

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, October 6, 2015. 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
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
Eric Johnson, Sergeant at Arms

1. **CONTRACT**

PSOMAS, to provide construction management services for Pantano Wash Bank Protection and River Park: Ft. Lowell to Tanque Verde Road Project, Flood Control District Tax Levy Fund, contract amount \$683,773.49 (CT-FC-16-54)

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:15 a.m.

CHAIR

ATTEST:

CLERK

LIBRARY DISTRICT BOARD MINUTES

The Pima County Library 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, October 6, 2015. 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
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
Eric Johnson, Sergeant at Arms

1. GRANT ACCEPTANCE

Arizona State Library, Archives and Public Records, to provide professional services for staff development, \$25,000.00 (GTAW 16-9)

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

2. GRANT ACCEPTANCE

Arizona State Library, Archives and Public Records, to provide for the White House Connect - ED Project, \$26,223.00 (GTAW 16-10)

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

3. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:15 a.m.

CHAIR

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, October 6, 2015. 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
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
Eric Johnson, Sergeant at Arms

1. **INVOCATION**

The invocation was given by Reverend Ron Phares, Mountain Vista Unitarian Universalist Congregation.

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.

MEMORANDUM OF UNDERSTANDING

4. **Davis-Monthan Air Force Base Memorandum of Understanding**

Approval of the Davis-Monthan Air Force Base Community Partnership Memorandum of Understanding.

Michael Toriello, Deputy Base Civil Engineer at Davis-Monthan Air Force Base, explained the Memorandum of Understanding supported the Davis-Monthan Community Partnership Program which benefited the Air Force Base and surrounding community.

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

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Priscilla Cornelio, Director, and Robert Lane, Pima County Department of Transportation, and Sergeant Mark Bustamante and Deputy Maurice "Mo" Othic, Pima County Sheriff's Department, proclaiming the week of October 18 through October 24, 2015 to be: "NATIONAL TEEN DRIVER SAFETY WEEK"

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

6. CALL TO THE PUBLIC

Richard Hernandez spoke about the group 'Citizens for Oversight in Verifiable Elections' and the importance of voting.

Geri Ottoboni spoke on the taxing of businesses, the construction of more commercial buildings with proposed bond monies and the Visit Tucson Center.

7. CONVENE TO EXECUTIVE SESSION

It was moved by Supervisor Elías, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:44 a.m.

8. RECONVENE

The meeting reconvened at 9:59 a.m. All members were present.

EXECUTIVE SESSION

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to file an amicus curiae brief in support of the petition for review filed by the Phoenix Law Enforcement Association challenging the Court of Appeals' ruling in CA-CV 13-0364 and 14-0135.

Thomas Weaver, Chief Civil Deputy County Attorney, stated this case was for legal advice and direction on whether to file an amicus brief in the Phoenix Law Enforcement Association challenge of the Court of Appeals' ruling. He stated the County Attorney's Office sought direction on how to proceed.

It was moved by Supervisor Valadez, seconded by Supervisor Elías and carried by a 4-1 vote, Supervisor Miller voted "Nay," to proceed as discussed in Executive Session.

DEVELOPMENT SERVICES

10. Final Plat Without Assurances

P15FP00007, Block Plat of Brown/Ajo Industrial, Block 1, being a resubdivision of Brown, Ajo Industrial, Lots 1-12. (Districts 2 and 4)

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

REAL PROPERTY

11. Contract

The Board of Supervisors on September 1, 2015, continued the following:

Friends of Robles Ranch, to provide a lease agreement for property located at 16150 W. Ajo Way, no cost (CTN-PW-16-31)

Without objection, this item was continued to the Board of Supervisors' Meeting of November 10, 2015.

FRANCHISE/LICENSE/PERMIT

12. Hearing - Liquor License

12104384, Thomas Robert Aguilera, Humble Pie Pizza, Wine & Spirits, 2905 E. Skyline Drive, No. 294, 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 subject to the Sheriff's Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

13. Hearing – Fireworks Permit

JoAnne Russell, Caterpillar Inc., 5000 W. Caterpillar Trail, Green Valley, October 20 and 22, 2015 at 7:00 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.

14. **Hearing - Liquor License**

09100190, Sandeep S. Sehgal, Quick Stop Liquors, 5423 S. Palo Verde, Tucson, Series 9, Liquor Store, Person Transfer.

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 subject to the Sheriff's Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

15. **Hearing - Fireworks Permit**

Gary Thompson, Catalina Foothills High School, 4300 E. Sunrise Drive, Tucson, October 9, 2015 at 6:45 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.

16. **Hearing - Fireworks Permit**

Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, November 7, 2015 at 7:00 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.

17. **Hearing - Extension of Premises/Patio Permit**

12104243, Lyndsey Michelle Fisher, Dominick's Real Italian, 8330 N. Thornydale Road, No. 170, Tucson, Permanent Extension of Premises.

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.

18. **Hearing - Wine Festival/Wine Fair License**

Karyl L. Wilhelm, d.b.a. Wilhelm Family Vineyards, 17300 S. Rustling Leaf Trail, Corona de Tucson, November 7, 2015 from 5:00 p.m. to 8:00 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, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

19. **Hearing - Wine Festival/Wine Fair License**

Megan Haller, d.b.a. Hops & Vines AZ, 17300 S. Rustling Leaf Trail, Corona de Tucson, November 7, 2015 from 5:00 p.m. to 8:00 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, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

20. **Hearing - Rezoning**

Co9-15-03, DADO (A.K.A. ESCARZAGA) - WEST YEDRA ROAD REZONING

Request of Joel Dado (a.k.a. Escarzaga), represented by Simeon Escarzaga, for a rezoning of approximately 4.77 acres from the RH (Rural Homestead) zone to the GR-1 (Rural Residential) zone, on property at 7700 W. Yedra Road located on the north side of Yedra Road and approximately 300 feet east of S. Vahalla Road. The proposed rezoning conforms to the Pima County Comprehensive Plan (Co7-13-10) which designates the property for Medium Intensity Rural (MIR). On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Cook, Matter, and Peabody voted Nay, Commissioners Gavin and Neeley were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS with an amendment to delete Condition 7b and revise Condition 7c to read "The common driveways shall be paved...". Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
5. Adherence to the preliminary development plan as approved at public hearing.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - a. The property owner/developer shall dedicate 15 feet of right-of-way for Yedra Road.
 - b. ~~The property shall be limited to 1 access point onto Yedra Road.~~
 - be. The common driveways shall be paved (chip sealed) within six (6) months of the issuance of building permits.
8. Flood Control condition: A Floodplain Use Permit is required for development and engineering may be required to determine the Base Flood Elevation, erosion protection and the most suitable location within the lot for development.
9. The owner/developer must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal systems within the rezoning area at the time a tentative plat, development plan or request for building permit is submitted for review.
10. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property 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 within the rezoning site; and, Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the Certificate of Compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

11. The property owner shall execute and record the following disclaimer regarding Prop 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(I)."
12. 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.

Mark Holden, Principle Planner, provided the staff report and stated the project was a request to allow the property to be split for a second lot, and that the property is located outside of the Conservation Land System. Staff had received no public comment and recommended approval subject to standard and special conditions and the Planning and Zoning Commission recommended approval with amendments.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-15-03, subject to standard and special conditions and as recommended by the Planning and Zoning Commission.

21. **Hearing - Comprehensive Plan Amendment**

Co7-15-01, MAGEE COMO DEVELOPMENT ASSOCIATION, L.L.C. - N. LA CHOLLA BOULEVARD PLAN AMENDMENT

Request of Magee Como Development Association, L.L.C., to amend the Pima County Comprehensive Plan from Medium High Intensity Urban (MHIU) (Medium Intensity Urban (MIU) in the Pima Prospers 2015 Comprehensive Plan Update) to Neighborhood Activity Center (NAC) for approximately 0.88 acres located on the north side of W. Magee Road, west of N. La Cholla Boulevard, in Section 33, T12S, R13E, in the Northwest Subregion (Tortolita Planning Area in the 2015 Comprehensive Plan Update). On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gavin and Neeley were absent) to recommend APPROVAL OF AMENDING THE SITE TO NEIGHBORHOOD ACTIVITY CENTER (NAC), SUBJECT TO REZONING POLICY. Staff recommends APPROVAL SUBJECT TO REZONING POLICY. (District 1)

Rezoning Policy

Uses of the property are limited to restaurants with/without a bar and CB-1 zoning uses except for automotive related uses, drive-through restaurants and stand-alone bars.

Mark Holden, Principle Planner, provided the staff report and explained the property is located outside of the Conservation Land System, and that they had received two public comments in support of the proposed amendment. Staff recommended approval of the proposed amendments, subject to a rezoning policy which restricted

the use on the site to restaurants with or without a bar and limited CB-1 business uses.

Ira Yates expressed his support of the applicants request with two conditions; the incompatibility of the CB-2 zoning request to his property, and his easement acquisition request and desire to be considered independently from the Magee Como Project.

Craig Courtney, representing Magee Como Development Corporation, L.L.C., explained the easement for Mr. Yates property would not be changed and that there would be more public meetings during the different stages as the project advanced.

Chair Bronson explained the intensity of use increase would still need to go through rezoning.

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 Co7-15-01, subject to rezoning policy.

22. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2015 - 67, Co9-91-23, Devoy - Shannon Road Rezoning (modification of rezoning conditions). Owner: Colt J. Barrins. (District 3)

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 adopt the Resolution.

23. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2015 - 68, Co9-07-21, Stewart Title and Trust TR 3652 - North Como Drive Rezoning. Owner: Stewart Title and Trust TR 3652. (District 1)

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 adopt the Resolution.

24. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2015 - 69, Co9-08-22, Reay, et al. - Sandario Road Rezoning. Owner: Gordon and Lois Reay Family Trust and ARCP WS Portfolio, L.L.C. (District 3)

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 adopt the Resolution.

25. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2015 - 70, Co9-09-06, Reay, et al. - Trico Road Rezoning. Owner: Gordon and Lois Reay Family Trust. (District 3)

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 adopt the Resolution.

TRANSPORTATION

26. **Hearing - Traffic Ordinance**

ORDINANCE NO. 2015 - 40, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Craycroft Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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 adopt the Ordinance.

27. **Hearing - Traffic Ordinance**

ORDINANCE NO. 2015 - 41, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Harrison Road in Pima County, Arizona. Staff recommends APPROVAL. (Districts 1 and 4)

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 adopt the Ordinance.

28. **Hearing - Traffic Ordinance**

ORDINANCE NO. 2015 - 42, of the Board of Supervisors, regulating traffic at the intersection of Morning Jewel Place and Sunset Surprise Way in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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 adopt the Ordinance.

29. **Hearing – Deannexation of Public Right-of-Way**

A. Public hearing to determine whether the public interest will be served by the deannexation.

B. ORDINANCE NO. 2015 – 43, of the Board of Supervisors, relating to the proposed return of public right-of-way deannexed from the City of Tucson, Arizona. (District 4)

Supervisor Miller questioned the difference in project costs from \$22.4 million to \$13.2 million. She asked if the impact fees were to be reimbursed to the developer as built out and the number of units the developer planned to build.

Chuck Huckelberry, County Administrator, explained the \$22.4 million had been a broad estimate and the most current amount of \$13.2 million was an estimate based on actual plans and costs. He said State Law prevented the spending of impact fees on city streets and with the deannexation, the project became a county highway and eligible for reimbursement of the impact fees to the developer. The developer would not be reimbursed for anything other than impact fees collected in the area of Rocking K and that the developer planned to build several thousand units.

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

PRESENTATION/PROCLAMATION

30. Presentation of a proclamation to Veronica Soto of COPE Community Services and Alethea Do of Southern Arizona AIDS Foundation, proclaiming the day of Thursday, October 15, 2015 to be: "NATIONAL LATINO AIDS AWARENESS DAY"

It was moved by Supervisor Elías, seconded by Supervisor Miller and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to approve the item. Supervisor Elías made the presentation.

31. Presentation of a proclamation to Startup Tucson, proclaiming the week of October 18 through 24, 2015 to be: "10WEST WEEK"

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

32. Presentation of a proclamation to Tucson Young Professionals, proclaiming the days of October 22 and 23, 2015 to be: "IGNITE520 DAYS"

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.

BOARD OF SUPERVISORS

33. **Hand Count Audit**

Discussion/action regarding the recommendation of the Election Integrity Commission for a hand count audit following the November County Bond and City Election. (District 3)

Tom Ryan, Election Integrity Commission Chair, recommended a voluntary hand count for the combined City/County election on November 3rd and cited that with new software-based election equipment to be used for the first time in an election, an audit should be performed on the accuracy of the equipment. He said that the City of Tucson routinely performed hand counts of their elections; that the hand count would assist in avoiding litigation pertaining to the bond election; and the hand count method would follow state guidelines and consist of counting random ballots for one bond question, one City Council election and one City proposition in eight precincts, and one percent of the early ballots.

Roger Randolph, Tucson City Clerk, explained the City of Tucson would not object if Pima County performed the hand audit.

John Brakey, shared the support from Audit AZ and 'Citizens for Oversight in Verifiable Elections' for the Election Integrity Commission's recommendations but expressed concern that votes by mail were unverifiable and asked for software verification with transparency and oversight. He recommended a random two precinct hand count after the election to verify the counting equipment of the votes by mail.

Christopher Cole, Libertarian Party and Election Integrity Commission member, expressed his support of a randomly selected hand count audit.

Gini Crawford, Campaign Manager of Taxpayers Against Pima Bonds, voiced her support for verifying the integrity of the votes with a hand audit.

Bill Beard, Election Integrity Commission member and Chairman of Pima County Republican Party, explained the function of the Election Integrity Commission was to preserve the reliability of the votes and asked the Board to follow the recommendation of the Commission.

Chuck Huckelberry, explained the hand count could be in violation of State Statute Title 16, 6.02 paragraph B, subparagraph 2, subparagraph F and violation of that section was a Class 6 felony. He suggested asking for a legal opinion from the Attorney General and to request the Secretary of State allow the hand audits, and that modifications be made of their Elections Manual. He recommended that an expedited opinion be requested from the Secretary of State and Attorney General.

It was moved by Supervisor Carroll and seconded by Supervisor Elías to approve the random hand count as recommended by the Election Integrity Commission, subject to affirmation of the State Attorney General and the Secretary of State with a final decision to be made at the meeting of October 20, 2015. No vote was taken at this time.

Supervisor Miller offered a friendly amendment to the motion to perform a random hand count to an Oro Valley election, contingent on approval from Oro Valley.

Supervisor Carroll and Supervisor Elías accepted the amendment to the motion. Upon the vote, the motion unanimously carried 5-0.

34. Use of County Owned Vehicles

Discussion and vote on Pima County Supervisors use of County owned vehicles. (District 1)

Supervisor Miller stated the slow economic recovery and the difference in salary between the Board of Supervisors and the average citizen of Pima County prompted her to put this item on the agenda.

Supervisor Miller made a motion to end the practice of Supervisors using County vehicles. The motion died for a lack of a second.

Supervisor Carroll stated there was no background information provided on the agenda item and that it should be included for any matter that comes before the Board of Supervisors for action.

It was then moved by Supervisor Carroll and seconded by Supervisor Valadez, to direct staff to provide background information and a report on use of County owned vehicles by the Pima County Board of Supervisors, other elected officials and staff, except for undercover vehicles for employees of the Sheriff's Department, the County Attorney's Office or any other unit that handles undercover operations, to include a comparison of all fourteen counties, and to return with the findings at the Board of Supervisor's Meeting of October 20 or November 10, 2015. No vote was taken at this time.

Supervisor Valadez asked that the report should be comprehensive and clarified that undercover vehicles were the ones driven by law enforcement officers.

Chair Bronson explained that in both the private and business sectors, business miles were reimbursed in some form and that personal miles were not reimbursed.

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

COUNTY ADMINISTRATOR

35. Status Report on ADP Time Reporting Issues

Report on recommendations regarding ADP time reporting issues.

Tom Burke, Deputy County Administrator, explained ADP had been working on the issues with the mobile app and that a couple of problems had already been resolved. County officials were meeting every week with ADP and every month with the Pima County Sheriff's Department representatives.

Chair Bronson asked if Union representatives were also included in the meetings.

Mr. Burke stated he believed the Union was involved and that the mobile app issues should be resolved fairly soon. He reported on the other issues with ADP that involved time spent by Sheriff's Department supervisors approving and changing time entries. He said Human Resources and Finance staff had met with the Sheriff's Department and that training had been planned; employees not in the field were asked to stop using the mobile app; a majority of the corrections by supervisors had been unneeded; and that due to a large portion of corrections being related to lunch clocking's, a request had been submitted to the County Administrator to begin rounding time at lunch.

Sergeant Kevin Kubitskey explained the changes made so far had been effective. He stated some punches for verifying on-call pay were needed. He asked for autonomy for the employees so that they could make the changes themselves.

Chuck Huckelberry, County Administrator, explained he had recently signed a de minimus rule to assist the Sheriff's Department in not having to worry about every individual minute and that an ADP programming change would further help to fix the problem.

Chair Bronson gave staff direction to continue working with the Pima County Sheriff's Department on the problems with ADP.

No Board action was taken on this item.

36. **Pima County Policy for Holiday Pay**

Report on staff recommendations regarding holiday pay policy, Personnel Policy 8-102.

Chuck Huckelberry, County Administrator, explained there were only a specific number of holidays that would require the changes as recommended by the Sheriff's Department. He recommended following the standard process to amend the Merit System Rules & Personnel Policies be followed and the matter be brought back to the Board of Supervisors before December 2016.

Chair Bronson directed staff to follow the directions as given by Mr. Huckelberry.

No Board action was taken on this item.

REAL PROPERTY

37. **Relocation of Sewer Facilities**

RESOLUTION NO. 2015 – 71, authorizing the Pima County Attorney to condemn real property interests where necessary for the sewer line relocation in Section 35, T14S, R13E, G&SRM needed for the ADOT project at I-19 and Irvington Rd. (District 5)

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

CONTRACT AND AWARD

COUNTY ATTORNEY

38. Ballard Spahr, L.L.P., Amendment No. 2, to provide legal advice and representation in any litigation related to Senate Bill 1476, General Fund, contract amount \$100,000.00 (CT-FN-15-510)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and carried by a 4-1 vote, Supervisor Miller voted “Nay,” to approve the item.

ECONOMIC DEVELOPMENT AND TOURISM

39. Arthur Pack Desert Golf Course, d.b.a. Wildcat Golf Partners, L.L.C., Amendment No. 2, to provide the cooperative management agreement and amend contractual language, contract amount \$71,600.00 revenue (CTN-ED-12-107)

At the request of staff and without objection, this item was removed from the agenda.

PROCUREMENT

40. **Award**
Award of Contract: Master Agreement No. MA-PO-16-101, to Dell Marketing LP (Headquarters: Round Rock, TX) for Dell hardware, software, peripherals and related services. Contract is for an initial term of one (1) year effective 10/6/15 in the annual not-to-exceed amount of \$500,000.00 and includes four (4) optional one (1) year renewal periods. Funding Source: Internal Service 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.

GRANT APPLICATION/ACCEPTANCE

41. **Acceptance – Sheriff**
Arizona Governor’s Office of Highway Safety, to provide portable breath test devices for the DUI/Impaired Driving Enforcement Program, U.S. Department of Transportation Fund, \$5,000.00 (GTAW-16-18)

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

42. **Acceptance - Sheriff**

Arizona Governor's Office of Highway Safety, to provide overtime and employee related expenses for the Occupant Protection Enforcement Program, U.S. Department of Transportation Fund, \$20,000.00 (GTAW 16-19)

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

43. **Acceptance – Sheriff**

Arizona Governor's Office of Highway Safety, to provide overtime and employee related expenses for the DUI/Impaired Driving and Underage Alcohol Enforcement Program, U.S. Department of Transportation Fund, \$65,000.00 (GTAW 16-20)

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

44. **Acceptance – Sheriff**

Arizona Governor's Office of Highway Safety, to provide overtime and employee related expenses for the Selective Traffic Enforcement Program (STEP), U.S. Department of Transportation Fund, \$20,000.00 (GTAW 16-21)

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

45. **Acceptance – Sheriff**

Arizona Governor's Office of Highway Safety, to provide speed detection devices for the Selective Traffic Enforcement Program (STEP), U.S. Department of Transportation Fund, \$27,000.00 (GTAW 16-22)

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

46. **Acceptance - Sheriff**

Arizona Governor's Office of Highway Safety, to provide overtime and employee related expenses for the School Bus Safety Enforcement Program, U.S. Department of Transportation Fund, \$20,000.00 (GTAW 16-23)

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

CONSENT CALENDAR

47. **Approval of the Consent Calendar**

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 3 and 9 were set aside for separate discussion and vote.

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

* * *

PULLED FOR SEPARATE ACTION

CONTRACT AND AWARD

Procurement

3. K E & G Construction, Inc., to provide for the Sabino High School - Harrison Road Bicycle Lane Transportation Enhancement Project, Federal (65%), ~~County DOT-57~~ HURF Bond (21%) and RTA (14%) Funds, contract amount \$699,621.00 (CT-TR-16-41) Transportation

Supervisor Miller questioned the contract amount of \$699,621.00 and a total project cost of \$1.147 million.

John Bernal, Deputy County Administrator, explained the \$699,621.00 was strictly the construction cost component of the project.

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

Sheriff

9. City of South Tucson, to provide for the incarceration of municipal prisoners, contract amount \$115,000.00 estimated revenue (CTN-SD-15-165)

Supervisor Miller asked how this Intergovernmental Agreement would work and its relationship to the Pima County forgiveness of the City of South Tucson \$213,512.00 debt and the recent purchase of the South Tucson Library.

Chuck Huckelberry, County Administrator, explained this was an annual Intergovernmental Agreement to house municipal prisoners. The debt had accumulated from a couple of years ago when housing costs for inmates had escalated. He explained the Board had entered into a contract with the City of South Tucson to repay the cost over time and the mayor of the City of South Tucson had requested that the compensation for the library be apportioned to their account for the past due inmate housing costs as well as the Intergovernmental Agreement for animal care.

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

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CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Ajo Community Health Center, to provide for the Desert Senita Health Center, HUD Fund, contract amount \$37,030.74 (CT-CD-16-61)

Community Services, Employment and Training

2. Catholic Community Services of Southern Arizona, Inc., d.b.a. Catholic Social Services, Amendment No. 1, to provide for the Community Services Block Grant (CSBG) - Emergency Needs and amend contractual language, no cost (CT-CS-15-546)

Procurement

3. K E & G Construction, Inc., (PULLED FOR SEPARATE ACTION)

4. Award

Award of Contract: Master Agreement No. MA-PO-16-62, to FX Tactical, L.L.C. (Headquarters: Peoria, AZ) for Pima County Sheriff's Department uniforms and accessories. Contract is for an initial term of one year (1) effective 10/6/15 in an annual amount of \$430,800.00 and includes four (4) one-year renewal periods. Funding Source: RICO (\$271,000.00) and General (\$159,800.00) Funds. Administering Department: Sheriff.

5. Award

Award of Contract: Master Agreement No. MA-PO-16-85, to Hewlett Packard Company (Headquarters: Palo Alto, CA), for hardware, peripherals and related services in the amount of \$8,525,000.00. Contract is for an initial term of one (1) year and includes four (4) one year renewal periods. Funding Source: Internal Service Fund. Administering Department: Information Technology.

Public Works Administration

6. Town of Marana, Amendment No. 1, to provide mitigation funding for wildlife corridors in the Marana area, contract amount \$53.00 revenue (CTN-PR-CMS139071)

Real Property

7. CenturyLink Communications, L.L.C., a Delaware limited liability company, Amendment No. 1, to provide a restated and amended nonexclusive right-of-way use license for fiber optic communications system, extend contract term to 8/20/20 and amend contractual language, contract amount \$7,058.30 revenue/5 year term (CTN-IT-12-571)
8. Alltel Communications Southwest Holdings, Inc., a Delaware limited liability company, to provide a master agreement for wireless communications facilities and site-specific agreements with 4 specified locations at: AZTU La Paloma; AZTU Sabino Canyon; Sunrise and Wilmot; and Sunrise and Campbell, contract amount \$465,853.08 revenue/5 year term (CTN-IT-15-115)

Sheriff

9. City of South Tucson, (PULLED FOR SEPARATE ACTION)

GRANT APPLICATION/ACCEPTANCE

10. **Acceptance - Health**
U.S. Department of Health and Human Services/Food and Drug Administration, to provide for the FDA National Retail Food Standards, \$350,000.00 (GTAW 16-11)
11. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 2, to provide for the Tuberculosis Control Program, no cost (GTAM 16-14)
12. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 5, to provide for the Tuberculosis Control Program - Directly Observed Therapy, no cost (GTAM 16-15)
13. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 1, to provide for the Healthy People Healthy Communities Program, no cost (GTAM 16-16)
14. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 9, to provide for the Emergency Preparedness Program, U.S. Department of Health and Human Services/Centers for Disease Control Fund, \$687,297.00 (GTAM 16-17)
15. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 3, to provide for the HIV Prevention Program, no cost (GTAM 16-21)

16. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 3, to provide for the Maternal Infant Early Childhood Home Visitation Program, U.S. Department of Health and Human Services/Health Resources and Services Administration Fund, \$148,000.00 (GTAM 16-22)
17. **Acceptance - Health**
Arizona Family Health Partnership, Amendment No. 2, to provide for the Health Insurance Enrollment Program, U.S. Department of Health and Human Services Fund, \$56,800.00 (GTAM 16-23)

BOARD, COMMISSION AND/OR COMMITTEE

18. **Metropolitan Education Commission**
Appointment of David Doré, representing Pima Community College, to fill a vacancy created by Louis Albert. Term expiration: 4/14/18. (Commission recommendation)
19. **Workforce Investment Board**
Reappointments of the following members. Term expirations: 9/30/18. (Staff recommendations)

Wilette Diggs, Kim Murray, Molly Gilbert, Paul Roughton, Judith Clinco, Bruce Grant, Julia Strange, Aric L. Meares, Beverly Price, Marji Morris, Deron Johnson, Doug Jones, James Zarling, Liz Gulick, Sandra Abby Abbey, Chris Hazen-Molina, Dorothy Kret, Pamela Sutherland, Frank Watts, Jr., Jill Pearson, and Danielle Duarte, representing Business.

Mike Verbout, representing Workforce; Labor Organization Representative nominated by Local Labor Federation.

Carld Rosborough, representing Workforce; Out-of-School Youth Organization; Business.

Jay M. Slauter, representing Workforce; Out-of-School Youth Organization.

Jacob Bernal, Deborah Embry, Peg Harmon, Hari Kari Hogan, and Ramon Serrato, representing Workforce; Community-Based Organization.

Lee D. Lambert, representing Education and Training; Higher Education.

Linda Arzoumanian, Vaughn Croft and Alan L. Storm, representing Education and Training; Educational Agency.

Jan Leshar, representing GECD; WIOA Title I - Adults, Dislocated Workers and Youth.

Clarence Boykins, Michael Guyman, Lea Marquez-Peterson and Lori Banzhaf, representing GECD.

Peggy Feenan, representing GECD; State Employment Service Office under Wagner-Peyser.

Jorge Rivero, representing GECD; TANF; Business.

20. **Metropolitan Energy Commission**

Appointments of Michael Hoffman and Wincenty Pawlowski, to fill vacancies created by Dan Millis and Chris Monrad. Term expirations: 11/30/16. (Commission recommendations)

**SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/
PATIO PERMIT APPROVED PURSUANT TO RESOLUTION NO. 2015-64**

21. **Special Event**

Veronica Andrea Saiz, Big Brothers Big Sisters of Tucson, La Paloma Country Club, 3660 E. Sunrise Drive, Tucson, November 6, 2015.

22. **Special Event**

Charles N. Quiroz, Southern Arizona Kart Club, 11800 S. Harrison Road, Tucson, November 6, 7 and 8, 2015.

23. **Special Event**

Laura B. Brumbelow, Rincon Institute, Rincon Valley Farmers and Artisans Market, 12500 E. Old Spanish Trail, Tucson, September 19, 2015.

24. **Special Event**

Monique Marie Vallery, Southern Arizona AIDS Foundation, Tucson Chinese Cultural Center, 1288 W. River Road, Tucson, November 14, 2015.

25. **Special Event**

Ashley Drew, American Liver Foundation, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, September 17, 2015.

26. **Special Event**

Michelle L. Mozdzen, Racing Home Greyhound Adoption, Sweetwater Reserve Community, Cuprite Loop/Star Valley Lane, Tucson, November 7, 2015.

27. **Special Event**

Jonas Wes Hunter, Southern Arizona Arts and Cultural Alliance, Westward Look Wyndham Grand Resort and Spa, 245 E. Ina Road, Tucson, October 17, 2015.

28. **Special Event**
Pamela Sue Clark-Raines, StrengthBuilding Partners, Las Puertas Community School, 4560 S. Coach Drive, Tucson, October 22, 2015.
29. **Special Event**
Toni Rhea Schenk, Friends of Robles Ranch, Inc., Buckelew Farm Pumpkin Festival, 17000 W. Ajo Way, Tucson, October 2, 3, 9, 10, 11, 22, 23, 24 and 25, 2015.
30. **Special Event**
Wendy Louise Abbey, VFW Post 10254, Buckelew Farm Pumpkin Festival, 17000 W. Ajo Way, Tucson, October 16, 17, 18, 29, 30 and 31, 2015.
31. **Temporary Extension**
12104129, Grant Darien Krueger, Union Public House, 4340 N. Campbell Avenue, Tucson, Temporary Extension of Premises for October 31 and November 1, 2015.
32. **Special Event**
Richard Wayne Ducic, Ajo Council for the Fine Arts, Inc., Ajo Copper News Office, 10 Pajaro Street, Ajo, November 27 and 28, 2015.
33. **Special Event**
Mark N. Dugan, La Posada at Park Centre, Inc., The Shoppes at La Posada, 665 S. La Posada Circle, Green Valley, October 26, 2015.
34. **Temporary Extension**
06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for November 5, 14 and 28, 2015.

ELECTIONS

35. Pursuant to A.R.S. §16-531, appointment of all elections boards and tally boards recruited and on file in the Elections Department for the Consolidated Election on November 3, 2015.
36. Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:

RESIGNATION-PRECINCT-PARTY

Michael D. Sheridan-042-DEM; Timothy Adam Ragan-044-DEM; Martha K. Sowerwine-057-DEM

APPOINTMENT-PRECINCT-PARTY

Timothy Adam Ragan-018-DEM; Cynthia R. Saxon-021-DEM; Kyle J. O'Brien-042-DEM; Joyce L. Barnes-075-DEM; Courtney N. Frogge-121-DEM; Caroline A. Salcido-203-DEM; Warren W. Deming-228-DEM; Angharad S. Daly-239-DEM; Jesse Ryan-132-REP; Paul D. Jackson-214-REP

FINANCE AND RISK MANAGEMENT

37. Duplicate Warrants - For Ratification

The State of Arizona \$65.00; Kathleen Wilsey-Ankeny \$49.40; Danielle J. Loomis \$83.60; Sara G. West \$5,383.72; Ordway Corporation \$187.50; Miguel Aguirre \$106.00; Eric Nathan Erickson \$119.20; Cheryl L. Zauner \$200.69; Lisa C. McNorton \$2,995.00; Stephanie L. Wentzel \$97.85; Creative Communications Sales \$870.02; Georgina Bejarano \$750.00; Kim Kloes \$106.11; Melanie J. Bodenheimer \$101.40.

RATIFY AND/OR APPROVE

38. Warrants: September, 2015

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48. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:15 a.m.

CHAIR

ATTEST:

CLERK