCC operations. If we lose tenants who are paying the lion's share of the bills, that amount will only escalate.

Broadway in Tucson took one of their premier shows to Centennial Hall last season. The loss of Wicked cost the City taxpayers tens of thousands of dollars. It was due to a scheduling conflict, not the condition of the facility.

In the recent past the City Manager has made some management changes at the TCC. That has got to include taking a look at existing contracts and beginning right now the discussion of how those are going to be redrawn in ways that preserve our primary bills paying tenants' ability to book shows in advance and thereby stabilize them in this market for years to come. That will require some changes in thinking, but when we're losing millions of dollars on the facility, if we don't make some changes the entire complex of facilities is vulnerable to being lost to the community, regardless of "ability to pay."

We wouldn't allow a Barbershop Quartet to move the schedule of the Gem Show. And we shouldn't allow Broadway in Tucson – a huge player in our market – to have to lose play dates in deference to what are far less profitable groups. That's planning, and bringing all of the groups to the table well in advance so prioritizing and scheduling can be done in ways that will ultimately protect those community assets.

Rio Nuevo has been asking for examples of capital projects they can take on in support of our relationship, and in support of keeping our facilities attractive to major tenants. One such project is structural steel and related fixed asset work. We have a need. They have the bond money. We have tenants we'd all like to retain.

I'll be watching for the new leadership at the TCC to take this issue seriously in the immediate term.

### **Downtown Redevelopment**

Despite its evident inability to commit to moving forward, the Rio Board isn't stopping the revitalization of downtown. It's going on, irrespective of what this Rio Board is spending your money on.

Lucinda Smedley puts together a periodic report on economic activity called the Trend Report. You can find it at: <http://trendreportaz.com/>

In the most recent edition she reports that in the past 14 months over 40 projects valued at just north of \$70M have come on board in the downtown area. Those include everything from restaurants and bars, to a new Buffalo Exchange, Ben's Bells, and art studios Sacred Machine and Atlas Art Services. There are two new micro-brewery's and a chocolate factory (Chocolate Fox – owner Barbara Fox donates 100% of the annual profits to local animal charities / that is extremely cool.) We're looking forward to the start of student housing, and other mixed use development.

The Council is considering several building incentives, and the State already has some in place that builders can access if they want to include them in their development proposals. The momentum is excellent, and with the hard work of the Downtown Tucson Partnership, along with the imminent hiring of a new economic development staffer in the City Manager's office (congratulations to Debbie Chandler – the soon to be addition to the CM staff) and the business liaison in the Mayor's office, things are lining up well in advance of the near term arrival of the Streetcar.

Rating agency Fitch has released the following statement relative to the City's credit worthiness:

*General Obligation Bond rating of 'AA*

*Certificate of Participation rating of 'AA-' (These are very solid, investment-grade ratings.)*

*IMPROVED FINANCIAL PROFILE: The city's financial profile showed improvement with fiscal 2011 results, as spending reductions and revenue enhancements closed a budget gap and contributed to positive results and an increase in reserves.*

Fitch acknowledged the proper and difficult decisions M&C made in the last two fiscal years, including both staff reductions and revenue increases. In this case, the light at the end of the tunnel might just be the sunlight. The report also mentioned the on going unsustainable costs associated with how we fund transit and pensions. We've got to deal with those.

### **Local Film Industry**

House Bill, HB2127, was "held" last week in the Senate Commerce Committee by the committee's Chairman, Senator Al Melvin. Of course the Chair has the authority to stop legislation from moving forward, regardless of whether or not the Bill is good. In this case, not only will this bill incentivize our film production industry on a State wide basis, it is a bill that Mr. Melvin has supported in the past. In fact, he is a co-sponsor of the Bill.

The Bill provides tax credits for certain expenditures by film production crews when they do business in Arizona. The incentives are not on par with surrounding States, but we're geographically closer than some of our competitors, so the fact that we're offering less might be offset by the less costly transit costs in getting here.

Send Mr. Melvin an email and let him know how you feel about helping our film production industry. Hopefully they're not up there drafting new language to the effect that the incentives are allowed, except in counties with populations of between 900,000 and 1.5 million.

His email address is [amelvin@azleg.gov](mailto:amelvin@azleg.gov) and if you're so inclined, his phone number is [\(602\) 926-4326](tel:(602)926-4326).

This is the same issue I have had with bills related to prison reform; that is, we are poorly served when committee chairs act to stop debate of legislation based on their own personal political inclinations.

### **Green Building**

And to close – keep your eye on what we do at the Council in the near term with respect to encouraging energy efficient building standards in Tucson. Two areas in particular (two among several that are in play) that I would like to see us advance are split-metering on new construction and crediting building appraisals for energy efficient design.

Split metering is simply to meter for utility use individual occupants of multi-unit complexes. We all know that when we're running our air conditioner off from a master meter, we are less likely to be concerned over making sure it's off when we leave the house. The same dynamics are true of gas and water. If we can meter each unit, we most certainly will save on energy use and the low end users will not be subsidizing those who use more energy.

“Green appraisals” are an area in which building owners who have invested in energy efficient design will be given credits for those investments when their property is appraised. I'll be interested in beginning this practice with City owned buildings, and encouraging the private sector to come along side of us and do the same. Training of appraisers will be necessary and working with the private sector and commercial appraisers to agree on standards and guidelines will be a part of getting this started.

Both of these are coming and I know that many of the other Council members are working on similar ideas to encourage preservation of our non-renewable resources.

Sincerely,



Steve Kozachik  
Council Member, Ward 6  
[www.tucsonaz.gov/ward6](http://www.tucsonaz.gov/ward6)

## Arts and Entertainment Events Calendar

This week and next week at the arts and entertainment venues in the Downtown, 4<sup>th</sup> Avenue, and Main Gate areas . . .

**Rialto Theatre**, 318 E. Congress St.  
 Thursday, March 22, 8:00pm. “**The Careless World Tour with Tyga**”. All ages.  
 Friday, March 23, 8:00pm. “**Fun**”. All ages.  
 Saturday, March 24, 6:30pm. “**White Chapel**”. All ages.  
 Sunday, March 25, 8:00pm. “**Jeremih**”. All ages.  
[www.RialtoTheatre.com](http://www.RialtoTheatre.com)

**Fox Theatre**, 17 W. Congress St.  
 Friday, March 23, 7:30pm. “**Man in Black: The Music of Johnny Cash**”  
 Saturday, March 24, 7:30pm. “**BANFF Film Festival**” Day 1  
 Sunday, March 25, 6:00pm. “**BANFF Film Festival**” Day 2  
[www.FoxTucsonTheatre.org](http://www.FoxTucsonTheatre.org)

**Tucson Convention Center**  
**Exhibit Hall**  
 March 24-25, 9:00am-5:00pm. “**McMann’s Roadrunner Gun Show.**”

**Music Hall**  
 Saturday, March 24, 7:30pm. and Sunday, March 25, 2:00pm “**TSO Pops! Series – Cirque de la Symphonie**”

**Leo Rich Theater**  
 Wednesday, March 21, 7:30pm. “**Mandelring String Quartet & Katrzyna Mycka**”  
<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](http://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](http://www.Moca-Tucson.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)

**The Drawing Studio**, 33 S. 6<sup>th</sup> Ave.  
 Ongoing Exhibit, Opens Saturday March 3 and runs until March 31  
 “**Arizona Encaustic 2012**”

**Meet Me at Maynards**  
 A social walk/run through the Downtown area

Every Monday, rain or shine, holidays too!  
 Maynards Market and Kitchen, 400 N. Toole Avenue, the historic train depot  
 Check-in begins at 5:15pm.  
[www.MeetMeatMaynards.com](http://www.MeetMeatMaynards.com)

#### **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/4<sup>th</sup> Avenue/Main Gate area, visit these sites:

[www.MainGateSquare.com](http://www.MainGateSquare.com)  
[www.FourthAvenue.org](http://www.FourthAvenue.org)  
[www.DowntownTucson.com](http://www.DowntownTucson.com)

#### **Other Community Events**

**Loft Cinema** [www.loftcinema.com/](http://www.loftcinema.com/)  
 Tuesday, March 20, 7:00pm. “The Green Wave” 101 N. Stone Ave.  
 Wednesday, March 21, 7:30pm. “Tomboy”

#### **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/](http://www.flandrau.org/) for events and information.

#### **Solar Power 101 - March 21 6:00 to 7:30**

Mayor Jonathan Rothschild will continue the workshops entitled Solar Power 101, which was initially begun by Congresswoman Gabrielle Giffords. This will be the first workshop since Rep. Giffords’ resignation from Congress. Topics that will be covered are the basics of solar electricity and solar hot water. The event will be held at the Wilmot Library, 530 N Wilmot Rd.

#### **Trees for Tucson**

Trees for Tucson program is a great option for residents to receive low-cost shade trees to help beautify their home and improve our community's environment, while providing long-term financial savings as the trees grow and reduce air-conditioning usage. Trees for Tucson, a program of non-profit organization Tucson Clean & Beautiful, provides these low-cost trees for planting at homes throughout much of the Tucson metropolitan area. Tucson Electric Power customers may receive desert-adapted shade trees delivered to their home for \$8.00 each, if they agree to plant the trees within 15 feet of the west, east, or south side of the home. To obtain an application form, visit [www.treesfortucson.org](http://www.treesfortucson.org) or call (520) 791-3109.