

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 19, 2016. 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

Title Security Agency of Arizona, as Trustee, under Trust No. 2024, to accept donation of floodprone land, Tax Parcel Nos. 305-41-0960, 0970, 0980, 0990 and 1060, Flood Control Tax Levy Fund, contract amount not to exceed \$1,000.00 for closing costs (CT-PW-16-277)

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

2. CONTRACT

Clear Channel Outdoor, Inc., to provide a lease agreement for outdoor advertising located along I-10, south of Sunset Road, Tax Parcel No. 101-18-006E, Section 17, T13S, R13E, G&SRM, contract amount \$9,300.00 revenue annually/4 year term (CTN-PW-16-141)

Supervisor Elías stated that he could not support the contract as he felt the County should move away from placing billboards on County properties.

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

3. CONTRACT

Town of Marana, to provide for a temporary construction easement and permanent sewer easement for the Saguaro Bloom Sewer Line under the Lower Santa Cruz Levee, contract amount \$512.00 revenue (CTN-PW-16-149)

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

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:29 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 Tuesday, April 19, 2016. 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 Karla Spence, Cornerstone Fellowship.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. PERSONAL POINT OF PRIVILEGE

Supervisor Elías acknowledged the passing of Dr. Maria Teresa Velez, an Associate Dean at the University of Arizona and requested a moment of silence.

4. PAUSE 4 PAWS

The Pima County Animal Care Center showcased an animal available for adoption.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Annie Sykes, Margaret Higgins and Maxine Goodman of the Pima County/Tucson Women's Commission, proclaiming the day of Friday, April 29, 2016 to be: "WOMEN IN GOVERNMENT DAY"

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

6. Presentation of a proclamation to Lieutenant Elsa Navarro, proclaiming May 1 through May 7, 2016 to be: "NATIONAL NURSES WEEK"

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

7. Presentation of a proclamation to Lieutenant Elsa Navarro, proclaiming May 1 through May 7, 2016 to be: "CORRECTIONAL OFFICERS WEEK"

It was moved by Chair Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll was not present for the vote, to approve the item. Supervisor Elías made the presentation.

8. Presentation of a proclamation to Presiding Judge Kyle Bryson, proclaiming the day of Monday, May 2, 2016 to be: "LAW DAY"

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

9. **CALL TO THE PUBLIC**

Les Pierce spoke regarding opposition to the proposed Broadway Project which would reduce performance capacity.

Christopher Cole, Libertarian Party, addressed the Board regarding the repair of Colossal Cave Road and employee compensation.

Abby Jensen, Southern Arizona Gender Alliance, spoke in support of the proposed changes to the Merit System Rules and Personnel Policies regarding gender equality.

Martha Michaels addressed the Board regarding the Sabino Town and Country Estates Neighborhood and the proposed roundabouts.

Robert Cook spoke regarding the advocacy of Supervisor Elías regarding infrastructure and opposition to the Broadway Project.

Geri Ottoboni addressed the Board regarding the precedence the County set for bicyclists making claims when they fall; and a new claim filed with the City of Tucson.

Art Mendoza, SEIU, thanked the Board for the non-discrimination language revisions to the Merit System Rules and Personnel Policies. He also spoke regarding the Budget Hearings and employee compensation.

Raquel Baranow spoke regarding the budget for the Industrial Development Authority and Sycamore Vista issues.

Denise Currie addressed the the Star Valley Specific Plan and thanked the Board for the trail and pedestrian signage.

Brian Bickel spoke to the Board in support of the Graduate Medical Education contract with Banner/UMC.

10. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Valadez, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to convene to Executive Session at 10:04 a.m.

11. **RECONVENE**

The meeting reconvened at 10:21 a.m. All members were present.

EXECUTIVE SESSION

12. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Plaintiff's offers of judgment in Rancho Del Mar Apartments Limited Partnership v. Pima County, TX2013-000766 and TX2014-000599 (Consolidated) and TX2015-000938.

Thomas Weaver, Chief Civil Deputy County Attorney, stated this involved three tax case judgments and that the County Attorney's Office sought direction on whether to proceed as discussed in Executive Session.

It was moved by Supervisor Valadez, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to proceed as discussed in Executive Session.

13. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding El Cortijo, L.L.C. v. Pima County and Pima County Board of Adjustment, District 4; Pima County Superior Court Case No. C20161545.

Thomas Weaver, Chief Civil Deputy County Attorney, stated the County Attorney's Office sought direction on whether to defend the action and declare the Board of Adjustment as a nominal party.

It was moved by Supervisor Carroll, seconded by Supervisor Valadez and carried by a 4-1 vote, Supervisor Miller voted "Nay," to defend the action and declare the Board of Adjustment, District 4 as a nominal party.

14. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a request by Greenberg Traurig, L.L.P., that Pima County waive a conflict of interest to allow them to represent RBC Capital Markets, L.L.C., in connection with the issuance by Pima County of General Obligation Refunding Bonds, Series 2016 and Highway User Revenue Bonds, Series 2016.

Thomas Weaver, Chief Civil Deputy County Attorney, stated this was a request by Greenberg Traurig to waive a conflict of interest to allow them to represent RBC Capital Markets, L.L.C., and that the County Attorney's Office sought direction on whether to grant the waiver.

It was moved by Supervisor Carroll, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to waive the conflict.

INDUSTRIAL DEVELOPMENT AUTHORITY

15. Edkey Charter Schools Project

RESOLUTION NO. 2016 - 27, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its Education Facility Revenue Bonds (Edkey Charter Schools Project, 2820 W. Kelton Lane, Phoenix, AZ, 1460 S. Horne, Mesa, AZ, 982 Full House Lane, Show Low, AZ, 1945 S. 1st East Street, Snowflake, AZ and 4105 E. Shea Boulevard, Phoenix, AZ), Series 2016, in one or more series in an aggregate principal amount not to exceed \$40,000,000.00 and declaring an emergency.

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

HUMAN RESOURCES

16. Revisions to Board of Supervisors Policies, Merit System Rule and Personnel Policy

Staff requests approval of the revisions to the following Board of Supervisors Policies, Merit System Rule and Personnel Policy:

- Board of Supervisors Policy D 21.1 - Equal Employment Opportunity and Affirmative Action
- Board of Supervisors Policy D 21.3 - Prevention of Workplace Harassment
- Merit System Rule 13 - Grievance System
- Personnel Policy 8-119 - Rules of Conduct

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

17. Classification/Compensation

The Sheriff's Department requests approval to create the following new classification, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code
3259/Forensic Supervisor/ 52 (\$48,672-\$73,092)/ 3 (Technicians)/ NE*
*NE = Non-Exempt (paid overtime)

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

FRANCHISE/LICENSE/PERMIT

18. Hearing - Fireworks Permit

Michelle Schuyler, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, April 23, 2016 at 9:00 p.m.

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

DEVELOPMENT SERVICES

19. Hearing - Modification (Substantial Change) of Rezoning Conditions

The Board of Supervisors on March 15, 2016, continued the following:

Co9-78-32, MATYI - SWAN ROAD REZONING

Request of River and Swan Homes, L.L.C., represented by SBBL Architecture and Planning, L.L.C., for a modification (substantial change) of the following rezoning conditions:

- No. 1A which requires that no more than three parcels be created. The applicant requests to waive the condition and proposes four parcels.
- No. 1B which requires that each parcel be a minimum of 43,560 square feet, exclusive of easements, rights-of-way, etc. The applicant requests to waive this requirement and proposes parcels in excess of 43,560 square feet, inclusive of easements.

The subject site is 4.55 acres zoned CR-1 and is located on the west side of Swan Road approximately one-fourth mile north of River Road. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Holdridge, Cook and Bain were absent) to recommend APPROVAL SUBJECT TO MODIFIED CONDITIONS. Staff recommends APPROVAL SUBJECT TO MODIFIED CONDITIONS. (District 1)

1. Wastewater Management Environmental Quality conditions:

- A. Covenant that no more than three parcels shall be created. The owner/developer must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal systems on the subject property at the time a request for a building permit is submitted for review.
- B. Covenant that each parcel shall be a minimum size of 43,560 square feet, exclusive of easements, rights-of-way, etc. All proposed residential parcels must have a

- minimum area of 43,560 square feet. A maximum of one-half of adjacent rights-of-way or easements may be used in the calculation of the area. The adjacent rights-of-way or easements must be suitable to absorb effluent; and all other design requirements must be satisfied.
- C. ~~Covenant that if~~ individual sewage disposal systems are utilized, then percolation tests and soil boring requirements must be satisfied prior to the issuance of a building permit.
 - D. Parcels shall be of sufficient size and designed in such a manner to accommodate the proposed development, primary and reserve leach fields and septic tanks, while meeting all applicable setbacks for on-site sewage disposal.
2. Transportation and Flood Control District conditions:
 - A. Prior to the issuance of building permits, ~~covenant to~~ provide necessary rights-of-way for roads and drainage.
 - B. ~~Prior to the issuance of building permits, covenant to improve and pave adjacent streets and roads. The common driveway/roadway shall be paved (chip sealed) within six (6) months of the issuance of building permits.~~
 - C. ~~Prior to the issuance of building permits, record the necessary covenants in conjunction with the approval of a development plan.~~ Floodplain and Pima County Regulated Riparian Habitat mitigation areas shall be contained in permanently identified open space through easement or dedication.
 - D. ~~Prior to the issuance of building permits, covenant that~~ There shall be no further subdividing or lot splitting of residential development without the written approval of the Board of Supervisors.
 3. Submittal of a complete hydrologic and hydraulic drainage report.
 4. Recording of a covenant holding Pima County harmless in the event of flooding.
 5. Adherence to Pima County Flood Plain Management Ordinance and/or Hillside Development Zone Ordinance, if applicable.
 6. ~~Paving obligations for Swan Road must be met.~~ 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 Development Services Department.
 7. Adherence to the revised sketch plan as approved at public hearing (EXHIBIT B).
 8. Building heights are restricted to a maximum of 24 feet.
 9. All utility lines, including electric utility lines servicing individual parcels, shall be located underground.
 10. 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.
 11. The property owner shall execute and record 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)."

The following speakers addressed the Board:

- Gerard Bunge
- Chris Bond
- Anne Hunt
- Roy Long

They offered the following comments:

- The change was not in the best interest of the community.
- Statutory requirements would not be met and would set a precedent in the Foothills community.
- The area was pristine land and the owners invested in the property with restrictions for zoning.
- Owner's want to live in a community with large lots.
- Concern for loss of wildlife.
- The change would be an amenity to the neighborhood.

Supervisor Carroll questioned whether a precedent would be set by approving this action.

Chris Poirier, Planning Official, explained that it was not a rezoning, variance or a change to the code. He stated the property had been zoned CR-1 since 1978, the changes were for nine specific rezoning conditions, and that staff had recommended conditions that would off-set the potential fourth lot with added restrictions.

Supervisor Carroll questioned if it required a super majority vote and whether there were any neighborhood meetings with developers.

Mr. Poirier stated that it did trigger a super majority vote and there were no other meetings with the developers.

Supervisor Elías questioned the waterways on the property and whether it was an important wildlife corridor.

Mr. Poirier stated that the property was located outside of the Maeveen Marie Behan Conservation Land System and that the comments from Flood Control did not indicate significant waterways. He added that all properties would be subject to native plant preservation to promote a 30 percent set aside to protect corridors on the property.

Supervisor Miller questioned the tie of the church to the property, the height limitation and the square footage required because of septic.

Mr. Poirier stated that St. Francis was located two parcels south of the property and had sold this property to the applicant. He said the zoning allowed the height to be 34 feet but the recommended condition was 24 feet, and that State statute and Arizona Department of Real Estate rules regarding septic had changed and were now more flexible.

Supervisor Elías questioned the location of the waterways and proximity to other neighbors.

Mr. Poirier stated it would affect the neighbors to the west of the property.

It was moved by Supervisor Miller and seconded by Chair Bronson to close the public hearing and approve Co9-78-32, subject to modified rezoning conditions. Upon roll call, the motion unanimously carried by a 5-0 vote.

20. Hearing - Rezoning Ordinance

ORDINANCE NO. 2016 - 23, P15RZ00001, Lawrence C. Lueng, Inc. - N. Thornydale Road Rezoning. Owner: Lawrence C. Lueng, Inc. (District 1)

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

21. Hearing - Rezoning Ordinance

ORDINANCE NO. 2016 - 24, P15RZ00003, Hardy - Thornydale 1 Associates, et al. - W. Hardy Road Rezoning. Owner: Hardy Thornydale 1 Assoc., et al. (District 1)

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

22. Hearing - Rezoning Ordinance

ORDINANCE NO. 2016 - 25, P15RZ00004, Mandarin Associates - N. Thornydale Road Rezoning. Owner: Mandarin Associates. (District 1)

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

21. Hearing - Rezoning Ordinance

ORDINANCE NO. 2016 - 26, P15RZ00005, Pacific International Properties, L.L.P. - N. Thornydale Road Rezoning. Owner: Pacific International Properties, L.L.P. (District 1)

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

TRANSPORTATION

22. Hearing - Traffic Resolution

RESOLUTION NO. 2016 - 28, of the Board of Supervisors, permitting the temporary closure of portions of Wilmot Road in Pima County, Arizona, for the construction of a new two lane asphalt road between July 1, 2016 and April 1, 2017. Staff recommends APPROVAL. (Districts 2 and 4)

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

23. Hearing - Traffic Ordinance

ORDINANCE NO. 2016 - 27, of the Board of Supervisors, regulating traffic at the intersection of Casas Serenas Drive and Fellows Avenue in Pima County, Arizona. Staff recommends APPROVAL. (District 3)

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

24. Hearing - Traffic Ordinance

ORDINANCE NO. 2016 - 28, of the Board of Supervisors, regulating traffic at the intersection of Prism Sky Drive and Sun Splash Drive in Pima County, Arizona. Staff recommends APPROVAL. (District 3)

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

PRESENTATION/PROCLAMATION

25. Presentation of a proclamation to the CRUSH 1011 Team, proclaiming the month of May 2016 to be: "STEM EDUCATION AND CRUSH 1011 ROBOTICS TEAM APPRECIATION MONTH"

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

BOARD OF SUPERVISORS

26. Appointment of Sergeant at Arms

Appointment of Sgt. Charles Lopiccolo as the Sergeant at Arms effective May 1, 2016.

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

FINANCE AND RISK MANAGEMENT

27. General Obligation Bonds

RESOLUTION NO. 2016 - 29, of the Board of Supervisors, for the issuance and sale of Pima County, Arizona, General Obligation Refunding Bonds, Series 2016, in one or more series; providing for the annual levy of a tax for the payment of the bonds; providing terms, covenants and conditions concerning the bonds; accepting a proposal for the purchase of the bonds; authorizing and directing the refunding of certain outstanding bonds; appointing an initial registrar and paying agent for the bonds; and approving and ratifying all actions taken in furtherance of this resolution.

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

28. Street and Highway Revenue Bonds

RESOLUTION NO. 2016 - 30, of the Board of Supervisors, for the issuance and sale of Pima County, Arizona, Street and Highway Revenue Refunding Bonds, Series 2016; providing for the payment of the 2016 refunding bonds; providing terms, covenants and conditions concerning the 2016 refunding bonds; providing for the sale of the 2016 refunding bonds; authorizing and directing the refunding of certain outstanding bonds and the execution and delivery of documents and further actions relating to the issuance of the 2016 refunding bonds; appointing an initial bond registrar and paying agent for the 2016 refunding bonds; approving and ratifying all actions taken in furtherance of this resolution.

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

29. Sewer Revenue Obligations

RESOLUTION NO. 2016 - 31, of the Board of Supervisors, authorizing the chairman of the Board of Supervisors, the County Administrator and the Finance Director to cause the sale and execution and delivery pursuant to a Series 2016 Obligation Indenture Of Sewer System Revenue Refunding Obligations, Series 2016, evidencing proportionate interests of the holders thereof in installment payments of the purchase price to be paid by Pima County, Arizona, pursuant to a

Series 2016 purchase agreement; authorizing the completion, execution and delivery with respect thereto of all agreements necessary or appropriate as part of purchasing property to be part of the sewer system of the County and payment of related financing costs including the delegation to the Chairman of the Board of Supervisors, the County Administrator and the Finance Director of certain authority with respect thereto; authorizing the preparation and delivery of an official statement with respect to such Series 2016 Obligations and ordering the sale of such Series 2016 Obligations; authorizing the execution and delivery of a continuing disclosure undertaking with respect to such Series 2016 Obligations; and authorizing the Finance Director to expend all necessary funds therefor.

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

CONTRACT AND AWARD

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

30. Three Points Fire District, to provide for a fire rescue trailer, HUD Fund, contract amount \$10,000.00 (CT-CD-16-262)

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

PROCUREMENT

31. Iler Group, Inc., d.b.a. Fleetistics, to provide for the GPS Tracking Solution Project, Risk Management Liability Fund, contract amount \$459,500.00 (MA-PO-16-272) Finance and Risk Management

Supervisor Miller questioned the annual renewal options and if it had been bid for all five years as sole source.

Tom Burke, Deputy County Administrator, explained the software was initially acquired through competitive bidding with sole source because it would cause removal of the GPS units and purchase of new software for installation. He stated that each annual renewal amount would be \$459,500.00.

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

REAL PROPERTY

32. Nextel West Corporation ("Sprint"), Amendment No. 1, to provide a frequency reconfiguration agreement and amend contractual language, no cost (CTN-IT-15-53)

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

33. Friends of Tucson's Birthplace and City of Tucson, Amendment No. 1, to provide an agreement for development, operation and maintenance of Mission Garden and amend contractual language, no cost (CTN-PW-12-400)

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

GRANT APPLICATION/ACCEPTANCE

34. **Acceptance - Community Services, Employment and Training**

U.S. Department of Housing and Urban Development, Amendment No. 2, to provide for the Continuum of Care - CASA Program and extend contract term to 6/30/16, no cost (GTAM 16-62)

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

CONSENT CALENDAR

35. **Approval of the Consent Calendar**

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 11 and 16 were set aside for separate discussion and vote.

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

* * *

PULLED FOR SEPARATE ACTION

CONTRACT AND AWARD

Health Services

11. Arizona Board of Regents, Banner Health, Banner University Medical Center Tucson Campus, L.L.C. and Banner University Medical Center South Campus, L.L.C., Amendment No. 4, to provide for the operation of Banner University Medical Center South Campus and the UofA College of Medicine Graduate Medical Education Program, extend contract term to 6/30/17 and amend contractual language, General Fund, contract amount \$15,000,000.00 (CT-OMS-14-434)

Supervisor Miller stated that she could support approval of the lease to Banner University Medical Center (UMC) but objected to the \$15,000,000.00 for Graduate Medical Education because the roads and other core services weren't being addressed.

Supervisor Elías stated that disproportionate share dollars were spread out to the community and that Banner had improved the services and education it provided.

Supervisor Valadez stated the County had lost about \$38 million when it had run the hospital and that UMC had stepped up and made a true difference in regard to service. He questioned what the repercussions would be if the hospital was closed.

Chuck Huckelberry, County Administrator, explained that if the lease was terminated, the hospital would not provide services, the Crisis Response Center would close and involuntary mental health commitments would need to be made to the Arizona State Hospital.

Supervisor Carroll questioned whether it was a core mandate to provide a public safety net of healthcare to the indigent.

Supervisor Elías stated that public health services provided by Counties in the State of Arizona were mandated by the constitution of the State of Arizona, and that partnering with private practice doctors was a move in the right direction.

Chair Bronson stated it was cost effective and compassionate.

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

Public Works Administration

16. Union Pacific Railroad Company, to provide for a public highway at-grade crossing at Railroad Mile Post 1003.78 (Colossal Cave Road) and 1003.81 (near Vail, AZ), Impact Fee Fund, contract amount \$1,146,917.00 (CT-TR-16-275)

Supervisor Miller stated these funds had been swept out of District 1 last year for an emergency situation for the children on Colossal Cave Road, and that District 1 had 10% higher failed roads than any other district. She questioned the \$100,000.00 that had been pledged by Calvin Baker and whether the County had received it.

Nanette Slusser, Assistant County Administrator, explained that the funding remained in the project, the Vail School District had approved it and that the

school district would be invoiced when the County was ready to spend the money.

Supervisor Carroll stated that it had been difficult to coordinate the project with the railroad as well as necessary closure for the school district. Mr. Carroll commented on the public/private partners included in this project.

Supervisor Miller stated the children of District 1 were living under equally dangerous road conditions.

Supervisor Elías added that it was difficult working with Union Pacific and the decision had been made to invest in the children of Vail School District because the proposal of District 1 had been to fix neighborhood streets rather than arterials.

It was moved by Supervisor Carroll and seconded by Chair Bronson to approve the item. Upon roll call, the motion carried by a 4-1 vote, Supervisor Miller voted "Nay."

* * *

CONTRACT AND AWARD

Community and Economic Development

1. United Way of Tucson and Southern Arizona, Amendment No. 2, to provide for the Employee Combined Appeal Program (ECAP 2016 Campaign), extend contract term to 12/31/16 and amend contractual language, General Fund, contract amount \$46,821.42 (CT-CED-14-435)

Community Services, Employment and Training

2. **Award**
Award of Contracts for Youth Services - Summer Youth Activities, in a total award amount of \$1,168,007.12 with four renewal options. Funding Source: General Fund.

Organization/Category Name/Recommended Award Amount

Altar Valley Elementary School District No. 3/Academic Instruction, Work Experience/\$62,243.33

Catholic Community Services, Inc., d.b.a. Community Outreach Program for the Deaf (COPD)/Work Experience/\$85,322.41

Goodwill Industries of Southern Arizona, Inc./Work Experience/\$106,923.42

Portable, Practical Educational Preparation, Inc. (PPEP)/Academic Instruction, Work Experience/\$103,772.79

SER-Jobs for Progress of Southern Arizona, Inc./Academic Instruction/English as a Second Language, Work Experience/\$330,977.74

Tucson Urban League/Academic Instruction, Work Experience/\$131,360.69
 Tucson Youth Development, Inc./Academic Instruction, COMBO (Work Experience Combined with Academic Instruction), LEAP (Learn Earn Advance Prosper), Work Experience/\$347,406.74

3. **Award**

Award of Contracts for Workshops Program for ARIZONA@WORK adults, dislocated workers and youth, in the total award amount of \$341,913.72 with four renewal options. Funding Source: USDOL/ADES (50%), HPOG Grant (10%) and General (40%) Funds.

Organization/Workshop Category/Recommended Funding Amount

COPE Community Services, Inc., d.b.a. RISE, L.L.C./Basic Computer Skills for Job Seekers/\$10,880.00

D K Advocates, Inc./Defining Career Pathways for Industry, Resume Writing Lab, Basic Computer Skills for Job Seekers, Youth Leadership/\$23,757.70

Goodwill Industries of Southern Arizona, Inc./Defining Career Pathways for Industry, Researching Career Pathways, Understanding What Employers Want, Employability Skills, Employability Skills for Youth, Resume Writing Lab, Navigating Online Resumes/Applications for Employers, Basic Computer Skills for Job Seekers, Youth Financial, Youth Leadership/\$56,448.00

LeadLocal, L.L.C./Understanding What Employers Want, Youth Entrepreneurial/\$36,720.00

Portable, Practical Educational Preparation, Inc. (PPEP)/Employability Skills for Older Workers/\$34,060.00

SER-Jobs for Progress of Southern Arizona, Inc./Employability Skills for Homeless/\$95,713.02

Tucson Hispanic Chamber of Commerce/Entrepreneurial Introduction, Self Employment/\$27,000.00

Tucson Youth Development (TYD), Inc./Researching Career Pathways for Youth, Youth Financial, Youth Leadership, Understanding What Employers Want, Employability Skills for Youth/\$22,691.00

YWCA of Southern Arizona/Employability Skills, Business Startup/\$34,644.00

4. Nancy Chow, Amendment No. 5, to provide for after school academic tutoring instruction and amend contractual language, State Equalization Fund, contract amount \$5,000.00 (CT-CS-13-577)
5. City of South Tucson, Amendment No. 1, to provide for the John A. Valenzuela Youth Center - Youth Program, extend contract term to 6/30/17 and amend contractual language, General Fund, contract amount \$113,000.00 (CT-CS-15-527)
6. Community Home Repair Projects of Arizona, Inc., Amendment No. 2, to provide for the Community Services Block Grant (CSBG) - Emergency

Needs and amend scope of work, Arizona Community Action Association Fund, contract amount \$20,000.00 (CT-CS-15-550)

7. Compass Affordable Housing, Inc., to provide for the HUD Continuum of Care Program - CASA, HUD Fund, contract amount \$189,349.00 (CT-CS-16-268)
8. The Salvation Army, to provide for the HUD Continuum of Care Program - CASA, HUD Fund, contract amount \$98,624.00 (CT-CS-16-264)

Economic Development and Tourism

9. Arizona Aerospace Foundation, Amendment No. 1, to provide for operation and administration of the Titan Missile Museum and extend contract term to 4/30/17, no cost (CTN-ED-12-599)

Forensic Science Center

10. Arizona Board of Regents, Arizona State University, to provide information for the Arizona Violent Death Reporting System, contract amount \$25,000.00 estimated revenue/5 year term (CTN-FSC-16-135)

Health Services

11. Arizona Board of Regents, Banner Health, Banner University Medical Center Tucson Campus, L.L.C. and Banner University Medical Center South Campus, L.L.C., Amendment No. 4, (PULLED FOR SEPARATE ACTION)

Office of Emergency Management and Homeland Security

12. Southern Arizona Rescue Association, to provide equipment and supplies for search and rescue operations, Board Contingency Fund, contract amount \$105,000.00/3 year term (CT-OEM-16-258)

Procurement

13. Achen-Gardner Construction, Inc., B&F Contracting, Inc. and KE&G Construction, Inc., Amendment No. 4, to provide a job order master agreement for wastewater conveyance and related facilities maintenance, repair, rehabilitation and construction services, extend contract term to 6/30/17 and amend contractual language, RWRD Obligation Fund, contract amount \$4,000,000.00 (MA-WW-13-303) Regional Wastewater Reclamation
14. Amendment No. 3, to assign all contracted responsibilities, obligations and rights to Solon Development, L.L.C. and amend contractual language, General Fund (Facilities Management)

Vendor/Contract Amount/(Contract No.)

SUNE DB28, L.L.C./\$3,512,833.00 decrease/(MA-PO-16-88)

SUNE DB32, L.L.C./\$40,148.00 decrease/(MA-PO-16-92)

SUNE DB37, L.L.C./\$24,856.00 decrease/(MA-PO-16-93)

SUNE DB29, L.L.C./\$11,892.00/(MA-PO-16-94)

SUNE DB30, L.L.C./\$26,240.00/(MA-PO-16-95)

Public Works Administration

15. Regional Transportation Authority, to provide for the Alvernon Way - Hughes Access Road Bike Lane Project, contract amount \$698,000.00 RTA revenue/\$35,000.00 County HURF Match (CTN-TR-16-138)
16. Union Pacific Railroad Company, (PULLED FOR SEPARATE ACTION)

Transportation

17. Pima Association of Governments, to provide for the Biking for Life Program, contract amount \$47,000.00 Federal TAP revenue/\$4,996.00 Transportation Operating Match (CTN-TR-16-129)

GRANT APPLICATION/ACCEPTANCE

18. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 4, to provide for the HIV Prevention Program, no cost (GTAM 16-60)
19. **Acceptance - Sheriff**
Governor's Office of Highway Safety DUI Abatement Council, to provide for the DUI Abatement Program, \$50,000.00 (GTAW 16-60)

BOARD, COMMISSION AND/OR COMMITTEE

20. **Bond Advisory Committee**
Reappointment of David Lyons. Term expiration: 4/30/22. (District 4)
21. **Flood Control District Advisory Committee**
Ratification of City of Tucson appointment: James MacAdam, to replace James P. Vogelsberg. No Term Expiration. (Jurisdictional recommendation)

SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/PATIO PERMIT APPROVED PURSUANT TO RESOLUTION NO. 2015-64

22. Special Event

Jeffrey Peter Schneider, Knights of Columbus Assembly 2308, St. Elizabeth Ann Seton Catholic Church, 8650 N. Shannon Road, Tucson, April 16, 2016.

23. Special Event

Shalimar Hass, Why Ajo Lukeville Health District, Ajo Plaza Area, 10 Plaza Street, Ajo, April 9, 2016.

24. Special Event

Mallory Roberts, Arizona Opera Company, Simon Gallery of Fine Pianos and Art, 3001 E. Skyline Drive, S117, Tucson, April 7, 2016.

ELECTIONS

25. Pursuant to A.R.S. §16-531, appointment of all elections boards and tally boards recruited and on file in the Elections Department for the Special Election on May 17, 2016.

26. Precinct Committeemen

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

APPOINTMENT-PRECINCT-PARTY

David F. Hammond-014-DEM; Ward W. Wallingford-069-DEM; James A. Fein-096-DEM; Walter G. Rowan-117-DEM

FINANCE AND RISK MANAGEMENT

27. Duplicate Warrants - For Ratification

Arizona Local Health Officers Org. \$525.00; Nancy C. Skocy, M.C., L.P.C. \$480.00; Goodman Water Co., Inc. \$241.41; Banner-University Medical Group \$427.50; Margaret Kish \$1,365.20; Alliance Reporting Solutions \$462.75; Katherine Marie Daubert \$43.61; Michael Smith \$195.36; Shivan Ibrahim \$15.47; GPS Monitoring Solutions, Inc. \$5,720.00; State of Arizona Board of Nursing \$350.00; Marcos Rosas \$108.92; McEvoy Daniels & Darcy P.C. \$1,000.00; Belinda B. Bremiller \$5,300.00; Sims & White, P.L.L.C. \$1,664.00; AT&T Mobility II, L.L.C. \$19,170.92; Pablo E. Samaniego \$53.37; Enterprise Leasing Co West, L.L.C. \$118.83; Enterprise Leasing Co West, L.L.C. \$134.65; Michael Jasper \$525.00; John Miller \$35.00; Elizabeth M. Lahrman \$123.71; Motion Industries \$154.44; Alltech Gate Systems, L.L.C. \$279.71; George H. Mancuso \$56.92; George H. Mancuso \$14.23; George H. Mancuso \$56.92; AT&T Mobility II, L.L.C. \$7,448.21; TPC Group, Inc. \$7,422.49; Empire Southwest, L.L.C. \$2,332.24; SHI International Corp.

\$15,202.01; The Ashton Company, Inc. \$30,095.00; George H. Mancuso
\$42.69

PROCLAMATION

28. Proclaiming Friday, April 29, 2016 to be: "THOMAS R. BROWN FAMILY FOUNDATION DAY"
29. Proclaiming the week of May 1, 2016 through May 7, 2016 to be: "YOUTH WEEK IN PIMA COUNTY"

RATIFY AND/OR APPROVE

30. Minutes: March 15 and 31, 2016

* * *

36. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:29 a.m.

CHAIR

ATTEST:

CLERK