

**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.
December 12, 2017 9:00 a.m.**

1. ROLL CALL

2. INVOCATION

To be offered by Pastor Mark Rhoades, Emmanuel Baptist Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

5. CALL TO THE PUBLIC

EXECUTIVE SESSION

6. UNFINISHED BUSINESS (11/7/17)

(Clerk's Note: This item is related to Agenda Item No. 14.)

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a Petition for Waiver of Real Property Taxes by the Rialto Theatre Foundation for tax year 2017 for Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. Section 42-11153(B).

no Board action taken

7. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Paradigm DKD Group, L.L.C., et al. v. Pima County and the Pima County Assessor, et al., Pima County Superior Court Case No. C2014-1150 and Arizona Court of Appeals Case No. 1-CA-CV 17-0672.

proceed as discussed

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement offer and Pima County Finance's recommended response in Tucson Mather Plaza, L.L.C., v. Pima County (TX2014-000736, TX2015-000944, and TX2016-001263 consolidated and TX2017-000149).

proceed as discussed

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

9. **Contract**
PSOMAS, Inc., Amendment No. 2, to provide construction management services for the Pantano Wash Bank Protection and River Park: Ft. Lowell to Tanque Verde Road Project (5PWFLT), extend contract term to 4/30/19 and amend contractual language, Flood Control District Tax Levy Fund, contract amount \$58,736.52 (CT-FC-16-54)

approve

10. **Second Amendment to Public Utility Easement**
Sican, Inc., as Trustee of the Community Water Company of Green Valley ROW Trust, to extend the utility easement to 12/31/19 for completion of the Central Arizona Project water pipeline. (District 2)

approve

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

12. **Road Repair Plan**
Discussion/action regarding whether to waive attorney-client privilege and allow public discussion regarding statutory authorization and procedural requirements for tax initiatives by the Board and the voters. (District 3)

approve

13. **RICO Funds**
Requesting the Pima County Attorney's Office use RICO Funds for retention of outside counsel to review RICO Fund expenditures. (District 3)

approve

CLERK OF THE BOARD

14. UNFINISHED BUSINESS (11/7/17)
Petition for Waiver of Real Property Taxes - Rialto Theatre Foundation
Rialto Theatre Foundation has petitioned the Board of Supervisors for a Waiver of Real Property taxes for tax year 2017 for Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. §42-11153(B).

deny

INDUSTRIAL DEVELOPMENT AUTHORITY

15. **Joint Revolving Taxable Single Family Mortgage Loan Program of 2012**
RESOLUTION NO. 2017 - 91, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima and amendments to the Joint Revolving Taxable Single Family Mortgage Loan Program of 2012 of the Industrial Development Authority of the County of Pima and the Industrial Development Authority of the City of Tucson, Arizona; and Declaring an Emergency.

approve

GRANTS AND DATA OFFICE

16. **Pascua Yaqui Tribe State-Shared Revenue Program**
RESOLUTION NO. 2017 - 92, of the Board of Supervisors, to approve acceptance, if awarded, of Pascua Yaqui Tribe State-Shared Revenue Program Funds and pass-through to the Math and Science Success Academy.

remove from the agenda

TRANSPORTATION

17. **Regional Local Road Repair Program Recommendation**
Staff recommends approval of the Regional Local Road Repair Program.

approve

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

18. (Clerk's Note: A conditional use permit may be required per Zoning Report.)
Hearing - Liquor License
13103016, Steven Randolph Jackson, Elephant Head Vineyard, 1705 W. Hawk Way, Amado, Series 13, Farm Winery, New License.

approve

19. **Hearing - Liquor License**
10103830, Thomas Gene Luman, Dollar General Store No. 17583, 6780 N. Sandario Road, Tucson, Series 10, Beer and Wine Store, New License.

approve

20. **Hearing - Fireworks Permit**
Michelle Schuyler, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, December 31, 2017 at 10:00 p.m.

approve

DEVELOPMENT SERVICES

21. **Hearing - Conditional Use Permit**
P17CU00010, GOLDER RANCH FIRE DISTRICT - E. GOLDER RANCH DRIVE
Request of Novation Group Consulting and Verizon Wireless, representing Golder Ranch Fire District, on property located at 3885 E. Golder Ranch Drive, in the GR-1 (Rural Residential) Zone, for a conditional use permit for a Communication Tower, in accordance with Section 18.07.030.H.2.e of the Pima County Zoning Code as a Type III conditional use permit. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Cook, Gungle and Matter were absent) to

recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

approve

22.

Hearing - Rezoning

P17RZ00005, GOLDEN RULE ENTERPRISE, L.L.C. - N. LA CAÑADA DRIVE REZONING

Request of Golden Rule Enterprise, L.L.C., represented by Cypress Civil Development, for a rezoning of approximately .79 acre from the CR-1 (Single Residence) zone to the TR (Transitional) zone, on property located on the east side of N. La Cañada Drive, approximately 160 feet north of W. Ina Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2 with a Rezoning Policy (RP-104) that allows a rezoning application for TR for professional office use only. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Cook, Gungle and Matter were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

approve

23.

Hearing - Rezoning Ordinance

ORDINANCE NO. 2017 - **43**, Co9-85-37, Snyder - Homestead Avenue Rezoning. Owners: Steven Kuker, et al. (District 4)

approve

24.

Hearing - Rezoning Ordinance

ORDINANCE NO. 2017 - **44**, P17RZ00003, Moxy Investments, L.L.C., et al. - N. Shannon Road Rezoning. Owners: Moxy Investments, L.L.C., et al. (District 1)

approve

25.

Hearing - Rezoning Resolution

RESOLUTION NO. 2017 - **93**, Co9-05-30, Stewart Title and Trust No. 1580 - Kinney Road Rezoning. Owner: Stewart Title and Trust TR 1580, Attn: Ted Elliot. (District 3)

approve

26. **Hearing - Comprehensive Plan Amendment Resolution**
RESOLUTION NO. 2017 - 94, P17CA00002, Pima County - South
Houghton Road Major Plan Amendment. Owner: Pima County. (District 4)

approve

REAL PROPERTY

27. **Hearing - Establishing Fees for Installation of Small Wireless Facilities**
ORDINANCE NO. 2017 - 45, of the Board of Supervisors, amending
Ordinance No. 2004-19 by adding a new Subsection P to Section 1
thereof establishing fees for the installation of Small Wireless Facilities in
County Right-of-Way.

approve

TRANSPORTATION

28. **Hearing - Code Text Amendment**
ORDINANCE NO. 2017 - 46, of the Board of Supervisors, relating to
traffic and highways; amending the Pima County Code by amending
Chapter 10.50.060 (Utility Construction in Public Right-of-Way) to add
vegetation mitigation; Chapter 10.50.100 (Design and Location of
Facilities) to add a requirement to be a member of an Arizona One-call
Notification Center; Chapter 10.50.110 (Construction Safety) to add a
requirement for a Traffic Control Plan; and amending Title 10 (Traffic and
Highways) to add Section 10.50.190 (Wireless Structures and Facilities).

approve

29. **Hearing - Code Text Amendment**
ORDINANCE NO. 2017 - 47, of the Board of Supervisors, relating to
traffic and highways; repealing Pima County Code, Chapter 10.36 (Load
Limits); and amending Title 10 (Traffic and Highways) to add a new
Chapter 10.36 (Oversize and Overweight Special Permits) for the
purpose of adopting rules substantially identical to rules adopted by the
Arizona Department of Transportation.

approve

30.

Hearing - Traffic Resolution

RESOLUTION NO. 2017 - 95, of the Board of Supervisors, providing for the establishment of Chester Way, a County Highway situated within the southwest quarter of Section 16, T13S, R13E, G&SRM, Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

approve

REGIONAL WASTEWATER RECLAMATION

31.

UNFINISHED BUSINESS (11/7/17)

Hearing - Code Text Amendment

ORDINANCE NO. 2017 - 38, of the Board of Supervisors, relating to Wastewater; amending Pima County Code, Title 13, Chapter 24, Sanitary Sewer user fees.

Meeting date: 2/6/2018

continue

32.

ADJOURNMENT

ADDENDUM 1

EXECUTIVE SESSION

1.

(Clerk's Note: This item is related to Addendum Item No. 4.)
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a Petition for Waiver of Real Property Taxes by the Rialto Theatre Foundation for tax year 2016 for Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. Section 42-11153(B).

no Board action taken

BOARD OF SUPERVISORS

2.

Internet Neutrality
RESOLUTION NO. 2017 - **96**, of the Board of Supervisors, calling for the Federal Communications Commission to retain its strong internet neutrality rule. (Districts 3 and 5)

approve

3.

Legality of Transferring County Road Maintenance Program to RTA
A. Discussion/vote to release to the public, Attorney-Client Privileged Memorandum from Deputy County Attorney, Regina L. Nassen, dated November 15, 2017.
B. Board discussion of Memorandum; contingent upon the approval of above Item A. (District 4)

approve

CLERK OF THE BOARD

4.

Petition for Waiver of Real Property Taxes - Rialto Theatre Foundation
Rialto Theatre Foundation has petitioned the Board of Supervisors for a Waiver of Real Property Taxes for tax year 2016 for Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. §42-11153(B).

deny

HUMAN RESOURCES

5. **Revisions to Merit System Rule**
Staff requests approval of the revisions to Merit System Rule 12 -
Disciplinary and Other Personnel Actions.

approve

CONTRACT AND AWARD

REAL PROPERTY

6. U.S. Department of Homeland Security, Customs and Border Protection,
Amendment No. 2, to provide entry upon and to construct, install, operate
and maintain equipment on County property and amend contractual
language, no cost (CTN-IT-12-371)

approve

GRANT APPLICATION/ACCEPTANCE

7. **Acceptance - Community Services, Employment and Training**
Arizona Department of Economic Security, Amendment No. 8, to provide
for the Senior Community Services Employment Program, USDOL Fund,
\$17,672.00 **decrease**/\$7,869.00 General Fund match (GTAM 18-24)
approve as amended

CONSENT CALENDAR

Approval of the Consent Calendar

see items below

CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Pima County Community Land Trust, Amendment No. 2, to provide for the Affordable Housing Program and amend contractual language, General Fund, contract amount \$12,000.00 (CT-CD-17-47)
approve on the Consent Calendar
2. Catholic Community Services of Southern Arizona, Inc., to provide nutrition services, General Fund, contract amount \$12,000.00 (CT-CD-18-151)
approve on the Consent Calendar

Community Services, Employment and Training

3. SER-Jobs for Progress of Southern Arizona, Inc., Amendment No. 2, to provide for the Workforce Assistance for the Homeless Program, amend contractual language and scope of work, HUD, ADES, Arizona Housing Program, City of Tucson and General (\$47,261.00) Funds, contract amount \$58,646.00 (CT-CS-16-358)
approve on the Consent Calendar
4. Portable Practical Educational Preparation, Inc., Amendment No. 3, to provide workforce development services, amend contractual language and scope of work, Trade, Adjustment Assistance Community College and Career Training Grant Funds, contract amount \$18,463.00 decrease (CT-CS-16-419)
approve on the Consent Calendar

County Attorney

5. Kathryn Kellner, d.b.a. Kellner Studio, Amendment No. 3, to provide presentation skills and communication strategies consultant services and extend contract term to 12/31/18, RICO Fund, contract amount \$30,000.00 (CT-PCA-15-141)

Meeting date: 1/2/2018

continue

Procurement

6. **Award**
Amendment of Award: Master Agreement No. MA-PO-17-143, Copper State Communications, Inc., for ShoreTel VoIP phone system maintenance, support and equipment. This revision is for a one-time increase in the amount of \$517,000.00 (including sales tax) for a cumulative not-to-exceed contract amount of \$740,000.00 to replace the Pima County Sheriff's Department Avaya Phone System with the Countywide ShoreTel System. The annual award amount remains at \$223,000.00. Funding Source: Budget Reserve Fund. Administering Department: Information Technology.
approve on the Consent Calendar

7. **Award**
Award: Master Agreement No. MA-PO-18-166, for verbatim transcription and translation services. This Master Agreement is for an initial term of one (1) year in the annual award amount of \$500,000.00 to be shared amongst contractors and includes four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Sheriff.

Group A- Transcription Services

Contractor Name (listed alphabetically)

Allyn, Barbara; Brigode, Robin; Cornelius, Dana; Ellerd, Rhonda; Ellis, Desirae; Gallego, Ana; Graf, Judith; Hamberger, Charlene; Herbin, Carol; Holland, Roberta; Huszarik, Karen; Kennedy, Julie; LeWallen, Therese; Lin, Kim; Mendez, Norma; Moon, Katherine; Sanford, Rosemary; Woodruff, Linda; Zauner, Cheryl

Group B- Translation/Transcription Services

Contractor Name (listed alphabetically)

Ellis, Desirae; Gallego, Ana; Lin, Kim; Mendez, Norma
approve on the Consent Calendar

Recorder

8. City of South Tucson, to provide election services, contract amount \$5,800.00 estimated revenue (CTN-RE-18-85)
approve on the Consent Calendar
9. Office of the Secretary of State, to provide for voter registration services and support, General Fund, contract amount \$47,331.20 (CT-RE-18-160)
approve on the Consent Calendar

Transportation

10. Regional Transportation Authority, Amendment No. 5, to provide public transit and special needs transportation services, extend contract term to 6/30/18 and amend contractual language, Transportation Operating Fund, contract amount \$6,196,442.00 (CT-TR-12-1517)
approve on the Consent Calendar

GRANT APPLICATION/ACCEPTANCE

11. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 1, to provide for the HIV Prevention Program, ADHS, U.S. Department of Health and Human Services and CDC (Federal) Funds, \$331,000.00 (GTAM 18-22)
approve on the Consent Calendar
12. **Acceptance - Community Services**
Arizona Department of Economic Security, Amendment No. 7, to provide for the AZDES Community Action Agency Emergency Services, U.S. Department of Health and Human Services Fund, \$542,166.00 (GTAM 18-23)
approve on the Consent Calendar

BOARD, COMMISSION AND/OR COMMITTEE

13. **Sales Tax Advisory Committee**
Appointment of Mark S. Miller, Small Business Commission, to replace Karen Schutte. No term expiration. (Organizational recommendation)
approve on the Consent Calendar
14. **Corrections Officer Retirement Board**
Election of Mary Scott, to replace Stephen Faulstich. Term expiration: 12/31/21.
approve on the Consent Calendar
15. **Pima County/Tucson Women's Commission**
- Appointment of Christa Steiner, to fill a vacancy created by Meghan Elsbeth Hamer. Term expiration: 1/16/20. (Commission recommendation)
 - Appointments of Olivia Lundin and Katherine Cooper, to fill vacancies created by Maxine Goodman and Michala Watson Krug. Term expirations: 5/19/18. (Commission recommendations)
 - Appointments of Allison Dumka and Alma Hernandez, to fill vacancies created by Staci Shea and Beverly Heasley. Term expirations: 10/14/18. (Commission recommendations)
- approve on the Consent Calendar**

16. **Arizona Municipal Property Corporation**
- Appointments of Kenneth M. Silverman and Diane Quihuis, to replace Virginia Yrun and Cecilia Cruz. Term expirations: 11/19/18. (Corporation recommendations)
 - Reappointments of Frank Y. Valenzuela, Stanley Lehman and John H. Payne. Term expirations: 11/19/18. (Corporation recommendations)
- approve on the Consent Calendar**
17. **Building Code Committee/Board of Appeals**
- Appointment of Brad Yant, to fill a vacancy created by John Shorbe.
Term expiration: 1/1/20. (Staff recommendation)
approve on the Consent Calendar

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

18. **Temporary Extension**
- 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for December 2, 7, 9, 16, 23 and 30, 2017.
 - 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, Temporary Extension of Premises for December 16, 2017.
- approve on the Consent Calendar**

ELECTIONS

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

RESIGNATIONS-PRECINCTCT-PARTY

Victoria Steele-055-DEM; Lisa E. Wolfe-055-DEM; Natalie S. Armstrong-088-DEM; Joy Nelson-091-DEM; Deanna J. Myerson-099-DEM; Mary Sprinkle-112-DEM; Jacalyn M. Welch-125-DEM; Timothy J. Welch-125-DEM; Anthony S. Robson-141-DEM; Caron M. Cappy-163-DEM; Allison D. Childress-238-DEM

APPOINTMENTS-PRECINCTCT-PARTY

Delisa M. Ramon-003-DEM; James "Tony" A. Fuller-009-DEM; Patricia A. Ault-010-DEM; Jan C. Bontrager-029-DEM; Janet L. Shoopman-032-DEM; Michael O'Connell-044-DEM; Akanni O. Oyegbola-047-DEM; Ana-Isabella "Izzy" B. Madril-057-DEM; Dennis M. Riley-091-DEM; Shari L. Burnham-102-DEM; David C. Johnson-105-DEM; Margaret L. Johnson-105-DEM; Richard D. Tucker-108-DEM; Claire H. Skinner-143-DEM; Robert C.

Bailey-202-DEM; Ronald J. Carlson-238-DEM
approve on the Consent Calendar

FINANCE AND RISK MANAGEMENT

20. Duplicate Warrants - For Ratification

Tierra Luna & Sol Enterprises, L.L.C. \$897.25; Emily E. Rebro \$277.68; Jesus O. Duran \$20.00; Tucson Electric Power Co. \$94.30; Barbara T. Catrillo \$3,249.00; Douglas Kirkland \$150.00; Samantha Olivia Sanchez \$2,025.00; Musselman Honda Center \$6,000.00; Gerrie Lynn Crawford \$96.08.

approve on the Consent Calendar

RECORDER

21. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of October, 2017.

approve on the Consent Calendar

RATIFY AND/OR APPROVE

22. Minutes: November 7, 2017

Warrants: November, 2017

approve on the Consent Calendar