



Pima County

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

Meeting Agenda Board of Supervisors

Tuesday, February 17, 2015

9:00 AM

Board of Supervisors' Hearing Room

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 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. Speaker Cards are required for each item of interest including Call to the Public. On items not noticed as a hearing, speakers should submit a Speaker Card for 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 Reverend Lee Milligan, Casas Adobes Congregational Church of Christ.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

PRESENTATION/PROCLAMATION

- 5.** Presentation of a proclamation to Betsy Bolding, proclaiming the day of Sunday, March 1, 2015 to be: "BETSY BOLDING DAY"

Attachments: [PROC_BetsyBoldingDay](#)

- 6.** Presentation of a proclamation to declare Pima County a Zero Tolerance Human Trafficking Zone.

Attachments: [PROC_ZeroToleranceHumanTraffickingZone](#)

7. CALL TO THE PUBLIC

EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 2/10/15, 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

8. APPROVAL OF CONSENT CALENDAR

INDUSTRIAL DEVELOPMENT AUTHORITY

- 9. Lemn Academy of Excellence Project**
RESOLUTION NO. 2015 - 7, 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 \$20,000,000.00 education facility revenue bonds (Lemn Academy of Excellence Project, 7548 North Silverbell Road and

7750, 7770, 7780 and 7790 North Schisler Drive, Marana, AZ), Series 2015 and declaring an emergency.

Attachments: [IDA Resolution-LemanAcademyofExcellence](#)

RECORDER

10. UNFINISHED BUSINESS (1/20/15 and 2/3/15)

Ratification

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of September, October and November, 2014.

Attachments: [RE DocumentStorageandRetrieval September2014](#)

[RE DocumentStorageandRetrieval October2014](#)

[RE DocumentStorageandRetrieval November2014](#)

*** HEARINGS ***

BOARD OF SUPERVISORS

11. UNFINISHED BUSINESS (12/16/14)

Hearing - 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](#)

[BOS_Appeal-304-28-5240_ContinuationLetter](#)

FRANCHISE/LICENSE/PERMIT

12. **Hearing - Extension of Premises/Patio Permit**

06100228, Scott A. Busse, Territorial, 3727 S. Palo Verde Road, Tucson, Temporary Extension of Premises for March 7, 14 and 21, 2015.

Attachments: [FLP_EPTerritorial](#)

13. **Hearing - Extension of Premises/Patio Permit**

06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for March 5, 14 and 28, 2015.

Attachments: [FLP_EPHotRods](#)

DEVELOPMENT SERVICES

14. **Hearing - Type III Conditional Use**
P21-14-023, FENSTER RANCH SCHOOL - E. OCOTILLO DRIVE
Request of Sabino Recovery Group, L.L.C., on property located at 8505 E. Ocotillo Dr., in the SR Zone, for a conditional use permit for a Residential Substance Abuse Diagnostic and Treatment Facility, in accordance with Section 18.17.030 of the Pima County Zoning Code as a Type III conditional use permit. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Bain was absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL WITH CONDITIONS**. (District 1)

Attachments: [DSD_P21-14-023_1](#)
[DSD_P21-14-023_2](#)
[DSD_P21-14-023_3](#)
[DSD_P21-14-023_CommentLetter_2-11-2015](#)
[DSD_P21-14-023_CommentLetters_2-12-2015_Redacted](#)
[DSD_P21-14-23_StaffUpdate_2-13-2015](#)
[DSD_P21-14-023_CommentLetter_2-13-2015_Redacted](#)

15. **Hearing - Specific Plan (Rezoning)**
Co23-14-01, SISTERS OF THE IMMACULATE HEART OF MARY SPECIFIC PLAN (REZONING)
Request of Sisters of the Immaculate Heart of Mary, represented by Tucson Land and Cattle Co., for a rezoning of approximately 63 acres from SR (Suburban Ranch zoning) to SP (Sisters of the Immaculate Heart of Mary Continuing Care Retirement Community Specific Plan) on a property located east of N. Sabino Canyon Road, approximately one-quarter mile north of E. River Road in Section 29, T13S, R15E. The proposed specific plan (rezoning) conforms to the Pima County Comprehensive Plan Co7-00-20 and Co7-08-03. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Bain was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS (TO BE INCORPORATED INTO THE SPECIFIC PLAN DOCUMENT)**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS (TO BE INCORPORATED INTO THE SPECIFIC PLAN DOCUMENT)**. (District 1)

Attachments: [DSD_Co23-14-01_1](#)
[DSD_Co23-14-01_2](#)
[DSD_Co23-14-01_3](#)
[DSD_Co23-14-01SpecificPlan_1](#)
[DSD_Co23-14-01SpecificPlan_2](#)
[DSD_Co23-14-01SpecificPlan_3](#)
[DSD_Co23-14-01SpecificPlan_4](#)

- 16. Hearing - Rezoning Time Extension**
Co9-09-01, VAIL UPRR SOUTH, L.L.C., ET AL. - ROCKET ROAD
REZONING
Request of Vail UPRR South, L.L.C., represented by the Lenihan Company, for a five-year time extension for the above-referenced rezoning of approximately 158 acres from RH (Rural Homestead Zone) to CR-5 (Multiple Residence Zone). The subject site was rezoned in January 2010 and the rezoning expired on January 19, 2015. The property is located on the eastern terminus of Rocket Road, approximately 1,000 feet west of Old Vail Road. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH STANDARD AND SPECIAL CONDITIONS.** (District 4)

Attachments: [DSD_Co9-09-01](#)
[DSD_Co9-09-01_CorrectionMemo-2-13-15](#)

- 17. Hearing - Rezoning Ordinance**
ORDINANCE NO. 2015 - 5, Co9-14-07, J. DeGrazia Company, L.L.C. - N. Harrison Road Rezoning. Owner: J. DeGrazia Company, L.L.C. (District 1)

Attachments: [DSD_Co9-14-07](#)

18. ADJOURNMENT

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 2/10/15 @ 3:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 2/11/15 @ 3:15 p.m.

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

DATE/TIME REPOSTED (additional attachments only): 2/13/15 @ 11:45 a.m.

DATE/TIME REPOSTED (additional attachments only): 2/13/15 @ 2:45 p.m.

DATE/TIME REPOSTED (combined Agenda/Addendum): 2/13/15 @ 4:15 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 potential resolution of liabilities related to the termination of Select Development as the contractor on the Magee Road improvement project and the procurement of a replacement contractor through Select's surety, Employers Mutual Casualty Company.

Attachments: [PCA ExecSession SelectDevelopment](#)

SITTING AS THE BOARD OF SUPERVISORS**BOARD OF SUPERVISORS**

2. **Opposition to Predator Hunts**
RESOLUTION NO. 2015 - 8, of the Board of Supervisors, opposing Predator Masters hunts in Pima County. (District 5)

Attachments: [BOS_PredatorMastersOppositionResolution](#)

[BOS_PredatorMasters_CommentLetters-2-12-15_Redacted](#)

[BOS_PredatorMasters_CommentLetters-2-12-15_2Redacted](#)

[BOS_PredatorMasters_CommentLetters-2-12-15_3Redacted](#)

[BOS_PredatorMasters_CommentLetter-2-13-15_Redacted](#)

HUMAN RESOURCES

3. UNFINISHED BUSINESS (12/16/14 and 2/10/15)
Pima County Nicotine/Tobacco-Free Healthy Workforce Initiative
Staff recommends selection of one of the following options for Fiscal Year 2015/16:
 - Option 1 - Approval of the tobacco hiring policy requiring all job applicants to certify they have been nicotine/tobacco-free for the previous 12 months in order to be considered for employment, as well as a biweekly medical insurance surcharge of 30 percent of the Employee-only premium amount for tobacco users.
 - Option 2 - Approval of only the tobacco hiring policy.
 - Option 3 - Approval of only the tobacco surcharge.

Attachments: [CA_NicotineTobaccoFreeHealthyWorkforceInitiative](#)
[CA_NicotineTobaccoFreeHealthyWorkforceInitiative_CHHMemo-12-11-14](#)
[CA_NicotineTobaccoFreeHealthyWorkforceInitiative_CommentLetters-12-15-14](#)
[CA_NicotineTobaccoInitiative_ContinuationRequest-12-15-14](#)
[CA_NicotineTobaccoInitiative_CommentLetter-12-16-14](#)
[CA_NicotineTobaccoInitiative_CommentLetter-12-17-14](#)
[HR_NicotineTobaccoInitiative_MemoSurchargeOnMedicalIns](#)
[HR_NicotineTobaccoInitiative_ContinuationRequest](#)
[CA_MedicalTobacco-Memorandum-CA_2-12-15](#)

4. **UNFINISHED BUSINESS (2/10/15)**

Medical Insurance for County Employees - Fiscal Year 2015/16

Staff recommends approval of the medical rates for FY 15/16, along with the continuation of the current County Health Savings Account funding strategy and Healthy Lifestyle Premium Discounts.

Attachments: [HR_MedicalInsuranceFY15-16_CAMemorandum](#)
[HR_MedicalInsuranceFY15-16_ContinuationRequest](#)
[CA_MedicalTobacco-Memorandum-CA_2-12-15](#)
[HR_MedicalInsuranceFY15-16_CommentLetter-2-13-15](#)

PROCUREMENT

5. **UNFINISHED BUSINESS (2/10/15)**

Quarterly Contracts Report - 4th Quarter 2014

Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from October 1, 2014 through December 31, 2014.

Attachments: [PO_4thQuarterContractsReport](#)
[PO_4thQuarterContractsReport_Memorandum-PO-2-13-15](#)

COUNTY ATTORNEY

6. **Negotiated Settlement Agreement**

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, pursuant to the authority given by the Board in executive session on January 13, 2015, a settlement agreement was negotiated at the full cash values of \$15,037,500.00 for tax year 2011 and \$19,000,000.00 for tax years 2012 and 2013, with the 2013 settlement full cash values not rolling over to tax year 2014 and each party bearing its own attorney and all other fees, costs and expenses, subject to the terms of a stipulated judgment to be submitted to the Court.

Attachments: [PCA_NegotiatedSettlementAgreement](#)

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

7. RESOLUTION NO. 2015 - 9, of the Board of Supervisors, setting aside 2004 General Obligation Affordable Housing Bond Program Funds in the amount not to exceed \$769,518.00 for the West End Station Affordable Housing Development.

Attachments: [CD_ResolutionWestEndStation](#)

CONTRACT AND AWARD

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

8. Jose Gabriel Loyola, d.b.a. Loyola Associates, to provide technical assistance for the transition from the Workforce Investment Act to the Workforce Innovation and Opportunities Act, USDOL and ADES Funds, contract amount \$48,000.00 (CT-CS-15-338)

Attachments: [CT-CS-15-338_Memorandum](#)

[CT-CS-15-338](#)

OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

9. Tucson Airport Authority, Amendment No. 1, to provide for the Pima County Wildfire Mitigation Project, extend contract term to 2/22/16 and amend contractual language, no cost (CT-OEM-13-134)

Attachments: [CT-OEM-13-134_Memorandum](#)

[CT-OEM-13-134](#)

SCHOOL SUPERINTENDENT

10. Arizona Supreme Court and Pima County Superior Court, Amendment No. 1, to provide for educational and professional development services to the Pima Accommodation School District, extend contract term to 6/30/16 and amend contractual language, Federal Education Grant Fund, contract amount \$102,616.00 revenue (CTN-SS-14-122)

Attachments: [CTN-SS-14-122_Memorandum](#)

[CTN-SS-14-122](#)

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 2/12/15 @ 11:45 a.m.

DATE/TIME REPOSTED (additional attachments only): 2/12/15 @ 3:00 p.m.

DATE/TIME REPOSTED (additional attachments only): 2/12/15 @ 4:45 p.m.

DATE/TIME REPOSTED (additional attachments only): 2/13/15 @ 09:30 a.m.

DATE/TIME REPOSTED (additional attachments only): 2/13/15 @ 11:15 a.m.

CONSENT CALENDAR FEBRUARY 17, 2015

CONSENT CALENDAR, FEBRUARY 17, 2015**CONTRACT AND AWARD****Community Development and Neighborhood Conservation**

1. Family Housing Resources, Inc., Amendment No. 4, to provide for the NSP2 Consortium Funding Agreement and extend contract term to 12/31/15, no cost (CT-CD-12-353)
Attachments: [CT-CD-12-353 Memorandum](#)
[CT-CD-12-353](#)
2. Habitat for Humanity Tucson, Inc., Amendment No. 6, to provide for the NSP2 Consortium Funding Agreement and extend contract term to 2/28/16, no cost (CT-CD-12-342)
Attachments: [CT-CD-12-342 Memorandum](#)
[CT-CD-12-342](#)
3. City of Tucson, Amendment No. 4, to provide for the NSP2 Consortium Funding Agreement and extend contract term to 2/28/16, no cost (CT-CD-12-352)
Attachments: [CT-CD-12-352 Memorandum](#)
[CT-CD-12-352](#)

Health

4. Arizona Department of Health Services, Amendment No. 1, to provide for the Arizona Medical Marijuana Initiative - Proposition 203 Project, contract amount \$75,000.00 revenue (CTN-HD-14-164)
Attachments: [CTN-HD-14-164 Memorandum](#)
[CTN-HD-14-164](#)

Procurement

5. **Award**
Low Bid, Award of Contract, Solicitation No.166397, in the amount of \$808,000.00 to the lowest responsive bidder, K E & G Construction, Inc. (Headquarters: Tucson, AZ), for the construction of the Nogales Highway/Old Nogales Highway Intersection Reconstruction Project. The contract term is 18 months with the ability to extend the term for contract completion. Construction is to be complete within 90 working days from Notice to Proceed. Funding Source: DOT 53 (53.5%), RTA (44%), Tucson Water (1.5%) and HURF (1%) Funds. Administering Department: Transportation.
Attachments: [PO AwardSolicitation166397](#)

6. Award

Low Bid: Award of Contract, Requisition No. 15-112, for network equipment and services to the contractors in the amounts listed below. Contracts are for a one-year term and include four one-year renewal periods. The award includes the authority for the Procurement Department to execute renewals without further action by the Board of Supervisors provided that the contract amounts do not exceed the contract award amounts. Funding Source: General (70%) and Non-bond Capital Project (30%) Funds. Administering Department: Information Technology.

Contractor (HQ Location)/Annual Amount

Insight Public Sector, Inc. (Tempe, AZ)/\$1,500,545.00

World Wide Technologies, Inc. (Maryland Heights, MO)/\$1,500,545.00

Attachments: [PO Award-ReqNo15-112](#)

Real Property

7. Agua Linda Water Assn., to provide a license for right-of-way encroachment on Avenida La Vallita and Camino Namara for a private waterline, contract amount \$1,625.00 revenue/25 year term (CTN-PW-15-97)

Attachments: [CTN-PW-15-97 Memorandum](#)
[CTN-PW-15-97](#)

8. Catalina Radio Control Modelers, Inc., to provide a license to encroach on the Ina Road Wastewater Outlying Facilities for the purpose of operating radio controlled model airplanes, contract amount \$2,500.00 revenue/25 year term (CTN-PW-15-99)

Attachments: [CTN-PW-15-99 Memorandum](#)
[CTN-PW-15-99](#)

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

9. Virginia C. Murphy, Steven M. Gootter Foundation, The Westin La Paloma, 3800 E. Sunrise Drive, Tucson, March 7, 2015.
10. Kirk D. Wallendorf, Alisa's Angels Foundation, The Westin La Paloma, 3800 E. Sunrise Drive, Tucson, March 29, 2015.
11. John A. Sharpton, Southwest Community Center, 5950 S. Cardinal Avenue, Tucson, February 15, 2015.

FINANCE AND RISK MANAGEMENT

12. **Duplicate Warrants - For Ratification**
Nathan Thomas Wade \$54.00; Steiner Education Group \$3,000.00;
Arcadia Gardens \$600.00; Robert Mayer \$75.00; Central Pet Tucson,
L.L.C. \$403.00; Exhaust Works on Broadway, L.L.C. \$911.04; Todd A.
Lewis \$135.00; Nathan Thomas Wade \$54.00; Kay Willard \$400.00
Attachments: [FN_ReplacementWarrants](#)

RATIFY AND/OR APPROVE

13. Minutes: January 13 and 20, 2015
Attachments: [CL_01-13-15DraftMinutes](#)
[CL_01-20-15DraftMinutes](#)