

MINUTES, FLOOD CONTROL DISTRICT BOARD

JANUARY 10, 2012

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, January 10, 2012. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Robin Brigode, Clerk

1. **CONTRACT**

Granite Construction Company, Inc., to provide a Land Use License to allow encroachment and usage of real property, Tax Parcel Nos. 141-10-005E and 141-10-005D, located in T15S, R14E, Section 20, no cost (CTN-PW-12000419)

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

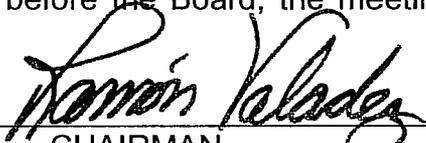
2. **RIPARIAN HABITAT MITIGATION PLAN**

Staff requests approval of a Riparian Habitat Mitigation Plan for NRG Solar Avra Valley, L.L.C., (P1211-040), for a new solar facility located within mapped important riparian areas with underlying Xeroriparian Class C Habitat. (District 3)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:22 a.m.



CHAIRMAN

ATTEST 

CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

JANUARY 10, 2012

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, January 10, 2012. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Robin Brigode, Clerk

1. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

2. **PAUSE 4 PAWS**

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

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:06 a.m.

3. **RECONVENE**

The meeting reconvened at 9:42 a.m. All members were present.

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

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

5. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding current litigation against the Town of Marana; potential future litigation against the Town of Marana and the Arizona Department of Environmental

Quality; and regarding issues related to the Town's takeover of the Marana Wastewater Reclamation Facility.

Chris Straub, Chief Civil Deputy County Attorney, explained that this matter concerned the Town of Marana's recent takeover of Pima County's Marana Wastewater Reclamation Facility Center and related potential litigation; the current Appeal of Town of Marana v. Pima County, Case No. 1CACV11-318 pending in Division 1 of the Court of Appeals; and the current Superior Court litigation in Pima County v. Town of Marana, Case No. CV-2011-99966 pending in Maricopa County Superior Court. The Pima County Attorney's Office recommended that the Board of Supervisors proceed as discussed in Executive Session.

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

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 unanimously carried by a 5-0 vote, to approve the Consent Calendar in its entirety.

CONSENT CALENDAR ITEMS

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. U.S. Environmental Protection Agency, Amendment No. 1, to provide the Brownfields Assessment Cooperative Agreement to conduct community wide assessments at potential Brownfields sites and extend contract term to 11/30/12, no cost (CTN-CD-12000446)

B. Community Services, Employment and Training

2. Cochise Private Industry Council, Amendment No. 1, to provide education and training services in the field of green technology and amend contractual language, AZ DES SESP Grant Fund, contract amount \$45,000.00 (CT-CS-12001208)

C. Constable's Office

3. Constable Ethics, Standards and Training Board, to provide for the upgrade of two constable vehicles, State Grant Fund, contract amount \$10,454.00 revenue (CTN-CO-12000443)

D. Health Department

4. RESOLUTION NO. 2012 - 1, approving an Intergovernmental Agreement with the State of Arizona Governor's Office of Highway Safety, to provide for the provision of car seats under the Occupant Protection Project for the term 10/1/11 to 9/30/12, Federal Fund, contract amount \$5,200.00 revenue (CTN-HD-12000164)
5. Arizona Department of Health Services, Amendment No. 2, to provide emergency preparedness and response for a bioterrorism event, infectious disease outbreak or public health emergency, extend contract term to 8/30/16 and amend contractual language, Federal Fund, contract amount \$47,962.47 revenue (CTN-HD-12000062)
6. VitalChek Network, Inc., Amendment No. 4, to provide remote ordering services for vital records, extend contract term to 1/31/13 and amend contractual language, no cost (CTN-HD-12000096)
7. Arizona Family Health Partnership, to provide services under the Family Planning Title X Grant, Federal Fund, contract amount \$823,836.00 revenue (CTN-HD-12000444)
8. Kaneen Advertising and Public Relations, Inc., Amendment No. 1, to provide for the Communities Putting Prevention to Work (CPPW) Program and amend contractual language, HHS/CDC and ARRA 2009 Funds, contract amount \$25,000.00 (CT-HD-12000773)

E. Information Technology

9. Queue Corporation, Amendment No. 2, to provide voter registration/database consulting services and amend contractual language, Recorder's Document Storage and Retrieval Fund, contract amount \$95,000.00 (CT-RE-12000283)

F. Procurement

- 10. Desert Archaeology, Inc., Amendment No. 2, to provide for the Ina Road RWRP Expansion and Upgrade Project Archeological Data Recovery, extend contract term to 12/31/14 and amend contractual language, 2004 Bond Fund, contract amount \$539,608.00 (CT-PW-08050259-P)

G. Regional Wastewater Reclamation

- 11. Fidelity National Title Agency Trust No. 60296, to provide a Connection Fee Credit Agreement, no cost (CTN-WW-12000414)

H. Sheriff

- 12. Arizona Department of Homeland Security, Amendment No. 2, to provide for overtime and mileage under the Operation Stonegarden Grant Program, extend contract term to 12/31/11 and amend contractual language, Federal Grant Fund, contract amount \$3,805.69 revenue (CTN-SD-CMS142432)
- 13. Arizona Department of Homeland Security, Amendment No. 2, to provide for overtime and mileage under the Operation Stonegarden Grant Program, extend contract term to 12/31/11 and amend contractual language, Federal Grant Fund, contract amount \$176.57 revenue (CTN-SD-12000017)

I. Transportation

- 14. Arizona Department of Transportation, to provide for the Pavement Preservation Project, ARRA Fund, contract amount \$525,000.00 revenue (CTN-TR-12000412)
- 15. Pendulum Studios, L.L.C., to provide artist services for the Valencia Road Improvement Project, RTA, Urban HURF and Impact Fee Funds, contract amount \$126,000.00 (CT-TR-12001811)

2. ELECTIONS DEPARTMENT

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Murdock E. Holloway	019	DEM
Donna E. Wangler	067	DEM
Deyanira Nevarez	145	DEM
Mary H. DeCamp	059	GRN

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Kristel A. Foster	093	DEM
Clare M. Velonis	382	DEM
Shaun E. McClusky	053	REP
David J. Hohman	068	REP
Patrick B. Gebel	092	REP
Homer F. Parker	129	REP
William W. Yeniscavich	144	REP
Joanne K. Diggins	217	REP
Samuel E. Diggins	217	REP
Kevin E. Miniatt	260	REP
Ethan R. Orr	266	REP
Keith D. Azlin	344	REP

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

A. **Environmental Quality Advisory Council**

1. Appointment of Linda Hansen, Consumer Protection, Public/Environmental Interest, to replace Allan H. McDonald. Term expiration: 1/10/15. (Staff recommendation)
2. Reappointment of Eric Betterton, Ph.D., Environmental Planning/Law Health/Education; Jeffrey Yockey, Mining Industry or Utilities; Mark Witten, Ph.D., Health/Education; and Peter Livingston, P.E., Water Resources. Term expirations: 1/10/15. (Staff recommendations)

B. **Tucson-Pima County Metropolitan Energy Commission**

Appointment of Hank J. Krzysik to fill the unexpired term of Tina E. Cook. Term expiration: 11/30/12. (Committee recommendation)

C. **Regional Wastewater Reclamation Advisory Committee**

Reappointment of Ann Marie Wolf. Term: 3/1/12 – 3/1/16. (District 5)

FINANCE AND RISK MANAGEMENT

4. **Duplicate Warrants – For Ratification**

Grenier Engineering, Inc.	\$ 33.80
Securitas Security Service	\$2,045.86
The Arboretum Properties	\$ 559.00
Harris Investigative Services	\$2,597.00
Carol Trejo	\$1,230.70
Lisa Marie Gill	\$ 116.10
Rona Newton	\$ 195.21
William Self Associates, Inc.	\$6,966.50
Paul DeGeorge	\$ 400.00

State of Arizona	\$1,200.00
William Ponder	\$ 71.16
Northwest Medical Center	\$4,658.96

5. REAL PROPERTY

A. Condemnation

RESOLUTION NO. 2012 - 2, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests where necessary for Magee Road/Cortaro Farms Road: La Canada to Oracle Road Improvements in Sections 25, 26, 35 and 36 of T12S, R13E, G&SRM. (District 1)

B. Revocation of Restriction and Covenants Running with the Land

Release and revocation of restrictions executed by John W. Mallo, recorded May 7, 2004, in Docket 12297, Page 3778, Tax Parcel No. 102-20-122A. (District 1)

6. RATIFY AND/OR APPROVE

Minutes: November 15, 2011

Warrants: December, 2011

REGULAR AGENDA/ADDENDUM ITEMS

7. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

A. RESOLUTION NO. 2012 - 3, of the Board of Supervisors, authorizing certain staff to serve as the Certifying Officer and the Environmental Officer to execute federally required environmental review records for the County's Community Development, Affordable Housing and Homeless/Special Needs Populations Programs.

B. RESOLUTION NO. 2012 - 4, of the Board of Supervisors, authorizing the County Administrator or designee to execute documents, including, but not limited to, Subordination Agreements and/or Deeds of Release and Reconveyance, related to restrictive covenants on affordable housing and community development transactions financed by or through Pima County.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution Nos. 2012 - 3 and 4.

8. **FRANCHISE/LICENSE/PERMIT: Liquor License**

11-35-9096, Maria Tereza Garcia, Little Store, 6225 W. Wrangler, Sahuarita, Series 10, Beer and Wine 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 unanimously carried by a 5-0 vote, to close the public hearing, approve the license subject to the Sheriff's report and forward the recommendation to the Arizona State Liquor Licenses and Control.

9. **TRANSPORTATION: Traffic Ordinance**

ORDINANCE NO. 2012 - 1, of the Board of Supervisors, establishing Alvernon Way as a through street in Pima County, Arizona. Staff recommends APPROVAL. (Districts 1 and 2)

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 adopt Ordinance No. 2012 - 1.

10. **COUNTY ADMINISTRATOR**

RESOLUTION NO. 2012 - 5, of the Board of Supervisors in Pima County, Arizona, in opposition of the United States Postal Services' proposed closure of the Tucson Processing and Distribution Center at 1501 S. Cherrybell Stravenue, Tucson.

Chuck Huckelberry, County Administrator, provided an overview of the reasons for Pima County's opposition to the proposed closure of the Tucson Processing and Distribution Center (Center) on Cherrybell Stravenue in Tucson.

The Chairman inquired if anyone wished to be heard. The following individuals addressed the Board:

- Alvaro Alvarez, Former United States Postal Service (U.S.P.S.) Postmaster
- Connie Sadler Nelson, President of the American Postal Union, Tucson Chapter
- Maya Castillo, President of the Local Service Employees International Union, Pima Chapter
- Stuart Love, President National Association of Letter Carriers, Local Chapter
- Lynn San Angelo

They offered the following comments

- Closure of the Center would result in severe economic and financial hardships for the residents of Tucson and other affected communities in Southern Arizona.
- There was no evidence of any real studies done by the U.S.P.S. to support the closure.
- Negative impacts to consider included the timely delivery of prescriptions by mail for the elderly.
- The closure would adversely impact vote by mail in urban and rural communities.
- The Resolution should be adopted and letters of opposition should be submitted to the U.S.P.S. by January 12, 2012.

Supervisor Elías encouraged people to write to the U.S.P.S. before the end of the comment period on January 12, 2012. He expressed his concern about the voter right issues identified by the Pima County Recorder, the negative financial impact, and the potential health jeopardy of delayed prescription delivery to the elderly and others in need within the community.

Supervisor Bronson noted that correspondence in opposition had been received from the Tucson Regional Economic Opportunities, Inc. and the Arizona Small Business Association. She also commented that the proposed closure would also affect the Davis Monthan and Ft. Huachuca military bases.

Chairman Valadez concurred with the voting right issues voiced by the County Recorder and requested that the Resolution, report and contact information be posted on the County website.

Supervisor Day affirmed that in order to offset rising healthcare costs, many seniors order their prescriptions through the mail, and acknowledged the importance of having these medications delivered in a timely manner.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2012- 5, to forward copies to all Congressional Representatives, Senators for the State of Arizona, and the U.S.P.S., and to have the Resolution and other contact information posted on the County website.

11. **CONTRACTS AND AWARDS**

A. **County Attorney**

Pinal County, to provide an Intergovernmental Agreement for legal representation services regarding the Arizona Department of Transportation-La Cholla Road Widening Project, Capital Improvement Project Fund, contract amount \$5,000.00 (CT-TR-12001898)

B. **Real Property**

Landmark Title Assurance Agency of Arizona, L.L.C., to provide a Purchase Agreement for land located at Rita Ranch Commerce Center, north of Old Vail Road and .5 miles east of South Rita Road, Tax Parcel Nos. 141-18-5570 thru 5630, and 5770 thru 5800 (11 parcels), 2004 Bond Fund, amount \$700,700.00 including closing costs (CT-PW-12001913)

C. **Procurement**

Award

Low Bid: Award of Contract, CT-FM-12001845, (Solicitation No. 24262), in the amount of \$1,720,200.00 for the Base Bid, Allowance No. 1, and Alternate No. 1 only, to the lowest responsive bidder, United Builders, L.L.C., (Headquarters: Tucson, AZ) for the UPH Family Practice and Diabetes Clinics. The contract is for a 9 month period and may be extended for project completion. Funding Source: 2006 Bond Fund. Administering Department: Facilities Management.

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

12. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard. The following addressed the Board:

- Keith Van Heyningan identified issues that negatively impact the community and stated his support for opening the Rosemont Mine.
- Maya Castillo, President of SEIU, Pima Chapter, requested that the Board support a pay increase for Attendant Care Workers.
- Lynn San Angelo appeared to express her concern over raising Raytheon's tax rate.

- Nancy Freeman, Executive Director of the Groundwater Awareness League, questioned the agricultural tax rate on various parcels in Hidden Springs owned by Rosemont Copper.

13. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:22 a.m.


CHAIRMAN

ATTEST:


CLERK