

**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.
October 3, 2017 9:00 a.m.**

1. ROLL CALL

2. INVOCATION

To be offered by Pastor Frank Kemberling, Freedom Fellowship Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

PRESENTATION/PROCLAMATION

- 5.** Presentation of a proclamation to the Bahá'í community of Pima County, proclaiming the day of Sunday, October 22, 2017 to be:
"BICENTENARY OF THE BIRTH OF BAHÁ'U'LLÁH"

approve

6. CALL TO THE PUBLIC

EXECUTIVE SESSION

- 7.** Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a potential settlement in Eva Jackson, et al. v. Mark Napier, et al., U.S. District Court Case No. 15-CV-00052.

proceed as discussed

- 8.** (Clerk's Note: This item is related to Agenda Item No. 13.)
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to release to the public the Attorney-Client Privileged Memorandum from Deputy County Attorney Regina L. Nassen dated June 17, 2015, regarding Direct Air Service from Tucson to New York.

accept the recommendation

9. (Clerk's Note: This item is related to Agenda Item No. 14.)
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to release to the public the Confidential Memorandum from Chief Civil Deputy County Attorney Thomas Weaver and Deputy County Attorney Regina L. Nassen dated November 16, 2015, regarding County Legal Representation.

proceed as discussed

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

10. **Adoption of the Ruthrauff Basin Management Study**
RESOLUTION NO. 2017 - **FC3**, of the Flood Control District Board of Directors, adopting the Ruthrauff Basin Management Study.

approve

11. **Contract**
Cortaro Marana Irrigation District (CMID), Amendment No. 2, to provide Environmental Class Water for the irrigation of Cortaro Mesquite Bosque Habitat Restoration Project, extend contract term to 8/31/22 and amend contractual language, no cost (CT-FC-13-230)

approve

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

13. UNFINISHED BUSINESS (9/19/17)
Direct Air Service Tucson to New York
Discussion/vote to release to the public, Attorney-Client Privileged Memorandum from Deputy County Attorney, Regina L. Nassen, dated June 17, 2015. (District 1)

accept the recommendation

14. UNFINISHED BUSINESS (9/19/17)

County Legal Representation

Discussion/vote to release to the public, confidential Memorandum from Chief Civil Deputy County Attorney, Thomas Weaver, and Deputy County Attorney, Regina L. Nassen, dated November 16, 2015. (District 1)

proceed as discussed

HUMAN RESOURCES

15. UNFINISHED BUSINESS (9/5/17)

Revisions to Merit System Rules and Personnel Policies

Staff requests approval of the revisions to the following Merit System Rules and Personnel Policies:

- Merit System Rule 1 - Definitions
- Merit System Rule 8 - Promotion, Demotion, Reappointment, Open Range Reappointment, Reassignment and Detail
- Merit System Rule 9 - Classification System
- Merit System Rule 10 - Probation
- Merit System Rule 11 - Terminations
- Merit System Rule 12 - Disciplinary and other Personnel Actions
- Merit System Rule 13 - Grievance System
- Personnel Policy 8-107 - Special Leaves of Absence With Pay
- Personnel Policy 8-108 - Leaves of Absence Without Pay
- Personnel Policy 8-109 - Absences Without Leave
- Personnel Policy 8-117 - Pay Plan
- Personnel Policy 8-119 - Rules of Conduct
- Personnel Policy 8-122 - Group Insurance

approve as amended

16. UNFINISHED BUSINESS (9/5/17)

Deferred Compensation Plan

Staff recommends adoption of the 457 Deferred Compensation Plan with the Arizona State Retirement System and transition all accounts (with the exception of monies in the 3.5% fixed account) to Nationwide.

approve

***** HEARINGS *****

FRANCHISE/LICENSE/PERMIT

17. **Hearing - Liquor License**
12104529, Maria DeJesus Martin-Gourdin, Wild Garlic Grill, 2870 E. Skyline Drive, Tucson, Series 12, Restaurant, New License.

approve

18. **Hearing - Liquor License**
12104530, Thomas Robert Aguilera, Fiamme Pizza, 4706 E. Sunrise Drive, Tucson, Series 12, Restaurant, New License.

approve

TRANSPORTATION

19. **Hearing - Traffic Ordinance**
ORDINANCE NO. 2017 - **32**, of the Board of Supervisors, regulating traffic at the intersection of Curtis Road and Davis Avenue in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 3)

approve

20. **Hearing - Traffic Ordinance**
ORDINANCE NO. 2017 - **33**, of the Board of Supervisors, regulating traffic at the intersection of Curtis Road and Shannon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 3)

approve

21. **Hearing - Traffic Ordinance**
ORDINANCE NO. 2017 - **34**, of the Board of Supervisors, regulating parking on Raytheon Parkway in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)

approve

- 22. Hearing - Traffic Ordinance**
ORDINANCE NO. 2017 - **35**, of the Board of Supervisors, regulating parking on Aerospace Parkway in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)
- approve
- 23. Hearing - Traffic Resolution**
RESOLUTION NO. 2017 - **72**, of the Board of Supervisors, permitting the temporary closure of portions of La Cañada Drive and Esperanza Boulevard in Pima County, Arizona, for the Country Fair White Elephant Parade on Saturday, October 28, 2017. Staff recommends **APPROVAL**. (District 4)
- approve
- 24. Hearing - Traffic Resolution**
RESOLUTION NO. 2017 - **73**, of the Board of Supervisors, permitting the temporary closure of portions of Kinney Road, Mile Wide Road and McCain Loop in Pima County, Arizona, for the Everyone Runs Veteran's Day Marathon, 1/4 Marathon and 5K Run and Walk Event on Sunday, November 12, 2017. Staff recommends **APPROVAL**. (Districts 3 and 5)
- approve
- 25. Hearing - Traffic Resolution**
RESOLUTION NO. 2017 - **74**, of the Board of Supervisors, permitting the temporary closure of portions of Sabino Canyon Park, General Hitchcock Highway, Catalina Highway, and Melpomene Way in Pima County, Arizona, for the Revel Mount Lemmon Marathon and Half on Sunday, November 12, 2017. Staff recommends **APPROVAL**. (District 4)
- approve
- 26. ADJOURNMENT**

ADDENDUM 1

PRESENTATION/PROCLAMATION

1. Presentation of a proclamation to Ramón Gaanderse, Southern Arizona Construction Careers Day, proclaiming the month of October 2017 to be: "CAREERS IN CONSTRUCTION MONTH"

approve

2. Presentation of a proclamation to Maura Robinson, Friends of the Pima County Public Library, and Beverly Pralguske and Mona Albaugh, Friends of the Salazar-Ajo Library, proclaiming the week of October 15 through 21, 2017 to be: "FRIENDS OF LIBRARIES WEEK"

approve

EXECUTIVE SESSION

3. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Christ Lutheran Vail Church v. Pima County, et al., Arizona Tax Court Case No. TX2014-000614.

accept the recommendation

4. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding potential resolution of the Davis Monthan AFB outstanding connection fee matter.

accept the recommendation

BOARD OF SUPERVISORS

5. **Anti-Racketeering Revolving Fund**
Discussion/Action regarding implementation of Board of Supervisors' Policy C 6.3, Procedures for Board Approval of Applications for Monies from the County Attorney's Anti-Racketeering Revolving Fund. (District 3)

staff direction

6. **Amended Board of Supervisors Meeting Schedule**
Approval of the Board of Supervisors Amended Meeting Schedule for the month of December, 2017.

approve

COUNTY ADMINISTRATOR

7. (Clerk's Note: This item is related to Agenda Item No. 16.)
Adoption of 457(b) Deferred Compensation Plan
RESOLUTION NO. 2017 - 75, of the Board of Supervisors, establishing a Deferred Compensation Plan through the Arizona State Retirement System.

approve

GRANTS AND DATA OFFICE

8. **State-Shared Revenue Program Funds**
RESOLUTION NO. 2017 - 76, of the Board of Supervisors, to approve acceptance of Tohono O'odham Nation State-Shared Revenue Program funds and pass-through to the entities in Pima County designated as "grantees" by the Tohono O'odham Nation.

approve

CONTRACT AND AWARD

BEHAVIORAL HEALTH

9. UHS of Tucson, L.L.C., d.b.a. Palo Verde Behavioral Health, Amendment No. 3, to provide court ordered evaluation services pursuant to A.R.S. Title 36, Chapter 5, extend contract term to 9/30/19 and amend contractual language, General Fund, contract amount \$1,500,000.00 (CT-OMS-16-52)

approve

COUNTY ATTORNEY

10. Five Point Solutions, L.L.C., Amendment No. 2, to provide implementation of enhancements to the Pima County Drug Court Program and establishment of Drug Treatment Alternative to Prison Program (DTAP) and amend contractual language, BHTCC Fund, contract amount \$7,000.00 (CT-PCA-16-389)

approve

11. Treatment Assessment Screening Center (TASC), Amendment No. 4, to provide implementation of enhancements to the Pima County Drug Court Program and establishment of Drug Treatment Alternative to Prison Program (DTAP) and extend contract term to 9/29/18, BHTCC (\$40,000.00) and AOC - Administrative Office of the Courts (\$40,000.00) Funds, contract amount \$80,000.00 (CT-PCA-15-468)

approve

GRANT APPLICATION/ACCEPTANCE

12. **Acceptance - Sheriff**
Drug Enforcement Administration, to provide for DEA Tactical Diversion Task Force overtime, \$18,042.00 (GTAW 18-7)

approve

13. **Acceptance - Sustainability and Conservation**
Arizona State Parks Board - National Park Service, to provide for the Federal Historic Preservation Fund Certified Local Government Pass-Through Program: Pima County Marley Ranch Sample Survey Project, National Park Service (NPS) CLG Pass-Through Grant Fund, \$20,000.00/\$20,000.00 (including in-kind labor) General Fund Match (GTAW 18-19)

approve

14. **Acceptance - Health**
Maddie's Fund, to provide for the A Foster Home for Every Pet Project, \$573,536.00 (GTAW 18-21)

approve

BOARD, COMMISSION AND/OR COMMITTEE

15. **Planning and Zoning Commission**
Appointment of Tom Tronsdal, to fill a vacancy created by Peter Gavin. Term expiration: 6/19/19. (District 3)

approve

CONSENT CALENDAR

Approval of the Consent Calendar

see items below

CONTRACT AND AWARD

Community Services, Employment and Training

1. Compass Affordable Housing, Inc., to provide for the United States Housing and Urban Development (USHUD) Continuum of Care Program (CoC) - Rapid Rehousing, USHUD-CoC Fund, contract amount \$160,463.00 (CT-CS-18-78)
approve on the Consent Calendar

County Attorney

2. The Primavera Foundation, Inc., Amendment No. 4, to provide implementation of enhancements to the Pima County Drug Court Program and establishment of a Drug Treatment Alternative to Prison Program and amend contractual language, Special Revenue - Administrative Office of the Courts Fund, contract amount \$30,000.00 (CT-PCA-15-489)
approve on the Consent Calendar
3. Community Intervention Associates, Amendment No. 2, to provide for the Pima County Enhancing Drug Court Services, Coordination and Treatment Program, extend contract term to 9/30/18 and amend contractual language, DTAP BHTCC (\$55,000.00) and Administrative Office of the Courts (\$15,000.00) Funds, contract amount \$70,000.00 (CT-PCA-16-42)
approve on the Consent Calendar

Elections

4. Picture Rocks Fire District, to provide election services, contract amount \$2,000.00 estimated revenue (CTN-EL-18-47)
approve on the Consent Calendar

Facilities Management

5. Banner-University Medical Center South Campus, L.L.C., Amendment No. 5 **13**, to provide a lease agreement for Kino Hospital Campus located at 2800 E. Ajo Way and amend contractual language, no cost (CT-FM-15-474)

approve as amended

6. Accelerate Diagnostics, Inc., Amendment No. 8, to provide a lease for 3950 S. Country Club Road, 4th Floor, extend contract term to 1/12/19 and amend contractual language, contract amount \$1,053,193.24 revenue (CTN-FM-13-55)

approve

Information Technology

7. State of Arizona, Department of Public Safety, to provide Site Specific Agreements for Mount Lemmon, Keystone and Oatman Mountain, PCWIN Special Revenue Fund, contract amount \$43,560.00/5 year term (CT-IT-18-83)

approve on the Consent Calendar

Procurement

8. R.E. Lee Mechanical Contracting, Inc., to provide for the construction of chilled water piping to the Legal Services Building, FM-Capital Projects Non-Bond Fund, contract amount \$1,140,621.00 (CT-FM-18-80)

Facilities Management

approve on the Consent Calendar

9. Kapp-Con, Inc., to provide for construction of the Flowing Wells Library addition and remodel, FM-Capital Projects Non-Bond Fund, contract amount \$2,506,772.00 (CT-FM-18-86) Facilities Management

approve on the Consent Calendar

10. **Award**

Amendment of Award: Oak Leaf Energy Partners Ohio, L.L.C., Amendment No. 3, to provide solar electricity for three Wastewater Reclamation facilities. This amendment terminates Contract Nos. MA-PO-15-127 (Green Valley) and MA-PO-15-129 (Corona de Tucson). No cost. Administering Department: Regional Wastewater Reclamation.

approve on the Consent Calendar

Real Property

11. Mobilitie, L.L.C., to provide a master agreement for wireless telecommunication equipment in right-of-way and on County facilities, no cost/10 year term (CTN-PW-18-41)

approve on the Consent Calendar

12. Verizon Wireless (VAW), L.L.C., d.b.a. Verizon Wireless (TUC QUARTER MILE), Amendment No. 1, to provide a communications site lease at the Pima County Fairgrounds, 11300 S. Houghton Road, and amend contractual language, no cost (CTN-ED-17-73)

approve on the Consent Calendar

13. Sun State Towers III, L.L.C., to provide a communications site lease and memorandum of communications site lease at 18900 S. Old Nogales Highway, Green Valley, contract amount \$133,419.26 revenue/5 year term (CTN-PW-18-44)
approve on the Consent Calendar
14. Sun State Towers III, L.L.C., to provide a communications site lease and memorandum of communications site lease at 201 Kinney Road, Tucson, contract amount \$133,419.26 revenue/5 year term (CTN-PW-18-45)
approve on the Consent Calendar

Regional Wastewater Reclamation

15. Town of Oro Valley, to provide wastewater billing services, RWRD Enterprise Fund, contract amount not-to-exceed \$270,000.00; \$9,000,000.00 revenue (CT-WW-18-69)
approve on the Consent Calendar

Sheriff

16. Town of Sahuarita, to provide for the incarceration of municipal prisoners, contract amount \$118,000.00 estimated revenue (CTN-SD-18-39)
approve on the Consent Calendar
17. Pima Community College District, to provide for the Adult Basic Education College and Career Program at the Pima County Adult Detention Center, Sheriff Inmate Welfare Fund, contract amount \$141,372.38 (CT-SD-18-71)
approve on the Consent Calendar

BOARD OF SUPERVISORS

18. **Meeting Schedule**
Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2018.
approve on the Consent Calendar

BOARD, COMMISSION AND/OR COMMITTEE

19. **Cooperative Extension Board**
- Appointment of Hector Campoy, to fill a vacancy created by Paul Ellis. Term expiration: 6/30/18. (Committee recommendation)
 - Reappointments of Rick Frey and Kelly Cook. Term expirations: 6/30/19. (Committee recommendations)
- 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**

- 20. Special Event**
- Keith Daniel Stoltzfus, Interfaith Community Services, St. Philip's Plaza, 4280 N. Campbell Avenue, Tucson, September 29, 2017.
 - William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, October 7, 2017.
 - Michelle Erin Harrington, Greater Vail Area Chamber of Commerce, Pima County Fairgrounds, 11300 S. Houghton Road, Tucson, October 21, 2017.
 - Jose M. Alday, Our Lady of Fatima Parish, 1950 W. Irvington Place, Tucson, October 28 and 29, 2017.
 - Olivia Sethi, Angel Charity For Children, Inc., The Westin La Paloma, 3800 E. Sunrise Drive, Tucson, December 9, 2017.

approve on the Consent Calendar

- 21. Temporary Extension**
- 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for October 7, 14 and 28, 2017.
 - 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, Temporary Extension of Premises for November 4, 2017.

approve on the Consent Calendar

ELECTIONS

- 22. Election Boards**
- Pursuant to A.R.S. §16-531(A), appointment of all election boards and tally boards recruited and on file in the Elections Department for the November 7, 2017 Election.

approve on the Consent Calendar

- 23. Accuracy Certification Board**
- Staff requests approval to appoint Karen Schutte and Barbara Tellman, with Elaine Lim as Ms. Tellman's backup, to the Accuracy Certification Board for the November 7, 2017 Election.

approve on the Consent Calendar

24.

Precinct Committeemen

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

RESIGNATIONS-PRECINCT-PARTY

William Petrouson-029-DEM; Helen L. Dick-170-DEM; Michael A. Montano-070-GRN; Mark A. Ross-099-GRN

APPOINTMENTS-PRECINCT-PARTY

Yvonne Creanga Cockrell-029-DEM; Helen L. Dick-030-DEM; William J. Canalez-061-DEM; Gloria J. Barrett-105-DEM; Rocco F. DePaolo-122-DEM; Mark F. Baudendistel-133-DEM; Mallory H. Riegger-211-DEM; Thomas A. Woodrow-105-REP; Michael A. Montano-123-GRN
approve on the Consent Calendar

RATIFY AND/OR APPROVE

25.

Warrants: September, 2017

approve on the Consent Calendar