

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, January 3, 2017. 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
Steve Christy, Member

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

1. **INVOCATION**

The invocation was given by Pastor Brian Steely, Sahuarita Baptist Church.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **OATH OF OFFICE**

Oath of Office to be administered by the Honorable Kyle A. Bryson, Presiding Judge of the Superior Court, for elected officials of Pima County:

BOARD OF SUPERVISORS

Ally Miller, District 1
Ramón Valadez, District 2
Sharon Bronson, District 3
Steve Christy, District 4
Richard Elías, District 5

ASSESSOR

Bill Staples

COUNTY ATTORNEY

Barbara LaWall

COUNTY RECORDER

F. Ann Rodriguez

SCHOOL SUPERINTENDENT

Dustin Williams

SHERIFF

Mark Napier

TREASURER

Beth Ford

JUSTICE OF THE PEACE

Erica Cornejo, Precinct No. 2
Charlene Pesquiera, Precinct No. 4
Paula Aboud, Precinct No. 6
Maria L. Felix, Precinct No. 9
Vince Roberts, Precinct No. 10

CONSTABLES

John Rademaker, Precinct No. 1
Jose Gonzalez, Precinct No. 3
Oscar Vasquez, Precinct No. 4
Bennett Bernal, Precinct No. 6
Thomas Schenek, Jr., Precinct No. 7
Mary Dorgan, Precinct No. 8
Colette Philip, Precinct No. 9
Michael Stevenson, Precinct No. 10

The Honorable Kyle A. Bryson, Presiding Judge of the Superior Court, administered the Oath of Office to the elected officials present. The Board of Supervisors took no action.

4. **BOARD OF SUPERVISORS PROCEDURAL ORGANIZATION**

A. Selection of the Chair, Vice Chair and Acting Chair.

On consideration, it was moved by Supervisor Elías and seconded by Supervisor Valadez to select Sharon Bronson as Chair, Richard Elías as Vice Chair and Ramón Valadez as Acting Chair.

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

B. Appointment of the Clerk of the Board.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to appoint Julie Castañeda as the Clerk of the Board of Supervisors.

Board members expressed their appreciation to Robin Brigode for her service to Pima County.

C. Appointment of the Sergeant-at-Arms.

On consideration, it was moved by Supervisor Valadez seconded by Supervisor Elías, and unanimously carried by a 5-0 vote, to appoint Sgt. Charles Lopiccolo as the Sergeant-at-Arms for the Board of Supervisors.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Bonnie Bazata, End Poverty Now, and Ken Briggs, Tony Penn and Howard Stewart, United Way of Tucson and Southern Arizona, proclaiming the day of Friday, January 27, 2017 to be: "PIMA COUNTY TAXPAYER ASSISTANCE DAY"

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

6. **CALL TO THE PUBLIC**

Paul Parisi, 4Tucson, invited the Board and the public to attend the annual 4Tucson Reception and Blessing for Elected Officials and First Responders.

The following speakers addressed the Board in opposition to Monsanto:

- Dru Heaton
- Joni Pinkney
- Dr. Stephanie Stark
- Elizabeth Talev
- Mindi Bruder
- Melissa Diane Smith
- Cori McGraw
- Anne Lofffield
- DJ Wolfe

They offered the following comments:

- Because genetically engineered foods had not been proven to be unsafe, did not automatically mean they were safe.
- There were 39 countries that prohibited Monsanto operations.
- In the United States, there were 2 states and 9 cities suing Monsanto.
- Pima County's positive reputation in the areas of health and ecology made Tucson a desirable place to visit and live.
- GMO agriculture was a massive uncontrolled experiment on the general public without their consent.
- In December, Washington State filed suit against Monsanto for damages and clean-up costs from toxic PCBs.
- The Board was urged to do their own research on Monsanto.
- Opposed to tax break for Monsanto.

The following speakers addressed the Board regarding renewal of the County Administrator's Employment Contract:

- Geri Ottoboni
- Vicki Davis
- John Backer
- Kevin Kubitskey, Pima County Deputy Sheriff's Association
- Christopher Cole, Libertarian Party
- Mindi Bruder
- Angela Rose
- Melissa Diane Smith
- JoAnn Marks

They offered the following comments:

- The condition of County roads, lack of raises for Sheriff's Deputies and increases in property taxes should be considered before approving a raise for the County Administrator.
- Pima County was among the poorest counties in the Country and could not afford to renew the contract.
- Chuck Huckelberry was the second highest paid Administrator in the Nation, his salary was \$75,000 more than the second highest paid Administrator in Arizona and it was higher than the Governor, Attorney General and Secretary of State's salaries combined.
- It was suggested that a new job description for the position of County Administrator be crafted.
- It was the Board's responsibility to find the most qualified candidate for the position of County Administrator.

The following speakers addressed the Board concerning the proclamation in support of the We Stand Together Network:

- Eileen Eagar
- Bill Beard
- Christopher Cole, Libertarian Party
- Roger D. Score

They offered the following comments:

- It was recommended that the Board verify the facts and statistics that had been presented by the We Stand Together Network presenters.
- It would be foolish to agree to go against Federal Laws before knowing what those laws might be.
- Speech was something to be protected, not prosecuted.
- It was not the job of government to shield people from words they may find offensive.

Sheldon Gutman spoke regarding marijuana use and its effects on the brain.

Jaye Wells, Rillito Racing, sought support for fair racing, which he explained was an arrangement between the State and the racetracks allowing State tax dollars to be kept by the fair racing committee for Pima County to support local fair racing.

FINANCE AND RISK MANAGEMENT

7. Quarterly Report on Collections

Staff recommends acceptance of the Quarterly Report on Collections for the period ending September 30, 2016.

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

ATTRACTIONS AND TOURISM

8. Racing Days

Staff and the Pima County Fair Horse Racing Commission recommend approval of up to six days of County Fair Racing at Rillito Racetrack in 2017, or other horse race tracks if there is no racing at Rillito Racetrack, subject to final approval of the Arizona Department of Gaming/Racing Division.

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

FRANCHISE/LICENSE/PERMIT

9. Hearing - Liquor License

09100156, Kevin Arnold Kramber, Family Food Store, 2100 W. Ruthrauff Road, Tucson, Series 9S, Liquor Store Sampling Privileges, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, 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.

10. **Hearing - Liquor License**

12104476, Teresa Cheung, Teaspoon, 7053 N. Oracle Road, 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 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.

TRANSPORTATION

11. **Environmental Assessment and Mitigation Report**

Staff recommends approval of the Environmental Assessment and Mitigation Report for the Valencia Road: Wade Road to Ajo Highway (SR86) Project (4RTVWE). (District 3)

Without objection, this item was removed from the agenda.

12. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Alba Jaramillo, Director, Women Out of Poverty and Latina Leadership Initiative, YWCA of Southern Arizona, Alicia Robles, Maria Martinez, Karina Mours, Martha Robles, Ana Fregoso, Claudia M. Barreintos, Rosa Robledo, Cecilia Cuevas, Imelda Esquer, Judith Pereida and Karina Orduno, proclaiming January 2017 to be: "STALKING AWARENESS MONTH"

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

COUNTY ADMINISTRATOR

13. **Contract**

County Administrator Employment Contract, 2017 through 2021. Discussion/Action.

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

Supervisor Elías stated that he did not always agree with Mr. Huckelberry, but that Mr. Huckelberry was a high functioning professional who had done a good job of managing the County and was not found to be malfeasant in any way.

Supervisor Miller questioned whether Mr. Huckelberry paid the same premiums for health and dental insurance and accrued paid leave time at the same rate as other County employees. She also inquired about his current totals of accrued leaves. She stated she could not support the contract due to the high salary package, Mr. Huckelberry's failure to present a solution to the road condition issues that does not involve raising taxes, the low salaries of Sheriff's Deputies and other employees, and continued spending.

Mr. Huckelberry clarified that he did pay the same insurance premiums and accrue leave at the same rate as other County employees.

Supervisor Christy stated that when any employee requested a pay increase, issues to consider should be why they deserved a raise and how the added cost would be covered.

Supervisor Valadez expressed support for the contract, explained the cooperative nature of decision making and noted the uniqueness of Pima County.

Supervisor Bronson stated Mr. Huckelberry did a stellar job implementing the Economic Development plan approved by this Board.

Upon roll call vote, the motion carried by 3-2, Supervisors Christy and Miller voted "Nay."

CONTRACT AND AWARD

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

14. City of South Tucson, to provide management and implementation of the Community Development Block Grant Program, HUD Fund, contract amount \$237,707.00 (CT-CD-17-240)

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

GRANT APPLICATION/ACCEPTANCE

15. **Application - Natural Resources, Parks and Recreation**

RESOLUTION NO. 2017 - 1, of the Pima County Board of Supervisors, in support of a grant application to the Arizona Game and Fish Department for the construction of a shade ramada at the Southeast Regional Park Clay Target Center.

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

BOARD, COMMISSION AND/OR COMMITTEE

16. Community Action Agency Board

Reappointment of Roy Tullgren. Term expiration: 12/31/20. (District 1)

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

17. Historical Commission

Reappointments of ~~Randall Madsen~~ and Norma Niblett. Term expirations: 12/31/20. (District 1)

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

18. Housing Commission

Reappointments of Nicole Brulé-Fisher and Kathleen Buske. Term expirations: 12/31/20. (District 1)

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

19. Pima County/Tucson Women's Commission

Reappointment of Stephanie M. Scull. Term expiration: 12/31/20. (District 2)

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

CONSENT CALENDAR

20. Approval of the Consent Calendar

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 4, 5, 6 and 25 were set aside for separate discussion and vote.

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

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PULLED FOR SEPARATE ACTION

CONTRACT AND AWARD

Procurement

4. **Award**

Amendment of Award: Master Agreement No. MA-PO-13-8, Advent Electric, Inc., to provide for ADC electronic security maintenance and process a one-time increase of \$542,130.00 to a cumulative not-to-exceed amount of \$1,747,130.00. Funding Source: Inmate Welfare Fund. Administering Department: Sheriff.

Supervisor Miller inquired whether this amendment should have been a new competitively bid award, given the dollar amounts provided.

Chuck Huckelberry, County Administrator, clarified the amounts.

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

5. Layne Christensen Company, Smyth Industries, Inc. and Weber Water Resources, L.L.C., Amendment No. 1, to provide a job order master agreement for well installation, development and repair and extend contract term to 1/4/18, Various Funds, contract amount not-to-exceed \$300,000.00 (MA-PO-16-187) Natural Resources, Parks and Recreation

Supervisor Miller questioned why the amendment doubled the initial dollar amount without the job being competitively rebid.

Mary Jo Furphy, Procurement Director, explained that the master agreement was awarded for \$300,000.00 with an annual renewal amount not-to-exceed \$300,000.00 per year.

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

Transportation

6. Federal Highway Administration, to provide for the King Canyon Trailhead Project, HURF Fund, contract amount \$5,000.00 (CT-TR-17-231)

Supervisor Miller requested clarification of the contract amount.

Rick Ellis, Deputy Director of Transportation, explained that this amount was Pima County's match contribution to the Federal Highway Administration for the initial scoping activity phase of the project. This match was only for this portion.

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

RATIFY AND/OR APPROVE

25. Ratification

Proclamation in support of the We Stand Together Network.

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

Supervisor Miller stated it was up to law enforcement to determine whether there was a chargeable offense when an incident occurred and that the We Stand Together Network was politicizing hate crimes. She stated that the Board should not encourage the defiance of Federal laws and expressed concerns regarding the possible costs and logistics involved should the Board approve the proclamation.

Supervisor Christy stated that the proclamation failed in three ways; incidents such as those shared at the last meeting indicated a much greater problem than a proclamation could address and needed to be handled by law enforcement; it did not address cost to the taxpayer and; politics have no place in the day to day operations of government.

Supervisor Elías noted there was no mention of requiring training in the proclamation. He stated hate crimes were difficult to prosecute and there was nothing wrong with agencies working together to track incidents or with trying to prevent incidents before they occur.

Supervisor Valadez clarified that the proclamation was not attempting to enact a new law or to exclude individuals with a different ideology. He stated that it gave someone feeling threatened or feeling something bad was going to happen a place to go where they could feel safe and call 911.

Supervisor Bronson explained there was no training associated with this proclamation because County employees had already received training under Federal workforce violence requirements.

Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

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CONTRACT AND AWARD

Behavioral Health

1. Mohave County and Mohave County Superior Court, to provide an intergovernmental agreement for restoration to competency services, contract amount \$39,000.00 revenue (CTN-OMS-17-97)

Pima County Wireless Integrated Network

2. Bureau of Alcohol, Tobacco, Firearms and Explosives, to provide an intergovernmental agreement for Pima County Wireless Integrated Network subscriber services, contract amount \$10,400.00 revenue (CTN-WIN-17-114)

Procurement

3. **Award**
Amendment of Award: Master Agreement No. MA-PO-12-740, Centerline Mechanical, L.L.C, to provide chiller maintenance, repair and inspections and increase award amount by \$180,000.00 to a not-to-exceed amount of \$1,430,000.00. Funding Source: General Fund. Administering Department: Facilities Management.
4. **Award**
Amendment of Award: Master Agreement No. MA-PO-13-8, (PULLED FOR SEPARATE ACTION)
5. Layne Christensen Company, Smyth Industries, Inc. and Weber Water Resources, L.L.C., Amendment No. 1, (PULLED FOR SEPARATE ACTION)

Transportation

6. Federal Highway Administration, (PULLED FOR SEPARATE ACTION)

GRANT APPLICATION/ACCEPTANCE

7. **Acceptance - Office of Emergency Management**
State of Arizona Department of Homeland Security/Emergency and Military Affairs, to provide for the South Regional Training and Exercise Enhancement Program, U.S. Department of Homeland Security Fund, \$166,622.00 (GTAM 17-44)
8. **Acceptance - County Attorney**
Arizona Department of Public Safety, to provide for the Victims of Crime Act (VOCA) Victims Assistance Sexual Assault Kit Grant Program, U.S. Department of Justice Fund, \$71,424.00 (GTAW 17-53)

9. **Acceptance - County Attorney**
Arizona Department of Public Safety, to provide for the Victims of Crime Act (VOCA) Victims Assistance Grant Program, U.S. Department of Justice Fund, \$533,813.00 (GTAW 17-54)
10. **Acceptance - Sustainability and Conservation**
Arizona State Parks Board, to provide for the Federal Historic Preservation Fund Certified Local Government Pass-Through Grant: Sponsorship of the 2017 Arizona Historic Preservation Conference - Oro Valley Project, National Park Service Pass-Through Grant Fund, \$10,000.00/\$6,667.00 General Fund Match (GTAW 17-55)

BOARD, COMMISSION AND/OR COMMITTEE

11. **Tucson/Pima County Bicycle Advisory Committee**
 - Reappointment of Elaine Mariolle. Term expiration: 10/31/18. (Commission recommendation)
 - Appointment of Paul Durham, to fill a vacancy created by Traci Riccitello. Term expiration: 7/31/17. (Commission recommendation)
 - Appointment of Kenny E. Shelor, to fill a vacancy created by John Rossman. Term expiration: 2/28/18. (Commission recommendation)
12. **Merit System Commission and Law Enforcement Council**
 - Reappointment of John Fink, Republican. Term expiration: 12/31/20. (District 1)
 - Reappointment of Georgia Brousseau, Democrat. Term expiration: 12/31/20. (District 2)
13. **Historical Commission**
 - Reappointments of Teresita Majewski and Sharon Chadwick. Term expirations: 12/31/20. (District 2)
 - Reappointment of Marty McCune. Term expiration: 12/31/20. (District 3)
 - Reappointment of Josephine Hilliard. Term expiration: 12/31/20. (District 5)
14. **Pima County/Tucson Women's Commission**
Ratification of appointments: Beverly Heasley, Staci Shea and Brandi Smith to fill the vacancies created by Deirdre Carlson, Marietta Martin, and Courtney Slanaker. Term expirations: 10/14/18. (Commission recommendations)

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

15. Special Event

- Jeffrey Peter Schneider, Knights of Columbus Council No. 8077, St. Elizabeth Ann Seton Catholic Church, 8650 N. Shannon Road, Tucson, December 31, 2016.
- Andrew S. Heideman, Rotary Club of Green Valley, West Center, Green Valley Recreation Center, Inc., 1111 S. GVR Drive, Green Valley, January 20, 2017.

16. Temporary Extension

- 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, Temporary Extension of Premises for January 12, 2017.
- 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, Temporary Extension of Premises for January 14, 2017.

ELECTIONS

17. Precinct Committeemen

Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:

RESIGNATIONS-PRECINCT-PARTY

Diana K. Kistler-074-DEM; Danielle S. Fitzmeyer-147-DEM;
Mark J. Hurley-147-DEM

APPOINTMENTS-PRECINCT-PARTY

Nathan A. Davis-029-DEM; Cristina S. Weibel-061-DEM; Teresa M. Zimmerman-061-DEM; Carol Jo Sobkoviak-062-DEM; Shanna S. Leonard-073-DEM; Helen P. Boyd-074-DEM; Dean R. Chaussee-074-DEM; Chesney K. Richter-075-DEM; Bruce Wheeler-078-DEM; Janet T. Connell-084-DEM; Mary Lois Connell-084-DEM; Carol Ann Brown-093-DEM; Gregory B. Ferguson-100-DEM; Diane L. Deyoe-103-DEM; Rosemarie Valdez-108-DEM; Gail M. Kamaras-130-DEM; Laura L. Dore-145-DEM; Linda "Susan" Ross-145-DEM; Sanford J. Salz-145-DEM; Elaine Sellinger-162-DEM; Stuart Sellinger-162-DEM; Michael L. Linton-163-DEM; Paul W. Durham-164-DEM; Frank W. Harris V-166-DEM; Leona "Glee" Alberding-189-DEM; Karla M. Avalos-218-DEM; Dennis P. Rivera-238-DEM; Kimberly "Kim" A. Khoury-241-DEM; Maria Parham-241-DEM

FINANCE AND RISK MANAGEMENT

18. Duplicate Warrants - For Ratification

Deborrah Spevak \$150.00; Danielle Gomez \$60.00; Lisa Solis \$350.00; Christopher Pro \$205.00; RG Sipos Enterprises \$573.50; Jam2Grow \$1,500.00; Arizona Institute \$9,500.00; Kimberly Pata \$50.70; Olga Vega \$41.80; Paul Leonardi \$156.00; Amanda Rodriguez \$62.70; Arizona Public Service \$454.37; Mary Ramirez \$154.80; Stone Avenue Homes \$85,395.00; Ana Guerrero \$23.14; Theodore Forgach \$137.15.

JUSTICE COURT

19. Judge Pro Tempore Appointments

Appointments of Judges Pro Tempore of the Pima County Consolidated Justice Courts for the period of January 3, 2017 through June 30, 2017: Carmen Dolny; Patrick A. Moran; Jack Peyton

RECORDER

20. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of September, October and November, 2016.

TRANSPORTATION

21. Permission to Advertise

Sunset Road and Silverbell Road
Road Establishment No. 3024
January 17, 2017 (District 1)

22. Permission to Advertise

Aerospace Parkway
Road Establishment No. 3025
January 17, 2017 (District 2)

SPECIAL TAXING DISTRICT

23. Irrigation District Canvass

- A. Pursuant to A.R.S. §16-642(B), presentation of the certified copy of the official canvass for the November 8, 2016, Avra Valley Irrigation and Drainage District Election.
- B. Pursuant to A.R.S. §16-642(B), presentation of the certified copy of the official canvass for the November 15, 2016, Cortaro-Marana Irrigation District Election.

RATIFY AND/OR APPROVE

24. Minutes: November 22, 2016
Warrants: December, 2016

25. **Ratification**
Proclamation in support of the We Stand Together Network, (PULLED FOR SEPARATE ACTION).

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21. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:01 p.m.

CHAIR

ATTEST:

CLERK