

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 7, 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
James Allerton and Dan Jelineo, Sergeant at Arms

1. Floodprone Land Acquisition Program

RESOLUTION NO. 2018 - FC5, of the Flood Control District Board of Directors, authorizing the Pima County Attorney to condemn real property or real property interests for flood control purposes in Section 22, T12S, R13E, G&SRM, Pima County, Arizona. (District 1)

It was moved by Chairman Elías and seconded by Supervisor Bronson to adopt the Resolution. No vote was taken at this time.

Supervisor Miller inquired about condemning the property versus locating the property owner.

Chuck Huckelberry, County Administrator, responded that the County was unable to determine ownership of the property; and therefore, condemnation proceedings were necessary to quiet the title for governmental acquisition.

Neil Konigsberg, Real Property Manager, explained that the County had previously condemned a property titled to the same individual. He stated that they had made every effort required by law to locate the individual but had been unsuccessful. He added that they would need to go through the same court process in order to acquire the property.

Supervisor Miller inquired whether this property was being acquired for further development of the Loop.

Mr. Huckelberry responded that the property was not being acquired for further Loop development. He explained that the property was located within the floodplain of the Canada Del Oro Wash. He added that the property was flood-prone and needed to be insured so that it could not be developed.

Supervisor Miller expressed concern over the appraised value of \$82,500.00 for a property that was purchased in 2009 for \$123,000.00. She added that the County might have been unable to locate the individual because they were traveling out of the country or were active military.

Mr. Konigsberg stated that it was determined by the courts that the individual was not serving in the military. He explained that the purchase price for the property would be paid to the courts and those funds would be transferred to the state if no one filed a claim on the property.

Supervisor Miller stated that she would not support the resolution.

Upon roll call vote, the motion carried 4-1, Supervisor Miller voted "Nay."

2. Extension of Easement

Southwest Gas Corporation has requested an extension of an easement across Pima County Flood Control District owned property lying within Section 18, T14S, R14E, G&SRM, Pima County, Arizona, \$100.00 revenue and \$1,200.00 reimbursement for appraisal fee. (District 2)

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

3. Surplus Property

Staff requests approval to sell surplus property consisting of a main house containing approximately 1,704 square feet with horse facilities on 1.741 acres of land, located at 4700 E. Calle Chueca, Tax Parcel No. 109-24-0200, by auction to the highest bidder. (District 1)

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

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 3:32 p.m.

CHAIRMAN

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

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Julie Castañeda, Clerk of the Board
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1. INVOCATION

The invocation was given by Pastor David Drum, 4Tucson.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. PAUSE 4 PAWS

The Pima County Animal Care Center showcased animals available for adoption. Kristen Auerbach, Director, Pima Animal Care Center (PACC), recognized PACC employee, Victor Velarde, for his 33 years of service and his compassion for animals.

4. POINT OF PERSONAL PRIVILEGE

Chairman Elías thanked the local firefighters for their assistance in fighting the California wildfires.

PRESENTATION

5. Presentation honoring Community Services, Training and Education Director Charles Casey for his 33 years of outstanding service to Pima County. (District 2)

Supervisor Valadez made the presentation.

6. **Carnegie Medal of Honor Certificate**

Sheriff Mark Napier to present a Carnegie Medal of Honor Certificate to Sergeant Brian Kunze for his heroic rescue of an elderly bed-ridden woman from a home explosion and fire. Sergeant Kunze is one of 19 U.S. heroes to be so honored this year. (District 5)

Mark Napier, Sheriff, Pima County Sheriff's Department, presented Sergeant Brian Kunze with a Carnegie Medal of Honor Certificate.

7. Presentation and recognition to Georgia Cole Brousseau for her long time commitment and hard work on the Pima County Merit System Commission. (District 2)

Chairman Elías observed a moment of silence in memory of Georgia Cole Brousseau.

Supervisor Valadez presented the Certificate of Recognition to Ed Brousseau and John Fink, Chairman of the Pima County Merit System Commission.

8. Presentation of a Certificate of Recognition to Marion Hook for outstanding community service to the citizens of Pima County as a member of the Pima County Small Business Commission. (District 3)

Supervisor Bronson presented Marion Hook with a Certificate of Recognition.

PRESENTATION/PROCLAMATION

9. Presentation of a proclamation to Tracy Koslowski, Drexel Heights Fire District; Susan Kinkade, Banner UMC; Jessica Nolte, Tucson Fire Department; and Grant Bourguet and Jodi Layton, Pima County Natural Resources, Parks and Recreation, proclaiming the month of August 2018 to be: "DROWNING IMPACT AWARENESS MONTH"

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

10. Presentation of a proclamation to Sabrina Cortez, Tucson Office Program Manager, Arizona Department of Economic Security, proclaiming the month of August 2018 to be: "CHILD SUPPORT AWARENESS MONTH"

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

11. Presentation of a proclamation to Betty Villegas, Tucson-Pima County Historical Commission, proclaiming the month of August and the day of Monday, August 20, 2018 to be: "THE 243RD ANNIVERSARY OF THE CITY OF TUCSON"

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

12. **CALL TO THE PUBLIC**

Dario Andrade Mendoza, Scholarships AZ, addressed the Board regarding Free the Children Coalition and asked the Board to end their collaboration with local law enforcement and Border Patrol, and to put an end to family separation and deportation.

Chris King spoke to the Board in opposition of the Golden Pin Lanes, L.L.C. acquisition, in favor of the Operation Stonegarden Grant and commented on the World View explosion investigation.

Geri Ottoboni addressed the Board regarding the amount of damages incurred from the World View explosion.

Keith Van Heyningen spoke to the Board regarding Pima County socialistic and democratic voters.

Christopher Cole, Chair, Pima County Libertarian Party, addressed the Board regarding concerns with the World View explosion investigation.

Joe Boogart, Bond Advisory Committee, addressed the Board regarding violations of his First Amendment Rights by the Pima County Elections Department and the action he filed against the Elections Department.

Albert Lannon spoke to the Board regarding the World View explosion investigation.

Rosemary Bolza spoke to the Board regarding Golden Pin Lanes and noted that bowling was an activity that benefited people of all ages.

Felicia Chew addressed the Board in support of the Golden Pin Lanes acquisition and thanked the Board for assisting the Miracle Mile community.

Hanson Fotherby spoke to the Board regarding the revitalization of the Miracle Mile community and asked that the historic Golden Pin Lanes facility be preserved.

Kristen Almquist addressed the Board in support of Pima Animal Care Center.

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

- Gail Kamaras
- Isabel Garcia
- Bryna Koch
- Brenda Wexler
- John Messing
- Jana Segal
- Katya Peterson
- Fred Markussen
- Lena Rothman
- John Denker
- Ivy Schwartz
- Steve Diamond, Justice Alliance
- Amy Beth Willis, Organizer, Southern Arizona Sanctuary Coalition
- Jim Perry
- Cecilia Valenzuela Gee
- Jerry Bastian
- Connor Welton
- Arion Koliopoulos
- Zaira Livier, Director, Peoples Defense Initiative
- Linda Laird
- Luis Oquendo
- Ryan Kelly, Justice Alliance and Free the Children
- Billy Peard
- Kristen Randall
- Marion Chubon, Free the Children Coalition
- Angela Ochoa

They offered the following comments:

- The subversion of local law enforcement to act as an arm of a federal agency in order to enforce federal law was wrong.
- The community deserved officers and governmental officials that represented their interests.
- The Pima County Sheriff's Department has shown minimal commitment to developing the processes and procedures that would ensure accountability and that would ensure the communities constitutional rights were being respected.
- Fear of deportation was taking over the community.
- There was an incremental risk to the legal status of the County by having Immigration and Customs Enforcement (ICE) in the County jails.
- We need to stand up for our people.
- It is not right for people to be taken and for families to be broken.
- Concentrate on individual breaking laws and causing harm.
- Stonegarden funds were not necessary because Border Patrol had plenty of other resources to set up checkpoints.

- Local law enforcement should not be proactively involved in federal immigration enforcement as it could drive a wedge between the community and law enforcement.
- The County was actively collaborating in the separation of families by offering ICE a desk in the Pima County Jail.
- The U.S. Constitution gives responsibility for immigration to the federal government
- Transgender immigrants were being placed in cells with the gender they do not identify with.
- These policies are destroying our community.
- It is not civilized to have ICE in the County jail.
- Keeping ICE in the County jail increased the number of individuals sent to Federal Detention.
- Suspend the disbursement of Stonegarden funds until all conditions have been met.
- Increasing a police state has not made communities safer.

The following speakers addressed the Board in support of Operation Stonegarden and the High Intensity Drug Trafficking Areas (HIDTA) Grant:

- John Leavitt, Commander, Counter Narcotics Alliance
- John Backer
- Doug Howerton
- Dawn Mertz, Director, HIDTA
- Kara Riley, Commander, Oro Valley Police Department

They offered the following comments:

- Tucson is a drug trafficking corridor.
- It is critical that law enforcement agencies collaborate.
- Arizona HIDTA's mission is to facilitate federal, state, local, tribal and multi-agency task forces to increase the safety of the Arizona citizens by reducing drug trafficking, money laundering, drug related crimes and associated violence by targeting significant drug trafficking organizations impacting Arizona.
- The cooperation among federal, state and local law enforcement agencies by sharing information and implementing coordinated enforcement is invaluable in the fight against the drug epidemic.

13. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to convene to Executive Session at 12:52 p.m.

14. **RECONVENE**

The meeting reconvened at 1:58 p.m. All members were present.

EXECUTIVE SESSION

15. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the Pima County Attorney's Office's representation of Pima County in civil matters.

Andrew Flagg, Chief Civil Deputy County Attorney, stated this item was for information only. No Board action was taken.

16. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding how the Pima County Attorney's Office distributes attorney-client privileged communications to the Board of Supervisors, including whether the Board should adopt a uniform policy regarding such distributions.

Andrew Flagg, Chief Civil Deputy County Attorney, stated the County Attorney's Office had no recommendation with respect to the item.

Chairman Elías and Supervisor Miller indicated that this item was for information only. No Board action was taken.

BOARD OF SUPERVISORS

17. The Board of Supervisors on June 19, 2018, continued the following:

Updated Status and Discussion Regarding Golden Pins Bowling Alley

Updated status and discussion of all items discovered, recommended actions/responses conducted during any portion of the 45-day inspection period (a/k/a due diligence period) in connection with the purchase of the Golden Pins bowling alley, and as outlined in the Acquisition Agreement, Sec. 3. Inspection and Access, and Sec. 5.4 Objection Notice, and with said Acquisition Agreement approved by the Board of Supervisors on May 15, 2018, including, but not limited to:

- Full property inspection
- Updated property appraisal including results of asbestos testing and other conditions which can impact the appraised value of the property
- Preliminary title report
- Insurance claim report
- Physical information including: structural/physical; electrical; plumbing; mechanical; environmental; parking/landscaping; renovation and capital repair reports; and
- Other inspection reports, as deemed necessary (District 1)

(Clerk's Note: The discussion on this matter was held in conjunction with Minute Item No. 44.)

Supervisor Miller inquired about the exclusion of an asbestos abatement estimate.

Chuck Huckelberry, County Administrator, responded that the \$380,000.00 estimated assumed there was asbestos under the bowling lanes. He indicated that the property owner had agreed to allow the County to perform abatement of the bowling lanes during their abatement process in order to economize the cost. He added that included within the supplemental agreement no warranties were made to salvage the bowling lanes and that it was at the owner's risk.

Supervisor Miller indicated that her understanding was that the cost of the facility was estimated at \$2.7 million. She inquired why the cost was reduced \$150,000.00 and not the \$380,000.00 estimated for abatement.

Mr. Huckelberry responded that the \$150,000.000 was the negotiated amount.

Supervisor Miller asked whether a new appraisal would be requested because of the asbestos and whether the presence of asbestos would decrease the property's appraised value.

Neil Konigsberg, Real Property Manager, responded that the property was appraised with the understanding that it would be used "as is." He explained that asbestos abatement would not be necessary if the building was used in its present state. He added that because it was the County's decision to remodel, the County would incur the cost for asbestos abatement.

Supervisor Miller questioned the price per square foot of \$57.00, noting that comparisons were lower in other areas.

Mr. Konigsberg responded that the County's appraiser used local comparisons and took into account the highest and best use of the facility. He stated that the facility was not appraised in comparison to other bowling alleys.

Supervisor Miller expressed her concerns with the acquisition. She pointed out that the property was appraised at \$2.2 million; however, the County would be paying \$2.7 million plus closing costs.

Mr. Huckelberry commented that an original analysis indicated that the economic value of the property, as it was constructed to the County, basically allowed the County to collapse all of its leases into an ownership position, and the payback period would be 6 years versus 15 years. He added that they also looked at the market conditions in the areas that were currently being leased and estimated that there would be at least a 1.5% to 3% increase in those leases per year.

Supervisor Miller asked if \$7 million would be invested into the facility.

Mr. Huckelberry confirmed and stated that the building was ideal for a multipurpose county tenant facility and repurposing of the building. He also stated that the County had committed to preserving the Miracle Mile historic context of the facility.

This item was for discussion only. No Board action was taken.

18. Discussion/Action/Vote

- A. Discussion/Vote to discuss County Administrator Huckelberry's July 12, 2018 memorandum re "World View Incident Investigation Report" including attachments pertaining to the Hydrogen Balloon explosion which occurred at the Pima County Taxpayer owned Space Port operated by World View on December 19, 2017.
- B. Action requested on the list of concerns identified in Supervisor Miller's memorandum dated July 18, 2018, regarding the December 19, 2017 World View Explosion. (District 1)

Supervisor Miller indicated that the insurance payout had increased from \$200,000.00 to \$475,000.00, and inquired about the increase. She then asked about the Federal Aviation Administration's (FAA) investigation into the World View explosion.

Chuck Huckelberry, County Administrator, responded that the initial check received from the insurance company was in the amount of \$200,000.00 and that did not imply that the damages were limited to \$200,000.00. He also noted that the cost for damages was about 3% of the total construction value.

Chairman Elías questioned whether World View followed proper procedures by reporting the incident to the FAA and/or any other agencies responsible for overseeing these types of incidents.

John Voorhees, Assistant County Administrator, responded that World View followed all FAA regulations and all National Transportation Safety Board (NTSB) notification requirements.

Chairman Elías inquired whether the explosion involved a passenger vehicle.

Mr. Voorhees responded that the explosion did not involve a passenger vehicle and noted that it was not a launch procedure investigation. He then stated that World View's investigation was conducted in accordance with all FAA regulations.

Supervisor Miller asked whether there was any documentation received from the FAA.

Mr. Voorhees responded that the FAA did not provide any documentation and that he had confirmed with World View, through their Chief Technical Officer, that standard protocol was followed in notifying the FAA of the incident. He added that the FAA and NTSB declined to investigate.

Supervisor Miller indicated that written clarification should have been provided by the FAA. She asked if World View had compensated the individuals that conducted the investigation.

Mr. Voorhees responded that he was not involved in the contractual negotiation for the independent investigation and was unaware of the compensation terms.

Mr. Huckelberry added that his August 1, 2018, memorandum provided a summary regarding Mr. Voorhees' discussion with World View as it related to the FAA.

Supervisor Miller stated that the Arizona Division of Occupational Safety and Health Administration (OSHA) conducted an investigation that resulted in no findings. She asked what OSHA was investigating.

Mr. Voorhees asked that he be allowed to provide clarification on a previous question and then he would respond to Supervisor Miller's latest inquiry. He stated that it was not uncommon for the FAA notification process to take place via a telephone conversation. He added that the Tucson tower had also notified the FAA of the explosion and that the FAA had declined to investigate. He also indicated that the incident was reported to the NTSB and they declined to investigate as well.

Supervisor Miller requested documentation be provided to that effect.

Mr. Voorhees replied that he would provide any available documentation. He explained that the Arizona Division of OSHA interviewed employees regarding illegal or mishandling of the incident in accordance with the company's safety standards and they concluded that there were no findings.

Supervisor Miller indicated that the investigative report did not have the signatures of the three consultants and was provided on World View stationary. She asked if that was standard in an accident investigation.

Mr. Voorhees responded that the entire investigation was not standard and that after the FAA and NTSB declined to investigate the case would have been closed. He explained that World View decided to conduct their own investigation for which there was no standard template to follow. He added that since World View had no prior safety incidents or expertise on how to conduct an investigation, he guided World View through the investigation process by suggesting that particular items be included in their investigation.

Supervisor Miller asked if there was a separate report written by the investigating engineers that was changed or sanitized prior to being released to the Board.

Mr. Voorhees stated that he was unaware of a second report; however, he indicated that he recommended that World View write a report for internal use that would include proprietary information.

Mr. Huckelberry responded that the report received had not been altered in any way by the County and that he had held the release of the report until the ground inspection of the facility had been completed.

Supervisor Miller pointed out conflicting statements regarding the findings within the report related to human factors.

Mr. Voorhees responded that the findings were not directly related to the incident at hand but could potentially be safety factors. He added that with safety investigations, the number one goal was prevention.

Supervisor Miller asked that clarification be provided from World View on the conflicting statements. She stated that the review team examined similar equipment used in the incident because the materials used in the explosion had been disposed and she had questions about the findings for that reason. She then questioned the meaning of "Mishap Class C."

Mr. Voorhees explained that mishaps were categorized A-E and that a "Class C" was a mishap of \$500,000.00 or less.

Supervisor Miller asked whether Mr. Voorhees participated in the investigation.

Mr. Voorhees stated that he was not involved in the investigation.

Supervisor Miller inquired whether other agencies received payments and why the checks were endorsed and returned to World View.

Mr. Huckelberry responded that the County was named as the coinsured in the policy; therefore, the checks were endorsed and returned to World View since they employed the contractors.

Supervisor Miller inquired whether any of the employees received outstanding injuries.

Mr. Huckelberry stated that there were no outstanding injuries sustained and employees were cleared and returned to work that same day.

Supervisor Miller asked if that was World View's first hydrogen balloon test, whether they had performed other hydrogen balloon tests and whether there were plans for future hydrogen balloon testing.

Mr. Voorhees stated that was their first hydrogen test and that no other hydrogen balloon tests had been conducted since the incident at Spaceport Tucson. He stated that there were no restrictions preventing World View from using hydrogen. He added that currently there was no hydrogen located at their facility and they have not indicated whether they planned to use hydrogen at Spaceport Tucson again in the future.

Supervisor Miller inquired whether World View had FAA approval for their launch site and vehicles.

Mr. Voorhees responded that World View was certified to launch from Spaceport Tucson. He added that the County needed to obtain a part 420 certification in order to allow other agencies to launch from the spaceport.

Supervisor Miller asked if World View had FAA approval to launch hydrogen balloons.

Mr. Voorhees responded that he was unaware of whether the FAA regulated the use of hydrogen or any other specific lifting gases.

Supervisor Miller asked if the County had copies of the FAA certifications and if so, she requested copies for her records.

Mr. Voorhees confirmed that the County did have copies of the certifications and that he would provide them.

Supervisor Miller inquired whether World View was exempt from the Government Property Lease Excise Tax (GPLET).

Mr. Huckelberry stated that there was a statutory aviation exemption.

Supervisor Miller commented about the \$1 million liability/\$2 million aggregate insurance and asked why a commercial facility would only have a \$1 million liability.

Mr. Huckelberry explained that those amounts were the County's standard language in leasing documents and that the amounts were minimum requirements. He stated that the Risk Manager had determined specific liability requirements and that general liability insurance was \$5 million per occurrence and \$3 million for personal injury. He added that workman's compensation was \$1 million and that the space port and the building were fully insured.

Supervisor Miller asked if the Risk Manager had any experience with hydrogen balloons.

Mr. Huckelberry stated that the Risk Manager reviewed and consulted with an aviation risk manager and loss experts to determine insurance levels.

Chairman Elías asked whether there was any indication that the World View investigation was inadequate or dishonest in anyway.

Mr. Voorhees responded that World View had been upfront with their investigation and he detected no unethical behavior.

Chairman Elías inquired whether Mr. Voorhees had experience in aviation and investigation reports.

Mr. Voorhees confirmed his experience in aviation as a fighter pilot with the United States Air Force and that during his service he was a certified flight safety officer.

Supervisor Valadez asked Mr. Voohees what rank he held in the Air Force and which of his certification would have been equivalent to the NTSB.

Mr. Voorhees responded that he retired from the Air Force as a Lieutenant Colonel and that his certification would have been equivalent to that of an FAA or NTSB Investigator.

Supervisor Valadez questioned the credentials of the three panel members involved in the investigation.

Mr. Voorhees stated the three individuals were extremely knowledgeable in space and balloon flight and were also experienced in accident investigations.

Supervisor Valadez confirmed that the NTSB, OSHA and the FAA had all declined to investigate the incident and despite the declinations, World View willingly investigated on their own behalf.

Mr. Voorhees stated that was correct.

Supervisor Valdez questioned whether a majority of World View's launches were helium.

Mr. Voorhees responded that hydrogen was a proven lifting gas but was not used frequently. He added that the experiment was to show that using hydrogen could save money and it provided greater lift for their balloons.

Supervisor Valadez questioned what recommendations were made after the investigation was completed.

Mr. Voorhees stated that one of the recommendations was to hire a Director of Personnel Safety. He indicated that World View completed that hiring and that the individual hired held an investigation background similar to Mr. Voorhees. He added that one of the benefits of the mishap investigation process was identifying areas where a company needed to improve and he stated that World View was on track towards improvement.

Supervisor Valadez asked whether World View had taken precautions to minimize the likelihood of an occurrence like this happening again.

Mr. Voorhees responded that World View was taking appropriate measures to prevent incidents in the future.

Supervisor Valadez questions the casualties that resulted from the explosion.

Mr. Huckelberry responded that there was exterior damage to the skin of the structure and that three World View employees had experienced ringing in their ears.

Supervisor Valadez questioned whether those casualties had been rectified and whether there were any costs to County taxpayers.

Mr. Huckelberry stated that based on the final inspection completed by Facilities Management, the facility had been completely restored to its original condition and all employees returned to work. He added that there were no costs to the County taxpayers.

Supervisor Christy asked if there were insurance providers that could give a recommendation or an opinion on insurance coverages.

Mr. Huckelberry responded that the County had obtained those contract limits from outside providers. He indicated that he would provide the Board with the names of the individuals that were consulted.

Chairman Elías stated that those records would also be made available to the public once they are provided.

Supervisor Miller expressed her gratitude and asked Mr. Voorhees if he was certified as an accident investigator.

Mr. Voorhees responded that he was a certified investigator during his service with the United States Air Force, but that certification terminated upon his retirement.

This item was for discussion only. No Board action was taken.

COUNTY ADMINISTRATOR

19. Revision to Board of Supervisors Policy

Staff requests approval of the proposed revision to Board of Supervisors Policy No. C2.7, Prohibiting Weapons in Pima County Facilities and Vehicles.

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

20. Use of Pima County Attorney's Anti-racketeering Funds for Outside Agency Requests

Staff recommends agencies apply for funding through the County's Outside Agency Review Committee and that \$70,500.00 be made available through the County Attorney from the County Attorney's Anti-racketeering Fund for forensics evaluation related to strangulation, domestic violence and sexual assault incidents.

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

Supervisor Miller asked for additional clarification.

Chuck Huckelberry, County Administrator, responded that 17 outside agencies, which were initially reviewed for Racketeer Influenced and Corrupt Organization (RICO) Funding and were deemed ineligible, underwent a review to determine whether or not they had received funding from the County. He indicated that it was suggested that those agencies could be funded through the Outside Agency Contingency Fund. He added that those requests would be referred to the Outside Agency Review Committee for recommendation and it would be brought back to the Board for their consideration. He added that this item allowed the requests to be reviewed by the Outside Agency Review Committee.

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

DEVELOPMENT SERVICES

21. Final Plat Without Assurances

P18FP00017, The Academy Village, Lots 239-251, Common Areas A & C of MP 50084 with no new infrastructure. (District 4)

It was moved by Supervisor Christy, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve P18FP00017.

22. Amended Board of Adjustment Rules & Procedure

Staff requests adoption of the amended Pima County Boards of Adjustment; Uniform Rules of Procedure.

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

GRANTS MANAGEMENT AND INNOVATION

23. USDA Section 533 Housing Preservation Grant

RESOLUTION NO. 2018 - 45, of the Board of Supervisors, for the pre-application for and, if awarded, acceptance of United States Department of Agriculture Section 533 Rural Housing Preservation Grant Funds.

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

HUMAN RESOURCES

24. Pima County Healthcare Benefits Trust Board

Staff recommends the following:

- A. Amendment to the current Pima County Healthcare Benefits Trust Document removing Section 3.12 - Compensation of Individual Trustees, for members appointed after July 1, 2018.
- B. Appointments of Dr. Francisco Garcia, Keith Dommer and Daisy Jenkins, replacing Allyn Bulzomi, Neil R. West, Patricia Taylor and Janet Marcott. Term expirations: 8/6/21. (County Administrator recommendations)
- C. Appointment of Ellen Wheeler effective January 1, 2019. Term expiration: 12/31/22. (County Administrator recommendation)

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

Supervisor Valadez asked for the reasoning behind the new appointments.

Chuck Huckelberry, County Administrator, responded that the Healthcare Benefits Trust Board rules indicated that the members could not serve consecutive terms.

Supervisor Valadez questioned the policy of the trust fund.

Mr. Huckelberry responded that the County was responsible for paying the employee contributions to the health savings account through this fund and it amounted to approximately \$8 million. He stated that in 2018 the fund balance was \$41 million; \$20 million was allocated as part of the reserve requirement and the additional \$21 million exceeded the reserve requirement. He added that they anticipated underspending \$2 million and projected high cash balances to continue through 2019.

Supervisor Valadez requested that semi-annual balance reports be provided to the Board moving forward.

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

REAL PROPERTY

25. Abandonment by Sale

RESOLUTION NO. 2018 - 46, of the Board of Supervisors, directing County staff to proceed with Abandoning by Sale all public roads within Tucson Country Club Estates Nos. 1, 2 and 3, and Sunset North Subdivisions, and a portion of Camino Principal located within El Principal (The "Subdivisions"). (District 4)

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

26. **Acceptance of Donation of Real Property from Daniel K. Wong**

RESOLUTION NO. 2018 - 47, of the Board of Supervisors, accepting a donation of a 45 acre parcel of undeveloped real property from Daniel K. Wong, and designating the donation parcel as part of the County Parks System, General Fund, contract amount \$2,500.00/\$7,452.00 revenue (CT-PW-19-38)

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

27. **Condemnation**

RESOLUTION NO. 2018 - 48, of the Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests where necessary for Tanque Verde Road at Tanque Verde Loop Road intersection improvements in Section 31, T13S, R16E, G&SRM, Pima County, Arizona. (District 2 4)

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

SHERIFF

28. A. The Board of Supervisors on June 19 and July 3, 2018, continued the following:

Operation Stonegarden Grant Acceptance Conditions

Discussion/action regarding the acceptance of the Operation Stonegarden Grant Conditions.

Chairman Elías inquired whether Mr. Huckelberry had any additional comments regarding this item or his memorandum dated August 7, 2018.

Chuck Huckelberry, County Administrator, responded that the memorandum provided detailed information. He stated that there was an issue regarding the Daily Activity Reports (DARs) that had not been received from two agencies. He indicated that the DARs from South Tucson and the Department of Public Safety were for federal fiscal year 2016 and given their level of involvement in the program, the DARs that would have been provided would not have changed the outcome of the analysis.

Supervisor Christy stated that he supported the efforts and decisions made by the Pima County Sheriff and that he intended to vote in support of accepting the grant.

Chairman Elías commented about the statements made by members of the public and the importance of this issue. He stated that it was detrimental to the community having Immigration and Custom Enforcement (ICE) imbedded

in the jails and Stonegarden happening around us. He added that people were scared and did not trust law enforcement. He indicated that he continued to ask the Sheriff to remove ICE from the jail and to refuse the acceptance of Stonegarden grants. He added that the Board should reconsider their vote of February 20, 2018, and not accept the Stonegarden grant. He inquired whether other law enforcement agencies would still be able to receive Stonegarden dollars. He also asked that the Community Law Enforcement Commission be given the opportunity to review statements made by the Sheriff and the public, and determine if the five conditions had been met.

It was moved by Chairman Elías and seconded by Supervisor Bronson to continue the item to the Board of Supervisors' Meeting of September 4, 2018, in order to allow the Community Law Enforcement Commission time to consider the comments made by Sheriff Napier, Mr. Huckelberry and the public. No vote was taken at this time.

Supervisor Bronson requested an amendment to the motion that the 5 conditions in the July 31, 2018, letter from the Arizona Civil Liberties Union (ACLU) also be included for consideration by the Community Law Enforcement Commission.

Chairman Elías accepted the amendment to his motion.

Supervisor Christy asked if there was an expiration on the availability of this grant and if the grant could be withdrawn or dispersed to other areas.

Mark Napier, Sheriff, Pima County Sheriff's Department, responded that the funding could be available until the end of December. He stated that federal partners have expressed concerns over the County's acceptance of the grant and their continued relationship. He indicated that if the County did not accept these funds they would be transferred to other organizations that the County had no control over and that the County would lose their voice in guiding their activities. He added that presently the department had a strategic relationship with our federal partners and could exercise some control.

Supervisor Christy inquired whether it was in the best interest of law enforcement to approve this grant.

Sheriff Napier responded that the community would be best served by our continued involvement and by having a voice at the table to enhance public safety in Pima County. He added that by removing ourselves the problems did not go away and we would be unable to exercise any control.

Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

- B. The Board of Supervisors on March 20 and June 19, 2018, continued the following:

Grant Application Acceptance

Acceptance – Sheriff

Executive Office of the President, Office of National Drug Control Policy, to provide for the High Intensity Drug Trafficking Areas (HIDTA) Program, \$363,463.00/\$64,000.00 General Fund match estimate (GTAW 18-65)

- C. The Board of Supervisors on June 12 and June 19, 2018, continued the following:

Grant Application Acceptance

Acceptance - Sheriff

Executive Office of the President of the National Drug Control Policy, Amendment No. 1, to provide for the High Intensity Drug Trafficking Areas (HIDTA) Program, \$657,003.00 (GTAM 18-45)

It was moved by Supervisor Valadez and seconded by Supervisor Christy to approve items B and C. No vote was taken at this time.

Supervisor Bronson voiced her concerns with the HIDTA program and noted that while HIDTA had done good work within the County, there was a need for emphasis on the behavioral health side of the drug issue.

Chairman Elías expressed his concerns with the HIDTA program and stated that the Department of Homeland Security's (DHS) involvement with HIDTA was unclear as to how it was being executed in the County. He added that the Community Law Enforcement Commission could also provide a review of these grants.

Chuck Huckelberry, County Administrator, indicated that these two grants were basically tied into Operation Stonegarden until the five conditions for Stonegarden were met. He indicated that the five conditions had been met and it was his recommendation that these grants be approved.

Supervisor Christy asked if items B and C had similar time constraints as item A.

Mr. Huckelberry responded that the grants were for a specific federal fiscal year. He explained that HIDTA grants go through the federal agency for specific amounts and purposes, and supported the Sheriff Department's staff assignments. He indicated that HIDTA assignments had been made and the

funds were being expended and it was necessary to approve the grants and begin to receive the reimbursement.

Chairman Elías made a substitute motion to continue these items to the Board of Supervisors' Meeting of September 4, 2018, giving the Community Law Enforcement Commission the opportunity to review the items and retrieve more clarification on how HIDTA would operate within the County. Supervisor Bronson seconded the motion. No vote was taken at this time.

Supervisor Miller inquired whether deputies were funded through HIDTA and asked what the impact would be if the County did not accept the funding.

Sheriff Napier responded that the department had deputies funded through HIDTA and if the funding was not accepted, those positions would be eliminated.

Supervisor Miller asked how long would it be before those positions were eliminated.

Sheriff Napier responded that the positions would be eliminated within weeks.

Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

FRANCHISE/LICENSE/PERMIT

29. Hearing - Liquor License

23172, Andrea Dahlman Lewkowitz, Coxco Fuel, 5960 N. Oracle Road, Tucson, Series 10, Beer and Wine Store, New License.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy 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.

30. Hearing - Liquor License

21542, William Edward Netherton, Jr., Professional Bartenders Unlimited, 3625 E. 42nd Stravenue, Tucson, Series 10, Beer and Wine Store, New License.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy 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.

31. Hearing - Liquor License

A1122578/07103600, Susan V. Cassidy, Ooo! Outside of Ordinary, 11761 E. Speedway Boulevard, Tucson, Series 7, Beer and Wine Bar, New License.

Thomas Cassidy spoke to the Board regarding his liquor license application. He explained that they did not wish to sell or distribute alcohol at this location but wanted to activate the license so that it could be sold.

Supervisor Miller inquired whether there were any legal issues if the license was approved at this residence.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that the Board was only making a recommendation to the Arizona Department of Liquor License and Control (AZDLLC) and if zoning violations were to occur, they would be enforced separately.

Chris Poirier, Deputy Director, Development Services, indicated that he had spoken to the AZDLLC and they explained that the applicants needed the license activated and established prior to making it available for sale. He added that there were no objections to this approval for the purpose stated, but wanted it noted that from a zoning standpoint the site could not support the proposed use.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license subject to the fact that the liquor license would be sold and there would be no distribution of liquor at the property and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

32. Hearing - Liquor License

23809, Harold Blaine Busboom, Rocking K Market, 12660 E. Old Spanish Trail, Tucson, Series 10, Beer and Wine Store, New License.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy 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.

33. Hearing - Agent Change/Acquisition of Control/Restructure

07100224, Andrea Dahlman Lewkowitz, Coco's No. 176, 7250 N. Oracle Road, Tucson, Agent Change/Acquisition of Control.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy 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.

34. **Hearing - Permanent Extension of Premises/Patio Permit**

1214129G, Grant Darien Krueger, Union Public House, 4340 N. Campbell Avenue, Suite 103, Tucson.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy 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.

DEVELOPMENT SERVICES

35. The Board of Supervisors on April 17, 2018, continued the following:

Hearing - Comprehensive Plan Amendment

P17CA00004, CAMPBELL FOOTHILLS INVESTORS, L.P. - N. CAMPBELL AVENUE PLAN AMENDMENT

Request of Campbell Foothills Investors, L.P., represented by The Planning Center, to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) 0.5 acres, Low Intensity Urban 3.0 (LIU-3.0) 5.5 acres, Medium Intensity Urban (MIU) 1.0 acres, and Higher Intensity Urban (HIU) 0.2 acres to Medium Intensity Urban (MIU) 7.2 acres and, to rescind Rezoning Policy RP-50 North Campbell Avenue (max. residential density = 16 dwellings) located at the east side of North Campbell Road approximately .5 miles north of East River Road in Section 20, Township 13 South, Range 14 East, in the Catalina Foothills Planning Area. On motion, the Planning and Zoning Commission voted 4-3 (Commissioners Matter, Cook and Gungle voted Nay; Commissioners Bain and Tronsdal were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

At the request of the applicant and without objection, this item was withdrawn from the agenda.

36. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2018 - 22, Co9-71-178, Empire Acres Subdivision Rezoning. Owners: Joshua and Shannon Garner. (District 4)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

37. Hearing - Rezoning Ordinance

ORDINANCE NO. 2018 - 23, P17RZ00012, Fidelity National Title Agency, Inc., Trust 60477 - S. Camino de Oeste Rezoning. Owner: Fidelity National Title Agency TR 60477. (District 5)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

38. Hearing - Rezoning Ordinance

ORDINANCE NO. 2018 - 24, P18RZ00001, Wong Family Limited Partnership - N. Thornydale Road Rezoning. Owners: Wong Family Limited Partnership. (District 1)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

39. Hearing - Rezoning Resolution

RESOLUTION NO. 2018 - 49, Co9-00-63, La Cholla Investments, L.L.C. - La Cholla Boulevard Rezoning. Owner: Tucson Federal Credit Union. (District 1)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Resolution.

FINANCE AND RISK MANAGEMENT

40. Hearing - Establishment of DeAnza Domestic Water Improvement District

- A. Pursuant to A.R.S. §48-906, hold a public hearing on the establishment of the proposed DeAnza Domestic Water Improvement District and upon finding that the petition is sufficient;
- B. Pass and Adopt:
RESOLUTION NO. 2018 - 50, of the Board of Supervisors, establishing the DeAnza Domestic Water Improvement District of Pima County, Arizona.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson and seconded by Chairman Elías to close the public hearing and approve the Resolution. No vote was taken at this time.

Supervisor Miller questioned why the petition was not included within the back-up material and asked if any of the owners were opposed to the establishment.

Steve Wene, DeAnza Domestic Water Improvement District Representative, responded that none of the petitioners opposed being part of the district.

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

TRANSPORTATION

41. Hearing - Traffic Resolution

RESOLUTION NO. 2018 - 51, of the Board of Supervisors, providing for the establishment of Aersopace Parkway, Raytheon Parkway and Rocketeer Drive, County Highways situated within Section 31, T15S, R14E, G&SRM, Pima County, Arizona. Staff recommends APPROVAL. (District 2)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson and seconded by Supervisor Christy to close the public hearing and adopt the Resolution. No vote was taken at this time.

Supervisor Miller asked about the location, length and cost of the road.

Chuck Huckelberry, County Administrator, responded that initially Aerospace Parkway and Raytheon were constructed as a T-intersection, with the addition of Rocketeer Drive, it would make the intersection a 4-way. He added that it would be a "stub road" to the south and would serve the property being developed for Vector Space.

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

CONTRACT AND AWARD

COUNTY ATTORNEY

42. City of Tucson, to provide for the Pima County Attorney's Victim Services Division, contract amount \$24,900.00 revenue (CTN-PCA-19-12)

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

HUMAN RESOURCES

43. American Indian Association, d.b.a. Tucson Indian Center, Amendment No. 1, to provide for the Native American Employment Policy Program, extend contract term to 6/30/19 and amend contractual language, General Fund, contract amount \$15,000.00 (CT-HR-18-16)

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

Supervisor Miller questioned why an additional \$15,000.00 was being requested when none of the current goals had been met. She indicated that she would not support this contract, as it had zero impact on the County.

Chuck Huckelberry, County Administrator, explained that the contract was a long-term contract that supported the Indian Center's outreach program to attract employees into Pima County's service.

Upon the vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

REAL PROPERTY

44. Golden Pins, L.L.C., Amendment No. 1, to provide an Acquisition Agreement to acquire real property located at 1010 W. Miracle Mile between Interstate 10 and Oracle Road and amend contractual language, General Fund, contract amount \$150,000.00 decrease (CT-PW-18-353)

(Clerk's Note: Additional discussion on this matter was held in conjunction with Minute Item No. 17.)

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

Supervisor Christy stated that he was opposed to this acquisition and would vote to deny.

Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

BOARD, COMMISSION AND/OR COMMITTEE

45. **Trial Court Appointments - Nominating Committee District 2**

- Appointments of James Kelley and Tom Murphy, Republicans, to replace Cynthia Davis Dyas and Keith Gomez. No term expirations.
- Appointment of Dana Moore, Independent, to fill a vacancy created by Karen Woods. No term expiration.

- Appointments of Eric Ponce, Victor Soltero and Sofia Blue, Democrats, to replace Maria Bustamante, Barbara Enos and Elaine Blankenship. No term expirations.

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

46. Board of Adjustment, District 2

Reappointment of Victor Soltero. Term expiration: 6/30/22.

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

47. Regional Wastewater Reclamation Advisory Committee

Appointment of Scott Oldendorph, to replace William Garner. Term expiration: 3/1/20. (District 1)

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

48. Planning and Zoning Commission

Reappointment of William Matter. Term expiration: 6/19/22. (District 4)

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

49. Animal Care Advisory Committee

Appointment of Patty Peth, Registered PACC Volunteer, to replace Christy Holliger. Term expiration: 6/30/20. (Organizational recommendation)

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

CONSENT CALENDAR

50. Approval of the Consent Calendar

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 11 and 12 were set aside for separate discussion and vote.

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

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISOR MILLER

CONTRACT AND AWARD

PROCUREMENT

11. Automatic Data Processing, Inc., d.b.a. ADP, L.L.C., Amendment No. 6, to provide for HR/Payroll, Benefits and eTime Management and amend contractual language, no cost (MA-PO-13-202) Information Technology

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

Supervisor Miller asked why the rate had increased so rapidly.

Mary Jo Furphy, Director, Procurement Department, responded that annual increases in software were customary and could be up to 5% per year. She added that a 2% increase was not above the normal.

Supervisor Miller questioned why the County outsourced its payroll.

Tom Burke, Deputy County Administrator, responded that the County had been using a mainframe system for about 20 years that supported payroll and financials. He explained that when the County switched to the CGI/AMS software for financials they realized that it did not meet payroll needs. He added that a selection process was conducted that resulted in the contract with ADP.

Supervisor Miller asked if there were cost savings to the County using ADP.

Mr. Burke responded that they did not have another system to compare ADP to, but could review what other counties used for payroll and compare costs.

Supervisor Miller recommended that the County review the various payroll systems used by other counties.

Mr. Burke stated that once the contract was up for renewal the County would evaluate other options and associated costs.

Chuck Huckelberry, County Administrator, stated that he would compare payroll costs with Maricopa, Pinal and Coconino Counties.

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

12. Dibble & Associates Consulting Engineers, Inc., d.b.a. Dibble Engineering, to provide for Design Services: Connection of the Fairgrounds WRF to the Conveyance System (3FGS17) Project, RWRD Obligations Fund, contract amount \$710,675.03 (CT-PW-19-37) Public Works

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

Supervisor Miller questioned why this was being awarded based on qualifications versus competitive bid and asked why a cost plus fee contract was issued.

Chuck Huckelberry, County Administrator, responded that the consultant selection was for professional service based on qualifications. He explained that it was a 2-step process. The first step was the qualification selection, and the second was for compensation in accordance with the fee schedule, tasks assigned and the number of hours worked. He added that all the appropriate overhead factors were allocated into the contract based on audits of the various consultants and that the determination was made per the accuracy of their overhead factors.

Supervisor Christy asked if this was associated with the County Fairgrounds.

Mr. Huckelberry responded that there were two parts to the project. He explained that the fairgrounds operated an oxidation pond and were not meeting the freeboard requirements. He stated that the utilization of the fairgrounds were limited, and if the County did not make those reliefs, there was a potential for violating the Clean Water Act standards imposed for wastewater treatment. He added that the County needed to obtain an interceptor sewer to relieve the costs associated with maintaining and operating the oxidation pond. He also stated that this was an economic development employment area and without wastewater services their economic development options were limited.

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

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CONTRACT AND AWARD

Community Services, Employment and Training

1. JEVS Human Services, d.b.a. Vocational Research Institute, Amendment No. 1, to provide for workforce development services - Work Readiness Program, extend contract term to 6/30/19 and amend contractual language, WIOA Fund, contract amount \$3,599.00 (CT-CS-18-60)

2. Pairin, Inc., Amendment No. 1, to provide for workforce development services - Work Readiness Program, extend contract term to 6/30/19 and amend contractual language, WIOA Fund, contract amount \$2,400.00 (CT-CS-18-124)
3. Monster Worldwide, Inc., d.b.a. Monster Government Solutions, L.L.C., Amendment No. 1, to provide for workforce development services - Work Readiness Program, extend contract term to 6/30/19 and amend contractual language, USDOL, WIOA, LEAP-2 and USHUD - CoC Funds, contract amount \$2,170.00 (CT-CS-18-57)

Health

4. Arizona Department of Health Services, Amendment No. 1, to provide for the Expansion of Behavioral Risk Factor Surveillance System Survey in Pima County and extend contract term to 8/1/19, no cost (CT-HD-18-452)
5. University of Arizona, Sponsored Projects Services, Amendment No. 2, to provide for the Zika Virus Reporting and Identification Call Center Project, extend contract term to 7/31/19, amend contractual language and scope of work, ADHS Emergency Preparedness Grant Fund, contract amount \$49,900.00 (CT-HD-18-512)

Natural Resources, Parks and Recreation

6. Town of Marana, to provide for Marana to facilitate the planning, design and development of the Central Arizona Project Trailhead and Trail within the Town of Marana, General Fund, contract amount \$50,000.00 (CT-PR-19-7)

Pima Animal Care Center

7. Arizona Board of Regents, University of Arizona Veterinary Diagnostic Laboratory, Amendment No. 3, to provide for veterinary pathology services, extend contract term to 7/31/19 and amend contractual language, PACC Special Revenue Fund, contract amount \$54,000.00 (CT-PAC-18-56)

Procurement

8. **Award**
Amendment of Award: Master Agreement Nos. MA-PO-13-559 and MA-PO-13-560, Rod Robertson Enterprises, Inc. and Sierra Auction Management, Inc., for auction services. This revision extends the termination date to 10/31/18 to provide sufficient time to conduct a solicitation process and award new contracts. Funding Source: Revenue. Administering Department: Fleet Services.

9. **Award**

Award: Master Agreement No. MA-PO-19-1, Kemira Water Solutions, Inc. (Headquarters: Atlanta, GA), for ferric chloride. This master agreement is for an initial term of one (1) year in the annual award amount of \$879,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Wastewater Enterprise Fund. Administering Department: Regional Wastewater Reclamation.

10. Green Light Traffic Engineering, L.L.C., to provide for LIDAR asset data extraction, Transportation Operation (HURF) Fund, contract amount \$367,631.00 (CT-TR-19-11) Transportation
11. Automatic Data Processing, Inc., d.b.a. ADP, L.L.C., Amendment No. 6, (PULLED FOR SEPARATE ACTION)
12. Dibble & Associates Consulting Engineers, Inc., d.b.a. Dibble Engineering, (PULLED FOR SEPARATE ACTION)

Real Property

13. Mobilitie, L.L.C., Amendment No. 1, to provide for small wireless telecommunication equipment in right-of-way and on County facilities, extend contract term to 8/6/28 and amend contractual language, no cost (CTN-PW-18-41)

Recorder

14. City of Tucson, to provide for election services, contract amount \$40,000.00 estimated revenue (CTN-RE-19-7)

Sheriff

15. Town of Sahuarita, to provide for the incarceration of municipal prisoners, contract amount \$163,000.00 estimated revenue (CTN-SD-18-164)
16. Green Valley Sheriff Auxiliary Volunteers, Amendment No. 1, to provide property loss protection - Green Valley SAV vehicles, extend contract term to 6/30/19 and amend scope of work, no cost (CT-SD-18-41)

GRANT APPLICATION/ACCEPTANCE

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

U.S. Department of Labor/Veterans Employment and Training Service, to provide for the Homeless Veterans Reintegration Program, \$236,664.00 (GTAM 19-1)

18. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 4, to provide for the Public Health Emergency Preparedness Program, CDC Fund, \$687,297.00/\$68,729.70 Health Special Revenue Fund match (GTAM 19-2)
19. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 6, to provide for the Healthy People Healthy Communities Project, \$1,614,131.00 (GTAM 19-3)
20. **Acceptance - Community Services, Employment and Training**
Arizona Department of Economic Security (AZDES), to provide for the AZDES - Employment and Training Program Workforce Innovation and Opportunity Act, \$7,420,309.00 (GTAW 18-88)
21. **Acceptance - Health**
Pima Council on Aging, to provide primary nursing care for the elderly, \$22,922.00 (GTAW 19-3)
22. **Acceptance - County Attorney**
Office of the Arizona Attorney General, to provide for the 2019 Victims' Rights Program Award, \$169,601.00 (GTAW 19-6)
23. **Acceptance - County Attorney**
Arizona Criminal Justice Commission, to provide for the Crime Victim Compensation Program Grant, \$670,900.00 (GTAW 19-7)
24. **Acceptance - County Attorney**
Arizona Criminal Justice Commission, to provide for the Crime Victim Assistance Program Grant, \$12,080.00/\$3,020.00 PCA In-kind Fund match (GTAW 19-8)

BOARD, COMMISSION AND/OR COMMITTEE

25. **Workforce Investment Board**
 - Reappointment of Aric L. Meares, representing Business. Term expiration: 9/30/20. (Commission recommendation)
 - Reappointments of Deron Johnson, Mark Vitale, Mary Darling and Danielle Duarte, representing Business; Ramon Serrato, representing Workforce; CBO; Brad McCormick, representing Workforce; Out-of-School Youth Organization; Kathy Prather, representing Education and Training; Educational Agency; Chris Tafoya, representing State Employment Service Office under Wagner-Peyser; Jan Leshner, representing GECD; WIOA Title I - Adults, Dislocated Workers and Youth; Jorge Rivero, representing GECD; TANF; Business. Term expirations: 9/30/21. (Commission recommendations)

26. **Pima County/City of Tucson Outdoor Lighting Code Committee**
Ratification of Appointments: Jason Lopez, to replace Austin Green and John Jolly, to replace Joyce J. Kelly. Term expirations: 6/4/22. (City of Tucson recommendations)
27. **Small Business Commission**
Appointment of Michael Mallozzi, to fill a vacancy created by Joy Soler. No term expiration. (District 5)
28. **Planning and Zoning Commission**
Reappointment of Bruce Gungle. Term expiration: 6/19/22. (District 5)
29. **Board of Health**
Reappointment of Mary Lou Gonzales. Term expiration: 6/30/22. (District 5)
30. **Animal Care Advisory Committee**
Appointment of Karen Baden, to fill a vacancy created by Dan Eckstrom. Term expiration: 6/30/22. (District 5)

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

31. **Special Event**
Aaron Michael Cooper, International Sonoran Desert Alliance, Curley School Artisan Apartments, 401 W. Esperanza Avenue, Ajo, September 28, 2018.
32. **Temporary Extension**
06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, July 5, 7, 14, 21, 28, August 2, 4, 11, 18, 25, September 1, 6, 8, 15, 22 and 29, 2018.

FINANCE AND RISK MANAGEMENT

33. **Duplicate Warrants - For Ratification**
Prolam Plus \$102.50; Yvette G. Avila \$56.07; US Foods, Inc. \$2,618.70; US Foods, Inc. \$2,398.41; Denise M. Warren \$844.40; Law Office of Thomas Norton \$5,352.00; Rancho Del Mar Apartments, L.P. \$660.00; Mayra E. Jeffery \$101.46; Executive Process, L.L.C., EZ Messenger \$495.00; Molly Marie Hilber \$259.26; Molly Marie Hilber \$174.00; Jamie Sue Dement \$193.50; Susan Allison \$20.29; Fairmount Manor \$750.00; Stacey Nicole Brady \$215.00; Mary Louise Kelso \$8.90; Zeneth Cocoa \$62.24; Southwest Water Conditioning \$32.58.

RECORDER

34. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of May and June, 2018.

SUPERIOR COURT

35. **Fill the Gap Application**

Staff requests approval to submit a Fill-the-Gap Application to the Arizona Supreme Court Administrative Office of Courts for Fiscal Year 2019.

TREASURER

36. **Duplicate Warrants - For Ratification**

Fidelity National Title Agency \$1,167.35.

37. **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 \$42,178.00.

RATIFY AND/OR APPROVE

38. Minutes: June 12, 19 and July 3, 2018

Warrants: July, 2018

* * *

51. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 3:32 p.m.

CHAIRMAN

ATTEST:

CLERK