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, March 4, 2014. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Richard Elías, Vice Chair
Ramón Valadez, Acting Chair
Ally Miller, Member
*Ray Carroll, Member

Also Present: Chuck Huckelberry, County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Mary Jo Furphy, Deputy Clerk of the Board
James Ogden, Sergeant at Arms

* Supervisor Carroll attended the meeting telephonically.

1. **RIPARIAN HABITAT MITIGATION**

Staff requests approval of a Riparian Habitat Mitigation Plan for property located at 3020 North Elena Maria within important riparian habitat area with Hydroriparian Habitat. (District 1)

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

2. **AWARD**

Highest Scoring Firm: Award of Contract, Solicitation No. 119948, Stantec Consulting Services, Inc., (Headquarters: New York City, NY) the respondent receiving the highest combined score for statement of qualifications and interviews for Ruthrauff Basin Management Plan. The contract shall be for a 30-month period in an amount not to exceed $700,000.00. 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: Arroyo Engineering, L.L.C. and Tetra Tech, Inc., 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 Miller, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:44 a.m.

Sharon Blanson

CHAIR

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, March 4, 2014. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Richard Elías, Vice Chair
Ramón Valadez, Acting Chair
Ally Miller, Member
*Ray Carroll, Member

Also Present: Chuck Huckelberry, County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Mary Jo Furphy, Deputy Clerk of the Board
James Ogden, Sergeant at Arms

* Supervisor Carroll attended the meeting telephonically.

1. PERSONAL POINT OF PRIVILEGE

Supervisor Elías noted that the 40 days of Lenten and Easter ceremonies by the Yoeme (Yaqui) people would be starting this week.

2. INVOCATION

The invocation was given by Reverend Bob Holliday, St. James United Methodist Church.

3. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

4. PAUSE 4 PAWS

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

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

The Chair inquired whether anyone wished to address the Board on any item listed under Executive Session. No one appeared.

6. CONVENE TO EXECUTIVE SESSION

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:08 a.m.

7. **RECONVENE**

The meeting reconvened at 9:21 a.m. All members were present.

EXECUTIVE SESSION

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Casas Adobes Baptist Church v. Pima County, Arizona Tax Court Case No. TX2012-000078, Tax Parcel No. 101-01-004E for tax year 2013.

Chris Straub, Chief Civil Deputy County Attorney, stated this concerned a proposed settlement of the case regarding Plaintiff's challenge to the valuation of a free standing building located at 2175 W. Ina Road. The subject property was owned by Casas Adobes Baptist Church and was currently managed under a long-term lease as a retail/pharmacy store by Walgreen's Corporation. The proposed settlement would reduce the full cash value of the subject parcel from its current assessed value for tax year 2013. The legal classification and assessment ratio would remain the same. The resulting total tax decrease for tax year 2013 would be approximately $20,555.00. These values would statutorily roll over to tax year 2014. The two year total tax savings would be approximately $43,170.93. As part of the settlement, both sides have agreed to bear their own costs for attorney's fees and litigation expenses. The Pima County Assessor and the Pima County Attorney's Office recommended the settlement.

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to accept the recommendation.

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Tucson AZ (Jensen-Horowitz/Dickey), L.L.C. v. Pima County, Arizona Tax Court Case No. TX2012-000082, Tax Parcel No. 133-37-017F for tax year 2013.

Chris Straub, Chief Civil Deputy County Attorney, stated this concerned a proposed settlement of the case regarding Plaintiff's challenge to the valuation of real property and improvements located at 10315 E. Broadway Blvd. The subject property was currently managed under a long-term lease as a retail/pharmacy store by Walgreen's Corporation. The proposed settlement would reduce the full cash value of the subject property from its current assessed value for tax year 2013, which would statutorily roll to tax year 2014. The legal classification and assessment ratio would remain the same. The resulting total tax decrease for tax year 2013 would be approximately $10,542.30. The two year total tax decrease would be approximately $21,370.00. As part of the settlement, both sides have agreed to bear their own costs for attorney's fees and litigation expenses. The Pima County Assessor and the Pima County Attorney's Office recommended the settlement.

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to accept the recommendation.

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a request by DeConcini, McDonald, Yetwin and Lacy that Pima County waive a conflict of interest to allow the firm to represent Sunnyside Unified School District in a matter pertaining to real property taxes assessed on property owned by the District in the vicinity of Gallego Elementary School.

Chris Straub, Chief Civil Deputy County Attorney, stated this concerned a request by the Law Firm of DeConcini, McDonald, Yetwin and Lacy, that Pima County waive a conflict of interest to allow the firm to represent the Sunnyside Unified School District in a matter pertaining to real property taxes assessed on property owned or allegedly owned by the District in the vicinity of Gallego Elementary School. He stated waivers of conflict of interest are matters solely within the discretion of the Board.

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to waive the conflict of interest.

COUNTY ADMINISTRATOR

11. **Revisions to Personnel Policies**

Staff recommends approval of revisions to the following Personnel Policies:

- Personnel Policy 8-102 - Premium Pay
- Personnel Policy 8-105 - Annual Leave
- Personnel Policy 8-106 - Sick Leave
- Personnel Policy 8-117 - Pay Plan
- Personnel Policy 8-118 - Personnel Records
- Personnel Policy 8-119 - Rules of Conduct

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

INDUSTRIAL DEVELOPMENT AUTHORITY

12. **Tucson Medical Center**

RESOLUTION NO. 2014 - 19, of the Board of Supervisors of Pima County, Arizona approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not-to-exceed $31,000,000.00 variable rate revenue bonds (Tucson Medical Center), Series 2014 and declaring an emergency.

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

DEVELOPMENT SERVICES

13. **Final Plat With Assurances**

P1205-140, Camino Verde III, Lots 1-79 and Common Areas A, B and C. (District 5)

Kit Marrs, AW Marrs, Inc., addressed the Board and thanked the County for their assistance with this Plat.

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

FRANCHISE/LICENSE/PERMIT

14. **Liquor License**

14-01-9169, Brendan Michael Yace, Horseshoe Barbecue, L.L.C., 6575 N. Sandario Road, Tucson, Series 12, Restaurant, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

15. **Extension of Premises/Patio Permit**

Grant Darien Krueger, Union Public House, 4340 N. Campbell Ave., No. 103, Tucson, Permanent Extension of Premises.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

16. **Extension of Premises/Patio Permit**

Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Temporary Extension of Premises for April 12, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

TRANSPORTATION

17. **Traffic Ordinance**

ORDINANCE NO. 2014 - 4, of the Pima County Board of Supervisors, regulating traffic on Ina Road approximately 700 feet east of Oracle Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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

REAL PROPERTY

18. **Condemnation**

RESOLUTION NO. 2014 - 21, of the Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests where necessary for Linear Park Improvements in Section 17, T14S, R15E G&SRM. (District 2)

It was moved by Supervisor Valadez, seconded by Supervisor Elías and carried by a 4-1 vote, Supervisor Miller voted "Nay," to adopt the Resolution.

BOARD, COMMISSION AND/OR COMMITTEE

19. **Conservation Acquisition Commission**

Appointment of Chris Laria, to replace Robert Black. Term expiration: 4/30/22. (District 1)

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

CONSENT CALENDAR

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

The Chair inquired whether anyone wished to address the Board on any item listed on the Consent Calendar. No one appeared.

21. **Approval of the Consent Calendar**

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

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CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Habitat for Humanity Tucson, Inc., Amendment No. 5, to provide for the NSP2 Consortium Funding Agreement, extend contract term to 2/28/15 and amend contractual language, no cost (CT-CD-12-342)

2. Primavera Foundation, Inc., Amendment No. 1, to provide for the Casa Paloma Drop-In Shelter, extend contract term to 9/30/14 and amend contractual language, HUD/Emergency Solutions Grant Fund, contract amount $10,000.00 (CT-CD-13-691)

3. Compass Affordable Housing, Inc., to provide for Compass Affordable Housing - Alvord Court Rental Housing Project, 2004 General Obligation Bond Fund, contract amount $112,000.00 (CT-CD-14-307)

Information Technology

4. Arizona Superior Court in Pima County, Pima County Consolidated Justice Court and Pima County, Amendment No. 2, to provide co-location of computing systems in a common physical area known as the Court Data Center and extend contract term to 3/15/16, no cost (CTN-IT-12-283)

Transportation

5. Kimley-Horn and Associates, Inc., Amendment No. 1, to provide roadway design engineering services for the Nogales/Old Nogales Intersection Project, extend contract term to 1/21/15 and amend contractual language, 1997 Bond Fund (65%) and RTA Fund (35%), contract amount $91,070.00 (CT-TR-13-525)

GRANT APPLICATION/ACCEPTANCE

6. **Application - Sheriff**
   RESOLUTION NO. 2014 - 20, of the Board of Supervisors, approving and authorizing submission of a grant proposal to the Governor's Office of Highway Safety for DUI enforcement and equipment. This grant request will be for $436,806.00.

7. **Acceptance - Health**
   Arizona Department of Health Services, to provide for the Well Woman Health Check Program, U.S. Department of Health and Human Services/Centers for Disease Control Fund, $986,784.00

8. **Acceptance - Community Services**
Arizona Department of Economic Security, Amendment No. 12, to provide for the employment and training program, U.S. Department of Labor Fund, $54,748.00

9. **Acceptance - Health**
Arizona Family Health Partnership, to provide funding to assist in the establishment and operation of voluntary family planning projects, U.S. Department of Health and Human Services Fund, $733,129.00

10. **Termination - Health**
Arizona Department of Health Services, Amendment No. 3, to terminate the Strategic Prevention Enhancement Grant, Substance Abuse and Mental Health Services Administration Fund

BOARD, COMMISSION AND/OR COMMITTEE

11. **Flood Control District Advisory Committee**
Ratification of Town of Marana appointment: Scott Leska to replace Keith Brann. No term expiration. (Jurisdictional recommendation)

12. **Election Integrity Commission**
Appointment of Matt Smith, to fill the vacancy created by Andrew Spencer. Term expiration: 2/28/16. (Green Party recommendation)

13. **Regional Wastewater Reclamation Advisory Committee**
Reappointment of Mark Stratton, AZ Water Association. Term expiration: 3/1/18. (Organizational recommendation)

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

14. Jonas Wes Hunter, Greater Oro Valley Arts Council d.b.a. The Southern Arizona Arts and Cultural Alliance, Westward Look Wyndham Grand Resort and Spa, 245 E. Ina Road, Tucson, March 15, 2014.

15. Gary G. Richelson, Congregation Bet Shalom, 3881 E. River Road, Tucson, March 29, 2014.

16. Claudine S. Messing, Steven M. Gootter Foundation, The Westin La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, March 16, 2014.

17. Kirk D. Wallendorf, Alisa's Angels Foundation, The Westin La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, April 6, 2014.

ELECTIONS

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

RESIGNATIONS-PRECINCT-PARTY
David A. Olvera-112-DEM; Sylvia M. Maresca-066-REP; Edward A. Connors-101-REP; Kenneth Moyes-224-REP; Tanner W. Mears-126-GRN

APPOINTMENTS-PRECINCT-PARTY
Richard P. Adams-016-DEM; Robert D. Rowley-016-DEM; Jesse S. Lugo-086-DEM; Donna M. Baker-016-REP; Michael A. Colmenero-018-REP; Patricia A. Flores-097-REP

RECORDER

19. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of January, 2014.

SUPERIOR COURT

20. **Hearing Officer**
Appointment of Lee Ann Roads as Hearing Officer of the Pima County Superior Court for the period of March 10, 2014 through June 30, 2014.

RATIFY AND/OR APPROVE

21. Warrants: February, 2014

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22. **CALL TO THE PUBLIC**

Keith Van Heyningen addressed the Board regarding government issues and moving of the road repair funds.

Christopher Cole spoke to the Board about setting priorities and road safety concerns in Pima County.

Jim Tiggas addressed the Board and invited them to the Tucson Invitational Games.

Mary Ann Murphy spoke to the Board regarding the 50th Anniversary of Green Valley and other Green Valley issues.

23. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:44 a.m.

Sharon Blanson

CHAIR

ATTEST:

Robin Brigode

CLERK