

MINUTES, FLOOD CONTROL DISTRICT BOARD

JULY 7, 2009

The Pima County Flood Control District Board met in its regular session in the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, July 7, 2009. Upon roll call, those present and absent were as follows:

All Present: Richard Elías, Chairman
 Ramón Valadez, Vice Chairman
 Sharon Bronson, Member
 Ray Carroll, Member
 Ann Day, Member
 Lori Godoshian, Clerk

1. **TENTATIVE BUDGET**

Review and adoption of Flood Control District Tentative Budget for Fiscal Year 2009/2010.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Day to close the public hearing and adopt a tentative budget for the Flood Control District in the amount of \$12,227,360.00 with a tentative tax rate of \$0.2635 for fiscal year 2009-2010. Upon the roll call vote being taken, the motion carried unanimously by a 5-0 vote.

2. **Riparian Habitat Mitigation Plans**

- A. Staff requests approval of the Riparian Habitat Mitigation Plan for Kenneth Eich for a proposed single family residence on property located at 1762 N. Sahuaro Blossom Place, in-lieu fee in the amount of \$4,390.00. (District 1)
- B. Staff requests approval of the off-site mitigation proposal for Granite Construction for habitat enhancement within the Kolb Road Detention Basin located within mapped Xeroriparian Class C Habitat. (Districts 2 and 4)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the Riparian Habitat Mitigation Plans.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

MINUTES, IMPROVEMENT DISTRICT BOARD

JULY 7, 2009

The Pima County Improvement District Board met in regular session in its regular meeting place at Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, July 7, 2009. Upon roll call, those present and absent were as follows:

All Present: Richard Elías, Chairman
Ramón Valadez, Vice Chairman
Sharon Bronson, Member
Ray Carroll, Member
Ann Day, Member
Lori Godoshian, Clerk

1. **TENTATIVE BUDGETS FOR FISCAL YEAR 2009/2010**

Review and adoption of the following County Improvement District Tentative Budgets for Fiscal Year 2009/2010:

<u>IMPROVEMENT DISTRICT</u>	<u>FY 2009/2010 LEVY INCOME</u>
OTHER IMPROVEMENT DISTRICT	
HAYHOOK RANCH	\$ 57,817.00
STREET LIGHTING IMPROVEMENT DISTRICTS	
DESERT STEPPES	\$ 2,982.00
HERMOSA HILLS ESTATES	\$ 2,559.00
LONGVIEW ESTATES NO. 1	\$ 5,287.00
LONGVIEW ESTATES NO. 2	\$ 6,185.00
ROLLING HILLS	\$ 10,090.00
MAÑANA GRANDE B	\$ 4,332.00
MAÑANA GRANDE C	\$ 7,113.00
CARRIAGE HILLS NO. 1	\$ 5,118.00
LAKESIDE NO. 1	\$ 4,060.00
CARRIAGE HILLS NO. 3	\$ 1,961.00
CARDINAL ESTATES	\$ 7,850.00
ORANGE GROVE VALLEY	\$ 4,380.00
PEPPERTREE	\$ 5,439.00
LITTLETOWN	\$ 16,255.00
MIDVALE PARK	\$ 7,291.00
PEACH VALLEY	\$ 2,554.00
OAKTREE NO. 1	\$ 13,103.00
OAKTREE NO. 2	\$ 10,286.00
OAKTREE NO. 3	\$ 13,749.00
SALIDA DEL SOL	\$ 8,384.00
MORTIMORE ADDITION	\$ 20,627.00

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson to close the public hearing and adopt a tentative budget for fiscal year 2009-2010 as listed. Upon the roll call vote being taken, the motion carried unanimously by a 5-0 vote.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

MINUTES, LIBRARY DISTRICT BOARD

JULY 7, 2009

The Pima County Library District Board met in its regular session at the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, July 7, 2009. Upon roll call, those present and absent were as follows:

All Present: Richard Elías, Chairman
 Ramón Valadez, Vice Chairman
 Sharon Bronson, Member
 Ray Carroll, Member
 Ann Day, Member
 Lori Godoshian, Clerk

1. **TENTATIVE BUDGET FOR FISCAL YEAR 2009/2010**

Review and adoption of Library District Tentative Budget for Fiscal Year 2009/2010.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez to close the public hearing and adopt a tentative budget in the amount of \$37,483,152.00 with a tentative tax rate of \$0.2643 for fiscal year 2009-2010. Upon the roll call vote being taken, the motion carried unanimously by a 5-0 vote.

2. **BOARD OF SUPERVISORS POLICY REVISIONS**

Staff requests approval of the revisions to the following Board of Supervisors Policies:

D.32.2, Circulation Policy; and
D.32.8, Fines and Fees Schedule Policy

On consideration, it was moved by Chairman Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the Policy revisions.

3. **CONTRACTS**

- A. Larry E. and Clair B. Klingler, Amendment No. 1, to provide a lease for the Catalina Library, Library District Fund, contract amount ~~\$30,500.00~~ **\$150,000.00** (04-13-K-134340-0504)
- B. Arizona State Library, Archives and Public Records, to provide for printing and distributing Southwest Books of the Year, Library Services and Technology Act Grant Fund, contract amount \$4,000.00 revenue (02-66-A-142124-0708)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Carroll unanimously carried by a 5-0 vote, to approve the contracts as amended.

4. **STRATEGIC PLAN**

Staff recommends adoption of the Library District Strategic Plan 2010-2013.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the Strategic Plan.

5. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

JULY 7, 2009

The Pima County Board of Supervisors met in regular session in its regular meeting place at Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, July 7, 2009. Upon roll call, those present and absent were as follows:

All Present: Richard Elías, Chairman
 Ramón Valadez, Vice Chairman
 Sharon Bronson, Member
 Ray Carroll, Member
 Ann Day, Member
 Lori Godoshian, Clerk

1. **INVOCATION**

The invocation was given by Minister Delisia Ross of Morning Star Missionary Baptist Church.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

The Pima County Animal Care Center showcased an animal available for adoption.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Valadez, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:15 a.m.

4. **CONVENE**

The meeting reconvened at 9:40 a.m. All members were present.

5. **CALL TO THE PUBLIC (for Executive Session items only)**

The Chairman inquired whether anyone wished to be heard on any item listed for Executive Session.

6. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County Deputy Sheriff's Association v. Huckelberry, Pima County Superior Court Cause No. C20093732 and amendments to the County's Meet and Confer Ordinance, Chapter 2.20 of the Pima County Code.

Chris Straub, Chief Civil Deputy County Attorney, stated that Attorney Thom K. Cope would be presenting legal advice on this case due to a conflict of interest for the County.

Thom K. Cope, Udall Law Firm, LLP, stated this case involved a proposed settlement which would require an amendment of Pima County Code, Chapter 2.20, to include Sheriff Department sergeants in the Meet and Confer process, specifically excluding certain other officers. He recommended two options to the Board as discussed in Executive Session.

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to accept the recommendation of Option 2 as discussed in Executive Session.

7. **LITIGATION**

Pursuant to A.R.S. § 38-431.03(A) (3) and (4), for legal advice and direction regarding approval of a tax appeal settlement recommendation on Sanders v. Pima County, Tax Parcel No. 114-28-0830, Arizona Tax Court Case No. ST2009-000026.

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement involving a valuation appeal. The proposed settlement would decrease the full cash value of the property from \$514,646.00 to \$475,000.00 for the 2010 tax year. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to accept the recommendation.

8. **LITIGATION**

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

- A. Wing and Lei Co-1 v. Pima County
Parcel No. 133-30-090A
Arizona Tax Court Case No. TX2008-000538

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement involving the valuation of a retail strip building. In 2008, the Board of Supervisors approved a settlement for the 2008 tax year that lowered the full cash value. Pursuant to State Statute, the 2008 full cash value should have rolled over for the 2009 tax year but it did not because the Notice of Value had already been

mailed before the judgment was filed. The full cash value needed to be lowered from \$1,394,640.00 to \$1,045,908.00. The proposed settlement would also decrease the limited value from \$882,564.00 to \$730,025.00. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to accept the recommendation.

B. The Plaza at Williams Center L.L.C. v. Pima County
Parcel Nos. 128-10-0810 and 128-10-0828B
Arizona Tax Court Case No. TX2008-000537

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement involving the valuation of a neighborhood shopping center. The proposed settlement would decrease the total full cash value of both parcels to \$9,887,539.00 (\$6,823,216.00 for parcel 128-10-0810 and \$3,064,323.00 for tax parcel 128-10-082B). The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

9. **BOARD OF SUPERVISORS**

Review and adoption of Tentative County Budget for Fiscal Year 2009/2010.

Martin Willett, Chief Deputy County Administrator, provided a report regarding the current status of the State's budget. He explained that the Legislature had not finalized the State's Budget and was unaware on how the final Budget would impact the County.

Chuck Huckelberry, County Administrator, indicated that the County could have anywhere between \$5 to \$10 million or more down in revenue depending on the State's outcome of their final budget.

Chairman Elias contended that this was an estimate and cautioned the public in using these numbers since the State's budget was not finalized. He reported the County was currently down in revenue by an estimated \$42.5 million.

Supervisor Carroll expressed his concern with the recommended tax rate reduction. He stated that the total assessed value had gone up and this value was based on pre-recession dollars. This was leading to an increase in foreclosures and an increase in appeals since homeowners were trying to hold on to their homes by appealing the assessed valuations. He stated that the Board had an opportunity not to raise taxes which would result in a \$16 million gap, and the budget had an increase of approximately \$16 million. He hoped the Board would reconsider reducing the tentative budget by this amount.

Supervisor Bronson remarked that all were aware of the economic situation in the community and complimented Supervisor Carroll on what he was trying to achieve. The goal of every Board member was to come in below budget, but she could not see what could be cut that would not minimize the effects on constituents while still keeping the doors of government open and functioning for the people. She felt that they had already cut the budget to the bare bone.

Supervisor Carroll commented that last year Supervisor Day and himself had suggested across the board cuts to every department but were rebuffed. In fact, the County did make those cuts mid-way through last fiscal year. He stated that in this Tentative Budget, there was an increase in subsidy to University Physicians Hospital (UPH), and he wanted to reduce that subsidy back to the original contractual amount and make UPH operate on that amount. This would save the County \$15 million. He stated that he would like to see UPH operate on the original contractual amount for one more year.

Chuck Huckelberry responded that due to the loss in revenue, UPH needed the increase in subsidy to continue operating.

Supervisor Valadez opined that the Board needed to make the budget sustainable. He felt that they needed to make decisions that were wise and in the best interest of the community.

Chuck Huckelberry stated that most departments had undergone 10% reductions in their expenditure authority with the exception of the Sheriff's Department. He felt that his goal was to provide the Board with a budget that would allow for a safe landing somewhere down the road since the forecast he was given indicated that the County's assessed value on property would continue to decline. He had hoped that there would be some offset by increased State revenues but that recovery was nowhere in sight.

Supervisor Day expressed her concern that the budget was not structurally balanced. She contended that the proposed increase for UPH was based on their audit and not on an independent audit by the County. She was concerned that the Board had not seen the audit and would not see it until after the budget was passed. She remarked concern regarding the situation with UPH and felt their management did not have to answer to anyone concerning their financial difficulties. She stated that the budget seemed to be predicated on department reductions and vacancy savings and felt this would get the County through this budget year but it was not putting the County in a position to contend with the difficult years ahead. She inquired what the County planned to do to make the budget structurally sustainable.

Chuck Huckelberry opined that the proposed Tentative Budget was in response to available revenues and revenues that come from the property tax levy and State shared revenues. He noted that anytime the State shared revenues decreased or the Legislature shifted programs or responsibilities to the County, accommodations had to be made by the County. He explained that one of the best ways to sustain

the Budget and County programs was through the Tax Rate Stabilization Fund. When making the recommended Budget for this fiscal year, he debated keeping the primary property tax rate the same, taking the differential in the levy and putting it in the Tax Rate Stabilization Fund. This would have generated \$8 million. Due to the current economic situation, he decided against it because he felt it was appropriate to give the money that would have been raised this way, back to the taxpayers that were feeling the effects of the recession. He felt that what was currently being done concerning the budget was sustainable, and in the future additional cuts would be made. He stated that there were contingency plans, but he hoped they never had to be utilized. He had actively managed the budget daily and would continue to do that as the County faced more difficult challenges ahead.

Supervisor Bronson stated that all Board members shared in the concerns regarding UPH and hoped they would have expenditure procedures to help make them sustainable.

Chuck Huckelberry agreed that there had to be a new model for a sustainable UPH. They needed to find out what the way forward would be concerning UPH and what level of involvement the County needed to make as a long term commitment to the medical and health services in the community.

Supervisor Carroll remarked that the County was amassing a ton of debt, and UPH would be the only one to come out with a soft landing.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez to close the public hearings and adopt a Debt Service Budget of \$110,138,905.00 with a tentative tax rate of \$0.7100; and to adopt a Tentative Budget of \$1,387,871,873.00 with a tentative tax rate of \$3.3133 for fiscal year 2009-2010. Upon the roll call being taken, the motion carried 3-2, Supervisors Carroll and Day voting "Nay."

10. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to address the Board. No one appeared.

PULLED FOR SEPARATE ACTION

1. **JUSTICE AND LAW ENFORCEMENT**

Consolidated Justice Court

Appointment of Adam Watters as Judge Pro Tempore of the Consolidated Justice Court for the period of July 7, 2009 through June 30, 2010.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and carried by a 4-0 vote, Supervisor Day recused herself due to a conflict of interest, to approve the appointment.

PULLED FOR SEPARATE ACTION

9. **REAL PROPERTY**

Partial Release of Easement

Release of a 4525-foot public ingress/egress easement as reserved in Docket 8450 at Page 1623 and dedicated in Docket 8516 at Page 591 and Docket 9233 at Page 676. The easement is located adjacent to Tax Parcel Nos. 116-08-013N, 0650 through 0690 and 0960 in Section 15, T15S, R13E, G&SRM. (District 5)

Without objection, this item was removed from the agenda.

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and carried by a 4-1 vote, Supervisor Carroll voting “Nay,” that the Consent Calendar be approved as amended.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **JUSTICE AND LAW ENFORCEMENT**

Consolidated Justice Court

Appointment of Adam Watters as Judge Pro Tempore of the Consolidated Justice Court (PULLED FOR SEPARATE ACTION)

2. **CONTRACTS AND AWARDS**

A. **Community Services, Employment and Training**

1. University Physicians Healthcare, Amendment No. 3, to provide adolescent health care services at the Kino Teen Center, extend contract term to 6/30/10 and amend contractual language, General Fund, contract amount \$84,000.00 (02-67-U-137393-1105)
2. Cochise Private Industry Council, Amendment No. 1, to provide assistance with employer outreach services and amend scope of work, no cost (07-69-C-141401-0908)

3. Comin' Home, Inc., to provide traditional housing and support services, HUD/SHP Grant Funds, contract amount \$134,793.00 (07-69-C-142097-0709)
4. Arizona Housing and Prevention Services, Inc., to provide transitional housing and support services, HUD/SHP Grant Funds, contract amount \$149,028.00 (07-69-A-142098-0709)

B. County Attorney

5. Moeller Law Office, Amendment No. 6, to provide legal representation in workers' compensation litigation, extend contract term to 5/28/11 and amend contractual language, Risk Management Tort Fund, contract amount \$200,000.00 (17-02-M-135232-0604)
6. RESOLUTION NO. 2009-143, approving a grant agreement with the Arizona Criminal Justice Commission, to provide for three Victim Witness personnel, ACJC Grant Fund, contract amount \$115,000.00 revenue; General Fund, contract amount \$115,000.00 matching funds (02-02-A-142108-0709)

C. Elections

7. RESOLUTION NO. 2009-144, approving an Intergovernmental Agreement with the City of Tucson, to provide election services for the City of Tucson Primary and General Elections of 2009, General Fund, contract amount \$90,000.00 revenue (01-23-T-142139-0707)

D. Health Department

8. RESOLUTION NO. 2009-145, approving an Intergovernmental Agreement with the City of Tucson - Police Department, to provide for digital video downlink equipment to be mounted on Tucson Police Department aviation assets, Department of Homeland Security Fund, contract amount \$850,000.00 (01-01-T-142132-0709)
9. RESOLUTION NO. 2009-146, approving an Intergovernmental Agreement with the State of Arizona, Department of Emergency and Military Affairs, to provide for the Arizona Mutual Aid Compact and define emergency management terms and procedures, no cost (01-01-A-142134-0709)

10. Arizona Department of Health Services, Amendment No. 1, to provide immunization services and amend contractual language, ADHS Grant Fund, reimbursement based on services (01-01-A-140731-0108)
11. United Way of Tucson and Southern Arizona, Inc., Amendment No. 1, to provide for oral health services and amend contractual language, Diamond Challenge Fund, contract amount \$9,300.00 revenue (02-01-U-141020-0708)

E Natural Resources, Parks and Recreation

12. RESOLUTION NO. 2009–147. approving an Intergovernmental Agreement with the City of Tucson and the Tucson Unified School District, to provide for the construction and joint use of the soccer field facilities at Menlo Park Elementary School, 1997 Bond Fund, contract amount not to exceed \$850,000.00 (01-05-T-142135-0709)

F. Pima Health System

13. Marco B. Saucedo M.D., P.C., d.b.a. Women's Health and Surgery Center, Amendment No. 6, to provide primary care physician and OB/GYN services, extend contract term to 7/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-S-136840-0805)
14. Haven Behavioral Services of Tucson, L.L.C., d.b.a. Sonora Behavioral Health Hospital, Amendment No. 6, to provide psychiatric hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-137218-0106)
15. Intermountain Centers for Human Development, Inc., Amendment No. 3, to provide behavioral health residential and outpatient services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-I-139040-0207)
16. University Medical Center Corporation, to provide hospital services, PHCS Enterprise Fund, contract amount not to exceed \$25,000,000.00/2 year term (18-15-U-142058-0509)
17. Pima Heart Physicians, P.C., to provide physician and laboratory services, PHCS Enterprise Fund, contract amount not to exceed \$500,000.00/2 year term (18-15-P-142059-0509)
18. To provide skilled and non-skilled home care services, PHCS Enterprise Fund, not to exceed the amounts listed:

<u>Vendor</u>	<u>Amount</u>	<u>Contract</u>
United Cerebral Palsy of Southern Arizona, Inc.	\$ 275,000.00	07-15-U-142061-0709
Creative Networks, L.L.C.	\$ 1,000,000.00	07-15-C-142062-0709
Dependable Home Health, Inc.	\$ 1,550,000.00	07-15-D-142063-0709
Dependable Nurses, Inc.	\$ 1,700,000.00	07-15-D-142064-0709
NSI - Nursing Service, Inc.	\$ 1,000,000.00	07-15-N-142065-0709
Arcadia Health Services, Inc.	\$ 1,320,000.00	07-15-A-142069-0709
My House, L.L.C.	\$ 1,100,000.00	07-15-M-142070-0709
Accentcare At Home, Inc.	\$ 1,250,000.00	07-15-A-142109-0709
McLain Enterprises, Inc. d.b.a. Comfort Keepers,	\$ 750,000.00	07-15-M-142110-0709
Lutheran Social Services of the Southwest	\$ 2,100,000.00	07-15-L-142111-0709
Jelodon Corp., d.b.a. Health Core Nursing	\$ 650,000.00	07-15-J-142112-0709
Nursecore Management Services, L.L.C.	\$ 300,000.00	07-15-N-142113-0709
Sunrise Senior Living Management Inc., d.b.a. Sunrise Home Care	\$ 750,000.00	07-15-S-142114-0709
Wisdom Access, Inc.	\$ 275,000.00	07-15-W-142115-0709
Caregiver Connection of Arizona, L.L.C., d.b.a. Aristocare Home Health Services	\$ 1,400,000.00	07-15-C-142116-0709
Soreo In Home Support Services, L.L.C.	\$ 3,000,000.00	07-15-S-142117-0709
Aries, L.L.C	\$ 210,000.00	07-15-A-142118-0709
Arizona Consumer Direct Personal Care, L.L.C.	\$ 8,000,000.00	07-15-A-142119-0709
Caregiver Connection of Arizona, L.L.C., d.b.a. Aristocare Home Health Services	\$ 260,000.00	07-15-C-142120-0709
Bayada Nurses, Inc.	\$ 450,000.00	07-15-B-142128-0709
Bayada Nurses, Inc.	\$ 750,000.00	07-15-B-142129-0709
Maxim Healthcare Services, Inc.	\$ 750,000.00	07-15-M-142130-0709

19. HealthSouth Rehabilitation Institute of Tucson, L.P., to provide rehabilitation hospital services, PHCS Enterprise Fund, contract amount not to exceed \$1,500,000.00/2 year term (18-15-H-142066-0509)
20. Southern Arizona Regional Hospital, L.P., d.b.a. Healthsouth Rehabilitation Hospital of Southern Arizona, to provide rehabilitation hospital services, PHCS Enterprise Fund, contract amount not to exceed \$1,500,000.00/2 year term (18-15-S-142067-0509)

G. Procurement

21. Consultant Engineering, Inc., Amendment No. 2, to provide as-needed real estate appraisal services for right-of-way/whole property, extend contract term to 7/23/10 and amend

contractual language, no cost (07-64-C-139918-0707) Real Property

Awards

- 22. Low Bid: Award of Contract, Requisition No. 0900589, in the amount of \$32,144,227.00 to DPR Construction, Inc. (Headquarters: Redwood City, CA), for the base bid and all alternates for the construction of a Psychiatric Hospital addition at 2800 E. Ajo Way and a New Crisis Response Center at 2802 E. District, Tucson, AZ. The contract is for a twenty-eight month period and may be extended for project completion. The Facilities Management Department requests that the Procurement Director's Change Order authority be increased for this project in an amount not to exceed \$500,000.00 per individual change order and not to exceed a cumulative total of \$1,650,000.00 for the contract. Funding Source: 2004 Bond Fund, \$4,454,225.00; and 2006 Bond Fund, \$27,690,002.00. Administering Department: Facilities Management.

- 23. Low Bid: Award of Contracts, Requisition No. 0901979, in the amount of \$423,000.00 for electrical supplies to the vendors listed below. Contracts are for a one-year term and include four one-year renewal periods. The award includes the authority for the Procurement Department to reallocate the award amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts does not exceed the annual award amount of \$423,000.00. Funding Source: General Fund. Administering Department: Facilities Management and Regional Wastewater Reclamation Department.

<u>VENDOR</u>	<u>AMOUNT</u>
Consolidated Electrical Distributors, d.b.a. Hussar Electric Supply (Headquarters: Westlake Village, CA)	\$263,000.00
H.D. Supply (Headquarters: Orlando, FL)	\$105,000.00
D S & J Enterprises Inc., d.b.a. Arizona Commercial Lighting & Supply (Headquarters: Tucson, AZ)	\$ 55,000.00

- 24. Low Bid: Award of Contracts, Requisition No. 0902190, in the amount of \$383,000.00 for medical laboratory services to the vendors listed below. Contract is for a one-year term and includes four one-year renewal periods. Funding Source: Health Fund. Administering Department: Health.

<u>Contractor</u>	<u>Group Awarded</u>	<u>Annual Amount</u>
Sonora Qwest Laboratory (Headquarters: Tempe, AZ)	Group A Blood Draw/Phlebotomy Services Group F Therapeutic Drug Level Tests	\$12,600.00
Center for Disease Detention, L.L.C. (Headquarters: San Antonio, TX)	Group B Diagnostic Tests Group C Epidemiological Tests Group D Pap Tests Group E Sexually Transmitted Infection Tests	\$370,400.00

H. Real Property

25. Drexel Heights Volunteer Fire Company, to provide a license for right-of-way encroachment for the installation and maintenance of storm sewer pipe on West Mossman Road, contract amount \$1,500.00 revenue (12-04-D-142074-0707)

I. Regional Wastewater Reclamation

26. Sonoran Ranch Estates II, L.L.C., to provide a Connection Fee Credit Agreement for sewer facilities, RWRD Enterprise Fund, credit in the amount of \$120,681.31 (14-03-S-142137-0709)

J. Sheriff

27. RESOLUTION NO. 2009-148, approving an Intergovernmental Agreement with the Town of Marana, to provide for the incarceration of municipal prisoners, contract amount \$326,868.00 revenue (01-11-M-142092-0709)
28. RESOLUTION NO. 2009-149, approving an Intergovernmental Agreement with the Arizona Automobile Authority, to provide overtime salary for vehicle theft enforcement, Arizona Automobile Theft Authority Grant Fund, contract amount \$5,000.00 revenue (01-11-A-142104-0709)
29. RESOLUTION NO. 2009-150, approving an Intergovernmental Agreement with the Arizona Automobile Authority, to provide overtime salary for the Promoting Vehicle Theft Prevention Program, Arizona Automobile Theft Authority Grant Fund, contract amount \$3,885.00 revenue (01-11-A-142105-0709)

- 30. Town of Sahuarita, Amendment No. 3, to provide dispatch services and associated records and logs and extend contract term to 6/12/10, Federal Fund, contract amount \$65,148.00 revenue (01-11-S-138084-0606)
- 31. Arizona Department of Homeland Security, Amendment No. 1, to provide for the reallocation of overtime salaries to equipment, Stonegarden Grant Fund, contract amount \$21,593.00 decrease (01-11-A-141636-1108)
- 32. Arizona Department of Homeland Security, Amendment No. 1, to provide for the reallocation of equipment funding to overtime and mileage, Stonegarden Grant Fund, contract amount \$21,593.00 revenue (01-11-A-141637-1108)

3. BOARD OF SUPERVISORS

Approval of the Board of Supervisors' Meeting Schedule for the period of September through December, 2009.

4. 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>
Jacobs, Kenneth W.	035	DEM
Heinz, Matthew	045	DEM
Rhoades, Diana K.	290	DEM
Schultz, Geoffrey	316	REP
Barnes, Joyce L.	365	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Storm, Priscilla	006	REP
Pfeiffer, John R.	035	REP
Heinz, Matthew G.	046	DEM
Jacobs, Kenneth W.	046	DEM
Rhoades, Diana K.	046	DEM
Guerra, Gilbert A.	053	DEM
McClusky, Shaun E.	053	REP
Klaus, Carl	078	REP
Phibbs, Brendan P.	088	DEM
Walters, Gregory S.	101	REP
Yappel, Lisa M.	103	REP
Leonard, Phyllis L.	108	REP
Kaufman, David I.	115	REP
Kopec, Matthew A.	132	DEM
Mercer, Edwin W.	153	REP
Mercer, Gabriela S.	153	REP

Smith, Matthew E.	153	DEM
Hays, Ciria D.	160	DEM
Zepeda, Fernando	164	REP
Preble, Mary T.	171	REP
Goebel, Christina M.	175	REP
Altherr, Lois J.	181	REP
Altherr, Ronald L.	181	REP
Cooper, Nancy L.	188	REP
Sierra, Leon D.	196	DEM
Koski, Brenda L.	200	REP
Townsend, Kathryn D.	216	REP
Graf, Carolyn M.	218	REP
Adams, John C.	238	DEM
Nagle, Robert A.	239	DEM
Pierce, Rachael E.	252	REP
Toney, Ernest L.	284	DEM
Plunkett, Walter M.	326	REP
Schultz, Geoffrey	330	REP
Altfeld, Clifford B.	352	DEM
Gallagher, Patrick F.	355	REP
Flint, Pamela K.	365	REP
Marshall, Virginia M.	365	REP
Cooper, Stephen R.	369	REP
Steffens, Randall J.	379	REP
Camp, Patricia L.	385	REP
Rego, Marilyn M.	385	REP
Olsen, Eric J.	388	REP
Willis, Robin M.	391	REP
Vera, Adolfo	395	REP
Kessler, John E.	396	REP
Cozad, Julie K.	406	REP
Castler, Glen C.	411	REP

5. **BOARD, COMMISSION AND/OR COMMITTEE**

Small Business Commission

Appointment of Edie Lake to fill the vacancy created by Greg Geile. Term expiration: 4/30/11. (District 4)

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

- A. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Rd., Vail, June 20, 2009.
- B. Bonnie J. Vining, Live Acoustic Venue Association, 12901 N. Sabino Canyon Parkway, Mount Lemmon, June 28, July 5, July 12, July 19 and July 26, 2009.
- C. Joseph E. Martinez, VFW Post 3578, 1764 N. 2nd Avenue, Ajo, July 4, 2009.

7. **JUSTICE AND LAW ENFORCEMENT**

Consolidated Justice Court

Appointment of the following as Judge Pro Tempore of the Consolidated Justice Court and Small Claims Hearing Officers for the period of July 7, 2009 through June 30, 2010:

Judges Pro Tempore

Thomas Benavidez	John Casey	Hortencia Delgadillo
Russ Dillow	David Dingledine	Tom Johnson
Paul Julian	Fred Klein	Joe Machado
Paul McCullar	William Scott	Anne Ward
Walt Weber	Richard Augur	Angelo Daniels
Ben E. Davis	Cecilia Monroe	Alfonso Ramirez
Sallie Blake	Richard Keefe	Greg Solares
Martin Green	Roger Duncan	

Small Claims Hearing Officers

Gary Bartick	Bill Beards	Vera Beil
Morton Caplan	Carolyn Aiko Classen	Ben E. Davis
Barbara J. Duell	Michael Figueroa	Norman Fisk, MD
John H. P. Hall	Sami Y. Hamed	Michael Hellon
David Kryder	Carol Larson	Marie Leal
Deborah MacDonald	Craig Molloy	Lesley Potts
James Anthony Rendon	Alfonso G. Ramirez	Bryan Schwartz
Karen Shields	William B. Shope, Jr.	Allison Shulman
Allan Zoloto		

8. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of April and May, 2009.

9. **REAL PROPERTY**

Partial Release of Easement

Release of a 4525-foot public ingress/egress easement (PULLED FOR SEPARATE ACTION)

10. **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, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th

12. COUNTY ADMINISTRATOR: BOARD OF SUPERVISORS POLICY REVISIONS

A. Staff requests approval of the proposed revisions to the following Personnel Administration Policies:

1. D.23.1 Pay-For-Results System This policy has not been used in many years and is no longer relevant to Pima County. It is strongly recommended that if such a system is needed in the future that a new policy be developed to ensure that it addresses current practices. D.23.1 is recommended for deletion.
2. D.23.2 Personnel Administration-Unclassified Service (Selection/ Appointment) This policy is updated to correct the fact that unclassified positions do not contain minimum qualifications, but preferred qualifications, as identified in the County's classification specifications for unclassified positions. It further deletes reference to essential functions. For Pima County, essential functions are developed mainly at the point that an employee needs an Americans with Disabilities Act (ADA) accommodation or requests Family and Medical Leave Act (FMLA) leave.

Next, the five-day requirement for advertising for unclassified positions has been clarified to read five (5) business days. Resumes have been included as acceptable when a person applies for an unclassified position. Especially for high-level executive positions, the market accepts resumes as a primary source for hiring review. The panel has been revised to correspond to other recruitment requirements by ensuring that the panel consists of at least two members and that the members are either internal, external or both.

With the downturn of the economy, it becomes harder to get those from the outside to commit to this activity for many of our lower level, unclassified positions. For direct reports to the County Administrator and other positions that he deems necessary, it is recommended that the panel continue to be designated by the County Administrator. Items 5 through 7 have been added to ensure a) that the County is able to render employment decisions when there are hard-to-fill specialized positions, b) that management receives input from the County Administrator, when necessary, and c) that there is proper documentation of the recruitment process on file by requiring requests for certification to be submitted to the Human Resources Department.

3. D.23.3 Personnel Administration-Classified Service This policy has been revised to delete the sunset provision that states "This policy will be reviewed for continuance by 12-31-93."
4. D-23-4 Personnel Administration-Classified Service (Competitive Selection) This revision deletes the sunset provision that states "This policy will be reviewed for continuance by 12-31-93."
5. D.23.5 Personnel Administration-Classified Service (Equitable and Adequate Pay) The County's classification system and methods changed considerably many years ago as well as the methods for external organizations used for comparison purposes. This policy is changed to reflect the actual method of application. This revision also deletes the sunset provision that states "This policy will be reviewed for continuance by 12-31-93."
6. D.23.6 Personnel Administration-Classified Services (Essential Training) The main change is to delete obsolete programs such as the Upward Mobility Program and to

redefine others such as in-house training to conform to actual up-to-date practices. This revision deletes references to 1989 and 1990, to name a few, and mention of other obsolete training successes. This revision also deletes the sunset provision that states "This policy will be reviewed for continuance by 12-31-93."

7. D.23.7 Personnel Administration-Classified Service (Performance Based Retention)
The revision adds the statement "or is so egregious that such discipline is warranted" and deletes the sunset policy that states "This policy will be reviewed for continuance by 12-31-93."
8. D.23.8 Personnel Administration-Classified Service (Fair Treatment) This policy retains the historical data regarding the establishment of the County's formalized Merit System and deletes the sunset provision that states "This policy will be reviewed for continuance by 12-31-93."
9. D.23.9 Personnel Administration Classified Service/Unclassified Service (Political Affiliation) This policy has been revised to delete the sunset provision that states "This policy will be reviewed for continuance by 12-31-93."
10. D.23.10 Position Management System This proposal requires the appointing authority to consider available options for approval by the County Administrator or his designee(s) prior to initiating a request to fill a vacant position. This has been a very successful process over the past years of implementation. It also deletes the sunset provision that states "This policy was approved by the Board of Supervisors on 10-16-90 and will be reviewed for continuance by 10-31-91."

B. Staff requests approval of the proposed revisions to the following Equal Employment Opportunity Policies:

1. D.21.1, Equal Employment Opportunity and Affirmative Action Policy; and
2. D.21.3, Prevention of Workplace Harassment

Supervisor Carroll inquired if the proposed policy revision to D.23.2 could be delayed until the next Board meeting because he needed more time to get some questions answered concerning this revision.

Chairman Elias informed Supervisor Carroll that he would have the opportunity to bring the item back on the agenda for the next Board meeting if he had particular questions concerning the revision.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to approve the Policy revisions.

13. **COUNTY ADMINISTRATOR: QUARTERLY MANAGEMENT REPORT ON COLLECTIONS**

Staff recommends the Board accept the Quarterly Management Report on Collections for the period ending March 31, 2009, and approve the write-off request in the amount of \$7,018.00.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the Quarterly Management Report on Collections.

14. **COUNTY ADMINISTRATOR: GROWING SMARTER STATE TRUST LAND ACQUISITION PROGRAM GRANT**

RESOLUTION NO. 2009- 151, approving the application for Growing Smarter State Trust Land Acquisition Grant Funds for the purchase of 67 acres of State trust land known as the Valencia Archaeological Site at Public Auction.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to adopt Resolution No. 2009- 151.

15. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the following Neighborhood Reinvestment Project and authorization for staff to negotiate a future Intergovernmental Agreement, if applicable:

<u>Neighborhood</u>	<u>Project</u>	<u>Estimated Budget</u>
Toumey Park Neighborhood	Traffic Control, Sidewalk and Park Improvements	\$488,000.00

On consideration, it was moved by Chairman Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the Neighborhood Reinvestment Project.

16. **JUVENILE COURT**

RESOLUTION NO. 2009- 153, of the Board of Supervisors of Pima County, electing participation in the Family Counseling Programs and approving \$20,995.00 of matching funds from the existing Court budget.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to adopt Resolution No. 2009- 153.

17. **PROCUREMENT**

The Board of Supervisors' on 5/12/09, continued the following:

A. **Pima County Code Text Amendment**

ORDINANCE NO. 2009- 47, of the Board of Supervisors, amending the Pima County Code, Title 20, Minority and Woman Owned Business Enterprise Code.

B. **Board of Supervisors Policy Revision**

Staff requests approval of the revision to Board of Supervisors Policy No. D 29.8, Minority/Woman and Small Business Enterprise.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the Policy revision and to close the public hearing and adopt Ordinance No. 2009-47.

18. **PROCUREMENT: BOARD OF SUPERVISORS POLICY**

Staff requests approval of Board of Supervisors Policy No. D.29.10, Disadvantaged Business Enterprise (DBE) Policy.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the Policy.

19. **NATURAL RESOURCES PARKS AND RECREATION**

Staff requests approval to name the proposed BMX Bicycle Park within the Flowing Wells District Park as Kory Laos Memorial Bike Park.

Eugene Scott Laos, father of Kory Laos, expressed his gratitude and appreciation for the Boards' support. He stated that the goal was to have a safe place where kids could go to ride their bikes.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the naming of the BMX Bike Park as Kory Laos Memorial Bike Park.

20. **NATURAL RESOURCES PARKS AND RECREATION**

Staff requests approval to rename the Pima County Sportspark as the Pima County Mike Jacob Sportspark.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the renaming of Sportspark.

21. **DEVELOPMENT SERVICES: FINAL PLAT WITH ASSURANCES**

P1208-056, Avra Verde, Lots 1-8. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the final plat with assurances.

22. **TRANSPORTATION: ACCEPTANCE OF PROJECT/ROADWAY FOR MAINTENANCE**

Corona de Tucson No. 1, Holcomb Place, Subdivision No. 244, Street and Sewer Improvements. Developer: Corona de Tucson, Inc. (District 4)

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to accept the project/roadway for maintenance.

23. **TRANSPORTATION: AMENDMENT TO DEVELOPMENT AGREEMENT**

TNR&S, Inc., and Stewart Title and Trust Nos. 3526 and 3527, Amendment No. 2, regarding the development of rezoned land adjacent to the Tucson National Resort and Spa, and establishing responsibilities for buffer landscaping and access control gates and to provide a drainage easement, 2004 Bond Fund, in the amount of \$136,000.00.

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to approve the amendment.

***** HEARINGS *****

24. **FINANCE AND RISK MANAGEMENT**

- A. Pursuant to A.R.S. §48-906, hold a public hearing on the establishment of the proposed Why Domestic Water Improvement District and upon a finding that the petition is sufficient;
- B. Pass and adopt:

RESOLUTION NO. 2009- 152, of the Board of Supervisors establishing the Why Domestic Water Improvement District of Pima County, Arizona.

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Elías and unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2009- 152.

25. **FRANCHISE/LICENSE/PERMIT: LIQUOR LICENSE**

09-10-8980, Helio P. Cervantes, Los Agaves Restaurant, 1451 S. La Canada, Green Valley, Series 12, Restaurant License, New License.

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve the request.

26. **FRANCHISE/LICENSE/PERMIT: EXTENSION OF PREMISES/PATIO PERMIT**

Scott A. Busse, Territorial, 3727 S. Palo Verde Rd., Tucson, Temporary Extension of Premises/Patio Permit for July 11, 2009.

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve the request.

27. **FRANCHISE/LICENSE/PERMIT: FIREWORKS PERMIT**

Tim Powers, Old Tucson Studios, 201 S. Kinney Rd, Tucson, July ~~25~~ **31**, 2009 at 9:30 p.m.

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve the request as amended.

28. **DEVELOPMENT SERVICES: PROPOSED INITIATION OF EMERGENCY COMPREHENSIVE PLAN AMENDMENT**

Request of Forte Equities and the Flowing Wells Neighborhood Association/Community Coalition to initiate an emergency plan amendment to the Pima County Comprehensive Plan from Medium High Intensity Urban (MIHU) to Urban Industrial (I) for property zoned Multiple Use (MU) and Suburban Homestead (RH) (Tax Parcel Nos. 101-16-117A and 101-16-116E), located at the southwest corner of W. Curtis Road and N. La Cholla Boulevard in Tucson, Arizona. The subject property is approximately 32.6 acres. Staff recommends APPROVAL. (All Districts)

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve the initiation of an Emergency Comprehensive Plan Amendment.

29. **DEVELOPMENT SERVICES: REZONING ORDINANCE**

ORDINANCE NO. 2009- 63, Co9-08-07, Crisantes Investments L.L.C. – Oracle Road No. 2 Rezoning. Owner: Crisantes Investments L.L.C. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2009-63.

30. **DEVELOPMENT SERVICES: REZONING RESOLUTIONS**

- A. RESOLUTION NO. 2009-154, Co9-82-52, Muscarella – Las Lomitas Road Rezoning. Owners: ABBA Apts, L.L.C. (District 1)
- B. RESOLUTION NO. 2009-155, Co9-90-29, Bailey/Shepard – Catalina Highway Rezoning. Owners: Montague and Diane Davis and Nathan and Carrie Bernal. (District 4)
- C. RESOLUTION NO. 2009-156, Co9-99-22, McGarry/Baum/Eidal, et. al. – Valencia Road Rezoning. Owners: McGarry, Baum, Eidal, Adamson, Anderson, Diamond Shamrock, et al. (District 2)

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearings and adopt Resolution No's. 2009-154, 155 and 156.

31. **DEVELOPMENT SERVICES: STREET NAME CHANGE**

Present

Proposed

Unnamed easement/road
Co14-09-005
(District 3)

Sacred Earth Place

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve the street name change.

32. **NATURAL RESOURCES, PARKS AND RECREATION: FEE SCHEDULE**

ORDINANCE NO. 2009-64, amending and establishing fees for the use of various County parks and recreational facilities and for services provided therein and amending Ordinance No. 2004-89.

The Chairman inquired whether anyone wished to address the Board.

The following speaker addressed the Board:

Earl Causbie

He provided the following comments:

- A. He expressed his gratitude and appreciation to Natural Resources, Parks and Recreation (NRPR) staff for their support with questions and concerns he had regarding the fee structure.
- B. He inquired if flexibility could be provided concerning the usage of the lights during the All-Star Tournament games that were played at night, to allow them to meet Little League mandatory curfew times.
- C. Volunteers for the games had to take personal time off of work in order to finish games that would have to end before they were completed because lights would turn off. Little League policy states that they have to come back and complete a game in its entirety if the reason for the incomplete game is man-made.

On consideration, it was moved by Supervisor Valadez, seconded by Supervisor Bronson and carried by 4-1 vote, Supervisor Carroll voting "Nay," to close the public hearing and adopt Ordinance No. 2009-64. Direction was given to staff to allow flexibility during games that ran into lighting issues.

33. TRANSPORTATION: ENVIRONMENT ASSESSMENT AND MITIGATION REPORT

Staff recommends approval of the Environmental Assessment and Mitigation Report for the La Canada Drive: River Road to Ina Road Improvement Project. (District 1)

The Chairman inquired whether anyone wished to address the Board.

The following speakers addressed the Board:

1. Evelyn Martinez
2. Steve Sedor
3. Sam Ray
4. Linda Carlson
5. Lori Franz
6. Diana Boros
7. Steve Hildebrand

They provided the following comments:

- A. Concern was expressed for the long delay in the acquisition of certain estates which caused emotional distress. They inquired that acquisition be expedited.
- B. They felt the cost and restrictions that needed to be met in order to acquire noise reduction walls were discriminatory.

- C. Thirty residents were denied a wall because they did not meet the criteria for noise abatement. They felt this was an injustice.
- D. They felt the artist selected for the project was uncooperative and did not pay attention to Citizen Advisory Committee's suggestions. They tried to personally address the artist and were ignored.
- E. They asked that the Board review the Citizen's Advisory Committee letter that was submitted concerning the project and give the letter its proper attention.
- F. Concern was expressed about the safety of the neighborhood children that cross La Canada Blvd. and requested that a "Hawk" be installed.
- G. They stated that there were already problems with water flow in the neighborhood and were concerned that the redirecting of water from the project would cause additional flooding issues.

Supervisor Day inquired what was being done about some of the issues concerning the residents.

Priscilla Cornelia, Director of Transportation, reported that this was a Federal-aided project and Federal procedures and requirements must be followed. She stated that Federal requirements had to be met in order to mitigate noise reduction walls. She stated that Department of Transportation staff would always respond to calls concerning safety issues. She stated that the Citizen Advisory Committee was involved with the selection of the artist being used on the project and it was her understanding that a meeting had been held with the artist and their differences had been worked out. She stated that the national regulations and statistics were followed concerning the installation of a "Hawk" on La Canada Blvd. and it was not warranted for the installation of one at this time.

Mike Burcham, Project Manager with HDR Engineering Firm, replied he had a final report and could meet with residents that had questions regarding this project and their particular residence. He stated that two meetings had been held with the Citizen's Advisory Committee, and he had acquired a consensus to go forth with the designs for the project artist.

Supervisor Day inquired what was being done about the drainage of overflow water in the neighborhood.

Mike Burcham responded that the goals of the project concerning drainage were to make La Canada Blvd. an all-weather surface. He explained they would ensure the roadway was cleared of all cross drainage and they would collect and convey all storm water in a closed storm drainage system and discharge it into the appropriate wash. They had analyzed existing drainage conditions and, in conjunction with the roadway improvements, would make refinements that would ensure scour erosion would not be created or that potential flooding of existing neighborhoods would be avoided. He stated that they were following the Pima County Roadway Design Manual.

Supervisor Day indicated that the Regional Transportation Authority (RTA) wanted to put together regional standards concerning noise mitigation. She felt regional standards were needed.

Supervisor Valadez replied that the RTA had tabled an appeal until a minimal standard was put together.

Chuck Huckelberry, County Administrator, reported that the County was the only municipality building walls for noise reduction.

Supervisor Day opined she understood the concerns of the neighborhood residents, but a road had to be constructed.

On consideration, it was moved by Supervisor Day, seconded by Supervisor Bronson and carried by a 4-1 vote, Chairman Elías voting “Nay,” to close the public hearing and approve the Environmental Assessment and Mitigation Report.

34. TRANSPORTATION: TRAFFIC ORDINANCES

- A. ORDINANCE NO. 2009-65, establishing prima facie speed limits on Camino Real in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- B. ORDINANCE NO. 2009-66, prohibiting motor vehicles with a gross vehicle weight greater than 40,000 pounds from using River Road over the Ventana Wash Bridge in Pima County, Arizona. Staff recommends APPROVAL. (Districts 1 and 4)
- C. ORDINANCE NO. 2009-67, regulating traffic at the intersection of Rau River Road and Wilhelm Way in Pima County, Arizona. Staff recommends APPROVAL. (District 3)
- D. ORDINANCE NO. 2009-68, regulating traffic at the intersection of Chris Oliver Way and Wilhelm Way in Pima County, Arizona. Staff recommends APPROVAL. (District 3)

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearings and adopt Ordinance No.'s 2009-65, 66, 67, and 68.

35. TRANSPORTATION: ABANDONMENT

RESOLUTION NO. 2009-157, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of Tucson all portions of Country Club Road from 36th Street to Milber Street lying within Sections 28, 29, 32 and 33, T14S, R14E, of the Incorporated limits of the City of Tucson. (District 2)

The Chairman inquired whether anyone wished to address the Board. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2009-157.

36. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2009-158, authorizing the Community Development and Neighborhood Conservation Department to apply for \$22,165,000.00 of grant funds for the Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2009-158.

37. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2009-159, authorizing the Community Development and Neighborhood Conservation Department to apply for between \$15,000,000.00 to \$20,000,000.00 of grant funds for the Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009.

Without objection, this item was removed from the agenda.

38. **DEVELOPMENT SERVICES: FINAL PLAT WITH ASSURANCES**

P1206-118, Sweetwater Canyon, Lots 1-46 and Common Areas A and B. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the final plat with assurances.

39. **ECONOMIC DEVELOPMENT AND TOURISM**

Staff requests review and approval of the proposed 20,000 square foot addition to Hangar No. 1 for the Air Space Museum, solely funded by private donations.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the addition.

40. **CONTRACTS AND AWARDS: COMMUNITY SERVICES, EMPLOYMENT AND TRAINING**

A. Linda Schloss, Amendment No. 2, to provide consultant services for Pima Vocational High School and extend contract term to 6/30/10, General Fund, contract amount \$ 26,000.00 (07-67-S-140634-0108)

- B. Amendment No. 1, to provide emergency financial assistance, case management, referral and advocacy services and extend contract term to 9/30/10, Federal and State Social Service Grant Funds:

<u>VENDOR</u>	<u>CONTRACT NUMBER</u>	<u>AMOUNT</u>
Chicanos Por La Causa, Inc.	07-69-C-141759-0708	\$ 98,000.00
Primavera Foundation	07-69-P-141758-0708	\$116,000.00
Arizona Housing and Prevention, Inc	07-69-A-141757-0708	\$101,000.00
Portable Practical Educational Preparation, Inc.	07-69-P-141761-0708	\$ 78,000.00
Tucson Urban League, Inc.	07-69-T-141762-0708	\$ 80,000.00
American Indian Association of Tucson, Inc.	07-69-A-141763-0708	\$ 81,000.00

- C. Arizona Community Action Agency, to provide for the administration of energy programs, weatherization, utility repair/replacement and bill assistance, HUD/SHP Grant Funds, contract amount \$164,865.00 revenue (02-69-A-142169-0709)

- D. To provide workforce development and support services, HUD/SHP Grant Funds, not to exceed the amounts listed:

<u>VENDOR</u>	<u>CONTRACT NUMBER</u>	<u>AMOUNT</u>
Primavera Foundation, Inc.	07-69-P-142164-0709	\$112,415.00
Primavera Foundation, Inc., New Chance Program	07-69-P-142165-0709	\$ 52,206.00
Old Pueblo Community Services, Inc.	07-69-O-142163-0709	\$113,582.00
Salvation Army, CASA Program	07-69-S-142166-0509	\$ 93,920.00
Salvation Army, Project Advent	07-69-S-142167-0709	\$128,643.00

- E. Interfaith Community Services, Inc., Amendment No. 2, to provide emergency financial assistance, case management, referral and advocacy services and extend contract term to 9/30/10, Federal and State Social Service Grant Funds, contract amount \$143,000.00 (07-69-I-141764-0708)

- F. Tucson Urban League, Inc., Amendment No. 1, to provide work experience and summer work opportunities, extend contract term to 8/31/09 and amend contractual language, no cost (07-69-T-141985-0509)

- G. Tucson Urban League, Inc., Amendment No. 1, to provide work experience and summer work opportunities and amend contractual language, U.S. Department of Labor, Arizona Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount \$19, 272.00 (07-69-T-141935-0509)

- H. Tucson Youth Development, Inc., Amendment No. 1, to provide work experience and summer work opportunities and amend contractual language, WIA Grant Fund, contract amount \$13,751.00 decrease (07-69-T-141986-0509)

- I. Portable Practical Education Preparation, Inc., to provide workforce development services for the One Stop Program, U.S. Department of Labor and Arizona Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount not to exceed \$30,000.00; General Fund, contract amount \$3,000.00 (07-69-P-142157-0709)
- J. SER Jobs for Progress of Southern Arizona, Inc., to provide workforce development services at the Jackson Employment Center, Various Grant Funds (expenditure determined by client eligibility), contract amount not to exceed \$374,565.00; General Fund, contract amount \$37,000.00 (07-69-S-142158-0709)
- K. SER Jobs for Progress of Southern Arizona, Inc., to provide workforce development services for the One Stop Program, U.S. Department of Labor, Arizona Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount not to exceed \$894,000.00; General Fund, contract amount \$89,400.00 (07-69-S-142159-0709)
- L. SER Jobs for Progress of Southern Arizona, Inc., to provide workforce development services for the Las Artes Center, U.S. Department of Labor, Arizona Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount not to exceed \$473,875.00; General Fund, contract amount \$47,000.00 (07-69-S-142160-0709)
- M. SER Jobs for Progress of Southern Arizona, Inc., to provide basic education services for the Las Artes Center, U.S. Department of Labor, Arizona Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount not to exceed \$241,200.00; General Fund, contract amount \$24,000.00 (07-69-S-142161-0709)
- N. SER Jobs for Progress of Southern Arizona, Inc., to provide basic education and English as a second language services, Arizona Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount not to exceed \$240,000.00; General Fund, contract amount \$24,000.00 (07-69-S-142162-0709)
- O. Goodwill Industries of Southern Arizona, Inc., Amendment No. 2, to provide workforce development services and extend contract term to 8/31/10 and amend contractual language, U.S. Department of Labor, Arizona Department of Economic Security and WIA Grant Funds, contract amount \$18,750.00 (11-69-G-141103-0908)
- P. Cochise Private Industry Council, Amendment No. 3, to provide workforce development services for veterans, and amend contractual language, no cost (11-69-C-138580-0706)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the contracts.

41. **CONTRACTS AND AWARDS: COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

- A. RESOLUTION NO. 2009- 160, approving an Intergovernmental Agreement with the State of Arizona, Department of Commerce Energy Office to provide funds for a Residential Weatherization Assistance Program, State Grant Fund, contract amount \$11,509.00 revenue (02-70-A-142178-0709)
- B. RESOLUTION NO. 2009- 161, approving an Intergovernmental Agreement with the State of Arizona, Department of Commerce Energy Office to provide a Residential Weatherization Assistance Agreement, State Grant Fund, contract amount \$49,281.00 revenue (02-70-A-142180-0709)
- C. RESOLUTION NO. 2009- 162, approving an Intergovernmental Agreement with the U.S. Department of Housing and Urban Development to provide the Homeless Management Information System for the Supportive Housing Program, HUD Grant Fund, contract amount \$181,089.00 revenue (01-70-U-142179-0709)
- D. City of Tucson, Amendment No. 1, to provide for the North Dodge Improvement Project and amend scope of work, 2004 Neighborhood Reinvestment Bond Fund, no cost (01-70-T-140786-0508)
- E. Primavera Foundation, Inc., to provide for the acquisition, development and rehabilitation of vacant lots and foreclosed properties into affordable housing opportunities in South Tucson, HUD Neighborhood Stabilization Grant Fund, contract amount \$375,000.00 (11-70-P-142183-0709)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the contracts and to adopt Resolution No's. 2009- 160, 161 and 162.

42. **CONTRACTS AND AWARDS**

A. **Economic Development and Tourism**

Arizona Aerospace Foundation, Inc., Amendment No. 2, to provide an operating agreement for the Pima Air and Space Museum and amend contractual language, no cost (04-71-T-121545-0578)

B. **Facilities Management**

Cannon Parkin, Inc., d.b.a. Cannon Design, Amendment No. 5, to provide architectural and engineering services for the new Psychiatric Hospital and Urgent Care Center, extend contract term to 12/31/11 and amend contractual language, 2004 and 2006 Bond Funds, contract amount \$229,000.00 (15-13-C-138445-0806)

C. Forensic Science

Arizona Board of Regents, University of Arizona, Center for Applied Spatial Analysis, Amendment No. 1, to provide database updates for the International Open GIS Initiative for Missing and Deceased Migrants, extend contract term to 12/31/09 and amend contractual language, Howard Buffet Grant Fund, contract amount \$60,000.00 (07-30-A-140596-0108)

D. Health Department

Southwest Fair Housing Council, to provide Health and Educational Outreach Programs through the Promotora Project, 1% for Youth Fund, contract amount not to exceed \$9,500.00 (32-01-S-142149-0709)

E. Institutional Health

1. RESOLUTION NO. 2009-163, approving an Intergovernmental Agreement with the Arizona Department of Health Services relating to A.R.S. §11-297(A)(2), General Fund, contract amount not to exceed \$3,064,936.00 (01-65-A-142181-0709)
2. RESOLUTION NO. 2009-164, approving an Intergovernmental Agreement with the Arizona Board of Regents to provide matching funds to secure Federal funding for preservation and maintenance of graduate medical education in Pima County, contract amount \$2,933,880.18 revenue (01-65-A-142186-0709)
3. RESOLUTION NO. 2009-165, approving an Intergovernmental Agreement with the Arizona Health Care Cost Containment System to provide matching funds to secure Federal funding for preservation and maintenance of graduate medical education in Pima County, General Fund, contract amount \$5,867,760.36 (01-65-A-142187-0709)
4. University Physicians Healthcare (UPH), Amendment No. 5, to provide for a change in the payment schedule for the lease of the Kino Community Hospital Campus and amend contractual language, no cost (04-65-U-134151-0604)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the contracts and to adopt Resolution No's. 2009-163, 164 and 165.

43. CONTRACTS AND AWARDS: PROCUREMENT

Sundt/Kiewit Joint Venture, Amendment No. 2, to provide construction manager-at-risk services for the Roger Road Wastewater Treatment Plant to Ina Road Water Pollution Control Facility Plant interconnect and amend contractual language, no cost (03-03-S-141878-0309) Regional Wastewater Reclamation

Award

Highest Scoring Proposal: Award of Contract, Requisition No. 0901034 Kimley-Horn and Associates, Inc., (Headquarters: Raleigh, NC), the respondent submitting the highest scoring proposal for design engineering services for Valencia Road: Kolb Road to Railroad Spur Project. The contract shall be for a 60-month period not to exceed \$450,000.00. The contract may be extended as required for project completion. In the event a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: EPS Group, Inc., and Amec Infrastructure, Inc., until the contract is executed or the list is exhausted. Funding Source: RTA Sales Tax Revenue. Administering Department: Transportation.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the contract and award.

44. CONTRACTS AND AWARDS: TRANSPORTATION

- A. RESOLUTION NO. 2009- 166 , of the Pima County Board of Supervisors, approving and authorizing the receipt of Federal American Recovery and Reinvestment Funds through the Arizona Department of Transportation, to provide for the Pavement Preservation Project located on Tohono O’Odham Nation roadways, Federal Fund, contract amount \$2,500,000.00 revenue (01-04-A-142176-0709)
- B. RESOLUTION NO. 2009- 167 , of the Pima County Board of Supervisors, approving and authorizing the receipt of Federal American Recovery and Reinvestment Funds through the Arizona Department of Transportation, to provide for the Pavement Preservation Project, Federal Fund, contact amount \$7,469,000.00 revenue (01-04-A-142175-0709)
- C. RESOLUTION NO. 2009- 168 , of the Pima County Board of Supervisors, approving and authorizing the receipt of Federal American Recovery and Reinvestment Funds through the Arizona Department of Transportation, to provide for the Hohokam Middle School Bicycle and Pedestrian Project, Federal Fund, contract amount \$575,000.00 revenue; HURF Fund, contract amount \$190,000.00 (01-04-A-142174-0709)
- D. RESOLUTION NO. 2009- 169 , of the Pima County Board of Supervisors, approving and authorizing the receipt of Federal American Recovery and Reinvestment Funds through the Arizona Department of Transportation, to provide for the Sabino Canyon Road Bridge Deck Rehabilitation at the Tanque Verde Creek, Federal Fund, contract amount \$600,000.00 revenue (01-04-A-142177-0709)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the contracts and to adopt Resolution No’s. 2009- 166 , 167 , 168 and 169 .

45. **CONTRACTS AND AWARDS: OFFICE OF COURT APPOINTED COUNSEL**

Award

Award of Contracts, Requisition No. 0901254, in the total amount of \$600,000.00 for the two (2) responsive and responsible applicants, Albert J. Morrison and Vanessa C. Moss (Headquarters at Tucson, Arizona) for court appointed attorney services on the Superior Court Felony Panel. Each contract is for an initial amount of \$300,000.00 for a three-year period and provides one renewal for an additional three-year period. Funding Source: General Funds. Administering Department: Office of Court Appointed Counsel.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the award of contracts.

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

A. **City/County Water and Wastewater Study Oversight Committee**

Ratification of City of Tucson appointments: Christopher J. Brooks, City of Tucson Water Advisory Committee, to replace Sean Sullivan. No term expiration; and Joseph Maher, Jr., City of Tucson Planning Commission, to replace James Watson. No term expiration. (City of Tucson recommendations)

B. **Library Advisory Board**

Reappointment of Miley Clark. Term expiration: 6/30/13. (District 3)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the appointments/reappointments.

47. **FRANCHISE/LICENSE/PERMIT: FIREWORKS PERMIT - RATIFICATION**

Stephen Fox, USA Raceway, USA 4th of July Shows, 4300 E. Los Reales Road, Tucson, July 3 and 4, 2009. (District 2)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to approve the request.

48. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to address the Board. No one appeared.

49. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.