



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
130 W. CONGRESS, FLOOR 10, TUCSON, AZ 85701-1317
(520) 724-8661 FAX (520) 724-8171

C.H. HUCKELBERRY
County Administrator

March 11, 2015

Ms. Stephanie Smelnick
Arizona Field Office Director
US Department of Housing and Urban Development
1 N. Central Avenue, Suite 600
Phoenix, Arizona 85004

Re: Pima County Community Development Block Grant Funding

Dear Ms. Smelnick:

I am writing in response to Mr. Michael Flores' e-mail of February 17, 2015 in which he reports you have been contacted about possible irregularities with Community Development Block Grant (CDBG) funding in Pima County.

This concern appears to have arisen as a result of complaints made by representatives of Picture Rocks Community Center, Inc. (PRCC) at the Pima County Board of Supervisors February 3, 2015 public meeting regarding failure to include that agency in the Fiscal Year (FY) 2014/15 CDBG fund allocations.

Attached is a detailed response to those allegations prepared by Ms. Margaret Kish, our Community Development and Neighborhood Conservation Department Director. Ms. Kish's report details the history of these allegations regarding the Pima County CDBG allocation process. I believe her report sufficiently refutes the allegations of impropriety in the CDBG process.

I would like, however, to make several points concerning these allegations:

1. As you are aware, Pima County runs an annual, fully advertised, solicitation process for CDBG project proposals. We routinely receive requests for funding that are two to three times greater than the CDBG funding available. For FY 2014/15, we received \$6,449,000 in requests for only \$2,498,000 funding

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available. Given the large gap between requests and available funding, it is inevitable that many applicants do not receive the funding they have requested.

2. The PRCC appeal to the Board of Supervisors on February 3, 2015 occurred four months after the start of the 2014/15 federal fiscal year and nine months after the May 6, 2104 meeting at which the Board of Supervisors in public session reviewed and approved the FY 2014/15 CDBG allocations. It also occurred concurrently with a well-orchestrated media appeal by PRCC regarding the Board of Supervisors failure to allocate funds to that agency and very shortly before the deadline for submission of proposals for FY 2015/16 CDBG funding.
3. PRCCI submitted two requests for FY 2014/15 CDBG funding. Those requests were carefully considered, along with other requests from the Picture Rocks community and from more than a dozen other rural Pima County communities. . Page 6, Paragraphs 2 and 3, of the attached staff report detail the reasons the PRCC projects were not recommended. The reasons have to do with lack of ownership or permanent site control of the land on which the projects would be built. In addition, the legal status of the organization and the legal composition of its board and membership are not clear; with at least two different individuals claiming the presidency and right to represent the organization. These are substantive reasons for not recommending funding for this organization, particularly when two other projects – one a parks project and the other a water system improvement project – were recommended and funded in the same community.
4. There is a history of similar allegations by representatives of the PRCC in another Pima County funding process. Specifically, as detailed in Pages 1 and 2 of the attached staff report, representatives of PRCC made allegations of bias and conflict of interest in our 2014 Pima County Outside Agency funding process. Recommendations to the Board of Supervisors for those locally financed funds are made by a six-member citizens committee. The committee receives and reviews written proposals and hears brief presentations from every agency requesting funds. The PRCC representatives alleged that committee members were negatively influenced against that agency by Ms. Pamela Moseley, a County employee. In fact, Ms. Moseley was not involved in either the Outside Agency or the CDBG review process. To assure there had been no interference, we polled each of the Outside Agency Committee members and each vehemently denied any contact or influence by Ms. Moseley or by any other County employee. When PRCC complaints continued, I ordered our Human Resources Department to conduct an independent investigation. That department maintains a permanent investigative unit to perform disciplinary, civil rights and other investigations independent of other County departments. The independent investigation report, a copy of which is attached, concluded:

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"...the record of evidence does not substantiate the allegation that Pam Moseley or any County employee interfered with the Outside Agency Advisory Committee's review process or altered or caused to be modified the committee's recommendation to deny funding to Picture Rocks Community Center".

5. I reviewed the CDBG projects requested and funded in the Picture Rocks community for the past seven years (see the table on Page 3 of the staff report)). I believe the funding, which totals over \$400,000 for this community, is reasonable, with a mix of projects that includes community quality of life items such as playground and skate park projects and basic infrastructure such as water and fire district and food, diaper and clothing projects.
6. Pima County CDBG decisions are based on a funding priorities methodology. The final decisions are made in public session by the elected, five member, County Board of Supervisors. Pima County does not allow County employees to interfere with or influence CDBG or any other funding decisions. However, Pima County does not prohibit County employees from participating on their own personal time in service organizations in their own communities. We believe that such participation is indicative of an employee's responsible interest and service as a citizen of the community.

In summary, the allegations you received are not substantiated. The original allegations were made by members of an organization that is disgruntled because it was not funded in a highly competitive funding process and that has a history of making allegations about employee interference with County funding decisions. Those allegations have been thoroughly investigated and were found to be inaccurate and unsubstantiated.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/mjk

Attachments

c: The Honorable Chair and Members, Pima County Board of Supervisors
Hank Atha, Deputy County Administrator for Community and Economic Development
Margaret Kish, Director, Community Development and Neighborhood Conservation



March 5, 2015

TO: Mr. C. H. Huckelberry, County Administrator
Mr. Hank Atha, Deputy County Administrator

FROM: Margaret M. Kish, Director

CC: Daniel Tylutki, Rural & Community Development Manager

RE: Response to Allegations from Picture Rocks Community Center, Inc.
CDBG funding allocations for Pima County, Arizona

The purpose of this correspondence is to formally address a Housing and Urban Development (HUD) Phoenix Field Office inquiry referred to the Community Development and Neighborhood Conservation (CDNC) department. HUD contacted CDNC following a complaint made to them by the office of one of the Pima County Board of Supervisors, possibly sent on behalf of Picture Rocks Community Center, Inc., (PRCCI). The complaint concerned a potential conflict of interest related to HUD funding; very similar to accusations formally addressed and determined without merit regarding the Pima County Outside Agency funding process by the same agency.

Pima County takes any allegation involving “conflict of interest,” or claims purporting “irregularities” concerning the reasonable and effective administration of federal funds very seriously. CDNC staff was directed by the County Administrator to clearly address this complaint and provide background information regarding two non-profit agencies, PRCCI and Citizens for Picture Rocks (C4PR). The County Administrator will utilize this memo to provide a response to HUD; specifically to Ms. Stephanie Smelink, Arizona Field Office Director and Mr. Michael Flores, Community Planning & Development Representative.

Funding Process Background

The Outside Agency Program provides over \$3.4 million in Pima County General (Local) Funds to non-profit agencies in Pima County to conduct human and public services on a bi-annual basis. Outside Agency recommendations are made by an appointed citizen advisory committee (the Committee) which consists of six members appointed by the Board of Supervisors and the County Administrator. All of the Committee meetings are open to the public, with standard County protocol followed with regard to Open Meeting laws. Additionally, the Committee discusses and makes decisions on all funding recommendations at these meetings, thus there is full public disclosure.

The two HUD funded programs, the Community Development Block Grant (CDBG), and Emergency Solutions Grant (ESG) have shared a combined Community Planning Application process since November of 2007; however, each program conducts unique and separate funding



reviews and recommendation processes. CDBG utilizes a staff advisory committee with recommendations to the County Administrator. The ESG program has developed a joint review process, in conjunction with the City of Tucson, for compliance with the local Continuum of Care regulations. All funding recommendations are first reviewed by the CDNC Director; then forwarded to the County Administrator's Office; and finally, placed on the Board of Supervisor's Agenda for final consideration and approval.

Picture Rocks Community Center Inc. (PRCCI) Funding Appeal

In 2014 PRCCI applied via the joint Community Planning process for both the County OA and CDBG. However, neither the OA Committee nor the CDBG staff committee recommended the agency for funding. Following the OA Committee grant application review and final funding recommendations in May, 2014, "conflict of interest" and "cover-up" claims regarding County staff persons were alleged via email from Mr. Jason Brown, CEO of PRCCI to the CDNC Director. The OA Committee considered and denied the appeal based on the lack of evidence. Mr. Brown was sent the notice of denial in a letter by the CDNC Director on May 8, 2014. On May 14th Mr. Brown contacted Mr. Henry Atha, Deputy County Administrator for Community and Economic Development, to determine if he had ultimately approved the denial letter. Mr. Atha informed Mr. Brown that, in fact, he reviewed and approved the letter before it was sent.

On May 14, 2014 Mr. Brown contacted the office of County Supervisor Chair Sharon Bronson regarding the denial of Outside Agency funding. The District 3 office sent the email from Mr. Brown to the County Administrator who turned the matter over to the County Human Resource Department for an independent investigation concerning the allegation that a County staff member, in particular, Ms. Pamela Moseley, from another department had interfered in a funding recommendation process. The Human Resource investigator interviewed CDNC staff and the members of the OA Committee to uncover any alleged interference in the funding process. The findings of the Human Resources Department investigation indicated no evidence of a conflict of interest. Due to the repeated threats of legal action against the County, the Human Resource Department recommended that future complaints be turned over to the Pima County Attorney's Office.

Mr. Brown repeated his efforts to request reconsideration. The County Administrator formally notified Mr. Brown and PRCCI that the County would not undertake any further actions nor entertain further complaints that have already been investigated and determined to be without merit (attached).

The PRCCI Complaint to HUD

The complaint to HUD was filed approximately nine months following the funding decisions for both the Outside Agency program and the CDBG program. Representatives from PRCCI



attended a Pima County Board of Supervisor meeting on February 3 to make a public statement regarding the lack of funding. Following that meeting, HUD was contacted by the office of one of the Pima County Board of Supervisors. The HUD complaint also claims similar issues related the OA allegation and Ms. Moseley’s participation on Picture Rocks community agencies and boards. While this is not a County issue or concern, staff conducted some investigation into the history of these two organizations.

Ms. Moseley was a member of both PRCCI and C4PR since 2010 and 2009, respectively. As Ms. Moseley is a resident in the Picture Rocks area, these activities were not related to her position with Pima County and were conducted on her own time. According to the Arizona Corporation Commission (AZCC), Ms. Moseley did not found Citizens for Picture Rocks which was incorporated in 2006. The statement in HUD’s correspondence that Pam Moseley was forcibly removed from the PRCCI Board by court order may be taken out of context. AZCC records indicate that members of the PRCCI Board were removed by default judgment. In order to address the court order, PRCCI, as a non-profit entity, was required by Arizona Revised Statutes to retain legal counsel. It appears that PRCCI was not able to retain legal counsel due to budget constraints, and as a result, the court issued a default judgment. PRCCI immediately filed *Officer/Director/Shareholder Change* paperwork to the AZCC on August 1, 2013 effectively removing the current board and installing new officers including Mr. Jason Brown.

PRCCI and Citizens for Picture Rocks CDBG Funding History

In response to Mr. Flores’ request for five years of CDBG funding history for both PRCCI and C4PR, the following table is provided. For context, other Picture Rocks area agencies, i.e. the Picture Rocks Fire Department (PRFD) and Picture Rocks/Avra Valley Water Cooperative (PR/AV), have also been included in the table below.

IDIS Activity	Year	Agency(-ies)	Project Name	Funded Amount
944	FY08-09	C4PR/NRPR	Playground for Community Center	\$65,000
977	FY09-10	PR/AV	Water System Improvements	\$30,000
987	FY09-10	PRFD	Community Message Board	\$38,000
1089	FY10-11	PR/AV	Water Security System	\$36,000
1148	FY11-12	C4PR/NRPR	Picture Rocks Community Center Computers and Internet	\$10,000
1193	FY12-13	PR/AV	Aging Meter Replacement	\$39,000
1194	FY12-13	PRCCI	Mobile Mini Unit for additional storage for food, diaper and clothing	\$5,000
1195	FY12-13	PRFD	Community Message Board	\$39,000
1258	FY13-14	C4PR/NRPR	Skate Park Lighting	\$75,000
	FY14-15	C4PR/NRPR	Skate Park Lighting	\$54,500
	FY14-15	PR/AV	Aging Meter Replacements	\$38,954



In summary, C4PR has had a direct collaboration with Pima County Natural Resources, Parks and Recreation (NRPR) and applied for available CDBG funds for various community driven projects, primarily related to public infrastructure. Pima County funded PRCCI in FY 2012-13 for a small \$5,000, highly competitive, CDBG public service grant to assist in the operations for their food and diaper program. However, CDBG staff became concerned about the PRCCI agency capacity to effectively utilize the funds due a delay in expending the funds from the length of time from when the contract was fully executed. In good faith, CDNC staff worked with PRCCI to re-purpose the public service funds and assist the agency in procuring and installing a "Mobile Mini" unit to replace a wood storage shed that fell victim to arson. The Mobile Mini replacement was selected since it was somewhat fire resistant and could be moved to a new location to continue operations to store donated goods in the event PRCCI terminated its lease agreement with its landlord.

It is important to note that PRCCI pays rent to a private landlord. One of PRCCI's FY14 CDBG requests was for \$45,000 to conduct facility improvements. CDBG staff had reservations in recommending this project for funding since the agency did not own the land. Moreover, it was not evident in their application that negotiations with the landlord had taken place in order for the County to follow standard practice to place a lien on the property to protect the federal investment. The County must be concerned about undue enrichment with federal funds. Lastly, the specific improvements were not identified in their proposal.

PRCCI's second request for FY14 CDBG request was for \$50,000 for land acquisition to build a new facility. The staff committee did not prioritize and recommend this request for funding since PRCCI had no other committed funds identified for the vertical construction of the facility. CDBG staff was concerned that recommending this activity may ultimately lead to recapture in compliance to firm timelines for the development of land acquired with CDBG funds. Pima County stresses during its Citizen Participation Plan that CDBG public facilities activities are prioritized to fill gaps in existing projects as opposed to providing seed money to ventures without any identified or committed investment.

CDBG Funding Priorities

Throughout the Citizens Participation Plan process, staff is consistent in its message that CDBG funding is prioritized to fill gaps in existing projects that demonstrate the capacity to fully leverage committed financial and in-kind resources. The skate park is located on County property and was developed as part of a 2004 County General Obligation Bond measure for Neighborhood Reinvestment projects; approved by Pima County voters; prioritized and designed by the Picture Rocks community; and, funded leveraging over \$380,000 in non-federal resources. The project continues to elicit very positive and extensive community input and support documented in several local publications, digests and other relevant articles that can be made available upon request. Utilizing the CDBG funding to erect energy efficient lighting that



contributes to the well-being, health and safety of the more than 7,000 annual visits to the skate park was a public facility project determined to be a priority need by the community, staff, and the Pima County Board of Supervisors.

Finally, Pima County utilized HUD Comprehensive Housing Affordability Strategy (CHAS), and now updated 2014 Low/Moderate Income Summary Data (LMISD), to establish Community Development Community Target Areas (CDTA) to meet the CDBG National Objective under “area benefit.” The community of Picture Rocks is currently a CDTA utilizing the older CHAS data; however, it is becoming evident that it may no longer be eligible for “area benefit” utilizing LMSID which incorporates 2010 Census data. Nevertheless, PRCCI leadership has been steadfast in attempting to solidify its pursuit of County and federal resources such as OA and CDBG under the misconception that applying agencies which operate in these CDTA areas are “entitled” to receive funds. Pima County does prioritize available funds in CDTA’s as opposed to funding agencies in other local HUD entitlement jurisdictions. However, since it is typical to receive more than two to three times the requests for the available funding, the CDBG staff utilizes priorities which are considered when making recommendations, as documented in the attached enclosures (second to last page) and listed below:

1. Compliance and consistency with federal laws and regulations.
2. Degree to which project benefits very low- to moderate-income residents in unincorporated Pima County with emphasis in established Community Development Target Areas and in Participating Jurisdictions.
3. Urgency of community development need and identified community support addressed by project.
4. Cost and feasibility analysis.
5. Ability to leverage other resources.
6. Applicant budget analysis including previous years funding and timely expenditure of funds.
7. Applicant capacity and experience with federal funds and program requirements.

Conclusion

Significant time and effort has been expensed to address allegations from PRCCI by the CDNC staff, the Outside Agency Committee, the Human Resources Department and the County Administrator’s Office. At each step in the process, these allegations have not been substantiated. The County is confident that the OA and CDBG processes reasonably and effectively administer both local general and federal funds.

CDNC staff is committed to assisting the County Administrator as needed in addressing this complaint. If you have additional questions related to this matter, we will work to expediently provide you with follow up information and/or related documentation.

Enclosures (2)



COUNTY ADMINISTRATOR'S OFFICE

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130 W. CONGRESS, TUCSON, AZ 85701-1317
(520) 740-8661 FAX (520) 740-8171

C. H. HUCKELBERRY
County Administrator

July 25, 2014

Mr. Jason M. Brown, C.E.O.
Picture Rocks Community Center, Inc.
6691 N. Sandario Road
Tucson, Arizona 85743

Dear Mr. Brown:

On May 14, 2014, you sent an email to Kristin (Kiki) Navarro, Executive Assistant to District 3 Supervisor Sharon Bronson, concerning the Outside Agency Advisory Committee's recommendation to the Board of Supervisors to deny funding to Picture Rocks Community Center, Incorporated (PRCCI). Ms. Navarro forwarded the email to staff in my office, and on June 2, 2014, I requested the Human Resources Department conduct an independent review into your allegations.

Human Resources has concluded its review of the allegations you brought forward and has reported the findings to me. The record of evidence does not substantiate the allegation that Pamela Moseley or any County employee interfered with the Outside Agency Advisory Committee's review process or altered or caused to be modified the Committee's recommendation to deny funding to Picture Rocks Community Center. Ms. Moseley denied any interference. Lori Aldecoa, the OA Program Coordinator denied any interference. Margaret Kish, CDNC Director, denied any interference with or influence on the OA Committee, and each member of the OA Committee denied feeling influenced or pressured by any Pima County staff person (or any other individual) in making its recommendation to deny funding to PRCCI. Furthermore, the appeal process, as adopted by the Outside Agency Advisory Committee, was followed by CDNC, and Deputy County Administrator Hank Atha confirmed that he reviewed and approved Ms. Kish's response to PRCCI's appeal. There is no evidence of conflict of interest or cover-up.

Based on the foregoing, we plan no further action in this matter and will not entertain any further complaints from you that have already been investigated and determined to be without merit.

Sincerely,

C.H. Huckelberry
County Administrator

c: ✓ The Honorable Sharon Bronson, Pima County Supervisor District 3
Hank Atha, Deputy County Administrator for Community and Economic Development
Margaret Kish, Director, Community Development and Neighborhood Conservation
Allyn Bulzomi, Director, Human Resources



Board of Supervisors Memorandum

May 6, 2014

Community Development Block Grant (CDBG) and Related US Department of Housing and Urban Development (HUD) Fiscal Year (FY) 2014/15 Funding Recommendations

Introduction

Attached are the following documents, which are scheduled for Board of Supervisors consideration on May 6, 2014:

1. Resolution No. 2014 - _____ approving and authorizing submission to HUD of the Pima County FY 2014/15 Annual Action Plan (AAP);
2. Summary of FY 2014/15 CDBG project recommendations; and
3. Summary of FY 2014/15 Emergency Solutions Grant (ESG) recommendations.

Pima County received 85 applications totaling \$6,435,462 for FY 2014/15 CDBG programs. A comprehensive memorandum report of the application process, as well as a five-year history of Pima County CDBG Allocations, is also attached for your review.

The FY 2014/15 Pima County CDBG allocation is \$2,498,848, which continues the reductions shown in the five year history. Peak Pima County CDBG funding was \$3,111,000 in FY 2001/02. Allocations have declined since then, most drastically in the past five years. Similar trends are seen in almost all federal funds, particularly those funds that have supported local government programs.

All indications are that the decline in federal funds will continue for the foreseeable future forcing Pima County to increasingly rely on our own local funding to support government activities. It is for this reason I endorsed and continue to support Pay for Success, the social impact private/public funding approach that was the subject of the Federal Reserve-sponsored meeting held here on February 12, 2014.

Recommendation

I recommend the Board of Supervisors pass, adopt and approve the attached Resolution No. 2014-_____ approving the Community Development Block Grant and Emergency Solutions Grant project recommendations and authorizing staff to submit the Fiscal Year 2014/15 Annual Action Plan to the US Department of Housing and Urban Development.

The Honorable Chair and Members, Pima County Board of Supervisors
Re: **CDBG and Related HUD FY 2014/15 Funding Recommendations**
May 6, 2014
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Respectfully submitted,



C.H. Huckelberry
County Administrator

CHH/mjk

Attachments

- c: **Hank Atha, Deputy County Administrator for Community and Economic Development**
Margaret Kish, Director, Community Development and Neighborhood Conservation
Daniel Tylutki, Program Manager, Community and Rural Development

RESOLUTION NO. 2014 - _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA
APPROVING SUBMISSION OF THE ANNUAL ACTION PLAN 2014-2015 TO THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

WHEREAS, it is anticipated that the U.S. Department of Housing and Urban Development (HUD) will grant Pima County federal funds for fiscal year (FY) 2014-2015 in the amounts estimated below for the following purposes:

- 1) Community Development Block Grant Program (CDBG): \$ 2,498,848.00
- 2) HOME Program (HOME): \$ 577,579.00
- 3) Emergency Solutions Grant Program (ESG) \$ 204,473.00

WHEREAS, in order to use these funds, the County must prepare and submit an annual community development and housing funding allocation plan ("Annual Action Plan") to HUD; and

WHEREAS, this Annual Action Plan has been prepared by the Department of Community Development and Neighborhood Conservation; and

WHEREAS, the Annual Action Plan describes community needs in Pima County and explains the proposed projects under CDBG, HOME, and ESG for FY 2014-2015; and

WHEREAS, final distributions from HUD have not been determined and Pima County CDBG, HOME, and ESG allocations are estimates as directed by HUD; and

WHEREAS, once final distributions are determined by HUD, the Department of Community Development and Neighborhood Conservation will make the appropriate adjustments and amendments to the Annual Action Plan and the affected project(s); and

WHEREAS, the Board of Supervisors finds that meeting the communities needs through these programs is in the best interests of the residents of Pima County.

NOW, THEREFORE, BE IT RESOLVED that the Pima County Board of Supervisors:

A. Approves the Annual Action Plan for 2014-2015 funding allocations as set forth therein for:

- 1) 2014-2015 Community Development Block Grant Program;
- 2) 2014-2015 HOME Program; and
- 3) 2014-2015 Emergency Solutions Program.

B. Directs staff in the Department of Community Development and Neighborhood Conservation to submit the Annual Action Plan for 2014-2015 to the U.S. Department of Housing and Urban Development;

- C. Authorizes the Chair to execute all necessary HUD agreements and other documents to obtain HUD funding for the CDBG, HOME and ESG projects designated in the Annual Action Plan for 2014-2015;
- D. Directs staff in the Department of Community Development and Neighborhood Conservation to prepare CDBG, HOME and ESG agreements with agencies as authorized by HUD through its approval and funding of the Annual Action Plan for 2014-2015 for the distribution of CDBG, HOME and ESG funds; and
- E. Authorizes the Chair to execute all agreements between Pima County and these entities to carry out the CDBG, HOME and ESG projects set forth in the HUD-approved Annual Action Plan for 2014-2015.

PASSED AND ADOPTED ON _____, 2014.

PIMA COUNTY BOARD OF SUPERVISORS:

ATTEST:

Chairman, Board of Supervisors

Clerk of the Board

APPROVED AS TO FORM:


Karen S. Friar, Deputy County Attorney

FY 2014-2015 Pima County Community Development Block Grant Program

Location/Applicant	Project/Program	Supervisor District	FOD Activity	Request	Recommended
Ajo - ISDA	Ajo Community Plaza (Fire Marshall Compliance)	3	pf	\$ 83,000	\$ 30,000
Ajo - Ajo Ambulance, Inc.	CPR Training Program (EKG's)	3	fire	\$ 68,000	\$ 12,000
Ajo - Life Enrichment/Sun and Sage Production	Movie Production Training Program	3	ps	\$ 46,950	\$ -
Ajo - Desert Senita Health Center	Various Facility Improvements	3	pf	\$ 252,000	\$ 30,000
Arivaca - Arivaca Action Center	Arivaca Action Center - (Cattle Guard / Parking Lot)	3	pf	\$ 17,985	\$ -
Arivaca - Coordinating Council Resource Group	Hot Meals Program	3	ps	\$ 15,526	\$ -
Arivaca - Coordinating Council Resource Group	Resource Center (New Roof)	3	pf	\$ 20,000	\$ 20,000
Arivaca - Family Community Education Club	Arivaca School House Improvements (kitchen, bath, closet)	3	pf	\$ 90,000	\$ -
Arivaca - Fire District	Mobile Integrated Health Community Resource Tech	3	ps	\$ 83,000	\$ -
Catalina Community Services (Impact of Southern Arizona)	Outreach Reader Board	1	pf	\$ 12,000	\$ -
Flowing Wells	Amistades Inc., Ellie Towne Teen Program	3	ps	\$ 25,000	\$ 10,000
Flowing Wells	Northwest Fire District Fire Hydrants	1,3	infra	\$ 10,478	\$ -
Flowing Wells - FWNACC	FWNACC Street Light Maintenance	3	infra	\$ 14,400	\$ 14,400
Flowing Wells Unified School District	Flowing Wells Family Resources Center Operating Funds	3	ps	\$ 13,000	\$ 13,000
Flowing Wells Unified School District	Flowing Wells Family Resources Center-Facility Improvements (Commercial Freezer)	3	pf	\$ 2,830	\$ 3,000
Green Valley - Asistencia Svc, Inc.	Safety Health in Motion SHIM	4	ps	\$ 23,000	\$ 10,000
Green Valley - CASA Community Services	La Posada (reconfigure parking lot)	4	pf	\$ 75,980	\$ -
Green Valley - PC Parklands Foundation	Chuck Catino Park	4	pf	\$ 95,000	\$ 50,000
Green Valley - UCHC	UCHC Facility Improvements (New workspaces)	2,3,4	pf	\$ 80,519	\$ -
Mescal Fire District	Fire Safety Equipment (Thermal Imaging Camera)	4	pf	\$ 17,000	\$ -
Picture Rocks - Avra Water Co-op, Inc.	Aging Meter Replacement Program	3	infra	\$ 40,800	\$ 38,954
Picture Rocks - Avra Water Co-op, Inc.	Noel Booster Station Upgrade Project	3	infra	\$ 74,984	\$ -
Picture Rocks - PRCCI	Site Improvements	3	pf	\$ 45,000	\$ -
Picture Rocks - PRCCI	Land Acquisition	3	la	\$ 50,000	\$ -
Picture Rocks Citizens for Picture Rocks	BMX Skate Park Improvement	3	pf	\$ 88,300	\$ 25,000
Picture Rocks Fire District	EPCR System (fire equipment)	3	pf	\$ 26,000	\$ -
Sahuarita - Food Bank	Facility Improvement (walk-in freezer)	2,3,4	pf	\$ 50,000	\$ 50,000
Rillito Community Coalition/Rillito Water	Water Improvements Phase I	3	pf	\$ 127,338	\$ 65,000
Robles Junction Three Points	Friends of Robles Ranch (Video Surveillance)	3	pf	\$ 12,000	\$ 10,000
Robles Junction Three Points	My Friends Closet Resale	3	ps	\$ 15,000	\$ -
Robles Junction Three Points Fire District	New Ambulance	2	fire	\$ 144,999	\$ -
Robles Junction Three Points	High Chaparral Water District Improvements	2	infra	\$ 40,000	\$ -
Valencia West/ Drexel Heights Fire District	Family Safety Program	3,5	ps	\$ 11,560	\$ 10,000
Valencia West/ Drexel Heights Fire District	Fire Hydrant Program	3,5	infra	\$ 18,000	\$ 12,000
Valencia West - Grass Roots Community Committee	4 Mile Walking Path	5	infra	\$ 50,000	\$ -
Town of Marana	Administration	1, 3	admin	\$ 40,000	\$ 15,000
Town of Marana	Neighborhood Cleanup Program	1, 3	ps	\$ 10,000	\$ -
Town of Marana	Marana Heritage River Park	1, 3	pf	\$ 100,000	\$ 65,000
Town of Marana	Owner-Occupied Housing Rehabilitation	1, 3	hsg	\$ 150,000	\$ -
City of South Tucson	Administration	2	admin	\$ 65,000	\$ 30,000
City of South Tucson	Community Cleanup	2	ps	\$ 10,000	\$ -
City of South Tucson	Community Policing & Crime Prevention	2	ps	\$ 65,020	\$ 25,000
City of South Tucson	Demolition	2	demo	\$ 60,000	\$ -
City of South Tucson	Fire Safety Equipment	2	fire	\$ 100,000	\$ 25,000
City of South Tucson	Graffiti Abatement Program	2	ps	\$ 10,000	\$ -
City of South Tucson	Home Repair Program	2	hsg	\$ 80,000	\$ -
City of South Tucson	Youth Programs & Family Assistance	2	ps	\$ 120,000	\$ 120,000
Pima County CDNC Department	Administration	all	admin	\$ 450,000	\$ 370,000
Pima County CDNC Department	Emergency/Transitional/Permanent Hsg Repair	all	hsg	\$ 150,000	\$ 100,000
Pima County CDNC Department	Commercial Façade Improvement Program	all	ed	\$ 100,000	\$ 40,000
Pima County CDNC Department	Brownfields and Clearance	all	bf	\$ 100,000	\$ 20,000
Pima County CDNC Department	Emergency Demolition	all	demo	\$ 100,000	\$ 20,000
Pima County CDNC Department	Home Repair Program	all	hsg	\$ 800,000	\$ 645,000
Pima County CDNC Department	Septic Program	all	hsg	\$ 150,000	\$ 100,000
Pima County CDNC Department	Contingency	n/a	n/a	\$ 50,000	\$ -
Administration of Resources & Choices	Reverse Mortgage Program	all	ps	\$ 10,000	\$ -
Arizona Children Association	Kinship and Adoption Resources & Education (KARE) Family Center	all	ps	\$ 68,520	\$ -
Catholic Community Services	Microenterprise Loan Fund	all	ed	\$ 160,000	\$ -
Catholic Community Services	Community Outreach Program for the Deaf (fence, HVAC, ADA flooring)	5/all	pf	\$ 38,000	\$ 35,000
Chicanos Por La Causa	Housing Counseling	all	ps	\$ 40,000	\$ -
Chicanos Por La Causa	Nahui Olin Wellness Program	all	ps	\$ 25,000	\$ 10,000

Community Food Bank	Roof Replacement - Punch Woods	2/all	pf	\$	100,000	\$	75,000
Community Home Repair Projects of Arizona	Owner-occupied Emergency Home Repair Program	all	hag	\$	125,000	\$	125,000
DIRECT	Home Accessibility Program	all	hag	\$	55,000	\$	55,000
Diaper Bank of Southern Arizona	Diapers of Infants, Children, Disabled & Seniors	all	ps	\$	30,000		
Easter Seals Blake Foundation	Parent Aide (FACTS)	all	ps	\$	50,000	\$	-
Esperanza en Escalante	New MFH for Veterans	all	hag	\$	380,000	\$	-
Interfaith Community Services	Building Improvements (HVAC, roofing, flooring, parking)	1/all	pf	\$	45,539	\$	40,000
Our Family Services	Bellevue Playground Project	5/all	pf	\$	11,213	\$	15,000
Our Family Services	La Promesa (HVAC Housing Improvements)	5/all	pf	\$	38,300	\$	-
Our Family Services	La Promesa (Irrigation Replacement)	5/all	pf	\$	13,928		
Pima Prevention Partnership	Pima County Teen Court	all	ps	\$	20,000	\$	10,000
Portable Practical Education Preparation (PPEP)	Garden Greenhouse	2,3,4,5	pf	\$	10,000	\$	-
Portable Practical Education Preparation (PPEP)	PPEP Help Your Neighbor Program (Community Cleanups)	1,2,3	ps	\$	51,377	\$	50,000
Primavera Foundation, Inc.	Greyhound Emergency Family Shelter (Kitchens, Entry Doors, Outdoor improvements)	2/all	pf	\$	96,000	\$	35,000
RISE	Computer Recycling Center (rent, utility and space)	all	ps	\$	21,600	\$	-
San Ignacio Yaqui Council Inc.	Old Pascua Senior Nutrition Program	all	ps	\$	32,900	\$	-
Southern Arizona AIDS Foundation	HIV/AIDS Housing Safety and Energy Efficiency Project on Glenn Street	5/all	pf	\$	45,281	\$	-
Southern Arizona Association for the Visually Impaired (SAAVI)	Automatic Sliding Accessible Door Replacement	5/all	pf	\$	10,494	\$	10,494
Southern Arizona Legal Aid	Homeowner and Tenant Protection Program	all	ps	\$	46,464	\$	25,000
Southwest Fair Housing Council	Fair Housing Education, Outreach, & Enforcement	all	admin	\$	40,000	\$	35,000
Tucson Urban League	Project Yes	all	ps	\$	38,000	\$	-
Tucson Urban League	Home Repair	2	hag	\$	51,000	\$	-
Tucson Urban League	Micro Enterprise Initiative	all	ed	\$	90,000	\$	-
UA Cooperative Extension	The Garden Kitchen	2/all	pf	\$	198,479	\$	-
Totals				\$	6,449,862	\$	2,499,848

HUD Eligible Activity Abbreviations: admin = Administration; ps = Public Service; pf = Public Facility Improvement; Infra = Infrastructure Improvement; hag = Housing Rehabilitation; ed = Economic Development; la = Land Acquisition; demo = Demolition; bf = Brownfields and Clearance.

EMERGENCY SOLUTIONS GRANT PROGRAM FUND ALLOCATIONS		
JURISDICTION/APPLICANT	PROGRAM/PROJECT	ALLOCATION
Arizona Youth Partnership	Building Futures for Youth & Families in Marana	\$58,988*
Catholic Community Services of Southern AZ, Pio Decimo	Three Points	\$45,800**
Emerge Center Against Domestic Violence	Comprehensive Services	\$17,500
Green Valley Assistance Services	MAP a Plan	\$30,000
Old Pueblo Community Services	Street Outreach	\$15,000
Our Family Services	LGBT Emergency Shelter Program	\$24,092
Pima County Community Services	Emergency Services	\$27,758
Pima County Sullivan Jackson	Employment Center	\$10,000
Primavera Foundation	Casa Paloma Drop in Shelter	\$10,000
Primavera Foundation	Greyhound Emergency Family Shelter	\$10,000
Pima County CDNC	Administration	\$15,335
	TOTAL	\$264,473
*Includes FY13/14 Reprogramming ESG Allocation-\$30,000		
**Includes FY12/13 Reprogramming ESG Allocation-\$15,000, FY13/14 Reprogramming ESG Allocation-\$15,000		

U. S. Department of Housing and Urban Development
Pima County Community Development Block Grant Allocations
Six Year History Fiscal Year 2009 to Fiscal Year 2014-2015

FY 09-10:	\$2,703,834
FY10-11:	\$2,860,697
FY11-12:	\$2,411,522
FY12-13:	\$2,421,558
FY13-14:	\$2,516,935
FY14-15:	\$2,498,948



COMMUNITY DEVELOPMENT

Date: April 30, 2014
To: C.H. Huckelberry
From: Margaret Kish, CDNC Director
Daniel Tylutki, Program Manager
Re: Board of Supervisors Agenda, May 6, 2014
HUD Annual Action Plan Recommendations

Attached is a resolution to authorize Pima County to submit to the US Department of Housing and Urban Development (HUD) its Fiscal Year 2014-15 Annual Action Plan (AAP) for community development programs and projects. The AAP programs one-year eligible activities in adherence to the Pima County Five-Year HUD Consolidated Plan; 2010-2015, vision and goals. The financial impact to the County is a total of \$3,280,900 will be made available, via CDBG, ESG and HOME grant funds, to address identified needs and priorities to improve the quality of life for low to moderate income Pima County residents. The final Board of Supervisor approved AAP is due to HUD by May 15, 2014.

The purpose of this memorandum is to outline and describe the planning and implementation process utilized to ensure effective and efficient use of available CDBG and ESG funds. (Please note that the HOME Investment Partnership funds for affordable housing programs are made available via an open and continuous application process with individual projects ultimately approved by the Board of Supervisors.) The annual process to programmatically administer CDBG and ESG funds, however, is cyclical and—pending sequestration or other legislative delays—typically coincides with the federal fiscal year calendar, October through September. In brief, the planning process involves: extensive community outreach and public involvement (aka Citizens Participation Plan); funding priorities and recommendations; public process and approvals; and finally, contract execution and federal reporting as outlined below.

Citizen's Participation Plan (October-February):

Community meetings are organized and held during the months of November through January. Staff discussed emerging needs and community issues with respective Board of Supervisor staff to determine target areas for these meetings. Whenever possible, staff coordinates and schedules with community groups, town councils and other organizations that conduct regularly planned public meetings to encourage attendance and active participation. Simultaneously, staff also updates and prepares the Request for Proposal (RFP) document which is typically released to the public in November via formal legal notice. (Bi-annually, CDNC staff also includes the Outside Agency Program in a joint application

effort to maximize resources.) The RFP is also distributed informally to non-profit agencies, community groups and participating jurisdictions (Oro Valley, Marana, Sahuarita and South Tucson) for which there are current contacts on file.

For the Fiscal Year 2014-15 AAP, public meetings were conducted in all Pima County Board of Supervisor Districts. During these meetings the RFP and estimated funding is reviewed; federal CDBG and ESG rules detailed; and, funding priorities for successful applications discussed. Also emphasized and addressed is the competitiveness for available CDBG Public Services funds which is capped at 15 percent of the total grant. Most importantly, these public meetings allow staff to work directly with the community to identify and prioritize potential projects or programs likely to respond to the RFP.

In total, staff held a series of 17 public meetings in unincorporated communities throughout Pima County, in addition to, conducting technical assistance workshops—downtown at the Pima County “El Banco” Affordable Housing Center—targeted to non-profit agencies. Technical assistance was also provided to City of South Tucson and Town of Marana staff—both active Pima County CDBG program “Sub-recipients” via our Urban County Cooperative Agreement executed tri-annually. Participating Urban County CDBG Sub-recipients have the responsibility to determine their own local needs and priorities when submitting proposed programs and projects for consideration. The RFP for responsive applications for available funds was due February 14, 2014.

Funding Priorities and Recommendations (February-April):

Staff’s review process for CDBG and ESG proposals is similar, yet slightly varied. For both, program staff, during February and March, reviews all applications to make sure they are in full compliance with the programmatic regulations; that the agency is in good standing; and, that the agency has successfully completed past projects funded with CDBG and ESG. For CDBG, Pima County received 85 applications totaling \$6,435,462 in requests. Staff subsequently made CDBG funding recommendations for 43 projects, allocating the total \$2,498,848 available, utilizing the following funding priorities:

1. Compliance and consistency with federal laws and regulations.
2. Degree to which project benefits very low- to moderate-income residents in unincorporated Pima County with emphasis in established Community Development Target Areas and in Participating Jurisdictions.
3. Urgency of community development need, and identified community support, addressed by project.
4. Cost and feasibility analysis.
5. Ability to leverage other resources.
6. Applicant budget analysis including previous years funding and timely expenditure of funds.
7. Applicant capacity and experience with federal funds and program requirements.

For ESG funding recommendations, staff employs the same funding priorities in its initial recommendation, in addition to, adhering to federal HEARTH Act requirements. In short, participation, review and recommendations from the homeless population and the local Continuum of Care, Tucson Planning Council for the Homeless (TPCH), is incorporated into the final ESG funding allocations for Board of Supervisor and HUD approval. In summary, 16 applications totaling \$512,979 in requests

were reviewed. Final ESG recommendations include funding 13 programs for eligible activities totaling \$204,473 in available FY 2014-15 funds. Also incorporated into the final recommendation is \$60,000 in unspent ESG funds, from previous fiscal years, reprogrammed into FY 2014-15 programs.

Public Process and Approvals (May - July):

In addition to an active citizen's participation plan and prioritized recommendation process, a formal public process is conducted and local and federal approvals are required. In early April, the draft AAP narrative and initial list of both CDBG and ESG recommendations are posted on line for a required 30 day public comment period prior to Board of Supervisors consideration and approval. In addition, two public meetings were held—April 10, 2014 at the El Banco Affordable Housing Center and April 22, 2014 at Ellie Towne Community Center in Flowing Wells—to review the draft AAP, applicable federal regulations, and funding priorities. All public comments are incorporated into the AAP final draft. To date, no formal public comments have been received.

Once the AAP is approved by the Board of Supervisors it is submitted to HUD for review and approval. CDNC actively works with HUD staff during the months of May and June to complete this submittal process. Once the AAP is accepted by HUD, the County Administrator receives notice that AAP has been approved and an Intergovernmental Agreement (IGA) is issued to receive federal funds beginning October 1, 2014.

Contracts and Federal Reporting (July-September):

As the IGA is being processed, staff, in direct collaboration with the Deputy County Attorney, begins to notify, negotiate and contract with funded agencies and organizations. Budgets and scopes of work are finalized for each program or project. Also during this time, staff is required to conduct federal "end of year reporting" and prepares the Pima County Consolidated Annual Performance and Evaluation Report (CAPER) to HUD. In summary, the CAPER captures open and completed projects including summaries of program accomplishment to HUD for previous AAP's activities. A public process, similar to the approval of the AAP, is conducted by staff and the final report is submitted to HUD in September. Once submitted, staff initiates the citizen's participation plan for the next federal fiscal year AAP process.

Conclusion and Consolidated Planning Process:

The program administration of HUD CDBG and ESG funds is an annual planning and public process guided by Pima County's current *Five-Year HUD Consolidated Plan; 2010-2015*. The Five-Year Consolidated Plan provides the regulatory framework for funding projects that implement Pima County's existing affordable housing, homeless and community development policies and programs over its five-year period. In addition to working directly with community stakeholders, CDNC looks forward to working cooperatively with respective Board of Supervisor staff as it prepares the next Consolidated Plan which will effectively describe the needs, resources, goals, strategies and objectives—i.e. funding priorities—for subsequent 2015-2020 HUD Annual Actions Plans.



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
130 W. CONGRESS, TUCSON, AZ 85701-1317
(520) 740-8661 FAX (520) 740-8171

C. H. HUCKELBERRY
County Administrator

July 25, 2014

Mr. Jason M. Brown, C.E.O.
Picture Rocks Community Center, Inc.
6691 N. Sandario Road
Tucson, Arizona 85743

Dear Mr. Brown:

On May 14, 2014, you sent an email to Kristin (Kiki) Navarro, Executive Assistant to District 3 Supervisor Sharon Bronson, concerning the Outside Agency Advisory Committee's recommendation to the Board of Supervisors to deny funding to Picture Rocks Community Center, Incorporated (PRCCI). Ms. Navarro forwarded the email to staff in my office, and on June 2, 2014, I requested the Human Resources Department conduct an independent review into your allegations.

Human Resources has concluded its review of the allegations you brought forward and has reported the findings to me. The record of evidence does not substantiate the allegation that Pamela Moseley or any County employee interfered with the Outside Agency Advisory Committee's review process or altered or caused to be modified the Committee's recommendation to deny funding to Picture Rocks Community Center. Ms. Moseley denied any interference. Lori Aldecoa, the OA Program Coordinator denied any interference. Margaret Kish, CDNC Director, denied any interference with or influence on the OA Committee, and each member of the OA Committee denied feeling influenced or pressured by any Pima County staff person (or any other individual) in making its recommendation to deny funding to PRCCI. Furthermore, the appeal process, as adopted by the Outside Agency Advisory Committee, was followed by CDNC, and Deputy County Administrator Hank Atha confirmed that he reviewed and approved Ms. Kish's response to PRCCI's appeal. There is no evidence of conflict of interest or cover-up.

Based on the foregoing, we plan no further action in this matter and will not entertain any further complaints from you that have already been investigated and determined to be without merit.

Sincerely,

A handwritten signature in cursive script that reads "C. Huckelberry".

C.H. Huckelberry
County Administrator

- c: The Honorable Sharon Bronson, Pima County Supervisor District 3
✓ Hank Atha, Deputy County Administrator for Community and Economic Development
Margaret Kish, Director, Community Development and Neighborhood Conservation
Allyn Bulzomi, Director, Human Resources



MEMORANDUM

CONFIDENTIAL

Date: July 23, 2014

To: Margaret Kish, Director
Community Development and Neighborhood Conservation

From: C.H. Huckelberry
County Administrator 

Re: **Administrative Investigation: Conflict of Interest – Interference with Outside Agency**

Enclosed is a copy of Human Resources' confidential investigative report regarding the above-cited case. It is imperative that this report not be shared with staff as it contains sensitive and confidential information.

I agree with the finding that the allegations of Conflict of Interest – Interference with Outside Agency are unsubstantiated, and I concur with the recommendation contained in the report.

Enclosure

c: ✓ Hank Atha, Deputy County Administrator for Community and Economic Development
Art Eckstrom, Director, Community Services, Employment and Training, without enclosure
Allyn Bulzomi, Director, Human Resources Department
Administrative Investigation file number 14X-12

BACKGROUND

On May 14, 2014, Jason Brown, self-identified as C.E.O. of Picture Rocks Community Center, Incorporated (PRCCI), sent an email to Kristin (Kiki) Navarro, Executive Assistant to District 3 Supervisor Sharon Bronson, concerning the Outside Agency Advisory Committee's recommendation to the Board of Supervisors to deny funding to PRCCI. Ms. Navarro forwarded the email to staff in the County Administrator's Office. On June 2, 2014, the County Administrator requested the Human Resources Department conduct an independent review to determine whether any County employee interfered with the Outside Agency Committee's review process or altered or caused to be modified the Committee's recommendation to deny funding to Picture Rocks Community Center.

ALLEGATION

Mr. Brown alleged he had "*received information that (Pima County employee) Pam Moseley was going to interfere*" with the Outside Agency (OA) Advisory Committee's funding recommendations. He further alleged "unethical practices" and a "cover up" by the Community Development and Neighborhood Conservation Department (CDNC) after PRCCI's appeal of the funding recommendation was denied.

RECORD OF EVIDENCE

1. In addition to the information contained in Mr. Brown's initial complaints, Human Resources reviewed more than seventy (70) supplementary pages of documentation provided by Mr. Brown. Much of the information concerned issues/problems with PRCCI's Board of Directors dating back to 2012 when Ms. Moseley was involved in a personal capacity as a volunteer and PRCCI board member. Mr. Brown repeatedly asserted he had "*received information that Pam Moseley was going to interfere*" (with the OA Advisory Committee's funding recommendations), and had "*evidence that supports this.*" He stated that "*a Ms. Dot Esler, an employee of United Way and ... a close friend of Ms. Pam Moseley, visited PRCCI, to inform PRCCI, that Ms. Dot Esler had lunch with Ms. Pam Moseley, approximately (2) weeks before the recommendations were disclosed...*" and "*during that lunch conversation Ms. Pam Moseley told Ms. Dot Esler that 'there was not a chance in hell', PRCCI would get funding recommendation, let alone the funding itself because she would inform [them] PRCCI was unstable.*" Mr. Brown provided contact information for Ms. Esler and when HR contacted Ms. Esler and asked if she would confirm Mr. Brown's assertion that she had visited PRCCI and informed them of her lunch conversation with Ms. Moseley, Ms. Esler's response was "*In my work as a community mobilizer for the Elder Alliance in Picture Rocks I have professional relationships with both Jason Brown and Pam Moseley. As I have told both of them, I am not going to get involved in this matter.*" When requested by HR to at least confirm or deny the conversation with Ms. Moseley that Mr. Brown attributed to her, Ms. Esler replied, "*I do not want any of my private conversations with Pam Moseley or Jason Brown to be used in your investigation, therefore I am declining your request to confirm or deny any particular discussions that I may have had with either party. I also prefer that you do not continue to contact me through my email at work regarding this matter.*" Ms. Moseley confirmed she did have lunch with Ms. Esler, but denied that she and Ms. Esler were close friends, and Ms. Moseley denied that she ever informed anyone associated with the funding recommendation process that PRCCI was unstable.

Mr. Brown also wrote "*...on or about August, of 2013, Ms. Pam Moseley, accompanied by the former Board members showed up at the location of PRCCI. The current, and legal Executive Director of PRCCI; Mr. Marin Alberto Ruiz was present and stated that Ms. Pam Moseley attempted to remove documents, physically, from Mr. Ruiz's hands, as well other documentation located within the office area of PRCCI. Mr. Ruiz identified these documents as Board minutes and by-laws. The Pima County Sheriffs were contacted, and again, Ms. Pam Moseley, as well the former Board members were removed from the property and advised, again, that if they return*

they will be arrested. Mr. Ruiz stated that when Ms. Pam Moseley was being escorted off the premises she (Ms. Moseley) stated: "[I], will use [my] position to ensure you (PRCCI) fail." (sic) Ms. Moseley denied Mr. Brown's assertion that she was removed from PRCCI property and denied saying she would use her position to ensure PRCCI's failure. The Pima County Sheriff's Department was contacted on August 2nd, 6th, 8th, 12th, and 27th, 2013, regarding issues associated with PRCCI. There is no narrative in any incident report from those dates that indicates Ms. Moseley was removed from or escorted off PRCCI property by any deputy sheriff. There is only one incident report that lists Mr. Ruiz as the point of contact and that is from a call on August 27th. The narrative from that incident report reads: "On 08/27/14 at 0953 hours I (Deputy Lukosky) responded to (redacted information) Marin Alberto Ruiz-Moreno to keep the peace at a community meeting. He was concerned some of those attending may be armed. We were advised we were not needed and we cleared."

2. Mr. Brown also asserted that "Ms. Pam Mosley is, and/or was employed by Pima County, within the department of CDNC, and/or employed in a capacity closely associated with CDNC, CDNC processes, and/or CDNC influences." and "It is the position of PRCCI that this is clearly a 'conflict of interest,' as we believe it has impacted the OA committees' recommendation whether directly or indirectly."

Ms. Moseley categorically denied any involvement and/or interference with the Outside Agency funding recommendation process. She did acknowledge a history of negative personal interactions between Mr. Brown and herself, which she thinks might be a reason for the current complaint filed by Mr. Brown against her. Ms. Moseley was a member of the OA Advisory Committee representing District 3 in the spring of 2010 and resigned as a member of the Committee prior to her appointment to a County position with CDNC in February 2011. Ms. Moseley was initially hired as CDNC's Special Population Program Coordinator, a grade 48 position, with no role or responsibilities for the OA program. Ms. Moseley stated she has never professed to hold a high level position of influence with the County, and Ms. Kish confirmed that "Ms. Moseley did not have a position of influence within CDNC, and was not part of the management team, policy discussions or decisions." Ms. Moseley voluntarily moved from CDNC to a Program Specialist position with Community Services, Employment and Training (CSET) effective December 30, 2013. During the 2014 Community Planning Process, Ms. Moseley participated in the initial technical assistance meeting on January 15, 2014, held for agencies that were interested in applying for funds only to provide technical assistance to a new staff member regarding the specific programmatic rules related to the federal funds for Emergency Solutions Grants (ESG). Ms. Moseley did not have a role or participate in any process related to the Outside Agency review of applications for funding recommendations, and she recalled seeing Mr. Brown at that technical assistance meeting. Laura (Lori) Aldecoa is the Program Coordinator for the Outside Agency Program and is responsible for all aspects of the OA Program. Ms. Aldecoa confirmed that Ms. Moseley had no involvement in the Outside Agency Program or with any ~~process-related to the Outside Agency review of applications for FY 2014/15 funding recommendations.~~ Ms. Kish stated, and Ms. Aldecoa confirmed, that Mr. Brown never discussed a concern regarding a potential conflict of interest or adverse influence because of Ms. Moseley's employment with the County until after he received notice of the OA Committee's funding recommendations.

3. Mr. Brown further alleged: "PRCCI further believes ... that the OA committee may have made the recommendations based on inaccurate information" regarding PRCCI's designation as a "new" rather than "continuing" or "expanding" program. Mr. Brown stated: "We were advised that because we are "new" in submitting an application for funding, that this is what we needed to put and PRCCI submitted a revised application with the requested change." Mr. Brown believes this "is relatively significant, as (PRCCI) was further provided information that priority is given to established or "continued" programs/projects, and less priority given to "new" programs/projects."

Ms. Kish discussed the "new" vs. "continuing" distinction and said any program or agency that is new to the Outside Agency application process is considered "new" regardless of how long the program has been in existence. Ms. Aldecoa, the OA Program Coordinator, confirmed this distinction and stated she met with Mr. Brown in late January or early February 2014 and provided him individual assistance with PRCCI's application. Ms. Aldecoa also said she received numerous phone calls from Mr. Brown prior to the application submission deadline in which she answered his questions and provided additional technical assistance to him regarding PRCCI's submission.

The "new" vs. "continuing" status on the application is separate and distinct from the OA Committee's "stated funding preference for programs that have been in operation for at least three consecutive years" as reported by Jeannine Mortimer, the OA Advisory Committee Chair, in correspondence to the County Administrator dated May 12, 2014. Ms. Mortimer also informed the County Administrator that "Forty-nine non-profits submitted 81 program applications for a combined request of \$3.68 million dollars....Twenty five new agencies requested \$844,934 in funding, with \$142,593 awarded to six new programs. (Emphasis added) Sixty-one programs are being recommended to the Board of Supervisors for funding. The agencies continue to provide important services to help meet Pima County's needs, both rural and urban, from Ajo to Green Valley, from Catalina to Arivaca."

3. Finally, in an email to Ms. Kish, dated May 12, 2014, Mr. Brown wrote, "Interestingly enough, the process that you denied, whom the employee in question may work with, (sic) and that it states within the appeal document the Deputy County Administrator is to review and make the final determination, looks as if it was somehow bypassed. I don't even see that they were cc'd on the letter."

Deputy County Administrator Hank Atha emailed Mr. Brown on May 14, 2014, at 10:17 a.m., and wrote: "Ms. Kish has referred your May 12 email to me. Please be informed that I reviewed and approved Ms. Kish (sic) response to your appeal before it was sent. I concur with her conclusion to deny your appeal." Mr. Atha also addressed Mr. Brown's allegations against Ms. Moseley: "Ms. Moseley is employed by Pima County but not by the Community Development and Neighborhood Conservation Department. Ms. Moseley does not work with the Outside Agency program and was not involved in this Outside Agency proposal process."

CONCLUSION

The record of evidence does not substantiate the allegation that Pamela Moseley or any County employee interfered with the Outside Agency Advisory Committee's review process or altered or caused to be modified the Committee's recommendation to deny funding to Picture Rocks Community Center. Ms. Moseley denied any interference. Lori Aldecoa, the OA Program Coordinator denied any interference. Margaret Kish, CDNC Director, denied any interference with or influence on the OA Committee, and each member of the OA Committee denied feeling influenced or pressured by any Pima County staff person (or any other individual) in making the funding recommendation. The appeal process, as adopted by the Outside Agency Advisory Committee, was followed by CDNC, and Deputy County Administrator Hank Atha confirmed that he reviewed and approved Ms. Kish's response to PRCCI's appeal. There is no evidence of a "cover up"

RECOMMENDATION

No further action is needed. However, since Mr. Brown, C.E.O. of PRCCI, has repeatedly threatened legal action, it is respectfully recommended that any further correspondence or complaints regarding the denial of funding for PRCCI be referred to the Pima County Attorney's Office.