

AGENDA AND TAX LEVY HEARING SUMMARY

Pima County Board of Supervisors' Meeting

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

August 20, 2012 9:00 a.m.

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. PAUSE 4 PAWS
5. PRESENTATION/PROCLAMATION

Presentation of a proclamation to Susanne Collins recognizing Bernhardt Wm. Collins.

Motion carried to approve (5/0)

... EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 8/14/12, no executive session item has been placed on the regular agenda. However, this is subject to any addendum. 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.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

Award

Highest Scoring Proposal: Award of Contract for Solicitation No. 49226 to Schlesinger Consulting Engineering, P.L.L.C. (Headquarters: Tucson, AZ), the highest-ranked respondent for design engineering services for Canada Del Oro Wash Pathway: La Cholla to La Canada Drive Project, in an amount not to exceed \$300,000.00. 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: McGann & Associates, URS Corporation and L.J. Design Consulting, until a contract is executed or the final list is exhausted. Funding Source: Flood Control District Tax Levy Fund. Administering Department: Regional Flood Control District.

Motion carried to approve (5/0)

... **LIBRARY DISTRICT BOARD**

Staff and the Library Advisory Board recommend approval of the Pima County Public Library Community Impact Plan for 2013-2016.

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. **BOARD OF SUPERVISORS**

Allocation of \$2,500.00 from the Contingency Fund to the Arizona Blind and Deaf Children's Foundation for sponsorship of its Sights & Sounds Program on November 9, 2012. (District 5)

Motion carried to approve (5/0)

***** HEARINGS *****

8. **BOARD OF SUPERVISORS**

Tax Levy

A. Adoption of the Fiscal Year 2012/2013 Tax Rates and establishing Tax Levy amounts.

If approved, pass and adopt:

RESOLUTION NO. 2012 - **73**

Motion carried to approve (4/1)

B. RESOLUTION NO. 2012 - **74**, authorizing delivery of the tax statements and the collection of the 2012 taxes.

Motion carried to approve (4/1)

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

9. 12-20-9117, Wendy Kristina Cross, 49er Country Club, 12000 E. Tanque Verde Road, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

10. 12-21-9118, Thomas Robert Aguilera, Corners Ice House, 3750 S. Old Spanish Trail, Tucson, Series 6, Bar, Person Transfer.

Motion carried to approve (5/0)

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

- *11. 12-22-9119, Phillip George Ferranti, El Cisne Restaurant, 4717 E. Sunrise Drive, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

12. 12-23-9120, Jason Hartnett Hartenbach, Tohono Chul Tea Room, 7366 N. Paseo del Norte, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

Agent Change/Acquisition of Control/Restructure

13. 12-02-0032, Miguel Angel Soto, Silver Springs Retirement Community, 500 W. Camino Encanto, Green Valley, Agent Change.

Motion carried to approve (5/0)

Fireworks Permit

14. Stephanie Paynter, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, September 1, 2012 at approximately 8:30 p.m.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

Rezoning

15. Co9-12-02, GATEWAY HACIENDA, L.L.C. – RIVER ROAD REZONING
Request of Gateway Hacienda, L.L.C., represented by Projects International, Inc., for a rezoning of approximately 7.24 acres from SR (Suburban Ranch) to TR (Transitional),

on property located at the southeast corner of River Road and Hacienda Del Sol. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Membrilla was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (5/0)

Plat Note Modification

16. Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOTS 43, 44 and 45)
Request of Jacob Family Revocable Trust, represented by Randel Jacob Design Group, P.L.L.C., for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lots 43 (6.19 acres), 44 (1.02 acres), and 45 (.98 acre) of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject properties are zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and are located on the north side of Sabino Estates Drive, approximately one quarter mile north of Houghton Road, south of the Coronado National Forest, and three quarters of a mile east of Bowes Road. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5/0)

Rezoning Ordinance

17. ORDINANCE NO. 2012 - **44**, Co9-85-13, Armenta – Tanque Verde Road Rezoning. Owner: Comanchero Associates, L.L.C. (District 4)

Motion carried to approve (5/0)

REGIONAL WASTEWATER RECLAMATION

Pima County Code Text Amendment

18. ORDINANCE NO. 2012 - **45**, of the Pima County Board of Supervisors, amending the Pima County Code, Title 13, Chapter 20, Sanitary Sewer Construction, Connections And Fees by making previous revisions retroactive and instituting a limited new Refund/Credit Program.

Motion carried to approve (4/1)

TRANSPORTATION

Establishment of County Highway

19. RESOLUTION NO. 2012 - 75, of the Pima County Board of Supervisors, establishing a County highway within the incorporated limits of the City of Tucson for the Ajo Way IGA Road Improvement Project: Park Avenue to Second Avenue. (District 2)

Motion carried to approve (5/0)

20. Traffic Ordinances

- A. ORDINANCE NO. 2012 - 46, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Ina Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 3)

Motion carried to approve (5/0)

- B. ORDINANCE NO. 2012 - 47, of the Board of Supervisors, establishing an abutting school crosswalk for Centennial Elementary School on Wetmore Road at La Cholla Boulevard in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (5/0)

- C. ORDINANCE NO. 2012 - 48, of the Board of Supervisors, regulating parking on Wetmore Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (5/0)

21. CALL TO THE PUBLIC

22. ADJOURNMENT

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

DATE POSTED: 8/14/12

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, AUGUST 20, 2012

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Drexel Heights Fire District, Amendment No. 1, to provide for the purchase of fire hydrants, extend contract term to 12/31/12 and amend contractual language, CDBG Grant Fund, contract amount \$9,566.00 (CT-CD-12001598)
2. Picture Rocks Fire District, Amendment No. 1, to provide for the installation of an electronic message board and extend contract term to 12/31/12, no cost (CT-CD-12002010)

B. Community Services Employment and Training

3. Rise, L.L.C., d.b.a. Rise Equipment Recycling Center, Amendment No. 2, to provide employment and training services, extend contract term to 7/31/13 and amend contractual language, U.S. DOL and WIA Grant Funds, contract amount \$38,188.80 (CT-CS-12001268)
4. Grace Temple Baptist Church of Tucson, Amendment No. 2, to provide participant recruitment and assistance in employment through the Faith/Community Partners Initiative Project, extend contract term to 6/30/13 and amend contractual language, WIA Fund, contract amount \$35,000.00 (CT-CS-12001351)

C. County Attorney

5. Arizona Criminal Justice Commission, Amendment No. 1, to provide additional Victim Compensation, State Grant Fund, contract amount \$31,232.81 revenue (CTN-PCA-12000021)
6. State of Arizona, Office of the Attorney General, to provide for the FY2013 Victims' Rights Program, State Grant Fund, contract amount \$245,200.00 revenue (CTN-PCA-12000647)

D. Facilities Management

7. University Physicians Healthcare for Kino Hospital Campus, Amendment No. 1, to provide a Lease Agreement for Kino Hospital Campus and amend contractual language, no cost (CT-FM-12002152)

(Clerk's Note: Items 1.D.8. and 1.D.9. should be taken together.)

- *8. Southern Arizona Community Sports, Inc., to provide an Operating Agreement for the gymnasium at Curtis Park Community Recreational Facility, General Fund, contract amount \$2,478,430.00; operator's contribution \$699,843.00 revenue/10 year term (CT-FM-12001256)

Award

- *9. Low Bid: Award of Contract, Requisition No. 51192, to the lowest responsive bidder, D.L. Withers Construction, L.C. (Headquarters: Phoenix, AZ) for base bid only for the Southern Arizona Indoor Sports Center at Curtis Park, in the amount of \$4,169,000.00. The contract is for a twelve month period and may be extended for project completion. Funding Source: Certificates of Participation (COPS). Administering Department: Facilities Management.

E. Institutional Health

- 10. RESOLUTION NO. 2012 - **70**, approving an Intergovernmental Agreement with the Arizona Health Care Cost Containment System, to provide for Graduate Medical Education Funding, General Fund, contract amount \$2,041,967.94 (CT-IH-13000124)
- 11. RESOLUTION NO. 2012 - **71**, approving an Intergovernmental Agreement with the Arizona Health Care Cost Containment System, to provide for Graduate Medical Education Funding, General Fund, contract amount \$2,128,531.12 (CT-IH-13000125)
- 12. RESOLUTION NO. 2012 - **72**, approving an Intergovernmental Agreement with the Arizona Health Care Cost Containment System, to provide for Disproportionate Share Hospital Funds, General Fund, contract amount \$1,229,500.94 (CT-IH-13000160)

F. Information Technology

- 13. Zayo Group, L.L.C., to provide for a Non-Exclusive Right-of-Way Use License for a communication system, contract amount \$3,000.00 revenue (CTN-IT-13000008)

G. Procurement

- 14. GCA Services Group Mountain States, L.P., d.b.a. GCA Services Group, Amendment No. 1, to provide janitorial services for the Abrams Facilities

and amend contractual language, General Fund, contract amount \$181,285.00 (MA-PO-12000656)

Awards

15. Amendment of Award: MA No. B507473-BC Version 10, W. W. Grainger, Inc., to provide hand tools in the amount of \$95,000.00. Funding Source: RWRD Enterprise Fund. Administering Department: Regional Wastewater Reclamation Department.
16. Amendment of Award: MA No. B505971-BC Version 5, U.S. Foodservice, Inc., to provide food for inmates in the amount of \$240,000.00. Funding Source: General Fund. Administering Department: Sheriff.

H. Regional Wastewater Reclamation

17. Town of Marana, Amendment No. 3, to provide billing and collection of sewer user fees, extend contract to 5/18/13 and amend contractual language, RWRD Enterprise Fund, contract amount \$45,000.00 (CT-WW-12001117)

I. Sheriff

18. Governor's Office of Highway Safety, to provide DUI Enforcement, Federal Grant Fund, contract amount \$115,000.00 revenue (CTN-SD-13000018)
19. Governor's Office of Highway Safety, to provide School Zone and Bus Enforcement, Federal Grant Fund, contract amount \$20,000.00 revenue (CTN-SD-13000019)
20. Governor's Office of Highway Safety, to provide Selective Traffic Enforcement, Federal Grant Fund, contract amount \$43,760.00 revenue (CTN-SD-13000020)
21. Arizona Attorney General's Office/Victims' Rights Program, to provide for the Victims' Rights Laws, State Grant Fund, contract amount \$56,600.00 revenue (CTN-SD-13000027)

2. CONSOLIDATED JUSTICE COURTS

Judge Pro Tempore

Appointment of Ruben Esparza as Judge Pro Tempore for the period July 1, 2012 through June 30, 2013.

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

A. **Bond Advisory Committee**

Ratification of Town of Marana appointment: Tom Dunn to replace Dan Sullivan.
Term expiration: 8/31/18. (Jurisdictional recommendation)

B. **Metropolitan Education Commission**

1. Appointment of Jennifer Flores, representing Arizona Education Association – Teachers, Grades 5 through 9, to fill unexpired term of John Fife. Term expiration: 8/13/13. (Commission recommendation)
2. Reappointment of JoAnn Sayre, representing Regionally Accredited Private Institutions. Term expiration: 8/3/15. (Commission recommendation)

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

- A. Laura B. Brumbelow, Rincon Institute, 12500 E. Old Spanish Trail, Tucson, September 15, 2012.
- B. Patrick O'Brien, Knights of Columbus Assembly 2308, 8650 N. Shannon Road, Tucson, August 25, 2012.

FINANCE AND RISK MANAGEMENT

5. **Duplicate Warrants – For Ratification**

University High School Parent Association	\$5,000.00
Lyla Theobald	\$ 140.00
Keith M. Campbell	\$ 41.80
Susan B. Spaniol	\$ 41.80
Tucson Physical Therapy	\$ 637.50
Bradley John Gagnepain	\$ 156.00
Chuck Sunday	\$ 185.00
Virginia Dillon	\$ 155.00
Republic Services of Arizona Hauling	\$ 327.50
Republic Services of Arizona Hauling	\$ 327.50
Town of Marana Utilities Department	\$ 246.60
Danzita Elias	\$ 200.00
Water Tec of Tucson	\$ 687.33
Sally Valenzuela	\$ 120.00
Stacy M. Portillo	\$1,115.00
Judith Lugers	\$ 22.25

Elizabeth Peckenpaugh	\$ 140.00
AzAtsa	\$ 860.00
L.N. Curtis & Sons	\$2,459.81
Janjira M. Pallanes	\$ 65.80
Stephen Bleich	\$ 140.00
William Warren Hays	\$ 8.01
Paul Rondelli	\$7,236.00
Regina Jean Deil-Amen	\$ 59.60

6. REGIONAL WASTEWATER RECLAMATION

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(s) 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 Agreement:

G & Y Investments, d.b.a. Sparkle Car Wash, Case No. C2012-08. The proposed settlement is \$1,000.00 in accordance with the Industrial Wastewater Enforcement Response Plan.

7. RATIFY AND/OR APPROVE

Minutes: July 10, 2012

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

August 20, 2012 9:00 a.m.

1. PRESENTATION/PROCLAMATION

Presentation of a proclamation to Levi Fallavollita, Author, and Gabe Villa, Illustrator of *The Good, The Bad, and The Bullies*, proclaiming August 20, 2012, to be:

“ANTI-BULLYING DAY”

Motion carried to approve (5/0)

... EXECUTIVE SESSION

Call to the Public (for Executive Session item only)

Pursuant to A.R.S. §38-431.03(A)(3), for legal advice regarding the County's proposed lease to Accelr8 Technology Corporation and the related loan agreement with Arizona Commerce Authority.

Information only. No Board action taken.

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... STADIUM DISTRICT BOARD

Contract

North County Baseball, L.L.C., to provide a Sports Facilities Use Agreement for the Tucson Padres to utilize the Kino Sports Complex, contract amount \$70,000.00 revenue (CT-CED-13000198)

Without objection, item continued to 9/4/12.

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

2. COUNTY ADMINISTRATOR

Relocation of the Emerging Out-of-State Biotechnology and Life Science Company, Accelr8 Technology Corporation, to the Herbert K. Abrams Public Health Center

Staff recommends approval of the following:

- A. Lease Agreement with Acceler8 Technology Corporation.

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2012- 76. Approving and authorizing a Loan from the Arizona Commerce Authority to the County for the purpose of financing tenant improvement to the fourth floor of the Abrams Building required by a lease with Accelr8 Technology Corporation in the amount of \$700,000.00; and that the above be repaid within two years; with the condition that after repayment, said funds will remain available for similar economic development and job creation for our region's jurisdictions for a period of three additional years.

Motion carried to approve (5/0)

- C. Authorize the use of \$700,000.00 from the Pima Health System Transition Fund to complete tenant improvements for Accelr8 Technology Corporation, on the fourth floor of the Herbert K. Abrams Public Health Center.

Motion carried to approve (5/0)

- D. Find that this action will assist in the creation and retention of jobs and will improve or enhance the economic welfare of the inhabitants of Pima County.

Motion carried to approve (5/0)

3. **OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY**

RESOLUTION NO. 2012 - 77, of the Pima County Board of Supervisors, accepting the State of Arizona, Department of Emergency and Military Affairs, Arizona Division of Emergency Management Award in the amount of \$286,338.00.

Motion carried to approve (5/0)

4. **CONTRACTS**

A. **Community Development and Neighborhood Conservation**

- 1. U.S. Department of Housing and Urban Development, to provide for the CASA for Families II Project, HUD Fund, contract amount \$434,713.00 revenue (CTN-CD-13000043)

Motion carried to approve (5/0)

2. Pima Association of Governments, to provide for the Regional Planning Project, General Fund, contract amount \$298,000.00 (CT-CD-13000120)

Motion carried to approve (5/0)

B. Community Services, Employment and Training

3. U.S. Department of Housing and Urban Development, to provide for the La Casita Project, HUD Fund, contract amount \$221,935.00 revenue (CTN-CS-13000052)

Motion carried to approve (5/0)

C. Facilities Management

4. University Physicians Healthcare, Inc., to provide a lease agreement at the Abrams Public Health Building for the Family Medicine and Diabetic Clinic and Teaching Kitchen, contract amount \$2,145,495.00 revenue (CTN-FM-13000054)

Motion carried to approve (5/0)

D. Health Department

5. Pima Council on Aging, to provide direct health services and supportive counseling, contract amount \$22,922.00 revenue (CTN-HD-13000045)

Motion carried to approve (5/0)

6. State of Arizona, Department of Corrections, Amendment No. 3, to provide an inmate labor pool to support Pima Animal Care Center and extend contract term to 8/31/13, General Fund, contract amount \$28,000.00 (CT-HD-12000619)

Motion carried to approve (5/0)

E. Real Property

7. Crown Atlantic Company, L.L.C., to provide a Government Entity Tower License Agreement to collocate communication equipment related to the Pima County Wireless Integrated Network, Special Revenue Fund, contract amount \$54,000.00/5 year term (CT-PW-13000196)

Motion carried to approve (5/0)

5. **BOARD, COMMISSION AND/OR COMMITTEE**

Pima County Parks and Recreation Commission

Reappointment of Thomas J. Drzazgowski and James L. Mazzocco. Term expirations: 6/30/18. (District 1)

Motion carried to approve (5/0)

6. **DEVELOPMENT SERVICES**

Final Plat with Assurances

P1212-026, Las Campanas, Block C, Phase 1B1, Lots 46-57 and Common Areas A and B. (District 4)

Motion carried to approve (5/0)

***** HEARING *****

FRANCHISE/LICENSE/PERMIT

Extension of Premises/Patio Permit

7. Chad Douglas Pitlik, Holiday Inn Hotel and Suites, 4550 S. Palo Verde Road, Tucson, Temporary Extension of Premises for September 5, 6, 7, 8 and 9, 2012.

Motion carried to approve (5/0)

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

DATE POSTED: 8/14/12

TIME POSTED: 5:00 p.m.