

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

March 6, 2012 9:00 a.m.

1. ROLL CALL

2. INVOCATION

To be offered by Father Emilio Chapa, St. Augustine Cathedral.

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

... EXECUTIVE SESSIONS

(Clerk's Note: In addition to the executive sessions listed below, pursuant to A.R.S. §38-431.03(A)(3) the Board of Supervisors, or the Board sitting as other boards, may vote to go into executive session for the purpose of obtaining legal advice from its counsel with respect to any item listed on this agenda or any addendum thereto.)

Call to the Public (for Executive Session items only)

UNFINISHED BUSINESS (RM 2/21/12)

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the three lawsuits involving Improvements on Real Property (IPR's) owned by Raytheon – Identification Nos. 89146, 89142, 89148, 89150, 89154, 89155, 89158, 89140, 89144, 89136, 89162, 89163, 89160, 89152, 183782, 183785, 183787, 183789, 183790 which are located on Tax Parcel No. 140-43-013B, belonging to the City of Tucson (Tax Court Case Nos. TX2010-000308, TX2010-001041 and TX2012-000007).

Motion carried to accept recommendations (4-1)

NEW BUSINESS

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding approval of a tax appeal settlement recommendation for Robert G. Miller and Phyllis J. Miller, CP/RS v. Pima County, Tax Parcel No. 219-10-1040, Arizona Tax Court Case No. ST2011-000506.

Motion carried to accept recommendations (5-0)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

Ingress/Egress Easement

Ingress/Egress Easement from the Pima County Flood Control District to Metropolitan Domestic Water Improvement District over property located at 8875 N. La Cholla Boulevard, within Section 21, T12S, R13E, G&SRM. (District 1)

Motion carried to approve (4-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. CONSENT CALENDAR: For consideration and approval

A. CALL TO THE PUBLIC (for Consent Calendar items only)

B. APPROVAL OF CONSENT CALENDAR

Motion carried to approve (4-0)

6. DIVISION OF ELECTIONS

A. Pursuant to A.R.S. §16-642, canvass of the February 28, 2012 Presidential Preference Election.

Motion carried to approve (4-0)

B. Pursuant to A.R.S. §22-101, redistricting of the existing Justice Precinct boundaries to adhere to the election precinct boundaries established for 2012. Discussion/direction/action.

Without objection, continued to 3/13/12.

7. HEALTH DEPARTMENT

RESOLUTION NO. 2012 - 12, of the Board of Supervisors of Pima County, Arizona, accepting the Southern Arizona Affiliate of Susan G. Komen for the Cure Gant in support of the Pima County Health Department Family Planning Program, in the amount of \$13,200.00.

Motion carried to approve (4-0)

TRANSPORTATION

8. Acceptance of Project/Roadway for Maintenance

P1207-064, Yolanda Gardens (aka Yolanda Oasis), Lots 1-16. Developer: Terramar Properties. (District 1)

Motion carried to approve (4-0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

9. Liquor License

12-01-9098, Kevin Arnold Kramber, Sawmill Restaurant, 12976 N. Sabino Canyon Park, Mt. Lemmon, Series 12, Restaurant, New License.

Motion carried to approve (4-0)

10. Extension of Premises/Patio Permit

Scott A. Busse, Territorial, 3727 S. Palo Verde, Tucson, Temporary Extension of Premises for March 25, April 7, 8, 14, 15, 21, 22, 28, 29, May 5, 6, 12, 13, 19, 20, 26 and 27, 2012.

Motion carried to approve (4-0)

PROCUREMENT

11. Pima County Code Text Amendment

ORDINANCE NO. 2012 – **10**, of the Board of Supervisors of Pima County, relating to the procurement of goods and services; amending the Pima County Code Title 11, Pima County Procurement Code.

Motion carried to approve (4-0)

DEVELOPMENT SERVICES

Rezoning Time Extension

12. Co9-05-30, STEWART TITLE & TRUST TR 1580- KINNEY ROAD REZONING

Request of Stewart Title & Trust TR 1580, represented by The WLB Group, Inc., for a five-year time extension for the above-referenced rezoning (portion of Tax Parcel No. 212-50-012F) from GR-1 (Rural Residential) (143 acres) to CR-4 (Mixed-Dwelling Type) and from GR-1 (BZ) (Rural Residential) (Buffer Overlay Zone) (3.1 acres) to CR-4 (BZ)

(Mixed-Dwelling Type) (Buffer Overlay Zone). The rezoning was conditionally approved on March 6, 2007. The rezoning will expire on March 6, 2012. The site is approximately 146.1 acres located on the north side of Irvington Road, and the east and west sides of Kinney Road. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 3)

Motion carried to approve (4-0)

TRANSPORTATION

13. Traffic Ordinances

- A. ORDINANCE NO. 2012 – **11**, of the Pima County Board of Supervisors, regulating parking on Paseo Del Norte in Pima County, Arizona. Staff recommends **APPROVAL.** (District 1)
- B. ORDINANCE NO. 2012 – **12**, of the Pima County Board of Supervisors, regulating parking on Tanque Verde Loop Road in Pima County, Arizona. Staff recommends **APPROVAL.** (District 4)
- C. ORDINANCE NO. 2012 – **13**, of the Pima County Board of Supervisors, regulating parking of vehicles on Old Spanish Trail in Pima County, Arizona. Staff recommends **APPROVAL.** (District 4)

Motion carried to approve (4-0)

14. CALL TO THE PUBLIC

15. ADJOURNMENT

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

DATE POSTED: 02/29/12

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, MARCH 6, 2012

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Compass Health Care, Inc., to provide improvements to the Amado Youth Center, General Fund, contract amount \$10,000.00 (CT-CD-12001969)
2. Picture Rocks Fire District, approving an Intergovernmental Agreement to provide installation of an electronic message board, CDBG Grant Fund, contract amount \$38,000.00 (CT-CD-12002010)

B. Community Services, Employment and Training

3. Portable Practical Education Preparation (PPEP), Amendment No. 4, to provide workforce development services to youth and adults and amend contractual language, US DOL and AZ DES Funds, contract amount \$60,000.00 (CT-CS-12000366)
4. Arizona Department of Economic Security, approving an Intergovernmental Agreement to provide employment and training services, AZ DES WIA and SSBG Funds, contract amount \$36,321.00 revenue (CTN-CS-12000502)
5. Interfaith Community Services, Inc., Amendment No. 8, to provide emergency financial assistance, case management, referral and advocacy services to eligible low-income households, Federal and State Grant Funds, contract amount \$8,000.00 (MA-CS-12000160)

C. County Attorney

6. Slosser, Struse, Fickbohm, Marvel & Fletcher, P.L.C., Amendment No. 3, to provide legal services related to the retention or destruction of ballots, extend contract term to 1/31/14 and amend contractual language, no cost (CT-CA-12001425)
7. City of Tucson, approving an Intergovernmental Agreement to provide for two prosecutors assigned to the Violent Crime Unit Trial Team, Federal Fund, contract amount \$224,935.00 revenue (CTN-PCA-12000458)
8. RESOLUTION NO. 2012 - 10, of the Pima County Board of Supervisors, authorizing a Grant Agreement with the State of Arizona, Governor's Office for Children, Youth and Families for the STOP Violence Against Women Program, Federal Fund, contract amount \$220,867.00

revenue; In-Kind Services, contract amount \$90,409.00 (CTN-PCA-12000494)

D. Procurement

Awards

9. Amendment of Award, B505813, in an amount not to exceed \$1.00, to Solon Corporation, (Headquarters: Tucson, AZ), to provide solar electric services with an effective date of 9/2/11 and a termination date of 12/31/16. Funding Source: General Fund. Administering Department: Facilities Management.
10. Low Bid: Award of Contract, Requisition No. 12000701 in the amount of \$262,124.00 to Coeur d'com Communication, Inc. (Headquarters: Coeur d'Alene, ID) for HP Tipping Point Equipment. The contract is a discrete one-time award and includes the authority for the Procurement Department to amend the award without further action by the Board of Supervisors provided that the sum of the revised contract does not exceed the original contract award amount. Funding Source: General Fund. Administering Department: Information Technology.

E. Real Property

11. Madera Reserve Homeowners' Association, to provide a License and Maintenance Agreement for right-of-way encroachment to allow for maintenance of existing sewer lines, subdivision entrance walls, landscaping and irrigation located on Whitehouse Canyon Road, Madera Reserve Drive, Mesquite Springs Place and Cave Canyon Place, contract amount \$8,000.00 revenue/25 year term (CTN-PW-12000497)

F. Regional Wastewater Reclamation

12. Hawkins, Delafield & Wood, L.L.P., Amendment No. 6, to provide legal services related to the Regional Optimization Master Plan (ROMP) and amend contractual language, no cost (CT-WW-12001242)

G. Superior Court

13. Superior Court, Justice Court and the Tucson City Court, approving an Intergovernmental Agreement to provide for joint participation and pro-rata cost sharing for initial appearances and/or misdemeanor arraignments, General Fund, contract amount \$148,000.00 (CT-SC-12000498)

H. Transportation

14. Amphitheater Unified School District, approving an Intergovernmental Agreement to provide for design and construction of the Lulu Walker

Elementary School Safety Project, Transportation Operating Fund,
contract amount \$186,875.00 (CTN-TR-12000484)

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>
Kate E. Robbins	63	DEM
Mary G. DeLange	141	DEM
Lynne M. Abbuhl	288	DEM
John White	45	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Magdalena Barajas	160	DEM
Mary G. DeLange	207	DEM
John White	116	REP
Ann Marie Morse	132	REP
Kathryn D. K. Kohler	206	REP
James W. Smith	248	REP
Ed W. Parker	252	REP
Lindsay A. Moss	389	REP
William C. Gabriel	395	REP
Cody L. Brasher	408	REP
Sean E. Collins	417	REP

3. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Tucson-Pima County Bicycle Advisory Committee

Appointment of Raymond Copenhaver to fill a vacancy created by Anthony J. Crosby. Term expiration: 2/28/14. (District 2)

B. Environmental Quality Advisory Committee

Appointment of Monica D. Ramirez-Andreotta, Environmental Conservation/Resource Management Representative, to fill a vacancy created by Dr. Roger Caldwell. Term expiration: 3/31/15. (Staff recommendation)

C. Metropolitan Education Commission

Appointment of Jo Riester, Education Foundations Representative, to fill the unexpired term of Ann Huber. Term expiration: 11/17/12. (Commission recommendation)

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

- A. Ann M. Torrez, Boys and Girls Club of Tucson, La Encantada, 2905 E. Skyline Drive, Tucson, April 22, 2012.
- B. Louis Vern Brand, Ajo Elks Lodge No. 1576, 350 N. Yermo Street, Ajo, February 22, 2012.
- C. David Shannon Richter, AZ Chapter of the American Parkinson Disease Association, St. Phillip's Plaza, 4280 N. Campbell Avenue, Tucson, April 14, 2012.
- D. Marti Hubbard, CASA Support Council for Pima County, Inc., La Paloma Country Club, 3800 E. Sunrise Drive, Tucson, April 13, 2012.
- E. William Dean Woodruff, Knights of Columbus Council No. 12696, 300 N. Tanque Verde Loop Road, Tucson, March 24, 2012.
- F. Sonia Tabanico, Cars for Veterans (Cars 4 Vets), 5120 S. Julian Drive, Tucson, March 2, 2012.

5. **FINANCE AND RISK MANAGEMENT**

Duplicate Warrants – For Ratification

Marshall Tandy	\$	3,390.00
Goodman's Inc.	\$	3,558.71
David Cardenas	\$	156.00
University Physician's Healthcare	\$	150.00
Hammett & Edison, Inc.	\$	11,300.00
Tatiana Struthers	\$	58.32
Tatiana Struthers	\$	89.91
Kristina Magpusao	\$	59.60

6. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund Report for the month of September, 2011.

7. **REAL PROPERTY**

Special Warranty Deed and Grant of Conservation Easement for Honey Bee Park

RESOLUTION NO. 2012 - 11, of the Pima County Board of Supervisors, approving and authorizing the execution of a Special Warranty Deed conveying Honey Bee Park

to the Town of Oro Valley and accepting a Grant of Conservation Easement from the Town of Oro Valley over and upon Honey Bee Park, located within Section 24, T11S, R13E, G&SRM. (District 1)

8. REGIONAL WASTEWATER RECLAMATION

Public Announcements

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:

- A. R & R Products, Inc., Case No. C2011-20. The proposed settlement amount is \$20,100.00.
- B. Subway No. 1837, Case No. C2011-22. The proposed settlement amount is \$1,000.00.

9. RATIFY AND/OR APPROVE

Minutes: February 7, 2012

Warrants: February, 2012

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

March 6, 2012 9:00 a.m.

CLERK'S NOTE: Members of the Pima County Board of Supervisors may attend either in person or by telephone conferencing.

... EXECUTIVE SESSIONS

Call to the Public (for Executive Session items only)

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement of the following cases in the Arizona Tax Court:

- A. Broadway Hotel One, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2010-000684, Tax Parcel No. 127-02-002B for tax year 2011.

Removed by the County Attorney's Office.

- B. Broadway Hotel One, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2011-000428, Tax Parcel No. 127-02-002B for tax year 2012.

Removed by the County Attorney's Office.

- C. Pavilions at Pantano Apartments I, L.L.C. et al. v. Pima County, Arizona Tax Court Case No. TX2010-001282, Tax Parcel No. 133-24-012B for tax year 2011.

Motion carried to accept the recommendations (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. BOARD OF SUPERVISORS

- A. RESOLUTION NO. 2012 - 13, of the Pima County Board of Supervisors, in opposition to House Bill 2416 of the 2012 Arizona Legislature which would require Tucson Water to provide service outside its current service area boundaries. (District 5)

Motion carried to approve (4-0)

- B. RESOLUTION NO. 2012 - 14, of the Pima County Board of Supervisors, in opposition to House Bill 2757 of the 2012 Arizona Legislature which would legalize electronic billboards. (District 5)

Motion carried to approve (4-0)

2. **CONTRACTS AND AWARD**

A. **Facilities Management**

National Bank of Arizona, to provide a Subordination Agreement for the disbursement of loan proceeds to United Community Health Clinic – Maria Auxiliadora, Inc., no cost (CTN-CD-12000528)

Motion carried to approve (4-0)

B. **Health Department**

United Way of Tucson and Southern Arizona, Inc., d.b.a. PRO Neighborhoods, Amendment No. 2, to provide neighborhood wellness initiatives and amend contractual language, HHS/CDC and ARRA 2009 Funds, contract amount \$183,388.00 (CT-HD-12000769)

Motion carried to approve (4-0)

C. **Procurement**

1. Sundt Construction, Inc., Amendment No. 3, to provide construction services for the Pima Emergency Communications and Operations Center, amend contractual language and increase the change order authority for the Procurement Director to \$500,000.00 each, not to exceed a cumulative total of \$1,000,000.00, 2004 Bond Fund, contract amount \$266,868.00 (CT-SD-12000952) Facilities Management

Motion carried to approve (4-0)

Award

2. Low Bid: Award of Contract, Requisition No. 33096 in the amount of \$548,177.00 to the lowest responsive bidder, Pueblo Mechanical and Controls, Inc. (Headquarters: Tucson, AZ) for the Pima County Legal Services Building air handler replacement. The contract is for a 7 month period and may be extended for project completion. Funding Source: ARRA 2009 Fund. Administering Department: Facilities Management.

Motion carried to approve (4-0)

3. **BOARD, COMMISSION AND/OR COMMITTEE**

Pima County Regional Wastewater Reclamation Advisory Committee

Reappointment of John E. Carlson, Sr. Term expiration: 3/1/16. (District 4)

Motion carried to approve (4-0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

DATE POSTED: 3/2/12

TIME POSTED: 11:00 a.m.