

## 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, September 16, 2014. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Vice Chair  
Ramón Valadez, Acting Chair  
Ally Miller, Member  
Ray Carroll, Member

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

Absent: Sharon Bronson, Chair

### 1. **CONTRACT**

The Ashton Company, Inc., Amendment No. 1, to provide construction services for Paseo De Las Iglesias Phase I Project and amend contractual language, Flood Control Tax Levy Fund, contract amount \$2,000,000.00 (CT-FC-14-178)

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

### 2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:55 p.m.

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CHAIR

ATTEST:

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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, September 16, 2014. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Vice Chair  
Ramón Valadez, Acting Chair  
Ally Miller, Member  
Ray Carroll, Member

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

Absent: Sharon Bronson, Chair

### 1. GRANT ACCEPTANCE

Arizona State Library, Archives and Public Records, to provide for the State Grants-in-Aid Program, \$25,000.00 (GTAW 15-15)

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

### 2. GRANT ACCEPTANCE

Arizona State Library, Archives and Public Records, to provide for the State Grants-in-Aid Program, ~~\$25,000.00~~ 26,019.00 (GTAW 15-16)

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

### 3. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:55 p.m.

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CHAIR

ATTEST:

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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, September 16, 2014. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Vice Chair  
Ramón Valadez, Acting Chair  
Ally Miller, Member  
Ray Carroll, Member

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

Absent: Sharon Bronson, Chair

### 1. **INVOCATION**

The invocation was given by Pastor John Anderson, East Tucson Baptist Church.

### 2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

### 3. **PERSONAL POINTS OF PRIVILEGE**

Supervisor Carroll expressed his gratitude for the well wishes sent out to his family regarding their recent loss, for Tom Ward's wife who had passed away last week, and for Tom's recovery.

Vice Chair Elías recognized Mexican Independence Day, that many were here when the Gadsden Purchase happened, and that we continue to share a partnership with Mexico in business and culture.

### 4. **PAUSE 4 PAWS**

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

5. **PRESENTATION**

Presentation to Richard Huff of a Recognition of Service Award for his dedication to the employees of Pima County as a member of the Merit System Commission and Law Enforcement Merit System Council.

It was moved by Supervisor Carroll, seconded by Supervisor Valadez and carried by a 4-0 vote, to approve the item. Supervisor Carroll recognized Mr. Huff's contributions and his service to the Merit System Commission and Law Enforcement Merit System Council.

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

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

7. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Valadez, seconded by Vice Chair Elías and carried by a 4-0 vote, to convene to Executive Session at 10:27 a.m.

8. **RECONVENE**

The meeting reconvened at 10:48 a.m. Chair Bronson was absent, all other members were present.

**EXECUTIVE SESSION**

9. Pursuant to A.R.S. §38-431.03(A)(3), for legal advice regarding the petitions for refund filed by Mexicayotl Academy and La Aldea Spiritual Community.

Chris Straub, Chief Civil Deputy County Attorney, stated the item had been for information only. The Board took no action on this item.

**BOARD OF SUPERVISORS**

10. **Pima County/Tucson Commission on Addiction, Prevention and Treatment**

The Pima County/Tucson Commission on Addiction, Prevention and Treatment will make its biannual report to the Board of Supervisors on its efforts and initiatives over the last two years. Commission member Carl Bedford will introduce Commission Chair Pastor Roy Tullgren, who will deliver a brief report. (District 5)

Pastor Roy Tullgren, Chair and Arthea Tate, member, gave the biannual report to the Board.

## **COUNTY ADMINISTRATOR**

### **11. Revisions to Merit System Rules and Personnel Policies**

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

Without objection, the item was continued to the Board of Supervisors' Meeting of October 7, 2014.

## **CLERK OF THE BOARD**

### **12. Petition for Refund - La Aldea Spiritual Community**

Pursuant to A.R.S. §42-11109, La Aldea Spiritual Community has petitioned the Board of Supervisors for relief of their tax year 2013 taxes and associated interest/penalty.

Supervisor Miller made a motion to deny the petition for refund, the motion died for a lack of a second.

Jean Gage, representing La Aldea Spiritual Community, explained they had purchased the property in 2012 and in 2013, purchased a modular building to use for worship. She stated they hadn't applied for the exemption in a timely manner and asked for a waiver of the taxes and associated interest and penalties.

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

### **13. Petition for Refund - Mexicayotl Academy**

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.

A motion was made by Supervisor Carroll and seconded by Supervisor Miller to approve the item. No vote was taken at this time.

Vice Chair Elías asked the Board to consider a continuation of this item to allow the petitioner to be represented. Supervisor Carroll and Supervisor Miller withdrew their motion and second.

It was then moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, to continue the item to the Board of Supervisors' Meeting of October 7, 2014.

## **INDUSTRIAL DEVELOPMENT AUTHORITY**

### **14. Joint Revolving Taxable Single Family Mortgage Loan Program of 2012**

RESOLUTION NO. 2014 - 98, 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; approving the second amendment to the standards and requirements related thereto; approving amendments to the program documents; approving the second amendment to the Intergovernmental Agreement; and declaring an emergency.

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

## **NATURAL RESOURCES, PARKS AND RECREATION**

### **15. Esmond Station Regional Park Master Plan**

Staff recommends approval of the Esmond Station Regional Park Master Plan.

Don McGann, McGann & Associates, presented the Plan to the Board.

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

## **FRANCHISE/LICENSE/PERMIT**

### **16. Liquor License**

06100119, Andrea Dahlman Lewkowitz, La Posada Lodge & Casitas, 5900 N. Oracle Road, Tucson, Series 6, Bar, Person Transfer.

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

17. **Liquor License**

07106002, Andrea Dahlman Lewkowitz, Homewood Suites, 4250 N. Campbell Avenue, Tucson, Series 7, Beer and Wine Bar, Person Transfer and Location Transfer.

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

18. **Liquor License**

12104318, Susan T. Fulton, Gourmet Girls Gluten Free Bakery/Bistro, 5845 N. Oracle Road, Tucson, Series 12, Restaurant, New License.

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

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

12104129, Grant Darien Krueger, Union Public House, 4340 N. Campbell Avenue, Suite 103, Tucson, Temporary Extension of Premises for September 27, October 2, 5, 9, 12, 16, 23, 25, 30 and 31, 2014.

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

**COUNTY ADMINISTRATOR**

20. **Bond Implementation Plan**

ORDINANCE NO. 2014 - 42, of the Board of Supervisors, adopting the Bond Implementation Plan for the November 4, 2014 Special Bond Election, Proposition 415: Facilities for the Care and Safekeeping of Animals.

Jan Leshner, Deputy County Administrator, explained this was the final step in moving forward with Proposition 415 to expand and enhance the Pima Animal Care Center. She provided an overview of the costs and stated that the projected amount was \$18.6 million including inflation and that \$22 million would be a sufficient cap. She reviewed the process should the voters approve Proposition 415 and stated that recent building experience reflected that on average projects were being built at about 85% of the engineering costs and she was hopeful the trend would continue. She said that a contributing factor for some additional dollars included in the

projection was because there were a lot of animals at the Animal Care Center and it was a 24/7 operation that needed to remain open during construction.

Michael Kirk, Facilities Management Director, stated that the cost of the facility had been highly vetted by staff, using models that had been successful in the past. He explained there had been built-in contingency for unforeseen circumstances and they wanted to be very conservative in their effort when receiving an estimate. He explained the cost for this type of facility was considerably higher than standard commercial properties. He stated that they felt very confident that the estimate that had been established was adequate to do the work and they looked at every opportunity to build the most efficient and cost effective facility necessary to deliver the services of animal care. Logistics was a key issue in this project and every effort would be made for minimal impact to animal care services.

Supervisor Miller questioned the cost of maintaining the operations while building the new facility and what was specific and unique about the facility compared to other animal care facilities around the country. She also questioned benchmarking best practices and the lowest cost method of delivering these types of services.

Michael Kirk stated that a better estimate would be made after placement of the Center on the property had been determined. He stated the project would be built at an industrial grade to be extremely durable because of its high use and the nature of the services provided, and that this type of construction would lead to lower operational and maintenance costs. He added the facility would also have more square footage because of the change in the philosophy of the services provided.

Jan Leshar said they had begun to look at other facilities across the country and had found that the standard of operation, in addition to construction, needed to be considered. Factors such as who performed licensing and enforcement, euthanasia practices, the policy for no-kill and the facilities ability to not accept animals when at capacity all played a role.

Supervisor Miller questioned whether the current model was the same as used for the building of the court house and that if it was, she was concerned since the budget of the court house was overrun. She also asked if all of the bonds would be issued, and questioned whether or not the leftover bonds would go back to the tax payers or be moved to another similar project. Supervisor Miller stated that the taxpayers would be liable for the entire \$22 million dollars if Proposition 415 passed.

Tom Burke, Finance Director, explained that bonds were issued only as cash was needed for particular projects and that there were still unissued bonds from the early 1990s because the projects haven't come to fruition or they had been completed at less than the estimated cost. He stated that if the project came in at less than \$22 million, the County would only issue bonds for the actual cost. He then briefly explained the process to issue bonds.

Supervisor Carroll asked about the projected life of the new facility and stated the current facility was functionally obsolete.

Michael Kirk stated that longevity of the facility and future expansion were definitely considerations for this facility.

Vice Chair Elías questioned the results of the recent audit of Pima County Bonds.

Tom Burked stated the Office of the Auditor General had conducted an audit of all general obligation bonds from 1997 through 2012 and concluded that the monies had been properly spent.

The following speakers addressed the Board:

- Keith Van Heyningen
- Geri Ottoboni
- Julia Strange, Tucson Medical Center
- Cathy Newman, PACC Volunteer
- Representative Victoria Steele, Legislative District 9
- Nancy Young Wright
- Josefina Cardenas
- David Hammond
- Merritt McGlothlin
- Joe Boogaart, Animal Care Advisory Committee member

They provided the following comments:

- Abandoning animals was wrong.
- We needed to enforce, fine, and imprison the people who are responsible for the problem.
- A new shelter was needed, but not at such a huge cost.
- Present County debt was high.
- Seniors were on fixed incomes and had to deal with the new tax increases.
- There would be public health benefits, improved heart health, mental health and reduced allergies in children.
- There would be an increase in adoptions and decrease in euthanasia.
- Tucson Medical Center had a dog therapy program and 22 of those dogs came from rescue groups like PACC.
- The facility should have been updated 25 years ago.
- The volunteers help the understaffed facility.
- There is so much community support that they had to turn away people from volunteering.
- The conditions are not good at Pima Animal Care Center.
- The cost of a small latte per person was a reasonable expense to solve the problem.
- The center held twice as many animals than the maximum allowed.
- There was an increase in desire from the community for a no-kill shelter.
- We are the second largest shelter in the State of Arizona.
- All animals, livestock and horses should be protected and cared for.
- There would be no need to build from the floor up, look into other County owned buildings and retrofit.

- The cost needed to be re-examined; as a gold-plated facility is not needed.
- Left over funds, could be returned to the tax payers or used for similar use.
- Operations and maintenance could be as much as \$64 million annually.

Supervisor Miller questioned whether there has ever been a project where the County did not issue the balance of the bonds. She stated that instead it seemed bond money got transferred to other projects.

Mr. Burke explained that recently there had been one bond authorization for hundreds of projects and the Board was authorized to transfer the monies between those voter approved projects. He said this particular bond would be for a single project and that the Board could authorize expenditures specific to the purpose of the bond.

Supervisor Miller stated that she could not support the item due to the cost of the project.

It was moved by Supervisor Valadez and seconded by Supervisor Carroll to close the public hearing and adopt the Ordinance. Upon roll call, the motion carried by a 3-1 vote, Supervisor Miller voted "Nay."

## **DEVELOPMENT SERVICES**

### **21. 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 Membrilla 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.

Without objection, the item was continued to the Board of Supervisors' Meeting of October 7, 2014.

## 22. **Comprehensive Plan Amendment**

### Co7-14-05, T. READ HOLDINGS, L.L.C. - N. ORACLE ROAD PLAN AMENDMENT NO. 2

Request of T. Read Holdings, L.L.C., represented by Bruce Read, to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Neighborhood Activity Center (NAC) for approximately 0.66 acres located at the northeast corner of the intersection of N. Oracle Road and N. Genematas Drive, in Section 13, T13S, R13E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Bain, Cook and Neeley were absent) to recommend APPROVAL SUBJECT TO REZONING POLICIES. Staff recommends APPROVAL SUBJECT TO REZONING POLICIES. (District 1)

Recommended Rezoning Policies:

A. Commercial uses on the site will be restricted to the following:

- Tea room / café
- Apparel store
- Art gallery or store
- Beauty shop
- Florist shop
- Gift, curio or novelty shop
- Interior decorator
- Jewelry store
- Office: business, professional or semi-professional
- Pilates / yoga studio

Any other uses on the site will require, at a minimum, a public hearing before the Board of Supervisors.

B. Structures will maintain a residential appearance.

C. No regular late night (after 10:00 pm) or early morning (midnight to 6:00 am) hours of operation. This does not include use of the site when the business is closed or an occasional special event.

D. No liquor license.

E. No amplifiers or public address system will be allowed; no excessive noise or sound beyond the site.

F. Lighting shall not be directed toward the residential lots.

G. Dumpsters will be fully screened and located in the parking area.

Arlan Colton, Planning Director, stated this was the first of six comprehensive plan amendments from Medium Intensity Urban to Neighborhood Activity Center for the project at the northeast corner of Genematas Drive and Oracle Road. The building and parking lot currently existed and there was no planned change to the facility. The request would allow a change in the number of uses for the property. He reported that staff and the Planning and Zoning Commission recommended approval.

The Vice Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Valadez and carried by a 3-0 vote, Supervisor Carroll not present for the vote, to close the public hearing and approve Co7-14-05, subject to rezoning policies.

23. **Rezoning**

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)

Without objection, the item was continued to the Board of Supervisors' Meeting of October 7, 2014.

**PRESENTATION/PROCLAMATION**

24. Presentation of a proclamation to Robert Jones, Words of Peace Global Volunteer, proclaiming the day of Sunday, September 21, 2014 to be: "UNITED NATIONS INTERNATIONAL DAY OF PEACE IN PIMA COUNTY, ARIZONA"

It was moved by Supervisor Valadez, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item. Supervisor Valadez made the presentation to Richard White, Words of Peace Global Volunteer.

**BOARD OF SUPERVISORS**

25. **Discretionary Use of Supervisor Department Budget Funds**

Discussion and vote regarding Board of Supervisors use of discretionary office funds to contribute to outside organizations. (District 1)

Supervisor Miller stated that District Offices were using their department budget funds to contribute to outside agencies and that in specific instances those agencies or their members were donating funds back to Supervisors as noted in their campaign finance reports. She stated she had been told at the end of her first fiscal year that remaining monies should revert to the General Fund. She added it did not provide a good appearance to be dolling funds out of individual Districts and that if there were monies left at the end of the fiscal year, individual allocations should be brought to the Board for approval. She cited the example of Prince William County

in Virginia where Supervisors were giving monies to charitable donations for gain and had ended the practice.

Supervisor Miller posed questions to the County Attorney on whether there would be a conflict of interest for Supervisors allocating funds and in some instances, receiving campaign donations back from members of those organizations.

Chris Straub, Chief Deputy County Attorney, stated he could not provide an opinion without the specifics of the particular contribution or circumstance. He added that current Board policy did not include a review by the County Attorney of single items less than \$5,000.00.

Supervisor Miller referred to an alert of the Auditor General's which addressed this matter and had been provided to the Board. She felt that at a minimum Supervisors should be making the public comfortable in knowing what was done with their funds. Supervisor Miller then asked if internal audits were conducted.

Tom Burke, Finance Director, stated there was no requirement for an internal audit/peer review but that the Auditor General did perform financial audits of the County. He added that internal audits were conducted for compliance with regulations and policies.

Supervisor Miller cited instances where an agency received in excess of \$7,000.00 and thought that violated the spirit of the \$5,000 policy for review. She said that there were repeated requests for expenditures from the Board of Supervisors' Contingency Fund that went to agencies that had also received federal funding. She added that individual Supervisors should not be receiving acknowledgement and thanks for providing taxpayer funds to organizations.

Supervisor Miller cited the provisions of Board of Supervisors Policy D 29.4 regarding outside agencies. She requested that the County Administrator and County Attorney define the rules for donations to outside agencies and also asked for an end to monies being given to internal departments from District budgets. She stated significant department needs should be placed on a Board agenda.

The following speakers addressed the Board:

- Richard Hernandez
- Keith Van Heyningen
- Christopher Cole
- David Hammond
- Merritt McGlothlin
- Geri Ottoboni
- Gini Crawford
- Alex Bissett
- Joe Boogaart
- Mary Murphy
- Nancy Newman

They offered the following comments:

- The money belonged to the tax payers.
- The Board had an obligation to notify the public how the money was spent.
- Ethics and criminal codes had been violated due to this practice.
- These actions were nonfeasance in public office.
- The agenda description for this discussion was vague.
- The Board had no legal authority to donate office funds to outside charities.
- Pima County had twice as much debt as other counties in the State.
- Taxpayers should look for new candidates in 2016.
- Roads and washes needed to be repaired.
- The offices that contributed had an extra advantage or quid pro quo.
- Concern for seniors on fixed incomes.
- The Supervisors should give to the charities out of their own money.
- The unused funds should be put back into the General Fund.
- Concern for continued rising of taxes.
- Concern of impropriety within Pima County.
- The Board had been loose with spending tax payer money.

It was moved by Supervisor Miller to end the practice of any Supervisor being allowed to contribute to outside organizations with their year-end budget leftover funds.

Supervisor Valadez stated that the public had a right to know how every Board member spent their budgets. A substitute motion was then made by Supervisor Valadez and seconded by Supervisor Carroll to direct staff to put together for public distribution a comprehensive report of all expenses of all five District offices over the last two calendar years including personnel actions, and going forward to prepare the report annually at the end of the fiscal year.

Supervisor Miller stated that this practice should be ended. Upon roll call, the motion carried by a 3-1 vote, Supervisor Miller voted "Nay."

## **COUNTY ADMINISTRATOR**

### **26. Preventing, Identifying and Addressing Workplace Bullying Policy**

The Board of Supervisors on September 9, 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.

Without objection, the item was continued to the Board of Supervisors' Meeting of October 7, 2014.

27. **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.

It was moved by Supervisor Valadez and seconded by Vice Chair Elías to approve the item. No vote was taken at this time.

Bill Staples, County Assessor, addressed the Board and stated the policy would shift the responsibility from the County Attorney's Office to the Finance Department and stated there should be clarification on the limit. If the threshold is \$30,000.00 in primary Pima County property tax that it should be consistent in the purpose and the policy.

Tom Burke, Finance Director, stated the policy would shift responsibilities from the County Assessor's Office to the Finance Department for negotiating settlements and prosecuting/defending tax appeal cases for tax year 2015. He explained the policy would increase settlement authority from \$10,000.00 to \$30,000.00, would focus only on the taxes due to Pima County rather than the total taxes due, and would create a larger settlement authority before having to be brought to the Board in Executive Session.

Bill Staples clarified that the policy would shift duties from the County Attorney and again stated that the policy language should be consistent.

Supervisor Miller questioned whether the shift in responsibilities had occurred in any other County. Mr. Staples replied he was not aware of that practice and referred to the statute regarding defense of property tax cases.

Upon the vote, the motion carried 2-2, Vice Chair Elías and Supervisor Miller voted "Nay."

28. **Sonoran Corridor or the Auxiliary Interstate Highway**

Staff recommends approval of the following:

- A. Amendment of the Major Streets and Routes Plan to recognize and accommodate the Sonoran Corridor Alignment. (Regular Agenda Item No. 22)
- B. Initiation of establishment proceeding to establish the Sonoran Corridor as a County highway from Interstate 19 to Interstate 10.

Without objection, the item was continued to the Board of Supervisors' Meeting of October 7, 2014.

## **REAL PROPERTY**

### **29. Orange Grove Road: Camino de la Tierra to La Cholla Boulevard**

RESOLUTION NO. 2014 - 100, of the Board of Supervisors, repealing Resolution No. 2011-144, and removing authority to condemn for the Orange Grove Road: Camino de la Tierra to La Cholla Boulevard Project.

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

## **CONTRACT AND AWARD**

## **REAL PROPERTY**

### **30. Christ Community Church of Tucson, Inc., to provide an exchange agreement, special warranty deed and multipurpose easement for properties located at 7801 E. Kenyon Drive and 401 S. Pantano Road for the Pantano Riverpath Project, RTA Fund, contract amount \$55,000.00 (CT-PW-15-98)**

Supervisor Miller stated that she could not support additional funding for the Loop Project when it was needed for road repair and flooding clean-up.

Supervisor Miller made a motion to deny the item. The motion died for a lack of a second. It was then moved by Supervisor Valadez, seconded by Supervisor Carroll and carried by a 3-1 vote, Supervisor Miller voted "Nay," to approve the item.

## **GRANT APPLICATION/ACCEPTANCE**

### **31. Application - Natural Resources, Parks and Recreation**

Arizona Game and Fish Department, to provide for the Heritage Fund Grant - Lost Carnivores of the Tucson Mountains Project, \$21,870.00 (GTAP 15-30)

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

### **32. Acceptance - Sheriff**

Governor's Office of Highway Safety, to provide for portable breath test devices and overtime for the DUI Enforcement Program, U.S. Department of Transportation/National Highway Traffic Safety Administration Fund, \$44,930.00 (GTAW 15-14)

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

33. **Acceptance - Sheriff**

Governor's Office of Highway Safety, to provide overtime for the Selective Traffic/Enforcement (STEP/Speed) Program, U.S. Department of Transportation/National Highway Traffic Safety Administration Fund, \$30,000.00 (GTAW 15-17)

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

34. **Acceptance - Sheriff**

Governor's Office of Highway Safety, to provide overtime for the Occupant Protection Enforcement Program, U.S. Department of Transportation/National Highway Traffic Safety Administration Fund, \$20,000.00 (GTAW 15-18)

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

35. **Acceptance - Sheriff**

Governor's Office of Highway Safety, to provide overtime for the School Bus and School Zone Traffic Enforcement Program, U.S. Department of Transportation/National Highway Traffic Safety Administration Fund, \$20,000.00 (GTAW 15-19)

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

36. **Acceptance - Health**

Arizona Department of Health Services, to provide for the Sexually Transmitted Disease (STD) Program, U.S. Department of Health and Human Services/Centers for Disease Control Fund, \$101,596.00 (GTAW 15-24)

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

**BOARD, COMMISSION AND/OR COMMITTEE**

37. **Library Advisory Board**

Appointment of Rebecca Hornbuckle, to fill the vacancy created by Hope Green. Term expiration: 6/30/15. (District 3)

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

38. **Outside Agency Citizen Review Committee**

Appointment of Terri Hutts, to fill the vacancy created by Hope Green. No term expiration. (District 3)

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

**FRANCHISES/LICENSES/PERMITS**

39. **Fireworks Permit**

Raynu Fernando, Oasis at Wild Horse Ranch, 6801 N. Camino Verde, Tucson, October 4, 2014 at 9:00 p.m.

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

40. **Fireworks Permit**

Raynu Fernando, Oasis at Wild Horse Ranch, 6801 N. Camino Verde, Tucson, October 11, 2014 at 9:00 p.m.

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

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

03103000, James C. Counts, Nimbus Brewing Company, 3850 E. 44th Street, No. 138, Tucson, Temporary Extension of Premises for September 19, 2014.

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

**CONSENT CALENDAR**

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

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

43. **Approval of the Consent Calendar**

**PULLED FOR SEPARATE ACTION**

10. **Regional Wastewater Reclamation**

Town of Marana, Amendment No. 2, to provide sludge disposal services and extend contract term to 3/12/15, no cost (CTN-WW-12-514)

Without objection, this item was removed from the agenda.

\* \* \*

It was moved by Supervisor Valadez, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the Consent Calendar as amended.

\* \* \*

**CONTRACT AND AWARD**

**Community Development and Neighborhood Conservation**

1. Our Family Services, to provide for the CASA for Families II Project, CDBG Fund, contract amount \$133,984.00 (CT-CD-15-70)
2. Primavera Foundation, Inc., to provide for the CASA for Families II Project, CDBG Fund, contract amount \$274,593.00 (CT-CD-15-71)
3. The Salvation Army, to provide for the CASA for Families II Project, CDBG Fund, contract amount \$92,963.00 (CT-CD-15-72)

**Facilities Management**

4. Sheriff's Auxiliary Volunteers of Green Valley, Amendment No. 1, to provide a license agreement for property located at 601 N. La Canada Drive, Green Valley and extend contract term to 9/20/14, no cost (CTN-FM-12-555)

**Office of Medical Services**

5. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 10, to provide inpatient hospital services for inmates, extend contract term to 9/30/15 and amend contractual language, no cost (CT-OMS-14-134)

**Procurement**

6. **Award**

Low Bid: Award of Contract, Solicitation No. 138367, in the amount of \$2,410,440.00 to the lowest responsive bidder, Achen-Gardner Construction, L.L.C., (Headquarters: Chandler, AZ) for construction of the North Rillito

Interceptor Relief Sewer Project. The contract term is fifteen months with the ability to extend the term for contract completion. Construction is to be complete within 260 working days from Notice to Proceed. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.

7. **Award**

Low Bid: Award of Contract, Requisition No. 14-272, in the amount of \$298,608.18 to the lowest responsive bidder, APL Access Security, Inc., (Headquarters: Gilbert, AZ) for construction of the SubRegional Facility (SRF) Security Improvement Project. The contract term is twelve months with the ability to extend the term for contract completion. Construction is to be complete within 240 working days from Notice to Proceed. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.

8. **Award**

Low Bid: Award of Contract, Solicitation No. 147853, in the amount of \$969,859.21 to the lowest responsive bidder, The Ashton Company, Inc., (Headquarters: Tucson, AZ) for the construction of the Camino Verde: Brightwater Way to Valencia Road Project. The contract term is eighteen months with the ability to extend the term for contract completion. Construction is to be complete within 90 working days from Notice to Proceed. Funding Source: Southwest District Impact Fee Fund. Administering Department: Transportation.

9. Quest Civil Constructors, Inc., Amendment No. 1, to provide for the Tres Rios WRF West Plant Clarifier Mechanical Rehabilitation Project, extend contract term to 6/30/15 and amend contractual language, RWRD Obligation Fund, contract amount \$441,661.63 (CT-WW-14-270) Regional Wastewater Reclamation

**Regional Wastewater Reclamation**

10. Town of Marana, Amendment No. 2, (PULLED FOR SEPARATE ACTION)

**GRANT APPLICATION/ACCEPTANCE**

11. **Acceptance - County Attorney**

Office of the Arizona Attorney General, to provide for the Victims' Rights Program, \$246,375.00 (GTAW 15-11)

12. **Acceptance - Community Services, Employment and Training**

U.S. Department of Housing and Urban Development, Amendment No. 1, to provide for the 2013 Continuum of Care Program-CASA, no cost (GTAM 15-14)

13. **Acceptance - Community Services, Employment and Training**  
U.S. Department of Housing and Urban Development, Amendment No. 1, to provide for the 2013 Continuum of Care Program-Project Advent, no cost (GTAM 15-15)
14. **Acceptance - Community Services, Employment and Training**  
Arizona Department of Economic Security, Amendment No. 1, to provide for the Employment and Training Program (WIA), U.S. Department of Labor/Employment and Training Assistance Fund, \$6,773,177.00 (GTAM 15-18)

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

15. Martin Bembers, Eagle Crest Ranch Homeowners Association, 77 North Market Place, 16733 N. Oracle Road, Catalina, September 27, 2014.

**FINANCE AND RISK MANAGEMENT**

16. Replacement Warrants  
Christopher Jeremy Vogler \$152.00; Smith and Dale, L.L.C. \$375.00; Erin Duffy \$31,596.30; Karen McDonald \$82.10; Pima County Deputy Sheriffs Association \$4,400.00; Fernando A. Silvas \$81.00; Intervet, Inc. \$3,315.16; Compass Affordable Housing, Inc. \$2,273.65; Madelyn Celeste Tucker \$87.50; Shred-It USA, Inc. \$95.00; Shred-It USA, Inc. \$71.20; Morgan Blohm \$219.15; Marissa Galindo Alcorta \$33.50; Arnold Schiefelbein \$140.00

**RECORDER**

17. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of June and July, 2014.

**RATIFY AND/OR APPROVE**

18. Minutes: August 18, 2014

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44. **CALL TO THE PUBLIC**

Keith Van Heyningen addressed the Board regarding the need to run background checks on financial expenditures of Supervisors' offices since the time they took office. He stated that drug and alcohol testing should also be done. He stated that his First Amendment rights had been violated and would be contacting ACLU.

Mary Murphy addressed the Board regarding the washes in Green Valley and stated that she had filed a Southern Arizona Hate Crimes Task Force complaint.

Albert Lannon spoke to the Board regarding the Sonoran Corridor and stated that only half of the Planning and Zoning Commission had voted on it. He stated that the County insisted that the corridor had nothing to do with I-11 but it was shown in the maps and that the County Administrator wanted 20 million dollars from the 2015 Bond for this project.

Nancy Newman spoke to the Board regarding the need to maintain the washes and that there were flooding concerns in several areas.

45. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:55 p.m.

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CHAIR

ATTEST:

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CLERK