



Pima County

MEETING LOCATION
Administration Bldg - East
130 W. Congress Street
1st Floor
Tucson, AZ 85701

Meeting Agenda Board of Supervisors

Tuesday, September 17, 2013

9:00 AM

Board of Supervisors' Hearing Room

PIMA COUNTY BOARD OF SUPERVISORS

Ramón Valadez, Chairman, District 2
Sharon Bronson, Vice Chair, District 3
Richard Elías, Acting Chair, District 5
Ally Miller, Member, District 1
Ray Carroll, Member, District 4

AGENDA/ADDENDUM INFORMATION

Within 24 hours of each scheduled meeting, the agenda/addendum is available in the Clerk of the Board's Office, 130 W. Congress St., 5th Fl., Tucson, AZ 85701, Mon-Fri, 8am to 5pm and online at www.pima.gov.

LIVE BROADCAST

Cable Channels.....Comcast 96;.....Cox 12 and 96
Webcast: www.pima.gov

PUBLIC PARTICIPATION SPEAKERS ARE LIMITED TO 3 MINUTES

To address the Board of Supervisors, please complete a Speaker's Card available in the Hearing Room. Clearly print your name/address, the agenda/addendum item number and other requested information. Place the completed Speaker Card in the labeled baskets located on the dais. When the Chairman announces your name, step forward to the podium, speak into the microphone and state your name and affiliation (if applicable) for the record.

The Chairman reserves the right to ensure all testimony is pertinent or non-repetitive so the matter will be handled fairly and expeditiously, and that all speakers abide by rules of civility. Any questions pertaining to the meeting can be directed to Robin Brigode, Clerk of the Board.

HEARING ROOM COURTESY

Please turn off cell phones/devices or place in silent mode.

ACCESSIBILITY

The Board Hearing Room is wheelchair and handicapped accessible. Any person who is in need of special services (e.g., assistive listening device, Braille or large print agenda material, signer for hearing impaired, accessible parking, etc.) due to any disability will be accommodated. Please contact the Clerk of the Board at (520) 724-8449 for these services at least three (3) business days prior to the Board Meeting.

NOTE: Links to attachments do not display on a printed agenda.

1. ROLL CALL**2. INVOCATION**

To be offered by Pastor Michael Sentigar, Midvale Christian Center.

3. PLEDGE OF ALLEGIANCE**4. PAUSE 4 PAWS****PRESENTATION/PROCLAMATION**

5. Presentation of a proclamation to Bruce Hamilton, representing Employer Support of the Guard and Reserve, proclaiming the week of September 22 through September 28, 2013 to be: "NATIONAL EMPLOYER SUPPORT OF THE GUARD AND RESERVE WEEK"

Attachments: [Proc_GuardandReserveWeek](#)

6. Presentation of a proclamation to Casey Townsend, founder of Tucson AquaPonics Project, proclaiming the day of Saturday, September 21, 2013 to be: "AQUAPONICS DAY"

Attachments: [Proc_AquaponicsDay](#)

EXECUTIVE SESSION**7. Call to the Public (for Executive Session items only)****EXECUTIVE SESSION**

(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.)

8. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the proposed Amendment No. 2 of the Brekan-Nava Group expert services contract to assist the Assessor in his appeal of the State Board of Equalizations determinations of the value of the Raytheon Company's IPR's for tax years 2011 and 2012.

Attachments: [PCA_ExecutiveSessionBrekanNavaGroupAmendment](#)

9. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding the possible filing of an Amicus Curiae Brief in the Arizona Court of Appeals, Case No. CA-CV 13-0364, Cheatham/Huey v. Diciccio/Phoenix/PLEA.

Attachments: [PCA_ExecutiveSession-AmicusCuriaeBrief](#)

10. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a settlement proposal from the Estate of Cherie Adams and other matters related to the ongoing litigation by Ginger Rodgers Rappeport and the Estate of Jack Rappeport against the Pima County Public Fiduciary.

Attachments: [PCA ExecutiveSession-EstateofCherieAdams](#)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

11. **Contract**
Tetra Tech, Inc., Amendment No. 3, to provide consultant services for the Arroyo Chico/ Tucson Arroyo Project, extend contract term to 9/14/15 and amend contractual language, Flood Control Tax Levy Fund, contract amount \$49,999.00 (CT-FC-11011132-P)

Attachments: [CT-FC-11011132-P](#)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

CONSENT CALENDAR

12. **Call to the Public (for Consent Calendar items only)**
13. **Approval of Consent Calendar**

COUNTY ADMINISTRATOR

14. **Revisions to Merit System Rules and Personnel Policies**
Staff recommends approval of revisions to the following Merit System Rules and Personnel Policies:
- Merit System Rule 6 - APPLICATION FILES
 - Merit System Rule 7 - CERTIFICATION AND APPOINTMENT
 - Merit System Rule 8 - PROMOTION, DEMOTION, REAPPOINTMENT, OPEN RANGE REAPPOINTMENT REASSIGNMENT AND DETAIL
 - Merit System Rule 11 - TERMINATIONS
 - Merit System Rule 12 - DISCIPLINARY AND OTHER PERSONNEL ACTIONS
 - Merit System Rule 14 - MERIT SYSTEM COMMISSION APPEALS
 - Personnel Policy 8-107 - Special Leaves of Absence with Pay
 - Personnel Policy 8-111 - Outside Employment
 - Personnel Policy 8-119 - Rules of Conduct

Attachments: [CA_RevisionstoMeritSystemRulesPersonnelPolicies](#)

15.

Catastrophic Leave Bank Program

Staff recommends approval of the Catastrophic Leave Bank Program to replace the current practice of employee-to-employee donations of accrued time and approval of changes to the following Pima County Personnel Policies supporting the Catastrophic Leave Bank Program:

- Personnel Policy 8-102 - Premium Pay
- Personnel Policy 8-105 - Annual Leave
- Personnel Policy 8-106 - Sick Leave
- Personnel Policy 8-108 - Leaves of Absence Without Pay

Attachments: [CA_CatastrophicLeaveProgram](#)

16.

Quarterly Report on Collections

Staff recommends acceptance of the Quarterly Report on Collections for the period ending June 30, 2013, and approval of the write-off requests in the amount of \$320,718.00.

Attachments: [CA_QuarterlyReportonCollections](#)

ASSESSOR

17.

Redemptions of the Waivers of Tax Exemptions

Pursuant to A.R.S. §42-11153(B), the Pima County Assessor has determined that all the applications for Redemptions of the Waivers of Tax Exemptions for the year 2013 qualify for exemptions under the applicable statutes and requests the Board of Supervisors redeem the Waivers of Tax Exemptions.

Attachments: [AS_WaiverofExemption](#)

[AS_WaiverRequestReportINDIV](#)

[AS_WaiverRequestReportCH-ORG](#)

COUNTY ATTORNEY

18.

UNFINISHED BUSINESS (8/19/13 and 9/3/13)

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)

Attachments: [CT-AS-12-1523](#)

***** HEARINGS *******BOARD OF SUPERVISORS****19. Appeal of Review Officer's Decision**

Pursuant to Board of Supervisor's Policy D 22.10, the Pima County Assessor appeals the decision of the Review Officer regarding the classification of Tax Parcel No. 224-27-2810 to Legal Class 3 for Tax Year 2013.

Attachments: [BOS_Appeal224-27-2810](#)

[BOS_ReviewOfficerReport224-27-2810](#)

20. Appeal of Review Officer's Decision

Pursuant to Board of Supervisor's Policy D 22.10, the Pima County Assessor appeals the decision of the Review Officer regarding the classification of Tax Parcel Nos. 109-25-006B, 109-25-006E, 110-10-001B, 110-10-001D, 110-10-002B and 110-10-005B to Legal Class 3 for Tax Year 2013.

Attachments: [BOS_Appeal109-25-006B et al](#)

[BOS_ReviewOfficerReport109-25-006B et al](#)

FRANCHISE/LICENSE/PERMIT**21. Extension of Premises/Patio Permit**

Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for November 7 and 21, 2013.

Attachments: [FLP_EPHotRodsOldVail](#)

DEVELOPMENT SERVICES**22. Comprehensive Plan Amendment**

Co7-13-01, SABINO CANYON ROAD PROPERTIES, L.L.C. - N. SABINO CANYON ROAD PLAN AMENDMENT

Request of Sabino Canyon Road Properties, L.L.C., represented by Erin Harris, Star Consulting of Arizona, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 3.0 (LIU-3.0) to Medium-High Intensity Urban (MHIU) for approximately 15.14 acres located at the northeast corner of N. Sabino Canyon Road and E. Cloud Road, in Section 29, T13S, R15E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 6-3 (Commissioners Neeley, Richey, and Johns voted "Nay," Commissioner Bain was absent) to recommend **MODIFIED APPROVAL**. Staff recommends **MODIFIED APPROVAL**. (District 1)

Attachments: [DSD Co7-13-01](#)
[DSD CommentLetters](#)
[DSD CommentLetter1](#)
[DSD CommentLetters2](#)
[DSD CommentLetters3](#)
[DSD CommentLetter4](#)
[DSD CommentLetters5](#)
[DSD CommentLetters6](#)
[DSD CommentLetters7](#)
[DSD CommentLetters8](#)
[DSD CommentLetters9](#)

23.

Comprehensive Plan Amendment

Co7-13-02, SMITH VIRGIL B. REVOCABLE LIVING TRUST - S. FREEMAN ROAD ALIGNMENT PLAN AMENDMENT

Request of Virgil B. Smith Revocable Living Trust, represented by Steve Lenihan, Vail Smith, L.L.C., to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Medium Intensity Urban (MIU) for approximately 25.0 acres located on the east side of S. Freeman Road alignment, approximately one-half mile south of Mary Ann Cleveland Way and one-quarter mile north of the Union Pacific Railroad, in Section 5, T16S, R16E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Bain was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 4)

Attachments: [DSD Co7-13-02](#)

24.

Comprehensive Plan Amendment

Co7-13-07, TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT

Request of Title Security of Arizona TR 2055, represented by The WLB Group, Inc., to amend the Pima County Comprehensive Plan from Resource Transition (RT) to Low Intensity Urban 1.2 (LIU 1.2) for approximately 53.0 acres located on the north side of E. Tanque Verde Road, approximately 2,300 feet east of N. Houghton Road and 1,150 feet west of N. Tanque Verde Loop Road, in Section 36, T13S, R15E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Membrilia and Johns voted "Nay," Commissioners Neely, Cook and Bain were absent) to recommend **MODIFIED APPROVAL SUBJECT TO REZONING POLICIES**. Staff recommends **APPROVAL**. (District 4)

Attachments: [DSD_Co7-13-07](#)
[DSD_Co7-13-07PZMapRec](#)
[DSD_Co7-13-07CommentLetter](#)
[DSD_Co7-13-07CommentLetters1](#)
[DSD_Co7-13-07CommentLetters2](#)

25.

Rezoning Time Extension**Co9-97-53, ALI, ET AL. - ORACLE ROAD REZONING**

Request of Assunta Ali, et al., represented by Frank Ali, for a five-year time extension for a rezoning from GR-1 (GZ) [(Rural Residential) (Gateway Overlay)] to CB-1 (GZ) [(Local Business) (Gateway Overlay)] of 3.40 acres located on the east side of Oracle Road, approximately 600 feet south of Mainsail Boulevard (Catalina). The subject site was rezoned in 1998 and expired in 2013. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 1)

Attachments: [DSD_Co9-97-53](#)

26.

Plat Note Modification**Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (Lots 1, 4, 9, 11, and 42)**

Request of Nicholas Loffredo (Lot 1, approximately .96 acres), Donald Davern (Lot 4, approximately 1.04 acres), Wallace Petersen (Lot 9, approximately 1.31 acres), Leonard Loffredo (Lot 11, approximately .76 acres), and Keith Davern (Lot 42, approximately 1.00 acre) all 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 Lots 1, 4, 9, 11, and 42 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject properties are zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and are located on the north and south side of Sabino Estates Drive, approximately 450 feet south of the Coronado National Forest. Staff recommends **APPROVAL**. (District 1)

Attachments: [DSD_Co12-93-11](#)

27.

Rezoning Ordinance

ORDINANCE NO. 2013 - **43**, Co9-13-06, Trubee - N. Bear Canyon Road Rezoning. Owner Tanya Trubee. (District 4)

Attachments: [DSD_Co9-13-06](#)

28. **CALL TO THE PUBLIC**29. **ADJOURNMENT**

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 9/11/13 @ 11:00 a.m.

DATE/TIME REPOSTED (additional attachments only): 9/11/13 @ 2:20 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/12/13 @ 11:25 a.m.

DATE/TIME REPOSTED (additional attachments only): 9/12/13 @ 2:30 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/12/13 @ 4:35 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/13/13 @ 10:15 a.m.

DATE/TIME REPOSTED (additional attachments only): 9/13/13 @ 3:55 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/13/13 @ 4:45 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/16/13 @ 11:45 a.m.

DATE/TIME REPOSTED (additional attachments and combined

Agenda/Addendum): 9/16/13 @ 4:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/16/13 @ 4:45 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/17/13 @ 8:15 a.m.

DATE/TIME REPOSTED (additional attachments only): 9/17/13 @ 3:40 p.m.

ADDENDUM 1**PRESENTATION/PROCLAMATION**

1. Presentation of a proclamation to Elena West, Director of Las Artes, proclaiming Saturday, September 28, 2013 to be:
"MARY H. MELTON DAY"
Attachments: [Proc_MaryHMeltonDay](#)
2. Presentation of a proclamation to Lindsey Jones, Executive Director of the Diaper Bank of Southern Arizona, proclaiming the week of September 15, 2013 through September 21, 2013 to be:
"DIAPER NEED AWARENESS WEEK"
Attachments: [Proc_DiaperNeedAwarenessWeek](#)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**LIBRARY DISTRICT BOARD**

3. **E-Commerce Policy**
Staff recommends approval of the revisions to Board of Supervisor's Policy No. D32.13, Pima County Public Library - E-Commerce Policy.
Attachments: [Lib_E-CommercePolicy](#)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**COUNTY ADMINISTRATOR**

4. RESOLUTION NO. 2013 - **85**, of the Board of Supervisors, to extend military leave to and create benefit options for employees who are reservists and/or are called to active duty in support of Operation Enduring Freedom.
Attachments: [CA_ResoMilitaryLeave](#)

CONTRACT AND AWARD**PROCUREMENT**

5. Achen-Gardner Construction, Inc., B&F Contracting, Inc. and KE&G Construction, Inc., Amendment No. 1, to provide a job order master agreement for conveyance and related facilities maintenance, repair, rehabilitation and construction services, extend contract term to 6/30/14 and amend contractual language, RWRD Obligation Fund, contract amount \$12,500,000.00 (MA-WW-13-303) Regional Wastewater Reclamation Department

Attachments: [MA-WW-13-303](#)

BOARD, COMMISSION AND/OR COMMITTEE

6. **Trial Court Appointments - Nominating Committee District 1**
Appointment of Randy Hannon, Republican, to replace Elizabeth Isaak.
No term expiration.

Attachments: [BCC_TrialCourt-D1Appt](#)

7. **Parks and Recreation Commission**
Appointment of Karen Cesare, to replace James Mazzocco. Term
expiration: 6/30/18. (District 1)

Attachments: [BCC_ParksandRecreationCommissionAppt](#)

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 9/13/13 @11:00 a.m.

CONSENT CALENDAR SEPTEMBER 17, 2013

CONSENT CALENDAR, SEPTEMBER 17, 2013**CONTRACT AND AWARD****Community Development and Neighborhood Conservation**

1. Catholic Community Services, to provide for the Information and Referral Robles Junction Program, CDBG Fund, contract amount \$41,000.00 (CT-CD-14-66)
Attachments: [CT-CD-14-66](#)
2. Pima Prevention Partnership, to provide for the Pima County Teen Court Volunteer Program, CDBG Fund, contract amount \$15,000.00 (CT-CD-14-86)
Attachments: [CT-CD-14-86](#)

County Attorney

3. Arizona Attorney General, to provide six full time employees for legal processing support, and operating expenses, State Grant Fund, contract amount \$247,400.00 revenue (CTN-PCA-14-39)
Attachments: [CTN-PCA-14-39](#)

Procurement

4. **Award**
Amendment of Award: Requisition No. 0900778, Amendment No. 5, for Automotive OEM Replacement Parts, extend two contract expiration dates to March 17, 2014 (Watson Chevrolet B506143; Kay Automotive, d.b.a. One Source Automotive B506153). No additional funding is required for extended term. Funding Source: Internal Service Fund. Administering Department: Fleet Services.
Attachments: [PO_ReqNo0900778](#)
5. **Award**
Limited Competition: Retroactive Award of Contract, Requisition No.14-65, Kropp Holdings, Inc. d.b.a. AVCARD (Headquarters: Cockeysville, MD) for the Aviation Air Card Program in the annual amount of \$547,200.00. Contract is for a five-year term effective July 1, 2013. Funding Source: General Fund. Administering Department: Sheriff.
Attachments: [PO_ReqNo14-65](#)
6. **Award**
Low Bid: Award of Contract, Solicitation No. 103853, in the amount of \$9,974,990.20 to the lowest responsive bidder, Select Development &

Construction, Inc., (Headquarters: Tucson, AZ), for the construction of the Magee Road Improvements: La Cañada Drive to Oracle Road Project. The contract term is 36 months with the ability to extend for contract completion. Construction is to be complete within 300 working days from Notice to Proceed. The Department of Transportation requests that the Procurement Director's Change Order authority be increased up to \$500,000 per change order, not to exceed a cumulative total of \$1.5 million, for this project. Funding Source: Federal Surface Transportation Program (53%), RTA (29%), and DOT-06 HURF Bond (18%). Administering Department: Transportation.

Attachments: [PO SolicitationNo103853](#)

7.

Award

Low Bid: Award of Contract, Requisition No. 14-39, to Diggins & Sons Power Sweeping, Inc. (Headquarters: Tucson, AZ) for roadway sweeping services in the amount of \$259,900.00. Contract is for a one-year term and includes four one-year renewal periods. The award includes the authority for the Procurement Department to execute the four renewal periods without further action by the Board of Supervisors provided that renewals do not exceed the original BOS approved annual award amount. Funding Source: Transportation Operating.

Administering Department: Transportation.

Attachments: [PO ReqNo14-39](#)

[PO ReqNo14-39-Correction](#)

8.

PSOMAS, Amendment No. 2, to provide for roadway design engineering services for the Valencia Road: Alvernon Way to Wilmot Road Project and amend scope of work/ contractual language, RTA Fund, contract amount \$135,236.50 (CT-TR-10048537-P) Transportation

Attachments: [CT-TR-10048537-P](#)

Sheriff

9.

City of Tucson, to provide for the incarceration of municipal prisoners, General Fund, contract amount \$6,336,946.00 estimated revenue (CTN-SD-13-372)

Attachments: [CTN-SD-13-372](#)

10.

Arizona Department of Homeland Security, to provide for law enforcement equipment, Federal Grant Fund, contract amount \$62,346.72 revenue (CTN-SD-14-48)

Attachments: [CTN-SD-14-48](#)

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

11. Armando Guzman, VFW Post No. 5990, 15850 W. El Tiro Road, Marana, September 7, 2013.

ELECTIONS

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

APPOINTMENTS-PRECINCT-PARTY

Michael T. Jenkins-133-REP, Mark E. Morrison-179-REP

Attachments: [EL_PrecCommAppointments](#)

FINANCE AND RISK MANAGEMENT

13. **Duplicate Warrants - For Ratification**
Gopher Bearing SW, L.L.C. \$1,348.38; Stillwell Software, Inc. \$11,147.50; Christopher C. Nadler \$173.00; Suzanna S. Cuneo \$140.17; Paul L. Eckerstrom \$38.00; Paul L. Eckerstrom \$96.00; Latin-American Periodicals \$21,400.20; Western Surety Company \$50.00; Hill Brothers Chemical Company \$4,940.31; Hill Brothers Chemical Company \$10,148.48; Spartan Promotional Group \$4,324.00; Fazle Karim \$66.89; Carlos Silva \$500.00; Johnson Controls, Inc. \$820.39; John William Lovell \$40,411.77

Attachments: [FN_ReplacementWarrants](#)

RECORDER

14. **Ratification**
Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of July 2013.

Attachments: [RE_StorageandRetrievalFundReport](#)

REAL PROPERTY

15. **Grant of Easement**
Grant of Easement to Metropolitan Domestic Water Improvement District for waterline purposes across Pima County Tax Parcel No. 104-01-095A, described in Docket 8555 at Page 383, and located in T13S, R13E, Section15, G&SRB&M, Pima County, Arizona. \$300.00 revenue. (District 1)

Attachments: [RP_GrantOfEasement-MDWID](#)

RATIFY AND/OR APPROVE

16. Minutes: August 6, 2013 and August 19, 2013

Attachments: [CL_08-06-13DraftMinutes](#)
[CL_08-19-13DraftMinutes](#)