

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED
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SUPERVISORS**

**Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
January 16, 2018 9:00 a.m.**

1. ROLL CALL

2. INVOCATION

To be offered by Rabbi Yehuda Ceitlin, Chabad Tucson.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

5. CALL TO THE PUBLIC

EXECUTIVE SESSION

6. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to waive potential conflicts of interest to allow Coppersmith Brockelman, P.L.C. to represent Pima County and to represent new or existing clients in matters involving Pima County that are not substantially related to Coppersmith Brockelman's representation of Pima County.

accept the recommendation

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

LIBRARY DISTRICT BOARD

7. **Grant Acceptance**
Arizona State Library, to provide for the Writers in Residence in Libraries Program, \$5,000.00 (GTAW 18-41)

approve

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

9. (Clerk's Note: This matter will be considered as the last item of business on the agenda.)

Organization of the Board

Discussion/action regarding selection of the Chair, Vice Chair and Acting Chair.

approve as directed

COUNTY ADMINISTRATOR

10. **Medical Insurance for County Employees - Fiscal Year 2018/19**

Staff recommends approval of the following:

1. Contracts in the following categories:
 - Third Party Administrative (TPA) - Aetna (MA-PO-18-189)
 - Pharmacy Benefits Management (PBM) - CVS/Caremark (MA-PO-18-190)
 - Employee Assistance Program (EAP) - Aetna (MA-PO-18-189)
2. Continued County HSA funding.
3. Continued current Healthy Lifestyle Premium Discounts structure.
4. Changes to medical, pharmacy and dental, which includes a 5.68 percent reduction in premium costs.

approve

11. **Employment as Outside Counsel for the Review of County Attorney Anti-Racketeering Fund Expenditures**

Discussion/action regarding possible employment of outside counsel with Sanders and Parks, P.S. Law Firm, for review of County Attorney Anti-Racketeering Fund expenditures.

approve as directed

INDUSTRIAL DEVELOPMENT AUTHORITY

12. **Academy Del Sol Project**
RESOLUTION NO. 2018 - **3**, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not-to-exceed \$14,000,000.00 Education Facility Revenue Bonds (Academy Del Sol Project, 1955 West Valencia Road and 7102 West Valley Crest Place, Tucson, Arizona), Series 2018 and declaring an emergency.

approve

COUNTY ATTORNEY

13. UNFINISHED BUSINESS (12/12/17 and 1/2/18)
Contract
Kathryn Kellner, d.b.a. Kellner Studio, Amendment No. 3, to provide presentation skills and communication strategies consultant services and extend contract term to 12/31/18, RICO Fund, contract amount \$30,000.00 (CT-PCA-15-141)

Meeting date: 2/20/2018

continue

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

14. (Clerk's Note: See Sheriff's Report.)
Hearing - Agent Change/Acquisition of Control/Restructure
10103532, Jose A. Moreno, Super Carniceria Del Valle, 2611 W. Drexel Road, Tucson, Agent Change and Acquisition of Control.

approve

DEVELOPMENT SERVICES

15. UNFINISHED BUSINESS (11/21/17)
Hearing - Rezoning
P17RZ00004, Michael E and Linda A Arnold Family Tr - N. La Cholla Boulevard Rezoning
Request of Michael E and Linda A Arnold Family TR, represented by The Planning Center, for a rezoning of approximately 6.5 acres from SR (Suburban Ranch) (3.58 acres) and CR-1 (Single Residence) (2.92 acres) to the CR-5 (Multiple Residence) zone, Parcel Codes 225-21-0080, 225-21-0090, and 225-21-0100, located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail on the east side of N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Gungle was absent) to recommend **APPROVAL TO THE CR-4 (MIXED DWELLING) ZONE SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

approve as amended

16. **Hearing - Type III Conditional Use Permit Construction and Demolition Landfill; and Composting and Recycling**
P17CU00011, Fairfax Companies, L.L.C. - S. Wilmot Road
Request of The Planning Center, representing Fairfax Companies, L.L.C., on property located at 11505 S. Wilmot Road, in the RH (Rural Homestead) Zone, for a Conditional Use Permit for a sand and gravel operation; construction and demolition landfill; and composting and recycling, in accordance with Section 18.13.030.B.23 and 35 of the Pima County Zoning Code as a Type III Conditional Use Permit. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Becker were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

approve

17.

Hearing - Rezoning Time Extension

Co9-02-24, Fidelity Title Agency Trust 10,930, et al. - Kolb Road
Rezoning

Request of Lewis I-10/Kolb, L.L.P., represented by MJM Consulting, Inc., for a five-year time extension for the above-referenced rezoning from GR-1 (Rural Residential) to CB-2 (General Business). The subject site was conditionally rezoned in 2003. The rezoning expires on January 14, 2018. The site is approximately 1.38 acres located on the northeast corner of Kolb Road and Interstate 10 Frontage Road, south of Interstate 10. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED CONDITIONS.** (District 4)

approve

TRANSPORTATION

18.

Hearing - Traffic Resolution

RESOLUTION NO. 2018 - **4**, of the Board of Supervisors, providing for the establishment of Jeffrey Road and Teton Road, County Highways situated within the west half of Section 16, T15S, R12E, G&SRM, Pima County, Arizona. Staff recommends **APPROVAL.** (District 3)

approve

19.

Hearing - Environmental Assessment and Mitigation Report

Staff recommends approval of the Environmental Assessment and Mitigation Report for the Kolb Road: Sabino Canyon Road to Sunrise Drive (4KSCSD) Project. (District 1)

approve

20.

ADJOURNMENT

ADDENDUM 1

EXECUTIVE SESSION

1. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in WBCMT 2007-C31 South Alvernon Way, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2017-001656.

proceed as discussed
2. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the Third Party Complaint filed against Pima County in Bill Staples, Pima County Assessor v. HSL Tucson National Apartments, L.L.C., Arizona Tax Court Case No. TX2017-000374, including potential consent to joint representation.

proceed as discussed
3. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Raytheon Company v. Pima County and Bill Staples, Arizona Tax Court Case No. TX2017-000465.

proceed as discussed
4. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a potential appeal of the Maricopa Superior Court decision in the matter of **Pima County** and Pima County Regional Flood Control District v. Misael Cabrera and Rosemont Copper Company, Maricopa County Superior Court Case No. LC2017-000144-001 DT.

proceed as discussed
5. (Clerk's Note: This item is related to Agenda Item No. 11.) Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding representation of the Board of Supervisors by outside counsel, J. Arthur Eaves, under A.R.S. §13-2314.03, including the scope of services to be provided by outside counsel and the scope of the Board's authority under A.R.S. §13-2314.03.

proceed as discussed

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

6. **Executive Session**
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a potential appeal of the Maricopa Superior Court decision in the matter of Pima County and **Pima County Regional Flood Control District** v. Misael Cabrera and Rosemont Copper Company, Maricopa County Superior Court Case No. LC2017-000144-001 DT.

proceed as discussed

STADIUM DISTRICT BOARD

7. **Executive Session**
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a potential lawsuit against Pecos League of Professional Baseball Clubs, L.L.C., for payment of stadium service fees.

proceed as discussed

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

8. **Public Records Requests**
At the Board of Supervisors' Meeting of August 2, 2016, the Board directed County Administration to update its policies regarding public records requests as was proposed in August 2016, based on a June 2016, memo from the County Administrator for Board review and approval. Discussion of current status of same. Direction/Action. (District 3)

staff direction

9. **Deferred Action for Childhood Arrivals Program**
RESOLUTION NO. 2018 - 5, of the Board of Supervisors, calling for the U.S. Congress to renew the Deferred Action for Childhood Arrivals Program in a timely fashion and to enact comprehensive reform of the immigration system. (District 5)

approve

TREASURER

10. **Certificate of Removal and Abatement - Certificate of Clearance**
Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$147.27.

approve

REGIONAL WASTEWATER RECLAMATION

11. **Public Announcement**
Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 2955 W. Calle Agua Nueva, Tucson, Arizona 85745-9750. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

Busy "D" Pumping. The proposed settlement in which Busy "D" Pumping will complete a Supplemental Environmental Project (SEP) in lieu of a monetary penalty is allowed by Section 2.4(C) of Pima County's Enforcement Response Plan. The proposed SEP will modify operations at the Busy "D" Pumping facility and will constitute a pollution prevention project that will address the cause of the violations. Busy "D" Pumping will complete the SEP within one year from the date of the Negotiated Settlement Agreement.

approve

CONTRACT AND AWARD

COUNTY ADMINISTRATOR

12. University of Utah/Sorensen Impact Center, Amendment No. 1, to provide for the Pay for Success - Permanent Supportive Housing Demonstration Project and amend contractual language, contract amount \$45,000.00 revenue (CTN-CA-17-198)

approve

COUNTY ATTORNEY

13. Slutes, Sakrison and Rogers, P.C., Amendment No. 4, to provide legal services related to Hernandez v. Pima County and amend contractual language, Risk Management Tort Fund, contract amount \$5,000.00 (CT-FN-16-337)

approve

PIMA COUNTY WIRELESS INTEGRATED NETWORK

14. Golder Ranch Fire District, to provide a subscriber services agreement for Pima County Wireless Integrated Network subscriber services, contract amount not-to-exceed \$19,734.75 revenue/5 year term (CTN-WIN-18-88)

approve

GRANT APPLICATION/ACCEPTANCE

15. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 1, to provide for the Dental Sealants Program and amend scope of work, no cost (GTAM 18-26)

approve

16. **Acceptance - Sheriff**
U.S. Department of Agriculture - U.S. Forest Service, to provide for the Cooperative Law Enforcement 2018 Annual Operating and Financial Plan, Federal Grant Fund, \$56,562.56 (GTAW 18-48)

approve

BOARD, COMMISSION AND/OR COMMITTEE

17. **Fair Horse Racing Commission**
Appointment of James Collins, to replace Zulema Echerivel. Term expiration: 1/20/20. (District 1)

approve

18.

Board of Adjustment, District 1

Reappointment of George D. Carroll. Term expiration: 12/9/21.

approve

19.

Board of Adjustment, District 5

Reappointments of Susan Adler, Hector Campoy and Rebecca McLean.
Term expirations: 8/31/21.

approve

CONSENT CALENDAR

Approval of the Consent Calendar

see items below

CONTRACT AND AWARD

Facilities Management

1. Pima County Community Land Trust, Inc., to provide a lease agreement for property located at 17 N. Linda Avenue, contract amount \$84,000.00 revenue/5 year term (CTN-FM-18-95)

approve

Grants and Data Office

2. Arizona Board of Regents on behalf of the Arizona State Museum, to provide a Grant-In-Aid Indian Gaming Revenue Funding Agreement with the Ft. McDowell Yavapai Nation, Ft. McDowell Yavapai Revenue Sharing Grant Fund, contract amount \$15,000.00 (CT-CED-18-189)
approve on the Consent Calendar

Procurement

3. **Award**
Award: Purchase Order No. PO-PO-18-51, Matthews Specialty Vehicles, Inc. (Headquarters: Ballston Spa, NY), to provide for mobile medical clinic vehicles. This contract is for a one-time award in the not-to-exceed amount of \$352,556.16 (including sales tax). Funding Source: Health Special Revenue Fund. Administering Department: Health.
approve on the Consent Calendar
4. **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., to provide for the Gasoline and Diesel Fuel Co-Op Project. This revision is to extend the termination date to 4/30/18. Funding Source: Fleet Operating Expenses Fund. Administering Department: Fleet Services.
approve on the Consent Calendar

5. **Award**
Award: Master Agreement No. MA-PO-18-184, Consultant Engineering, Inc. (Headquarters: Phoenix, AZ), and HDR Construction Control Corporation (Omaha, NE), to provide construction surveillance and inspection services for Transportation Capital Improvement Projects. This award of master agreement is recommended to the two (2) highest qualified consultants in an annual shared amount not to exceed \$500,000.00 for an initial one (1) year agreement term from 1/16/18 to 1/15/19 which may be extended for up to four (4) additional one-year terms. Funding Source: Various Funds. Administering Department: Transportation.
approve on the Consent Calendar
6. Poster Frost Mirto, Inc., Amendment No. 2, to provide architectural and engineering design services for the Old Courthouse Tenant Improvements (XOCHRT) Project and amend contractual language, 2018 Certificates of Participation Fund, contract amount \$1,586,353.00 (CT-FM-17-126) Facilities Management

approve
7. Chee Salette Architecture Office, Inc., to provide design services for the January 8 Memorial in El Presidio Park (XJAN8M), Operating Transfer Special Revenue Fund, contract amount \$33,000.00 (CT-FM-18-143) Facilities Management

approve
8. Sellers and Sons, Inc., to provide for the Mike Jacob Sportspark Renovation Project, ADOT Land Purchase (45 47%), General Obligation Bond (25.9%) and General Contingency (27.1%) Funds, contract amount \$1,654,684.01 (CT-PW-18-190)
approve on the Consent Calendar

Real Property

9. Zayo Group, L.L.C., Amendment No. 5, to provide a Nonexclusive Right-of-Way use license for a communications system and amend contractual language, contract amount \$3,000.00 revenue (CTN-IT-13-8)
approve on the Consent Calendar

GRANT APPLICATION/ACCEPTANCE

10. **Acceptance - Grants and Data Office**
HUD Office of Lead Hazard Control and Healthy Homes (OLHCHH), to provide for the 2017 OLHCHH Lead-Based Paint Hazard Control Grant Program, HUD/OLHCHH Fund, \$1,650,000.00/\$120,307.84 Community Development Block Grant Fund match/\$32,485.44 General Fund match (GTAW/R 17-96/18-1)
approve on the Consent Calendar

BOARD, COMMISSION AND/OR COMMITTEE

11. **Workforce Investment Board**
Appointment of Fabian Sandez, representing Workforce; CBO, to fill a vacancy created by Deborah Embry. Term expiration: 9/30/21. (Staff recommendation)
approve on the Consent Calendar
12. **Board of Adjustment, District 2**
Reappointment of Oscar A. Blazquez. Term expiration: 6/30/21.
approve on the Consent Calendar
13. **Community Action Agency Board**
Reappointment of Willie Blake. Term expiration: 12/31/20. (District 2)
approve on the Consent Calendar

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

14. **Special Event**
- Jonas Wes Hunter, Southern Arizona Arts and Cultural Alliance, The Lodge at Ventana Canyon, 6200 N. Club House Lane, Tucson, January 28, 2018.
 - Roger Dale Rainbolt, St. Philip's in the Hills Church - Friends of Music, St. Philip's - Murphey Gallery, 4440 N. Campbell Avenue, Tucson, February 10, 2018.
 - John Jewell, Tucson Conquistadores, Inc., Omni Tucson National Resort, 2727 W. Club Drive, Tucson, February 23 thru 28, and March 1 thru 4, 2018.
- approve on the Consent Calendar**
15. **Temporary Extension**
03103012, Myron Christopher Squires, 1055 Brew Works, L.L.C., 3810 E. 44th Street, Suite 315, Tucson, Temporary Extension of Premises for February 3, 2018.
approve on the Consent Calendar

RATIFY AND/OR APPROVE

16. Minutes: December 12, 2017
approve on the Consent Calendar