

**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.  
July 11, 2017 9:00 a.m.**

**1. ROLL CALL**

**2. INVOCATION**

To be offered by Pastor John Calahan, Berean Bible Church.

**3. PLEDGE OF ALLEGIANCE**

**4. PAUSE 4 PAWS**

**PRESENTATION/PROCLAMATION**

- 5.** Presentation of a proclamation to Rosa Torres, Division of Child Support Operations Administrator for the South Bound of the State of Arizona, Erica Kowalski, Arizona Children's Association, Mary Swallow, Chair, Children and Family Resources, Joanne Karolzak, Director, SACASA and Paula Mandel, Deputy Director, Health Department, proclaiming the month of August, 2017 to be: "CHILD SUPPORT AWARENESS MONTH"

approve

- 6.** Presentation of a proclamation to Deborah Pela, Adult Probation, Sheila Pessingua, Juvenile Court, Domingo Corona, Pretrial Services and staff, proclaiming the week of July 16 through 22, 2017 to be: "PRETRIAL, PROBATION AND PAROLE SUPERVISION WEEK"

approve

**7. CALL TO THE PUBLIC**

## **EXECUTIVE SESSION**

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Fenster Ranch School v. Pima County, Tax Court Case No. TX2016-000185.

**proceed as discussed**

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a request by Hunton and Williams, L.L.P., that Pima County waive a conflict of interest to allow it to represent Tucson Electric Power in connection with an air quality permit application submitted to the Pima County Air Quality Control District.

**proceed as discussed**

## **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

### **ROCKING K SOUTH COMMUNITY FACILITIES DISTRICT**

10. **Rocking K South Community Facilities District - Development and Intergovernmental Agreement**
- A. RESOLUTION NO. 2017 - RK<sup>1</sup>, of the District Board of Rocking K South Community Facilities District taking certain actions with regard to organization of the district; approving and authorizing the execution and delivery of a Development and Intergovernmental Agreement for Rocking K South Community Facilities District; and ordering and calling an election with respect to issuance of bonds by the district and the levy of an ad valorem property tax therefor and to the levy of a separate ad valorem property tax to pay the operation and maintenance expenses of the district.
- B. Pima County, **Rocking K South Community Facilities District** and Rocking K Development Co., to provide for the Development and Intergovernmental Agreement for Rocking K Community Facilities District, Rocking K South Community Facilities District Fund, contract amount \$46,500,000.00/\$46,500,000.00 revenue (CT-FN-17-447)

**approve**

## **SITTING AS THE BOARD OF SUPERVISORS**

### **FINANCE AND RISK MANAGEMENT**

12. **Rocking K South Community Facilities District - Development and Intergovernmental Agreement**
- A. RESOLUTION NO. 2017 - **44**, of the Board of Supervisors, approving and authorizing the execution and delivery of a Development and Intergovernmental Agreement for Rocking K South Community Facilities District.
- B. **Pima County**, Rocking K South Community Facilities District and Rocking K Development Co., to provide for the Development and Intergovernmental Agreement for Rocking K Community Facilities District, Rocking K South Community Facilities District Fund, contract amount \$46,500,000.00/\$46,500,000.00 revenue (CT-FN-17-447)

approve

### **HUMAN RESOURCES**

13. **Military Leave - Operation Freedom's Sentinel**
- RESOLUTION NO. 2017 - **45**, of the Board of Supervisors, to extend military leave to and create benefits options for employees who are reservists and/or are called to active duty in support of Operation Freedom's Sentinel.

approve

14. **Classification/Compensation**
- The Health 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  
7528/ Pima Animal Care Center Director/ U4(\$67,620-\$149,989)/ 1/ E\*  
\*E = Exempt (not paid overtime)

approve

## COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

15. UNFINISHED BUSINESS (6/20/17)  
Catholic Community Services of Southern Arizona, Inc., d.b.a. Pio Decimo Center, to provide for the Getting Ahead Program, HUD Fund, contract amount \$45,000.00 (CT-CD-17-396)

approve

## GRANTS AND DATA OFFICE

16. **Pascua Yaqui Tribe State-Shared Revenue Program**  
RESOLUTION NO. 2017 - 46, of the Board of Supervisors, to approve acceptance, if awarded, of Pascua Yaqui Tribe State-Shared Revenue Program Funds and pass-through to the Greater Tucson Fire Foundation.

approve

## REAL PROPERTY

17. **Approval of Drainage Easement**  
TNR & S Acquisitions, Inc., to approve a drainage easement across Pima County owned property located west of La Cholla Boulevard, north of platted subdivision south of Hardy Road, located in Section 28, T12S, R13E, G&SRM, Pima County, Arizona, \$100.00 revenue/\$1,900.00 for appraisal costs. (District 1)

approve

## \*\*\* HEARINGS \*\*\*

## FRANCHISE/LICENSE/PERMIT

18. **Hearing - Liquor License**  
06100137, Andrea Dahlman Lewkowitz, AMC Foothills 15, 7401 N. La Cholla Boulevard, Suite 144, Tucson, Series 6, Bar, Person Transfer and Location Transfer.

approve

19. **Hearing - Liquor License**  
12104516, Kim Marie Faust, The Korner Cafe, 3053 S. Kinney Road, Tucson, Series 12, Restaurant, New License.

approve

20. **Hearing - Agent Change/Acquisition of Control/Restructure**  
06100014, Daniel Moore Bates, El Corral Prime Rib House, 2201 E. River Road, Tucson, Acquisition of Control.

approve

## HEALTH

21. **Hearing - Code Text Amendment**  
ORDINANCE NO. 2017 - 19, of the Board of Supervisors, relating to animals; amending Pima County Code Chapter 6.04 to change the term referring to the animal care shelter from pound to shelter; amend certain existing fees, and provide for additional shelter and veterinary care fees.

approve

## DEVELOPMENT SERVICES

22. UNFINISHED BUSINESS (3/21/17 and 5/16/17)  
**Hearing - Rezoning**  
P16RZ00006, SOLARH2O LEASING, L.L.C. - E. TANQUE VERDE ROAD REZONING  
Request of SolarH2O Leasing, L.L.C. represented by JAS Engineering, for a rezoning of approximately 1.68 acres at 11311 E. Tanque Verde Road from CR-1© (Single Residence - Conditional) zone to the CB-2 (General Business) zone, located on the north side of E. Tanque Verde Road approximately 1300 feet east of N. Tanque Verde Loop Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Neighborhood Activity Center. On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Matter and Membrila voted NAY, Commissioners Bain and Gungle were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

deny

23. **Hearing - Type III Conditional Use Permit Communication Tower**  
P17CU00004, Cross Bar 8, L.L.C. - W. Cota Road (Arivaca)  
Request of Eco-Site and T-Mobile representing Cross Bar 8, L.L.C., on property located at 15585 W. Cota Drive (Arivaca), in the RH 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 5-0 (Commissioners Bain, Becker, Gavin, and Gungle were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 3)

approve

24. **Hearing - Rezoning Time Extension**  
Co9-11-08, ANDRADA INVESTORS, L.L.C. - ANDRADA ROAD (ALIGNMENT) REZONING  
Request of Andrada Investors, L.L.C., for a five-year time extension for the above-referenced 716.3-acre rezoning from RH (Rural Homestead) to RH-® (Rural Homestead - Restricted Zone), SR (Suburban Ranch Zone), CR-5 (Multiple Residence Zone) (Small Lot Subdivision Option), TR (Transitional Zone), and CB-1 (Local Business Zone). The rezoning was approved in 2012 and expired on April 3, 2017. The rezoning site has two locations. The eastern 637.3 acres is located approximately 1 ¾ miles west of Houghton Road, ¾ mile west of Andrada Road, and one mile north of Sahuarita Road. The western 79 acres is located approximately 3 ¾ miles west of Houghton Road, 2 ¾ miles west of Andrada Road and 1 ½ miles north of Sahuarita Road. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED CONDITIONS**. (District 4)

approve

25. **Hearing - Rezoning Resolution**  
RESOLUTION NO. 2017 - **47**, Co9-10-03, Moore TR. - Oracle Jaynes Station Road Rezoning. Owners: M3 Engineering & Technology Corporation. (District 1)

approve

26. **Hearing - Rezoning Resolution**  
RESOLUTION NO. 2017 - **48**, Co9-11-02, Dominguez - Craycroft Road Rezoning. Owners: Peggy and Leonard Dominguez. (District 2)

approve

- 27. Hearing - Rezoning Resolution**  
RESOLUTION NO. 2017 - 49, Co9-11-04, Hennessy TR. - Mission Road Rezoning. Owners: Hennessy B. TR, Attn: Michael E. Hennessy, Trustee. (District 5)

approve

## **ENVIRONMENTAL QUALITY**

- 28. Hearing - Code Text Amendment**  
ORDINANCE NO. 2017 - 20, of the Board of Supervisors, relating to Air Quality; amending the Pima County Code Title 17, by adding Chapters 17.11, 17.13, and 17.14, renumbering and reorganizing Chapter 17.12 and amending Chapters 17.04, 17.08, 17.16 and 17.28 to organize Title 17 in a more coherent manner by separating Class I (major source) rules and Class II, Class III, and General Permit (minor source) rules, and Activity Permit rules.

approve

- 29. ADJOURNMENT**

## **ADDENDUM 1**

### **EXECUTIVE SESSION**

1. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Larson, et al. v. Napier, Ninth Circuit Court of Appeals Case No. 16-16259.

proceed as discussed

### **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

#### **FLOOD CONTROL DISTRICT BOARD**

2. **Contract**  
Overland Vistoso Limited Partnership, L.L.P., to provide for the Floodprone Land Acquisition Program/Agreement to Donate Real Property (Acq-0473), located in Sections 20 and 29, T11S, R14E, G&SRM, Tax Parcel Nos. 223-02-013A, 223-02-011C, 223-04-097B and 223-04-096A, no cost (CTN-PW-17-227)

approve

#### **LIBRARY DISTRICT BOARD**

3. **Acceptance - Library**  
The Institute of Museum and Library Services, to provide for the Grow and Play Space Project, Library Services and Technology Act Sub Grant Fund, \$57,800.00 (GTAW 17-91)

approve

### **SITTING AS THE BOARD OF SUPERVISORS**

#### **BOARD OF SUPERVISORS**

4. **Protection of Water Quality**  
RESOLUTION NO. 2017 - 50, of the Board of Supervisors, affirming Pima County goals for protection of water quality. (District 3)

approve



5. **Climate Protection**  
RESOLUTION NO. 2017 - 51, of the Board of Supervisors, to further Pima County's commitments to climate protection and joining county governments across the nation in signing on to the County Climate Coalition in support of the Paris Climate Agreement. (District 3)

approve

6. **Exploding Targets**  
Discussion/direction/action regarding an Ordinance to ban the sale, use, explosion and possession of exploding targets. (District 2)

staff direction

7. **Information Technology Equipment**  
Discussion/direction/action regarding life cycle management and lease/purchase of IT equipment including but not limited to workstations, storage and server equipment. (District 2)

staff direction

## **COUNTY ADMINISTRATOR**

8. **162nd Wing of the Arizona Air National Guard**  
RESOLUTION NO. 2017 - 52, of the Board of Supervisors, for support of the Arizona Air National Guard Park Entry Gate.

approve

9. **Encroachment Management Agreement with the United States Air Force**  
Staff recommends approval of the Encroachment Management Agreement between Pima County and the United States Air Force to begin the REPI acquisition program to benefit DMAFB operations, in the amount of \$1,500,000.00 revenue/5 year term (CTN-CA-18-2)

approve

## **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

- 10 **Subordination Agreements**  
International Sonoran Desert Alliance, d.b.a. ISDA, to provide Subordination Agreements for Ajo Plaza, no cost.

approve

## REAL PROPERTY

11. **Condemnation**  
RESOLUTION NO. 2017 - **53**, of the Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests where necessary for the Pantano Wash: Craycroft to Ft. Lowell Project in Sections 25 and 36 of T13S, R14E, G&SRM, Pima County, Arizona. (District 4)

approve

## CONTRACT AND AWARD

### COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

12. Goodwill Industries of Southern Arizona, Inc., to provide for the workforce development services - Linking to Employment Activities Pre-Release Program (LEAP-2), USDOL Fund, contract amount \$64,805.40 (CT-CS-17-432)
- approve
13. Old Pueblo Community Services, Inc., to provide for the Arizona Department of Housing - Pima County Links Bridge Housing Project, State of Arizona Housing Program Fund, contract amount \$88,000.00 (CT-CS-17-441)
- approve
14. Catholic Community Services, d.b.a. Community Outreach Program for the Deaf, to provide workforce development services, HPOG Fund, contract amount \$32,113.00 (CT-CS-17-445)
- approve
15. American Indian Association of Tucson, Inc., d.b.a. Tucson Indian Center, to provide for the Emergency Services Network (ESN) Program, HPOG Fund, contract amount \$27,541.00 (CT-CS-17-446)
- approve

## PROCUREMENT

16. Action Direct, L.L.C., d.b.a. Redpoint Contracting, Amendment No. 2, to provide for the Sabino Creek Pump Station Project No. 3SCP06, extend contract term to 10/5/17 and amend contractual language, no cost (CT-WW-16-326) Regional Wastewater Reclamation

approve

## PUBLIC WORKS ADMINISTRATION

17. Tucson/Pima Arts Council, d.b.a. Arts Foundation for Tucson and Southern Arizona, to provide for management of the Pima County Public Arts Program, Various Capital Improvement Program Funds, contract amount \$137,956.00/2 year term (CT-PW-17-423)

approve

## REAL PROPERTY

18. (Clerk's Note: Approval of Item A is a condition of acceptance of item B.)
- A. Pacific International Properties, L.L.P., to provide an Agreement Ancillary to Agreement to Donate Real Property, contract amount \$45,727.76 revenue/5 year term (CTN-PW-17-234)
- B. RESOLUTION NO. 2017 - 54, of the Board of Supervisors, accepting a donation of a 374 acre parcel of undeveloped real property from Fidelity National Title Agency, Trust No. 60,327 and designating the donation parcel as part of the County Parks System, no cost (CTN-PW-17-233)

approve

## BOARD, COMMISSION AND/OR COMMITTEE

19. **Transportation Advisory Committee**
- Appointments of Dan Eckstrom and Eric Ponce. No term expirations. (District 2)
  - Appointments of Rick Price and Amber Smith. No term expirations. (District 3)
  - Appointments of Lucretia Free and Sergio Arellano. No term expirations. (District 4)

approve

**20.**

**Women's Commission**

Appointment of JoAnn di Filippo, to fill a vacancy created by Trina Callie. Term expiration: 12/31/20. (District 1)

**approve**

**21.**

**Library Advisory Board**

- Appointment of Maria Iannone, to fill a vacancy created by David Ellington. Term expiration: 6/30/21. (District 1)
- Appointment of Elizabeth Soltero, to fill a vacancy created by Annabelle Nunez. Term expiration: 6/30/21. (District 5)

**approve**

**22.**

**State Board of Equalization**

Appointment of Thomas Naifeh, to replace Thomas E. Garcia. Term expiration: 12/31/20. (District 4)

**approve**

## **CONSENT CALENDAR**

### **Approval of the Consent Calendar**

see items below

## **CONTRACT AND AWARD**

### **Economic Development**

1. Sun Corridor Inc., to provide a professional services agreement for economic development for Pima County and Southern Arizona, General Fund, contract amount \$650,000.00 (CT-CA-17-412)

**approve**

### **Facilities Management**

2. Banner-University Medical Center South Campus, L.L.C., Amendment No. 1, to provide a lease for property located at 3950 S. Country Club Road, Suites 130 and 140, extend contract term to 8/31/22 and amend contractual language, contract amount \$2,352,502.80 revenue (CTN-FM-13-54)

**approve on the Consent Calendar**

### **Health**

3. The Arizona Department of Health Services, to provide for the expansion of the Behavioral Risk Factor Surveillance System Survey in Pima County, Health Special Revenue Fund, contract amount not-to-exceed \$27,000.00 (CT-HD-17-397)

**approve on the Consent Calendar**

4. Southern Arizona AIDS Foundation, Amendment No. 6, to provide for the HIV Prevention - Behavioral Intervention Project, extend contract term to 12/31/17, amend contractual language and scope of work, CDC via ADHS (84%) and Health Special Revenue (16%) Funds, contract amount \$57,338.00 (CT-HD-13-515)

Meeting date: 8/1/2017

**continue**

## Real Property

5. Verizon Wireless (VAW) L.L.C., Amendment No. 5, to provide a site specific supplemental agreement for wireless communication facilities located at 2955 W. Ironwood Hill Drive, extend contract term to 5/31/20 and amend contractual language, contract amount \$33,101.25 revenue (CTN-IT-15-107)  
**approve on the Consent Calendar**
6. Zayo Group, L.L.C., Amendment No. 4, to provide a nonexclusive right-of-way use license for a communications system, extend contract term to 8/19/22 and amend contractual language, contract amount \$1,980.00 revenue (CTN-IT-13-8)  
**approve on the Consent Calendar**

## Regional Wastewater Reclamation

7. City of Tucson, Amendment No. 1, to provide wastewater billing services, extend contract term to 12/31/17 and amend contractual language, RWRD Enterprise Fund, contract amount \$1,620,000.00 (CT-WW-14-485)  
**approve on the Consent Calendar**

## Sheriff

8. Town of Sahuarita, Amendment No. 2, to provide law enforcement dispatch services and the management of associated records, extend contract term to 6/30/18 and amend contractual language, contract amount \$175,000.00 revenue (CTN-SD-15-145)  
**approve on the Consent Calendar**

## GRANT APPLICATION/ACCEPTANCE

9. **Acceptance - Health**  
Arizona Department of Health Services, to provide for the Public Health Emergency Preparedness Program (PHEP), CDC Fund, \$687,297.00/\$68,729.00 Health Special Revenue Fund Match (GTAM 17-68)  
**approve on the Consent Calendar**
10. **Acceptance - Health**  
Arizona Department of Health Services, to provide for the Proposition 201 Smoke-Free Arizona Program, Smoke-Free Arizona Act Revenue from ADHS Fund, \$269,807.00 (GTAW 17-89)  
**approve on the Consent Calendar**

## **BOARD, COMMISSION AND/OR COMMITTEE**

- 11. Pima Vocational High School Board**
- Appointment of Hillary Rosander, to fill a vacancy created by Sharon Christy. Term expiration: 7/31/20. (Committee recommendation)
  - Reappointments of Mary Fellows, Albert Garcia and Dalila Perez. Term expirations: 7/31/20. (Committee recommendations)
- approve on the Consent Calendar**

- 12. Transportation Advisory Committee**
- Appointments of Dan Castro and Bob Gugino. No term expirations. (District 5)
- 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**

- 13. Special Event**
- Jeffrey Peter Schneider, Knights of Columbus Council 8077, St. Elizabeth Ann Seton Catholic Church Parish Hall, 8650 N. Shannon Road, Tucson, July 8, 2017.
  - Kord M. Klinefelter, Why Ajo Lukeville Health Care District, No. 10 Plaza, Ajo, July 4, 2017.
- approve on the Consent Calendar**
- 14. Temporary Extension**
- 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for July 6 and 22, 2017.
  - 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, Temporary Extension of Premises for August 7, 2017.
- approve on the Consent Calendar**

## **ELECTIONS**

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

### APPOINTMENTS-PRECINCT-PARTY

Steven R. Marks-012-DEM; Tristan J. Brunetti-042-DEM; Mary-Caitlyn E. Valentinsson-Makins-068-DEM; Deborah Beaumont-072-DEM; Gabriella O. Cázares-Kelly-134-DEM; Caron M. Cappy-163-DEM; Mark S. Goldstein-163-DEM; Margaret "Maggie" L. Winchell-170-DEM; Ann C. Wilkins-184-DEM; Jessica L. Andrews-211-DEM; Lynn H. Waltke-211-DEM; Ruth R. Allard-219-DEM; Ellen L. Geffer-219-DEM; Kristine A. Hammar-219-DEM; Lars A. Hammar-219-DEM; David E. Hill-237-DEM; Teresa A. Gerschutz-239-DEM  
**approve on the Consent Calendar**

## **FINANCE AND RISK MANAGEMENT**

16. **Duplicate Warrants - For Ratification**  
Grossman & Grossman Ltd. \$2,880.00; Arizona Aviation Assoc., L.L.C. \$9,620.89; Debora Moore \$1,104.30; Feinman Law, P.L.L.C. \$3,606.50; Ronald Sommer \$280.00; Sarah Davis \$162.75; American Indian Assoc. of Tucson Indian Center \$2,262.14; American Indian Assoc. of Tucson Indian Center \$99.01; American Indian Assoc. of Tucson Indian Center \$42,438.94.  
**approve on the Consent Calendar**

## **RECORDER**

17. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of May, 2017.  
**approve on the Consent Calendar**

## **PROCLAMATION**

18. Proclaiming Friday, July 14, 2017 to be: "Judge Norman Fenton Day"  
  
**approve**

## **RATIFY AND/OR APPROVE**

19. Minutes: May 23 and June 6, 2017  
Warrants: June, 2017  
**approve on the Consent Calendar**