

MINUTES, FLOOD CONTROL DISTRICT BOARD

FEBRUARY 1, 2011

The Pima County Flood Control 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, February 1, 2011. Upon roll call, those present and absent were as follows:

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

Absent Sharon Bronson, Vice Chair

1. **RIPARIAN HABITAT MITIGATION PLAN**

Staff requests approval of a Mitigation Plan and In-lieu Fee Proposal to construct a single family residence on property located at 1838 E. Sahuaro Blossom Place, located within important riparian area with underlying Xeroriparian Class C Habitat. (District 1)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 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 10:00 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, ZONING ENFORCEMENT BOARD OF APPEALS

FEBRUARY 1, 2010

The Pima County Zoning Enforcement Board of Appeals 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, February 1, 2011. Upon roll call, those present and absent were as follows:

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

Absent Sharon Bronson, Vice Chair

1. LITIGATION

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. P10CV00381, Perry and Claudine Begley. The Board may also, during the course of the hearing and upon motion, enter into executive session.

On consideration, it was moved by Supervisor Day, seconded by Supervisor Carroll and carried by a 4-0 vote, to continue this item to the Board of Supervisors' Meeting of February 15, 2011.

2. APPEAL OF HEARING OFFICER'S DECISION

Appeal of Hearing Officer's Decision

P10CV00381, Perry and Claudine Begley

In accordance with the Pima County Zoning Code, Section 18.95.030C, Perry and Claudine Begley through their council, John C. Lemaster and Thomas G. Stack of Ryley, Carlock & Applewhite, appeal the decision of the Hearing Officer in Case No. P10CV00381 regarding a violation of Sections 18.03.020.C.9, the definition of a commercial vehicle; 18.27.10, the parking/storage of a commercial vehicle not a permitted use in CR-4; and 18.27.020, the parking/storage of a commercial vehicle not a conditional use in CR-4. The citation affects the defendant's activities on the property under his ownership and at the address of 3975 E. Ruffian Rd. (District 1)

On consideration, it was moved by Supervisor Day, seconded by Supervisor Carroll and carried by a 4-0 vote, to continue this item to the Board of Supervisors' Meeting of February 15, 2011.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:00 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

FEBRUARY 1, 2011

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, February 1, 2011. Upon roll call, those present and absent were as follows:

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

Absent Sharon Bronson, Vice Chair

1. **PERSONAL POINT OF PRIVILEGE**

The Board Members expressed their sympathy and observed a moment of silence for the loss of Loren Leonberger, civilian pilot for the Pima County Sheriff's Department and all those who were injured in the helicopter crash in the Picture Rocks area.

2. **INVOCATION**

The invocation was given by Pastor Roger Stogsdill, First Brethren Church of Tucson .

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.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Carroll and carried by a 4-0 vote, that the Board convene to Executive Session at 9:17 a.m.

5. **RECONVENE**

The meeting reconvened at 9:35 a.m. All members were present.

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

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

7. **LITIGATION**

Pursuant to §38-431.03(A) (3) and (4), for legal advice and direction regarding the settlement of the claim filed by Clifford Linebarger.

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement in the amount of \$325,000.00 of a claim by Clifford Linebarger for injuries he sustained as a result of his incarceration in the Pima County Jail. The Pima County Sheriff's Department, the Finance and Risk Management Department and the County Attorney's Office recommended approval of the proposed settlement.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote to approve the recommendation.

8. **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.

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, that the Consent Calendar be approved as presented.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **Community Development and Neighborhood Conservation**

1. City of Tucson, Amendment No. 2, to provide for the Joint Housing Assistance Program for rental assistance to HIV

positive households, HUD Grant Fund, contract amount \$18,190.00 (01-70-T-140745-0108)

2. City of Tucson, Amendment No. 1, to provide for the Dunbar Spring Neighborhood Reinvestment Project, 2004 Bond Fund, contract amount \$7,776.00 decrease (01-70-T-142375-1009)

B. County Attorney

3. RESOLUTION NO. 2011 - 19, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Edward Byrne Memorial Justice Assistance Grant (JAG), Federal Fund, contract amount \$294,062.00 revenue (01-02-T-143675-1009)
4. Deconcini, McDonald, Yetwin, and Lacey, P.C., Amendment No. 5, to provide legal representation regarding obligations of the Treasurer with respect to retention or destruction of ballots from the May 16, 2006 Special Election, General Fund, contract amount \$25,000.00 (17-02-D-141119-0708)
5. City of Tucson, Amendment No. 1, to provide for the Victim Witness Program, State Fund, contract amount \$2,520.00 decrease (01-02-T-143236-0710)

C. Forensic Science

6. University of Arizona, Center for Applied Spatial Analysis, Amendment No. 3, to provide a spatial database for the International Open GIS Initiative for Missing and Deceased Migrants Project, extend contract term to 12/31/11 and amend scope of work, no cost (07-30-A-140596-0108)
7. Robin Reineke, to provide investigation for human identification, database entry and Spanish translations for the period 10/1/10 to 9/30/11, Federal Grant Fund, contract amount \$11,000.00 (11-48-R-143684-1010)
8. Arizona Criminal Justice Commission, to provide for the Paul Coverdell Forensic Science Improvement Formula Program for the period 10/1/10 to 9/30/11, State Grant Fund, contract amount \$7,241.00 revenue (02-48-A-143685-1010)
9. Arizona Criminal Justice Commission, to provide for the Using DNA to Identify the Missing Program for the term

10/1/10 to 9/30/12, State Grant Fund, contract amount \$331,600.00 revenue (02-48-A-143686-1010)

D. Health Department

10. Arizona Department of Health Services, Amendment No. 4, to provide for the Tuberculosis Control Program and amend scope of work, Federal Fund, contract amount \$87,909.00 revenue (01-01-A-140692-0108)
11. Arizona Department of Health Services, Amendment No. 6, to provide for sexually transmitted disease prevention services and amend scope of work, Federal Grant Fund, contract amount \$7,606.00 decrease (01-01-A-140955-0108)
12. Pima Prevention Partnership, Inc., Amendment No. 3, to provide for the Teen Pregnancy Prevention Program, extend contract term to 12/31/11 and amend contractual language, ADHS Grant Fund, contract amount \$100,000.00 (07-01-P-141930-0509)
13. Tucson Unified School District, Amendment No. 1, to provide dental screening and sealant services, and extend contract term to 2/1/12, no cost (01-01-T-142688-0210)

E. Information Technology

14. Arizona Department of Administration, Information Services Division, Amendment No. 1, to provide for mainframe processing and mainframe disaster recovery services and amend contractual language, no cost (07-14-A-142936-0510)

F. Pima Health System

15. Palo Verde Homecare, L.L.C., d.b.a. Tucson House Calls, Amendment No. 7, to provide primary care physician services, extend contract term to 1/31/12 and amend contractual language, no cost (18-15-T-138998-0207)
16. Agave Surgical Associates, P.C., Amendment No. 3, to provide general and vascular surgery services, extend contract term to 1/31/12 and amend contractual language, no cost (18-15-A-139074-0207)

17. Arizona's Children Association, Amendment No. 7, to provide therapeutic/counseling services, extend contract term to 1/31/12 and amend contractual language, no cost (18-15-A-139082-0207)
18. LifeCare Solutions, Inc., Amendment No. 6, to provide durable medical equipment, medical supplies and administrative supportive services, extend contract term to 12/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (07-15-L-140580-0108)
19. Dependable Medical Equipment, Inc., Amendment No. 7, to provide durable medical equipment, medical supplies and administrative support services, extend contract term to 12/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (07-15-D-140581-0108)
20. COPE Community Services, Inc., Amendment No. 3, to provide residential and outpatient behavioral health services, extend contract term to 1/31/12 and amend contractual language, no cost (07-15-C-140689-0208)
21. United Seating and Mobility, L.L.C., Amendment No. 3, to provide customized durable medical equipment and administrative support services, extend contract term to 12/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (07-15-U-141139-0708)
22. Providers Direct, P.L.L.C., Amendment No. 3, to provide primary care physician and nurse practitioner services, extend contract term to 1/31/12 and amend contractual language, PHCS Enterprise Fund, contract amount \$200,000.00 (18-15-P-141768-0209)
23. Arizona Department of Economic Security, Amendment No. 1, to provide home and community based services to eligible elderly and physically disabled, PHCS Enterprise Fund, contract amount \$258,730.00 revenue (01-15-A-143292-0710)
24. Carondelet St. Mary's - Northwest, L.L.C., d.b.a. Carondelet Foothills Surgery Center, to provide ambulatory surgery center services, PHCS Enterprise Fund, contract amount \$300,000.00 (18-15-C-143696-0211)

G. Procurement

25. Sun Edison Government Solutions, Amendment No. 2, to provide for the Ina Road Wastewater Treatment Facility Solar Project and amend contractual language, no cost (11-13-S-142732-0609)

Awards

26. Rejection of All Bids for Requisition No. 1101011, Roof Replacement at the Pima County Juvenile Court Center. On November 22, 2010, an Invitation to Bid was issued. The estimated cost for the project was \$275,000.00 including one alternate. Three bids were received ranging from \$350,000.00 to \$412,908.00, exclusive of the alternate. Available funding limitations preclude award of a contract. Administering Department plans to investigate less expensive alternatives for the project. Recommend rejection of all bids at this time. Administering Department: Facilities Management.
27. Cooperative Procurement: Award of Contract, Requisition No. 1002224, in an amount of \$1,200,000.00 for computer software and related items to Dell Marketing L.P. (Headquarters: Buffalo Grove, IL). Contract is for a one year term and includes four one year renewal periods. The award includes the authority for the Procurement Director to approve future amendments/renewals without further action by the Board of Supervisors for reasons other than increases in funding. Funding Source: General Fund. Administering Department: Information Technology Department.
28. Award of Contracts, Requisition No. 1100499, for two job order contracts in the amount of \$2,500,000.00 each for Wastewater Plant Construction and Rehabilitation Repair Services to The Ashton Company, Inc. (Headquarters: Tucson AZ) and Quest Civil Constructors, Inc., (Headquarters: Phoenix, AZ.) Contracts are for a one year term with the option to renew for four additional one year terms. In the event an agreement cannot be reached with the recommended firms, request authorization to negotiate with the remaining final listed firms in the following order: SunWestern Contractors, Inc., and Felix Construction Company. Funding Source: RWRD Obligations. Administering Department: Regional Wastewater Reclamation Department.

H. Real Property

29. The Estate of Irene Welter, to provide a communication site lease for Beacon Hill, Tax Parcel No. 226-03-033B, for the PCWIN Project, General Fund, contract amount \$298,384.20/25 year term (04-80-W-143702-0211) Office of Strategic Technology Planning

I. Recorder

30. RESOLUTION NO. 2011 - 20, approving an Intergovernmental Agreement with the Town of Marana, to provide election related services for the Primary Election of March 8, 2011 and the General Election of May 17, 2011, contract amount \$72,000.00 revenue (01-31-M-143683-0211)
31. RESOLUTION NO. 2011 - 21, approving an Intergovernmental Agreement with the City of South Tucson, to provide election related services for Primary Election of March 8, 2011 and General Election of May 17, 2011, contract amount \$9,000.00 revenue (01-31-S-143707-0211)

J. Regional Wastewater Reclamation

32. RESOLUTION NO. 2011 - 22, approving an Intergovernmental Agreement with the City of Tucson, to provide sewer billing services, for the term 7/1/10 to 6/30/13, RWRD Enterprise Fund, contract amount \$2,231,121.60 (01-03-T-143711-0710)

K. Transportation

33. Regional Transportation Authority, Amendment No. 1, to provide for the Sabino Canyon Road Bridge at the Tanque Verde Creek and add the Golder Ranch Bridge design and repair, no cost (01-04-R-142044-0609)

2. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Flood Control Advisory Committee

Appointment of Marcela Fontes, City of South Tucson, Alternate for Joel Gastelalum. No Term expiration. (Jurisdictional recommendation)

B. Pima County Wireless Integrated Network

Appointment of Tony Aelits, 2nd Alternate for Robert Villaseñor, Tucson Police Department. No term expiration. (Jurisdictional recommendation)

C. Pima County Workforce Investment Board

Appointments: Mirna Lizet Torres, Business, to replace Paula Stuh; Michael Guymon, Economic Development, to replace Lee Smith; and Laurie Vance, Business, to replace Anthony Mulligan. Term expirations: 9/30/12. (Staff recommendations)

D. Regional Wastewater Reclamation Advisory Committee

Appointment of Amy McCoy, Citizens' Water Advisory Committee, to fill unexpired term of Jim Barry. Term expiration 3/1/14. (Organizational recommendation)

3. FINANCE AND RISK MANAGEMENT

Duplicate Warrants – For Ratification

Tim Simeson	\$32.32
Jill Littrell	\$94.44

4. PROCUREMENT

Quarterly Contracts Report – 4th Quarter

Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from October 1, 2010 through December 31, 2010.

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

A. Andrew S. Heideman, Rotary Club of Green Valley, 1111 Via Arcoiris, Green Valley, February 23, 2011.

B. Charles Jason Moore Wunder, Valle Verde Rotary Club, Canoa Hills Social Center, 3660 S. Camino del Sol, Green Valley, February 26, 2011.

C. Mimi Phillips, International Sonoran Desert Alliance, 201 W. Esperanza, Ajo, January 23, 2011.

D. Alan E. Foster, V.F.W. Post No. 5990, 15850 W. El Tiro Road, Marana, January 29, 2011.

- E. Donald Richard Pelfree, Roland G. Moody V.F.W. Post No. 3578, 1764 N. 2nd, Ajo, February 5, 2011.
- F. Michelle Lynn Garmon, St. Thomas the Apostle Preschool and Kindergarten, 5150 N. Valley View Road, Tucson, February 19, 2011.

6. **REAL PROPERTY**

Grant of Easement

Sale and Conveyance of a Right-of-Way Easement to Southwest Gas for underground natural gas and electric lines across Tax Parcel No. 141-11-003J, Section 21, T15S, R15E, G&SRM. \$7,800.00 revenue. (District 4)

7. **RATIFY AND/OR APPROVE**

Minutes: December 7, 2010

Warrants: January, 2011

REGULAR AGENDA/ADDENDUM ITEMS

9. **BOARD, COMMISSION AND/OR COMMITTEE: Pima County Workforce Investment Board**

RESOLUTION NO. 2011 - 23, changing the Pima County Workforce Investment Board membership to specify the number of voting members on the Pima County Workforce Investment Board.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution 2011 – 23.

10. **COUNTY ADMINISTRATOR: Classification and Compensation**

The Pima County Sheriff requests approval to create one new Position Control Number (PCN) to be allocated as 3211/Deputy Sheriff, Grade S1 and assigned to the Domestic Violence Unit.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to approve the classification and compensation request.

11. **COUNTY ADMINISTRATOR: Revisions to Merit System Rules and Personnel Policies**

Staff requests approval of the following Personnel Policy revisions effective February 1, 2011, with the exception of Personnel Policy 8-102 to be effective May 1, 2011:

Rule 1- Definitions: Rule 1.09 adds the definition of Assignment Pay which previously was undefined but is a practice that has been used in special circumstances for the duration of the assignment. Rules 1.10 through 1.71 have been renumbered due to the creation of Rule 1.09.

Rule 11- Terminations: Rule 11.4.E deletes reference to the specific rule number of the definition of "Seniority" due to the renumbering of Rules 1.10 through 1.71.

Rule 12- Disciplinary Actions, Administrative Suspension and Special Observation: The word "Period" was added to the Header and text in order to correct the title of action. Rule 12.1.B adds the requirement that a notice of pre-action is required to be in writing. Rule 12.1.B.3 changes the spelling of workplace to the preferred version. Rule 12.1.C.13 adds computer and other related misuses as cause for discipline. Rule 12.1.C.14 adds "any other" and "and/or systems" to County property that shall not be misused. Rules 12.1.C.14 through 18 have been renumbered to Rules 12.1.C.15 through 19 due to the creation of Rule 12.1.C.13. Rule 12.2.A.1 clarifies the procedure for issuing notices of documented verbal counseling. Rule 12.2.B.1 corrects grammar usage. Rule 12.4 adds "period" to correctly describe the action and also corrects grammar usage by changing "copy" to "copies."

Rule 14- Merit System Commission Appeals: Rule 14.4.A has been amended to delete the word "disciplinary" at the request of the Merit System Commission and consistent with other related areas where the removal of "disciplinary" had already been adopted by the Board of Supervisors.

Personnel Policy 8-102- Premium Pay: Any reference to a specific Merit System Rule to define "intermittent employee" has been removed in Personnel Policies 8-102.D, E and F.2. This policy is also being amended to conform to industry standards and best practices required by the PimaCore system. The system is unable to accept our unique procedures for shift differentials without extreme customizations. The current procedures were put into place to accommodate a manual calculation for shift differential pay and clearly are not the best practice for automated processing. Therefore, Personnel Policy 8-102.G.1.a, b and c deletes "in which more than half of the scheduled hours fall" from the definition of shifts. Personnel Policy 8-102.G.2 clarifies that only non-exempt employees are eligible for shift differential pay. It also establishes that shift differential pay will be applied to each hour worked in the respective shift eligible for such premium pay. Personnel Policy 8-102.G.3 clarifies that only non-exempt employees are eligible for shift differential pay since exempt employees are salaried and are not to be tracked or paid by the hour. It also establishes that shift differential pay will be applied to each hour worked in the respective shift eligible for such pay for classifications listed on Attachment 1. Attachment 1 is amended based on the recommendation supported by the Commission that only hourly (non-exempt) employees are eligible for shift differential. As a result any classification on Attachment 1 that is exempt is removed. Based on the recent transition of Pima Health System, one of these classifications Patient Care Services V has no incumbents. Patient Care Services IV already had no incumbents. Patient Care Services III has one incumbent remaining in Posada del Sol. In essence, this change has very minimal, if any, impact.

Personnel Policy 8-105- Annual Leave: Personnel Policy 8-105.A.1 deletes reference to specific rule number of definition of "Intermittent Employee" for ease of future numbering changes. Personnel Policy 8-105.C.1 deletes the statement "30 work days" due to the varied daily work schedules of County employees that do not equate to 30 workdays, though the time still equates to 240 hours. Personnel Policy 8-105.C.2 deletes "retirement" and adds specific policy

references governing the conversion of sick leave hours to annual leave for payout purposes which include layoffs and unclassified employees whose positions are eliminated due to a transition to another non-County entity. The revision of Personnel Policy 8-105.D.1 was requested by the Finance and Risk Management Department to reflect current payroll practice for granting the use of annual leave. This practice has been in place for some time and a clear policy needs to be established for consistency in application.

Personnel Policy 8-106- Sick Leave: Personnel Policy 8-106.A.1 deletes reference to a specific rule number for the definition of “Intermittent Employee” for ease of future numbering changes. Personnel Policy 8-106.A.7 is being changed to reflect the current practice and to align it to 8-106.F.2. Personnel Policy 8-106.C.1 deletes the statement “240 work days” due to the daily work schedule variations of Pima County employees. Personnel Policy 8-106.C.2 is deleted due to the fact that it is already stated in 8-106.A.7. Based on this, the numbers 1 and 2 are removed. Personnel Policy 8-106.D.6 clarifies when an employee may convert accrued sick leave to annual leave. As written, this policy has been confusing to employees and management. This is for language clarification only and does not change the manner that has been in place for years for sick leave conversion. With the implementation of the e-TAF payroll system in Finance and Risk Management, Personnel Policy 8-106.D.6.a reflects the change for the submission of sick leave conversion requests from the department to Payroll. Personnel Policy 8-106.J establishes the conversion of sick leave to annual leave for an unclassified employee whose County position is eliminated due to a transition to a non-county entity.

Personnel Policy 8-107- Special Leaves of Absence with Pay: Personnel Policy 8-107.D.2 establishes the effective date, i.e. hired prior to the fourth Monday of March, when an employee is eligible to receive administrative leave with pay for the Cesar Chavez Remembrance Day. Personnel Policy 8-107.D.5 and E.3 deletes reference to specific rule number for the definition of “Intermittent Employee” for ease of future numbering changes.

Personnel Policy 8-115- Mediation Program: Personnel Policy 8-115.C deletes the term “the Mediation Unit” as no such unit exists and replaces it with “Human Resources.”

Personnel Policy 8-116- Payroll Deductions: At the request of the Finance and Risk Management Department, Personnel Policy 8-116.B.3 is deleted since the Payroll Division of the Finance and Risk Management Department does not assess a fee for employee organizations in order to cover the cost for employees’ payroll deductions. To set up a system to do so would be more costly to the County than dollars collected.

Personnel Policy 8-117- Pay Plan: Personnel Policy 8-117.Q.1 is numbered. Personnel Policy 8-117.Q.2 is added to establish that the effective date for compensation actions defined in 8-117.H “Promotion” and 8-117.I “Demotion,” which do require County Administrator approval, shall be the first day of a pay period. This change is necessary to accommodate the PimaCore system.

Personnel Policy 8-118- Personnel Records: Personnel Policy 8-118.D replaces the letters with the correct numbering format. Based on the consolidation of services, Personnel Policy 8-118.E adds “Form I-9 Employment Eligibility Verification Archive Files” as a personnel record maintained by Human Resources. Personnel Policy 8-118.E, F and G are subsequently re-lettered to F, G and H respectively. Former Personnel Policy 8-118.E.1.d is deleted because Form I-9 is no longer maintained in payroll files with subsequent re-lettering.

Personnel Policy 8-119- Rules of Conduct: Personnel Policy 8-119.W adds do not engage in practical jokes or other activities commonly referred to as ‘Horseplay’ as a new rule of conduct. Incidents of horseplay are steadily increasing leaving the County exposed and employees potentially injured. Personnel Policy 8-119.W and X are re-lettered to X and Y.

Personnel Policy 8-123- Termination: Personnel Policy 8-123.A.2.c(2) is deleted since the Payroll Division of the Finance and Risk Management Department no longer offers this option

and all final checks are mailed. Personnel Policy 8-123.B.2.a corrects the omission of section d and adds section e. Personnel Policy 8-123.B.2.e establishes the conversion of sick leave to annual leave for unclassified employees if their County position is eliminated due to a transition of services by the County to a non-county entity.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to continue this item to the Board of Supervisors' Meeting of February 8, 2011.

12. COUNTY ADMINISTRATOR: Amendments to Board of Supervisors Policy

Staff requests approval of the amendments to Board of Supervisors Policy No. D 23-11, Preventing Workplace Violence.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to continue this item to the Board of Supervisors' Meeting of February 8, 2011.

13. INDUSTRIAL DEVELOPMENT AUTHORITY

RESOLUTION NO. 2011 – 24, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima, regarding the issuance of its not to exceed \$12,000,000.00 Charter School Refunding and Revenue Bonds (Harvest Preparatory Academy Project), Series 2011 and declaring an emergency.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution 2011 – 24.

14. TRANSPORTATION: Acceptance of Projects/Roadways for Maintenance

A. P1204-041, Saguaro Crest, Lots 1-18. Developer: Saguaro Crest Homeowners Association. (District 5)

B. Co12-72-78, Hunter Subdivision No. 2, Lots 191-221. Developer: MW2 Development. (District 3)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to accept the projects/roadways for maintenance.

15. BOARD OF SUPERVISORS

Review and discussion of the December 8, 2010 letter from Arizona Assistant Attorney General Marc H. Harris regarding Supervisor Ray Carroll's November 24, 2009 memorandum to members of the Board of Supervisors and the Open Meeting Law. (District 2)

On this date, Supervisor Carroll stated this item had been placed on the agenda to comply with the direction given by the Arizona Attorney General's Office. He discussed the distribution of his memorandum dated November 24, 2009, to other members of the Board, and how it had been determined that his action was not in compliance with the provisions of the Open Meeting Law. He further explained that the matters regarding bond indebtedness and debt management would be placed on a Board of Supervisors' Meeting agenda during the upcoming budget hearings.

Supervisor Carroll advised the Board that he would be attending "Open Meeting Law Training" on Saturday, February 5, 2011, and that any future topics he would like to have discussed by the Board of Supervisors' would be placed on a meeting agenda.

16. **PROCUREMENT: Contracts**

A. **Economic Development and Tourism**

U.S. Air Force, to provide a Lease Agreement for the Titan Missile Museum for the term 5/1/11 to 4/30/36, no cost (04-71-U-143719-0511)

B. **Health Department**

Arizona Family Planning Council, to provide for family planning services, Federal Grant Fund, contract amount \$823,836.00 revenue (02-01-A-143713-0111)

C. **Pima Health System**

Cambiare, L.L.C., Amendment No. 1, to provide financial expertise during the Pima Health System transition to Bridgeway Health Solutions of Arizona, L.L.C., extend contract term to 3/31/11 and amend scope of work, PHCS Enterprise Fund, contract amount \$86,000.00 (07-15-C-143638-1210)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to approve the contracts.

17. **BOARD, COMMISSION AND/OR COMMITTEE: Small Business Commission**

Appointment of John Peters, to replace James Leader, Jr. Term expiration: 1/31/15. (District 1)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to approve the appointment.

18. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard.

The following speakers addressed the Board:

- A. Judith Bernal addressed the Board regarding Kino Psychiatric Ward and the fact that they do not take AHCCCS or Medicare and this hospital was not reaching the community that it was intended for.
- B. Gary Bahr commented on management at Pima County Animal Care.
- C. Michael Toney spoke on gun control and bond issues.

19. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:00 a.m.



CHAIRMAN

ATTEST.



CLERK