

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED
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SUPERVISORS**

**Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
April 7, 2015 9:00 a.m.**

1. ROLL CALL

2. INVOCATION

To be offered by Pastor Tony Dawson, St. Paul's United Methodist Church.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

PRESENTATION

- 5.** Presentation of a Net-Zero Energy Building Certification to Peggy Hutchinson, Chief Executive Officer of the Primavera Foundation, for the Community Building in the Las Abuelitas Family Housing Project. (District 2)

approve

PRESENTATION/PROCLAMATION

- 6.** Presentation of a proclamation to Karen Cesare, President, Arizona Chapter of the American Society of Landscape Architects, proclaiming the month of April, 2015 to be:
"WORLD LANDSCAPE ARCHITECTURE MONTH IN PIMA COUNTY"

approve

7. CALL TO THE PUBLIC

EXECUTIVE SESSION

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement demand received in Michael Schuoler v. Dupnik, et al., Pima County Superior Court Case No. C20140079.

proceed as discussed

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding potential legal challenges to a provision of recently enacted Arizona legislative budgetary measure SB1476.

proceed as discussed

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

10. **Riparian Habitat Mitigation**
Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee of \$5,000.00 for property located at 2680 East Old Vail Connection Road within a FEMA Zone A Special Flood Hazard Area with Xeroriparian Class D Habitat. (District 2)

approve

11. **Riparian Habitat Mitigation**
Staff requests approval of a Riparian Habitat Mitigation Plan and in-lieu fee of \$1,041.00 for construction of a single family residence on property located at 1242 North Calle Rinconado within important riparian area with underlying Xeroriparian Class C Habitat. (District 4)

approve

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

13. **Tucson Metro Chamber - BEAR**
Presentation by the Tucson Metro Chamber on the Business Expansion and Retention (BEAR) Survey Summary on economic development in Pima County. (District 1)

no Board action taken

FLEET SERVICES

- 14. Donation of Surplus Equipment**
Staff requests approval to sell surplus vehicles PN 060102, 1986 International Water Truck, and PN 088460, 1997 Volvo Water Truck, for \$100.00 each to the Elephant Head Volunteer Fire Department and the Mescal Volunteer Fire Department.

approve

REGIONAL WASTEWATER RECLAMATION

- 15. Pretreatment Settlement Agreement**
Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund:
- Frontier Star CJ, L.L.C., d.b.a. Carl's Jr., Case No. C2014-D-005. The proposed settlement of payment in the amount of \$2,996.68 for penalty and remediation costs; the acquisition of an Industrial Waste Discharge permit and attendance of at least one representative at Pollution Prevention School are in accordance with the Industrial Wastewater Enforcement Response Plan.

approve

***** HEARINGS *****

FRANCHISE/LICENSE/PERMIT

- 16. Hearing - Extension of Premises/Patio Permit**
14100031, Frank Macias Jerez, American Citizens Social Club, 811 N. 2nd Avenue, Ajo, Temporary Extension of Premises for May 2, 2015.

approve

- 17. Hearing - Extension of Premises/Patio Permit**
12104129, Grant Darien Krueger, Union Public House, 4340 N. Campbell Avenue, Suite 103, Tucson, Temporary Extension of Premises for May 2 and 29, 2015.

approve

COUNTY ADMINISTRATOR

18.

Hearing - Amendments to County Bond Ordinances and Bond Program Update

ORDINANCE NO. 2015 - 10, of the Board of Supervisors, of Pima County, Arizona, relating to Highway User Revenue Fund Revenue Bond Projects, amending Ordinance No. 1997-80 Bond Implementation Plan, November 4, 1997 Special Election (as amended September 22, 1998 by Ordinance No. 1998-59, August 20, 2001 by Ordinance No. 2001-112, December 14, 2004 by Ordinance No. 2004-118, October 11, 2005 by Ordinance No. 2005-90, April 4, 2006 by Ordinance No. 2006-20, October 17, 2006 by Ordinance No. 2006-83, November 6, 2007 by Ordinance No. 2007-93, April 21, 2009 by Ordinance No. 2009-39, October 6, 2009 by Ordinance No. 2009-91, April 13, 2010 by Ordinance No. 2010-22, October 19, 2010 by Ordinance No. 2010-62, April 5, 2011 by Ordinance No. 2011-20, October 18, 2011 by Ordinance No. 2011-77, April 17, 2012 by Ordinance No. 2012-19, and May 7, 2013 by Ordinance No. 2013-23) for the purpose of amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain bond projects.

approve

19.

A. Hearing - Amendments to County Bond Ordinances and Bond Program Update

ORDINANCE NO. 2015 - 11, of the Board of Supervisors, of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects, amending Ordinance No. 2004-18 Bond Implementation Plan, May 18, 2004 Special Election (as previously amended) for the purpose of amending the scope, bond funding, other funding, and implementation schedule of certain projects.

B. Termination of the Intergovernmental Agreement with the Town of Sahuarita

Staff recommends termination of the Intergovernmental Agreement with the Town of Sahuarita relating to the acquisition of open space with 2004 Bond Funds. (CT-CA-15-401; prior 01-64-S-139694-0707)

approve

DEVELOPMENT SERVICES

- 20. Hearing - Rezoning Ordinance**
ORDINANCE NO. 2015 - **12**, Co9-13-08, Sanchez/Marin - N. Shannon
Road Rezoning. Owner: Claude Marin. (District 3)

approve

- 21. Hearing - Rezoning Ordinance**
ORDINANCE NO. 2015 - **13**, Co9-14-04, Wilson Family Trust - W.
Wetmore Road Rezoning. Owner: Wilson Family Trust. (District 3)

approve

- 22. ADJOURNMENT**

ADDENDUM 1

EXECUTIVE SESSION

1. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding potential legal challenges to pending Arizona legislative measure SB1076.

remove from the agenda
2. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding 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; Joseph Cesare, et al. v. Pima County, et al., United States District Court Case No. 14-CV-02514; and a settlement offer in Broadway Realty and Trust, Inc., et al. v. Pima County, Pima County Superior Court Case No. C2014-5528.

proceed as discussed

BOARD OF SUPERVISORS

3. **One Percent Constitutional Property Tax Cap**
Discussion and clarification of the one percent Constitutional Property Tax Cap and County liability pursuant to Article IX, Section 18 of the Arizona Constitution. (District 1)

remove from the agenda

COUNTY ADMINISTRATOR

4. **Naming of the Chuck Bowden Mount Lemmon Community Center**
Staff recommends approval of the renaming of the Mount Lemmon Community Center to the Chuck Bowden Mount Lemmon Community Center.

approve

CONTRACT AND AWARD

TRANSPORTATION

5. Regional Transportation Authority, to provide for the Elephant Head Road Bridge Superstructure Replacement Project, contract amount \$2,000,000.00 revenue (CTN-TR-15-125)

approve

BOARD, COMMISSION AND/OR COMMITTEE

6. **Pima County/Tucson Women's Commission**
Appointment of Viki Kim Chmel, to fill a vacancy created by Martha McSally. Term expiration: 12/31/16. (District 4)

approve

CONSENT CALENDAR

Approval of the Consent Calendar

see items below

CONTRACT AND AWARD

Community Services, Employment and Training

1. Portable Practical Educational Preparation (PPEP), Inc., Amendment No. 1, to provide for One Stop Staff and amend contractual language, USDOL and ADES Fund, contract amount \$37,000.00 (CT-CS-14-441)
approve on the Consent Calendar
2. The International Sonoran Desert Alliance, Amendment No. 1, to provide for the Community Services Block Grant Program - Youth and amend contractual language, CSBG Fund, contract amount \$5,000.00 (CT-CS-14-493)
approve on the Consent Calendar
3. Altar Valley School District, to provide for the Work Experience and Academic Instruction Program, General Fund, contract amount \$81,360.36 (CT-CS-15-369)
approve on the Consent Calendar
4. Tucson Preparatory School, Inc., to provide for the HUD Continuum of Care Program - CASA, HUD Fund, contract amount \$88,131.00 (CT-CS-15-383)

Meeting date: 4/14/2015
continue
5. The Salvation Army, to provide for the HUD Continuum of Care Program - CASA, HUD Fund, contract amount \$84,783.00 (CT-CS-15-388)
approve on the Consent Calendar

County Attorney

6. Audilett Kastner, P.C., Amendment No. 1, to provide for legal representation and advice, Risk Management Tort Fund, contract amount \$50,000.00 (CT-FN-14-266)
approve on the Consent Calendar

7. Mesch, Clark & Rothschild, P.C., Amendment No. 2, to provide legal services for certain road projects, General Fund, contract amount \$50,000.00 (CT-TR-15-81)
approve on the Consent Calendar

Information Technology

8. Golder Ranch Fire District, Amendment No. 1, to provide subscriber services and repair of portable and mobile radio equipment, extend contract term to 3/14/16 and amend contractual language, contract amount \$1,165.29 revenue (CTN-IT-14-168)
approve on the Consent Calendar

Procurement

9. **Award**
Emergency Procurement: Award of Contract, Quote Request No. 164203, to D.H. Pace, (Headquarters: Tempe, AZ) for parking garages parking equipment upgrades in the amount not to exceed \$756,725.00. Contractor was the subcontractor for Contract No. 03-13-S143946-0411, Project CMAR Services for Joint Court Complex Project, and installed the WPS Parking Systems in the Public Service Center Garage. Contractor is the only authorized dealer and installer for the WPS Parking System in Arizona. Due to the contractor's knowledge specific to the installation of the parking garage equipment and to ensure downtown parking garage control system compatibility, it was determined that using the emergency procurement provision of A.R.S. 34-606 and Pima County Code 11.20.060 would be in the best interest of Pima County. The contract term is 8 months. The construction shall be completed for beneficial use no later than August 31, 2015. Funding Source: Parking Garages Revenue Fund. Administering Department: Facilities Management.

approve

10. **Award**
Amendment of Award No. 2, Requisition No. 1001341, automotive and heavy equipment parts/supplies to the contractors in the amounts listed below, extend contract term to October 26, 2015 and increase the total award amount by \$225,000.00. Funding Source: Internal Service Fund. Administering Department: Fleet Services.

Contractor/ Contract No./ Amendment/ Amount

Genuine Parts Company, d.b.a. NAPA Auto Parts/ B507344/MA-14-34/ 2/
\$200,000.00

Merle's Automotive Supply/ B507349/MA-14-33/ 2/ \$25,000.00

approve on the Consent Calendar

11.

Award

Limited Competition: Award of Contract, Requisition No.15-141, MA 15-265, Aetna Life Insurance Company, d.b.a. Aetna, Inc. (Headquarters: Hartford, CT) for pharmacy benefit manager, to the highest ranked/most qualified respondent, in the total three year initial contract term amount of \$25,231,000.00. Contract is for an initial term of three (3) years, effective 7/1/2015 and includes two one-year renewal periods. Funding Source: Self-Insurance Trust Fund and Employee Contributions. Administering Department: Human Resources.

approve

Real Property

12.

Freeport-McMoRan Sierrita, Inc., to provide for a pedestrian easement agreement located west of the Santa Cruz River in Green Valley, Arizona, Tax Parcel No. 304-19-002E, no cost (CTN-PW-15-113)

approve

13.

St. Andrews Presbyterian Church, to provide a right-of-way encroachment license for property located within Section 35, T12S, R13E, G&SRM, no cost (CTN-PW-15-116)

approve on the Consent Calendar

14.

Friends in Deed, Inc., to provide a right-of-way encroachment license for property located within Section 10, T18S, R13E, G&SRM, no cost (CTN-PW-15-118)

approve on the Consent Calendar

GRANT APPLICATION/ACCEPTANCE

15.

Acceptance - Health

Arizona Department of Health Services, Amendment No. 7, to provide for the Emergency Preparedness Program, U.S. Department of Health and Human Services Fund, \$13,128.40 (GTAM 15-47)

approve on the Consent Calendar

16.

Acceptance - Health

Arizona Department of Health Services, Amendment No. 3, to provide for HIV Care and Services, U.S. Department of Health and Human Services Fund, \$77,871.00 (GTAM 15-48)

approve on the Consent Calendar

17. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 4, to provide for the Commodity Supplemental Food Program/Senior's Farmers Market Supplemental Food Program, U.S. Department of Agriculture Fund, \$2,724.00 (GTAM-15-49)
approve on the Consent Calendar
18. **Acceptance - Health**
Arizona Family Health Partnership, Amendment No. 1, to reduce the scope of the Enrollment Assistance Program, \$66,000.00 decrease (GTAM 15-50)
approve on the Consent Calendar
19. **Acceptance - Natural Resources, Parks and Recreation**
U.S. Department of the Interior - U.S. Fish and Wildlife, to provide for a Partners for Fish and Wildlife Program Landowner Agreement, \$65,000.00/\$35,796.00 General Fund Match (GTAM 15-65)

approve

BOARD OF SUPERVISORS

20. **Meeting Schedule**
Approval of the Board of Supervisors' Meeting Schedule for the period May through August, 2015.
approve on the Consent Calendar

BOARD, COMMISSION AND/OR COMMITTEE

21. **Tucson-Pima County Bicycle Advisory Committee**
Ratification of City of South Tucson appointment: Josefina Ahumada. Term expiration: 3/2/19. (Jurisdictional recommendation)
approve on the Consent Calendar
22. **Conservation Acquisition Commission**
Ratification of Tucson Association of Realtors reappointment: James Marian. Term expiration: ~~4/7/23~~ **11/30/22**. (Organizational recommendation)
approve on the Consent Calendar

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

23. Lorraine Morgan, Boys and Girls Clubs of Tucson, La Encantada, 2905 E. Skyline Drive, Tucson, April 19, 2015.
approve on the Consent Calendar

24. Margery Bates, Tucson Waldorf School/Tucson Waldorf Education Association, 3605 E. River Road, Tucson, April 18, 2015.
approve on the Consent Calendar
25. Pamela Sue Clark-Raines, StrengthBuilding Partners, St. Philip's Plaza, 4280 N. Campbell Avenue, Tucson, May 1, 2015.
approve on the Consent Calendar
26. Anastasha Sheriee Lynn, Pima County Medical Society Alliance, St. Philip's Plaza, 4280 N. Campbell Avenue, Tucson, April 18, 2015.
approve on the Consent Calendar
27. Brian Adam Sturgeon, Northwest Fire Fighters Union, Foothills Mall - East Parking Lot, 7401 N. La Cholla Boulevard, Tucson, April 25, 2015.
approve on the Consent Calendar
28. Karen L. Pomroy, Equine Voices Rescue and Sanctuary, 1540 W. Dove Way, Amado, April 26, 2015.
approve on the Consent Calendar
29. Diane Elizabeth Austin, School of Anthropology, University of Arizona, University Indian Ruin, 2799 N. Indian Ruins Road, Tucson, April 24, 2015.
approve on the Consent Calendar
30. John S. Brell, Santa Catalina Roman Catholic Parish - Tucson, 14380 N. Oracle Road, Tucson, April 17, 2015.
approve on the Consent Calendar

ELECTIONS

31. Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:
- RESIGNATION-PRECINCT-PARTY
Adam D. Kinsey-054-DEM; John W. Finkelstein-246-DEM; John M. Lesko-242-REP
- APPOINTMENT-PRECINCT-PARTY
Robin K. Auld-029-DEM; Jessica A. Schulberg-033-DEM; Stephanie F. Miller-034-DEM; John F. Callor-057-DEM; Maria D. Garcia-153-DEM; Danielle L. Rushford-227-DEM; Peter J. Davis, Jr.-010-REP; Peter D. Herder-056-REP; Kimberly A. Varley-DeMarco-083-REP; Patricia A. Flores-097-REP; John W. Hamner-162-REP; Galen D. Paton-218-REP; William W. Yeniscavich-144-LBT; John M. Lesko-242-LBT
approve on the Consent Calendar

FINANCE AND RISK MANAGEMENT

- 32. Duplicate Warrants - For Ratification**
El Rio Santa Cruz Neighborhood Health Center, Inc. \$952.00;
Alternative Answers Message Center, Ltd. \$572.93; Brandon Kimmel
\$222.38; Sonoran Wings Fight Training \$2,726.74; Pure Aesthetics
\$3,000.00; Virginia L. Wheeler \$75.00; Community Partnership Care
Coordination, L.L.C. \$805.93; Neopost USA, Inc. \$1,949.28; City of
Tucson \$285.53; Aliona Gibson \$32.80; Francis Patrick Sheridan
\$2,000.00; Joseph Anthony Ezzo \$450.00; Ashraf Khalfan \$78.00;
ALTA Language Services \$110.00
approve on the Consent Calendar

RECORDER

- 33. Ratification**
Pursuant to Resolution No. 1993-200, ratification of the Document
Storage and Retrieval Fund for the month of February, 2015.

approve on the Consent Calendar

REAL PROPERTY

- 34. Abandonment by Vacation and Quit Claim Deed**
A. RESOLUTION NO. 2015 - **18**, of the Board of Supervisors, for the
vacation of a portion of Sierra Vista Ranch Road, as Pima County
Road Abandonment No. A-14-06, lying within Section 1, T22S,
R7E, G&SRM, Pima County, Arizona. (District 3)
B. Quit Claim Deed to N. Troy McDaniel and Melissa Owen, husband
and wife, all right, title and interest in a portion of public right-of-way
known as Sierra Vista Ranch Road, Pima County Road
Abandonment No. A-14-06, within Section 1, T22S, R7E, G&SRM,
Pima County, Arizona. No cost. (District 3)
approve on the Consent Calendar

RATIFY AND/OR APPROVE

- 35. Minutes:** February 17 and March 3, 2015
Warrants: March, 2015
approve on the Consent Calendar