

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

January 8, 2013 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Gene Chewning, Living Word Assembly of God.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

(Clerk's Note: The Board will take a thirty minute recess immediately following the Oath of Office.)

5. **OATH OF OFFICE** to be provided by the Honorable Sarah R. Simmons, Presiding Judge of the Superior Court, for elected officials of Pima County:

BOARD OF SUPERVISORS

Ally Miller, District 1
Ramón O. Valadez, District 2
Sharon Bronson, District 3
Ray Carroll, District 4
Richard Elías, District 5

ASSESSOR

Bill Staples

COUNTY ATTORNEY

Barbara LaWall

COUNTY RECORDER

F. Ann Rodriguez

SCHOOL SUPERINTENDENT

Linda L. Arzoumanian

SHERIFF

Clarence W. Dupnik

TREASURER

Beth Ford

JUSTICE OF THE PEACE

Jose L.Castillo, Jr., Precinct No. 2
Carmen Maria Dolny, Precinct No. 4
Paul Simon, Precinct No. 6
Maria L. Felix, Precinct No. 9
Jack C. Peyton, Precinct No. 10

CONSTABLES

David Lester, Precinct No. 1
Jim Driscoll, Precinct No. 4
Bennett L. Bernal, Precinct No. 6
R. C. Brown, Precinct No. 7
Mary C. Dorgan, Precinct No. 8
Colette Philip, Precinct No. 9
Vince Roberts, Precinct No. 10

6. **BOARD OF SUPERVISORS PROCEDURAL ORGANIZATION**

- A. Selection of the Chairman, Ramón Valadez, Vice Chairman, Sharon Bronson, and Acting Chairman, Richard Elías.

Motion carried to approve (5/0)

- B. Appointment of the Clerk of the Board, Robin Brigode.

Motion carried to approve (5/0)

- C. Appointment of the Sergeant-at-Arms, James Ogden.

Motion carried to approve (5/0)

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7. **PRESENTATIONS/PROCLAMATIONS**

- A. Presentation of a proclamation to Ross Zimmerman, proclaiming January 8, 2013 to be:

“JANUARY 8TH REMEMBRANCE DAY”

Motion carried to approve (5/0)

- B. Presentation by the Pima County Health and Regional Wastewater Reclamation Departments to the Pima County Sheriff's Department, represented by Lt. Jim Berry, in recognition of their participation in the Dispose-A-Med Program.

No Board action taken.

... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 1/2/13, 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**

A. **Riparian Habitat Mitigation Plans**

1. Staff requests approval of a Riparian Habitat Mitigation Plan and In-lieu Fee Proposal in the amount of \$124,450.00 for property located at 6500 S. Old Spanish Trail, located within important riparian area with Underlying Xeroriparian Class C and Class H Habitat and Xeroriparian Class C Habitat. (District 4)

Motion carried to approve (5/0)

2. Staff requests approval of a Riparian Habitat Mitigation Plan and In-lieu Fee Proposal in the amount of \$1,734.95 for property located at 1958 E. Old Vail Connection, located within Class H and Xeroriparian Class C Habitat. (District 2)

Motion carried to approve (5/0)

B. **Contracts**

1. Park Place Village Home Owners Association, Inc., to provide a License for Encroachment to use and maintain an existing paved parking lot, Tax Parcel No. 111-02-024C, contract amount \$3,500.00 revenue (CTN-PW-13000174)

Motion carried to approve (5/0)

2. Town of Marana, to provide a License for Encroachment on Pima County and **Pima County Flood Control** property to construct, operate and maintain a portion of the Santa Cruz River Shared Use Path and Multi-Use Park, no cost (CTN-PW-13000175)

Motion carried to approve (5/0)

... ZONING ENFORCEMENT BOARD OF APPEALS

UNFINISHED BUSINESS (6/19/12, 7/10/12, 8/7/12 and 10/9/12)

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)

Motion carried to approve (5/0) to continue to 2/5/13

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

8. 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)

9. COUNTY ADMINISTRATOR

A. **Quarterly Report on Collections**

Staff recommends acceptance of the Quarterly Report on Collections for the period ending September 30, 2012, and approval of the write-off request in the amount of \$94,553.00.

Motion carried to approve (5/0)

B. **Classification and Compensation**

The Sheriff’s Department requests approval to create the following classification:

<u>Class Code</u>	<u>Class Title</u>	<u>Grade/Range</u>	<u>EEO Code</u>	<u>FLSA Code</u>
7720	IT-Systems Engineer-Sheriff-Unclassified	U3 (\$52,523 - \$112,695)	2*	E*

*Exempt, Not Paid Overtime

There are no costs associated with the creation of this classification.

Motion carried to approve (5/0)

TRANSPORTATION

Acceptance of Project/Roadway for Maintenance

10. P1211-001, Las Campanas, Block C, Lots 1-22. Developer: DOWL HKM (District 4)

Motion carried to approve (5/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Agent Change/Acquisition of Control/Restructure

11. 12-06-0036, Michael Barton Morse, Restaurante Las Margaritas, 6011 N. Oracle Road, Tucson, Agent Change/Acquisition of Control.

Motion carried to approve (5/0)

Liquor License

12. 12-39-9136, Wendy Kristina Cross, 49er's Country Club, 12000 E. Tanque Verde Rd., Tucson, Series 6, Bar, Person Transfer and Location Transfer.

Motion carried to approve (5/0)

Extension of Premises/Patio Permit

13. Donald L. Herk, Arizona Family Restaurant of Tucson, Inc., 80 W. Esperanza Blvd., Green Valley, Permanent Extension of Premises.

Motion carried to approve (5/0)

HEALTH DEPARTMENT

Pima County Code Text Amendment

14. ORDINANCE NO. 2013 – 1, of the Board of Supervisors of Pima County, Arizona, relating to animals; amending the Pima County Code, Section 6.04.110, Cruelty and Neglect of Animals.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

Rezoning Resolution

15. RESOLUTION NO. 2013 - 2, Co9-87-46, Wessex Development Company – Flowing Wells Rezoning. Owner: River Crossing Veterinary Investments, L.L.C. (District 1)

Motion carried to approve (5/0)

TRANSPORTATION

16. Traffic Ordinances

- A. ORDINANCE NO. 2013 - 2, of the Board of Supervisors, regulating parking on Ski Run Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Without objection, this item was removed from the agenda

- B. ORDINANCE NO. 2013 - 3, of the Board of Supervisors, regulating dual right-turns of vehicles at the intersection of River Road/Knollwood Drive and Sabino Canyon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 4)

Motion carried to approve (5/0)

- C. ORDINANCE NO. 2013 - 4, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Old Nogales Highway in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2 and 4)

Motion carried to approve (5/0)

- D. ORDINANCE NO. 2013 - 5, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on La Canada Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 4)

Motion carried to approve (5/0)

- E. ORDINANCE NO. 2013 - 6, of the Board of Supervisors, regulating u-turns of vehicles at the intersection of Camino Casa Verde/Paseo del Chino and La Canada Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5/0)

F. ORDINANCE NO. 2013 - 7, of the Board of Supervisors, regulating u-turns of vehicles at the intersection of 1st Avenue/Christie Drive and Ina Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

G. ORDINANCE NO. 2013 - 8, of the Board of Supervisors, regulating u-turns of vehicles at the intersection of Ajo Way and Alvernon Way in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)

Motion carried to approve (5/0)

H. ORDINANCE NO. 2013 - 9, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Duval Mine Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 3 and 4)

Motion carried to approve (5/0)

17. **Traffic Resolution**

RESOLUTION NO. 2013 - 3, of the Board of Supervisors, permitting the temporary closure of Malacate Street in Ajo, Arizona, for the Annual Health Fair on January 26, 2013. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (5/0)

18. **CALL TO THE PUBLIC**

19. **ADJOURNMENT**

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

DATE POSTED: 1/2/13

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, JANUARY 8, 2013

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Community Investment Corporation, Inc., Amendment No. 2, to provide for the NSP2 Consortium and amend contractual language, ARRA Federal HUD Fund, contract amount \$60,000.00 (CT-CD-12000345)
2. U.S. Environmental Protection Agency, Amendment No. 2, to provide for a Brownfields Assessment Cooperative Agreement, extend contract term to 11/30/13 and amend contractual language, no cost (CTN-CD-12000446)
3. City of Tucson, Amendment No. 1, to provide for Toumey Park Neighborhood Reinvestment Project and extend contract term to 12/31/13, no cost (CT-CD-12001710)

B. Facilities Management

4. Keegan, Linscott, & Kenon, P.C., Amendment No. 5, to provide a lease agreement for 33 N. Stone Avenue, Suite 1100 and amend contractual language, contract amount \$620,634.95 revenue (CTN-FM-CMS139849)

C. Health Department

5. Three Points Fire District, Amendment No. 2, to provide secure storage for the Bio-Terrorism Preparedness Program and extend contract term to 11/13/15, no cost (CTN-HD-12000099)

D. Procurement

6. DeConcini, McDonald, Yetwin, & Lacey, P.C. Amendment No. 1, to provide for legal representation to Merit System Commission/Law Enforcement Council and extend contract term to 12/6/13, General Fund, contract amount \$50,000.00 (MA-PO-12000315) Human Resources
7. CH2M Hill Engineers, Inc., Change Order No. 16, to provide for the Pima County Water Reclamation Facility Design-Build-Operate Project and amend contractual language, RWRD Obligation Fund, no cost (CT-PO-11030010-P) Regional Wastewater Reclamation
8. The Ashton Company, Inc., Amendment No. 3, to provide a job order contract for wastewater plant construction and rehabilitation repair services and extend contract term to 1/31/14, RWRD Obligation Fund,

contract amount \$2,500,000.00 (MA-PO-DNC0000001) Regional Wastewater Reclamation

9. Quest Civil Constructor, Inc., Amendment No. 3, to provide a job order contract for wastewater plant construction and rehabilitation repair services and extend contract term to 1/31/14, RWRD Obligation Fund, contract amount \$2,500,000.00 (MA-PO-DNC0000001) Regional Wastewater Reclamation

Awards

10. Highest Scoring Firm: Award of Contract Requisition No. 72825 and approval to enter into negotiations with The Planning Center, (Headquarters: Tucson, AZ) for services for the Comprehensive Plan Update. The contract shall be for an 18-month period in an amount not to exceed \$550,000.00. The contract may be extended 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: Clarion and Logan Simpson Design, Inc. Funding Source: Development Services Enterprise Fund. Administering Department: Development Services.
11. Low Bid: Award of Contract, Requisition No. 73143 in the amount of \$1,089,012.12 to Camwest Group, Inc. (Headquarters: Tucson, AZ) for Pima County Administration Building West Fourth Floor Tenant Improvements. The Contract is for a ten (10) month period and may be extended for project completion. Funding Source: Facilities Renewal Fund. Administering Department: Facilities Management.
12. Limited Competition: Award of Contracts, Requisition No. 13000179, for original equipment manufacturer non-warranty parts, maintenance and repair services in the annual amount of \$664,434.75. Each contract will be for five-year term for a total award amount of \$3,322,173.75. The Award includes the authority for the Procurement Department to reallocate the award 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: Internal Service Fund. Administering Department: Fleet Services.

<u>Make</u>	<u>Award</u>	<u>Contractor (HQ Location)</u>	<u>Award Amount</u>
Ford	Primary	Holmes Tuttle Ford (Tucson, AZ)	\$461,734.50
Ford	Secondary	Jim Click Ford (Tucson, AZ)	\$118,729.50
Chevrolet	Primary	O'Rielly Motor Company(Tucson, AZ)	\$587,476.20
Chevrolet	Secondary	Watson Chevrolet (Tucson, AZ)	\$167,456.25
Dodge	Primary	Jim Click Dodge (Tucson, AZ)	\$422,739.59
Dodge	Secondary	Tucson Dodge (Tucson, AZ)	\$63,715.00
Toyota	Primary	Desert Toyota (Phoenix, AZ)	\$286,712.85

Toyota	Secondary	Precision Toyota of Tucson (Tucson, AZ)	\$46,942.50
Chrysler Jeep	Primary	Tucson Chrysler Jeep (Tucson, AZ)	\$315,844.50
Chrysler Jeep	Secondary	Jim Click Chrysler Jeep (Tucson, AZ)	\$32,084.50
Nissan	Primary	Jim Click Nissan (Tucson, AZ)	\$202,151.65
Nissan	Secondary	Thoroughbred Nissan (Tucson, AZ)	\$21,230.00
Volkswagen	Primary	Tucson Automotive (Tucson, AZ)	\$276,949.95
Volkswagen	Secondary	Chapman Volkswagen (Tucson, AZ)	\$28,916.50
Hyundai	Primary	Jim Click Hyundai (Tucson, AZ)	\$289,490.60

13. Low Bid: Award of Contract, Requisition No. 13000162, in the amount of \$488,012.25 to Insituform Technologies, L.L.C. (Headquarters: Chesterfield, MO) for construction of the cured-in-place pipe and cured-in-place sectional liners for the 4th Street to 6th Street, Park Avenue to Granada Avenue Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation Department.
14. Low Bid: Award of Contract, Requisition No. 13000163, in the amount of \$389,407.00 to Insituform Technologies, L.L.C. (Headquarters: Chesterfield, MO) for construction of the cured-in-place pipe and cured-in-place sectional liners for the 8th Street to 10th Street, Park Avenue to 4th Avenue Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation Department.

E. Public Works

15. Town of Marana, to provide a License for Encroachment on **Pima County** and Pima County Flood Control property to construct, operate and maintain a portion of the Santa Cruz River Shared Use Path and Multi-Use Park, no cost (CTN-PW-13000175)

2. CONSOLIDATED JUSTICE COURTS

Judge Pro Tempore

Appointment of Gail Wight for the period January 1, 2013 through June 30, 2013.

3. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Tucson/Pima County Bicycle Advisory Committee

1. Appointment of P. Wayne Cullopp to replace Scott Hurlburt. Term expiration: 1/31/15. (Staff recommendation)
2. Reappointments of Larry Robinson and Brian D. Beck. Term expirations: 1/31/15. (Staff recommendations)

B. Environmental Quality Advisory Council

Appointment of Richard W. Murphy representing General Business/Industry to replace Ben Dorris. Term expiration: 1/8/16. (Staff recommendation)

C. Flood Control District Advisory Committee

Appointment of Eric Ponce to replace Hugh Holub. No term expiration. (District 2)

D. Tucson-Pima County Historical Commission

Reappointments of Teresita Majewski and Sharon E. Chadwick. Term expirations: 12/31/16. (District 2)

E. Housing Commission

Reappointments of Frank Thomson and Ken Anderson. Term expirations: 12/31/16. (District 2)

F. Metropolitan Education Commission

Reappointments of Paul Franklin Lovelis, Social Service Agencies Serving Children/Youth; Mari Helen High, Religious Community; Bill Arden, Healthcare Community; George Favela, Parent; and Richard Elías, Board of Supervisors Member. Term expirations: 12/31/16. (Chairman appointments)

G. Neighborhood Reinvestment Oversight Committee

Reappointment of Felipe Lundin. Term expiration: 12/31/16. (District 2)

H. Pima County/Tucson Women's Commission

Reappointment of Shirley Muney. Term expiration: 12/31/16. (District 3)

I. Regional Wastewater Reclamation Advisory Committee

Reappointments of John Lynch (District 3); and Rob Kulakofsky (District 5). Term expirations: 3/1/17.

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

A. Harvey M. Yoos Jr., VFW Post No. 3578, 1764 N. 2nd Avenue, Ajo, December 21, 2012.

- B. William D. Woodruff, Knights of Columbus Council No. 12696, 300 N. Tanque Verde Loop Road, Tucson, January 12, 2013.
- C. William D. Woodruff, Knights of Columbus Council No. 12696, 300 N. Tanque Verde Loop Road, Tucson, January 26, 2013.
- D. Benjamin S. Jimenez, Knights of Columbus Council No. 8077, 8650 N. Shannon Road, Tucson, December 31, 2012.

FINANCE AND RISK MANAGEMENT

5. Duplicate Warrants – For Ratification

Priscilla Cardona & Daniel Price, Attorney	\$	2,000.00
Daniel Price, Attorney & Miguel Cardona	\$	1,384.16
Priscilla Cardona & Daniel Price, Attorney	\$	10,876.00
Christine M. Charles	\$	160.00
Richard Bardram	\$	155.00
Margaret Curley	\$	155.00
Camps AZ, LLC	\$	225.00
Thomas D. Vana	\$	75.00
Erika Schimmel	\$	140.00
Daniel Tassone	\$	140.00
Jannette Raptis	\$	155.00
Paul Jablonka	\$	140.00
Howard J. Nelson	\$	140.00
Vision Business Products AZ	\$	1,150.14
Patricia T. Bergen	\$	140.00
John A. Shulli	\$	140.00
Luz Verdugo	\$	185.00
Patricia Marie Herman	\$	37.50
Edward Gomez	\$	185.00

6. REAL PROPERTY

RESOLUTION NO. 2013 - 1, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests where necessary for the Ina Road- Oracle Road Intersection Improvements in Section 36, T12S, R13E and Section 1, T13S, R13E, G&SRM. (District 1)

7. SPECIAL TAXING DISTRICT

Pursuant to A.R.S. §16-642(B), presentation of the certified copy of the official canvass for the November 13, 2012, Avra Valley Irrigation and Drainage District Election.

8. **RATIFY AND/OR APPROVE**

Minutes: December 4, 2012

Warrants: December, 2012

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

January 8, 2013 9:00 a.m.

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

Real Property

RESOLUTION NO. 2013 - FC 1, of the Board of Directors of the Pima County Flood Control District, authorizing the Pima County Attorney to condemn real property or real property interests where necessary for the Canada Del Oro Wash Pathway: La Cholla Blvd. to La Canada Drive Project, Section 22 of T12S, R13E, G&SRM. (District 1)

Motion carried to approve (5/0)

... STADIUM DISTRICT BOARD

Contract

Williams Entertainment, to provide a concession agreement for the Casino Del Sol All Star Football Game, contract amount \$31,900.00 revenue (CTN-KSC-13000195)

Motion carried to approve (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. BOARD OF SUPERVISORS

County Administrator Employment Contract. Discussion/Action. (District 2)

Motion carried to approve (3/2)

2. CONTRACTS

A. Information Technology

Arizona Board of Regents, University of Arizona, Amendment No. 1, to provide the PCWIN Site Specific Agreement – Arizona Public Media (KUAT) Tumamoc Site and amend contractual language, no cost (CT-PW-13000397)

Motion carried to approve (5/0)

B. Real Property

El Paso Natural Gas Company, L.L.C., to provide a public utility license agreement, no cost/15 year term (CTN-PW-13000178)

Motion carried to approve (5/0)

3. BOARD, COMMISSION AND/OR COMMITTEE

Housing Commission

Reappointment of Scott Place. Term expiration: 12/31/16.
(District 4)

Motion carried to approve (5/0)

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

DATE POSTED: 1/4/13

TIME POSTED: 11:00 a.m.