

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, October 8, 2013. Upon roll call, those present and absent were as follows:

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

Also Present: Jan Leshner, Deputy County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

Absent: Ramón Valadez, Chairman

1. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee of \$1,966.80 for property located at 2167 East Desert Garden Drive within important riparian area with underlying Xeroriparian Class B Habitat. (District1)

It was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the item.

2. CONTRACT

The Ashton Company, Inc., Granite Construction Company and KE&G Construction, Inc., Amendment No. 1, to provide a job order master agreement for flood control and drainage improvements and extend contract term to 10/31/14, Flood Control District and Various Department Funds, contract amount \$3,000,000.00 (MA-PO-13-191)

It was moved by Supervisor Elías, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:38 a.m.

CHAIRMAN

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, October 8, 2013. Upon roll call, those present and absent were as follows:

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

Also Present: Jan Leshner, Deputy County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

Absent: Ramón Valadez, Chairman

1. INVOCATION

The invocation was given by Pastor La'Tresa M. Jester, Gideon Missionary Baptist 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 (for Executive Session items only)

The Executive Session item was withdrawn.

EXECUTIVE SESSION

5. The Board of Supervisors on October 1, 2013, continued the following:

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a request by the Pima County Attorney's Office that the Board of Supervisors waive a potential conflict of interest to allow the Pima County Attorney's Office Civil Division to advise and represent Pima County Assessor Bill Staples with respect to the tax classification of Raytheon Company's IPRs.

Chris Straub, Chief Civil Deputy County Attorney, stated that the Assessor had withdrawn his consent for representation by the County Attorney so there was no need to move forward with this item.

COUNTY ADMINISTRATOR

6. Classification and Compensation

The Information Technology 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 (Range)/EEO Code/FLSA Code

4718/IT-Technical Systems Administrator/59 (\$56,384 - \$82,815)/2/E*

*Exempt (not paid overtime)

It was moved by Supervisor Elías, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item.

INDUSTRIAL DEVELOPMENT AUTHORITY

7. San Tan Montessori School Project

RESOLUTION NO. 2013 – 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 \$14,000,000.00 education facility revenue bonds (San Tan Montessori School Project), Series 2013 and declaring an emergency.

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, to adopt the Resolution.

8. Odyssey Preparatory Academy Goodyear Project

RESOLUTION NO. 2013 - 88, 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 \$12,000,000.00 education facility revenue bonds (Odyssey Preparatory Academy Goodyear Project), Series 2013 and declaring an emergency.

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, to adopt the Resolution.

DEVELOPMENT SERVICES

9. Final Plat with Assurances

P1213-011, Ventana Heights North, Lots 11 – 13. (District 1)

It was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the item.

TRANSPORTATION

10. Acceptance of Project/Roadway for Maintenance

P1212-319/P12TR00040, Travel Plaza Way, Station 1+00 to station 11+37.73 and Elvira Road, Station 1+29.21 to Station 3+75.91. Developer: Pilot Travel Center, L.L.C. (District 2)

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item.

11. Acceptance of Project/Roadway for Maintenance

P1204-316/P12TR00053, New Tucson, Unit 5, Phase I, Lots 263 – 311. Developer: Terramar Properties. (District 4)

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item.

BOARD OF SUPERVISORS

12. Appeal of Review Officer's Decision

The Board of Supervisors on September 17, 2013, continued the following:

Pursuant to Board of Supervisor's Policy D 22.10, the Pima County Assessor appeals the decision of the Review Officer regarding the classification of Tax Parcel Nos. 109-25-006B, 109-25-006E, 110-10-001B, 110-10-001D, 110-10-002B and 110-10-005B to Legal Class 3 for Tax Year 2013.

Without objection, this item was continued to the Board of Supervisors' Meeting of October 15, 2013.

FRANCHISE/LICENSE/PERMIT

13. Fireworks Permit

Gary Thompson, Catalina Foothills High School, 4300 E. Sunrise Drive, Tucson, October 11, 2013 at 6:45 p.m.

The Vice-Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearing and approve the permit.

14. Extension of Premises/Patio Permit

Grant Darien Krueger, Union Public House, 4340 N. Campbell Avenue, Suite 103, Tucson, Temporary Extension of Premises for October 31 and November 1, 2013.

The Vice-Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

15. Extension of Premises/Patio Permit

Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for October 12, 2013.

The Vice-Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

PRESENTATION/PROCLAMATION

16. Presentation of a proclamation to Alethea Do and Daisy Rodriguez Patel, proclaiming the day of Tuesday, October 15, 2013 to be: "NATIONAL LATINO AIDS AWARENESS DAY"

It was moved by Supervisor Elías, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the item.

Supervisor Elías presented the proclamation to Alethea Do and Daisy Rodriguez Patel.

COUNTY ADMINISTRATOR

17. Public Safety Interoperable Communication Project Signature Authority

RESOLUTION NO. 2013 - 89, of the Board of Supervisors, granting authority to the Pima County Wireless Integrated Network (PCWIN) Executive Director to approve and sign contracts with other entities to carry out the purposes of the PCWIN Cooperative.

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, to adopt the Resolution.

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

18. Grant Application

RESOLUTION NO. 2013 - 90, of the Board of Supervisors, authorizing submission of a grant application for \$100,000.00 of the Arizona Mortgage Settlement Fund to the Arizona Attorney General to provide job training and employment search services to individuals impacted by foreclosure.

It was moved by Supervisor Miller, seconded by Supervisor Carroll and carried by a 4-0 vote, to adopt the Resolution.

CONTRACT AND AWARD

Community Services, Employment and Training

19. Tucson Urban League, Inc. to provide workforce development services, US DOL, AZ DES and other Workforce Funds, contract amount \$47,135.25 (CT-CS-14-152)

It was moved by Supervisor Carroll, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the item.

20. DK Advocates, Inc., to provide workforce development services, US DOL, AZ DES and other Workforce Funds, contract amount \$46,025.25 (CT-CS-14-149)

It was moved by Supervisor Carroll, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the item.

21. Literacy Connects, Amendment No. 1, to provide literacy services and amend contractual language, US DOL, AZ DES and other Workforce Funds, contract amount \$32,000.00 (MA-CS-13-416)

It was moved by Supervisor Carroll, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the item.

BOARD OF SUPERVISORS

22. Appeal of Review Officer's Decision

The Board of Supervisors on August 6, 2013, September 3, 2013 and October 1, 2013, continued the following:

Pursuant to Board of Supervisor's Policy D 22.10, Luis Mena appeals the decision of the Review Officer regarding the classification of Tax Parcel No. 116-16-069A to Legal Class 4.1 for Tax Year 2013.

Tom Burke, Review Officer/Finance and Risk Management Director, stated that new documentation had been provided which validated the primary residence status and his recommendation was that this property be Legal Class 3 for Tax Year 2013.

It was moved by Supervisor Elías, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the Review Officer's decision that Tax Parcel No. 116-16-069A be Legal Class 3 for Tax Year 2013.

CONSENT CALENDAR

23. Call to the Public (for Consent Calendar items only)

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

24. Approval of the Consent Calendar

PULLED FOR SEPARATE ACTION

CONTRACT AND AWARD

Natural Resources, Parks and Recreation

8. Tucson Audubon Society, Amendment No. 4, to provide a Nature Shop at Agua Caliente Park, extend contract term to 1/31/15 and amend contractual language, contract amount \$4,800.00 revenue/2 year term (CTN-PR-CMS135921)

Without objection, this item was removed from the agenda.

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It was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-0 vote, to pull Consent Calendar Item No. 20 for separate discussion and vote.

10-8-2013 (6)

PULLED FOR SEPARATE ACTION

REAL PROPERTY

20. Quit Claim Deed

Quit claim deed to Barbara Ann Guyton, an unmarried woman, to clear a title cloud on her property located at 11253 E. Globe Street on Mount Lemmon, Arizona, Tax Parcel No. 205-14-3890. No cost. (District 4)

Supervisor Miller inquired whether public notification was required when an easement was going to be removed from a property for a road and stated her concern was the surrounding neighbors had not been properly notified.

John Bernal, Deputy County Administrator, stated that notification was not standard practice for these types of items and explained that the description on the deed was a reservation for road purposes.

Supervisor Carroll added that this was a routine process as Mount Lemmon was filled with old plats and the request had been reviewed by the necessary departments for legality.

It was moved by Supervisor Carroll and seconded by Supervisor Elías to approve the quit claim deed. Upon roll call vote, the motion carried 3-1, Supervisor Miller voted "Nay" and Chairman Valadez was absent.

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It was thereupon moved by Supervisor Elías, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the remainder of the consent calendar as amended.

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CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Amistades, Inc., to provide for the Ellie Towne Teen Program, CDBG Fund, contract amount \$15,000.00 (CT-CD-14-106)

Community Services, Employment and Training

2. El Rio Santa Cruz Neighborhood Health Center, Inc., to provide for the Community Services Block Grant Project, CSBG Fund, contract amount \$42,312.00 (MA-CS-14-50)

3. San Ignacio Yaqui Council, Inc., to provide for the Community Services Block Grant Project, CSBG Fund, contract amount \$27,500.00 (MA-CS-14-57)
4. International Sonoran Desert Alliance, to provide for the Community Services Block Grant Youth Project, CSBG Fund, contract amount \$22,900.00 (MA-CS-14-117)
5. International Sonoran Desert Alliance, to provide for the Community Services Block Grant Housing Project, CSBG Fund, contract amount \$22,900.00 (MA-CS-14-118)

County Attorney

6. JBASTA Consulting, L.L.C., Amendment No. 1, to provide for the Enhancing Drug Court Services, Coordination and Treatment Program and extend contract term to 9/29/14, Federal Fund, contract amount \$10,000.00 (CT-PCA-12-967)

Health

7. Northwest Fire District, Amendment No. 3, to provide childhood immunization services and extend contract term to 5/3/14, no cost (CTN-HD-12-49)

Natural Resources, Parks and Recreation

8. Tucson Audubon Society, Amendment No. 4, (PULLED FOR SEPARATE ACTION)

Office of Medical Services

9. Cochise County, to provide restoration to competency services, General Fund, contract amount \$100,000.00 estimated revenue (CTN-OMS-14-62)

Procurement

10. **Award**
Award of Contract, No. CT-WW-14-110, direct selection of Greeley and Hansen, L.L.C. (Headquarters: Chicago, IL) for the Struvite Recovery Facility Alternative Delivery Project. Total cost of this project is expected not to exceed \$298,000.00. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.
11. Kimley-Horn & Associates, Inc., Amendment No. 3, to provide design engineering services for the Julian Wash, I-10/Drexel to Tucson Diversion Channel at Campbell Avenue Project and extend contract term to 10/18/14, no cost (CT-PW-13-376) Public Works Administration

12. Weber Group, L.C., a.k.a. Weber Water Resources, L.L.C., and Yellow Jacket Drilling Services, L.L.C., Amendment No. 1, to provide for a job order master agreement for well installation, development and repair services and extend contract term to 11/30/14, General Fund, contract amount \$150,000.00 (MA-PO-13-167) Natural Resources, Parks and Recreation

BOARD, COMMISSION AND/OR COMMITTEE

13. **Environmental Quality Advisory Council**
Appointment of Kylie Walzak, transportation and land use planning, to fill the vacancy created by Curtis Lueck. Term expiration: 9/30/16. (Council recommendation)

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

14. Carol Yokum, Why Ajo Lukeville Healthcare District, 15 Plaza, Ajo, October 18 and 19, 2013.
15. Monique Marie Vallery, Southern Arizona AIDS Foundation, Tucson, Chinese Cultural Center, 1288 W. River Road, Tucson, November 16, 2013.
16. Scott Arthur Anderson, American Legion Madera Post 131, 249 W. Esperanza Boulevard, Green Valley, October 25 and 26, 2013.

ELECTIONS

17. **Consolidated Election**
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 Consolidated Election on November 5, 2013.
18. Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:

RESIGNATIONS-PRECINCT-PARTY

Victoria L. Steele-149-DEM, Shasta M. McManus-154-DEM

APPOINTMENTS-PRECINCT-PARTY

Victoria L. Steele-030-DEM, Shasta M. McManus-057-DEM, Katherine A. Weiss-238-DEM, Kate J. Brownstone-123-LBT

REAL PROPERTY

19. **Partial Modification of Deed Restrictions**

DAZ6-SKYLINE 2, L.L.C., for the partial modification of deed restrictions to facilitate the development of property under the Pima County Development Plan for Skyline Esplanade II, Plan No. P1207-042. The property is located north of the intersection of Ina Road and Pima Canyon Drive, in Section 6, T13S, R14E, Tax Parcel No. 108-02-050E. No cost. (District 1)

20. **Quit Claim Deed**

Quit claim deed to Barbara Ann Guyton, (PULLED FOR SEPARATE ACTION)

RATIFY AND/OR APPROVE

21. Minutes: September 3, 2013

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25. **CALL TO THE PUBLIC**

Keith Van Heyningen addressed the Board regarding the Tucson Tea Party and the corruption of debt.

26. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:38 a.m.

CHAIRMAN

ATTEST:

CLERK