



Pima County

Meeting Agenda

Board of Supervisors

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

Tuesday, December 2, 2014

9:00 AM

Board of Supervisors' Hearing Room

PIMA COUNTY BOARD OF SUPERVISORS

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

AGENDA/ADDENDUM AND BROADCAST INFORMATION

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

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. Separate Speaker Cards are required for each item of interest including Call to the Public. Place the completed Speaker Card(s) in the labeled baskets located on the dais. When the Chairman announces your name, step forward to the podium 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 NOTICE

Law permits that a video and/or audio recording of all or part of this meeting may be made if doing so does not interfere with the conduct of the meeting. Pima County has no control over the use and distribution of any such recordings. In addition to the official meeting proceedings, these recordings may include images of and comments made by the public prior to the start, during a recess and after adjournment of the meeting, and may be posted on social media or other internet sites.

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.

Clerk's Note: Members of the Pima County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.

1. ROLL CALL

2. INVOCATION

To be offered by Pastor Brian Steely, Sahuarita Baptist Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

5. CALL TO THE PUBLIC

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.)

6. UNFINISHED BUSINESS (11/18/14)

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a possible lawsuit related to the application of the Tucson/Pima County Outdoor Lighting Code to mining activities by HudBay Minerals, Inc. and its subsidiary Rosemont Copper Company at the proposed Rosemont Copper mine site located in the northeastern Santa Rita Mountains.

Attachments: [PCA_ExecSession-OutdoorLightingCodeRosemont](#)

7. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Pima County v. Lakeshore Ventures, L.L.C., et al., Pima County Superior Court Case No. C20136322.

Attachments: [PCA_ExecSession-PCvsLakeshoreVentures](#)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

8. Riparian Habitat Mitigation

Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee for site security improvements at Ryan Airfield located at 9698 W. Ajo Highway within important riparian area with underlying Class H and Hydroriparian Habitat. \$30,574.17 revenue. (District 3)

Attachments: [FC_RiparianHabitatMitigationPlan-RyanAirfield](#)

9. Riparian Habitat Mitigation

Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee for a commercial stable located at 13750 N. Bowman Road within important riparian area with underlying Xeroriparian Class B Habitat. \$30,809.63 revenue. (District 1)

Attachments: [FC_RiparianHabitatMitigationPlan-StablesBowmanRd](#)

10. Grant Acceptance

U.S. Department of Homeland Security-FEMA, to provide for the Upper Santa Cruz Flood Risk Mapping Project, \$200,000.00 (GTAW 15-48)

Attachments: [GR_GrantReport](#)

[GR_GTAW15-48](#)

11. Award

Direct Select: Award of Contract, Contract No. CT-FC-15-204, in an amount not to exceed \$489,458.00, to CMG Drainage Engineering, Inc., to provide floodplain management services for the Airport Wash Basin Management Study Phase 2 Project. Funding Source: Flood Control Tax Levy. Administering Department: Regional Flood Control District.

Attachments: [PO_CT-FC-15-204](#)

12. Contract

PSOMAS, Inc., Amendment No. 3, to provide for design engineering services for Pantano Bank Protection and River Park: Phase 3 Tanque Verde Road to Glenn and Phase 4 Glenn to Craycroft and amend contractual language, no cost (CT-FC-13-594) Regional Flood Control District

Attachments: [CT-FC-13-594](#)

SITTING AS THE BOARD OF SUPERVISORS

13. APPROVAL OF CONSENT CALENDAR

COUNTY ADMINISTRATOR

14. Classification/Compensation

The Information Technology Department requests approval to create the following new classification, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ Overtime Status

7716/ ITD-Project Management Officer-Unclassified/ U4(\$67,620-\$149,989)/ 1/ E*

*E = Exempt (not paid overtime)

Attachments: [CA_NewClassification-ITD](#)

CLERK OF THE BOARD**15. Petition for Refund - Faith Christian Fellowship of Tucson**

Pursuant to A.R.S. §42-11109, Faith Christian Fellowship of Tucson has petitioned the Board of Supervisors for relief of their tax year 2014 taxes and associated interest/penalty.

Attachments: [CL_FCFTPetition](#)
[CL_FCFTPetition_1](#)
[CL_FCFTPetition_2](#)
[CL_AdditionalMaterial](#)

***** HEARINGS *******FRANCHISE/LICENSE/PERMIT****16. Wine Festival/Wine Fair License**

St. Philip's Plaza, 4280 N. Campbell Avenue, Suite 212, Tucson, December 13, 2014 from 3:00 p.m. to 8:30 p.m., for the following:

- Joseph Bechard, d.b.a. Chateau Tumbleweed
- Mark W. Beres, d.b.a. Flying Leap Vineyards, Inc.
- Ray Freitas, d.b.a. Freitas Vineyard
- Gavin Gallifant, d.b.a. Gallifant Cellars
- Gerald K. Smith, d.b.a. Gerald, Inc.
- Ann Gardner, d.b.a. Hannah's Hill Enterprises, L.L.C.
- Rodney Edward Keeling, d.b.a. Keeling Schaefer Vineyards, L.L.C.
- Charlene Manning, d.b.a. Kief-Joshua Vineyards
- Eric Glomski, d.b.a Page Springs Vineyards & Cellars
- Arlene Domanico, d.b.a. Passion Cellars, L.L.C.
- Barbara Pierce, d.b.a. Pierce Wines Arizona, L.L.C.
- Samuel Wallace Pillsbury, d.b.a. Pillsbury Wine Company, L.L.C.
- Cory Whalin, d.b.a. Su Vino Winery
- Garrison Ellam, d.b.a. Village of Elgin Winery
- Karyl L. Wilhelm, d.b.a. Wilhelm Family Vineyards
- Mark Jorve, d.b.a. Zarpara Vineyard

Attachments: [FLP_WFStPhilipsPlaza_1](#)
[FLP_WFStPhilipsPlaza_2](#)

17. Agent Change/Acquisition of Control/Restructure

09100030, Michael Joseph Basha, Basha's No. 79, 8360 N. Thornydale Road, Tucson, Acquisition of Control.

Attachments: [FLP_ACBashasNo79](#)

18. **Agent Change/Acquisition of Control/Restructure**
09100088, Michael Joseph Basha, Bashas' No. 160, 2000 W. River Road, Tucson, Acquisition of Control.
Attachments: [FLP_ACBashasNo160](#)

19. **Agent Change/Acquisition of Control/Restructure**
09109002S, Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Acquisition of Control.
Attachments: [FLP_ACAsNo122](#)

20. **Agent Change/Acquisition of Control/Restructure**
07103001, Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Acquisition of Control.
Attachments: [FLP_ACAsNo122_2](#)

21. **Agent Change/Acquisition of Control/Restructure**
09100144S, Michael Joseph Basha, Bashas' No. 52, 15310 N. Oracle Road, Tucson, Acquisition of Control.
Attachments: [FLP_ACBashasNo52](#)

22. **Agent Change/Acquisition of Control/Restructure**
09100028, Michael Joseph Basha, Bashas' No. 71, 6900 E. Sunrise Drive, Tucson, Acquisition of Control.
Attachments: [FLP_ACBashasNo71](#)

23. **Extension of Premises/Patio Permit**
06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for December 14, 2014.
Attachments: [FLP_EPHotRodsOldVail](#)

DEVELOPMENT SERVICES

24. **UNFINISHED BUSINESS (10/21/14)**
Comprehensive Plan Amendment
Co7-14-03, CATALINA FOOTHILLS CENTER GENERAL PARTNERSHIP - N. ORACLE ROAD PLAN AMENDMENT
Request of Catalina Foothills Center General Partnership, represented by Projects International, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2), Medium Intensity Urban (MIU) and Resource Transition (RT) to Medium Intensity Urban (MIU), Neighborhood Activity Center (NAC) and Resource Transition (RT) for approximately 50 acres located immediately east of N. Oracle Road and immediately north and west of N. Genematas Drive, in Section 13, T13S, R13E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Membrila voted "Nay," Commissioners Bain, Cook and Neeley were

absent) to recommend **APPROVAL OF AMENDING AREAS TO NEIGHBORHOOD ACTIVITY CENTER (NAC) AND RESOURCE TRANSITION (RT), AND MODIFIED APPROVAL OF THE MEDIUM INTENSITY URBAN (MIU) REQUEST AREA TO LOW INTENSITY URBAN 3.0 (LIU 3.0), SUBJECT TO AMENDED REZONING POLICIES.** Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES.** (District 1)

Attachments: [DSD_Co7-14-03](#)

[DSD_Co7-14-03_CommentLetters](#)

[DSD_Co7-14-03_ProjectsInternationalLetter](#)

[DSD_Co7-14-03_CommentLetters1](#)

[DSD_Co7-14-03_CommentLetter2_Redacted](#)

[DSD_Co7-14-03_CommentLetter3_Redacted](#)

[DSD_Co7-14-03_CoalitionforSonoranDesertProtectionLetter](#)

[DSD_Co7-14-03_CommentLetter-10-22-14](#)

[DSD_Co7-14-03_OracleFoothillsAssocCommentLtr_12-1-14](#)

[DSD_Co7-14-03_CommentLtrs_12-1-14_Redacted](#)

25.

Rezoning

Co9-14-12, JANICEK - SOUTH HOUGHTON ROAD REZONING

Request of Jay and Marjorie Janicek, represented by SDG Architecture, L.L.C., for a rezoning of approximately 2.1 acres at 16461 S. Houghton Road from the TR (Transitional) zone to the CB-1 (Local Business) zone. The proposal is for expansion of the existing uses on site, to include a restaurant, dance school, and retail store. The property is Lot 31 of New Tucson Unit No. 4 subdivision (Book 17 and Page 50) located at the northeast corner of Houghton Road and Vista Monte Drive. 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 8-0 (Commissioners Bain and Cook were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** (District 4)

Attachments: [DSD_Co9-14-12](#)

26.

Lot Split and Plat Note Waiver

P1203-041, TUCSON AVRA WEST III (BLOCK "A")

Request of Heater Investments, Inc., represented by Greg Carlson Engineering, L.L.C., for a lot split and plat note waiver. The applicant requests to split Block "A" of the Tucson Avra West III subdivision into three one-acre lots. Permitting Note No. 1 requires that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors. The applicant also requests to waive Permitting Note No. 7 which requires submittal of a development plan or

subdivision plat for review and approval prior to the issuance of any building permits for Block "A". The subject lot is zoned CB-2 (General Business) and is located at the northeast corner of the intersection of W. Manville Road and N. Anway Road. Staff recommends **APPROVAL WITH CONDITIONS**. (District 3)

Attachments: [DSD_P1203-041_DeptSubmittal_01](#)

[DSD_P1203-041_DeptSubmittal_02](#)

[DSD_P1203-041_Comment Letter_11-26-14](#)

27.

Comprehensive Plan Amendment Resolution

RESOLUTION NO. 2014 - **114**, Co7-13-03, Lawrence C. Leung, Inc. - N. Thornydale Road Plan Amendment. Owner: Lawrence C. Leung, Inc. (District 1)

Attachments: [DSD_Co7-13-03](#)

28.

Comprehensive Plan Amendment Resolution

RESOLUTION NO. 2014 - **115**, Co7-13-04, Pacific International Properties, L.L.P. - N. Thornydale Road Plan Amendment. Owner: Pacific International Properties, L.L.C. (District 1)

Attachments: [DSD_Co7-13-04](#)

29.

Comprehensive Plan Amendment Resolution

RESOLUTION NO. 2014 - **116**, Co7-13-05, Mandarin Associates. - N. Thornydale Road Plan Amendment. Owner: Mandarin Associates. (District 1)

Attachments: [DSD_Co7-13-05](#)

30.

Comprehensive Plan Amendment Resolution

RESOLUTION NO. 2014 - **117**, Co7-13-06, Hardy-Thornydale I Associates, et al. - N. Thornydale Road Plan Amendment. Owner: Hardy-Thornydale I Associates, et al. (District 1)

Attachments: [DSD_Co7-13-06](#)

31.

Comprehensive Plan Amendment Resolution

RESOLUTION NO. 2014 - **118**, Co7-14-05, T. Read Holdings, L.L.C. - N. Oracle Road Plan Amendment (No. 2). Owner: T. Read Holdings, L.L.C. (District 1)

Attachments: [DSD_Co7-14-05](#)

TRANSPORTATION**32. Traffic Resolution**

RESOLUTION NO. 2014 - **119**, of the Board of Supervisors, permitting the temporary closure of Bowman Road in Pima County, Arizona, for the Holualoa Tucson Marathon on Sunday, December 7, 2014. Staff recommends **APPROVAL**. (District 1)

Attachments: [TR_ResoHolualoa-Bowman](#)

33. Traffic Resolution

RESOLUTION NO. 2014 - **120**, of the Board of Supervisors, permitting the temporary closure of Golder Ranch Drive in Pima County, Arizona, for the Holualoa Tucson Marathon on Sunday, December 7, 2014. Staff recommends **APPROVAL**. (District 1)

Attachments: [TR_ResoHolualoa-GolderRanch](#)

34. ADJOURNMENT

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 11/24/14 @ 3:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 11/26/14 @ 2:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 12/1/14 @ 9:30 a.m.

DATE/TIME REPOSTED (additional attachments only): 12/1/14 @ 12:45 p.m.

DATE/TIME REPOSTED (combined Agenda/Addendum): 12/1/14 @ 4:30 p.m.

ADDENDUM 1**COUNTY ADMINISTRATOR****1. Paving of Camino Escuela and Calle Angosta**

Direction is requested to approve or disapprove allowing residents to pave sections of Camino Escuela and Calle Angosta.

Attachments: [CA_CaminoEscuelaCalleAngostaPaving-Memo](#)

CONTRACT AND AWARD**FACILITIES MANAGEMENT****2. Southern Arizona Children's Advocacy Center and Arizona Department of Child Safety, to provide a sublease for property located at 2329 E. Ajo Way, contract amount \$3,006.45/4 year term revenue (CTN-FM-15-57)**

Attachments: [CTN-FM-15-57](#)

BOARD, COMMISSION AND/OR COMMITTEE**3. Election Integrity Commission**

Reappointment of Beth Borozan. Term expiration: 12/4/16. (District 4)

Attachments: [BCC_ElectionIntegrityCommissionReappt](#)

4. Pima County Fair Commission

Appointments of Jim Murphy and Alan Levin. Term expirations: 12/31/18. (Commission recommendations)

Attachments: [BCC_FairCommissionAppts](#)

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 11/26/14 @ 10:00 a.m.

CONSENT CALENDAR DECEMBER 2, 2014

CONSENT CALENDAR, DECEMBER 2, 2014**CONTRACT AND AWARD****Community Development and Neighborhood Conservation**

1. City of Tucson, to provide Housing Opportunities for Persons with AIDS Program, HUD Fund, contract amount \$957,424.00 (CT-CD-15-209)
Attachments: [CT-CD-15-209](#)
2. Southern Arizona AIDS Foundation, to provide Housing Opportunities for Persons with AIDS Program, HUD Fund, contract amount \$359,128.00 (CT-CD-15-194)
Attachments: [CT-CD-15-194](#)

County Attorney

3. Kathryn Kellner, d.b.a. Kellner Studio, to provide presentation skills and communication strategy professional services, Special Revenue Fund, contract amount \$50,000.00 (CT-PCA-15-141)
Attachments: [CT-PCA-15-141](#)

Procurement

4. **Award**
Low Bid: Award of Contract, Requisition No. 15-69, Medline Industries, Inc., d.b.a. Professional Hospital Supply (Headquarters: Mundelein, IL) for medical supplies in the annual amount of \$294,000.00. Contract is for a one-year term and includes four one-year renewal periods.
Funding Source: General (50%) and Special Revenue (50%) Funds.
Administering Department(s): Sheriff and Health.
Attachments: [PO Req15-69](#)
5. DeConcini, McDonald, Yetwin & Lacey, P.C., Amendment No. 3, to provide legal representation to Merit System Commission/Law Enforcement Council and extend contract term to 12/6/15, General Fund, contract amount \$24,224.00 (MA-PO-12-315) Human Resources
Attachments: [PO MA-PO-12-315](#)

Sheriff

6. Phoenix Police Department, to provide for the Arizona Internet Crimes Against Children Task Force, no cost (CTN-SD-15-55)
Attachments: [CTN-SD-15-55](#)

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

7. Richard R. Roberts, The Rotary Club of Green Valley, The Shoppes at La Posada - Posada Java, 665 S. Park Centre Avenue, Green Valley, December 5, 2014.

ELECTIONS

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

RESIGNATIONS-PRECINCT-PARTY

Paul Coleman-096-GRN; Barbara J. Cihlar-116-GRN

Attachments: [EL_PrecinctCommitteemenResignations](#)

FINANCE AND RISK MANAGEMENT

9. **Duplicate Warrants - For Ratification**

DNA Labs International \$295.00; Hill Brothers Chemical, Co. \$27,331.36; Kurt Schlaefer \$2,250.00; Hill Brothers Chemical, Co. \$820.48; Priscilla Frisby \$350.00; Jason Mackey Corley \$35.60; Dunn-Edwards, Corp. \$842.43; Cabot Norit Americas, Inc. \$86,523.24; Cara Singer \$242.00

Attachments: [FN_ReplacementWarrants](#)

SPECIAL TAXING DISTRICT

10. **Cortaro-Marana Irrigation District**

Pursuant to A.R.S. §16-642(B), presentation of the certified copy of the official canvass for the November 11, 2014 Election conducted by the Cortaro-Marana Irrigation District.

Attachments: [CC_SpecialTaxingDistrict-Cortaro-MaranaIrrigation](#)