

## **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, October 1, 2019. 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: Jan Leshner, Chief Deputy County Administrator  
Andrew Flagg, Chief Civil Deputy County Attorney  
Julie Castañeda, Clerk of the Board  
Marissa Hernandez, Sergeant at Arms

### **1. CONTRACT**

CMG Drainage Engineering, Inc., Amendment No. 1, to provide for the Santa Cruz River Management Plan: Grant Road to Trico Road, extend contract term to 6/30/21, amend contractual language and scope of services, Flood Control Tax Levy Fund, contract amount \$751,236.64 (CT-FC-18-215)

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

Supervisor Miller inquired why a cost plus fixed fee contract was being proposed as opposed to a fixed price contract.

Carmine DeBonis, Jr., Deputy County Administrator, responded that the scope of the project included various stakeholders, working groups and a variety of approaches that needed to be identified in order to establish a plan. He stated that it was structured in this manner because it provided flexibility throughout the process and various consultants were needed to lead the evolution of the process.

Supervisor Miller indicated that implementing a cost plus fixed fee contract was not sensible. She also expressed concern over the inflated overhead. She inquired whether labor and overhead rates were being reviewed.

Mr. DeBonis responded that overhead rates were examined. He indicated that the consulting and engineering community had varied overhead rates and it was typical to see these amounts in the 125% to 180% range. He stated that each firm provided a different expertise, financial structure, and operating models and that determined the calculation rates. He added that it was not uncommon to see elevated overhead rates from engineering consulting firms.

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

2. **GRANT APPLICATION/ACCEPTANCE - FLOOD CONTROL**

Federal Emergency Management Agency, to provide for the Flood Risk Mapping Projects, 2019 - Cooperative Technical Partnership Grant, \$1,050,000.00/3 year term (GTAW 20-36)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:18 a.m.

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CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK

## LIBRARY DISTRICT BOARD MINUTES

The Pima County Library 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, October 1, 2019. 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: Jan Leshar, Chief Deputy County Administrator  
Andrew Flagg, Chief Civil Deputy County Attorney  
Julie Castañeda, Clerk of the Board  
Marissa Hernandez, Sergeant at Arms

### 1. GRANT APPLICATION/ACCEPTANCE - LIBRARY

Arizona State Library, Archives and Public Records, to provide for the State Grants-In-Aid 2020 Program, \$25,000.00/\$25,000.00 Library District 2051 Fund Match (GTAW 20-28)

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

### 2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 10:18 a.m.

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CHAIRMAN

ATTEST:

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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, October 1, 2019. 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: Jan Leshner, Chief Deputy County Administrator  
Andrew Flagg, Chief Civil Deputy County Attorney  
Julie Castañeda, Clerk of the Board  
Marissa Hernandez, Sergeant at Arms

### **1. INVOCATION**

The invocation was given by Reverend Marlon Harmon, Trinity Temple CME Church.

### **2. PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

### **3. POINT OF PERSONAL PRIVILEGE**

Supervisor Bronson recognized the Jewish New Year and indicated that it was the 5,780th year on the Jewish calendar.

Chairman Elías acknowledged the Pride Weekend Event.

### **4. PAUSE 4 PAWS**

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

### **5. PRESENTATION/PROCLAMATION**

#### **A. Proclamation**

Presentation of a proclamation to Scott Lukomski, President, Board of Directors, Libby Stone, Executive Director, Rhonda Perez, Treasurer and Board Member, Obdulia Gonzalez, Board Member, and Maura Robinson, Volunteer, Friends of the Pima County Public Library, proclaiming the week of October 20 through 26, 2019 to be: "FRIENDS OF LIBRARIES WEEK IN PIMA COUNTY"

**B. Presentation of Donation**

Presentation of a 'big check' donation from Friends of the Libraries to the Pima County Public Library.

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

**6. CALL TO THE PUBLIC**

Geri Ottoboni addressed the Board regarding tax increases and seniors on fixed incomes.

Robert Reus spoke about Guatemalan policies.

Keith Van Heyningen addressed the Board regarding road repairs and balanced budgets.

Steve McEwen spoke regarding abolishing the Community Law Enforcement Partnership Commission (CLEPC).

Steve Diamond addressed the Board regarding continued community involvement with CLEPC in order to ensure transparency.

Marla Pacheco read a statement from Isabel Garcia, regarding Ms. Garcia's opposition to the disbandment of CLEPC.

**7. CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:45 a.m.

**8. RECONVENE**

The meeting reconvened at 10:04 a.m. All members were present.

**EXECUTIVE SESSION**

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Pima County v. Tony Chad Williams, Pima Superior Court Case No. C20182054.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that this item involved a proposed settlement on an eminent domain case. He indicated that under the terms of the proposed settlement the County would pay \$27,257.00 for the property plus statutory interest. The County Attorney's Office sought direction on whether to proceed with the proposed settlement.

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

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement offer in AZ PAV West, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2019-000354.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that under the terms of the proposed settlement, the full cash value of the parcels would be set at \$4,377,956.00 and \$6,237,430.00 for tax year 2018 only. The County Attorney's Office sought direction on whether to proceed with the proposed settlement.

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

## **BOARD OF SUPERVISORS**

### **11. Community Law Enforcement Partnership Commission**

Discussion/vote to disband the Community Law Enforcement Partnership Commission.

It was moved by Supervisor Miller and seconded by Supervisor Christy to approve the disbandment of the Community Law Enforcement Partnership Commission (CLEPC). No vote was taken at this time.

Chairman Elías expressed concern over the disbandment of CLEPC. He indicated that the voice of the people was being disregarded. He commented about members of the Board not taking CLEPC serious and indicated that issues surrounding law enforcement were serious and needed to be addressed. He expressed pride in the Sheriff's Department and the Deputies that served.

Supervisor Miller commented that CLEPC was a platform used to bash law enforcement without any evidence of racial targeting by the Sheriff's Department. She indicated that Sheriff Napier's decision to appoint his own commission was the right thing to do, because the Board had no authority governing an elected official.

Supervisor Christy commented that he agreed with the statements expressed by Supervisor Miller and indicated that he would be voting in favor of disbanding CLEPC.

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

## **CLERK OF THE BOARD**

### **12. Joint Premises Permits**

RESOLUTION NO. 2019 - 68, of the Board of Supervisors, amending Resolution No. 2016-62, authorizing the Clerk of the Board and/or the County Administrator, to provide local governing body approval for joint premises permits.

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

## **FRANCHISE/LICENSE/PERMIT**

### **13. Hearing - Liquor License**

Job No. 70387, Nicholas Wayne Eggman, SphereX Distilleries, 3780 E. 44th Street, No. 116, Tucson, Series 18, Craft Distiller, New License.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Elías, seconded by Supervisor Bronson 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 - Fireworks Permit**

Gary Thompson, Catalina Foothills High School, 4300 E. Sunrise Drive, Tucson, October 4, 2019 at 6:45 p.m.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve the permit.

## **JUSTICE COURT**

### **15. The Board of Supervisors on September 3, 2019, continued the following:**

#### **Hearing - Continuance Processing Cost Recovery Fee**

ORDINANCE NO. 2019 - 23, of the Board of Supervisors, amending Pima County Ordinance Number 1999-74, as previously amended by Ordinances 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23, by establishing an administrative cost recovery fee for services provided to the public by the Pima County Consolidated Justice Court.

At the request of staff and without objection, this item was removed from the agenda.

## **TRANSPORTATION**

### **16. Hearing - Establishment of Tournament Way**

RESOLUTION NO. 2019 - 69, of the Board of Supervisors, providing for the establishment of Tournament Way, a County Highway situated within Section 32, T14S, R14E, G&SRM, Pima County, Arizona. (District 2)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson and seconded by Supervisor Valadez to close the public hearing and adopt the Resolution. Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

## **CLERK OF THE BOARD**

### **17. Petition for Relief of Taxes**

Pursuant to A.R.S. §42-11109(E), Van Nuys Hispanic Foursquare Church, d.b.a. La Iglesia En El Camino has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2018, for Parcel Nos. 119-04-4820, 119-04-4830, 119-04-5000, and 119-04-5010.

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

### **18. Petitions for Redemption of Property Tax Exemption Waiver**

Staff recommends approval of the petitions for redemption of property tax exemption waivers.

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

## **CONTRACT AND AWARD**

## **ATTRACTIONS AND TOURISM**

### **19. Arizona Aerospace Foundation, Inc., to provide for an operating agreement for Pima Air and Space Museum, no cost/25 year term (CT-ED-20-114)**

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



## **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

20. Arivaca Coordinating Council/Human Resource Group, Inc., Amendment No. 1, to provide for the Arivaca Coordinating Council; Arivaca Human Resource Building update, extend contract term to 12/31/20, amend contractual language and scope of work, HUD and CDBG Funds, contract amount \$11,000.00 (CT-CD-19-351)

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

## **COUNTY ADMINISTRATOR**

21. City of Tucson for Pima County Safety and Justice Challenge, to provide for a Pima County Safety and Justice Challenge Data Analyst employed by the City Manager's Office, Safety and Justice Challenge Grant, contract amount \$156,000.00/2 year term (CT-CA-20-99)

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

## **PIMA ANIMAL CARE CENTER**

22. Richard and Cynthia Jones, to provide for a Donation and Donor Recognition Agreement for the Feline Treatment Room, no cost/20 year term (CTN-PAC-20-57)

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

## **REAL PROPERTY**

23. Sculpture Tucson.Org, Inc., to provide for a lease agreement for property located at 3420 E. River Road, contract amount \$3,600.00 revenue/3 year term (CTN-PW-20-56)

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

## **GRANT APPLICATION/ACCEPTANCE**

24. **Acceptance - Sheriff**

U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Amendment No. 1, to provide for the National Crime Statistics Exchange Implementation Project, no cost (GTAM 20-6)

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

**25. Acceptance - Health**

Governor's Office of Highway Safety, to provide for the pedestrian safety and bicycle related materials and supplies (bicycle helmets), \$10,000.00 (GTAW 20-33)

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

**26. Acceptance - Behavioral Health**

Department of Justice, Office of Justice Programs, National Institutes of Justice, to provide for improving reentry for adults with co-occurring substance abuse and mental illness, \$1,000,000.00/\$352,704.00 Behavioral Health Unit 3048 Fund Match (GTAW 20-37)

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

**CONSENT CALENDAR**

**27. Approval of the Consent Calendar**

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve the Consent Calendar in its entirety, as amended.

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**CONTRACT AND AWARD**

**County Attorney**

1. Audilett Law, P.C., Amendment No. 4, to provide for legal services regarding Daschke v. Hartenstein, extend contract term to 10/1/20 and amend contractual language, no cost (CT-FN-18-113)

**Pima Animal Care Center**

2. City of South Tucson, to provide for animal care and enforcement services, contract amount \$284,737.00 revenue/2 3 year term (CTN-PAC-20-13)

## **Procurement**

3. WSP USA, Inc., Amendment No. 5, to provide for the Speedway Boulevard: Painted Hills to Camino De Oeste paved shoulders (4HSBSP), extend contract term to 6/30/21, amend contractual language and scope of services, HSIP (94.3%) and DOT 57 HURF Bonds (5.7%) Funds, contract amount \$24,000.00 (CT-TR-18-472) Transportation
4. Durazo Construction Corporation, to provide for the Administration West fifth floor tenant improvements (XAW5TI), FM Capitol Non-Bond Projects Fund, contract amount \$1,895,900.00 (CT-FM-20-105) Facilities Management

## **Transportation**

5. Arizona Department of Transportation, to provide for the State Route 77 (Oracle Road): River Road to Calle Concordia pavement rehabilitation, lighting, sidewalk and intersection improvements, no cost/5 year term (CTN-TR-20-20)

## **BOARD OF SUPERVISORS**

### **6. Meeting Schedule**

Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2020.

## **BOARD, COMMISSION AND/OR COMMITTEE**

### **7. Tucson-Pima County Bicycle Advisory Committee**

- Appointments of Dale Hinman, Douglas Horn and Heidi Costello, to fill vacancies created by Brian D. Beck, Kylie Walzak and David Bachman-Williams. Term expirations: 9/30/21. (Commission recommendations)
- Appointment of Joseph Mais, to fill a vacancy created by Elaine Mariolle. Term expiration 10/31/20. (Commission recommendation)
- Appointment of Howard P. Maubach, Jr., to fill a vacancy created by Sarah Jansen. Term expiration 11/5/20. (Commission recommendation)
- Reappointments of P. Wayne Cullop and Daphne Hope: Term expirations: 7/31/21. (Commission recommendations)
- Reappointments of Cyndi Tuell and Eric Post: Term expirations: 9/30/21. (Commission recommendations)

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

**8. Special Event**

- Mario Jesus Rodriguez, Promesa, Our Lady of Fatima Catholic Church, 1950 W. Irvington Place, Tucson, October 5, 2019.
- Jose M. Alday, Our Lady of Fatima Parish, 1950 W. Irvington Place, Tucson, October 26 and 27, 2019.
- Clayton R. Joyce, Pima Canyon Estates HOA, Intersection of Desert Garden Drive and Pima Canyon Drive, Tucson, November 9, 2019.
- Paige Marie Cogdall, Angel Charity for Children, Inc., Westin La Paloma Resort, 3800 E. Sunrise Drive, Tucson, December 14, 2019.
- Blake Blackman-Woody, Gabriel's Angels, Inc., La Encantada, 2905 E. Skyline Drive, Tucson, October 18, 2019.

**9. Temporary Extension**

- 03103030, Jeffrey Kaber, Copper Mine Brewing Company, 3455 S. Palo Verde Road, Tucson, October 5, 2019.
- 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, October 3, 5, 6, 12, 13, 19, 20, 26, 27, November 2, 3, 7, 9, 10, 16, 17, 23, 24, 30, December 1, 6, 7, 8, 14, 15, 21, 22, 28, 29, 30 and 31, 2019.

**ELECTIONS**

**10. Precinct Committeemen**

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

RESIGNATION-PRECINCT-PARTY

Garry Greenberg-036-DEM

APPOINTMENT-PRECINCT-PARTY

Arlene M. Villalobos-022-DEM; Heather R. Charles-062-DEM; William S. Lockhart-062-DEM; Beth A. Mitchneck-078-DEM; Luise K. Levy-107-DEM; Vicki J. Gee-239-DEM

**FINANCE AND RISK MANAGEMENT**

**11. Duplicate Warrants - For Ratification**

Alyssa Gabriel Escobar \$32.90; Victory Supply \$5,953.50; Kelli Van Nuys \$109.03; W.W. Grainger, Inc. \$935.87; Sarah Katherine Davis \$97.46; Natasha Tully \$112.50.

## **TREASURER**

### **12. 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 \$45,805.73.

## **RATIFY AND/OR APPROVE**

13. Minutes: August 19 and September 3, 2019  
Warrants: September, 2019

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### **28. ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:18 a.m.

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CHAIRMAN

ATTEST:

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CLERK