

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

February 5, 2013 9:00 a.m.

1. ROLL CALL

2. INVOCATION

To be offered by Pastor David Hook, Vail Christian Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

... 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.)

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 a request by Mesch, Clark & Rothschild that Pima County waive a conflict of interest to allow the firm to represent Primavera Foundation, Inc., with respect to filing a Claim against Pima County, the Pima County Treasurer and the Pima County Assessor.

Motion carried to approve waiver (5/0)

(Clerk's Note: See Flood Control District Board)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

A. EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Pima County Flood Control District v. Jeremy Perez et al., Pima County Superior Court Case No. C20093554.

Motion carried to accept County Attorney's recommendation (5/0)

B. RIPARIAN HABITAT MITIGATION PLAN

Staff requests approval of a Riparian Habitat Mitigation Plan and In-lieu Fee Proposal in the amount of \$747.65 for property located at 1573 E. Sahuaro Blossom Place, located within important riparian area with Underlying Xeroriparian Class B Habitat. (District 1)

Motion carried to approve (5/0)

... STADIUM DISTRICT BOARD

Contract

Pima County and **Pima County Stadium District**, Amendment No. 1, to provide personnel and services for the district and extend contract term to 2/1/17, no cost (CTN-KSC-13000216)

Motion carried to approve (5/0)

... ZONING ENFORCEMENT BOARD OF APPEALS

UNFINISHED BUSINESS (6/19/12, 7/10/12, 8/7/12, 10/9/12 and 1/8/13)

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 continue to 2/19/13 (5/0)

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**

A. **Classification and Compensation**

The Office of Emergency Management requests approval to create the following classification and one Position Control Number (PCN):

<u>Class Code</u>	<u>Class Title</u>	<u>Grade/Range</u>	<u>EEO Code</u>	<u>FLSA Code</u>
7480	Pima County Wireless Integrated Network Executive Director	U3 (\$52,523 - \$112,695)	1	E*

*Exempt, Not Paid Overtime

The associated cost of the creation of the new PCN is estimated to be \$100,425.00 including the benefit load. The costs will be borne by the Office of Emergency Management from within its current budget.

Motion carried to approve (5/0)

B. **Funding Requests**

1. Staff requests an allocation from the Board of Supervisors' Contingency Fund to the Tucson Children's Museum in the amount of \$3,000.00 to help underwrite free admissions to the Tucson Children's Museum Science Festival Activities on February 16, 2013, and to provide interactive programming through its partnerships with educators and local educational organizers.

Motion carried to approve (5/0)

2. Staff requests an allocation from the Board of Supervisors' Contingency Fund to the Tucson Festival of Books in the amount of \$3,000.00 for the co-sponsorship of author Chip Heath's business presentation at the 2013 Festival of Books event.

Motion carried to approve (5/0)

7. **FLEET SERVICES**

Annual Vehicle Exemptions

Pursuant to A.R.S. §38-538.03, staff requests the Board of Supervisors authorize the annual vehicle exemptions for 2013.

Motion carried to approve (5/0)

8. **REGIONAL WASTEWATER RECLAMATION**

UNFINISHED BUSINESS (11/13/12, 12/4/12 and 1/22/13)

A. **Contract**

Tucson Electric Power Company, to provide electric power services to the Ina Road Treatment Facility at the established commercial rates, RWRD Enterprise Fund, contract amount \$1,400,000.00 (CT-WW-13000359)

Motion carried to approve (5/0)

NEW BUSINESS

B. **Wastewater Connection Fee Process**

Staff recommends approval of the recommendations outlined in the *Six-Month Report on the Implementation of a New Wastewater Connection Fee Methodology Based on Water Meter Size* and development of ordinance and process changes to implement the recommendations.

Motion carried to approve (5/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

UNFINISHED BUSINESS (1/22/13)

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

- *9. 12-42-9139, Pimolrat Boutsanirath, Sushi Tran, 9725 N. Thornydale Road, No.149, Tucson, Series 7, Beer and Wine Bar, Person Transfer.

Motion carried to approve (5/0)

NEW BUSINESS

10. 12-43-9140, Kim Kenneth Kwiatkowski, Circle K Store No. 3458, 4990 N. Oracle Road, Tucson, Series 10, Beer and Wine Store, New License.

Motion carried to approve (5/0)

11. 12-44-9141, Lauren Kay Merrett, The Lodge Sasquatch Kitchen, 7265 N. La Cholla Boulevard, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

12. 12-45-9142, Randy Allen Guse, Walgreens No. 15363, 4655 E. Sunrise Drive, Tucson, Series 10, Beer and Wine Store, New License.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (12/18/12 and 1/22/13)

Zoning Code Text Amendment

13. Co8-12-07, CONTRACTOR YARD, HOME OCCUPATION, CONDITIONAL USE PERMIT, SUBDIVISION PLAT AND DEVELOPMENT PLAN CODE AMENDMENTS

An ordinance of the Pima County Board of Supervisors relating to Zoning (Title 18); amending the Pima County Code by amending Chapter 18.03 (General Definitions), Section 18.03.020 (Definitions) to define a contractor's yard; amending Chapter 18.09 (General Residential and Rural Provisions), Section 18.09.020 (General Requirements and Exceptions) to provide setback requirements for shade structures within corrals; and Section 18.09.030 (Home Occupations) to expand home occupations; amending Chapter 18.69 (Subdivision Standards) Section 18.69.020 (Definitions) to eliminate the plat requirement for non-residential subdivisions; amending Chapter 18.97 (Conditional Use Procedures) Section 18.97.030 (Procedures and Requirements) by revising the Development Plan requirements. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Matter was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2012 - 71

Motion carried to approve as amended (5/0)

14. **CALL TO THE PUBLIC**

15. **ADJOURNMENT**

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

DATE POSTED: 1/30/13

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, FEBRUARY 5, 2013

1. CONTRACTS AND AWARDS

A. Community Services, Employment and Training

1. To provide emergency assistance to low-income households and amend contractual language, Community Services Block Grant Fund:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amendment No.</u>	<u>Contract Amount</u>
AZ Housing and Prevention Services, Inc.	MA-CS-12000158	8	\$12,000.00
Chicanos Por La Causa, Inc.	MA-CS-12000159	8	\$12,000.00
Interfaith Community Services	MA-CS-12000160	10	\$17,000.00
Portable Practical Educational Preparation, Inc.	MA-CS-12000161	8	\$12,000.00
Primavera Foundation, Inc.	MA-CS-12000162	8	\$17,000.00
American Indian Association of Tucson, Inc.	MA-CS-12000163	8	\$17,000.00
Tucson Urban League, Inc.	MA-CS-12000164	8	\$8,000.00

2. To provide workforce development services and amend contractual language, U.S. Department of Labor, Arizona Department of Economic Security and other Workforce Grant Funds:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amendment No.</u>	<u>Contract Amount</u>
Portable Practical Educational Preparation, Inc.	MA-CS-13000027	1	\$120,000.00
Goodwill Industries of Southern Arizona, Inc.	MA-CS-13000356	N/A	\$61,963.00

B. County Attorney

3. State of Arizona, Governor's Office for Children, Youth and Families, Amendment No. 1, to provide for the STOP Violence Against Women Program, amend contractual language and extend contract term to 12/31/13, Federal Fund, contract amount \$218,647.00 revenue; General Fund, contract amount \$80,681.00 (CTN-PCA-12000494)
4. City of Tucson, to provide for the Attorney's Office's Victim Services Advocate FTE and the Sheriff's Department's Community Outreach

Programs, Edward Byrne Memorial Justice Assistance Grant Fund, contract amount \$179,503.00 revenue (CTN-PCA-13000168)

C. Environmental Quality

5. Arizona Department of Environmental Quality, to provide a Delegation Agreement to 6/30/2050, no cost (CT-DE-13000552)

D. Health Department

6. Arizona Department of Health Services, to provide STD screening and patient care services, Federal Fund, contract amount \$165,748.00 revenue (CTN-HD-13000215)
7. Maricopa County Department of Public Health, to provide child care health consultation and health champions training, State Grant Fund, contract amount \$7,000.00 (CT-HD-13000238)

E. Procurement

8. Kimley-Horn & Associates, Inc., Amendment No. 1, to provide design engineering services for the Julian Wash, I-10/Drexel to Tucson Diversion Channel at Campbell Avenue Project and amend contractual language, Transportation Operating Fund, contract amount \$35,672.00 (CT-PW-13000376) Public Works Administration

Awards

9. Award of Job Order Master Agreement: MA-PO-13000355, to Continental Flooring Company (Headquarters: Scottsdale, AZ) and Tucson Commercial Carpet, Inc. (Headquarters: Tucson, AZ), for as-needed flooring and to replace individual contracts respectively numbered 26-13-C-143778-0211/MA-PO-DNC0000011 and 26-13-T-143777-0211/MA-PO-DNC0000011. The total value of the Master Agreement is \$1,000,000.00 to be shared by the two Job Order Contractors. The term of the Master Agreement is one year with the option to extend for up to two additional one year terms. Funding Source: Various Funds. Administering Department: Facilities Management.
10. Cooperative Procurement: Award of Contracts, Requisition No. 13000257, for motor vehicle fuel in the total amount of \$32,500,000.00 for a five year term. 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 amount. Funding Source: Internal Services Fund. Administering Department: Fleet Services.

<u>Contractor (HQ Location)</u>	<u>Fuel Awarded</u>	<u>Award Amount</u>
Union Distributing (Tucson, AZ)	clear diesel & unleaded gasoline (for all County stations and tanks except Kino Sports Complex, A7 Ranch, the County fuel station and landfill in Ajo, AZ)	\$6,200,000.00
Western Refining Wholesale, Inc. (Phoenix, AZ)	dyed diesel, clear diesel & unleaded gasoline (for Kino Sports Complex, A7 Ranch, the County fuel station and landfill in Ajo, AZ)	\$300,000.00

Annual Total: \$6,500,000.00

11. Low Bid: Award of Contract, Requisition No. 78924, KE&G Construction, Inc., (Headquarters: Sierra Vista, AZ) for the construction of the Ina Road at SR 77 (Oracle Road) Project, in the amount of \$2,160,000.00. The contract term is twenty months with the ability to extend for contract completion. Construction is to be complete within 60 working days from Notice to Proceed. Funding Source: RTA Fund. Administering Department: Transportation.

F. **Pima County**

12. **Pima County** and Pima County Stadium District, Amendment No. 1, to provide personnel and services for the district and extend contract term to 2/1/17, no cost (CTN-KSC-13000216)

2. **GRANT APPLICATION/ACCEPTANCE**

Office of Emergency Management and Homeland Security

RESOLUTION NO. 2013 - **5**, of the Pima County Board of Supervisors, accepting the Arizona Emergency Response Commission Award for the support of the Pima County Office of Emergency Management in the amount of \$35,800.00.

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

A. **Tucson-Pima County Historical Commission**

Reappointments of Joseph Joaquin and Marty McCune. Term expirations: 12/31/16. (District 3)

B. Neighborhood Reinvestment Oversight Committee

1. Reappointment of Bennett Bernal. Term expiration: 12/31/16. (District 3)
2. Reappointment of Elvia Lopez. Term expiration: 12/31/16. (District 5)

C. Pima County/Tucson Women's Commission

Appointment of Elaine Clark to replace Mercy Valencia. Term expiration: 12/31/16. (District 2)

D. State Board of Equalization

Reappointments of Beverly Weissenborn and Rosalie Roszak. Term expirations: 12/31/16. (District 3)

4. ELECTIONS DEPARTMENT

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Sam F. Almy	093	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Deyanira Nevarez Martinez	020	DEM
Matthew H. Elias	030	DEM
Mary Ann Ahrens	077	DEM
Evelyn A. Lathram	077	DEM
Jonathan Rothschild	078	DEM
Thomas J. Lindmeier	084	DEM
Marjie L. Baker	115	DEM
Luci B. Messing	126	DEM
Judith F. Torres	141	DEM
Richard H. Chamberlin	141	DEM
Shasta M. McManus	154	DEM
Marsha H. Aregullin	166	DEM
David J. Joseph	173	DEM
Linda Lizette Prado	231	DEM
Juan J. Brito	233	DEM
Dorothy M. McKenna	282	DEM

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

- A. Patrick Kelly O'Brien, Knights of Columbus Assembly 2308, St. Elizabeth Ann Seton Church, 8650 N. Shannon Road, Tucson, January 26, 2013.
- B. John S. Brell, Santa Catalina Catholic Church, 14380 N. Oracle Road, Tucson, February 2, 2013.

- C. William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, February 9, 2013.
- D. Michelle Lynn Garmon, St. Thomas the Apostle Preschool and Kindergarten, 5150 N. Valley View Road, Tucson, February 9, 2013.
- E. Brian Dale Johnson, Arizona Chapter of Safari Club International, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, February 9 and 10, 2013.
- F. Jerry Martin Gordon, Country Club of Green Valley, 77 E. Paseo de Golf, Green Valley, February 28, March 1 and 2, 2013.
- G. Claude Edward Deniz, St. Philip's in the Hills Episcopal Church, 4440 N. Campbell Avenue, Tucson, April 4, 2013.
- H. Brian Adam Sturgeon, Northwest Fire Fighters Union, 7401 N. La Cholla Boulevard, Tucson, April 6, 2013.

FINANCE AND RISK MANAGEMENT

6. Duplicate Warrants – For Ratification

Gerald Hosterman	\$ 140.00
Julie Montano	\$ 15.00
Thomas Vana	\$ 75.00
Waxie Sanitary Supply	\$ 5,082.89
Professional Transit Mgmt of Tucson	\$ 1,200.00
The State of Arizona	\$ 43.00
The Fruth Group	\$ 118.93
Judith B. Clinco	\$ 204.23
Debra Thelin	\$ 60.00
Debra Thelin	\$ 15.00
DSI Investigations, LLC	\$ 938.00
DSI Investigations, LLC	\$ 1,326.95

7. SUPERIOR COURT

Judge Pro Tempore

Appointment of Casey McGinley for the period February 5, 2013 through June 30, 2013.

8. RECORDER

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of September, October and November 2012.

9. **TRANSPORTATION**

Permission to Advertise

Irving Avenue
Road Establishment No. 3015
(District 2)

March 5, 2013

10. **REAL PROPERTY**

Partial Revocation of Restriction and Covenants Running with the Land

Partial release and revocation of restrictions executed by Atlantic Richfield Company, a Delaware Corporation, recorded March 25, 1992, in Docket 9255, Page 1013. (District 1)

11. **RATIFY AND/OR APPROVE**

Minutes: January 8, 2013

Warrants: January, 2013

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

February 5, 2013 9:00 a.m.

... EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding potential settlement of litigation between Robson Communities and the County in Robson Ranch Quail Creek v. Pima County, Arizona Court of Appeals Case Nos. 2 CA-CV 2012-0091-S and 2 CA-CV 2012-0156-S (Cons.).

Without objection, continued to 2/12/13

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. COUNTY ADMINISTRATOR

Literacy Connects

Staff requests an allocation from the FY 2013/2014 Board of Supervisors' Contingency Fund to Literacy Connects in the amount of \$167,000.00 for full literacy infusion at Mission Manor Elementary School, continued evaluation of the program and to provide initial funding to attract other investments to improve overall literacy of elementary school age children.

Without objection, continued to 2/19/13

2. NATURAL RESOURCES, PARKS AND RECREATION

Amendment to the Pima Regional Trail System Master Plan

RESOLUTION NO. 2013 – **6**, of the Board of Supervisors, amending the path standard for river parks and greenways in the Pima Regional Trail System Master Plan Manual.

Motion carried to continue to 3/5/13 (5/0)

3. **CONTRACTS**

A. **Community Services Employment and Training**

Goodwill Industries of Southern Arizona, Inc., Amendment No. 3, to provide employment and training services and amend contractual language, no cost (MA-CS-12000154)

Motion carried to approve (5/0)

B. **County Administrator**

1. Capitol Strategies, L.L.C. and JTK Consulting, L.L.C., to provide professional representation at the federal level to further the development and implementation of the Aerospace and Defense Corridor and El Corazon de los Tres Rios Del Norte projects, Hotel Bed Tax Fund, contract amount \$110,400.00 (CT-CA-13000573)

Motion carried to approve (5/0)

2. Luz Social Services, Inc., to provide a pilot program for school, health, education and mentoring services to at-risk youth and adults, Contingency Fund, contract amount \$122,500.00 (CT-CED-13000574)

Motion carried to approve (5/0)

C. **Health Department**

Arizona Family Health Partnership, to provide family planning services, contract amount \$752,452.00 revenue (CTN-HD-13000219)

Motion carried to approve (5/0)

D. **Office of Sustainability and Conservation**

Arizona Board of Regents, University of Arizona College of Social and Behavioral Science, to provide a research staff appointment for the Tucson Desert Oasis Initiative, Contingency Fund, contract amount \$41,720.00/2 year term (CT-PW-13000578)

Motion carried to approve (5/0)

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

A. **Board of Adjustment, District 4**

Reappointment of Stephen Hopkins. Term expiration: 12/31/16. (District 4)

Motion carried to approve (5/0)

B. **Bond Advisory Committee**

Appointment of Joseph Boogaart and John Sundt. Term expirations: 2/5/19. (District 1)

Motion carried to approve (5/0)

C. **Canoa Ranch Community Trust/Oversight Committee**

Appointment of Karen Cesare. No term expiration. (District 1)

Motion carried to approve (5/0)

D. **Tucson-Pima County Historical Commission**

Reappointment of Norma Niblett. Term expiration: 12/31/16. (District 1)

Motion carried to approve (5/0)

E. **Pima County Fair Commission**

Appointment of Joe Higgins. Term expiration: 2/5/17. (District 1)

Motion failed (1/4)

F. **Regional Wastewater Reclamation Advisory Committee**

Reappointment of William Katzel. Term expiration: 12/31/16. (District 4)

Motion carried to approve (5/0)

G. **Small Business Commission**

Appointment of Shelby Hawkins and Mark W. Finchem. Term expirations: 2/5/17. (District 1)

Motion carried to approve (5/0)

H. Trial Court Appointments – Nominating Committee District 1

Appointment of Jeff Cesare, Democrat. No term expiration. (District 1)

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: 2/1/13

TIME POSTED: 11:00 a.m.