



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

September 1, 2009

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.

September 1, 2009 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
5. **PRESENTATIONS/PROCLAMATIONS**
 - A. Presentation of a proclamation to Cindy Klein, Compass Behavioral Health Center and Pete Moore, HOPE Recovery, proclaiming the month of September, 2009 to be:

"NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH"
 - B. Presentation of a proclamation to Margaret Hoeft, President of the Tucson Chapter of the National Ovarian Cancer Coalition and to Tori Stypula, Karen Conway, Gloria MacDonald, Rita Davidson and Mary Lou Stepler, proclaiming the month of September, 2009 to be:

"OVARIAN CANCER AWARENESS MONTH IN PIMA COUNTY"
 - C. Presentation of a proclamation to Magdalena Barajas proclaiming Pima County's commitment to partner with the U.S. Census Bureau to help ensure a full and accurate census count in 2010.

... **EXECUTIVE SESSION**

Call to the Public (for Executive Session items only)

Public discussion and action may occur on the executive session item listed below during the regularly scheduled meeting.

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding approval of tax appeal settlement recommendations for the following:

- A. **Stardust-Cantera v. Pima County**
Tax Parcel Nos. 140-32-5690 through 140-32-7110
Arizona Tax Court Case No. TX2008-000903
- B. **Stardust-Reif v. Pima County**
Tax Parcel Nos. 132-28-0010 through 132-28-7550
Arizona Tax Court Case No. TX2008-000603
- C. **AIG v. Pima County**
Tax Parcel Nos. 133-14-462B, 133-14-8180
Arizona Tax Court Case No. TX2008-000833
- D. **First Professional Plaza v. Pima County**
Tax Parcel Nos. 105-09-015G, 105-09-015J, 105-09-015K,
105-09-015L, 105-09-015M
Arizona Tax Court Case No. TX2008-000927

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

Right-of-Way Easement

Sale and conveyance of a right-of-way easement to Tucson Electric Power Company for the placement of electrical facilities within a portion of a drainageway lying south of River Road in Section 15, T13S, R13E, G&SRM. Revenue of \$190.00. (District 1)

... **LIBRARY DISTRICT BOARD**

State Grants-in-Aid

- A. Approval of grant from the Arizona State Library in the amount of \$26,235.03, to provide for the development of a Computer Literacy Program for teens to promote the Nuestras Raices Celebration and the development of an internal Leadership Training Program for staff.

- B. Approval of grant from the Arizona State Library in the amount of \$25,000.00, to provide for the enhancement of the library's website and catalog.

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. **BOARD OF SUPERVISORS**

Approval of funding from One Percent for Youth to the Borderlands Theater Education Outreach Program in the amount of \$10,000.00. (District 5)

- 8. **PROCUREMENT**

Staff requests direction to proceed to the second step Request for Proposal phase of the Design/Build/Operate Project for the Regional Optimization Master Plan (ROMP) 32 MGD Water Reclamation Campus to replace the aging Roger Road Water Reclamation Facility.

TRANSPORTATION

- 9. **Acceptance of Projects/Roadways for Maintenance**

- A. P1205-001, Pima Farms, Lots 1-83. Developer: Redpoint Development. (District 4)

- B. P1203-067, Houghton Road Offsite Improvements to serve Ocotillo Preserve, Lots 1-42, Station 1+00.00 to Station 27+40.00. Developer: Terramar Properties. (District 4)

REGIONAL WASTEWATER RECLAMATION

- 10. **Pretreatment Settlement Agreements**

Staff recommends approval of the following proposed Pretreatment Settlement Agreements, RWRD Enterprise Fund:

- A. Davis-Monthan Air Force Base, Case No. 2009-01. Proposed settlement amount is in accordance with the Industrial Wastewater Enforcement Plan.

- B. Walgreens Co., Case No. 2009-02. Proposed settlement amount is \$5,975.00.
- C. El Guero Canelo Segundo, L.L.C., Case No. 2009-05. Proposed settlement amount is \$5,092.40.

***** HEARINGS *****

DEVELOPMENT SERVICES

Conditional Use Permit

- 11. P21-09-009, POZO & GIUSEPPE – E. OLD SPANISH TRAIL
American Tower Corporation, applicant, on property at 12620 E. Old Spanish Trail, in SR zone, requests a conditional use permit for a communication tower. Chapter 18.97 in accordance with Section 18.07.030.H.2d of the Pima County Zoning Code, allows a communication tower as a Type III conditional use in the SR zone. On motion, the Planning and Zoning Commission voted 8-1 (Commissioner Holdridge voted Nay, Commissioner Membrila was absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

Rezoning Resolutions

- 12. RESOLUTION NO. 2009 - 219, Co9-99-09, Pinetree Properties – River Road No. 2 Rezoning. Owner: Tucson Chinese Property Company, Inc. (District 1)
- 13. RESOLUTION NO. 2009 - 220, Co9-99-17, Ali, et. al. – Oracle Road Rezoning. Owners: CAPT Properties L.L.C. (District 1)
- 14. RESOLUTION NO. 2009 - 221, Co9-99-18, Ali – Oracle Road Rezoning. Owners: CAPT Properties L.L.C. (District 1)

TRANSPORTATION**Traffic Ordinances**

15. ORDINANCE NO. 2009 - 83, of the Board of Supervisors, establishing prima facie speed limits on Wilds Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)
16. ORDINANCE NO. 2009 - 84, of the Board of Supervisors, establishing prima facie speed limits on Drexel Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2, 3 and 5)

Temporary Road Closure

17. RESOLUTION NO. 2009 - 222, of the Board of Supervisors of Pima County, temporarily closing Well Road, La Mina Avenue, Fundicion Street, Lomita Avenue and Plaza Street, in the town of Ajo, Arizona, on September 21, 2009, for the Annual Ajo International Day of Peace Celebration. Staff recommends **APPROVAL**. (District 3)
18. **CALL TO THE PUBLIC**
19. **ADJOURNMENT**

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

DATE POSTED: 08/26/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, SEPTEMBER 1, 2009**1. CONTRACTS AND AWARDS****A. Community Services, Employment and Training**

1. SER-Jobs for Progress of Southern Arizona, Inc., Amendment No. 1, to provide workforce development services at Jackson Employment Center and amend contractual language, HUD and WIA Grant and General Funds (expenditure determined by client eligibility), contract amount \$38,671.00 (07-69-S-142158-0709)

B. County Attorney

2. Snell & Wilmer, L.L.P., Amendment No. 3, to provide legal advice and representation regarding Superior Court Case No. C20074840, Seaboard Surety Company, et. al., RWRD Enterprise Fund, contract amount \$150,000.00 (17-02-S-140916-0208)

C. Facilities Management

3. Portable Practical Educational Preparation, Inc., Amendment No. 2, to provide a lease agreement for space in the Pima County Courthouse located in Ajo, Arizona, extend contract term to 8/30/11 and amend contractual language, General Fund, contract amount \$4,748.19 revenue (04-13-P-139179-0207)
4. Green Valley Performing Arts Center Foundation Inc., Amendment No. 1, to provide management, operation and maintenance to Phase II of the Green Valley Performing Arts Center and amend contractual language, no cost (11-13-G-141820-0309)

D. Health

5. State of Arizona Department of Corrections, to provide an inmate labor pool to support the Pima County Animal Care Center, General Fund, contract amount: \$8,760.00 (11-01-A-142292-0908)

E. Natural Resources, Parks and Recreation

6. RESOLUTION NO. 2009 - **216** , approving an Intergovernmental Agreement with the Altar Valley School District, to provide design and construction of the Altar Valley School District Recreational Facility, 2004 Bond Fund, no cost (01-05-A-142293-0909)
7. RESOLUTION NO. 2009 - **217** , approving an Intergovernmental Agreement with the Altar Valley School District, to provide operation and maintenance of the Altar Valley School District Recreational Facility, no cost (01-05-A-142294-0909)
8. RESOLUTION NO. 2009 - **218** , approving a ground lease with Native Seeds/Southwestern Endangered Aridland Resources Clearinghouse for a conservation education facility at Brandi Fenton Memorial Park, contract amount \$25.00 revenue (04-05-N-142295-0909)

F. Office of Court Appointed Counsel

9. Ronald Zack, Amendment No. 3, to provide court appointed attorney services on the Juvenile Attorney Panel and assign contract from Doris M. Reed, General Fund, no cost (17-74-R-136596-0705)

Award

10. Award of Contract, Requisition No. 0901254, in the total amount of \$300,000.00 to Richard Luff, for court appointed attorney services on the Superior Court Felony Panel. Contract is for a three-year period and provides one renewal for an additional three-year period. Funding Source: General Fund.

G. Pima Health System

11. Mariposa Community Health Center, Inc., Amendment No. 8, to provide primary care physician, dental, radiology, OB/GYN,

- transportation and pharmacy services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-137143-1005)
12. University Orthopedic Specialists, P.L.L.C., Amendment No. 4, to provide orthopedic surgery services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-U-137145-0905)
 13. Southwest Orthopedic Surgery Specialists, P.L.C., Amendment No. 4, to provide orthopedic services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-137289-1005)
 14. Arizona Department of Economic Security, Amendment No. 13, to provide home and community based services to eligible elderly and physically disabled individuals and amend contractual language, PHCS Enterprise Fund, contract amount \$1,562,307.00 revenue (01-15-D-137491-0705)
 15. Radiology LTD., P.L.C., Amendment No. 3, to provide radiology services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$800,000.00 (18-15-R-138584-1006)
 16. ABC Dental Centers, P.C., Amendment No. 3, to provide dental services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-138585-1006)
 17. Specialists In Dermatology, P.L.L.C., Amendment No. 2, to provide dermatology services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-S-138809-1006)
 18. Easter Seals Blake Foundation, Amendment No. 3, to provide habilitative residential services, behavioral health management and counseling

- services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-B-139072-0207)
19. Heart Care of Southern Arizona, P.C., d.b.a. Desert Cardiology of Tucson, Amendment No. 2, to provide cardiology services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-H-140334-0907)
 20. University Medical Center Corporation, Amendment No. 1, to provide hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-U-142058-0509)
 21. Lutheran Social Services of the Southwest, Amendment No. 1, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-L-142111-0709)
 22. Senior Living Options, L.L.C., d.b.a. Palm Valley Rehabilitation and Care Center, to provide nursing facility services, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-S-142277-0809)
 23. Julie Bradshaw, D.D.S., P.C., to provide dental services, PHCS Enterprise Fund, contract amount \$300,000.00 (18-15-B-142278-1009)

H. **Procurement**

24. MWH Constructors, Inc., Amendment No. 1, to provide construction manager at-risk services for the Ina Road Water Pollution Control Facility Capacity and Effluent Quality Upgrade Project and amend contractual language, 2004 Bond Fund, contract amount \$634,809.00 (03-03-M-141162-0808) Regional Wastewater Reclamation
25. Kittelson & Associates, Inc., Amendment No. 8, to provide professional engineering design for the Sunrise Drive: Craycroft Road to Kolb Road Project and amend contractual language, 1997 HURF Revenue Bond Fund, contract amount \$100,000.00 (07-04-C-133698-1203) Transportation

Awards

- 26. SFQ: Award of two Job Order Contracts, Requisition No. 0901890, in the amount of \$175,000.00 to each of the top ranked firms, Environmental Strategies, Inc. (Headquarters: Tucson, AZ) and Durazo Construction Corporation (Headquarters: Tucson, AZ) for residential property rehabilitation services for foreclosed properties acquired by Pima County. Contracts are for a one-year term with the option to extend for up to two additional one-year periods. Funding Source: Other Special Revenue Grants. Administering Department: Community Development and Neighborhood Conservation.

I. Superintendent of Schools

- 27. Tombstone Unified School District, Amendment No. 1, to provide rental of classroom and office space for the Statewide Instruction Technology Special Project Division Program and amend contractual language, Federal Fund, contract amount \$2,400.00 (01-38-T-140927-1007)

*(**Clerk's Note:** The following item may present a potential Conflict of Interest for Supervisor Carroll)

***2. DIVISION OF ELECTIONS**

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Carroll, Ray J.	106	REP
Cushman, Sally M.	210	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Carroll, Ray J.	099	REP
Freeman, Christina M.	171	REP
Hartigan, Melissa S.	180	REP
Spencer, Laura L.	194	REP
Beatty, Patricia J.	220	REP
Edwards, Bernice M.	255	REP
Dotson, Yvonne L.	340	REP
Ruetz, Steven S.	382	REP
Leuty, Edward B.	391	REP
Legat, Eileen J.	392	REP

3. BOARDS, COMMISSIONS AND/OR COMMITTEES**A. Election Integrity Commission**

Appointment of Mary DeCamp, Green Party representative. Term expiration: 9/30/11. (Party recommendation)

B. Tucson/Pima Metropolitan Energy Commission

Appointment of Vivian Harte to fill the unexpired term of Earl J. Jacobson. Term expiration: 11/30/10. (Committee recommendation)

C. Workforce Investment Board

Appointment of Dorothy Kret, business, to fill the vacancy created by Carol Somers. Term expiration: 9/30/09. (Staff recommendation)

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

A. Kirsten G. Culliney, Sahuaro Girl Scout Council, Hacienda Program Center, 3101 N. Sabino Canyon Road, Tucson, September 25, 2009.

B. Maya T. Luria, Tucson Culinary Festival, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, October 2 and 3, 2009.

C. Catherine C. Curtin, Catalina Foothills School District Foundation, La Encantada, 2905 E. Skyline Drive, Tucson, October 2, 2009.

D. Raymond C. Zucker, Green Valley Elks Lodge No. 2592, 2951 S. Camino Mercado, Green Valley, October 4, 2009.

E. Lacey T. DeLeon, Boys and Girls Clubs of Tucson, 3800 E. Sunrise Drive, Tucson, November 21, 2009.

5. RECORDER

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of June, 2009.

REGIONAL WASTEWATER RECLAMATION**6. Public Announcement**

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, Regional Wastewater Reclamation 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 Agreement:

Le Rendezvous Restaurant, No. 2009-07. Proposed settlement amount is \$530.54.

7. RATIFY AND/OR APPROVE

Minutes: July 7, 2009

Warrants: August, 2009