



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

November 3, 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.

November 3, 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 10/28/09, 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**

UNFINISHED BUSINESS (RM 9/8/09 and RM 10/20/09)

Proposed amendments to Personnel Policy 8-102 (A) (2) and (F) (3).
Discussion/direction/action.

NEW BUSINESS

7. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2009 – **279**, of the Board of Supervisors, authorizing Pima County to support the San Ignacio Yaqui Council's application for a \$69,972.00 grant for the Old Pascua Senior

Nutrition and Socialization Program and the SIYC Emergency, Employment and Social Service Program from the 12% Local Revenue-Sharing contribution of the Pascua Yaqui Tribe.

8. **PROCUREMENT**

Appeal of Procurement Director's Decision

Pursuant to Pima County Code Section 11.20.010(J), Thompson-Krone, P.L.C., appeals the decision of the Procurement Director regarding Solicitation No. 0902199, Sportspark League, Tournament and/or Concession Coordinator Services.

9. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund.

Quality Inn, n/k/a Grant Inn, No. 2009-08. Proposed settlement amount is \$500.00.

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor License

10. 09-24-8994, James Famighetti, Jimmy's Canal Street Pizzeria, 5655 E. River Road, No. 111, Tucson, Series 12, Restaurant, New License.

Fireworks Permit

11. Lori McGee, Caterpillar Inc., 5000 W. Caterpillar Trail, Green Valley, November 12, 2009 at approximately 8:00 p.m.

Extension of Premises/Patio Permits

12. Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Temporary Extension of Premises for November 16, 2009.
13. Pamela L. Headley, Brats Bar and Grill, 5975 W. Western Way, No. 106, Tucson, Temporary Extension of Premises for November 14, 2009.

DEVELOPMENT SERVICES**Conditional Use Permit**

14. P21-09-025, COX – S. SONOITA HIGHWAY
Request of Leo and Rhea Cox, on the property located at 18585 S. Sonoita Highway in the RH Zone, for a conditional use permit for a winery. Chapter 18.97, in accordance with 18.13.030.B.1 of the Pima County Zoning Code, allows a winery as a Type II Conditional Use in the RH Zone. The Hearing Administrator recommends **APPROVAL, SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**
(District 4)

TRANSPORTATION

15. **Traffic Ordinances**
- A. ORDINANCE NO. 2009 - **102**, of the Board of Supervisors, regulating traffic at the intersection of Ferret Drive and Lemur Lane in Pima County, Arizona. Staff recommends **APPROVAL.** (District 1)
- B. ORDINANCE NO. 2009 - **103**, of the Board of Supervisors, establishing prima facie reasonable speed limits for vehicles on Mainsail Boulevard in Pima County, Arizona. Staff recommends **APPROVAL.** (District 1)
- C. ORDINANCE NO. 2009 - **104**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 10,000 pounds from using Telera Street over the Ajo Wash Bridge (Structure No. 8258) in Pima County, Arizona. Staff recommends **APPROVAL.** (District 3)
- D. ORDINANCE NO. 2009 - **105**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 30,000 pounds from using Mission Road over the Mine Haul Road Bridge (Structure No. 8318) in Pima County, Arizona. Staff recommends **APPROVAL.** (District 3)
- E. ORDINANCE NO. 2009 - **106**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 40,000 pounds from using Marsh Station Road over the Cienega Creek, Medium Wash RCB and Mescal Arroyo Wash Bridges (Structure Nos. 8293, 8294 and 8299) in

Pima County, Arizona. Staff recommends **APPROVAL**.
(District 4)

- F. ORDINANCE NO. 2009 - **107**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 20,000 pounds from using Greaterville Road over the Empire Gulch Wash Bridge (Structure No. 8300) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)
- G. ORDINANCE NO. 2009 - **108**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Madera Canyon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

16. **CALL TO THE PUBLIC**

17. **ADJOURNMENT**

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

DATE POSTED: 10/28/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, NOVEMBER 3, 2009**1. CONTRACTS AND AWARDS****A. Assessor**

1. Robert J. Gludemans, Amendment No. 4, to provide for the Computer Assisted MAS Appraisal System and extend contract term to 11/1/10, General Fund, no cost (07-28-G-137331-1105)

B. Community Development and Neighborhood Conservation

2. RESOLUTION NO. 2009 – **271**, approving an Intergovernmental Agreement with the Drexel Heights Fire District, to provide fire hydrants in the Valencia West target area, CDBG Fund, contract amount \$30,000.00 (01-70-D-142409-1009)
3. RESOLUTION NO. 2009 – **272**, approving an Intergovernmental Agreement with the Drexel Heights Fire District in the Valencia West target area, to provide for the Family Safety Program, CDBG Fund, contract amount \$15,000.00 (01-70-D-142410-1009)
4. RESOLUTION NO. 2009 – **273**, approving an Intergovernmental Agreement with the Town of Marana, to provide management and implementation of the Community Development Block Grant Program, CDBG Fund, contract amount \$130,000.00 (01-70-M-142420-1009)
5. Pima Association of Governments, Amendment No. 2, to provide regional planning services, amend contractual language and extend contract term to 6/30/10, General Fund, \$263,721.00; BOS Contingency Fund, \$34,000.00; total contract amount \$297,721.00 (11-70-P-141524-0708)

C. Community Services, Employment and Training

6. Tucson Youth Development, Inc., Amendment No. 1, to provide staffing to assist with workforce development services and extend contract term to

6/30/10, DOL, DES and WIA Grant and General Funds, no cost (07-69-T-142037-0709)

D. County Attorney

7. Department of Justice, Office on Violence Against Women, Amendment No. 1, to provide for the Rural Victim Witness Satellite Program and extend contract term to 9/30/11, Federal Fund, contract amount \$304,579.00 revenue (02-02-J-140241-1007)

E. Division of Elections

8. RESOLUTION NO. 2009 - **274**, authorizing an Intergovernmental Agreement with the City of Tucson, to provide election services for the November 3, 2009 General and Special Election, General Fund, contract amount \$90,000.00 revenue (01-23-T-142450-1109)

F. Health Department

9. RESOLUTION NO. 2009 - **275**, approving an Intergovernmental Agreement with the Green Valley Fire District, to provide required childhood immunization services, no cost (01-01-G-142414-1109)

G. Institutional Health

10. RESOLUTION NO. 2009 - **276**, approving an Intergovernmental Agreement with the Arizona Board of Regents, to provide access to the University of Arizona Telemedicine Network Program, General Fund, contract amount \$112,790.00 (01-65-A-142428-0709)

H. Pima Health System

11. Arizona Community Physicians, P.C., Amendment No. 6, to provide primary care physician, specialty, OB/GYN, flu vaccine administration and sleep studies services and amend contractual language,

PHCS Enterprise Fund, no cost (18-15-A-135580-0405)

12. To provide nursing facility services and extend contract term to 10/31/10, PHCS Enterprise Fund:

<u>Vendor</u>	<u>Amd. No.</u>	<u>Contract No.</u>	<u>Contract Amount</u>
Manor Care of Tucson, L.L.C., d.b.a. Manorcare Health Services (Tucson) No. 498	7	18-15-M-137016-1005	\$2,000,000.00
Life Care Centers of America, Inc., d.b.a. La Canada Care Center	5	18-15-L-137033-1005	\$1,500,000.00
Life Care Centers of America, Inc., d.b.a. Mountain View Care Center	4	18-15-L-137037-1005	\$1,500,000.00
Life Care Centers of America, Inc., d.b.a. Life Care Center of Tucson	4	18-15-L-137040-1005	\$1,500,000.00
Avalon Care Center-Tucson, L.L.C., d.b.a. La Colina Health Care Center	5	18-15-A-137067-1005	\$4,500,000.00

13. Mariposa Community Health Center, Inc., Amendment No. 9, to provide primary care physician, dental, radiology, OB/GYN, transportation and pharmacy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-137143-1005)
14. Palo Verde Homecare, L.L.C., d.b.a. Tucson House Calls, Amendment No. 5, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-138998-0207)
15. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 8, to provide acute care medical services and amend contractual language, revenue based on services (02-15-A-141668-1008)
16. Reliable Nurses, L.L.C., Amendment No. 3, to provide homecare services, PHCS Enterprise

Fund, contract amount \$1,300,000.00 (18-15-R-142078-0709)

17. Maxim Healthcare Services, Inc., Amendment No. 2, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-M-142130-0709)
18. Bridgeway Health Solutions of Arizona, L.L.C., to provide a Preferred Medicare Advantage Plan Affiliation, contract amount \$252,000.00 revenue (07-15-B-142421-0110)

I. Procurement

Awards

19. Low Bid: Award of Contract, Requisition No. 1000262, in the amount of \$604,243.00 to the lowest responsive bidder, Sellers & Sons, Inc. (Headquarters: Buckeye, AZ) for the base bid and all alternates for renovation of the Roy Place Commercial Building Facade. The apparent low bid at time of bid opening, Caymus Corporation, was deemed non-responsive for failure to meet the minimum qualifications for historic experience as set forth in the solicitation. The contract is for a ten month period and may be extended for project completion. Funding Source: Facilities Renewal Fund. Administering Department: Facilities Management.
20. Highest Scoring Proposals: Award of Contracts, Requisition No. 1000133, Urban Engineering, (Headquarters: Tucson, AZ), Ashby Surveying & Drafting, Inc. (Headquarters: Tucson, AZ), Precision Land Surveying, Inc. (Headquarters: Tucson, AZ), Stantec Consulting, Inc. (Headquarters: Phoenix, AZ), Amerson Surveying, Inc. (Headquarters: Tucson, AZ) and PSOMAS (Headquarters: Los Angeles, CA) for construction survey services for transportation capital improvement projects. The estimated total cost shall not exceed \$2,000,000.00 for each contract. The term of each contract shall be three years.

Funding Source: Transportation Special Revenue Fund. Administering Department: Transportation.

21. Low Bid: Award of Contract, Requisition No. 1000338, in the amount of \$9,582,372.20 to the lowest responsive bidder, Eagle Rock Excavating, L.L.C., (Headquarters; Tucson, AZ), for the construction of the La Cholla Boulevard, Ruthrauff Road to River Road Project. The contract term is thirty-six months with the ability to extend the term for project completion. Construction is to be complete within 375 working days from Notice to Proceed. The Department of Transportation requests that the Procurement Director's Change Order authority be increased to up to \$500,000.00 per change order, not to exceed a cumulative total of \$1 million. Funding Sources: 97 HURF Bond - DOT 20 (1.7%), HURF 12.6% (44.8%), RTA Sales Tax (51.7%), and Impact Fee (CDO) (1.8%) Funds. Administering Department: Transportation.

J. Real Property

22. Acquisition Agreement
- A. Approval of the transfer of the following to the Capital Improvement Project Fund:
- \$1,300,000.00 – Parking Garage Enterprise Fund
\$2,500,000.00 – Facilities Renewal Fund
- B. 6550 South Country Club, L.L.C., to provide an Acquisition Agreement for the purchase of property needed for the Election Center Facility, Tax Parcel No. 140-42-003A, Capital Improvement Project Fund, contract amount \$3,790,000.00 including closing costs (22-14-S-142424-1109) Facilities Management
23. El Paso Natural Gas Company, a Delaware Corporation, to provide a Gift Agreement, and Gift Deed and Reservation of Perpetual Easement for the donation of approximately 69.72 acres in Fee located along the alignments of South Greasewood Road and South Westover Avenue for the

purposes of a linear park, Special Revenue Fund, contract amount \$22,962.00 (11-05-E-142423-1109) Natural Resources, Parks and Recreation

K. Regional Wastewater Reclamation

- 24. Title Security of Arizona, Trust No. 913, to provide a Connection Fee Credit Agreement, RWRD Fund, contract amount \$182,027.64 credit (11-03-T-141555-1109)

L. Sheriff

- 25. RESOLUTION NO. 2009 - **277**, approving an Intergovernmental Agreement with the Tucson Metropolitan Counter Narcotics Alliance, to provide coordination of drug enforcement and anti-terrorism efforts, Federal Fund, contract amount \$500,000.00 revenue (01-11-T-142422-1109)

2. BOARD OF SUPERVISORS

Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2010.

3. 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>
Kinsey, Adam D.	045	DEM
Nelson, Terry A.	140	DEM
Holden, Phyliss A.	205	REP
Poule, Mike	222	REP
Crawford, Virginia D.	262	REP
Ruetz, Steven S.	382	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Watson, Paul S.	131	REP
Kinsey, Adam D.	145	DEM
Johnson, Gerald E.	168	REP
Marchand, Chad S.	180	DEM
Harrod, Julie W.	262	REP
Heidinger, Pamela J.	262	REP
Lau, Bruce H.	326	REP
Cashion Jr., Kenneth D.	392	REP

4. **BOARDS, COMMISSIONS AND/OR COMMITTEES**

A. **Public Art Committee**

Appointment of Jane L. Hallett to fill vacancy created by Kate O’Rielly. No term expiration. (County Administrator recommendation)

B. **Mechanical/Plumbing Code Committee**

Reappointment of Chris McGinnis. Term expiration: 5/1/13. (Committee recommendation)

C. **Workforce Investment Board**

Appointment of Arnold Palacios, Other, to replace Ramón Valadez. Term expiration: 9/30/12. (W.I.B. recommendation)

FINANCE AND RISK MANAGEMENT

5. **Duplicate Warrants – For Ratification**

Rent Properties	\$ 1,583.95
1050 North Country Club Associates	\$ 340.49

6. **PROCUREMENT**

Quarterly Contracts Report

Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from July 1, 2009 through September 30, 2009.

7. **REAL PROPERTY**

Abandonment and Quit Claim Deed

A. RESOLUTION NO. 2009 - **278** , of the Pima County Board of Supervisors providing for the vacation and abandonment by sale of a portion of Tanque Verde Road right-of-way, Pima County Road Abandonment No. A-09-12, located south of and adjacent to Tax Parcel No. 114-53-6140, in Section 34, T13S, R15E, G&SRM. (District 4)

B.. Quit Claim Deed to Elmer Ray and Patricia Ann McAllister, as Trustees of the McAllister Living Trust, dated October 25, 1999, for a portion of Tanque Verde Road right-of-way, Pima County Road Abandonment No. A-09-12. General Fund, \$4,443.00 revenue. (District 4)

8. **RATIFY AND/OR APPROVE**

Minutes: September 8, 2009

Warrants: October, 2009