

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

February 3, 2009 9:00 a.m.

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

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

- A. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding Rudy v. Pima County, Pima County Superior Court Cause No. C2008-5212.

Continue with litigation proceeding (5/0)

- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding Beth Ford v. Pima County et. al., Pima County Superior Court Cause No. C2008-5016.

Proceed as discussed in executive session (5/0)

(Clerk's Note: See Zoning Enforcement Board of Appeals.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

- ... **FLOOD CONTROL DISTRICT BOARD**

Sale of Surplus Property

Staff requests approval to sell three acres, a portion of Tax Parcel Nos. 304-69-0460 and 304-69-0530, located within Canoa Ranch, in Blocks 35 and 41, Section 3, T19S, R3E, G&SRM, to be used as an electrical substation, with the starting bid of \$83,000.00. (District 4)

Motion carried to approve (5/0)

... **ZONING ENFORCEMENT BOARD OF APPEALS**

UNFINISHED BUSINESS (RM 2/5/08, RM 5/6/08, RM 6/3/08 and RM 12/2/08)

A. **Executive Session**

Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding the appeal of the decision of the Hearing Officer in Case No. P07ZV00518, O'Neil Trust, Suzie M. O'Neil and Twyla M. Coleman. The Board may also during the course of the hearing and upon motion, enter into executive session.

Without objection, continued to 4/7/09

B. **Appeal of Hearing Officer's Decision**

P07ZV00518 – O'Neil Trust

In accordance with the Pima County Code 18.95.030.D, Twyla M. Coleman, Trustee of the O'Neil Trust, appeals the decision of the Hearing Officer in Case Nos. P07ZV00518-1 and P07ZV00518-2, regarding violations of the Pima County Zoning Code, Sections 18.01.030 and 18.25.030E, structure not meeting setback requirements in the CR-3 zone and structure (fence) erected without a building permit, on property located at 1340 W. Sol Place. (District 3)

Without objection, continued to 4/7/09

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. **CONSENT CALENDAR:** For consideration and approval

A. **CALL TO THE PUBLIC**

B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve (5/0)

6. **FINANCE AND RISK MANAGEMENT**

Operating Transfers

A. Staff requests approval for two operating transfers to cover cash deficits from prior years from the General Fund (Fund 1000) to the Special Revenue Fund – Grants (Fund 2006) in the amount of \$325,000.00; and to the Agency Fund (Fund 7010) in the amount of \$390,000.00.

Motion carried to approve (5/0)

- B. Staff requests approval for an operating transfer in the amount of \$1,000,000.00 from the Capital Projects (Fund 4001) back to Special Revenue (Fund 2001) Transportation.

Motion carried to approve (5/0)

7. PROCUREMENT

Appeal of Procurement Director's Decision

Pursuant to Pima County Code, Section 11.20.010(J), Bestway Electric Motor Service Co., Inc., appeals the decision of the Procurement Director regarding IFB No. 0901047, Rewind/Repair of Electric Pump Motors.

Motion carried to approve appeal (5/0)

8. REGIONAL WASTEWATER RECLAMATION

Pretreatment Settlement Agreement

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

Arizona Canning Company, L.L.C., Case No. 2008-09. Proposed settlement amount is \$600.00.

Motion carried to approve (5/0)

***** HEARINGS *****

FRANCHISE/LICENSE/PERMIT

Extension of Premises/Patio Permit

- 9. Michael Raymond Gill, Montgomery's Grill and Saloon, 13190 E. Colossal Cave Road No. 190, Vail, Temporary Extension of Premises for March 10, April 14, May 12, and June 9, 2009.

Motion carried to approve (5/0)

10. CALL TO THE PUBLIC

11. ADJOURNMENT

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

DATE POSTED: 1/28/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, FEBRUARY 3, 2009

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. City of Tucson, Amendment No. 1, to provide for the design and construction of the Miles Neighborhood Reinvestment Project and extend contract term to 12/31/09, no cost (01-70-T-138411-0806)
2. City of Tucson, Amendment No. 1, to complete construction for the Highland Vista Neighborhood Reinvestment Project and extend contract term to 12/31/09, no cost (01-70-T-139293-0307)
3. City of South Tucson, Amendment No. 1, to provide the administration and implementation of CDBG Program, extend contract term to 12/31/09 and amend contractual language, no cost (01-70-S-140050-1007)
4. State of Arizona, Department of Commerce, Amendment No. 2, to provide for the Weatherization Assistance Program and amend contractual language, Federal Grant Fund, contract amount \$87,857.98 revenue (01-70-A-140969-0708)

B. Community Services, Employment and Training

5. JEM Management, Inc., Amendment No. 2, to provide consultant services for employer workforce needs, extend contract term to 3/11/10 and amend contractual language, D.O.L. and WIA Grant Funds, contract amount \$80,080.00 (07-69-J-139263-0307)
6. Loyola Associates, Amendment No. 1, to provide consultant services, extend contract term to 1/31/10 and amend contractual language, D.O.L. and W.I.R.E.D. Grant Funds, contract amount \$30,000.00 (07-69-L-140774-0208)
7. Arizona Department of Economic Security, Amendment No. 2, to provide employment and training services, WIA Grant Fund, contract amount \$36,200.00 revenue (01-69-A-141029-0408)

C. Constables Office

8. State of Arizona, Constable Ethics, Standard and Training Board, to provide training, State Grant Fund, contract amount \$6,255.00 revenue (02-78-A-141674-0209)

9. State of Arizona, Constable Ethics, Standard and Training Board, to provide for the purchase of 9 tasers, State Grant Fund, contract amount \$8,226.91 revenue (02-78-A-141675-0209)

D. Health

10. RESOLUTION NO. 2009 - 16, approving an Intergovernmental Agreement with the Arizona Department of Health Services, to provide for the Arizona Dental Sealant Program, Federal Grant Fund, revenue based on services (01-01-A-141683-1208)
11. RESOLUTION NO. 2009 - 17, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide funding for the Pima County Office of Emergency Management, SHSGP Grant Fund, contract amount \$4,600.00 revenue (01-01-A-141684-1008)
12. Arizona Department of Health Services, Amendment No. 11, to provide a local Tobacco Education Prevention Program and amend contractual language, Tobacco Education Prevention Program Grant Fund, contract amount \$400,166.00 revenue (01-01-A-132475-0703)
13. Arizona Department of Health Services, Amendment No. 1, to provide administration of the Tuberculosis Control Program, AZDHS Grant Fund, contract amount \$12,751.00 decrease (01-01-A-141124-0708)
14. Arizona Department of Homeland Security, Amendment No. 1, to provide funding for the Pima County Office of Emergency Management and amend contractual language, SHSGP Grant Fund, no cost (01-01-A-141684-1008)

E. Natural Resources, Parks and Recreation

15. Arizona Board of Regents, University of Arizona, Amendment No. 2, to provide for the Invasive Plant Management Education and Eradication Coordination Project and extend contract term to 7/31/09, Starr Pass Special Revenue Fund, contract amount \$50,000.00 (07-05-A-138448-0806)

F. Pima Health System

16. Carondelet St. Mary's-Northwest L.L.C. d.b.a. Carondelet Foothills Surgery Center, Amendment No. 2, to provide ambulatory surgery center services, extend contract term to 1/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-137706-0206)

17. Sonora Quest Laboratories, L.L.C., to provide laboratory services, PHCS Enterprise Fund, contract amount not to exceed \$600,000.00/2 year term (18-15-S-141676-1208)
18. Arizona Board of Regents, University of Arizona, Arizona Health Sciences Center, to provide coordination and clinical educational experiences for students, PHCS Enterprise Fund, no cost (11-15-A-141687-0109)

G. Procurement

19. Desert Archaeology, Inc., Amendment No. 5, to provide for the Honey Bee Village Archaeological Data Recovery Services Project, extend contract term to 1/8/10 and amend contractual language, 2004 Bond Fund, no cost (16-64-D-137600-0106) Real Property
20. Sun-Western Contractors for Industry, Inc., Amendment No. 6, to provide a job order contract for Wastewater Plant Construction Services, extend contract term to 1/31/10 and amend contractual language, RWR System Development Fund, contract amount \$1,500,000.00 (26-03-S-137599-0106) Regional Wastewater Reclamation

Award

21. Increase in Award in the amount of \$90,000.00 to Ferguson Water Works No. 3082 for B505233, Amendment No. 1, to provide plumbing fixtures, fittings, pipe and equipment. Funding Source: General Fund. Administering Department: Facilities Management.

H. Sheriff

22. RESOLUTION NO. 2009 - 18, approving an Intergovernmental Agreement with the Arizona Criminal Justice Commission, to provide for the High Intensity Drug Trafficking Area Program for the operational objectives of the Native American Project, H.I.D.T.A. Grant Fund, contract amount \$10,000.00 revenue (01-11-A-141685-1006)

2. PROCUREMENT

Quarterly Contract Report

Pursuant to Pima County Code, §11.08.010, staff submits the quarterly report on contracts awarded from October 1, 2008 through December 31, 2008.

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>
Baker, Marjie L.	191	DEM
Koehler, Norman	191	DEM
Somers, Michael	327	REP
Pelzl, Albert L.	385	DEM
Pelzl, Sharleen M.	385	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Brill, Scott M.	060	GRN
McGarry, Michael W.	091	GRN
Harris, Greg P.	107	REP
McNamara, John B.	220	REP
Moehring, Ramona A.	227	REP
Ewoldt, David C.	244	GRN
Irvin, Charles W.	245	GRN
Higgins, Joe T.	300	REP
Beuerlein, Alan	327	REP
Oberg, John L.	406	REP
Pellman, Connie S.	406	REP
Almy, Sam F.	093	DEM
Cunningham, Paul A.	115	DEM
Rodgers, Cheryl A.	123	DEM
Rodgers, Paul A.	123	DEM
Salaz, Carlos G.	134	DEM
Gooden, Margaret A.	174	DEM
Storrs, Brittni M.	196	DEM
Baker, Richard W.	207	DEM
Figueroa, Ray M.	296	DEM
Hawkins, Norma S.	388	DEM
Herman, Anne M.	388	DEM
Irby, Barbara H.	388	DEM
Payne, Jon V.	392	DEM
Jones, Curtis J.	395	DEM
Williams, Doug C.	262	REP
Williams, Rozanne	262	REP
Clark, Leona	415	REP

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

A. **Animal Care Advisory Committee**

Appointment of Deborah Ann Smoot to fill the unexpired term of Cynthia Taylor. Term expiration: 3/31/11. (Committee recommendation)

B. **Building Codes Board of Appeals**

Reappointment of Robert Dinius. Term expiration: 5/1/13. (Staff recommendation)

C. **Environmental Quality Advisory Council**

Reappointments of Roger L. Caldwell, Ph.D., Environment/ Conservation; and Warren D. Thompson, P.E., Engineering. Term expirations: 11/30/11. (Staff recommendations)

D. Tucson-Pima County Historical Commission

Reappointment of Sharon E. Chadwick and Teresita Majewski. Term expirations: 12/31/12. (District 2)

E. Mechanical/Plumbing Code Committee

Reappointment of James S. Palmer. Term expiration: 5/1/13. (Staff recommendation)

F. Neighborhood Reinvestment Oversight Committee

Appointment of Tony Bruno to replace Shel Coudray. Term expiration: 12/31/12. (District 3)

G. Pima County/Tucson Commission on Addiction, Prevention and Treatment

Appointment of Esther Sharif to fill the unexpired term of Donald Jorgensen. Term expiration: 11/30/09. (Commission recommendation)

H. Regional Wastewater Reclamation Advisory Committee

1. Reappointment of Sheila Bowen. Term expiration: 3/1/13. (District 2)

2. Reappointment of Adam Bliven. Term expiration: 3/1/13. (District 3)

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

Andrew S. Heideman, Rotary Club of Green Valley, 1111 Via Arcoiris, Green Valley, February 25, 2009.

FINANCE AND RISK MANAGEMENT

6. Duplicate Warrant – For Ratification

Sanders, Ken c/o American Capital Corp. of Tulsa \$3,400.00

7. REAL PROPERTY

Sale of Surplus Property

Staff requests approval to sell three acres, a portion of Tax Parcel Nos. 304-69-0460 and 304-69-0530, located within Canoa Ranch, in Blocks 35 and 41, Section 3, T19S, R3E, G&SRM, to be used as an electrical substation, with the starting bid of \$83,000.00. (District 4)

REGIONAL WASTEWATER RECLAMATION

8. PUBLIC ANNOUNCEMENT

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case(s) will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 5025 W. Ina Road, Tucson, Arizona, 85743. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement(s):

Texas Roadhouse - Marana No. 204, No. 2008-14, proposed settlement amount is \$2,229.35.

9. RATIFY AND/OR APPROVE

Minutes: December 9, 2008

Warrants: January, 2009

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

February 3, 2009 9:00 a.m.

... 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 direction regarding approval of a tax appeal settlement recommendation on Hart v. Pima County Parcel No. 303-35-1460 Arizona Tax Court Case No. ST2008-000909.

Motion carried to accept Assessor and County Attorney's Office recommendation (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. HEALTH DEPARTMENT

Contract

COPE Behavioral Services, Inc., to provide for the African American Disparities Alliance Prevention Education Program, 1% for Youth Fund, contract amount \$1,500.000 (32-01-C-141731-0209)

Motion carried to approve (5/0)

2. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Election Integrity Commission

Appointment of James March, Libertarian Party representative. Term expiration: 1/31/10. (Party recommendation)

Motion carried to approve (5/0)

B. State Board of Equalization

Reappointment of Douglas John. Term expiration: 12/31/12. (District 1)

Motion carried to approve (5/0)

C. **Tucson-Pima County Historical Commission**

Reappointment of Joseph Joaquin. Term expiration: 12/31/12. (District 3)

Motion carried to approve (5/0)

D. **Metropolitan Education Commission**

Appointment of Connie Greenberg, Minority Group Representative (Native American Community), replacing Ned Norris, Jr. Term expiration: 12/31/11. (Commission recommendation)

Motion carried to approve (5/0)

E. **Housing Commission**

Reappointment of Kathleen Hewitt (Longnecker) and David Greenberg. Term expirations: 12/31/12. (District 1)

Motion carried to approve (5/0)

F. **Pima County Merit System Commission and Law Enforcement Council**

Appointment of Jerry T. Estruth, Democrat, to replace Patricia L. DeConcini. Term expiration: 12/31/12. (District 3)

Motion carried to approve (5/0)

G. **Pima County Wireless Integrated Network**

Appointment of Bill Glasner, 2nd Alternate, Office of Emergency Management and Homeland Security, to replace Kerry Reeve. No term expiration. (Jurisdictional recommendation)

Motion carried to approve (5/0)

3. **PROCLAMATION**

Proclaiming the week of February 8 through 14, 2009 to be:

“PARTNER UP, ARIZONA WEEK”

Motion carried to approve (5/0)

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

DATE POSTED: 1/30/09

TIME POSTED: 11:00 A.M.