

BOARD OF DEPOSIT MINUTES

The Pima County Board of Deposit 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 Monday, August 17, 2015. Upon roll call, those present and absent were as follows:

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

Also Present: Chuck Huckelberry, County Administrator
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
Eric Johnson, Sergeant at Arms

1. **CONTRACT**

Bank of America Merchant Services, to provide a Merchant Processing Agreement as a supplemental document to the Pima County Banking Services, Solicitation No. 169552, award approved on April 21, 2015, no cost (MA-PO-15-277)

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:13 a.m.

CHAIR

ATTEST:

CLERK

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 Monday, August 17, 2015. Upon roll call, those present and absent were as follows:

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

Also Present: Chuck Huckelberry, County Administrator
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
Eric Johnson, Sergeant at Arms

1. **CONTRACT**

Colossal Cave, L.L.C., to provide a cooperative management, operation and development agreement for the operation of Colossal Cave and other facilities within Colossal Cave Mountain Park, contract amount \$20,000.00 annual revenue (adjusted per schedule)/10 year term (CT-ED-16-34)

Supervisor Miller questioned what would happen to the commitment of the Operator for the \$60,000 per year in improvements if the bonds did not pass, costs regarding the ADA compliant restrooms, parking lots, and the term of the contract.

Chuck Huckelberry, County Administrator, explained the operator would be obligated to make capital improvements in the amount of \$60,000 per year even in the event the bonds did not pass. He said an annual budget was in place for regularly scheduled maintenance and repairs of parking lots and facilities to comply with ADA requirements for Pima County lease properties. He added that the County had the option to approve or not approve the contract extension after the 10 year period and that renegotiations of the contract would happen after the initial 25 year contract.

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

2. **CONTRACT**

OSAM Document Solutions, Inc., Amendment No. 4, to provide OnBase software consulting services and ~~extend contract term to 3/14/16~~, Flood Control Tax Levy Fund, contract amount \$50,000.00 (CT-IT-13-713)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:13 a.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Monday, August 17, 2015. Upon roll call, those present and absent were as follows:

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

Also Present: Chuck Huckelberry, County Administrator
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
Eric Johnson, Sergeant at Arms

1. **INVOCATION**

The invocation was given by Pastor Glen Elliott, Pantano Christian Church.

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.

4. **CALL TO THE PUBLIC**

Lou Samson spoke on the dependency of the Economic Development Plan to the passage of the bonds and the Green Valley Canoa Ranch business plan that had been put together with private funds.

Geri Ottoboni stated the bonds would raise taxes.

Nancy Newman expressed concern on the \$20 million tax charge by the State of Arizona and the effect it would have on her property taxes, and whether this would be an annual charge by the State.

Amber Smith, Executive Director for the Metropolitan Pima Alliance, congratulated the Board on the awards Pima County would be receiving at the Metropolitan Pima Alliance Common Ground Awards Ceremony.

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

5. 4 Corners Rental Housing Project

RESOLUTION NO. 2015 - 59, of the Board of Supervisors, allocating up to a maximum of \$200,000.00 of U.S. Department of Housing and Urban Development Home Investment Partnership Program Funds to Southern Arizona Land Trust, Inc., for the Affordable Housing Project, in the City of Tucson, Pima County, Arizona to be called "4 Corners Rental Housing Project."

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

BOARD OF SUPERVISORS

6. Hearing - Tax Levy Resolution

RESOLUTION NO. 2015 - 60, of the Board of Supervisors, for the levy of taxes for Fiscal Year 2015/2016.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías and seconded by Supervisor Valadez, to close the public hearing and adopt the Resolution. Upon roll call, the motion carried by a 3-2 vote, Supervisors Carroll and Miller voted "Nay."

7. Hearing - Tax Collection Resolution

RESOLUTION NO. 2015 - 61, of the Board of Supervisors, authorizing delivery of the tax statements and the collection of the 2015 taxes.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías and seconded by Supervisor Miller, to close the public hearing and adopt the Resolution. Upon roll call, the motion carried by a 4-1 vote, Supervisor Carroll voted "Nay."

FRANCHISE/LICENSE/PERMIT

8. Hearing - Extension of Premises/Patio Permit

06100228, Scott A. Busse, Territorial, 3727 S. Palo Verde, Tucson, Temporary Extension of Premises for August 29, 2015.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

9. Hearing - Ordinance

ORDINANCE NO. 2015 - 32, Co14-14-02, Major Streets and Scenic Routes Plan Amendments, Pima Prospers. Owner: Pima County and Multiple Owners. (All Districts)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías and seconded by Supervisor Miller to close the public hearing and adopt the Ordinance. No vote was taken at this time.

Supervisor Carroll asked why Tanque Verde Loop Road had not been designated as a scenic route.

Arlan Colton, Planning Director, explained Tanque Verde Loop Road had been erroneously designated as a major route and as the public hearings had already been conducted on Pima Prospers, the Tanque Verde Loop Road would return at a later date to be re-designated as a scenic route.

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

10. Hearing - Resolution

RESOLUTION NO. 2015 - 62, Co7-13-10, Pima County Comprehensive Plan Update, Pima Prospers. Owner: Multiple Owners. (All Districts)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Valadez, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, ratify the Executive Summary, ratify the revised Implementation Matrix, and approve the Resolution. The Board thanked all those who participated in the process to create Pima Prospers.

TRANSPORTATION

11. Hearing - Traffic Ordinance

ORDINANCE NO. 2015 - 33, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on portions of Speedway Boulevard in Pima County, Arizona. Staff recommends APPROVAL. (District 5)

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

REGIONAL WASTEWATER RECLAMATION

12. Hearing - Pima County Code Text Amendment

The Board of Supervisors on March 10, April 14, April 21 and May 5, 2015, continued the following:

ORDINANCE NO. 2015 - 6, of the Board of Supervisors, relating to wastewater; amending Pima County Code, Title 13, Chapter 24, Sanitary Sewer User Fees.

Amber Smith, Metropolitan Pima Alliance, recommended the Wastewater Department find other ways to lower costs and resolve their budget without raising user or connection fees.

Chuck Huckelberry, County Administrator, explained the user fee increase of 3% was a modest increase and without it future increase requests could be greater.

Supervisor Miller asked why operations and maintenance costs in the 2015 Financial Plan had increased 17% during the years 2015 to 2019.

Jackson Jenkins, Regional Wastewater Reclamation Department Director, explained the Wastewater Department treated water to a high quality causing struvite to buildup in the systems which required a new chemical to be supplemented, external costs had risen and the department had added 4% inflation to the cost.

Supervisor Miller stated that response was in direct conflict to a memorandum from the County Administrator which stated that cost of electricity had been reduced, as had the cost to treat the effluent water. She then asked why labor costs had increased when, with more efficient operations and equipment, a less labor intensive operation was expected.

Mr. Jenkins explained electric costs had decreased but the decrease did not offset the increase in chemical costs, salary and costs of benefits even with a reduced workforce.

Supervisor Miller asked if an analysis had been performed on what capital improvement projects were no longer mandated by the federal government and could be deferred and if excess expenditures had been eliminated.

Mr. Jenkins replied that in the five-year capital improvement program no capacity increases had been scheduled however there were treatment division conveyance system lines that needed augmentation which were at or near capacity. He explained cuts had been made to the capital budget but that the increase had been driven by critical infrastructure maintenance and planned growth for areas such as the Aerospace Corridor.

Supervisor Miller inquired about the revenue from the sale of the Marana Wastewater Plant.

Tom Burke, Deputy County Administrator, explained all money received from the sale went to pay the remaining debt of the construction and improvements made to the Marana Wastewater Plant.

Mr. Huckelberry explained the rate increase had been based on short term operations since most capital expenditures associated with the rehabilitation of major plants and facilities had ended. He said the focus had shifted to noncapital repair and maintenance of smaller lines and repairs that were costly when totaled.

Supervisor Miller asked for a report on the needed small line repairs. She also questioned the increase in consultant and outside service fees at the Agua Nueva facility when the privatization had been done to lower costs.

Mr. Jenkins explained the increase was to pay for outside services to operate the facility which were more cost effective than operating internally; and the raise in the rates charged by outside water utilities for sewer billing to consumers.

Mr. Huckelberry added the cost for billing and collection of the wastewater user fees had gone up 20-30%, with a 40% increase from Tucson Water alone. Options on collection efficiency had been investigated and the issue of collection efficiency would come before the Board of Supervisors at a date later in the year.

Supervisor Miller stated the expected ROMP total had gone down by around \$115 million, and asked why that had not caused a rate decrease.

Mr. Huckelberry explained the \$115 million had never been bonded out.

Supervisor Miller stated the Wastewater Department had made purchases that were redundant, such as the \$1 million dollar building at Dodge Boulevard purchased for maintenance and repair of vehicles, extra storage and office space, which then needed the roof to be immediately replaced, when there had been a new building built in 2014 to consolidate repairs and maintenance operations of County vehicles. She asked for a report on the Dodge Boulevard building for cost of repairs and the renovation to make it functional for the Wastewater Department. She suggested the Wastewater Department cut spending and stop all unnecessary purchases.

It was moved by Supervisor Miller and seconded by Supervisor Carroll to close the public hearing and deny approval of the Ordinance. Upon roll call vote, the motion carried 3-2, Supervisors Elías and Valadez voted "Nay."

13. **Hearing - Pima County Code Text Amendment**

ORDINANCE NO. 2015 - 34, of the Board of Supervisors, relating to sewer connection fees; amending the Pima County Code, Chapter 13.20.

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

Supervisor Miller questioned the collection of connection fees and if fees had ever been waived or reduced.

Jackson Jenkins, Regional Wastewater Reclamation Department Director, explained audits were performed to verify payment of fees and the department was fairly current on collection. He stated the Ordinance dictated that fees must be collected and that they were never waived.

Supervisor Miller requested a report on the permits and the collection of the related connection fees for the last five years.

It was moved by Supervisor Miller and seconded by Supervisor Carroll to close the public hearing and deny approval of the Ordinance. Upon roll call, the motion unanimously carried by a 5-0 vote.

PRESENTATION/PROCLAMATION

14. Presentation of a proclamation to Martie Maierhauser, recognizing the dedication and stewardship provided to Colossal Cave Mountain Park.

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

15. **Restoration of Education Funding**

RESOLUTION NO. 2015 - 63, of the Board of Supervisors, asking the Arizona Legislature and Governor to revisit the Fiscal Year 2016 Budget and restore education funding. (District 3)

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

16. **Justice of the Peace, Precinct 2**

- A. Acceptance of the resignation of the Honorable José Luis Castillo, effective August 30, 2015.
- B. Discussion/direction/action regarding a selection process to fill the vacancy of Justice of the Peace, Precinct 2.

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the letter of resignation from the Honorable José Luis Castillo, effective August 30, 2015, and that the selection process be established as follows:

Applicants for the position need to meet the following requirements:

- 18 years of age or over at the time of appointment
- Registered to vote in the precinct

- Resident of the precinct
- Same political party as the person vacating the office, in this case a Democrat

Interested parties should file the following with the Clerk of the Board:

- Letter of Interest
- Resume
- Financial Disclosure Statement

The submission deadline will be 5:00 p.m., Friday, August 28, 2015.

The Clerk of the Board will advertise the selection process in the Arizona Daily Star and the Daily Territorial and will post the information on the Pima County Homepage. Information regarding how to submit public comments will be included.

The League of Women Voters has agreed to conduct a public forum to introduce and interview the candidates. Details as follows:

Thursday, September 10, 2015 from 6:00 to 7:30 p.m.
Eckstrom-Columbus Library
4350 E. 22nd St., Tucson, AZ

The Board of Supervisors will make the appointment of the Justice of the Peace, Precinct 2 at their meeting on September 15, 2015.

COUNTY ADMINISTRATOR

17. Appointment of Public Defender

Accept and ratify the appointment of Steven R. Sonenberg as the Pima County Public Defender.

It was moved by Chair Bronson and seconded by Supervisor Carroll to appoint Steven R. Sonenberg as Pima County Public Defender. Upon roll call vote, the motion carried 4-1, Supervisor Elías voted “Nay.”

CONTRACT AND AWARD

ECONOMIC DEVELOPMENT AND TOURISM

18. Colossal Cave, L.L.C., to provide a cooperative management, operation and development agreement for the operation of Colossal Cave and other facilities within Colossal Cave Mountain Park, contract amount \$20,000.00 annual revenue (adjusted per schedule)/10 year term (CT-ED-16-34)

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

PROCUREMENT

19. Award

Award of Contract: Master Agreement No. MA-PO-16-40, Solicitation No. 183642 to Staples Contract & Commercial, Inc., d.b.a. Staples, Inc. (Headquarters: Framingham, MA), for office supplies in the amount of \$1,100,000.00. Contract is for an initial term of one (1) year and includes four (4) one-year renewal periods. The contract will include continued support of the Staples Web order and Pcard payment portal and quarterly performance reports providing significant additional benefit to Pima County. Funding Source: Various Department Funds. Administering Department: Procurement.

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

RECORDER

20. Queue Corporation, Amendment No. 3, to provide voter registration/ database consulting services and extend contract term to 8/31/16, Document Storage and Retrieval (91.67%) and Help America Vote Act Grant (8.33%) Funds, contract amount \$90,000.00 (CT-RE-14-81)

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

REGIONAL WASTEWATER RECLAMATION

21. Town of Marana, to provide for force main relocation work as part of the design and construction of roadway improvements to Tangerine Road - Dove Mountain Boulevard/ Twin Peaks Road to La Cañada Drive, RWRD Obligations Fund, contract amount \$620,000.00 (CT-WW-16-35)

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

BOARD, COMMISSION AND/OR COMMITTEE

22. Library Advisory Board

Appointment of Nubia Bertsch, to fill a vacancy created by Clarisa Barceló. Term expiration: 6/30/19. (District 2)

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

CONSENT CALENDAR

23. Approval of the Consent Calendar

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item No. 1 was set aside for separate discussion and vote.

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

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PULLED FOR SEPARATE ACTION

CONTRACT AND AWARD

Community and Economic Development

1. Jose Gabriel Loyola, Amendment No. 3, to provide for technical assistance, consultation, facilitation, coordination and marketing services and extend contract term to 6/30/16, General Fund, contract amount \$40,000.00 (CT-CED-14-30)

Supervisor Miller stated she could not support the contract due to concerns she had expressed in the past. She made a motion to deny the item. The motion died for a lack of a second.

It was then moved by Supervisor Elías, seconded by Supervisor Valadez and carried by a 4-1 vote, Supervisor Miller voted "Nay," to approve the item.

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CONTRACT AND AWARD

Community and Economic Development

1. Jose Gabriel Loyola, Amendment No. 3, (PULLED FOR SEPARATE ACTION)

County Attorney

2. City of Tucson, to provide for the Pima County Attorney's Victim Services Division, contract amount \$24,900.00 revenue (CTN-PCA-16-22)

Development Services

3. City of Tucson, Amendment No. 1, to provide street naming and addressing services and extend contract term to 7/7/20, revenue per original terms 7/6/2010 (CT-DSD-CMS142855)

Natural Resources, Parks and Recreation

4. Brandi Michelle Fenton Foundation, Amendment No. 1, to provide contributions and alterations to Brandi Fenton Memorial Park and extend contract term to 9/19/20, no cost (CTN-PR-12-368)

Procurement

5. Kimley-Horn & Associates, Inc., Amendment No. 2, to provide design engineering services for the Rillito Riverpath and Camino de la Tierra Bicycle and Pedestrian Bridge enhancements, extend contract term to 8/24/17 and amend contractual language, Transportation Non-Bond Projects Fund, contract amount \$67,490.00 (CT-PW-13-606)

Transportation

6. ADP L.L.C., Amendment No. 1, to provide for Enterprise Human Resource/Payroll, Benefits, eTime Management and VirtualEdge systems and amend scope of services, General Fund, contract amount \$107,847.00 decrease (MA-PO-13-202) Information Technology

Award

7. Award of Contracts, Master Agreements: MA-16-26 Primary Award, Merle's Automotive Supply (Headquarters: Tucson, AZ) for the annual award amount of \$197,000.00; and MA-16-27 Secondary Award, Genuine Parts Company, d.b.a. NAPA Parts (Headquarters: Atlanta, GA) for the annual award amount of \$35,000.00 for automotive, truck and heavy equipment aftermarket parts and supplies for a cumulative not to exceed annual award and contract amount of \$232,000.00. Contracts are for an initial term of one (1) year and include four (4) one year renewal periods. The secondary contract will only be used should the primary award be unable to satisfy Fleet requirements per the contract. Funding Source: Internal Service Fund. Administering Department: Fleet Services.

Sheriff

8. Pima Community College District, to provide adult education at PCADC, Sheriff Inmate Welfare Fund, contract amount \$142,594.00 (CT-SD-16-22)

SPECIAL EVENT LIQUOR LICENSE APPROVED PURSUANT TO RESOLUTION NO. 2002-273

9. Anthony James LoMonaco, St. Rita in the Desert Catholic Parish, 13260 E. Colossal Cave Road, Vail, September 18 and 19, 2015.

FINANCE AND RISK MANAGEMENT

10. Duplicate Warrants - For Ratification

Linda S. Woodruff \$376.83; Earnhardt V, Inc. \$107.63; The State of Arizona Board of Nursing \$350.00; Community Home Repair Projects \$22,497.35; LS Coding and Education, L.L.C. \$270.00; Leatrice A. Smith \$100.00; Suzanne Rogers \$20.00; Suzanne Rogers \$510.00; Workmens Boot and Shoes \$425.64; S. Leonard Scheff \$140.00; Martha Ohlmaier \$9.79; Meredith Abrams \$75.00; The Ashton Company, Inc. \$21,558.48.

TREASURER

11. Certificates of Clearance

Pursuant to A.R.S. §42-19118, staff requests approval of the following:

Unsecured Mobile Homes:	\$ 76,585.48
Business Personal Property	<u>\$197,166.03</u>
TOTAL Unsecured Personal Property:	\$273,751.51

12. Certificates of Removal and/or Abatement

Pursuant to A.R.S. §42-18353, staff requests approval of the Certificates of Removal and Abatement for the following:

Real Property	Abatement No. 400274	\$ 2,708.59
Personal Property	Abatement Nos. 500980-501007	<u>\$59,171.10</u>
	TOTAL	\$61,879.69

REAL PROPERTY

13. Communications Easement Agreement

Qwest Corporation, d.b.a. Century Link QC, to provide an easement agreement for the installation, access and maintenance of communications equipment, Tax Parcel No. 221-17-054B, no cost (District 1)

24. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 10:13 a.m.

ATTEST:

CHAIR

CLERK