MINUTES, BOARD OF SUPERVISORS' MEETING

APRIL 9, 2013

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, April 9, 2013. Upon roll call, those present and absent were as follows:

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

1. **INVOCATION**

The invocation was given by Pastor Joe Chan, Chinese 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. **CALL TO THE PUBLIC (for Executive Session items only)**

The Chairman inquired whether anyone wished to be heard on any items listed under Executive Session. The following speakers addressed the Board:

•Roxanne Ziegler, Town of Marana Councilmember
•Dave Bowen, Town of Marana Councilmember

The Councilmembers spoke on the proposed settlement agreement regarding the Wastewater Treatment Facility and that it had been a long expensive process. They encouraged approval of the proposed settlement and stated the Town looked forward to working together on other projects in the future.

5. **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:15 a.m.

6. **RECONVENE**

The meeting reconvened at 10:30 a.m. All members were present.

7. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding the recovery of Pima County's excess costs related to water service to the new Justice Courts Complex.

Chris Straub, Chief Civil Deputy County Attorney, stated the County Attorney's Office recommended this item be continued to the Board of Supervisors meeting of April 16, 2013.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to accept the recommendation.

8. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding Resolution No. 2013-17 and participation in proceedings before the Federal Energy Regulatory Commission concerning two applications filed by Sierrita Gas Pipeline L.L.C. (Docket Nos. CP13-73 and CP13-74) that request authority to construct and operate an international natural gas pipeline and appurtenant facilities in Pima County.

Chris Straub, Chief Civil Deputy County Attorney, reported the County Attorney's Office sought authority to proceed with the previously authorized intervention in the manner discussed in executive session.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to proceed as discussed in executive session.

9. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding potential settlement of litigation between the Town of Marana and the County in Pima County v. Town of Marana, Maricopa County Superior Court Case No. CV2011-099966.

Chris Straub, Chief Civil Deputy County Attorney, stated the County Administrator and County Attorney's Office recommended settlement of this matter under the terms and conditions set forth in the draft agreement.

Supervisor Elías stated the settlement was a move away from regionalism, cost effective government and the Sonoran Desert Conservation Plan.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Miller and carried by a 4-1 vote, Supervisor Elías voting "Nay," to accept the recommendation.

10. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding the intention of the City of Tucson to move forward with the construction of a modern streetcar stop over an existing Pima County sewer easement at the intersection of Granada Avenue and Cushing Street.

Chris Straub, Chief Civil Deputy County Attorney, stated the item had been for information only and no action was required.

11. **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 ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **Health Department**

1. Sunnyside Unified School District, Amendment No. 3, to provide childhood immunization services and extend contract term to 2/15/14, no cost (CTN-HD-12000100)

2. Pinal County, to provide mutual aid for emergency care and housing of domestic animals, no cost (CTN-HD-13000112)

B. **Procurement - Award**

3. Amendment of Award: MA 12000295, Version No. 2, TW Telecom Holdings, Inc. (Headquarters: Littleton, CO), to increase contract in the amount of $125,000.00 for voice and data carrier services. Additional funding increases the total contract not to exceed amount to $1,367,000.00. Funding Source: General Fund. Administering Department: Sheriff Department.

C. **Sheriff**

4. Arizona Department of Homeland Security, to provide for the IMT IAP Equipment Program, Federal Grant Fund, contract amount $43,380.00 revenue (CTN-SD-13000272)

2. **GRANT APPLICATION/ACCEPTANCE**

Community Development and Neighborhood Conservation

RESOLUTION NO. 2013 - 24, of the Pima County Board of Supervisors, authorizing the Community Development and Neighborhood Conservation Department to apply for $200,000.00 from ADOT - Planning Assistance for Rural Areas Program for Fiscal Year 2014, to conduct a transportation study in the Picture Rocks Community.

3. **BOARD OF SUPERVISORS**

Approval of the Board of Supervisors Meeting Schedule for the period May through August, 2013.

4. **ELECTIONS DEPARTMENT**

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

APPOINTMENTS	PRECINCT	PARTY
Leondra J. Price	224	DEM
Jeremey M. Lasher	238	DEM
John R. Holden	034	REP
Ann M. Holden	034	REP
David Veltri	052	REP
Joan C. Allen	145	REP
Peggy Venus	145	REP
Patricia L. Camp	145	REP
Doreen D. Parks	145	REP
Angela C. Cox	145	REP
Jimmie M. Cox	145	REP

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

Metropolitan Education Commission

A. Appointment: Dr. Mary Jan Bancroft, to fill the vacancy created by Gloria Hamelitz. Term expiration: 3/19/16. (Commission recommendation)

B. Reappointments: Javier Herrera, Jo Riester, Dr. Daisy Rodriguez Pitel and Patricia Wiedhopf. Term expirations: 3/19/16. (Commission recommendations)

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

A. Holly J. Thompson, Special Olympics Arizona, 16045 N. Oracle Road, Catalina, April 27, 2013.

B. Eloise Williams, CASA Support Council for Pima County Inc., La Paloma Country Club, 3800 E. Sunrise Drive, Tucson, May 3, 2013.

C. Lance R. Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, May 11 and June 16, 2013.

D. James Douglas Campbell, The Orchards Homeowners Association, 12901 N. Sabino Canyon Parkway, Mt. Lemmon, May 25, June 1, 8, 15, 22, 29 and July 6, 13, 20, 2013.

E. James Douglas Campbell, The Ponderosa Homeowners Association, 12901 N. Sabino Canyon Parkway, Mt. Lemmon, July 27, August 3, 10, 17, 24, 31 and September 7, 14, 21, 28, 2013.

FINANCE AND RISK MANAGEMENT

7. **Duplicate Warrants – For Ratification**

Pite Duncan, L.L.P.	$ 216.80
Rebecca Hawkins	$ 25.52
Smith Family REILP	$ 380.00
Mary Jo Bair	$1,816.60
Rosa J Hylton	$ 53.40
Liberty Fence and Supply, L.L.C.	$ 122.19
United Rentals North America	$1,748.93

8. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of February 2013.

9. **REAL PROPERTY**

A. **Right-of-Way Easement**

Tucson Electric Power Company, to provide a right-of-way Easement for overhead power lines across Pima County drainage way property east of and adjacent to Tax Parcel No. 304-27-001X, located in the San Ignacio De La Canoa Land Grant. Revenue $160.00 (District 4)

B. **Ratification of Utility Easements Serving Pima County Facilities**

Pursuant to Resolution No. 1979-48, ratification of the following utility easements and licenses to service Pima County properties:

Easement Type/EASE No.	Utility Co./Grantee	County Facility Served	Recording Date	Sequence No.
Electric/09-02	Tucson Electric Power	Ina Rd. WWTF	2/20/09	20090340170
Electric/09-03	Tucson Electric Power	Animal Control	4/14/06	20090710955
Gas/09-08	Freeport-McMoRan Sierrita	Future Development	5/13/09	20090920313
Electric/10-04	Tucson Electric Power	Kino Hospital	9/10/10	20101750570
Electric/10-05	Tucson Electric Power	3535 E. Hawser	4/27/10	20100800686
Water/10-07	Tucson Water	Kino Hospital	10/18/10	20102000308
Water/10-08	Tucson Water	Brandi Fenton Park	10/15/10	20101990854
Electric/10-12	Tucson Electric Power	CDO Linear Park	11/3/10	20102120196
Electric/10-16	Tucson Electric Power	Ina Rd. WWTF	3/21/11	20110800729
Electric/11-03	Tucson Electric Power	Ina Rd. WWTF	3/21/11	20110800729
Electric/11-03	Tucson Electric Power	Ina Rd. WWTF	1/13/12	20120130013
Electric/11-04	Tucson Electric Power	Sweetwater WWTF	6/2/11	20111530126
Water/11-05	Tucson Water	WW Central Lab	12/22/11	20113560270
Communication/11-07	Qwest Corporation	Theresa Lee Clinic	7/1/11	20111820274
Electric/11-09	Southwest Transmission Co-op	Fairgrounds	1/29/13	20130290262
Electric/11-10	Tucson Electric Power	SE Regional Park	10/26/11	20112990001
Electric/11-11	Tucson Electric Power	Arthur Pack Park	10/17/11	20112900172
Water/11-12	Tucson Water	Romp Central Lab	12/22/11	20113560270
Electric/11-13	Tucson Electric Power	Mission Rd Complex	11/29/11	20113330100
Electric/12-03	Tucson Electric Power	Justice Courts	5/23/12	20121440123
Electric/12-05	Tucson Electric Power	Joint Courts Complex	6/19/12	20121710029
Water/12-06	Tucson Water	Joint Courts Complex	2/19/13	20130500269
Gas/12-07	Southwest Gas	WW Central Lab	1/30/12	20120300237
Electric/12-08	Tucson Electric Power	WW Central Lab	6/19/12	20121710031
Communication/12-13	Cox Communications	Juvenile Courts	10/3/12	20122770168
Electric/12-14	Tucson Electric Power	Magee Rd Project	10/29/12	20123030099
Communication/12-16	Cox Communications	Agua Caliente Park	12/5/12	20123400003
Electric/12-17	Tucson Electric Power	Canoa Preserve Ball Field	11/16/12	20123210169
Access/13-01	DCM Development Co.	County Project	1/29/13	20130290046

10. **RATIFY AND/OR APPROVE**

Minutes: March 12, 2013

REGULAR AGENDA/ADDENDUM ITEMS

12. **PROCUREMENT: AWARD**

The Board of Supervisors on March 19, 2013 and April 2, 2013, continued the following:

Limited Competition: Award of Contract, Requisition No. 13000301, TekSystems, Inc., (Headquarters: Hanover, MD) for staffing services in the amount of $1,500,000.00. Contract is for a one year term and includes four one year renewal periods. The Award includes the authority for the Procurement Director to process renewals without further action by the Board of Supervisors provided that the sum of the contract amount does not exceed the award amount. Funding Source: General Fund. Administering Department: Information Technology.

Supervisor Miller questioned the expenditure for this award, whether it was a result of the current understaffing in the Information Technology Department and needed clarification regarding the language for renewal of the contract.

Chuck Huckelberry stated this money was from the General Fund within the IT budget and was a result of reduced staffing in the department. As qualified staff was hired, the need for the contract would be reduced. He assured the Board any further renewals would be presented to them for approval.

Supervisor Bronson stated that IT seemed to have become the black hole where money was being funneled in the budget without a strategic plan. She requested more detail regarding the County Administrator approved cost reductions and corresponding investments, and inquired on the 64 active projects, their priority and the staffing levels of those projects. She commented on the high turnover of staff and asked if exit interviews had been conducted and requested statistics from those processes. She also asked for an independent survey from departments regarding their interaction and satisfaction with IT services. Supervisor Bronson commented that IT costs would be a huge factor in budget deliberations and that a comprehensive approach needed to be taken moving forward with regard to selection of systems as serious money would be involved in IT planning.

Lionel Bittner, Chief Information Officer, reported that business plans and technology initiatives had been developed with super departments which then determined that IT would not have the fiscal or personnel resources during 2014 to perform all of the projects. A Technology Council comprised of key

management personnel was established to set priorities. He further explained the reorientation of staff into different positions.

Chuck Huckelberry, County Administrator, stated there were several different department priorities for large dollar purchases that had been considered by the Technology Council. He pointed out that several existing programs, such as the payroll system, were in need of replacement. He related that there were several competing priorities and their associated cost implications and stated staff would report these to the Board on a quarterly basis.

Supervisor Elías stated the concept of hiring local through the vendor because the County could not find local employees made no sense. He wanted the Board to understand and recognize the IT needs of elected officials as part of a plan moving forward and requested the reporting process begin this August.

Mr. Huckelberry stated that moving forward the Board would be informed of proposed systems, the basics, the add-ons, additional costs and then a determination would need to be made regarding where to financially draw the line.

Supervisor Bronson commented on the risk involved with having limited staff with institutional knowledge of the working of current systems.

On consideration, it was moved by Supervisor Miller, seconded by Supervisor Elías and carried by a 4-1 vote, Supervisor Bronson voting “Nay,” to approve the award with the stipulation that requests for further renewal be brought back to the Board of Supervisors, and to move forward with the IT reporting process as discussed.

Supervisor Bronson stated she could not support any type of renewal of the award.

13. **FRANCHISE/LICENSE/PERMIT: EXTENSION OF PREMISES/PATIO PERMIT**

Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for April 18 and 27, 2013.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisors Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

14. **COUNTY ADMINISTRATOR: ARIZONA HEALTHCARE COST CONTAINMENT SYSTEM**

RESOLUTION NO. 2013 - 25, of the Board of Supervisors, in support of the Governor's Medicaid Plan.

Geri Ottoboni addressed the Board regarding the funding of this Plan and its impact on the taxpayers.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 3-2 vote, Supervisors Miller and Carroll voting "Nay," to adopt Resolution No. 2013 – 25.

Supervisor Carroll and Supervisor Miller stated that the risk for the Plan was high and they would be following a fiscally conservation approach and could not support the Plan.

15. **COUNTY ADMINISTRATOR: REFUGEE ~~IMMIGRATION~~ SUPPORT SERVICES**

Staff requests an allocation from the Board of Supervisors' Contingency Fund to Catholic Community Services of Southern Arizona in the amount of $34,000.00 to match the Click Family Foundation Grant for the provision of transportation services and employment training.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Carroll and carried by a 4-1 vote, Supervisor Miller voting "Nay," to approve the allocation request.

Supervisor Miller stated that while she applauded the foundation grant and the services it would be providing, she thought these types of requests depleted County funds and that additional monies should be coming from the private sector.

16. **CONTRACTS**

A. **Community Development and Neighborhood Conservation**

Southwest Fair Housing Council, Amendment No. 1, to provide funding for the Fair Housing and Equal Opportunity Project and amend contractual language, CDBG Fund, contract amount $7,560.00 (CT-CD-13000429)

B. **Community Services, Employment and Training**

Arizona Department of Economic Security, to provide employment and training services, ADES – SESP Fund, contract amount $184,000.00 revenue (CTN-CS-13000293)

C. **Health Department**

Arizona Early Childhood Development and Health Board, Amendment No. 1, to provide health consultation services by Child Care Health Consultants, State Fund, contract amount $21,345.00 revenue (CTN-HD-12000596)

D. **Natural Resources, Parks and Recreation**

City of Tucson, Amendment No. 1, to provide for the acquisition, design and construction of the Southeast Community Park and amend contractual language, no cost (CT-PR-12000733)

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

17. **CONTRACT: INFORMATION TECHNOLOGY**

GRUPO-SMS USA, L.L.C., Amendment No. 2, to provide consulting services for PimaCore and tax assembly financial systems and extend contract term to 4/30/14, General Fund, contract amount $120,000.00 (CT-IT-12000086)

Supervisor Bronson asked for clarification on future contract extensions. Lionel Bittner, Chief Information Officer, stated this would be the last extension if the department could fill a couple of vacant positions.

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

18. **PROCUREMENT: AWARD**

Most Qualified: Award of Contract, Requisition No. 13000265, Tucson Recycling and Waste Services, L.L.C. (Headquarters: Tucson, AZ) for outsourcing of landfill and transfer station operations, in an amount not to exceed $7,694,737.00. Contract is for a ten year term and includes three five year renewal periods. The administering department will work with the contractor to reduce the total cost to the County. The final contract will be presented at the May 14, 2013 Board of Supervisors' Meeting. Funding Source: Solid Waste Special Revenue Fund. Administering Department: Environmental Quality.

Supervisor Miller questioned the purchase of the land for the Sahuarita and Ajo Landfill sites, and the tire collection and recycling program.

Chuck Huckelberry, County Administrator, stated the land for both sites was County owned property. He said staff would bring the contract back to the Board

at the meeting of May 14, 2013, to detail the arrangements for the unique community of Ajo and the tire and recycling programs.

Supervisor Bronson stated her concern regarding desert dumping and the burden of the fees on the communities of Ajo and Catalina She said there was a lack of commercial haulers west of Ryan Field, in the areas of Avra Valley, Picture Rocks and Arivaca, and that the areas needed to be accommodated.

Ursula Kramer, Environmental Quality Director, stated the contractor would be honoring the low income discount program and would continue to accept green waste as was currently done.

Supervisor Elias requested that the current inefficient system for the low income discount program be reviewed and upgraded.

Mr. Huckelberry stated award of this contract would be a fundamental change for handling solid waste. He also requested direction regarding the current policy against importation of waste into the County.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the award and provide direction that the policy regarding importation of municipal waste be waived to allow the vendor to haul from Pinal and Santa Cruz Counties.

19. **PROCUREMENT: AWARD**

Most Qualified: Award of Contract, Requisition No. 13000210, Conmed, Inc. (Headquarters: Hanover, MD) for correctional health services to be provided at the adult and juvenile detention centers, to the highest ranked/most qualified respondent in the amount of $36,145,416.00 for a three year term and includes two one year renewal periods. Funding Source: General Fund. Administering Department: Institutional Health.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the award with the stipulation that requests for further renewal be brought back to the Board.

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

Canoa Ranch Community Trust/Oversight Committee

Appointment: Dr. Wade McLean. No term expiration. (Staff recommendation)

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

21. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard. No one appeared.

Gini Crawford addressed the Board regarding resurfacing Houghton Road south of I-10 to Sahuarita Road as the conditions of the road were dangerous. She submitted a petition requesting this section of roadway be added to the 2014 Pima County Road Improvement Plan.

Linda Kopytek, resident of Star Valley Master Planned Community, spoke to the Board regarding ingress and egress to the development and presented a petition requesting a second entrance.

Chris Deile addressed the Board regarding court ordered participation in the Alcoholics Anonymous organization and their religious beliefs.

22. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:56 a.m.

Ramón Valadez
CHAIRMAN

ATTEST:

Robin Brigode
CLERK