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, September 10, 2013. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
Richard Elías, Acting Chair
Ally Miller, Member
Ray Carroll, Member

Also Present: Chuck Huckelberry, County Administrator
Regina Nassen, Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

Absent: Sharon Bronson, Vice Chair

1. **AWARD**

Highest Scoring Firm: Award of contract for Solicitation No. 97708 and approval to enter into negotiations with Kimley- Horn and Associates, Inc.(Headquarters: Cary, NC), the respondent receiving the highest score to provide design engineering services for the El Corazon Bank Protection and River Park Project. The contract shall be for a 36 month period in an amount not to exceed $1,200,000.00. The contract may be extended as required for project completion. In the event a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: Structural Grace, Inc. and Tetra Tech, until a contract is executed or the list is exhausted. Funding Source: Flood Control Tax Levy. Administering Department: Regional Flood Control District.

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

2. **REQUEST FOR RECONSIDERATION (DISTRICT 1)**

A. Request to suspend Board of Supervisors' Rule No. H-3.

* * *

B. On September 3, 2013, the Board of Supervisors took the following action:

Contract Ratification
Community Healthcare Benefit Foundation of Pima County, Amendment No. 1, to provide for the Julian Wash Projects and amend contractual language, no cost (CTN-PW-13-365)

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

* * *

C. If motion to reconsider is approved, proceed with reconsideration of the following:

Contract Ratification
Community Healthcare Benefit Foundation of Pima County, Amendment No. 1, to provide for the Julian Wash Projects and amend contractual language, no cost (CTN-PW-13-365)

Without objection, this item was removed from the agenda.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:10 a.m.

Ramón Valadez
CHAIRMAN

ATTEST:

Robin Brigode
CLERK

STADIUM DISTRICT BOARD MINUTES

The Pima County Stadium 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, September 10, 2013. Upon roll call, those present and absent were as follows:

Present:	Ramón Valadez, Chairman Richard Elías, Acting Chair Ally Miller, Member Ray Carroll, Member
Also Present:	Chuck Huckelberry, County Administrator Regina Nassen, Civil Deputy County Attorney Robin Brigode, Clerk of the Board James Ogden, Sergeant at Arms
Absent:	Sharon Bronson, Vice Chair

1. **CONTRACT**

F.C. Tucson Events, L.L.C., Amendment No. 1, to provide for F.C. Tucson soccer events, extend contract term to 8/31/14 and amend contractual language, contract amount $48,401.00 estimated revenue (CTN-KSC-12-185)

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:10 a.m.

Ramón Valadez
CHAIRMAN

ATTEST:

Robin Brigode
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, September 10, 2013. Upon roll call, those present and absent were as follows:

Present:	Ramón Valadez, Chairman Richard Elías, Acting Chair Ally Miller, Member Ray Carroll, Member
Also Present:	Chuck Huckelberry, County Administrator Regina Nassen, Civil Deputy County Attorney Robin Brigode, Clerk of the Board James Ogden, Sergeant at Arms
Absent:	Sharon Bronson, Vice Chair

1. INVOCATION

The invocation was given by Father Emilio Chapa, St. Augustine Cathedral.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. PERSONAL POINT OF PRIVILEGE

Supervisor Elías remembered Christian Barco from the Pima County Public Health Department and an activist for the National Latino AIDS Awareness Day who had passed away.

Supervisor Carroll recognized Father Chapa's recent visit to the Pope with a youth group.

Supervisor Miller commended the County Administrator and staff for the Project Management Office Update and the Gate Process Manual.

4. PAUSE 4 PAWS

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

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Stephen Schuldenfrei, Chairman of the Citizen Corps Council, proclaiming the month of September 2013 to be: "PREPAREDNESS MONTH"

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

Supervisor Miller made the presentation to Stephen Schuldenfrei and Keith Morin of the Citizen Corps Council, and Jeff Guthrie from the Office of Emergency Management and Homeland Security.

Mr. Schuldenfrei thanked the Board and stated that the government cannot take care of everyone and that individuals needed to be prepared to take care of themselves.

6. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 4-0 vote, Supervisor Bronson absent, to convene to Executive Session at 9:33 a.m.

7. **RECONVENE**

The meeting reconvened at 10:30 a.m. Supervisor Bronson was absent. All other members were present.

8. **CALL TO THE PUBLIC (for Executive Session items only)**

The Chairman inquired whether anyone wished to address the Board. No one appeared.

EXECUTIVE SESSION

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Vanessa Guerena et al., v. Pima County et al., Pima County Superior Court Case No. C20117686.

Regina Nassen, Civil Deputy County Attorney, stated outside counsel Rick Rollman, Gabroy, Rollman and Bossé, P.C., briefed the Board on the matter in Executive Session and sought direction.

It was moved by Supervisor Elías, seconded by Supervisor Miller and carried by a 3-1 vote, Supervisor Bronson absent and Chairman Valadez voted “Nay,” to proceed as discussed in Executive Session.

BOARD OF SUPERVISORS

10. **Colossal Cave Mountain Park**

A. The Board of Supervisors on August 19, 2013, continued the following:

Review of mountain lion shooting incident at Colossal Cave Mountain Park. Discussion/Action. (District 4)

* * *

B. Discussion/direction/action regarding creation of a special committee by the County Administrator to conduct a performance audit of the operations at Colossal Cave Mountain Park, including a review of the lease activities undertaken by the present leaseholder. (District 4)

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, Supervisor Bronson absent, to conduct a performance audit pursuant to the following:

1. The audit committee will be appointed by the County Administrator.
2. The committee will be comprised of tourism, academic and community leaders, as well as professionals in natural resources and wildlife management.
3. The audit committee's deliberations will not be subject to Arizona's Open Meeting Law due to the appointment process.
4. The County Administrator will request $25,000.00 from the Contingency Fund for professional assistance to facilitate the audit action plan.
5. The committee will prepare a report to the County Administrator, who will submit the report to the Board of Supervisors for review and approval.

FIRE DISTRICT

11. **Mountain Vista Fire District**

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Mountain Vista Fire District for the proposed Camino de Oeste III Annexation. (District 1)

It was moved by Supervisor Elías, seconded by Supervisor Miller and carried by a 4-0 vote, Supervisor Bronson absent, to validate the petitions.

TRANSPORTATION

12. **Waiver of Development Impact Fee**
Pursuant to Pima County Code Section 19.03.070, waiver of development impact fees for the following: Janise K. Ingram requests a waiver of the Roadway Development Impact Fee for the placement of a residential dwelling unit on property located at 25120 E. Low Lane, in the Rincon Valley Impact Fee Benefit Area. (District 4)

Priscilla S. Cornelio, Transportation Director, reported the development would not constitute a public interest and the applicant would not qualify for an Affordable Housing Waiver as the annual household income exceeded 80% of the median income within Pima County. She stated that staff recommended denial.

Janise Ingram addressed the Board and stated the roads she traveled were in Cochise County, she paid a maintenance fee for the roads to the homeowners association and that her parents, who were low income, planned to place a manufactured home on the property.

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 4-0 vote, Supervisor Bronson absent, to waive the development impact fee conditioned upon the current specific use (size/type of unit and specific occupation) on the property, noting that a change of this specific use would make the fees due and payable.

TRANSPORTATION

13. RESOLUTION NO. 2013 - 82, of the Board of Supervisors, abandoning a county highway within the incorporated limits of the City of Tucson for the River Road/Alvernon Way Improvement Project from Campbell Avenue to Alvernon Way. (District 1)

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

14. RESOLUTION NO. 2013 - 83, of the Board of Supervisors, abandoning a county highway within the incorporated limits of the City of Tucson of a portion of Alvernon Way for the River Road/Alvernon Way Improvement Project from River Road to Fort Lowell Road. (Districts 1 and 3)

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

PRESENTATION/PROCLAMATION

15. Presentation of a proclamation to congratulate and commemorate the accomplishments of: "SUNNYSIDE LITTLE LEAGUE SOFTBALL TEAM 2013 WORLD SERIES CHAMPIONS"

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

Chairman Valadez made the presentation to the entire Sunnyside Little League Softball Team and commended them on their accomplishment.

16. Presentation of a proclamation to Pastor David Hook in recognition of the service to the community of Vail and Pima County of: "CHRIST LUTHERAN VAIL CHURCH"

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

Supervisor Carroll made the presentation to Pastor David Hook who thanked the Board for the recognition.

BOARD OF SUPERVISORS

17. **Request for Reconsideration (District 1)**

A. Request to suspend Board of Supervisors' Rule Nos. H-2 and H-3.

* * *

B. On August 19, 2013, the Board of Supervisors took the following action:

Consent Calendar - Contract
Community and Economic Development

1. Jose Gabriel Loyola, to provide community and economic development technical assistance, consultation, facilitation, coordination and marketing services, General Fund, contract amount $40,000.00 (CT-CED-14-30)

   It was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the contract. (As part of the entire Consent Calendar motion.)

* * *

C. If motion to reconsider is approved, proceed with reconsideration of the following:

Consent Calendar - Contract
Community and Economic Development

1. Jose Gabriel Loyola, to provide community and economic development technical assistance, consultation, facilitation, coordination and marketing services, General Fund, contract amount $40,000.00 (CT-CED-14-30)

Without objection, this item was removed from the agenda.

FINANCE AND RISK MANAGEMENT

18. RESOLUTION NO. 2013 - 84, of the Board of Supervisors of Pima County, Arizona approving the form and authorizing the execution and delivery of a line of credit agreement between Pima County and Bank of America, N.A.; approving the form and authorizing the execution and delivery of separate lines of credit for each political subdivision of this state for which the County Treasurer acts as Treasurer ; ratifying all actions taken to date with respect to the line of credit agreements.

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

CONTRACT AND AWARD

19. **Economic Development and Tourism**

Metropolitan Tucson Convention and Visitors Bureau , d.b.a. Visit Tucson, Amendment No. 1, to promote and enhance tourism, business travel, film production and youth, amateur, semi-professional, and professional sports development and marketing, extend contract term to 6/30/14 and amend contractual language, General Fund, contract amount $3,287,082.53 (CT-ED-13-283)

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

20. **Sheriff**

Arizona Peace Officer Standards and Training Board , to assign Lt. Cathryn Masters to AZ POST on a full time basis, State Grant Fund, contract amount $292,250.00 estimated revenue/3 year term (CTN-SD-14-49)

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

BOARD, COMMISSION AND/OR COMMITTEE

21. **County Attorney Investigators Local Retirement Board**

Reappointment of Jennifer (Barrera) Patton. Term expiration: 10/1/17. (Board recommendation)

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

22. **Trial Court Appointments - Nominating Committee District 3**

Appointment of Jennifer Cabrera, Democrat, to replace Marsha Mendelsohn. No term expiration.

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

CONSENT CALENDAR

23. **Call to the Public (for Consent Calendar items only)**

The Chairman inquired whether anyone wished to address the Board. No one appeared.

24. **Approval of the Consent Calendar**

CONTRACT AND AWARD

1. **THE FOLLOWING ITEM MAY PRESENT A POTENTIAL CONFLICT OF INTEREST FOR CHAIRMAN VALADEZ**

Finance and Risk Management
Rural Metro Corporation, to provide an equipment lease-purchase agreement for equipment used with the Pima County Wireless Integrated System, contract amount $346,272.00 revenue (CTN-FN-14-42)

It was moved by Supervisor Carroll, seconded by Supervisor Miller and carried by a 3-0 vote, Chairman Valadez recused himself due to a potential conflict of interest and Supervisor Bronson was absent, to approve the item.

* * *

It was then moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 4-0 vote, Supervisor Bronson absent, to approve the remainder of the Consent Calendar in its entirety.

* * *

Community Development and Neighborhood Conservation

2. Community Home Repair Projects of Arizona, Inc., to provide assistance to low-income Pima County residents with home repairs, CDBG Fund, contract amount $125,000.00 (CT-CD-14-80)

Procurement

3. **Award**
Highest Ranked Respondents: Award of Job Order Master Agreement, Solicitation for Qualifications No. 90145 to Commonwealth Electric Company of the Midwest (Headquarters: Lincoln, NE), Gilbert Electric Company, Inc. (Headquarters: Tucson, AZ) and Sturgeon Electric Company, Inc. (Headquarters: Henderson, CO) for as-needed electrical contracting services at various locations throughout Pima County in the shared amount of $750,000.00. The initial term is one year with options to extend for up to three additional one year periods. Funding Source: Various Funds. Administering Department: Facilities Management.

4. **Award**
Amendment of Award: MA-PO-B505686-BC, Version No. 4, Thomas Saylor-Brown, to provide hearing officer services and extend contract term to 3/14/14. Funding Source: Development Services Enterprise Fund. Administering Department: Development Services.

5. **Award**
Amendment of Award: MA-PO-B505687-BC, Version No. 4, Michael J. Marks, to provide hearing officer services and extend contract term to 3/14/14. Funding Source: Development Services Enterprise Fund. Administering Department: Development Services.

6. **Award**
Amendment of Award: MA-PO-B505688-BC, Version No. 4, James V. Portner, to provide hearing administrator services and extend contract term to 3/14/14. Funding Source: Development Services Enterprise Fund. Administering Department: Development Services.

Real Property

7. MedianGreen, Inc., to provide a right-of-way license agreement to allow landscaping of medians in Green Valley, no cost/5 year term (CTN-PW-14-37)

GRANT APPLICATION/ACCEPTANCE

8. Acceptance - Health Department
Arizona Department of Health Services, Amendment No. 2, to provide for the Health Start Program, US Dept. of Health and Human Services Fund, $217,335.00.

9. Acceptance - Health Department
Arizona Department of Health Services, Amendment No. 2, to provide for the Commodity Supplemental Food Program/Senior Farmers Market Nutrition Program, USDA Fund, $115,906.00/3 year term.

COUNTY ADMINISTRATOR

10. Quarterly Contracts Report - 2nd Quarter 2013
Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from April 1, 2013 through June 30, 2013.

SPECIAL EVENT LIQUOR LICENSE APPROVED PURSUANT TO RESOLUTION NO. 2002-273

11. Diana Hadley, Northern Jaguar Project, Jane Hamilton Fine Art, 2890 E. Skyline Drive, No. 180, Tucson, October 25, 2013.

12. Michelle Caitlin Beckett, Green Fields Country Day School, 6000 N. Camino De La Tierra, Tucson, November 3, 2013.

13. Lance R. Hurst, American Legion Post, No. 109, 15921 S. Houghton Road, Vail, September 14 and October 12, 2013.

ELECTIONS

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

<u>APPOINTMENTS-PRECINCT-PARTY</u>
Gayle L. Wegrzynowski-216-REP
Michael Wegrzynowski-216-REP

REGIONAL WASTEWATER RECLAMATION

15. **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, 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 :

The Picture People, Case No. C2013-04. The proposed settlement of payment of $500.00 is in accordance with the Industrial Wastewater Enforcement Response Plan.

25. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to address the Board.

The following individuals addressed the Board:

- Lee Aitken
- Ken Rineer
- Maddy Urken
- Molly McKasson

They offered the following comments regarding gun shows on County property:

- Consider having the Pima County Fair Commission provide new rules and regulations for vendors and security of the parking lot.
- Gun shows have been proven to be safe.
- The vast majority of gun owners are kind, loving people.
- Arizona law preempts county law, and the Pima County Fair Commission has no authority to override state law.
- It is unknown how many firearms are sold on County property to individuals who should not have them.
- Transactions at gun shows on County property should take place with licensed dealers.
- Pass a resolution to support Universal Background Checks.

Mary Ann Murphy spoke to the Board regarding safety hazards, water issues, drainage troubles and funding problems in Green Valley.

26. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:10 a.m.

Ramón Valadez
CHAIRMAN

ATTEST:

Robin Brigode
CLERK