

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED
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SUPERVISORS**

**Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
September 3, 2013 9:00 a.m.**

1. ROLL CALL

2. INVOCATION

To be offered by Pastor LaBryant Friend, Mt. Calvary Missionary Baptist Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

PRESENTATION/PROCLAMATION

- 5.** Presentation of a proclamation to Philip Grant, Pima County Public Fiduciary, proclaiming the day of Tuesday, September 10, 2013 to be: "ARIZONA PUBLIC FIDUCIARIES DAY"

approve

- 6.** Presentation of the Small Business Awards for 2013: the Urban Award to Casa de los Niños Thrift Store and the Rural Award to the Second Generation, Inc., d.b.a. Ajo Transportation.

approve

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

7. (Clerk's Note: The Board of Supervisors approved this contract on August 19, 2013. Execution of the contract was also required by the Flood Control District Board.)
Contract Ratification
Community Healthcare Benefit Foundation of Pima County, Amendment No. 1, to provide for the Julian Wash Projects and amend contractual language, no cost (CTN-PW-13-365)

approve

8. **Contract**
Pascua Yaqui Tribe, Pima County and **Pima County Flood Control District**, Amendment No. 1, to provide for the construction of the Pascua Yaqui reservation local drainage improvements and extend contract term to 6/30/16, no cost (CT-FC-12-1179)

approve

9. **Contract**
Schlesinger Consulting Engineering, P.L.L.C., Amendment No. 2, to provide design engineering services for the Canada Del Oro Wash Pathway: La Cholla to La Canada, extend contract term to 9/30/15 and amend contractual language, Flood Control District Tax Levy Fund, contract amount \$232,424.15 (CT-FC-13-278)

approve

LIBRARY DISTRICT BOARD

10. **Relocation Assistance Rules and Regulations**
RESOLUTION NO. 2013 - **LD2**, of the Board of Directors of the Pima County Library District approving and authorizing the adoption by reference of the Relocation Assistance Rules and Regulations contained in the Uniform Relocation Assistance and Real Property Acquisition Act found at 49 C.F.R. Part 24 as required by A.R.S. §11-968.

approve

STADIUM DISTRICT BOARD

11. **Relocation Assistance Rules and Regulations**
RESOLUTION NO. 2013 - **SD2**, of the Board of Directors of the Pima County Stadium District approving and authorizing the adoption by reference of the Relocation Assistance Rules and Regulations contained in the Uniform Relocation Assistance and Real Property Acquisition Act found at 49 C.F.R. Part 24 as required by A.R.S. §11-968.

approve

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

BOARD OF SUPERVISORS

14. **Arizona Blind and Deaf Children's Foundation**
Allocation of \$5,000.00 from the Contingency Fund to the Arizona Blind and Deaf Children's Foundation for sponsorship of its Sights & Sounds Program on November 21, 2013. (District 5)

approve

15. **Southern Arizona AIDS Foundation**
Allocation of \$1,500.00 from the Contingency Fund to the Southern Arizona AIDS Foundation for sponsorship of National Latino AIDS Awareness Day. (District 5)

approve

INDUSTRIAL DEVELOPMENT AUTHORITY

16. **Leading Edge Academy Maricopa Charter School Project**
RESOLUTION NO. 2013 - **78**, 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 \$5,000,000.00 Education Facility Revenue Bonds (Leading Edge Academy Maricopa Charter School Project), Series 2013 and declaring an emergency.

approve

17. **LEAD Charter Schools Project**
RESOLUTION NO. 2013 - 79, 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 \$11,000,000.00 Education Facility Revenue Bonds (LEAD Charter Schools Project), Series 2013 and declaring an emergency.

approve

18. **Edkey Charter Schools Project**
RESOLUTION NO. 2013 - 80, 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 Education Facility Revenue Bonds (Edkey Charter Schools Project), Series 2013A, in one or more series in an aggregate principal amount not to exceed \$35,000,000.00 and declaring an emergency.

approve

COUNTY ATTORNEY

19. UNFINISHED BUSINESS (8/19/13)
Contract
Brekan-Nava Group, Amendment No. 2, to provide for expert consultation services regarding the Pima County et al., v. Raytheon Company, TX2010-000308 and TX001041, General Fund, contract amount \$50,000.00 (CT-AS-12-1523)

Meeting date: 9/17/2013

continue

DEVELOPMENT SERVICES

20. **Final Plat With Assurances**
P1213-012, Riverview Commons II, Lots 46, 47, 57, 58, 63, 64, 65, 66, 77, 78, 83, 84, 85 and 86. (District 1)

approve

*** HEARINGS ***

BOARD OF SUPERVISORS

21. UNFINISHED BUSINESS (8/6/13)
Appeal of Review Officer's Decision
Pursuant to Board of Supervisor's Policy D 22.10, Luis Mena appeals the decision of the Review Officer regarding the classification of Tax Parcel No. 116-16-069A to Legal Class 4.1 for Tax Year 2013.
Meeting date: 10/1/2013

continue

FRANCHISE/LICENSE/PERMIT

22. **Fireworks Permit**
Stephanie Paynter, Loews Ventana Canyon, 7000 N. Resort Drive, Tucson, October 14, 2013 at 9:00 p.m.

approve
23. **Extension of Premises/Patio Permit**
Myron Christopher Squires, 1055 Brew Works, L.L.C., 3810 E. 44th Street, No. 315, Tucson, Temporary Extension of Premises for September 7, 14, 21 and 28, 2013.

approve

PROCUREMENT

24. UNFINISHED BUSINESS (8/6/13)
Appeal of the Procurement Director's Decision
Pursuant to Pima County Code Section 11.20.010(J), Oracle Control Systems, Inc. and Vic's HVAC Repair, L.L.C. appeal the decision of the Procurement Director regarding Solicitation No. 95799 - HVAC Services for Residential Homes.
uphold decision

DEVELOPMENT SERVICES

25. **Rezoning Time Extension**
Co9-06-38, AMADO CROSSROADS, L.L.C. - ARIVACA ROAD REZONING
Request of Amado Crossroads, L.L.C., represented by Powell Development Services, L.L.C., for a five year time extension for the above referenced rezoning from RH (Rural Homestead) to CB-2 (General Business). The subject site was rezoned in 2008. The rezoning expired on April 8, 2013. The site is approximately 10 acres located on the northeast corner of Arivaca Road and Nogales Highway, approximately 500 feet east of Interstate 19. Staff recommends **APPROVAL OF A FIVE YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 4 4)
approve
26. **Waiver of Rezoning Conditions (Non-Substantial Change)**
Co9-56-91, MURPHEY and OTHERS REZONING
Request of David Zapf and Karen Phillips for a waiver (non-substantial change) of the rezoning condition which prohibits use of parcels containing less area than the minimum lot size (144,000 square feet or approximately 3.31 acres) for the SR (Suburban Ranch) zone until an approved subdivision plat is recorded. The subject site is approximately 2.13 acres rezoned from SR to CR-1 (Single Residence) in 1958. The request is to split the subject parcel into two lots containing approximately 1 acre and 1.13 acres. The subject parcel is located approximately one quarter mile south of Sunrise Road and one quarter mile west of Craycroft Road. Staff recommends **APPROVAL WITH CONDITIONS.** (District 1)

approve
27. **Zoning Code Text Amendment**
Co8-13-02, BARRIER REDUCTIONS FOR GREEN BUILDING
An ordinance of the Pima County Board of Supervisors relating to zoning; amending the Pima County Zoning Code Title 18 by amending Chapter 18.01 (General Provisions), Section 18.01.030 (application of Zoning Code) to allow exceptions for green building structural alterations for nonconforming buildings and buildings housing nonconforming uses; amending Chapter 18.03 (General Definitions), Section 18.03.020 (Definitions) to add definitions for “cistern”, “green building”, “rain barrel”, “rainwater harvesting system”, and “vegetated roof” and to add underground cisterns and certain clothes lines to exclusions to the definition of “structure” to exclude them from zoning regulation; amending Chapter 18.07 (General Regulations and Exceptions), Section 18.07.030 (Land Use Regulations) to add rainwater harvesting system as a permitted use in all zones subject to requirements and exceptions, and Section 18.07.050 (Development Standards Exceptions) to modify and add to development standards

exceptions for projections into yards and for height limits; and amending Chapter 18.73 (Landscaping, Buffering and Screening Standards), Section 18.73.050 (Amenity Landscaping Requirements) to add vegetated roofs as an amenity landscape requirement option. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Mangold and Johns absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt: ORDINANCE NO. 2013 - 42

approve

28.

Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS, (LOT 6)
Request of Phillip Ferranti, represented by The WLB Group, for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lot 6 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is approximately .82 acres zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and is located on the south side of Sabino Estates Drive, approximately 700 feet east of Bowes Road and approximately one quarter of a mile south of the Coronado National Forest. Staff recommends **APPROVAL WITH A CONDITION**. (District 1)

approve

TRANSPORTATION

29.

Traffic Resolution

RESOLUTION NO. 2013 - 81, of the Board of Supervisors, permitting the temporary closure of Ajo Well No. 1 Road, Fundicion Street, La Mina Avenue, Lomita Avenue and Plaza Street in Ajo, Pima County, Arizona, for an annual parade on Friday, September 20, 2013. Staff recommends **APPROVAL**. (District 3)

approve

30.

CALL TO THE PUBLIC

31.

ADJOURNMENT

ADDENDUM 1

PRESENTATION/PROCLAMATION

1. Presentation of a proclamation to recognize and honor the following Airmen who have been awarded the Purple Heart:
Airman 1st Class Michael L. Kristopik II
Airman 1st Class Garron M. Reeves Jr.
Airman 1st Class Tyler Angelo

approve

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

STADIUM DISTRICT BOARD

2. **Contract**
Mountain Star Sports Group, L.L.C.-El Paso Baseball Club Series (as assignee to North County Baseball, L.L.C.), Amendment No. 2, to provide a Sports Facilities Use Agreement and Conditional Notice of Option to Renew and Extend, extend contract term to 10/31/14 and amend contractual language, contract amount \$70,000.00 revenue (CTN-KSC-13-302)

approve

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

COUNTY ADMINISTRATOR

3. **Workplace Ethics, Conduct and Compliance Policy**
Staff recommends approval of the Board of Supervisors Policy No. C2.1, Workplace Ethics, Conduct and Compliance Policy.

approve

4. **Borderlands Theater**
Staff requests an allocation from the Board of Supervisors' Contingency Fund to Borderlands Theater in the amount of \$10,000.00.

approve

CONTRACT AND AWARD

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

5. Tucson Urban League, Inc., Amendment No. 4, to provide workforce development services, extend contract term to 9/30/13 and amend contractual language, U.S. DOL, AZ DES and other Workforce Funds, contract amount \$12,706.50 (CT-CS-12-1630)

approve

NATURAL RESOURCES, PARKS AND RECREATION

6. Arizona Superior Court - Juvenile Court Center, to provide juvenile work crew services, General Fund, contract amount \$20,000.00 (CT-PR-14-10)

approve

BOARD, COMMISSION AND/OR COMMITTEE

7. **Pima County Animal Care Advisory Committee**
Presentation of the Fiscal Year 2012-2013 Report of the Pima County Animal Care Advisory Committee.

no Board action taken

8. **Workforce Investment Board**
- Staff requests the following changes in membership category: from Business to Other, currently filled by member Duane Bock and from Business to Other, for current vacancy.
 - Appointment of Steven Banzhaf, Other category, to fill vacancy created by Laurie Vance. Term expiration: 9/30/15. (Staff recommendation)

approve

ADDENDUM 2

CLERK'S NOTE:

AT THE BOARD OF SUPERVISORS' MEETING OF TUESDAY, SEPTEMBER 3, 2013, MEMBERS OF THE PIMA COUNTY BOARD OF SUPERVISORS WILL ATTEND EITHER IN PERSON OR BY TELEPHONE, VIDEO OR INTERNET CONFERENCING.

CONSENT CALENDAR, SEPTEMBER 3, 2013

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

Approval of the Consent Calendar

see items below

CONTRACT AND AWARD

Community Development and Neighborhood Conservation

1. Town of Marana, Amendment No. 1, to provide for the management and implementation of the Community Development Block Grant Program and extend contract term to 12/31/13, no cost (CT-CD-12-1708)
approve on the Consent Calendar

Health

2. Arizona Department of Health Services, Amendment No. 4, to provide for the Tobacco Chronic Disease Prevention Program and amend contractual language, State Grant Fund, contract amount \$1,117,000.00 revenue (CTN-HD-CMS142205)
approve on the Consent Calendar
3. Arizona Department of Health Services, Amendment No. 1, to provide for the Well Woman Healthcheck Program and extend contract term to 12/31/13, State Grant Fund, contract amount \$441,750.00 revenue (CTN-HD-13-89)
approve on the Consent Calendar

Information Technology

4. Alltel Communications Southwest Holdings, Inc., d.b.a. Verizon Wireless, Amendment No. 9, to provide a non-exclusive right-of-way use license and amend contractual language, no cost (CTN-IT-CMS140044)
approve on the Consent Calendar
5. Alltel Communications Southwest Holdings, Inc., d.b.a. Verizon Wireless, Amendment No. 10, to provide a non-exclusive right-of-way use license and amend contractual language, no cost (CTN-IT-CMS140044)
approve on the Consent Calendar

Procurement

6. **Award**
Low Bid: Award of Contract, Solicitation No. 99892, in the amount of \$24,174.30 to the lowest responsive bidder, G.U.Y. Construction, L.L.C. (Headquarters: Avondale, AZ), for the construction of the Sahuarita Area Pedestrian Countdown Heads Installation Project. The contract term is twelve months with the ability to extend the term for contract completion. Construction is to be complete within 120 working days from Notice to Proceed. Funding Source: Federal Highway Safety Improvement Program. Administering Department: Transportation.
approve on the Consent Calendar
7. **Award**
Low Bid: Award of Contract, Solicitation No. 102741, in the amount of \$889,000.00 to the lowest responsive bidder, Granite Construction Company (Headquarters: Watsonville, CA), for the construction of the Arizona Forest Highway No. 39 (Catalina Highway): Mt. Lemmon Drainage Pipe Lining Project. The contract term is twelve months with the ability to extend the term for contract completion. Construction is to be complete within 126 working days from Notice to Proceed. Funding Source: Public Land Highway Discretionary Fund. Administering Department: Transportation.
approve on the Consent Calendar

Public Works Administration

8. Pascua Yaqui Tribe, **Pima County** and Pima County Flood Control District, Amendment No. 1, to provide for the construction of the Pascua Yaqui reservation local drainage improvements and extend contract term to 6/30/16, no cost (CT-FC-12-1179)
approve on the Consent Calendar

Real Property

9. Vail Water Company, to provide a public utility license agreement for use of all County public right-of-way, no cost/15 year term (CTN-PW-14-30)
approve on the Consent Calendar
10. Business Development, L.L.C., to provide a Sales Agreement, Affidavit of Disclosure and Warranty Deed for the sale of property located in Section 21, T13S, R14E of the G&SRM, contract amount \$155,000.00 revenue (CTN-PW-14-32)
approve on the Consent Calendar

11. Primavera Foundation, to provide a lease agreement for 400 E. 26th Street, contract amount \$250.00/25 year term revenue (CTN-PW-14-33)

remove from the agenda

12. Arizona State Land Department, to provide a right-of-way lease agreement for ingress/egress to an existing monitor well located in Section 36, T14S, R11E, RWRD Operations Fund, contract amount \$1,700.00/10 year term (CT-PW-14-61)
approve on the Consent Calendar

BOARD, COMMISSION AND/OR COMMITTEE

13. **Workforce Investment Board**
Appointment of Deborah Embry to fill the vacancy created by Jonathan Peck. Term expiration: 9/30/15. (Board recommendation)
approve on the Consent Calendar
14. **Tucson-Pima County Bicycle Advisory Committee**
Reappointment of David Bachman-Williams. Term expiration: 8/31/15. (Committee recommendation)
approve on the Consent Calendar
15. **Pima County Animal Care Advisory Committee**
Appointments of Angela Spencer, representing the Tucson Police Department, to fill the vacancy created by Lt. Gregory Mammana and Tamara Barrick, representing the Foundation for Animals in Risk, to fill the vacancy created by Jennifer Becker. Term expirations: 6/30/17. (Committee recommendations)
approve on the Consent Calendar
16. **Pima County Bond Advisory Committee**
- Ratification of City of South Tucson appointment: Paul Diaz to replace Brian Flagg. Term expiration: 9/2/19. (Jurisdictional recommendation)
 - Appointment of Brian Flagg to fill the unexpired term of Jesus Gomez. Term expiration: 4/30/16. (District 5)
- approve on the Consent Calendar
17. **Flood Control District Advisory Committee**
Ratification of the Town of Oro Valley Appointment: David Parker to replace Paul R. Jungen. No term expiration. (Jurisdictional recommendation)
approve on the Consent Calendar
18. **Technical Review Committee**
Correction to Term Expiration: Don Laidlaw, Term Expiration: 4/7/15.
approve on the Consent Calendar

19. **State Board of Equalization**
Appointment of Joseph F. Koch to fill the vacancy created by Richard W. Lyons. Term expiration: 12/31/16. (District 5)
approve on the Consent Calendar

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

20. Jose M. Alday, Our Lady of Fatima Parish, 1950 W. Irvington Place, Tucson, October 19 and 20, 2013.
approve on the Consent Calendar
21. John Lambert Ponzo, Green Valley Elks Lodge BPOE No. 2592, 2951 S. Camino Mercado, Green Valley, October 6, 2013.
approve on the Consent Calendar
22. MeMe Aguila, Gabriel's Angels, 4210 N. Saranac Drive, Tucson, September 27, 2013.
approve on the Consent Calendar
23. Patrick Stephen West, St. Rita In The Desert Catholic Church, 13260 E. Colossal Cave Road, Vail, September 13 and 14, 2013.
approve on the Consent Calendar
24. Shelby L. MacDonald, Junior League of Tucson, Inc., St. Philip's Plaza, 4280 N. Campbell Avenue, Suite 212, Tucson, September 13, 2013.
approve on the Consent Calendar
25. Kate M. Hiller, Child and Family Resources, Windmill Inns and Suites, 4250 N. Campbell Avenue, Tucson, November 2, 2013.
approve on the Consent Calendar
26. Tim J. Bentley, Mobile Meals of Tucson, St. Philip's Plaza, 4280 N. Campbell Avenue, Tucson, October 27, 2013.
approve on the Consent Calendar

ELECTIONS

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

Appointments-Precinct-Party

Marlene E. Brown-069-REP, Allyson J. Miller-079-REP, Abraham Hamadeh-158-REP, Roxanne L. Ziegler-242-REP, Linda K. Kelly-261-REP

approve

FINANCE AND RISK MANAGEMENT

28. **Duplicate Warrants - For Ratification**
Michele Eileen Robbins \$176.00; 4010 E. 29th Street Corp. \$197.64;
William James Howard \$116.10; Waste Management, Inc. \$11,595.26;
CCH Small Firm Services \$1,431.34; TEK Systems \$12,492.00
approve on the Consent Calendar

RECORDER

29. **Ratification**
Pursuant to Resolution No. 1993-200, ratification of the Document
Storage and Retrieval Fund for the month of June 2013.
approve on the Consent Calendar

TREASURER

30. **Certificate of Removal and Abatement**
Pursuant to A.R.S. §42-18353, staff requests approval of the
Certificates of Removal and Abatement for the following:
- | | | |
|-------------------|--------------------------------|---------------------|
| Real Property | Abatement Nos. 400263 - 400266 | \$ 1,069.78 |
| Personal Property | Abatement Nos. 500832 - 500897 | <u>\$127,886.32</u> |
| TOTAL | | \$128,956.10 |
- approve on the Consent Calendar**

31. **Certificates of Clearance**
Pursuant to A.R.S. §42-19118, staff requests approval of the following:
- | | |
|------------------------------------|---------------------|
| Unsecured Mobile Homes: | \$ 8,216.94 |
| Business Personal Property: | <u>\$258,536.56</u> |
| Total Unsecured Personal Property: | \$266,753.50 |
- approve on the Consent Calendar**

RATIFY AND/OR APPROVE

32. Warrants: August, 2013
approve on the Consent Calendar