



Pima County

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

Meeting Agenda Board of Supervisors

Tuesday, December 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 Robert Allen, Desert Stream Bible Church.

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

(Clerk's Note: As of the posting date of 12/11/13, 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****5. Riparian Habitat Mitigation**

Staff requests approval of a Riparian Habitat Mitigation Plan for property located at 4001 N. Soldier Trail, within an important riparian area with underlying Class H Habitat. (District 4)

Attachments: [FC RiparianHabitatMitigationPlan-Soldier Trail](#)

LIBRARY DISTRICT BOARD**6. Award**

Amendment of Award: MA No. 12-142, Amendment No. 1, Recorded Books, L.L.C., to retroactively add \$62,000.00 for expenditures that exceeded the annual amount of \$120,000.00 in year 2013 and to increase the current contract total amount of \$600,000.00 by \$600,000.00 to meet the increased demand for digital downloads of audio books for library patrons. Funding Source: Library District Fund. Administering Department: Library.

Attachments: [PO Award12-142](#)

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

7. **Call to the Public (for Consent Calendar items only)**
8. **Approval of Consent Calendar**

FINANCE AND RISK MANAGEMENT

9. **Self-Insured Workers' Compensation Program**
Staff requests approval of the Request for Exemption from Requirement to Post Statutory Deposit for submission to the Industrial Commission of Arizona.
Attachments: [FN_ExemptionFromRequirementToPostStatutoryDeposit](#)

INDUSTRIAL DEVELOPMENT AUTHORITY

10. **Noah Webster Schools - Pima Project**
RESOLUTION NO. 2013 - **114**, 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 \$12,000,000.00 education revenue bonds (Noah Webster Schools-Pima Project), Series 2014 and declaring an emergency.
Attachments: [IDA_ResoNoahWebsterSchools-PimaProject](#)
11. **PLC Arts Academy at Scottsdale Project**
RESOLUTION NO. 2013 - **115**, 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 \$6,000,000.00 education facility revenue bonds (PLC Arts Academy at Scottsdale Project), Series 2014 and declaring an emergency.
Attachments: [IDA_ResoPLCArtsAcademyatScottsdaleProject](#)

***** HEARINGS *******FRANCHISE/LICENSE/PERMIT**

12. **Fireworks Permit**
Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, December 30, 2013 at 9:00 p.m.
Attachments: [FLP_FWSkylineCountryClub-December30](#)

13. **Fireworks Permit**
Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrew Drive,
Tucson, December 31, 2013 at 10:00 p.m.
Attachments: [FLP_FWSkylineCountryClub-December31](#)

DEVELOPMENT SERVICES

14. **Type II Conditional Use**
P21-13-025, ASARCO, L.L.C. - MISSION MINE, ET AL. - S. MISSION ROAD
Request of Komatsu America Corp., represented by The Planning Center, on properties located at 14591 S. Mission Rd. (Multiple Tax Codes), in the RH zone, for a conditional use permit for an equipment testing facility. Chapter 18.97 in accordance with Section 18.13.030B35 of the Pima County Zoning Code allows an equipment testing facility as an other conditional use which is similar in type scale and intensity as other uses listed. An equipment testing facility is a Type II conditional use in the RH zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 3)
Attachments: [DSD_P21-13-025](#)
[DSD_CommentLetter01](#)
[DSD_Additional-ModifiedConditionAndInformation](#)

TRANSPORTATION

15. **Traffic Resolution**
RESOLUTION NO. 2013 - **116**, of the Board of Supervisors of Pima County, providing for the establishment of a segment of road right-of-way along Magee Road near the intersection of La Cholla Boulevard as a County Highway situated within a portion of Section 33, T12S, R13E, G&SRM, Pima County, Arizona. Staff recommends **APPROVAL.** (District 1)
Attachments: [TR_Resolution_RoadEstablishment](#)

16. **CALL TO THE PUBLIC**

17. **ADJOURNMENT**

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 12/11/13 @ 11:00 a.m.

DATE/TIME REPOSTED (additional attachments only): 12/13/13 @ 3:15 p.m.

DATE/TIME REPOSTED (additional attachments only): 12/16/13 @ 2:30 p.m.

DATE/TIME REPOSTED (combined Agenda/Addendum) 12/16/13 @ 4:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 12/16/13 @ 5:00 p.m.

ADDENDUM 1**PRESENTATION/PROCLAMATION**

1. Presentation of a proclamation to Daisy Rodriguez Patel and Danthai Xayaphanh, proclaiming the day of Tuesday, December 17, 2013 to be: "ASIAN PACIFIC AMERICAN STUDENT AFFAIRS OFFICE DAY"

Attachments: [Proc_AsianPacificAmericanStudentAffairsOffice](#)

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 Valencia Kolb Properties, L.L.C., et al., v. Pima County, United States District Court Case No. CV-01319-DCB, alignment of the Valencia-Kolb intersection and related Regional Transportation Authority Risk Mitigation Analysis.
Attachments: [PCA_ValenciaKolbPropertiesvsPC](#)
4. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Title Security Agency of Arizona, 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., 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 0160, 219-10-001E through 1690, and 219-11-006J.
Attachments: [PCA_AZTaxCourtCases](#)
5. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding KFI/AAF SR Holdings, L.L.C., 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, 219-10-075A and 219-10-1010, and 63 parcels for tax year 2012: generally Tax Parcel Nos. 219-07-0040 through 0160, and 219-10-001E through 1690.
Attachments: [PCA_AZTaxCourtCases](#)
6. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Dove Mountain Hotelco, L.L.C., v. Pima County, Arizona Tax Court Case No. TX2012-000484, Tax Parcel No. 218-19-1740 for tax year 2013.
Attachments: [PCA_AZTaxCourtCases](#)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**FLOOD CONTROL DISTRICT BOARD****7. EXECUTIVE SESSION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Pima County Flood Control District v. Fidelity National Title Agency, et al., Pima County Superior Court Case No. C20132297.

Attachments: [PCA PCFCD vs Fidelity](#)

8. Amendment to the Development Agreement with I-10 Avra Valley Mining & Development, L.L.C.

RESOLUTION NO. 2013 - **FC9**, of the Board of Directors of the Pima County Regional Flood Control District, approving and authorizing the execution of an Amendment to a Development Agreement among Pima County, the **Pima County Flood Control District**, and I-10 Avra Valley Mining & Development, L.L.C., regarding the development of land near the intersection of West Avra Valley Road and the east-bound Frontage Road to Interstate 10. (CTN-CA-14-103-01)

Attachments: [FC AvraValleyDevelopmentAgreementAmendment](#)
[CTN-CA-14-103](#)
[FC CommentLetter01](#)

STADIUM DISTRICT BOARD**9. UNFINISHED BUSINESS (12/10/13)****Contract**

Pima County Sports and Tourism Authority, Pima County and the **Pima County Stadium District**, Amendment No. 5, to provide for PCSTA activities, extend contract term to 6/30/14 and amend contractual language, no cost (CT-ED-13-266)

Attachments: [CT-ED-13-266](#)
[Revised CT-ED-13-266](#)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**COUNTY ADMINISTRATOR****10. Amendment to the Development Agreement with I-10 Avra Valley Mining & Development, L.L.C.**

RESOLUTION NO. 2013 - **119**, of the Board of Supervisors of Pima County, approving and authorizing the execution of an Amendment to a Development Agreement among **Pima County**, the Pima County Flood Control District and I-10 Avra Valley Mining & Development, L.L.C.,

regarding the development of land near the intersection of West Avra Valley Road and the east-bound Frontage Road to Interstate 10.
(CTN-CA-14-103-01)

Attachments: [FC_AvraValleyDevelopmentAgreementAmendment](#)
[CTN-CA-14-103](#)
[FC_CommentLetter01](#)

CONTRACT AND AWARD

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

11. Flowing Wells Unified School District, Amendment No. 1, to provide for the Flowing Wells Resource Center improvements and amend contractual language, CDBG Grant Fund, contract amount \$12,150.00 (CT-CD-14-148)

Attachments: [CT-CD-14-148](#)

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

12. Tucson Urban League, Inc., to provide a program support specialist for the One Stop Career Center, US DOL, ADES and other workforce funds, contract amount \$37,980.00 (CT-CS-14-236)

Attachments: [CT-CS-14-236](#)

13. Tucson Youth Development, Inc., to provide a program support specialist for the One Stop Career Center, US DOL, ADES and other workforce funds, contract amount \$39,675.00 (CT-CS-14-238)

Attachments: [CT-CS-14-238](#)

ECONOMIC DEVELOPMENT AND TOURISM

14. UNFINISHED BUSINESS (12/10/13)
Pima County Sports and Tourism Authority, **Pima County** and the Pima County Stadium District, Amendment No. 5, to provide for PCSTA activities, extend contract term to 6/30/14 and amend contractual language, no cost (CT-ED-13-266)

Attachments: [CT-ED-13-266](#)
[Revised CT-ED-13-266](#)

15. University of Arizona Foundation, College of Science, Amendment No. 1, to provide for the Geo-Tourism Marketing Initiative Program, extend contract term to 6/30/14 and amend contractual language, Economic Development and Tourism Special Revenue Fund, contract amount \$20,000.00 (CT-ED-13-660)

Attachments: [CT-ED-13-660](#)

PROCUREMENT

16. **Award**
Amendment of Award: MA No. B508471, MA Version 8, Toshiba Business Solutions USA, d.b.a. Toshiba Business Solutions, to increase contract amount by \$300,000.00. Funding Source: Various Funds.
Administering Department: Information Technology.
Attachments: [PO MA-B508471](#)

BOARD, COMMISSION AND/OR COMMITTEE

17. **Trial Court Appointments - Nominating Committee District 5**
Appointments of Alonzo Morado, Democrat; Carolyn Campbell, Democrat; Bill Moeller, Green; Montserrat Caballero, Democrat; Claudia Ellquist, Green; Kent Burbank, Independent; and Frank de la Cruz, Democrat. No Term Expiration.
Attachments: [BCC TrialCourtCommissionDistrict5NominatingCommittee](#)

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

18. **Extension of Premises/Patio Permit**
Frank M. Jerez, American Citizens Social Club, 811 N. 2nd Avenue, Ajo, Temporary Extension of Premises for January 11, 2014.
Attachments: [FLP_EPAmericanCitizensSocialClub](#)
19. **Fireworks Permit**
Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, December 24, 2013 at 8:00 p.m.
Attachments: [FLP_FWTucsonCountryClub](#)

TRANSPORTATION

20. **Traffic Resolution**
RESOLUTION NO. 2013 - **120**, of the Board of Supervisors, permitting the temporary closure of Esperanza Avenue, Lomita Avenue and Plaza Street in Ajo, Arizona for the Annual Christmas Parade on Tuesday, December 24, 2013. Staff recommends **APPROVAL**. (District 3)
Attachments: [TR_ResoChristmasEveParade](#)

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 12/13/13 @ 11:30 a.m.

DATE/TIME REPOSTED (additional attachments only): 12/16/13 @ 12:15 p.m.

CONSENT CALENDAR DECEMBER 17, 2013

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

1. World Care Civilian Emergency Relief Center, to provide for the Medical Free Loaner, Emergency Relief and Tools for Schools Programs, Tohono O'odham Nation Grant Fund, contract amount \$35,000.00 (CT-CD-14-215)
Attachments: [CT-CD-14-215](#)
2. Green Valley Assistance Services, Inc., to provide for program operating costs, Tohono O'odham Nation Grant Fund, contract amount \$30,000.00 (CT-CD-14-223)
Attachments: [CT-CD-14-223](#)
3. Casa de los Niños, to provide for the Crisis Shelter Program, Tohono O'odham Nation Grant Fund, contract amount \$30,000.00 (CT-CD-14-224)
Attachments: [CT-CD-14-224](#)
4. Avra Water Co-op, Inc., to provide for drain valve assembly replacements, Tohono O'odham Nation Grant Fund, contract amount \$18,833.88 (CT-CD-14-225)
Attachments: [CT-CD-14-225](#)
5. Sahuarita Food Bank, to provide for a walk-in refrigerator/freezer, Tohono O'odham Nation Grant Fund, contract amount \$45,000.00 (CT-CD-14-226)
Attachments: [CT-CD-14-226](#)

Community Services, Employment and Training

6. City of South Tucson, to provide for youth programs, General Fund, contract amount \$113,000.00 (CT-CS-14-222)
Attachments: [CT-CS-14-222](#)

Facilities Management

7. Global Retail Investors, L.L.C., to provide an Estoppel Certificate for the River Center Library located in Lot 2 of Villa Mesa subdivision, no cost (CTN-FM-14-97)
Attachments: [CTN-FM-14-97](#)

Procurement

8. **Award**
Amendment of Award: MA No. B505971, Amendment No. 6, U.S. Foodservice, Inc. (Headquarters: Phoenix, AZ), to provide food products (meats, canned, dry, frozen & cold foods) for the Pima County Adult Detention Center, retroactively extend the contract term to April 30, 2014 and add \$1,000,000.00 to the extended contract. Funding Source: General Fund. Administering Department: Sheriff.
Attachments: [PO_AwardMA-B505971](#)
9. **Award**
Low Bid: Award of Contract, Requisition No. 14-30, AZPE, Inc., d.b.a. Wells Polygraph Services (Headquarters: Phoenix, AZ) for polygraph services for a total five-year award amount of \$543,750.00 (annual amount of \$108,750.00). Funding Source: General Fund.
Administering Department: Sheriff.
Attachments: [PO_Award14-30](#)

Sheriff

10. Pima County Community College, to provide for educational courses and/or training programs, no cost/5 year term (CT-SD-14-221)
Attachments: [CT-SD-14-221](#)

GRANT APPLICATION/ACCEPTANCE

11. **Acceptance - Community Services, Employment and Training**
Arizona Community Action Association, to provide repair and replacement services to eligible families residing in Pima County, \$40,000.00.
Attachments: [GR_AZCommunityActionAssociation](#)
[GR_Grant Report](#)
12. **Acceptance - Community Services, Employment and Training**
Arizona Department of Economic Security, to provide for the Senior Community Services Employment Program, USDOL and US DHHS Funds, \$43,891.00.
Attachments: [GR_DESEmploymentProgram](#)
[GR_Grant Report](#)
13. **Acceptance - Health**
Arizona Department of Health Services, to provide for the Dental Sealants Project, US DHHS Fund, \$100,000.00.
Attachments: [GR_ADHSDentalSealants](#)
[GR_Grant Report](#)

14. **Acceptance - Sheriff**
Arizona Department of Homeland Security, to provide for Operation Stonegarden equipment, U.S. Department of Homeland Security Fund, \$289,798.00.
Attachments: [GR OPSG-Equipment](#)
 [GR Grant Report](#)
15. **Acceptance - Sheriff**
Arizona Department of Homeland Security, to provide for Operation Stonegarden overtime and mileage, U.S. Department of Homeland Security Fund, \$1,180,260.00.
Attachments: [GR OPSG-OvertimeandMileage](#)
 [GR Grant Report](#)

BOARD, COMMISSION AND/OR COMMITTEE

16. **Tucson-Pima County Bicycle Advisory Committee**
Appointment of Robin Steinberg, to fill the unexpired term of Kate Anderson. Term expiration: 5/20/15. (Commission recommendation)
Attachments: [BCC_BicycleAdvisoryCommitteeAppt](#)

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

17. Harry A. Monsen, Roland G. Moody Post No. 3578, 1764 N. 2nd Avenue, Ajo, December 31, 2013.

PROCUREMENT

18. **Quarterly Contracts Report - 3rd Quarter 2013**
Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from July 1, 2013 through September 30, 2013.
Attachments: [PO_Contracts Report_3rdQuarter](#)

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

19. **Avra Valley Fire District**
RESOLUTION NO. 2013 - 117, of the Board of Supervisors, supporting the Avra Valley Fire District's application for a \$155,000.00 grant from the 12% local revenue-sharing contribution of the Gila River Indian Community to purchase an ambulance.
Attachments: [CD_ResoGilaRiverAvraValleyGrantApp](#)

REAL PROPERTY**20.****Vacation by Exchange and Quit Claim Deed**

- A. RESOLUTION NO. 2013 - 118, of the Pima County Board of Supervisors, providing for the vacation by exchange of a portion of Sunrise Avenue for the fee dedication of other public right-of-way as Pima County Road Abandonment No. A-13-12 situated within Section 16, T13S, R13E, G&SRM, Pima County, Arizona. (District 3)

- B. Quit Claim Deed to QuikTrip Corporation, an Oklahoma corporation, all rights, title, and interest for the following described property situated in Pima County, Arizona, together with all rights and privileges appurtenant thereto. The property is located within Section 16, T13S, R13E, G&SRM, Pima County, Arizona. No cost. (District 3)

Attachments: [RP_ResoSunriseAvenue-QuitClaimDeed](#)