

Pima County

MEETING LOCATION Administration Bldg - East 130 W. Congress Street 1st Floor Tucson, AZ 85701

Meeting Agenda Board of Supervisors

Tuesday, January 2, 2018

9:00 AM

Board of Supervisors' Hearing Room

PIMA COUNTY BOARD OF SUPERVISORS

Sharon Bronson, Chair, District 3 Richard Elías, Vice Chair, District 5 Ramón Valadez, Acting Chair, District 2 Ally Miller, Member, District 1 Steve Christy, Member, District 4

AGENDA/ADDENDUM AND BROADCAST INFORMATION

At least 24 hours before each scheduled meeting, the agenda/addendum is available online at www.pima.gov and in the Clerk of the Board's Office, 130 W. Congress St., 5th Fl., Tucson, AZ 85701, Mon-Fri, 8am to 5pm.

Cable Channels: Comcast 96 and Cox 96 Webcast: www.pima.gov

PUBLIC PARTICIPATION SPEAKERS ARE LIMITED TO 3 MINUTES

To address the Board of Supervisors, please complete a Speaker's Card available in the Hearing Room. Clearly print your name/address, the agenda/addendum item number and other requested information. Speaker Cards are required for each item of interest including Call to the Public. On items not noticed as a hearing, speakers should submit a Speaker Card for Call to the Public. Place the completed Speaker Card(s) in the labeled baskets located on the dais. When the Chairman announces your name, step forward to the podium and state your name and affiliation (if applicable) for the record.

The Chairman reserves the right to ensure all testimony is pertinent or non-repetitive so the matter will be handled fairly and expeditiously, and that all speakers abide by rules of civility. Any questions pertaining to the meeting can be directed to Julie Castañeda, Clerk of the Board.

HEARING ROOM NOTICE

Law permits that a video and/or audio recording of all or part of this meeting may be made if doing so does not interfere with the conduct of the meeting. Pima County has no control over the use and distribution of any such recordings. In addition to the official meeting proceedings, these recordings may include images of and comments made by the public prior to the start, during a recess and after adjournment of the meeting, and may be posted on social media or other internet sites.

ACCESSIBILITY

The Board Hearing Room is wheelchair and handicapped accessible. Any person who is in need of special services (e.g., assistive listening device, Braille or large print agenda material, signer for hearing impaired, accessible parking, etc.) due to any disability will be accommodated. Please contact the Clerk of the Board at (520) 724-8449 for these services at least three (3) business days prior to the Board Meeting.

Clerk's Note: Members of the Pima County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.

- 1. ROLL CALL
- 2. INVOCATION

To be offered by Reverend Robert Hendrickson, St. Philip's in the Hills Episcopal Church.

- 3. PLEDGE OF ALLEGIANCE
- 4. PAUSE 4 PAWS
- 5. CALL TO THE PUBLIC

Attachments: CalltothePublic AlbertLannon

EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 12/26/17, no executive session item has been placed on the regular agenda. However, this is subject to any addendum. Pursuant to A.R.S. §38-431.03(A)(3) the Board of Supervisors, or the Board sitting as other boards, may vote to go into executive session for the purpose of obtaining legal advice from its counsel with respect to any item listed on this agenda or any addendum thereto.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

6. Riparian Habitat Mitigation

Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee Proposal in the amount of \$2,780.20 for property located at 4900 North Craycroft Road, located within Regulated Riparian Habitat classified as Xeroriparian Class C Habitat. (District 1)

Attachments: FC RiparianHabitatMitigationPlan-Craycroft

7. (Clerk's Note: This item is related to Agenda Item Nos. 16 and 17 and Consent Calendar Item No. 19.)

Diablo Village (2018) Development Agreement and Sales Agreement

- A. Staff recommends approval of and enter into the Development Agreement between Pima County, Pima County Flood Control District and Diablo Partners, L.L.C., for the construction of public roads, public drainage way, "Diablo Channel" and conveyance of the basin property at Diablo Village.
- B. Staff recommends approval of and enter into a Sales Agreement with Diablo Partners, L.L.C., for the sale of surplus real property.

Attachments: FC DiabloVillage

FC CAMemorandum

FC DiabloVillageExhibitA 12-29-17

LIBRARY DISTRICT BOARD

8. Acceptance - Library

The Institute of Museum and Library Services, to provide for the Southwest Books of the Year 2017 Program, Library Services and Technology Act Fund, \$4,500.00 (GTAW 18-39)

Attachments: GR GTAW 18-39

SITTING AS THE BOARD OF SUPERVISORS

9. APPROVAL OF CONSENT CALENDAR

BOARD OF SUPERVISORS

10. Discussion/Action

- A. Discussion/action regarding whether to waive the attorney-client privilege regarding the Pima County Attorney's Office's legal advice regarding the Rialto Theatre Foundation's Petition for Waiver of Real Property Taxes for tax years 2016 and 2017 for Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. §42-11153(B).
- B. If the privilege is waived, discussion regarding the Pima County Attorney's Office's legal advice regarding the Rialto Theatre Foundation's Petition for Waiver of Real Property Taxes for tax years 2016 and 2017 for Parcel Nos. 117-06-168C and 117-06-177B under A.R.S. §42-11153(B).

11. 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.

<u>Attachments:</u> BOS RialtoTheatreFoundation-2016WaiverPetitionCorrected

HUMAN RESOURCES

12. Classification/Compensation

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

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code 3232/ Fingerprint Technician-Senior/ 33 (\$32,302-\$47,632)/ 6/ NE* 3236/ Forensic Technician-Senior/ 41 (\$38,209-\$56,472)/ 6/ NE* *NE = Not Exempt (paid overtime)

Attachments: HR ClassificationCompensation

ASSESSOR

13. Distribution of State of Arizona Highway Property Rent Funds

Pursuant to A.R.S. §28-7094(F), staff recommends approval for distribution of State of Arizona Highway Property Rent Funds for the months of July 1, 2015 through June 30, 2017, in the amount of \$9,294.34.

Attachments: AS StateofAZHwyPropertyRentFunds

COUNTY ATTORNEY

14. Contract

UNFINISHED BUSINESS (12/12/17)

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)

Attachments: CT-PCA-15-141

ATTRACTIONS AND TOURISM

15. Fair Horse Racing Meet 2018

Staff recommends approval of up to six days of County Fair Racing at Rillito Race Track in 2018 or other horse race tracks if there is no racing at Rillito Race Track, subject to final approval by the Arizona Department of Racing.

Attachments: AT FairHorseRacingMeet2018

DEVELOPMENT SERVICES

16. (<u>Clerk's Note</u>: This item is related to Agenda Item Nos. 7 and 17 and Consent Calendar Item No. 19.)

Diablo Village (2018) Development Agreement

Staff recommends approval of and enter into the Development Agreement between **Pima County**, Pima County Flood Control District and Diablo Partners, L.L.C., for the construction of public roads, public drainage way, "Diablo Channel" and conveyance of the basin property at Diablo Village.

Attachments: DSD_DiabloVillage

DSD CAMemorandum

DSD_DiabloVillageExhibitA_12-29-17

17. (<u>Clerk's Note</u>: This item is related to Agenda Item Nos. 7 and 16 and Consent Calendar Item No. 19.)

Final Plat With Assurances

P17FP00012, Valhalla Ranch Estates, Lots 1-24, and Common Area "A" (Private Drainage and Public & Private Utilities). (District 3)

Attachments: DSD P17FP00012ValhallaRanchEstates

DSD CAMemorandum

Board of Supervisors Meeting Agenda January 2, 2018

REAL PROPERTY

18. Grant of Easement

City of Tucson, to provide a relocation of easement to accommodate a future planned development within the area at property located south of West Starr Pass Boulevard, lying within Section 20, T14S, R13E, G&SRM,

Pima County, Arizona, \$10,974.00 revenue. (District 5)

Attachments: RP GrantofEasementCityofTucson

TRANSPORTATION

19. Acceptance of Project/Roadway for Maintenance

P15SC00034, Sonoran Ranch Estates II, Phase I, Lots 1-43, 53-79, 80,

105, 106 and 128. Developer: KB Homes. (District 3)

Attachments: TR P15SC00034SonoranRanchEstatesII

20. Acceptance of Project/Roadway for Maintenance

P1203-090, Santa Rita Ranch II, Lots 234-271 and 272-301. Developer:

KB Homes (District 4)

Attachments: TR_P1203-090SantaRitaRanchII

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

21. Hearing - Liquor License

12104549, Reyna Elena Duarte, Trattoria Ragazzi, 101 S. La Cañada Drive, No. 51, Green Valley, Series 12, Restaurant, New License.

Attachments: FLP LLTrattoriaRagazzi

22. Hearing - Fireworks Permit

Savanna Hines, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley,

January 8, 15 and 22, 2018 at 8:00 p.m.

Attachments: FLP FWCaterpillar

HUMAN RESOURCES

23. Hearing - Code Text Amendment

ORDINANCE NO. 2018 - 1, of the Board of Supervisors, relating to personnel and employee matters, amending Chapter 2.20 of the Pima County Code to provide for procedures for transfer of one authorized representative to another and to make technical and conforming changes.

(All Districts)

<u>Attachments:</u> HR OrdCodeTextAmendment Title2

DEVELOPMENT SERVICES

24. Hearing - Rezoning

P17RZ00006, WONG FAMILY L.P. - W. SUMTER DRIVE REZONING
Request of Wong Family L.P., represented by MJM Consulting, Inc., for a rezoning of approximately 77.95 acres from SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone, Parcel Codes 224-44-060A and 224-44-0710 on the south side of W. Sumter Drive, between N. Thornydale Road and N. Shannon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Medium Low Intensity Urban designation. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Becker and Cook were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO

Attachments: DSD P17RZ00006

DSD P17RZ00006 FinalSiteAnalysis

STANDARD AND SPECIAL CONDITIONS. (District 1)

25. Hearing - Rezoning

P17RZ00008, LANDMARK TITLE TR 7792-T - S. NOGALES HIGHWAY REZONING

Request of <u>Landmark Title TR 7792-T</u>, represented by JAS Engineering, for a rezoning of approximately 1.64 acres from GR-1 (Rural Residential) to the CB-1(Local Business) zone, Parcel Code 304-32-4640 located on the west side of the T-Intersection of W. Arivaca Road and S. Nogales Highway. The proposed rezoning conforms to the Pima County Comprehensive Plan Neighborhood Activity Center designation. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Gungle voted NAY, Commissioner Membrila voted in ABSTENTION, Commissioners Becker and Cook were absent) to recommend

APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

Attachments: DSD P17RZ00008

DSD P17RZ00008 FinalSiteAnalysis Part1
DSD P17RZ00008 FinalSiteAnalysis Part2
DSD P17RZ00008 CommentLtr 12-29-17

26. ADJOURNMENT

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 12/26/17 @ 3:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 12/26/17 @ 3:30 p.m. DATE/TIME REPOSTED (additional attachments only): 12/29/17 @ 12:00 p.m.

DATE/TIME REPOSTED (combined Agenda/Addendum and additional attachments):

12/29/17 @ 5:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 1/2/18 @ 2:15 p.m.

ADDENDUM 1

COUNTY ADMINISTRATOR

1. Employment of Outside Counsel for Anti-Racketeering Funds

Review

Discussion/action regarding use of RICO Funds to pay legal fees for outside counsel.

Attachments: CA EmploymentOutsideCounselRICOFundsReview

REAL PROPERTY

2. Abandonment by Vacation

RESOLUTION NO. 2018 - 1, of the Board of Supervisors, for the vacation of portions of Iberia and Portugal Avenues, a planned development roadway as Pima County Road Abandonment No. A-0023 within Section 16, T15S, R12E, G&SRM, Pima County, Arizona. (District 3)

Attachments: RP ResolberiaAve

CONTRACT AND AWARD

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

3. Catholic Community Services of Southern Arizona, Inc., Amendment No. 1, to provide workforce development services, extend contract term to 9/30/18 and amend contractual language, HPOG Fund, contract amount \$45,070.75 (CT-CS-17-445)

Attachments: CT-CS-17-445

REAL PROPERTY

4. Alltel Communications Southwest Holdings, Inc., d.b.a. Verizon Wireless, Amendment No. 5, to provide a lease agreement for property located at Rillito Racetrack, 4502 N. First Avenue and amend contractual language,

no cost (CTN-IT-CMS140419)

Attachments: CTN-IT-CMS140419

GRANT APPLICATION/ACCEPTANCE

5. Application - Natural Resources, Parks and Recreation

RESOLUTION NO. 2018 - 2, of the Board of Supervisors, in support of a grant application to the Arizona Game and Fish Department for the construction of a shade canopy at the Southeast Regional Park Archery Range. This grant request will be for \$27,000.00. (\$27,000.00 General Fund match is required, amount budgeted in NRPR 2019 budget.) (GTAP 18-50)

Attachments: GR GTAP 18-50

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 12/28/17 @ 11:00 a.m.

CONSENT CALENDAR JANUARY 2, 2018

CONSENT CALENDAR, JANUARY 2, 2018

CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Southern Arizona AIDS Foundation, to provide for the Positive Directions

Program, HUD Fund, contract amount \$1,316,553.00 (CT-CD-18-176)

Attachments: CT-CD-18-176

Community Services, Employment and Training

2. American Indian Association of Tucson, Inc., d.b.a. Tucson Indian Center,

to provide for the Emergency Services Network Program, HPOG Fund,

contract amount \$14,045.91 (CT-CS-18-174)

Attachments: CT-CS-18-174

County Attorney

3. Squire Patton Boggs (US), L.L.P., to provide for bond counsel services,

GO, HURF and COPS Funds, contract amount \$150,000.00

(CT-FN-18-187)

Attachments: CT-FN-18-187

4. Greenberg Traurig, L.L.P., to provide for special counsel services, Sewer

Revenue Obligation Fund, contract amount \$100,000.00 (CT-FN-18-188)

Attachments: CT-FN-18-188

Procurement

5. McGann & Associates, Inc., to provide for design services at the Kino

South Sports Complex, 2019 Certificates of Participation Fund, contract

amount \$1,496,285.00 (CT-PW-18-184)

Attachments: CT-PW-18-184 Part1

CT-PW-18-184 Part2

CT-PW-18-184 Part3

CT-PW-18-184 CAMemorandum 12-26-17

6. Award

Award: Purchase Order No. PO-PO-18-44, AZ Wastewater Industries, Inc., (Headquarters: Phoenix, AZ) for the purchase of a Camel 1200 combination sewer truck. This contract is for a one-time award in the not-to-exceed amount of \$445,684.50 (including sales tax). Funding-Source: Wastewater Enterprise Fund. Administering Department: Regional Wastewater Reclamation.

Attachments: PO AwardPO-PO-18-44 Part1
PO AwardPO-PO-18-44 Part2

7. Award

Award: Purchase Order No. PO-PO-18-49, Courtesy Chevrolet, (Headquarters: Phoenix, AZ) to provide for electric plug in vehicles. This contract is for a one-time award in the not-to-exceed amount of \$706,607.20 (including sales tax). Funding Source: Internal Services Fund. Administering Department: Fleet Services.

Attachments: PO_AwardPO-PO-18-49

8. Award

Award: Purchase Order No. PO-PO-18-50, Lodox NA, L.L.C., (Headquarters: Painesville, OH) to provide for a digital x-ray unit. This contract is for a one-time award in the not-to-exceed amount of \$526,384.20 (including sales tax). Funding Source: General Fund. Administering Department: Forensic Science Center.

Attachments: PO_AwardPO-PO-18-50

Real Property

9. Sprint Spectrum Realty Company, L.L.C., Amendment No. 1, to provide a tower license for wireless communications facilities at the Nanini Governmental Center located at 7300 N. Shannon Road and amend contractual language, no cost (CTN-PW-17-195)

Attachments: CTN-PW-17-195

United States of America, to provide a lease agreement for property located at a portion of Section 8, T15S, R15E, containing approximately .69 acres, contract amount \$10.00 revenue (CTN-PW-18-93)

Attachments: CTN-PW-18-93

United States of America, to provide a lease agreement for property located at the part of Section 8, T15S, R15E, North of Union Pacific Railroad right-of-way, containing approximately 2.48 acres, contract amount \$10.00 revenue (CTN-PW-18-94)

Attachments: CTN-PW-18-94

Regional Wastewater Reclamation

12. Arizona Department of Transportation (ADOT), to provide a Utility

Agreement for Phase II of public sanitary sewer relocations necessary to resolve conflicts within the ADOT roadway improvements on Highway I-19 located at State Route 86, RWRD Obligation Fund, contract amount

\$327,852.00/2 year term (CT-WW-18-173)

Attachments: CT-WW-18-173

BOARD, COMMISSION AND/OR COMMITTEE

13. Tucson-Pima County Bicycle Advisory Committee

Reappointments of Eric Post, Collin Forbes and David Bachman-Williams.

Term expirations: 9/30/19. (Committee recommendations)

Attachments: BCC BicycleAdvisoryCommitteeReappts

14. Environmental Quality Advisory Council

Reappointments of Jeffrey Yockey and Eric Betterton. Term expirations:

12/30/20. (Staff recommendations)

<u>Attachments:</u> <u>BCC_EnvironmentalQualityAdvisoryCouncilReappts</u>

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

15. Special Event

- Jeffrey Peter Schneider, Knights of Columbus Council 8077, St. Elizabeth Ann Seton Church, 8650 N. Shannon Road, Tucson, December 31, 2017.
- Andrew S. Heideman, Rotary Club of Green Valley, West Center, Green Valley Recreation Center, Inc., 1111 S. GVR Drive, Green Valley, January 24, 2018.
- Cathlene L. Lolwing, Izi Azi Foundation, d.b.a. Felicia's Farm, 3761 E. River Road, Tucson, January 25, 2018.

ELECTIONS

16. Precinct Committeemen

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

RESIGNATIONS-PRECINCT-PARTY

Diane J. De Milt-029-DEM; Roy B. Verdery-056-DEM; Luke O. Knipe-072-DEM; Fred Yamashita-099-DEM; Virginia L. Lynns-107-DEM; James Holcomb-125-DEM; Mark Goldstein-163-DEM; Patricia J. Ludwig-187-DEM; Anthony L. Johnson-202-GRN

APPOINTMENTS-PRECINCT-PARTY

Attachments: EL PrecinctCommitteemen

Robin L. Hiller-078-DEM; Zoey R. Fife-080-DEM; Nicklaus G. Arnold-082-DEM; John M. Ericson-109-DEM; Karen L. Ericson-109-DEM; Loraine G. Adams-120-DEM; Joan T. Sadick-125-DEM; Marilyn Hesse Calhoun-127-DEM; Irma M. Rubin-132-DEM; Luke O. Knipe-170-DEM; Mary A. Keerins-171-DEM; Wendy N. Reed-171-DEM; Steven F. Larsen-179-DEM; Connor J. Welton-201-DEM; Lyla C. Michelson-239-DEM; Robert M. Egan-057-REP; Helen F. Dominguez-134-REP; Ryan O. Kelly-134-GRN

FINANCE AND RISK MANAGEMENT

17. Duplicate Warrants - For Ratification

The State of Arizona \$65.00; Michelle Cohen Metzger \$52.00; Craig Tennant McHattie \$40.02; Sonora Behavioral Health \$20,082.84; Ryan LaMaster \$227.23; Joseph Klein \$158.00.

Attachments: FN DuplicateWarrants

RECORDER

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

Attachments: RE DocumentStorageandRetrievalFund Nov2017

TRANSPORTATION

19. (Clerk's Note: This item is related to Agenda Item Nos. 7, 16 and 17.)

Permission to Advertise
Jeffrey Road and Teton Road
Road Establishment No. 3027
January 16, 2018 (District 3)

<u>Attachments:</u> TR PermissiontoAdvertise JeffreyRd3027

TR_CAMemorandum

SPECIAL TAXING DISTRICT

20. Irrigation District Canvass

Pursuant to A.R.S. §16-642(B), presentation of the certified copy of the official canvass for the November 14, 2017 Election conducted by the following:

- Cortaro-Marana Irrigation DistrictFlowing Wells Irrigation District
- <u>Attachments:</u> <u>STD Cortaro-MaranalrrigDistCanvass</u>

STD_FlowingWellsIrrigDistCanvass

RATIFY AND/OR APPROVE

21. Minutes: November 21, 2017

Warrants: December, 2017

Attachments: CL_11-21-17DraftMinutes