

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

MAY 10, 2005 9:00 A.M.

1. ROLL CALL

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PAUSE 4 PAWS

... EXECUTIVE SESSION

Public discussion and action may occur on the executive session item listed below during the regularly scheduled meeting.

Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction, related to filing a lawsuit, in the event that negotiations fail, regarding the collection of sewer connection fees from the developer and/or the property owner of Country Club Terrace, pursuant to Pima County Code Chapter 13.20.

Accept County Attorney Recommendation
5/0

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

CONTRACTS AND AWARDS

A. Low Bid: Award of Contract, Requisition No. 85055, in the amount of \$184,442.93 to the lowest responsive bidder, SunWestern Contractors for Industry, Inc., (Headquarters: Tucson, AZ), for the Silvercroft Wash Pedestrian Bridge Project. Construction is to be complete within 100 working days from the Notice to Proceed. Funding Source: Bond Fund. Administering Department: Regional Flood Control District

Approved
5/0

B. Low Bid: Award of Contract, Requisition No. 85603, in the amount of \$518,290.50 to Falcone Bros. and Associates, Inc., (Headquarters: Tucson, AZ) for the Massingale Retention Basin Spillway Repairs. This procurement was conducted as an Emergency Procurement. The spillway is in a state of disrepair and a threat to the public safety if not remedied before onset of the monsoon in July. Contract is for a six-month period with sixty working days for project completion from issuance of Notice to Proceed. Funding Source: Capital Improvement Fund. Administering Department: Regional Flood Control District.

Approved
5/0

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. **CONSENT CALENDAR**: For consideration and approval

- A. Call to the Public
- B. Approval of Consent Calendar

Approved
5/0 except
CC 1A&1A-1;
2A-3 & 5C-2

6. **COUNTY ADMINISTRATOR**

A. Classification and Compensation

Development Services requests approval to create the following classifications. There will be no budget impact in the creation of these classifications.

Approved
5/0

<u>Class Code</u>	<u>Class Title</u>	<u>Grade Code</u>	<u>O/T CODE</u>
2661	Addressing Official	50 (\$39,565-\$62,307)	1 E*
2662	Addressing Specialist	39 (\$30,758-\$47,949)	6 E*

*E = Exempt, not paid overtime

B. Revisions to Merit System Rules and Personnel Policies

Staff requests approval of the revisions to the following Merit System Rules and Personnel Policies:

- | | |
|--|-----------------|
| 1. <u>Merit System Rule 1 (Definitions)</u>
adds definition of Trainee. | Approved
4/1 |
| 2. <u>Merit System Rule 5 (Examinations)</u>
adds the requirement of having an EEO Representative attend and monitor oral board interview panels. | Approved
4/1 |
| 3. <u>Merit System Rule 9 (Classification System)</u>
adds requiring County Administrator approval for retroactive compensation actions. | Approved
4/1 |
| 4. <u>Merit System Rule 10 (Probation)</u>
extends the probation period from six (6) months to one year to be consistent with the provisions of the Office of Personnel Management and parity with the City of Tucson. | Approved
4/1 |
| 5. <u>Merit System Rule 11 (Terminations)</u>
adds allowing for oral notice of resignation, clarifies break in service as it pertains to the Uniformed Services Employment and Reemployment Rights Act (USERRA), adds failure to pass a required background check or maintain a required license or certification as grounds for termination. | Approved
4/1 |

- | | |
|--|-------------------------|
| <p>6. <u>Merit System Rule 15 (Employee Performance Appraisal)</u>
clarifies when an employee on probation shall receive a performance appraisal.</p> | <p>Approved
4/1</p> |
| <p>7. <u>Personnel Policy 7-102 (Premium Pay)</u>
changes policy so that eligible employees receive 1 1/2 1 1/2 times their regular rate of pay for working either an actual or an observed holiday for consistency.</p> | <p>Approved
4/1</p> |
| <p>8. <u>Personnel Policy 7-103 (Civic Duty Leave and Uniformed Services Leave)</u>
clarifies that a termination action for the purpose of military service under USERRA does not constitute a break in service of County employment.</p> | <p>Approved
4/1</p> |
| <p>9. <u>Personnel Policy 7-104 (Attendance)</u>
adds definition of work breaks and requirements of smoke breaks.</p> | <p>Approved
4/1</p> |
| <p>10. <u>Personnel Policy 7-105 (Annual Leave)</u>
changes annual leave policy by allowing eligible employees to use accrued annual leave after six (6) months of continuous service, deletes requirement that a donor of annual leave shall not have given notice of resignation less than thirty one (31) days prior to his/her donation of annual leave or has been scheduled for termination.</p> | <p>Approved
4/1</p> |
| <p>11. <u>Personnel Policy 7-108 (Leaves of Absence Without Pay)</u>
adds requirement that employees who become eligible for and receive long term disability insurance coverage shall immediately resign their employment from the County, adds that employees in uniformed service will continue to receive credit toward seniority while serving in the military on active duty.</p> | <p>Approved
4/1</p> |
| <p>12. <u>Personnel Policy 7-117 (Pay Plan)</u></p> | |

adds that an employee who demotes for any reason will receive reduced pay, corrects and changes definition of "position" to "classification" under Reclassification, adds salary matrix placement requirement, establishes compensation effective dates.

Approved
4/1

13. Personnel Policy 7-119 (Rules of Conduct)
adds additional prohibited conduct of a fiduciary nature.

Approved
4/1

14. Personnel Policy 7-123 (Termination)
adds allowing receipt of oral notice of resignation, adds allowance for employees who have completed six (6) months of initial hire probation or six (6) months under the Trainee Program to receive payment of their accrued annual leave upon termination of employment.

Approved
4/1

PUBLIC WORKS

DEVELOPMENT SERVICES

CLARIFICATION OF REZONING CONDITIONS

7. Co9-04-05, JCAD REAL PROPERTIES MANAGEMENT LLC - SWAN ROAD REZONING
Staff requests clarification of the rezoning conditions adopted at the Board of Supervisors meeting of February 1, 2005 regarding the request of JCAD Real Properties Management LLC, represented by Tierra Right of Way, for a rezoning of approximately 19 acres from CR-3 (Single Residence) to CI-2 (Heavy Industrial) located east of Swan Road and north of the Los Reales Road. (District 2).

Approved
as amended
5/0

TRANSPORTATION

8. GRANT APPLICATION

RESOLUTION NO. 2005 - 92, of the Pima County Board of Supervisors, authorizing the Pima County Department of Transportation to apply to the Governor's Office of Highway Safety for grant monies to fund the Pima County Teen Driver Safety Awareness Program in the amount of \$79,800.00 revenue; authorizing the Chair of the Board of Supervisors to execute any necessary documents to accept the grant funds for Pima County. (All Districts)

Approved
5/0

*** * HEARINGS * * ***

FRANCHISES/LICENSES/PERMITS

LIQUOR LICENSE

- 9. 05-12-8794, Thomas Peter Firth, Hacienda Gift Shop, 5601 N. Hacienda Del Sol Road, Series 10, Beer and Wine Store License, New License.

Approved
5/0

FIREWORKS PERMITS

- 10. Lynne Coté, Mountain View High School, 3901 W. Linda Vista, Tucson, May 18, 2005 at approximately 9:00 p.m.
- 11. Alan Raso, Westward Look Resort, 245 E. Ina Road, Tucson, May 29, 2005 at approximately 9:00 p.m.

Approved
5/0

Approved
5/0

PUBLIC WORKS
DEVELOPMENT SERVICES

UNFINISHED BUSINESS

(RM 3/8/05)

TIME EXTENSION/MODIFICATION OF SUBDIVISION PLAT
WAIVER CONDITIONS

*(**CLERK-S NOTE**: The Board of Supervisors closed this public hearing at their meeting of March 8, 2005.)

- *12. PPW01-01, SALLE/LLOYD BUSH Request of George Petropoulos, et. al., represented by Christopher Brozek, for a modification of Condition No. 12 of a subdivision plat waiver approved by the Pima County Board of Supervisors on January 14, 2003 and modified on March 9, 2004. Condition No. 12 requires, in part, that conditions of the subdivision plat waiver be satisfied within 24 months of the date of the subdivision waiver. The applicant requests an additional 6 month time extension. The subject site is 11.65 acres, zoned CR-1 and is located at the southwest corner of the intersection of Lloyd Bush Drive and Salle Road, approximately 1/2 mile north of Ironwood Hill Drive. Staff recommends **APPROVAL WITH CONDITIONS**. (District 5)

Approved
as amended
5/0

NEW BUSINESS

SUBDIVISION PLAT WAIVER

13. PPW05-03, CANOA RANCH RESORT A HOTEL CONDOMINIUM - CAMINO DEL SOL
Request of Fairfield CR Investments, represented by The WLB Group, Inc., to waive the requirements of a subdivision plat in accordance with Section 18.69.080 of the Pima County Zoning Code which allows a waiver of any or all code standards for a subdivision which is not subject to or which has received an order of exemption from the public report requirements administered by the Arizona Department of Real Estate. The subject property is approximately 14.83 acres, conditionally approved rezoning from RH (Rural Homestead Zone) to CB-2 (General Business Zone) in 2001 (Co9-01-01). The proposal is in Green Valley, east of Camino del Sol, south of Canoa Ranch Road and west of I-19. Staff recommends **APPROVAL WITH CONDITIONS**.
(District 4)

Approved
5/0

14. REZONING ORDINANCE - Unadvertised Hearing

ORDINANCE NO. 2005 - 47, Co9-62-84, Valley View Acres Rezoning. Owner: Eugene and Edilia Pesqueira. (District 3)

Approved
5/0

15. CALL TO THE PUBLIC

16. ADJOURNMENT

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

DATE POSTED: 5/4/05

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, MAY 10, 2005

CONTRACTS AND AWARDS

1. COMMUNITY RESOURCES

A. Community Extension Program, Inc., Amendment No. 1, to provide for the after school and summer elementary school based recreation programs, General Fund, contract amount \$3,000.00 (11-67-C-135075-0804)

Continued
to 05/17
5/0

A-1. Altar Valley School District, Amendment No. 2, to provide for the after school and summer elementary school based recreation programs, General Fund, contract amount \$16,491.20 (01-67-A-135178-0804)

Continued
to 05/17
5/0

2. COUNTY ATTORNEY

- A. Mesch, Clark and Rothschild, P.C., to provide legal representation relating to a claim filed by David Hyman, Risk Management/Tort Fund, contract amount not to exceed \$50,000.00 (17-02-M-136023-0305)
- A-1. Mesch, Clark and Rothschild, P.C., to provide legal representation relating to Superior Court Case No. C20045152, Young v. Pima County, General Fund, contract amount not to exceed \$50,000.00 (17-02-M-136024-0904)
- A-2. Slutes, Sakrison and Hill, P.C., to provide legal representation relating to a claim filed by Barbara Kanuck, Risk Management/Tort Fund, contract amount not to exceed \$50,000.00 (17-02-S-136025-1004)
- A-3. John Buehler, Ph.D., to provide expert testimony relating to the alleged economics loss of Zbignew Osmolski in Osmolski v. Pima County, Case No. CV 04-236-TUC-JMR, Risk Management/Tort Fund, contract amount not to exceed \$100,000.00 (29-02-B-136033-0305)

Approved
3/2

3. HEALTH DEPARTMENT

- A. Arizona Department of Health Services, Amendment No. 1, to provide for the HIV Prevention Program and amend contractual language, Federal Grant Fund, no cost (01-01-A-134875-0404)
- A-1. COPE Behavioral Services, Inc., to provide for the 2005 Women's Conference, Contingency Fund, contract amount not to exceed \$5,000.00 (28-01-C-136020-0605)

4. PIMA HEALTH SYSTEM

- A. Tucson Eye Physicians, P.L.L.C., Amendment No. 3, to provide ophthalmology and eye

surgery services, extend contract term to 7/31/06 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-130913-0702)

- A-1. Information and Referral Service, Inc., Amendment No. 1, to provide emergency alert system services, extend contract term to 6/30/06, reflect vendor name change and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (07-15-I-132712-0703)
- A-2. Ann B. Lettes, M.D., Amendment No. 2, to provide behavioral health/psychiatry services, extend contract term to 6/30/06 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-L-132885-0703)
- A-3. Pima Council on Aging, Amendment No. 2, to provide for case management, housekeeping/chore, personal care and respite services, Federal Fund, contract amount \$139,000.00 decrease (07-15-P-134996-0704)
- A-4. TMC Healthcare, to provide hospital services, PHCS Enterprise Fund, contract amount not to exceed \$25,000,000.00/two year contract (18-15-T-136017-0505)
- A-5. John R. Klein, M.D., P.C., to provide orthopaedic surgery services, PHCS Enterprise Fund, contract amount not to exceed \$200,000.00/two year contract (18-15-K-136026-0505)

5. **PROCUREMENT**

- A. Valley Transportation Group, d.b.a. North American, Amendment No. 2, to provide as-needed moving services and request assignment of all rights, duties and obligations to Firebird Moving and Storage, Inc., Various Department Funds, no cost (11-

13-V-133703-1103) Facilities Management

- A-1. Wilson Electric, d.b.a. Netsian Technologies Group, Amendment No. 1, to provide electronics services and extend contract term to 10/5/05, General Fund, no cost (11-13-N-134175-0404) Facilities Management
- A-2. Corona Sierra, Inc., Amendment No. 3, to provide for the Kirk Bear Canyon Library Addition and Renovation Project and extend contract term to 12/18/05, Capital Improvement Bond Fund, no cost (03-13-C-134882-0704) Facilities Management
- A-3. Primavera Foundation, Inc., Amendment No. 3, to provide temporary unskilled staffing and transportation services, Solid Waste Enterprise Fund, contract amount \$48,000.00 (11-03-P-130737-0602) Environmental Quality
- A-4. PCL Civil Constructors, Inc., Amendment No. 4, to provide for the Randolph Park Water Reclamation Project and amend contractual language, WWM Enterprise Fund, contract amount \$80,000.00 decrease (16-03-P-131234-0702) Wastewater Management

Ratification

- B. Corona Sierra, Inc., Change Order No. 4, to provide for the Kirk Bear Canyon Library Addition and Renovation Project and amend scope of work, Capital Improvement Bond Fund, contract amount \$6,045.00 (03-13-C-134882-0704) Facilities Management

Awards

- C. Award of Contract for Requisition No. 84700 to DMJM Design (Headquarters: Los Angeles, CA) in association with GLHN Architects and Engineers (Headquarters: Tucson, AZ) for architectural services for the Pima County Justice City Court Complex. Total cost for all services not to exceed \$7,730,000.00.

Funding Source: Capital Improvement Bond Fund. Administering Department: Facilities Management.

C-1. Cooperative Procurement: Award of Purchase Order, Requisition No. 85807, in the amount of \$589,228.00 to the Arizona Counter-Drug Procurement Program (Headquarters: Phoenix, AZ) for (2) Lenco armored vehicles for the Pima County Sheriff's Department. Funding Source: Other Special Revenue Grant Fund (Homeland Security). Administering Department: Sheriff.

C-2. Award of Contract for Requisition No. 84540, to Hunter Contracting Company (Headquarters: Gilbert, AZ) for construction manager at risk for Craycroft Road/River Road to Sunrise Drive Project. The estimated cost for these services, including construction, is approximately \$17,000,000.00. Funding Source: Capital Improvement Bond Fund. Administering Department: Transportation.

Approved
as amended
5/0

6. DIVISION OF ELECTIONS

Pursuant to A.R.S. '16-821B, approval of Precinct Committeemen Resignation/Appointments:

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Curtis, Frances M.	286	DEM
<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Conger, Bryant D.	017	REP
Butler, Thorin S.	071	DEM
Robertson, Leon S.	142	DEM
Broce, Maritza J.	156	DEM
Limmer, Justin B.	187	REP
Wilson, Lana L.	187	DEM
Colbert, Michael R.	190	DEM
Spivey Sr., Timothy E.	195	REP
Sepich, Elzbieta J.	205	DEM
Dalessandro, Andrea D.	206	DEM
Slagter, Henry C.	207	DEM
Adams, Miriam I.	216	DEM

Bluestein, Marlene	260	DEM
Toth, James J.	260	DEM
Duncan, Becky S.	275	DEM
Holloway, Murdock E.	275	DEM
Machado, Lourdes D.	275	DEM
Winger, Elodie V.	280	DEM
Osterloh, Mark D.	303	DEM
Beamer, Daniel H.	317	DEM
MacDonald, Neil A.	342	DEM
Foss, Kristiana	369	DEM
Ransom, Larry	379	REP

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

Aviation Review Committee

- A. Appointment of Mike Dorso, Federal Aviation Administration, to replace Gary F. Fay. Term expiration: 10/31/08. (Organizational recommendation)
- B. Reappointments of Bernard Martin, Arizona Pilot Association; Suzanne C. McLean, Tucson Airport Authority; and Patricia Thomas, Development Services. Term expirations: 10/31/08. (Organizational recommendation)

PUBLIC WORKS

8. **DEVELOPMENT SERVICES**

Public Non-Motorized Trail Easement

Public non-motorized trail easement from the Mount Zion Lutheran Church for a 30 foot strip located in Lot 25 of Section 31, T14S, R13E, adjacent to the Ajo Highway. Pima County shall maintain, repair, replace or reconstruct the trail and vegetation; and erect signs within this easement. (District 5)

9. **REAL PROPERTY**

Abandonment and Quit Claim Deed

- A. RESOLUTION NO. 2005- 91, of the Pima County Board of Supervisors, providing for the vacation of a portion of right-of-way for Drexel Road lying within Section 9, T15S, R13E, A-05-01. (District 5)
- B. Quit Claim Deed to Iglesia De Cristo De Tucson Corporation, an Arizona non-profit Corporation, for a portion of Drexel Road. No revenue. (District 5)

WASTEWATER MANAGEMENT DEPARTMENT

10. **BILLS OF SALE**

- A. G-2003-124, Santa Rita Ranch, Block 1, Lots 1-41. Owner: Scotia Joint Venture.
- B. G-2003-081, Star Valley, Block 15, Phase 2 (only), Lots 278-366, 372-374 and 393-427. Owner: USH/SVA Star Valley, L.L.C.
- C. G-2003-135, Ace Pumping, Co. Off-Site Public Sewer, 8973 S. Eisenhower Road. Owner: Ace Pumping, Co.
- D. G-2004-011, Innovation Park Drive (Phase 2), Public Manhole No. 1, HCS's and concrete cap over existing public sewer. Owner: Vistoso Partners, L.L.C.
- E. G-2003-010, Via Rancho Del Lago, Blocks 21-27 and 33. Owner: Vail Valley Joint Venture.
- F. G-2002-128, Shurgard Self Storage (Oracle Road). Owner: Shurgard Storage Centers, Inc.

11. **PROCLAMATION**

Proclaiming the week of May 15, 2005 to be:

"PUBLIC WORKS WEEK"

12. RATIFY AND/OR APPROVE

Minutes: March 15, 2005
March 31, 2005

Zoning Enforcement Board of Appeals
Minutes of April 5, 2005