

## AGENDA SUMMARY

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

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

**May 12, 2009 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 Employee Council representatives Ellen Sexton, Carlos Rodriguez and Chase Waddell, proclaiming the week of May 17 through May 23, 2009, to be:

“PIMA COUNTY PUBLIC WORKS WEEK”

Motion carried to approve (5/0)

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

(**Clerk's Note:** As of the posting date of 5/6/09, 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**

##### **Riparian Habitat Mitigation Plan**

Staff requests approval of the Riparian Habitat Mitigation Plan which includes a financial contribution in the amount of \$1,841.74 to a mitigation bank for the construction of a proposed pool and block/wrought iron wall for property located at 3870 N. Homestead Avenue. (District 4)

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. REGIONAL WASTEWATER RECLAMATION**

**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, 2008-13. Proposed settlement amount is \$2,229.35.

Without objection, this item was removed from agenda

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

**FRANCHISES/LICENSES/PERMITS**

**Fireworks Permit**

8. Alan Raso, Westward Look Resort, 245 E. Ina Rd., Tucson, May 24, 2009 at 9:00 p.m.

Motion carried to approve (5/0)

**Extension of Premises/Patio Permit**

9. Albert S. Hall, Jr., Acacia at St. Philips, 4340 N. Campbell Ave., No. 103, Tucson, Temporary Extension of Premises for May 17, 2009.

Motion carried to approve (5/0)

**DEVELOPMENT SERVICES**

UNFINISHED BUSINESS (RM 4/7/09)

**Rezoning**

10. Co9-07-10, CARDINAL IRVINGTON HOMES, L.L.C., – CARDINAL AVENUE REZONING  
Request of Cardinal Irvington Homes, L.L.C., represented by Laidlaw Consulting, L.L.C., for a rezoning of approximately 14.42 acres from SH (Suburban Homestead) and TDR-RA (Transfer of Development Rights Receiving Area) to CR-4 (Mixed Dwelling Type) and TDR-RA (Transfer of Development Rights Receiving Area), on property located on the southwest corner of Cardinal Avenue and Irvington Road. The proposed

rezoning conforms to the Pima County Comprehensive Plan Co7-00-20. On motion, the Planning and Zoning Commission voted 8-1 (Commissioner Membrila voted Nay; Commissioner Richey abstained; Commissioner Smith was absent) to recommend **DENIAL**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 5)

Motion carried to approve as amended (5/0)

## NEW BUSINESS

### 11. **PROCUREMENT**

#### A. **Pima County Code Text Amendment**

ORDINANCE NO. 2009 - 47, of the Board of Supervisors, amending the Pima County Code, Title 20, Minority and Woman Owned Business Enterprise Code.

Motion carried to continue to 7/7/09 (5/0)

#### B. **Board of Supervisors Policy Revision**

Staff requests approval of the revision to Board of Supervisors Policy No. D 29.8, Minority/Woman and Small Business Enterprise.

Motion carried to continue to 7/7/09 (5/0)

## **TRANSPORTATION**

### 12. **Roadway Development Impact Fees**

A. Pursuant to A.R.S. §11-1102, conduct a public hearing regarding the establishment of the Southwest Benefit Area and amendments to existing development impact fees.

Without objection, this item was continued to 6/2/09

#### B. Direct staff to:

1. Prepare an ordinance to amend Title 19 of the Pima County Code to establish the Southwest Benefit Area, fee schedules and policies and to redefine San Xavier and Avra Valley Benefit Areas as recommended;
2. Amend Pima County Ordinance No. 2009-02, to provide a new project list for the Southwest Benefit Area and revised lists for the Avra Valley and San Xavier Benefit Areas;

3. Prepare an ordinance to modify the Major Street and Scenic Routes Plan to be consistent with the SWIP (Southwest Infrastructure Plan);
4. Prepare and release a public report documenting the need to increase impact fee county-wide and to prepare an ordinance amendment for adoption in no less than 120 days. Contained in the ordinance will be a delayed effective date of six months based on local economic conditions. This effective date will be reevaluated at the end of the six month period for possible extension.
5. Undertake infrastructure studies in the remaining benefit areas to better define future growth, needed projects, project costs, and required impact fees.

Without objection, this item was continued to 6/2/09

13. **Abandonment Resolution**

RESOLUTION NO. 2009 - 85, of the Board of Supervisors, abandoning to the City of Tucson all portions of Valencia Road lying within Sections 10, 11, 14 and 15, T15S, R13E, of the incorporated limits of the City of Tucson.

Motion carried to approve (5/0)

14. **Traffic Resolution**

RESOLUTION NO. 2009 - 86, of the Board of Supervisors, temporarily closing Mount Lemmon Highway in Pima County, Arizona, for the Mount Lemmon Women's Club 4th of July Parade. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5/0)

15. **CALL TO THE PUBLIC**

16. **ADJOURNMENT**

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

DATE POSTED: 5/6/09

TIME POSTED: 5:00 P.M.

## CONSENT CALENDAR, MAY 12, 2009

### 1. CONTRACTS AND AWARDS

#### A. Community Development and Neighborhood Conservation

1. RESOLUTION NO. 2009 - 81, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the Animals Facilitating Adolescents and Children Program, contract amount \$95,000.00 revenue (01-70-P-141920-0509)
2. RESOLUTION NO. 2009 - 82, approving an Intergovernmental Agreement with the City of South Tucson, to provide for management and implementation of the Community Development Block Grant Demolition Program, HUD Fund, contract amount \$28,323.88 (01-70-S-141921-0209)
3. RESOLUTION NO. 2009 - 83, approving an Intergovernmental Agreement with the City of South Tucson, to provide for management and implementation of the Community Development Block Grant Demolition Program, HUD Fund, contract amount \$3,159.05 (01-70-S-141922-0209)

#### B. Community Services Employment and Training

4. Chris Nybakken, d.b.a. The Nybakken Group, L.L.C., Amendment No. 1, to provide consultant services to develop policies, strategies and programs to ensure compliance with all Federal and State requirements for clients eligible for special education services, extend contract term to 3/31/10 and amend contractual language, Arizona Department of Education Grant Fund, contract amount \$40,000.00 (07-67-N-140798-0408)

#### C. Facilities Management

5. 33 North Stone Partners, Inc., and C-Cubed Unlimited, Inc., d.b.a. Quik Print, Amendment No. 5, to provide an Office Lease Agreement for office space in the Bank of America Building, extend contract term to 2/28/14 and amend contractual language, contract amount \$297,843.00 revenue (04-13-P-141917-0392)

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

6. RESOLUTION NO. 2009 - 84, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Juhan Park

Expansion Project, 1997 Bond Fund, contract amount \$99,912.00 (01-05-T-141911-0509)

7. City of Tucson, Amendment No. 1, to provide improvements to the Joaquin Murrieta Metro Park ball fields and amend contractual language, 1997 Bond Fund, contract amount \$99,912.00 decrease (01-05-T-139569-0607)

**E. Pima Accommodation District**

8. Arizona Supreme Court - Administrative Office of the Courts, Amendment No. 1, to provide for the No Child Left Behind Educational Services Program for detainees at the Pima County Juvenile Detention Facility and amend contractual language, AOC Fund, contract amount \$189,059.25 revenue (01-38-A-140897-0608)

**F. Pima Health System**

9. Alvernon Optical, Inc., Amendment No. 2, to provide vision care services and extend contract term to 6/30/10, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-A-139632-0707)
10. Arizona Health Care Cost Containment System, Amendment No. 3, to provide acute care services and amend contractual language, PHCS Enterprise Fund, no cost (02-15-A-141668-1008)
11. East Tucson IM and Geriatric, Inc., to provide internal medicine services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00/2 year term (18-15-E-141905-0709)

**G. Procurement**

12. Employers Dental Services, Amendment No. 4, to provide a group pre-paid dental plan, extend contract term to 6/30/10 and amend contractual language, General Fund, contract amount \$576,000.00 (07-43-E-136083-0605) Human Resources
13. CompuSys, Inc., of Arizona, Amendment No. 4, to provide third-party dental plan administration services, extend contract term to 6/30/10 and amend contractual language, General Fund, no cost (07-43-C-136096-0605) Human Resources
14. Minnesota Life Insurance Company, Amendment No. 4, to provide a life insurance benefits program, extend contract term to 6/30/10 and amend contractual language, General Fund, contract amount \$1,200,000.00 (07-43-M-136138-0605) Human Resources

15. Application Software, Inc., Amendment No. 3, to provide flexible spending account administration services, extend contract term to 6/30/10 and amend contractual language, General Fund, contract amount \$50,000.00 (11-43-A-137845-0706) Human Resources
16. ARAG Insurance Company, Amendment No. 3, to provide a pre-paid legal services plan, extend contract term to 6/30/10 and amend contractual language, General Fund, no cost (11-43-A-137846-0706) Human Resources

#### **Award**

17. Amendment of Award: American Cadastre, L.L.C. "AmCad," B504940, Rev. 002 to provide film and microfiche conversion to digital media and confidential information redaction services and extend contract term to 6/30/10. Funding Source: Other Special Revenue Fund. Administering Department: Recorder's Office.

#### **H. Transportation**

18. Vail Valley Joint Venture, Amendment No. 3, to provide for the Vail Valley Ranch (Rancho Del Lago) Development Agreement and amend contractual language, Impact Fee Fund, contract amount \$20,000.00 (03-04-V-132991-1202)

### **2. RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of March, 2009.

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

- A. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, May 16, 2009.
- B. Steven A. Kornman, Beaudry RV Center, 3200 E. Irvington Rd., Tucson, May 9, 2009.

## ADDENDUM SUMMARY

### Pima County Board of Supervisors' Meeting

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

May 12, 2009 9:00 a.m.

1. **BOARD OF SUPERVISORS**

RESOLUTION NO. 2009 - 87, of the Pima County Board of Supervisors, supporting the application by the Altar Valley School District 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**

**Revision to Pima County Zoning Code Related to Communication Towers**

Staff requests direction to initiate a text amendment to the Pima County Zoning Code and direct Planning and Zoning staff in the Development Services Department, working with the County Attorney's Office, to bring forward modifications to the conditional use permit process for communication towers to more directly address community necessity and the effect of property values to the extent allowed by Federal and State law.

Motion carried to approve (5/0)

3. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

A. RESOLUTION NO. 2009 - 88, of the Board of Supervisors of Pima County, Arizona, amending the U.S. Department of Housing and Urban Development Annual Action Plan, 2008-2009 in order to receive an additional \$1,063,430.00 for the Homeless Prevention and Rapid Re-Housing Program under the American Recovery and Reinvestment Act of 2009.

Motion carried to approve (5/0)

B. The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the following Neighborhood Reinvestment Projects and authorization for staff to negotiate future intergovernmental agreements, if applicable:

<u>Neighborhood</u>	<u>Project</u>	<u>Estimated Budget</u>
Barrio Centro	Street Lighting and Water Harvesting	\$463,690.00
Wakefield	Skate Park	\$500,000.00
Amphi	Street Lighting	\$108,648.00

Motion carried to approve (5/0)

4. **REGIONAL WASTEWATER RECLAMATION**

**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, 2008-13. Proposed settlement amount is \$1,229.35.

Motion carried to approve (5/0)

5. **CONTRACTS**

A. **Community Development and Neighborhood Conservation**

1. Animals Facilitating Adolescents and Children, to provide for therapeutic animal training services, Pascua Yaqui Tribe Grant Fund, contract amount \$95,000.00 (32-70-A-141949-0509)

Motion carried to approve (5/0)

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

2. Portable Practical Education Preparation, Inc., to provide work experience and basic education services, U.S. Department of Labor and Arizona Department of Economic Security Grant Funds, contract amount \$136,564.00 (07-69-P-141953-0509)

Motion carried to approve (5/0)

3. Tucson Urban League, to provide work experience and basic education services, U.S. Department of Labor and Arizona Department of Economic Security Grant Funds, contract amount not to exceed \$318,830.00 (07-69-T-141954-0509)

Motion carried to approve (5/0)

C. **Regional Wastewater Reclamation**

4. Sundt/Kiewit Joint Venture, Amendment No. 1, to provide construction manager at-risk services for the Roger Road Wastewater Treatment Plant to Ina Road Water Pollution Control Facility Plant Interconnect, correct contract term to 12/31/10 and amend contractual language, 60% 2004

Bond and 40% WIFA/ARRA Funds, contract amount \$55,369.00 (03-03-S-141878-0309)

Motion carried to approve (5/0)

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

**State Board of Equalization**

Reappointment of Victor C. Thornton. Term expiration: 12/31/12. (District 5)

Motion carried to approve (5/0)

7. **PROCLAMATION**

Proclaiming May 17, 2009, to be:

**“INTERNATIONAL AIDS CANDLELIGHT MEMORIAL DAY”**

Motion carried to approve (5/0)

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

DATE POSTED: 5/8/09

TIME POSTED: 11:45 A.M.