

## **AGENDA SUMMARY**

### **Pima County Board of Supervisors' Meeting**

**130 W. Congress St., Hearing Room, 1st Fl.**

**April 3, 2012 9:00 a.m.**

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Joe Chan, Chinese Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

5. **PRESENTATION**

Presentation of a proclamation to Imelda Robles, Pima County Community Development Housing Planner and Mikel Stone, Pima County Public Library Outreach Assistant, proclaiming the month of April 2012 to be:

**“FINANCIAL LITERACY MONTH”**

Motion carried to approve (5/0)

... **EXECUTIVE SESSIONS**

**(Clerk's Note:** In addition to the executive sessions listed below, pursuant to A.R.S. §38-431.03(A)(3) the Board of Supervisors, or the Board sitting as other boards, may vote to go into executive session for the purpose of obtaining legal advice from its counsel with respect to any item listed on this agenda or any addendum thereto.)

Motion carried to approve (5/0)

**Call to the Public (for Executive Session items only)**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of the following cases in the Arizona Tax Court:

1. Garold C. Brown, L.P., v. Pima County, Arizona Tax Court Case No. TX2011-000800, Tax Parcel No.: 136-01-008J for Tax Year 2012.

Motion carried to approve (5/0)

2. Buckmeister L.L.C., v. Pima County, Arizona Tax Court Case No. TX2011- 000202, Tax Parcel Nos. 221-18-6130 thru 6470 (35 parcels) for Tax Year 2011.

Motion carried to approve (5/0)

3. Kohl's Dept. Stores v. Pima County, Arizona Tax Court Case No. TX2010-000508, Tax Parcel No. 221-05-2560 for Tax Year 2011.

Motion carried to approve (5/0)

4. Kohl's Dept. Stores v. Pima County, Arizona Tax Court Case No. TX2011-000518, Tax Parcel No. 221-05-2560 for Tax Year 2012.

Motion carried to approve (5/0)

5. October 23rd Group L.L.C., v. Pima County, Arizona Tax Court Case No. TX2010-000507, Tax Parcel No. 133-23-359A for Tax Year 2011.

Motion carried to approve (5/0)

6. October 23rd Group L.L.C., v. Pima County, Arizona Tax Court Case No. TX2011-000516, Tax Parcel No. 133-23-359A for Tax Year 2012.

Motion carried to approve (5/0)

7. Stewart Title v. Pima County, Arizona Tax Court Case No. TX2011-000801, Tax Parcel Nos. 212-37-3270 thru 3320 and 3350 (7 parcels); 213-37-3380 thru 3510 (14 parcels); and 218-40-5020 and 5030 (2 parcels) for Tax Year 2012.

Motion carried to approve (5/0)

8. Weingarten Nostat, Inc., v. Pima County, Arizona Tax Court Case No. TX2010-000506, Tax Parcel No. 225-51-4060 for Tax Year 2011.

Motion carried to approve (5/0)

9. Weingarten Nostat, Inc., v. Pima County, Arizona Tax Court Case No. TX2011-000517, Tax Parcel No. 225-51-4060 for Tax Year 2012.

Motion carried to approve (5/0)

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

### **... FLOOD CONTROL DISTRICT BOARD**

#### **Riparian Habitat Mitigation Proposal**

Staff requests approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in the amount of \$7,790.00 for property located at 1246 N. Calle Rinconado within important riparian area with underlying Xeroriparian Class C Habitat. (District 4)

Motion carried to approve (5/0)

... **LIBRARY DISTRICT BOARD**

**CONTRACTS**

- A. Town of Oro Valley, to provide an intergovernmental agreement for the transfer of the Oro Valley Public Library facilities and operations to the Pima County Free Library District, no cost (CT-LIB-12002120)

Motion carried to approve (5/0)

- B. Arizona State Library, Archives and Public Records, to provide for the Reading Labs in the Library Project, LSTA Grant Fund, contract amount \$71,500.00 revenue (CTN-LIB-12000549)

Motion carried to approve (5/0)

- C. Arizona State Library, Archives and Public Records, to provide for the Assistive Technology Expansion Project, LSTA Grant Fund, contract amount \$34,620.00 revenue (CTN-LIB-12000550)

Motion carried to approve (5/0)

- D. Arizona State Library, Archives and Public Records, to provide for the Welcome to the Library Video Project, LSTA Grant Fund, contract amount \$26,025.00 revenue (CTN-LIB-12000551)

Motion carried to approve (5/0)

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

- 6. **CONSENT CALENDAR:** For consideration and approval

- A. **CALL TO THE PUBLIC (for Consent Calendar items only)**

- B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve (5/0)

- 7. **SHERIFF'S DEPARTMENT**

RESOLUTION NO. 2012 - **18**, approving and authorizing submission of a grant proposal to the Governor's Office of Highway Safety for DUI enforcement and equipment in the amount of \$397,209.00.

Motion carried to approve (5/0)

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

**FRANCHISE/LICENSE/PERMIT**

**Liquor License**

\*(**Clerk's Note:** See Sheriff's Report.)

- \*8. 12-05-9102, Robert Patrick Robley, Tucson International Raceway, L.L.C., Series 7, Beer and Wine Bar, Person Transfer and Location Transfer.

Motion carried to approve subject to Sheriff's Report (5/0)

**DEVELOPMENT SERVICES**

**Rezoning**

9. **Co9-11-08, ANDRADA INVESTORS L.L.C. – ANDRADA ROAD (ALIGNMENT) REZONING**

Request of Andrada Investors L.L.C., represented by Engineering and Environmental Consultants, Inc., for a rezoning of two sites (referred to as the "east site" and the "west site") totaling approximately 716.3 acres. The "east site" (approximately 637.3 acres) is a rezoning from RH (Rural Homestead) to RH-® (Rural Homestead – Restricted), SR (Suburban Ranch Zone), CR-5 (Multiple Residence Zone) (Small Lot Subdivision Option), TR (Transitional Zone), and CB-1 (Local Business Zone) and is located approximately 1 3/4 miles west of Houghton Road, 3/4 mile west of Andrada Road, and 1 mile north of Sahuarita Road. The "west" site (approximately 79 acres) is a rezoning from RH (Rural Homestead) to RH-® (Rural Homestead – Restricted) and is located approximately 3 3/4 miles west of Houghton Road, 2 3/4 miles west of Andrada Road, and 1 1/2 miles north of Sahuarita Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Holdridge voted NAY, Commissioners Steinbrenner and Membrila were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff makes **NO RECOMMENDATION**. (District 4)

Motion carried to approve (4/1)

10. **Co9-11-09, PASCUA YAQUI TRIBE, ET AL. – MARK ROAD REZONING**

Request of the Pascua Yaqui Tribe, et al. for a rezoning of approximately 30.1 acres from GR-1 (TDR-RA) (Rural Residential) (Transfer of Development Rights – Receiving Area) to CB-2 (General Business) (TDR-RA), on property located at the southeast corner of Mark Road and Valencia Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Membrila, Cook, Matter and Steinbrenner were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**.

Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.**  
(District 3)

Without objection, this item was continued to 4/17/12.

## **TRANSPORTATION**

### **11. Traffic Ordinance**

ORDINANCE NO. 2012 - **17**, of the Pima County Board of Supervisors, establishing an abutting school crosswalk for Centennial Elementary School on La Cholla Boulevard at Wetmore Road in Pima County, Arizona. Staff recommends **APPROVAL.** (District 3)

Motion carried to approve (5/0)

### **12. Traffic Resolution**

RESOLUTION NO. 2012 - **19**, of the Pima County Board of Supervisors, permitting the intermittent, temporary closure of Silverbell Road in Pima County, Arizona, for the 2012 Tour of the Tucson Mountains on Saturday, April 28, 2012. Staff recommends **APPROVAL.** (District 3)

Motion carried to approve (5/0)

### **13. CALL TO THE PUBLIC**

### **14. ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

DATE POSTED: 3/28/12

TIME POSTED: 5:00 p.m.

## **CONSENT CALENDAR, APRIL 3, 2012**

### **1. CONTRACTS AND AWARDS**

#### **A. Community Services Employment and Training**

1. Literacy Volunteers of Tucson, Amendment No. 1, to provide literacy training and extend contract term to 2/28/13, U.S. DOL – Health Professions Opportunity Grant Fund, contract amount \$75,000.00 (CT-CS-12001274)
2. Loyola Associates, Amendment No. 7, to provide consulting and technical expertise in the development of grant applications or proposals and extend contract term to 1/31/13, U.S. DOL, ADES WIA, ARRA, Community Based Job Training, General Fund (\$4,000.00) and other Various Workforce Funds, total contract amount \$40,000.00 (MA-CS-12000458)

#### **B. County Attorney**

3. Phoenix Police Department, to provide an intergovernmental agreement for the Arizona Internet Crimes Against Children Task Force, no cost (CTN-PCA-12000538)

#### **C. Forensic Science**

4. The Bode Technology Group, Inc., Amendment No. 1, to provide identification of unknown and missing individuals and extend contract term to 4/30/13, State Grant Fund, contract amount \$331,000.00 (CT-FSC-12002106)

#### **D. Health Department**

5. Arizona Board of Regents, University of Arizona Sponsored Projects Services, Amendment No. 3, to provide for the Oral Health Program and amend contractual language, no cost (CT-HD-12000811)
6. Northwest Fire District, Amendment No. 2, to provide childhood immunization services and extend contract term to 5/3/13, no cost (CTN-HD-12000049)
7. Tucson Unified School District, Amendment No. 2, to provide dental screening and sealant services and extend contract term to 2/1/13, no cost (CTN-HD-12000073)

## E. Procurement

8. Hoffman Southwest Corporation d.b.a. Professional Pipe Services, Amendment No. 3, to provide collection system closed circuit television (CCTV) inspection services and extend contract term to 6/30/13, RWRD Enterprise Fund, contract amount \$2,000,000.00 (CT-WW-10043789-NP) Regional Wastewater Reclamation
9. CH2M Hill Engineers, Inc., Amendment No. 10, to provide for the Pima County Reclamation Facility Design-Build-Operate Project for the Regional Optimization Master Plan and amend contractual language, no cost (CT-PO-11030010-P) Regional Wastewater Reclamation
10. TLC Communications, Inc., Amendment No. 3, to provide a job order contract for structured cabling services group 1 inside fiber optics/copper cabling and extend contract term to 4/30/12, Various Funds, contract amount \$180,000.00 (MA-PO-DNC0000020) Information Technology

## Award

11. Award of Job Order Master Agreement MA-PO-12000495 to Barker Morrissey Contracting, Inc., (Headquarters: Tucson, AZ); B.C. Construction, Inc. (Headquarters: Tucson, AZ); Durazo Construction Corporation (Headquarters: Tucson, AZ); Hickam Construction Company (Headquarters Tucson, AZ); and, W.E. O'Neil Construction Company (Headquarters: Chicago, IL), for as-needed remodeling and construction services at various locations and to replace individual contracts for the same services. Total amount of the Master Agreement is \$2,500,000.00 to be shared by the five job order contractors. The term is one year with the option to extend for up to two additional one-year terms. Funding Source: Various Funds. Administering Department: Facilities Management.

## F. Transportation

12. City of Tucson, Amendment No. 2, to provide for the Bicycle and Pedestrian Safety and Education Program, extend contract term to 6/30/13 and amend contractual language, no cost (CT-TR-12001915)
13. Regional Transportation Authority, Amendment No. 3, to provide for miscellaneous intersection safety and capacity improvements and extend contract term to 12/31/13, RTA Fund, contract amount \$1,000,000.00 revenue (CTN-TR-12000519)

2. **ELECTIONS DEPARTMENT**

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

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Daniel Hernandez Jr.	026	DEM
Nate V. Terani	284	DEM

B. Pursuant to A.R.S. §16-531, appointment of all election boards and tally boards recruited and on file in the Elections Department for the Congressional District 8 Special Primary Election on April 17, 2012 and the Congressional District 8 Special General Election on June 12, 2012.

3. **BOARDS, COMMISSIONS AND/OR COMMITTEES**

A. **Flood Control District Advisory Committee**

Ratification of City of Tucson Appointment: James P. Volgesberg, P.E. to replace Andy Dinauer. No term expiration. (Jurisdictional recommendation)

B. **Regional Wastewater Reclamation Advisory Committee**

Appointment of Kendall Kroesen, Environmental Planning Advisory Committee (EPAC). Term expiration: 4/1/16. (Organizational recommendation)

C. **Workforce Investment Board**

Appointment of Lydia Kennedy, Business, to fill vacancy created by Paul Lyons. Term expiration: 9/30/12. (Staff recommendation)

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

Gabriel Heath Mendez, Rotary Club of San Manuel, 16024 N. Oracle Road, Catalina, April 21, 2012.

5. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of October, 2011.

## 6. REGIONAL WASTEWATER RECLAMATION

### Public Announcements

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 cases 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, 3035 W. El Camino del Cerro, 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 Agreements:

- A. Mission Linen and Uniform Service, Case No. C2012-03. The proposed settlement amount of \$2,000.00.
- B. Tessengerlo Kerley, Inc., Case No. C2012-01. The proposed settlement amount of \$1,400.00

## 7. RATIFY AND/OR APPROVE

Minutes: March 6, 2012

Warrants: March, 2012

## ADDENDUM SUMMARY

### **Pima County Board of Supervisors' Meeting**

**130 W. Congress St., Hearing Room, 1st Fl.**

**April 3, 2012 9:00 a.m.**

#### **1. PRESENTATIONS/PROCLAMATIONS**

- A. Presentation of a proclamation to Erin Strange, Program Coordinator and Kathe Young, Staff Psychologist with the Oasis Program - University of Arizona Campus Health Services, proclaiming the month of April 2012 to be:

**“SEXUAL ASSAULT AWARENESS MONTH  
IN PIMA COUNTY”**

and April 10, 2012, to be:

**“TAKE BACK THE NIGHT PIMA COUNTY 2012”**

Motion carried to approve (5/0)

\*(**Clerk's Note:** This item will be presented at 9:45 a.m.)

- \*B. Presentation of a proclamation to Colonel Dave Uselman and Chief John Dougherty on behalf of DMAFB, proclaiming:

**“CONTINUED SUPPORT FOR DAVIS-MONTHAN  
AIR FORCE BASE”**

Motion carried to approve (5/0)

#### **2. BOARD OF SUPERVISORS**

##### **Request for Reconsideration (District 3)**

- A. On March 20, 2012, the Board of Supervisors took the following action:

On consideration, it was moved by Supervisor Day, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing, adopt Ordinance No. 2012 - 16, as recommended by staff, remove Parcel Nos. 305-22-1080, 305-22-1210, 305-22-1200 and 305-22-1070 from the Renewable Energy Incentive District and include the following three amendments:

1. Delete the following wording in Section 14.01.030(A)(5) (Definitions): "...Accessory uses may include buildings associated with electrical operational infrastructure such as inverters and transformers, ~~in addition to, transmission, substation, and/or distribution installations.~~" (This was deleted in the utility-scale ordinance because regulations already exist for transmission lines and substations so will default to those.)
2. Correct reference in Section 14.03.020(A)(9) (Incentive Plan) from "18.61.060(B)(1)" to "18.~~8~~1.060(B)(1)." (Typographical error)
3. Correct reference in Section 14.03.020(B)(1) (Incentive Plan) from "18.03.020(A)(9)" to "~~14~~.03.020(A)(9)." (Typographical error)

Motion carried to approve (5/0)

\* \* \*

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

Co8-11-06, RENEWABLE ENERGY INCENTIVE DISTRICT (REID)

An ordinance of the Pima County Board of Supervisors establishing Title 14 of the Pima County Code, entitled Renewable Energy Incentive District (REID); designating REID sites where utility-scale solar facilities may be developed more expeditiously; specifying REID site criteria; establishing performance standards and an incentive plan for the facility development; and providing a process for amending REID site criteria and designating new REID sites. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Poulos, Matter, Holdridge and Steinbrenner were absent) to recommend APPROVAL AS AMENDED. Staff recommends APPROVAL AS AMENDED. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2012 – 16

Motion carried to approve as amended (5/0)

3. **CONTRACTS**

A. **County Administrator**

1. YMCA of Southern Arizona, to provide an Operating Agreement for a YMCA at the Kino Recreation Center, General Fund, contract amount \$690,000.00 (CT-CED-12002136)

Motion carried to approve (5/0)

2. Town of Oro Valley, to provide an Intergovernmental Agreement with **Pima County** and the Pima County Library District, for the transfer of the Oro Valley Public Library facilities and operations, no cost (CT-LIB-12002120)

Motion carried to approve (5/0)

**B. Community Development and Neighborhood Conservation**

Governor's Office of Energy Policy, Amendment No. 6, to provide for the Weatherization Assistance Program and extend contract term to 8/31/12, no cost (CTN-CS-12000379)

Motion carried to approve (5/0)

**C. Natural Resources, Parks and Recreation**

Town of Sahuarita, approving an Intergovernmental Agreement for the design and construction of the Sahuarita Road Bike Lane Project, 2004 Bond Fund, contract amount not to exceed \$1,500,000.00 (CT-PR-12002127)

Motion carried to approve (5/0)

**D. Procurement**

Sundt Construction, Inc., Amendment No. 4, to provide construction services for the Pima Emergency Communications and Operations Center and amend contractual language, no cost (CT-SD-12000952) Facilities Management

Motion carried to approve (5/0)

**4. BOARDS, COMMISSIONS AND/OR COMMITTEES**

**A. State Board of Equalization**

Appointment of Rosalie Roszak to fill the unexpired term of Dan Swango. Term expiration: 12/31/12. (District 3)

Motion carried to approve (5/0)

**B. Neighborhood Reinvestment Oversight Committee**

Appointment of Bennett Bernal to fill the unexpired term of Tony Bruno. Term expiration: 12/31/12. (District 3)

Motion carried to approve (5/0)

**5. REAL PROPERTY**

**Abandonments and Quit Claim Deeds**

A. RESOLUTION NO. 2012 - 20, of the Pima County Board of Supervisors, providing for vacation of a portion of Indian Trail and Autumn Dusk Trail, a

planned development roadway as Pima County Road Abandonment No. A-11-05 within Section 8, T13S, R15E, G&SRM, Pima County, Arizona. (District 1)

Motion carried to approve (5/0)

- B. Quit Claim Deed to Ventana Reserve Homeowners Association, an Arizona non-profit corporation, to convey all rights, title and interest in the described property, reserving the roadway rights of ingress and egress for governmental or emergency vehicles and further reserving the rights of all utilities existing at the time of this abandonment. (District 1)

Motion carried to approve (5/0)

- C. RESOLUTION NO. 2012 - **21**, of the Pima County Board of Supervisors, providing for vacation of a portion of Indian Trail, a planned development roadway as Pima County Road Abandonment No. A-11-05 within Section 8, T13S, R15E, G&SRM, Pima County, Arizona. (District 1)

Motion carried to approve (5/0)

- D. Quit Claim Deed to Ventana Reserve II Homeowners Association, an Arizona non-profit corporation, to convey all rights, title and interest in the described property, reserving the roadway rights of ingress and egress for governmental or emergency vehicles and further reserving the rights of all utilities existing at the time of this abandonment. (District 1)

Motion carried to approve (5/0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

DATE POSTED: 3/30/12

TIME POSTED: 1:15 p.m.