

**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.
November 21, 2017 9:00 a.m.**

1. ROLL CALL

2. INVOCATION

To be offered by Rabbi Robert Eisen, Congregation Anshei Israel.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

PRESENTATION

5. Career Online High School

Recognition of Jayme Villarreal, Yvette Moutran, Anthony Jordan and Amanda Textor for being the first graduates of Career Online High School.

approve

PRESENTATION/PROCLAMATION

6. Presentation of a proclamation to Sergeant Del Rio, Staff Sergeant Relayze and Sergeant Ybarra, United States Marines, and Christina Colchado, Toys for Tots Coordinator, proclaiming the month of December 2017 to be: "TOYS FOR TOTS MONTH"

approve

7. CALL TO THE PUBLIC

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

8. **Contract**
Pima County, **Pima County Regional Flood Control District** and Tucson Electric Power Company, to provide an agreement and right-of-way easement for the relocation of Sunset Road utility line, Regional Flood Control District Fund, contract amount \$641,792.00 (CT-PW-18-121)

approve

9. **Riparian Habitat Mitigation**
Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee Proposal in the amount of \$5,713.33 for placement of a single family residence located at 2118 East Desert Garden Drive, located within Regulated Riparian Habitat area and classified in two different habitat types: Xeroriparian Class C Habitat and important riparian area with underlying Xeroriparian Class B Habitat. (District 1)

approve

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

11. **Carbon Fee and Dividend Program**
RESOLUTION NO. 2017 - **83**, of the Board of Supervisors, supporting National Legislation to enact a Carbon Fee and Dividend Program to reduce polluting and climate-changing carbon emissions. (District 5)

approve

12. **Private Operation of Correctional Facilities and Detention Centers**
RESOLUTION NO. 2017 - **84**, of the Board of Supervisors, in opposition to the private operation of correctional facilities and detention centers and to the employment of private corporations for Pima County detention facilities and criminal-justice programs. (District 5)

remove from the agenda

COUNTY ADMINISTRATOR

13. **Supplemental Funding for Emerge! Center Against Domestic Abuse**
Staff requests a supplemental appropriation from the Board of Supervisors' Contingency Fund to Emerge! Center Against Domestic Abuse in the amount of \$17,500.00 for emergency and permanent repairs to the natural gas utility system serving their housing units.

approve

ELECTIONS

14. **Canvass**
Pursuant to A.R.S. §16-642(A), canvass of the election results for the November 7, 2017, Consolidated Election.

approve

15. **Precinct Line Changes**
Pursuant to A.R.S. §16-411(A), staff requests approval of the proposed precinct line changes.

approve

INDUSTRIAL DEVELOPMENT AUTHORITY

16. **Berean Academy Refunding Project**
RESOLUTION NO. 2017 - 85, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not to exceed \$15,000,000.00 Education Facility Refunding Revenue Bonds (Berean Academy Refunding Project, 1169 North Colombo Avenue, Sierra Vista, AZ), Series 2017 and declaring an emergency.

approve

17. **Milestones Charter School Refunding Project**
RESOLUTION NO. 2017 - 86, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not to exceed \$15,000,000.00 Education Facility Refunding Revenue Bonds (Milestones Charter School Refunding Project, 4707 East Robert E. Lee Street, Phoenix, AZ), Series 2017 A&B and declaring an emergency.

approve

18. **Telesis Preparatory Academy Refunding Project**
RESOLUTION NO. 2017 - 87, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not to exceed \$15,000,000.00 Education Facility Refunding Revenue Bonds (Telesis Preparatory Academy Refunding Project, 2598 Starlite Lane, Lake Havasu City, AZ), Series 2017 and declaring an emergency.

approve

PROCUREMENT

19. UNFINISHED BUSINESS (11/7/17)
Contract
Barker Contracting, Inc., to provide for the Pima County Historic Courthouse infrastructure (XOCH02), Capital Projects Non-Bond Fund (Interfund Transfer out of General Fund), contract amount \$850,679.00 (CT-FM-18-103) Facilities Management

approve

ASSESSOR

20. **Request for Redemption of Waivers of Exemption**
Pursuant to A.R.S. §42-11153(B), the Pima County Assessor has determined that the applications for Redemptions of the Waivers of Tax Exemptions for Tax Year 2017 qualify for exemptions under the applicable statutes and requests the Board of Supervisors redeem the waivers.

approve

ATTRACTIONS AND TOURISM

21. **Pima Air and Space Museum Volunteer Center**
Staff recommends approval for construction of a permanent structure to house offices and administrative space for the museum's volunteers, at the full expense of the Arizona Aerospace Foundation.
- approve

TRANSPORTATION

22. **Acceptance of Project/Roadway for Maintenance**
P1205-125, Sycamore Canyon Phase IIA, B, C - Phase IIAA
Infrastructure, Offsite Improvements for Sycamore Leaf Road, Station 31+41.45 to 44+50 and Canyon Edge Trail, Station 10+00 to 18+00.
Developer/Owner: Sycamore Springs, L.L.C., c/o The Remington Group.
(District 4)
- approve

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

23. **Hearing - Liquor License**
12104542, Mary Jo Claussen, The Olive Bistro, 514 E. Whitehouse Canyon Road, Suite No. 100, Green Valley, Series 12, Restaurant, New License.
- approve
24. **Hearing - Liquor License**
12104543, Filiberto Moran Carreon, Nico's Taco Shop, 15270 W. Ajo Highway, Tucson, Series 12, Restaurant, New License.
- approve
25. **Hearing - Liquor License**
18103004, Vladimir Vladimirovich Novokshchenov, Town Under Black Distillery, L.L.C., 3810 E. 44th Street, No. 307, Tucson, Series 18, Craft Distillery, New License.
- approve

26. **Hearing - Liquor License**
04103040, Philip A. Fatato, Bella Luna Beverages, L.L.C., 3601 East 44th Street, Unit No. 106, Tucson, Series 4, Wholesale, New License.

approve

27. **Hearing - Agent Change/Acquisition of Control/Restructure**
07103001, Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Acquisition of Control.

approve

DEVELOPMENT SERVICES

28. **Hearing - Type III Conditional Use Permit Communication Tower**
P17CU00007, Weeks - W. Bopp Road
Request of Eco-Site and T-Mobile (Nancy Smith) representing Jon Weeks, on property located at 7711 W. Bopp Road, in the GR-1 Zone, for a conditional use permit for a communication tower, in accordance with Section 18.07.030H2e of the Pima County Zoning Code as a Type III conditional use permit. On motion, the Planning and Zoning Commission voted 6-0, (Commissioners Cook, Matter and Gungle were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 3)

approve

29. **Hearing - Type II Conditional Use Permit Retail Shop**
P17CU00008, Fryar Colby and Dunham-Fryar Rachel - S. Three Wells Court
Request of Colby Fryar on a site at 16115 S. Three Wells Court, in the RH Zone, for a conditional use permit for Retail Shop, in accordance with Section 18.13.030 of the Pima County Zoning Code as a Type II conditional use permit. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

approve

30.

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)

Meeting date: 1/16/2018

continue

31.

Hearing - Rezoning Ordinance

ORDINANCE NO. 2017 - **39**, P17RZ00002, Michael Jean Fox Living Trust - N. Lason Lane Rezoning. Owner: Michael Jean Fox Living TR. (District 1)

approve

32.

Hearing - Rezoning Resolution

RESOLUTION NO. 2017 - **88**, Co9-07-24, Arber L.L.C. - Twin Lakes Drive Rezoning. Owner: Vistoso Catalina, L.P. (District 1)

approve

33.

Hearing - Rezoning Resolution

RESOLUTION NO. 2017 - **89**, Co9-11-08, Andrada Investors L.L.C. - Andrada Road (Alignment) Rezoning. Owner: Andrada Investors, L.L.C., Attn: Robert Tucker (District 4)

approve

ENVIRONMENTAL QUALITY

34. **Hearing - Solid Waste Fee Schedule**
ORDINANCE NO. 2017 - **40**, of the Board of Supervisors, relating to solid waste; repealing the existing fee schedule for Pima County's solid waste facilities and adopting a new fee schedule for Pima County's solid waste facilities effective July 1, 2018.

approve

TRANSPORTATION

35. **Hearing - Traffic Resolution**
RESOLUTION NO. 2017 - **90**, of the Board of Supervisors, permitting the temporary closure of portions of Hawser Street, Golder Ranch Drive, Coronado Forest Drive and Twin Lakes Drive including portions of the adjacent minor streets and driveways within the extent of the event in Pima County, Arizona, for the Tucson Marathon on Saturday, December 9, 2017. Staff recommends **APPROVAL**. (District 1)

approve

36. **Hearing - Traffic Ordinance**
ORDINANCE NO. 2017 - **41**, of the Board of Supervisors, relating to traffic and highways; establishing reasonable and prudent speed limits for motor vehicles on Vahalla Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

approve

37. **Hearing - Subdivision and Development Street Standards Revision**
ORDINANCE NO. 2017 - **42**, of the Board of Supervisors, relating to Transportation and Zoning; adopting a revision to the 2016 Subdivision and Development Street Standards Section 4.17 Pavement Design to include additional pavement performance standards. (All Districts)

approve

38. **ADJOURNMENT**

ADDENDUM 1

PRESENTATION/PROCLAMATION

1. Presentation of a proclamation to Tommie Miller, proclaiming the day of Wednesday, December 6, 2017 to be: "TOMMIE MILLER DAY"

approve

2. Presentation of a proclamation to Catalina Laborin, Janette Varela, Andres Yubeta, Priscilla Jaimez, and Janene Varela, El Rio Community Health Center; Michael Goforth, Linda Amparano, Christopher Stead, and Cynthia Estrada, Pima Community Access Program; Judy Rich, President and CEO, Alex Horvath, Vice-President, and Rhonda Bodfield, Director of Communications, Tucson Medical Center; and Richard Wascher, Kim Tham, and Soraya Franco, Pima County Health Department, recognizing community partners for helping enroll many thousands of Pima County residents in the Health Insurance Marketplace Plan of the Affordable Care and Patient Protection Act of 2010. (District 5)

approve

EXECUTIVE SESSION

3. (Clerk's Note: This item is related to Addendum Item No. 7.) Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding possible litigation related to the opioid crisis.

proceed as discussed

BOARD OF SUPERVISORS

4. **RICO Funds**
Direction to outside legal counsel (to include but not limited) to review and make recommendations to the Board of Supervisors (BOS) regarding the 10/30/2017 memorandum from County Attorney Barbara LaWall to Chief Deputy County Administrator Jan Leshar addressing information relating to emergency expenditure of anti-racketeering funds and regarding Board Policy C 6.3 addressing the reporting, processing and use of RICO funds and to brief the BOS on its responsibility under A.R.S. §13-2314.03(E).

Outside counsel may, at the direction of the BOS, expand the scope of review to include related issues that, due to a conflict of interest, the County Attorney cannot and should not comment or advise the Board. Discussion/Action. (District 3)

approve as directed

5. **Road Repair Plan**
Discussion of a 3-step countywide road repair plan:
1. The repeal of the property tax for road repair;
 2. Enactment of a one-half cent Pima County sales tax;
 3. Pima County sales tax revenue directed to the Regional Transportation Administration for the development, administration, and execution of the countywide road repair plan. (District 4)

staff direction

COUNTY ADMINISTRATOR

6. **Veterans and First Responders Living Memorial in Oro Valley**
Staff recommends the Board of Supervisors transfer \$25,000.00 from the FY 2017/18 Proposed Tentative Budget Stabilization Fund Adjustments to Southern Arizona Veterans and First Responders Living Memorial, L.L.C. for the Veterans and First Responders Living Memorial.

approve

COUNTY ATTORNEY

7. (Clerk's Note: This item is related to Addendum Item No. 3.)
Discussion/action regarding possible litigation related to the opioid crisis.

proceed as discussed

CONTRACT AND AWARD

FINANCE AND RISK MANAGEMENT

8. Slutes, Sakrison and Rogers, P.C., Amendment No. 3, to provide legal services related to Hernandez v. Pima County and amend contractual language, Risk Management Tort Fund, contract amount \$50,000.00 (CT-FN-16-337)

approve

PROCUREMENT

9. **Award**
Amendment of Award: Master Agreement No. MA-PO-17-97, Mobile Maintenance and Towing, L.L.C., for vehicle towing and auction services. This revision increases the annual expense amount by \$154,000.00 from \$464,000.00 to \$618,000.00 for a cumulative not-to-exceed expense amount of \$618,000.00. Funding Source: General Fund. Administering Department: Sheriff.

approve

REGIONAL WASTEWATER RECLAMATION

10. Town of Marana, Amendment No. 2, to provide for sewer billing and collection services, extend contract term to 11/30/18, and amend contractual language, RWRD Enterprise Fund, contract amount \$55,000.00 (CT-WW-15-195)

approve

BOARD, COMMISSION AND/OR COMMITTEE

11. **Pima County Fair Commission**
- Reappointment of Marvin Selke. Term expiration: 12/31/21. (County Administrator recommendation)
 - Appointment of Ronald E. Allen, to replace Donald E. Clark. Term expiration: 12/31/21. (County Administrator recommendation)

approve

CONSENT CALENDAR

Approval of the Consent Calendar

see items below

CONTRACT AND AWARD

Community Services, Employment and Training

1. Arizona Department of Economic Security, Division of Employment and Rehabilitation Services, to provide a data sharing agreement, WIOA Fund, contract amount \$2,235.00 (CT-CS-18-117)
approve on the Consent Calendar

County Attorney

2. Greenberg Traurig, L.L.P., Amendment No. 2, to provide special counsel services and extend contract term to 11/30/18, no cost (CT-FN-16-135)

remove from the agenda

Information Technology

3. Federal Bureau of Investigation, Amendment No. 2, to provide a tower license agreement to install, maintain, operate and remove communication equipment at the communications site located at 600 S. Tumamoc Hill Road and extend contract term to 11/30/22, no cost (CTN-IT-12-369)
approve on the Consent Calendar
4. AMR HoldCo, Inc., to provide a tower license for wireless communications facilities at the Legal Services building at 32 N. Stone Avenue, contract amount \$78,707.09 revenue/5 year term (CTN-IT-18-77)
approve on the Consent Calendar

Procurement

5. Borderland Construction Company, Inc., Amendment No. 2, to provide for the Construction Manager At Risk services for Old Nogales Interceptor/Aerospace Corridor/Park Avenue Sewer Augmentation Project (3ASC15) and amend contractual language, RWRD Obligation Fund, contract amount \$13,902,005.26 (CT-WW-16-208) Regional Wastewater Reclamation

approve

6. AECOM Technical Services, Inc., Amendment No. 1, to provide for the Bopp Road, Sarasota Boulevard at Kinney Road Improvements Project (4KINBO) and amend contractual language, HURF Fund, contract amount \$84,087.00 (CT-TR-17-270) Transportation
approve on the Consent Calendar

7. **Award**
Amendment of Award: Master Agreement No. MA-PO-13-513, Amendment No. 3, Tucson Recycling & Waste Services, L.L.C., for outsourcing of landfill and transfer station operations. This amendment exercises the five-year renewal option to extend the termination date to 5/31/28, replaces Exhibit A: Scope of Services, Appendix A-1 Leased Landfill and Transfer Station Assets and Exhibit B: Payment Schedule in its entirety, and increases the award amount by \$5,144,920.00 from \$9,999,937.00 to \$15,144,857.00 for a cumulative not-to-exceed contract amount of \$15,144,857.00. Funding Source: General Fund.
Administering Department: Environmental Quality.

approve

8. **Award**
Amendment of Award: Master Agreement No. MA-PO-17-208, Amendment No. 1, job order master agreement for paving services. This amendment increases the annual agreement amount by \$1,500,000.00. The increase in capacity will enable the County to complete several anticipated paving projects between now and 4/3/18. Funding Source: Various Funds. Administering Department: Public Works.

Contractors

The Ashton Company, Inc., Contractors and Engineers
Borderland Construction Company, Inc.
Granite Construction Company
Sunland Asphalt & Construction, Inc.
Tucson Asphalt Contractors, Inc.

approve

9. Action Direct, L.L.C., d.b.a. Redpoint Contracting, Amendment No. 4, to provide for the Sabino Creek Pump Station Project No. 3SCP06, extend contract term to 12/31/17 and amend contractual language, no cost (CT-WW-16-326) Regional Wastewater Reclamation

approve

Real Property

10. **Pima County**, Pima County Regional Flood Control District and Tucson Electric Power Company, to provide an agreement and right-of-way easement for the relocation of Sunset Road utility line, Regional Flood Control District Fund, contract amount \$641,792.00 (CT-PW-18-121)
approve on the Consent Calendar

Transportation

11. Riley Mosaics, L.L.C., to provide artist services for Kolb Road, Sabino Canyon Road to Sunrise Drive Project (4KSCSD), HURF Fund, contract amount \$92,000.00 (CT-TR-18-125)
approve on the Consent Calendar

GRANT APPLICATION/ACCEPTANCE

12. **Acceptance - Community Development and Neighborhood Conservation**
Arizona Department of Housing, Amendment Nos. 1 and 2, to provide for the Weatherization Assistance Program, U.S. Health and Human Services, Low Income Home Energy Assistance Program Fund, \$41,153.00 (GTAM 18-20)
approve on the Consent Calendar
13. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 5, to provide for the Healthy People Healthy Communities Program, Center of Disease Control Preventative Health and Health Services Block Grant Fund, \$87,153.00 (GTAM 18-21)
approve on the Consent Calendar
14. **Acceptance - Health**
Arizona Alliance for Community Health Centers, to provide for the Affordable Care Act Navigator Grant, U.S. Department of Health and Human Services Centers for Medicare and Medicaid Fund, \$6,183.00 (GTAW 18-35)
approve on the Consent Calendar
15. **Acceptance - Health**
Arizona Companion Animal Spay/Neuter Committee, to provide Community Cat Sterilization Surgeries, \$5,000.00 (GTAW 18-36)
approve on the Consent Calendar

BOARD, COMMISSION AND/OR COMMITTEE

16. **Metropolitan Education Commission**
Appointment of Kendra Davey, At-Large Commission Appointee, to fill a vacancy created by Beth Matthias-Loghry. Term expiration: 2/19/19.
(Commission recommendation)
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

17. **Special Event**
- Debra Lynn Goshco Wagner, Boys & Girls Clubs of Tucson, Wildflower Restaurant/Verve Salon, 7037 and 7025 N. Oracle Road, Tucson, November 19, 2017.
 - Ruth Ann Dormanen, Catalina Crusaders, 16024 N. Oracle Road, Tucson, December 2, 2017.
- approve on the Consent Calendar**

ELECTIONS

18. **Precinct Committeemen**
Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:
- RESIGNATIONS-PRECINCT-PARTY
Timothy Adam Ragan-018-DEM; Rebecca S. Loporto-081-REP
- APPOINTMENTS-PRECINCT-PARTY
Timothy Adam Ragan-044-DEM; Ann Louise Guido-067-DEM; Carol S. Weinstein-088-DEM; Barbara G. Berne-145-DEM; Barbara S. Hutchinson-170-DEM; Tom P. Romeo-044-REP; Daniel E. Duffey-100-REP; Joe N. Pierson-126-REP; Bobby J. Wilson-147-REP; Joshua A. Drawdy-154-REP; Maria L. Young-156-REP; Christopher L. Brosky-220-REP; Norma O. Corella-229-REP
approve on the Consent Calendar

RATIFY AND/OR APPROVE

19. Minutes: October 17, 2017
approve on the Consent Calendar