

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, February 20, 2018. Upon roll call, those present and absent were as follows:

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

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

1. **INVOCATION**

The invocation was given by Pastor Ted Soderholm, Catalina Church North.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

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

PRESENTATION

4. Presentation of the Small Business Awards for 2017: the Urban Award to Kool Air Manufacturing, L.L.C., the Rural Award to Miura Contracting, L.L.C. and the Non-Profit Award to the Pima Community College Small Business Development Center.

Chairman Elías made the presentations.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Andy Schmitt, proclaiming the day of Sunday, February 25, 2018, the day of his celebration of life memorial to be: "BOB ELLIS DAY"

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

6. **CALL TO THE PUBLIC**

(Clerk's note: Individuals wishing to address the Board regarding Agenda Item No. 18, Operation Stonegarden Grant Program, spoke in correlation with the item.)

Jonathan Salvatierra praised Pima Community College, asked that the Pima County website be made user friendly and urged the Board to ensure election protocols were followed.

Bill Staples, County Assessor, addressed the Board regarding 2018 tax rates.

Larry Cocchiarella, Keith Van Heyningen and Roger Score spoke regarding taxes and government spending.

Christopher Cole, President, Pima County Libertarian Party, addressed the Board in opposition to Interstate 11.

Leon Woodward addressed the Board regarding lawsuits filed by the Assessor.

Edward Cizek spoke about domestic violence against men.

Albert Lannon addressed the Board regarding his Regulatory Bill of Rights' complaint and appeal he filed against the County.

Michael McGrath addressed the Board regarding the Petition for Waiver for the Rialto Theatre Foundation.

Mia Tittle addressed the Board regarding transportation resource allocation.

7. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 10:11 a.m.

8. **RECONVENE**

The meeting reconvened at 10:35 a.m. All members were present.

EXECUTIVE SESSION

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding review by outside counsel, J. Arthur Eaves, of expenditures from the anti-racketeering revolving fund by the Pima County Attorney's Office under A.R.S. §13-2314.03.

It was moved by Supervisor Valadez, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to release and make public the attorney opinion document received in Executive Session.

BOARD OF SUPERVISORS

10. The Board of Supervisors on January 1, 2018, continued the following:

Request for Reconsideration - District 3

On December 12, 2017, the Board of Supervisors denied the following:

A. 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).

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

B. 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).

It was moved by Supervisor Elías and seconded by Chair Bronson to deny the petition. Upon roll call vote, the motion carried 4-1, Supervisor Christy voted "Nay."

On January 2, 2018, the Board voted unanimously to approve the request for reconsideration.

It was moved by Supervisor Christy and seconded by Supervisor Miller to grant the waivers. Upon roll call vote, the motion carried 4-1, Chairman Elías voted "Nay."

COUNTY ADMINISTRATOR

11. **Pima County/City of Tucson Commission on Addiction, Prevention and Treatment**

RESOLUTION NO. 2018 - 13, of the Board of Supervisors, disbanding the Pima County/City of Tucson Commission on Addiction, Prevention and Treatment and repealing Resolution Nos. 2001-244, 2002-322, and 2006-297.

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

COUNTY ATTORNEY

12. The Board of Supervisors on December 12, 2017, January 1, 2018 and January 16, 2018, continued the following:

Contract

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)

Supervisor Bronson noted that this contract was an ongoing expense and that she had concerns with supplanting.

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

13. The Board of Supervisors on February 6, 2018, continued the following:

Indirect Expenditures of County Attorney's Anti-Racketeering Funds to Outside Agencies

Staff requests review and approval of applications relating to the allocation of monies from the Pima County Attorney's Anti-Racketeering Fund to outside agencies.

It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to approve the items as recommended by outside counsel and that the County Attorney provide additional clarification for those items identified by outside council.

DEVELOPMENT SERVICES

14. **Final Plat With Assurances**

P17FP00014, Ventana Heights, Lots 1-14 and Common Area "A" (Private Streets). (District 1)

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve P17FP00014.

15. **Final Plat With Assurances**

P17FP00015, Ventana Heights North, Lot 1 and Common Area "A" (Private Streets). (District 1)

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve P17FP00015.

REAL PROPERTY

16. Surplus Property

Staff requests approval to sell surplus property consisting of a single family residence containing 1,830 square feet located at 3018 W. Basil Place, Tax Parcel No. 101-08-0290, by auction to the highest bidder. (District 1)

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

TRANSPORTATION

17. Hearing - Traffic Ordinance

ORDINANCE NO. 2018 - 2, of the Board of Supervisors, relating to traffic and highways; regulating traffic at the intersection of Broadway Boulevard and Freeman Road in Pima County, Arizona. Staff recommends APPROVAL. (District 4)

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

BOARD OF SUPERVISORS

18. Request for Reconsideration (District 2)

A. On February 6, 2018, the Board of Supervisors took the following actions:

1. **Acceptance – Sheriff**

State of Arizona Department of Homeland Security, to provide for the Operation Stonegarden Grant Program - Overtime and Mileage, \$1,191,208.00 (GTAW 18-55)

2. **Acceptance – Sheriff**

State of Arizona Department of Homeland Security, for the Operation Stonegarden Grant Program - Equipment, \$237,967.00 (GTAW 18-56)

It was moved by Chairman Elías, seconded by Supervisor Bronson and carried by a 3-2 vote, Supervisors Christy and Miller voted "Nay," to deny the item.

B. If motion to reconsider is approved, proceed with reconsideration for the following:

1. **Acceptance – Sheriff**

State of Arizona Department of Homeland Security, to provide for the Operation Stonegarden Grant Program - Overtime and Mileage, \$1,191,208.00 (GTAW 18-55)

2. **Acceptance – Sheriff**

State of Arizona Department of Homeland Security, for the Operation Stonegarden Grant Program - Equipment, \$237,967.00 (GTAW 18-56)

Mark Napier, Pima County Sheriff, addressed the Board. He indicated that the Operation Stonegarden grant had been approved since 2004 and no fundamental changes had been made to the way the grant was implemented and administered. He explained that the grant allowed the Sheriff's Department to have a greater presence in the rural areas of the County and areas near the border. Sheriff Napier assured the Board that it was not the role of the Department to perform proactive federal immigration enforcement. He stated that the grant also allowed for the purchase of equipment that would be used to benefit public safety.

Chuck Huckelberry, County Administrator, reviewed issues and concerns with the Operation Stonegarden grant and its fiscal impact on the County. He added that staff would be looking at various adjustments needed, automobile reimbursements costs and costs associated with prosecution and defense.

The following speakers addressed the Board in opposition to accepting the Operation Stonegarden grant:

- Ana Karina Rodriguez, Mi Familia Vota
- Jaime Tadeo, representing Congressman Raúl Grijalva
- Isabel Garcia
- Jessica Rodriguez, Southside Worker Center
- Brian Flagg, ACLU of Arizona
- Billy Peard
- Dinah Bear
- Reverend Hannah Bonner
- Steve Valencia, Jobs with Justice
- Randy Serraglio
- Rolande Baker
- Rick Weibel
- Kitty Kennedy, Chair, Legislative Committee of the Arizona AFL/CIO Pima Area Labor Federation
- Cesar Aguirre
- Kevin Sharp
- Steve Diamond

- Geoffrey Alan Boyce
- Luis Oquendo
- Bryna Koch
- Gail Kamaras
- Fred Markussen
- Will Goebel
- Bailey Pickens
- Deborah Lee
- Ryan Kelly
- Laiken Jordahl
- Linda Mulherin
- Brenda Wexler
- Marie NaVeaux, Women Act Now
- Marion Chubon
- Samantha Coronado
- Anna Ramsey
- Catherine Gaffney
- Kristen Randall
- Laura Martinez
- Rachel Wilson
- Andrew Valenzuela
- Margaret Lorenz
- Linda Critkovic
- Mark Mayer
- Manuel Davila
- Carmen Smith Estrada
- Zaira Livier

They offered the following comments:

- The tactics used by Border Patrol and Operation Stonegarden encouraged targeting people based on perceived nationality and racial profiling.
- The funding carried burdens and uncertainties that should override any limited fiscal support by the Federal Government.
- When the grant was first approved, migration was being funneled into Arizona, but has diminished to the lowest numbers in 45 years.
- The Border Patrol ruined the environment.
- There was no oversight of Operation Stonegarden.
- Undocumented individuals were at a higher risk of detention and deportation for interacting with law enforcement and less likely to report crimes for fear of deportation.
- Operation Stonegarden divided families.
- There was no training or guidance provided in the Sheriff's Department regarding Operation Stonegarden.
- Deputies were placed at Border Patrol checkpoints for the purpose of immigration enforcement.

- Accepting the funding would lead to increased racial profiling.
- Operation Stonegarden contributed to the overall militarization of community law enforcement resulting in the systematic violation of civil rights, human rights and violence in the community.
- There was no accountability for how these funds were used.
- Enforcing immigration law was not the role of the Pima County Sheriff's Department.
- Local law enforcement should be in the business of enforcing local laws.
- Communities targeted by Border Patrol were less likely to contact local law enforcement when the agencies collaborated.
- The grant cost the County an estimated additional \$300,000.00 per year.
- If a Sheriff's Officer was injured or injured someone while participating in Operation Stonegarden, the County and its taxpayers would be held liable.
- For every dollar of overtime funds received, it costs the County an additional 50 to 80 cents for inflated pensions, healthcare and FICA taxes.
- The grant did not subsidize the costs to jails for those arrested or the costs of Public Defenders.
- The grant was a way to buy participation in immigration enforcement.
- Stonegarden funds were used to buy high-tech equipment, such as facial recognition cameras, drones and license plate readers, that can be used in the community.
- County cooperation with Border Patrol would lead to fear and division in our community and erode trust between law enforcement and the public.
- Stonegarden insured local law enforcement would not protect and serve undocumented communities and deepened the roots of white supremacy in Pima County.
- When Sheriff's Deputies pulled over non-English speaking individuals they automatically notify Border Patrol.
- Militarizing local law enforcement was counter to the philosophy of American government.
- More police officers did not equal more community safety.

The following speakers addressed the Board in support of accepting the Operation Stonegarden grant:

- Mark Little
- Brad Johns
- Chris King
- Roxanne Ziegler, Marana Town Council

They offered the following comments:

- Local law enforcement was forced to combat issues created by immigration laws.
- It was the Board's job to secure the rights of the citizens.
- Public safety was one of the criteria companies use when they considered relocating.
- Drug smuggling and human trafficking were real issues in Pima County.

Supervisor Valadez explained that it was the Sheriff Department's legal and ethical obligation to respond when contacted by Border Patrol regardless of whether or not the County accepted Operation Stonegarden funds. He stated that the County had been requesting funding to offset the costs of being a border county, and that even if the Board did not agree with Federal Immigration Policy they had to comply. He added then until those laws were changed, by those hired to do so, the County had no choice but to adhere to them. He commented on whether the County was receiving adequate cost recovery funding and indicated that the Board did not have all the information necessary to make the determinations it was being asked to make.

It was moved by Supervisor Valadez and seconded by Supervisor Christy to reconsider this item. No vote was taken at this time.

Chairman Elías commented that his original vote against acceptance of this grant was based on the issues of non-reporting and the lack of audited materials.

Supervisor Bronson commented on the letters received from Arizona Attorneys for Criminal Justice and the American Civil Liberties Union Foundation of Arizona and indicated that they brought to light that approving acceptance of this grant would put County law enforcement and residents at risk.

Upon roll call vote, the motion carried 3-2, Chairman Elías and Supervisor Bronson voted "Nay."

Supervisor Valadez indicated the core of this issue was at the Federal level.

It was moved by Supervisor Valadez and seconded by Supervisor Miller to conditionally approve these items on the following conditions:

1. The Employer Related Expenses (ERE) for this grant would be modified to reflect the analysis of the Finance Department and Sheriff's Department, to jointly determine the correct ERE to be used by the Sheriff's Department. The Sheriff and Finance staff would also review the last three years or more of Stonegarden grants to determine if the County applied the ERE that was appropriate to actual expenditures and if the amount received was less, request reimbursement for the actual expenditure amount.
2. The County Administrator was to develop a grant coordination process for the Sheriff and County Attorney for Federal or State grants not directly administered by existing County Grant staff so that these grants were

monitored by centralized County Grant staff under the direction of the County Administrator.

3. The County Administrator would ensure that a process existed to collect appropriate criminal justice data and information that both confirmed the specific benefit of a criminal justice grant, such as Stonegarden, but also established a data and information reporting system such that the cost of accepting such a grant on other elements of the County funded criminal justice system such as prosecution, defense and adjudication through the Court would be fully and transparently disclosed.
4. The Sheriff was to develop a written policy to be provided to the Board that indicated specifically when, how and under what circumstances County law enforcement agents would interact with Federal immigration officials, including Border Patrol and Border Control checkpoints, Customs and Immigration Officials. The policy would include the establishment of training for PCSD officers and transparency measures.
5. Creation of a 10-member committee, consisting of two appointments per Board member, which would report to the Board of Supervisors and the Sheriff. The committee would oversee potential racial profiling in this and other instances.

No vote was taken at this time.

Supervisor Christy requested clarification on whether the conditions must be in place before approval of acceptance.

Supervisor Valadez responded that these conditions should be met within a short timeframe. He asked the Sheriff how long it would take to put these conditions in place.

Sheriff Napier responded that the conditions were reasonable and appropriate and that he could have something to the Board within a week.

Supervisor Bronson asked if the protocols developed would include internal rules that would spell out violations for which deputies could be disciplined as it related to Stonegarden.

Sheriff Napier stated that there were already rules in effect to deal with disciplinary action and this would fall under the same purview, once those policies were established.

Supervisor Bronson asked if the practice of posting deputies at Border Patrol checkpoints would continue.

Sheriff Napier assured the Board that he was not comfortable posting deputies at checkpoints, but that deputies may be called there under certain circumstances.

Supervisor Miller referenced statements made by members of the public alleging that deputies were posted at Border Patrol checkpoints and questioned if that was a departmental practice.

Sheriff Napier stated that there was no policy related to stationing deputies at checkpoints and he did not adhere to the assertion that the men and women of the Pima County Sheriff's Department engaged in unconstitutional behavior such as racial profiling.

Supervisor Bronson expressed concern that arrests were primarily misdemeanor drug charges, which were being addressed by other County programs. She encouraged the Sheriff to take into consideration the MacArthur Grant when crafting these policies.

Chairman Elías stated that this was just the beginning of the conversation on immigration and immigration enforcement.

Supervisor Bronson expressed concern over the space occupied by Immigration and Customs Enforcement (ICE) at the Pima County jail and that the County's officers were being tasked with doing Federal immigration enforcement.

Chairman Elías directed the Sheriff to provide a response as to why ICE had an office at the Pima County jail.

Upon roll call vote, the motion carried 3-2, Chairman Elías and Supervisor Bronson voted "Nay."

19. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 2:43 p.m.

20. **RECONVENE**

The meeting reconvened at 3:07 p.m. All members were present.

EXECUTIVE SESSION

21. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the Petition for Waiver of Real Property Taxes filed by the Rialto Theatre Foundation for Tax Years 2016 and 2017 for Assessor Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. §42-11153(B).

This item was informational only. No Board action was taken.

22. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the Notice of Claim of Error filed by the Rialto Theatre Foundation for Tax Years 2016 and 2017 for Assessor Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. §42-16254.

This item was informational only. No Board action was taken.

23. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding litigation and appeal in El Cortijo v. Pima County, Pima County Superior Court Case No. C20161545.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to pursue an appeal.

It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to accept the County Attorney's recommendation against pursuing an appeal.

24. **Transportation Advisory and Sales Tax Advisory Committees**

Discussion and vote regarding current appointees and any future appointees to the Transportation Advisory and Sales Tax Advisory Committees to ensure all appointees are in compliance with the rules. (District 1)

Supervisor Miller stated that since the new appointees were in compliance, no Board action was required.

HUMAN RESOURCES

25. **Classification/Compensation**

Staff requests approval to create the following new classification, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code

7303/ Division Manager-Unclassified/ U4 (\$67,620-\$149,989)/ 1/ E**

**E = Exempt (not paid overtime)

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

26. **Classification/Compensation**

The Sheriff's Department requests approval to create the following new classification, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code
9901/ Corrections Officer-Substitute/ G1 (\$36,441-\$54,122)/ 4/ NE*
*NE = Not Exempt (paid overtime)

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

CONTRACT AND AWARD

PROCUREMENT

27. **Award**

Amendment of Award: Master Agreement No. MA-PO-16-181, Amendment No. 1, Toshiba America Business Solutions, Inc., d.b.a. Toshiba Business Solutions, for multi-functional leased devices and maintenance only. This amendment is to extend the termination date to 12/31/18 to allow the State of Arizona time to resolicit for this service and increases the award amount by \$1,100,000.00 for a cumulative not-to-exceed contract amount of \$4,127,868.81. Funding Source: General Fund. Administering Department: Information Technology.

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

28. **Award**

Award: Purchase Order No. PO-PO-18-67, Pueblo Mechanical and Controls, L.L.C. (Headquarters: Tucson, AZ), for cooling tower replacement at Pima County Juvenile Court Facility. This contract is for a one-time award in the not-to-exceed amount of \$430,403.81 (including sales tax). Funding Source: Non-Bond Capital Projects Fund transferred from Facilities Renewal Fund. Administering Department: Facilities Management.

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

GRANT APPLICATION/ACCEPTANCE

29. Acceptance - Community Services, Employment and Training

Pima Community College District, Amendment No. 1, to provide for educational activities - HPOG HOPES Program, U.S. Department of Health and Human Services Fund, \$593,993.00 (GTAM 18-29)

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

30. Acceptance – Health

Petco Foundation, to provide for the Lifesaving Impact Investment Program, \$250,000.00 (GTAW 18-59)

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

31. Acceptance – Health

Delta Dental of Arizona Foundation, to provide for the Southern Arizona Oral Health Coalition, \$20,000.00 (GTAW 18-60)

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

32. Acceptance - Community Services, Employment and Training

Arizona Community Action Association (ACAA), to provide for the ACAA Utility Assistance Program, Trico Electric Cooperative Fund, \$15,000.00 (GTAW 18-61)

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

33. Acceptance - Community Development and Neighborhood Conservation

Arizona Department of Housing, to provide for the Pima County Home Repair Weatherization Assistance Program - Southwest Gas Corporation, \$23,083.00 (GTAW 18-62)

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

BOARD, COMMISSION AND/OR COMMITTEE

34. Planning and Zoning Commission

- Appointment of Ryan Maese, to fill a vacancy created by Lynne Mangold. Term expiration: 6/19/20. (District 3)
- Appointment of David Hook, to fill a vacancy created by Eddie Peabody, Jr. Term expiration: 6/19/19. (District 4)

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

35. Transportation Advisory Committee

Appointments of Kendall Elmer and Lynne Mangold, to replace Rick Price and Amber Smith. No term expirations. (District 3)

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

36. Sales Tax Advisory Committee

- Appointment of Christopher DeSimone, representing Transportation Advisory Committee. No term expiration. (District 1)
- Appointment of Kendall Elmer, representing Transportation Advisory Committee, to replace Rick Price. No term expiration. (District 3)
- Appointment of Mari Herreras, to replace Kelly Fryer. No term expiration. (District 5)

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

37. CONSENT CALENDAR

Approval of the Consent Calendar

Upon the request of Supervisors Christy and Bronson to divide the question, Consent Calendar Item No. 1 was set aside for separate discussion and vote.

It was then moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the remainder of the Consent Calendar.

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PULLED FOR SEPARATE ACTION BY SUPERVISORS CHRISTY AND BRONSON

CONTRACT AND AWARD

Assessor

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

It was moved by Supervisor Christy and seconded by Supervisor Bronson to continue this item for 30 days, to the Board of Supervisors' Meeting of March 20, 2018. No vote was taken at this time.

Supervisor Christy inquired how the Assessor paid for outside legal counsel for the lawsuits filed against property owners appealing their valuations.

Bill Staples, Pima County Assessor, responded that he had paid for outside counsel from his own personal funds because he had not been afforded attorney-client privilege with the County Attorney's Office.

Supervisor Christy requested a list of what cases were being handled by Helm, Livesay & Worthington, Ltd., the valuation amounts in dispute and the expected return on investment. He also questioned whether the County would be responsible for attorney fees and court costs should the Assessor lose a case.

Mr. Staples stated that representation was for one case involving approximately \$25 million worth of value and the case was with the Supreme Court of Arizona. He explained that the County and other taxing districts were recipients of successful litigations.

Supervisor Bronson requested that Mr. Staples provide written answers to the questions posed.

Mr. Staples requested that a Freedom of Information Act be filed with the Clerk of the Board's Office in order to obtain that information.

Upon roll call vote, the motion carried 4-1, Chairman Elías voted "Nay."

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CONTRACT AND AWARD

Assessor

1. Helm, Livesay & Worthington, Ltd., Amendment No. 2, (PULLED FOR SEPARATE ACTION)

Community Services, Employment and Training

2. Portable Practical Educational Preparation, Inc., Amendment No. 3, to provide workforce development services and amend contractual language, contract amount \$14,908.00 decrease (CT-CS-16-418)
3. Goodwill Industries of Southern Arizona, Inc., Amendment No. 6, to provide workforce development services and amend contractual language, USDOL-WIOA and HPOG Funds, contract amount \$20,000.00 (CT-CS-16-441)
4. The Center for Life Skills Development, L.L.C., Amendment No. 1, to provide behavioral health counseling services, extend contract term to 3/31/19 and amend contractual language, USDOL-WIOA, ADES and General (20%) Funds, contract amount \$5,000.00 (CT-CS-17-314)
5. Epidaurus, d.b.a. Amity Foundation, to provide for the Getting Ahead in a Just-Gettin'-By World Workshops, CSBG Fund, contract amount \$4,470.00 (CT-CS-18-209)
6. Portable Practical Educational Preparation, Inc., to provide for the New Employee Transition Program, HPOG Fund, contract amount \$50,000.00 (CT-CS-18-222)
7. Community Food Bank, Inc., d.b.a. Community Food Bank of Southern Arizona, to provide for the Getting Ahead in a Just-Gettin'-By World Workshops, CSBG Fund, contract amount \$4,470.00 (CT-CS-18-243)
8. Southern Arizona Veterans (VA) Health Care System and Department of Housing and Urban Development Veterans Affairs Supportive Housing (HUD-VASH), Amendment No. 1, to provide a Memorandum of Understanding for co-location of services at Kino Veterans' Workforce Center and extend contract term to 3/31/19, no cost (CTN-CS-17-190)
9. Arizona Department of Economic Security, Division of Employment and Rehabilitation Services, Amendment No. 1, to provide a data sharing agreement and amend contractual language, no cost (CT-CS-18-117)

Procurement

10. Award

Amendment of Award: Master Agreement No. MA-PO-18-235, CRM of America, L.L.C., for waste tire site operations and recycling. This revision exercises the first of two five-year renewal options to extend the termination date to 3/8/23, increases the award amount by \$6,319,496.00 for a cumulative not-to-exceed contract amount of \$15,899,185.00 and revises the scope of services and pricing. One (1) 5-year renewal option remains. Funding Source: Solid Waste Tire Fund. Administering Department: Environmental Quality.

Regional Wastewater Reclamation

11. City of Tucson, to provide wastewater billing services, RWRD Enterprise Fund, contract amount \$23,250,000.00; \$670,000,000.00 revenue (CT-WW-18-196)

GRANT APPLICATION/ACCEPTANCE

12. Acceptance - Health

Arizona Department of Health Services, Amendment No. 3, to provide for sexually transmitted disease services, Centers for Disease Control and Prevention Fund, \$122,075.00 (GTAM 18-28)

13. Acceptance - Health

Arizona Department of Health Services, to provide for the HIV Prevention Program, Centers for Disease Control and Prevention Fund, \$330,632.00 (GTAW 18-52)

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

14. Special Event

- Scott Jason Tilley, Therapeutic Ranch for Animals & Kids, 3250 E. Allen Road, Tucson, February 10, 2018.
- Debra Lynn Goshco Wagner, Boys & Girls Clubs of Tucson, La Encantada, 2905 E. Skyline Drive, Tucson, April 15, 2018.
- Stan W. Spackeen, The Centurion Foundation, Inc., Sunset Cantina at the Pima County Fairgrounds, 11300 S. Houghton Road, Tucson, April 21, 2018.

15. Temporary Extension

- 03103030, Jeffrey Adam Kaber, Copper Mine Brewing Company, 3455 S. Palo Verde Road, Suite 135, Tucson, Temporary Extension of Premises for February 24, 2018.
- 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, Temporary Extension of Premises for March 23, 2018.

ELECTIONS

16. Precinct Committeemen

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

RESIGNATION-PRECINCT-PARTY

Sierra R. Yamanaka-068-DEM

APPOINTMENTS-PRECINCT-PARTY

Sanda S. Clark-010-DEM; Eileen W. Hollowell-013-DEM; Patricia A. Casey-014-DEM; Robin W. Goose-014-DEM; Vera Robin Svenson-017-DEM; Juan Pablo Martin-Castillo-055-DEM; Terry L. Chandler-075-DEM; Antar T. Davidsondesa-075-DEM; Thomas Meixner-096-DEM; Sierra R. Yamanaka-100-DEM; Angela M. Beaumont-116-DEM; Loris E. Carden-120-DEM; Naomi M. Monte-135-DEM; Lisa B. Millerd-163-DEM; Linda L. Behr-170-DEM; Alison M. Shockley-178-DEM; James R. Saeler-008-REP; William J. Bennett-115-REP; Nico A. Contreras-121-REP; Michael D. Sullivan-133-REP

FINANCE AND RISK MANAGEMENT

17. Duplicate Warrants - For Ratification

State of Arizona Board of Nursing \$350.00; State of Arizona Board of Nursing \$350.00; Charles Anderson \$45.00; Hasa, Inc. \$18,612.95; Daniel William Behrend \$38.72; Benjamin Johnson \$90.00; Avra Gro Systems, Inc. \$141,022.04; Ape Fuels, Inc. \$480.00; Bobbie Shenk \$850.00; Debra D'Amore \$59.63; Allred Investments, Inc. \$405.00; Arrowhead Security, Inc. \$77,861.74; ARAG Insurance Co. \$6,068.70.

TREASURER

18. Certificate of Removal and Abatement - Certificate of Clearance

Staff requests approval of the Certificates of Removal and Abatement/ Certificates of Clearance in the amount of \$1,122.88.

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38. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 3:42 p.m.

CHAIRMAN

ATTEST:

CLERK

DRAFT