

Ward 6 Staff



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Council Member



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Ward 6 – Newsletter

SEPTEMBER 21, 2011

A Message from Steve

My friend's son is a police officer. This was what he found on a recent "routine traffic stop." While it wasn't in Tucson, it is emblematic of what our public safety workers face every day while out on the road. Thanks go out to them.

http://cms3.tucsonaz.gov/sites/default/files/ward6/9-21_picture.jpg

And speaking of public safety, congratulations to our newly minted Fire Chief Jim Critchley. We unanimously voted to remove the "Interim" title from him at Tuesday's meeting. He has the confidence of M&C as well as his troops. I look forward to working with Jim in the days ahead.

First Amendment

Last week I included the following comments in the newsletter:

“In May of 2006, Mayor and Council updated the "Rules and Regulations" that guide decorum at various City public forums, one of which is the Mayor and Council regular session. As many of you know, a part of those meetings is the Call to the Audience. The vast majority of participants make their points in a respectful manner. There are some though who insist on inflicting themselves on the rest of the people in attendance by hurling insults and simply by acting inappropriately. The 'Rules' speak to that sort of behavior:

‘Citizens attending meetings shall observe rules of propriety, decorum and good conduct. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the governing body, maybe removed by the sergeant at arms.’

At our meeting on Tuesday, we exercised that right when an individual made impertinent remarks. We will continue to do so. I mention this for those of you who may have experienced an uncomfortable display during one of your visits to our meeting and as a result have chosen to refrain from returning. Come on back. We're not going to allow the good people to be run out by those who can't leave their attitude checked at the door.”

As I kept thinking about what we were doing, a few memories kept coming back to me. I'm a baby-boomer and so I remember Skokie, Illinois when Klan members marched in a Jewish neighborhood. I remember the flag burning incidents during the Vietnam protests. And much more recently, I recall the pseudo-church (Westbro)



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

who protests at the funerals of fallen soldiers (they came to Tucson last year).

Each of those is an example of purely odious behavior and each has been afforded varying degrees of protected speech.

I also remember some bits and pieces of my Constitutional Law courses where we studied the Right to Due Process. Substantive due process very basically means that a law has to be clear enough so that a person has a reason to believe that he/she is violating it.

Well, if the Klan is protected in North Church, does the Mayor have a legitimate right to shut down an equally obnoxious display of 'impertinence' at our Council meetings without trampling on that person's speech rights? Where's the line? Is he the judge/jury? Aren't we really trying to guard against threatening (fighting words according to the Court) and disruptive behavior?

The more I thought about it, the more convinced in my own mind that our Rule is overly broad where it uses terms that can be so loosely defined (propriety, decorum, impertinent, good conduct).

I called for a study session agenda discussion because I wanted the City Attorney to clarify and defend the Rule. I also wanted to hear the perspectives from the other Council members. I do not want the taxpayers money being spent on an indefensible 1st Amendment lawsuit. On Tuesday, we had that discussion. I offered a proposal to amend the existing language of the Rule to read as follows:

“Persons attending meetings should observe rules of propriety, decorum and good conduct. Any person making statements which disrupt, disturb or otherwise impede the orderly conduct of the Council meeting, including comments which are repetitive in nature, or whose speech presents a clear and present danger, is obscene, libelous, slanderous or poses an imminent true threat may be removed by the Sergeant at Arms if directed by the Chairman. Prior to issuing that direction, the Chairman shall give the speaker at least one warning, citing the reason the speech is found to be inappropriate. Unauthorized remarks from the audience, stamping of feet, whistling, yells and similar demonstrations shall not be permitted by the Chairman, who may direct offenders from the Chambers after having issued at least one warning relative to the objectionable behavior.”

After going around the table and each of my colleagues having an opportunity to weigh in, we asked the City Attorney to take my proposal, look at what other Cities are doing and to bring back to us an amended Rule. The existing rule has never been amended and I believe it's overly broad and can stand a tune-up.

TCC

Last Thursday about 50 of us took a tour through the TCC with a list of nearly \$40M in needed repairs in hand. The walk through was the first time members of the Rio Board, that were appointed by the Legislature in early 2010, had been close to being in direct contact with more than one City Council member at a time. Not much interaction occurred



Important Phone Numbers

Senator John
McCain (R)
520-670-6334

Senator Jon Kyl (R)
520-575-8633

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

Congressman
Raul Grijalva (D)
(7th District)
520-622-6788

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

Toll free:
1-800-253-0883

State Legislators

Toll Free
Telephone:
1-800-352-8404
Internet:
www.azleg.gov

Mayor Bob Walkup
791-4201

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

but we all saw the same presentation from the Director of the TCC. We all know that the facility needs immediate attention.

Also present at the walk through were representatives of the Metropolitan Tucson Convention and Visitor's Bureau, the Tucson Gem and Mineral Society, several members of City Staff who have worked diligently with this Rio Board to sort through remaining issues, and interested members of the general public.

To bring this all up to date, let's do some "Right Way/Wrong Way" analysis.

Right way: Good for taxpayers if done right. 1999: District established

Right way: Triggered generation of TIF revenues into Rio coffers. 2002: TCC sold to District per Auditor General

Wrong way:

- District focused far more broadly than the statutorily defined primary multipurpose facility (TCC).
- Decisions suggest the District operated more like a redevelopment agency and an arm of the City than an independent multipurpose facility district.
- The pre-2010 Board appears to have exercised only a high level of control and management over TIF funds and District projects and results in the inability to track millions of taxpayer dollars from project initiation through to project completion.
- Has not focused on TCC renewal to allow it to be the catalyst to any economic redevelopment in the area.

Right way: if the Board is truly independent from the Legislature and if they are inclined to focus available funds on the Primary Component of the District, the TCC. November, 2009: SB 1003 restructured the Rio Board taking control of the financial management away from the City

So what have they done?

Right way: Since late 2009, the COT has spent nearly \$19M on renovations to the TCC. Here are links to a list showing what the City (you) have put into that facility:
http://cms3.tucsonaz.gov/sites/default/files/ward6/city_projects.pdf

Right way: Under the prior Board, approximately \$5M in capital upgrades to the TCC.

Since the new Board arrived,

Wrong way: Bond proceeds earmarked for TCC put on hold by new Board

Wrong way: Term sheets still not signed by new Board.

Wrong way: Legislature writes a letter in December of 2010 advising new Board to refrain from signing term sheets with City - validated by the fact that at their meeting on Tuesday, the Board voted to affirmatively reject the Term Sheet that we have already signed.

As recently as this week's Rio agenda, several issues on the term sheet were cast in a way

that effectively prevents Rio Nuevo from coming to terms with the City. For example, the Rio Nuevo board wants the City to “release” them from all claims. Rio is on the hook for \$130M in Science Center obligations unless and until they come to terms with the UA; the City is not taking that on the backs of the taxpayers for them. Another example is how they describe the loan that the Auditor General acknowledged and Rio conceded in their reply to the A.G is due the City taxpayers from Rio. They describe it as the “COT Alleged Loan.” This is the wrong way of going about things if you’re really serious about coming to terms with the City.

If Rio is serious about using available funds to get to work on the TCC:

Right way: We've got the list

Here's a list of the nearly \$40M in unmet needs for the facility
http://cms3.tucsonaz.gov/sites/default/files/ward6/tcc_complex.pdf

Right way: let's put the Bond proceeds intended for the TCC to work immediately.

To that end, both the Council and the Rio Board voted yesterday to form a sub-committee of three members each to meet, set priorities with respect to the needed repairs to the TCC and to move forward with those.

I'm all for it. I hope this represents a turning point in our relationship.

We addressed two very large items on Tuesday that will not get a lot of media play. Both have to do with major projects and regional policy direction and both have huge price tags associated with them.

Capital Needs

One of the items is our list of "Unmet Capital Needs" that appears in our 2012 budget. I had asked staff to look into past Bond Ordinances to ensure that the City taxpayers were getting a share of Bond projects that generally reflects our investment in the package and our population. Based on staff research, I'm convinced that we're not being shorted.

What emerged from the discussion though is that we have nearly \$940M in capital projects showing up in our budget, some of which have already been completed, some that are no longer necessary, and many that had cost estimates that are no longer accurate. In the upcoming weeks, we will go back through that list, identify what we believe to still be important projects, and identify appropriate funding sources. If you want to see the list, it's in Section C of the 2012 budget and is viewable on-line on the City web site.

Pima Association of Governments

The other large issue that will slip below the media radar is related to Pima Association of Governments (PAG) initiatives. We were given in our materials a lengthy list of items that included, among many other things, changes in the scope of the Grant Rd. widening project, the creation of an I-11 corridor that will by-pass Tucson, a project related to regional water, and one called the Sun Corridor that prepares us to create a "megapolitan" between here and Phoenix. I was not alone in directing staff to bring this package back to us for a more formal discussion so we

can give appropriate direction to our representative on the PAG board as to the positions we wish him to advocate.

Other City-wide Issues

I'm plagiarizing - this is from the Iron Horse Neighborhood Association list serve but it's excellent information. Tape it to your refrigerator.

Thanks to the IHNA for being proactive on this community wide problem.

From the Iron Horse list-serve . . .

To report graffiti in a public space or personal/business property:

1. <http://cms3.tucsonaz.gov/graffiti/report>
2. Smart phone app "mytucson"
3. 792-city
4. 791-3154 (transportation dept in-house number)

If you choose to remove the graffiti yourself:

1. Take photos of the graffiti and moniker. Include date, time, and exact location.
2. Estimate the square foot cost of clean up
3. Report the act through <http://cms3.tucsonaz.gov/graffiti/report>
4. The goal is to have it removed within 24 hours, and the sooner the better. This eliminates the recognition and notoriety that taggers seek by vandalizing the property.

If graffiti occurs on public utility boxes or equipment, then contact the owner of the property.

1. TEP <http://www.tucsonelectric.com/>
2. Tucson Water <http://cms3.tucsonaz.gov/water>
3. Comcast <http://www.comcast.com/default.csp>
4. Cox <http://ww2.cox.com>
5. SW Gas <http://www.swgas.com>
6. Qwest <http://qwest.com>
7. USPS <http://www.usps.com>
8. City of Tucson 792-2489 <<http://cms3.tucsonaz.gov/graffiti/report>>
9. Suntran 792-9222
10. AZ Dept of Transportation 388-4200

So, why does this matter? Because the City is using 20-30 gallons of paint per day for graffiti removal. That's nearly \$6,000 for paint, per month.

- The City used to pay to have 3,000 - 5,000 acts of graffiti removed.
- The Contractor has been spending up to \$100,000 PER/MONTH for graffiti abatement.
- We do not have that level of cash any longer.

If you see tagging going on, call 9-1-1 or if you simply find a new tag on your premises, abate it quickly, then call the City for assistance.

Thursday, September 22 from 5pm - 6:30pm, there will be a pre-construction open house related to the 8th Street Drainage project. The meeting will be held at the University Annex, 220 W. 6th St (the old TEP building) in the first floor conference room - A104 and A106.

This is an important meeting for businesses and people entering and exiting from the downtown area to sit and talk with the project managers so they can learn the impacts. This is a part of the Downtown Links project, and the meeting is one in what has been a series of public informational gatherings so all impacted parties can be kept current on the plans.

The City's "City Cycle" program is an under publicized opportunity for City employees to do short errands involving City business using a bicycle, leaving their cars parked, with the obvious savings on gas, air quality and the positive benefits of getting a little fresh air and exercise during the work day. In 2008 and 2009 there were nearly 600 trips in 2008 and 1,000 trips in 2009. 63% of these trips replaced a trip that would have been done in a city vehicle. Staff reductions have taken a bit of a toll on the program's use, but it's still up and rolling. Check out this link to learn the specifics and how you can take advantage of the opportunity.

http://cms3.tucsonaz.gov/sites/default/files/ward6/bike_share.pdf

Finally - two very fun events you might want to consider:

Bio Blitz, October 21 and 22 - located at both Saguaro East and West and in co-sponsorship with the National Geographic. This will be a huge 2 day science project involving thousands of people (lay people - you can participate too) exploring the desert biodiversity that surrounds us every day. Contact <http://www.nationalgeographic.com/field/projects/bioblitz/> for the events, times and locations. It's free.

Casa Vicente at 375 S. Stone is hosting a four day Flamenco performance with world class artists on an outdoor stage, with wine tasting and Tapas. It is very much an event you would enjoy. For more information go to <http://tucsonspanishflamencofestival.com/home.cfm>

Sincerely,



Steve Kozachik

Congress Street Entertainment District Events

This week at the entertainment venues on and near Congress Street in Downtown Tucson . . .

Fox Theatre, 17 W. Congress St. www.FoxTucsonTheatre.org

Thursday, September 22, 5:00-7:30pm. “**Tapas at Twilight**”, presented by the Greater Tucson Chapter of National Association of Women Business Owners. Meet the candidates for Tucson Mayor and City Council. \$35.

Friday, September 23, 7:30pm. **Emmylou Harris**. Tickets cost \$35 and up.

Saturday, September 24, 6:30pm. “Can’t Stop the Serenity: screening of *Serenity* and *Dr. Horrible’s Sing-Along Blog*”: \$10. Students, seniors, and active military: \$8.

Rialto Theatre, 318 E. Congress St. www.RialtoTheatre.com

Friday, September 23, 7:00pm. **Michael Grimm** (Bluesy Southern Soul), with Deceptively Innocent. \$25, all ages.

Saturday, September 24, 7:00pm. **PHATfest** (Dance), with Infected Mushroom. 18 and up. \$30 for one-day pass. \$50 for two-day pass, with Friday event at Club Congress.

Box Office: M-F 12:00-6:00pm. (520) 740-1000

The Screening Room, 127 E. Congress St.

September 16-24. **Arizona Underground Film Festival**

Wednesday, September 21

6:00pm [Savage](#)

8:00pm [Of Dolls and Murder](#)

Thursday, September 22

6:00pm [We Are The Mods](#)

8:00pm [Advocate For Fagdom](#)

10:00pm [Dear God No!](#)

10:30pm [Filmmaker Mixer Party at La Cocina](#)

Friday, September 23

7:00pm [The Sandman](#)

9:00pm [Snow on Tha Bluff](#)

11:00pm [The Bunny Game](#)

Saturday, September 24

3:00pm [Standing on The Edge Shorts Block](#)

5:00pm [Sweet Love and Deadly](#)

7:00pm [Dick Night](#)

9:00pm [Sennentuntschi: Curse of the Alps](#)

www.azundergroundfilmfest.com

Beowulf Alley Theatre Co., 11 S. 6th Ave. www.BeowulfAlley.org

September 8 to October 2. "Rough Crossing", by Oscar and Tony Award-winning Tom Stoppard from an original play by Ferenc Molnar

Tucson Convention Center Events

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

Tucson Music Hall

September 20-25. Broadway in Tucson presents, "West Side Story"

www.BroadwayinTucson.com

Exhibition Celebrates Arizona's Statehood

A new exhibition and lecture series is exploring the origins of Arizona's statehood, dating back to the early 20th century. UA Special Collections is hosting the year-long series, recreating the history of Arizona's coming of age. Visit <http://uanews.org/node/41420> for more information.

Pre-Construction Open House

The Downtown Links project will include improvements to the 8th Street Drainage system as well as major reconstruction of the Tucson Arroyo. Construction is expected to begin in late 2011. On Thursday, September 22 from 5:00-6:30 there will be a Pre-Construction Open House at the University Services Annex West, 220 W. 6th Street, Room A104 & A106. Come and meet representatives from the City of Tucson and Borderland Construction, learn about the MainStreet Business Assistance Program, construction schedule, and traffic controls.

Merchant of Venice September 16-18, 22-25, 29- October 2

The El Rio Theatre Project presents its fifth annual Shakespeare in the Park with Shakespeare's "Merchant of Venice". Bring a blanket and a picnic basket. The performance is being held at the Himmel Park Outdoor Amphitheater, 1000 N Tucson Blvd. Curtain time is 7p.m. for all performances; the event is free to the public with a suggested donation of \$5.

