

## **STADIUM DISTRICT BOARD MINUTES**

The Pima County Stadium 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, December 10, 2013. Upon roll call, those present and absent were as follows:

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

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

### **1. CONTRACT**

Pima County Sports and Tourism Authority, Pima County and the Pima County Stadium District, Amendment No. 5, to provide for PCSTA activities, extend contract term to 6/30/14 and amend contractual language, no cost (CT-ED-13-266)

Without objection, this item was continued to the Board of Supervisors' Meeting of December 17, 2013.

### **2. ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:07 a.m.

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CHAIRMAN

ATTEST:

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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, December 10, 2013. Upon roll call, those present and absent were as follows:

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

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

### **1.     MOMENT OF SILENCE**

Chairman Valadez requested a Moment of Silence.

### **2.     PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

### **3.     PERSONAL POINTS OF PRIVILEGE**

Supervisor Elías asked that the life of Nelson Mandela be remembered and his legacy honored.

Supervisor Carroll was congratulated on his appointment to the Board of Directors of the County Executives of America.

### **4.     PAUSE 4 PAWS**

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

### **5.     PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Jennifer Nichols, Kassy Rodeheaver, Jennifer Caldwell and Toby Wehner, proclaiming the day of Tuesday, December 10, 2013 to be: "PIMA COUNTY PUBLIC LIBRARY HONOREE'S DAY"

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

Supervisor Elías made the presentation to the Library Staff and commended them on their achievements.

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

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

7. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:19 a.m.

8. **RECONVENE**

The meeting reconvened at 9:38 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 DND Neffson Co., v. Pima County, Arizona Tax Court Consolidated Case Nos. TX2010-001404, TX2011-000399 and TX2012-000371, Tax Parcel Nos. 105-11-061A and 105-11-061B for tax years 2011, 2012 and 2013.

Chris Straub, Chief Civil Deputy County Attorney, stated the case involved Sears retail store, automotive repair facilities and a separate parking lot located at the Tucson Mall for tax years 2011, 2012 and 2013. He stated the proposed settlement would result in an estimated tax decrease of \$24,900.00 for tax year 2011 based on 2011 tax rates, \$46,660.00 for tax year 2012 based on the 2012 tax rates and \$35,500.00 for tax year 2013 based on the 2013 tax rates and that the tax values for 2013 would not roll over to 2014 because the property is statutorily valued. The County Assessor and County Attorney's Office recommended approval.

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

10. Pursuant to A.R.S. § 38-431.03(A) (3) and (4), for legal advice and direction regarding Sears Roebuck & Co., v. Pima County, Arizona Tax Court Consolidated Case Nos. TX2010-000829, TX2011-000400 and TX2012-000372, Tax Parcel No. 128-01-0040 for tax years 2011, 2012 and 2013.

Chris Straub, Chief Civil Deputy County Attorney, stated the case involved Sears retail store, automotive service center and a detached parking garage located on the east side of Park Mall for tax years 2011, 2012 and 2013. He stated the proposed settlement would result in an estimated tax decrease of \$14,565.00 for tax year 2011 based on 2011 tax rates, \$28,160.00 for tax year 2012 based on 2012

tax rates and \$33,215.00 for tax year 2013 based on the 2013 tax rates and that the settlement values would not roll over because the property is statutorily valued. The County Assessor and County Attorney's Office recommended approval

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

11. Pursuant to A.R.S. § 38-431.03(A) (3) and (4), for legal advice and direction regarding Tupart II, L.L.C., v. Pima County, Arizona Tax Court Consolidated Case Nos. TX2011-000401 and TX2012-000606, Tax Parcel No. 133-22-424B for tax years 2012 and 2013.

Chris Straub, Chief Civil Deputy County Attorney, stated the case involved Kmart retail building located on the northwest corner of Broadway and Kolb for tax years 2012 and 2013. He stated the proposed settlement would result in an estimated tax decrease of \$35,075.00 for tax year 2012 based on 2012 tax rates and \$30,175.00 for tax year 2013 based on 2013 tax rates and that the tax values for 2013 would not roll over to 2014 pursuant to the statute. The County Assessor and County Attorney's Office recommended approval.

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

## **INDUSTRIAL DEVELOPMENT AUTHORITY**

12. **Tucson Medical Center**

RESOLUTION NO. 2013 - 112, of the Board of Supervisors of Pima County, Arizona approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its debt obligations in a principal amount not to exceed \$16,000,000.00 for the benefit of Tucson Medical Center and declaring an emergency.

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

## **TRANSPORTATION**

13. **Waiver of Development Impact Fee**

Pursuant to Pima County Code Section 19.03.070, the Church of God, represented by Maria Rascon, requests a waiver of the Roadway Development Impact Fee for the placement of an office on the property located at 5400 S. Palo Verde Road, in the San Xavier Impact Fee Benefit Area. (District 2)

Supervisor Miller questioned the County position regarding the fee for mobile units and the application of the fee to non-profit agencies.

Maria Rascon, representing the Church of God, stated they were a non-profit organization involved in a project for Tucson youth and needed the building for an office. They would be working with probation officers to train youth to be leaders and for outreach.

Priscilla Cornelio, Transportation Director, explained it had been the practice to waive the fee for non-profit agencies and added that this building was a replacement unit to one that existed on the site.

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

## **TRANSPORTATION**

### **14. Abandonment of County Highway**

RESOLUTION NO. 2013 - 113, of the Board of Supervisors of Pima County, abandoning a county highway within the incorporated limits of the City of Tucson for the Barrio Centro Neighborhood Association Project. (District 2)

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

## **PRESENTATION/PROCLAMATION**

### **15. Presentation of a proclamation to Dr. Alvin Lewis, proclaiming the day of Tuesday, December 10, 2013 to be: "DR. ALVIN LEWIS DAY"**

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

Supervisor Elías made the presentation to Dr. Lewis and congratulated him on his pending retirement.

## **CONTRACT AND AWARD**

## **ECONOMIC DEVELOPMENT AND TOURISM**

### **16. Contract**

Pima County Sports and Tourism Authority, Pima County and the Pima County Stadium District, Amendment No. 5, to provide for PCSTA activities, extend contract term to 6/30/14 and amend contractual language, no cost (CT-ED-13-266)

Without objection, this item was continued to the Board of Supervisors' Meeting of December 17, 2013.

## **FACILITIES MANAGEMENT**

17. Arizona Department of Economic Security, to provide a lease for property located at 2329 E. Ajo Way, contract amount \$200,449.80 revenue/5 year term (CTN-FM-14-91)

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

## **BOARD, COMMISSION AND/OR COMMITTEE**

18. **Board of Adjustment, District 1**

Appointment of George D. Carroll, to replace Scott D. McDonald. Term expiration: 12/9/17.

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

## **BOARD OF SUPERVISORS**

19. **Appeal of Review Officer's Decision**

The Board of Supervisors on September 17, October 8, October 15, November 12 and December 3, 2013, continued the following:

Pursuant to Board of Supervisor's Policy D 22.10, the Pima County Assessor appeals the decision of the Review Officer regarding the classification of Tax Parcel Nos. 109-25-006B, 109-25-006E, 110-10-001B, 110-10-001D, 110-10-002B and 110-10-005B to Legal Class 3 for Tax Year 2013.

Tom Burke, Review Officer/Finance and Risk Management Director, stated the matter had been resolved.

It was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the appeal.

## **FRANCHISES/LICENSES/PERMITS**

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

Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for December 14, 2013 and January 3, 2014.

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

## **CONSENT CALENDAR**

### **21. Call to the Public (for Consent Calendar items only)**

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

### **22. Approval of the Consent Calendar**

It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to pull Consent Calendar Item No. 9 for separate discussion and vote.

## **PULLED FOR SEPARATE ACTION BY SUPERVISOR MILLER**

## **BOARD, COMMISSION AND/OR COMMITTEE**

### **9. Deem Inactive and Abolish**

Staff requests the following Pima County Boards, Commissions and/or Committees be deemed inactive and officially abolished:

- Binghampton Historic District Advisory Board
- Bond Program Audit Committee
- Budget Review Committee
- Community Housing Bond Oversight Advisory Committee
- Ethics Commission
- Metropolitan Tucson Commission on Urban Native American Affairs
- Rillito Regional Park Advisory Committee

Supervisor Miller stated she would not support removing the Budget Review Committee.

Supervisor Carroll stated that the Ethics Commission would be necessary if issues arose and it would hold elected officials accountable to the community.

It was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 3-2 vote, Supervisors Carroll and Miller voted "Nay," to approve the item.

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

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## **CONTRACT AND AWARD**

### **Community Development and Neighborhood Conservation**

1. Primavera Foundation, to provide a lease agreement for property located at 400 E. 26th Street, General Fund, contract amount \$250.00 revenue/25 year term (CTN-PW-14-33)

### **Health**

2. Arizona Department of Health Services, Amendment No. 2, to provide dental services and extend contract term to 12/31/13, no cost (CTN-HD-12-61)

### **Information Technology**

3. American Towers, Inc., Amendment No. 1, to provide a license agreement for the communications facility at 7120 West Hidden Canyon Drive and extend contract term to 6/30/14, General Fund, contract amount \$75,000.00 (CT-IT-12-91)

### **Office of Medical Services**

4. Old Pueblo Community Services, Amendment No. 1, to provide for the Inside Out Recovery Partnership Program and extend contract term to 9/30/14, no cost (CT-OMS-14-128)

### **Procurement**

5. The Ashton Company, Inc., Borderland Construction Company, Inc., Granite Construction Company, KE&G Construction, Inc. and Southern Arizona Paving and Construction Company, Amendment No. 5, to provide a job order master agreement for traffic signal, road intersection, paving and drainage improvements and extend contract term to 12/21/14, County HURF Fund, contract amount \$5,000,000.00 (MA-PO-12-226) Transportation
6. **Award**  
Highest Scoring Firm: Award of Contract for Solicitation No. 109688 and approval to enter into negotiations with GLHN Architects and Engineers, Inc. (Headquarters: Tucson, AZ), the highest scoring respondent for design engineering services for improvements to Northside Regional Park (Rillito Regional Park). The contract shall be for 24 months in an amount not to



exceed \$550,000.00. The contract may be extended for project completion. If a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: Kimley-Horn and Associates, Inc., Westland Resources, Inc., and Wheat-Scharf Associates, Inc., until a contract is executed or the list is exhausted. Funding Source: 2004 Bond Fund. Administering Department: Capital Project Management Office.

7. **Award**

Low Bid: Award of Contract, Solicitation No. 111098, in the amount of \$764,467.00 (Total Bid Amount) to the lowest responsive bidder, Quest Civil Constructors, Inc., (Headquarters: Phoenix, AZ) for construction of the Tres Rios WRF West Plant Primary Clarifier Mechanical Rehabilitation Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.

**GRANT APPLICATION/ACCEPTANCE**

8. **Acceptance - Transportation**

Governor's Office of Highway Safety, to provide for two radar speed display signs, materials and supplies, U.S. Dept. of Transportation, \$12,740.00.

**BOARD, COMMISSION AND/OR COMMITTEE**

9. **Deem Inactive and Abolish (PULLED FOR SEPARATE ACTION)**

10. **Flood Control District Advisory Committee**

Ratification of Town of Oro Valley appointment: Mike Todnem to replace Paul R. Jungen. No term expiration. (Jurisdictional recommendation)

11. **Metropolitan Energy Commission**

Appointment of Javier Lopez, to fill the unexpired term of Stephanie Codd Anderson. Term expiration: 11/30/14. (Commission recommendation)

**ELECTIONS**

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

RESIGNATION-PRECINCT-PARTY

Janice Barcklow-101-REP

APPOINTMENTS-PRECINCT-PARTY

Nate V. Terani-149-DEM

Lee V. Fairman-084-REP

Nancy J. Haak-183-REP

Ralph D. Haak-183-REP

## **FINANCE AND RISK MANAGEMENT**

### **13. Duplicate Warrants - For Ratification**

Unmanned Vehicle University \$1,500.00; Jack Eugene Kincaid \$37.83; Viola Estelle Wilson \$98.70; Viola Estelle Wilson \$32.90; Mark Dean Mace \$220.00; Kropp Holdings, Inc. \$2,326.42; Kropp Holdings, Inc. \$2,768.74; Allstaff Services, Inc. \$832.32; Zephyr Window Coverings, Inc. \$1,544.94; Tamara C. Smith \$70.00; Nancy L. & Robert W. Harral Jr. \$950.00; Redburn Tire Co. \$2,270.54; Thim Utility Co. \$112.04; David William Hansen \$10.68

## **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

### **14. Assignment of Performance Deed of Trust with Release**

La Frontera Partners, Inc. and The Tucson Urban League Incorporated, to provide an Assignment of Performance Deed of Trust with Release for the Sunnyside Pointe Development, L.L.C. Project, no cost (District 5 2)

## **RATIFY AND/OR APPROVE**

15. Minutes: November 5, 2013 and November 12, 2013

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### **22. CALL TO THE PUBLIC**

Mary Ann Murphy addressed the Board regarding an award to CMG Engineering and Drainage Ways 6 through 23 in Green Valley.

Keith Van Heyningen spoke regarding local government and taxes.

Geri Ottoboni stated she was not able to hear some of the votes during the meetings.

### **23. ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:07 a.m.

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CHAIRMAN

ATTEST:

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CLERK