AGENDA SUMMARY
Pima County Board of Supervisors’ Meeting
130 W. Congress St., Hearing Room, 1st Fl.
May 13, 2008   9:00 a.m.

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. PAUSE 4 PAWS
5. PRESENTATION/PROCLAMATION
   Presentation of a proclamation to an AmeriCorps representative proclaiming the
   week of May 11 – 18, 2008, to be:
   “AMERICORPS WEEK”
   Motion carried to approve (5-0)

... EXECUTIVE SESSION
   (Clerk’s Note: As of the posting date of 05/07/08, no executive session item has
   been placed on the regular agenda. However, this is subject to any addendum.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS
... FLOOD CONTROL DISTRICT BOARD
A. Riparian Habitat Mitigation Plan
   Staff requests approval of the Riparian Habitat Mitigation Plan which
   includes a financial contribution in the amount of $7,270.05 for property
   located at 4986 N. Placita Borboa. (District 3 4)
   Motion carried to approve (5-0)

B. Contracts
   1. MMLA Psomas, Inc., Amendment No. 1, to provide design
      engineering services for the Canada del Oro Linear Park:
      Thornydale Road to Magee Road and amend scope of work, 2004
      Bond Fund, contract amount $38,130.00 (16-59-M-140480-1107)
      Motion carried to approve (5-0)

   2. Bruce G. Dewey and Earlene Dewey, Trustee of the Bruce G.
      Dewey and Earlene Revocable Living Trust, to provide an acquisition
agreement for 3.10 acres of property with a single family residence and metal barn, located at 14520 W. Marana Road, Marana, Tax Parcel No. 208-14-0120, Flood Control Levy Fund, contract amount $181,660.00 including closing costs (22-59-D-140831-0508)

Motion carried to approve (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

6. CONSENT CALENDAR: For consideration and approval

A. CALL TO THE PUBLIC

B. APPROVAL OF CONSENT CALENDAR

Motion carried to approve (5-0)

7. COUNTY ADMINISTRATOR

Revisions to Merit System Rules and Personnel Policies

Staff requests approval of the following revisions:

A. Personnel Policy 7-106.D (Sick Leave)
   This policy is expanded to allow the use of sick leave for the illness or death of a domestic partner or child of a domestic partner and requires the filing of an affidavit by the employee, when necessary and when sick leave is requested for this purpose, or the employee must have a current affidavit on file with the Human Resources Department for the domestic partner or child of the domestic partner enrolled under the County’s health benefits plan. Also, this section has been changed to clarify that eligibility for FMLA is defined in the Family and Medical Leave Act.

Motion carried to approve (5-0)

B. Personnel Policy 7-108.C (Medical Disability)
   Due to various needs for medical disability leave, including some employees waiting for long-term disability eligibility, it is recommended that the Appointing Authority determine whether continuing re-certification is necessary. The current policy requires re-certification in all situations creating a burden for those who may not recover and are simply waiting for a decision from the State regarding long-term disability.

Motion carried to approve (5-0)

C. Personnel Policy 7-108.F (Humanitarian/Personal Reasons)
   This policy is expanded to include the domestic partner or child of the domestic partner similar to the proposed change to Personnel Policy 7-106.D above.

Motion carried to approve (5-0)
8. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION DEPARTMENT

Annual Action Plan Funding Recommendations

RESOLUTION NO. 2008–116, of the Board of Supervisors of Pima County, Arizona, approval of the submission to the U. S. Department of Housing and Urban Development of the Annual Action Plan for FY 2008-2009, identifying funding for the following purposes and to the following agencies:

- Community Development Block Grant Program: $2,560,535.00
- Home Program: 728,962.00
- Emergency Shelter Grant Program: 113,037.00

Motion carried to approve (5-0)

### CDBG Funds

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HOME Program Funds

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Emergency Shelter Grant

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*** HEARINGS ***

FRANCHISES/LICENSES/PERMITS

Liquor License

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


Motion carried to approve (5-0)

Fireworks Permit

10. Alan Raso, Westward Look Resort, 245 E. Ina Road, Tucson, May 25, 2008 at 9:00 p.m.

Motion carried to approve (5-0)

Extension of Premises/Patio Permit

11. Michael Raymond Gill, Montgomery’s Grill and Saloon, 13190 E. Colossal Cave Road, No. 190, Vail, Temporary Extension of Premises for May 13 and 17, June 10, and July 8, 2008.

Motion carried to approve (5-0)
DEVELOPMENT SERVICES

Rezonings

12. **Co9-07-25, RENOVO VENTURES, L.L.C. – JUNIPER ROAD REZONING**
Request of Renovo Ventures, L.L.C., represented by Tim Murray, for a rezoning of 3.4 acres from SR (Suburban Ranch) to CR-2 (Single Residence) and SH (Suburban Homestead) on a property located on the east side of Juniper Road, approximately 1/2 mile west of Thornydale Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

Without objection, continued to 6/3/08

13. **Co9-08-01, ELKINS REVOCABLE TRUST – ORACLE ROAD REZONING**
Request of Elkins Revocable Trust, represented by Michael J. Harris, for a rezoning of .43 acres from CR-1 (Single Residence) to TR (Transitional) located at the northwest corner of Oracle and Los Altos Roads, approximately 1/4 mile north of Orange Grove Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8–0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

Motion carried to approve as amended (5-0)

14. **Co9-07-32, DAIGNAULT/TILLEY – VIOLET AVENUE REZONING**
Request of Daniel Daignault and Scott Tilley, represented by ADC Inc., for a rezoning of .74 acres from CR-4 (Mixed Dwelling Type) to CI-1 (Light Industrial/Warehousing), on property located on the south side of Violet Avenue, approximately 400 feet south of Ruthrauff Road and approximately 1,100 feet east of Interstate 10. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8–0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 3)

Motion carried to approve (5-0)

ENVIRONMENTAL QUALITY

15. **Pima County Code Text Amendment**

ORDINANCE NO. 2008-55, the Board of Supervisors of Pima County, Arizona, relating to Air Quality; amending the Pima County Code by Amending Title 17, Chapters 4, 12, and 16 to update and adopt new incorporations by reference of the following federal regulations: Acid Rain, National Emission Standards for Hazardous Air Pollutants (NESHAP), New Source Performance Standards (NSPS), and other parts of Title 40 Code of Federal Regulations.

Motion carried to approve (5-0)
TRANSPORTATION

UNFINISHED BUSINESS (RM 4/15/08)

16. Road Establishment

RESOLUTION NO. 2008-89, of the Board of Supervisors of Pima County, Arizona, providing for the establishment of a County highway to be known as X9 Ranch Road, lying within Section 36 and 25, T15S, R16E, and Sections 30, 20, 19 and 17, T15S, R17E, Pima County, Arizona, Proceeding No. 3000. (District 4)

Without objection, continued to 6/17/08

17. CALL TO THE PUBLIC

18. ADJOURNMENT

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 5/7/08
TIME POSTED: 5:00 P.M.
CONSENT CALENDAR, MAY 13, 2008

1. CONTRACTS AND AWARDS

A. County Attorney

1. Arizona Board of Regents, University of Arizona, College of Public Health, Amendment No. 5, to provide for the Restorative Justice Program and extend contract term to 9/29/07, Board of Regents Grant Fund, contract amount $2,809.00 decrease (02-02-A-132151-0303)

B. Health Department

2. RESOLUTION NO. 2008-110, approving an Intergovernmental Agreement with Pinal County, to provide for animal care services, no cost (01-01-P-140819-0508)

3. RESOLUTION NO. 2008-111, approving an Intergovernmental Agreement with the Arizona Department of Health Services, to provide for the Public Health Physical Activity Program, Federal Fund, contract amount $92,479.00 revenue (01-01-A-140820-0408)

4. RESOLUTION NO. 2008-112, approving an Intergovernmental Agreement with the Northwest Fire District, to provide training for Technical Rescue Teams and Hazmat Technicians, Federal Homeland Security Grant Fund, contract amount $109,579.00 (01-01-N-140829-0108)

5. RESOLUTION NO. 2008-113, approving an Intergovernmental Agreement with the Arizona Department of Health Services, to provide prenatal services, Prenatal Block Grant Fund, contract amount $181,476.00 revenue (01-01-A-140836-0708)

6. The Youth Corps of America, Inc., to provide for the Martial Arts Resiliency Program, Health Fund (1% for Youth), contract amount $6,000.00 (32-01-Y-140828-0508)

C. Pima Health System

7. Neurological Associates of Tucson, P.C., d.b.a. Center for Neurosciences, Amendment No. 8, to provide neurology and neurosurgery services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-132789-0603)

D. Procurement

8. ARAG Insurance Company, Amendment No. 2, to provide pre-paid legal services for employees and extend contract term to 6/30/09, no cost (11-43-A-137846-0706) Human Resources
9. Southern Arizona Paving and Construction Co., Amendment No. 4, to provide a job-order contract for roadway paving and surface treatments, extend contract term to 5/23/09 and amend contractual language, Transportation Special Revenue Fund, $1,400,000.00; RTA Tax Revenue Fund, $300,000.00; total contract amount $1,700,000.00 (26-04-S-138088-0506) Transportation

10. KE&G Construction, Inc., Amendment No. 2, to provide a job-order contract for wastewater conveyance repair, rehabilitation and construction services - small pipe contract and extend contract term to 6/30/09, 2004 Bond Fund, $400,000.00; Wastewater Management System Development Fund, contract amount $1,800,000.00; total contract amount $2,200,000.00 (26-03-K-139133-0107) Regional Wastewater Reclamation

11. KE&G Construction, Inc., Amendment No. 2, to provide a job-order contract for wastewater conveyance repair, rehabilitation and construction services - large pipe contract and extend contract term to 6/30/09, 2004 Bond Fund, contract amount $4,018,486.18 (26-03-K-139134-0107) Regional Wastewater Reclamation

Awards

12. Increase in Award to Hussar Electric Supply Co., B500171-Revision 12, for electrical supplies, in the amount of $50,000.00. Funding Source: General Fund. Administering Department: All.

13. Rejection of All Bids for Requisition No. 0802188 – 33 N. Stone Ave. Elevator Upgrades. In February 2008, Pima County issued an Invitation to Bid. The estimated cost for the project was $650,000.00. Three non-responsive bids were received. Staff recommends rejection of all bids and permission to issue a new solicitation. Funding Source: General Fund. Administering Department: Facilities Management.

E. Sheriff

14. RESOLUTION NO. 2008-114, approving an Intergovernmental Agreement with Public Agencies of the State of Arizona, to provide cooperative law enforcement training, no cost (01-11-P-140835-0108)

15. RESOLUTION NO. 2008-115, approving an Intergovernmental Agreement with the City of South Tucson, to provide for the incarceration of municipal prisoners, General Fund, contract amount $186,645.00 revenue (01-11-S-140837-0708)

2. DIVISION OF ELECTIONS

Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignation and appointments:
RESIGNATION
Rebling, Blake W.

APPOINTMENTS
Massey, James L. 116 DEM
Cox, Jennifer E. 166 DEM
Smith, Lynda L. 202 DEM
Wagner, Gregory M. 241 DEM
Jaeger, James 248 REP
Marcus, Walter 326 DEM
Robuck, Robert G. 339 DEM
Rebling, Blake W. 402 REP

3. JUSTICE AND LAW ENFORCEMENT
Superior Court: Judges Pro Tempore

Appointment of the following as Judge Pro Tempore of Superior Court for the period of July 1, 2008 through June 30, 2009.

Aboud, John
Aboud, Michael
Abrams, Lisa
Adam, Karen
Aguilar, David
Alexander, Arthur
Armenta, Trini
Assini, John
Baade, John
Baldwin, Howard
Barrasso, Robert
Belleau, Laura
Bellovin, Barry
Bibbens, Lisa
Bolt, John
Brady, John
Brei, Suzanne
Brew, Lindsay
Bryson, Kyle
Cahan, Eric
Centuori, Steven
Christensen, Mark
Christoffel, Dean
Clark, Jr., Douglas
Cohen, Gary
Cohen, Melvin
Conn, Deanna
Connors, Julia
Contreras, Roger
Copperstone, Cheryl
Cramer, Amelia
Cuneo, Suzanne
Cunningham, Marjorie
Dardis, Fred
Davis, Thomas
Dawley, Francis
Diamond, David
Douglas, Sharon
Duncan, Roger
Economidis, Peter

Elkins, C. Joy
Erickson, George
Everlove, Annette
Farley, James
Fell, Howard
Geiser, Jeannette
Gibson, Scott
Glicksman, Elliott
Grant, Philip
Green, Patricia
Hazlett, Carl
Henry, Richard
Heurlin, Bruce
Hobson, K. Alexander
Hochuli, Peter
Hubbell, Amy
Hunter, James
Jackson, Gary
Jackson, Terrence
Johnson, Michael
Johnson, Jr., Thomas
Jones, Lori
Julien, Paul
Jurkowitz, Daniel
Jurkowitz, Harvey
Karl, Karen
Karp, Leonard
Kaufmann, John
Knuck, Theodore
Liberty, Pamela
Lieberthal, David
Liwski, Danielle
Macdonald, Bruce
Masunas, Annalisa
Maxwell, Margaret
McCarthy, Kathleen
McNorton, Lisa
Mitchell, Douglas
Nygard, Karen
O'Neill, Nancy

5-13-08 (10)
4. **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, Pima County Wastewater 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 Agreements:

A. Safeway, Inc., a Delaware Corporation, d.b.a. Safeway Food and Drug, No. 267. Proposed settlement amount is $500.00.

B. McDonald’s 7684. Proposed settlement amount is $500.00.

5. **PROCLAMATION**

Proclaiming the week of May 19 - 23, 2008, to be:

“NATIONAL ASSOCIATION OF INSURANCE WOMEN WEEK”

6. **RATIFY AND/OR APPROVE**

Minutes: March 18, 2008
ADDENDUM SUMMARY

Pima County Board of Supervisors’ Meeting
130 W. Congress St., Hearing Room, 1st Fl.
May 13, 2008   9:00 a.m.

EXECUTIVE SESSIONS

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

A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Lowe, et. al. v. Pima County, Arizona, Court of Appeals Case No. 2CA-CV 2006-0212 and Resolution No. 2008-118.

Motion carried to accept recommendation (3-2)

B. Pursuant to A.R.S. §38-431.03(A) (3) for legal advice regarding the written decision denying T-Mobile Type III Conditional Use Permit Application P21-07-027 to locate a Communications Tower at 6860 N. Sandario Road.

Informational item only

C. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding request that Pima County waive a potential conflict of interest to allow Snell & Wilmer to represent Pima County in Seaboard Surety Company v. Pima County, Pima County Superior Court Case No. C20074840, while continuing to represent affiliates of Seaboard in unrelated matters.

Motion carried to approve (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. BOARD OF SUPERVISORS

RESOLUTION NO. 2008-110, of the Pima County Board of Supervisors supporting the application by Animals Facilitating Adolescents and Children to the Pascua Yaqui Tribe for a portion of the Tribe’s annual contribution to Cities, Towns and Counties. (District 3)

Motion carried to approve (5-0)
2. COUNTY ADMINISTRATOR

Conditional Use Permit Decision

Approval of written decision denying T-Mobile Type III Conditional Use Permit Application P21-07-027 to locate a Communications Tower at 6860 N. Sandario Road.

Motion carried to approve (5-0)

3. COUNTY ATTORNEY

RESOLUTION NO. 2008-114 118, of the Pima County Board of Supervisors, to authorize acceptance or rejection of offered property and execution of a Disclaimer Deed.

Motion carried to approve (3-2)

*(CLERK’S NOTE: This item should be heard after 10:00 a.m., after the final bid opening.)*

*4. FINANCE AND RISK MANAGEMENT

RESOLUTION NO. 2008-112 119, of the Board of Supervisors of Pima County, Arizona, providing for the issuance and sale of Pima County, Arizona Sewer Revenue Bonds, series 2008; providing for the payment of the bonds; providing terms, covenants and conditions concerning the bonds; accepting a bid for the purchase of the bonds; authorizing and directing the execution and delivery of documents and further actions relating to the issuance of bonds; appointing an initial bond registrar and paying agent for the bonds; and declaring an emergency.

Motion carried to approve (5-0)

5. PROCUREMENT - Award

Amendment of Award: American Cadastre, L.L.C., Requisition No. 0702908, Purchase Order No. 08008835, to provide confidential information redaction services and increase award amount by $55,000.00. Funding Source: Other Special Revenue Funds. Administering Department: Recorder’s Office.

Motion carried to approve (5-0)

PUBLIC WORKS

6. Amendment to Development Agreement

TNR&S, Inc., and Stewart Title and Trust Nos. 3526 and 3527, Amendment No. 1, regarding the development of rezoned land adjacent to the Tucson National Resort and Spa.

Motion carried to approve (5-0)
7. **BOARDS, COMMISSIONS AND/OR COMMITTEES**

A. **Pima County, Arizona Municipal Property Corporation**

   Appointment of Virginia Yrun to fill an existing vacancy. Term expiration date 11/19/08. (Corporation recommendation)

   Motion carried to approve (5-0)

B. **Tucson-Pima County Bicycle Advisory Committee**

   Appointment of Evan Unger to replace Bill Adamson. Term: 7/1/08 - 6/30/10. (District 4)

   Motion carried to approve (5-0)

C. **Pima County Bond Advisory Committee**

   Appointment of Rebecca Manoleas to fill the unexpired term of Robert Davis. Term expiration: 4/30/10. (District 4)

   Motion carried to approve (5-0)

D. **Flood Control District Advisory Committee**

   Appointment of Janice Hughes to replace Paul W. Cella. No term expiration. (District 4)

   Motion carried to approve (5-0)

E. **Planning and Zoning Commission**

   Reappointment of William Matter. Term expiration: 6/19/10. (District 4)

   Motion carried to approve (5-0)

**POSTED:** Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
**DATE POSTED:** 5/9/08
**TIME POSTED:** 11:00 A.M.