

MINUTES, LIBRARY DISTRICT BOARD

MARCH 8, 2011

The Pima County Library District Board met in 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, March 8, 2011. Upon roll call, those present and absent were as follows:

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

Absent Ray Carroll, Member

1. **CONTRACT**

Town of Sahuarita, Amendment No. 1, to provide a lease agreement for the Sahuarita Library premises and extend contract term to 6/3/13, Library District Fund, contract amount \$2.00 (04-13-S-140899-0608)

Supervisor Bronson voiced her concern over the low contract amount and the possible legislation that may limit our taxing authority for the Library District.

Chuck Huckelberry, County Administrator, explained that a bill had been passed out of the House of Representatives that would limit the amount of a levy that could be raised by the Library District. He explained the County had a significant fund balance for the Library District.

Supervisor Elías stated this proposed legislation penalized Pima County for being a good steward of our library system.

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:50 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

MARCH 8, 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, March 8, 2011. Upon roll call, those present and absent were as follows:

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

Absent Ray Carroll, Member

1. **INVOCATION**

The invocation was given by Pastor Adam Grass, First Free Will 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.

4. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Allison Hughes, Pima County Tucson Women's Commission, proclaiming March 25, 2011, to be:

" WOMEN IN GOVERNMENT DAY"

Supervisor Bronson presented the proclamation to Allison Hughes who explained that March is Women's History Month and that they are acknowledging women in government and in the public sector. She thanked the Board for this recognition.

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

5. PRESENTATION/PROCLAMATION

Presentation of a proclamation to Jesus “Chucho” Ruiz, proclaiming March 12 of each year (March 11 on leap years) to be:

“MEXICA NEW YEAR’S DAY”

Supervisor Elías presented the proclamation to Jesus “Chucho” Ruiz who thanked the Board for this acknowledgment and encouraged everyone to attend the Mexica New Year’s Day Celebration at the Aztlan Boxing Gym in South Tucson.

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

6. 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 Bronson 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 Services, Employment and Training

1. Tucson Youth Development, Inc., Amendment No. 1, to provide youth workforce development services and amend scope of work, U.S. DOL, ADES and WIA Grant Funds, contract amount \$6,500.00 (07-69-T-143258-0710)

B. County Attorney

2. Raftelis Financial Consultants, Inc., to provide expert consultation and litigation support regarding sewer connection fees for wastewater services on Davis-Monthan Air Force Base, in the case of Pima County v. United States Air Force, Regional Wastewater Reclamation Department Enterprise Fund, contract amount \$150,000.00 (31-02-R-143794-0111)

C. Health Department

3. Arizona Department of Health Services, Amendment No. 4, to provide for services under the Farmer's Market Nutrition Program, amend contractual language and extend contract term to 2/28/12, Federal Fund, contract amount \$1,241.25 revenue (01-01-A-140662-0308)
4. Sunnyside Unified School District, Amendment No. 1, to provide childhood immunization services and extend contract term to 2/15/12, no cost (01-01-S-142728-0210)

D. Information Technology

5. TW Telecom of Arizona, L.L.C., Amendment No. 2, to provide for a nonexclusive right-of-way license for fiber optic communication systems, amend contractual language and extend contract term to 2/19/16, contract amount \$1,980.00 revenue (12-14-G-138064-0296)

E. Procurement

Awards

6. Amendment of Award: Contract No. 11-01-F-142924-0410, Amendment No. 1, Flowing Wells Unified School District, to provide tobacco education prevention services and extend contract term to 4/5/12, contract amount \$18,000.00. Funding Source: Public Health Tobacco Education Fund. Administering Department: Health Department.
7. Amendment of Award: Contract No. 11-01-B-142925-0410, Amendment No. 1, Boys and Girls Club of Tucson, to provide tobacco education prevention services and extend contract term to 4/5/12, contract amount \$36,000.00. Funding Source: Public Health Tobacco Education Fund. Administering Department: Health Department.
8. Amendment of Award: Contract No. 11-01-M-142926-0410, Amendment No. 1, Marana Unified School District, to provide tobacco education prevention services and extend contract term to 4/5/12, contract amount \$18,000.00. Funding Source: Public Health Tobacco Education Fund. Administering Department: Health Department.

F. Real Property

9. Sunrise West Coast, L.L.C., to provide a license to encroach on the right-of-way of Sunrise Drive, West of Kolb Road with an existing monument sign and lighting, contract amount \$4,000.00 revenue (12-04-S-143790-0311) Transportation

2. BOARD, COMMISSION AND/OR COMMITTEE

Workforce Investment Board Category Changes

Vacant position, created by Jim Watson, from Labor and Community Services Block Grant Representative to Business; Vaughn Croft from Higher Education to General Education; and Carl Rosborough from Business to Job Corps/Mandated Representative.

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

- A. David Richter, Arizona Chapter American Parkinson Disease Association, 4280 N. Campbell Avenue, Tucson, April 9, 2011.
- B. Emily Ann Ward, Student Bar Association, U of A College of Law, Westin La Paloma, 3800 E. Sunrise Drive, Tucson, April 1, 2011.
- C. Susan Lai, Tucson Chinese Association, 1288 W. River Road, Tucson, May 7, 2011.
- D. Lance R. Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, April 9, 17, May 14, June 11, September 10 and October 8, 2011.

4. RATIFY AND/OR APPROVE

Minutes: January 11, 2011

REGULAR AGENDA/ADDENDUM ITEMS

7. FINANCE AND RISK MANAGEMENT

- A. Pursuant to Board Policy No. D 22.8, staff requests operating transfers for the following:
 1. \$405,152.90 of operating transfers to the Capital Projects Fund needed to fund labor charged to PimaCore, FY 09-10.

2. \$650,000.00 from the General Fund to the Capital Projects Fund for the following projects: Pima Government Website \$300,000.00; Collaboration Environment \$100,000.00; Data Center Configuration and Support \$250,000.00, FY 10-11.
3. Reduce the operating transfer from the Transportation Fund to the Debt Service Fund by \$2,624,849.40, FY 10-11. This is due to an interest cost savings from the refund of 2002 Hurf Bonds.
4. \$279,562.14 from the Capital Projects Fund to the Regional Wastewater Reclamation Department (RWRD) for work completed on the Mt. Lemmon project and already paid directly by RWRD, FY 08-09.
5. \$309,564.00 from Fill-the-Gap Fund to the Capital Projects Fund for the Public/Legal Defenders Case Tracking project, FY 09-10.
6. \$330,000.00 from the Facilities Renewal Fund to the Capital Project Fund for field lighting at Arthur Pack and Winston Reynolds Manzanita Park project, FY 10-11.

Supervisor Day questioned why the County was paying \$100,000.00 for consulting fees. Bill Allaire, IT Administration Manager, explained that it was for the training of IT staff on the new website software.

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

- B. Ratification of report on operating transfers approved by the County Administrator and the Director of Finance and Risk Management pursuant to Board Policy No. D 22.8: \$570,856.10 for FY 08-09 and \$442,998.88 for FY 09-10.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to ratify the report on operating transfers.

8. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2011 - 40, 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 Education Facility Adjustable Rate Revenue Bonds (Park View School Project), Series 2011 in an aggregate principal amount not to exceed \$7,500,000.00 and declaring an emergency.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to adopt Resolution 2011-40.

9. **REGIONAL WASTEWATER RECLAMATION: Pretreatment Settlement Agreement**

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

Michael Davis, d.b.a. BZ's Pizza, Case No. C2009-23. Proposed settlement amount of \$476.13.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve the Pretreatment Settlement Agreement.

10. **FRANCHISES/LICENSES/PERMITS: Liquor Licenses**

- A. 11-03-9064, Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Series 7, Beer and Wine Bar, Person Transfer and Location Transfer.
- B. 11-04-9065, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Series 6, Bar, Person Transfer and Location Transfer.
- C. 11-05-9066, Kim Kenneth Kwiatkowski, Circle K Store No. 1634, 5801 N. Oracle Road, Tucson, Series 9, Liquor Store, New License.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearings, approve the licenses and forward the recommendations to the Arizona State Liquor Licenses and Control.

11. **DEVELOPMENT SERVICES: Zoning Code Text Amendment**

The Board of Supervisors on December 14, 2010 and January 18, 2011, continued the following:

Co8-10-05, CHARTER SCHOOLS, LIGHTING, FEES, GRADING STANDARDS, REZONING NOTIFICATIONS, CONDITIONAL USE TIME LIMITS, INACCURATE CITATIONS, ETC.

An Ordinance of the Pima County Board of Supervisors relating to Zoning; amending the Pima County Zoning Code, Title 18 by amending Chapters 18.01 (General Provisions), 18.07 (General Regulations and Exceptions), 18.09 (General Residential and Rural Zoning Provisions), 18.69 (Subdivision Standards) and 18.79 (Sign Standards) to delete specific fee amounts; amending Chapters 18.07 (General Regulations and Exceptions), 18.09 (General

Residential and Rural Zoning Provisions), 18.13 (Rural Homestead Zone), 18.14 (Rural Residential Zone), 18.17 (Suburban Ranch Zone), 18.19 (SH Zone), 18.39 (General Commercial Standards), 18.43 (Local Business Zone), 18.45 (General Business Zone), 18.49 (Campus Park Industrial Zone), 18.61 (Hillside Development Overlay Zone), 18.63 (Historic Zone), 18.67 (Buffer Overlay), 18.75 (Off-Street Parking and Loading Standards), 18.81 (Grading Standards) to defer the lighting requirements to the County Outdoor Lighting Code requirements; amending Chapter 18.03 (General Definitions) to add a definition for a carport, to further describe a guest house and to revise the charter school definition; amending Chapter 18.07 to allow modification of the front yard setback thru the modification of setback requirements; amending Chapter 18.09 to add charter schools as an outright permitted use, to delete the reference to additional fees for the secondary dwelling appeal; amending Chapters 18.12 (Institutional Reserve Zone), 18.13 and Chapter 18.17 to correct inaccurate citations; amending Chapters 18.37 (Multiple Use Zone) and 18.43 to add charter schools as an outright permitted use; amending Chapter 18.81 (Grading Standards) to revise the Type I permit requirement; amending Chapter 18.91 (Rezoning Procedures) to revise notification requirements to conform with State Statutes; amending Chapter 18.97 (Conditional Use Procedures) by revising time limits and time extensions. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Holdridge and Smith were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

~~ORDINANCE NO. 2010 - 74~~

ORDINANCE NO. 2011 - 2

Without objection, this item was continued to the Board of Supervisors' Meeting of May 3, 2011.

12. **TRANSPORTATION: Traffic Resolution**

RESOLUTION NO. 2011 - 41, of the Pima County Board of Supervisors, permitting the temporary closure of West Plaza Street in the Town of Ajo, Pima County, Arizona, for a street fair on Saturday, March 12, 2011. Staff recommends **APPROVAL**. (District 3)

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearing and approve Resolution No. 2011-41.

13. **COUNTY ADMINISTRATOR: Donation Agreement**

Donation agreement with the Solon Corporation to donate two SOLON Blue 220-01 Solar Modules to use in the Solar One Stop Center display.

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

14. **CONTRACT: County Administrator**

Humane Borders, Inc., Amendment No. 1, to provide water distribution services in remote areas of Pima County and extend contract term to 6/30/12, General Fund, contract amount \$22,500.00 (11-30-H-143025-0710)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 3-1 vote, Supervisor Day voting “Nay,” to approve the contract.

15. **CONTRACT: Community Services Employment and Training**

RESOLUTION NO. 2011 - 42, approving an Intergovernmental Agreement with Santa Cruz County to administer a Regional Logistics Workforce Initiative to provide employment and/or training services, U.S. DOL Fund, contract amount \$90,000.00 (01-69-S-143827-0710)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to adopt Resolution No. 2011 – 42 and approve the contract.

16. **AWARD: Procurement**

Award of Contract for Requisition No. 1101289 and authority to proceed to negotiations with Sundt Construction, Inc., (Headquarters: Tucson, AZ) the respondent submitting the highest scoring proposal for Construction Manager-at-Risk services for the Joint Court Complex project in an amount not to exceed \$500,000.00 for pre-construction services. The estimated total cost for the project, including pre-construction services and construction services, is not expected to exceed \$40,500,000.00. In the event a fee agreement cannot be reached with the highest ranked firm, staff requests authorization to negotiate with the next highest ranked firms in the following order: Gilbane/Ryan and JE Dunn Construction, until a contract is executed. Funding Source: 2004 Bond Fund. Administrating Department: Facilities Management.

Supervisor Day stated there was not enough money left in the 2004 Bond Fund to pay for the whole project and questioned what would happen if the County moved forward with the project and the City was not able to pay their portion of the construction costs.

Chuck Huckelberry, County Administrator, said he hoped that the voters would approve the funding in a bond election which would be held in the next few years. He stated that if the voters do not approve funding for this project at a future Bond Election, the City and County would have to pay for the completion of the project with operating funds. He acknowledged that the current court facilities were overcrowded and outdated.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve this award.

17. **CALL TO THE PUBLIC**

Maya Castillo, President of the Pima Chapter of SEIU, read the Pima County Bill of Rights which had been presented to the Meet and Confer Committee at its last meeting.

Michael Toney spoke about the courts and the Rio Nuevo Project.

18. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:50 a.m.



CHAIRMAN

ATTEST:



CLERK