

## AGENDA SUMMARY

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

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

**March 3, 2009 9:00 a.m.**

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
5. **PROCLAMATION**

Presentation of a proclamation to Sandy Fagan and Rick Rhey of the Southwest Fair Housing Council proclaiming the month of April 2009, to be:

“FAIR HOUSING MONTH IN PIMA COUNTY”

Motion carried to approve (5/0)

### **... EXECUTIVE SESSION**

**(Clerk's Note:** As of the posting date of 2/25/09, 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**

#### **Contract**

The Ashton Company, Inc., Amendment No. 2, to provide construction manager at-risk services for the Rillito River Linear Park: Alvernon Way to Craycroft Road Improvement Project and amend contractual language, Flood Control District Fund, contract amount \$285,357.42 (03-59-A-140400-1007)

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 except CC 1A-7 and 6C1-2 (5/0)

7. **COUNTY ADMINISTRATOR**

**Classification and Compensation**

The Division of Elections requests the creation of a new classification to be allocated as follows:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>GRADE/RANGE</u>	<u>EEO, O/T CODE</u>
1593	Elections Unit Supervisor	45 (\$40,665-\$59,173)	6, NE*

\*NE = Non-Exempt, Paid Overtime

Motion carried to approve (5/0)

8. **PROCUREMENT**

**UNFINISHED BUSINESS** (RM 2/17/09)

A. **Award**

Award of Contract to Sundt/Kiewit Joint Venture, for construction manager at-risk (CMAR) services for the Roger Road Wastewater Treatment Plant to Ina Road Water Pollution Control Facility Plant Interconnect Project. The Guaranteed Maximum Price (GMP) is \$25,197,276.00. Funding Source: 2004 Sewer Revenue Bond. Administering Department: Regional Wastewater Reclamation Department.

Without objection, continued to 3/10/09

B. **Contract**

Sundt/Kiewit Joint Venture "CMAR," Amendment No. 1, to provide for construction manager at-risk services for the Roger Road Wastewater Treatment Plant to Ina Road Water Pollution Control Facility Plant Interconnect

and amend contractual language, 2004 Bond Fund, no cost (03-03-S-140790-0408) Regional Wastewater Reclamation Department

Without objection, continued to 3/10/09

NEW BUSINESS

**DEVELOPMENT SERVICES**

9. **Final Plat with Assurances**

P1206-002, Arcadia, Lots 1 through 40. (District 1)

Motion carried to approve (5/0)

**REGIONAL WASTEWATER RECLAMATION DEPARTMENT**

10. **Pretreatment Settlement Agreement**

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund:

Cracker Barrel Old Country Store, Inc., d.b.a. Cracker Barrel Old Country Store No. 344, Case No. 2008-13. Proposed settlement amount is \$1,229.35.

Motion carried to approve (5/0)

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

11. **BOARD OF SUPERVISORS**

**Pima County Code Text Amendment**

ORDINANCE NO. 2009 - 15, relating to Public Peace, Morals and Welfare; Underage Drinking; amending Pima County Code Title 9 by adding Chapter 9.70, Permitting or Encouraging Underage Drinking.

Motion carried to approve (5/0)

## DEVELOPMENT SERVICES

### Rezoning

12. Co9-06-46, CUMMINGS - ORACLE ROAD REZONING  
Request of Scott Cummings, represented by The Planning Center, for a **rezoning** of approximately **2.25** acres from **GR-1 (GZ)(Rural Residential) (Gateway Overlay Zone)** to **CB-2 (GZ)(General Business) (Gateway Overlay Zone)**, on property located on the west side of Oracle Road, approximately 275 feet south of Mainsail Boulevard in Catalina. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0 to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve as amended (5/0)

### TRANSPORTATION

13. **Road Establishment and Intergovernmental Agreement**

- A. RESOLUTION NO. 2009 - **31**, of the Pima County Board of Supervisors, establishing a County highway within the incorporated limits of the City of Tucson for the Barrio Centro Neighborhood Association Project. (District 2)

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2009 - **32**, of the Pima County Board of Supervisors, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Barrio Centro Neighborhood Improvement Project in accordance with Pima County Neighborhood Transportation Safety Reinvestment Program for the design and installation of median islands, a traffic circle and entrance monuments, HURF Grant and 1997 Bond Funds, contract amount \$29,147.00 (01-70-T-141777-0309) Community Development and Neighborhood Conservation

Motion carried to approve (5/0)

14. **Traffic Ordinance**

ORDINANCE NO. 2009 – **16**, of the Board of Supervisors, regulating parking of vehicles on both sides of River Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

15. **Traffic Resolution**

RESOLUTION NO. 2009 - **33**, of the Board of Supervisors, permitting the temporary closure of McCain Loop Road during the Tucson Bicycle Classic on March 6, 2009. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (5/0)

16. **Environmental Assessment and Mitigation Report**

Staff recommends approval of the Environmental Assessment and Mitigation Report for Tanque Verde Road Improvements: Catalina Highway to Houghton Road. (District 4)

Motion carried to approve as amended (5/0)

17. **CALL TO THE PUBLIC**

18. **ADJOURNMENT**

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

DATE POSTED: 2/25/09

TIME POSTED: 5:00 P.M.

**CONSENT CALENDAR, MARCH 3, 2009****1. CONTRACTS AND AWARDS****A. Community Services, Employment and Training**

1. Arizona Housing and Prevention Services, Inc., to provide emergency financial assistance, and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$80,000.00; General Fund, contract amount \$5,000.00 (07-69-A-141757-0708)
2. Primavera Foundation, to provide emergency financial assistance and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$86,000.00; General Fund, contract amount \$7,000.00 (07-69-P-141758-0708)
3. Chicanos Por La Causa, to provide emergency financial assistance and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$76,000.00; General Fund, contract amount \$6,000.00 (07-69-C-141759-0708)
4. Portable Practical Educational Preparation, Inc., to provide emergency financial assistance and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$57,000.00; General Fund, contract amount \$5,000.00 (07-69-P-141761-0708)
5. Tucson Urban League, to provide emergency financial assistance and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$63,000.00; General Fund, contract amount \$6,000.00 (07-69-T-141762-0708)
6. American Indian Association of Tucson, Inc., d.b.a. Tucson Indian Center, to provide emergency financial assistance and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$54,000.00; General Fund, contract amount \$5,000.00 (07-69-A-141763-0708)
7. Interfaith Community Services, to provide emergency financial assistance and case management services, STCS/TANF and ADOH Grant Funds, contract amount \$110,000.00; General Fund, contract amount \$7,000.00 (07-69-I-141764-0708)

Motion carried to approve (5/0)

**B. Health**

8. RESOLUTION NO. 2009 - **28**, approving an Intergovernmental Agreement with the City of South Tucson, to provide for the State of Arizona Public Health Preparedness and Response for Bio-Terrorism through the transport and staging of Strategic National Stockpile Assets, State Grant Fund, contract amount \$50,000.00 (01-01-S-141776-0309)
9. Town of Sahuarita, Amendment No. 1, to provide animal control services and extend contract term to 6/30/10, revenue based on services (01-01-S-138428-0906)

**C. Pima Health System**

10. Arizona Community Physicians, P.C., Amendment No. 5, to provide primary care physician, specialty, O/B GYN, flu vaccine administration and sleep studies services and extend contract term to 3/31/10, PHCS Enterprise Fund, no cost (18-15-A-135580-0405)
11. El Rio Health Center, Inc., Amendment No. 9, to provide primary care physician, specialty, OB, and dental services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-E-135703-0405)
12. Smith's Food and Drug Centers, Inc., d.b.a. Fry's Food and Drug Stores, Amendment No. 3, to provide prescription pharmacy and medical supply services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-135704-0405)
13. Premier Surgery Center of Tucson, L.P., d.b.a. Premier Surgery Center of Tucson, Amendment No. 4, to provide surgery services, extend contract term to 2/28/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-H-135710-0305)
14. American Associated Druggists, d.b.a. United Drugs, Amendment No. 3, to provide prescription pharmacy and medical supply services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-135722-0405)
15. Tomar, L.L.C., d.b.a. Tom's Pharmacy, Amendment No. 3, to provide prescription pharmacy and medical supply services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-135723-0405)

16. Northwest Tucson Surgery Center, L.P., Amendment No. 3, to provide ambulatory surgery center services, extend contract term to 2/28/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-136169-0605)
17. El Dorado Surgery Center, L.P., d.b.a. Tucson Surgery Center, Amendment No. 3, to provide ambulatory surgery center services, extend contract term to 2/28/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-E-136170-0605)
18. Tucson Heart Group, P.L.C., Amendment No. 4, to provide cardiology services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-137416-0406)
19. Southwest Heart Group, L.L.C., Amendment No. 3, to provide cardiovascular medicine services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-137910-0406)
20. Arizona Pediatric Surgery, Ltd., Amendment No. 2, to provide pediatric surgery services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-138007-0406)
21. Arizona Medical Services, P.C., Amendment No. 1, to provide primary care physician services, extend contract term to 1/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-A-139594-0207)

**D. Procurement**

22. TNI Partners, d.b.a., Tucson Newspapers, Amendment No. 5, to provide Countywide as-needed classified/retail advertising services, extend contract term to 4/5/10 and amend contractual language, no cost (11-26-P-136120-0405)

**E. Real Property**

23. City of Tucson, to provide an Exchange Agreement for public right-of-way for the construction of the Joint Justice and Municipal Court Complex in exchange for right-of-way needed for streetcar service through the Theresa Lee Health Center parking lot; Quit Claim Deed from Pima County to the City of Tucson; Quit Claim Deed from the City of Tucson to Pima County; Ingress/Egress from Pima County to Chicanos Por La Causa, Inc., Ingress/Egress from Pima County to 71-75 E. Alameda, L.L.C.; and

Declaration of Public Utility Easement by Pima County, 2004 Bond Fund,  
contract amount \$3,000.00; \$58,000.00 revenue (24-13-T-141753-0309)  
Facilities Management

## 2. DIVISION OF ELECTIONS

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

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Metz, Gerald	010	REP
Mitchell, Alan	039	REP
Turner, Diana K.	056	DEM
Munoz, Carlos	067	REP
George, Tabitha	088	REP
Miller, Janet	088	REP
DeMarino, Lawrence	125	REP
O'Hanley, James N.	129	REP
Harris, Deyoe R.	154	DEM
Edwards III, Samuel T.	158	REP
McClung, Ruth C.	165	REP
Bang-Simon, Kristi A.	170	DEM
Ruhl, Christopher W.	180	REP
Luongo, Vincent	184	REP
Beeman, Jacob L.	223	DEM
Larson, Suzanne M.	233	REP
Daniel, Dave	274	REP
Moore, Lisa D.	281	DEM
Garcia, Eleazar	290	DEM
Smith, Valerie A.	365	DEM
Buono, Randy M.	395	REP
Romero, Raul	395	REP
Stolsek, Wesley C.	412	DEM

## 3. BOARD, COMMISSION AND/OR COMMITTEE

### Animal Care Advisory Committee

Appointment of Jennifer Becker, Foundation for Animals in Risk, to fill the unexpired term of Maureen Hickey. Term expiration: 3/31/11. (Committee recommendation)

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

A. Joseph E. Martinez, VFW Post No. 3578, 1764 N. Second Ave, Ajo, February 28, 2009.

- B. David Richter, Arizona Chapter of the American Parkinson Disease Association, 4280 N. Campbell Ave., Tucson, March 28, 2009.

5. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of October, November, and December, 2008, and January, 2009.

6. **REAL PROPERTY**

A. **Condemnation**

RESOLUTION NO. 2009 - 29, of the Board of Supervisors, authorizing the Pima County Attorney to condemn for real property or real property interests, where necessary, for the La Cholla Boulevard: Ruthrauff Road to River Road Improvement Project, located in Sections 15, 16, 21 and 22, T13S, R13E, G&SRM. (District 3)

B. **License Agreement**

License Agreement with Western Area Power Administration to allow the Santa Cruz Interceptor Phase 2 sewer line to cross the existing easement for the Tucson-Apache 115-kV Transmission Line on Tax Parcel Nos. 115-16-024A and 115-16-025A in Section 3, T14S, R13E, G&SRM. (District 5)

C. **Abandonment and Quit Claim Deed**

- 1. RESOLUTION NO. 2009 - 30, of the Board of Supervisors providing for the vacation of a walkway in Country Club Estates, Pima County Abandonment No. A-06-13, within Section 36, T13S, R14E, G&SRM. (District 4)

Motion carried to deny (5/0)

- 2. Quit Claim Deed to Charles L. Townsdin, Jr. and Sandra J. Townsdin, Trustees, or their successors in trust, under the Charles L. Townsdin, Jr. and Sandra J. Townsdin Living Trust, dated June 30, 1998, for the vacation of a walkway in Country Club Estates. No revenue. (District 4)

Motion carried to deny (5/0)

**D. Sale of Sewer Easement**

Sale of Sewer Easement to Town of Marana to provide sewer line service to the Silverbell Cortaro District Park, located in Section 35, T12S, R12E, G&SRM, RWRD Fund. \$8,400.00 revenue. (District 3)

**7. RATIFY AND/OR APPROVE**

Minutes: January 6, 2009

Warrants: February, 2009

## ADDENDUM SUMMARY

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

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

**March 3, 2009 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 a request that Pima County waive a concurrent conflict of interest to allow DeConcini McDonald Yetwin & Lacy to represent Denny Nolen, Corp., Denny Nolen and Terry Nolen in the matter of Pima County vs. Denny Nolen, Corp., et. al.

Motion carried to deny (5/0)

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

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

A. Presentation by the Hope Fest Committee to the Board of Supervisors in appreciation of their support and efforts surrounding Hope Fest 2008. (District 2)

No Board action taken.

B. RESOLUTION NO. 2009 - 34, of the Board of Supervisors requesting Arizona State University's Administration to retain the institution's School of Social Work Tucson Component. (District 5)

Motion carried to approve (5/0)

##### **2. BOARD COMMISSION AND/OR COMMITTEE**

###### **Metropolitan Education Commission**

Appointment of Chris Walden Jones, Arizona Education Association, Grades 5-9, to fill the unexpired term of Betina Martinez. Term expiration: 2/20/11; and Dr. Peri Jude Radecic, Disabled Community Representative, to replace Cathy Hunt. Term expiration: 12/31/11. (Commission recommendation)

Motion carried to approve (5/0)

3. **PROCLAMATION**

Proclaiming March 8, 2009 to be:

“JEWISH-MUSLIM PEACEWALK DAY IN PIMA COUNTY”

Motion carried to approve (5/0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 2/27/09  
TIME POSTED: 11:00 A.M.