

STADIUM DISTRICT BOARD MINUTES

The Pima County Stadium 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, February 3, 2015. Upon roll call, those present and absent were as follows:

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

Also Present: Chuck Huckelberry, County Administrator
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

* Supervisor Carroll attended the meeting telephonically.

1. **CONTRACT**

F.C. Tucson Events, L.L.C., to provide concession services at Kino Sports Complex, contract amount \$50,000.00 estimated revenue (CTN-KSC-15-91)

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

Supervisor Miller questioned whether the County received a specific percentages from concession sales.

Hank Atha, Deputy County Administrator, explained that percentages varied depending on the type of event, whether there would be a gate surcharge and expected attendance. He stated each event received separate event authorization which defined the percentages pursuant to the contract.

Upon the vote, the motion unanimously carried 5-0.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

ATTEST:

CHAIR

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, February 3, 2015. Upon roll call, those present and absent were as follows:

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Also Present: Chuck Huckelberry, County Administrator
Thomas Weaver, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
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1. INVOCATION

The invocation was given by Ajahn Sarayut Arnanta, Wat Buddhometta.

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.

4. CALL TO THE PUBLIC

Richard Hernandez spoke regarding the upcoming vacancy and election process for the Sheriff and Pima County having the highest taxes in Arizona.

Christopher Cole, Libertarian Party Representative, addressed the Board in support of the proposed budget hearings and public participation in the process.

Vicki Davis stated that raising taxes would be harmful for those who are on fixed incomes and an increase to the gas tax would be illogical.

Geri Ottoboni spoke against raising taxes, the high tax rates and the high wages paid to the County Administrator.

Lou Sampson stated the Board practiced "group thinking" and supported study sessions for the budget.

Eric Guin thanked the Board for tabling the agenda item to reduce capacity on the Elephant Head Bridge and stated that the community was sincere about finding a way to maintain the bridge.

Rev. Kirk Reed, Pima County Interfaith Council, endorsed open budget hearings and civil engagement.

Nancy Newman stated that the past actions of the Board lent them no credibility and audits were needed before any bond approvals or increase in taxes.

Craig Ivanyi, Executive Director, Arizona Sonora Desert Museum, addressed the Board regarding the museum's inclusion in the 2015 Pima County Bonds and that there was a need to reinvest in the community.

Dane Woll, President, YMCA of Southern Arizona, thanked the Board for the partnership that allowed them to serve 200,000 residents each year and stated they supported the Bonds.

Brian Corbell, River Park Inn Gem and Mineral Show, addressed the Board in support of the Bond package.

Jim Zarling, Reid Park Zoological Society Board member, addressed the Board regarding the Zoo and in support of the 2015 Bonds.

BOARD OF SUPERVISORS

5. Board of Supervisors Rules and Regulations

Approval of the amendments to the Board of Supervisors Rules and Regulations, Section K: Participation by Employees and Public.

It was moved by Supervisor Valadez and seconded by Chair Bronson to approve the amendments as presented. No vote was taken at this time.

Supervisor Miller stated the speaker card still seemed to be confusing regarding which items the public should select. She questioned whether the speakers would automatically be placed at call to the public if the item were not a hearing.

Chair Bronson confirmed that would be the process.

Upon the vote, the motion unanimously carried, 5-0 vote.

COUNTY ADMINISTRATOR

6. Quarterly Report on Collections

Staff recommends acceptance of the Quarterly Report on Collections for the period ending September 30, 2014, and approval of the write-off requests in the amount of \$43,033.00.

Supervisor Miller questioned the delinquent balance from Mountain Star Sports in the amount of \$25,000.00 for Kino Sports Complex.

Chuck Huckelberry, County Administrator, explained the amount represented the utilities and that Mountain Star Sports had agreed to pay the utility costs owed.

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

RECORDER

7. Ratification

The Board of Supervisors on January 20, 2015, continued the following:

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of September, October and November, 2014.

At the request of staff and without objection, the item was continued to the Board of Supervisors' Meeting of February 17, 2015.

FLEET SERVICES

8. Annual Vehicle Exemptions

Pursuant to A.R.S. §38-538.03, staff requests the Board of Supervisors authorize the annual vehicle exemptions for 2015.

It was moved by Supervisor Valadez, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to authorize the annual vehicle exemptions for 2015.

FRANCHISE/LICENSE/PERMIT

9. Hearing - Liquor License

10103737, Roger Kenneth Burton, Giant Store No. 642, 11200 S. Sierrita Mountain Road, Tucson, Series 10, Beer and Wine Store, New License.

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

10. Hearing - Liquor License

10103742, Roger Kenneth Burton, Giant Store No. 652, 6890 N. Sandario Road, Tucson, Series 10, Beer and Wine Store, New License.

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

11. Hearing - Liquor License

10103747, Roger Kenneth Burton, Giant Store No. 661, 6225 W. Ajo Highway, Tucson, Series 10, Beer and Wine Store, New License.

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

12. Hearing - Liquor License

10103748, Roger Kenneth Burton, Giant Store No. 663, 15841 W. El Tiro Road, Marana, Series 10, Beer and Wine Store, New License.

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

13. Hearing - Liquor License

10103749, Roger Kenneth Burton, Giant Store No. 672, 6777 N. Sandario Road, Tucson, Series 10, Beer and Wine Store, New License.

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

14. Hearing - Extension of Premises/Patio Permit

12104140, Steven Alex Dunn, The Parish, 6453 N. Oracle Road, Tucson, Temporary Extension of Premises for February 17, 2015.

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

COUNTY ATTORNEY

15. Hearing - Deferred Prosecution Fund and Fees

The Board of Supervisors on January 20, 2015, continued the following:

ORDINANCE NO. 2015 - 2, of the Board of Supervisors, relating to deferred prosecution; establishing a Deferred Prosecution Fund pursuant to A.R.S. §11-363; establishing deferred prosecution fees pursuant to A.R.S. §11-251.08; authorizing the Pima County Attorney to deposit deferred prosecution fees into the Deferred Prosecution Fund and to control and use moneys in the Deferred Prosecution Fund in the administration of the Pima County Attorney's Deferred Prosecution Program.

Christopher Cole, Libertarian Party representative, addressed the Board in support of the Program and suggested fees for misdemeanors should all be the same.

Tobin Rosen, Civil Deputy County Attorney, reported that the difference in the fees reflected the additional costs to the office in the handling of marijuana cases due to the requirement for substance abuse counseling.

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

PRESENTATION/PROCLAMATION

16. Presentation of a proclamation to Christopher L. Straub, recognizing and commending him for his dedicated service as Chief Civil Deputy County Attorney.

It was moved by Supervisor Miller, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item. The Board of Supervisors made the presentation.

BOARD OF SUPERVISORS

17. Budget Hearings

Request that the meetings of April 7, 14 and 21, 2015 and May 5 and 12, 2015 include an item on our agenda entitled "Budget Hearings" and that we set aside a minimum of two hours for each meeting to discuss various aspects of the budget, including hearing testimony from those who may be impacted; including, but not limited to, County officials, department heads and other elected officials, as well as the Courts.

Each budget hearing will cover specific subject areas that will be established one week prior to the first hearing.

I also propose that these budget hearings convene at 1:30 p.m. on the dates noted above. If the Board completes its regular business before that time, we would recess the meeting and reconvene at 1:30 p.m. for the purpose of conducting these budget hearings. (District 2)

Supervisor Valadez stated this was a continuance of his comments made during the budget hearing last year. He said the hearings would allow the Board to act, the public to testify and the departments and other entities involved to present their budgets. He added that the hearing would be scheduled after the regular scheduled Board meeting at 1:30 p.m. and be strictly dedicated by subject to budget.

It was moved by Supervisor Valadez and seconded by Supervisor Carroll to approve the item. No vote was taken.

Supervisor Miller stated that she supported the idea of budget hearings as it would give the public the opportunity to participate and ask questions. She offered a friendly amendment to the motion that the Finance Director provide a PowerPoint presentation at each of the hearings. Supervisor Miller then questioned the process should the regular Board Meeting go past 1:30 p.m.

Chair Bronson explained that should the regular meeting continue to 1:30 p.m., the regular meeting would recess and then reconvene after the Budget Hearing.

Supervisor Valadez and Supervisor Carroll accepted the amendment to the motion. Supervisor Valadez stated that a presentation of the overall, big picture from the Finance Director be the subject of the first budget hearing and that the Finance Director or appropriate personnel, be in attendance at the hearings. Upon the vote, the motion unanimously carried 5-0.

18. Public Study Sessions for County Budget

Discussion and vote to hold four public study sessions regarding the Fiscal Year 2015/16 Pima County Budget with dates to be determined per Board decision and coordination with the Pima County Clerk of the Board. (District 1)

Supervisor Miller stated this subject had been addressed and withdrew the item from the agenda.

COUNTY ADMINISTRATOR

19. Additional DUI Defense Attorney for the Legal Defender's Office

Staff recommends an allocation from the Board of Supervisors' Contingency Fund in the amount of \$80,387.00 to include salary and benefits for an additional attorney position in the Legal Defender's Office.

Supervisor Miller questioned whether the position was needed due to a backlog of cases and the time frame for this position.

Chuck Huckelberry, County Administrator, explained this was not a backlog but a shift in caseload that had been predominantly handled by contract attorneys which were more costly.

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

CONTRACT AND AWARD

REAL PROPERTY

20. City of Tucson, Amendment No. 1, to provide for the relocation of Hughes Access Road and the construction and maintenance of Aerospace Parkway and amend contractual language, no cost (CTN-PW-15-67)

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

GRANT APPLICATION/ACCEPTANCE

21. Acceptance - Sheriff

Executive Office of the President, Office of National Drug Control Policy, to provide for the HIDTA Program, \$312,010.00 (GTAW 15-53)

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

22. **Acceptance - Sheriff**

Arizona Governor's Office of Highway Safety, Change Order No. 2015-012, to provide for LIDAR speed detection devices, U.S. Department of Transportation Fund, \$14,754.00 (GTAWR 15-40)

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

BOARD, COMMISSION AND/OR COMMITTEE

23. **Small Business Commission**

- Appointment of Linda Morales, to fill a vacancy created by Shelby Hawkins. Term expiration: 2/5/17. (District 1)
- Appointment of Lucretia Free, to fill a vacancy created by Thomas E. Ward. Term expiration: 4/30/19. (District 4)

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

24. **Pima County/Tucson Women's Commission**

Appointment of Trina Callie, to fill a vacancy created by Geri Ottoboni-Gilmore. Term expiration: 12/31/16. (District 1)

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

25. **Public Art and Community Design Committee**

Appointment of Michelle Rouch, to fill a vacancy created by Wendy Million. No term expiration. (District 4)

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

26. **Board of Adjustment, District 4**

Appointment of Steven C. Eddy, to fill a vacancy created by Robert Fee. Term expiration: 3/31/16.

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

27. **Fair Horse Racing Commission**

Reappointment of Forrest Metz. Term expiration: 1/16/17. (District 4)

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

CONSENT CALENDAR

28. **Approval of the Consent Calendar**

It was moved by Supervisor Miller, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to pull Consent Calendar Item Nos. 5 and 11 for separate discussion and vote.

PULLED FOR SEPARATE ACTION AND VOTE BY SUPERVISOR MILLER

CONTRACT AND AWARD

Health

5. Town of Marana, to provide for animal control services, revenue (CTN-HD-14-194)

Supervisor Miller questioned the revenue neutral designation and how the Town would be charged for services.

Chuck Huckelberry, County Administrator, explained that the Town would pay the County a certain amount of expenses incurred in excess of their licensing revenue. He stated that as the budget had been constructed there had been a General Fund subsidy, that each jurisdiction would have the option to opt out of having the County provide animal care services and that there were minimal allocations to the jurisdictions to ensure everyone benefited from the program.

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

Regional Wastewater Reclamation

11. Michael Gritzuk, P.E., L.L.C., Amendment No. 4, to provide professional consulting services, extend contract term to 12/1/15 and amend contractual language, RWRD Enterprise Fund, contract amount \$29,700.00 (CT-WW-11030029-NP)

Supervisor Miller questioned why these services hadn't been absorbed into the current Director's duties and the outcome at the end of the contract.

Chuck Huckelberry, County Administrator, explained there were specialty functions to be completed for the balance of the year and that the services would be absorbed by the existing staff.

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 Chair Bronson and carried by a 4-1 vote, Supervisor Miller voted "Nay," to approve the item.

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It was thereupon moved by Supervisor Valadez, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve the remainder of the Consent Calendar.

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CONTRACT AND AWARD

County Attorney

1. Pasadera Behavioral Health Network, Inc., to provide for the Drug Treatment Alternative to Prison Program, Department of Health and Human Services Fund, contract amount \$100,000.00 (CT-PCA-15-143)

Health

2. Northwest Fire District, Amendment No. 2, to provide for the Bio-Terrorism Preparedness Program Trailer and extend contract term to 11/3/17, no cost (CTN-HD-12-48)
3. Rincon Valley Fire District, Amendment No. 2, to provide for childhood immunization services and extend contract term to 11/12/15, no cost (CTN-HD-13-115)
4. Marana Unified School District, Amendment No. 3, to provide for childhood immunization services and extend contract term to 12/4/15, no cost (CTN-HD-12-147)
5. Town of Marana, (PULLED FOR SEPARATE ACTION)
6. Tucson Unified School District, to provide for childhood immunization services, no cost (CTN-HD-15-78)

Procurement

7. Spillman Technologies, Inc., Amendment No. 2, to provide for the Spillman Software Support Project and amend scope of work, Sheriff's Special Revenue Fund, contract amount \$100,000.00 (MA-PO-13-476) Sheriff
8. **Award**
Low Bid: Award of Contract, Solicitation No. 157012, in the amount of \$615,017.33 (Total Bid amount) to the lowest responsive bidder, KE&G Construction, Inc. (Headquarters: Sierra Vista, AZ) for construction of the Kostka Ave. and Michigan St. Sewer Realignment Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.
9. **Award**
Low Bid: Award of Contract, Solicitation No. 159167, in the amount of \$765,510.00 (Total Bid amount) to the lowest responsive bidder, Vertech Industrial Systems (Headquarters: Phoenix, AZ) for construction of the Green Valley SCADA and Automation Improvements Project and Corona de Tucson and Automation Improvements Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.

Real Property

10. Heights Properties, L.L.P., to provide a sales agreement and warranty deed for surplus property located at the northeast corner of Ina Road and Oracle Road, in Section 36, T12S, R13E, G&SRM, contract amount \$26,300.00 revenue (CTN-PW-15-88)

Regional Wastewater Reclamation

11. Michael Gritzuk, P.E., L.L.C., (PULLED FOR SEPARATE ACTION)
12. City of Tucson, Amendment No. 1, to provide for the Downtown Links Phase 2 Project and amend contractual language, RWRD Enterprise Fund, contract amount \$45,557.91 (CT-WW-13-727)

GRANT APPLICATION/ACCEPTANCE

13. **Acceptance - Health**
Arizona Family Health Partnership, Amendment No. 2, to provide for the Family Planning Program, U.S. Department of Health and Human Services Fund, \$183,282.00 (GTAM 15-36)
14. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 3, to provide for the Tuberculosis Control Program, U.S. Department of Health and Human Services Fund, \$85,372.00, (GTAM 15-37)

15. **Acceptance - Sheriff**
Arizona Department of Homeland Security, Amendment No. 1, to provide for Operation Stonegarden overtime and mileage, no cost (GTAM 15-34)
16. **Acceptance - Sheriff**
Arizona Governor's Office of Highway Safety, Amendment No. 1, to provide portable breath test devices for the DUI Enforcement Program, U.S. Department of Transportation Fund, \$13,160.00 (GTAWR 15-39)

BOARD, COMMISSION AND/OR COMMITTEE

17. **Board of Adjustment, District 3**
Reappointment of Dee Steinbrenner. Term expiration: 9/6/18.
18. **Election Integrity Commission**
Appointment of Karen Schutte, to fill the vacancy created by Benny White. Term expiration: 12/7/16. (Republican Party recommendation)
19. **Metropolitan Education Commission**
Appointment of Sheri Dahl, representing Religious Community, to fill a vacancy created by Mari Helen High. Term expiration: 12/31/16. (Commission recommendation)
20. **Workforce Investment Board**
 - Appointment of Molly Gilbert, representing Business, to replace Zara Larsen. Term expiration: 9/30/15. (Staff recommendation)
 - Appointment of Chris Kaselemis, representing Tucson City Government, to replace Regina Romero. Term expiration: 9/30/15. (Staff recommendation)

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

21. Joseph C. Brossart, Tucson Conquistadores, Inc., Omni Tucson National Golf Resort, 2727 W. Club Drive, Tucson, March 16, 17, 18, 19, 20, 21, 22 and 23, 2015.
22. Michelle Lynn Garmon, St. Thomas the Apostle Preschool & Kindergarten, 5150 N. Valley View Road, Tucson, February 7, 2015.
23. Benjamin Jimenez, Knights of Columbus Council No. 8077, St. Elizabeth Ann Seton Catholic Church, 8650 N. Shannon Road, Tucson, March 14, 2015.

ELECTIONS

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

APPOINTMENT-PRECINCT-PARTY

Dustin J. Williams-057-DEM; Jo M. Holt-172-DEM; Andrew G. Bevington-246-DEM

FINANCE AND RISK MANAGEMENT

25. **Duplicate Warrants - For Ratification**

Trico Electric Cooperative, Inc. \$204.01; Trico Electric Cooperative, Inc. \$1,140.00; Trico Electric Cooperative, Inc. \$188.57; Trico Electric Cooperative, Inc. \$360.11; Tracy K. Johnston \$235.20; Plaza Del Sol MHP \$500.00; Gina M. Downs \$137.87; Sylvia Y. Montijo \$133.00; IPAT, Inc. \$1,068.50; Rosemary Sanford \$1,111.63; Oxford Immunotec, Inc. \$150.00

JUSTICE COURT

26. **Judge Pro Tempore Appointment**

Appointment of Maria Avilez as Judge Pro Tempore of the Pima County Consolidated Justice Court for the period of February 1, 2015 through June 30, 2015.

TREASURER

27. **Duplicate Warrants - For Ratification**

Carolanne & Robert Lawson (JTWROS) \$3,882.59; Marie Diehl & Denise E. Diehl \$367.91

REGIONAL WASTEWATER RECLAMATION

28. **Public Announcement**

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case(s) will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 2955 W. Calle Agua Nueva, Tucson, Arizona 85745-9750. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

Frontier Star CJ, L.L.C., d.b.a. Carl's Jr., Case No. C2014-005. The proposed settlement of a \$2,000.00 penalty and payment of \$996.68 for the County's remediation costs, the acquisition of an Industrial Wastewater Discharge Permit, and the attendance of Pollution Prevention School is in accordance with the Industrial Wastewater Enforcement Response Plan.

RATIFY AND/OR APPROVE

29. Minutes: January 6, 2015
Warrants: January, 2015

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29. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

CHAIR

ATTEST:

CLERK