

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED  
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SUPERVISORS**

**Pima County Board of Supervisors' Meeting  
130 W. Congress St., Hearing Room, 1st Fl.  
September 17, 2019 9:00 a.m.**

**1. ROLL CALL**

**2. INVOCATION**

To be offered by Pastor Jenny McBride, Open Heavens Fellowship.

**3. PLEDGE OF ALLEGIANCE**

**4. PAUSE 4 PAWS**

**PRESENTATION/PROCLAMATION**

- 5.** Presentation of a proclamation to Ann Yellott, Co-Chair & Coordinator of the Youth & Peace Conference (YPC) Culture of Peace Alliance and Andrea Martinez, Volunteer Coordinator for 2019 YPC Youth Leadership Team member for 2014 & 2015 Youth & Peace Conferences, proclaiming the day of Friday, September 20, 2019 to be: "YOUTH PEACE DAY"  
approve

**6. CALL TO THE PUBLIC**

**EXECUTIVE SESSION**

- 7.** UNFINISHED BUSINESS (9/3/19)  
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement offer in Wal-Mart Stores, Inc. v. Pima County, Arizona Tax Court Cons. Case Nos. TX2016-000966 and TX2017-000602, and in Wal-Mart Stores, Inc. and VPOVM, L.L.C. v. Pima County, Arizona Tax Court Case Nos. TX2018-000999 and TX2019-001714.  
proceed as discussed

## **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

### **FLOOD CONTROL DISTRICT BOARD**

8.                   **Riparian Habitat Mitigation**  
Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee proposal in the amount of \$5,500.00 for placement of a single family residence at 2191 E. Desert Garden Drive, located within Regulated Riparian Habitat and classified as important riparian area with underlying Xeroriparian Class B Habitat. (District 1)  
**approve**
9.                   **Arroyo Chico Drainage Improvement Project**  
RESOLUTION NO. 2019 - **FC4**, of the Flood Control District Board of Directors, approving additional funding for the final phase of the Arroyo Chico Drainage Improvement Project. (District 2)  
**approve**

### **SITTING AS THE BOARD OF SUPERVISORS**

#### **BOARD OF SUPERVISORS**

11.                   UNFINISHED BUSINESS (8/19/19)  
**Community Law Enforcement Partnership Commission**  
Discussion/direction/action regarding effective operation of Pima County Community Law Enforcement Partnership Commission. (District 2)  
**approve as directed**

#### **CLERK OF THE BOARD**

12.                   UNFINISHED BUSINESS (8/6/19 and 8/19/19)  
**Petition for Relief of Taxes**  
Pursuant to A.R.S. §42-11104(G), Southern Arizona Association for the Visually Impaired (SAAVI) has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2018, for Parcel Nos. 122-08-043A and 111-08-1740, and Personal Property No. 0155383.  
  
Meeting date: Up to 60 days  
  
**continue**

13. **Petitions for Redemption of Property Tax Exemption Waiver**  
Staff recommends approval of the petitions for redemption of property tax exemption waivers.  
approve

## DEVELOPMENT SERVICES

14. **Amendment No. 6 to the Development Agreement with TNR&S Acquisition, Inc.**  
RESOLUTION NO. 2019 - 66, of the Board of Supervisors, approving and authorizing the execution of an amended development agreement between Pima County and TNR&S Acquisition, Inc., regarding Omni Tucson National Resort and Spa. (District 1)  
approve

## ELECTIONS

15. **Precinct Line Changes**  
Pursuant to A.R.S. §16-411(A), staff requests approval of the proposed precinct line changes.  
approve

## INDUSTRIAL DEVELOPMENT AUTHORITY

16. **American Leadership Academy Project**  
RESOLUTION NO. 2019 - 67, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not to exceed \$45,000,000.00 Education Facility Revenue Bonds (American Leadership Academy Project, 1750 E. Riggs Road, Gilbert, Arizona, 4380 N. Hunt Highway, Florence, Arizona, 850 W. Combs Road and 22512 S. Signal Butte Road, Queen Creek, Arizona), Series 2019 and declaring an emergency.  
approve

## TRANSPORTATION

17. **Acceptance of Project/Roadway for Maintenance**  
P1209-034, Vista Del Lago Norte, Lots 1-198 and Common Areas "A-1", "B-1" thru "B-4", "C-1" thru "C-2", "D-1" thru "D-2", "E" and "F-1" thru "F-2". Developer: DR Horton. (District 4)  
approve
18. **Acceptance of Project/Roadway for Maintenance**  
P18SC00015, Sonoran Ranch Estates II, Phase II, Lots 81-104 and 107-127. Developer: KB Home. (District 5)  
approve

19. **Acceptance of Project/Roadway for Maintenance**  
P18SC00088, Mountain View Ranch, Phase 2A, Lots 174-210, 296 and 297. Developer/Owner: Holualoa Mountain View Ranch, L.L.C. (District 4)  
approve

**\*\*\* HEARINGS \*\*\***

**FRANCHISE/LICENSE/PERMIT**

20. **Hearing - Fireworks Permit**  
Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, October 8 and 10, 2019 at 8:00 p.m.  
approve
21. **Hearing - Fireworks Permit**  
Danithza Castro, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, September 27, 2019 at 9:30 p.m.  
approve
22. **Hearing - Fireworks Permit**  
Bobby Retz, Westin La Paloma Resort, 3660 E. Sunrise Drive, Tucson, October 15, 2019 at 8:30 p.m.  
approve

**DEVELOPMENT SERVICES**

23. **Hearing - Rezoning**  
P19RZ00003, LUMINEX, L.L.C., ET AL. - E. OLD VAIL ROAD REZONING  
Luminex, L.L.C., et al., represented by The Planning Center, requests a rezoning of approximately 33.78 acres from the RH (Rural Homestead) and the GR-1 (Rural Residential) zones to the CR-4 (Mixed-Dwelling Type) zone, located approximately 300 feet north of the intersection of E. Old Vail Road and S. Freeman Drive alignment, north of the Union Pacific Railroad Track. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Low Intensity Urban and Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Gungle voted NAY; Commissioners Becker and Cook were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)  
approve

24.

**Hearing - Rezoning**

P19RZ00006, PIMA COUNTY - W. RIVER ROAD REZONING

Pima County requests a rezoning of approximately 8.64 acres from the SH (Suburban Homestead) to the TR (Transitional) zone located at the northeast corner of W. River Road and N. Shannon Road, addressed as 5678 N. Shannon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Bain and Cook were absent) to recommend

**APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 1)

deny

25.

**Hearing - Rezoning**

P19RZ00007, MJM VENTURES ONE, L.L.C. - N. ORACLE ROAD REZONING

MJM Ventures One, L.L.C. requests a rezoning from GR-1 (GZ-1) (Rural Residential - Urban Gateway Overlay Zone) to CB-1 (GZ-1) (Local Business - Urban Gateway Overlay Zone) zone located on the east side of N. Oracle Road approximately 900 feet north of the T-intersection of E. Hawser Street and N. Oracle Road addressed as 15450 N. Oracle Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Multifunctional Corridor. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook, Maese, and Matter were absent) to recommend **APPROVAL**

**SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 1)

approve

26.

**Hearing - Rezoning Time Extension**

Co9-14-06, AZ SQUARE NO. 7, L.L.C. - S. NOGALES HIGHWAY REZONING

Request of AZ Square No. 7, L.L.C., for a five-year time extension for the above-referenced .83-acre rezoning from GR-1 (Rural Residential) to CB-1 (Local Business). The rezoning was approved in 2014 and will expire on September 9, 2019. The site is located on the west side of Nogales Highway, approximately 150 feet south of Old Vail Connection Road and is addressed as 9770 S. Nogales Highway. Staff recommends

**APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 2)

approve

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

A. **Rezoning Closure**

Co9-07-21, STEWART TITLE AND TRUST TR 3652 - NORTH  
COMO DRIVE REZONING

Proposal to close Co9-07-21, a 59.91-acre rezoning from RH (Rural Homestead) to SR-2 (Suburban Ranch Estate) located approximately 2,500 feet west of N. Como Drive and approximately one-half mile northwest of the intersection of Moore Road and La Cholla Boulevard. The rezoning was conditionally approved in 2009 and expired on May 5, 2019. Staff recommends **DENIAL** of Closure. (District 1)  
approve

B. **Rezoning Time Extension**

Co9-07-21, STEWART TITLE AND TRUST TR 3652 - NORTH  
COMO DRIVE REZONING

Request of Stewart Title and Trust TR 3652, represented by Michael About, for a five-year time extension for the above-referenced rezoning from RH (Rural Homestead) to SR-2 (Suburban Ranch Estate). The subject site was rezoned in 2009. The site is approximately 59.91 acres located approximately 2,500 feet west of N. Como Drive and approximately one-half mile northwest of the intersection of Moore Road and La Cholla Boulevard. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 1)

approve as amended

**HEALTH**

28. UNFINISHED BUSINESS (8/6/19)

**Hearing - Code Text Amendment**

ORDINANCE NO. 2019 - 17, of the Board of Supervisors, relating to the regulation of tobacco retail sales and smoking; amending the Pima County Code by amending Chapters 8.04 and 8.50 and adding a new Chapter 8.52.  
motion failed

**TRANSPORTATION**

29. **Hearing - Traffic Ordinance**

ORDINANCE NO. 2019 - 24, of the Board of Supervisors, relating to traffic and highways; regulating traffic at the intersection of Eagle Cove Drive and Freedom Eagle Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)  
approve

30. **ADJOURNMENT**

## **ADDENDUM 1**

### **PRESENTATION/PROCLAMATION**

1. Presentation of a proclamation to Richard Noel, Remo Drum Circle Facilitator, proclaiming the day of Saturday, September 21, 2019 to be: "INTERNATIONAL DAY OF PEACE IN PIMA COUNTY"  
approve

### **COUNTY ADMINISTRATOR**

2. **Commission to Advise the Sheriff Regarding Law Enforcement Issues Involving Community Interests Including, Policing Policies, and Strategies to Improve Trust between Law Enforcement and the Public**  
Staff recommends that if the Board chooses to form a Sheriff Advisory body; that the following items be included in either an administrative procedure or the County Code amended to include such a Commission:
  1. That the Board form a Sheriff Civilian Policy Commission by appointing two members to represent each member of the Board of Supervisors. The terms of the Commission members are coterminous with the Board Member's term of office.
  2. The Commission would not be subject to the Arizona Open Meeting laws and, hence, cannot discuss or take any action on matters that will come before the Board of Supervisors.
  3. The Commission will meet monthly with the Sheriff.
  4. The Commission may prepare written quarterly reports to the Board of Supervisors regarding their policy discussion with the Sheriff. Such a report would be made at a public meeting of the Board by the Commission Chair or Member.
  5. The Board of Supervisors, at a public meeting by a majority vote, may refer matters of community interest and/or concern to the Commission and Sheriff for discussion and reporting.
  6. The Sheriff is not bound to follow the advice or direction of the Commission.
  7. A mechanism to remove a member of the Commission if a super majority of the members find that the member is substantially obstructing Commission deliberation.**motion failed**

## **CLERK OF THE BOARD**

- 3. Petitions for Redemption of Property Tax Exemption Waiver**  
Staff recommends approval of the petitions for redemption of property tax exemption waivers.  
**approve**

## **CONTRACT AND AWARD**

### **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

- 4. Flowing Wells Neighborhood Association and Community Coalition, Amendment No. 1, to provide for Flowing Wells Neighborhood Association and Community Coalition operating funds and technical assistance, extend contract term to 6/30/20 and amend contractual language, no cost (CT-CD-19-191)**  
**approve**

### **COMMUNITY SERVICES, EMPLOYMENT AND TRAINING**

- 5. Our Family Services, Inc., to provide for the U.S. Housing and Urban Development (USHUD) Continuum of Care (CoC) Program - Project Advent, USHUD-CoC Fund, contract amount \$140,094.15 (CT-CS-20-78)**  
**approve**

## **PROCUREMENT**

- 6. Immedia, L.L.C., to provide for AV control equipment, Emergency Management Performance Grant (50%) and General (50%) Funds, contract amount \$300,000.00 (MA-PO-20-32) Office of Emergency Management & Homeland Security and Information Technology**  
**approve as directed**

## **SHERIFF**

- 7. City of South Tucson, to provide for incarceration of municipal prisoners, contract amount \$132,000.00 estimated revenue (CTN-SD-19-210)**  
**approve**



## **GRANT APPLICATION/ACCEPTANCE**

8.                   **Acceptance - Health**  
Arizona Department of Health Services, Amendment No. 2, to provide for WIC and BFPC services and amend grant language, \$1,658,946.00 (GTAM 20-5)  
**approve**

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

9.                   **Transportation Advisory Committee**  
Appointment of John Wallace, to fill a vacancy created by Lynne Mangold. Term expiration: 12/31/22. (District 3)  
**approve**
10.                  **Parks and Recreation Commission**
- Reappointment of Michael Lundin. Term expiration: 6/30/25. (District 2)
  - Reappointments of Richard Barker and Victor Rivera. Term expirations: 6/30/25. (District 5)
- approve**

## **CONSENT CALENDAR**

### **Approval of the Consent Calendar**

see items below

## **CONTRACT AND AWARD**

### **Behavioral Health**

1. UHS of Tucson, L.L.C., d.b.a. Palo Verde Behavioral Health, Amendment No. 4, to provide court ordered evaluation services pursuant to A.R.S. Title 36, Chapter 5 and extend contract term to 9/30/20, General Fund, contract amount \$750,000.00 (CT-BH-20-17)  
**approve on the Consent Calendar**
2. Banner Health, Amendment No. 5, to provide court ordered evaluation services pursuant to A.R.S. Title 36, Chapter 5 and extend contract term to 9/30/20, General Fund, contract amount \$1,500,000.00 (CT-BH-20-22/CT-BH-20-14)  
**approve on the Consent Calendar**
3. Sonora Behavioral Health, Amendment No. 5, to provide court ordered evaluation services pursuant to A.R.S. Title 36, Chapter 5 and extend contract term to 9/30/20, no cost (CT-BH-20-34)  
**approve on the Consent Calendar**

### **Facilities Management**

4. Portable Practical Educational Preparation, Inc., to provide a ground lease agreement for the conveyance of a parcel of land within the Sopori Park for the construction of Amado Youth Center, contract amount \$250.00 revenue/25 year term (CTN-FM-20-31)  
**approve on the Consent Calendar**
5. Sahuarita Unified School District No. 30, Amendment No. 2, to provide for Kay Stupy - Sopori Neighborhood Park and amend contractual language, no cost (CT-PR-19-391)  
**approve on the Consent Calendar**

## Procurement

6. **Award**  
Amendment of Award: Master Agreement No. MA-PO-19-201, Amendment No. 1, Simpson Norton Corporation, for Toro parts and equipment. This amendment is for a one-time increase in the amount of \$125,000.00 for a cumulative not-to-exceed contract amount of \$375,000.00. This increase is needed to purchase three Toro Workman HDX utility carts to support the efforts of the department in converting their heavy duty utility cart fleet from John Deere to Toro. Funding Source: General Fund. Administering Department: Natural Resources, Parks and Recreation.  
**approve on the Consent Calendar**

## Real Property

7. Verizon Wireless, L.L.C., d.b.a. Verizon Wireless, Amendment No. 5, to provide a master agreement for wireless communications facilities and site specific supplemental agreements for specified locations, extend contract term to 5/31/25 and amend contractual language, contract amount \$477,268.78 revenue (CTN-IT-15-107)  
**approve on the Consent Calendar**
8. Alltel Corporation, d.b.a. Verizon Wireless, Amendment No. 6, to provide a tower license agreement at the Nanini Governmental Center located at 7300 N. Shannon Road and amend contractual language, contract amount \$160,476.18 revenue decrease (CTN-IT-13-296)  
**approve on the Consent Calendar**
9. Verizon Wireless, L.L.C., d.b.a. Verizon Wireless, f.k.a. Alltel Communications Southwest Holdings, Inc., d.b.a. Verizon Wireless, Amendment No. 3, to provide a master agreement for wireless communications facilities and site specific supplemental agreements for specified locations, extend contract term to 7/4/25 and amend contractual language, contract amount \$560,038.60 revenue (CTN-IT-15-115)  
**approve on the Consent Calendar**

## Sheriff

10. City of Tucson, to provide for incarceration of municipal prisoners, contract amount \$6,555,000.00 estimated revenue (CTN-SD-19-211)  
**approve on the Consent Calendar**
11. Pinal County, to provide for incarceration of prisoners, contract amount \$305,000.00 estimated revenue (CTN-SD-19-215)  
**approve on the Consent Calendar**

12. Town of Marana, Amendment No. 1, to provide for the Pima County Mapping Administrator position and extend contract term to 6/30/20, contract amount \$56,343.00 revenue (CTN-SD-18-190)  
**approve on the Consent Calendar**

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

13. **Library Advisory Board**  
Appointment of Betsy Shepard, to fill a vacancy created by Amanda Castillo. Term expiration: 6/30/23. (District 5)  
**approve on the Consent Calendar**
14. **Environmental Quality Advisory Council**  
Reappointment of Leslie Katz, representing Water Resources. Term expiration: 10/17/22. (Staff recommendation)  
**approve on the Consent Calendar**
15. **Board of Health**  
Appointment of Kathryn Kohler, to fill a vacancy created by Matthew T. Emich. Term expiration: 2/28/22. (District 4)  
**approve on the Consent Calendar**

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

16. **Special Event**
- Michael Thomas Hellon, Pima County Parklands Foundation, Canoa Ranch, 5375 S. I-19 Frontage Road, Green Valley, September 21, 2019.
  - Nicholas Jon Szumowski, Heirloom Farmers Markets, Rincon Valley Farmers & Artisans Market, 12500 E. Old Spanish Trail, Tucson, September 21, 2019.
  - Michelle Lynn Garmon, St. Thomas the Apostle Roman Catholic Preschool, St. Thomas the Apostle Roman Catholic Parish Hall, 5150 N. Valley View Road, Tucson, October 5, 2019.
  - Chris Udovich, VFW Post 10254, Buckelew Farm, 17000 W. Ajo Highway, Tucson, October 4, 5, 11 and 12, 2019.
  - Erma Watson, Friends of Robles Ranch, Inc., Buckelew Farm, 17000 W. Ajo Highway, Tucson, October 18, 19, 25, 26 and 31, 2019.
- approve on the Consent Calendar**

## ELECTIONS

17. **Precinct Committeemen**  
Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:
- RESIGNATION-PRECINCT-PARTY  
Sanda Clark-010-DEM; Margaret L. Felici-164-DEM; Sherry Vogt-168-DEM; Christopher D. Cole-100-LBT
- APPOINTMENT-PRECINCT-PARTY  
Celeste M. Rodriguez-020-DEM; Syndy L. Linn-021-DEM; Thomas W. Linn-021-DEM; Elizabeth R. Morgan-021-DEM; Carol L. Schloff-021-DEM; Charles M. Grant-041-DEM; Matthew A. Barngrover-042-DEM; Nan S. Lux-074-DEM; Jim L. Sanders-164-DEM; Nancy L. Goodman-194-DEM; Nancy Scott-Rogers-211-DEM; Justina M. Elías-246-DEM; David F. White-130-REP; Charlene T. Sutton-199-REP; David J. Sutton-199-REP; Edward S. Burleson-217-REP; Margaret "Maggie" E. Johnson-225-REP; Jeanne E. Cates-229-REP  
**approve on the Consent Calendar**

## FINANCE AND RISK MANAGEMENT

18. **Duplicate Warrants - For Ratification**  
The State of Arizona \$20.00; Justin L. Jewett \$1,000.00; Banner-University Medical Group \$693.43; Matthew O'Connor \$272.00; Pima County Justice Court \$4,500.00; Pima County Justice Court \$7,200.00.  
**approve on the Consent Calendar**

## TREASURER

19. **Certificate of Removal and Abatement - Certificate of Clearance**  
Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$88,076.01.  
**approve on the Consent Calendar**

## TRANSPORTATION

20. **Permission to Advertise**  
Tournament Way  
Road Establishment No. 3031  
September 20 and 27, 2019 (District 2)  
**approve**

## **RATIFY AND/OR APPROVE**

21. Minutes: August 6, 2019  
approve on the Consent Calendar