

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 20, 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
 Betty Villegas, Member

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

*Supervisors Christy and Miller participated remotely.

1. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee proposal in the amount of \$5,985.00 for placement of a single family residence at 1264 N. Calle Rinconado, located within Regulated Riparian Habitat classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat. (District 4)

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

2. CONTRACT

KB Home Tucson, Inc., Pima County Regional Flood Control District and Pima County, to provide a donation agreement for real property consisting of approximately 113 acres, Tax Parcel Nos. 218-10-005C, 208-41-0380 and a portion of 208-41-0390, General Fund, contract amount \$6,000.00 (CT-PW-21-204)

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

3. CONTRACT

Green Valley Council, Inc., d.b.a. Green Valley Council, to provide for Green Valley Council services, Health (27.1%), DOT (25.7%), RWRD (17.1%), DSD (8.6%), RFCDD Tax Levy (8.6%) and DEQ (12.9%) Funds, contract amount \$87,500.00 (CT-PW-21-202)

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

4. **APPROVAL OF AMENDMENT**

Staff requests approval of the amendment to La Puerta del Norte Declaration of Restrictions (CCRs) and to authorize the Manager of Real Property Services to sign on behalf of the Pima County Flood Control District. (District 3)

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

5. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:15 a.m.

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 20, 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
Betty Villegas, Member

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

*Supervisors Christy and Miller participated remotely.

1. GRANT APPLICATION/ACCEPTANCE - LIBRARY

Arizona State Library, Archives and Public Records, to provide for the State Grants-In-Aid 2021 Program, \$25,000.00/\$25,000.00 Library District Fund Match (GTAW 21-48)

It was moved by Supervisor Bronson, seconded by Supervisor Villegas 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 11:15 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, October 20, 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
 Betty Villegas, Member

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

*Supervisors Christy and Miller participated remotely.

1. MOMENT OF SILENCE

A Moment of Silence was observed by those in attendance.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. POINT OF PERSONAL PRIVILEGE

Supervisor Christy addressed the Board's lack of response to concerns raised on October 6, 2020, regarding the numerous community complaints regarding the enforcement practices used by the County and the County Health Department being enacted upon restaurants and other businesses. He expressed concerns over the void of the Small Business Commission's request to the Chairman for a public hearing agenda item regarding COVID-19 and noted that the routine COVID-19 Agenda Item was removed from the Agenda. He also stated that on October 14, 2020, a letter from Theresa Cullen, Director, Health Department, was sent to high school athletic partners recommending that schools and athletic organizations postpone contact sport competitions. He indicated that the Board was not in receipt of that letter and was not afforded the opportunity to discuss or take action pertaining to the recommendations made in Dr. Cullen's letter. He indicated that these incidents showed a lack of transparencies by the Board of Supervisors. He expressed remorse over the hospitalization of Scotty Clemens, longtime volunteer for the Southern Arizona Search and Rescue, and encouraged the community to keep him in their hearts.

Supervisor Miller addressed concerns over the Addendum not being properly posted and inquired whether items on the addendum should be postponed.

Chairman Valadez asked for clarification on whether the Addendum was posted within the timeframe required in order for those items to be considered.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that based on the information provided, it was timely posted.

Supervisor Bronson inquired whether the Addendum was physically posted by the Clerk's Office.

Julie Castañeda, Clerk of the Board, responded that the Addendum was physically posted in two locations and on the Board's Agenda website.

Supervisor Miller indicated that she was able to access the Addendum in another location and was concerned that it was not available to the public within the required 24-hour timeframe.

Mr. Flagg responded that the posting had complied with the Open Meeting Law.

Supervisor Miller indicated that her documentation showed that it was not posted under Board of Supervisors Meetings.

Chairman Valadez provided direction to staff to brief the Board on what occurred in order to mitigate the issue.

PRESENTATION/PROCLAMATION

4. Presentation of a proclamation to Silviana Wood and Marc Pinate, Producing Director, Borderlands Theater, proclaiming the day of Tuesday, October 20, 2020 to be: "SILVIANA WOOD RECOGNITION DAY"

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

5. Presentation of a proclamation to Ed Mercurio-Sakwa, CEO, Emerge! Center Against Domestic Abuse, proclaiming the day of Thursday, October 22, 2020 to be: "WEAR PURPLE DAY"

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

6. Presentation of a proclamation to Barbara LaWall, proclaiming the building that houses the Children's Advocacy Center of Southern Arizona to be renamed the "BARBARA LAWALL CHILDREN'S ADVOCACY CENTER"

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

7. **CALL TO THE PUBLIC**

Matt DeYoung, Manager, Tucson Dragway, addressed the Board regarding the negative impact the Health Department's requirements were having on his business and asked that the Board implement changes and provide answers to his questions.

Keith Van Heyningen spoke to the Board about the suicide of Brian Bates and his opposition to government shutdowns and virus protocols.

Julia Strange, Vice President, Community Benefits at Tucson Medical Center, asked the Board to approve the Access to Professional Services Initiative contract.

William Liebich addressed the Board in opposition to the mask mandate and virus protocols.

BOARD OF SUPERVISORS

8. **Meeting Schedule**

Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2021.

Supervisor Bronson recommended that the Board's meeting schedule remain at two meetings per month and that the new Board be allowed to determine their preference.

Chairman Valadez indicated that direction was provided to the Clerk to add the third meeting in order to lessen the learning curve on the new Board members.

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

9. **Renaming the Mission Library**

- A. RESOLUTION NO. 2020 - 81, of the Board of Supervisors, naming the Richard Elías-Mission Library. (District 5)

Luz Elías, Chairman Richard Elías' daughter, expressed her gratitude to the Board, staff, and the City of Tucson for honoring her father by renaming the Mission Library.

Regina Romero, Mayor, City of Tucson, read a statement (the statement was placed into the record). She indicated that the Mayor and Council, and the City of Tucson were proud to take part in this dedication.

Supervisor Villegas expressed condolences and praised Mr. Elías for his outstanding services within the community. She highlighted the positive impacts he had made on the community and his fight against domestic violence. She read a statement prepared by Mr. Bob Diaz, Associate Library Archivist and Curator for the Performing Arts and Architectural Special Collections at the University of Arizona Libraries.

Andres Cano, Arizona House of Representatives, indicated that Mr. Elías would have been honored to have a library named after him, especially in the District he loved. He reminisced about the words taught to him by Mr. Elías “resist, much love” and indicated that Mr. Elías was loved dearly and would be greatly missed.

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

- B. Staff requests approval of an allocation of \$6 million in a future capital improvements program budget for the renovation, restoration and expansion of the Richard Elías-Mission Library and the dedication of one percent of the construction cost to public art within the Library honoring Richard Elías.

Supervisor Miller indicated that this future allocation should be left for the new Board members to consider.

It was moved by Supervisor Bronson, seconded by Supervisor Villegas and carried by a 4-1 vote, Supervisor Miller voted “Nay,” to approve the item.

CLERK OF THE BOARD

10. 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 Villegas and unanimously carried by a 5-0 vote, to approve the item.

DEVELOPMENT SERVICES

11. Final Plat With Assurances

P19FP00009, Northwood Point, Lots 1-43 and Common Areas "A" and "B". (District 1)

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

12. Final Plat With Assurances

P20FP00007, Seasons at Old Vail, Lots 1-139 and Common Areas "A" and "B". (District 4)

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

FINANCE AND RISK MANAGEMENT

13. Quarterly Report on Collections

Staff recommends acceptance of the Quarterly Report on Collections for the period ending June 30, 2020.

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

14. Street and Highway Revenue Bonds

RESOLUTION NO. 2020 - 82, of the Board of Supervisors, providing for the issuance and sale of Pima County, Arizona, Street and Highway Revenue Bonds, in one or more series, for the purpose of improving, constructing, reconstructing, acquiring rights of way for and maintaining County streets and highways and for refunding certain outstanding Street and Highway Revenue Bonds; providing for the payment of the bonds; providing terms, covenants and conditions concerning the bonds; authorizing and directing the execution and delivery of documents and further actions relating to the issuance of the bonds and the redemption of refunded bonds; appointing an initial bond registrar and paying agent for the bonds; and approving and ratifying all actions taken in furtherance of this resolution.

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

15. Sewer System Revenue Obligations

RESOLUTION NO. 2020 - 83, of the Board of Supervisors, providing for the execution, delivery and sale of (a) Sewer System Revenue Obligations in an aggregate principal amount sufficient to provide up to \$60,000,000.00 to purchase property constituting additions and improvements to the sewer system of the County, to fund a debt service account and to pay costs of delivery, and (b) sewer system revenue refunding obligations in an aggregate principal amount sufficient to accomplish the refinancing of outstanding sewer revenue obligations being refunded thereby, to fund a debt service account and to pay costs of delivery; authorizing the execution and delivery of one or more obligation indentures in connection therewith and the execution and delivery of one or more purchase agreements providing for installment payments by the County for the purchase or refinancing of said property to be made from revenues of the sewer system of the County; and authorizing the completion, execution and delivery of all necessary or appropriate agreements or documents and the taking of all actions and matters in connection therewith.

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

Supervisor Miller inquired why \$20 million was being approved for next year's budget.

Chuck Huckelberry, County Administrator, responded that this would allow the County to pay all associated fees and costs at the same time.

Supervisor Bronson inquired whether this was a cost saving measure.

Mr. Huckelberry responded in the affirmative.

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

16. Certificates of Participation

RESOLUTION NO. 2020 - 84, of the Board of Supervisors, authorizing the lease and lease-purchase back of certain real property, including buildings and structures, in order to finance and refinance projects for the County; authorizing the execution and delivery of amendments and supplements to a Lease-Purchase Agreement and a Trust Agreement and other necessary agreements, instruments and documents; approving the execution and delivery of Certificates of Participation and refunding Certificates of Participation to provide the necessary financing and refinancing therefor; and authorizing other actions and matters in connection therewith.

Supervisor Christy requested that the individual projects listed for this Resolution be voted on separately. The votes were as follows:

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

It was moved by Supervisor Christy, seconded by Supervisor Bronson and unanimously carried by 5-0 vote, to approve the Sheriff's Department Air Operations Equipment Project.

It was moved by Supervisor Bronson, seconded by Supervisor Villegas and carried by a 3-2 vote, Supervisors Christy and Miller voted "Nay," to approve the Defense Services Building Project.

It was moved by Supervisor Bronson, seconded by Supervisor Villegas and carried by a 3-2 vote, Supervisors Christy and Miller voted "Nay," to approve the Northwest Service Center Project.

It was moved by Supervisor Bronson, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to approve the Admin East 2nd Floor Renovation Project.

It was moved by Supervisor Bronson, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to approve the Adult Detention Security Replacement Project.

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

REAL PROPERTY

17. Abandonment by Sale

RESOLUTION NO. 2020 - 85, of the Board of Supervisors, for the abandonment by sale of Rudasill Road as Pima County Road Abandonment No. A-0017. (District 1)

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

18. Abandonment by Vacation

RESOLUTION NO. 2020 - 86, of the Board of Supervisors, for the vacation of a portion of Redington Road, a public roadway as Pima County Road Abandonment No. A-0045 within Section 4, T14S, R16E, G&SRM, Pima County, Arizona. (District 4)

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

19. Abandonment by Sale

RESOLUTION NO. 2020 - 87, of the Board of Supervisors, for the abandonment by sale of Tanque Verde Road as Pima County Road Abandonment No. A-0047. (District 4)

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

FRANCHISE/LICENSE/PERMIT

20. Hearing - Liquor License

Job No. 117935, Kim Kenneth Kwiatkowski, Circle K Store No. 1737, 3845 S. Country Club Road, Tucson, Series 9, Liquor Store, Location Transfer.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. 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 and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

21. Hearing - Liquor License

Job No. 109884, Shelly Ruth Gibbons, Quik Mart No. 34, 13051 E. Mary Ann Cleveland Way, Vail, 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 Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

22. Hearing - Modification (Substantial Change) of Rezoning Conditions

Co9-08-08, RIVERSIDE ASSOCIATES, ET AL. - RIVER ROAD No. 2 REZONING
Request of Riverview Ventures, L.L.C., represented by Lazarus & Silvyn, P.C., for a modification (substantial change) of rezoning condition No. 12 which requires adherence to the 2011 revised preliminary development plan, proposing a change of use to townhouse development. The 4.11 acre property, parcel code 104-01-104G, is conditionally zoned CB-2 (General Business) and is located on the west side of River Road approximately 2,000 feet east of La Cholla Boulevard. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Bain was

absent) to recommend APPROVAL SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 1)

IF THE DECISION IS MADE TO APPROVE THE MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITIONS, THE FOLLOWING ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

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. Access is ~~only~~ allowed as shown on the ~~2014~~ 2020 revised Preliminary Development Plan (EXHIBIT B) or as approved by the Department of Transportation.
 - B. Bicycle and pedestrian access for residential development of Parcel B shall be provided to Oracle Jaynes Station Road/Roller Coaster Road and shall be approved by the Department of Transportation
3. Flood Control conditions:
 - A. The property owner(s)/developer(s) shall obtain a Floodplain Use Permit for any development on the subject property.
 - B. A drainage report shall be submitted during the platting process for Flood Control District to determine 100-year water surface elevations for all lots and to analyze detention/retention requirements. Channel and drainage design shall be addressed; and a meeting prior to submittal is recommended.
 - C. The property owner(s)/developer(s) shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance since the property lies within a balanced or critical basin.
 - D. The property owner(s)/developer(s) shall dedicate right-of-way or easements (on-site and off-site) for drainage purposes to the Flood Control District, as determined necessary during the development plan/subdivision plat review.
 - E. A riparian mitigation plan shall be required for development in designated riparian areas.
 - F. The property owner(s) shall provide all necessary on-site and off-site drainage related improvements, at no cost to Pima County, that are needed as a result of the proposed development of the subject property. The location, design, and construction of said improvements shall be subject to the approval of the Flood Control District.
 - G. A Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) are required due to changes to and development within a FEMA 100-year floodplain.
 - H. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Wastewater Reclamation conditions:
 - A. The owner (s) 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(s) to that effect.
 - B. The owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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 Quality condition:
The property owner(s)/developer(s) must connect to the public sewer system at the location and in the manner specified by Wastewater Reclamation at the time of review of the tentative plat, development plan, or request for building permit. On-site wastewater disposal shall not be allowed.
- 6. Cultural Resources conditions: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
 - ~~A. Prior to ground modifying activities, an on-the-ground archaeological and historic resources survey shall be conducted on the subject property, and submitted to Pima County for review.~~
 - ~~B. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate.~~
 - ~~C. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.~~
- 7. Natural Resources, Parks and Recreation conditions:
 - A. At a minimum, two access points from Parcel A to the river park shall be provided.
 - ~~B. The property owner(s)/developer(s) shall convey the cross hatched area to Pima County as shown on the 2011 revised Preliminary Development Plan prior to the approval of a Development Plan.~~
 - ~~C.B.~~ The property owner(s)/developer(s) shall provide a landscape design and construction plan with the Development Plan submittal for the property to be conveyed to Pima County that is a portion of Parcel A, as shown on the Preliminary Development Plan. The plan shall be incorporated with Pima County's current and future plans for the river park in this area. NRPR staff shall review and approve the plans prior to installation by the developer.
- 8. Environmental Planning conditions:

- A. The 1.78-acre conveyance of land to the Rillito River Park shall be re-vegetated with native mesquite trees and other native vegetation, at a density that matches or exceeds the area along the river just east of the site, as approved by the Natural Resources, Parks and Recreation Department.
- B. 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 listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owner(s) of property within the rezoning site and, Pima County may enforce this rezoning condition against any future property owner.

Invasive Non-Native Plant Species Subject to Removal:

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

9. Structures and plants greater than five feet in height shall not be permitted in the sun paths identified on the preliminary development plan.
10. 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, and sewer facilities.
11. 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(I)."
12. Adherence to the 2014 2020 revised preliminary development plan as approved at public hearing (EXHIBIT B).
13. The property owners(s)/developer(s) shall enter into a development agreement with Pima County addressing, at a minimum, the following: Off-site improvements to River Road as required by the Department of Transportation, which may include, but may not be limited to, additional pavement, right turn lanes, relocations of multi-use lanes, curbs and sidewalks.

14. The following uses shall be prohibited in the TR portion of the rezoning site:
 - a. Temporary trailer or mobile or manufactured home
 - b. Temporary manufactured or mobile housing in accordance with Section 18.17.020A.2.
 - c. Factory-built (modular) buildings
 - d. Home auto repair
 - e. Open storage
 - f. Community service agency
 - g. Hospital or sanatorium
 - h. Community storage garage
15. The following uses shall be prohibited in the CB-2 portion of the rezoning site:
 - a. Auto mechanic repair
 - b. Automobile accessories, parts and supplies
 - c. Automobile lubrication and oil change operation
 - d. Automobile tires, batteries and accessories installation in conjunction with a department store
 - e. Billiard or pool hall
 - f. Garage for public storage only
 - g. Gasoline service station
 - h. Large-scale retail establishment
 - i. Laundromat, laundry and dry cleaning units
 - j. Mechanical and electronic games arcade
 - k. Shopping center, regional
 - l. Station: bus or stage
 - m. Tire store, including incidental repair of shocks and brakes with no outdoor storage or display
 - n. Trailer rental
 - o. Wholesale of oil
 - p. Trailer or manufactured or mobile home for caretaker
 - q. Self-storage facility
16. There shall be no vehicular access allowed to Roller Coaster Road/Oracle Jaynes Station Road.
17. The design of the Roller Coaster Wash shall be considerate of equestrian and pedestrian uses.
18. The gross density shall be a minimum of 10 residences per acre.
- ~~19. Prior to development plan or subdivision plat approval, title to Pima County parcel 104-01-066B shall have been transferred to Riverside Associates.~~
- ~~20-19.~~ If Northwest Fire/Rescue District requires access from Roller Coaster Road it will be emergency access for emergency vehicles only with a crash gate.

Chris Poirier, Deputy Director, Development Services Department, stated that the request was for a substantial change from commercial use to townhome use. He indicated that the rezoning was similar to the rezoning across the street. He stated that no public comments were received. He indicated that the Planning and Zoning Commission and staff recommended approval and that the request met all concurrency considerations.

Supervisor Miller inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-08-08, subject to original and modified standard and special conditions.

23. Hearing - Fee Ordinance Revision

DEVELOPMENT SERVICES FEE ORDINANCE REVISION

A proposal to amend by ordinance the Pima County Development Services fees required for various services, repealing prior Development Services Department fee ordinances. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Bain and Tronsdal were absent) to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt: ORDINANCE No. 2020 - 33

Chris Poirier, Deputy Director, Development Services Department, stated the proposed ordinance was responsive to the significant business changes within the department and the change to electronic reviews. He stated that this allowed for the combination and consolidation of once separated reviews. He indicated that it would simplify the fee schedule and reduce the overall numbers. He stated that they had received two letters of support from stakeholders, Southern Arizona Homebuilders Association and Metropolitan Pima Alliance, which indicated their efforts were greatly appreciated.

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.

24. Hearing - Rezoning Closure/Time Extension

A. Hearing - Rezoning Closure

Co9-08-22, REAY, ET AL - SANDARIO ROAD REZONING

Proposal to close Co9-08-22, an approximate 4.68-acre portion of the original 6.11-acre rezoning from GR-1 (GZ) (Rural Residential - Gateway Overlay) to CB-1 (GZ) (Local Business - Gateway Overlay) zone located on the east side of N. Sandario Road, approximately 500 feet north of W. Picture Rocks Road and is addressed as 6860 N. Sandario Road. The rezoning was conditionally approved in 2010 and expired on April 20, 2020. Staff recommends AGAINST CLOSURE. (District 3)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation against closure of Co9-08-22.

B. Hearing - Rezoning Time Extension

Co9-08-22, REAY, ET AL - SANDARIO ROAD REZONING

Gordon and Lois Reay Family Trust, represented by The Planning Center, request a five-year time extension for the above-referenced rezoning from GR-1 (GZ) (Rural Residential - Gateway Overlay) to CB-1 (GZ) (Local Business - Gateway Overlay) zone. The subject site was rezoned in 2010. The approximate 4.68-acre portion of the original 6.11-acre site is located on the east side of N. Sandario Road, approximately 500 feet north of W. Picture Rocks Road and is addressed as 6860 N. Sandario Road. Staff recommends APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 3)

Staff recommends **DENIAL of closure** of the rezoning and **APPROVAL of a five-year time extension** to April 20, 2025 as per the applicant's request for the 4.68-acre portion of the original 6.11-acre rezoning from GR-1 (GZ) (Rural Residential – Gateway Overlay) to CB-1 (GZ) (Local Business – Gateway Overlay) zone subject to original and modified standard and special conditions as follows:

- ~~1. Submittal of a development plan if determined necessary by the appropriate County agencies.~~
- ~~2. Recording of a covenant holding Pima County harmless in the event of flooding.~~
- ~~3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.~~
- ~~4. Provision of development related assurances as required by the appropriate agencies.~~
- ~~5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.~~
61. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
72. Transportation conditions:
 - A. The property owner/developer shall provide improvements to Sandario Road as determined necessary by the Department of Transportation.
 - B. Internal access shall be designed and provided between the existing and proposed uses and to the north, south and east. Cross access and maintenance shall be provided by the property owner for all portions of the rezoning and to adjacent properties. The access to the north should only be provided at the time when the property to the north is developed as transitional or commercial type use. Some acceptable means of blocking access to the southern access shall be provided until property to the south is developed commercially.
 - C. Access shall be limited to two (2) driveways on Sandario Road.
83. Flood Control conditions:
 - A. Earthen perimeter channels are prohibited.
 - B. The property owner(s) developer(s) shall provide all necessary on-site and off-site drainage related improvements at no cost to Pima County that are needed as a result of the proposed development of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
 - C. A riparian mitigation plan shall be required for development in designated riparian areas.

- D. Note 5 on the PDP submitted with the Site Analysis shall be changed to read: "Site is within regulatory sheet flood area. All structures shall be elevated 1.5' above natural grade."
 - E. Low Impact Development (LID) water harvesting shall be incorporated into landscaping, paving, and parking lot designs to encourage use of stormwater to irrigate exterior areas and conserve use of groundwater.
 - F. A letter of intent to serve from a water service provider shall be submitted with the submittal of the Development Plan.
94. Wastewater Management condition:
Should the project connect to the public sewer at any time in the future, the property owner/developer shall abide by all applicable regulations and policies of the Pima County Regional Wastewater Reclamation Department.
405. Environmental Quality condition:
The property owner/developer shall demonstrate that the new lot can accommodate the proposed development and a primary and reserve on-site wastewater disposal area, while meeting all required setbacks, for each on-site wastewater disposal system. The size of the primary and reserve areas shall be determined by on-site soil evaluations and/or percolation testing and shall be designed to accommodate the type of facility proposed in accordance with Arizona Administrative Code, Title 18, Chapter 9, Table 1. This demonstration shall be made prior to issuance of the Certificate of Compliance.
446. Cultural Resources conditions:
- A. Prior to ground modifying activities, an on-the-ground archaeological and historic resources survey shall be conducted on the subject property, and submitted to Pima County for review.
 - B. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate.
 - C. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
427. Environmental Planning Condition:
Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. 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. ~~Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~
438. Prior to approval of the development plan, the property owner shall provide documentation that the parcels have been reconfigured such that only the area to be zoned CB-1 is fully contained within a single parcel. ~~,in accordance with RP-92.~~
449. In the event the subject property is annexed, the property owner(s) / developer(s) 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.
4510. The property owner(s) shall execute ~~and record~~ 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(I)."

4611. Adherence to the preliminary development plan as approved at public hearing (EXHIBIT B).
4712. No 24-hour, seven days a week businesses shall be permitted.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-08-22, subject to original and modified standard and special conditions.

25. **Hearing - Rezoning Closure/Time Extension**

A. **Hearing - Rezoning Closure**

Co9-09-06, REAY, ET AL - TRICO ROAD REZONING

Proposal to close Co9-09-06, an approximate 6.81-acre portion of an original 9.05-acre rezoning from GR-1 (Rural Residential) to CB-1 (Local Business) zone. The subject site is located on the northwest corner of N. Trico and W. El Tiro Roads and on the west side of N. Trico Road, approximately 400 feet south of W. El Tiro Road, on parcel codes 208-20-0470, 208-20-0480, and 208-20-070D. The rezoning was conditionally approved in 2010 and expired on March 16, 2020. Staff recommends AGAINST CLOSURE. (District 3)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation against closure of Co9-09-06.

B. **Hearing - Rezoning Time Extension**

Co9-09-06, REAY, ET AL - TRICO ROAD REZONING

Gordon and Lois Reay Family Trust, represented by The Planning Center, request a five-year time extension for the above-referenced rezoning from GR-1 (Rural Residential) to CB-1 (Local Business) zone. The subject site was rezoned in 2010. The approximate 6.81-acre portion of an original 9.05-acre rezoning is located on the northwest corner of N. Trico and W. El Tiro Roads and on the west side of N. Trico Road, approximately 400 feet south of W. El Tiro Road, on parcel codes 208-20-0470, 208-20-0480, and 208-20-070D. Staff recommends APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 3)

Staff recommends **DENIAL of closure** of the rezoning and **APPROVAL of a five-year time extension** to March 16, 2025 as per the applicant's request for the 6.81-acre portion of the original 9.15-acre rezoning from GR-1 (Rural Residential) to CB-1 (Local Business) zone subject to original and modified standard and special conditions as follows:

1. ~~Submittal of a development plan if determined necessary by the appropriate County agencies.~~
2. ~~Recording of a covenant holding Pima County harmless in the event of flooding.~~

- ~~3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.~~
- ~~4. Provision of development related assurances as required by the appropriate agencies.~~
- ~~5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.~~
61. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
72. Transportation conditions:
- A. Access shall be designed and provided between the existing and proposed uses and to the north, south and west. Cross access and maintenance issues shall be provided by the property owner for all portions of the rezoning and to adjacent properties.
 - B. Corner spandrel right-of-way dedications shall be provided by the property owner at the Trico Road and El Tiro Road intersection.
 - C. Offsite improvements to Trico Road and El Tiro Road, including the intersection, shall be provided by the property owner / developer, as determined necessary by the Department of Transportation.
 - D. Elimination of the existing southernmost driveway for the existing retail building (4,340 sq. ft.) as depicted on the Preliminary Development Plan.
83. Flood Control conditions:
- A. The property owner(s) / developer shall provide all necessary on-site and off-site drainage related improvements at no cost to Pima County that are needed as a result of the proposed development of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District. Drainage from the northern block shall drain to the swale adjacent to Trico Road such that no additional flood flows enter the adjacent parcel to the north. When a development plan is submitted, if the adjacent parcel (208-20-0460) that is affected by the Special Studies Floodplain remains owned by the recorded owner as of March 16, 2010, the owner shall be notified and be provided a reasonable period of time to afford the owner the opportunity to comment on and approve the off-site drainage related improvements.
 - B. At the time of development, the developer shall be required to select a combination of Water Conservation Measures such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
94. Wastewater Management condition:
- If the project should connect to the public sewer at any time in the future, the property owner / developer shall abide by all applicable regulations and policies of the Pima County Regional Wastewater Reclamation Department.
405. Environmental Quality conditions:
- A. Prior to approval of the Development Plan, the two northern parcels must be combined to accommodate the proposed on-site wastewater disposal system as depicted on the preliminary development plan unless a disposal system layout is proposed that contains disposal systems entirely within each parcel. Sewer lines shall not be allowed to cross property boundaries.
 - B. Prior to approval of the Development Plan, it must be shown that the existing on-site wastewater disposal systems are in good repair and functioning properly. This demonstration shall be made through the use of the Pima County Report of Inspection and recertification process.
 - C. Prior to approval of the Development Plan, the property owner / developer shall demonstrate that the lots, as proposed, can accommodate the proposed development and a primary and reserve on-site wastewater disposal area, while meeting all required setbacks. The size of the primary and reserve areas shall be determined by on-site soil evaluations or

percolation testing and shall be designed in accordance with Arizona Administrative Code, Title 18, Chapter 9.

- D. The total gallon per day discharge for the combined development must not exceed 2999 g/d or the applicant shall be required to demonstrate, prior to approval of the Development Plan, that total nitrogen loading from the on-site wastewater disposal systems to ground water will be controlled in accordance with the provisions of Arizona Administrative Code, Title 18, Chapter 9.

446. Cultural Resources conditions:

- A. Prior to ground modifying activities, an on-the-ground archaeological and historic resources survey shall be conducted on the subject property, and submitted to Pima County for review.
- B. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate.
- C. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

427. Environmental Planning Conditions:

- A. 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. ~~Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~

Invasive Non-Native Plant Species Subject to Control:

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

Sorghum halepense Johnson grass
Tamarix spp. Tamarisk

- B. Prior to the approval of the Final Development Plan, the property owner/developer shall achieve compliance with the MMBCLS Multiple Use Management Area 2:1 mitigation ratio by providing a minimum of 18 acres as Natural Open Space at an off-site location which fulfills the following criteria as approved by Pima County Development Services Department:
- 1) The location of off-site mitigation property shall be within the same general geographic region of the rezoned parcel.
 - 2) Off-site mitigation property shall provide at least the same resource value (as determined by MMBCLS Category Designation) as the rezoned parcel; and
 - 3) Provision of evidence that the site shall remain in an undeveloped natural state.
438. Low Impact Development (LID) water harvesting shall be incorporated into landscaping, paving, and parking lot designs to encourage use of stormwater to irrigate exterior areas and conserve use of groundwater.
449. In the event the subject property is annexed, the property owner(s) / developer(s) 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.
4510. The property owner(s) shall execute ~~and record~~ 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)."
4611. Adherence to the preliminary development plan as approved at public hearing (EXHIBIT B).
4712. A six-foot wall and 20-foot bufferyard shall be provided along the western property boundary south of El Tiro Road.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-09-06, subject to original and modified standard and special conditions.

26. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2020 - 34, Co9-71-178, Empire Acres Subdivision Rezoning (Lot 24). Owners: Abril and Adrian Valenzuela. (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.

27. Hearing - Rezoning Ordinance

ORDINANCE NO. 2020 - 35, P20RZ00003, Fried - E. Rudasill Road Rezoning. Owner: Ellen Fried. (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.

REGIONAL WASTEWATER RECLAMATION

28. Hearing - Pima County Code Text Amendment

ORDINANCE NO. 2020 - 36, of the Board of Supervisors, relating to wastewater; repealing Pima County Code, Title 13, Chapter 12, preliminary sewer layout requirements; and Pima County Code, Title 13, Chapter 16, design standards for public sewerage facilities.

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

TRANSPORTATION

29. Hearing - Traffic Resolution

RESOLUTION NO. 2020 - 88, of the Board of Supervisors, permitting the temporary closure of portions of Kinney Road, portions of Mc Cain Loop and portions of Mile Wide Road in Pima County, Arizona, for the Veterans Day Half Marathon and 5k Event on Sunday, November 8, 2020. Staff recommends APPROVAL (Districts 3 and 5)

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

CLERK OF THE BOARD

30. Petition for Relief of Taxes

Pursuant to A.R.S. §42-11104(G), Tucson Waldorf School, has petitioned the Board of Supervisors for relief of Real and Personal Property taxes and associated interest/penalty for tax year 2019, for Parcel Nos. 111-01-014A and 111-01-009B, and Personal Tax Nos. 0136725, 0233366, and 0247032.

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

REAL PROPERTY

31. A. **Contract**

KB Home Tucson, Inc., Pima County Regional Flood Control District and Pima County, to provide a donation agreement for real property consisting of approximately 113 acres, Tax Parcel Nos. 218-10-005C, 208-41-0380 and a portion of 208-41-0390, General Fund, contract amount \$6,000.00 (CT-PW-21-204)

B. **Donation Agreement**

RESOLUTION NO. 2020 - 90, of the Board of Supervisors, accepting a donation of 80 acres of undeveloped real property and designating the donation parcel as part of the County parks system.

Supervisor Bronson inquired whether two separate motions were required.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that the vote could take place simultaneously.

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

REGIONAL WASTEWATER RECLAMATION

32. **Public Announcement**

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

Busy "D" Pumping, Inc. The proposed settlement in which Busy "D" Pumping, Inc., located at 3255 E. District Street, will pay a penalty of \$4,550.00 for violating the Industrial Wastewater Ordinance.

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

CONTRACT AND AWARD

BEHAVIORAL HEALTH

33. Arizona Health Care Cost Containment Systems, to provide for the support of Access to Professional Services Initiative, General Fund, contract amount \$576,000.00 (CT-BH-21-190)

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

OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

34. Avra Valley Fire District, Drexel Heights Fire District, Golder Ranch Fire District, Green Valley Fire District, Northwest Fire District, Rincon Valley Fire District and City of Tucson Fire Department, Amendment No. 1, to provide for the Hazardous Materials Response Program, extend contract term to 1/5/25 and amend contractual language, no cost (CT-OEM-15-240)

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

PROCUREMENT

35. **Award**

Amendment of Award: Master Agreement No. MA-PO-16-316, Amendment No. 4, Cello Partnership, d.b.a. Verizon Wireless, to provide for wireless services, equipment and accessories. This amendment is for a one-time increase in the amount of \$300,000.00 for a cumulative not-to-exceed contract amount of \$3,850,000.00. Funding Source: General Fund. Administering Department: Information Technology.

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

36. Paradigm Laboratories, L.L.C., d.b.a. P2 Diagnostic, L.L.C., Amendment No. 4, to provide for COVID-19 test kits, processing and reporting, amend contractual language and scope of services, no cost (MA-PO-20-166)

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

PUBLIC WORKS ADMINISTRATION

37. Green Valley Council, Inc., d.b.a. Green Valley Council, to provide for Green Valley Council services, Health (27.1%), DOT (25.7%), RWRD (17.1%), DSD (8.6%), RFCD Tax Levy (8.6%) and DEQ (12.9%) Funds, contract amount \$87,500.00 (CT-PW-21-202)

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

REAL PROPERTY

38. Territorial Sign Co., Amendment No. 3, to provide for right-of-way encroachment for subdivision directional sign installations and amend contractual language, contract amount \$37,260.00 revenue (CTN-PW-20-18)

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

GRANT APPLICATION/ACCEPTANCE

39. **Acceptance - Sheriff**

Governor's Office of Highway Safety, to provide for the Governor's Office of Highway Safety accident investigations, \$16,954.00 (GTAW 21-65)

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

40. **Acceptance - Pima Animal Care Center**

Pascua Yaqui Tribe-Revenue Sharing Grants, to provide for animal outreach support, \$10,000.00 (GTAW 21-66)

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

CONSENT CALENDAR

41. Approval of the Consent Calendar

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

* * *

CONTRACT AND AWARD

County Attorney

1. Arizona Superior Court, to provide for a Supportive Treatment and Engagement Program Court Diversion Specialist, Arizona Criminal Justice Commission Pre-Trial Intervention Fund, contract amount \$100,000.00 (CT-PCA-21-200)

Procurement

2. **Award**
Amendment of Award: Master Agreement No. MA-PO-16-77, Amendment No. 7, Polydyne, Inc., to provide for Polymer. This amendment extends the contract termination date to 12/13/21 and adds the annual award amount of \$563,000.00 for a cumulative not-to-exceed contract amount of \$3,302,000.00. Funding Source: Enterprise Fund. Administering Department: Regional Wastewater Reclamation.
3. Desert Archaeology, Inc., Amendment No. 1, to provide for cultural resource services for Segment II of the Silverbell Road Improvement Project, amend contractual language and scope of services, City Revenue Other Operating Fund, contract amount \$72,227.80 (CT-SUS-20-273) Office of Sustainability and Conservation

Real Property

4. Marana Health Center, Inc., to provide for the Ellie Towne Health Center Lease at 1670 W. Ruthrauff Road, contract amount \$29,306.28 revenue/5 year term (CTN-PW-21-39)
5. Title Security Agency, L.L.C., to provide for an Acquisition Agreement - Acq-0671 and Deed of Easement for participation in the Readiness and Environmental Protection Integration (REPI) Program, REPI Agreement Fund, contract amount \$5,871,500.00 (CT-PW-21-191)

Sheriff

6. City of South Tucson, to provide for incarceration of municipal prisoners, contract amount \$105,000.00 estimated revenue (CTN-SD-21-33)

GRANT APPLICATION/ACCEPTANCE

7. **Acceptance - Community and Workforce Development**
RESOLUTION NO. 2020 - 89, of the Board of Supervisors, extending the Brownfields Assessment Cooperative Agreement with the U.S. Environmental Protection Agency and authorizing the Chairman of the Board of Supervisors to execute agreements. This grant request will extend term to 9/30/21, no cost (GTAM 21-34)
8. **Acceptance - Health**
Centers for Disease Control and Prevention, Amendment No. 3, to provide for the REACH Pima Partnership Project, \$190,169.00 (GTAM 21-38)
9. **Acceptance - Health**
Centers for Disease Control and Prevention, Amendment No. 2, to provide for the REACH Pima Partnership Project, \$762,685.00 (GTAM 21-37)
10. **Acceptance - Sheriff**
Phoenix Police Department/Arizona Internet Crimes Against Children (ICAC) Task Force Lead Agency, Amendment No. 1, to provide for the Arizona ICAC Task Force Project, \$10,000.00 (GTAM 21-31)
11. **Acceptance - Sheriff**
Governor's Office of Highway Safety, to provide for the Governor's Office of Highway Safety Pedestrian and Bicycle Safety Enforcement, \$20,000.00 (GTAW 21-53)
12. **Acceptance - Sheriff**
Governor's Office of Highway Safety, to provide for the Governor's Office of Highway Safety Occupant Protection Enforcement, \$27,096.00 (GTAW 21-54)
13. **Acceptance - Sheriff**
Governor's Office of Highway Safety, to provide for the Governor's Office of Highway Safety STEP Enforcement and related materials and supplies, \$27,928.00 (GTAW 21-55)
14. **Acceptance - Sheriff**
Governor's Office of Highway Safety, to provide for the Governor's Office of Highway Safety DUI/Impaired Driving Enforcement, \$106,305.00 (GTAW 21-56)

15. **Acceptance - Sheriff**

Arizona Department of Homeland Security, to provide for the FFY2020 Homeland Security Grant Program Award for bomb suits, \$35,500.00 (GTAW 21-57)

16. **Acceptance - Sheriff**

Arizona Department of Homeland Security, to provide for the FFY2020 Homeland Security Grant Program Award for a tactical surveillance system, \$46,500.00 (GTAW 21-58)

BOARD, COMMISSION AND/OR COMMITTEE

17. **Board of Adjustment, District 3**

Reappointment of Tina Whittemore. Term expiration: 8/14/24.

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

18. **Temporary Extension**

012100004536, Natasha Herzig, Tay's BBQ, L.L.C., 16461 S. Houghton Road, Corona De Tucson, October 22, 2020.

ELECTIONS

19. **Precinct Committeemen**

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

RESIGNATION-PRECINCT-PARTY

Charlene R. Fitzpatrick-195-DEM

APPOINTMENT-PRECINCT-PARTY

Rafael De La Rosa Jr.-054-REP

FINANCE AND RISK MANAGEMENT

20. **Duplicate Warrants - For Ratification**

The University of Arizona \$3,500.00; Karli Topp \$28.24; Ayde Rivera \$66.22; Joe Barbosa Sr. \$33.11; McGann & Associates, Inc. \$5,030.00; Chicanos Por La Causa \$19,548.43; Maria Elena Amarillas Lerma \$29.00; Relias, L.L.C. \$1,743.91.

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42. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:15 a.m.

CHAIRMAN

ATTEST:

CLERK