

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

NOVEMBER 9, 2004 9:00 A.M.

1. **ROLL CALL**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

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 consultation concerning a proposed settlement agreement between Pima County and the New Tucson Unit, Nos. 2, 5, 7, 9, 10 North and 10 South Homeowners Associations.

Accept County Attorney's recommendation
5/0

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

Agreements, Contracts and/or Amendments

A. RESOLUTION NO. 2004 -FC **11**, approving an Intergovernmental Agreement with Pima County, the Pima County Flood Control District and the City of South Tucson, to provide design, construction and maintenance of the South Tucson Sam Lena Library 26th Street Storm Drain and the Pelican Canopy Crossing at 26th Street and 6th Avenue, **Flood Control Levy** and DOT/HURF Funds,

Approved
5/0

NOTES/ACTION

contract amount \$545,000.00 (01-59-S-135253-1104)

- B. Eliseo J. Reynoso, to provide an acquisition agreement for 4.12 acres of vacant land located at the southwest corner of Camino Verde and Bilby Road, Tax Parcel No. 210-19-0010 in accordance with the Floodprone Land Acquisition Program, Flood Control Levy Fund, contract amount not to exceed \$43,269.00 including closing costs (22-64-R-135243-1104) Real Property Approved
5/0

- C. Edward B. Lilly, Sr. and Jerry Condray, to provide an acquisition agreement for 2,452 square feet of real property located in the Centre Pointe Industrial Park, Tax Parcel Nos. 107-04-0160 and 107-04-0140, needed for the Santa Cruz Riverbank Protection Project, Flood Control Capital Improvement Fund, contract amount not to exceed \$3,700.00 including closing costs (22-64-L-135244-1104) Real Property Approved
5/0

- D. Town of Oro Valley, to provide a license for encroachment for the construction, operation and maintenance of a pedestrian path along the Canada del Oro Wash located in Sections 5, 6, 7 and 8, T12S, R14E, no cost (12-64-O-135252-1104) Real Property Approved
5/0

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

- 5. CONSENT CALENDAR: For consideration and approval Approved
5/0 except
CC items
C
C-1,
C-2 &
4B
 - A. Call to the Public
 - B. Approval of Consent Calendar

6. PROCUREMENT

UNFINISHED BUSINESS

(RM 5/11/04, RM 5/25/04, RM 6/15/04, RM 8/3/04, RM 9/7/04, RM 10/12/04 and RM 10/19/04)

- A. Special Needs Transportation Approve No.
 Staff requests consideration of the
 following regarding Contract No. 11-04-A-
1 as
amended
5/0

133875-0204 with A&K Transportation, Inc.,
for special needs transportation services:

- 1. Determine that lack of a performance bond is an informality, waive the bonding requirement and accept a letter of credit in lieu of the performance bond;

OR

- 2. Terminate the contract, cancel the award of RFP No. 70553 to A&K Transportation, Inc., and award the contract to the second highest scoring proposal, American Pony Express, Inc.

NEW BUSINESS

B. Appeal of Procurement Director's Decision

Pursuant to Pima County Code Section 11.20.010(J), George Rash, appeals the decision of the Procurement Director regarding IFB No. 82969, chiller maintenance and repair.

Uphold
Procurement
Director's
decision
5/0

C. Award of Contract - Natural Resources, Parks and Recreation

Highest Scoring Proposal: Award of Contract, Requisition No. 82729, in an amount not to exceed \$390,000.00 to Wheat Scharf Associates, Inc. (Corporate Headquarters: Tucson, AZ) for design and construction administration services for the Curtis Park - Flowing Wells Improvement Project. Contract is for a one year period with the option to extend for purposes of project completion. Funding Source: 2004 Capital Improvement Bond Fund. Administering Department: Natural Resources, Parks and Recreation.

Approved
5/0

* * * HEARINGS * * *

FRANCHISE/LICENSE/PERMIT

EXTENSION OF PREMISES/PATIO PERMIT

NOTES/ACTION

7. Andrew Alan Saenz, d.b.a. Game Day Sports Bar and Grill, 3727 S. Palo Verde Road, Extension of Premises Permit for November 13, 19, 20, 27 and December 11, 2004.

Approved
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

UNFINISHED BUSINESS

REZONING

(RM 9/21/04 and RM 10/19/04)

***(CLERK'S NOTE:** The applicant requests a continuance to the Board of Supervisors Meeting of December 7, 2004.)

- *8. Co9-03-23, TNR&S ACOUISITIONS, INC., ET. AL. - LA CHOLLA BOULEVARD REZONING
Request of TNR&S Acquisitions, Inc., represented by Tetra Tech, Inc., for a rezoning of a total of approximately 65.01 acres from SR (Suburban Ranch) to CR-5 (Multiple Residence) consisting of approximately 13.6 acres located at the northeast corner of Shannon Road and Club Drive; CR-5 (Multiple Residence) Small Lot Option consisting of approximately 17.9 acres located on the west side of La Cholla Boulevard approximately 400 feet south of the Hardy Road alignment; and CR-1 (Single Residence) consisting of approximately 33.4 acres located west of La Cholla Boulevard north of the intersection of La Cholla Boulevard and the north alignment of Magee Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Hirsch, Gungle and Staples voted NAY) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and standard and special requirements. (District 1)

Without objection, continued to 12/7

NEW BUSINESS

TRANSPORTATION

9. ROAD ESTABLISHMENTS

- A. RESOLUTION NO. 2004 - 302, of the Board of Supervisors of Pima County, Arizona, providing for the establishment of a portion

Approved
5/0

of River Road within the incorporated limits
of the

City of Tucson as a County Highway for the purposes of the 1997 Bond: River Road/Alvernon Way Improvement Project. (District 1)

- B. RESOLUTION NO. 2004 - 303, of the Board of Supervisors of Pima County, Arizona, providing for the establishment of a portion of Alvernon Way within the incorporated limits of the City of Tucson as a County Highway for the purposes of the 1997 Bond: River Road/Alvernon Way Improvement Project. (District 1)

Approved
5/0

10. TRAFFIC ORDINANCE

ORDINANCE NO. 2004- 109, of the Board of Supervisors of Pima County, Arizona, regulating traffic on Shannon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Approved
5/0

11. PERMANENT ROAD CLOSURE

RESOLUTION NO. 2004 - 304, of the Pima County Board of Supervisors, permanently closing the east leg of Irvington Road at the intersection with Ajo Highway (State Route 86) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Approved
5/0

12. TEMPORARY ROAD CLOSURE

RESOLUTION NO. 2004 - 305, of the Pima County Board of Supervisors, supporting a community event by providing for the temporary closure of various roads in Ajo, Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Approved
5/0

WASTEWATER MANAGEMENT

PIMA COUNTY CODE TEXT AMENDMENT

*(CLERK'S NOTE: Staff requests a continuance to the Board of Supervisors Meeting of December 14, 2004.)

*13. MT. LEMMON SEWER CONNECTIONS

An ordinance of the Board of Supervisors of Pima County, Arizona, amending Pima County Code, Title 13, Chapter 13.28, Mt. Lemmon Sewer Connections,

Without objection, continued to 12/14

adding a provision to authorize an increase to the number of properties to which the department may offer sewer service through the sewerage system.

If approved pass and adopt:

ORDINANCE NO. 2004 - 110

14. CALL TO THE PUBLIC

15. ADJOURNMENT

CLERK'S NOTE:

- A. Public discussion and action may occur on any executive or regular agenda item; and,
- B. Any backup material will be available for review twenty-four (24) hours before the meeting at the Clerk of the Board's Office.

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

DATE POSTED: 11/03/04

TIME POSTED: 5:00 P.M.



CONSENT CALENDAR, NOVEMBER 9, 2004

1. PROCUREMENT
AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

A. RESOLUTION NO. 2004 - 301, approving an Intergovernmental Agreement with Pima County, the Pima County Flood Control District and the City of South Tucson, to provide design, construction and maintenance of the South Tucson Sam Lena Library 26th Street Storm Drain and the Pelican Canopy Crossing at 26th Street and 6th Avenue, Flood Control Tax Levy and **DOT/HURF Funds**, contract amount \$545,000.00 (01-59-S-135253-1104)

* * *

B. U.S. Fish and Wildlife Services, Amendment No. 4, to provide for the Sonoran Desert Conservation Plan, extend contract term to 9/30/05 and amend contractual language, no cost (01-30-U-127164-1099) County Administrator

C. Arizona Board of Regents, University of Arizona, College of Public Health, Amendment No. 3, to provide for the Restorative Justice Program and extend contract term to 9/29/05, contract amount \$15,266.00 revenue (02-02-A-132151-0303) County Attorney

Approved
5/0

C-1. Tucson Unified School District, No. 1, Amendment No. 2, to provide for the Community Justice Board Program and extend contract term to 6/30/05, contract amount \$82,000.00 revenue (11-02-T-134399-0902) County Attorney

Approved
5/0

C-2. Hunton & Williams, to provide legal advice and representation relating to environmental, nature resource, land use, toxic tort and related insurance coverage matters, Risk Management Tort Fund, contract

Approved
5/0

amount not to exceed \$101,511.00 (17-02-H-135225-0702) County Attorney

- D. Arizona Department of Environmental Quality, to provide for the Voluntary Vehicle Repair and Retrofit Program, State Grant Fund, contract amount \$1,604,180.00 revenue (02-51-A-135268-1104) Environmental Quality
- E. Express Tel, Amendment No. 4, to provide PBX and Non-PBX long distance services and extend contract term to 11/4/05, Internal Service Fund, contract amount \$120,000.00 (11-14-E-129991-1101) Information Technology
- F. U. S. Department of Health and Human Services - Substance Abuse and Mental Health Services Administration, to provide assessment, substance abuse treatment, intensive day treatment support, program planning and data collection services, Federal Grant Fund, contract amount \$1,500,000.00 revenue for a 3 year term (02-65-U-135265-0904) Institutional Health
- G. Northeast Hospital Corporation, d.b.a. El Dorado Hospital, Amendment No. 6, to provide hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-06-E-128095-0900) Pima Health System
- G-1. Hodges Eye Care and Surgical Center, Inc., Amendment No. 6, to provide ophthalmology services, extend contract term to 11/30/05 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-G-128385-1100) Pima Health System
- G-2. Charles Sanner, M.D., Amendment No. 1, to provide gastroenterology services, extend contract term to 12/31/05 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-131816-0103) Pima Health System
- G-3. Portable Practical Educational Preparation, Inc., Amendment No. 2, to provide behavioral

health services, extend contract term to
12/31/05 and amend contractual language,
PHCS Enterprise Fund, no cost (07-15-P-
131830-0203) Pima Health System

- G-4. Julia V. Salmon, M.D., Amendment No. 2, to provide infectious disease services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-133108-1003) Pima Health System
- G-5. Enza's Adult Care Home, Inc., Amendment No. 3, to provide assisted living home services and reflect vendor name change, PHCS Enterprise Fund, no cost (11-15-E-133518-1003) Pima Health System
- G-6. Jose I. Duran, M.D., P.C., d.b.a. The Women's Center, to provide primary care physician and OB/GYN services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00 (18-15-D-135246-1104) Pima Health System
- G-7. Palo Verde Surgical Associates, P.C., to provide general surgery services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00 (18-15-P-135247-1104) Pima Health System

2. RATIFICATION OF CHANGE ORDER EXECUTED PURSUANT TO THE PIMA COUNTY PROCUREMENT CODE

Granite Construction Company, Change Order No. 4, to provide for the Shannon Road: Ina Road to Magee Road Project and close out contract, Bond and HURF Funds, contract amount \$80,001.55 decrease (03-04-G-129098-0501) Transportation

3. COUNTY ATTORNEY

Pursuant to A.R.S. §11-604.01, approval of the Business Loan Agreements for the following:

- A. Indian Oasis-Baboquivari Unified School District No. 40, in the amount of \$500,000.00.
- B. Flowing Wells Unified School District No. 8, in the amount of \$2,000,000.00.

4. PROCUREMENTA. Requisition No. 65314

Additional Award of Contract, Requisition No. 65314, in the amount of \$328,240.00 to Trax International, Inc., d.b.a. Trax Transportation (Corporate Headquarters: Tucson, AZ) for non-emergent medical transportation service to Pima Health System. The contractor will provide ambulatory van, wheelchair van and chronic treatment patients' transportation services. Contract is from the date approved by the Board of Supervisors to April 30, 2006 with the option to extend for three additional one year periods. Funding Source: PHCS Enterprise Fund. Administering Department: Pima Health System

B. Requisition No. 80929

Low Bid: Award of Contract, Requisition No. 80929, in the amount of \$122,000.00 (excluding sales tax) to the lowest responsive bidder, Shamrock Foods (Corporate Headquarters: Phoenix, AZ) for detergents used by Sheriff, Juvenile Court and Posadas Del Sol Departments. The solicitation provides for the participation of additional departments, if required. Contract is for a one year period with the option to extend for four additional one year periods. Funding source: General Fund, Pima Health Care System Administering Department: Procurement.

Without objection, continued to 12/7

C. Requisition No. 83399

Highest Scoring Proposal: Award of Contract, Requisition No. 83399, in the amount of \$0.00 to the respondent submitting the highest scoring proposal Healthcare Purchasing Partners, International, L.L.C. (also known as HPPI, Corporate Headquarters: Irving, TX), for Group Purchasing

Organization Membership Service for County-wide departments. The

contract will provide for placement of orders with HPPI participating suppliers for competitive national level volume contract pricing in medical/surgical, pharmaceuticals, dental, radiology, laboratory, nutritional, capital equipment, facility maintenance and other services. Contract is for a one year period with the option to extend for four additional one year periods. The total amount of purchase orders shall not exceed \$2,000,000.00 annually. Funding Source: Various Funds. Administering Department: Procurement.

D. Requisition No. 83347

Cooperative Procurement: Award of Contract, Requisition No. 83347, in the amount of \$480,000.00 to Nextel Wireless (Corporate Headquarters: Reston, VA) for wireless communication services and equipment for the Sheriff's Department. Contract is for a one year period with the option to extend for one additional one year period. Funding source: General Fund. Administering Department: Sheriff

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

James W. Zimmerman, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, November 6, 2004.

PUBLIC WORKS

6. DEVELOPMENT SERVICES

Public Non-motorized Trail Easement

Public non-motorized trail easement from Redemptorist Society of Arizona for a 20-foot strip located in a portion of the SE 1/4 of Section 4 and a portion of the NE 1/4 of Section 9, T13S, R12E. Pima County has the right to maintain, repair, replace or reconstruct the

trail and vegetation, and erect signs within the
easement area.
(District 5)

7. REAL PROPERTY

Restrictive Covenant for Solid Waste Landfill

Restrictive Covenant for Solid Waste Landfill to bring the Sahuarita Landfill into compliance with A.R.S. §49-771, requiring a restrictive covenant be placed on disposal areas of landfills. (District 3)

8. RATIFY AND/OR APPROVE

Minutes: September 14, 2004