

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

October 9, 2012 9:00 a.m.

1. ROLL CALL

2. INVOCATION

To be offered by Pastor Grady Scott, Grace Temple Missionary Baptist Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

... EXECUTIVE SESSION

(Clerk's Note: In addition to the executive session 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.)

(Clerk's Note: See Zoning Enforcement Board of Appeals.)

Call to the Public (for Executive Session item only)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

A. Contract

Town of Marana, to provide design and construction of a paved path under the Cortaro Bridge at the Santa Cruz River, contract amount \$88,210.00 revenue (CTN-FC-13000116)

Motion carried to approve (5/0)

B. Riparian Habitat Mitigation Plan

Staff requests approval of a Riparian Habitat Mitigation Plan for 4001 N. Soldier Trail, located within important riparian area with underlying Class H Habitat. (District 4)

Motion carried to approve (5/0)

... **ZONING ENFORCEMENT BOARD OF APPEALS**

UNFINISHED BUSINESS (6/19/12, 7/10/12 and 8/7/12)

A. **Executive Session**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the appeal of the decision of the Hearing Officer in Case No. P11CV00348-2, 13105 E. Colossal Cave Road. The Board may also, during the course of the hearing and upon motion, enter into executive session.

Without objection, item continued to 1/8/13.

B. **Appeal of Hearing Officer's Decision**

P11CV00348-2, 13105 E. COLOSSAL CAVE ROAD

In accordance with the Pima County Zoning Code Section 18.95.030C, Fred Wang, 13105 C.C.R., Inc., represented by Ron Asta, C.P.E. Consultants, L.L.C., appeals the decision of the Hearing Officer in Case Number P11CV00348-2 on property located at 13105 E. Colossal Cave Road, for violations of the Pima County Zoning Code, Section 18.71 – Development Plan standards. (District 4)

Without objection, item continued to 1/8/13.

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. **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)

6. **COUNTY ADMINISTRATOR**

Quarterly Management Report on Collections

Staff recommends acceptance of the Quarterly Management Report on Collections for the period ending June 30, 2012, and approval of the write-off requests in the amount of \$470,226.00.

Motion carried to accept recommendation (5/0)

7. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

- A. RESOLUTION NO. 2012 - 87, of the Pima County Board of Supervisors, approving and authorizing the application to the U.S. Environmental Protection Agency to conduct Brownfields Grant activities within Pima County through a Coalition Community-Wide Assessment Grant.

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2012 - 88, of the Pima County Board of Supervisors, authorizing the application to Arizona Department of Housing State Housing Funds for Owner-Occupied Housing Rehabilitation Programs in the amount of \$440,000.00.

Motion carried to approve (5/0)

8. **ECONOMIC DEVELOPMENT AND TOURISM**

A. **Metropolitan Tucson Convention and Visitors Bureau**

1. Presentation by the Metropolitan Tucson Convention and Visitors Bureau of the FY 2012-2013 Marketing Plan.

The Board took no action on this item.

2. Staff recommends approval of the following:
Metropolitan Tucson Convention and Visitors Bureau, to promote and enhance tourism, business travel, film production and youth, amateur and semi-professional/professional sports development and marketing, General Fund, contract amount \$3,198,414.00 (CT-ED-13000283)

Motion carried to approve (4/0)

B. **Southwestern Fair Commission, Inc.**

Pursuant to the Lease Management Agreement, Southwestern Fair Commission, Inc., requests approval of the Agreement with Short Track Asphalt Racing Team-Tucson (START-TUCSON) for operation and management of Tucson Raceway Park.

Motion carried to approve (4/0)

9. **INDUSTRIAL DEVELOPMENT AUTHORITY**

- A. RESOLUTION NO. 2012 - 89, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima and

the Revolving Taxable Single Family Mortgage Loan Program of 2012 of the Industrial Development Authority of the County of Pima (and potentially the Industrial Development Authority of the City of Tucson, Arizona); approving standards and requirements related thereto; approving program documents; approving an Intergovernmental Agreement and authorizing and approving the creation of such program; and declaring an emergency.

Motion carried to approve (4/0)

- B. RESOLUTION NO. 2012 - 90, 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 \$35,000,000.00 Education Revenue Bonds (Arizona Charter Schools Refunding Project), in one or more series and declaring an emergency.

Motion carried to approve (4/0)

10. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund.

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

Motion carried to approve (4/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Extension of Premises/Patio Permits

11. Holly Elaine Bristol, River's Edge Lounge, 4635 N. Flowing Wells Road, Tucson, Temporary Extension of Premises for November 18, 2012.

Motion carried to approve (4/0)

12. Randy D. Nations, Hot Rod's Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for October 13, 15, 18, 25; November 1, 6, 13, 15 and 19, 2012.

Motion carried to approve (4/0)

DEVELOPMENT SERVICES

Plat Note Modification

13. P1297-037, SABINO MOUNTAIN SUBDIVISION PLAT, LOTS 266 AND 267
Request of Andrew and Cathy Rosen, for a plat note modification to dedicate approximately 691 square feet of undisturbed, buildable area to the Hillside Development Zone (HDZ) Natural Area in exchange for the removal of approximately 46 square feet of platted, recorded, HDZ Natural Area for the addition of a deck on Lots 266 and 267 of Sabino Mountain Subdivision Plat, Bk. 51, Pg. 18. The subject site is zoned CR-1 CL (Cluster) and is approximately 6.03 acres. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (4/0)

Rezoning Ordinance

14. ORDINANCE NO. 2012 - 54, Co9-08-20, Fidelity National Tr 60357 – Harrington Sterling Place Rezoning. Owner Fidelity National Trust TR 60357. (District 4)

Motion carried to approve (4/0)

TRANSPORTATION

15. Traffic Ordinance

ORDINANCE NO. 2012 - 55, of the Board of Supervisors, regulating parking of vehicles on Mountain Shadows Drive in Pima County. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (4/0)

Traffic Resolutions

16. RESOLUTION NO. 2012 - 91, of the Board of Supervisors, permitting the intermittent, temporary closure of Snyder Road in Pima County for the El Tour De Tucson on November 17, 2012. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (4/0)

17. RESOLUTION NO. 2012 - 92, of the Board of Supervisors, permitting the intermittent, temporary closure of Swan Road in Pima County for the El Tour De Tucson on November 17, 2012. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (4/0)

18. RESOLUTION NO. 2012 - **93**, of the Board of Supervisors, permitting the intermittent, temporary closure of Alvernon Way/Hughes Access Road in Pima County for the El Tour De Tucson on November 17, 2012. Staff recommends **APPROVAL**. (District 2)

Motion carried to approve (4/0)

19. RESOLUTION NO. 2012 - **94**, of the Board of Supervisors, permitting the intermittent, temporary closure of Silverbell Road in Pima County for the El Tour De Tucson on November 17, 2012. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (4/0)

20. **CALL TO THE PUBLIC**

21. **ADJOURNMENT**

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

DATE POSTED: 10/2/12

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, OCTOBER 9, 2012

1. CONTRACTS AND AWARDS

A. Health Department

1. Arizona Department of Health Services, Amendment No. 4, to provide for the Community Nutrition Program, Women, Infants and Children Services, Breastfeeding Peer Counseling and Farmer's Market Nutrition Program, amend contractual language and extend contract term to 9/30/13, Federal Fund, contract amount \$1,881,604.00 revenue (CTN-HD-CMS143105)
2. Green Valley Fire District, Amendment No. 2, to provide for a Bio-Terrorism Preparedness Program and extend contract term to 10/2/15, no cost (CTN-HD-12000055)
3. Arizona Department of Health Services, to provide for the Well Woman Healthcheck Program, Federal and State Grant Funds, contract amount \$882,500.00 revenue (CTN-HD-13000089)

B. Office of Sustainability and Conservation

4. International Sonoran Desert Alliance, Inc. (ISDA), to provide a Construction Agreement for repairs and rehabilitation to the Ajo Depot, no cost (CTN-SUS-13000104)

C. Procurement

Awards

5. Amendment of Award: Amendment No. 4, to provide fuel (gasoline, diesel & bio-diesel) and extend contract term to 12/31/12 to the following, no cost. Funding Source: Internal Service Fund. Administering Department: Fleet Services:

<u>Contractor</u>	<u>Contract No.</u>
Western Refining Wholesale (formerly Phoenix Fuel Company)	B503392
Union Distributing Company of Tucson	B503388
Pro Petroleum Incorporated	B503387

6. Sole Source: Award of Contract, Requisition No. 12000405, to Accela, Inc. (Headquarters: San Ramon, CA), for land and permit management platform upgrade in the amount of \$2,339,122.00 for implementation, licenses and first year of maintenance. Contract is for a one-year term and includes four one-year renewal periods. The award includes the

authority for the Procurement Director to execute subsequent edits/amendments and renewals within the scope of the contract and as provided by this award without further action by the Board of Supervisors. Funding Source: Capital Improvement Program Fund. Administering Department: Information Technology.

7. Award of Master Agreement, Requisition No. 55366 to URS Corporation (Headquarters: San Francisco, CA), Consultant Engineering, Inc. (Headquarters: Phoenix, AZ) and AECOM Technical Services, Inc. (Headquarters: Los Angeles, CA) for construction surveillance and inspection services in an amount not to exceed \$4,500,000.00 annually. The agreement is for a one year term with the option to extend for four additional one year periods. Funding Source: Various Funds. Administering Department: Transportation.
8. Low Bid: Award of Contracts, Requisition No. 12000466, for the rental of heavy equipment in the annual amount of \$775,000.00. Each contract will be for a five-year term for a total award amount of \$3,875,000.00. The award includes the authority for the Procurement Department to reallocate amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts does not exceed the sum of the contract award amounts. Funding Source: Transportation Operating Fund. Administering Department: Transportation.

<u>Contractor (HQ Location)</u>	<u>Award</u>
Earhart Equipment Corp. (Tucson, AZ)	\$ 850,000.00
Empire Southwest/Rental (Mesa, AZ)	\$ 800,000.00
RDO Construction Equipment (Fargo, ND)	\$ 450,000.00
Tucson Tractor Company (Tucson, AZ)	\$ 425,000.00
Neff Rental (Miami, FL)	\$ 400,000.00
Volvo Construction Equipment Rents (Tucson, AZ)	\$ 350,000.00
United Rentals (North America) (Greenwich, CT)	\$ 250,000.00
H & E Equipment Services (Baton Rouge, LA)	\$ 200,000.00
Sunbelt Rentals (Fort Mill, SC)	\$ 125,000.00
R & L Ventures d.b.a. Creco Rentals* (Tucson, AZ)	\$ <u>25,000.00</u>
* 5% SBE preference	\$ 3,875,000.00

D. Real Property

9. Amphitheater School District No. 10, to provide for a License for right-of-way encroachment on Roller Coaster Road, Oracle Jaynes Station Road, Chapala Drive and Paseo del Norte, no cost/25 year term (CTN-PW-13000102)

10. RIW, L.L.C., to provide for a License for right-of-way encroachment on Northern Avenue, contract amount \$1,250.00 revenue/25 year term (CTN-PW-13000103)

E. Recorder

11. Total Solutions, Amendment No. 2, to provide voter registration/database consulting services and extend contract term to 10/4/13, Document Storage and Retrieval Fund, contract amount \$10,000.00 (CT-RE-12000299)

F. Sheriff

12. Town of Sahuarita, Amendment No. 2, to provide public safety dispatch services, management of dispatch records and extend contract term to 6/30/13, General Fund, contract amount \$146,000.00 revenue (CTN-SD-12000042)

2. BOARD OF SUPERVISORS

Approval of the Board of Supervisors Meeting Schedule for the period January through May 2013.

3. BOARD, COMMISSION AND/OR COMMITTEE

Animal Care Center Advisory Committee

Appointment of Jack Neuman, Volunteer Representative. Term expiration: 10/31/16. (Committee recommendation)

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

- A. Laurie S. Buckelew, VFW Post 10254 Ladies Auxiliary, 17000 W. Ajo Way, Tucson, October 5, 6, 7, 12, 13, 14 and 31, 2012.
- B. Laurie S. Buckelew, Three Points Fire Local 4871, 17000 W. Ajo Way, Tucson, October 17, 18, 19, 20, 21, 24, 25, 26, 27 and 28, 2012.
- C. Kord M. Klinefelter, American Legion Riders, No. 1 Plaza, Ajo, October 19 and 20, 2012.
- D. Deborah L. Jassem, Tohono Chul Park, 7366 N. Paseo del Norte, Tucson, November 10, 2012.

FINANCE AND RISK MANAGEMENT

5. Duplicate Warrants – For Ratification

James D. Maffeo	\$	153.43
Walter & Jill Pearson	\$	52,146.36
Dunbar Barber Academy	\$	2,500.00
Consolidated Electric	\$	1,216.54
Gerard Moretz	\$	189.00
Sierra Monitor Corporation	\$	880.00
Sally Valenzuela	\$	120.00
Irma L. Gomez	\$	155.00
Kara A. Hernandez	\$	120.00
Barbara Soble	\$	155.00

6. PROCLAMATION

Proclaiming October 24, 2012, to be:

“FOOD DAY IN PIMA COUNTY”

7. RATIFY AND/OR APPROVE

Minutes: September 11, 2012
 September 18, 2012

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

October 9, 2012 9:00 a.m.

Clerk's Note:

Members of the Pima County Board of Supervisors will attend either in person or by telephone conferencing.

... EXECUTIVE SESSIONS

Call to the Public (for Executive Session items only)

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Yogi Investment Corporation and Shri Hari, Inc. v. Pima County, Arizona Tax Court Case No. TX2011-000444, Tax Parcel Nos. 221-05-199B and 221-05-199D for tax year 2012.

Motion carried to accept recommendation (4/0)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County v. Weinrib Family Limited Partnership, et al., Pima County Superior Court Case No. C20114170.

Motion carried to accept recommendation (4/0)

- C. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding New Century, Inc. v. The Bank of New York Trust Company, N.A., et al. and Frederick R. Deinlein v. BNY Western Trust Co., et al., Pima County Superior Court Case Nos. C20103621 and C20109196 (consolidated), Tax Parcel No. 116-16-2170 and 13 additional parcels.

Motion carried to accept recommendation (4/0)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

. . . FLOOD CONTROL DISTRICT BOARD

Executive Session

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County v. Weinrib Family Limited Partnership, et al., Pima County Superior Court Case No. C20114170.

Motion carried to accept recommendation (4/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. PRESENTATION/PROCLAMATION

Presentation of a proclamation to Becky Monroy, Ruby Corrigan, Anastasia Matiatos, Maddy Melichar and Hayley Flanigan, proclaiming October 11, 2012, to be:

“DAY OF THE GIRL IN PIMA COUNTY”

Motion carried to approve (4/0)

2. COUNTY ADMINISTRATOR

RESOLUTION NO. 2012 - 95, of the Board of Supervisors, authorizing the execution of an Equipment Lease Purchase Agreement with Municipal Asset Management, Inc.

Motion carried to approve (4/0)

***3. TRANSPORTATION**

*(**Clerk's Note:** Staff has determined this matter is not subject to development impact fees. No Board action is required.)

UNFINISHED BUSINESS (10/2/12)

Request for Development Impact Fee Waiver

The Tucson Wildlife Center requests the Board of Supervisors waive the Roadway Development Impact Fee for the Wildlife Rehabilitation Facility within the Catalina Foothills Benefit Area.

The Board took no action on this item.

NEW BUSINESS

4. **DEVELOPMENT SERVICES**

Staff requests the Board initiate a Zoning Code Text Amendment regarding Type III Conditional Use Permit exceptions for communication towers.

Motion carried to approve (4/0)

5. **CONTRACTS AND AWARDS**

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

1. U.S. Department of Labor, to provide for a Veterans Workforce Investment Program, U.S. DOL Fund, contract amount \$1,250,000.00 revenue (CTN-CS-13000118)

Motion carried to approve (4/0)

2. Arizona Department of Economic Security, Amendment No. 9, to provide for employment and training services to residents participating in Pima County's workforce programs and amend contractual language, WIA Fund, contract amount \$79,484.00 revenue (CTN-CS-CMS 143255)

Motion carried to approve (4/0)

3. Tucson Youth Development, Inc., to provide for the After School Youth Basic Education Program, U.S. DOL, WIA Grant and General (\$3,000.00) Funds, contract amount \$31,004.26 (MA-CS-13000141)

Motion carried to approve (4/0)

4. Tucson Youth Development, Inc., to provide for the After School Work Experience Program, U.S. DOL, WIA Grant and General (\$20,000.00) Funds, contract amount \$199,451.18 (MA-CS-13000142)

Motion carried to approve (4/0)

B. **Finance and Risk Management**

5. Gould and Lamb, Amendment No. 3, to provide consulting and compliance reporting pertaining to Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007, amend contractual language and extend contract term to 9/17/13, Self Insured Trust Fund, contract amount \$50,000.00 (CT-FN-12001183)

Motion carried to approve (4/0)

C. **Procurement**

Awards

6. Amendment of Award: Amendment No. 5, to provide dealership non-warranty maintenance and repair services and extend contract term to 12/31/12 to the following, no cost. Funding Source: Internal Service Fund. Administering Department: Fleet Services.

<u>Contractor</u>	<u>Contract No.</u>
Tucson Dodge (Tucson, AZ)	B504692
Watson Chevrolet (Tucson, AZ)	B504710
O'Rielly Chevrolet (Tucson, AZ)	B504745
Holmes Tuttle Ford (Tucson, AZ)	B504803
Rowe Enterprise (Precision Toyota) (Tucson, AZ)	B504866
DTT Auto (Desert Toyota) (Tucson, AZ)	B504985
Jim Click Dodge (Tucson, AZ)	B506853
Jim Click Ford (Tucson, AZ)	B506854

Motion carried to approve (4/0)

7. Cooperative Procurement: Award of Contract, Requisition No. 13000014, to CenturyLink, Inc. (Headquarters: Monroe, LA), for a Next Generation 9-1-1 Public Safety Answering Point Telephony System in the total amount of \$1,575,652.61 for a six year term for initial equipment purchase and installation plus five year post-warranty maintenance services. Funding Source: 2004 Bond Fund. Administering Department: Sheriff.

Motion carried to approve (4/0)

D. **Sheriff**

8. Arizona Department of Public Safety, to provide enhancement of law enforcement services for border crimes, State Grant Fund, contract amount not to exceed \$500,000.00 revenue (CTN-SD-13000106)

Motion carried to approve (4/0)

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

A. **Board of Health**

Appointment of Charles Geoffrion to fill the unexpired term of Vincent A. Fulginiti. Term expiration: 6/30/15. (District 1)

Motion carried to approve (4/0)

B. Metropolitan Education Commission

Appointment of Terisha Ellis, representing Tucson Urban League, to fill the unexpired term of Jonathan Peck. Term expiration: 5/18/13. (Commission recommendation)

Motion carried to approve (4/0)

***** HEARING *****

7. FRANCHISE/LICENSE/PERMIT

Extension of Premises/Patio Permit

Jason Hartnett Hartenbach, Painted Plate Culinary Concepts, L.L.C., 7366 N. Paseo del Norte, Tucson, Temporary Extension of Premises for October 19 and 27, 2012.

Motion carried to approve (4/0)

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

DATE POSTED: 10/4/12

TIME POSTED: 11:45 a.m.

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
October 9, 2012 9:00 a.m.

***** HEARING *****

1. FRANCHISE/LICENSE/PERMIT

Wine Festival

Gordon R. Dutt, d.b.a. Sonoita Vineyards, Green Valley Village, 101 S. La Canada Drive, Green Valley, October 26, 2012 from 10:00 a.m. to 7:00 p.m. and October 27, 2012 from 10:00 a.m. to 3:30 p.m.

Motion carried to approve (4/0)

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

DATE POSTED: 10/5/12

TIME POSTED: 9:15 a.m.