



# Pima County

## Meeting Agenda

### Board of Supervisors

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

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Tuesday, December 16, 2014

9:00 AM

Board of Supervisors' Hearing Room

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#### PIMA COUNTY BOARD OF SUPERVISORS

*Sharon Bronson, Chair, District 3*  
*Richard Elías, 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](http://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](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. 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 Father Earl Cantos, St. Demetrios Greek Orthodox.**

**3. PLEDGE OF ALLEGIANCE**

**4. PAUSE 4 PAWS**

**5. CALL TO THE PUBLIC**

**EXECUTIVE SESSION**

*(Clerk's Note: As of the posting date of 12/10/14, 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.)*

**SITTING AS THE BOARD OF SUPERVISORS**

**6. APPROVAL OF CONSENT CALENDAR**

**COUNTY ADMINISTRATOR**

**7. Revisions to Merit System Rules and Personnel Policies**

Staff requests approval of the following Merit System Rules and Personnel Policies:

- Merit System Rule 8 - Promotion, Demotion, Reappointment, Open Range Reappointment, Reassignment and Detail
- Merit System Rule 10 - Probation
- Personnel Policy 8-102 - Premium Pay

**Attachments:** [CA\\_RevisionsToMeritSystemRulesPersonnelPolicies](#)

8. **Pima County Nicotine/Tobacco-Free Healthy Workforce Initiative**  
Staff recommends approval of the proposed revisions to Pima County Merit System Rules 4, 7 and 12 effective July 1, 2015; approval of the proposed revisions to Pima County Personnel Policies 8-114 and 8-122 effective July 1, 2015; and direction to staff to move forward with implementation of the Nicotine/Tobacco-Free Healthy Workforce Initiative.

**Attachments:** [CA\\_NicotineTobaccoFreeHealthyWorkforceInitiative](#)

[CA\\_NicotineTobaccoFreeHealthyWorkforceInitiative\\_CHHMemo-12-11-14](#)

[CA\\_NicotineTobaccoFreeHealthyWorkforceInitiative\\_CommentLetters-12-15-14](#)

[CA\\_NicotineTobaccoInitiative\\_ContinuationRequest-12-15-14](#)

### \*\*\* HEARINGS \*\*\*

## BOARD OF SUPERVISORS

9. **Appeal of Review Officer's Decision**  
Pursuant to Board of Supervisor's Policy D 22.10, Ray and Elaine Spindler appeal the decision of the Review Officer regarding the classification of Tax Parcel No. 304-28-5240 to Legal Class 3 for Tax Year 2014.

**Attachments:** [BOS\\_AppealReviewOfficersDecision\\_304-28-5240](#)

[BOS\\_Appeal304-28-5240-ReviewOfficerReport\\_12-10-14](#)

## FRANCHISE/LICENSE/PERMIT

10. **Liquor License**  
12104343, Fouad Khodr, Pita Jungle, 7090 N. Oracle Road, No. 128, Tucson, Series 12, Restaurant, New License.

**Attachments:** [FLP\\_LL-PitaJungle](#)

## DEVELOPMENT SERVICES

11. **Rezoning Closure**  
Co9-06-22, GURVINE - RUDASILL ROAD REZONING  
Request by Richard and Kaissa Gurvine to close Co9-06-22, a rezoning from RH (BZ) (Rural Homestead - Buffer Overlay Zone) to SR (BZ) (Suburban Ranch - Buffer Overlay Zone) located on the south side of Raining Stars Lane Easement, approximately 500 feet north of Rudasill Road and approximately 2,000 feet west of Sandario Road. The rezoning was conditionally approved in 2007 and expired on February 13, 2012. Staff recommends **CLOSURE**. (District 3)

**Attachments:** [DSD\\_Co9-06-22](#)

**TRANSPORTATION**

- 12. Traffic Resolution**  
RESOLUTION NO. 2014 - 123, of the Board of Supervisors, permitting the temporary closure of Esperanza Avenue, Lomita Avenue and Plaza Street in Ajo located in Pima County, Arizona for the Annual Ajo Christmas Eve Parade on December 24, 2014. Staff recommends **APPROVAL**. (District 3)  
Attachments: [TR\\_ResoAjoChristmasParade](#)
- 13. Environmental Assessment and Mitigation Report**  
Staff recommends approval of the Environmental Assessment and Mitigation Report for the Sunset Road: Silverbell Road to I-10 Project. (District 1)  
Attachments: [TR-EAMR\\_SunsetRdSilverbellRdtol-10Project](#)  
[TR\\_FinalEnvironmentalAssessmentandMitigationReport](#)

**14. 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: 12/10/14 @ 4:00 p.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/10/14 @ 4:30 p.m.**

**DATE/TIME REPOSTED (technical error): 12/11/14 @ 9:30 a.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/11/14 @ 11:00 a.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/11/14 @ 11:45 a.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/12/14 @ 4:45 p.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/12/14 @ 4:50 p.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/15/14 @ 11:30 a.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/15/14 @ 2:10 p.m.**

**DATE/TIME REPOSTED (combined Agenda/Addendum): 12/15/14 @ 4:40 p.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/15/14 @ 6:00 p.m.**

**ADDENDUM 1****EXECUTIVE SESSION**

1. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the following consolidated cases: C.H.H. Tucson Partnership, L.P., v. Pima County and El Conquistador M.A.H. II, L.L.C., v. Pima County, Arizona Tax Court Consolidated Case Nos. TX2010-001421, TX2011-000379, TX2011-000380, and TX2013-000155.  
Attachments: [PCA\\_ExecSession-CHHTucsonPartnershipvPC,ElConquistadorvPC](#)
2. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Espinoza v. Pima County, et al., Maricopa County Superior Court Case No. CV2013-006591.  
Attachments: [PCA\\_ExecSession-EspinozavPC](#)
3. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the following:
  - A. Star Valley Specific Plan; Star Valley Master Block Plat and abandonment and Re-Plat of Star Valley Blocks 4, 7 and 8;
  - B. Development issues and transportation improvements related to Star Valley and Star Valley Village plats; Valencia Road: Ajo Highway - Mark Road transportation improvements;
  - C. The following lawsuits: Broadway Realty and Trust, Inc., et al., v. Pima County, et al., Pima County Superior Court Case No. C2014 5528, Stewart Title and Trust as Trustee under Trust No. 3701, et al., v. Pima County Board of Supervisors, et al., Pima County Superior Court Case No. C2014 4304, and Joseph Cesare, et al., v. Pima County, et al., United States District Court Case No. 14-CV-02514; and
  - D. Consent to joint representation of Pima County and individually named defendants.Attachments: [PCA\\_ExecSession-StarValley](#)

**SITTING AS THE BOARD OF SUPERVISORS****COUNTY ADMINISTRATOR**

4. (Clerk's Note: Staff requests a continuance to the Board of Supervisors' Meeting of January 13, 2015.)

**UNFINISHED BUSINESS (12/9/14)****Board of Supervisors Policy**

Staff requests approval of the Board of Supervisors Policy regarding Budget Development Transparency and Transfer to Community Nonprofit Organizations for Public Services.

5. **UNFINISHED BUSINESS (12/9/14)**

**Star Valley Development**

Staff recommends approval of abandonment plats to re-plat all or portions of Star Valley Blocks 4, 7 and 8, returning the land to generally the same boundary configuration which existed before recording of the subdivision plats.

**Attachments:** [CA\\_StarValleyDevelopment\\_MemoandAttachment1](#)

[CA\\_StarValleyDevelopment\\_Attachment2](#)

[CA\\_StarValleyDevelopment\\_ContinuationRequest](#)

**FINANCE AND RISK MANAGEMENT**

6. **General Obligation Bonds**

RESOLUTION NO. 2014 - **124**, of the Board of Supervisors, providing for the issuance and sale of Pima County, Arizona, General Obligation Bonds, Series 2015 in one or more series; providing for the annual levy of a tax for the payment of the bonds; providing terms, covenants and conditions concerning the bonds; accepting a proposal for the purchase of the bonds; appointing an initial registrar and paying agent for the bonds; approving and ratifying all actions taken in furtherance of this resolution.

**Attachments:** [FN\\_GeneralObligationBondsReso](#)

7.

**Certificates of Participation**

RESOLUTION NO. 2014 - **125**, of the Board of Supervisors, authorizing the lease and lease-purchase back of certain real property, including buildings and structures, in order to finance capital projects for the County; authorizing the execution and delivery of amendments and supplements to a Lease-Purchase Agreement and a Trust Agreement and other necessary agreements, instruments and documents; approving the execution and delivery of Certificates of Participation to provide the necessary financing therefor; and authorizing other actions and matters in connection therewith.

Attachments: [FN\\_CertofParticipationReso](#)

8.

**Street and Highways (HURF) Revenue Bonds Refunding**

RESOLUTION NO. 2014 - **126**, of the Board of Supervisors, providing for the issuance and sale of Pima County, Arizona, Street and Highway Revenue Refunding Bonds, Series 2015; providing for the payment of the 2015 Refunding Bonds; providing terms, covenants and conditions concerning the 2015 Refunding Bonds; providing for the sale of the 2015 Refunding Bonds; authorizing and directing the refunding of certain outstanding bonds and the execution and delivery of documents and further actions relating to the issuance of the 2015 Refunding Bonds; appointing an initial bond registrar and paying agent for the 2015 Refunding Bonds; confirming the inclusion of certain transportation-restricted vehicle license tax revenues received by the County as pledged revenues for the payment of debt service on County Street and Highway Revenue Bonds; and repealing Resolution No. 2014-41.

Attachments: [FN-HURFBondsReso](#)

[FN-HURF DebtServicebyIssueGroupRpt-12-12-14](#)

**REAL PROPERTY**

9.

**Assignor Consent**

Assignor Consent to the Arizona Department of Transportation, all undivided right, title and interest in and to the portions of Right-of-Way Grant Nos. AZA-017485 and AZAR-29680, located within the boundaries of the Arizona Department of Transportation State Route 86 Project. No cost. (District 3)

Attachments: [RP\\_AssignorConsent](#)

## CONTRACT AND AWARD

### OFFICE OF MEDICAL SERVICES

10. Old Pueblo Community Services, Amendment No. 3, to provide for the Inside Out Recovery Partnership Program, extend contract term to 12/31/16 and amend contractual language, Federal Grant Fund, contract amount \$580,309.00 (CT-OMS-14-128)

Attachments: [CT-OMS-14-128](#)

### PROCUREMENT

11. Desert Archaeology, Inc., Amendment No. 3, to provide for the Ina Road RWRP Expansion and Upgrades Project Archaeological Data Recovery and extend contract term to 6/30/15, no cost (CT-PW-08050259-P)  
Office of Sustainability and Conservation

Attachments: [CT-PW-08050259-P](#)

### REAL PROPERTY

12. City of Tucson, to provide for the relocation of Hughes Access Road and the construction and maintenance of Aerospace Parkway, no cost (CTN-PW-15-67)

Attachments: [CTN-PW-15-67](#)

13. Phillip Mumford, to provide an Agreement to Donate Conservation Easement over and across the 265 acre Agua Verde Ranch, Tax Parcel Nos. 306-01-009N, 007J, 007K, 008P, 008Q and 008R, General Fund, contract amount not to exceed \$3,000.00 for closing costs (CT-PW-15-272)

Attachments: [CT-PW-15-272](#)

14. Tucson Airport Authority, Inc., to provide an Acquisition Agreement for 60 acres of right-of-way needed for (Hughes Access Road Relocation) Aerospace Parkway, Tax Parcel Nos. 140-47-005A, 006C and 006D, HURF Funds, contract amount not to exceed \$743,255.00 including closing costs (CT-PW-15-271)

Attachments: [CT-PW-15-271](#)



**GRANT APPLICATION/ACCEPTANCE**

15.                   **Acceptance - Health**  
Arizona Department of Health Services, Amendment No. 2, to provide for Teen Pregnancy Prevention Program - Abstinence Plus, U.S. Department of Health and Human Services/Administration for Children and Families and AZ Lottery Funds, \$125,000.00 (GTAW-15-33)  
**Attachments:** [Grant Report](#)  
[GTAW 15-33](#)
16.                   **Acceptance - Community Services, Employment and Training**  
City of Tucson, to provide for the Continuum of Care Program - Bridges Project, U.S. Department of Housing and Urban Development, \$71,051.00/\$35,549.00 General Fund Match (GTAW 15-52)  
**Attachments:** [Grant Report](#)  
[GTAW 15-52](#)  
[GTAW 15-52 Revised-12-15-14](#)

**BOARD, COMMISSION AND/OR COMMITTEE**

17.                   **Merit System Commission and Law Enforcement Merit System Council**  
Appointment of David Freund, to fill the vacancy created by Joelyn Marlowe. Term expiration: 12/31/18. (District 3)  
**Attachments:** [BCC\\_PimaCountyMeritSystemApptmt](#)

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

18.                   **Fireworks Permit**  
Ryan Prosowski, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, December 31, 2014 at 10:00 p.m.  
**Attachments:** [FLP\\_FWSkylineCountryClub](#)

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

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

**DATE/TIME POSTED: 12/12/14 @ 11:45 a.m.**

**DATE/TIME REPOSTED (additional attachments only): 12/12/14 @ 3:00 p.m.**

# **CONSENT CALENDAR DECEMBER 16, 2014**

**CONSENT CALENDAR, DECEMBER 16, 2014****CONTRACT AND AWARD****Community Development and Neighborhood Conservation**

1. Compass Affordable Housing, Inc., Amendment No. 1, to provide for the Compass Affordable Housing - Alvord Court Rental Housing Project and extend contract term to 12/31/15, no cost (CT-CD-14-307)

Attachments: [CT-CD-14-307](#)

**Community Services, Employment and Training**

2. Tucson Youth Development, Inc., to provide for a Program Support Specialist One Stop staff, U.S. DOL, ADES WIA (90%) and other Workforce (10%) Funds, contract amount \$42,719.00 (CT-CS-15-229)

Attachments: [CT-CS-15-229](#)

**Facilities Management**

3. Accelerate Diagnostics, Inc., Amendment No. 4, to provide a lease for property located at 3950 S. Country Club Road and amend contractual language, contract amount \$371,516.69 revenue (CTN-FM-13-55)

Attachments: [CTN-FM-13-55](#)

**Information Technology**

4. Arizona Board of Regents, University of Arizona; Risk Management Department, to provide subscriber repair and maintenance for PCWIN communication equipment, contract amount \$150.36 revenue (CTN-IT-15-60)

Attachments: [CTN-IT-15-60](#)

[CTN-IT-15-60 ITMemo-12-11-14](#)

**Procurement**

5. **Award**

Low Bid: Award of Contract, Requisition No. 15-12, Ferguson Enterprises (Headquarters: Newport, VA) for plumbing supplies Group A in the annual amount of \$1,663,548.15. Contract is for a one year term and includes four one-year renewal periods. Funding Source: General Fund. Administering Department: Facilities Management.

Attachments: [PO\\_AwardReqNo15-12](#)

[PO\\_AwardReqNo15-12 Revised-12-11-14](#)

[PO\\_AwardReqNo15-12 FergusonResponse-12-15-14](#)

6.

**Award**

Cooperative Procurement: Award of Contract, Requisition No. 15-74, KONE, Inc. (Headquarters: Moline, IL) for elevator maintenance and repair services to be provided in the annual amount of \$300,000.00. Contract is for a one year term and includes four one-year renewal periods. Funding Source: Various Funds. Administering Department: Facilities Management.

Attachments: [PO\\_AwardReqNo15-74](#)

[PO\\_AwardReqNo15-74\\_Email-12-15-14](#)

[PO\\_AwardReqNo15-74-KONEOfferAgreement-12-15-14](#)

[PO\\_AwardReqNo15-74\\_ExhibitA-USCContract-12-15-14](#)

[PO\\_AwardReqNo15-74\\_Exhibit-C\\_12-15-14](#)

7.

The Ashton Company, Inc., Borderland Construction Company, Inc., Granite Construction Company, KE&G Construction, Inc. and Southern Arizona Paving & Construction Company, Amendment No. 6, to provide a job order master agreement for traffic signal, road intersection, paving and drainage improvements and extend contract term to 12/21/15, County HURF Fund, contract amount \$5,000,000.00 (MA-PO-12-226) Transportation

Attachments: [MA\\_PO\\_12-226](#)

[MA-PO-12-226\\_TRMemo-12-12-14](#)

[MA-PO-12-226\\_Email-12-15-14](#)

[MA-PO-12-226\\_Amendment1-12-15-14](#)

[MA-PO-12-226\\_Amendment2-12-15-14](#)

[MA-PO-12-226\\_Amendment3-12-15-14](#)

[MA-PO-12-226\\_Amendment4-12-15-14](#)

[MA-PO-12-226\\_Amendment5-12-15-14](#)

[MA-PO-12-226\\_Amendment6-12-15-14](#)

[MA-PO-12-226\\_OriginalApprovalbyBOS-12-15-14](#)

[MA-PO-12-226\\_OriginalContract-NoAppendix-12-15-14](#)

[MA-PO-12-226\\_OriginalContract-AppendixA-B\\_12-15-14](#)

[MA-PO-12-226\\_OriginalContract-AppendixC-D\\_12-15-14](#)

[MA-PO-12-226\\_OriginalContract-AppendixE\\_12-15-14](#)

[MA-PO-12-226\\_OriginalContract-AppendixF-Part1\\_12-15-14](#)

[MA-PO-12-226\\_OriginalContract-AppendixF-Part2\\_12-15-14](#)

8. Motorola Solutions, Inc., Amendment No. 6, to provide for the PCWIN Voice Radio System, extend contract term to 9/28/35 and amend contractual language, 2004 Bond, Federal Grants and OEM Radio System Special Revenue Funds, contract amount \$8,777,846.92 (MA-PO-12-284) Office of Emergency Management
- Attachments: [MA PO 12-284](#)  
[MA-PO-12-284\\_PCWINMemo-12-11-14](#)  
[MA-PO-12-284\\_PCWINMemo\\_FollowupResponse-12-15-14](#)  
[MA-PO-12-284\\_MotorolaPCWINSupportProposalAnalysisDated11-9-12](#)

### **Regional Wastewater Reclamation**

9. Pascua Yaqui Indian Tribe, to provide sewer services, contract amount \$1,243,784.40/25 year term revenue (CTN-WW-15-62)
- Attachments: [CTN-WW-15-62](#)  
[CTN-WW-15-62\\_AmendedContractPage-12-12-14](#)

### **GRANT APPLICATION/ACCEPTANCE**

10. **Acceptance - Community Development & Neighborhood Conservation**  
Arizona Governor's Office of Energy Policy, Amendment No. 2, to provide for the DOE Weatherization Program, U.S. Department of Energy, \$886.22 (GTAM 15-30)
- Attachments: [Grant Report](#)  
[GTAM 15-30](#)

### **BOARD, COMMISSION AND/OR COMMITTEE**

11. **Environmental Quality Advisory Council**
- Appointment of Sandi Richey, representing Public/Environmental Interest, to replace Linda Hansen. Term expiration: 12/30/17. (Staff recommendation)
  - Reappointments of Eric Betterton, Peter Livingston and Jeffrey Yockey. Term expirations: 12/30/17. (Staff recommendations)
- Attachments: [BCC\\_EnvironmentalQualityApptReappt](#)