



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

September 8, 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 8, 2009 9:00 a.m.

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. PAUSE 4 PAWS
- ... EXECUTIVE SESSION

(**Clerk's Note**: As of the posting date of 9/1/09, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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

Revisions to Merit System Rules and Personnel Policies

Staff requests approval of the proposed revisions to the following Merit System Rules and Personnel Policies:

Merit System Rule 1 – Definitions

- | | |
|------|---|
| 1.03 | Changes appealable actions to conform to deletion of Job Retraining and Placement Program as a result of previous revision to Personnel Policy 8-113. |
| 1.23 | Removes definition of County Physician as a result of previous revision to Personnel Policy 8-114. |
| 1.37 | Removes definition of Job Retraining and Placement Program as a result of previous revision to Personnel Policy 8-113. |

1.38(1.36) Removes "County Physician's determination as medically disabled" in definition of layoff due to deletion of County Physician definition.

Renumbering of remaining definitions.

Merit System Rule 5 – Examinations

5.1 D.2 Removes reference to Job Retraining and Placement Program as a result of previous revision to Personnel Policy 8-113.

5.2 Deletes "Handicap" and inserts "Disability" to conform to State law.

Merit System Rule 8 - Promotion, Demotion, Reappointment, Open Range, Reappointment, Reassignment and Detail

8.6 A. Adds language that excludes detail assignments from being extended.

Merit System Rule 10 - Probation

10.2 F.4 Removes reference to Job Retraining and Placement Program as a result of previous revision to Personnel Policy 8-113.

Merit System Rule 11 - Terminations

11.4 A. Removes reference to County Physician as a result of previous revision to Personnel Policy 8-114 and deletion of County Physician definition in MSR 1.

11.4 E. Changes the Rule number of the definition of "seniority" to conform to changes to MSR 1.

11.5 F, G, & H Deletes references to Job Retraining and Placement Program due to previous revision to Personnel Policy 8-113.

Merit System Rule 13 – Grievance System

13.1 B Excludes charges of workplace harassment from the requirement for employees to mediate since an employee making such an allegation should not have to confront the alleged perpetrator.

13.2 F.2 Removes the comma before "and the department for filing." for clarity.

13.3 B As stated in 13.1 B above.

Merit System Rule 14 - Merit System Commission Appeals

14.1 A.5 Changes appealable actions to conform to deletion of Job Retraining and Placement Program as a result of previous revision to Personnel Policy 8-113.

14.4 A Replaces semi-colon with a comma.

Personnel Policy 8-102 - Premium Pay

A.2 Deletes inclusion of annual leave, compensatory time used and the holiday benefit in the computation of hours worked toward overtime. This is an oversight and has been determined to be unconstitutional and in violation of the State gift clause. We are correcting the problem via this revision.

F.3 Deletes reference to 8-102.A.2, regarding annual leave and compensatory time used included in hours worked for the purpose of computing overtime, as stated in A.2 above.

G.3 Deletes reference to Sheriff's Department employees eligible for shift differential pay to conform to classifications based on the fact that the Sheriff's Department no longer uses these classifications.

Personnel Policy 8-103 - Civic Duty Leave And Uniformed Services Leave

E.2 Deletes the periods between A.R.S. for consistency.

Personnel Policy 8-106 – Sick Leave

D.3.e Correctly references the paragraph citation for the 40-hour maximum.

D.6 Deletes reference to special medical evaluation by County Physician due to previous revision to Personnel Policy 8-114 and deletion of County Physician definition in MSR 1.

Personnel Policy 8-108 - Leaves Of Absence Without Pay

C. Deletes reference to evaluation by County Physician due to previous revision to Personnel Policy 8-114 and deletion of County Physician definition in MSR 1.

I.6 Deletes reference to determination by County Physician of inability of an employee to perform the essential functions of his/her position due to previous revision to Personnel Policy 8-114 and deletion of County Physician definition in MSR 1.

I.10 Deletes "G.7" as a reference to intermittent FMLA leave due to previous revision to Personnel Policy 8-108.

Personnel Policy 8-111 - Outside Employment

E. Deletes reference to approval of County Physician due to previous revision to Personnel Policy 8-114 and deletion of County Physician definition in MSR 1.

Personnel Policy 8-115 – Mediation Program

C. Excludes charges of workplace harassment from the requirement for employees to mediate since an employee making such an allegation should not have to confront the alleged perpetrator.

D.3 Changes periods to semi-colons and adds a period after "3. Mediation notes" for consistency in punctuation.

Personnel Policy 8-117 – Pay Plan

C., D., G., H., Changes "per cent" to "percent" for consistency and to conform to I., K., L., M., common usage and spelling.

O. & P.

Personnel Policy 8-118 – Personnel Records

F.1.l & m Changes the period to a semi-colon to correct punctuation.

Personnel Policy 8-119 – Rules Of Conduct

R. Deletes "gender related" to clarify that slurs concerning other protected classes are violations of rules of conduct.

Personnel Policy 8-122 - Group Insurance

E.6 Clarifies provision for reinstatement of coverage following cancellation for non-payment of premium outside of the open enrollment period.

Personnel Policy 8-123 - Termination

A.3., 4. & 5. Changes "per cent" to "percent" to conform to common usage and spelling.

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Deletes "Job Retraining & Placement Program" as a result of previous revision to Personnel Policy 8-113.

Changes the Rule number of the definition of "seniority" to conform to changes to MSR 1.
 Deletes listings under "Workers' Compensation" as a result of previous revision to Personnel Policy 8-113.

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

Fireworks Permit

7. Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, September 26, 2009 at 7:30 p.m.

DEVELOPMENT SERVICES

8. **Street Name Change**

Present

Unnamed easement/
 access roadway
 Co14-09-007
 (District 3)

Proposed

Wild Bird Loop

TRANSPORTATION

9. **Environmental Assessment and Mitigation Report**

Staff recommends approval of the Environmental Assessment and Mitigation Report for Cortaro Farms/Magee Road: Thornydale Road to Oracle Road. (District 1)

10. **CALL TO THE PUBLIC**

11. **ADJOURNMENT**

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

DATE POSTED: 9/1/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, SEPTEMBER 8, 2009**1. CONTRACTS AND AWARDS****A. Community Services, Employment and Training**

1. John Laswick, Amendment No. 3, to provide consulting and technical expertise in the development of grant applications for Pima Vocational High School and extend contract term to 9/30/10, State Equalization Grant Fund, no cost (07-69-L-138986-1006)

B. Economic Development and Tourism

2. Arizona-Sonora Desert Museum, Inc., to provide for the use of recycled water for irrigation and fire suppression, 2004 Bond Fund, contract amount not to exceed \$200,000.00 (03-71-A-142305-0909)

C. Fleet Services

3. RESOLUTION NO. 2009 - **226**, approving an Intergovernmental Agreement with the Metropolitan Domestic Water Improvement District, to provide fuel and vehicle maintenance, revenue based on services (01-75-M-142297-0909)

D. Pima Health System

4. Arizona Oncology Associates, P.C., Amendment No. 6, to provide oncology services, PHCS Enterprise Fund, contract amount \$750,000.00 (18-15-A-135931-0405)
5. Alfredo Guevara, Jr., M.D., FACS, Amendment No. 4, to provide urology services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-136671-1005)
6. Park Waverly Healthcare, L.L.C., d.b.a. Park Avenue Health and Rehabilitation, Amendment No. 6, to provide nursing facility services, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-P-137077-1005)

7. Pulmonary Associates of Southern Arizona, P.C., Amendment No. 2, to provide pulmonary services, PHCS Enterprise Fund, contract amount \$150,000.00 (18-15-P-139304-0407)
8. Amendment No. 2, to provide assisted living center services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, for the following:

<u>VENDOR</u>	<u>CONTRACT NO.</u>	<u>AMOUNT</u>
Marshall Home for Men, Inc., d.b.a. Marshall Home for Men	18-15-M-140513-1007	\$ 50,000.00
Handmaker Jewish Services for the Aging, d.b.a. The Rubin Community for Senior Living Elder Care Residence	18-15-H-140514-1007	\$ 50,000.00
The Oasis Assisted Living Center, L.L.C., d.b.a. The Oasis at El Corral Assisted Living Center	18-15-O-140515-1007	\$300,000.00

9. Amendment No. 1, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost, for the following:

<u>VENDOR</u>	<u>CONTRACT NO.</u>
United Cerebral Palsy of Southern Arizona, Inc.	07-15-U-142061-0709
Dependable Home Health, Inc.	07-15-D-142063-0709
Dependable Nurses, Inc.	07-15-D-142064-0709
Arcadia Health Services, Inc., d.b.a. Arcadia Health Care	07-15-A-142069-0709
My House, L.L.C.	07-15-M-142070-0709
McLain Enterprises, Inc., d.b.a. Comfort Keepers	07-15-M-142110-0709
Jelodon Corp., d.b.a. Health Care Nursing	07-15-J-142112-0709
NurseCore Management Services, L.L.C., d.b.a. Nursecore	07-15-N-142113-0709
Sunrise Senior Living Management, Inc., d.b.a. Sunrise Home Care	07-15-S-142114-0709
Wisdom Access, Inc.	07-15-W-142115-0709
Caregiver Connection of Arizona, L.L.C., d.b.a. Aristocare Home Health Services	07-15-C-142116-0709
Soreo In Home Support Services, L.L.C.	07-15-S-142117-0709

Arizona Consumer Direct Personal Care, L.L.C.	07-15-A-142119-0709
Bayada Nurses, Inc.	07-15-B-142128-0709
Maxim Healthcare Services, Inc.	07-15-M-142130-0709

E. Procurement

- HDR Engineering, Inc., Amendment No. 6, to provide project management and roadway design engineering services for the La Canada Dr.: River Road to Ina Road Project and amend contractual language, RTA Fund, contract amount \$31,661.00 (16-04-H-139002-1106) Transportation

Award

- Low Bid: Award of Contract, Requisition No. 1000025, in the amount of \$2,405,500.00 to the lowest responsive bidder, Norquay Construction, Inc., (Headquarters: Tempe, AZ), for the construction of the Pantano River Park. The contract term is thirty-six months with the ability to extend for project completion. Construction is to be complete within 308 working days from the Notice to Proceed. Funding Source: 2004 Bond Fund (73.5%); City of Tucson IGA (1.4%); and RTA Fund (25.2%). Administering Department: Natural Resources, Parks and Recreation.

F. Sheriff

- RESOLUTION NO. 2009 - **227**, approving an Intergovernmental Agreement with the City of Tucson, to provide for the incarceration of municipal prisoners, General Fund, contract amount \$7,765,247.00 revenue (01-11-T-142303-0709)
- RESOLUTION NO. 2009 - **228**, approving an Intergovernmental Agreement with the Governor's Office of Highway Safety, to provide for overtime and employee related expenses to conduct Project "Click It or Ticket," Federal Grant Fund, contract

amount \$30,000.00 revenue (01-11-G-142307-0709)

G. Transportation

14. Regional Transportation Authority, Amendment No. 2, to provide for the design and construction of improvements to the Picture Rocks Safe Routes to School Project and amend contractual language, RTA Fund, no cost (01-04-R-141228-0908)

*(**Clerk's Note**: The following item may present a potential Conflict of Interest for Chairman Elias.)

*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>
Turner, Diana K.	056	DEM
Applebaugh, Steven R.	279	DEM
Zerull, Lynn J.	381	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Zupi, Linda C.	006	REP
Busch, Janet C.	012	REP
Abbett, Renee S.K.	041	REP
Elias, Richard D.	073	DEM
Coleman, Maiola T.	145	DEM
Hudson, Howard	177	REP
Stephens, Diane E.	186	REP
Kaplan, Allan	211	REP
Kaplan, Cynthia P.	211	REP
Spann, Rebecca A.	220	REP
Proud, Terri L.	264	REP
Hurn, William R.	302	REP
Holland, Linda F.	310	REP
Charlton, William D.	340	REP
Dotson, Calvin L.	340	REP
Miller, Allyson	379	REP
Bohnke, Glen L.	390	REP
Maenpaa, Ron M.	393	REP
Maenpaa, Sun	393	REP
VanWormer, Mara L.	393	REP
VanWormer, Zachary	393	REP
Roudebush, Norma J.	397	REP
Paulin, Dianne M.	402	REP
Paulin, Thomas J.	402	REP

FINANCE AND RISK MANAGEMENT**3. Duplicate Warrants – For Ratification**

Guaranty Title Agency	\$	5.30
Kayjen Companies	\$	693.36
Kayjen Companies	\$	422.02
Lovecare, Co.	\$	7,052.35

4. RECORDER

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