

MINUTES, FLOOD CONTROL DISTRICT BOARD

JANUARY 5, 2010

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, January 5, 2010. 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

*(Note: At the beginning of the meeting Ramón Valadez was appointed Chairman.)

1. **RIPARIAN HABITAT MITIGATION PLAN**

Staff recommends approval of the financial contribution in the amount of \$8,904.00 and implementation of an Invasive Species Management Plan (ISMP) in-lieu of an onsite mitigation plan for an El Paso Natural Gas transmission line replacement located within the right-of-way adjacent to San Joaquin Road. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to approve the Riparian Habitat Mitigation Plan.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:45 a.m.

MINUTES, STADIUM DISTRICT BOARD

JANUARY 5, 2010

The Pima County Stadium 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, January 5, 2010. 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

*(Note: At the beginning of the meeting Ramón Valadez was appointed Chairman.)

1. **ACCEPTANCE OF PAYMENT**

Staff and the Pima County Sports and Tourism Authority recommend acceptance of the payment in the amount of \$50,000.00 from the Chicago White Sox in lieu of the 2010 Chicago White Sox – Arizona Diamondbacks Charity Baseball Game and authorization to execute the letter of agreement.

Supervisor Elías suggested that the \$50,000.00 payment be added to the Outside Agency Fund for next fiscal year.

Supervisor Day disagreed and stated that she felt the \$50,000.00 payment should be given to the Southern Arizona Sports Foundation.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Day voting “Nay,” to approve the acceptance of payment and add it to the Outside Agency Fund for next fiscal year.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:45 a.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

JANUARY 5, 2010

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, January 5, 2010. 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

*(Note: At the beginning of the meeting Ramón Valadez was appointed Chairman.)

1. **MOMENT OF SILENCE**

Chairman Elías asked for a moment of silence to honor all servicemen and women serving the country in the armed forces.

2. **INVOCATION**

The invocation was given by Pastor Eddie Young of First Free Will Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

4. **PAUSE 4 PAWS**

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

5. **BOARD OF SUPERVISORS**

Reorganization of the Board (District 5)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to appoint Ramón Valadez as Chairman of the Board; Sharon Bronson as Vice Chair; and, Richard Elías as Acting Chairman.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:10 a.m.

6. **RECONVENE**

The meeting reconvened at 9:50 a.m. All members were present.

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

The Chairman inquired whether anyone wished to be heard on any items listed under Executive Session. No one appeared.

8. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the appeal by Harris Stratex of the award of the PCWIN Connectivity Network contract to Ceragon Networks, Inc.

Chris Straub, Chief Civil Deputy County Attorney, stated this item was informational only, no Board action was required.

9. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Campbell v. Elected Officials Retirement Plan, et. al., Maricopa County Superior Court Cause No. CV2008-008969.

Chris Staub, Chief Civil Deputy County Attorney, explained that due to a conflict of interest, the County Attorney was unable to represent the County in this matter. He asked the Board for direction on hiring co-counsel and that Chuck Huckelberry, County Administrator, designate a representative to work with the other Counties under the terms discussed in Executive Session.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to hire co-counsel and authorize Chuck Huckelberry to select a designated representative under the terms discussed in Executive Session.

10. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the proposed changes to Pima County Personnel Policies 8-102(A)(2) and (F)(3).

Chris Straub, Chief Civil Deputy County Attorney, stated this item was informational only, no Board action was required.

11. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding The Canoa Ranch Resort, P1209-030 and Villas at Canoa Ranch Resort, P1209-051.

Chris Straub, Chief Civil Deputy County Attorney, stated this item was informational only, no Board action was required.

12. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard on any item listed for action on the Consent Calendar. No one appeared.

PULLED FOR SEPARATE ACTION

1. **CONTRACTS AND AWARDS**

Procurement – Awards

53. Awards of Contracts, Requisition No. 1000585

- A. Highest Scoring Proposal for design engineering services for the Valencia Road: Alvernon Road to Wilmot Road Project (4VAKDP) to PSOMAS Inc., (Headquarters: Los Angeles, CA). The contract shall be for a 60-month period in an amount not to exceed \$6,000,000.00. The contract may be extended as required for project completion. Funding Source: RTA Fund. Administering Department: Transportation.
- B. Second Highest Scoring Proposal for design engineering services for the Valencia Road: Mark Road to Ajo Highway Project (4RTVMW) to HDR Engineering, Inc., (Headquarters: Omaha, NE). The contract shall be for a 42-month period in an amount not to exceed \$4,000,000.00. The contract may be extended as required for project completion. Funding Source: RTA Fund. Administering Department: Transportation.
- C. Third Highest Scoring Proposal for design engineering services for the Camino de Oeste: Los Reales Road to Valencia Road Project (4COLRV) to AECOM, (Headquarters: Los Angeles, CA) The contract shall be for a 24-month period in an amount not to exceed

\$475,000.00. The contract may be extended as required for project completion. Funding Source: RTA Fund. Administering Department: Transportation.

Without objection, this item was continued to the Board of Supervisors' Meeting of March 2, 2010.

B. APPROVAL OF CONSENT CALENDAR

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and unanimously carried by a 5-0 vote, that the Consent Calendar be approved as amended.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. RESOLUTION NO. 2010 - 1, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Barrio Centro Neighborhood Reinvestment Improvement Project, 2004 Bond Fund, contract amount not to exceed \$463,690.00 (01-70-T-142636-0110)
2. RESOLUTION NO. 2010 - 2, approving an Intergovernmental Agreement with the Picture Rocks Fire District, to provide for an electronic message board for public service announcements, for the term 10/1/09 to 9/30/10, CDBG Fund, contract amount not to exceed \$38,000.00 (01-70-P-142651-1009)
3. Community Home Repair Projects of Arizona, Inc., Amendment No. 1, to provide home repair assistance to low income residents and extend contract term from 9/30/09 to 12/31/09, no cost (02-70-C-141386-1008)
4. Ajo Ambulance, Inc., Amendment No. 1, to provide for a new ambulance building and extend contract term from 9/30/09 to 9/30/10, no cost (32-70-A-141387-1008)

B. Community Services, Employment and Training

5. Portable Practical Education Preparation (PPEP), Inc., Amendment No. 1, to provide workforce development services and amend contractual language, no cost (07-69-P-142157-0709)

6. Tucson Youth Development, Inc., to provide workforce development services for the term 11/1/09 to 6/30/10, U.S. Department of Labor and AZ Department of Economic Security Grant Funds (expenditure determined by client eligibility), contract amount \$44,230.00; General Fund, contract amount \$5,000.00 (07-69-T-142630-1109)
7. Catholic Community Services, Inc., d.b.a. Catholic Social Services, to provide emergency assistance services for the term 7/1/09 to 6/30/10, CSBG Fund, contract amount \$33,280.00 (07-69-C-142641-0709)

C. Constables

8. Constable Ethics Standards & Training Board, to provide for the purchase of the following, State Grant Fund, revenue:

<u>Equipment</u>	<u>Contract Amount</u>	<u>Contract No.</u>
Mobile Projector/Screen	\$1,491.90	02-78-C-142652-0110
9 Digital Voice Recorders	\$1,476.27	02-78-C-142653-0110
Laptop Computer (JP7)	\$2,628.00	02-78-C-142654-0110
Laptop Computer (JP9)	\$2,628.00	02-78-C-142655-0110
Laptop Computer (JP6)	\$2,628.00	02-78-C-142656-0110
Spanish Language Classes	\$14,447.20	02-78-C-142657-0110
GPS Navigation System	\$434.74	02-78-C-142658-0110
GPS Navigation System	\$434.74	02-78-C-142659-0110
GPS Navigation System	\$434.74	02-78-C-142660-0110
GPS Navigation System	\$434.74	02-78-C-142661-0110

D. County Attorney

9. Arizona Board of Regents, University of Arizona - Southwest Institute for Research on Women, Amendment No. 1, to provide for domestic violence victim safety for the term 9/30/09 to 7/31/10, Department of Justice Grant Fund, contract amount \$12,660.00 (07-02-A-140643-0208)
10. State of Arizona, Office of Attorney General, Amendment No. 1, to provide six (6) Legal Processing Support FTE's and limited operating expenses for the Victims' Rights Program (VRP) for the term 7/1/09 to 6/30/10, State Grant Fund, contract amount \$300.00 revenue (02-02-A-142439-0709)
11. RESOLUTION NO. 2010 - 3, approving the agreement with the Arizona Criminal Justice Commission - Oversight Council on DUI, to provide for support staff overtime costs for the term 11/15/09 to 6/30/10, DUI Enforcement Grant Fund, contract amount \$1,886.00 revenue (02-02-A-142580-1109)

12. RESOLUTION NO. 2010 - 4, approving the agreement with the Arizona Criminal Justice Commission - Oversight Council on DUI, to provide for training, equipment and operating expenses for the term 11/15/09 to 6/30/10, DUI Innovative Grant Fund, contract amount \$11,564.00 revenue (02-02-A-142581-1109)
13. RESOLUTION NO. 2010 - 5, approving the agreement with the Arizona Department of Public Safety, to provide assistance to victims of crime for the term 10/1/09 to 9/30/10, Recovery Act Fund, contract amount \$10,263.00, in kind match; \$41,053.00 revenue (02-02-A-142619-1009)

E. Facilities Management

14. Enayat (Ed) Rohani, Nahid Rohani, Hossin Mahinpey and Minoo Mahinpey, Amendment No. 5, to provide a lease for the Northwest Justice Center and amend contractual language to include a rent reduction, contract amount \$65,414.00 decrease (04-13-R-122443-1296)

F. Health Department

15. Drexel Heights Fire District, Golder Ranch Fire District, Green Valley Fire District, Northwest Fire District, City of Tucson Fire Department, Amendment No. 1, to provide for participation in the Hazardous Materials Response Program and extend contract term from 10/20/09 to 10/19/14, no cost (01-01-D-135183-1004)
16. Arizona Board of Regents, University of Arizona, Health Sciences Center, Amendment No. 5, to provide internship opportunities for public health students and amend contractual language, no cost (07-01-A-138323-0706)
17. Rincon Valley Fire District, Amendment No. 2, to provide childhood immunization services and extend contract term from 11/13/09 to 11/12/10, no cost (01-01-R-140372-1107)
18. Arizona Board of Regents, University of Arizona, Amendment No. 2, to provide for the cost reimbursement for testing, treatment and referral for HIV, STD, TB and Hepatitis, and extend contract term from 9/30/09 to 9/29/10, contract amount \$57,666.98 revenue (02-01-A-140708-0907)
19. Arizona Department of Health Services, Amendment No. 3, to provide for the Tuberculosis Control Program and amend contractual language, State Grant Fund, contract amount \$47,334.00 decrease (01-01-A-141124-0708)

20. Arizona Family Planning Council, Amendment No. 2, to provide family planning services and amend contractual language, Title X Grant Fund, contract amount \$39,667.00 revenue (02-01-A-141806-0109)
21. Susan G. Komen Breast Cancer Foundation, to provide breast cancer screening and diagnostic services for the term 12/1/09 to 11/30/10, Foundation Grant Fund, contract amount \$40,000.00 revenue (02-01-K-142607-1209)
22. Arizona Department of Homeland Security, to provide for the purchase of computers in the Emergency Operations Center for the term 10/1/09 to 9/30/10, ADHS Grant Fund, contract amount \$27,000.00 revenue (02-01-A-142609-1009)
23. Arizona Department of Homeland Security, to provide for the South Region Training and Exercise Program for the term 10/1/09 to 9/30/10, ADHS Grant Fund, contract amount \$100,000.00 revenue (02-01-A-142610-1009)
24. Arizona Department of Homeland Security, to provide for planning services in the Office of Emergency Management for the term 10/1/09 to 9/30/10, ADHS Grant Fund, contract amount \$250,000.00 revenue (02-01-A-142611-1009)
25. Animal Welfare Alliance of Southern Arizona, Inc., to provide spay and neuter services for the term 12/14/09 to 12/13/10, Health Fund, contract amount \$220,000.00 (07-01-A-142624-1209)

G. Office of Court Appointed Counsel

26. Thea Migel Gilbert, Amendment No. 3, to provide a juvenile contract attorney and extend contract term to 9/30/10, General Fund, contract amount \$150,000.00 (17-74-G-136608-0705)
27. Salvatore Nuccio, Amendment No. 3, to provide a juvenile contract attorney and extend contract term to 9/30/10, General Fund, contract amount \$150,000.00 (17-74-N-136649-0705)

H. Pima Health System

28. Kindred Nursing Centers West, L.L.C., d.b.a. Villa Campana Health Care Center, Amendment No. 10, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-K-137034-1005)

29. Perfect Teeth/ABC, P.C., Amendment No. 4, to provide dental services and reflect vendor name change, PHCS Enterprise Fund, no cost (18-15-A-138585-1006)
30. Intermountain Centers for Human Development, Inc., Amendment No. 5, to provide behavioral health services, amend contractual language and extend contract term to 1/31/11, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-I-139040-0207)
31. Valley ENT., P.C., Amendment No. 3, to provide ear, nose and throat physician services, amend contractual language and extend contract term to 12/31/10, PHCS Enterprise Fund, contract amount \$150,000.00 (18-15-S-139385-0107)
32. Critical Care Systems, Inc., Amendment No. 3, to provide home infusion therapy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-140004-0807)
33. To provide assisted living home services and amend contractual language, PHCS Enterprise Fund:

<u>Vendor</u>	<u>Contract Amount</u>	<u>Amendment No.</u>	<u>Contract No.</u>
Leonor Arroyo d.b.a. Autumn House	\$100,000.00	4	07-15-A-140107-0907
Sher-Lan, L.L.C., d.b.a. Elder Care and More	\$200,000.00	4	07-15-S-140112-0907
Emmanuel Care Home, Inc.	\$200,000.00	4	07-15-E-140120-0907
Assisted Living by BJ, L.L.C., d.b.a. Saguaro Horizons	\$0.00	4	07-15-H-140150-0907
Catalina Village Assisted Living, L.P.	\$1,000,000.00	6	18-15-C-140510-1007
Devin Gables Health Care Center, Inc.	\$300,000.00	4	18-15-D-140511-1007
Hundred Palms Tucson, L.L.C.	\$150,000.00	4	18-15-H-140512-1007
Handmaker Jewish Services For the Aging d.b.a. Rubin Community Center for Senior Living	\$250,000.00	4	18-15-H-140514-1007
Villa Maria Care Center, L.L.C.	\$600,000.00	4	18-15-V-140516-1007

34. Hanger Prosthetics & Orthotics West, Inc., Amendment No. 2, to provide durable medical equipment, amend contractual language and extend contract term to 12/21/10, PHCS Enterprise Fund, contract amount \$175,000.00 (18-15-H-140679-0108)

35. United Cerebral Palsy of Southern Arizona, Inc., Amendment No. 3, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (07-15-U-142061-0709)
36. Suncrest Healthcare Center, L.L.C., Amendment No. 1, to provide nursing facility services, amend contractual language and extend contract term from 11/1/09 to 10/31/10, PHCS Enterprise Fund, no cost (18-15-S-142327-0809)
37. University Physicians Healthcare, to provide hospital services from 5/1/09 to 4/30/11, PHCS Enterprise Fund, contract amount \$12,000,000.00 (18-15-U-142586-0509)
38. Northwest Hospital, L.L.C., d.b.a. Northwest Medical Center, to provide hospital services from 5/1/09 to 4/30/11, PHCS Enterprise Fund, contract amount \$7,000,000.00 (18-15-N-142645-0509)

I. Procurement

39. AECOM Services, Inc., d.b.a. Aecom Design, Amendment No. 1, to provide architectural and engineering design services for the Pima County Superior Court 8th Floor Relocation and Remodel Project, amend contractual language and extend contract term to 4/14/11, 1997 Bond Fund, contract amount \$610,223.00 (15-13-A-141923-0409) Facilities Management
40. TLC Communications, Inc., Amendment No. 2, to provide a job order contract for telecommunication services Group 2: Inside Fiber Optic/Copper Cabling, amend contractual language and extend contract term to 1/9/11, General Fund, contract amount \$200,000.00 (26-14-T-140616-0108) Information Technology
41. TLC Communications, Inc., Amendment No. 2, to provide a job order contract for telecommunication services Group 3: Outside Fiber Optic/Copper Cabling Contract, amend contractual language and extend contract term to 1/9/11, General Fund, contract amount \$133,000.00 (26-14-T-140617-0108) Information Technology
42. Native Tele-Data Solutions, Inc., Amendment No. 2, to provide a job order contract for telecommunications services Group 2: Inside Fiber Optic/Copper Cabling, amend contractual language and extend contract term to 1/9/11, General Fund, contract amount \$200,000.00 (26-14-N-140637-0108) Information Technology

43. AECOM Technical Services, Inc., Amendment No. 3, to provide consultant services for the Pima County Wireless Integrated Network, amend contractual language and extend contract term to 1/31/11, no cost (07-14-C-137637-0206) Information Technology
44. Native Tele-Data Solutions, Inc., Amendment No. 2, to provide a job order contract for telecommunications services Group 3: Outside Fiber Optic/Copper Cabling, amend contractual language and extend contract term to 1/9/11, General Fund, contract amount \$133,000.00 (26-14-N-140638-0108) Information Technology
45. Wilson Electric Services Corp., d.b.a. Netsian Technologies Group, Amendment No. 2, to provide a job order contract for telecommunications services Group 2: Inside Fiber Optic/Copper Cabling, amend contractual language and extend contract term to 1/9/11, General Fund, contract amount \$200,000.00 (26-14-W-140681-0108) Information Technology
46. Wilson Electric Services Corp., d.b.a. Netsian Technologies Group, Amendment No. 2, to provide a job order contract for telecommunications services Group 3: Outside Fiber Optic/Copper Cabling, amend contractual language and extend contract term to 1/9/11, General Fund, contract amount \$133,000.00 (26-14-W-140682-0108) Information Technology
47. Desert Archaeology, Inc., Amendment No. 6, to provide for Honey Bee Village archaeological data recovery services and extend contract term to 1/8/11, no cost (16-64-D-137600-0106) Real Property
48. MMLA Psomas, Inc., Amendment No. 7, to provide roadway design engineering services for the I-19 East Frontage Road: Canoa Road to Continental Road Project and amend scope of work, Urban HURF Fund, contract amount \$150,000.00 (16-04-M-139041-1106) Transportation

Awards

49. Award of Contract, Requisition No. 1001123, in the amount of \$1,200,000.00 for County-wide medical equipment and supplies to Professional Hospital Supply, Inc. (Headquarters: Temecula, CA). Contract is for a one-year term and includes four one-year renewal periods. Funding Source: PHCS Enterprise, General, and Health Funds. Administering Department: Posada Del Sol, Sheriff/Adult Detention Center and Health Department.

50. Cooperative Procurement: Award of Contract, Requisition No. 0901686, in the amount of \$600,000.00 for pharmaceuticals to Cardinal Health, Inc. (Headquarters: Dublin, OH). Contract is for a one-year term and includes four one-year renewal periods. Funding Source: Health Fund, Health Department Grant Funds and PHCS Enterprise Fund. Administering Departments: Health Department and Posada Del Sol.
51. Low Bid: Award of Contract, Requisition No. 1000755, in the amount of \$841,273.00 for the construction of the Mehl Family Foothills Park Improvements to include Base Bid and all Alternates to M. Anderson Construction Corp. (Headquarters: Tucson, AZ). The contract term is twelve months with the ability to extend for project completion. Funding Source: 2004 Bond Fund. Administering Department: Natural Resources, Parks and Recreation.
52. Cancellation of Award of Contract made on July 7, 2009 under Requisition No. 0901034, design services for the Valencia Road: Kolb Road to Railroad Spur Project, to Kimley-Horn and Associates, Inc., (Headquarters: Raleigh, NC). The project scope and department requirements have expanded sufficiently to require re-solicitation of project. Funding Source: RTA Fund. Administering Department: Transportation.
53. Award of Contracts, Requisition No. 1000585 (PULLED FOR SEPARATE ACTION)

J. Real Property

54. Madera Reserve Homeowners' Association, to provide a renewal of a Right-of-Way Encroachment License for Whitehouse Canyon Road, Madera Reserve Drive, Mesquite Springs Place, and Cave Canyon Place with existing subdivision entrance walls and existing sewer lines, contract amount \$8,000.00 revenue (12-04-M-142615-0110) Transportation
55. Stewart Title & Trust of Tucson, Trustee of Trust No. 3644, with a beneficiary as Tierra Sahuarita, L.L.C., to provide a License Agreement for the purpose of drainage on Tax Parcel No. 303-56-0020, contract amount \$8,000.00 revenue (12-04-S-142616-0110) Transportation
56. Pima Canyon Estates Homeowners Association, to provide a renewal of a Right-of-Way Encroachment License for a portion of Ina Road with existing landscaping and perimeter walls, contract amount \$8,000.00 revenue (12-04-P-142617-0110) Transportation

K. Sheriff

- 57. RESOLUTION NO. 2010 - 6, approving an Intergovernmental Agreement with the Governor's Office of Highway Safety, to provide for the purchase of equipment for the DUI Task Force Enforcement Program for the term 10/1/09 to 9/30/10, Federal Grant Fund, contract amount \$12,225.00 revenue (01-11-G-142627-1009)
- 58. RESOLUTION NO. 2010 - 7, approving an Intergovernmental Agreement with the Governor's Office of Highway Safety, to provide for overtime and related employee expenses for the Southern Arizona DUI Task Force for the term 10/1/09 to 9/30/10, Federal Grant Fund, contract amount \$168,750.00 revenue (01-11-G-142628-1009)
- 59. Arizona Attorney General's Office, Amendment No. 1, to provide for the operational objectives of the Victim Rights Program for the term 7/1/09 to 6/30/10, State Grant Fund, contract amount \$25.00 revenue (01-11-A-142464-0709)

L. Transportation

- 60. RESOLUTION NO. 2010 - 8, approving an Intergovernmental Agreement with the Regional Transportation Authority (RTA), to provide for the roadway improvements on Camino de Mañana: Linda Vista to Tangerine Road Project, Development Impact Fee Fund, contract amount \$2,000,000.00 (01-04-R-142633-0110)

2. BOARD, COMMISSION AND/OR COMMITTEE

Metropolitan Education Commission

- A. Appointment of Ann Huber (Educational Foundations Representative) to fill the vacancy created by Betty Elasowich. Term expiration: 11/17/12. (Commission recommendation.)
- B. Reappointment of Raul Nido (AZ School Administrator). Term expiration: 11/17/12. (Commission recommendation.)

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

- A. Kristine Joan Howard, Parseghian Medical Research Foundation, 3660 E. Sunrise Drive, Tucson, May 14 and May 15, 2010.

- B. William D. Woodruff, Knights of Columbus No. 12696, 300 N. Tanque Verde Loop Road, Tucson, December 31, 2009.
- C. Andrew S. Heidman, Rotary Club of Green Valley, 1111 Via Arcoiris, Green Valley, February 24, 2010.

FINANCE AND RISK MANAGEMENT

4. Duplicate Warrants – For Ratification

Sargus, Tamara Lee	\$18.69
Gilson, Donna J.	\$466.18
Houghton, Mary F.	\$ 40.00
Belmar, Robert J.	\$91.15
O’Hare, John	\$743.17
Manriquez, Salvador	\$140.00
Muzall, Dierdre	\$68.20
Lill, Harborough	\$29.29

5. TREASURER’S OFFICE

Certificates of Clearance

Pursuant to A.R.S. §42-19118, staff requests approval of the following:

Unsecured Mobile Homes: \$9,000.08
 Business Personal Property: \$319,732.18

TOTAL: \$328,732.26

6. REAL PROPERTY

A. Abandonment and Quit Claim Deed

- 1. RESOLUTION NO. 2010- 9, of the Pima County Board of Supervisors, providing for the vacation of a public alley on the plat of Twin Lakes Subdivision, Pima County Abandonment No. A-07-06, within Section 9, T11S, R14E, G&SRM. (District 1)
- 2. Quit Claim Deed to Landmark Title Assurance Agency of Arizona, L.L.C., Trust No. 18331-T, to convey title to the right-of-way of a public alley within Section 9, T11S, R14E, G&SRM, \$2,830.00 revenue. (District 1)

B. Sale of Surplus Property

1. Approval to sell a 6,835 square foot portion of Government Lot 11, Section 2, T14S, R13E, G&SRM, Tax Parcel Nos. 115-08-0500 and 115-08-0520, with the starting bid of \$55,000.00. (District 5)
2. Approval to sell 3.34 acres within Section 21, T13S, R14E, G&SRM, Tax Parcel Nos. 108-26-010A, 108-26-017C and 108-26-283B, with the starting bid of \$452,500.00. (District 1)

REGIONAL WASTEWATER RECLAMATION

7. 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):

Quizno's Sub, No. 10895, Case No. 2009-15. Proposed settlement amount is \$391.65.

8. RATIFY AND/OR APPROVE

Minutes: November 10, 2009

Warrants: December, 2009

REGULAR AGENDA/ADDENDUM ITEMS

13. COUNTY ADMINISTRATOR: PROPOSED AMENDMENTS

The Board of Supervisors' on 9/8/09, 10/20/09, 11/3/09 and 12/1/09 continued the following:

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

Chuck Huckelberry, County Administrator, provided a report explaining that his initial recommendation had changed after the County Attorney's Office had modified their advice regarding the legality of continuing to practice the current recommendations. He said the Board could either approve the amendments or keep the current policy unchanged.

The following speakers addressed the Board:

- A. Mike Storie, citizen
- B. Laurel Webb, representative of SEIU
- C. Jess Gauntt, representative of SEIU
- D. Maya Castillo, representative of SEIU

They provided the following comments:

- 1. The issue of legality was resolved.
- 2. The Board has had the legal authority to set and calculate overtime using the current methods in place.
- 3. It was suggested that the Board not adopt the proposed amendments.
- 4. The Meet and Confer process would have resolved this matter.

On consideration, it was moved by Supervisor Bronson to approve the policy amendments. After some discussion, Supervisor Bronson withdrew her motion.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to deny the proposed amendments.

14. COUNTY ADMINISTRATOR: REVISION TO BOARD OF SUPERVISORS POLICY

Staff requests approval of the revision to Board of Supervisors Policy No. D 23.12, Employment Verifications and Reference Checks.

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

15. COUNTY ADMINISTRATOR: ACCEPTANCE OF PAYMENT

Staff and the Pima County Sports and Tourism Authority recommend acceptance of the payment in the amount of \$50,000.00 from the Chicago White Sox in lieu of the 2010 Chicago White Sox – Arizona Diamondbacks Charity Baseball Game and authorization to execute the letter of agreement.

Supervisor Elías suggested that the \$50,000.00 payment be added to the Outside Agency Fund for next fiscal year.

Supervisor Day disagreed and stated that she felt the \$50,000.00 payment should be given to the Southern Arizona Sports Foundation.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Day voting “Nay,” to approve the acceptance of payment and add it to the Outside Agency Fund for next fiscal year.

16. COUNTY ADMINISTRATOR: CLASSIFICATION AND COMPENSATION

The Regional Wastewater Reclamation Department requests the creation of the following two new classifications. No cost.

Class Code	Class Title	Grade/Range	EEO, OT Code
2353	Regulatory Compliance Data Analyst	47 (\$42,605-\$62,062)	3, NE*
2355	Regulatory Compliance Data Coordinator	56 (\$51,975-\$76,957)	2, E**

*NE = Not Exempt (Paid Overtime)

**E = Exempt (Not Paid Overtime)

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

17. PROCUREMENT

A. Appeal of the Procurement Director’s Decision

Pursuant to Pima County Code Section 11.20.010(J), Harris Stratex Networks, Inc., appeals the decision of the Procurement Director regarding Solicitation No. 0901049, for the Pima County Wireless Integrated Network (PCWIN) Connectivity System.

George Widugiris, Procurement Director, provided a report on the protest filed by Harris Stratex Networks, Inc. He explained that Harris Stratex Networks, Inc. had based their protest on the fact that Ceragon Networks, Inc. did not hold an Arizona Contractor’s License and should have been excluded from participating in the solicitation. The County Attorney’s Office was consulted and it was determined that this was not applicable and Procurement had no basis to grant the protest.

Kelly Williams, representative of Harris Stratex Networks, Inc. asked the Board to review the protest, and the County Attorney to reconsider the appeal.

On consideration, it was moved by Supervisor Day to deny the appeal and support the Procurement Director’s decision. After some discussion, the motion was withdrawn.

It was thereupon moved by Supervisor Day, seconded by Supervisor Bronson and carried unanimously by a 5-0 vote, to deny the appeal and support the Procurement Director’s decision.

B. Award of Contract

Award of Contract, Requisition No. 0901049, in the amount of \$3,035,277.44 to the highest ranked/most qualified respondent, Ceragon Networks, Inc., (Headquarters: Paramus, NJ) for the Pima County Wireless Integrated Network (PCWIN) Connectivity System. Award amount includes funding for equipment, implementation and optional post warranty maintenance services for years 2-5 and installation of City of Tucson and Tohono O’odham Nation owned microwave equipment (3 links total). Contract is for a seven-year term and includes three additional five-year renewal periods. Funding Source: 2004 Bond Fund (\$168,024.24); Federal Grant Fund (\$2,398,975.76) and User Fee Fund (\$468,277.44). Administering Department: Information Technology.

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

18. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

A. RESOLUTION NO. 2010 - 10, amending the 2006-2007 Annual Action Plan, to reallocate as follows:

Reduce:	Honea Heights Neighborhood Park	\$28,559.11
	Affordable Housing Land Acquisition	\$20,089.62
Add:	Honea Heights Design and Engineering	\$48,648.73

B. RESOLUTION NO. 2010 - 11, amending the 2007-2008 Annual Action Plan, to reallocate as follows:

Delete:	Honea Heights Neighborhood Park Imp.	\$70,000.00
Reduce:	Land Acquisition	\$51,351.27
Add:	Honea Heights Design and Engineering	\$121,351.27

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to adopt Resolution Nos. 2010 - 10 and 11.

19. FIRE DISTRICT: RINCON VALLEY FIRE DISTRICT

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Rincon Valley Fire District for the proposed Sonoita Ranch Annexation. (District 4)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to approve the validation of the petitions.

20. **FRANCHISES/LICENSES/PERMITS: LIQUOR LICENSE**

09-34-9005, Randy Guse, Walgreens No. 10684, 13542 E. Colossal Cave Road, Vail, Series 10, Beer and Wine, New License.

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

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing, approve the application for liquor license and forward the recommendation to the Arizona State Liquor Licenses and Control.

21. **DEVELOPMENT SERVICES: REZONING RESOLUTION**

The Board of Supervisors' on 12/1/09 continued the following:

RESOLUTION NO. 2009 - 313, Co9-01-39, Hardin, et. al. – Oracle Road Rezoning. Owners: Oracle Road Auto Plaza, L.L.C. (District 1)

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2009 – 313.

22. **DEVELOPMENT SERVICES: MODIFICATION OF REZONING CONDITIONS**

Co9-01-01, PIMA COUNTY – CANOA RANCH REZONING

Request of Fairfield Green Valley, Inc., represented by The WLB Group, Inc., for a modification of Rezoning Condition No. 16B, that restricts the rezoning to a maximum of 2,199 dwelling units to allow a total of 2,499 dwelling units with the 300 unit increase to be entirely within Blocks 8 and 29, east and west of the intersection of West Canoa Ranch Drive and Camino del Sol as shown on the Canoa Ranch Block Plat, recorded in Book 54, Maps and Plats Page 74; and a modification of Rezoning Condition No. 16G, that restricts the height of residential buildings to 24 feet to allow Buildings 5, 8 and 12 as shown on the P1207-031, Lodge at Canoa Development Plan, approved by the Pima County Subdivision and Development Review Committee on January 15, 2008, to be a maximum of 39 feet in height. The subject property is approximately 1,261 acres, was rezoned from RH (Rural Homestead) to CR-5 (Multiple Residence), CR-5 (GC) (Multiple Residence, Golf Course), CB-1 (Local Business Zone), CB-2 (General Business Zone), CB-2 (GC) (General Business Zone, Golf Course), and restricted RH (Rural Homestead). The subject property is located within the San Ignacio de la Canoa Land Grant on both sides of Interstate 19 and generally south of Demetrie Wash on Pima County Zoning Map Nos. 1141, 1280, 1281 and 1428. Staff recommends APPROVAL. (District 4)

Without objection, this item was continued to the Board of Supervisors' Meeting of January 12, 2010.

23. **DEVELOPMENT SERVICES: MODIFICATION OF REZONING CONDITIONS**

Co9-88-40, HPL PROPERTIES - WETMORE ROAD REZONING

Request of Malco Enterprises, Inc., represented by the WLB Group, Inc., for a modification of Rezoning Condition No. 20 of Resolution No. 2000-259 which states, "Uses are restricted to the sale, rental, or display of automobiles and to minor auto repair of sales and rental vehicles only. Repair services shall not be available to the general public and shall not include body or fender work, painting, or upholstering. No outdoor storage of auto parts, maintenance equipment, or other materials and no outdoor repair or car washing activities is allowed. All auto bay doors, including that of a car wash, shall open only to the north". The applicant requests to modify the condition to eliminate the restriction allowing only minor repairs and to eliminate the restriction which limits the repair work only to autos which are sold or rented on the site. The subject site is approximately 4.5 acres zoned CB-2 and is located on the south side of Wetmore Road approximately 700 feet east of Fairview Avenue. Staff recommends APPROVAL. (District 3)

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-88-40.

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

Request for the Board of Supervisors to initiate a plan amendment for immediate review (an emergency plan amendment) to the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Heavy Industrial (HI). The subject property is 390 acres, is zoned SP (Specific Plans), and is within the Swan Southlands Specific Plan (Co23-04-01). The subject property is a portion of Section 12 of Township 16S, Range 14E located on the west side of Wilmot Road, one mile south of E. Old Vail Connection Road and approximately four miles south of Interstate 10. (District 2)

On consideration, it was moved by Supervisor Day to deny the plan amendment. The motion died for lack of a second.

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

25. **TRANSPORTATION: ROAD ESTABLISHMENT AND INTERGOVERNMENTAL AGREEMENT**

A. RESOLUTION NO. 2010 - 12, of the Board of Supervisors, establishing a County Highway within the incorporated limits of the City of Tucson for the Tanque Verde Road Improvement Project from Catalina Highway to Houghton Road, Proceeding No. 3005. (District 4)

- B. RESOLUTION NO. 2010 - 13, approving an Intergovernmental Agreement with the City of Tucson, to provide for the design and construction of the improvements to Tanque Verde Road: Catalina Highway to Houghton Road, 1997 Bond Fund, not to exceed \$3,400,000.00; RTA Fund, not to exceed \$12,833,000.00; and Urban 12.6% HURF Fund, not to exceed \$5,012,000.00.; total project amount estimated to be \$19,000,000.00 (01-04-T-142634-0110)

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearings and adopt Resolution Nos. 2010 – 12 and 13.

26. TRANSPORTATION: TRAFFIC ORDINANCES

- A. ORDINANCE NO. 2010 - 1, of the Board of Supervisors, designating Alvernon Way from the north line of Skyline Drive to the north line of Playa de Coronado as a through street in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- B. ORDINANCE NO. 2010 - 2, of the Board of Supervisors, establishing a pedestrian crosswalk on Alvernon Way south of Playa de Coronado in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- C. ORDINANCE NO. 2010 - 3, of the Board of Supervisors, establishing prima facie reasonable speed limits on Mission Road between San Xavier Road and Valencia Road in Pima County, Arizona. Staff recommends APPROVAL. (Districts 3 and 5)
- D. ORDINANCE NO. 2010 - 4, of the Board of Supervisors, regulating parking of vehicles on Melpomene Way from the north line of Limberlost Road to the north line of Prospect Lane in Pima County, Arizona. Staff recommends APPROVAL. (District 4)
- E. ORDINANCE NO. 2010 - 5, of the Board of Supervisors, establishing portions of Catalina Highway as a through street in Pima County, Arizona. Staff recommends APPROVAL. (District 4)

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

It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearings and adopt Ordinance Nos. 2010 - 1, 2, 3, 4 and 5.

27. DEVELOPMENT SERVICES: FINAL PLAT WITH ASSURANCES

P1209-051, Villas at Canoa Ranch Resort, Lots 1 – 40 and associated common areas. (District 4)

On consideration, it was moved by Supervisor Elías and seconded by Supervisor Bronson to approve P1209-051.

Supervisor Carroll replied that P1209-051, be approved on the condition of receiving the "Certificate of Assured Water Supply" within 30 days of the Board's approval and that these documents not be executed or recorded until the certificate has been received.

Frank Thompson, representing Fairfield, responded that Supervisor Carroll was correct and Fairfield would comply.

Supervisors Elías and Bronson withdrew their motion.

It was thereupon moved by Supervisor Carroll, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to approve P1209-051, contingent on the receipt of the Certificate of Assured Water Supply supplied within 30 days of this date, and that the Plat not be executed or recorded until the certificate is provided to Pima County Development Services.

28. DEVELOPMENT SERVICES: FINAL PLAT WITHOUT ASSURANCES

P1209-030, The Canoa Ranch Resort. (District 4)

Without objection, this item was continued to the Board of Supervisors' Meeting of January 12, 2010.

29. BOARD, COMMISSION AND/OR COMMITTEE: PLANNING AND ZONING COMMISSION

Reappointments of M. Jo Smith and Thomas Spendiarian. Term expiration: 6/19/13. (District 1)

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

30. CALL TO THE PUBLIC

The Chairman inquired whether anyone wished to address the Board.

The following speakers addressed the Board:

- A. Gary Bahr, citizen, addressed the Board regarding barking dogs.
- B. Joe Sweeney, citizen, addressed the Board regarding immigration issues.

31. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 10:45 a.m.