

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, April 7, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ally Miller, Member
 Steve Christy, Member

Absent: Richard Elías

Also Present: Chuck Huckelberry, County Administrator
 Andrew Flagg, Chief Civil Deputy County Attorney
 Julie Castañeda, Clerk of the Board
 Ryan Roher, Sergeant at Arms

1. CONTRACT

The Ashton Company, Inc., Contractors and Engineers, Borderland Construction Company, Inc., Hunter Contracting Co., K E & G Construction, Inc. and Rummel Construction, Inc., Amendment No. 4, to provide for flood control and drainage improvement services and amend contractual language, Various Funds, contract amount \$5,000,000.00 (MA-PO-18-98)

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

Supervisor Miller questioned the amendment's authority, which allowed increased funding, up to \$2 million, without the Board's approval and the District's discretion to distribute \$200,000.00. She inquired whether this was in compliance with established policies and procedures.

Chuck Huckelberry, County Administrator, responded that once a project was identified by the Flood Control District, the contract allowed the Procurement Director to bid any single job order, up to \$2 million, among the direct select contractors and to make the award to the lowest bidder.

Upon the vote, the motion carried 4-0.

2. **FLOODPLAIN MANAGEMENT PLAN**

RESOLUTION NO. 2020 - FC1, of the Pima County Flood Control District Board of Directors, approving a Floodplain Management Plan as part of the National Flood Insurance Program's Community Rating System.

It was moved by Supervisor Bronson, seconded by Chairman Valadez and carried by a 4-0 vote, to adopt the Resolution.

3. **2020 PROGRAM FOR PUBLIC INFORMATION**

RESOLUTION NO. 2020 - FC2, of the Pima County Flood Control District Board of Directors, approving a program for public information as part of the National Flood Insurance Program's Community Rating System.

It was moved by Supervisor Bronson, seconded by Chairman Valadez and carried by a 4-0 vote, to adopt the Resolution.

4. **GRANT APPLICATION/ACCEPTANCE**

Arizona Department of Forestry and Fire Management, to provide for the Invasive Plant Grant Program, \$340,000.00/\$340,000.00 Flood Control Tax Levy Fund Match/2 year term (GTAW 20-103)

It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item.

5. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:14 a.m.

CHAIRMAN

ATTEST:

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, April 7, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Vice Chair
 Sharon Bronson, Acting Chair
 Ally Miller, Member
 Steve Christy, Member

Absent: Richard Elías, Chairman

Also Present: Chuck Huckelberry, County Administrator
 Andrew Flagg, Chief Civil Deputy County Attorney
 Julie Castañeda, Clerk of the Board
 Ryan Roher, Sergeant at Arms

1. MOMENT OF SILENCE

A Moment of Silence was observed in memory of Chairman Richard Elías.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. POINT OF PERSONAL PRIVILEGE

Vice Chair Valadez and Supervisor Bronson acknowledged the passing of philanthropist Rusty Garrett.

PRESENTATION

4. Presentation of Certificates of Appreciation for Michael Stewart and William Mesinas. (District 1)

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

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation in honor of the memory of Chairman Richard Elías and proclaiming the month of April 2020 to be: "A MEMORIAL HONOR AND TRIBUTE TO CHAIRMAN RICHARD ELÍAS"

It was moved by Vice Chair Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

BOARD OF SUPERVISORS

6. District 5 Supervisor

Discussion/action regarding the appointment of a new District 5 Supervisor.

Vice Chair Valadez reviewed the eligibility requirements for filling a vacancy. He stated that the appointee must be of the same political party, registered to vote in the District, a resident of the State of Arizona, 18 years of age and able to read and write English.

Supervisor Christy recommended that the Board proceed with an application process for qualified individuals to express interest and participation in public forum.

Vice Chair Valadez explained that process was specifically dictated by statute for legislative appointments, but an appointment of a Board Member did not have the same requirements.

Supervisor Bronson stated that Chairman Elías' family submitted a recommendation and the Board received one letter of interest. She proposed that due to current events and the urgency of upcoming Board decisions, the Board forego an extensive application process.

It was moved by Supervisor Bronson and seconded by Vice Chair Valadez to appoint Betty Villegas to fill the position of District 5 Supervisor. No vote was taken at this time.

Supervisor Christy stated that due to the critical issues facing the Board, it was the Board's responsibility to take a discerning approach to the appointment.

Supervisor Miller noted that the statutes for appointing a Supervisor differed from the statutes for a Justice of the Peace appointment.

Upon roll call vote, the motion carried 3-1, Supervisor Christy voted "Nay."

7. Organization of the Board

Discussion/action regarding selection of Board Chair, Vice Chair and Acting Chair.

It was moved by Supervisor Bronson and seconded by Vice Chair Valadez to select Ramón Valadez as Chairman and Sharon Bronson as Vice Chair of the Board of Supervisors. No vote was taken at this time.

Supervisor Miller inquired about the selection of Acting Chair.

Vice Chair Valadez responded that the selection of an Acting Chair would be addressed once there was a full Board.

Upon the vote, the motion carried 4-0.

PRESENTATION/PROCLAMATION

8. Presentation of a proclamation to Jay Young, Executive Director, Southwest Fair Housing Council, proclaiming the month of April 2020 to be: "FAIR HOUSING MONTH"

It was moved by Supervisor Bronson, seconded by Supervisor Christy and carried by a 4-0 vote, to approve the item. Supervisor Bronson read the proclamation into the record.

9. Presentation of a proclamation to Maria Cardenas, U.S. Census Bureau, proclaiming the month of April 2020 to be: "CENSUS MONTH IN PIMA COUNTY"

It was moved by Supervisor Christy, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item. Supervisor Miller read the proclamation into the record.

10. Presentation of a proclamation to Celia Robidoux, Executive Director, Sharon Haber, Communications and Events Coordinator, and Nadia Nichols, Community School Team Leader, Arizona Serve of Prescott College, proclaiming the day of Tuesday, April 7, 2020 to be: "NATIONAL SERVICE RECOGNITION DAY"

It was moved by Supervisor Christy, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item. Supervisor Christy read the proclamation into the record.

11. **PUBLIC COMMENTS**

Due to the closure of the Hearing Room to the public, alternate options for public viewing were available and comments to the Board were collected via email, provided to the Board of Supervisors and posted on the County's online agenda, under public comments.

12. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to convene to Executive Session at 9:44 a.m.

13. **RECONVENE**

The meeting reconvened at 9:52 a.m. All members were present.

EXECUTIVE SESSION

14. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement of a claim filed by Ronald Lewis.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that under the terms of the proposed settlement, the County would pay \$200,000.00 to resolve all of the Plaintiff's claims against Pima County. 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 carried by a 4-0 vote, to proceed with the proposed settlement.

15. 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. James M. Nelson et al., Pima County Superior Court Case No. C20195755.

Andrew Flagg, Chief Civil Deputy County Attorney, stated this case involved eminent domain and a proposed settlement of \$12,247.00 in total just compensation, including 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 carried by a 4-0 vote, to proceed with the proposed settlement.

CLERK OF THE BOARD

16. **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 carried by a 4-0 vote, to approve the item.

FINANCE AND RISK MANAGEMENT

17. **Quarterly Report on Collections**

Staff recommends acceptance of the Quarterly Report on Collections for the period ending 12/31/2019.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to approve the item.

FRANCHISE/LICENSE/PERMIT

18. Hearing - Fireworks Permit

Anne Connell, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, April 18, 2020 at 9:00 p.m. and April 25, 2020 at 9:50 p.m.

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

Supervisor Christy inquired about the process for organizations that were currently unable to hold events and whether refunds or abeyances were being applied.

Chuck Huckelberry, County Administrator, indicated that he would review the matter and, if needed, propose a policy.

19. Hearing - Liquor License

Job No. 97696, Ralphael Sean Piche, Family Dollar Store No. 27243, 3191 S. Kinney Road, Tucson, Series 10, Beer and Wine Store, New License.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

20. Hearing - Liquor License

Job No. 97859, Harold Blaine Busboom, Rocking K Market, 12660 E. Old Spanish Trail, Tucson, Series 6, Bar, New License.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing, approve the license subject to the amended Zoning Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

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

Job No. 100682, Andrea Dahlman Lewkowitz, Hacienda at the Canyon, 3900 N. Sabino Canyon Road, 2L, Tucson, Multi-License Acquisition of Control.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

22. **Hearing - Agent Change/Acquisition of Control/Restructure**

Job No. 100683, Andrea Dahlman Lewkowitz, Hacienda at the Canyon, 3900 N. Sabino Canyon Road, 3L, Tucson, Multi-License Acquisition of Control.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

23. **Hearing - Bingo License**

20-02-8038, Marie McBride, Trails West Residents Association, 8401 S. Kolb Road, Unit 217, Tucson, Class B - Medium Game.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Revenue.

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

18103004, Vladimir Vladimirovich Novokshchenv, Town Under Black Distillery, L.L.C., 3810 E. 44th Street, Units 307-311, Tucson.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

25. **Hearing - Rezoning**

P19RZ00008, UNISOURCE ENERGY CORP. - N. LA CHOLLA BOULEVARD
REZONING

Unisource Energy Corp., represented by Jeffrey Stanley, requests a rezoning of approximately 1.74 acres from the SH (Suburban Homestead) to the CB-2 (General Business) zone located approximately 270 feet south of W. River Road on the west side of La Cholla Boulevard, addressed as 5341 N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Neighborhood Activity Center and Resource Sensitive. On motion, the Planning and Zoning Commission voted 9-0 (Commissioners Becker and Hook were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. In accordance with the 2016 Subdivision and Development Street Standards, a traffic memorandum is required at the permitting process. The memorandum should focus on determining if a right-turn lane is required for the site and the impact to existing bus stop location, queuing analysis for the proposed driveway and impacts to the driveway to the north. Coordination with Sun Tran is required to determine if relocation or improvement to the existing bus stop is necessary.
 - B. The property shall be limited to one (1) access point as depicted on the PDP.
 - C. The design of the driveway shall be made to restrict vehicles from turning into existing southbound left-turn lane directly across from the proposed entrance.
 - D. Relocation/Removal of the existing guardrail shall be as determined by the Department of Transportation during the permitting process.
3. Regional Flood Control District conditions:
 - A. Fifty feet from the top of bank shall be dedicated, in fee, to the Pima County Regional Flood Control District.
 - B. At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table A or B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures
4. Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include

chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia spp.</i>	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria spp.</i>	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis spp.</i>	Lovegrass (excluding E. intermedia, plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum spp.</i>	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola spp.</i>	Russian thistle
<i>Schinus spp.</i>	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix spp.</i>	Tamarisk

6. Cultural Resources conditions: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Adherence to the preliminary development plan as approved at public hearing.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. §12-1134(l)."

Carmine DeBonis, Jr., Deputy County Administrator for Public Works, provided the staff report and stated there had been no public comment.

Supervisor Miller stated that it was unusual for Unisource Energy to participate in private development and inquired about the property being conveyed to private ownership.

Jeffrey Stanley, representative for applicant, indicated that the sale of the property, to Mike and Sean Baird, was contingent upon the property being rezoned.

Michael Baird reviewed intended plans for the property.

Supervisor Miller inquired about a County policy relating to a property being purchased contingent upon rezoning approval.

Mr. DeBonis responded that this was not a common practice, a corporation and a private buyer, but land transactions contingent upon rezoning approval was not unusual.

Supervisor Miller commented that a property purchase contingent upon rezoning approval, the purchaser should be applying for the rezoning.

It was moved by Supervisor Miller, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing and approve P19RZ00008, subject to standard and special conditions.

26. **Hearing - Rezoning**

P19RZ00013, ST. PHILIPS PLAZA, L.L.C. - N. CAMPBELL AVENUE REZONING

Request of St. Philips Plaza, L.L.C., represented by MJM Consulting, Inc., for a rezoning of approximately 0.67 acres from the CB-1 (Local Business) to the CB-2 (General Business) zone, on portions of properties with parcel codes 108-18-7060 and 108-18-7080, located about 400 feet southeast of the intersection of N. Campbell Avenue and E. River Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Community Activity Center land use. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Hook was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. CB-2 General Business uses shall be restricted to outdoor amplified live music venue (in Area 1-Courtyard only) and farmers market (on all CB-2 areas on the property); all CB-1 Local Business uses shall be permitted.
2. The amplified sound generated by the live outdoor music events shall be managed by a dedicated audio system to be installed, owned and operated by the plaza owner or their agent for the purposes of a consistent and metered sound level.
3. The dedicated audio system shall be designed and operated to focus its sound within the courtyard and to minimize sound propagation to off-site areas.

4. The sound generated by live outdoor music events shall not exceed 65 dBs between 7:00 AM and 10:00 PM and 58 dBs between 10:00 PM and 7:00 AM, as measured at the perimeter of the St. Philips Plaza property.
5. Adherence to the sketch plan as approved at public hearing.
6. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. §12-1134."
7. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

Carmine DeBonis, Jr., Deputy County Administrator for Public Works, provided the staff report and stated that staff had received one letter in support and one in opposition of the rezoning.

Michael Marks, representative of applicant, reported that they received concerns regarding noise levels but measures were put in place to mitigate those levels.

Grant Krueger, Business Owner, addressed the Board regarding the rezoning request.

It was moved by Supervisor Miller, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing and approve P19RZ00013, subject to standard and special conditions.

27. Hearing - Rezoning Ordinance

ORDINANCE NO. 2020 - 11, P19RZ00009, Gurvine - N. Camino Del Fierro Rezoning. Owners: David and Laura Gurvine. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to close the public hearing and adopt the Ordinance.

28. Hearing - Rezoning Resolution

RESOLUTION NO. 2020 - 19, Co9-07-21, Stewart Title and Trust TR 3652 - North Como Drive Rezoning. Owner: Stewart Title and Trust TR 3652, Aboud & Aboud, P.C. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to close the public hearing and adopt the Resolution.

29. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2020 - 20, Co9-14-06, AZ Square #7, L.L.C. - S. Nogales Highway Rezoning. Owner: AZ Square #7, L.L.C. (District 2)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to close the public hearing and adopt the Resolution.

30. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2020 - 21, Co9-97-41, Western Continental Limited Partnership/Shiner - Oracle Road Rezoning. Owner: Mildred D. Clemovitz Family Trust (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to close the public hearing and adopt the Resolution.

31. **Hearing - Comprehensive Plan Amendment Resolution**

RESOLUTION NO. 2020 - 22, P19CA00004, Higinio - N. Camino de Oeste Plan Amendment. Owner: Higinio Avilez (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to close the public hearing and adopt the Resolution.

PIMA ANIMAL CARE CENTER

32. **Hearing - Fee Schedule**

ORDINANCE NO. 2020 - 12, of the Board of Supervisors, relating to animals; to adopt a fee schedule for licensing, shelter, veterinary care, and related services provided by the animal services department under Title 6 of the Pima County Code.

At the request of staff and without objection, this item was continued to the Board of Supervisors' Meeting of April 21, 2020.

GRANTS MANAGEMENT AND INNOVATION

33. **Fort McDowell Yavapai Nation State-Shared Revenue Program Funds**

RESOLUTION NO. 2020 - 23, of the Board of Supervisors, to partner with the Arizona State Museum and accept, if awarded, and pass-through to the Arizona State Museum Fort McDowell Yavapai Nation State-Shared Revenue Program Funds.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to adopt the Resolution.

34. Pascua Yaqui Tribe State-Shared Revenue Program Funds

RESOLUTION NO. 2020 - 24, of the Board of Supervisors, to approve acceptance, if awarded, of Pascua Yaqui Tribe State-Shared Revenue Program Funds and pass-through to the Marine Corps Scholarship Foundation for Arizona Campaign: Honoring Marines by Educating Their Children.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to adopt the Resolution.

OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

35. Designation of Agent Resolution

RESOLUTION NO. 2020 - 25, of the Board of Supervisors, to designate the agent for applications made to State and Federal agencies in times of declared disasters.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-0 vote, to adopt the Resolution.

CONTRACT AND AWARD

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

36. Habitat for Humanity Tucson, Inc., Amendment No. 1, to provide for shelter technical assistance and maintenance support and extend contract term to 3/31/21, no cost (CT-CD-19-514)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

37. Tucson Clean and Beautiful, Inc., to provide for the South Tucson Community Greenway Project, HUD Fund, contract amount \$24,500.00 (CT-CD-20-219)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

38. Compass Affordable Housing, Inc., Amendment No. 5, to provide for the HUD Continuum of Care Program - CASA, amend contractual language and scope of work, HUD Fund, contract amount \$2,000.00 (CT-CS-16-268)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

FORENSIC SCIENCE CENTER

39. Bode Technology, Amendment No. 1, to provide for the Paul Coverdell Forensic Science Improvement Award, extend contract term to 6/30/20, amend contractual language and scope of work, no cost (CT-FSC-19-491)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

PROCUREMENT

40. **Award**

Amendment of Award: Master Agreement No. MA-PO-16-83, Amendment No. 6, W.W. Grainger, Inc., d.b.a. Grainger, Inc., to provide for MSA masks, canisters and bags. This amendment is pursuant to Pima County Procurement Code 11.12.060, Emergency, and is for a one-time increase in the amount of \$600,000.00 for a cumulative not-to-exceed contract amount of \$758,000.00 and to expand the scope of services to include all Personal Protective Equipment, medical and safety supplies. Funding Source: General Fund. Administering Department: Sheriff.

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

41. Barker Contracting, Inc., Chasse Building Team, Inc., Core Construction, Inc., Durazo Construction Corporation, Kapp-Con Incorporated, Kittle Design and Construction, L.L.C., Lloyd Construction Company, Inc., SD Crane Builders, Inc., to provide for a job order master agreement for remodel and construction services, Various Funds, contract amount \$2,500,000.00 (MA-PO-20-154) Facilities Management

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

42. Concord General Contracting, Inc., to provide for the construction of the Sahuarita Regional Library (XSBLIB), FM Capital Non-Bond Projects Fund, contract amount \$5,413,000.00 (CT-FM-20-290) Facilities Management

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

REAL PROPERTY

43. New Cingular Wireless PCS, L.L.C., Amendment No. 8, to provide for a Restated and Amended Nonexclusive Right-of-Way Use License for wireless communications facilities and amend contractual language, no cost (CTN-IT-15-3)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

GRANT APPLICATION/ACCEPTANCE

44. Acceptance - Community Services, Employment and Training

Arizona Department of Economic Security, Amendment No. 2, to provide for Housing Support Services and amend scope of work, no cost (GTAM 20-32)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

45. Acceptance - Constables

Constable Ethics, Standards and Training Board, to provide for Outside Training - National Conference Attendance, \$2,069.75 (GTAW 20-98)

It was moved by Chairman Valadez, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the item.

CONSENT CALENDAR

46. Approval of the Consent Calendar

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 8 and 9 were set aside for separate discussion and vote.

It was then moved by Supervisor Bronson, seconded by Chairman Valadez and carried by a 4-0 vote, to approve the remainder of the Consent Calendar.

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISOR MILLER

CONTRACT AND AWARD

Procurement

8. Award

Award: Master Agreement No. MA-PO-20-143, multiple contractors, to provide for original equipment manufacturer automotive parts. This Master Agreement is for an initial term of one (1) year in the shared annual award amount of \$672,600.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Fleet Services Ops Fund. Administering Department: Fleet Services.

Group A: Contractor/Headquarters/Award

Jim Click Ford, Inc., d.b.a. Jim Click Ford Lincoln/Tucson, AZ/Primary
Holmes Tuttle Ford, Inc., d.b.a. Holmes Tuttle Ford Lincoln/Tucson, AZ/Secondary

Group B: Contractor/Headquarters

O'Rielly Chevrolet, Inc., d.b.a. O'Rielly Motor Company/Tucson, AZ

Group C: Contractor/Headquarters/Award

LHM Corp., d.b.a. Larry H. Miller Dodge Ram Tucson/Sandy, UT/Primary
Jim Click, Inc., d.b.a. Jim Click Dodge/Tucson, AZ/Secondary

Group D: Contractor/Headquarters

DT Automotive Center, Inc., d.b.a. Desert Toyota of Tucson/Phoenix, AZ

Group E: Contractor/Headquarters

Jim Click, Inc., d.b.a. Jim Click Hyundai/Tucson, AZ

Supervisor Christy recused himself due to a potential conflict of interest and left the dais.

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

Supervisor Miller questioned the inclusion of quoted items when the award was for vehicles under warranty.

Chuck Huckelberry, County Administrator, responded that the award also included vehicles no longer under warranty.

Jan Leshner, Chief Deputy County Administrator, confirmed that the award included both warrantied and non-warrantied vehicles. She stated that clarifying information would be provided to Board.

Supervisor Bronson and Chairman Valadez withdrew their motion to approve the item.

It was then moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 3-0 vote, Supervisor Christy recused himself due to a potential conflict of interest, to continue the item to the Board of Supervisors' Meeting of April 9, 2020.

9. Desert Archaeology, Inc., to provide for cultural resource services for Segment II of the Silverbell Road Improvement Project, City Revenue Other Operating Fund, contract amount \$3,139,791.26/5 year term (CT-SUS-20-273) Office of Sustainability and Conservation

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

Supervisor Miller stated that she could not support this cost plus contract.

Upon the vote, the motion carried 3-1, Supervisor Miller voted "Nay."

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CONTRACT AND AWARD

Community Services, Employment and Training

1. Monster Worldwide, Inc., d.b.a. Monster Government Solutions, L.L.C., Amendment No. 3, to provide for workforce development services - Work Readiness Project, extend contract term to 6/30/21, amend contractual language and scope of work, USDOL-WIOA Fund, contract amount \$2,170.00 (CT-CS-18-57)
2. The Primavera Foundation, Inc., Amendment No. 4, to provide for the Emergency Services Network Program, extend contract term to 6/30/20, amend contractual language and scope of work, no cost (CT-CS-18-403)
3. Salvation Army, Amendment No. 4, to provide for the Emergency Services Network Program, extend contract term to 6/30/20, amend contractual language and scope of work, no cost (CT-CS-18-400)

Information Technology

4. SunZia Transmission, L.L.C., to provide for a data sharing agreement, no cost/5 year term (CTN-IT-20-115)

Natural Resources, Parks and Recreation

5. Tucson Audubon Society, to provide for operation of a nature shop at Agua Caliente Park, contract amount \$1,200.00 revenue (CTN-PR-20-112)

Procurement

6. **Award**
Amendment of Award: Master Agreement No. MA-PO-16-96, Amendment No. 7, Lenovo Global Technology (United States), Inc., to provide for Lenovo hardware, software, peripherals and related services. This amendment extends the termination date to 7/31/21 to allow the State of Arizona time to re-solicit a new Cooperative Contract. No additional funds required.
Administering Department: Information Technology.

7. **Award**
Amendment of Award: Master Agreement No. MA-PO-20-56, Amendment No. 1, McKesson Medical-Surgical Government Solutions, L.L.C., to provide for medical supplies. This amendment is for a one-time increase in the amount of \$500,000.00 for a cumulative not-to-exceed contract amount of \$750,000.00. Funding Source: General Fund. Administering Department: Sheriff.
8. **Award**
Award: Master Agreement No. MA-PO-20-143, multiple contractors, (PULLED FOR SEPARATE ACTION)
9. Desert Archaeology, Inc., (PULLED FOR SEPARATE ACTION)
10. Borderland Construction Company, Inc., to provide for design-build services for Continental Ranch Regional Pump Station Force Main Augmentation Project (3CFS15), Regional Wastewater Reclamation Department Obligations Fund, contract amount \$2,550,104.43/3 year term (CT-WW-20-272) Regional Wastewater Reclamation

Real Property

11. Young Artists' Community Ballet, Inc., a.k.a. Ballet Continental, Amendment No. 2, to provide a lease for specific portions of property located at 530 E. Whitehouse Canyon Road, extend contract term to 3/17/21 and amend contractual language, contract amount \$3,000.00 revenue (CTN-PW-14-137)
12. Arizona Electric Power Cooperative, Inc., to provide for a public utility license agreement, no cost/25 year term (CTN-PW-20-138)
13. Marana Unified School District No. 6 and Town of Marana, to provide an acquisition agreement to acquire approximately 2.5 acres of real property, Tax Parcel No. 207-36-004A, located in the northeast quarter of Section 27, T11S, R11E, G&SRM, Pima County, Arizona, no cost (CTN-PW-20-139)

Regional Wastewater Reclamation

14. Southwestern Fair Commission, Inc., to provide for a wastewater utility fee payment agreement, contract amount \$167,385.00 revenue/13 year term (CTN-WW-20-118)
15. Southwestern Fair Commission, Inc., to provide for a wastewater user fee agreement, contract amount \$1,100,000.00 revenue/50 year term (CTN-WW-20-120)
16. Northwest Fire District, to provide for access to Pima County property for confined space entry training, no cost (CTN-WW-20-135)

GRANT APPLICATION/ACCEPTANCE

17. **Acceptance - Community Development and Neighborhood Conservation**
Arizona Department of Housing, Amendment No. 1, to provide for the Weatherization Assistance Program and amend scope of work, \$60,000.00 (GTAM 20-34)
18. **Acceptance - Community Services, Employment and Training**
Arizona Department of Housing, Amendment No. 1, to provide for the Pima County Links Rapid Re-Housing Program and amend scope of work, no cost (GTAM 20-30)
19. **Acceptance - Community Services, Employment and Training**
Arizona Department of Housing, Amendment No. 1, to provide for the Housing Trust Fund - Eviction Prevention Program and amend scope of work, no cost (GTAM 20-31)
20. **Acceptance - Environmental Quality**
United States Environmental Protection Agency, to provide for the Near Roads Nitrogen Dioxide (NO₂) Monitoring Program, \$200,000.00 (GTAW 20-93)
21. **Acceptance - Pima Animal Care Center**
GreaterGood.org, to provide for Neonatal Kitten Supplies Support, \$10,000.00 (GTAW 20-101)
22. **Acceptance - Sheriff**
Executive Office of the President, Office of National Drug Control Policy, to provide for the High Intensity Drug Trafficking Areas Program, \$1,025,853.00 (GTAW 20-88)

SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/ PATIO PERMIT/WINE FAIR/WINE FESTIVAL/JOINT PREMISES PERMIT APPROVED PURSUANT TO RESOLUTION NO. 2019-68

23. **Special Event**
Andrew Heideman, Rotary Club of Green Valley, West Center, Green Valley Recreation Center, Inc., 1111 S. GVR Drive, Green Valley, April 5, 2020.
24. **Temporary Extension**
03103030, Jeremy Pye, Copper Mine Brewing Co., 3455 S. Palo Verde Road, Tucson, March 14, 2020.

ELECTIONS

25. Precinct Committeemen

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

RESIGNATION-PRECINCT-PARTY

Marcia L. Wohlhueter-057-DEM; Rachel Cheeseman-058-DEM; Terry O. Lang Jr.-084-DEM; Thomas J. Lindmeier-084-DEM; William Maki-084-DEM; Sandra Sprinkle-193-DEM; Deborah D. Dunlap-227-DEM; Barbro M. Drott-Huth-237-DEM; Robert Barry-113-REP; William C. Cleveland-116-REP; Nico Contreras-121-REP; Edwin C. Brousseau-122-REP

APPOINTMENT-PRECINCT-PARTY

Aaron J. Essif-006-DEM; Marilyn J. Rambo-010-DEM; Patricia L. Sobel-Sorenson-010-DEM; Gail K. Boswell-010-DEM; Amy R. Kaplan-012-DEM; Susan M. Liechti-016-DEM; Annie S. Witte-020-DEM; Victoria M. Khalidi-033-DEM; James W. Martin-036-DEM; Melinda A. Ontiveros-038-DEM; Ryan E. Tomblison-058-DEM; Maxine Krasnow-067-DEM; Allan C. Sanceau-069-DEM; John S. Veen-070-DEM; Phillip F. Schneeman-072-DEM; Josiah Samuel White-072-DEM; Tiffany M. Tom-075-DEM; Erika K. Khwaja-092-DEM; Carlos J. Vargas-099-DEM; William F. Smith-109-DEM; Bert H. Gustafson-145-DEM; Gordan L. Rutman-145-DEM; Diane Michelle-154-DEM; James E. Ticknor-181-DEM; Bonnie O. Leko-Shapiro-191-DEM; Karen J. Logan-205-DEM; Mary J. Evans-211-DEM; Erika Arett-238-DEM; William C. Cleveland-222-REP

FINANCE AND RISK MANAGEMENT

26. Duplicate Warrants - For Ratification

Andrew Reidy \$75.94; Rosa Barreras \$34.89; Olde English Creations, L.L.C. \$455.73; Troxell Communications, Inc. \$5,714.85; Nancy Chow \$1,700.00; Verizon Wireless \$54.06; Direct Center For Independence \$1,157.73; American Tire Distributors, Inc. \$4,908.26; Higher Ground A Resource Center \$7,935.45; Arizona Technology Council \$400.00.

RATIFY AND/OR APPROVE

27. Minutes: March 3, 2020
Warrants: March, 2020

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47. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:14 a.m.

CHAIRMAN

ATTEST:

CLERK