



# Pima County

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

## Meeting Agenda Board of Supervisors

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Tuesday, April 16, 2013

9:00 AM

Board of Supervisors' Hearing Room

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### PIMA COUNTY BOARD OF SUPERVISORS

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

### 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](http://www.pima.gov).*

#### LIVE BROADCAST

*Cablecast Channels.....Comcast 96;.....Cox 12 and 96*

*Webcast: [www.pima.gov](http://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. 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 Ray Thomas, Holy Way Presbyterian Church.

**3. PLEDGE OF ALLEGIANCE****4. PAUSE 4 PAWS****PRESENTATIONS/PROCLAMATIONS**

5. Presentation of a proclamation to Lt. Raul Munoz, Pima County Sheriff's Department, proclaiming May 5, 2013 through May 11, 2013, to be:  
"CORRECTIONAL OFFICERS WEEK"

Attachments: [Proc\\_CorrectionalOfficersWeek](#)

6. Presentation of a proclamation to Lt. Raul Munoz, Pima County Sheriff's Department, proclaiming May 5, 2013 through May 11, 2013, to be:  
"NURSES WEEK"

Attachments: [Proc\\_NursesWeek](#)

7. Presentation of a proclamation to Veronica Acosta, National Day of Prayer Committee, proclaiming Thursday, May 2, 2013, to be:  
"NATIONAL DAY OF PRAYER"

Attachments: [Proc\\_NationalDayofPrayer](#)

**EXECUTIVE SESSION**

*(Clerk's Note: As of the posting date of 4/10/13, no executive session item has been placed on the regular agenda. However, this is subject to any addendum. 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.)*

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS****FLOOD CONTROL DISTRICT BOARD**

8. **Contract**  
Schlesinger Consulting Engineering, P.L.L.C., Amendment No. 1, to provide design engineering services for the Canada Del Oro Wash Pathway: La Cholla to La Canada, extend contract term to 6/30/14 and amend contractual language, Flood Control District Tax Levy Fund, contract amount \$46,646.99 (CT-FC-13000278)

Attachments: [CT-FC-13000000000000000278-01.pdf](#)

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

- 9. Call to the Public (for Consent Calendar items only)
- 10. Approval of Consent Calendar

**BOARD OF SUPERVISORS**

- 11. Adoption of the Board of Supervisors Rules and Regulations, dated April 2013.  
*Attachments:* [BOS\\_ProposedBOSRulesandRegs](#)

**INDUSTRIAL DEVELOPMENT AUTHORITY**

- 12. RESOLUTION NO. 2013 - **26**, 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 \$11,500,000.00 Education Revenue Bonds (BASIS Schools, Inc. Project) Series 2013 and declaring an emergency.  
*Attachments:* [IDA\\_ResoBASIS](#)
- 13. RESOLUTION NO. 2013 - **27**, of the Board of Supervisors of Pima County, Arizona, approving the proceeding of the Industrial Development Authority of the County of Pima regarding the issuance of its Fire Facility Revenue Bonds (Twin Arrows Fire Station Project), Series 2013 in an aggregate principal amount not to exceed \$13,000,000.00 and declaring an emergency.  
*Attachments:* [IDA\\_ResoTwinArrows](#)
- 14. RESOLUTION NO. 2013 - **28**, of the Board of Supervisors of Pima County, Arizona, approving the proceeding of the Industrial Development Authority of the County of Pima regarding the issuance of its Education Facility Revenue Bonds (Starshine Academy Project), Series 2013 in an aggregate principal amount not to exceed \$13,000,000.00 and declaring an emergency.  
*Attachments:* [IDA\\_ResoStarShineAcademyProject](#)

**TRANSPORTATION**

15.                   **Acceptance of Project/Roadway for Maintenance**  
P1204-086, Sonoran Ranch Estates II, Lots 511-540 and 549-570.  
Developer: Son.Land Company (District 3)  
Attachments:    [TR\\_P1204-086SonoranRanchEstatesII](#)

**\*\*\* HEARINGS \*\*\*****FRANCHISES/LICENSES/PERMITS**

16.                   **Fireworks Permit**  
Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson,  
April 21, 2013 at 9:00 p.m.  
Attachments:    [FLP\\_FWTucsonCountryClub\\_April21](#)
17.                   **Fireworks Permit**  
Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson,  
April 25, 2013 at 8:30 p.m.  
Attachments:    [FLP\\_FWTucsonCountryClub\\_April25](#)
18.                   **Wine Festival**  
Ricky Lynn Riddle, Bear Track Winery, 4743 E. Sunrise Drive, Tucson,  
May 10, 2013 from 5:00 p.m. to 10:00 p.m. and May 11, 2013 from  
12:00 p.m. to 10:00 p.m.  
Attachments:    [FLP\\_WFBearTrackWinery](#)

**DEVELOPMENT SERVICES**

19.                   **Type III Conditional Use Permit - Increase in Height of Existing  
Tower - Communication Tower**  
P21-12-020, PICTURE ROCKS VOLUNTEER FIRE DISTRICT - N.  
SANDARIO ROAD  
Request of FM Group (on behalf of AT&T Mobility), on property located  
at 7341 N. Sandario Rd., in the GR-1 Zone, for a Conditional Use Permit  
for a Communication Tower (increase in height of existing tower), in  
accordance with Section 18.07.030.H.2.e. of the Pima County Zoning  
Code as a Type III Conditional Use Permit. On motion, the Planning  
and Zoning Commission voted 8-0 (Commissioners Spendiarian and  
Cook were absent) to recommend **APPROVAL SUBJECT TO  
STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator  
recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL  
CONDITIONS**. (District 3)  
Attachments:    [DSD\\_P21-12-020PictureRocksVolunteerFireDistrict](#)

**TRANSPORTATION****20. Traffic Ordinance**

ORDINANCE NO. 2013 - **21**, of the Board of Supervisors, regulating traffic at the intersection of Hildreth Avenue and Corona Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 5)

Attachments: [TR\\_OrdHildreth&Corona](#)

**21. Traffic Resolution**

RESOLUTION NO. 2013 - **29**, of the Board of Supervisors, permitting the temporary closure of Dodge Boulevard in Pima County, Arizona, for the Cyclovia Tucson Event on Sunday, April 28, 2013. Staff recommends **APPROVAL**. (Districts 1 and 2)

Attachments: [TR\\_ResoDodgeBlvd](#)

**22. CALL TO THE PUBLIC****23. ADJOURNMENT**

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

**Pima County Homepage: [www.pima.gov](http://www.pima.gov)**

**DATE/TIME POSTED: 4/10/13 @ 1:00 p.m.**

**DATE/TIME REPOSTED (additional attachments only): 4/15/13 @ 3:30 p.m.**

**DATE/TIME REPOSTED (combined Agenda/Addendum): 4/15/13 @ 3:30 p.m.**

**ADDENDUM 1****PRESENTATION/PROCLAMATION**

1. Presentation of a proclamation to Mary Ann Phininzy, proclaiming April 26, 2013 through April 28, 2013, to be:  
"GLOBAL YOUTH SERVICE DAYS"  
**Attachments:** [Proc\\_GlobalYouthServiceDays](#)
2. Presentation to Sylvia Grajeda to honor her late husband, Ed Grajeda, Range Master at the Southeast Regional Park Shooting Range from 2009 - 2013, who set the record of logging 665 volunteer hours in the year 2010.  
**Attachments:** [BOS\\_PresentationtoSGrajeda](#)

**EXECUTIVE SESSIONS****Call to the Public (for Executive Session items only)**

3. UNFINISHED BUSINESS (4/9/13)  
Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the recovery of Pima County's excess costs related to water service to the new Justice Courts Complex.  
**Attachments:** [PCA\\_ExecutiveSession-JusticeCourtsComplex](#)
4. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a claim against Pima County by Title Security Agency of Arizona as Trustee under Trust No. 2003 and Valencia Kolb Properties, L.L.C.  
**Attachments:** [PCA\\_ExecutiveSession-ValenciaKolbLLCClaim](#)
5. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of Title Security Agency of Arizona, an Arizona Corporation, as Trustee under Trust Nos. 773 and 787; Daniel E. Percy and Mattida Raksanaves, husband and wife; and KFI/AAF SR Holdings, L.L.C., an Arizona Limited Liability Company v. Pima County, Arizona Tax Court Case No. TX2010-001181, Saguaro Ranch, 59 parcels for Tax Year 2011: generally Tax Parcel Nos. 219-07-0110 through 219-07-0160, 219-10-001E through 219-10-1690 and 219-11-006J.  
**Attachments:** [PCA\\_ExecutiveSession-TaxCaseSettlements](#)
6. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of KFI/AAF SR Holdings, L.L.C., an Arizona Limited Liability Company v. Pima County, Arizona Tax Court Case No. TX2011-000504, Saguaro Ranch, 4 parcels for Tax Year 2011:

Tax Parcel Nos. 219-07-0040, 219-07-0050 and 219-10-075A and 219-10-1010; 63 parcels for Tax Year 2012: generally Tax Parcel Nos. 219-07-0040 through 219-07-0160 and 219-10-001E through 219-10-1690.

**Attachments:** [PCA ExecutiveSession-TaxCaseSettlements](#)

7. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of CIS Servicing, L.L.C., a Limited Liability Company v. Pima County, Arizona Tax Court Case No. TX2011-000831, Tax Parcel No. 225-51-2600 for Tax Year 2012.

**Attachments:** [PCA ExecutiveSession-TaxCaseSettlements](#)

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of Foothills Real Estate, L.L.C., v. Pima County and Department of Revenue of the State of Arizona, Arizona Tax Court Case No. TX2012-000127, Tax Parcel Nos. 121-05-0140, 121-05-0150, 121-05-016A, 121-05-017F and 121-05-017J for Tax Years 2012 and 2013.

**Attachments:** [PCA ExecutiveSession-TaxCaseSettlements](#)

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of G&E Healthcare REIT Academy, L.L.C., v. Pima County, Arizona Tax Court Case No. TX2011-000957, Tax Parcel Nos. 133-17-062A, 133-17-062F, 133-17-062H and 133-17-062J for Tax Year 2012.

**Attachments:** [PCA ExecutiveSession-TaxCaseSettlements](#)

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of WCCP 1 Finance Drive, L.L.C., an Arizona Limited Liability Company, EDI Ocean, L.L.C., an Arizona Limited Liability Company, WRM Investments, L.L.C., an Arizona Limited Liability Company, and PVP Investments, L.L.C., a Delaware Limited Liability Company v. Pima County, Arizona Tax Court Case No. TX2011-000982, Tax Parcel Nos. 133-23-1460 and 133-23-167A for Tax Year 2012.

**Attachments:** [PCA ExecutiveSession-TaxCaseSettlements](#)

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of WCCP Plaza Palomino, L.L.C., an Arizona Limited Liability Company v. Pima County, Arizona Tax Court Case No. TX2012-000201, Tax Parcel No. 110-05-014C for Tax Years 2012 and 2013.

**Attachments:** [PCA ExecutiveSession-TaxCaseSettlements](#)

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

12. Town of Oro Valley, to provide a lease agreement for the Oro Valley Public Library, Library District Fund, contract amount \$750,000.00/25 year term (CT-LIB-13000725)  
**Attachments:** [CT-LIB-13000000000000000725](#)

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

13. RESOLUTION NO. 2013 - **30**, of the Board of Supervisors, in support of a community-wide conference on the health impacts of a changing climate in the Southwest. (District 5)  
**Attachments:** [BOS ResoHealthImpactsofChangingClimate](#)

**COUNTY ADMINISTRATOR**

14. **Proposed Workplace Bullying Policy**  
Staff recommends adoption of Board of Supervisors Policy, No. D23.1, Preventing, Identifying and Addressing Workplace Bullying, and direction to staff as follows:  
1. Incorporate workplace bullying prevention training in our existing training curricula.  
2. Ensure employees understand the consequences of workplace bullying through enforcement, email, eScoop, and consultation with the Human Resources Department.  
**Attachments:** [CA\\_ProposedWorkplaceBullyingPolicy](#)

**CONTRACTS AND AWARDS****COMMUNITY SERVICES, EMPLOYMENT AND TRAINING**

15. Arizona Board of Regents, University of Arizona, to provide services to assist in alleviating poverty, revitalizing communities and empowering low-income families to become self-sufficient, CSBG Fund, contract amount \$22,500.00 (CT-CS-13000740)  
**Attachments:** [CT-CS-13000000000000000740](#)

**FACILITIES MANAGEMENT**

16. Town of Oro Valley, to provide a lease agreement for the Oro Valley Public Library, Library District Fund, contract amount \$750,000.00/25 year term (CT-LIB-13000725)  
Attachments: [CT-LIB-13000000000000000725](#)

**NATURAL RESOURCES, PARKS AND RECREATION**

17. Championship Sports, L.L.C., Amendment No. 6, to provide for the operation and administration of leagues at Mike Jacob Sports Park and amend contractual language, no cost (CT-PR-12001596)  
Attachments: [CT-PR-12000000000000001596-06](#)
18. Rillito Park Foundation, to provide an operating agreement for the Historic J. Rukin Jelks House, contract amount \$60,000.00 revenue/5 year term (CTN-PW-13000300)  
Attachments: [CTN-PW-13000000000000000300](#)

**OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY**

19. State of Arizona, Arizona State Forestry Division, to provide for the Community Wildfire Protection Plan Project, State Grant Fund, contract amount \$10,000.00 revenue (CT-OEM-13000731)  
Attachments: [CT-OEM-13000000000000000731](#)

**PROCUREMENT**

20. Qwest Communications Company, L.L.C., d.b.a. CenturyLink Q.C.C., Qwest, Amendment No. 1, to provide for the voice over internet protocol communications system and amend contractual language, Capital Project Fund, contract amount \$1,238,916.03 (MA-PO-12000151) Information Technology  
Attachments: [MA-PO-12000000000000000151](#)

**BOARDS, COMMISSIONS AND/OR COMMITTEES**

21. **Board of Adjustment, District 3**  
Appointment of Dee Steinbrenner to fill the unexpired term of Jo Coudray. Term expiration: 9/6/14. (District 3)  
Attachments: [BCC\\_BoardofAdjustmentDist3Appt](#)
22. **Library Advisory Board**  
Appointment of Norma Jean Bethel to fill the unexpired term of John J. Hagan. Term expiration: 6/30/15. (District 3)  
Attachments: [BCC\\_LibraryAdvisoryBdAppt](#)

**23.**

**Pima County Housing Commission**

Reappointment of David Greenberg. Term expiration: 12/31/16.  
(District 1)

**Attachments:** [BCC HousingCommReappt-Greenberg](#)

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

**Pima County Homepage: [www.pima.gov](http://www.pima.gov)**

**DATE/TIME POSTED: 4/12/13 @11:45 a.m.**

# **CONSENT CALENDAR APRIL 16, 2013**

**CONSENT CALENDAR, APRIL 16, 2013****CONTRACTS AND AWARDS****Community Development and Neighborhood Conservation**

1. City of Tucson, Amendment No. 2, to provide for the NSP2 Consortium Funding Agreement, extend contract term to 2/28/14 and amend contractual language, HUD Federal Fund, contract amount \$110,000.00 (CT-CD-12000352)

Attachments: [CT-CD-12000000000000000352-02.pdf](#)

2. La Posada at Park Center, Inc., Amendment No. 2, to provide for the Casa Community Center/Casa de Esperanza Facility Improvements Project and amend contractual language, CDBG Fund, contract amount \$18,000.00 (CT-CD-12001972)

Attachments: [CT-CD-120000000000000001972-02.pdf](#)

**Health**

3. Tucson Unified School District, Amendment No. 3, to provide dental screening and sealant services and extend contract term to 2/1/14, no cost (CTN-HD-12000073)

Attachments: [CTN-HD-12000000000000000073-03.pdf](#)

4. Pima Council on Aging, Amendment No. 2, to provide nursing services to the elderly population and amend contractual language, no cost (CTN-HD-13000045)

Attachments: [CTN-HD-13000000000000000045-02.pdf](#)

5. Arizona Department of Health Services, to provide immunization services, Federal Fund, contract amount revenue based on services (CTN-HD-13000270)

Attachments: [CTN-HD-130000000000000000270.pdf](#)

**Procurement**

6. **Award**  
Amendment of Award: Motorola, Inc., Contract No. MA-PO-12000284, Amendment No. 4. This contract is to provide Pima County Wireless Integrated Network Voice Radio System, modify contract notice information and revise payment terms. Funding Source: 2004 Bond Fund, Federal Grant Fund and Pima County Wireless Integrated Network Participant Funds. Administering Department: Sheriff.

Attachments: [MA-PO-120000000000000000284-04.pdf](#)

**7. Award**

Low Bid: Award of Contract, Requisition No. 83510, in the amount of \$5,007,831.96, Base Bid plus Add Alternate No. 1 - Pedestrian Path and Add Alternate No. 2 - Landscape, to the lowest responsive bidder, Southern Arizona Paving & Construction Co., (Headquarters: Tucson, AZ) for the construction of Orange Grove Road: Camino de la Tierra to La Cholla Boulevard Project. The contract term is thirty months with the ability to extend for contract completion. Construction is to be complete within 270 working days from Notice to Proceed. Funding Source: 1997 HURF Bond Fund, DOT-44 (95.6%), RTA Intersection Safety Funds (4.4%). Administering Department: Public Works.

Attachments: [PO\\_AwardReq83510](#)

**BOARDS, COMMISSIONS AND/OR COMMITTEES****8. Tucson/Pima County Bicycle Advisory Committee**

Ratification of Town of Marana appointment: Glenn Pfeiderer. Term expiration: 9/20/13. (Jurisdictional recommendation)

Attachments: [BCC\\_BACApptRatification](#)

**9. Pima County Housing Commission**

Reappointment of Kathleen Hewitt. Term expiration: 4/16/17. (District 1)

Attachments: [BCC\\_HousingCommReappt](#)

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

- 10.** George Steven Nash, Pima County Medical Society Alliance, St. Phillip's Plaza, 4280 N. Campbell Avenue, Tucson, April 27, 2013.

**FINANCE AND RISK MANAGEMENT****11. Duplicate Warrants - For Ratification**

Ursula D. Koontz \$17.80; Southwest Gas \$133.52; Republic Services of AZ Haulin \$13,313.33; Republic Services of AZ Haulin \$11,896.59; Harrison Blackwell \$159.00

Attachments: [FN\\_DuplicateWarrants.pdf](#)

**JUSTICE COURT****12. Small Claims Hearing Officers Appointments**

Appointments of Small Claims Hearing Officers of the Consolidated Justice Court for the period of July 1, 2013 through June 30, 2014:

Vera Beil  
Carolyn A. Classen  
Ben E. Davis  
Michael Figueroa  
Michael Hellon  
David Kryder

Carol Larson  
Lesley Potts  
James A. Rendon  
Bryan Schwartz  
William B. Shope  
Allan Zoloto

**Attachments:** [JCT\\_SmallClaimsHearingOfficersAppts](#)

## PROCLAMATION

13. Proclaiming April 28, 2013 through May 4, 2013, to be:  
“PIMA COUNTY PEACE OFFICERS MEMORIAL WEEK”  
and  
Proclaiming Friday, May 3, 2013, to be:  
“PIMA COUNTY PEACE OFFICERS MEMORIAL DAY”

**Attachments:** [Proc\\_PeaceOfficersMemorialWeek](#)

## RATIFY AND/OR APPROVE

14. Minutes: March 19, 2013

**Attachments:** [CL\\_3-19-13DraftMinutes](#)