

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 7, 2014. 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
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

1. AMENDMENT TO PUBLIC UTILITY EASEMENT

Sican, Inc., as Trustee of the Community Water Company of Green Valley ROW Trust, to amend a right-of-way easement for the installation of a pipeline, Tax Parcel Nos. 303-66-008B and 303-46-047A, located in Section 30, T17S, R14E and Section 25, T17S, R13E, G&SRM, Pima County, Arizona (District 2)

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

2. CONTRACT

The Ashton Company, Inc., Granite Construction Company and KE&G Construction, Inc., Amendment No. 2, to provide a job order master agreement for flood control and drainage improvements and extend contract term to 10/31/15, 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 unanimously carried by a 5-0 vote, to approve the item.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:52 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, October 7, 2014. 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
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

1. INVOCATION

The invocation was given by Vicar Kate Bradsen, St. Andrew's Episcopal Church.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. PERSONAL POINTS OF PRIVILEGE

Supervisor Elías acknowledged the passing of community member and educational advocate Jose "Pepe" Barrón, and remembered the life and accomplishments of District 4 friend and employee, Tom Ward.

Chair Bronson congratulated Supervisor Carroll on being honored with the Tucson Hebrew Academy's 2014 Tikkun Olam Award.

4. PAUSE 4 PAWS

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

5. CALL TO THE PUBLIC (for Executive Session items only)

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

6. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:19 a.m.

7. **RECONVENE**

The meeting reconvened at 9:43 a.m. All members were present.

EXECUTIVE SESSION

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Sunnyside Unified School District No. 12 v. Pima County, Arizona Superior Court, Pima County, Case No. C20141536.

Chris Straub, Chief Civil Deputy County Attorney, stated the case concerned whether certain vacant land acquired by the Sunnyside Unified School District was exempt from property taxation. He reported that the Pima County Attorney's Office sought authority to proceed as discussed in Executive Session.

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

COUNTY ADMINISTRATOR

9. **Revisions to Merit System Rules and Personnel Policies**

The Board of Supervisors on September 16, 2014, continued the following:

Staff requests approval of the following Merit System Rules and Personnel Policies:

- Merit System Rule 4 - Selection: Recruitment, Application Process and Administrative Review
- Merit System Rule 8 - Promotion, Demotion, Reappointment, Open Range Reappointment, Reassignment and Detail
- Personnel Policy 8-102 - Premium Pay
- Personnel Policy 8-105 - Annual Leave
- Personnel Policy 8-108 - Leaves of Absence without Pay
- Personnel Policy 8-115 - Mediation
- Personnel Policy 8-118 - Personnel Records
- Personnel Policy 8-119 - Rules of Conduct
- Personnel Policy 8-122 - Group Insurance

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

10. **Preventing, Identifying and Addressing Workplace Bullying Policy**

The Board of Supervisors on September 9, and September 16, 2014, continued the following:

Staff recommends approval of the revisions to the Board of Supervisors Policy No. D 23.1, Preventing, Identifying and Addressing Workplace Bullying.

The following speakers addressed the Board:

- Maya Castillo, President, Service Employees International Union
- Mary Murphy

They offered the following comments:

- Service Employees International Union supported the revisions but recommended the addition of the word “and” prior to No. 3 of the proposed paragraph to clarify intent.
- Pima County was ahead of its peers by adopting and maintaining a comprehensive workplace bullying policy and could serve as a model for other jurisdictions.
- A suggestion was made to include the definition of what constituted a workplace.

Allyn Bulzomi, Human Resources Director, clarified the proposed policy revisions.

Supervisor Miller expressed concern that County employees were left without protection or recourse against bullying by a supervisory employee and in some cases the authority investigating the alleged bullying could themselves be subordinate to the accused. She stated the Bullying Institute identified areas where subordinate employees were put in uncomfortable issues.

Supervisor Elías asked whether Supervisor Miller was speaking about a member of the Board of Supervisors.

Supervisor Miller stated she was referring to the Board of Supervisors and the practice of a subordinate investigating allegations of bullying.

Chuck Huckelberry, County Administrator, stated the term “supervisor” used in this or any Board of Supervisors Policy referred to individuals to whom other employees reported within the organization, not specifically to members of the Board of Supervisors. He explained the only supervisor of an elected official was the electorate.

Supervisor Miller stated the policy should be expanded to address the issue of subordinate employees investigating their supervisors.

Mr. Huckelberry responded by citing the issue the County had faced several years ago with a past Assessor and explained the only mechanism to discipline an elected official was a recall.

It was moved by Supervisor Elías and seconded by Supervisor Valadez to approve the Policy with the following revision:

Section III - PROCEDURE

B. Investigation

2. When the alleged bullying consists of action taken by a supervisory-level employee against a subordinate employee, Human Resources may consider the "reasonable management action" defense if raised by the alleged aggressor or otherwise indicated by the facts. The elements of the defense are: (1) the conduct alleged to constitute bullying must be management action; (2) it is reasonable for the management action to be taken; AND (3) the management action must be carried out in a reasonable manner. The evaluation of the defense will be based on an objective assessment of the management decision in the context of the circumstances and knowledge of persons involved.

Upon the vote, the motion carried 4-1, Supervisor Miller voted "Nay."

11. **Delegation of Settlement Authority for Property Tax Appeals Policy**

Staff recommends approval of the revisions to the Board of Supervisors Policy No. C 6.2, Delegation of Settlement Authority for Property Tax Appeals.

Chair Bronson remarked this matter had resulted in a tie vote at the last Board of Supervisors' Meeting.

Supervisor Miller questioned the legality of the proposed policy revisions by taking these duties from the Assessor's Office.

Chuck Huckelberry, County Administrator, explained these functions had historically been done by the Assessor and that the Assessor believed they should be the responsibility of the Board. He stated the policy adoption would increase the settlement threshold and that the funds budgeted to the Pima County Assessor for the specified tasks would be relocated to the Finance and Risk Management Department.

Chris Straub, Chief Civil Deputy County Attorney, maintained it was within the Board's authority to make the proposed changes.

Bill Staples, Pima County Assessor, briefed the Board on the statutory responsibilities of the Assessor's Office. He stated these cases were the Board's responsibility.

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

12. Quarterly Report on Collections

Staff recommends acceptance of the Quarterly Report on Collections for the period ending June 30, 2014, and approval of the write-off requests in the amount of \$226,036.00.

Without objection, this item was removed from the agenda.

CLERK OF THE BOARD

13. Petition for Refund - Mexicayotl Academy

The Board of Supervisors on September 16, 2014, continued the following:

Pursuant to A.R.S. §42-11104, Mexicayotl Academy has petitioned the Board of Supervisors for relief of their tax year 2013 taxes and associated interest/penalty.

Baltazar Garcia, Director of Mexicayotl Academy, addressed the Board providing a brief history of the charter school and the request for exemption. He stated the property was purchased in April 2013 for the sole purpose of opening a school.

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

FRANCHISE/LICENSE/PERMIT

14. Liquor License

10103731, Alice Benitez Soto, Los Acres Grocery, 4141 W. Tetakusim Road, Tucson, Series 10, Beer and Wine Store, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

15. Fireworks Permit

Denese Veek, Caterpillar, Inc., Caterpillar Tinaja Hills Demonstration and Learning Center, 5000 W. Caterpillar Trail, Green Valley, November 3, 2014 at 8:00 p.m.

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

16. **Fireworks Permit**

Denese Veek, Caterpillar, Inc., Caterpillar Tinaja Hills Demonstration and Learning Center, 5000 W. Caterpillar Trail, Green Valley, November 10, 2014 at 8:00 p.m.

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

17. **Extension of Premises/Patio Permit**

06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for November 6 and 15, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

18. **Extension of Premises/Patio Permit**

03103000, James C. Counts, Nimbus Brewing Company, 3850 E. 44th Street, No. 138, Tucson, Temporary Extension of Premises for October 10, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

19. The Board of Supervisors on September 16, 2014, continued the following:

A. **Major Streets and Scenic Routes Plan Amendment**

Co14-14-01, SONORAN CORRIDOR MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT

Request of Pima County to amend the Pima County Major Streets and Scenic Routes Plan to designate as Major Routes:

1) a new 3-mile long section of the proposed Sonoran Corridor, a 400-foot-wide planned right-of-way interstate route, from the Tohono O'odham Nation, San Xavier District, boundary east to the City of Tucson boundary in Sections 28, 29, and 30, T16S, R14E; 2) a new approximately three-fourths-mile long, 300 -foot-wide planned right-of-way route along the City of Tucson/Pima County jurisdictional boundary connecting the planned realignment of E. Hughes Access Road to E. Old Vail Connection Road in

Section 33, T15S, R14E; and 3) a new 400 -foot-wide planned right-of-way connecting spandrel to/from E. Old Vail Connection Road in the NW4NW4 of Section 3, T16S, R14E; and to amend the planned right-of-way of E. Old Vail Connection Road from 150 feet in width to 400 feet in Sections 34 and 35, T15S, R14E and Sections 02 and 03, T16S, R14E. On motion, the Planning and Zoning Commission voted 7-2 (Commissioners Holdridge and Membrila abstained (abstentions count as "Aye"), Commissioners Poulos and Neeley voted "Nay," Commissioner Mangold was absent) to recommend APPROVAL. Staff recommends APPROVAL. (Districts 2 and 3)

If approved, pass and adopt: Resolution No. 2014 - 99.

B. Sonoran Corridor or the Auxiliary Interstate Highway

Staff recommends approval of the following:

1. Amendment of the Major Streets and Routes Plan to recognize and accommodate the Sonoran Corridor Alignment.
2. Initiation of establishment proceeding to establish the Sonoran Corridor as a County highway from Interstate 19 to Interstate 10.

The following speakers addressed the Board:

- Robin Clark, Avra Valley Coalition
- Daniel Munguia

They offered the following comments:

- Avra Valley Coalition opposed the proposed Sonoran Corridor Auxiliary Interstate and had submitted a petition signed by over 800 people opposing a proposed highway bypass route through the Avra Valley.
- Approval of these measures would leave the area open to future development.
- There was an alternative route that would avoid infringement on Tohono O'odham land.
- Although the proposed highway could be beneficial, there were other roads in the area that also needed attention.

Supervisor Elías voiced concern over funding and unanswered questions and acknowledged the need for continued community dialog.

It was moved by Supervisor Valadez and seconded by Supervisor Carroll to close the public hearing, approve the items and adopt the Resolution. Upon roll call, the motion unanimously carried by a 5-0 vote.

20. Rezoning

The Board of Supervisors on September 16, 2014, continued the following:

Co9-14-07, J DEGRAZIA COMPANY, L.L.C. - N. HARRISON ROAD REZONING

Request of J DeGrazia Company, L.L.C., represented by MJM Consulting, Inc., for a rezoning of approximately 20.41 acres from the SR (Suburban Ranch) zone to the CR-1 (Single Residence) zone, on property located on the west side of Harrison Road, approximately one-half mile south of Snyder Road. The applicant proposes use of the Lot Reduction Option per sections 18.09.050 and 18.21.060 of the Pima County Zoning Code. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Mangold and Cook were absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. 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.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Transportation conditions:
 - A. The property shall be limited to one access point onto Harrison Road as shown on the preliminary development plan.
 - B. The owner shall dedicate 5 feet of right-of-way for Harrison Road as shown on the preliminary development plan.
7. Flood Control conditions:
 - A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for each residential lot as part of the Green Building requirement. This requirement shall be made a condition of each building permit.
 - B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces associated with the roads. This requirement shall be made a condition of the Site Construction Permit.
 - C. Floodplains, Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat shall be contained in permanently identified open space through easement or dedication.
8. Wastewater Reclamation conditions:
 - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for

review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

- C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
- 9. Adherence to the revised preliminary development plan as approved at public hearing.
 - 10. Adherence to the natural area set-asides (shaded and cross-hatched areas) shown on Exhibit II-E.1 of the site analysis.
 - 11. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the Certificate of Compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
 - 12. The property owner shall execute and record the following disclaimer regarding Prop 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)."
 - 13. 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.
 - 14. Buildings are limited to one-story and a maximum height of 24 feet.

The following speakers addressed the Board:

- Mary Ann Muratore
- Carol Kovalik

They offered the following comments:

- Tres Lomas and Woodland Ranch homeowners had retracted their original opposition to the rezoning with the inclusion of two additional conditions.

- An objection was voiced regarding comments made by a Planning and Zoning Commissioner at a public hearing for this case.
- Appreciation was shown to all parties who worked together to come to an agreeable solution.

It was moved by Supervisor Miller, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-14-07, subject to standard and special conditions.

21. **Appeal of Hearing Administrator's Decision**

P21-14-002, HUNT - E. GILA MONSTER WAY

In accordance with Section 18.97.030 of the Pima County Zoning Code, Donald E. Gabriel, an attorney representing the following property owners in the notice area, Bartlett Howard, Rodolfo Childress, Bernard Jr. and Linda Bell and the Elizabeth Ann McCarthy Revocable Trust, appeals the Hearing Administrator's decision in case P21-14-002, on property located at 18125 E. Gila Monster Way, in the RH Zone, for a conditional use permit for a communication tower. (District 4)

Jim Portner, Hearing Administrator, stated the main issues raised by opposition were the visual impact of the tower and the concern that approval would set a precedent and encourage more towers in the area. He explained the tower in question had a minimal visual impact and clarified that conditional use permits were evaluated on a case by case basis and the granting of one did not imply approval of future requests.

Don Gabriel, co-attorney for the appellants, stated this decision was in direct violation of deed restrictions and the general plan for the area. He acknowledged this was an existing tower, but maintained it was erected without first obtaining the appropriate County approval or permission from the owners of the property through which the tower's power lines trespassed.

Todd Jackson, attorney for the petitioner, contended there were no deed violations and valid easements were in place and that those were matters for the court to address and would not be affected by Board action on this item. He suggested the Board consider the appeal based solely on Zoning Code standards.

Bradley Feder, petitioner, reviewed the request for the conditional use permit and stated that the present power line serving the tower was temporary pending approval of the permit.

Robert Kuhn, co-attorney for the appellants, disputed the petitioner's claim that there were valid easements and the legality of the petitioner's application and actions.

It was moved by Supervisor Carroll and seconded by Supervisor Miller to close the public hearing and deny the appeal of the Hearing Administrator's decision. Upon roll call, the motion carried by a 4-1 vote, Supervisor Elías voted "Nay."

22. Closure

Co9-97-53, ALI, ET AL.- N. ORACLE ROAD REZONING Request of Assunta Ali, et al. to close Co9-97-53, a rezoning of approximately 3.4 acres from GR-1(GZI) (Rural Residential) (Gateway Overlay) zone to the CB-1 (GZI) (Local Business) (Gateway Overlay) zone located on the northeast corner of Oracle Road and Lamb Drive. The rezoning was conditionally approved in 1998 and will expire on June 16, 2018. Staff recommends CLOSURE. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and close Co9-97-53.

23. Rezoning Ordinance

ORDINANCE NO. 2014 - 43, Co9-14-03, Ali, et al. - N. Oracle Road Rezoning No. 2. Owners: Assunta Ali, et al. and Trudy Larimore. (District 1)

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

TRANSPORTATION

24. Abandonment of County Highway

RESOLUTION NO. 2014 - 101, of the Board of Supervisors of Pima County, Arizona, abandoning a county highway within the incorporated limits of the City of Tucson for the Ajo Way IGA Road Improvement Project between Park Avenue to Second Avenue. (District 2)

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

25. Abandonment of County Highway

RESOLUTION NO. 2014 - 102, of the Board of Supervisors of Pima County, Arizona, abandoning a county highway within the incorporated limits of the City of Tucson for the Drexel Road IGA Roadway Improvement Project between Alvernon Way and Benson Highway. (District 2)

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

26. Abandonment of County Highway

RESOLUTION NO. 2014 - 103, of the Board of Supervisors of Pima County, Arizona, abandoning a county highway within the incorporated limits of the City of Tucson for the Country Club Road IGA Improvement Project between Drexel Road and Milber Street. (District 2)

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

PRESENTATION/PROCLAMATION

27. Presentation of a proclamation to Cathy David Davis, President, and Scott Blades, Executive Director, Tucson Interfaith HIV/AIDS Network, proclaiming the month of October 2014 to be: "TUCSON INTERFAITH HIV/AIDS NETWORK APPRECIATION MONTH"

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

28. Presentation of a proclamation to Professor Denise Meeks, proclaiming the day of Tuesday, October 7, 2014 to be: "PROFESSOR DENISE MEEKS DAY"

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

BOARD OF SUPERVISORS

29. Election Proclamation

Pursuant to A.R.S. §16-214, the Board of Supervisors shall meet upon receipt of the Governor's election proclamation which is calling a General Election and direct that the election proclamation be published according to the statutory requirements. (All Districts)

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to direct the publication of the proclamation.

DEVELOPMENT SERVICES

30. Comprehensive Plan Update

Presentation on Co7-13-10, Pima Prospers - Pima County Comprehensive Plan Update for information and discussion.

Arlan Colton, Planning Director, presented the Comprehensive Plan Update.

The Board took no action on this item.

REAL PROPERTY

31. Surplus Property

Staff requests approval to advertise and sell surplus property consisting of one vacant lot located on the northeast corner of Ina Road and Oracle Road, Tax Parcel No. 225-51-235A. (District 1)

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

CONTRACT AND AWARD

ECONOMIC DEVELOPMENT AND TOURISM

32. Heirloom Farmers Markets, Inc., to conduct a farmers' market at Rillito Regional Park, contract amount \$31,200.00 estimated revenue/3 year term (CTN-ED-15-39)

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

GRANT APPLICATION/ACCEPTANCE

33. Acceptance - Community Development and Neighborhood Conservation

U.S. Department of Agriculture, Rural Development, to provide for the U.S.D.A. Housing Preservation Project, \$50,000.00. (GTAW 15-29)

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

34. Acceptance - Community Development and Neighborhood Conservation

U.S. Department of Housing and Urban Development, to provide for the HUD HOPWA 2014 Project, \$1,385,585.00. (GTAW 15-30)

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

35. Acceptance - Office of Sustainability and Conservation

Arizona State Parks Board, to provide for the Pima County Historic Ranch Survey Project, U.S. Department of the Interior, National Park Service, Federal Historic Preservation Fund, \$10,000.00. (GTAW 15-31)

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

CONSENT CALENDAR

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

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

37. Approval of the Consent Calendar

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

* * *

CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Leslie A. Carlson, Amendment No. 4, to provide technical assistance services, extend contract term to 12/31/14 and amend contractual language, no cost (CT-CD-12-720)
2. Community Investment Corporation, to provide for the NSP2 Consortium Funding Agreement, HUD Fund, contract amount \$40,000.00 (CT-CD-15-107)

Community Services, Employment and Training

3. Portable Practical Educational Preparation, Inc., to provide for the New Employee Transition Program, Health Professions Opportunity Grant Fund, contract amount \$147,000.00 (CT-CS-15-84)
4. Catholic Community Services of Southern Arizona, Inc., d.b.a. Catholic Social Services, to provide for the Community Services Block Grant Program, CSBG Fund, contract amount \$8,190.00 (CT-CS-15-100)

Constables

5. Arizona Constable Ethics, Standards & Training Board, to provide for implementation of the new case management system, contract amount \$15,000.00 revenue (CTN-CO-15-19)
6. Arizona Constable Ethics, Standards & Training Board, to provide for duty ammunition, contract amount \$874.50 revenue (CTN-CO-15-20)
7. Arizona Constable Ethics, Standards & Training Board, to provide for HP LaserJet Pro printers, contract amount \$1,515.93 revenue (CTN-CO-15-21)
8. Arizona Constable Ethics, Standards & Training Board, to provide for ballistic vests and carriers, contract amount \$1,987.34 revenue (CTN-CO-15-22)
9. Arizona Constable Ethics, Standards & Training Board, to provide for uniform clothing and personal equipment, contract amount \$5,241.00 revenue (CTN-CO-15-23)
10. Arizona Constable Ethics, Standards & Training Board, to provide for a computer, accessories and software, contract amount \$2,572.80 revenue (CTN-CO-15-24)

Environmental Quality

11. Arizona Department of Environmental Quality, to provide an agreement for delegating certain environmental functions, powers and duties to the Pima County Department of Environmental Quality and the Pima County Health Department, no cost (CT-DE-15-86)

Health

12. Town of Sahuarita, to provide for animal control services, revenue per fee schedule/2 year term (CTN-HD-14-193)

Information Technology

13. Owl Broadcasting and Development, Inc., and KASA Radio Hogar, Inc., to provide an assignment and assumption of lease for property located at 14900 West Trico Marana Road, no cost (CTN-IT-15-4)

Procurement

14. PSOMAS, Amendment No. 3, to provide design engineering services for the Valencia Road: Alvernon Way to Wilmot Road Project, amend scope of work and amend contractual language, RTA Fund, contract amount \$32,510.00 (CT-TR-10048537-P) Transportation

Regional Wastewater Reclamation

15. Ratification

United States Air Force - DMAFB, to provide for installation of a wastewater flow metering facility, contract amount not to exceed \$319,471.70 revenue (CTN-WW-15-41)

Sheriff

16. Town of Marana, to provide for the incarceration of municipal prisoners, contract amount \$290,000.00 estimated revenue (CTN-SD-14-207)
17. City of South Tucson, to provide for the incarceration of municipal prisoners, contract amount \$115,000.00 estimated revenue (CTN-SD-15-29)
18. Town of Sahuarita, to provide for the incarceration of municipal prisoners, contract amount \$130,000.00 estimated revenue (CTN-SD-15-30)
19. Town of Oro Valley, to provide for the incarceration of municipal prisoners, contract amount \$115,000.00 estimated revenue (CTN-SD-15-31)
20. City of Tucson, to provide for the incarceration of municipal prisoners, contract amount \$7,200,000.00 estimated revenue (CTN-SD-15-32)

GRANT APPLICATION/ACCEPTANCE

21. **Acceptance - Office of Emergency Management and Homeland Security**
State of Arizona Department of Emergency and Military Affairs, to provide for the Emergency Management Performance Grant, U.S. Department of Homeland Security Fund, \$420,382.00 (GTAW 15-22)
22. **Acceptance - Sheriff**
State of Arizona Office of the Attorney General, to provide for the Victims' Rights Program, \$56,975.00 (GTAW 15-23)
23. **Acceptance - Sheriff**
Arizona Department of Homeland Security, to provide for Operation Stonegarden equipment, U.S. Department of Homeland Security Fund, \$158,000.00. (GTAW 15-26)

24. **Acceptance - Health**

Arizona Department of Health Services, Amendment No. 2, to provide for HIV Care Ryan White Program and amend scope of work, U.S. Department of Health and Human Services Fund, \$56,666.00. (GTAM 15-21)

BOARD, COMMISSION AND/OR COMMITTEE

25. **Tucson/Pima County Bicycle Advisory Committee**

- Reappointment of Raymond Copenhaver. Term expiration: 10/31/16. (Commission recommendation)
- Ratification of Town of Oro Valley reappointment: Adam Wade. Term expiration: 12/31/15. (Jurisdictional recommendation)

26. **Election Integrity Commission**

- Reappointment of Matt Smith. Term expiration: 2/28/16. (Green Party recommendation)
- Appointment of Beth Borozan, to fill the vacancy created by Michael A. Duniho. Term expiration 12/4/14. (District 4 recommendation)

27. **County Attorney Investigators Local Retirement Board**

Appointment of Michael Romero, to fill the vacancy created by David McDonald. Term expiration: 10/7/18. (Board recommendation)

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

28. Monique Marie Vallery, Southern Arizona AIDS Foundation, Tucson Chinese Cultural Center, 1288 W. River Road, Tucson, November 8, 2014.
29. William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, October 4, 2014.
30. William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, November 1, 2014.
31. Scott Arthur Anderson, American Legion Madera Post 131, 249 W. Esperanza Boulevard, Green Valley, October 24 and 25, 2014.
32. Jill R. Rodriguez, El Rio Health Center Foundation, The Westin La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, October 10, 2014.
33. Michelle L. Mozdzen, Racing Home Greyhound Adoption, Sweetwater Reserve Community, Cuprite Loop / Star Valley Lane, Tucson, November 1, 2014.

34. Laurie S. Buckelew, Three Points Fire Local 4871, Buckelew Farm, 17000 W. Ajo Highway, Tucson, October 17, 18, 19, 22, 23, 24, 25, 26, 30 and 31, 2014.
35. Laurie S. Buckelew, VFW Post 10254, Buckelew Farm, 17000 W. Ajo Highway, Tucson, October 3, 4, 10, 11 and 12, 2014.
36. Barbara K. Cone, St. Phillip's in the Hills Episcopal Church, Inc., 4913 N. Via Serenidad, Tucson, October 5, 2014.
37. Seth G. Jones, American Legion Post No. 109, 15921 S. Houghton Road, Corona de Tucson, October 11, 2014.
38. Gary R. Friedman, The Valle Verde Rotary Foundation, The Shoppes at La Posada, 665 S. Park Center Avenue, Green Valley, October 18, 2014.

FINANCE AND RISK MANAGEMENT

39. Duplicate Warrants - For Ratification

Antonio Amado Almeida \$157.14; Arizona Court Interpreters Association \$40.00; Charles Gallego Jr. \$41.12; Eleana Lucina Melcher \$85.40; Susan Towne \$112.00; Office of the Auditor General \$73,710.00; Andrea Moreno \$140.00; Travis Pasqual \$140.00; Stacie Strittmatter \$155.00; Marlene Jackson \$140.00; Bryan Rollins \$500.00; Sonia Romero \$140.00; Kara Hernandez \$120.00; Mae Kleine \$140.00; Mindlance, Inc. \$12,240.00; Toni Ann Wolf \$8.90; Michelle Marie Sixkiller \$112.00; Ruby Lee \$140.00; Jennie M. Shelby \$140.00; Victoria S. Brown \$155.00; Judith Ann Russ \$5.79; Jesus Villanueva \$214.50; Spencer D. Graves \$72.30; Sylvia Tello \$155.00; Jennifer Caldwell \$21.05; Robert Saraficio \$140.00

RECORDER

40. Ratification

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of August, 2014.

REAL PROPERTY

41. Right-of-Way Easement

Tucson Electric Power Company, to provide a right-of-way easement for the installation of underground electric facilities, Tax Parcel No. 304-69-046A, located in Section 3, T19S, R13E, G&SRM, Pima County, Arizona, \$1,500.00 revenue (District 4)

42. **Quit Claim Deed**

Quit claim deed to the Town of Marana, to clarify jurisdictional responsibilities and intended usage of property, Tax Parcel No. 101-05-006E. No cost. (District 1)

RATIFY AND/OR APPROVE

43. Minutes: September 2, 2014

Warrants: September, 2014

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38. **CALL TO THE PUBLIC**

Geri Ottoboni addressed the Board about pit bulls at the Pima Animal Care Center and Proposition 415.

Mary Murphy spoke about issues in Green Valley and flood control matters.

Victoria Davis addressed the Board regarding the property tax increase and the difficulties faced by seniors on fixed incomes.

Kristin Almquist spoke in support of Proposition 415 and the Pima Animal Care Center and emphasized the importance of voting.

Christopher Cole commented on high property taxes in Pima County.

39. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:52 a.m.

CHAIR

ATTEST:

CLERK