

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, October 21, 2014. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Richard Elías, Vice Chair
Ramón Valadez, Acting Chair
Ally Miller, Member
Ray Carroll, Member

Also Present: Chuck Huckelberry, County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

1. INVOCATION

The invocation was given by Rabbi Yehuda Ceitlin, Congregation Young Israel.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. PAUSE 4 PAWS

The Pima County Animal Care Center showcased an animal available for adoption.

4. CALL TO THE PUBLIC (for Executive Session items only)

Alex Bissett spoke regarding gifts to non-profits by Supervisors. He urged the Board to put themselves in the shoes of the taxpayers.

Keith Van Heyningen voiced concern that this was like Tammany Hall in taking his money and giving it to Planned Parenthood. He stated that debt was slavery and that the community were slaves to the County.

Merritt McGlothlin urged common sense prevail in the Executive Session, to represent the taxpayers and to cease and desist these actions.

Mary Murphy spoke in opposition to taxpayer dollars going to support private interests.

5. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:22 a.m.

6. **RECONVENE**

The meeting reconvened at 9:55 a.m. All members were present.

EXECUTIVE SESSION

7. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding possible responses to the Goldwater Institute's October 10, 2014 letter to the Chair threatening legal action with respect to individual Supervisors' allocations of office operating expenses to community based nonprofit organizations.

Chris Straub, Chief Civil Deputy County Attorney, stated the item was for information only. No Board action was taken.

BOARD, COMMISSION AND/OR COMMITTEE

8. **Pima County Animal Care Advisory Committee**

Presentation of a report by the Pima County Animal Care Advisory Committee.

Jack Neuman, Chair of the Animal Care Advisory Committee, provided the third report and thanked the Board for their support of the special bond election for a new facility.

The Board took no action on this item.

FRANCHISE/LICENSE/PERMIT

9. **Liquor License**

12104328, Kelly Cooper, The Melting Pot, 7401 N. La Cholla Boulevard, Suite 109, Tucson, Series 12, Restaurant, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

10. **Extension of Premises/Patio Permit**

06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for December 4 and 13, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

11. **Fireworks Permit**

Adam Bernal, Citizens for Picture Rocks, 5615 N. Sanders Road, Tucson, October 31, 2014 at 8:30 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve the permit.

12. **Extension of Premises/Patio Permit**

06100216, James Patrick Molina, Putney's Sports Bar, 6090 N. Oracle Road, Tucson, Temporary Extension of Premises for November 1 and 2, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

13. **Comprehensive Plan Amendment**

Co7-14-01, PRF 3, L.L.C. - W. FREER DRIVE ALIGNMENT PLAN AMENDMENT
Request of PRF 3, L.L.C., represented by MJM Consulting, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT) to Medium Intensity Urban (MIU) and Resource Transition (RT) for approximately 9.79 acres located on the north side of the W. Freer Drive alignment, approximately 1,200 feet east of N. Thornydale Road and 400 feet south of W. Linda Vista Boulevard, in Section 20, T12S, R13E, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Bain, Cook and Neeley were absent) to recommend APPROVAL SUBJECT TO REZONING POLICIES. Staff recommends APPROVAL SUBJECT TO REZONING POLICIES. (District 1)

Recommended Rezoning Policies:

- A. Native riparian vegetation shall be used to enhance drainage improvements.
- B. The location of off-site mitigation properties should be within the same general geographic region of the original project site.
- C. Off-site mitigation property should provide the same or better resource values as the original project site including, but not limited to:
 - 1. Conservation Lands System (CLS) designations inclusive of 2004 Conservation Bond Habitat Protection Priority designations;
 - 2. Vegetation community type(s);
 - 3. Habitat values for applicable CLS Special Species (e.g. breeding and dispersal);
 - 4. Surface water or unique landforms such as rock outcrops; and
 - 5. Contribution to landscape connectivity.
- D. Demonstration that the resource and conservation values of the off-site mitigation property will be protected in perpetuity.

Chris Poirier, Assistant Planning Director, provided the staff report. He stated that they had received 13 letters in opposition and that 5 speakers spoke in opposition at the Commission Hearing most with concerns regarding traffic. He said the property was located within the Maeveen Marie Behan Conservation Land System and contained both Important Riparian Area and Multiple Use Management Area overlayed by a Special Species Management Area. He added that one of the policies would ensure open space objectives were met.

The following speakers addressed the Board:

- Carolyn Campbell, Coalition for Sonoran Desert Protection
- Barbara Scholten
- Raymond and Stacia Ringer
- Linda Groft

They offered the following comments:

- Support was given for the offsite mitigation and the specific recommendations from the Commission.
- The use of offsite mitigation in the Northwest corridor has become more common.
- Mitigation guidelines have been included in the Pima Prospers draft which would institutionalize the practice.
- Opposition of the change to medium density due to traffic, safety and access concerns.
- Thornydale Road needed to be widened before there was more development.
- The neighborhood would no longer be a quiet place or safe haven for children but a new neighborhood within an existing neighborhood.

Michael Marks, MJM Consulting, Inc., reported they had met with the neighbors and addressed access, traffic, two-story development, lot sizes and density. They discovered after a study that traffic was impacted by cut-through to the elementary school and that alternatives had been discussed with the school principal. He said there would be a potential for an alternative access to the north from the school through vacant property to the Linda Vista Road alignment. He stated that when Huntington Ridge was designed and platted there had been an access point off of

Crestone to the subject property for the sole purpose of providing access to the property and that the capacity of Crestone Road was designed to accommodate the future development. He spoke on the riparian area, that the designation of LIU 0.3 was no longer appropriate and that a MIU designation would recognize the urban and infill nature of the property.

It was moved by Supervisor Miller, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co7-14-01, subject to rezoning policies.

14. **Comprehensive Plan Amendment**

Co7-14-02, SIGNATURE HOMES BY MIRAMONTE, L.L.C. - W. HARDY ROAD PLAN AMENDMENT

Request of Signature Homes by Miramonte, L.L.C., represented by Projects International, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Medium Intensity Urban (MIU) for approximately 20.0 acres located on the north side of W. Hardy Road, approximately 600 feet east of N. Thornydale Road, in Section 20, T12S, R13E, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Bain, Cook and Neeley were absent) to recommend APPROVAL SUBJECT TO REZONING POLICIES. Staff recommends APPROVAL SUBJECT TO REZONING POLICIES. (District 1)

Recommended Rezoning Policies:

- A. The preliminary development plan submitted with the rezoning application shall demonstrate avoidance of the regulatory floodplain and Important Riparian Area associated with the Hardy Wash.
- B. Post-development floodplains shall be designated as Resource Transition.
- C. The location of off-site mitigation properties should be within the same general geographic region of the original project site.
- D. Off-site mitigation property should provide the same or better resource values as the original project site including, but not limited to:
 - 1. Conservation Lands System (CLS) designations inclusive of 2004 Conservation Bond Habitat Protection Priority designations;
 - 2. Vegetation community type(s);
 - 3. Habitat values for applicable CLS Special Species (e.g. breeding and dispersal);
 - 4. Surface water or unique landforms such as rock outcrops; and
 - 5. Contribution to landscape connectivity.
- E. Demonstration that the resource and conservation values of the off-site mitigation property will be protected in perpetuity.

Chris Poirier, Assistant Planning Director, provided the staff report and stated they had received two letters and a protest petition of 11 signatures in opposition. He summarized the concerns being the overall preservation of the land, traffic and flood control issues. He said the area was subject to the Multiple Use Management Area overlayed by the Special Species Management Area of the Maeveen Marie Behan Conservation Land System.

The following speakers addressed the Board:

- Carolyn Campbell, Coalition for Sonoran Desert Protection
- Kevin Nalin
- Mal Eisenberg

They offered the following comments:

- Support was given for the offsite mitigation and the specific recommendations from the Commission.
- The use of offsite mitigation in the Northwest corridor has become more common.
- Mitigation guidelines have been included in the Pima Prospects draft which would institutionalize the practice.
- Growth was inevitable and appreciation was expressed that the developer had worked with the neighbors.
- An equitable solution would be to extend Hardy Road to Shannon.

Jim Portner, Projects International, Inc., reported on the planned set aside, traffic flow and the additional CLS language recommendation. He requested the land designation be the same as the four sides surrounding the property which was Medium Intensity Urban that would match the character of the other subdivisions.

It was moved by Supervisor Miller, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co7-14-02, subject to rezoning policies.

15. **Comprehensive Plan Amendment**

Co7-14-03, CATALINA FOOTHILLS CENTER GENERAL PARTNERSHIP - N. ORACLE ROAD PLAN AMENDMENT

Request of Catalina Foothills Center General Partnership, represented by Projects International, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2), Medium Intensity Urban (MIU) and Resource Transition (RT) to Medium Intensity Urban (MIU), Neighborhood Activity Center (NAC) and Resource Transition (RT) for approximately 50 acres located immediately east of N. Oracle Road and immediately north and west of N. Genematas Drive, in Section 13, T13S, R13E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Membrila voted "Nay," Commissioners Bain, Cook and Neeley were absent) to recommend APPROVAL OF AMENDING AREAS TO NEIGHBORHOOD ACTIVITY CENTER (NAC) AND RESOURCE TRANSITION (RT), AND MODIFIED APPROVAL OF THE MEDIUM INTENSITY URBAN (MIU) REQUEST AREA TO LOW INTENSITY URBAN 3.0 (LIU 3.0), SUBJECT TO AMENDED REZONING POLICIES. Staff recommends APPROVAL SUBJECT TO REZONING POLICIES. (District 1)

Chris Poirier, Assistant Planning Director, provided the staff report and stated staff had received extensive public comment. He explained staff had recommended

approval to the Planning and Zoning Commission who subsequently recommended approval with a significant modification that the area previously requested to be MIU now be changed to LIU (Low Intensity Urban) 3.0. He said that staff supported that modified recommendation. He summarized public comment for the original recommendation as follows: 11 objections from the LIU to MIU; 5 supporters for MIU to NAC; 5 objections to the overall amendment. After the modified Commission recommendation he summarized public comment as: 14 objections and 1 support for the MIU to LIU 3.0; 14 support for MIU to NAC; and 4 objections to the overall amendment request. He added that the property was subject to the Maeveen Marie Beehan Conservation Land System with 12.5 acres of Important Riparian Area and Xeroriparian Underlying C Habitat. He restated that staff had recommended approval and that the Planning and Zoning Commission had recommended modified approval subject to rezoning policies.

The following speakers addressed the Board:

- Carolyn Campbell, Coalition for Sonoran Desert Protection
- Richard Sommerfield
- Carole DeAngeli, Oracle Foothills Neighborhood Association
- Marjorie Pellegrino
- Diana Ossana
- Mary Jacobs
- Barbara Schuessler

They offered the following comments:

- Support was given for the offsite mitigation and the specific recommendations from the Commission.
- The use of offsite mitigation in the Northwest corridor has become more common.
- Mitigation guidelines have been included in the Pima Prospers draft which would institutionalize the practice.
- The area should remain with individualized custom-built character of the houses on large lots in an open desert environment.
- Higher density and presumably cookie cutter type housing would be contrary to and detrimental to the quality of the neighborhood.
- There would be an increase in traffic problems, wild animals would be displaced and additional stress would be placed on water resources.
- Zone 2 could be appropriately developed within LIU 1.2 and the adjacent landowners expected it to be developed within the current land use designation and zoning.
- Development should be compatible and appropriate to neighboring properties.
- Concern was expressed for wildlife and vegetation, loss of privacy, higher density and more traffic.
- More research should be done on the area for intelligent growth.

Jim Portner, Projects International, Inc., explained this was not simply a request for density but that there was a vision for redevelopment of the former lodge property in a way that would be important for this site. He stated it was a prime location for something unique and would be a high end luxury boutique with hotel and walkable main street, retail restaurant area integrated in a mixed use fashion with what we would consider complimentary residential. He stated they had already seen a three to four RAC type of residential integrated in a true mixed use fashion which had been tied together. He stated they had to determine how to accommodate the past and meet new policies to make more efficient use of valuable urban lands. He explained they heard from neighborhood representatives who wanted no connectivity whatsoever between their subdivision and the development.

Supervisor Carroll questioned if the neighbors were able to meet with the developer.

Mr. Portner stated they had held a neighborhood meeting and used the list which was the same as Pima County's for notice requirements of properties within 1,000 feet. He stated they had invited everyone to an open neighborhood meeting that occurred during the summer. He indicated the concerns that were expressed could remain until the neighbors in the next process had a chance to get more specific with the design and talk about actual buffering capabilities

It was moved by Supervisor Miller to close the public hearing and approve Co7-14-03, amending areas to neighborhood activity center (NAC) and resource transition (RT), and modified approval of the medium intensity urban (MIU) request area to low intensity urban 3.0 (LIU 3.0), subject to amended rezoning policies.. The motion died for a lack of a second.

It was moved by Supervisor Elías to deny Co7-14-03. The motion died for a lack of a second.

It was then moved by Supervisor Carroll, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to continue the item to the Board of Supervisors' meeting of December 2, 2014.

16. **Power Substation Permit**

Co18-14-01, PANOUSOPOULOS / TUCSON ELECTRIC POWER COMPANY - W. ORANGE GROVE ROAD 138 KV POWER SUBSTATION PERMIT

Request of Constantino and Nelinda Panousopoulos, represented by The Planning Center on behalf of Tucson Electric Power Company, for a 138 kV power substation permit and a modification of the landscape bufferyard type "J" requirements for 115 kV or greater power substations as per Section 18.73.040D of the Pima County Zoning Code. The subject property is 9.53 acres zoned TR (Transitional) and is located at the southwest corner of the intersection of Orange Grove Road and La Cañada Drive. Staff recommends APPROVAL SUBJECT TO CONDITIONS. (District 1)

Staff recommends approval of the proposed power substation and the modification of the Bufferyard type "J" requirements, subject to the following conditions:

1. The setback for the power substation walls shall be a minimum of 200 feet from the north and west property boundaries, a minimum of 100 feet from the east property boundary, and a minimum of 50 feet from the south property boundary.
2. Natural desert vegetation shall be retained outside of the power substation walls except for those areas required to be disturbed for construction of the power substation and for safe and secure operation of the facility, including but not limited to, installation of pole structures, driveways, drainage improvements, and clear area buffering. A landscape screen shall be planted along the power substation wall perimeters, off-set as necessary for safety and security purposes. The landscape screen shall include minimum 15-gallon native trees spaced to provide a continuous canopy screen at maturity. Except for clear area required for safety and security, disturbed areas shall be replanted with native vegetation to include trees, shrubs, cacti, and ground cover. Drainage improvements shall be enhanced with native riparian vegetation.
3. Within 30 days of the Board of Supervisors' approval of the power substation permit, the property owner shall provide written request for closure of rezoning case Co9-99-15.
4. The property owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property; and, Pima County may enforce this condition against the property owner.

Chris Poirier, Assistant Planning Director, provided the staff report and stated they had not received any public comment.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve Co18-14-01, subject to conditions.

17. Amendment to the Development Agreement with TNR&S Acquisitions, Inc., regarding Omni Tucson National Resort and Spa

RESOLUTION NO. 2014 - 107, of the Board of Supervisors of Pima County, Arizona, approving and authorizing the execution of an amended development agreement between Pima County and TNR&S Acquisition, Inc. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Resolution.

PRESENTATION/PROCLAMATION

18. Presentation of a proclamation to Jim Nelson, American Lung Association, proclaiming the month of November 2014 to be: "COPD AWARENESS MONTH"

It was moved by Chair Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item. Chair Bronson made the presentation to Amber Mazzei, American Lung Association.

BOARD OF SUPERVISORS

19. Allocation of Office Operating Expenses

Discussion and action regarding possible responses to the Goldwater Institute's October 10, 2014 letter to the Chair threatening legal action, including possible adoption of a new policy, or change to an existing policy, regarding individual Supervisors' allocations of office operating expenses to outside organizations and non-profit agencies. (District 1)

Supervisor Miller read sections of Pima County Board Policy No. D 22.2 relating to allowable expenditures and questioned whether the reporting requirements of the policy were being met.

Chuck Huckelberry, County Administrator, explained that the reports were prepared in conjunction with the budget process on a monthly basis.

Supervisor Miller requested copies of the monthly reports for the last year and to be placed on future distributions. Supervisor Miller then read portions of Board of Supervisors Policy No. D29.9 regarding disciplinary action for inappropriate expenditures and asked whether internal peer audits were in place.

Chuck Huckelberry explained that those were Finance and Risk Management Internal Audit functions and he would provide their reports to the Board.

Supervisor Miller questioned the language in the County Attorney's opinion and whether the County's statutory authority superseded the state's statutory authority. She added that according to the Goldwater Institute's letter, the County did not have the statutory authority and she asked who would provide answers on whether the activities were statutorily authorized.

Chris Straub, Chief Civil Deputy County Attorney, explained that the County's authority to act in any area was defined by State statute. He added sources to answer questions could be the County Attorney's Office or the departments that specialize in those areas as they understand and interpret statutes on a regular basis.

Supervisor Miller stated that there should be a policy that specifically addressed these types of activities to ensure that they were not violating the gift clause and that all expenditures were done within the confines of the law. She stated that she hoped more definitive language would be developed.

The following speakers addressed the Board:

- Christopher Cole, Libertarian Party
- Carol Kovalik
- Richard Hernandez
- Martha Michaels

- Mary Ann Murphy

They offered the following comments:

- The Libertarian Party believed that taxpayer monies should be spent only after an open discussion and vote.
- Concern was voiced that if allowed to continue, the maximum cap of \$5000 for small awards needed to be clearly stated and better dissemination of the dollar figure to be conveyed.
- The County Attorney had an obligation to initiate and investigate the recovery of funds that could prove to have been illegally spent.
- Provide the public with proof that the public benefit requirements had been satisfied with respect to expenditures.
- If this practice continued, consider tightening the verbiage of the broad category of operating expense.
- Concern that if a policy was not made, then there would be litigation and the taxpayers would have to pay for that too.
- The practice was not ethical or legal and affected the neighborhoods as the roads were not being repaved and were a public safety issue.
- The Board should turn their leftover funds back to the general fund for roads.
- The people were owed an explanation.

It was moved by Supervisor Miller to end the practice of allocating office operating expenses for charitable or outside organizations. Supervisor Carroll seconded the motion for the sake of discussion.

Supervisor Elías then made a substitute motion that all expenditures of Board offices and their operating budgets be approved by the Board of Supervisors as a whole with the exception of salaries, office supplies/IT, and travel, and directed staff to prepare a policy to bring back to the Board by the second meeting in December and until the policy was developed that all other expenditures of the Board be placed on an agenda and voted upon to ensure transparency. Supervisor Carroll seconded the motion for the sake of discussion.

Supervisor Carroll discussed the expense categories and the exclusion of expenses for Board approval.

Supervisor Valadez questioned whether placement of these types of expenditures on a Board agenda would be required of other elected officials.

Supervisor Elías stated that issue could be incorporated into the policy which was being developed and that the row officers would have an opportunity to discuss the policy.

Upon roll call, the motion carried by a 4-1 vote, Supervisor Miller voted "Nay."

Supervisor Valadez stated the public had a right to know and moving forward a comprehensive policy was needed which should be limited to the use of General

Funds. He offered that a possibility would be to have the Outside Agency Review Committee review these types of expenditures quarterly.

Chair Bronson stated she had concerns regarding the historical allocation of federal, state and general fund monies by the County to outside agencies that serve a public purpose through the Outside Agency Review Committee process that had typically been in amounts much larger than \$5000. She directed staff to include all elected officials in a policy that would address small dollar allocations.

Chair Bronson directed staff to notify the Goldwater Institute that the Board was in the process of creating a policy regarding this matter.

Supervisor Miller objected to the continuation of the practice of allowing funding to outside agencies by Board offices.

Supervisor Carroll questioned whether the Goldwater Institute had included the awards made by the Outside Agency Review Committee.

Supervisor Valadez stated he believed the Goldwater Institute had addressed all awards of the County to outside agencies.

Supervisor Miller disagreed and stated the Goldwater Institute letter dealt only with expenditures of Board offices.

CLERK OF THE BOARD

20. Amendment of Board of Supervisors Meeting Schedule

Request to amend the Board of Supervisors Meeting Schedule by canceling the November 4, 2014 Meeting.

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

CONTRACT AND AWARD

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

21. Amity Foundation, to provide for the Dragonfly Village Playground, Tohono O'odham Nation Grant-in-Aid Fund, contract amount \$22,000.00 (CT-CD-15-133)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

22. The GVC Foundation, Inc., to provide for the Green Valley Household Hazardous Waste Collection Program, Tohono O'odham Nation Grant-in-Aid Fund, contract amount \$14,200.00 (CT-CD-15-134)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

23. Southern Arizona Rescue Association, to provide for medical training and equipment, Tohono O'odham Nation Grant-in-Aid Fund, contract amount \$24,864.00 (CT-CD-15-135)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

24. Tu Nidito Children and Family Services, to provide for satellite grief support groups, Tohono O'odham Nation Grant-in-Aid Fund, contract amount \$10,000.00 (CT-CD-15-136)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

25. YMCA of Southern Arizona, to provide for the Teens as Teachers of Others (TATOO) Program, Tohono O'odham Nation Grant-in-Aid Fund, contract amount \$53,500.00 (CT-CD-15-138)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

INFORMATION TECHNOLOGY

26. **Ratification**

CGI Technologies, Inc., Amendment No. 4, to provide additional software licenses and a transparency module, General Fund, contract amount \$329,727.00 (MA-PO-B507297-BC)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

27. **Ratification**

CGI Technologies, Inc., Amendment No. 5, to provide additional software maintenance, General Fund, contract amount \$433,792.50 (MA-PO-12-374)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

PROCUREMENT

28. Limited Competition: Award of Contract, Requisition No. 15-77, Infor Public Sector, Inc. (Headquarters: Alpharetta, GA) for Hansen Software upgrade and related services in an award amount of \$449,328.50. Contract is for a one-year term and includes four one-year renewal periods. Funding Source: General RWRD Enterprise Fund. Administering Department: Information Technology.

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item as amended.

SCHOOL SUPERINTENDENT

29. Pima County Board of Supervisors, Pima County Recorder and Superintendent of Schools, Amendment No. 4, to provide school district election services and extend contract term to 6/30/15, no cost (CT-SS-12-951)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

30. Pima County Board of Supervisors, Elections Department and Superintendent of Schools, Amendment No. 4, to provide school district election services and extend contract term to 6/30/15, no cost (CT-SS-12-2257)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

GRANT APPLICATION/ACCEPTANCE

31. **Acceptance - Sheriff**

Arizona Department of Public Safety, to provide for border crimes and human smuggling enforcement, \$350,000.00 (GTAW 15-32)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

32. **Acceptance - County Attorney**

Arizona Automobile Theft Authority, to provide for FY 2015 Vertical Prosecution Program, \$83,048.00 (GTAW 15-40)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

33. Acceptance - County Attorney

U.S. Department of Health and Human Services - Substance Abuse and Mental Health Services Administration, to provide for the Drug Treatment Alternative to Prison Program, \$348,142.00 (GTAW 15-41)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

34. Acceptance - County Attorney

City of Tucson, to provide for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, U.S. Department of Justice United States Attorney Fund, \$182,878.00 (GTAW 15-43)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

35. Acceptance - Community Services, Employment and Training

Arizona Department of Economic Security, Amendment No. 12, to provide for case management and community services, U.S. Department of Health and Human Services - Administration for Children and Families Fund, \$164,313.00 (GTAM 15-23)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

FRANCHISES/LICENSES/PERMITS

36. Fireworks Permit

Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, November 8, 2014 at 9:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve the permit.

37. Extension of Premises/Patio Permit

06100276, Holly Elaine Bristol, River's Edge Lounge, 4635 N. Flowing Wells Road, Tucson, Temporary Extension of Premises for November 23, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit

subject to the resolution of the parking concerns noted by staff and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

CONSENT CALENDAR

38. Call to the Public (for Consent Calendar items only)

The Chair inquired whether anyone wished to address the Board. No one appeared.

39. Approval of the Consent Calendar

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the Consent Calendar in its entirety.

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CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Catholic Community Services of Southern Arizona, Inc., d.b.a. Pio Decimo Center, Amendment No. 1, to provide for the Pio Decimo Transitional Housing Project and amend contractual language, CDBG Fund, contract amount \$135,075.00 (CT-CD-14-409)

Facilities Management

2. YMCA of Southern Arizona, Amendment No. 1, to provide a ground lease for property located at 60 W. Alameda Street, extend contract term to 10/30/39 and amend contractual language, contract amount \$250.00 revenue (CTN-FM-CMS139232)

Health

3. Arizona Department of Health Services, Amendment No. 1, to provide for public health accreditation preparation activities, extend contract term to 9/30/15 and amend contractual language, contract amount \$100,092.60 revenue (CTN-HD-14-156)

Information Technology

4. Tower Development Corporation, Amendment No. 1, to provide an easement for property located at 7770 N. Shannon Road, extend contract term to 10/20/19 and amend contractual language, contract amount \$169,254.27 revenue (CTN-IT-CMS142407)

5. Simply Bits, L.L.C., Amendment No. 2, to provide a license agreement for property located at 4020 E. River Road and extend contract term to 11/8/16, no cost (CTN-IT-12-287)
6. University of Arizona Police Department, to provide for subscriber services and repair of portable and mobile radio equipment, contract amount \$6,089.58 revenue (CTN-IT-15-43)

Procurement

7. **Award**
Limited Competition: Award of Contract, Requisition No. 15-19, CBIZ Benefits & Insurance Services of Arizona, Inc. (Headquarters: Tucson, AZ) for employee benefit consulting services to be provided in the total amount of \$300,000.00 (annually \$100,000.00). Contract is for a three-year term and includes two one-year renewal periods. Funding Source: General Fund. Administering Department: Human Resources.
8. **Award**
Low Bid: Award of Contract, Solicitation No. 141884, in the amount of \$1,457,848.21 (Total Bid Amount) to the lowest responsive bidder, K & F Electric, Inc. (Headquarters: Fenton, MO) for construction of the Conveyance SCADA Upgrade Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.
9. **Award**
Amendment of Award: Contract No. MA-PO-B501729-BC, Amendment No. 9, Avra Gro Systems, Inc., to provide biosolids management program services, extend contract term one additional year to 12/31/15 and increase contract award amount by \$1,200,000.00. Funding Source: RWRD Operating Fund. Administering Department: Regional Wastewater Reclamation.
10. Westland Resources, Inc., Amendment No. 3, to provide for the southeast interceptor augmentation-feasibility study alignment study and design, extend contract term to 4/30/17 and amend contractual language, RWRD Obligation Fund, contract amount \$1,265,342.00 (CT-WW-14-173) Regional Wastewater Reclamation

Sheriff

11. Town of Oro Valley, to provide a software license for the PCWIN Radio Logging Recorder, 2004 Bond Fund, contract amount \$4,556.00 (CT-SD-15-131)

GRANT APPLICATION/ACCEPTANCE

12. **Acceptance - Community Development and Neighborhood Conservation**
Tohono O'odham Nation, to provide Grant-in-Aid gaming revenue to Amity Foundation, \$22,000.00 (GTAW 15-34)
13. **Acceptance - Community Development and Neighborhood Conservation**
Tohono O'odham Nation, to provide Grant-in-Aid gaming revenue to The GVC Foundation, Inc., \$14,200.00 (GTAW 15-35)
14. **Acceptance - Community Development and Neighborhood Conservation**
Tohono O'odham Nation, to provide Grant-in-Aid gaming revenue to Southern Arizona Rescue Association, \$24,864.00 (GTAW 15-36)
15. **Acceptance - Community Development and Neighborhood Conservation**
Tohono O'odham Nation, to provide Grant-in-Aid gaming revenue to Tu Nidito Children and Family Services, \$10,000.00 (GTAW 15-37)
16. **Acceptance - Community Development and Neighborhood Conservation**
Tohono O'odham Nation, to provide Grant-in-Aid gaming revenue to YMCA of Southern Arizona, \$53,500.00 (GTAW 15-38)

BOARD, COMMISSION AND/OR COMMITTEE

17. **Air Quality Hearing Board**
Appointment of Marian LaLonde to fill the vacancy created by James A. Mather. Term expiration: 10/31/17. (Staff recommendation)

SPECIAL EVENT LIQUOR LICENSE APPROVED PURSUANT TO RESOLUTION NO. 2002-273

18. Kirsten L. Polivchak, Tucson Alliance for Autism, St. Philip's Plaza, 4280 N. Campbell Avenue, Tucson, November 1, 2014.

FINANCE AND RISK MANAGEMENT

19. **Duplicate Warrants - For Ratification**
Sherralyn Bludau \$155.00; Mae Kleine \$18.25; Willis Taylor \$140.00; Keven Sanders, Jr. \$160.00; Veronica Scott \$155.00; Carol Brichta \$117.52; City of Tucson \$12,175.57; James F. Kelaher \$140.00; Mary Ellen Kelaher \$140.00; Catholic Community Services of Southern Arizona, Inc. \$8,626.25; Josefina Torres \$452.00; Timothy S. Hawkins, P.C. \$35.20

RATIFY AND/OR APPROVE

20. Minutes: September 16, 2014 and October 1, 2014

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40. CALL TO THE PUBLIC

Carol Kovalik thanked the Board for all that she had learned from rezoning to cats and dogs, to spending of budgeted funds and non-profits. She stated that she hoped the Board would develop a policy for the best use of taxpayer dollars.

Merritt McGlothlin addressed the Board regarding the \$22 million dollars for Pima Animal Care and remarked that the Board acted like a major corporation with heavy handed politics.

Geri Ottoboni spoke regarding the call to the public and Proposition 415.

Keith Van Heyningen addressed the \$22 million for a dog pound versus the \$600 million in bonds forced upon the taxpayers, the roads not being fixed and the enemies of liberty.

Christopher Cole commented on the County Attorney's opinion and their not acting in the best interest of their client.

Richard Hernandez requested the call to the public be at the beginning of the meeting, commented on the Sergeant at Arms during call to the public, and that people were not permitted to speak at the meeting last week.

Kris Thompson spoke to the Board in support of Proposition 415.

Mary Murphy addressed the Board regarding Green Valley issues and her homeowner's association.

Kristin Almquist spoke to the Board regarding Vote Yes for Prop 415.

41. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:07 p.m.

CHAIR

ATTEST:

CLERK