



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

May 13, 2008

BOARD MEMBERS

Richard Elías
Chairman
District 5

Ramón Valadez
Vice Chairman
District 2

Sharon Bronson
District 3

Raymond Carroll
District 4

Ann Day
District 1

HEARING ROOM COURTESY

Please turn off cell phones/pagers or place in silent mode.

MEETING LOCATION

Pima County Administration Building
130 W. Congress St., 1st Floor
Board of Supervisors' Hearing Room
Tucson, AZ 85701

AGENDA/ADDENDUM INFORMATION

- ◆ Within 24 hours of each scheduled meeting, Agendas/Addendums are available in the Clerk of the Board's Office, 130 W. Congress St., 5th Fl., Tucson, AZ 85701, Mon-Fri, 8 to 5.
- ◆ Website: **www.pima.gov**
For online meeting schedules, agendas, addendums and associated reference material.

LIVE BROADCAST

- ◆ *Cablecast Channel* Comcast..... 96; Cox..... 12
- ◆ *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 and indicate the relevant agenda item and/or description.

Place Speaker Card in labeled basket located on the dais. When the Chairman announces your name, step forward to the podium, speak into the microphone and state your name/address 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. Any questions pertaining to the meeting can be directed to Lori Godoshian, Clerk of the Board.

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) 740-8449 or the TDD line at (520) 740-3579 for these services at least three (3) business days prior to the Board Meeting.

AGENDA

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

May 13, 2008 9:00 a.m.

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. PAUSE 4 PAWS
5. PRESENTATION/PROCLAMATION

Presentation of a proclamation to an AmeriCorps representative proclaiming the week of May 11 – 18, 2008, to be:

“AMERICORPS WEEK”

... EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 05/07/08, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

A. Riparian Habitat Mitigation Plan

Staff requests approval of the Riparian Habitat Mitigation Plan which includes a financial contribution in the amount of \$7,270.05 for property located at 4986 N. Placita Borboa. (District 3)

B. Contracts

1. MMLA Psomas, Inc., Amendment No. 1, to provide design engineering services for the Canada del Oro

Linear Park: Thornydale Road to Magee Road and amend scope of work, 2004 Bond Fund, contract amount \$38,130.00 (16-59-M-140480-1107)

2. Bruce G. Dewey and Earlene Dewey, Trustee of the Bruce G. Dewey and Earlene Revocable Living Trust, to provide an acquisition agreement for 3.10 acres of property with a single family residence and metal barn, located at 14520 W. Marana Road, Marana, Tax Parcel No. 208-14-0120, Flood Control Levy Fund, contract amount \$181,660.00 including closing costs (22-59-D-140831-0508)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

6. **CONSENT CALENDAR:** For consideration and approval
 - A. **CALL TO THE PUBLIC**
 - B. **APPROVAL OF CONSENT CALENDAR**
7. **COUNTY ADMINISTRATOR**

Revisions to Merit System Rules and Personnel Policies

Staff requests approval of the following revisions:

- A. Personnel Policy 7-106.D (Sick Leave)
This policy is expanded to allow the use of sick leave for the illness or death of a domestic partner or child of a domestic partner and requires the filing of an affidavit by the employee, when necessary and when sick leave is requested for this purpose, or the employee must have a current affidavit on file with the Human Resources Department for the domestic partner or child of the domestic partner enrolled under the County's health benefits plan. Also, this section has been changed to clarify that eligibility for FMLA is defined in the Family and Medical Leave Act.
- B. Personnel Policy 7-108.C (Medical Disability)
Due to various needs for medical disability leave, including some employees waiting for long-term disability eligibility, it is recommended that the Appointing Authority determine whether continuing re-certification is necessary. The current policy requires re-certification in all situations creating a burden for those who may not recover and are simply waiting for a decision from the State regarding long-term disability.

- C. Personnel Policy 7-108.F (Humanitarian/Personal Reasons)
This policy is expanded to include the domestic partner or child of the domestic partner similar to the proposed change to Personnel Policy 7-106.D above.

8. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION DEPARTMENT**

Annual Action Plan Funding Recommendations

RESOLUTION NO. 2008 – **116**, of the Board of Supervisors of Pima County, Arizona, approval of the submission to the U. S. Department of Housing and Urban Development of the Annual Action Plan for FY 2008-2009, identifying funding for the following purposes and to the following agencies:

Community Development Block Grant Program:	\$2,560,535.00
Home Program:	728,962.00
Emergency Shelter Grant Program:	113,037.00

CDBG Funds

<u>Agency</u>	<u>Requested</u>	<u>Recommended</u>	<u>District</u>
Ajo-Ambulance, Inc.	7,000		3
Ajo-Gibson Volunteer Fire Department	12,790		3
Ajo-Pima County Parks & Recreation Dept.	125,000	100,000	3
Ajo-WPCCC	66,923		3
Ajo-WPCCC	3,000		3
Amado-Food Bank	172,500	100,000	3
Arivaca-Coordinating Council/Human Res	5,388		3
Arivaca-Family & Community Education	75,000	70,000	3
Arivaca-Townsite Water System	17,000	15,000	3
Arivaca-Volunteer Fire Department	45,000		3
Avra Valley-Marana Domestic Water	39,000		3
Avra Valley-Marana Domestic Water	55,000		3
Catalina-Golder Ranch Fire District	60,000	25,000	1
Catalina-Community Services	20,000	20,000	1
Flowing Wells-Neigh Assoc.	5,500	5,000	3
Flowing Wells-Neigh Assoc.	10,000	10,000	3
Flowing Wells-Neigh Assoc.	24,104	15,000	3
Flowing Wells-Neigh Assoc.	85,000	75,000	3
Picture Rocks-Community Center, Inc.	9,000		3
Picture Rocks-Citizens for Picture Rocks	65,475	65,000	3
Picture Rocks-Rancho del Conejo Water	53,176		3
Picture Rocks-Rancho del Conejo Water	17,727		3
Robles Junction-Altar Valley School District	11,000		3

Robles Junction-Altar Valley School District	65,000	60,000	3
Robles Junction-Three Points Fire Dept	120,000		3
Valencia West-Drexel Heights Fire District	19,600	15,000	3,5
Valencia West-Drexel Heights Fire District	68,000		3,5
Why-Fire District	20,000	10,000	3
Why-Utility Company, Inc.	50,000		3
Town of Marana	40,000	30,000	1, 3
Town of Marana	100,000	75,000	1, 3
Town of Marana	100,000		1, 3
Town of Marana	100,000	50,000	1, 3
City of South Tucson	70,000	70,000	2
City of South Tucson	10,000	10,000	2
City of South Tucson	96,000	75,000	2
City of South Tucson	60,000		2
City of South Tucson	55,000	55,000	2
City of South Tucson	12,000		2
City of South Tucson	100,000	70,000	2
City of South Tucson	133,725	115,000	2
City of South Tucson	20,000		All
Pima County CDNC	385,535	385,535	
Pima County CDNC	550,000	550,000	All
Pima County CDNC	75,000	75,000	All
Arizona Rural Human Service Network	5,000	5,000	All
Administration of Resources and Choices	38,314	15,000	All
Arts for All, Inc.	100,000		All
Arts for All, Inc.	10,000		All
Caridad-de Porres, Inc.	10,000		All
Community Outreach Program for the Deaf	18,500		All
Chicanos por la Causa	15,000	15,000	2,3,5
Chicanos por la Causa	40,800	40,000	2,3,5
Chicanos por la Causa	60,000	20,000	All
Community Food Bank, Inc.	86,500	40,000	All
Community Home Repair Projects of AZ	125,000	90,000	All
Compass Health Care, Inc.	129,354		3
Direct Center for Independence, Inc.	53,000	50,000	All
Intermountain Centers for Human Dev	69,390		All
Lutheran Social Services of the Southwest	24,721		2
Marshall Home for Men	30,019		All
Open Inn, Inc.	38,000		All
Pima Computer Recycling/RISE, Inc.	50,000	10,000	All
Pima Prevention Partnership	15,000	10,000	All
Primavera Foundation, Inc.	25,000		All
Pio Decimo Center	23,633		All
Pio Decimo Center	4,938	5,000	2,5
Southern AZ AIDS Foundation	11,040		All
Southern AZ Center Against Sexual Assault	70,000	10,000	All

Southern AZ Legal Aid, Inc.	23,739	20,000	All
Southwest Fair Housing Council	30,000	25,000	All
St. Luke's Home	20,000	5,000	All
TMM Family Services, Inc.	75,000		All
Tucson Jewish Community Center	12,000		1
Tucson Urban League, Inc.	45,000	45,000	All
U of A Social Justice Education Project	20,000	10,000	All
TOTAL	4,513,391	2,560,535	

HOME Program Funds

<u>Purpose</u>	<u>Recommended</u>
Planning and Administration	73,274
Affordable Housing Projects	<u>655,688</u>
TOTAL	728,962

Emergency Shelter Grant

<u>Agency</u>	<u>Recommended</u>
Brewster Center	15,000
Caridad de Porras	5,000
Pio Decimo Center	12,000
Open Inn	5,000
Primavera	27,000
TCWC	5,000
Jackson Employment Center	13,500
Community Action Agency	30,537
TOTAL	113,037

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor License

*(**Clerk's Note**: The Zoning Inspector recommends approval subject to the applicant obtaining a Type I Conditional Use Permit.)

- *9. 08-14-8936, Shinyoung Kang Wantabe, Asian Bistro Osake, 15318 N. Oracle Rd., No. 180, Catalina, Series 12, Restaurant License, New License.

Fireworks Permit

- 10. Alan Raso, Westward Look Resort, 245 E. Ina Road, Tucson, May 25, 2008 at 9:00 p.m.

Extension of Premises/Patio Permit

11. Michael Raymond Gill, Montgomery's Grill and Saloon, 13190 E. Colossal Cave Road, No. 190, Vail, Temporary Extension of Premises for May 13 and 17, June 10, and July 8, 2008.

DEVELOPMENT SERVICES**Rezoning**

12. Co9-07-25, RENOVO VENTURES, L.L.C. – JUNIPER ROAD REZONING

Request of Renovo Ventures, L.L.C., represented by Tim Murray, for a rezoning of 3.4 acres from SR (Suburban Ranch) to CR-2 (Single Residence) and SH (Suburban Homestead) on a property located on the east side of Juniper Road, approximately 1/2 mile west of Thornydale Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

13. Co9-08-01, ELKINS REVOCABLE TRUST – ORACLE ROAD REZONING

Request of Elkins Revocable Trust, represented by Michael J. Harris, for a rezoning of .43 acres from CR-1 (Single Residence) to TR (Transitional) located at the northwest corner of Oracle and Los Altos Roads, approximately 1/4 mile north of Orange Grove Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

14. Co9-07-32, DAIGNAULT/TILLEY – VIOLET AVENUE REZONING

Request of Daniel Daignault and Scott Tilley, represented by ADC Inc., for a rezoning of .74 acres from CR-4 (Mixed Dwelling Type) to CI-1 (Light Industrial/Warehousing), on property located on the south side of Violet Avenue, approximately 400 feet south of Ruthrauff Road and approximately 1,100 feet east of Interstate 10. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 3)

ENVIRONMENTAL QUALITY**15. Pima County Code Text Amendment**

ORDINANCE NO. 2008 - 55, the Board of Supervisors of Pima County, Arizona, relating to Air Quality; amending the Pima County Code by Amending Title 17, Chapters 4, 12, and 16 to update and adopt new incorporations by reference of the following federal regulations: Acid Rain, National Emission Standards for Hazardous Air Pollutants (NESHAP), New Source Performance Standards (NSPS), and other parts of Title 40 Code of Federal Regulations.

TRANSPORTATIONUNFINISHED BUSINESS (RM 4/15/08)**16. Road Establishment**

RESOLUTION NO. 2008 - 89, of the Board of Supervisors of Pima County, Arizona, providing for the establishment of a County highway to be known as X9 Ranch Road, lying within Section 36 and 25, T15S, R16E, and Sections 30, 20, 19 and 17, T15S, R17E, Pima County, Arizona, Proceeding No. 3000. (District 4)

17. CALL TO THE PUBLIC**18. ADJOURNMENT**

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

DATE POSTED: 5/7/08

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, MAY 13, 2008**1. CONTRACTS AND AWARDS****A. County Attorney**

1. Arizona Board of Regents, University of Arizona, College of Public Health, Amendment No. 5, to provide for the Restorative Justice Program and extend contract term to 9/29/07, Board of Regents Grant Fund, contract amount \$2,809.00 decrease (02-02-A-132151-0303)

B. Health Department

2. RESOLUTION NO. 2008 - **110**, approving an Intergovernmental Agreement with Pinal County, to provide for animal care services, no cost (01-01-P-140819-0508)
3. RESOLUTION NO. 2008 - **111**, approving an Intergovernmental Agreement with the Arizona Department of Health Services, to provide for the Public Health Physical Activity Program, Federal Fund, contract amount \$92,479.00 revenue (01-01-A-140820-0408)
4. RESOLUTION NO. 2008 - **112**, approving an Intergovernmental Agreement with the Northwest Fire District, to provide training for Technical Rescue Teams and Hazmat Technicians, Federal Homeland Security Grant Fund, contract amount \$109,579.00 (01-01-N-140829-0108)
5. RESOLUTION NO. 2008 - **113**, approving an Intergovernmental Agreement with the Arizona Department of Health Services, to provide prenatal services, Prenatal Block Grant Fund, contract amount \$181,476.00 revenue (01-01-A-140836-0708)
6. The Youth Corps of America, Inc., to provide for the Martial Arts Resiliency Program, Health Fund (1% for Youth), contract amount \$6,000.00 (32-01-Y-140828-0508)

C. Pima Health System

7. Neurological Associates of Tucson, P.C., d.b.a. Center for Neurosciences, Amendment No. 8, to provide neurology and neurosurgery services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-132789-0603)

D. Procurement

8. ARAG Insurance Company, Amendment No. 2, to provide pre-paid legal services for employees and extend contract term to 6/30/09, no cost (11-43-A-137846-0706) Human Resources
9. Southern Arizona Paving and Construction Co., Amendment No. 4, to provide a job-order contract for roadway paving and surface treatments, extend contract term to 5/23/09 and amend contractual language, Transportation Special Revenue Fund, \$1,400,000.00; RTA Tax Revenue Fund, \$300,000.00; total contract amount \$1,700,000.00 (26-04-S-138088-0506) Transportation
10. KE&G Construction, Inc., Amendment No. 2, to provide a job-order contract for wastewater conveyance repair, rehabilitation and construction services - small pipe contract and extend contract term to 6/30/09, 2004 Bond Fund, \$400,000.00; Wastewater Management System Development Fund, contract amount \$1,800,000.00; total contract amount \$2,200,000.00 (26-03-K-139133-0107) Regional Wastewater Reclamation
11. KE&G Construction, Inc., Amendment No. 2, to provide a job-order contract for wastewater conveyance repair, rehabilitation and construction services - large pipe contract and extend contract term to 6/30/09, 2004 Bond Fund, contract amount \$4,018,486.18 (26-03-K-139134-0107) Regional Wastewater Reclamation

Awards

12. Increase in Award to Hussar Electric Supply Co., B500171-Revision 12, for electrical supplies, in the amount of \$50,000.00. Funding Source: General Fund. Administering Department: All.
13. Rejection of All Bids for Requisition No. 0802188 – 33 N. Stone Ave. Elevator Upgrades. In February 2008, Pima County issued an Invitation to Bid. The estimated cost for the project was \$650,000.00. Three non-responsive bids were received. Staff recommends rejection of all bids and permission to issue a new solicitation. Funding Source: General Fund. Administering Department: Facilities Management.

E. Sheriff

14. RESOLUTION NO. 2008 - 114, approving an Intergovernmental Agreement with Public Agencies of the State of Arizona, to provide cooperative law enforcement training, no cost (01-11-P-140835-0108)
15. RESOLUTION NO. 2008 - 115, approving an Intergovernmental Agreement with the City of South Tucson, to provide for the incarceration of municipal prisoners, General Fund, contract amount \$186,645.00 revenue (01-11-S-140837-0708)

2. DIVISION OF ELECTIONS

Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignation and appointments:

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Rebling, Blake W.	320	REP
<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Massey, James L.	116	DEM
Cox, Jennifer E.	166	DEM
Smith, Lynda L.	202	DEM
Wagner, Gregory M.	241	DEM
Jaeger, James	248	REP
Marcus, Walter	326	DEM
Robuck, Robert G.	339	DEM
Rebling, Blake W.	402	REP

3. JUSTICE AND LAW ENFORCEMENT

Superior Court: Judges Pro Tempore

Appointment of the following as Judge Pro Tempore of Superior Court for the period of July 1, 2008 through June 30, 2009.

Aboud, John	Grant, Philip
Aboud, Michael	Green, Patricia
Abrams, Lisa	Hazlett, Carl
Adam, Karen	Henry, Richard
Aguilar, David	Heurlin, Bruce
Alexander, Arthur	Hobson, K. Alexander
Armenta, Trini	Hochuli, Peter
Assini, John	Hubbell, Amy
Baade, John	Hunter, James
Baldwin, Howard	Jackson, Gary
Barrasso, Robert	Jackson, Terrence
Belleau, Laura	Johnson, Michael
Bellovin, Barry	Johnson, Jr., Thomas
Bibbens, Lisa	Jones, Lori
Bolt, John	Julien, Paul
Brady, John	Jurkowitz, Daniel
Brei, Suzanne	Jurkowitz, Harvey
Brew, Lindsay	Karl, Karen
Bryson, Kyle	Karp, Leonard
Cahan, Eric	Kaufmann, John
Centuori, Steven	Knuck, Theodore
Christensen, Mark	Liberty, Pamela
Christoffel, Dean	Lieberthal, David
Clark, Jr., Douglas	Liwski, Danelle
Cohen, Gary	Macdonald, Bruce
Cohen, Melvin	Masunas, Annalisa
Conn, Deanna	Maxwell, Margaret
Connors, Julia	McCarthy, Kathleen
Contreras, Roger	McNorton, Lisa
Copperstone, Cheryl	Mitchell, Douglas
Cramer, Amelia	Nygaard, Karen
Cuneo, Suzanne	O'Neill, Nancy
Cunningham, Marjorie	Ostapuk, David
Dardis, Fred	Pennington, Alyce
Davis, Thomas	Perez-Medrano, Juan
Dawley, Francis	Pollard, Michael
Diamond, David	Quigley, Kathleen
Douglas, Sharon	Pratt, Deborah
Duncan, Roger	Riojas, Jr., Antonio
Economidis, Peter	Roads, Lee
Elkins, C. Joy	Rubin, Stephen
Erickson, George	Samet, Dee-Dee
Everlove, Annette	Schauf, Susan
Farley, James	Schwanbeck, Victor
Fell, Howard	Scott, Stellisa
Geiser, Jeannette	Segal, Anne
Gibson, Scott	Sethi, Dev
Glicksman, Elliott	Simon, Diana

Simon, Paul
Stanford, K.C.
Stroud, James
Strum, Edina
Tedlock, Sandra
Terrill, Lora
Traynor, William
Treadwell-Rubin, Pamela

Wagener, Joan
Ward, Deborah
Weinstein, Steven
West, James
Wohl, Jacqueline
Wright, Natalie
Yehling, Wayne
Zirkle, Raymond

4. **REGIONAL WASTEWATER RECLAMATION**

Public Announcements

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case(s) will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Pima County Wastewater Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 5025 W. Ina Road, Tucson, Arizona, 85743. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreements:

- A. Safeway, Inc., a Delaware Corporation, d.b.a. Safeway Food and Drug, No. 267. Proposed settlement amount is \$500.00.
- B. McDonald's 7684. Proposed settlement amount is \$500.00.

5. **PROCLAMATION**

Proclaiming the week of May 19 - 23, 2008, to be:

“NATIONAL ASSOCIATION OF INSURANCE WOMEN WEEK”

6. **RATIFY AND/OR APPROVE**

Minutes: March 18, 2008