



MEMORANDUM

Date: August 8, 2011

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to read "C.H. Huckelberry", is written over the printed name and title.

Re: **Ward 6 – Newsletter dated August 3, 2011**

I am attaching a copy of the August 3, 2011 *Ward 6 – Newsletter* from City of Tucson Councilmember Steve Kozachik. Councilmember Kozachik, on Page 3 of his newsletter, makes statements that are incorrect, and he includes a graphic I find unprofessional and without foundation. It is also troublesome for the County because the only significant new construction of City parks and other facilities has been through County authorized bonds, including the projects listed below, which have been completed just in the last year.

Bond Project No.	Project Title
OS1.16	Mission and 33rd Property
FM2.05	Roy Place Commercial Building Restoration
FM4.16	Wilmot Branch Library
NR2.09	Jefferson Park Neighborhood
NR2.09	Northwest Neighborhood Reinvestment Project
NR2.09	Midtown Sidewalk Project
NR2.09	Barrio Anita
NR2.09	Barrio Viejo Park
NR2.09	Palo Verde Lighting
NR2.09	Kino Coalition – Hidalgo Park
NR-16	Copper Vista Phase II
NR16	Barrio Kroeger Lane
HR2.10	Ghost Ranch Lodge
HR2.10	Martin Luther King, Jr. Apartments
HR2.10	Sunnyside Pointe Phase I
HR2.10	Westmoreland Neighborhood Project
PR4.30	Udall Park Sports Field Improvements
PR4.38	Rio Vista Natural Resource Park
PR4.34	Julian Wash Linear Park
PR4.37	Pantano River Park, 22 nd Street Michael Perry Park
P-05	Joaquin Murrieta Park Improvements
P-05	Juhan Park Expansion Project
CR4.17	Dunbar School

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Councilmember Kozachik states there are numerous areas throughout the bond ordinance where it is stated there are more projects than there is money. This statement does not appear numerous times; it appears only once and in the open space question. In the case of the open space bond program, Question 1, it was critical we identify more properties than could be purchased as we committed to only buying from willing sellers, and obviously, not everyone identified would want to sell. In addition, if we only identified the properties we were determined to purchase, those property owners could hold us hostage over the price of the land. We have spent almost all of the bond funds for the open space program and are proud to say that 50 properties, totaling over 45,000 acres, have been acquired at an average cost of \$3,500 an acre.

As you know from my previous communication regarding this subject, I have attempted to provide the Board of Supervisors with responses to the recent Mayor and Council memorandum from Councilmember Kozachik regarding County bonds. This response is posted on our web page. This response will also be posted, as it is important that all information regarding the bond program be available for public review and be factual and accurate.

The bond project example Council Member Kozachik uses is incorrect. The \$76 million for a new Joint Justice/Municipal Courts Complex is an accurate statement from just the last bond ordinance amendment; however, we have on numerous occasions, including in bond amendments, stated that due to City and County court programming requirements, this amount is insufficient (communications dated 04/13/04, 11/14/06, 06/27/08, 09/17/08, 03/10/09, 02/25/11, 03/04/11 and 04/05/11).

Nowhere in the original bond ordinance did we indicate the \$76 million is for the shell of the building. Well before the bond election, both the City and County were aware the Joints Court Complex would likely cost more than the \$76 million in bond funding. The Bond Advisory Committee discussed openly at public meetings prior to the election that additional non-bond funding would be needed, including the approximately \$4 million in revenue from the sale of the City's Municipal Court assets. This information was included in the original bond ordinance that was adopted by the Board prior to early voting, under "Other Funding," and remains in the current bond ordinance language that Mr. Kozachik must have been reading. After the bond election, I continued to provide the Bond Advisory Committee with updates on cost estimates and possible other funding mechanisms.

I have corresponded on multiple occasions with the City Manager, former and current, regarding the shortfall and possible solutions. On March 4, 2011, after much discussion publicly for years leading up to this, the Bond Advisory Committee, including City representative Byron Howard, unanimously approved a bond ordinance amendment reducing the scope of the project to the construction of the core and shell, with tenant

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improvements to be built in the future. Then, following the required notification in the newspaper, the Board of Supervisors also approved the amendment. Construction of the shell is scheduled to begin late 2011 and take approximately 18 months provided there is a cost sharing agreement in place between the City and County.

The City will be offered the option to participate with the County in trying to complete the Joint Courts Complex in the near future. I would hope that Councilmember Kozachik will approach these options with an open mind, rather than with rhetoric that suggests “bait and switch,” which occurs in his newsletter. The graphic, “bait and switch” language and other statements are certainly disingenuous and “cross the line.”

I look forward to continuing dialogue with the Mayor and Council when the report from City Finance Director Kelly Gottschalk is developed and delivered to the Mayor and Council in early fall of this year.

CHH/mjk

Attachment

c: The Honorable Sarah Simmons, Presiding Judge, Superior Courts
The Honorable Antonio Riojas, Presiding Judge, Tucson City Courts
Chairman and Members, Pima County Bond Advisory Committee
Nicole Fyffe, Executive Assistant to the County Administrator

Ward 6 Staff



Steve Kozachik
Council Member



Ann Charles



Donovan Durband



Teresa Smith



Bonnie Medler



Ward 6 -- Newsletter

A Message from Steve

AUGUST 3, 2011

This week I'd again like to start with a few neighborhood related issues and then move into more City and regionally related topics.

Over the course of the past few weeks we seem to have had a flurry of illegal postings of all sorts of flyers on utility poles, street signs, lamp posts, and other inappropriate places. The City has a Neighborhood Preservation Ordinance (click this link to read it <http://cms3.tucsonaz.gov/sites/default/files/ward6/NPO.pdf>) that specifically prohibits hanging handbills of any sort on a variety of structures. If you see it being done, you may report the violation by calling 791-5843. You are of course free to let us know at the Ward office, but the City is poised to respond to your calls directly. I think the award for ignorance goes out to the considerate soul who placed a Yard Sale sign on the back of a sofa that was illegally placed in a median; sort of a double-dip of dumb.

Another visual blight issue – graffiti. As was reported several months ago, the City has instituted a pilot program in the downtown area geared towards catching and prosecuting the most prolific taggers in the community. This is done by identifying their unique monikers and tracing them through various forms of social media. Once a case is built, the tagger may be busted and prosecuted. The program has so far netted three of the most egregious offenders in the community. When you see graffiti, report it, and if possible send in an email photo of the tag so the police can use it in building a case. The number to call is 792-CITY (2489) and email is graffiti@tucsonaz.gov.

Finally, as many of you are aware, the TUSD Governing Board is in the process of awarding their solicitation related to the use of some vacant school buildings that are scattered throughout the City. From the feedback I've been given through some of their Board members, some of the school sites are about to be awarded, while others might need to be sent out again for rebids.

I have met with and otherwise communicated with some of the Board members. It was my suggestion that prior to them making any specific awards that they should invite the Council member in whose ward the sites exist to meet to talk about the proposals. I also made it clear that the Board will have failed in its mission if they do not include the voice of surrounding neighbors prior to making any awards. I offered to gather Ward 6 neighborhood representatives to review specific proposals prior to



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 Board committing to any specific projects. To date I have not heard back from the TUSD Board.

There's a public process that should be included in the decision making relative to the use to which vacant school buildings will be put. I'm hopeful that the Board will support the idea of including the respective Council member, plus neighborhood representation prior to making deals with developers. To do otherwise is to ignore the reality that these buildings generally sit in the core of a given neighborhood whose residents should have a seat at the table while decisions are being crafted.

The East Entry to the TCC was built by Turner and Sundt Construction Companies, under the management of Garfield Traub. As you will recall, Garfield Traub was the developer in the project and Rio Nuevo was the owner. Despite the fact that that work occurred over a year ago, several local subcontractors have still not been paid for the work they performed.

Neither the construction companies, the developer nor Rio Nuevo has made the subcontractors who did the work whole financially. At the suggestion of M&C, the subcontractors have joined Durazzo & Eckels in a lawsuit for damages. Getting payment could well take years. It just galls me that these large companies continue to hold hostage our local firms, choosing to fight their own legal battle first in an effort to shift the burden onto somebody else.

Soon the City may have a clear path to stepping in and helping to resolve this mess through our Prompt Payment Ordinance. Until that time though, I'll continue to report out the information and hope that some combination of those three entities will come forward and write some checks to our local subcontractors. If they care about their relationships with the City and with the local workforce, one of them might want to demonstrate that concern by paying the bills. Rio, Garfield Traub, Turner and Sundt can fight out their squabble on their own dime.

Over a year ago I initiated a conversation with TREO regarding the topic of forming an inland port in the Tucson area. That was not a novel idea, but was my effort to follow through on a report called Puerto Nuevo Tucson that was developed back in 2007.

The inland port concept refers to building a coordinated series of facilities that are tied together to move goods through our area. This will involve developing our trade, freight transportation and logistics infrastructure so that this region can serve as a hub for regional, national and international commerce.

Over the past year I have had repeated conversations on the topic. The honest truth is that not a whole lot of progress has been made. For the August 9th study session, three other council members have asked to revisit the issue. I welcome them to the conversation and am hopeful that through our combined efforts we can make some headway in this important economic development idea.



Important Phone Numbers

Senator John
McCain (R)
520-670-6334

Senator Jon Kyl (R)
520-575-8633

Congresswoman
Gabrielle Giffords
(D)
(8th District)
520-384-3588

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:
1-800-362-8404

Internet:
www.azleg.gov

Mayor Bob Walkup
791-4201

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

At our last M&C meeting I raised the topic of whether the City is getting its fair share of Bond projects – our secondary property taxes pay for General Obligation Bond packages so we should receive an appropriate share of the projects. Since that time I have studied the 2004 Bond Ordinance – a 125 page document that includes each of the bond projects the voters approved. It was a \$582M Bond package – certainly City of Tucson residents should be represented in how those dollars are allocated.

It would be difficult to disaggregate “City” projects from those that have an effect on the region as a whole. Examples are flood control work, drainage work, some parks, and habitat conservation. So to this point I have not found an honest way to break apart City tax dollars and say that the City residents were not taken care of in the Bond package. But, we constitute over 53% of the County residents and pay over 41% of the secondary property taxes, so your City Council has to insure that your tax dollars are fairly represented in the outcome of the package.

What I have found though are troubling examples of information presented in the Bond Pamphlet and Ordinance that either borders on, or crosses the line of, being disingenuous. Truth in advertising – if the government is taking your money, it should tell you straight away how it’s going to be used. To the extent that that didn’t happen, this little graphic sums up how I feel about the Bond package.



Some specifics – Page one of the Ordinance states that all of the 2004 projects will be completed within 12 years of voter authorization. However, in numerous areas throughout the document it is stated that there are more projects named than there is Bond money available. I don’t believe the voters should be expected to read through 125 pages of Ordinance language to uncover that sort of information. Another example – we were told that for \$76M we’d have a new County/City Courthouse. Reading further into the document one finds that that money only covered the shell of the building, not the interior. Anything on the interior was unfunded by the Bond election and subject to finding other funding sources.

There are other examples, but suffice it to say that to the extent that we, as elected officials, ask you to open your wallets and then overpromise on what will be delivered, we open ourselves up to the charge that we have presented a bill of goods for the purpose of dangling a carrot for everyone, but with no intention or capacity to deliver. It’s bait and switch. If the City or County hopes to sell the taxpayers on a Bond package in the next year or two, it will be incumbent on us to make a clear and honest pitch relative to what is being asked, and what will be delivered. Otherwise, we have no reason to expect you to vote ‘yes.’

For the past four weeks, I have been trying to sort through the information and misinformation surrounding the City 911 Communications Center. I have regular, daily, and multiple contacts with some combination of dispatchers, service technicians, representatives from our regional partners, and City staff. Today I can say that in the past week there has

been some progress. That was in the form of a meeting that was finally held between our dispatchers and the City Manager. I give thanks to Asst. Fire Chief Dave Ridings for helping to put together the committee of our front line workers who were given a voice at the table this week. This meeting was long overdue, but it happened, and with that I'm hopeful that it will be the first of many until we solve the on-going issues that surround the 911 system.

Another group who needs to be included in the conversation is the region-wide 911 Administrators Group. These are the people who represent the surrounding agencies and jurisdictions with whom we have daily dispatch interaction. Sometimes that's in the form of overload calls being funneled to us and other times they're dispatching a medical emergency into one of our treatment facilities. Although in all cases there exists the need for everyone included in the system to have the confidence that our Communications Center is working reliably. At the present time, that level of confidence does not exist.

We will talk about the technological issues relative to the Communications Center at next weeks M&C meeting. Those issues continue to be unresolved, but having opened the door to talking with the front line dispatchers was a step in the right direction. Another needed step in that direction is for the City Manager to engage with the region-wide 911 Administrator Group, ideally in a series of joint meetings where the 911 Group, our dispatchers, Qwest service technicians, TFD/TPD and our Communications Center staff are all present to conduct an open and honest assessment of what needs to change in order to right the ship that seems to have been taking on water since the May 25 cut-over date from the old system to the new one. This comes under the heading of "better late than never" but the City Manager simply must continue and expand his involvement in this critical community and region-wide issue.

The safety of the public is our responsibility as the Governing Body. The three-legged stool that makes up the public safety system is comprised of Police, Fire/EMS and our 911 Dispatch workers.

Tucson Police has budgeted 917 officers for FY 2012 – they need 973. When you read in local media that they're hiring to fill vacancies with grant money, understand that when that money runs out, the General Fund becomes the funding source once again. Tucson Fire will be short at least 28 workers by next summer. It takes 14 firefighters to run one truck 24/7/365. I can promise a huge public "discussion" if the suggestion is made to decrease the number of firefighters on a truck. That's a safety issue. And our 911 Communications Center is actively recruiting replacement personnel but is so far down in staffing that even if we stop losing workers to other agencies who are paying more than we do, it'll take years to bring our Center up to a fully staffed/fully trained status. They need to have furlough days eliminated immediately and be considered for reclassifications so the City is paying competitive wages compared to nearby agencies.

So, a small step forward this week, and I am committed to continue to encourage the top levels of our City Management to make the 911 Center issues a top priority until we've reached something close to consensus among all of the parties involved in the discussion that things are back on the right track, we're talking region-wide, the City is competitive on a wage basis (including

