

Pima County

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

Meeting Agenda Board of Supervisors

Tuesday, February 20, 2018

9:00 AM

Board of Supervisors' Hearing Room

PIMA COUNTY BOARD OF SUPERVISORS

Richard Elías, Chairman, District 5 Ramón Valadez, Vice Chair, District 2 Sharon Bronson, Acting Chair, District 3 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 Pastor Ted Soderholm, Catalina Church North.

- 3. PLEDGE OF ALLEGIANCE
- 4. PAUSE 4 PAWS

PRESENTATION

Fresentation 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.

Attachments: PRES SmallBusinessCommissionAwards

6. CALL TO THE PUBLIC

Attachments: CalltothePublic Woodward

EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 2/13/18, 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.)

7. APPROVAL OF CONSENT CALENDAR

BOARD OF SUPERVISORS

8. UNFINISHED BUSINESS (1/2/18)

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

BOS RialtoTheatreFoundation-HearingNotice

COUNTY ADMINISTRATOR

9. 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.

Attachments: CA ResoDisbandAddictionPreventionTreatment

COUNTY ATTORNEY

10. <u>UNFINISHED BUSINESS (12/12/17, 1/2/18 and 1/16/18)</u>

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)

Attachments: CT-PCA-15-141

11. UNFINISHED BUSINESS (2/6/18)

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.

Attachments: PCA IndirectExpendAnti-RackFundstoOutsideAgencies

PCA RICOGrantAllocations2017

PCA_IndirectExpenditureApplications_Part1

PCA IndirectExpenditureApplications Part2

PCA CAMemorandum 1-19-18

PCA CAMemorandum 1-26-18

PCA CommentLetter 2-6-18

PCA CAMemorandum 2-8-18

DEVELOPMENT SERVICES

12. Final Plat With Assurances

P17FP00014, Ventana Heights, Lots 1-14 and Common Area "A" (Private

Streets). (District 1)

Attachments: DSD_P17FP00014VentanaHeights

13. Final Plat With Assurances

P17FP00015, Ventana Heights North, Lot 1 and Common Area "A"

(Private Streets). (District 1)

Attachments: DSD P17FP00015VentanaHeightsNorth

REAL PROPERTY

14. 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)

Attachments: RP SurplusProperty

RP SurplusProperty Appraisal Part1

RP SurplusProperty Appraisal Part2

*** **HEARINGS** ***

TRANSPORTATION

15. 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)

Attachments: TR OrdBroadwayBlvd

16. ADJOURNMENT

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 2/13/18 @ 3:00 p.m.

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

2/16/18 @ 5:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 2/21/18 @ 10:15 a.m.

ADDENDUM 1

PRESENTATION/PROCLAMATION

 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"

Attachments: PROC BobEllisDay

EXECUTIVE SESSION

2. (<u>Clerk's Note</u>: This item is related to Agenda Item No. 8.)

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).

Attachments: PCA ExecSession-RialtoPetitionforWaiver

3. 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.

Attachments: PCA ExecSession-RialtoNoticeofClaimofError

4. 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.

Attachments: PCA ExecSession-ElCortijo

BOARD OF SUPERVISORS

- (Clerk's Note: This item will be heard at a time certain of 10:30 a.m.)
 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)

Attachments: BOS Reconsideration D2Memorandum

BOS Reconsideration SDMemorandum

BOS Reconsideration CAMemorandum Part1

BOS Reconsideration CAMemorandum Part2

BOS Reconsideration D1CommentLetter

BOS Reconsideration CAMemorandum 2-13-18

BOS Reconsideration CommentLetter 2-16-18

BOS Reconsideration CommentLetters2 2-16-18

BOS Reconsideration SDMemorandum 2-15-18

BOS Reconsideration ACLUCommentLetter 2-20-18

BOS Reconsideration AACJCommentLetter 2-20-18

BOS Reconsideration WeibelPublicComment 2-20-18

BOS Reconsideration GrijalvaCommentLetter 2-20-18

6. **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)

Attachments: BOS TACandSTAC District1Submittal

HUMAN RESOURCES

7. 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)

Attachments: HR ClassificationCompensationDivisionManager

8. 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)

Attachments: HR ClassificationCompensationCorrectionsOfficer

CONTRACT AND AWARD

PROCUREMENT

9. 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.

Attachments: PO_AwardMA-PO-16-181

10. 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.

Attachments: PO_AwardPO-PO-18-67

GRANT APPLICATION/ACCEPTANCE

11. 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)

Attachments: GR GTAM 18-29

12. Acceptance - Health

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

Attachments: GR GTAW 18-59

13. Acceptance - Health

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

Attachments: GR GTAW 18-60

14. 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)

Attachments: GR GTAW 18-61

15. 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)

Attachments: GR GTAW 18-62

BOARD, COMMISSION AND/OR COMMITTEE

16. 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)

<u>Attachments:</u> <u>BCC_PlanningandZoningCommissionAppt_District3</u>

BCC PlanningandZoningCommissionAppt District4

17. Transportation Advisory Committee

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

Attachments: BCC TransportationAdvisoryCommitteeAppts

18. 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)

Attachments: BCC SalesTaxAdvisoryCommitteeAppt District1

BCC SalesTaxAdvisoryCommitteeAppt District3

BCC SalesTaxAdvisoryCommitteeAppt District5

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 2/15/18 @ 11:30 a.m.

DATE/TIME REPOSTED (additional attachments only): 2/16/18 @ 9:30 a.m. DATE/TIME REPOSTED (additional attachments only): 2/16/18 @ 12:30 p.m.

ADDENDUM 2

EXECUTIVE SESSION

1. 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.

Attachments: PCA ExecSessionAnti-RacketeeringRevolvingFund

PCA ExecSession ReleasedAttorneyOpinion

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 2/16/18 @ 4:10 p.m.

CONSENT CALENDAR FEBRUARY 20, 2018

CONSENT CALENDAR, FEBRUARY 20, 2018

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)

Attachments: CT-AS-15-356

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)

Attachments: CT-CS-16-418

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)

Attachments: CT-CS-16-441

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)

Attachments: CT-CS-17-314

 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)

Attachments: 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)

Attachments: 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)

Attachments: 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)

Attachments: CTN-CS-17-190

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)

Attachments: CT-CS-18-117

Procurement

9.

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.**

Attachments: PO AwardMA-PO-18-235

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)

Attachments: 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)

Attachments: GR 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)

Attachments: GR 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. Groose-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

Attachments: EL PrecinctCommitteemen

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; Aarrowhead Security, Inc. \$77,861.74; ARAG Insurance Co. \$6,068.70.

Attachments: FN DuplicateWarrants

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.

<u>Attachments:</u> TO CertificateofRemovalAbatement