

## 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, April 17, 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. **REQUEST TO RELEASE**

Staff recommends approval of the Partial Release of Certain Real Property from the Site-Specific Agreement to Master Restrictive Covenant, 1.2 acres of County-owned land located at N. First Avenue and Tangerine Road, in Section 31, T11S, R14E, G&SRM. (District 1)

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

### 2. **ACCEPTANCE OF DONATION OF REAL PROPERTY AT CANOA HILLS GOLF COURSE**

RESOLUTION NO. 2018-FC2, of the Board of Supervisors and the Pima County Regional Flood Control District Board of Directors, accepting a donation of approximately 130 acres of real property from Borderland Investments I, L.L.C., to the Pima County Regional Flood Control District, and designating the donation parcel as part of the County Parks System, contract amount not to exceed \$4,000.00 for closing costs (CT-PW-18-340)

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

Supervisor Miller commented that she was reluctant to ask taxpayers to pay for a project that would cost \$100,000.00 in maintenance, instead of funding road repairs. She inquired about the asbestos study and its cost.

Chuck Huckelberry, County Administrator, responded that the study had been conducted by Risk Management's independent testing laboratory for a cost of

\$1,000.00. He also stated that the report had specific charges for the presence of asbestos, however, no asbestos was present.

Supervisor Miller commented about the County's willingness to invest monies for studies and landowner's unwillingness to expend money for maintenance on the property. She added that the landowner's donation was to have taxpayers pay for the repairs and maintenance. She stated that the County should not acquire more costly projects, but should use the money for road repairs. She mentioned the loss of property taxes and inquired about the yearly amount of property taxes paid by the golf course.

Mr. Huckelberry responded that he did not readily have those figures but that it was disclosed in the report provided. He added that the amount was not relevant because ultimately the property owner would stop paying property taxes and the property would revert to sale. He also added that if no buyer came forward, the land would revert to the state as a deed, which could take upwards of five years to clear the title on the property.

Supervisor Miller sought clarification on whether the maintenance building was being purchased.

Mr. Huckelberry responded that there was no intention of purchasing the maintenance building and mention of the building in the report was the County doing its due diligence.

Supervisor Miller inquired whether the proposed \$15,000.00 covered the removal and repaving of the pathways.

Mr. Huckelberry responded that a majority of the concrete pathways were in good condition and that the connecting asphalt pathways needed replacing. He stated that the quote for \$10,000.00 was provided by staff and that the \$15,000.00 recommended would more than cover the work.

Supervisor Miller commented on the \$35,000.00 for demolition of the restrooms and sought clarification as to why \$300,000.00 had been designated for two new restrooms when organizations were willing to donate them. She then inquired why the County had not requested the organization donate the restrooms prior to placing it under County inventory and management. She requested that any donations be set in writing, since there were no guarantees that the organization would be able to amass the necessary funds for the donation.

Mr. Huckelberry explained that the current restrooms did not meet Americans with Disabilities Act (ADA) requirements and needed to be demolished. He added that since the new restrooms would be on County property, the County would be responsible for maintenance. He also added that there were no immediate plans to build restrooms, but if the surrounding community felt the restrooms were a priority, the community could supply the donations. He explained that donations are often received to perform physical improvements for county parks.

Supervisor Miller inquired whether the County had any legal obligation to those taxpayers that had purchased premium lots next to the golf course.

Mr. Huckelberry responded that there would be no liability to the County. He added that once the park was established adjoining properties' taxable values would increase and offset any park maintenance expenses.

Supervisor Miller replied that she had doubts that properties adjacent to parks would have increased value. She stated that the Pima County Department of Natural Resources, Parks and Recreation had refused this donation of real property due to the high cost of maintenance and needed improvements and that the County should not make taxpayers responsible for the improvements. She added that the current property owner should be responsible for any rehabilitation and inspection costs needed before the County took responsibility.

Mr. Huckelberry responded that the Assessor's roles showed an increase in property values when the properties were adjacent to natural parks.

Andrew Flagg, Chief Civil Deputy County Attorney, addressed the Board regarding a typographical error in the resolution. He stated that on page 1, item 5, the statutory citation cited Section 48-3606, and that the correct citation should read Section 48-3603. He asked that the motion include the amendment.

Supervisor Bronson and Chairman Elías accepted the amendment to their motion.

Supervisor Christy thanked the members of the Green Valley Community for their time and commitment. He stated that the 130-acre property had become unsightly and it was not feasible to sell the property since three-fourths of the property was in a floodplain. He added that the property did not allow for rezoning for commercial or residential use. He stated that the Green Valley Community had prepared a Park Task Force Report in order to collect community input, support, concerns, uses and needs of the community. He added that the report showed that the community supported this recreational opportunity and that it was endorsed by Green Valley Recreation, Green Valley/Sahuarita Chamber of Commerce, Country Fair White Elephant, Pima County Sheriff Mark D. Napier, Town of Sahuarita, Natural Resources, Parks and Recreation, Canoa Hills Redevelopment Committee, Green Valley Desert Hills Number Four Homeowners Association, Green Valley Council and the Santa Cruz Valley Bicycle Committee. Supervisor Christy urged the Board to approve the donation of the Canoa Hills Golf Course.

Supervisor Miller commented that the property taxes were \$8,800.00 a year.

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:30 p.m.

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK

DRAFT

## 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, April 17, 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 Rabbi Batsheva Appel, Temple Emanu-El.

### 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.

### **PRESENTATION/PROCLAMATION**

4. Presentation of a proclamation to Sheriff Mark Napier; Deputy Leo, Crisis Canine Response Team; and Jeremy Brown, owner of The Complete Canine and evaluator with Pet Partners of Southern Arizona, proclaiming the day of Monday, April 30, 2018 to be: "NATIONAL THERAPY ANIMAL DAY"

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

5. Presentation of a proclamation to Sat Bir Kaur Khalsa, Tucson Sikh Society, proclaiming the month of April 2018 to be: "SIKH CELEBRATION OF VAISAKHI MONTH"

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

## **PRESENTATION**

### **6. Chuck Catino Community Leadership Award**

Presentation of the Chuck Catino Community Leadership Award to Jack Moreland, the first County Volunteer Assistant Rangemaster. (District 4)

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

### **7. CALL TO THE PUBLIC**

Roger D. Score addressed the Board regarding taxes and use of County funds.

Geri Ottoboni addressed the Board regarding the proposed sales tax, opposition to the Canoa Hills Golf Course donation and the distribution of taxes.

Christopher Cole, Chair, Pima County Libertarian Party, addressed the Board regarding spending and the Board's to prioritization of projects.

Malinda Sherwyn spoke about personal property theft and road conditions.

Paul Parisi, 4Tucson, invited the Board to the National Day of Prayer Breakfast on May 3, 2018.

Chris King addressed the Board regarding bonds and transparency.

Ryan Kelly expressed concern regarding the absence of an official policy relating to interaction with federal immigration officials and thanked the Board for opposing National Guard troops at the U.S. border.

Steve Diamond asked that the Board adopt the resolution opposing National Guard troops at the U.S. border.

Billy Peard expressed his support for the resolution opposing National Guard troops at the U.S. border and praised Sheriff Napier on his diligence in drafting a policy regarding interaction between County law enforcement and federal immigration officials.

Gail Kamaras, Indivisible Southern Justice Alliance, addressed the Board regarding withholding funding for Operation Stonegarden until the Board's conditions have been met by the Sheriff's Office.

Janni Simner spoke about property taxes and sales taxes.

Bill Ambrosio addressed the Board regarding road conditions and support for Ordinance No. 2018-7, funding road repair.

Brian Bickel addressed the Board regarding revenues, funding road repairs, Highway User Revenue Fund (HURF) and funding allocations.

Ana Henderson addressed the Board regarding spending and expressed her objection to the proposed sales tax.

Larry Cocchiarella addressed the Board regarding corruption, spending and road conditions.

Robert L. Melvin addressed the Board regarding misleading the media, importance of blue-collar workers and reorganization of the County workforce.

The following speakers addressed the Board in support of the Canoa Hills Golf Course donation:

- Mari Nelson
- Larry Coffin, Green Valley Community (GVC) Park Task Force Design Committee and Santa Cruz Valley Bicycle Advocate Committee
- Pam Weston
- Joseph Erceg, Green Valley/Sahuarita Chamber of Commerce and Visitors Center
- Don Weaver, President, Green Valley Council
- Gil Lusk, Green Valley Council
- Thao Tiedt, Green Valley Council

They offered the following comments:

- Approval of the donation of the golf course and suggested that tributes be placed along the trail route.
- The park would benefit the community's quality of life, economic development and increase tourism.
- The golf course was a health hazard to nearby residents.
- Thanked all the organizations that worked towards this worthwhile project.
- Community of Green Valley is committed to funding park improvements, which include the median, flora and new bathrooms.
- The land cannot be sold or developed because 70% of the land is within the floodplain and it would eventually become a fire hazard and a liability for all.
- The Green Valley Council plans on creating a Friends Group that would seek federal grant opportunities and recreation community activities for the park.
- Having a park with open space to walk, watch the sunsets, commune with nature and hear the birds soothes the soul.

## 8. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Christy, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 10:49 a.m.

9. **RECONVENE**

The meeting reconvened at 11:44 a.m. All members were present.

**EXECUTIVE SESSION**

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to waive attorney-client privilege and release to the public a memorandum from Andrew Flagg to Supervisor Stephen W. Christy dated December 13, 2017, regarding "Proposed Canoa Golf Course donation; conflict question."

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to waive the attorney-client privilege.

It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to waive the attorney-client privilege.

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement in FHM Partners, L.L.C. v. Pima County, Tax Court Case No. TX2017-001651.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the recommended settlement would reduce the full cash value of 17 parcels that comprised the Foothills Mall. The following recommendations were made: \$15,065,451.00 for tax year 2017, for a total tax reduction of \$454,595.00; \$12,004,811.00 for tax year 2018, for a total tax reduction of \$362,432.00; and \$12,052,684.00 for tax year 2019, for a total tax reduction of \$352,545.00. He stated that the County Finance Department and the County Attorney's Office recommended approval of the proposed settlement.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to accept the County Finance Department and the County Attorney's Office recommendations.

12. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Dionies, et al. v. Pima County, Pima County Superior Court Case No. C20155895.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the proposed settlement of \$2.1 million dollars and, as outlined in the terms of settlement, would satisfy each of the claimants claims. The County Attorney's Office sought direction on whether to approve the proposed settlement.

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

13. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement offer in WCCP Rancho Vistoso, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2017-000463.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that under the terms of the proposed settlement, the full cash value for the two parcels for 2018 would be reduced from \$12,232,669.00 to \$5,097,335.00, and that value would roll to tax year 2019. He added that the reduction for tax year 2018 would be approximately \$184,425.00. He stated that the County Finance Department and the County Attorney's Office recommended approval of the proposed settlement.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to accept the County Finance Department and the County Attorney's Office recommendations.

14. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to pursue intervention on behalf of Pima County in SolarCity Corporation, et al. v. Arizona Department of Revenue, Arizona Tax Court Case No. TX2014-000129.

This item was for information only. No Board action was taken.

15. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the defense of the following matters: Constellation Solar Arizona, L.L.C., et al. v. Arizona Department of Revenue, et al., Arizona Tax Court Case No's. TX2014-000629, TX2015-000122, TX2016-000190, and TX2017-000471; Continental Energy, L.L.C., et al. v. Arizona Department of Revenue, et al., Arizona Tax Court Case No's. TX2014-000744, TX2015-000950, TX2015-000969, TX2016-001029, TX2016-001031, TX2017-001672, and TX2017-001673; Solarcity Corporation, et al. v. Arizona Department of Revenue, et al., Arizona Tax Court Case No's. TX2014-000189, TX2016-000240, TX2016-000876, and TX2017-000512; Sunrun, Inc. v. Arizona Department of Revenue, et al., Arizona Tax Court Case No's. TX2014-000329 and TX2016-001025.

This item was for information only. No Board action was taken.

#### **CLERK OF THE BOARD**

16. **Board of Supervisors New Policy**

Staff requests approval of the proposed new Board of Supervisors Policy No. C 4.3, Property Tax Exemption Redemption of Waiver.

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

Supervisor Miller inquired why this policy was being created.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that the past practice was for the requests for redemption of waivers be processed through the Assessor's Office; the Assessor's Office would review and then submit a package to the Board for approval. He stated that the Assessor's Office determined that the Board should approve the waivers prior to having the requests go to the Assessor's Office, pursuant to Statute §42-11153(B). He added that it was the Board's responsibility to determine whether or not to grant the redemption of waiver. He added that the Clerk of the Board drafted the policy in order to comply with the statute per the Assessor's change in position.

Supervisor Miller stated that in an email she received from Bill Staples, Pima County Assessor, he indicated that he would not be sharing supporting documentation related to particular cases. She inquired how the Board could feasibly approve the waivers.

Mr. Flagg responded that the policy was arranged so that the taxpayer would only need to provide the Clerk of the Board's Office with the information required to process the petition.

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

## **DEVELOPMENT SERVICES**

### **17. Standard Assurance Agreements**

P1200-184, Stewart Title & Trust, USH/SVA Star Valley, L.L.C., Star Valley Master Block Plat Star Valley Blocks 1-30, MP56055. (District 3)

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

## **REAL PROPERTY**

### **18. A. Request to Release**

Staff recommends approval of the Partial Release of Certain Real Property from the Site-Specific Agreement to Master Restrictive Covenant, 1.2 acres of County-owned land located at N. First Avenue and Tangerine Road, in Section 31, T11S, R14E, G&SRM. (District 1)

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

**B. Contract**

5KG Investment Company, L.L.C., to provide for an Exchange Agreement and Non-Exclusive, Non-Motorized, Recreational Trail Easement (Juan Bautista De Anza Trail) contract amount \$31,000.00 revenue/5 year term (CTN-PW-18-136)

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

**COUNTY ADMINISTRATOR**

**19. Hearing - Bond Program Updates and Amendments to Pima County Bond Ordinances**

- A. ORDINANCE NO. 2018 - 6 of the Board of Supervisors, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance Number 1997-35 Bond Implementation Plan, May 20, 1997 Special Election (as previously amended) for the purpose of amending the scope, bond funding and other funding for certain projects.
- B. ORDINANCE NO. 2018 - 7, of the Board of Supervisors, relating to Highway User Revenue Fund Revenue Bond Projects amending Ordinance Number 1997-80 Bond Implementation Plan, November 4, 1997 Special Election (as previously amended) for the purpose of amending scope, bond funding, other funding and implementation periods for certain projects.
- C. ORDINANCE NO. 2018 - 8, of the Board of Supervisors, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance Number 2004-18 Bond Implementation Plan, May 18, 2004 Special Election (as previously amended) for the purpose of amending the scope of a certain project.

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

Supervisor Miller stated that there were two speakers who were unable to stay for the duration of the meeting and they had expressed their support of the Ordinances to her.

Chuck Huckelberry, County Administrator, explained the Ordinances were amended bond funded projects.

It was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinances.

## DEVELOPMENT SERVICES

### 20. **Hearing - Conditional Use Permit, Vail Equipment Rentals, L.L.C.**

#### P18CU00001, TELLEZ - S. WILMOT ROAD

Request of Juan Tellez (Vail Equipment Rentals, L.L.C.), on property located at 16025 S. Wilmot Road, approximately 700 feet north of the Sahuarita Road intersection, in the RH (Rural Homestead) Zone, for a conditional use permit for a retail/repair shop, in accordance with Section 18.13.030.B.10 of the Pima County Zoning Code as a Type II conditional use permit. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (Districts 2 and 4)

1. A formal Development Plan and customary attendant analyses (e.g. drainage report) shall be submitted for review and approval prior to final permitting or use of the property for the proposed retail/repair/equipment rental business.
2. The new steel building and associated parking area shall be located in substantial conformance with that as shown on the concept plan submitted with this conditional use permit application. Access to the business is allowed only from Wilmot Road.
3. Normal hours of operation are limited to 7:00 AM to 5:00 PM, Monday through Friday, and from 7:00 AM to 1:00 PM on Saturdays.
4. Summer hours of operation (from June through August inclusive), shall allow for a 6:00 AM opening time, Monday through Saturday.
5. All maintenance involving the draining or filling of oils and engine fluids, or the use of cleaning solutions, shall be conducted on a concrete floor and will be properly contained thereon so as to prevent run-off into soil areas.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Christy, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and approve P18CU00001, subject to standard and special conditions.

### 21. **Hearing – Rezoning**

#### P17RZ00012, FIDELITY NATIONAL TITLE AGENCY, INC., TRUST 60,477 - S. CAMINO DE OESTE REZONING

Request of Fidelity National Title Agency, Inc., Trust 60,477, represented by Projects International, Inc., for a rezoning of approximately 19.99 acres from the SR (Suburban Ranch) to the CR-3 (Single Residence) Zone on property located at the northeast corner of S. Camino de Oeste and W. Irvington Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Medium Low Intensity Urban designation. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Bain, Becker, Gungl and Matter were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 5)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. The property shall be limited to two access points, one on Irvington Road and one of Camino de Oeste as indicated on the preliminary development plan.
  - B. Pedestrian access to the school shall be provided as indicated on the preliminary development plan.
3. Regional Flood Control District condition: At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
  - A. The owner 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 to that effect.
  - B. The owner 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 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 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 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 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 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. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) 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.
6. Cultural Resources condition:
  - A. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the

repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

- B. If antiquities, archaeological sites, artifacts, burial sites are uncovered during excavation, a clearance from Pima County's archaeologists is required prior to resuming construction.
7. Adherence to the preliminary development plan as approved at public hearing.
8. 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.
9. 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(I)."

Tiffany Gardner, Vice President, Westview Pointe Homeowners Association (HOA), addressed the Board regarding her concerns of overcrowding at neighborhood schools, which were already at capacity. She stated that the roads were congested and in poor condition. She added that one roadway lacked sidewalks and there were no provisions for the developer to improve the roadway and provide sidewalks. She also stated that the two-story homes would block mountain views for current residents. She added that limiting the development to single-story homes would be acceptable to existing residents. She suggested that the focus be placed on providing shopping and services to the area rather than dense housing. She urged the Board to maintain the existing suburban ranch zoning for the acreage.

Chairman Elías inquired whether those were personal views or the views of the HOA.

Ms. Gardner responded that they were the views of the HOA.

Chairman Elías inquired whether the HOA had voted on these conditions.

Ms. Gardner responded that unfortunately the HOA had been unable to vote but she had spoken to homeowners and HOA members and they were all in agreement.

Chairman Elías inquired whether Ms. Gardner had spoken with the developers or their representatives.

Ms. Gardner responded that she had not had an opportunity and was unable to attend the one developer's meeting due to a conflict, but had attended the Planning and Zoning Commission Meeting.

Jim Portner, Projects International, Inc., stated he represented the property owner and Ms. Gardner's concerns had been raised at the Planning and Zoning Commission meeting prior to their approval of the item. He stated the area was underserved but the comprehensive plan did contemplate the need for services around the Kinney-Ajo Way intersection. He explained that the lack of commercial property was due to

a cohesive accumulation of population sufficient enough to support the services. He added that the Planning and Zoning Commissioners' position was that additional residential development would add to the population and lead to commercial development of the area. He commented that in his discussion with the schools, the schools reported being over-capacity; however, that conclusion was based on adding the number of students from the proposed development to the current student enrollment. He added that the increased student population would not be realized for another two years. He stated that the developer had offered to participate in the voluntary rooftop contribution program which was \$2,000.00 per rooftop and would be payable to the school at the time of closing. He commented that the roadways in the area were under capacity and were in very poor condition. He stated that both Camino de Oeste and Irvington Road were scheduled for re-paving within two years and would be completed before development of the property. He then noted that the surrounding subdivisions, including Mountain Village Estates and Westview Pointe had two-story homes and proposed that the subdivision have the opportunity to offer the same option to homebuyers. He stated that they did not anticipate a lot of demand for two-story homes, because the 8,000 square foot lot minimum allowed enough square footage for one-story floorplans. He stated that the development was in accordance with the comprehensive plan and on the low end of the density range as required under the Medium Intensity Urban (MIU) Program. He added that the requested subdivision would preserve the central wash corridor, provide perimeter buffering and more open space than older subdivisions.

It was moved by Chairman Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and approve P17RZ00012, subject to standard and special conditions.

## 22. **Hearing - Comprehensive Plan Amendment**

### P17CA00004, CAMPBELL FOOTHILLS INVESTORS, L.P. - N. CAMPBELL AVENUE PLAN AMENDMENT

Request of Campbell Foothills Investors, L.P., represented by The Planning Center, to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) 0.5 acres, Low Intensity Urban 3.0 (LIU-3.0) 5.5 acres, Medium Intensity Urban (MIU) 1.0 acres, and Higher Intensity Urban (HIU) 0.2 acres to Medium Intensity Urban (MIU) 7.2 acres and, to rescind Rezoning Policy RP-50 North Campbell Avenue (max. residential density = 16 dwellings) located at the east side of North Campbell Road approximately .5 miles north of East River Road in Section 20, Township 13 South, Range 14 East, in the Catalina Foothills Planning Area. On motion, the Planning and Zoning Commission voted 4-3 (Commissioners Matter, Cook and Gungle 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)

At the request of the applicant, this item was continued to the Board of Supervisors' Meeting of August 7, 2018.

23. **Hearing - Modification (Substantial Change) of Rezoning Conditions**

Co9-00-63, LA CHOLLA INVESTMENTS, L.L.C. - LA CHOLLA BOULEVARD REZONING

Request of Tucson Federal Credit Union, represented by The Planning Center, for a modification (substantial change) of rezoning condition no. 11 which requires adherence to the approved preliminary development plan for a proposed commercial/office building use and prohibits auto related uses and drive-through restaurants. The applicant proposes a convenience store with automotive fueling bays. The subject property is 4.21 acres zoned CB-1 and is located at the southwest corner of W. Magee Road and N. La Cholla Boulevard. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Becker, Bain, Gungle, and Matter were absent) to recommend APPROVAL WITH CONDITIONS. Staff recommends APPROVAL WITH CONDITIONS. (District 1)

1. ~~Submittal of a development plan if determined necessary by the appropriate County agencies.~~
2. ~~Recording of a covenant holding Pima County harmless in the event of flooding.~~
3. ~~Recording of the necessary development related covenants as determined appropriate by the various County agencies.~~
4. ~~Provision of development related assurances as required by the appropriate agencies.~~
5. ~~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 Department of Transportation, Real Property Division.~~
6. ~~There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.~~
7. ~~Transportation conditions:~~
  - A. ~~Provision of all necessary improvements on La Cholla Boulevard and/or Magee Road. These improvements shall need the approval of Pima County and meet appropriate standards prior to the issuance of any building permits for any portion of the subject property.~~

An updated traffic impact analysis (TIA) shall be completed and submitted with the development plan for the rezoning site. The TIA shall include assessment of the signalization at La Cholla Boulevard and Magee Road, including signalization of the right turning movement from eastbound Magee Road to southbound La Cholla Boulevard.
  - B. ~~The property owner(s) shall dedicate additional right-of-way along the La Cholla Boulevard frontage of the property should the final design of the intersection of La Cholla Boulevard and Magee Road require the same.~~

The updated TIA shall include an analysis of the right turn lane on Magee Road to southbound La Cholla Boulevard. A reduction in the turn radius may be necessary to improve intersection safety.
  - C. ~~The property owner(s) shall participate in Magee Road and Drainage Improvement District.~~

The right turn lane on Magee Road into the rezoning site shall be extended to the maximum feasible length to create additional storage.
  - D. ~~The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking areas, drives, physical barriers, drainageways and drainage easements.~~

A cross access easement shall be granted between the rezoning site and the commercial development to the south.
  - E. ~~Only one point of access will be allowed onto La Cholla Boulevard and onto Magee Road at the existing locations shown on the revised preliminary development plan.~~

82. Flood Control conditions:
- A. Drainage will not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - B. All internal drainage improvements and any external drainage improvements required to mitigate drainage impacts caused by the proposed development shall be constructed at no cost to the Flood Control District.
  - C. The property owner(s) shall dedicate right-of-way or easements for drainage purposes to Pima County Flood Control District, as determined necessary during the development plan review. Any such easements mandated by this rezoning condition shall only be those needed to address the drainage conditions at the time of development plan review. Any required drainage easements on the subject property attendant to the proposed culvert improvements associated with the La Cholla Boulevard/Magee Road improvement project shall be subject to separate negotiations and public acquisitions at the time that Pima County's proposed roadway construction plans have been completed.
93. Wastewater Management conditions:  
The property owner must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
- 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.
404. Prior to ground modifications activities, an on-the-ground archaeological survey and appropriate mitigation measures shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological sites on the subject property shall be submitted at the time of, or prior to the submittal of any tentative plat or development plan. The mitigation plan shall be prepared and reviewed as described in the Pima County Site Analysis Requirements.

445. Adherence to the revised preliminary development plan as approved at public hearing. Automotive-related uses, except for automotive fueling bays in association with a convenience store, and drive-through restaurants are prohibited.
426. Depressed diamond shaped planters or raised landscape planters shall be placed every three parking stalls and shall contain one canopy tree. Raised planters shall be used to define a hierarchy of circulation and be placed at the ends of parking area access lanes.
437. The following exotic and invasive plant species shall be prohibited anywhere on the property:  
 Fountain grass (*Pennisetum setaceum*)  
 Buffelgrass (*Pennisetum ciliare*)  
 Johnson grass (*Sorghum halapense*)  
 Giant reed (*Arundo donax*)  
 Common crabgrass (*Digitaria sanguinalis*)  
 Pampas grass (*Cortaderia selloana*)  
 Red brome (*Bromus rubens*)  
 Mediterranean grass (*Schismus spp.*)  
 Tree of heaven (*Ailanthus altissima*)  
 African sumac (*Rhus lancea*)  
 Russian olive (*Eleagnus angustifolia*)  
 Salt cedar/Tamarisk (*Tamarix pertandra & T. ramosissima*)  
 Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda  
 Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)  
 African rue (*Peganum harmala*)  
 Iceplant (*Mesembryanthemum crystallinum*)  
 Arabian Grass (*Schismus arabicus*)  
 Natal Grass (~~*Molinis repons*~~ ~~*Rhyncholythrum repons*~~)  
Upon the effective date of the Resolution, the owner(s)/developer(s) 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.
8. 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.
9. 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 Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-00-63, subject to conditions.

24. **Hearing - Zoning Code Text Amendment**

P17TA00006, HISTORIC LANDMARK ZONE/HISTORIC ZONE

An ordinance of the Pima County Board of Supervisors relating to zoning; amending Chapter 18.05 (Zones, Maps, and Boundaries) Section 18.05.010 (Zones) to add the Historic Landmark Zone (HL) and to rename “Historic Zone H-1” and “Historic Zone H-2” to “Historic District Zone H-1” and “Historic District Zone H-2”; amending Chapter 18.63 (Historic Zone) Section 18.63.010 (Purpose and intent) to clarify the purpose and intent of the chapter and to encourage the preservation and rehabilitation of designated historic resources; amending Section 18.63.020 (Use and special exception) to add the “Historic Landmark Zone” as a new overlay zone to protect individual historic sites; amending Section 18.63.030 (Definitions) to define “Historic Zone” and “Historic Landmark Zone (HL)” and amend the definition of “Historic District Zone (H)”; amending Section 18.63.040 (Criteria) to add criteria for the designation of a “Historic Landmark Zone”; amending Section 18.63.050 (Establishment) to add the process for applying for, initiating and establishing a “Historic Landmark Zone” and renumbering the existing “Historic District Zone” establishment process; amending Section 18.63.060 (Historic district advisory boards) to specify the existing advisory board process applies only to the “Historic District Zone”; amending Section 18.63.070 (Development zone/criteria for new construction or alterations) to specify that the existing “development zone” requirements apply to the “Historic District Zone”; amending 18.63.070(B) to state that there is no separate “development zone” for the “Historic Landmark Zone”, and moving Historic District Zone criteria for “new construction or alterations” from Section 18.63.070(B) to Section 18.63.080(A), and renumbering accordingly; amending Section 18.63.080 (Design plan requirements and review procedures) to combine the criteria, submittal, and review processes for “new construction or alterations” for both the “Historic District Zone” and the “Historic Landmark Zone” into one section by moving Historic District Zone criteria for “new construction or alterations” to Section 18.63.080(A) and renumbering accordingly, and adding criteria for Historic Landmark Zone for “new construction and alterations”; amending Section 18.63.090 (Demolition of historic structures) to add a new application and review process for the demolition of designated “Historic Landmark Zone” historic resources and renumbering accordingly; and, amending Chapter 18.101 (Administrators) Section 18.101.030 (Planning and Zoning Commission) to add the establishment, alteration, and demolition processes for the “Historic Landmark Zone” to the powers and duties of the commission. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Bain, Becker, Gungle, and Matter were absent) to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt: ORDINANCE NO. 2018 - 9

Chairman Elías stated, for the record, that Demion Clinco submitted a speaker card in support of this item.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to close the public hearing, approve P17TA00006 and adopt the Ordinance.

25. **Hearing - Lot Split**

Co12-72-14, ROCKCLIFF (LOT 1)

Request of Kelly and Karen Callan Trust, represented by Dynamic Civil Designs, L.L.C., for a split of Lot 1 of Rockcliff (Bk. 24, Pg. 67) into two parcels of approximately 1.48 acres and 4.52 acres. Plat note #22 states that Lot 1 will not be further subdivided without the approval of the Board of Supervisors. The subject lot is approximately 6.01 acres zoned CR-1 (Single Residence) and is located on the east side of N. Santana Place, approximately 450 feet north of the terminus of N. Santana Place and approximately 300 feet southeast of the intersection of N. Santana Place and N. Buckskin Way, south of E. Snyder Road. Staff recommends APPROVAL WITH CONDITIONS. (District 1)

1. The existing disturbed area shall be utilized for the house pad, yard, septic system plus reserve area, and driveway on the proposed western Lot 1 as shown on the lot split site plan. Any necessary additional grading shall be in accordance with applicable provisions of Zoning Code Chapter 18.61 Hillside Development Overlay Zone.
2. The existing disturbed area described as 7,018 square feet on the proposed eastern Lot 2 as shown on the lot split site plan, shall be revegetated in accordance with site restoration requirements contained in Zoning Code Section 18.61.055D.
3. A single point of access at N. Santana Place shall serve both lots, and the portion of the driveway common to both residences shall at a minimum be chip sealed.

Supervisor Miller inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-72-14, subject to conditions.

26. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2018 - 10, P17RZ00006, Wong Family L.P. - W. Sumter Drive Rezoning. Owners: Wong Family Limited Partnership (District 1)

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

27. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2018 - 11, P17RZ00008, Landmark Title TR 7792-T - S. Nogales Highway Rezoning. Owner: Landmark Title TR 7792-T (District 3)

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

**28. Hearing - Rezoning Resolution**

RESOLUTION NO. 2018 - 17, Co9-02-24, Fidelity Title Agency Trust 10,930, et al. - Kolb Road Rezoning. Owner: Lewis I-10/Kolb, L.L.P. (District 4)

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

**TRANSPORTATION**

**29. Hearing - Traffic Ordinance**

ORDINANCE NO. 2018 - 12, of the Board of Supervisors, relating to traffic and highways; regulating parking on River Road in Pima County, Arizona. Staff recommends APPROVAL. (Districts 1 and 3)

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

**30. Hearing - Traffic Ordinance**

ORDINANCE NO. 2018 - 13, of the Board of Supervisors, relating to traffic and highways; establishing reasonable and prudent speed limits for motor vehicles on Wilmot Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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

**BOARD OF SUPERVISORS**

**31. Appointment of Sergeant at Arms**

Appointment of Sgt. Eric Thompson as the Sergeant at Arms effective April 29, 2018.

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

32. **Opposition to the Deployment of the National Guard to the United States border**

RESOLUTION NO. 2018 - 18, of the Board of Supervisors, in opposition to the deployment of National Guard troops to the United States border with Mexico (Districts 3 and 5)

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

Chairman Elías commented that the deployment of the National Guard to the U.S. border was an attack on our way of life and militarizing the border was about spending money and threatening people.

Supervisor Bronson stated that border crossings were at their lowest point in 20 years and the deployment was not the best use of public funds.

Supervisor Miller stated she was opposed to the resolution and added that additional border security was needed because it was unsafe.

Supervisor Christy stated that he was also opposed to the resolution because the deployment addressed border security and the safety of U.S. citizens and not immigration.

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

**COUNTY ADMINISTRATOR**

33. **Draft Sales Tax Implementation Plan Ordinance and Resolution levying a Sales Tax**

Staff recommends discussion of the draft Sales Tax Implementation Plan Ordinance, the County’s draft 10-year road repair plan for improving the condition of every paved County-maintained road to at least a fair condition, the draft resolution levying a County Sales Tax, and to provide direction on policy alternatives and whether to proceed.

Supervisor Valadez indicated that Mr. Huckelberry’s memorandum of April 17, 2018, ‘Draft Sales Tax Implementation Plan Ordinance and Resolution Levying a Sales Tax’ included draft copies of the ordinance and resolution and highlighted policy alternatives that required Board direction and preferences.

Chuck Huckelberry, County Administrator, addressed the Board indicating that the draft documents were based on recommendations from the Sales Tax Advisory Committee. He stated that the Committee recommended enacting a sales tax for ten years. He presented a schedule outlining timeframes as to when certain documents would be presented to the Board. He stated that the ordinance provided a ten-year plan and a detailed analysis of how to proceed with road repairs, for collectors and arterials roads, in unincorporated Pima County if the sales tax revenue

source was adopted. He stated that the ordinance also called for repealing the 25-cent property tax, if the sales tax was adopted. He added that the Sales Tax Advisory Committee would like to see additional property tax reductions, but had no specific recommendations. He stated that the Resolution was the funding document, which would be set-up as a ten-year sales tax that would be distributed by population, or assessed value. He added that the Resolution would contain a reference which would automatically repeal the tax if the current or any future Boards, attempted to alter the use of that money. He stated that this item was for Board direction on how to proceed with regards to the ordinance and resolution. The Board discussed the items itemized in the April 17th Memorandum as follows:

A. Distribution of funding between cities, towns and unincorporated Pima County

Chairman Elías indicated that he preferred distributing the funds based on population for those districts with significant populations within incorporated areas that have not received their portion of benefits.

Supervisor Christy inquired about the distribution tables contained in the memorandum and what they were based on.

Chairman Elías responded that one was based on assessed value and the other was based on population.

Supervisor Miller requested clarification on the difference between a general sales tax and a road sales tax.

Supervisor Bronson responded that there was no mechanism for the Board to defer a road tax to voters, but the Board could implement a general sales tax designated for road repairs that would require unanimous approval by the Board.

Supervisor Christy inquired whether the general sales tax would go before the voters.

Supervisor Bronson responded that it was mandated by statute and would not require voter's approval.

Supervisor Miller commented that statute §42-6107 allowed for a County Transportation Excise Tax for roads and required voter's approval and management by the state. She asked whether the Board would be able to control the general excise tax funds and whether they could specify what the funds would be used for.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that previously there had been discussion regarding Statute §42-6107 and it was determined that the statute did not apply to Pima County because it conflicted with a couple of different statutes.

Supervisor Miller inquired whether that was due to a stipulation that stated in order to create the Road Fund a municipality needed to have a population of 400,000 or less.

Mr. Flagg responded that was correct and that the statute required the tax funds be placed in a Regional Area Road Fund, which Pima County was restricted from pursuing due to population parameters.

Supervisor Miller inquired whether Pima County had pursued the statute via the State Legislature.

Mr. Huckelberry responded that the tax option, for small counties, passed around the same time Pima County had received Regional Transportation Authority (RTA) and involved an entirely different statute. He explained that a general excise tax could be levied by a unanimous vote of the Board and could be used for any purpose. He added that the small county road tax, the RTA road tax, Maricopa County's reauthorization and the half-cent sales tax for the RTA were currently being discussed in the Legislature.

Supervisor Miller requested clarification on the general excise tax that was specific for roads. She inquired about funding sources for the 10-year plan and asked what the outstanding balance was for Highway User Revenue Fund (HURF) Bonds.

Mr. Huckelberry responded that the outstanding bond totals were \$89 million, out of the original \$350 million, and did not include the \$16 million authorized at today's meeting.

Supervisor Miller asked when the bonds would be paid off.

Mr. Huckelberry responded that HURF bonds were issued for 15 years and \$19 million was being paid each year.

Supervisor Miller inquired whether the \$16 million approved today by the Board were included in the calculation.

Mr. Huckelberry responded that it did include the \$16 million.

Supervisor Miller noted that operational savings of \$2 million in the first two years and then it would rise significantly. She inquired how that operational savings assumption was derived.

Carmine DeBonis, Deputy County Administrator, explained that the Department of Transportation had engaged in an improvement effort process that would enhance service delivery and reduce costs. He stated that the department looked at work performance and how technology and redesigning processes such as: potholes repairs, programming and maintenance of signals, and maintenance of signs, as well as looking at infrastructure within the department, would result in savings.

Supervisor Miller indicate that the County received \$87 million in HURF but only \$1.8 million was going to road repair, and over the course of a ten-year period that amount would increase to \$20 million. She inquired where the remainder of that allocation was being spent. She stated that the Board should be using \$20 million for road repairs beginning the first year, especially if HURF revenue continues to increase and the economy is healthy.

Mr. DeBonis explained that the HURF and Vehicle License Tax (VLT) were the combined transportation component received by the County, assuming that there would be a 3% growth in HURF going forward over the ten-year period.

Mr. Huckelberry commented that \$43 million in HURF and \$18 million in VLT was used for Transportation, and did not include the General Fund VLT of \$87 million.

Supervisor Miller questioned where the fund difference was allocated.

Mr. Huckelberry responded that there were two components to the VLT, one for Transportation and the other for the County General Fund. He added that the component that went to transportation along with HURF was \$62 million, not \$87 million.

Supervisor Miller stated that the report should identify all monies received and where they were distributed.

Supervisor Bronson commented that staff should provide Supervisor Miller with a source and use fund report. She then stated that the \$62 million included salaries, overhead and road repair, and if the County were to award the work to a private company, that establishment would also have to pay overhead costs, such as materials and labor. She stated that was how all counties in the State of Arizona handled the monies.

Supervisor Miller commented that the Town of Marana used 100% of their HURF and VLT for road repairs. She stated that her concern was that the \$565 million would only bring the road repairs up to fair condition, and that the funds needed to be integrating back into road repairs or in ten years Pima County would find themselves in the same situation.

Mr. Huckelberry explained that last year the Town of Marana had begun paying for personnel and transportation expenses out of their General Fund. He added that their General Fund was composed of a 2.5% sales tax, plus a 4% construction sales tax. He explained that every other city, county and town in Arizona used their General Fund VLT to fund their General Fund and not their Department of Transportation.

Supervisor Miller noted that the Town of Marana did not receive property taxes.

Supervisor Bronson stated that the Town of Marana did not receive property taxes per statute. She then stated if they wanted to use HURF just for material and not overhead or labor, then the County would need to use General Fund dollars for labor and overhead, which would entail a property tax increase because the County did not have the authority to adopt a construction sales tax like the Town of Marana.

Supervisor Miller responded that the County needed to look at cutting expenditures. She stated that the Department of Transportation was not an enterprise fund and the problem was that the County was not using the monies meant for road repair to fix roads. She noted that the report contained a sunset clause but stated those clauses were never used.

Supervisor Valadez suggested that staff provide a cash flow diagram detailing the distribution of funds.

Chairman Elías restated his preference that the funds be distributed by population, to ensure that a majority of the citizens who live in Pima County received some degree of assistance.

Supervisors Christy and Valadez were in agreeance with funds being distributed based on population.

Supervisor Miller stated she preferred that the distribution be based on net assessed valuation.

Supervisor Bronson stated that revenues have been distributed using a formula that included both options. She explained that her dilemma with using only population was that it was a disadvantage to her constituents in District 3 that lived in rural communities. She stated she did not have a specific remedy for that problem.

Chairman Elías sympathized with District 3 and noted that District 5 shared the same concerns. He provided direction to staff to find a way of addressing that problem.

Supervisor Valadez commented that during the last distribution District 2 received an allocation of 6%, which was the lowest of any district.

Supervisor Christy inquired whether the Board had come to a consensus on this issue.

Chairman Elías indicated a proper approach would be for each Board member to state their position on the subject.

Supervisor Bronson stated that the Board was not voting on the final version of the ordinance or resolution but were providing staff direction on how to redraft the ordinance and resolution based on their comments.

## B. Role of the Regional Transportation Authority (RTA)

Chairman Elías indicated that he preferred option “D”, “County transfers funding to Municipalities; County & Municipalities Develop plans, Contract or Perform Road Repairs and Report Progress.” He indicated that it allowed for an impartial annual audit on how monies were being spent.

Supervisor Christy stated he preferred options “A” and “B”, “the broadest, legally allowable roles for RTA”, or “County & Municipalities Contract or Perform Road Repairs,” respectively.

Supervisor Miller inquired whether the County would need to pay the RTA.

Chairman Elías responded that the County would compensate the RTA.

Supervisor Christy requested that staff provide a report detailing administrative costs for both the County and the RTA if they were to administer the program.

Supervisor Miller stated that the County should not incur additional administrative costs.

Supervisor Valadez stated that previously the Board had expressed interest in involving the RTA in order to provide credibility and public transparency to the road repair program. He directed staff to provide a comparison of the RTA’s current role to options “B” and “D”.

Mr. Huckelberry stated that of the four options provided regarding the RTA’s involvement option “D” would be least costly. He added that both option “C” or “D” represented what is currently being done by the RTA, with the exception that the RTA would use their revenues to contract out through intergovernmental agreements with various entities to implement the RTA plan.

Supervisor Valadez reiterated that the intent of the RTA’s involvement had been to increase public transparency and openness. He indicated that options “B” through “D” provided an “Annually review performance of County, cities and towns management of road repair programs and recommended alternative project management if necessary” in cases an entity was not capable of delivering on budget or unable to perform thereby contributing to the transparency component.

Mr. Huckelberry added options “B” through “D” also provided for “set performance standards/best practices for road repair to evaluate County and municipal road repair programs” which were important points as it would establish a regional approach for evaluating the road repair programs, currently there are no consistent approaches to fixing roads between jurisdictions.

Chairman Elías commented that he preferred option “D” because it created an independent review.

Supervisor Bronson stated her preference to option “D”.

#### C. Property Tax Reduction

Chairman Elías stated that he preferred the 25-cent property tax reduction, but stated that discussions on that matter were misplaced due to the unknown reduction of federal contributions to Pima County. He stated his displeasure with the impact that the sales tax would have on lower income families, but that recommendations to increase funding for low-income residents was a step in the right direction. He added that creating a sales tax commission was redundant and unnecessary.

Supervisor Christy stated that a property tax reduction convoluted the issue of road repair and went against the residents of Pima County by reducing a source of income meant for road repair.

Supervisor Valadez stated that he was a proponent of this item because it reduced the negative impact that the County had with the State by reducing the overall tax bill and diversified the revenue stream for the County. He stated that in years 11 and 12, the Board of Supervisors would have the option to diversify the revenue stream and use 100% of the sales tax revenue to further reductions in property tax.

Supervisor Bronson noted that if the sales tax were adopted, the previously adopted 25-cent property tax increase would be retracted.

#### D. Funding for Programs and Services that improve the Financial Stability and Health of Low-Income Households

Chairman Elías noted the list of service, but added that the recommendations failed to mention the importance of affordable housing. He suggested that the Housing Commission review proposals regarding decent, safe and affordable housing, which would include those living in poverty, housing of veterans, persons living with AIDS, and individuals with behavioral health needs.

Supervisor Bronson commented on the recent trend of tiny houses which could be an option for affordable housing and combating homelessness. She asked that tiny homes be a component of the discussion regarding affordable housing.

Chairman Elías asked that tiny homes be part of the discussion. He also cautioned on the need to take into consideration the market, the neighborhoods where the houses would be built and the appropriateness of the styles of housing.

Supervisor Christy stated that he did not approve of funding programs or services and taking revenue away from roads repairs.

Chairman Elías stated that funding would be from the General Fund and not sales tax revenues.

Supervisor Christy disagreed with using General Funds that could be used for road repairs.

Chairman Elías commented that the Board could use General Fund money for road repair but that wasn't sufficient. He stated that in the past, General Fund monies had gone for road repair, but that the County was not collecting enough money fast enough to solve the situation of the roads.

Supervisor Christy asked how allocating 20% of the sales tax revenue to other programs would help fix the roads.

Chairman Elías stated that the people who would be paying a large portion of the sales tax were lower income and would need relief to help them improve their lives.

Supervisor Bronson stated she agreed that road repair was an immediate need. She added that the Board needed to look to the future to ensure economic security and social safety for the citizens of Pima County.

Supervisor Valadez indicated his approval and stated that funding from the General Fund would be the most appropriate source. He stated that the \$3 million dollars for the first year, and the amounts for subsequent years, were based on overall growth. He stated that a large portion of the population lived in poverty and noted his support for the creation of a committee to supervise the overall strategy, which would include a helping hand to enrich the whole community.

Chairman Elías indicated his approval with forming a commission and stated that it should be comprised of members from the Housing Commission and outside agencies in order to provide cohesiveness.

Supervisor Christy commented on recent sales tax implemented by the City of South Tucson that had not mandated funds for social services. He questioned why Pima County was trying to implement that philosophy on a tax meant for road repair.

Chairman Elías replied that Pima County did not want to make the same mistake as the City of South Tucson. He added that the City of South Tucson was in a difficult situation with regards to the poverty levels within their community.

Supervisor Valadez indicated that the Board needed to take into consideration the timeframe for adopting the Ordinance and Resolution, especially its impact on the 25-cent property tax, prior to setting the caps at the May 22, 2018 tentative budget adoption meeting. He directed staff to proceed as outlined in the April 17, 2018 Memorandum.

Mr. Huckelberry commented that the original dates would need to be revised in order to adhere to the 15-day advertising requirement for the Ordinance. He stated that the ordinance would be advertised for placement on the May 15 meeting, followed by the adoption of the Resolution at the final budget adoption meeting of June 19, 2018.

Mr. Flagg stated he would review the timeframes for compliance with tentative and final budget adoption meetings.

Mr. Huckelberry stated that an informational memorandum would be provided to the Board regarding the timelines.

Chairman Elías stated that if necessary a special meeting would be convened.

Supervisor Christy inquired about the possibility of having multiple variations of the Ordinance depicting the differing directions provided by Board members.

Chairman Elías stated that any additional changes to the ordinance could be made before the Board voted, if they were not substantial changes.

Supervisor Valadez inquired whether different variations of the ordinance could be advertised.

Mr. Flagg responded that the County was only required to advertise notice of the ordinance and that the adopted ordinance would be advertised after its adoption.

This item was for information only. No Board action was taken.

## **REAL PROPERTY**

### **34. Acceptance of Donation of Real Property at Canoa Hills Golf Course**

RESOLUTION NO. 2018 - 19, of the Board of Supervisors and the Pima County Regional Flood Control District Board of Directors, accepting a donation of approximately 130 acres of real property from Borderland Investments I, L.L.C., to the Pima County Regional Flood Control District, and designating the donation parcel as part of the County Parks System, contract amount not to exceed \$4,000.00 for closing costs (CT-PW-18-340)

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

Supervisor Miller commented that she was reluctant to ask taxpayers to pay for a project that would cost \$100,000.00 in maintenance, instead of funding road repairs. She inquired about the asbestos study and its cost.

Chuck Huckelberry, County Administrator, responded that the study had been conducted by Risk Management's independent testing laboratory for a cost of \$1,000.00. He also stated that the report had specific charges for the presence of asbestos, however, no asbestos was present.

Supervisor Miller commented about the County's willingness to invest monies for studies and landowner's unwillingness to expend money for maintenance on the property. She added that the landowner's donation was to have taxpayers pay for the repairs and maintenance. She stated that the County should not acquire more costly projects, but should use the money for road repairs. She mentioned the loss of property taxes and inquired about the yearly amount of property taxes paid by the golf course.

Mr. Huckelberry responded that he did not readily have those figures but that it was disclosed in the report provided. He added that the amount was not relevant because ultimately the property owner would stop paying property taxes and the property would revert to sale. He also added that if no buyer came forward, the land would revert to the state as a deed, which could take upwards of five years to clear the title on the property.

Supervisor Miller sought clarification on whether the maintenance building was being purchased.

Mr. Huckelberry responded that there was no intention of purchasing the maintenance building and mention of the building in the report was the County doing its due diligence.

Supervisor Miller inquired whether the proposed \$15,000.00 covered the removal and repaving of the pathways.

Mr. Huckelberry responded that a majority of the concrete pathways were in good condition and that the connecting asphalt pathways needed replacing. He stated that the quote for \$10,000.00 was provided by staff and that the \$15,000.00 recommended would more than cover the work.

Supervisor Miller commented on the \$35,000.00 for demolition of the restrooms and sought clarification as to why \$300,000.00 had been designated for two new restrooms when organizations were willing to donate them. She then inquired why the County had not requested the organization donate the restrooms prior to placing it under County inventory and management. She requested that any donations be set in writing, since there were no guarantees that the organization would be able to amass the necessary funds for the donation.

Mr. Huckelberry explained that the current restrooms did not meet Americans with Disabilities Act (ADA) requirements and needed to be demolished. He added that since the new restrooms would be on County property, the County would be responsible for maintenance. He also added that there were no immediate plans to build restrooms, but if the surrounding community felt the restrooms were a priority, the community could supply the donations. He explained that donations are often received to perform physical improvements for county parks.

Supervisor Miller inquired whether the County had any legal obligation to those taxpayers that had purchased premium lots next to the golf course.

Mr. Huckelberry responded that there would be no liability to the County. He added that once the park was established adjoining properties' taxable values would increase and offset any park maintenance expenses.

Supervisor Miller replied that she had doubts that properties adjacent to parks would have increased value. She stated that the Pima County Department of Natural Resources, Parks and Recreation had refused this donation of real property due to the high cost of maintenance and needed improvements and that the County should not make taxpayers responsible for the improvements. She added that the current property owner should be responsible for any rehabilitation and inspection costs needed before the County took responsibility.

Mr. Huckelberry responded that the Assessor's roles showed an increase in property values when the properties were adjacent to natural parks.

Andrew Flagg, Chief Civil Deputy County Attorney, addressed the Board regarding a typographical error in the resolution. He stated that on page 1, item 5, the statutory citation cited Section 48-3606, and that the correct citation should read Section 48-3603. He asked that the motion include the amendment.

Supervisor Bronson and Chairman Elías accepted the amendment to their motion.

Supervisor Christy thanked the members of the Green Valley Community for their time and commitment. He stated that the 130-acre property had become unsightly and it was not feasible to sell the property since three-fourths of the property was in a floodplain. He added that the property did not allow for rezoning for commercial or residential use. He stated that the Green Valley Community had prepared a Park Task Force Report in order to collect community input, support, concerns, uses and needs of the community. He added that the report showed that the community supported this recreational opportunity and that it was endorsed by Green Valley Recreation, Green Valley/Sahuarita Chamber of Commerce, Country Fair White Elephant, Pima County Sheriff Mark D. Napier, Town of Sahuarita, Natural Resources, Parks and Recreation, Canoa Hills Redevelopment Committee, Green Valley Desert Hills Number Four Homeowners Association, Green Valley Council and the Santa Cruz Valley Bicycle Committee. Supervisor Christy urged the Board to approve the donation of the Canoa Hills Golf Course.

Supervisor Miller commented that the property taxes were \$8,800.00 a year.

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

## **CONTRACT AND AWARD**

### **PROCUREMENT**

35. **Award**

Award: Master Agreement No. MA-PO-18-250, Allegis Group Holdings, Inc., d.b.a. TEKsystems, Inc. (Headquarters: Hanover, MD), 22nd Century Technologies, Inc. (Headquarters: Somerset, NJ), for information technology staffing services. This Master Agreement is for an initial term of one (1) year in the shared annual award amount of \$400,000.00 and includes four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Information Technology.

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

36. **Award**

Amendment of Award: Master Agreement No. MA-PO-18-18, Amendment No. 1, Achen Gardner Construction, L.L.C.; B&F Contracting, Inc.; and KE&G Construction, Inc., job order master agreement for wastewater conveyance system and related facilities maintenance, repair, rehabilitation and construction services. This amendment increases the annual award from \$15,000,000.00 to \$18,000,000.00 to allow funding for completion of scheduled rehabilitation job order projects. Funding Source: RWRD Obligations Fund. Administering Department: Regional Wastewater Reclamation.

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

### **GRANT APPLICATION/ACCEPTANCE**

37. **Acceptance - County Attorney**

Adult Treatment Court Collaborative, Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), to provide for the Pima County Behavioral Health Treatment Court Collaboration Program, SAMHSA Fund, \$435,114.00 (GTAM 18-34)

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

Supervisor Bronson commented that she had no issue with the grant, but inquired as to why the County Attorney was administering the grant when direction had previously been given that these types of grants be centralized.

Chuck Huckelberry, County Administrator, responded that the grants organization was currently being formed and until it was fully staffed the Grants Department management staff would closely monitor the grant.

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

38. **Acceptance - Community Development and Neighborhood Conservation**

Arizona Department of Housing (ADOH), Amendment No. 3, to provide for the Weatherization Assistance Program, U.S. Department of Energy Fund, \$36,261.00 (GTAM 18-38)

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

**CONSENT CALENDAR**

39. **Approval of the Consent Calendar**

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 2, 8, 9 and 14 were set aside for separate discussion and vote.

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

\* \* \*

**PULLED FOR SEPARATE ACTION BY SUPERVISOR MILLER**

**CONTRACT AND AWARD**

**Community Development and Neighborhood Conservation**

2. TMM Family Services, Inc., Amendment No. 2, to provide for the TMMFS Senior and Veterans Housing Project and extend contract term to 12/31/18, no cost (CT-CD-16-430)

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

Supervisor Miller stated that she had opposed this contract previously and would be voting against the amendment.

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

## **County Attorney**

8. Raise the Bar Consulting, L.L.C., Amendment No. 7, to provide grant writing services, Anti-Racketeering Fund, contract amount \$2,000.00 (CT-PCA-14-375)

It was moved by Supervisor Bronson and seconded by Supervisor Christy to continue this item to the Board of Supervisors' Meeting of May 1, 2018. No vote was taken at this time.

Supervisor Bronson commented that outside counsel had not had the opportunity to review this item in order to see if it met RICO standards. She expressed concerns that the contract was an ongoing expense for the County Attorney and asked that the item be continued pending review by outside counsel.

Supervisor Miller expressed the same concerns as Supervisor Bronson, and indicated that the item could be construed as supplanting. She agreed with continuing the item pending outside counsel review.

Supervisor Bronson indicated that outside counsel had reviewed the agencies indirect expenditures and questioned some of the expenditures. She asked for assurances that none of the outside agency expenditures had been allocated until outside counsel received responses to his inquiries.

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

## **Procurement**

9. Borderland Construction Company, Inc., Amendment No. 4, to provide for Construction Manager at Risk Services for Aerospace Parkway Widening (4AERO2), amend contractual language and scope of work, HURF 12.6% Fund, contract amount \$1,084,452.76 (CT-PW-17-328) Public Works

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

Supervisor Miller stated her objection to this item.

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

## **Real Property**

14. Arizona State Land Department, to provide for the Pima County Fairgrounds Sewer Connection Project, no cost/25 year term (CTN-PW-18-135)

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

Supervisor Miller requested background information with regards to the acquisition of the right-of-way and inquired as to why the sewer connection for the Fairgrounds was being requested.

Chuck Huckelberry, County Administrator, responded that this project would connect the Pima County Fairgrounds to the public sewer system as it had been operating as a pond and when it reaches capacity during events it has to be pumped several times in order to maintain its Arizona Department of Environmental Quality permit. He stated as the Fairgrounds continued to grow, it would be appropriate to have it connected to the public sewer system.

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

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## **CONTRACT AND AWARD**

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

1. YWCA of Southern Arizona, Amendment No. 1, to provide for the House of Neighborly Services, Commercial Kitchen Remodel Program, extend contract term to 2/28/19 and amend contractual language, no cost (CT-CD-17-402)
2. TMM Family Services, Inc., Amendment No. 2, (PULLED FOR SEPARATE ACTION)

### **Community Services, Employment and Training**

3. SER - Jobs for Progress of Southern Arizona, Inc., to provide for youth services – short-term work experience and basic skills training, General Fund, contract amount \$266,788.54 (CT-CS-18-300)
4. Portable Practical Educational Preparation, Inc., to provide for youth services – short-term work experience and basic skills training, General Fund, contract amount \$105,839.81 (CT-CS-18-302)
5. Grace Temple Baptist Church, d.b.a. Grace Temple Baptist Church of Tucson, to provide for Getting Ahead in a Just-Getting'-By World - workshops, CSBG Fund, contract amount \$4,470.00 (CT-CS-18-305)
6. Yuma Private Industry Council, Amendment No. 5, to provide for the Youth CareerConnect Program and extend contract term to 6/30/19, no cost (CT-CS-14-539)
7. Tucson Youth Development, Inc., Amendment No. 5, to provide for the Youth CareerConnect Program, extend contract term to 6/30/19 and amend contractual language, no cost (CT-CS-15-27)

## County Attorney

8. Raise the Bar Consulting, L.L.C., Amendment No. 7, (PULLED FOR SEPARATE ACTION)

## Procurement

9. Borderland Construction Company, Inc., Amendment No. 4, (PULLED FOR SEPARATE ACTION)

10. **Award**

Award: Master Agreement No. MA-PO-18-282, W.W. Grainger, Inc., d.b.a. Grainger, Inc. (Headquarters: Lake Forest, IL), for hand tools, non-powered, accessories and supplies. This Master Agreement is for an initial term of one (1) year in the annual award amount of \$333,500.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: General (\$200,000.00), Wastewater Enterprise, Fleet Internal Service and Stadium Funds. Administering Department: Regional Wastewater Reclamation.

11. **Award**

Amendment of Award: Master Agreement Nos. MA-PO-13-394 and MA-PO-14-86, Western Refining Wholesale, Inc. and Senergy Petroleum, L.L.C., for gasoline and diesel fuel co-op. This revision is to extend the termination date to 7/31/18. Funding Source: Fleet Services Ops Fund. Administering Department: Fleet Services.

12. **Award**

Amendment of Award: Master Agreement No. MA-PO-13-403, Keefe Group, d.b.a. Keefe Commissary Network, L.L.C., for commissary outsourcing services. This revision extends the termination date through 7/31/18 to provide sufficient time to conduct a solicitation process and award a new contract. Funding Source: Inmate Trust Account Fund. Administering Department: Sheriff.

## Public Works Administration

13. Town of Sahuarita, to provide an intergovernmental agreement for the maintenance of the Anza-Llano Grande Trailhead, no cost/25 year term (CTN-PW-18-129)

## Real Property

14. Arizona State Land Department, (PULLED FOR SEPARATE ACTION)

15. Farmers Investment Company, to provide for an agreement to donate a Non-Exclusive Non-Motorized Multi-Use Recreational Trail Easement for the Juan Bautista De Anza Trail Project, consisting of approximately 8.99 acres, Anza Trail Bond (\$1,500.00) and NRPR in lieu Fee (\$9,500.00) Funds, contract amount not to exceed \$11,000.00 for trail improvements and closing costs/2 year term (CT-PW-18-313)
16. Crown Castle NG West, Inc., Amendment No. 3, to provide for a Non-Exclusive Right-of-Way Use License for Fiber Transport Facilities, extend contract term to 6/30/23 and amend contractual language, contract amount \$135,299.53 revenue (CTN-IT-13-194)

### **Sheriff**

17. Town of Sahuarita, Amendment No. 3, to provide dispatch services and extend contract term to 6/30/19, contract amount \$220,492.00 revenue (CTN-SD-15-145)

### **Transportation**

18. Federal Highway Administration/Central Federal Lands Highway Division, Amendment No. 1, to provide for design and construction of improvements as part of the King Canyon Trailhead Project, extend contract term to 12/15/20 and amend contractual language, no cost (CT-TR-17-231)
19. Regional Transportation Authority, Amendment No. 5, to provide design and construction of improvements to Valencia Road - Ajo Highway to Mark Road, extend contract term to 12/31/20 and amend contractual language, no cost (CTN-TR-CMS139818)

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

20. **Special Event**
  - Eric Alegria, Why Ajo Lukeville Heathcare District, Ajo Plaza, 15 Plaza, Ajo, April 14, 2018.
  - Robert Hendrickson, St. Philip's in the Hills Episcopal Church, Murphy Gallery, 4440 N. Campbell Avenue, Tucson, April 21, 2018.
  - Michelle L. Mozdzen, Racing Home Greyhound Adoption, Sweetwater Reserve Community, Corner of Cuprite Loop/Star Valley Lane, Tucson, April 28, 2018.
21. **Temporary Extension**

06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for April 5, 2018.

**ELECTIONS**

**22. Precinct Committeemen**

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

APPOINTMENTS-PRECINCT-PARTY

Leslie A. Stalc-042-DEM; Candace M. Greenburg-070-DEM; Bernadette M. Kornacki-115-DEM; Gary D. Schott-115-DEM; Timothy M. Goodrow-125-DEM; Gloria E. Shaw-209-DEM; Randal E. Brooks-222-DEM

**FINANCE AND RISK MANAGEMENT**

**23. Duplicate Warrants - For Ratification**

HC Consolidated Properties, Inc. \$495.00; Thomas Anthony Knauer \$105.91; The Bookman Family Trust \$790.00; Multisource Document Services \$7,112.38; Independent Medical Enterprises, Inc. \$2,650.00; Independent Medical Enterprises, Inc. \$2,650.00; Joe L. Serrano \$1,092.76; AZ Boxes, L.L.C. \$4,887.00.

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**40. ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:30 p.m.

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CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK