



Pima County

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

Meeting Agenda Board of Supervisors

Tuesday, October 1, 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.

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 Reverend Canon Richard von Menshengen, Holy Family Catholic Church.

3. PLEDGE OF ALLEGIANCE**4. PAUSE 4 PAWS****EXECUTIVE SESSION****5. 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.)

- 6.** Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the proposed settlement of Reid Park Zoological Society v. Pima County, Superior Court Case No. C20118701, Tax Parcel No. 303-21-012H for tax years 2012, 2013 and 2014.

Attachments: [PCA_ExecSess-ReidParkZoologicalSociety](#)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**FLOOD CONTROL DISTRICT BOARD****7. Riparian Habitat Mitigation**

Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee of \$3,852.00 for property located at 10375 North Blue Bonnet Road within important riparian area with underlying Xeroriparian Class C Habitat. (District 1)

Attachments: [FC_RiparianHabitatMitigationPlan](#)

8. Contract

Psomas, Inc., Amendment No. 2, to provide design engineering services for the Pantano Bank Protection and River Park Phase 3: Tanque Verde Road to Glenn and Phase 4: Glenn to Craycroft, extend contract term to 10/14/15 and amend contractual language and scope of work, Flood Control Tax Levy Fund, contract amount \$603,607.85 (CT-FC-13-594)

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

LIBRARY DISTRICT BOARD**9. Grant Acceptance**

Arizona State Library, Archives and Public Records, to provide for the State Grants-In-Aid Program, \$26,589.00.

Attachments: [GR_GrantReport](#)

10. Grant Acceptance

Arizona State Library, Archives and Public Records, to provide for the State Grants-In-Aid Program, \$25,000.00.

Attachments: [GR_GrantReport](#)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**CONSENT CALENDAR****11. Call to the Public (for Consent Calendar items only)****12. Approval of Consent Calendar****CLERK OF THE BOARD****13. UNFINISHED BUSINESS (9/17/13)**

Approval of the Board of Supervisors Minutes of August 19, 2013.

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

[CL_08-19-13DraftMinutes Letter and Material](#)

ECONOMIC DEVELOPMENT AND TOURISM

14. **Pima Prosperity Fund Corporation**
RESOLUTION NO. 2013 - 86, of the Board of Supervisors, approving and authorizing the Pima County Small Business Commission to assist with the creation of the Pima Prosperity Fund Corporation to facilitate the provision of private funds to loan to small businesses in Pima County in order to create and retain private jobs and increase the County's property tax base in accordance with Pima County's Economic Development Plan.
Attachments: [ED_ResolutionSmallBusiness](#)

SHERIFF

15. **Asset Sale**
Pursuant to A.R.S. §11-251(9), staff requests approval to sell a Cessna T210 aircraft that no longer meets the needs of the department.
Attachments: [SD_SaleofCessna](#)

***** HEARINGS *******BOARD OF SUPERVISORS**

16. UNFINISHED BUSINESS (8/6/13 and 9/3/13)
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.
Attachments: [BOS_AppealTaxParcel116-16-069A](#)
[BOS_ReportofReviewOfficer-Mena116-16-069A](#)
[BOS_Continuation Ltr-Parcel No. 116-16-069A](#)

FRANCHISE/LICENSE/PERMIT

17. **Liquor License**
13-12-9154, Motie Jaber, Road Runner Market, 16121 S. Houghton Road, Vail, Series 10, Beer and Wine Store, New License.
Attachments: [FLP_LLRoadRunnerMarket](#)
18. **Liquor License**
13-13-9155, Xiang Mei Deng, Golden Dragon Restaurant, 6433 N. Oracle Road, Tucson, Series 7, Beer and Wine Bar, Person Transfer.
Attachments: [FLP_LLGoldenDragonRestaurant](#)

19. **Liquor License**
13-14-9156, Abel Alertness Koroscil, Dak's Pizza and Games, 9725 N. Thornydale Road, No. 173, Tucson, Series 12, Restaurant, New License.

Attachments: [FLP LLDak'sPizza&Games](#)

20. **Extension of Premises/Patio Permit**
Scott A. Busse, Territorial, 3727 S. Palo Verde Road, Tucson, Temporary Extension of Premises for October 5, 12, 19, 26, November 1, 2, 9, 16, 23 and 30, 2013.

Attachments: [FLP EPTerritorial](#)

PROCUREMENT

21. A. **Appeal of the Procurement Director's Decision**
Pursuant to Pima County Code Section 11.20.010(J), Borderland Construction Company, Inc. appeals the decision of the Procurement Director regarding Solicitation No. 103853 - Magee Road Improvements - La Cañada to AZ 77.
- B. **UNFINISHED BUSINESS (9/17/13)**
Award
Low Bid: Award of Contract, Solicitation No. 103853, in the amount of \$9,974,990.20 to the lowest responsive bidder, Select Development and 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 BorderlandAppeal](#)
[PO_SolicitationNo103853](#)
[PO_Memorandum-CA](#)

FORENSIC SCIENCE CENTER

22. **(Clerk's Note:** Staff requests this item be continued to the Board of Supervisors' Meeting of December 3, 2013.)

Fee Schedule

ORDINANCE NO. 2013 - **44**, of the Board of Supervisors, relating to Forensic Science Center, establishing a fee for Anthropologist services.

Attachments: [FSC_FeeSchedule](#)

23. **CALL TO THE PUBLIC**

24. **ADJOURNMENT**

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 9/25/13 @ 11:00 a.m.

DATE/TIME REPOSTED (additional attachments only): 9/26/13 @ 4:45 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/27/13 @ 4:30 p.m.

DATE/TIME REPOSTED (additional attachments only): 9/30/13 @ 1:15 p.m.

DATE/TIME REPOSTED (combined Agenda/Addendum): 9/30/13 @ 4:15 p.m.

ADDENDUM 1**PRESENTATION/PROCLAMATION**

1. Presentation of a proclamation to Laura Fairbanks, on behalf of the National Alliance on Mental Illness of Southern Arizona, proclaiming the week of October 6 through October 13, 2013 to be:
"MENTAL ILLNESS AWARENESS WEEK"

Attachments: [PROC_Mental_Illness_Week](#)

EXECUTIVE SESSION

2. **Call to the Public (for Executive Session items only)**

EXECUTIVE SESSION

3. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a request by the Pima County Attorney's Office that the Board of Supervisors waive a potential conflict of interest to allow the Pima County Attorney's Office Civil Division to advise and represent Pima County Assessor Bill Staples with respect to the tax classification of Raytheon Company's IPRs.

Attachments: [PCA_ExecutiveSession-Raytheon](#)

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

4. **Archived Audio and Video of Board of Supervisors' Meetings**
Discussion/action regarding making archived audio and video of Board of Supervisors' meetings available online for public view on-demand.
(District 1)

Attachments: [BOS_Archived_AudioVideo](#)

CONTRACT AND AWARD**HEALTH**

5. State of Arizona, Department of Corrections, Amendment No. 5, to provide for the use of an inmate labor pool at the Pima Animal Care Center and amend contractual language, General Fund, contract amount \$110,019.00 (CT-HD-12-619)

Attachments: [CT-HD-12-619](#)

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 9/27/13 @ 11:00 a.m.

CONSENT CALENDAR OCTOBER 1, 2013

CONSENT CALENDAR, OCTOBER 1, 2013**CONTRACT AND AWARD****Community Development and Neighborhood Conservation**

1. Dunbar Coalition, Inc., Amendment No. 1, to provide for renovations to the Dunbar Community/Cultural Center and extend contract term to 9/30/14, no cost (CT-CD-13-611)

Attachments: [CT-CD-13-611](#)

2. Southern Arizona Legal Aid, Inc., to provide for low-income tenant and homeowner legal representation, CDBG Fund, contract amount \$25,000.00 (CT-CD-14-101)

Attachments: [CT-CD-14-101](#)

Facilities Management

3. Level 3 Communications, L.L.C., Amendment No. 9, to provide a lease agreement for property located at 33 N. Stone, Suites 1610 and 1620, extend contract term to 8/31/14 and amend contractual language, contract amount \$60,584.64 revenue (CTN-FM-CMS141938)

Attachments: [CTN-FM-CMS-141938](#)

Health

4. Pima County Community College District, Amendment No. 2, to provide for the education and training of health sciences students and extend contract term to 10/4/16, no cost (CTN-HD-12-91)

Attachments: [CTN-HD-12-91](#)

Information Technology

5. Action Communications, Inc., Amendment No. 2, to provide a rooftop license for the Bank of America building, extend contract term to 7/31/18 and amend contractual language, contract amount \$147,905.76 revenue (CTN-IT-CMS141278)

Attachments: [CTN-IT-CMS-141278](#)

Procurement**6.****Award**

Amendment of Award: Solon Corporation (Headquarters: Tucson, AZ), Contract No. MA-12-499, to provide and pay for electricity generated by new solar electric facilities at the new Fleet Services building site and the existing PECOC site, increase the award to enable execution of a new contract in the amount of \$4,642,883.00. Funding Source: General Fund. Administering Department: Facilities Management.

Attachments: [PO AmendofAward_MA12-499](#)

7.**Award**

Highest Ranked Respondents: award of job order master agreement, Solicitation for Qualifications No. 90136 to Centerline Mechanical, L.L.C. (Headquarters: Cave Creek, AZ), Pueblo Mechanical and Controls, Inc. (Headquarters: Tucson, AZ) and Sun Mechanical Contracting, Inc. (Headquarters: Tucson, AZ) for as-needed heating, ventilating, and air conditioning (HVAC) contracting services at various locations throughout Pima County in the shared amount of \$750,000.00. The initial term is for one year with options to extend for up to three additional one year periods. Funding Source: Various Funds. Administering Department: Facilities Management.

Attachments: [PO Award_90136](#)

8.**Award**

Low Bid: Award of Contracts, Requisition No. 13-415, Palmisano Brothers, Inc., d.b.a. Peddler's Son Produce (Headquarters: Phoenix, AZ) and Shamrock Foods Company (Headquarters: Phoenix, AZ) for produce (food) for a total five year award amount of \$1,379,525.00 (annual amount of \$275,905.00). Contracts are for five year terms and include annual review 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

Palmisano Brothers, Inc., d.b.a. Peddler's Son Produce
Shamrock Foods Company

Five Year Award

\$800,000.00
\$579,525.00

Attachments: [PO Award_13-415](#)

9.

Award

Low Bid: Award of Contract, Requisition No. 14-25, Soloy Aviation Solutions (Headquarters: Olympia, WA) for a fixed-wing turbine powered aircraft in the amount of \$1,110,000.00. Award is for a one year term in order to permit the vendor to complete assembly and PCSD to inspect the aircraft before accepting final delivery. Funding Source: RICO Fund. Administering Department: Sheriff.

Attachments: [PO Award 14-25](#)

10.

Award

Amendment of Award: MA No. B505971, Amendment No. 5, U.S. Foodservice, Inc. (Headquarters: Phoenix, AZ), to provide food products (meats, canned, dry, frozen and cold foods) for the Pima County Adult Detention Center, extend the contract term to 12/7/13 with no increase in the annual award amount of \$2,440,000.00. Funding Source: General Fund. Administering Department: Sheriff.

Attachments: [PO AwardAmendment B505971](#)
[PO AwardAmendment B505971-Revised](#)

Real Property

11.

A-Mart, L.L.C., to provide a license for bufferyard encroachment in right-of-way to use and maintain existing bufferyard landscaping area located adjacent to Tax Parcel No. 401-06-066H within Pima County right-of-way described as McMahon Road in Section 10, T12S, R6W, G&SRB&M, contract amount \$1,750.00 revenue. (CTN-PW-14-45)

Attachments: [CTN-PW-14-45](#)

Sheriff

12.

State of Arizona, Office of the Attorney General, Amendment No. 1, to provide for the Victims' Rights Program, extend contract term to 6/30/14 and amend contractual language, State Grant Fund, contract amount \$57,200.00 revenue (CTN-SD-13-27)

Attachments: [CTN-SD-13-27](#)

13.

Town of Sahuarita, to provide for the incarceration of municipal prisoners, contract amount \$112,674.00 estimated revenue (CTN-SD-13-370)

Attachments: [CTN-SD-13-370](#)

GRANT APPLICATION/ACCEPTANCE

14. **Acceptance - Health Department**
Arizona Department of Health Services, to provide for the Empower Plus Program, \$13,980.00/5 year term.
Attachments: [GR_GrantReport](#)
15. **Acceptance - Health Department**
Arizona Department of Health Services, to provide for the WIC, Breastfeeding Peer Counseling and Farmer's Market Nutrition Programs, USDA Fund, \$1,661,249.00/5 year term.
Attachments: [GR_GrantReport](#)
16. **Acceptance - Health Department**
Arizona Department of Health Services, Amendment No. 5, to provide for the Emergency Preparedness Program, U.S. Department of Health and Human Services/Center for Disease Control Fund, \$684,152.01/5 year term.
Attachments: [GR_GrantReport](#)
17. **Acceptance - Health Department**
Arizona Department of Health Services, Amendment No. 2, to provide for the Strategic Prevention Enhancement Program, Substance Abuse and Mental Health Services Administration Fund, \$73,167.00/4 year term.
Attachments: [GR_GrantReport](#)
18. **Acceptance - Health Department**
Arizona Family Health Partnership, Amendment No. 1, to provide for the Family Planning Program, U.S. Department of Health and Human Services/Office of Population Affairs Fund, \$767,777.00.
Attachments: [GR_GrantReport](#)
19. **Acceptance - Health Department**
Pima Community Access Program, to provide for the Connecting Kids to Coverage Outreach and Enrollment Program, U.S. Department of Health and Human Services/Centers for Medicare and Medicaid Services Fund, \$18,100.00/2 year term.
Attachments: [GR_GrantReport](#)

BOARD, COMMISSION AND/OR COMMITTEE

- 20. Pima County/Tucson Commission on Addiction, Prevention and Treatment**
Appointments of Patrick Barrasso, Hee Ju and Natalie Morice, to fill the vacancies created by Sandra A. Fimbres, Esther Sharif and Kristina Simpson. Term expirations: 9/30/15. (Commission recommendations)
- Reappointments:
- Margaret Higgins, Carl Bedford, Larry Munguia and Mary Jo Silcox. Term expirations: 9/30/15. (Commission recommendations)
 - Arthea Tate. Term expiration: 8/31/15. (Commission recommendation)
- Attachments: [BCC_AddictionPreventionTreatment](#)
- 21. Tucson-Pima County Bicycle Advisory Committee**
Appointment of Tom Nieman, to fill the vacancy created by Larry Robinson. Term expiration: 9/30/15. (Commission recommendation)
- Attachments: [BCC_BicycleAdvisoryCommittee](#)
- 22. Pima County/City of Tucson Outdoor Lighting Code Committee**
Ratification of Reappointments: Paul S. Smith, Joyce J. Kelly, Hyman Kaplan, Earl Zoeller, Dennis Coon and Craig R. Barron. Term expirations: 5/6/17. (City of Tucson recommendations)
- Attachments: [BCC_OutdoorLightingCodeCommittee](#)
- 23. Trial Court Appointments - Nominating Committee District 1**
Appointment of Ginger Hambly, Democrat, to replace Katherine Jacobson. No term expiration.
- Attachments: [BCC_TrialCourtNominatingCommitteeDistrict1](#)

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

- 24.** Laurie S. Buckelew, VFW Post 10254 Ladies Auxiliary, Buckelew Farms, 17000 W. Ajo Highway, Tucson, October 4, 5, 6, 11, 12 and 13, 2013.
- 25.** Laurie S. Buckelew, Three Points Fire Local 4871, Buckelew Farms, 17000 W. Ajo Highway, Tucson, October 18, 19, 20, 23, 24, 25, 26, 27 and 31, 2013.
- 26.** Brenda J. Goldsmith, El Rio Health Center Foundation, Westin La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, November 1, 2013.
- 27.** William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, October 5, 2013.

ELECTIONS

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

Resignations-Precinct-Party

Nicholas R. Mahon-062-DEM; Linda J. Felter-096-REP; Jack M. Heald-237-REP; Tony Rosano-018-GRN

Appointments-Precinct-Party

Nicholas R. Mahon-046-DEM; Glenn Davis-064-DEM; Brian E. Bickel-158-DEM; Michael T. Dues-158-DEM; Karen M. Lund-053-REP; Vincenza Schweda-205-REP

Attachments: [EL_PrecinctCommitteemen](#)

FINANCE AND RISK MANAGEMENT

29. **Duplicate Warrants - For Ratification**

Desert Trees \$645.09; Alexis Rae Gallego \$85.40; Auto Safety House, L.L.C. \$4,640.16; MTJ American, L.L.C. \$4,589.50; Advent Electric, Inc. \$12,865.00; Vivian Lea Spencer \$437.50; Multisource Document Services \$5,123.20; Jan M. Abington \$650.00.

Attachments: [FN_Replacement_Warrants](#)

SUPERIOR COURT

30. **Judge Pro Tempore Appointment**

Appointment of Walter Weber as Judge Pro Tempore of the Superior Court through June 30, 2014.

Attachments: [SC_JudgeProTemporeAppt](#)

TREASURER

31. **Certificates of Clearance**

Pursuant to A.R.S. §42-19118A, staff requests approval of the following:

Unsecured Mobile Homes:	\$ 13,100.16
Business Personal Property:	<u>\$ 52,262.60</u>
Total Unsecured Personal Property:	\$ 65,362.76

Attachments: [TO_SummaryCertificateOfClearance](#)
[TO_CertificateOfClearance](#)

32.

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. 400267 - 400270	\$ 394.19
Personal Property	Abatement Nos. 500898 - 500901	<u>\$ 10,957.24</u>
TOTAL		\$ 11,351.43

Attachments: [TO_SummaryRemovalAbatement](#)
[TO_RemovalAbatement](#)

RATIFY AND/OR APPROVE

33.

Warrants: September, 2013