

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 3, 2018. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
 Ramón Valadez, Vice Chair
 Sharon Bronson, Acting Chair
 Ally Miller, Member
 Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
 Andrew Flagg, Chief Civil Deputy County Attorney
 Julie Castañeda, Clerk of the Board
 Charles Lopiccolo, Sergeant at Arms

1. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation Plan for property located at 2457 North Mesquite Thicket Court, located within Regulated Riparian Habitat classified as Hydroriparian Habitat. (District 4)

It was moved by Supervisor Bronson, seconded by Supervisor Christy 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 11:31 a.m.

CHAIRMAN

ATTEST:

CLERK

LIBRARY DISTRICT BOARD MINUTES

The Pima County Library 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 3, 2018. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
Ramón Valadez, Vice Chair
Sharon Bronson, Acting Chair
Ally Miller, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Charles Lopiccolo, Sergeant at Arms

1. **CONTRACT**

Larry E. and Claire B. Klingler, d.b.a. First Plaza, L.L.C., Amendment No. 1, to provide a lease agreement for the Catalina Library located at 15631 N. Oracle Road, Suite 191 and extend contract term to 4/30/21, Library District Fund, contract amount \$190,000.00 (CT-LIB-15-469)

It was moved by Supervisor Bronson, 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 11:31 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, April 3, 2018. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
Ramón Valadez, Vice Chair
Sharon Bronson, Acting Chair
Ally Miller, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Charles Lopiccolo, Sergeant at Arms

1. INVOCATION

The invocation was given by Pastor Phil Thompson, Aldea Spiritual Community.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. POINT OF PERSONAL PRIVILEGE

Chairman Elías acknowledged Arizona Gives Day and congratulated the Pascua Yaqui Nation on its recent ceremonies.

4. PAUSE 4 PAWS

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

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Danny Howe, The Earnest House; Daniel Gordon, Mayor Rothschild's Office; Pauline Nunez, City of Tucson Housing and Community Development; Rachel Beaty, Southwest Fair Housing Council; Marcos Ysmael and Mayra Armenta, Pima County Housing Center; and Ryan Stephenson, Pima County Community Development and Neighborhood Conservation Department, proclaiming the month of April 2018 to be: "FAIR HOUSING MONTH"

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

6. Presentation of a proclamation to Ann Yellott, Culture of Peace Alliance; Kasey Crow and Leilani Clark, Take Back the Night Planning Committee; and Karolina Lopez, Emerge! Center Against Domestic Abuse, proclaiming the month of April 2018 to be: "SEXUAL ASSAULT AWARENESS MONTH" and the day of Wednesday, April 11, 2018 to be: "TUCSON'S COMMUNITY TAKE BACK THE NIGHT 2018"

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

7. Presentation of a proclamation to Ruby Jamshedi, Tucson Corral of the Westerners, proclaiming the day of Monday, April 9, 2018 to be: "TUCSON CORRAL OF THE WESTERNERS DAY"

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

8. **CALL TO THE PUBLIC**

Robert Jacobson addressed the Board regarding the Economic Development Administration's Regional Innovation Strategies Grant.

The following speakers addressed the Board regarding Operation Stonegarden:

- Gail Kamaras, Indivisible Southern Arizona
- Bryna Koch, Indivisible Southern Arizona
- Steve Diamond
- Billy Peard, American Civil Liberties Union (ACLU) of Arizona
- Ryan Kelly
- Janni Simner

They offered the following comments:

- As trustees of these funds the Board needed to provide oversight.
- All residents needed to be treated with dignity and respect.
- Concerned with the Department of Public Safety's request that the Board "stand down" in regards to their request for data relating to the Stonegarden grant.
- The Sheriff's policy regarding interactions between Sheriff's officials and Federal Immigration Enforcement should be substantive, meet the conditions identified by the ACLU and provided for public review.
- The Board should not accept Stonegarden funds until the Sheriff's policy was reviewed and accepted.
- The Board was asked what the criteria was to vet the Sheriff's proposals and if the Administrator had a framework for what the policy should include.

Gail Kamaras addressed the Board regarding the Federal Department of Housing and Urban Development's announcement to remove non-discrimination policies from its mission statement and encouraged the Board to continue promoting fair housing.

The following speakers addressed the Board regarding the Sales Tax Advisory Committee Final Report and recommendations.

- Geri Ottoboni
- Amber Smith, President and CEO, Tucson Metro Chamber of Commerce
- Steve Huffman, Tucson Association of Realtors
- Chris King
- Barney Brenner
- Bonnie Haymore

They offered the following comments:

- The Tucson Metro Chamber of Commerce Board unanimously voted to support the recommendations made by the Sales Tax Advisory Committee.
- Poor road conditions stifled the County's economic prosperity.
- Relying on the State for funds was no longer a viable option.
- The Sales Tax Advisory Committee identified the relationship between road conditions, property taxes and community wages.
- A sales tax would adversely affect those individuals in lower income brackets.
- Taxpayers did not trust the Board to spend tax funds as indicated.
- Highway User Revenue Funds have been misused by County government for over 20 years.
- The Sales Tax Advisory Committee's recommendations included a clause to sweep a portion of the funds to help low-income households.

9. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to convene to Executive Session at 10:54 a.m.

10. **RECONVENE**

The meeting reconvened at 11:25 a.m. All members were present.

EXECUTIVE SESSION

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding T.S. Sitterley, Jr. v. Pima County and the Pima County Assessor, Arizona Tax Court Case No. ST2017-000272.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to proceed as discussed in Executive Session.

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

12. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County v. Daniel Duke, Pima County Superior Court Case No. C20164445.

Andrew Flagg, Chief Civil Deputy County Attorney, stated the County Attorney's Office recommended proceeding as discussed in Executive Session.

It was moved by Supervisor Bronson, seconded by Supervisor Christy 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 a settlement offer in Raytheon Co. v. Pima County and Bill Staples, Arizona Tax Court Case No. TX2017-000465.

Supervisor Miller recused herself due to a potential conflict of interest and left the dais.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that Raytheon and Mr. Staples had agreed to settle this dispute. He explained that the basic terms of the settlement were, that the 2017 limited value would be set as the 2016 limited property value plus five percent, and the 2017 full cash value would be set at the Assessor's full cash value. He stated, as to two additional improvements on possessory rights that were not previously valued, the 2017 values would be set at the Assessor's full cash values. The County Attorney's Office sought direction on whether to agree to the terms of the settlement.

It was moved by Supervisor Bronson, seconded by Supervisor Christy and carried by a 4-0 vote, Supervisor Miller recused herself due to a potential conflict of interest, to agree to the terms of the settlement.

COUNTY ADMINISTRATOR

14. **Pima County Sales Tax Advisory Committee Final Report and Recommendations**

Staff recommends acceptance of the Final Report and Recommendations submitted by the Pima County Sales Tax Advisory Committee.

Chuck Huckelberry, County Administrator, reviewed the purpose and efforts of the Sales Tax Advisory Committee.

Michael McDonald, Vice-Chair, Pima County Sales Tax Advisory Committee, reviewed the composition of the Committee, described the process used to collect data and opinions, and reviewed the committee's conclusions. He reported that the committee had three directives; they included the enactment of a sales tax, the duration of the sales tax, and what could be done to reduce property taxes. He indicated that the committee understood that there would be some adverse consequences to low income families and that there were several interrelated variables that needed resolution. He added that the Committee's recommendation to

enact a half cent sales tax for ten years would cover road repairs in all of unincorporated Pima County and would provide for road improvements within the cities and towns located within Pima County. He also stated that the Committee recommended eliminating the existing 25 cent road repair property tax and providing services to low income households to mitigate the sales tax impact.

Supervisor Bronson inquired about funding and expenditures with regards to Highway User Revenue Funds (HURF), vehicle licensing tax, soccer fields and the County courthouse.

Mr. Huckelberry reviewed the basis and usage of HURF. He stated that all HURF funds were allocated to the County roadway system to pay for operating expenses within the Department of Transportation which maintained, built and expanded all streets and highways in unincorporated Pima County. He explained that renovations to the courthouse were approved in 2004 through a Bond issue and additional expenses would be paid for by tenants. He indicated that funds used to expand soccer fields came from Stadium District revenues and could not be allocated or diverted to other expenses. He added that vehicle license taxes were distributed by the State and were used to build, maintain and operate streets and highways, and used for other transportation purposes.

Supervisor Christy inquired about the next step in this process.

Supervisor Valadez explained that upon acceptance of the report, the Board could provide staff direction that included the creation of both a draft resolution and ordinance for Board review and discussion.

Chairman Elías expressed appreciation to the Committee for acknowledging that a sales tax would shift the burden of taxation to lower income residents.

It was moved by Chairman Elías and seconded by Supervisor Valadez to accept the Committee's report and recommendations. No vote was taken at this time.

Supervisor Miller expressed her concern over the funds being spent in other areas and not exclusively on road repair and maintenance. She inquired about what roads would be repaired using these funds and what would be the Regional Transportation Authority's (RTA) role.

Supervisor Valadez explained that the RTA's involvement would be included in the draft resolution. He then asked the County Administrator how much revenue would be generated by the tax and how much would be expended on roads.

Mr. Huckelberry responded that the committee's report contained a detailed plan that included the repair of every road in unincorporated Pima County and that the distribution of funds were based on population. He explained that the resolution would adopt the sales tax and its automatic repeal after a given number of years and that the ordinance would outline a detailed, road by road implementation plan and time frame. He also stated that the ordinance could contain a clause that if attempts were made to use the money for any other purpose, the Board could enact an automatic repeal.

Supervisor Miller asked what authority the Board had with regards to RTA involvement.

Supervisor Valadez explained that the Board could not delegate the creation, collection, appropriation, and allocation of those revenues, but that the management could be a third entity.

Supervisor Valadez proposed an amendment to the motion that staff prepare and present a draft resolution and a draft ordinance at the Board of Supervisors' Meeting of April 17, 2018, for discussion. Chairman Elías accepted the amendment to the motion.

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

ASSESSOR

15. The Board of Supervisors on February 20 and March 20, 2018, continued the following:

Contract

Helm, Livesay & Worthington, Ltd., Amendment No. 2, to provide legal advice and representation and extend contract term to 2/16/19, General Fund, contract amount \$50,000.00 (CT-AS-15-356)

It was moved by Chairman Elías and seconded by Supervisor Bronson to approve this item. Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

FINANCE AND RISK MANAGEMENT

16. **Quarterly Report on Collections**

Staff recommends acceptance of the Quarterly Report on Collections for the period ending December 31, 2017.

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

TRANSPORTATION

17. Hearing - Traffic Ordinance

ORDINANCE NO. 2018 - 5, of the Board of Supervisors, relating to traffic and highways; regulating parking on Sage Street in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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

COUNTY ADMINISTRATOR

18. Fiscal Year 2018/19 Budget Hearing Schedule

Staff recommends approval of the proposed schedule for the Fiscal Year 2018/19 Budget Hearings.

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

BOARD, COMMISSION AND/OR COMMITTEE

19. Community Law Enforcement Partnership Commission

- Appointment of Bobby Lane. Term expiration: 12/31/20. (District 1)
- Appointment of Kevin McNichols. Term expiration: 12/31/20. (District 4)
- Ratification of term expirations: Cesar Aguirre, Zaira Livier Serrato, Laura Conover, Anakarina Rodriguez and Jessica Rodriguez. Term expirations: 12/31/20.

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

20. Board of Health

Reappointment of Matthew Emich. Term expiration: 2/28/22. (District 4)

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

CONSENT CALENDAR

21. Approval of the Consent Calendar

It was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the Consent Calendar in its entirety.

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CONTRACT AND AWARD

Community Services, Employment and Training

1. Cope Community Service, Inc., d.b.a. Rise, L.L.C., Amendment No. 3, to provide for workforce development services in the ARIZONA@WORK - workshops and amend contractual language, General Fund, contract amount \$13,872.00 (CT-CS-16-307)
2. Goodwill Industries of Southern Arizona, Inc., Amendment No. 3, to provide for workforce development services in the ARIZONA@WORK - workshops and amend contractual language, General Fund, contract amount \$13,606.80 (CT-CS-16-309)
3. Goodwill Industries of Southern Arizona, Inc., to provide for youth services - short-term work experience, General Fund, contract amount \$126,731.70 (CT-CS-18-253)
4. Catholic Community Services of Southern Arizona, Inc., d.b.a. Community Outreach Program for the Deaf, to provide for youth services - short-term work experience, General Fund, contract amount \$87,565.48 (CT-CS-18-256)
5. Altar Valley School District, to provide for youth services - short-term work experience and basic skills training, General Fund, contract amount \$64,618.84 (CT-CS-18-289)
6. Tucson Urban League, Inc., to provide for youth services - short-term work experience and basic skills training, General Fund, contract amount \$101,554.43 (CT-CS-18-292)

Facilities Management

7. Larry E. and Claire B. Klingler, d.b.a. First Plaza, L.L.C., Amendment No. 1, to provide a lease agreement for the Catalina Sheriff's Substation located at 15631 N. Oracle Road, Suite 175, extend contract term to 4/30/21 and amend contractual language, General Fund, contract amount \$59,000.00 (CT-SD-15-472)

Procurement

8. Pictometry International Corp., Amendment No. 2, to provide for aerial photography services and amend scope of work, General Fund, contract amount \$24,200.00 (MA-PO-16-266) Information Technology

Public Works Administration

9. Regional Transportation Authority, Amendment No. 2, to provide for the design and construction of improvements to the El Paso and Southwestern Greenway, City of South Tucson Segment Project, extend contract term to 6/30/19 and amend contractual language, contract amount \$163,000.00 revenue (CTN-TR-15-149)

Real Property

10. Rancho Seco, L.L.C., Amendment No. 1, to provide for a Ranch Management Agreement, extend contract term to 4/15/23 and amend contractual language, no cost (CTN-PR-12-334)
11. T-Mobile West, L.L.C., to provide for a communications site lease at 4502 N. First Avenue, contract amount \$133,419.26/5 year term revenue (CTN-PW-18-130)

Sheriff

12. Northwest Fire Rescue District, to provide for vehicular EMS training, no cost/4 year term (CTN-SD-18-127)

Transportation

13. Pima Association of Governments, to provide a Memorandum of Understanding for programming and funding of Wilmot: Valencia Road to Davis Monthan Air Force Base Entrance (TIP ID 1.18), contract amount \$1,406,000.00/2 year term revenue (CTN-TR-18-125)
14. Pima Association of Governments, to provide a Memorandum of Understanding for programming and funding of Summerhaven Congestion Management Concepts (TIP ID 4.18), contract amount \$50,000.00 revenue (CTN-TR-18-126)

BOARD, COMMISSION AND/OR COMMITTEE

15. **Workforce Investment Board**
 - Appointment of Steve Freeman, representing Workforce; CBO, to fill a vacancy created by Peg Harmon. Term expiration: 9/30/21. (Staff recommendation)

- Appointment of Juan Francisco Padrés, representing GECD, to fill a vacancy created by Camila Martins-Bekat. Term expiration: 9/30/21. (Staff recommendation)

16. **Election Integrity Commission**

Appointment of Levoy Hurley, to fill a vacancy created by Ken Moyes. Term expiration: 4/2/20. (District 4)

17. **Community Law Enforcement Partnership Commission**

Appointment of Kristen Landrum. Term expiration: 12/31/20. (District 2)

SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/ PATIO PERMIT/WINE FAIR/WINE FESTIVAL APPROVED PURSUANT TO RESOLUTION NO. 2016-62

18. **Special Event**

- Roger Dale Rainbolt, St. Philip's in the Hills Episcopal Church, St. Philip's in the Hills - Murphy Gallery, 4440 N. Campbell Avenue, Tucson, April 13, 2018.
- Injung H. Tolle, Valley View Early Learning Center Family Faculty Organization, Plaza Colonial Shopping Center, 2870 E. Skyline Drive, Tucson, April 21, 2018.
- Melissa Faye Campbell, Tucson Waldorf Education Association, Tucson Waldorf School, 3605 E. River Road, Tucson, April 28, 2018.

19. **Temporary Extension**

- 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for April 7, 14, 21, and 28, 2018.
- 06100216, Gregory L. Wexler, Putney's Pitstop Sports Bar and Grill, 6090 N. Oracle Road, Tucson, Temporary Extension of Premises for May 12, 13, June 9 and 10, 2018.

ELECTIONS

20. **Precinct Committeemen**

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

RESIGNATIONS-PRECINCT-PARTY

Tina Kohlhorst-057-DEM; Noreen B. Conroy-067-DEM; Daniel R. Gillmore-072-DEM; Thomas Wyckoff-072-DEM; Thomas E. Buchanan-088-DEM; James Eric Fuller-134-DEM; Margaret Verry Fuller-134-DEM; Laura J. Dent-167-DEM; Georgina Monsalvo-167-DEM

APPOINTMENTS-PRECINCT-PARTY

Michael L. Weingarten-082-DEM; Kathryn D. Anderson-099-DEM; Deborah H. Komisarek-099-DEM; John A. Seck-116-DEM; Annemarie Cairns-127-DEM; Margaret "Peggy" J. Hendrickson-141-DEM; Katherine F. Stewart-167-DEM; Toby R. Kutler-183-DEM; Frederick I. Lakes-183-DEM; Richard A. Wiebe-237-DEM; Robert B. Edwards-031-REP; Katie S. Dionne-033-REP; William B. Martin-118-REP; Steve Marten-125-REP

FINANCE AND RISK MANAGEMENT

21. **Duplicate Warrants - For Ratification**

Elizabeth Nolen \$104.66; Kelly Dwayne Kirkpatrick \$67.58; Kelly Dwayne Kirkpatrick \$84.48; Michael P. Stevenson \$78.07; Martha Sue Aegerter \$150.00.

RATIFY AND/OR APPROVE

22. Minutes: March 6, 2018
Warrants: March, 2018

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22. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:31 a.m.

CHAIRMAN

ATTEST:

CLERK