

## AGENDA SUMMARY

### **Pima County Board of Supervisors' Meeting**

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

**September 18, 2007 9:00 a.m.**

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATION AND PROCLAMATION**

Presentation of a Proclamation to members of the Pima County RACES Volunteer Organization, declaring September 29, 2007 to be:

“RACES VOLUNTEER RECOGNITION DAY”

Motion carried to approve (5-0)

### **... 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 regarding the approval of a tax appeal settlement recommendation for Brodetsky, Peter and Zhanna, Tax Parcel Nos. 140-07-002A, 140-07-002C and 140-07-0030, Arizona Tax Court Case No. TX2006-000392.

Accept County Attorney's Office and Assessor's recommendation (5-0)

### **BOARD OF SUPERVISORS SITTING AS OTHER BOARD(S)**

### **... FLOOD CONTROL DISTRICT BOARD**

#### **UNFINISHED BUSINESS (RM 9/4/07)**

#### **A. Riparian Habitat Mitigation Plan**

Staff requests approval of the Riparian Habitat Mitigation Plan to include a financial contribution in the amount of \$38,734.84 to a Mitigation Bank for Villa Toscana Center, P1206-078. (District 1)

Without Objection, continued to October 9, 2007

NEW BUSINESS

**B. Contracts**

1. RESOLUTION NO. 2007 - FC 11, approving an Intergovernmental Agreement with the Arizona Game and Fish Commission, to provide for a Multi-Species Conservation Plan for Pima County, contract amount \$247,620.00 revenue; Tax Levy Fund \$96,110.00 in-kind services (01-59-A-139957-0907)

Without Objection, continued to October 2, 2007

2. Arizona Board of Regents, University of Arizona, Amendment No. 2, to provide for membership in the Water Conservation Alliance of Southern Arizona and extend contract term to 6/30/12, Wastewater Management Enterprise Fund, \$25,000.00; Development Services Enterprise Fund, \$25,000.00; **Flood Control District Tax Levy Fund, \$25,000.00**; total contract amount \$75,000.00 (01-59-A-136290-0705)

Motion carried to approve (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**

Motion carried to approve (5-0)

6. **COUNTY ADMINISTRATOR**

A. **Classification and Compensation**

The Health Department requests approval to create a new Position Control Number to be allocated as 1841/Program Services Specialist. All costs associated with this position will be paid through existing funds.

Motion carried to approve (4-0)

**B. Employee Wellness Matters**

Staff requests approval to participate in the "Cookin' to Wellness" challenge.

Motion carried to approve (4-0)

**7. INDUSTRIAL DEVELOPMENT AUTHORITY**

A. RESOLUTION NO. 2007 - **244**, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not-to-exceed \$100,000,000.00, Education Revenue Bonds (American Charter Schools Foundation Project), Series 2007A and declaring an emergency.

B. RESOLUTION NO. 2007 - **245**, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not-to-exceed \$80,000,000.00, Water and Wastewater Revenue Bonds (Global Water Resources, L.L.C. Project), Series 2007 and declaring an emergency.

Motion carried to approve (5-0)

**\* \* \* HEARINGS \* \* \***

**FRANCHISES/LICENSES/PERMITS**

**Liquor Licenses**

\*(**Clerk's Note**: The Zoning Inspector recommends approval subject to the applicant obtaining a Type I Conditional Use Permit.)

\*8. 07-22-8905, Matthew Angus McKinnon, Shlomo and Vito's New York Delicatessen, 2870 E. Skyline, Tucson, Series 12, Restaurant License, New License.

Motion carried to approve (4-0)

\*(**Clerk's Note**: See Sheriff's Report.)

- \*9. 07-23-8906, Raymon Carlo Flores, El Charro Ventana, 6910 E. Sunrise Drive, Tucson, Series 12, Restaurant License, New License.

Motion carried to approve (4-0)

10. 07-21-8904, Kim Kenneth Kwiatkowski, Circle K Store No. 1796, 3795 S. Palo Verde Road, Tucson, Series 9, Liquor Store License, New License.

Motion carried to approve (4-0)

11. 07-24-8907, Robert Mendoza Navarro, C-Note Lounge, 1302 W. Roger Road, Tucson, Series 6, Bar License, New License.

Motion carried to approve (4-0)

## **DEVELOPMENT SERVICES**

### **Zoning Code Text Amendment**

12. Co8-06-03, WILDLIFE REHABILITATION/ANIMAL RESCUE FACILITIES  
An ordinance of the Board of Supervisors of Pima County, Arizona; relating to zoning; by amending the Pima County Code by adding definitions for Wildlife Rehabilitation Facility and Animal Rescue and Sanctuary Facility to Chapter 18.03 (General Definitions); and adding development standards and application requirements for Wildlife Rehabilitation Facilities and Animal Rescue and Sanctuary Facilities to Chapter 18.09 (General Residential and Rural Zoning Provisions); and adding Animal Rescue and Sanctuary Facility as either a conditional or permitted use in Chapters 18.12 (Institutional Reserve Zone), 18.13 (Rural Homestead Zone), 18.14 (Rural Residential Zone), 18.17 (Suburban Ranch Zone), 18.18 (Suburban Ranch Estate Zone), 18.19 (Suburban Homestead Zone), 18.21 (Single Residence Zone), 18.51 (Light Industrial/Warehousing Zone), 18.53 (General Industrial Zone), and 18.37 (Multiple Use Zone). On motion the Planning and Zoning Commission voted 6-0 (Commissioners Cuyugan, Gungle and Hirsch were absent) to recommend **APPROVAL AS MODIFIED**. Staff recommends **APPROVAL AS MODIFIED**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2007 - **81** .

Motion carried to approve as amended (4-0)

## Waiver of Platting Requirement

13. PPW 07-02, MIRAVAL BLOCK PLAT (BLOCK 3 AND A PORTION OF BLOCK 4) BK. 62 PG. 54 (P1205-033/P1205-080)  
Request of Villas at Miraval Development L.L.C. and Sierra Health-Styles L.L.C., represented by Douglas Schneider with Rick Engineering for Tax Parcels Nos. 222-02-1130 (block 3) and the northern portion of 222-02-1140 (block 4) for a waiver of the subdivision plat requirements pursuant to section 18.69.080 of the Pima County Zoning Code which allows a waiver of any or all Code standards for a subdivision which has received or is not subject to an order of exemption from the public report requirements administered by the Arizona Department of Real Estate. The request compromises a proposed 27-villa commercial development found on block 3 and portion of block 4 of the Miraval Block Plat (P1205-033) approved by Pima County Board of Supervisors May 1, 2007. The applicant intends to build 27 resort villa units, which will be offered for sale (including the land under the building footprint). The block 3 (approximately 11.5 acres) and block 4 (approximately 22.6 acres) of the Miraval block plat are plat are zoned SP (specific plan) resort use and is located on the east side of North Lago Del Oro Parkway in Catalina, Arizona. Staff recommends **APPROVAL SUBJECT TO CONDITIONS.** (District 1)

Motion carried to approve (5-0)

## TRANSPORTATION

14. **Traffic Ordinances**
- A. ORDINANCE NO. 2007 - **82**, of the 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)
- B. ORDINANCE NO. 2007 - **83**, of the Board of Supervisors, establishing Palo Verde Road as a through street in Pima County, Arizona. Staff recommends **APPROVAL.** (District 2)
- C. ORDINANCE NO. 2007 - **84**, of the Board of Supervisors, regulating traffic at the intersection of Richey Boulevard and Golf Links Road in Pima County, Arizona. Staff recommends **APPROVAL.** (District 2)

- D. ORDINANCE NO. 2007 - **85** , of the Board of Supervisors, establishing traffic controls at Palo Verde and 37th Street/Golf Links Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)
  
- E. ORDINANCE NO. 2007 - **86** , of the Board of Supervisors, establishing traffic controls at Palo Verde and 36th Street Access Ramp in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)
  
- F. ORDINANCE NO. 2007 - **87** , of the Board of Supervisors, regulating parking on Dodge Boulevard in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
  
- G. ORDINANCE NO. 2007 - **88** , of the Board of Supervisors, regulating traffic at the intersection of Calle Princesa and Camino De La Reina in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve items A-G (4-0)

#### **WASTEWATER MANAGEMENT**

15. **Pima County Code Text Amendment**

ORDINANCE NO. 2007 - **89** , of the Board of Supervisors, relating to Wastewater; appending provisions of Pima County Code, Title 13, Chapter 20, Sanitary Sewer Construction, Connections and Fees regarding repair and replacement of house connection sewers.

Motion carried to approve (4-0)

16. **CALL TO THE PUBLIC**

17. **ADJOURNMENT**

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

DATE POSTED: 9/12/07

TIME POSTED: 5:00 P.M.

# CONSENT CALENDAR, SEPTEMBER 18, 2007

## 1. CONTRACTS AND AWARDS

### A. Economic Development and Tourism

1. The Critical Path to Accelerate Therapies Institute, d.b.a. The Critical Path Institute, Amendment No. 2, to provide equipment and personnel, extend contract term to 7/1/08 and amend contractual language, General Fund, contract amount \$375,000.00 (11-71-C-137133-1005)

### B. Health Department

2. RESOLUTION NO. 2007 - 241, approving an Intergovernmental Agreement with the Arizona Board of Regents on behalf of Arizona State University, to provide appropriate clinical and/or home-based educational experience for students, interns, residents and others enrolled at ASU – including educational research, learning and public service programs, no cost (01-01-A-139945-0707)
3. Arizona Department of Health Services, to provide for the renovation and expansion of the East WIC Office, Federal Fund, contract amount \$85,296.00 revenue (02-01-A-139946-1106)
4. Midwestern University, College of Health Sciences, to provide internship opportunities for public health students, no cost (07-01-M-139947-0807)
5. Arizona Board of Regents on behalf of the University of Arizona, Amendment No. 1, to provide HIV/STD testing and counseling for youth and extend contract term to 9/29/08, Federal Fund, contract amount \$50,000.00 revenue (02-01-A-139181-0906)

### C. Procurement

6. Siemens Communication, Inc., Amendment No. 3, to provide Siemens telephone system, products and maintenance support services, including expansions to several locations and system upgrades for various departments and extend contract term to 4/16/08, General Fund, contract amount \$2,100,000.00 (11-14-S-137967-0406) Information Technology
7. PB Americas, Inc., Amendment No. 3, to provide roadway planning and design services for Vail and Colossal Cave Roads, reflect name change and amend contractual language, Development Impact Fee Fund, contract amount \$46,907.00 (16-04-P-134047-0204) Transportation
8. Barnett and Shore Contractors, L.L.C., Amendment No. 4, to provide a job order contract for demolition services and amend contractual language, no cost (26-04-B-135161-0904) Transportation

9. Southern Arizona Paving and Construction Co., Amendment No. 3, to provide a job order contract for roadway paving, surface treatments and amend contractual language, no cost (26-04-S-138088-0506) Transportation
10. KE & G Construction, Inc., Amendment No. 1, to provide a job order contract for traffic signal, road/intersection and drainage improvements and amend contractual language, no cost (26-04-K-139396-0407) Transportation

**Awards**

11. Low Bid: Award of Contract, Requisition No. 0704069, in the amount of \$3,912,619.00 to Triumph Builders SW, L.L.C. (Headquarters: Tucson, AZ), base bid plus all allowances for the construction of the Children’s Advocacy Center. Contract is for a twelve-month period with the option to extend for project completion. Funding Source: 2004 Bond Fund. Administering Department: Facilities Management.
12. SFQ: Award of three job order contracts, Requisition No. 0800133, in the amount of \$250,000.00 each to the following top-ranked firms for HVAC maintenance and construction services at various locations. Contracts are for a one-year term with the option to extend for up to two additional one-year periods. Funding Source: General Fund. Administering Department: Facilities Management.

<u>Firm</u>	<u>Headquarters</u>
Oracle Control Systems, Inc.	Tucson, AZ
Pueblo Mechanical and Controls, Inc. Tucson, AZ	Tucson, AZ Temperature Control, Inc.

13. Most Qualified: Award of Contracts, Requisition No. 0800301, in the annual amount of \$600,000.00 to the following respondents for temporary medical personnel. Contract is for a one-year term and includes four one-year renewal periods. Funding Source: PHCS Enterprise Fund. Administering Department: Posada Del Sol.

<u>CONTRACTOR</u>	<u>HQ</u>	<u>AMOUNT</u>
Maxim Healthcare Services, Inc.	Columbia, MD	\$200,000.00
MGA Healthcare Staffing, Inc.	Phoenix, AZ	100,000.00
Nursefinders, Inc.	Arlington, TX	80,000.00
Crdentia Corporation	Dallas, TX	50,000.00
Favorite Healthcare Staffing, Inc.	Overland Park, KS	50,000.00
Advance Nursing Corp.	Greenville, SC	40,000.00
ATC Healthcare Services, Inc.	Lake Success, NY	40,000.00
Dependable Nurses, Inc.	Tucson, AZ	40,000.00

14. Cooperative Procurement: Award of Contract, Requisition No. 0800679, in the amount of \$298,499.50 to D. Wilson Consulting Group, L.L.C. (Headquarters: Jacksonville, FL) for a Comprehensive Disparity Study of City of Tucson and Pima County MWBE Programs. Contract is for a one-

year term. Funding Source: General Fund. Administering Department: Procurement.

15. Award of Contract for Requisition No. 0703097 to Greeley and Hansen (Headquarters: Tucson, AZ), the highest-ranked respondent for Program Management Services for the Regional Optimization Master Plan CIP Implementation Project. This contract will provide professional program management oversight services for all related projects within the more than \$500,000,000.00 ROMP Program. This contract is not to exceed \$4,500,000.00 for a term of three years, with options to extend the contract term for two additional three-year periods to provide for continued oversight of the ROMP Program elements required to ensure regulatory compliance for the Ina Road and Roger Road Wastewater Treatment Plants by January 30, 2014 and 2015, respectively. In the event a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: Jacobs Engineering Group, Faithful & Gould, until a contract is executed or the final list is exhausted. Funding Source: 2004 Bond Fund. Administering Department: Wastewater Management.

**D. Real Property**

16. RESOLUTION NO. 2007 - 242 , of the Pima County Board of Supervisors authorizing the sale of land held by the State under a Treasurer's Deed to Terry L. Stevens and Christine A. Stevens, Tax Parcel No. 118-06-069G and execution of a Quit Claim Deed, contract amount \$635.00 revenue (11-03-S-139949-0907) Wastewater Management

**E. Sheriff**

17. Yuma County Sheriff's Office, Amendment No. 5, to provide for the H.I.D.T.A. XIII Program and extend contract term to 12/31/07, H.I.D.T.A. XIII Grant Fund, no cost (01-11-Y-132422-1002)

**F. Wastewater Management**

18. Arizona Board of Regents, University of Arizona, Amendment No. 2, to provide for membership in the Water Conservation Alliance of Southern Arizona and extend contract term to 6/30/12, **Wastewater Management Enterprise Fund**, \$25,000.00; **Development Services Enterprise Fund**, \$25,000.00; Flood Control District Tax Levy Fund, \$25,000.00; total contract amount \$75,000.00 (01-59-A-136290-0705)

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

A. **Cable Renewal Committee**

Appointment of Benny Gomez, Jr. Term expiration: 6/30/08. (District 2)

B. **Workforce Investment Board**

Appointment of Mark Miller, Business, to replace Dan Townsend. Term expiration: 9/30/09. (Staff recommendation)

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

Vickie S. Butler, Angel Charity for Children, Inc., Westin La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, December 8, 2007.

4. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of June, 2007.

5. **REAL PROPERTY**

Conveyance of Surplus Property and Quit Claim Deed

A. RESOLUTION NO. 2007 - **243**, of the Board of Supervisors, approving and authorizing the execution of a Quit Claim Deed conveying surplus property to the City of Tucson to clarify jurisdictional responsibility. (District 2)

B. Quit Claim Deed to City of Tucson to convey 1.82 acres of surplus property located north of E. Irvington Road and west of S. Houghton Road, known as Mesquite Ranch Road, and an adjoining 14 acre parcel, Tax Parcel No. 136-31-0220. (District 2)

6. **RATIFY AND/OR APPROVE**

Minutes: July 24, 2007

## ADDENDUM SUMMARY

### **Pima County Board of Supervisors' Meeting**

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

**September 18, 2007 9:00 a.m.**

#### **... 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 regarding the settlement conference in Desert American Builders Corp. v. Pima County, Pima County Superior Court Cause No. C20063999.

Motion to appoint Carmine DeBonis to represent Pima County (5-0)

#### **BOARD OF SUPERVISORS SITTING AS OTHER BOARD(S)**

##### **... FLOOD CONTROL DISTRICT BOARD**

###### Drainage Easements

- A. Sale and conveyance of a 3,000 square foot Drainage Easement to Fidelity National Title Agency, Inc., as Trustee under Trust No. 60,248, located east of Alvernon Way between Valencia Road and Benson Highway, in Section 10, T15S, R14E, G&SRM, \$3,500.00 revenue. (District 2)
- B. Sale and conveyance of four Drainage Easements totaling 10,978 square feet to Lawyers Title of Arizona, as Trustee under Trust No. 8042-T, located within the Julian Wash in Section 32, T14S, R14E, G&SRM, \$1,670.00 revenue. (District 2)

Motion carried to approve (4-0)

#### **BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

##### **1. BOARD OF SUPERVISORS**

RESOLUTION NO. 2007 - 246, of the Board of Supervisors of Pima County, Arizona, in opposition to permanent U.S. Border Patrol checkpoints in the Border Patrol's Tucson Sector. (Districts 3 and 5)

Motion carried to approve (5-0)

2. **COUNTY ADMINISTRATOR**

Staff recommends the following options for Sportspark:

- A. Authorize the County to assume operation of Sportspark as of October 1, 2007, and to continue operation of the facility as a public park.
- B. Request that the Bond Advisory Committee consider appropriate bond ordinance amendments to provide funding for the replacement of sports field lighting at Sportspark, and to provide new lighting for two fields at Brandi Fenton Memorial Park.
- C. Authorize, subject to expenditure supervision by the Finance Department, allocations to cover the cost of operating and maintaining Sportspark for the balance of the fiscal year and purchasing necessary small tools and capital equipment with allocations from the following funds:
  - 1. Facilities Renewal Fund – parks allocation \$225,000.00
  - 2. Risk Management Fund 50,000.00
  - 3. Bond Interest – Capital Only 150,000.00
  - 4. Board Contingency Fund 100,000.00
  - 5. Economic Development and Tourism Fund 100,000.00
  - 6. Attrition savings from the Board, adopted and approved 350,000.00  
Natural Resources, Parks and Recreation budget
- D. Provide direction regarding the hours of operation and lights, as well as the sale of beer and wine at the facility.

Motion carried to approve as amended (4-1)

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

A. **County Attorney Investigators Local Retirement Board**

Reappointment of David McDonald, Elected Representative. Term expiration: 10/2/11. (Committee recommendation)

B. **Davis-Monthan Open Space Advisory Committee**

Appointment of Frank Felix, Arizona Department of Commerce designee, to replace Roberto Rios. No term expiration. (Jurisdictional recommendation)

Motion carried to approve (4-0)

4. **PROCUREMENT Award**

Cooperative Procurement: Award of contract, Requisition No. 0800653, in the amount of \$598,173.23 to Avaya (Headquarters: Tempe, AZ) to install new or upgraded telephone switch hardware or functionality at three Sheriff Department facilities. Funding Source: Federal Grant (\$370,000.00) and General Funds (\$228,173.23). Administering Departments: Information Technology and Sheriff.

Motion carried to approve (4-0)

5. **DEVELOPMENT SERVICES**

**Final Plat with Assurances**

P1205-079, Four Seasons Phase 1, Lots 1-320, Blocks A, B, C and D, Common Areas A1-A2, B1-B6, C1-C3, D1-D12 and E. (District 4)

Motion carried to approve (4-0)

6. **REAL PROPERTY**

**Grant of Preservation Easement**

Grant of Preservation Easement from Old Fort Lowell Neighborhood Association to Pima County for the historic San Pedro Chapel property, located at 5204 and 5230 East Fort Lowell Road, Section 35, T13S, R14E, G&SRM. (District 4)

Motion carried to approve (4-0)

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

DATE POSTED: 9/14/07

TIME POSTED: 11:00 A.M.