

MINUTES, FLOOD CONTROL DISTRICT BOARD

MAY 10, 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, May 10, 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 PLANS**

- A. Staff requests approval of a revised Riparian Habitat Mitigation Plan for placement of a manufactured home on property located at 12075 N. Musket Road. (District 3)
- B. Staff requests approval of the Riparian Habitat Mitigation Plan for the construction of a block wall on property located at 1917 N. Wentworth Road. (District 4)

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the Riparian Habitat Mitigation Plans.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:15 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES BOARD OF SUPERVISORS' MEETING

MAY 10, 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, May 10, 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. **INVOCATION**

The invocation was given by Pastor Peter Kraft, Eastside Assembly of God.

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 Jeffrey Scott Brown declaring May 15, 2011, to be:

“INTERNATIONAL AIDS CANDLELIGHT MEMORIAL DAY”

Supervisor Elías presented the proclamation to Jeffrey Brown who thanked the Board for their support and invited everyone to come and celebrate this candlelight memorial.

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

**5. PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Richard Newman, representing the U.S.S. Sea Fox Association, declaring the week of May 23, 2011 through May 27, 2011, to be:

“U.S.S. SEA FOX SUBMARINE COMMEMORATION WEEK”

Supervisor Carroll presented the proclamation to Richard Newman who expressed his gratitude for this token of appreciation.

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

**... EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day and carried by a 4-0 vote, that the Board convene to Executive Session at 9:25 a.m.

**6. RECONVENE**

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

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

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

**8. LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Margaret A. Bland et al. v. Pima County, Pima County Superior Court Case No. C20097813.

Chris Straub, Chief Civil Deputy County Attorney, stated this case concerned a motor vehicle/pedestrian accident at a crosswalk on South Palo Verde Road. The Finance and Risk Management Department and the County Attorney's Office recommended approval of the proposed settlement in the amount of \$900,000.00.

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

9. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a request by Waterfall, Economidis, Caldwell, Hanshaw and Villamana that Pima County waive a conflict of interest arising from the firm's representation of the Arizona Board of Regents and Bank of New York Mellon Trust Co., with respect to Pima County Superior Court Case No. C20103621; and Jim and Jean Gorman with respect to Pima County Superior Court Case No. C20109071. Such waivers of conflicts of interest will allow the firm to represent Pima County's interest in Chapter 11 Bankruptcy proceedings.

Chris Straub, Chief Civil Deputy County Attorney, advised that waivers of conflict of interest were at the Board's discretion.

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day and carried by a 4-0 vote, to waive the conflict of interest.

10. **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 Elias, 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. Leslie A. Carlson, Amendment No. 1, to provide technical assistance and training for the Homeless Prevention and Rapid Re-Housing Tenant/ Landlord Resolution Program and amend scope of work, Federal Grant Fund, contract amount \$10,000.00 (02-70-C-142734-1009)

B. **Information Technology**

2. Cricket Communications, Inc., Amendment No. 3, to provide a Lease Agreement for the antenna and

equipment at Pima Nanini Government Center and amend contractual language, no cost (12-14-C-143019-0401)

**C. Office of Emergency Management and Homeland Security**

3. RESOLUTION NO. 2011-\_\_69\_\_, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for the Training Equipment and Supplies Project for incident management teams, Federal and State Grant Funds, contract amount \$4,812.00 revenue (02-79-A-143947-0311)
4. RESOLUTION NO. 2011-\_\_70\_\_, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for the Rural Fire Project, Federal and State Grant Funds, contract amount \$198,488.04 revenue (02-79-A-143948-0311)

**D. Pima Health System**

5. Alvernon Optical, Inc., Amendment No. 4, to provide vision care services, extend contract term to 9/30/11 and amend contractual language, no cost (18-15-A-139632-0707)
6. Handmaker Jewish Services for the Aging, Amendment No. 3, to provide adult day health services, extend contract term to 6/30/12 and amend contractual language, no cost (07-15-H-140938-0708)
7. To provide case management services, extend contract term to 6/30/12 and amend contractual language, no cost:

<u>Vendor No.</u>	<u>Amendment</u>	<u>Contract</u>
Catholic Community Services of Southern Arizona, Inc., d.b.a. Catholic Social Services	3	07-15-C-141131-0708
Our Family Services, Inc.	4	07-15-O-141132-0708
Jewish Family and Children's Service of Southern Arizona, Inc.	4	07-15-J-141133-0708

8. Presidio Health Associates, L.L.C., d.b.a. Catalina Healthcare Center, Amendment No. 2, to provide nursing facility services and amend contractual language, no cost (07-15-P-143441-1110)

## E. Procurement

### Awards

9. Low Bid: Award of Contract, Requisition No. 1102973, in the amount of \$663,735.00 for the Base Bid and Alternate No. 1 to the lowest responsive bidder, Kimbrell Electric, Inc. (Headquarters: Glendale, AZ) for the construction of the Arthur Pack Park electrical and sports lighting upgrades. The contract term is five months with the ability to extend the term for contract completion. Funding Source: Facilities Renewal Fund. Administering Department: Facilities Management.
10. Low Bid: Award of Contract, Requisition No. 1103029, in the amount of \$661,774.00 for the Base Bid and Alternate No. 1 to the lowest responsive bidder, CS Construction, Inc. (Headquarters: Phoenix, AZ) for the construction of the Winston Reynolds Manzanita Park electrical and sports lighting upgrades. The contract term is six months with the ability to extend the term for contract completion. Funding Source: Facilities Renewal Fund. Administering Department: Facilities Management.
11. Low Bid: Award of Contract, Requisition No. 1101798, in the amount of \$1,054,586.24 for the Base Bid and Alternate A to the lowest responsive bidder, Select Development and Construction, Inc. (Headquarters: Tucson, AZ) for the construction of the Southeast Regional Park and Recreational Shooting Range Phase II-A. The contract term is six months with the ability to extend the term for contract completion. Construction is expected to be completed within 180 calendar days from notice to proceed. Funding Source: General Obligation Bond Fund. Administering Department: Natural Resources, Parks and Recreation.

## F. Regional Wastewater Reclamation

12. City of Tucson, Amendment No. 4, to provide for the Household Hazardous Waste Collections and Education Program, RWRD Enterprise Fund, contract amount \$388,000.00 (01-03-T-135701-0205)

**G. Sheriff**

13. Bureau of Land Management, Amendment No. 3, to provide law enforcement personnel services, for the term 9/30/10 to 7/29/11, Federal Fund, contract amount \$10,000.00 revenue (01-11-B-142562-1008)

**2. DIVISION OF ELECTIONS**

Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Kromko, John	044	DEM
Schaffer, Jeneine	046	DEM
Cox, Richard W.	141	DEM
Ewoldt, Allison W.	244	GRN
Chilton, Nancy	317	GRN
Oberry, Patricia A.	206	REP
Venters, Paula E.	314	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Larkin, Sharon M.	041	DEM
Miller, John M.	094	DEM
Garcia, Jonathan	157	DEM
Scott, Delona G.	251	DEM
Abdi, Abdi A.	256	DEM
Scott, Joseph A.	261	DEM
Gardner, Andrew S.	289	DEM
Fitch, Sedealia K.	396	DEM
Kayser, Ralph H.	012	REP
Rhodes, Grady L.	030	REP
Enriquez, Carmelo	139	REP
Schechter, J.D.	145	REP
Cruz, Christina D.	158	REP
Tyree, Michael J.	164	REP
Hudson, Barbara A.	177	REP
Hudson, Howard W.	177	REP
Kightlinger, Dianna G.	177	REP
Kightlinger, Rodney W.	177	REP
Oebker, Daniel N.	177	REP
Haymore, Bonnie R.	200	REP
Graf, Carolyn M.	218	REP
Setzer, Walter M.	221	REP
Smith, Susan K.	224	REP
Jaeger, James A.	248	REP
Vogt, Jay T.	254	REP
Crawford, Thomas M.	262	REP
Crawford, Virginia D.	262	REP
Mott, Tyler C.	284	REP
Quintero Jr., George H.	295	REP
Fleming, Claudia J.	297	REP
Cornelison, Lee T.	314	REP

Johns, Bradley C.	326	REP
Beuerlein, Alan F.	327	REP
Beuerlein, Connie H.	327	REP
Martin, Marjory J.	334	REP
Friedman, Jack	344	REP
Perry, Mickey O.	398	REP

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

- A. Gabriel Heath Mendez, Rotary Club of San Manuel, 16024 N. Oracle Road, Catalina, May 21, 2011.
- B. Elizabeth McLeod Rose, St. Philip's in the Hills Epsicopal Church, 4440 N. Campbell Avenue, Tucson, May 8, 2011.

**FINANCE AND RISK MANAGEMENT**

**4. Duplicate Warrants – For Ratification**

X-RAY, Ltd.	\$	24.00
Ibtissam Mahayni	\$	100.00
Leah Valenzuela	\$	72.32
West A Thomson Reuters Business	\$	1,507.00
Sitratullah Maiyegun, M.D.	\$	12.50
Adam Brummett	\$	38.24
Molly Norman	\$	50.70
Lisa Abrams	\$	608.22
Julio Cesar Ortega	\$	17.80
Eric Vastine	\$	273.00
Nichole Burdette	\$	106.80
Billie J. Celaya	\$	15.00

**5. RATIFY AND/OR APPROVE**

Minutes: March 15, 2011

**REGULAR AGENDA/ADDENDUM ITEMS**

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

- A. Justice Courts requests approval to create (16) new Position Control Numbers (PCNs) as follows. There will be no General Fund impact.

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
6	5692 - Litigation Support Level 1-Courts	L1
6	5693 - Litigation Support Level 2-Courts	L2
2	5695 - Administrative/Technical Support Level 1	L2
2	5696 - Administrative/Technical Support Level 2	L5

- B. The Natural Resources Parks and Recreation Department requests approval to create (13) new Position Control Numbers (PCNs) as follows. There will be no General Fund impact.

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
13	2211 - Laborer	12

- C. The Sheriff's Department requests approval to create (197) Position Control Numbers (PCNs) as follows. If it is determined that any of these positions are not necessary, direct Human Resources to cancel any unnecessary PCNs. There will be no General Fund impact.

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
1	1351 – Accountant	40
2	1171 – Administrative Support Specialist	30
4	1168 – Administrative Support Specialist-Senior	33
3	3528 – Sheriff's 9-1-1 Call Takers	33
5	4363 – Corrections Food Service Worker	15
34	3291 – Corrections Officer	G1
3	4361 – Corrections Cook	26
5	2171 – Custodian	15
32	3211 – Deputy Sheriff	S1
5	3527 – Sheriff's 9-1-1 Dispatcher	38
5	3253 – Evidence Technician	27
1	3256 – Forensic Technician	36
1	3262 – Information and Records Supervisor-Sheriff's Dept.	39
3	3272 – Process Server	25
14	7120 – Program Coordinator-Unclassified	U2
2	7130 – Program Coordinator-Sheriff-Unclassified	U3
4	7150 – Program Manager-Unclassified	U3
8	7136 – Program Specialist-Unclassified	U1
5	3535 – Public Safety Data Technician	29
21	3537 – Public Safety Transcription Technician	27
24	3530 – Public Safety Support Specialist	25
1	1196 – Specialized Office Support Supervisor	35
1	7020 - Special Staff Assistant-Unclassified	U1
1	4369 – Corrections Custodian-Senior	22
4	2172 – Custodian-Senior	21
8	3268 – Tactical Medic-Sheriff's Department	M1

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the requests.

## 12. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2011- 71, authorizing Pima County to support the Tucson Meet Yourself application for a \$150,000.00 Grant for the Tucson Meet

Yourself Folklife Festival from the 12% Local Revenue Sharing Contribution of the Pascua Yaqui Tribe.

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution No. 2011-71.

**13. FIRE DISTRICT: Northwest Fire District**

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Northwest Fire District for the proposed Rillito Annexation.

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day and carried by a 4-0 vote, to not validate the petitions as presented.

**14. PROCUREMENT: Appeal of Procurement Director's Decision**

Pursuant to Pima County Code Section 11.20.010(J), Property Room, appeals the decision of the Procurement Director regarding RFP No. 1100831, Vehicle Towing and Storage Services.

George Widugiris, Procurement Director, provided an overview of the process and stated that after review it was recommended that the Board accept the appeal by Property Room and withdraw the award to Rod Robertson Enterprises.

Patricia Briones, representing Property Room, thanked the Procurement Department and the evaluation committee for their professionalism to ensure the transparent and objective assessment of the facts.

Jennifer Morningstar, Arizona District Manager for Rod Robertson Enterprises, presented their qualifications for this award and stated her firm looked forward to working with Pima County.

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day to grant the appeal. No vote was taken at this time.

A substitute motion was made by Supervisor Carroll to continue this item for one week. The motion died for lack of a second.

Upon the vote being taken, the motion carried 3-1, Supervisor Carroll voting "Nay," to grant the appeal.

15. **PROCUREMENT: Award**

Most Qualified: Award of Contract, Requisition No. 1100831, in the annual amount of \$50,000.00 to the highest ranked/most qualified respondent, Rod Robertson Enterprises, (Headquarters: San Antonio, TX) for as required privately owned vehicles towing, storage and vehicle auction services. The contract is for an initial sixteen (16) month term and includes four one-year renewal periods. This award includes the authorization for the Procurement Director or his designee to issue a blanket contract consistent with the award. Funding Source: Other Internal Service Funds. Administering Department: Fleet Services and Sheriff.

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day to grant the appeal. No vote was taken at this time.

A substitute motion was made by Supervisor Carroll to continue this item for one week. The motion died for lack of a second.

Upon the vote being taken, the motion carried 3-1, Supervisor Carroll voting "Nay," to withdraw the award.

16. **FRANCHISE/LICENSE/PERMIT: Extension of Premises/Patio Permit**

Andrew Thomas Sisk, Oasis Coffee, L.L.C., 28 Plaza, Ajo, Permanent Extension of Premises.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Carroll, seconded by Supervisor Elias and carried by a 4-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona State Liquor Licenses and Control.

17. **DEVELOPMENT SERVICES: Appeal of the Hearing Administrator's Decision**

The Board of Supervisors on 8/3/10, 9/14/10, 11/9/10 and 1/11/11 continued the following:

P21-09-036, PIMA COUNTY RIGHT-OF-WAY – W. SAGE ST.

In accordance with Pima County Zoning Code Section 18.97, New Cingular Wireless, represented by Lake and Cobb, P.L.C., appeal the decision of the Hearing Administrator in Case No. P21-09-036, for a Type I Conditional Use Permit for a communication tower/utility pole replacement in the right-of-way located at 1715 W. Sage St. in the SR zone. Chapter 18.97, in accordance with Section 18.07.030H.2.e.7 of the Pima County Zoning Code, allows a communication tower/utility pole replacement meeting certain conditions as a

Type I Conditional Use in the SR zone. The Hearing Administrator **DENIED** the request for the proposed communication tower. (District 1)

Without objection, this item was continued to the Board of Supervisors' Meeting of August 15, 2011.

18. **TRANSPORTATION: Traffic Ordinances**

- A. ORDINANCE NO. 2011- 31, of the Pima County Board of Supervisors, regulating parking of vehicles on Hopdown Avenue in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- B. ORDINANCE NO. 2011- 32, of the Pima County Board of Supervisors, regulating parking of vehicles on Overton Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- C. ORDINANCE NO. 2011- 33, of the Pima County Board of Supervisors, regulating parking of vehicles on Shannon Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- D. ORDINANCE NO. 2011- 34, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Palo Verde Road in Pima County, Arizona. Staff recommends APPROVAL.  
(District 2)

On consideration it was moved by Supervisor Elías, seconded by Supervisor Day and carried by a 4-0 vote, to close the public hearings and adopt Ordinance Nos. 2011-31, 32, 33 and 34.

19. **CONTRACT: County Attorney**

The Board of Supervisors on May 3, 2011, continued the following:

The Havins Co., Inc. Herbert B. Havins, MAI, to provide real estate brokerage and management services, Anti-Racketeering Fund and/or Proceeds of Sale, contract amount 6% of sale price and 9% of the receipts for property management (07-02-H-143960-0511)

Supervisor Elías questioned why the Pima County Real Property Services Dept. was not being used instead of an outside contractor.

Chris Straub, Chief Civil Deputy County Attorney, explained that the County had used brokerage services in the past and it had worked out well due to the speed in which these properties need to be sold.

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day and carried by a 3-1 vote, Supervisor Carroll voting "Nay," to approve the contract.

20. **CONTRACTS**

A. **Facilities Management**

1. Brown and Caldwell, Amendment No. 1, to provide for the System Wide Biosolids and Biogas Utilization Master Plan and amend contractual language, RWRD Enterprise Fund, contract amount \$26,950.00 (07-03-B-143734-1110)

B. **Real Property**

2. Marcus and Millichap Real Estate Investment Services, to provide commercial real estate brokerage services needed for the sale of the Posada del Sol Health Care Center, General Fund, contract amount 2% of final sale price (07-13-M-143975-0411)
3. Freeport McMoRan Sierrita, Inc., to provide a license for right-of-way encroachment needed for construction of underground waterlines on Duval Mine Road, Mission Road and Continental Road, contract amount \$16,000.00/25 year term (12-04-F-143908-0511)

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Day and carried by a 3-1 vote, Supervisor Carroll voting "Nay," to approve the contracts.

21. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard.

Elizabeth Pino addressed the Board praising the Family Literacy and Adult Education Programs and thanked the Board for their support.

Gary Bahr addressed the Board regarding barking dogs.

Al Velez spoke about how his property, which is along the Santa Cruz River, is the only property without bank protection between Ajo Way and Grant Road. He felt he was being discriminated against.

22. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:15 a.m.



---

CHAIRMAN

ATTEST:



---

CLERK