



## COUNTY ADMINISTRATOR'S OFFICE

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C. H. HUCKELBERRY  
County Administrator

March 9, 2004

James Keene, Manager  
City of Tucson  
P.O. Box 27210  
Tucson, Arizona 85726-7210

Re: **Your Letters Dated February 6 and March 3, 2004, Regarding the May 18, 2004 Special Bond Election and the Bond Implementation Ordinance**

Dear Mr. Keene:

Our staff has been buried with the myriad of details necessary to develop a bond election, including election details, publicity pamphlets, and the like. We are now in a position to turn our attention to the bond implementation ordinance.

First, regarding the following park projects and bond amounts, we would expect the City of Tucson to fully manage, design and implement them using the project scopes developed by City staff, and in the amounts allocated to each project by the County Bond Advisory Committee and action of the Board of Supervisors setting the election. These park projects are listed below:

• Eastside Sports Complex and Senior Center	\$6,000,000
• Northside Community Park	5,500,000
• Southeast Community Park	6,000,000
• Houghton Greenway	1,400,000
• Julian Wash Linear Park	3,700,000
• Arroyo Chico	1,000,000
• Atturbury Wash Sanctuary Land Acquisition and Expansion	2,000,000
• Pantano Linear Park, 22nd Street South to Michael Perry Park	2,700,000
• Rio Vista Park River Park	<u>1,500,000</u>
<b>Subtotal</b>	<b>\$29,800,000</b>

In your letter of February 6, 2004, you express concern over project funding reductions that occurred in the amounts requested by staff. County staff and I have also expressed concerns to the County Bond Advisory Committee regarding these reductions. However, the Committee voted to impose these reductions despite these concerns. Hence, we should now

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turn our attention to developing strategies and alternatives that accommodate project implementation given the action of the County Bond Advisory Committee as well as the Board of Supervisors. These actions include re-scoping the particular project to be within the allowable funding by phasing or other actions that can be implemented to reasonably accomplish the purpose of the project, but perhaps not at the level initially desired by City and County staff. Another option is to explore and supplement bond revenues with other fund sources, either federal, state or local funds, or even private contributions. The third option is one of simply not selling the bonds for which the project received authorization. After all, voter authorization to incur bonded indebtedness does not require the bonds to be sold. For example, if our joint court system ends up costing \$150 million, and only \$76 million in bonds are available, it would be imprudent to sell the bonds. Perhaps the solution in such a case would be to ask the voters to approve a supplemental bond authorization to meet the actual project cost implementation.

Obviously, as you know, estimating future costs when there are no specific project plans or details is a very difficult task. The best that can be done is what has always been done, and that is to make a reasonable estimate of the project costs, not knowing any of the contingencies or difficulties that may arise during implementation. While this is not desirable, it is the practical reality in which we find ourselves.

Regarding your preliminary input:

1. Regional Communications System - The regional governance structure regarding the communications system has been generally outlined and approved by the County Bond Advisory Committee - in essence, governance to be headed by a multi-jurisdictional management team headed by the County Sheriff, who is one of two Countywide elected law enforcement officials. Obviously, the City of Tucson would be the largest beneficiary of this program if the bond question is successful. The County Bond Advisory Committee stressed the importance of attracting outside revenue sources to meet the total financial commitment of developing the most efficient and interoperable communications system. The estimated total cost of implementation by our respective law enforcement and fire officials was \$105 million. The amount approved by the Board of Supervisors was \$92 million. If everyone works together in a cooperative manner, it is very likely that this gap in funding can easily be made up by obtaining state and federal funding for the balance. For example, the State Legislature has introduced a First Responder Bill which could help fund the system. For your information, I am also enclosing the actual language approved by the County Bond Advisory Committee regarding this particular project. As you can see, they were concerned regarding a number of issues over which I believe everyone has concerns. I also believe that one of the first orders of business for the management committee would be to develop an appropriate request for proposals to employ a third-party professional to manage and design implementation of the integrated public safety communications system.

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2. Joint City/County Court - I agree with your suggestion and would recommend that a City/County management team consisting of the two Court Administrators and Facilities Management Directors of the City and County begin developing a request for proposals to select a third-party professional project manager for project development and implementation, and necessary re-scoping to develop a joint Court system meeting the needs of both the City and County.
3. Wilmot Branch Library - The County Bond Advisory Committee was specific in their motion regarding the amount of funding to be provided for the Wilmot Library replacement. It is premature to specify that the shortfall will be provided by the Library District. However, the Bond Implementation Plan can and should discuss the potential shortfall of funds and strategies that could be employed to meet the shortfall, which could, in fact, be similar to those suggested by the County Bond Advisory Committee, such as the sale of assets that may be unnecessary once a replacement facility has been constructed. It is also certainly possible to pay for actual shortfalls from Library District revenues.
4. Neighborhood Reinvestment - The projects will certainly be coordinated with the City of Tucson and whatever staff the City so directs. If you wish, we could insert in the Bond Implementation Ordinance that City project approval is necessary if there is a financial impact associated with operation and maintenance.
5. Urban Drainage Program - We would have no objection to having City staff manage urban drainage projects within the City limits.
6. Habitat Protection Around Davis-Monthan Air Force Base - We fully agree that acquisition should be guided by the findings of the recently completed Arizona Military Regional Compatibility Project - Joint Land Use Study for Davis-Monthan Air Force Base. I am proposing that property selected for acquisition be selected through a property site selection acquisition committee consisting of the Davis-Monthan Commander, a representative of the citizens DM-50 group, and representatives of the Arizona Department of Commerce, the City of Tucson, and Pima County.
7. City of Tucson Parks and Pantano Linear Park, 22nd Street to M. Perry Park - We have no objection to the City of Tucson managing implementation of this project provided that, if the desire is to have the County maintain the river park, then final project design approval should also be approved by Pima County, as well as the Flood Control District. We would also request, to the extent possible, that reclaimed water be used to irrigate all river and/or linear parks.

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8. Fort Lowell Acquisition - I believe that the Adkins property is a primary target for acquisition. We would also want to consult with the representatives of the Fort Lowell Historic District and the Tucson/Pima County Historical Commission regarding the optimal use of these funds to acquire the most important historical properties within Fort Lowell. Regarding project management, I would be happy to discuss it with you. Our Cultural Resources Program has recently been presented a national award from the Society for American Archaeology for Excellence in Resource Management, based in part on their execution of past historic and preservation bond programs.
9. Agua Caliente Wash - These funds are targeted in the general confluence area of the Tanque Verde Creek and Agua Caliente Wash. Given additional funds necessary for the acquisition will come from the Flood Control District, the Flood Control District will be the implementing entity, and in consultation with your staff.
10. 36th Street Corridor - We would propose to manage the properties acquired as an expansion and extension of Tucson Mountain Park. Therefore, the City of Tucson will not be responsible for operation and maintenance and the project would be managed by Pima County since it would expand Pima County's Tucson Mountain Park.
11. Kino/36th Street Habitat - Agreed.
12. Dunbar School - We would agree that the City would be not be responsible for the financial cost of operation and maintenance. Project implementation must be closely coordinated with the community interests associated with Dunbar School renovation and restoration.
13. Santa Cruz River: Ajo to 29th and Grant to Fort Lowell - The development of river parks along major watercourses that are the responsibility of the Flood Control District will be implemented by the District in consultation with your staff. Operation and maintenance costs for river park development in general would be the responsibility of the County since today we operate and maintain a majority of the system.
14. Performing Arts Center - Agreed.

Regarding all other projects, we would assume that, where there are joint projects such as the joint Courts or the Public Safety Communications System, that maintenance and operating costs will be shared proportionate to use. All of the park projects, including Julian Wash and Arroyo Chico river parks or pathways, as well as the Houghton Greenway, would be maintained and operated by the City of Tucson.

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Mr. Jim Barry will be contacting Mr. Benny Young to work out the details of the Bond Implementation Plan. Thank you for your letters and cooperation. In the past, the City and County have worked together well and accomplished much, such as joint transportation corridors, a joint County/City Public Works facility, major flood control improvements, and river park improvements. I am hopeful that this cooperation can continue.

Sincerely,



C.H. Huckelberry  
County Administrator

CHH/jj

Attachment

- c: The Honorable Chair and Members, Pima County Board of Supervisors
- The Honorable Clarence Dupnik, Pima County Sheriff
- The Honorable Mayor and Council, City of Tucson
- Chair, Vice-Chair and Members, Pima County Bond Advisory Committee
- Jim Barry, Executive Assistant to the County Administrator
- Nicole Fyffe, Special Staff Assistant, County Administrator's Office




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# MEMORANDUM

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Date: December 23, 2003

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

From: C.H. Huckelberry  
County Administrator 

Re: **Regional Public Safety Communications System**

The County Bond Advisory Committee deferred any recommendation on this matter to the Board based on a number of factors, primarily a lack of adequate time to consider the proposal since it was initially proposed as two separate programs, one by the County and the other by the City of Tucson. The Committee did feel the proposal was very worthwhile if more detail could be provided and the proposal had support from public safety officials throughout Pima County.

The Sheriff has developed regional consensus on this matter and now has the endorsement of every police and fire chief within Pima County. This consensus is worthy of attention. Eight police agencies and fifteen fire agencies have concurred with the Sheriff in the concept of a regional public safety communications system, essentially every police and fire agency in Pima County. The current proposal, attached, is estimated to cost \$104.9 million. This would be a significant investment in public safety and one that should receive approval to present to the voters of Pima County.

If the Board agrees to place this item on a May bond election, I would recommend that the Bond Implementation Program contain a number of guiding principles. These are:

- A. A multi-jurisdiction police and fire management committee would be put in place to guide the bond investments to maximize effectiveness and hence public safety, with the Sheriff serving as chair of the management committee. Before bonds are sold for any purposes other than preliminary engineering and planning, the committee will develop a detailed report on: 1) system performance specifications that will provide assurances that the communications system will comply with all actual and pending national standards for such systems; 2) a detailed operation and maintenance plan that details how a single, unified, regional public safety communications system will be created and operated; and 3) all public safety agencies in Pima County, including tribal agencies, will execute intergovernmental agreements in which they commit to participate in the system as well as use communications equipment in a manner consistent with the technical specifications and management for a unified regional system, and to not operate any other communications systems that will deter from or otherwise impede the operation of the unified, regional system; and to not unilaterally withdraw from the unified, regional system without adequate written notice to all other parties to the agreement.

- B. The \$104.9 million of bonds authorized would be the maximum expenditure for the proposed regional public safety communications system. The participating public safety agencies will commit to an aggressive and continuing effort to obtain federal and state grants for this purpose. Any state or federal grant obtained would be subtracted from the amount of bonds sold and hence, local public debt necessary to accomplish this program.
- C. The systems and equipment purchased must have a physical service life of at least 20 years and will be compatible to the maximum extent practical with evolving technological innovations that can be reasonably foreseen.
- D. State and federal agencies, as well as surrounding southern Arizona counties, will also be invited to participate in development of a regional system such that the system can easily accommodate federal and state investments for this purpose.

With these principles, subject to concurrence by the Bond Advisory Committee, I would recommend that the Board include this matter on a May 2004 bond election. Including this question on the ballot would not have any adverse impact on the tax rate for debt service retirement since the Bond Advisory Committee has requested that the primary constraint be the tax rate not exceeding its present value of 82 cents per \$100 of assessed value. The length of bond sales would simply be extended for two years if this question were included in the program and all questions were passed by the voters. The bond sales would extend from seven years to nine years.

Bond counsel has advised that the bonds being sold and debt incurred by statute belong to Pima County as a political subdivision of the state, and hence the County must acquire all of the equipment or improvements being financed with bonds. This proposal includes a regional communications center, communications towers and all necessary right-of-way, modems, and handheld equipment. Pima County would retain title to the communications center and towers. However, title to the modems and handheld equipment could be passed on to the participating jurisdictions pursuant to their execution of the intergovernmental agreements discussed above. The operation of the communications center would also be determined by intergovernmental agreements between the County and all participating jurisdictions. Such intergovernmental agreements would also be discussed in detail in the Bond Implementation Plan should this program be included by the Board in the bond issue.

It should also be noted that approximately \$61.2 million of expenditure will directly benefit the City of Tucson, and the Mayor and Council have indicated that their top priority is a public safety communications system.

Providing a common public safety and emergency communications system establishes the opportunity for regional consolidated public safety, emergency dispatch and related services, hence opportunities to reduce taxpayer costs associated with the operation and maintenance of individual, stand-alone systems.

CHH/jj

Attachment

c: The Honorable Clarence Dupnik, Pima County Sheriff  
Larry Hecker, Chair, and Members, Pima County Bond Advisory Committee  
Jim Barry, Executive Assistant to the County Administrator

## **Recommendation 1 Regional Public Safety Communications System**

The County Bond Advisory Committee unanimously recommends that the Board of Supervisors include the "regional public safety communications system" project, for an amount not to exceed \$105,000,000, in a "Public Safety and Justice Facilities" question on the May 18, 2004 bond election, with the following provisos and conditions:

1. The law enforcement and fire agencies that will benefit from this project commit to supporting the entire May 18, 2004 bond program recommended by the Committee;
2. The Bond Implementation Plan for this election will include the four "guiding principles" identified by the County Administrator in his memorandum to the Board of December 23, 2003 (as modified by paragraph 4 below);
3. The County and participating agencies shall structure procurement of systems and components so that they are not needlessly constrained by proprietary interests of vendors;
4. In the Bond Implementation Plan, the County Administrator's "guiding principle" lettered as "D" regarding federal, state and surrounding county participation should be strengthened to strong encourage, rather than just invite, the participation of federal, state and adjacent counties and that any system purchased shall ensure interoperability with other federal, state and county systems;
5. The County Administrator's recommended "multi-jurisdictional police and fire management committee" shall include representation from federal, state, and surrounding county law enforcement and fire departments, and with agencies working with resource lands and wilderness fire suppression;
6. The Board should appoint a technical advisory committee that will be responsible for providing professional technical advice to the Board of Supervisors, other jurisdictions, and the public on whether proposed communications systems will work as advertised; and,
7. The regional public safety communications system will be implemented and schedule so as to be consistent with the pledge to not increase the secondary property tax for debt service above the current rate of \$0.8150 per \$100 of assessed valuation.

The County Bond Advisory Committee acknowledges that adding this project to the May 2004 bond package will increase the total recommended general obligation bond program from \$451.6 million to \$556.6 million, but believes that this can be accomplished without raising the secondary property tax.