



Pima County

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

Meeting Agenda Board of Supervisors

Tuesday, November 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 and Cox 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 Rabbi Samuel M. Cohon, Temple Emanu-El.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

5. CALL TO THE PUBLIC

EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 11/10/15, 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.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

6. (Clerk's Note: This ordinance will also be considered by the Board of Supervisors by Regular Agenda Item No. 17.)

Hearing - Pima County Code Text Amendment

ORDINANCE NO. 2015 - FC¹, of the Board of Supervisors and the **Board of Directors of the Pima County Regional Flood Control District**, amending Title 2 of the Pima County Code to add Chapter 2.32 - Rulemaking Procedure. (All Districts)

Attachments: [FC_OrdCodeTextAmendment_Title2RulemakingProcedure](#)

[FC_CAMemorandum_11-9-15](#)

SITTING AS THE BOARD OF SUPERVISORS

7. APPROVAL OF CONSENT CALENDAR

CLERK OF THE BOARD

8. **Petition for Refund - Apostolic Assembly of the Faith in Christ Jesus, Grande Ave. Parcels**
Pursuant to A.R.S. §42-11109, Apostolic Assembly of the Faith in Christ Jesus has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax years 2008 to 2015, for Parcel Nos. 116-12-0870 and 116-12-0880.
Attachments: [CL_ApostolicAssemblyoftheFaithinChristJesus-GrandeAveParcels](#)
9. **Petition for Refund - Apostolic Assembly of the Faith in Christ Jesus, Elvira Road Parcels**
Pursuant to A.R.S. §42-11109, Apostolic Assembly of the Faith in Christ Jesus has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax years 2014 and 2015, for Parcel Nos. 138-19-114C, 138-19-114D and 138-19-114H.
Attachments: [CL_ApostolicAssemblyoftheFaithinChristJesus-ElviraRoadParcels](#)
10. **Petition for Refund - Desert Hope Lutheran Church**
Pursuant to A.R.S. §42-11109, Desert Hope Lutheran Church has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2015, for Parcel No. 133-23-099L.
Attachments: [CL_DesertHopeLutheranChurch](#)

INDUSTRIAL DEVELOPMENT AUTHORITY

11. **Caurus Academy Project**
RESOLUTION NO. 2015 - **84**, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not-to-exceed \$5,500,000.00 Education Facility Revenue Bonds (Caurus Academy Project, 41900 N. 42nd Ave., Anthem, AZ), Series 2015 and declaring an emergency.
Attachments: [IDA_ResoCaurusAcademyProject](#)
12. **Leading Edge Academy Maricopa Charter School Project**
RESOLUTION NO. 2015 - **85**, of the Board of Supervisors, 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 (Leading Edge Academy Maricopa Charter School Project, 18700 N. Porter Rd., Maricopa, AZ), Series 2015 and declaring an emergency.
Attachments: [IDA_ResoLeadingEdgeAcademyMaricopaCharterSchoolProject](#)

13. **Odyssey Preparatory Academy Project**
RESOLUTION NO. 2015 - 86, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not-to-exceed \$55,000,000.00 Education Facility Revenue Bonds (Odyssey Preparatory Academy Project, 495 S. Airport Rd. and near the intersection of McDowell Rd. and Verrado Way, Buckeye, AZ), Series 2015 and declaring an emergency.

Attachments: [IDA_ResoOdysseyPreparatoryAcademyProject](#)

ASSESSOR

14. **Request for Redemption of Waiver of Exemption**
Pursuant to A.R.S. §42-11153(B), the Pima County Assessor has determined that the applications for Redemptions of the Waivers of Tax Exemptions for Tax Year 2015 qualify for exemption under the applicable statutes and requests the Board of Supervisors redeem the waivers.

Attachments: [AS_RedemptionofWaiverofExemption](#)

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

15. **Hearing - Liquor License**
07104000, Robin SuAnn Hughes, Tucson Dragway, 12000 S. Houghton Road, Tucson, Series 7, Beer and Wine Bar, Person Transfer.
Attachments: [FLP_LLTucsonDragway](#)
16. **Hearing - Fireworks Permit**
Michelle Schuyler, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, November 28, 2015 at 5:50 p.m.
Attachments: [FLP_FWSkylineCountryClub](#)

COUNTY ADMINISTRATOR

17. **Rulemaking Procedure and Policy**
- A. **Hearing - Pima County Code Text Amendment**
ORDINANCE NO. 2015 - 46, of the **Board of Supervisors** and the Board of Directors of the Pima County Regional Flood Control District, amending Title 2 of the Pima County Code to add Chapter 2.32 - Rulemaking Procedure. (All Districts)
 - B. **Board of Supervisors Policy**
Staff recommends approval of the Board of Supervisors Policy No. C 2.8, Regulatory Bill of Rights Complaints and Appeals.

Attachments: [CA_OrdCodeTextAmendment_Title2RulemakingProcedure](#)
[CA_CAMemorandum_11-9-15](#)
[CA_BOSComplaintandAppealPolicy](#)

DEVELOPMENT SERVICES

18. **Hearing - Appeal of Hearing Administrator's Decision**
P21-15-008, NORTHWEST FIRE DISTRICT - N. CAMINO DE OESTE
In accordance with Section 18.97.030 of the Pima County Zoning Code, Paul Weiner, a property owner in the noticed area, appeals the Hearing Administrator's decision in Case No. P21-15-008, on property located at 3220 N. Camino De Oeste, in the SR Zone, for a conditional use permit for a communication tower. (District 3)

Attachments: [DSD_P21-15-008_1](#)
[DSD_P21-15-008_2](#)
[DSD_P21-15-008_3](#)

19. **Hearing - Modification of Rezoning Conditions**
Co9-03-32, LEE, ET AL. - ORANGE GROVE ROAD REZONING
Request of Lee Family Trust 3/4, et al., represented by Presidio Engineering, Inc., for a modification of the following rezoning conditions:
- No. 7A which requires provision of improvements to Orange Grove Road as determined by the Department of Transportation to include construction of a right turn lane. The applicant requests to modify the condition to waive the requirement to construct a right turn lane.
 - No. 7C which requires provision for internal access to the west of the subject property. The applicant requests to waive this requirement.
 - No. 11 which requires adherence to the preliminary development plan as approved at public hearing. The applicant requests to modify the plan which depicts one- and two-story office buildings totaling a maximum of 30,000 square feet to allow a plan for a two-story assisted living center building totaling 94,626 square feet.

The subject site is 8.90 acres zoned TR © and SR ® located on the southwest corner of Orange Grove Road and San Joaquin Avenue. Staff recommends **APPROVAL** of the modifications to Condition Nos. 7A and 11, and a waiver of Condition No. 7C in accordance with the applicant's request. (District 1)

Attachments: [DSD_Co9-03-32_1](#)
[DSD_Co9-03-32_2](#)

TRANSPORTATION**20.****Hearing - Traffic Resolution**

RESOLUTION NO. 2015 - 87, of the Board of Supervisors, permitting the temporary closure of portions of Bowman Road from Pelham Road to Golder Ranch Road and Golder Ranch Road from Twin Lakes Drive to Coronado Forest Drive in Pima County, Arizona, for the Tucson Marathon on Sunday, December 6, 2015. Staff recommends

APPROVAL. (District 1)

Attachments: [TR_ResoBowmanRd](#)

21. ADJOURNMENT

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 11/10/15 @ 5:00 p.m.

DATE/TIME REPOSTED (combined Agenda/Addendum and additional attachments): 11/16/15 @ 4:45 p.m.

ADDENDUM 1**BOARD OF SUPERVISORS**

1. **The Garden Kitchen**
RESOLUTION NO. 2015 - **88**, of the Board of Supervisors supporting the request of The Garden Kitchen to the Pascua Yaqui Tribe for a portion of its annual contribution to cities, town and counties. (District 2)
Attachments: [HR_ResoGardenKitchen](#)

HUMAN RESOURCES

2. **Meet and Confer Memorandum of Understanding**
Staff requests approval of the Meet and Confer Memorandum of Understanding with Service Employees International Union (SEIU), Arizona Local 48, for Fiscal Years 2015 - 2017.
Attachments: [HR_SEIUMemorandumofUnderstanding](#)

REAL PROPERTY

3. **UNFINISHED BUSINESS (9/1/15, 10/6/15 and 11/10/15)**
Contract
Friends of Robles Ranch, to provide a lease agreement for property located at 16150 W. Ajo Way, no cost (CTN-PW-16-31)
Attachments: [CTN-PW-16-31](#)
[CTN-PW-16-31Revised_11-13-15](#)
[CTN-PW-16-31VendorSignature_11-16-15](#)

CONTRACT AND AWARD**COUNTY ATTORNEY**

4. Greenberg Traurig, L.L.P., to provide special counsel services, Sewer Revenue Obligation Fund, contract amount \$100,000.00 (CT-FN-16-135)
Attachments: [CT-FN-16-135](#)

FACILITIES MANAGEMENT

5. Sundt Construction, Inc., Amendment No. 22, to provide Construction Manager at Risk Services for Downtown Court Complex, extend contract term to 11/29/16 and amend contractual language, no cost (CT-FM-11042215-P)
Attachments: [CT-FM-11042215-P](#)

6. W.E. O'Neil Construction Company, Inc., Amendment No. 10, to provide for the RWRD Laboratory Addition Project and extend contract term to 4/30/16, no cost (CT-FM-14-390)

Attachments: [CT-FM-14-390](#)

PROCUREMENT

7. **Award**
Amendment of Award, Competitive Sealed Bidding, Solicitation No. 51312, rental of heavy equipment to the contractors in the amounts listed below and increase award amount by \$2,300,000.00. Funding Source: DOT Operating and HURF Funds. Administrative Department: Transportation.

Contractor Name (d.b.a.)/ Contract No./ Original Award Amount/ Increase Amount/ NTW Amount

Earhart Equipment Corp./ MA-PO-13-172/ \$850,000.00/ \$500,000.00/ \$1,350,000.00
 Empire Southwest, L.L.C., d.b.a. Empire Machinery, Empire Transport, Empire Power Systems, EM/ MA-PO-13-173/ \$800,000.00/ \$400,000.00/ \$813,000.00
 RDO Construction Equipment Co., d.b.a. RDO Equipment Co./ MA-PO-13-174/ \$450,000.00/ \$300,000.00/ \$850,000.00
 Titan Machinery, Inc./ MA-PO-13-442, MA-PO-13-440, MA-PO-13-175/ \$425,000.00/ \$250,000.00/ \$661,675.10
 Neff Rental/ MA-PO-14-341/ \$400,000.00/ \$225,000.00/ \$537,805.28
 Vander Intermediate Holding III Corporation, d.b.a. BlueLine Rental, L.L.C./ MA-PO-14-337, MA-PO-13-178/ \$350,000.00/ \$150,000.00/ \$534,834.78
 United Rentals (North America), Inc./ MA-PO-13-179/ \$250,000.00/ \$100,000.00/ \$257,000.00
 H & E Equipment Services, Inc./ MA-PO-13-180/ \$200,000.00/ \$300,000.00/ \$575,000.00
 Sunbelt Rentals, Inc./ MA-PO-13-181/ \$125,000.00/ \$50,000.00/ \$141,000.00
 R&L Ventures, Inc., d.b.a. Creco Rental/ MA-PO-13-182/ \$25,000.00/ \$25,000.00/ \$65,000.00

TOTAL **\$3,875,000.00/ \$2,300,000.00/ \$5,785,315.16**

Attachments: [PO MA-PO-13-172](#)

8. Tucson Recycling & Waste Services, L.L.C., Amendment No. 2, to provide outsourcing of landfill and transfer station operations and amend scope of services, 1997 Bond Fund, contract amount \$2,305,200.00 (MA-PO-13-513)

Attachments: [PO MA-PO-13-513](#)

REAL PROPERTY

9. Arizona Board of Regents, University of Arizona, to provide for ITD subscriber services for equipment maintenance, contract amount \$192.00 revenue (CTN-IT-16-58)

Attachments: [CTN-IT-16-58](#)

REGIONAL WASTEWATER RECLAMATION

10. Arizona Department of Transportation, to provide for the ADOT Interstate 10: Ruthrauff to Prince Road Project additional utility work, RWRD Obligation Fund, contract amount \$124,376.14 (CT-WW-16-113)
Attachments: [CT-WW-16-113_1](#)
[CT-WW-16-113_2](#)

TRANSPORTATION

11. State of Arizona Department of Corrections, Amendment No. 1, to provide inmate labor services and extend contract term to 3/23/16, no cost (CT-TR-12-1360)
Attachments: [CT-TR-12-1360](#)

GRANT APPLICATION/ACCEPTANCE

12. **Acceptance - Transportation**
Tohono O'odham Nation, to provide for the Taking Action Against Graffiti Program, \$20,000.00 (GTAW 16-34)
Attachments: [GR_GrantReport](#)
[GR_GTAW-16-34](#)

BOARD, COMMISSION AND/OR COMMITTEE

13. **Trial Court Appointment - Nominating Committee District 1**
Appointment of Sherry Terrell, Democrat, to fill a vacancy created by Jeff Cesare. No Term Expiration.
Attachments: [BCC_TrialCourtApptsDistrict1](#)
14. **Trail Court Appointments - Nominating Committee District 5**
Appointments of Paula Arnquist and Ivy Schwartz, Independents, to replace Bill Moeller and Kent Burbank. No Term Expiration.
Attachments: [BCC_TrialCourtApptsDistrict5](#)

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

Pima County Homepage: www.pima.gov

DATE/TIME POSTED: 11/13/15 @ 11:00 a.m.

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

CONSENT CALENDAR NOVEMBER 17, 2015

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

1. City of South Tucson, to provide for the management and implementation of the Community Development Block Grant (CDBG) Program, HUD Fund, contract amount \$244,151.82 (CT-CD-16-84)

Attachments: [CT-CD-16-84](#)

Development Services

2. Town of Marana, Amendment No. 4, to provide for regulation of public property within each other's jurisdictional territory, extend contract term to 6/30/20 and amend contractual language, no cost (CT-DSD-CMS128497)

Attachments: [CT-DSD-CMS128497](#)

Health

3. Golder Ranch Fire District, to provide childhood immunizations, no cost (CTN-HD-16-53)

Attachments: [CTN-HD-16-53](#)

Procurement

4. **Award**
Amendment of Award: MA-PO-16-85. Decrease award in the amount of \$6,890,000.00 to a not-to-exceed amount of \$1,635,000.00; change contractor name on MA-PO-16-85 from Hewlett Packard Company to HP, Inc. and establish new Master Agreement No. MA-PO-16-139 with Hewlett Packard Enterprise in a not-to-exceed amount of \$6,890,000.00. Funding Source: Internal Service Fund. Administering Department: Information Technology.

Attachments: [PO MA-PO-16-85 1](#)

[PO MA-PO-16-85 2](#)

Regional Wastewater Reclamation

5. United States Air Force, Davis-Monthan AFB, to provide for a Wastewater Flow Metering Facility and Service Agreement for the calculation of wastewater user fees, no cost (CTN-WW-16-50)

Attachments: [CTN-WW-16-50](#)

GRANT APPLICATION/ACCEPTANCE

6. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 1, to provide for the Commodity Supplemental Food Program/Senior Farmer's Market Nutrition Program, U.S. Department of Agriculture Fund, \$117,132.00 (GTAM 16-32)
Attachments: [GR GrantReport](#)
[GR GTAM-16-32](#)

BOARD OF SUPERVISORS

7. **Meeting Schedule**
Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2016.
Attachments: [BOS_MeetingScheduleJan-May2016](#)

BOARD, COMMISSION AND/OR COMMITTEE

8. **Arizona Municipal Property Corporation**
Reappointments of Frank Y. Valenzuela, Stanley Lehman, Cecilia Cruz, Virginia L. Yrun and John H. Payne. Term expirations: 11/19/16.
(Corporation recommendations)
Attachments: [BCC_ArizonaMunicipalCorporationReappts](#)

**SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/
PATIO PERMIT APPROVED PURSUANT TO RESOLUTION NO. 2015-64**

9. **Temporary Extension**
06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for November 12, 2015.
10. **Temporary Extension**
12104301, Grant Darien Krueger, Reforma, L.L.C., 4310 N. Campbell Avenue, Tucson, Temporary Extension of Premises for December 12, 2015.
11. **Special Event**
Thomas M. Parsons, Rotary Club of Tucson Sunset and Southern Arizona Rotary District 5500, Beach Fleischman, 1985 E. River Road, Tucson, December 6, 2015.

FINANCE AND RISK MANAGEMENT**12.****Duplicate Warrants - For Ratification**

Deborah L. Gaynes \$300.00; Alexa Arriola \$18.69; The Hitt Companies \$273.25; John Jones \$1,100.00; Troxell Communications, Inc. \$374.78; Compass Bank \$420.80; Krista E. Germeroth \$1,500.00; Michelle Rene Simon \$128.16; Sean C. Semonsky \$234.00; Metro Water District \$140.00.

Attachments: [FN_DuplicateWarrants](#)