



NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION
PINAL COUNTY BOARD OF SUPERVISORS
SUMMARY OF AGENDA FOR REGULAR SESSION
Wednesday, September 18, 2019

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

PLEDGE OF ALLEGIANCE - INVOCATION

BUSINESS BEFORE THE BOARD

(Consideration/Approval/Disapproval of the following:)

- (1) Call to Public -
Consideration and discussion of comments from the public. Those wishing to address the Pinal County Board of Supervisors need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.
- (2) Presentation of Certificates of Service to employees for 20, 25, 30 and 40. (Greg Stanley)
- (3) County Manager's Report (Information Only). (Greg Stanley)
- (4) Purchasing Division Report - September 18, 2019 (Lori Pruitt/Leo Lew)
- (5) **CONSENT ITEMS:** All items indicated by an asterisk (*) will be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.
 - * A. Discussion/approval/disapproval of Minutes from September 11, 2019 Board of Supervisors meetings. (Natasha Kennedy)
 - * B. Discussion/approval/disapproval of the current billings before the Board. (Natasha Kennedy)
 - * C. Discussion/approval/disapproval of a Proclamation of the Pinal County Board of Supervisors proclaiming Saturday, October 12, 2019 "Cooperative Extension Day" in Pinal County. (Vice-Chairman Miller)
 - * D. Discussion/approval/disapproval of the Special Event License application of Timothy J. Contreras, Society Car Club, for an event to be held at Queen Valley Golf Course located at 600 N. Fairway Dr., Queen Valley, Arizona 85218, on Saturday, September 28, 2019 from 6:00 a.m. to 4:00 p.m. (Natasha Kennedy)
 - * E. Discussion/approval/disapproval of the Special Event License application of Eliedoro Olivas Pisano, Disabled American Veterans Chapter 36, for an event to be held at Queen Valley Golf Course located at 600 N. Fairway Drive, Queen Valley, Arizona 85118 on Saturday, December 7, 2019 from 7:00 a.m. to 4:00 p.m. (Natasha Kennedy)

- * F. Discussion/approval/disapproval of the Liquor License application, series 012 Restaurant, of Kevin James Madden for a New Liquor License for Aravaipa Farms Orchard and Inn, located at 89395 E. Aravaipa Road, Winkleman, AZ 85192. (Natasha Kennedy)
- * G. Discussion/approval/disapproval of Supervisor Rios' reappointment of Steve Murray, P.O. Box 75, Mammoth, AZ 85618 to the Air Quality Control Hearing Board. Mr. Murray's Term of Service will be September 16, 2019 to September 15, 2022. (Natasha Kennedy)
- * H. Discussion/approval/disapproval of the polling places to be used in the November 5, 2019 Jurisdictional Election for Maricopa Unified School District pursuant to A.R.S. 16-411. (Michele Forney/Louis Andersen)
- * I. Discussion/approval/disapproval of Resolution No.091819-FAWFCD a Resolution cancelling the uncontested regular election of October 2, 2019 for Florence Area Watershed Flood Control District and deeming the candidate who filed, elected. (Michele Forney/Louis Andersen)
- * J. Discussion/approval/disapproval to carry forward the Ak-Chin Grant funding from FY18/19 in the amount of \$34,402 for the wages of a forensic nurse. This addendum requires a fiscal amendment to the FY19/20 budget to transfer reserve appropriation only from Fund 213 (Grants/Project Contingency) to Fund 266 (Misc. Grants) to increase revenue and expenditure appropriations. There is no impact on the General Fund. (Tascha Spears/Leo Lew)
- * K. Discussion/Approval/Disapproval of the continuation of Paragraph XIII.B. Accrued Sick Leave, previously contained in the Memorandum of Understanding "Agreement" between Pinal County, Arizona and the Pinal County Deputies Association for those covered employees who had exercised this benefit prior to the expiration date of the Agreement on June 30, 2018 and who will be covered under the Pinal County Sheriff's Office, Wage and Salary Administration for Law Enforcement Officers, "PCSO Step Plan". (Mary Ellen Sheppard/Leo Lew)
- * L. Discussion/approval/disapproval of an Intergovernmental Agreement between The Town of Queen Creek and Pinal County for the transfer of the water distribution system associated with and owned by the dissolved Queen Creek Domestic Water Improvement District. (Pamela Villarreal/Levi Gibson)
- * M. Discussion/approval/disapproval of the first Amendment to an Intergovernmental Agreement between Pinal County and the Town of Queen Creek, defining the responsibility for the design and construction of Meridian Road from Combs Road to Germann Road, originally approved by the Pinal County Board of Supervisors on February 28, 2018. (GA19-007) (Celeste Garza/Scott Bender)
- * N. Discussion/approval/disapproval of an Agreement between Pinal County and the Town of Florence for the placement, operation and use of CERT Trailers with Florence to provide faster and more comprehensive response in the event of an emergency. (GA19-008) (Chuck Kmet/Scott Bender)
- * O. Discussion/approval/disapproval of Resolution No. 091819-RD19-014 accepting a Drainage Easement from Pinal County Community College District; bda Central Arizona College, granting a non-exclusive drainage easement to Pinal County for the benefit of the public. (RD19-014) (Bob Pate/Scott Bender)
- * P. Discussion/approval/disapproval of Resolution No. 091819-RD19-015 accepting a Drainage Easement executed by El Dorado Bella Vista LLC, granting a non-exclusive drainage easement to Pinal County for the benefit of the public. (RD19-015) (Bob Pate/Scott Bender)
- * Q. Discussion/approval/disapproval of Resolution No. 091819-RD19-016 accepting a Special Warranty Deed for Fee Right Of Way to a portion of Toscana Loop and Schnepf Road, executed by Pinal County Community College District; dba Central Arizona College, conveying all right, title and interest Grantor held in certain real property to Pinal County. (RD19-016) (Bob Pate/Scott Bender)
- * R. Discussion/approval/disapproval of Resolution No. 091819-RD19-017 accepting a Special Warranty Deed for Fee Right of Way to a portion of Toscana Loop, Bella Vista Farms, San Tan Valley, executed by El Dorado Bella Vista LLC, conveying all right, title and interest Grantor held to Pinal County. (RD19-017) (Bob Pate/Scott Bender)
- * S. Discussion/approval/disapproval of Resolution No. 091819-RD19-018 accepting a Special Warranty Deed for Fee Right OF Way to Freedom Drive, Bella Vista Farms, San Tan Valley, as executed by El Dorado Bella Vista LLC, conveying all right, title and interest Grantor held in certain real property to Pinal County. (RD19-018) (Bob Page/Scott Bender)

- * T. Discussion/approval/disapproval of Resolution No.091819-RD19-019 accepting a Special Warranty Deed for Fee Right of Way to Schnepf Road, as located in Bella Vista Farms, San Tan Valley, as executed by El Dorado Bella Vista LLC, conveying all right, title and interest Grantor held in certain real property to Pinal County. (RD19-019) (Bob Pate/Scott Bender)
- * U. Discussion/approval/disapproval of case CSR-011-18, a Comprehensive Sign Package request by applicant ALB Industries Corp/Malakai Corvus for Peralta Canyon subdivision to allow one large kiosk, one small kiosk, five welcome signs, four 4 Model IDs, five attention Flags and five Flagpoles for a home model sales complex for a total of twenty signs, 620.5 square feet in area. The signs are located on multiple APN's within the Peralta Canyon subdivision located at US 60 and Peralta Road in the Gold Canyon Area. Community Development Department Director recommends approval with two (2) stipulations. (Sangeeta Deokar/Himanshu Patel)
- * V. Discussion/approval/disapproval of S-005-14-FP, Final Plat of San Tan Heights Parcel C-2 (Sangeeta Deokar/Himanshu Patel)
- * W. Discussion/approval/disapproval of Amendment 5, extending the termination date from June 30, 2019 to June 30, 2020 of the Department of Public Safety, Vehicle Theft Task Force (VTTF) IGA Contract # 2014-146 between Pinal County Sheriff's Office and the Department of Public Safety. Department of Public Safety agrees to reimburse Pinal County 75% of the salary and EREs of the assigned police officer and 100% of pre-authorized Task Force related overtime hours. The required 25% match, salary and EREs will come from Cost Center 2401016 (General Fund). This does not require a fiscal year budget amendment as the appropriation was approved in the FY 19/20 Final Budget. (Mark Lamb)
- * X. Discussion/approval/disapproval of the Federal Equitable Sharing Agreement between the Federal Government, Pinal County Sheriff's Office and Pinal County, sets forth the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds and the interest earned thereon, which are equitably shared with participating law enforcement agencies. (Mark Lamb)
- * Y. Discussion/approval/disapproval of Governor's Office of Highway Safety Award #DUIAC-E-125 between Governor's Office of Highway Safety and the Pinal County Sheriff's Office in the amount of \$30,000. The agreement will be used for Overtime wages and ERE's. Acceptance requires an amendment to the FY 19/20 budget to transfer reserve appropriation only from Fund 213 (Grants/Project Contingency) to Fund 116 (Sheriff/Traffic Safety) to increase revenue and expenditure appropriations. There will be no impact on the General Fund. (Mark Lamb)
- * Z. Discussion/approval/disapproval for this Intergovernmental Agreement between Pinal County and The Town of Florence for Graffiti Abatement Equipment Use. (Mark Lamb)
- * AA. Discussion/approval/disapproval of FY 2020 Victims' Rights Program Agreement Award, A.G. #: 2020-052, between the State of Arizona, Office of the Attorney General and Pinal County Sheriff's Office in the amount of \$12,300. The Victims' Rights Program funds are to support the direct costs of implementing victims' rights laws pursuant to those provisions of the A.R.S. Title 13, Chapter 40 and the Title 8, Chapter 3, Article 7, impacting Law Enforcement/Custodial as an entity type. \$10,348 (approximately 10% of wages Victims' Rights Technicians (2), and \$1,952. (postage, meter rental, office supplies, copies and small equipment). This agreement to commence July 1, 2019 and terminates June 30, 2020. This does not require a fiscal year budget amendment as the appropriation was approved in the FY 19/20 Final Budget. (Mark Lamb)
- * BB. Discussion/approval/disapproval to authorize the Pinal County Attorney to take all necessary action, including filing a complaint in Superior Court to enforce Hearing Office finding of a violation of the Zoning Code against Jamie & Kathleen Ochoa, and utilize the appropriate resource to clean the property and file liens for the cost of recovery, if necessary. The property owner was found in violation of the Pinal County Development Services Code for: Recreational Vehicle Storage - travel trailer used as a residence on property; Uses Permitted - RV Storage and vehicle parking not permitted as a primary use. (Craig Cameron/Kent Volkmer)
- * CC. Discussion/approval/disapproval to authorize the Pinal County Attorney to take all necessary action, including filing a complaint in Superior Court to enforce the Zoning Code and utilize the appropriate resource to clean the property and file liens for the cost of recovery, if necessary, against Lynn Yoder aka Lynn Cardell & Nancy Hough. The property owners are in violation of the Pinal County Development Services Code for: Trash, debris & scrap, and a burned out trailer. The County has provided remedial services that have not been utilized. (Craig Cameron/Kent Volkmer)

- * DD. Discussion/approval/disapproval to authorize the Pinal County Attorney to take all necessary action, including filing a complaint in Superior Court to enforce Hearing Office finding of violation of the Zoning Code against Jesus & Alma Dominguez, and utilize the appropriate resources to clean the property and file liens for the cost of recovery, if necessary. The property owner was found in violation of the Pinal County Development Services Code for: Uses Permitted-Using parcel without having a primary use; Setbacks-Having a front fence higher than 5 foot and not meeting fence requirements; Zoning Clearance and Permits-Added several additions and rear shade structure to the home without obtaining a permit; Site Development Standards-Addition to rear of home does not meet rear setbacks of 25 feet, currently about 4 feet; Zoning Clearance and Permits-Added detached accessory building without obtaining a permit; Setbacks-Having a front fence higher than 5 foot and not meeting fence requirements. (Scott Johnson/Kent Volkmer)
- * EE. Discussion/approval/disapproval to authorize the Pinal County Attorney to take all necessary action, including filing a complaint in Superior Court to enforce Hearing Office finding of violation of the Zoning Code against Glen Toms, and utilize the appropriate resources to clean the property and file liens for the cost of recovery, if necessary. The property owner was found in violation of the Pinal County Development Services Code for: Outside Storage & Parking-items of scrap and other materials stored on his property that are not used for their original purpose, including household junk and trash; Vehicle Parking-has three inoperable, unlicensed and unregistered vehicles stored on the property (Scott Johnson/Kent Volkmer)
- * FF. Discussion/approval/disapproval to authorize the Pinal County Attorney to take all necessary action, including filing a complaint in Superior Court to enforce Hearing Office finding of violation of the Zoning Code against Leroy Huff, and utilize the appropriate resources to clean the property and file liens for the cost of recovery, if necessary. The property owner was found in violation of the Pinal County Development Services Code for: Outside Storage & Parking x2 -Misc. clutter and debris scattered throughout the front and back yard visible in public view; Vehicle Parking-Misc. inoperable vehicle and motorcycle on property; Furniture & Appliances x2-Misc. inoperable appliances in the yard. (Scott Johnson/Kent Volkmer)
- * GG. Discussion/approval/disapproval to authorize the Pinal County Attorney to take all necessary action, including filing a complaint in Superior Court to enforce Hearing Office finding of violation of the Zoning Code against Ramon & Sinforiana Ruiz, and utilize the appropriate resources to clean the property and file liens for the cost of recovery, if necessary. The property owner was found in violation of the Pinal County Development Services Code for: Site Development Standards-Porch/Awning was built without a permit and does not meet setbacks. (Scott Johnson/Kent Volkmer)
- * HH. Discussion/approval/disapproval of proposed settlement of property tax valuation appeal case number TX2018-001115 The Crossings at Apache Junction, pending in the Arizona Tax Court, and authorization of counsel to execute all documents necessary to finalize settlement. (Chris Keller/Douglas Wolf)
- * II. Discussion/approval/disapproval of Pinal County Adult Probation accepting FY20 funding to support the AmeriCorps funds 221-2620170 administered through the Administrative Office of the Courts. This addendum requires a fiscal amendment to transfer reserve appropriation from Fund 213 (Grants/Project/Contingency) to increase/decrease revenues and expenditures. There is no impact on the General Fund. (Kelly Sue Bohl)
- * JJ. Discussion/approval/disapproval of the transfer of the Dependency Program in its entirety from Conciliation Court to Juvenile Court Services. This action will include the transfer of the budget and position #5517 and associated with the FY20 Court Improvement Program Fund 149 Cost Center 2630500 transfer to Fund 149 Cost Center 2613005. It will also include the transfer of 3 General Fund positions #5279 #5280 #5285 from 10-2630411 to 10-2611000. This will have no impact on the General Fund. (Kelly Sue Bohl)
- (6) Discussion/approval/disapproval of the Liquor License application, series 006 Bar, of Andrea Dahlman Lewkowitz for a Location/Owner Transfer for Tela Peralta, located at 20765 E. Gold Rush Road, Gold Canyon, AZ 85118. Community Development, Building Safety and Environmental Health recommend disapproval. (Continued from the May 29, 2019 meeting) (Natasha Kennedy)

- (7) Discussion/approval/disapproval of the Public Works Department's request to approve a new job description: Water Administrator, Grade 15. This position will be responsible for advising the Board of Supervisors and County Management on issues relating to water supply and sustainability. This information will aid the Board and County staff in managing growth and properly planning future development. This position will interface with the Arizona State Legislature, Arizona Department of Water Resources, Arizona Department of Environmental Quality, Central Arizona Water Conservation District, Salt River Project and other agencies as required. HR has verified and approved the job description and has completed a market study to establish the range. Board approval of this item will authorize HR to create one new position effective upon Board approval. The Public Works Department has sufficient funding in its budget for the position. (Mary Ellen Sheppard/Louis Andersen)
- (8) Hearing, Review and Action on appeal of Hearing Officer's decision on ZO-02-19-002, Brett A. Lindquist, Tax Parcel No. 200-24-0430, Complaint No. CC-0843-18: Violated Sections/Counts: Count 1: 2.185.080 To Wit: DISMISSED: Outside storage and parking/ Construction Material on property with no building permit. Count 2: 2.90/010 To Wit: USES PERMITTED: Use permitted, Property owner. Brett Lindquist has a park model on his property that he has added additional to with no building permits. Count 3: 2.2.150/160 To Wit: DISMISSED: Property owner has a large steel storage container on the property requiring permitting with Pinal County Penalty imposed is \$700. (Continued from July 10, 2019 meeting). (Brett Lindquist/Craig Cameron)
- (9) Discussions/approval/disapproval of the request by the Honorable Nancy Discher, Copper Corridor Justice of the Peace, for the appointments of Darendra Day and Maria Rollins as a Justice of the Peace Pro Tempore. Said appointment is made by the Presiding Judge of the Superior Court. No additional budget funds are required as funds previously budgeted for the FY19/20 are sufficient. (Continued from August 7, 2019 Board Meeting) (Continued from September 4, 2019 Board Meeting) (Todd Zweig)
- (10) **Work Session:** Presentation Center for the Future of Arizona regarding the Arizona We Want project including an overview of the Progress Meters that are relevant to Pinal County. (Ian Dowdy)
- (11) **Work Session:** Presentation to update the Board of Supervisors on the CAP National Recreation Trail and Peralta Regional Park. (Kent Taylor/Louis Andersen)
- (12) **Work Session:** An Ordinance of the Pinal County, Arizona, Board of Supervisors Amending the Pinal County Development Services Code, Title 6, Chapter 6.05, Section 6.05.030 Building Code; establishing an effective date; and directing its publication. (Tony Guasp/Himanshu Patel)
- (13) Executive Session pursuant to A.R.S. 38-431.03(A)(3)(4) for legal advise and pending litigation regarding CV-19-0105-PR, Johnson Utilities, LLC v. Arizona Corporation. (Chris Keller/Kent Volkmer)

ADJOURNMENT

(SUPPORTING DOCUMENTS ARE AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE)

The Board may go into executive session for purposes of obtaining legal advice from the County's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

