

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 3, 2014. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Richard Elías, Vice Chair
Ramón Valadez, Acting Chair
Ally Miller, Member
Ray Carroll, Member

Also Present: Chuck Huckelberry, County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

1. Riparian Habitat Mitigation

Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee of \$21,700.00 for Komatsu America Corporation for a proving ground and truck shop on property located at 14591 South Mission Road, located within Xeroriparian Class C Habitat. (District 3)

It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve the item.

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:39 a.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 3, 2014. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Richard Elías, Vice Chair
Ramón Valadez, Acting Chair
Ally Miller, Member
Ray Carroll, Member

Also Present: Chuck Huckelberry, County Administrator
Chris Straub, Chief Civil Deputy County Attorney
Robin Brigode, Clerk of the Board
James Ogden, Sergeant at Arms

1. MOMENT OF SILENCE

Chair Bronson requested a Moment of Silence.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. PAUSE 4 PAWS

The Pima County Animal Care Center showcased an animal available for adoption.

PRESENTATION/PROCLAMATION

4. Presentation of a proclamation proclaiming the month of June, 2014 to be: "COMMUNITY DEVELOPMENT MONTH"

It was moved by Supervisor Elías, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to approve the item. Supervisor Carroll made the presentation to Daniel Tylutki, Program Manager and staff of Community Development and Neighborhood Conservation.

5. Presentation of a proclamation to Kenneth Drozd, Warning Coordination Meteorologist, National Weather Service, and Andrew D'Entremont, Project Coordinator, Pima County Office of Emergency Management, proclaiming the week of June 8 through June 13, 2014 to be: "MONSOON SAFETY AWARENESS WEEK"

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the item. Supervisor Miller made the presentation.

6. **CALL TO THE PUBLIC (for Executive Session items only)**

The Chair inquired whether anyone wished to address the Board. No one appeared.

7. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:26 a.m.

8. **RECONVENE**

The meeting reconvened at 10:21 a.m. All members were present.

EXECUTIVE SESSION

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Star Valley Specific Plan , Star Valley Master Block Plat, Star Valley individual block plats, development issues and transportation improvements related to Star Valley and Star Valley Village plats and related development issues and transportation improvements.

Chris Straub, Chief Civil Deputy County Attorney, stated the County Attorney's Office recommended that the Board direct staff to initiate the replatting process and return to the Board in July with a report and a recommendation on the replatting process and the construction of the Camino Verde Extension.

It was moved by Supervisor Elías, seconded by Supervisor Carroll and carried by a 4-1 vote, Supervisor Miller voted "Nay," to accept the recommendation.

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction in regard to a possible joint representation of Pima County Assessor Bill Staples and Pima County in Primavera Foundation, Inc. v. Bill Staples and Pima County, Pima County Superior Court Case No. C20142934.

Chris Straub, Chief Civil Deputy County Attorney, stated the case involved an appeal by the Primavera Foundation regarding its denial for property tax exemption for 2011, 2012, and 2013 for certain parcels. The complaint named as defendants both Bill Staples in his official capacity as Pima County Assessor and Pima County. The Pima County Attorney's Office sought the Board's consent to appear on behalf of and defend both the Pima County Assessor and Pima County in the lawsuit.

It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to grant consent to defend both parties.

BOARD OF SUPERVISORS

11. Pima County Public Library Learning Labs Project

Presentation by Jennifer Nichols, Learning Labs Project and Youth Services Manager, and the Youth Design Team on the Pima County Public Library Learning Labs Project. (District 4)

A presentation was provided regarding the Learning Labs Project. No Board action was taken on this item.

BOARD, COMMISSION AND/OR COMMITTEE

12. Pima County Fair Commission

RESOLUTION NO. 2014 - 56, of the Board of Supervisors, increasing the membership of the Pima County Fair Commission from five to seven members; providing for nomination of replacements for the five existing commission members by the Commission; providing for nomination of two new members and subsequent replacements by the County Administrator; providing that appointments of all members are subject to approval by the Board of Supervisors; amending Resolution No. 1974-124 as amended by Resolutions No. 1986-179 and 1991-90.

Chuck Huckelberry, County Administrator, stated the Resolution was created to add additional members to the Pima County Fair Commission and clarify the appointment process.

It was moved by Supervisor Carroll, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to adopt the Resolution and direct the County Administrator to present his appointments at the Board of Supervisors' Meeting of June 17, 2014.

COUNTY ADMINISTRATOR

13. Kinder Morgan Sierrita Pipeline

A. Mitigation Impacts

The Board of Supervisors on April 8 and May 6, 2014, continued the following:

RESOLUTION NO. 2014-42, of the Board of Supervisors, seeking full mitigation for damages and costs to Pima County that result from the construction and operation of the West Route Alternative for the Kinder Morgan Sierrita Pipeline to be sited through the Altar Valley, west of Buenos Aires Wildlife Refuge crossing the international border with Mexico

near Sasabe, Arizona.

B. Public Utility License

Sierrita Gas Pipeline, L.L.C., to provide a public utility license, no cost/15 year term (CTN-PW-14-176)

Chuck Huckelberry, County Administrator, stated staff had met with Kinder Morgan representatives and requested a continuance to prepare an adoptable agreement between Kinder Morgan, d.b.a. Sierrita Pipeline and Pima County.

Without objection, the item was continued to the Board of Supervisors' Meeting of June 17, 2014.

14. Revisions to Merit System Rules

Staff requests approval of the revisions to the following Merit System Rules:

- Merit System Rule 1 - Definitions
- Merit System Rule 4 - Selection: Recruitment, Announcements and Applications
- Merit System Rule 5 - Examinations
- Merit System Rule 6 - Application Files
- Merit System Rule 7 - Certification and Appointment
- Merit System Rule 8 - Promotion, Demotions, Reappointment, Open Range Reappointment, Reassignment and Detail
- Merit System Rule 11 – Terminations

Supervisor Elías expressed concern about the application process, only being able to apply online and the impact to our workforce.

Chuck Huckelberry, County Administrator recommended that Human Resources provide a presentation for the Board and their staff regarding the ADP process which was the reason for the revisions to the Merit Rules, and to continue the item to the Board of Supervisors' Meeting of June 17, 2014.

It was moved by Supervisor Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to continue the item to the Board of Supervisors' Meeting of June 17, 2014.

COMMUNICATIONS OFFICE

15. Trademark Application

Staff requests approval to submit a Trademark/Service Mark Application to the Arizona Secretary of State to register the "Dome" logo.

It was moved by Supervisor Elías, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to approve the item.

SHERIFF

16. Sale of Assets

Staff requests approval to dispose of a 1974 HT295 airplane, a 1985 H800 airplane, 2 airplane turbine engines, and helicopter parts. The sale of the equipment will be facilitated through Rod Robertson Enterprises (MA 13*559) with the proceeds to be used toward the purchase of a new aircraft.

It was moved by Supervisor Miller, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the item.

SCHOOL SUPERINTENDENT

17. Canvass

Pursuant to A.R.S. §15-426, the Board of Supervisors shall canvass the Sunnyside Unified School District No. 12 Special Recall Election conducted on May 20, 2014.

It was moved by Supervisor Valadez, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to canvass the Sunnyside Unified School District No. 12 Special Recall Election.

(Clerk's Note: See Exhibit attached to these minutes.)

FRANCHISE/LICENSE/PERMIT

18. Extension of Premises/Patio Permit

Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for July 3, 4, 11 and August 7, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

19. Agent Change/Acquisition of Control/Restructure

14-05-0051, Randy D. Nations, Blanco Restaurant, 2905 E. Skyline Drive, No. 246, Tucson, Acquisition of Control.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

20. **Agent Change/Acquisition of Control/Restructure**

14-06-0052, Randy D. Nations, Sauce Pizza & Wine, 7117 N. Oracle Road, Tucson, Acquisition of Control.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

21. **Agent Change/Acquisition of Control/Restructure**

14-07-0053, Randy D. Nations, North Italian, 2995 E. Skyline Drive, Tucson, Acquisition of Control.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

22. **Extension of Premises/Patio Permit**

Thomas Robert Aguilera, Corner's Ice House, 3750 S. Old Spanish Trail, Tucson, Temporary Extension of Premises for June 8, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

23. **Extension of Premises/Patio Permit**

Steven Alex Dunn, The Parish, 6453 N. Oracle Road, Tucson, Temporary Extension of Premises for June 15, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

24. **Extension of Premises/Patio Permit**

Myron Christopher Squires, 1055 Brew Works, L.L.C., 3810 E. 44th Street, Tucson, Temporary Extension of Premises for June 28, 2014.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

COUNTY ADMINISTRATOR

25. **Justice Court Cost Recovery Fees**

The Board of Supervisors on May 20, 2014, continued the following:

ORDINANCE NO. 2014 - 23, of the Board of Supervisors of Pima County, Arizona, amending Pima County Ordinance No. 1999-74, as previously amended by Ordinances 2000-45, 2007-40, 2008-69, 2008-116 and 2009-28, by establishing an administrative cost recovery fee for services provided to the public by the Pima County Consolidated Justice Court.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

PROCUREMENT

26. **Pima County Code Text Amendment**

ORDINANCE NO. 2014 - 25, of the Board of Supervisors of Pima County, relating to the procurement of goods and services; amending Section 11.20.010J(1) of the Pima County Code, Title 11 - Pima County Procurement Code.

The Chair inquired whether anyone wished to address the Board. No one appeared.

Supervisor Miller questioned the definition of “interested party” in the Code amendment.

Supervisor Elías stated the addition of the definition made the ability to appeal too broad.

It was moved by Supervisor Elías and seconded by Supervisor Miller, to close the public hearing and deny the Ordinance. No vote was taken at this time.

Supervisor Valadez stated the item was contrary to what the Board had previously discussed and the concerns which had been stated. He explained it could give unfair advantage to the process.

Upon the vote, the motion unanimously carried 5-0.

DEVELOPMENT SERVICES

27. Rezoning

Co9-13-10, NEP No. 1 L.L.C., ET AL - HOUGHTON ROAD REZONING
Request of NEP No. 1, et al., represented by STAR Consulting, for a rezoning of three parcels (approximately 1.12 acres) at 16393, 16405, and 16417 S. Houghton Road from the TR (Transitional) zone to the CB-1 (Local Business) zone for a retail store. The properties are a portion of Lot 32 of New Tucson Unit No. 4 subdivision (Book 17 and Page 50) located approximately one-third of a mile south of Sahuarita Road, on the east side of Houghton Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property CAC (Community Activity Center). On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Cook and Poulos voted, "Nay," Commissioners Membrila and Neeley were absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 4)

The developer withdrew the rezoning request. The Board took no action on this item.

28. Rezoning

Co9-14-01, J DE GRAZIA COMPANY L.L.C. - N BONANZA AVENUE REZONING
Request of J De Grazia Company, L.L.C., represented by MJM Consulting, for a rezoning of approximately 9.33 acres from SR (Suburban Ranch) to CR-1 (Single Family Residence), on property located on the east side of Bonanza Avenue approximately 600 feet south of Snyder Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. On motion, the Planning and Zoning Commission voted 10-0 to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Conditions:
 - A. The property shall be limited to one access point onto Bonanza Avenue as shown on the preliminary development plan.
 - B. The owner/developer shall file an application for abandonment of public right-of-way for Walnut Tree Street. Once abandoned, the land shall be incorporated into the rezoning site.
8. Regional Flood Control District Conditions:
 - A. A permitting note shall be added to the Final Plat and a covenant shall be recorded with the Conditions, Covenants and Restrictions for the subdivision indicating that Floodplains, Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat as delineated on the Final Plat shall not be disturbed.
 - B. First flush retention shall be required.
 - C. In order to achieve water conservation measures identified in the PIWMP, a note shall be added to the Final Plat indicating that development of each lot shall obtain certification under the Pima County Green Building program, and shall include at least one outdoor conservation measure.
9. Cultural Resources Condition:

In the event that cultural resources are revealed during ground-disturbing activities, all construction shall cease, and consultation shall be initiated with Arizona State Museum (ASM) to assess the potential significance of any unearthed materials (ARS §41-841). If human skeletal remains or funerary objects are discovered, ASM will be contacted immediately (ARS §41-865 & §41-844).
10. Adherence to the preliminary development plan as approved at public hearing.
11. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
12. Regional Wastewater Reclamation Conditions:
 - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available

at that time, the owner/developer shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

- C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
13. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
14. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
15. ~~Development plans or plats shall be within the densities of the comprehensive plan and applicable zoning ordinance.~~ Final lot configuration and internal subdivision design shall be responsive to the conditions identified in this approval and generally consistent with the rezoning exhibits.
16. Residential structures shall be no more than ~~4-story~~ 24 feet in height

Tom Coyle, Principal Planner, provided a staff report and stated drainage issues had been addressed in Condition No. 8-B, height limitations in Condition No. 16, and questions about transportation on Bonanza Road had been clarified through the process.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-14-01, subject to standard and special conditions.

29. Rezoning

Co9-14-02, JALM INVESTORS LP - N ORACLE ROAD REZONING Request of JALM Investors, LP represented by Jeff Stanley, for a rezoning of approximately 1.2 acres from the GR-1 (GZI) (Rural Residential) (Gateway Overlay Zone) to the CB-1 (GZI) (Local Business) (Gateway Overlay Zone) zone, on property addressed as 16355 and 16341 N. Oracle Road located on the west side of Oracle Road at the T-Intersection of Pinal Street and Oracle Road. The proposed rezoning conforms to the Multifunctional Corridor (MFC) designation of the Pima County Comprehensive Plan. On motion, the Planning and Zoning Commission voted 10-0 to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Conditions:
 - A. Written certification from the Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services prior to the approval of a development plan for this site.
 - B. The owner(s) shall provide offsite improvements if determined necessary by the Arizona Department of Transportation.
 - C. Shared access with the property to the south shall be provided as shown on the preliminary development plan.
 - D. The rezoning site is limited to one shared access point with the property to the north onto Oracle Road.
8. Regional Flood Control District Condition: Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
9. Cultural Resources Condition: In the event that cultural resources are revealed during ground-disturbing activities, all construction shall cease, and consultation shall be initiated with Arizona State Museum (ASM) to assess the potential significance of any unearthed materials (ARS §41-841). If human skeletal remains or funerary objects are discovered, ASM will be contacted immediately (ARS §41-865 & §41-844).
10. Adherence to the preliminary development plan as approved at public hearing.
11. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County

may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

12. Regional Wastewater Reclamation Conditions:
 - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
13. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
14. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Chris Poirer, Assistant Planning Director, reported that staff had received no written comment nor protest, the project was located outside of the Conservation Land System, and the proposal met concurrency consideration.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-14-02, subject to standard and special conditions.

30. **Traffic Ordinance**

ORDINANCE NO. 2014 - 26, of the Board of Supervisors, regulating traffic at the intersection of Los Reales Road and Swan Road in Pima County, Arizona. Staff recommends APPROVAL. (District 2)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

31. **Traffic Ordinance**

ORDINANCE NO. 2014 - 27, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Trails End Road in Pima County, Arizona. Staff recommends APPROVAL. (District 5)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

PRESENTATION/PROCLAMATION

32. Presentation of a proclamation to Maria Marin, proclaiming the day of Tuesday, June 3, 2014 to be: "MARIA MARIN DAY"

It was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the item. Supervisor Elías made the presentation.

COUNTY ADMINISTRATOR

33. **Tucson 44th Annual Juneteenth Festival**

Staff requests an allocation from the Board of Supervisors' Contingency Fund in the amount of \$6,000.00 for the Tucson 44th Annual Juneteenth Festival.

Supervisor Miller stated this expenditure would make the Contingency Fund \$15,500.00 over budget and therefore could not support the item.

It was moved by Supervisor Elías, seconded by Supervisor Valadez and carried by a 4-1 vote, Supervisor Miller voted “Nay,” to approve the item.

PROCUREMENT

34. Sundt Construction, Inc., Amendment No. 19, to provide construction manager at risk services for the Downtown Court Complex, extend contract term to 11/29/15 and amend scope of work, Certificates of Participation, contract amount \$3,071,301.00 (CT-FM-11042215-P) Facilities Management

Supervisor Miller questioned the amendment regarding asbestos piping removal and the use of Certificates of Participation for tenant improvements.

It was moved by Supervisor Elías and seconded by Supervisor Valadez to approve this item. Upon roll call, the motion carried by a 3-2 vote, Supervisors Carroll and Miller voted “Nay.”

GRANT APPLICATION/ACCEPTANCE

35. **Acceptance - Natural Resources, Parks and Recreation**
Arizona Game and Fish Department, to provide Teacher Development Workshops, \$6,000.00

It was moved by Supervisor Elías and seconded by Supervisor Valadez to approve this item. Upon roll call, the motion carried by a 3-2 vote, Supervisors Carroll and Miller voted “Nay.”

BOARD, COMMISSION AND/OR COMMITTEE

36. **Public Art and Community Design**

Appointment of Ann Keuper to replace Dorothee Harmon. No term expiration. (District 2)

It was moved by Supervisor Elías and seconded by Supervisor Valadez to approve this item. Upon roll call, the motion carried by a 3-2 vote, Supervisors Carroll and Miller voted “Nay.”

CONSENT CALENDAR

37. **Call to the Public (for Consent Calendar items only)**

Christopher Cole spoke regarding the use of the Pima County Contingency Fund.

Approval of the Consent Calendar

PULLED FOR SEPARATE ACTION

1. City of South Tucson, to provide youth programs at John A. Valenzuela Youth Center, General Fund, contract amount \$113,000.00 (CT-CS-14-353)

Without objection, this item was removed from the agenda.

* * *

It was moved by Supervisor Carroll, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the remainder of the Consent Calendar.

* * *

CONTRACT AND AWARD

Community Services, Employment and Training

1. City of South Tucson, (PULLED FOR SEPARATE ACTION)
2. Goodwill Industries of Southern Arizona, Inc., to provide for the One Stop Staff Program, U.S. DOL, ADES WIA Grant Funds (90%) and other workforce funds (10%), contract amount \$66,371.00 (CT-CS-14-438)

Facilities Management

3. Tucson Electric Power, to provide a Generating Facility Distribution System Interconnection Agreement at the Adult Detention Facility, no cost/20 year term (CTN-FM-14-166)

Information Technology

4. U.S. Department of Homeland Security, Customs and Border Protection, Amendment No. 1, to provide entry upon, and to construct, install, operate, and maintain equipment on County property, and extend contract term to 8/4/18, no cost (CTN-IT-12-371)
5. Sahuarita Police Department, to provide PCWIN subscriber repair and maintenance of equipment, contract amount \$10,368.00 revenue (CTN-IT-14-179)

Office of Medical Services

6. Arizona Superior Court, Amendment No. 3, to provide administration of contracted medical and mental health services at the Juvenile Detention Center, extend contract term to 6/30/15 and amend contractual language, contract amount \$100,000.00 estimated revenue (CTN-OMS-14-173)

Procurement

7. **Sale of Surplus Personal Property**
Approval to participate in Department of Defense Logistic Agency (DOD DLA) Solicitation Request for Offers to purchase Renewable Energy Certificates ("REC", solar electric kilowatt-hour); offer to sell 5-years (2014-2018) of RECs to be generated by Pima County's newest solar facilities at PECOC & Fleet Services to be commissioned not later than October 1, 2014 at \$0.01 per REC. Funding Source: Not Applicable. Administering Department(s): Facilities Management Energy Office and Finance Revenue Management Division.
8. **Award**
Sole Source: Award of Contract, Requisition No. 14-296, Southern Arizona Children's Advocacy Center (Headquarters: Tucson, AZ), for forensic medical examination and evidence collection for children of physical and/or sexual abuse in the annual amount of \$255,000.00. The award of contract is for a one year term and includes four annual one year renewal periods. The Procurement Director is authorized to execute term extensions and funding increases provided they do not exceed the annual funding amount of \$255,000.00 contemplated and authorized by this award. Funding Source: General Fund. Administering Department: Office of Medical Services.
9. **Award**
Amendment of Award: Requisition No. 14-131, Master Agreement 14-190, version No. 6, Hangar One Avionics (Headquarters: Carlsbad, CA), for Cessna 206 completion services. Increase contract amount by \$378,887.59 and extend contract through 1/12/2016. Funding Source: RICO and Operation Stonegarden Grant Funds. Administering Department: Sheriff.

10. **Award**

Low Bid: Award of Contracts, Requisition No. 14-253 for ammunition in the total annual amount of \$799,829.00. Contracts are for a one-year term and include four one-year renewal periods. 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: General Fund. Administering Department: Sheriff.

Contractor/HQ Location/Annual Amount

San Diego Police Equipment Co., Inc./San Diego, CA/\$730,829.00

ProForce Marketing, Inc. d.b.a. ProForce Law Enforcement/Prescott, AZ/\$59,000.00

International Cartridge Corporation /Punxsutawney, PA/\$10,000.00

11. **Award**

Sole Source: Award of Contract, Requisition No. 14-315, Sorenson Forensics, L.L.C. (Headquarters: Salt Lake City, UT), for DNA laboratory testing services in the annual amount of \$50,000.00. The award of contract is for a one year term and includes four annual one year renewal periods. The Procurement Director is authorized to execute term extensions and funding increases provided they do not exceed the annual funding amount of \$50,000.00 contemplated and authorized by this award. Funding Source: General Fund. Administering Department: Sheriff.

Real Property

12. Clerk's Note: The Board of Supervisors approved this acquisition at their meeting of May 13, 2014.

COPE Properties, L.L.C., to provide for the purchase of property at 1493 W. Commerce Court, Tax Parcel No. 138-24-4060, 2004 Bond Fund, contract amount not to exceed \$1,108,060.00 including closing costs (CT-PW-14-449)

Recorder

13. Town of Oro Valley, to provide election services, contract amount \$12,000.00 revenue (CTN-RE-14-180)

Regional Wastewater Reclamation

14. Hoffman Southwest Corporation d.b.a. Professional Pipe Services, Amendment No. 5, to provide for collections system closed circuit television inspection services and extend contract term to 4/30/15, RWRD Enterprise Fund, contract amount \$1,670,000.00
(CT-WW-10043789-NP)

Transportation

15. Town of Marana and Town of Oro Valley, Amendment No. 1, to provide for the design and construction of improvements to the Tangerine Road-Dove Mountain Boulevard/Twin Peaks Road to La Canada Drive Project and amend contractual language, no cost (CT-TR-14-16)

GRANT APPLICATION/ACCEPTANCE

16. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 3, to provide for the Health Start Program, extend contract term to 9/30/15 and amend contractual language, \$217,335.00
17. **Acceptance - County Attorney**
Arizona Automobile Theft Authority, Amendment No. 1, extend contract term to 9/1/14
18. **Acceptance - Sheriff**
Arizona Department of Homeland Security, Amendment No. 1, to provide for law enforcement equipment, U.S. Department of Homeland Security Fund, \$41,521.61 decrease

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

19. John A. Gourley, Arivaca Action Center, Inc., 28851 S. Nogales Highway, Amado, May 31, 2014.
20. William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, June 1, 2014.
21. Ryan Christopher Inama, The Hermitage No-Kill Cat Shelter, St. Philips Plaza, 4280 N. Campbell Avenue, Tucson, September 6, 2014.

ELECTIONS

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

RESIGNATIONS-PRECINCT-PARTY Joshua Bettigole-148-DEM
Russell Betz-129-REP Mary Apodaca-218-REP

APPOINTMENTS-PRECINCT-PARTY Emily Verdugo-035-DEM
Tamar Rala Kreiswirth-056-DEM Jacqueline Day-185-DEM

FINANCE AND RISK MANAGEMENT

23. **Duplicate Warrants - For Ratification**

Heating & Cooling Supply, L.L.C. \$10,208.96; ServiGas \$480.00; Organomation Associates, Inc. \$836.00; Delfina Landersos \$85.40; Darling Environmental & Surveying, Ltd. \$23,782.50; Suzanne M. Laursen \$8,375.00; Ramon Matthew Melendez \$217.91; Susan Peters \$260.77; Staples \$456.88; Staples \$ 511.78; Staples \$270.92; Tucson Airport Authority \$37,941.70; Cheryl L. Zauner \$180.45; Copygraphix, Inc. \$7,062.12; Linda Almasy Kempf \$62.70; Design Modulars, Inc. \$1,527.84; Michael P. Orozco \$350.00; Lori Marston \$150.00; Andrea Verdin \$17.80; Raise The Bar, L.L.C. \$12,000.00.

SUPERIOR COURT

24. **Judge Pro Tempore Appointments**

Appointments of Judges Pro Tempore of the Superior Court for the period of July 1, 2014 through June 30, 2015:

Appointment of Judges Pro Tempore (Voluntary)

Aaron, Michael; Aboud, John; Aboud, Michael; Afek, Dina; Akmajian, Peter; Altfeld, Clifford; Assini, John; Baade, John; Bacal, Susan; Baldwin, Howard; Barker, J.; Belleau, Laura; Benavidez, Elizabeth; Bibbens, Lisa; Boekel, Mark; Bolt, John; Boreale, Michael; Bostwick, Janet; Brei, Suzanne; Brew, Lindsay; Broom, Patrick; Burke, Bruce; Cahan, Eric; Centuori, Steven; Clausen, Darren; Cohen, Gary; Cohen, Melvin; Collins, Jr., Peter; Conn, Deanna; Contreras, Roger; Cope, Thom; Copperstone, Cheryl; Corsaro, Kimberly; Cramer, Amelia; Cunningham, Marjorie; Daniels, III, Earl; Dardis, Frederic; Dolny, Carmen; Economidis, Peter; Egbert, James; Elsberry, Anne; Erickson, George; Errico, Melissa; Everlove, Annette; Felix, Maria; Goldman, Peter; Goncharsky, Abbe; Haralambie, Ann; Henry, Richard; Heurlin, Bruce; Jackson, Gary; Jackson, Terrence; Jacobs, Jane; Jencsok, Yancy; Jezairian, Sarah; Johnson, Michael; Jurkowitz, Daniel; Karl, Karen; Karp, Leonard; Kastner, Jr., John; Kaufmann, John; Kimminau, Brian; Krone, Russell; Kulseth, Reagen; Leshner, Stephen; Lewis, Robert; Liberty, Pamela; Lieberthal, David; Lynch, Frances; Maltz, Gerald; Manzi, Jennifer; Masunas, Analisa; Maxwell, Margaret; McCarthy, Kathleen; McNorton,

Lisa; Million, Wendy; Mizelle, Carroll; Morrow, James; Nygaard, Karen; O'Neill, Nancy; Owen, Jill; Piccarreta, Carl; Pollins, Karen; Riojas, Jr., Antonio; Rolfe, Annie; Rothschild, Lowell; Ryan, Patrice; Sakrison, James; Samet, Dee-Dee; Schauf, Susan; Schmidt, Ted; Segal, Anne; Sethi, Dev; Simon, Paul; Singer, Keith; Slutes, Tom; Smith, John; Sommer, Ronald; Stowers, Russell; Strum, Edina; Tedlock, Sandra; Thompson, Evan; Traynor, W.; Treadwell-Rubin, Pamela; Tsakanikas, Lenore; Tully, John; Warner, Nanette; Weber, Walter; Weinstein, Steven; Wezelman, Janice; Whitehill, James; Willman, Paul; Woolridge, Angela; Wright, Sarah; Wyland, Dawn; Zack, Ronald; Zirkle, Raymond

Appointment of Court Commissioners to serve as Judge Pro Tempore

Abrams, Lisa; Butler, Jane; Christoffel, Dean; Connors, Julia; Cuneo, Suzanna; Douglas, Sharon; Ferlan, Geoffrey; Green, Patricia; Hochuli, Peter; Kettlewell, Susan; Langford, Jennifer; Ostapuk, David; Pennington, Alyce; Pratte, Deborah; San Angelo, Laurie; Sanders, Thomas (Ken); Wagener, Joan; Yehling, Wayne

Appointment of Judges Pro Tempore

Fell, Howard; Godoy, Teresa; Jones, Lori B.; McGinley, Casey; Roads, Lee Ann

RATIFY AND/OR APPROVE

25. Warrants: May, 2014

* * *

38. CALL TO THE PUBLIC

Roman Feher spoke in support of the Sierrita Pipeline.

Keith Van Heynigen talked about Pima County's debt, the Pima County Sheriff, illegal immigrants, taxation, and ammunition for the Pima County Sheriff's department.

Mary Murphy spoke about the Green Valley Council and public safety issues.

Albert Lannon of the Avra Valley Coalition, spoke about the Sonoran Corridor Highway, also called I-11.

Richard Hernandez addressed the Board concerning the Sunnyside Recall Election.

Raymond Montoya spoke in support of the Sierrita Pipeline and the skilled workforce that would be at the site.

Robert Chapman gave his support for the Sierrita Pipeline and the quality of the contractors involved.

39. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:39 a.m.

CHAIR

ATTEST:

CLERK



PIMA COUNTY
OFFICIAL
CANVASS

SUNNYSIDE U.S.D. # 12
RECALL ELECTION
MAY 20, 2014

PIMA COUNTY ELECTIONS DEPARTMENT
6550 S. COUNTRY CLUB ROAD
TUCSON, AZ 85756
TEL. 520-724-6830

**ELECTION
SUMMARY**

Election Summary Report
 140520pimaspecial
 Summary For SUNNYSIDE U.S.D. # 12, All Counters, All Races

Date:05/22/14
 Time:12:18:32
 Page:1 of 1

Registered Voters 26646 - Cards Cast 4351 16.33%

Num. Report Precinct 17 - Num. Reporting 17 100.00%

GOVERNING BOARD MEMBER		
(Vote for 1)	All Mail	
Number of Precincts	17	
Precincts Reporting	17	100.0 %
Vote For	1	
Times Counted	4351/26646	16.3 %
Total Votes	4301	
Times Blank Voted	37	
Times Over Voted	13	
Number Of Under Votes	0	
GARCIA, BOBBY	938	21.81%
POLAK, MIKE	808	18.79%
QUINTERO, REBECCA	2548	59.24%
Write-in Votes	7	0.16%

GOVERNING BOARD MEMBER		
(Vote for 1)	All Mail	
Number of Precincts	17	
Precincts Reporting	17	100.0 %
Vote For	1	
Times Counted	4351/26646	16.3 %
Total Votes	4145	
Times Blank Voted	204	
Times Over Voted	2	
Number Of Under Votes	0	
GIFFIN, ERIC W	3108	74.98%
GONZALES, LOUIE	1029	24.83%
Write-in Votes	8	0.19%

