

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board 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, March 20, 2018. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
 Ramón Valadez, Vice Chair
 Sharon Bronson, Acting Chair
 Ally Miller, Member
 Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
 Andrew Flagg, Chief Civil Deputy County Attorney
 Julie Castañeda, Clerk of the Board
 Charles Lopiccolo, Sergeant at Arms

1. **Program for Public Information**

RESOLUTION NO. 2018 - FC¹, of the Pima County Flood Control District Board of Directors approving the first annual update of the program for public information as part of the National Flood Insurance Program's community rating system.

It was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to adopt the Resolution.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:06 a.m.

CHAIRMAN

ATTEST:

CLERK

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, March 20, 2018. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
Ramón Valadez, Vice Chair
Sharon Bronson, Acting Chair
Ally Miller, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Charles Lopiccolo, Sergeant at Arms

1. **INVOCATION**

The invocation was given by Pastor Joan E. Wiggins, Mount Calvary Missionary Baptist Church.

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. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Susan Kinkade, Banner University Medical Center, proclaiming the day of Saturday, March 31, 2018 to be: "STOP THE BLEED DAY"

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

5. **CALL TO THE PUBLIC**

Roger D. Score addressed the Board regarding overspending and the historic County courthouse.

Martha Michael spoke to the Board regarding failed roads in Sabino Town and Country Estates and exploring alternate pavement solutions.

Stan Caldwell addressed the Board regarding Green Asphalt.

Linda Leedberg thanked the Board for considering Sabino Town and County Estates as a pilot project for Green Asphalt.

Keith Van Heyningen addressed the Board regarding health and safety issues.

Jackie Kain and Eva Romero addressed the Board regarding support for the Arts Foundation for Tucson and Southern Arizona, and asked that allocations be increased.

Steve Diamond, Indivisible Southern Arizona Justice Alliance, addressed the Board in opposition to the High Intensity Drug Trafficking Areas (HIDTA) Program.

Isabel Garcia inquired about the Pima County Sheriff Department's response to concerns regarding Operation Stonegarden and recommended that the Board review the U.S. Border Patrol's Strategic Plan.

Mari Herreras addressed the Board regarding Operation Stonegarden and the safety of the residents in Pima County.

Billy Peard, Staff Attorney, American Civil Liberties Union Arizona, addressed the Board regarding Operation Stonegarden and commented that the Sheriff's Department lacked a relatable policy regarding interactions with immigration and Border Patrol.

David Buer expressed his concerns regarding Operation Stonegarden and the HIDTA Program. He commented that these programs could result in the public losing trust in law enforcement.

Ryan Kelly addressed the Board regarding Federal Grants for the Sheriff's Department.

Leon Woodward addressed the Board in opposition to the funding request submitted by the Pima County Assessor.

COUNTY ADMINISTRATOR

6. Colossal Cave Cooperative Management, Operation and Development Agreement for the Operation of Show Cave and Other Facilities

Staff recommends waiving Section 13.3.2 of the agreement for this year only and to direct the operator to allocate the cost of the audit directly to improvements at the Colossal Cave Mountain Park. The operator will be required to provide a reviewed financial statement for the period.

It was moved by Supervisor Bronson and seconded by Supervisor Christy to approve the item. No vote was taken at this time.

Supervisor Miller stated that she objected to waiving the audit because it would present problems in the future.

Upon the vote, the motion carried 4-1, Supervisor Miller voted "Nay," to approve the item.

ASSESSOR

The Board of Supervisors on February 20, 2018, continued the following:

7. Contract

Helm, Livesay & Worthington, Ltd., Amendment No. 2, to provide legal advice and representation and extend contract term to 2/16/19, General Fund, contract amount \$50,000.00 (CT-AS-15-356)

It was moved by Supervisor Bronson and seconded by Supervisor Miller to deny the item. No vote was taken at this time.

Supervisor Bronson inquired whether this contract should have been processed through the County Administrator's Office prior to coming before the Board.

Chuck Huckelberry, County Administrator, responded that this contract to hire outside counsel was previously approved by the County Attorney's Office and did not require that it be processed through the County Administrator's Office. He indicated that this case involved a 2015 tax case with El Con. He recommended approval of the amendment and noted that denial could result in costly litigation. He added the Assessor had indicated he would not hire outside counsel in the future.

Supervisor Miller stated that she had requested information from the Assessor regarding legal fees and had not yet received a response. She inquired whether the Assessor would be over budget if this contract was approved.

Chairman Elías responded that the Assessor's Office has been under budget during Mr. Staples' tenure.

Supervisor Valadez inquired about the consequences if the contract were to be denied.

Mr. Huckelberry responded that the Assessor would appeal to the court and compelled the Board to approve the amendment.

Supervisor Valadez inquired whether the County Attorney's Office had a conflict of interest.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that a conflict existed and it was determined that this was a legitimate use of outside council.

Supervisor Valadez provided staff direction to seek more clarity and answers to the questions he posed to the Assessor's Office.

Mr. Huckelberry indicated that the Assessor had provided a list of 45 cases, which included full cash value, limited value and State Board of Equalization valuation. He noted that for 25 of those cases, the Assessor was appealing the State Board of Equalization values that were below the limited value. He added that in the remaining cases further explanation was needed from the Assessor.

Supervisor Bronson commented on a letter the Board received from Brian Johnson, which stated there were falsehood in the Assessor's 2014 tax year case for El Con Mall.

Supervisor Bronson withdrew her motion.

It was then moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to continue this item to the Board of Supervisors' Meeting of April 3, 2018.

DEVELOPMENT SERVICES

8. Final Plat With Assurances

P17FP00013, Santa Rita Ranch III, Lots 276-330 and Common Areas "A" (Open Space), "B" (Natural Open Space) and "C" (Open Space & Mitigation). (District 4)

It was moved by Chairman Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve P17FP00013.

9. Final Plat With Assurances

P16FP00013, La Cholla Station, Lots 1-35, Block 1 and Common Areas "A" (Drainage and Landscape), Common Area "B" (N.O.S.) and Common Area "C" (Private Streets and Public Sewer). (District 1)

It was moved by Chairman Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve P16FP00013.

FACILITIES MANAGEMENT

10. Contract

Metropolitan Tucson Convention & Visitors Bureau, d.b.a. Visit Tucson, to provide a lease agreement for property located at 115 N. Church Avenue, contract amount \$5,373,117.00/15 year term revenue (CTN-FM-18-123)

It was moved by Supervisor Bronson and seconded by Chairman Elías to approve this item. No vote was taken at this time.

Supervisor Miller inquired as to why the County was funding tenant improvements over County road repairs and added that she would not support this contract.

Chairman Elías commented that the historical courthouse was a vital piece of Pima County real estate and that it was critical to the economic success of the downtown region.

Supervisor Valadez inquired whether the tenant improvements were advertised in the lease.

Chuck Huckelberry, County Administrator, responded that the tenant improvements were advertised in the lease and were paid for up front. He added that the lease with the Visitor's Center stated that they would reimburse and fund \$975,000.00 worth of tenant improvements. Mr. Huckelberry added that the University of Arizona would be responsible for over \$4 million worth of tenant improvements, which would come from donations. He also noted that the University of Arizona would pay an interest rate identical to the rate the County pays for short term Certificates of Participation (COPS). Mr. Huckelberry explained that the University of Arizona would be paying market rate for the laboratory and storage rental space while the museum space would be provided at no cost. He then noted that road repair options will come before the Board on April 3, 3018.

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

11. Contract

The Arizona Board of Regents, University of Arizona, to provide a lease agreement for property located at 115 N. Church Avenue, contract amount \$6,450,039.00/15 year term revenue (CTN-FM-18-124)

(Clerk's Note: The discussion on this matter was held in conjunction with Minute Item No. 10.)

It was moved by Supervisor Bronson and seconded by Chairman Elías to approve this item. Upon roll call vote, the motion carried 4-1, Supervisor Miller voted "Nay."

FINANCE AND RISK MANAGEMENT

12. Outstanding Sewer Revenue Bonds and Obligations

RESOLUTION NO. 2018 - 16, of the Board of Supervisors, authorizing the prepayment or redemption of certain outstanding sewer revenue bonds and obligations with County funds; authorizing the appointment of depository trustees and the execution of Depository Trust Agreements and other necessary agreements, instruments and documents in connection with the prepayment or redemption of such bonds or obligations; and authorizing other actions and matters in connection therewith.

It was moved by Supervisor Valadez and seconded by Supervisor Bronson to adopt the Resolution. No vote was taken at this time.

Chairman Elías expressed concern and questioned the purpose of this resolution in light of the fact that the Regional Wastewater Reclamation Department (RWRD) had recently requested an increase in user fees for County residents.

Chuck Huckelberry, County Administrator, responded that RWRD's request to raise user fees was due to an equity issue and not a revenue issue. He indicated that excess revenues generated by the utility become segregated and could be used to prepay debt and remove the need to raise rates in the future. He noted that a legal analysis showed that the County could create separate escrow accounts to meet the 1.25 ratio required, this would keep the utilities solvent from a creditor's perspective and could count as a revenue source against expense ratios to retain credit rating.

Chairman Elías inquired if the Debt Service Ratio (DSR) remained at 1.25.

Mr. Huckelberry confirmed that the DSR was at or above 1.25. He stated that the ability to prepay debt resulted in debt reduction, which would prevent rate increases, assuming there were no catastrophic system failures.

Supervisor Miller inquired about the segregation of excess revenues and who authorized the pay back.

Mr. Huckelberry responded that the County segregated the excess revenues and the question was whether or not the County could use the segregated cash in an escrow account that would count against the revenue and expense ratios needed to maintain the credit rating.

Supervisor Miller then questioned why the County had not previously explored this option and if rates would be decreased in the future.

Mr. Huckelberry responded that the Finance and Risk Management Director began exploring this option within the last 18 months. He then stated that there were steady state obligations for major capitol repair of the inceptor system that must continue on an ongoing basis, he estimated that to be \$30 to \$40 million per year. He added that within 10 years the debt would be gone and the County could consider rate reductions or creating a capital accumulation fund for "pay-as-you-go." He explained that at this time he would like to focus on stabilization and paying off debt.

Tom Burke, Deputy County Administrator, explained that this was a new approach and that the primary approach had been to prepay debt. He added that the sewer revenue obligations bonds issued, in the past year, have been prepaid and the County had bought back all debt they were allowed to buy back. He indicated that the money set aside in the escrow account would pay the debt when possible and the Auditor General would no longer consider it debt.

Upon the vote, the motion unanimously carried 5-0.

13. **Tucson January 8th Memorial Foundation Donation and Naming Agreement - Shirley Estes**

Staff recommends acceptance of a \$100,000.00 donation and naming agreement by Shirley Estes for the Tucson January 8th Memorial Foundation.

It was moved by Chairman Elías and seconded by Supervisor Bronson to approve the item. No vote was taken at this time.

Chairman Elías thanked Shirley Estes for her donation.

Upon the vote, the motion carried 4-1, Supervisor Miller voted "Nay," to approve the item.

14. **Tucson January 8th Memorial Foundation Donation and Naming Agreement - Margaret E. Mooney Foundation**

Staff recommends acceptance of a \$100,000.00 donation and naming agreement by the Margaret E. Mooney Foundation for the Tucson January 8th Memorial Foundation.

It was moved by Chairman Elías and seconded by Supervisor Bronson to approve the item. No vote was taken at this time.

Chairman Elías thanked the Margaret E. Mooney Foundation for their donation.

Upon the vote, the motion carried 4-1, Supervisor Miller voted "Nay," to approve the item.

PROCUREMENT

15. Contract

Kittle Design and Construction, L.L.C., to provide for the Pima County Historic Courthouse Interior Tenant Improvement Project (XOCH02), Capital Non-Bond Projects Fund, contract amount \$7,350,696.00 (CT-FM-18-276) Facilities Management

(Clerk's Note: The discussion on this matter was held in conjunction with Minute Item No. 10.)

It was moved by Supervisor Bronson and seconded by Chairman Elías to approve this item. Upon roll call vote, the motion carried 4-1, Supervisor Miller voted "Nay."

FRANCHISE/LICENSE/PERMIT

16. Hearing - Liquor License

09100063, Kim Kenneth Kwiatkowski, Circle K Store No. 3493, 4600 W. Valencia Road, Tucson, Series 9, Liquor Store, Location Transfer.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was then moved by Supervisor Bronson, seconded by Supervisor Miller 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.

17. Hearing - Agent Change/Acquisition of Control/Restructure

10103731, Alice Soto, Los Acres Grocery, 4141 W. Tetakusim Road, Tucson, Acquisition of Control.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was then moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license subject to the Sheriff's Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

18. Hearing - Rezoning

P17RZ00009, VANDER-HAYDEN, ET AL. - S. SAN JOAQUIN AVENUE REZONING

Request of Gerald and Kristi Vander-Hayden, representing Debra Gowin and Shelly Gowin, for a rezoning of approximately 2.17 acres from the SH (Suburban Homestead) zone to the CMH-1 (County Manufactured and Mobile Home-1) zone,

on property located on the east side of S. San Joaquin Avenue, approximately 800 feet south of W. Irvington Road and approximately 150 feet north of W. Nebraska Street. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 3.0. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Bain and Tronsdal were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 5)

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Transportation condition:
Access to the rezoning site shall be on San Joaquin Avenue as shown on the sketch plans. One access is allowed for the northern two lots, and one access is allowed for the southern two lots.
3. Flood Control conditions:
 - A. A Floodplain Use Permit is required for all development on the lots being split from parcel 137-12-034A including replacement of mobile and manufactured homes and driveway improvements. The extent of floodplains and habitat shall be indicated on the recorded deeds by metes and bounds legal description and/or recorded survey.
 - B. The riparian area shown on the sketch plan shall be avoided by future development.
4. Wastewater Reclamation conditions:
 - A. The owner (s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Adherence to the sketch plans as approved at public hearing. The number of lots and residential units is limited to four.

6. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134.
7. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve P17RZ00009, subject to standard and special conditions.

19. **Hearing - Rezoning**

P17RZ00010, HAYMORE - W. SUNKIST ROAD REZONING

Request of David and Barbara Haymore for a rezoning of approximately 2.90 acres from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) zone, on property located approximately 336 feet south of W. Sunkist Drive and approximately 2,840 feet east of N. La Cholla Boulevard and approximately 2,000 feet west of N. La Canada Drive. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 0.3. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Gungle and Membrilla voted Nay; Commissioners Bain and Tronsdal were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Adherence to the sketch plan for one dwelling as approved at public hearing.
3. A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines for the Multiple Use Management Area designation, which calls for two conserved acres for each acre developed, by limiting the total amount of grading to no more than 42,108 square feet (.97 acres), or approximately one-third of the site.
- B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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 within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.
 Invasive Non-Native Plant Species Subject to Control
 - Ailanthus altissima Tree of Heaven
 - Alhagi pseudalhagi Camelthorn
 - Arundo donax Giant reed
 - Brassica tournefortii Sahara mustard
 - Bromus rubens Red brome
 - Bromus tectorum Cheatgrass

Centaurea melitensis Malta starthistle
 Centaurea solstitialis Yellow starthistle
 Cortaderia spp. Pampas grass
 Cynodon dactylon Bermuda grass (excluding sod hybrid)
 Digitaria spp. Crabgrass
 Elaeagnus angustifolia Russian olive
 Eragrostis spp. Lovegrass (excluding E. intermedia, plains lovegrass)
 Melinis repens Natal grass
 Mesembryanthemum spp. Iceplant
 Peganum harmala African rue
 Pennisetum ciliare Buffelgrass
 Pennisetum setaceum Fountain grass
 Rhus lancea African sumac
 Salsola spp. Russian thistle
 Schinus spp. Pepper tree
 Schismus arabicus Arabian grass
 Schismus barbatus Mediterranean grass
 Sorghum halepense Johnson grass
 Tamarix spp. Tamarisk

4. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134.
5. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
6. Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.
7. The rezoning is subject to SR (Suburban Ranch) development standards with exception of minimum site area and minimum lot area per dwelling unit.
8. (In addition to the conservation restrictions of condition #3.A) grading shall be limited to 10 percent of the rezoning site area.

David Haymore addressed the Board in support of the Sunkist Road rezoning and added that the original request was for a variance, however, staff recommended rezoning the property to an SR-2.

Kevin Hartman addressed the Board in support of a variance and indicated that he objected to the rezoning. He also expressed concerns with the responsibility of maintaining the "chip and sealed" road.

Chris Poirier, Deputy Director, Development Services, responded that a variance could have been pursued with a similar outcome, however, the rezoning process allowed the implementation of rezoning conditions specific to the request, and those conditions would not be as easily enforced with a variance. He added that the commission and staff recommended approval because the lot size was within the SR category and he indicated that it would not set a precedence for any other rezoning requests in the future.

Mr. Hartman stated that he was concerned with staff's recommendation that the easement be "chip and sealed." He indicated that this was a private road and he did not want to be responsible for maintaining the road if the rezoning was approved.

Mr. Poirier responded that the condition was that the applicant be responsible for constructing the easement and ultimately the responsibility of maintenance would be on the property owners. He added that the Board did not have to impose this condition, but that the Department of Transportation preferred to address dust control issues when possible.

Supervisor Miller inquired whether this was a new easement or an existing easement.

Mr. Hartman responded that it was an existing easement.

Supervisor Miller inquired where there were any objections to removing the condition that the property owners be required to pave the easement.

Mr. Hartman expressed concerns that approving this rezoning would set a precedence for other property owners to do the same.

Mr. Poirier responded that each request for rezoning would be reviewed and evaluated on an individual basis, regardless of the outcome of this case.

John Ritchie expressed the same concerns as Mr. Hartman and indicated that he was opposed to the rezoning and preferred the variance.

Supervisor Miller inquired about the difference between a variance and a rezoning and asked why staff had chosen a rezoning over a variance.

Mr. Poirier responded that when the Board of Adjustment had analyzed a variance, a core criterion was that there was no self-imposed hardship. He noted that while a variance would not be impossible to obtain, the method was not preferred for a real land use process similar to this rezoning request.

Barbara Haymore addressed the Board in support of the rezoning and stated that none of the other possible candidates for rezoning possessed the unique attributes that they did within their request.

Mr. Poirier suggested including a condition to the rezoning that stated, "except for minimum lot size, the SR development standards would apply." He indicated that this statement would create developments in a similar fashion of the surrounding SR and that it would have a greater setback for the main structure and greater controls if property owners wished to introduce corrals or other animal uses.

Supervisor Miller clarified whether this was a rezoning or variance there was a possibility that other property owners would make the same request. She stated that she approved the additional condition because it would require that the property to be developed used SR standards. She then requested the inclusion of a additional condition that grading be limited to 10 percent within the area being rezoned.

It was moved by Supervisor Miller and seconded by Supervisor Bronson to close the public hearing and approve P17RZ00010, subject to standard and special conditions, including the two additional conditions identified. Upon roll call vote, the motion unanimously carried 5-0.

FINANCE AND RISK MANAGEMENT

20. Tucson January 8th Memorial Foundation Donation and Naming Agreement - The Raytheon Company

Staff recommends acceptance of a \$250,000.00 donation and naming agreement by the Raytheon Company for the Tucson January 8th Memorial Foundation.

It was moved by Chairman Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, Supervisor Miller recused herself due to a potential conflict of interest, to approve the item.

GRANT APPLICATION/ACCEPTANCE

21. Acceptance - Community Services, Employment and Training

City of Tucson, to provide for the Continuum of Care - ECHO Supportive Housing Program, HUD Fund, \$101,129.00/\$25,282.25 General Fund match (GTAW 18-66)

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

CONSENT CALENDAR

22. Approval of the Consent Calendar

Upon the request of Supervisor Valadez to divide the question, Consent Calendar Item No. 7 was set aside for separate discussion and vote.

It was then moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to approve the remainder of the Consent Calendar.

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISOR VALADEZ

GRANT APPLICATION/ACCEPTANCE

7. Acceptance - Sheriff

Executive Office of the President, Office of National Drug Control Policy, to provide for the High Intensity Drug Trafficking Areas (HIDTA) Program, \$363,463.00/\$64,000.00 General Fund match estimate (GTAW 18-65)

It was moved by Supervisor Valadez and seconded by Supervisor Miller to table this item until the 5 conditions outlined within acceptance of the Stonegarden Grant were met. Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

* * *

CONSENT CALENDAR

CONTRACT AND AWARD

Community Services, Employment and Training

1. Joint Technical Education District (JTED), to provide for the JTED Student Internship Program, no cost (CTN-CS-18-122)

Natural Resources, Parks and Recreation

2. Tucson Audubon Society, Amendment No. 3, to provide for a nature shop at Roy P. Drachman - Agua Caliente Park and extend contract term to 4/30/19, no cost (CTN-PR-15-136)

Procurement

3. Award

Award: Multiple Master Agreements for automotive truck and off road tires. Master Agreements are for an initial term of one (1) year in the shared annual award amount of \$831,300.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Fleet Internal Services Fund. Administering Department: Fleet Services.

Group A: Automotive Passenger Tires/Master Agreement No./Award Amount

Purcell Tire & Rubber Company, d.b.a. Purcell Western States Tires
(Primary)/MA-PO-18-260/\$224,800.00
American Tire Distributors (Secondary)/MA-PO-18-264/\$56,200.00

Group B: Light Trucks/SUV Tires/Master Agreement No./Award Amount

Bridgestone Americas, Inc., d.b.a. Bridgestone Americas Tire Operations, L.L.C., d.b.a. GRC
Tire Service (Primary)/MA-PO-18-261/\$200,000.00

Purcell Tire & Rubber Company, d.b.a. Purcell Western States Tires
(Secondary)/MA-PO-18-260/\$50,000.00

Group C: Medium/Heavy Truck Tires/Master Agreement No./Award Amount

Best Drive, L.L.C. (Primary)/MA-PO-18-262/\$125,600.00

Purcell Tire & Rubber Company, d.b.a. Purcell Western States Tires
(Secondary)/MA-PO-18-260/\$31,400.00

Group D: Off Road and Heavy Equipment Truck Tires/Master Agreement No./Award Amount

Purcell Tire & Rubber Company, d.b.a. Purcell Western States Tires
(Primary)/MA-PO-18-260/\$50,400.00

American Tire Distributors (Secondary)/MA-PO-18-264/\$12,600.00

Group E: Farm/Turf/Golf Carts/Trailer Tires/Master Agreement No./Award Amount

American Tire Distributors (Primary)/MA-PO-18-264/\$63,200.00

Redburn Tire Company (Secondary)/MA-PO-18-263/\$15,800.00

Group F: Tubes and Wheels/Master Agreement No./Award Amount

Redburn Tire Company (Primary)/MA-PO-18-263/\$900.00

American Tire Distributors (Secondary)/MA-PO-18-264/\$400.00

4. **Award**

Amendment of Award: Master Agreement No. MA-PO-15-256, Amendment No. 1, Minnesota Life Insurance Co., d.b.a. Minnesota Life, to provide for Group Term Life and AD&D Insurance Benefits. This amendment increases options available to employees, extends the termination date to 6/30/23 with locked rates and increases the award amount by \$15,000,000.00 for a cumulative not-to-exceed contract amount of \$22,513,212.00. Funding Source: Pima County Health Benefits Trust and Employee Contributions Funds. Administering Department: Human Resources.

5. **Award**

Amendment of Award: Master Agreement No. MA-PO-17-84, Portable Computer Systems, Inc. and Mobile Concepts Technology, L.L.C., to provide for Panasonic computer equipment, peripherals and services. This revision is for a one-time increase in the amount of \$1,250,000.00 for a cumulative contract amount of \$1,516,100.00 and an increase to the annual award amount from \$250,000.00 to \$700,000.00 effective with renewal date 10/18/18. Funding Source: Internal Service Fund (ISF). Administering Department: Information Technology.

GRANT APPLICATION/ACCEPTANCE

6. **Acceptance - Health**

Arizona Department of Health Services, Amendment No. 2, to provide for the Health Start Program, extend grant term to 6/30/19 and amend grant language, no cost (GTAM 18-32)

7. **Acceptance - Sheriff**
Executive Office of the President, Office of National Drug Control Policy,
(PULLED FOR SEPARATE ACTION)

BOARD, COMMISSION AND/OR COMMITTEE

8. **Public Art and Community Design Committee**
Appointment of Lucia Lagarda, to fill a vacancy created by Ann Keuper. No term expiration. (District 2)
9. **Parks and Recreation Commission**
Reappointment of Enrique Serna. Term expiration: 1/31/24. (District 2)
10. **Community Law Enforcement Partnership Commission**
Appointment of Laura Conover. No term expiration. (District 3)

SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/ PATIO PERMIT/WINE FAIR/WINE FESTIVAL APPROVED PURSUANT TO RESOLUTION NO. 2016-62

11. **Special Event**
- William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, March 16, 2018.
 - Jeffrey Peter Schneider, Knights of Columbus Council 8077, St. Elizabeth Ann Seton Church, 8650 N. Shannon Road, Tucson, March 17, 2018.
 - Stacy Alaine Taormina Gopp, Juvenile Diabetes Research Foundation (JDRF), La Encantada, 2905 E. Skyline Drive, Tucson, March 23, 2018.
 - Andrew Heideman, Rotary Club of Green Valley, Arizona, West Center, Green Valley Recreation Center, Inc., 1111 S. GVR Drive, Green Valley, March 25, 2018.
 - Thomas Tucker Tilton, Tucson Sunrise Rotary Foundation, Inc., Green Things, 3235 E. Allen Road, Tucson, May 4, 2018.
 - Ted Schaefer, Pantano Tucson Rotary Foundation, Girl Scouts Hacienda Program Center, 3101 N. Sabino Canyon Road, Tucson, May 12, 2018.

FINANCE AND RISK MANAGEMENT

12. **Duplicate Warrants - For Ratification**
Service Link Holdings, L.L.C. \$1,817.83; Nancy Tepper \$14.57; Joel Feinman \$18.00; Holly Schaffer \$50.95; Sara Torres \$10.00; US Foods, Inc. \$4,728.18; Christopher Holguin \$147.00.

RATIFY AND/OR APPROVE

13. Minutes: February 6 and 20, 2018

* * *

23. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:06 a.m.

CHAIRMAN

ATTEST:

CLERK

DRAFT