

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

October 6, 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 recognize the Foothills Weedwackers from the Coronado Foothills Homeowners Association. (District 1)

Motion carried to approve (5/0)

... EXECUTIVE SESSION

Call to the Public (for Executive Session items only)

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

*(**Clerk's Note:** The following item may present a potential Conflict of Interest for Supervisor Day.)

*Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding approval of tax appeal settlement recommendations for the following:

Title Security Agency of Arizona v. Pima County

New Tucson Units 2, 5, 7, **8**, 9 and 10; 1,338 parcels; parcel numbers located in Book 305, Maps 26, 29, 30, 32, 33, 34, 35 and 37, Arizona Tax Court Case No. TX2009-000133.

Motion carried to accept recommendation (4/0)

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 Item CC 5B (5/0)

7. **BOARD OF SUPERVISORS**

Funding for Green Valley Household Hazardous Waste Collection Program. Direction/Action. (District 4)

Motion carried to accept County Administrator's recommendation (5/0)

8. **COUNTY ADMINISTRATOR**

A. **Classification and Compensation**

The County Attorney's Office requests approval to create five new Position Control Numbers (PCNs) to be allocated as follows. There will be no General Fund costs associated with these five positions.

<u>PCN's</u>	<u>Class Code</u>	<u>Grade</u>	<u>Title</u>
3	3115	R1	Attorney
1	3145	P3	Paralegal
1	3143	P2	Legal Secretary

Motion carried to approve (5/0)

B. **Revisions to Merit System Rules and Personnel Policy**

Staff recommends approval of the proposed revision to the following Merit System Rules and Personnel Policy:

Merit System Rule 3 – Merit System Commission. The Job Retraining and Placement Program was eliminated from the Merit System Rules and approved by the Board of Supervisors on September 8, 2009. Merit System Rule 3 was not updated to reflect that deletion. Therefore, this action changes appealable actions to conform to the deletion of the Job Retraining and Placement Program by renumbering the applicable rules for appeals from Rule 11.5.B through G to Rule 11.5.B through E.

Merit System Rule 8 – Promotion, Demotion, Reappointment, Open Range Reappointment, Reassignment and Detail. Grammatical changes are made to Merit System Rule 8.3.D, changing "his/her" to "he/she" and to Merit System Rule 8.5.B, changing "he/she" to "his/her".

Motion carried to approve (5/0)

UNFINISHED BUSINESS (RM 9/8/09)

Personnel Policy 8-102 – Premium Pay. The Board of Supervisors pulled Personnel Policy 8-102.G.3 along with two other policies due to a request of an employee of the Sheriff's Department. Please be advised that the reference to the Sheriff's Department in Personnel Policy 8-102.G.3 has been obsolete for some time. This personnel policy addresses shift differential pay for nursing classifications and does not pertain to any other classification. Further, nurses have not been employed in the Sheriff's Department for some time. The continued reference to the Sheriff's Department in this rule is simply an oversight and has no impact on current employees in the Sheriff's Department. The other policies that were pulled, Personnel Policies 8-102 A.2. and F.2., are still under review.

Motion carried to approve (5/0)

* * *

C. **Continuation of Emergency Policy Revisions for Military Leave for Operation Enduring Freedom**

RESOLUTION NO. 2009- 254, of the Board of Supervisors of Pima County, Arizona, declaring an emergency order to extend military leave and create benefit options for employees who are reservists and/or are called to active duty in support of Operation Enduring Freedom.

Motion carried to approve (5/0)

9. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2009- 255, of the Board of Supervisors of Pima County, Arizona, approving and authorizing the County to submit applications to the U.S. Environmental Protection Agency seeking Federal funds to conduct Brownfields Grant Activities within Pima County through a community-wide assessment grant for petroleum products and/or a community-wide assessment grant for hazardous substances.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

10. **Final Plat With Assurances**

P1209-010, Chula Vista, Lots 1-7. (District 1)

Motion carried to approve (5/0)

11. **FIRE DISTRICT**

Golder Ranch Fire District

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Golder Ranch Fire District for the proposed Oro Valley Annexation. (District 1)

Motion carried to approve (5/0)

*(**Clerk's Note**: Staff requests a continuance to October 20, 2009.)

UNFINISHED BUSINESS (RM 09/1/09)

*12. **PROCUREMENT**

Staff requests direction to proceed to the second step Request for Proposal phase of the Design/Build/Operate Project for the Regional Optimization Plan (ROMP) 32 MGD Water Reclamation Campus to replace the aging Roger Road Water Reclamation Facility.

Without objection, this item was continued to 10/20/09

***** HEARINGS *****

13. **COUNTY ADMINISTRATOR**

Bond Ordinance Amendments

A. ORDINANCE NO. 2009-90, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 1997-35 Bond Implementation Plan, May 20, 1997 Special Election (as amended September 22, 1998, by Ordinance No. 1998-58; August 20, 2001 by Ordinance No. 2001-111; March 9, 2004 by Ordinance No. 2004-15; October 11, 2005 by Ordinance No. 2005-91; April 4, 2006 by Ordinance No 2006-19; October 17, 2006 by Ordinance No. 2006-82; April 10, 2007 by Ordinance No. 2007-32; November 6, 2007 by Ordinance No. 2007-94; April 1, 2008 by Ordinance No. 2008-24; and November 18, 2008 by Ordinance No. 2008-107); for the purpose of reallocating bond funds, amending the scope of certain projects, amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5/0)

- B. ORDINANCE NO. 2009-91, of the Board of Supervisors of Pima County, Arizona, relating to Highway User Revenue Fund, Revenue Bond Projects amending Ordinance No. 1997-80 Bond Implementation Plan, November 4, 1997 Special Election (as amended September 22, 1998 by Ordinance No. 1998-59; August 20, 2001 by Ordinance No. 2001-112; December 14, 2004 by Ordinance No. 2004-118; October 11, 2005 by Ordinance No. 2005-90; April 4, 2006 by Ordinance No. 2006-20; October 17, 2006 by Ordinance No. 2006-83; November 6, 2007 by Ordinance No. 2007-93; and April 21, 2009 by Ordinance No. 2009-39) for the purpose of amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain bond projects.

Motion carried to approve (5/0)

- C. ORDINANCE NO. 2009-92, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 2004-18 Bond Implementation Plan, May 18, 2004 Special Election (as amended October 2005 by Ordinance No. 2005-92; April 4, 2006 by Ordinance No. 2006-21; October 17, 2006 by Ordinance No. 2006-84; April 10, 2007 by Ordinance No. 2007-33; November 6, 2007 by Ordinance No. 2007-95; April 1, 2008 by Ordinance No. 2008-25; November 18, 2008 by Ordinance No. 2008-106; and April 21, 2009 by Ordinance No. 2009-40) for the purpose of amending the scope of certain projects and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5/0)

- D. ORDINANCE NO. 2009-93, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation Bond Projects amending Ordinance No. 2006-29 Bond Implementation Plan May 16, 2009 Special Election for the purpose of amending the scope of a project.

Motion carried to approve (5/0)

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

*(**Clerk's Note**: The Zoning Inspector reports that pursuant to Pima County Zoning Code, Section 18.14.04 (GR-1), the applicant must obtain a Type II Conditional Use Permit.)

- *14. 09-20-8990, Rocky Lee Carr, Sonoran Winery, ~~938~~ **9385** Wiltbank Road, Tucson, Series 13, Domestic Farm Winery, New License.

Motion carried to approve subject to clerk's note and correction (5/0)

15. 09-21-8991, Ana Daniela Perez, Carlota's Authentic Mexican Cuisine, 7401 N. La Cholla Boulevard, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

16. 09-22-8992, Dennis Keith Shew, Del Monaco's Restaurant, 5151 S. Country Club Road, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

Fireworks Permits

17. Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, November 7, 2009 at 8:00 p.m.

Motion carried to approve (5/0)

18. Tim Powers, Old Tucson Company, 201 S. Kinney Road, Tucson, November 21, 2009 at 9:30 p.m.

Motion carried to approve (5/0)

Extension of Premises/Patio Permits

19. Eric A. Lopez, Putney's Sports Grill, 6090 N. Oracle Road, Tucson, Temporary Extension of Premises for October 17, 2009.

Motion carried to approve (5/0)

20. Albert S. Hall, Acacia at St. Phillips, 4340 N. Campbell Avenue, Suite 103, Tucson, Temporary Extension of Premises for October 24, 2009; December 31, 2009 and January 1, 2010.

Motion carried to approve (5/0)

21. Rick Quintela, Mad Cow Bar, 2660 W. Ruthrauff Road, Tucson, Temporary Extension of Premises for October 10, 2009.

Motion carried to approve (5/0)

22. James Counts, Nimbus Brewing Co., L.L.C., 3850 E, 44th Street, No. 138, Tucson, Temporary Extension of Premises for October 24, 2009.

Motion carried to approve (5/0)

TRANSPORTATION

Southwest Benefit Area

23. ORDINANCE NO. 2009- **94**, of the Board of Supervisors of Pima County, Arizona, relating to capital improvements funding within development fee benefit areas; repealing Ordinance 2009-2 in its entirety; adopting a new ordinance to add the new Southwest Benefit Area, roadway projects within the new benefit area and revised project lists for Avra Valley and San Xavier Benefit Areas. (All Districts)

Motion carried to approve, as amended (5/0)

Pima County Code Text Amendment

24. ORDINANCE NO. 2009- **95**, of the Board of Supervisors of Pima County, Arizona, relating to capital improvements funding and development fees; amending Chapters 19.01 and 19.02 of the Pima County Code to clarify terms and definitions; amending Chapter 19.03 of the Pima County Code to update current impact fee schedules and add the Southwest Benefit Area Impact Fee and Implementation Schedules. (All Districts)

Motion carried to approve, as amended (5/0)

Major Streets and Scenic Routes Plan

25. ORDINANCE NO. 2009- **96**, of the Board of Supervisors of Pima County, Arizona, relating to the Major Streets and Scenic Routes Plan; amending the plan by adding, deleting and/or modifying certain roadway segments in conformance with the Southwest Infrastructure Plan (SWIP). (All Districts)

Motion carried to approve (5/0)

Traffic Ordinance

26. ORDINANCE NO. 2009- **97**, of the Board of Supervisors of Pima County, Arizona, establishing prima facie speed limits on Golf Links Road in Pima County, Arizona. (District 2)

Motion carried to approve (5/0)

27. **CALL TO THE PUBLIC**

28. **ADJOURNMENT**

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

DATE POSTED: 09/30/09

TIME POSTED: 5:00 P.M

CONSENT CALENDAR, OCTOBER 6, 2009

1. CONTRACTS AND AWARDS

A. Community Resources

1. Sahuarita Unified School District, Amendment No. 2, to provide an After-school Elementary Recreation Program, extend contract term to 7/31/10 and amend contractual language, General Fund, contract amount \$45,600.00 (01-67-S-140376-0807)
2. Marana Unified School District, Amendment No. 2, to provide an After-school Elementary Recreation Program, extend contract term to 7/31/10 and amend contractual language, General Fund, contract amount \$71,250.00 (01-67-M-140444-0807)

B. Constables

3. To provide for the Constable Ethics Standards and Training Board Equipment Grant Program, State Grant Fund, revenue:

<u>Item</u>	<u>Contract No.</u>	<u>Amount</u>
Ballistic Vest	02-78-C-142350-1009	\$ 850.00
Digital Cameras	02-78-C-142351-1009	\$3,078.00
Portable Two-way Radios	02-78-C-142352-1009	\$1,071.00
Laptop Computer	02-78-C-142353-1009	\$2,555.00
Vehicle Hazard Lighting	02-78-C-142354-1009	\$2,715.00
Spanish Language Learning Software	02-78-C-142355-1009	\$ 604.00
Laptop Computer	02-78-C-142356-1009	\$2,555.00
GPS system	02-78-C-142357-1009	\$ 850.00
GPS system	02-78-C-142358-1009	\$ 850.00

C. County Attorney

4. RESOLUTION NO. 2009-247, of the Board of Supervisors of Pima County, Arizona, approving a Grant Agreement with the Department of Justice, Office of Justice Programs and Bureau of Justice Assistance, to provide enhanced prosecution of drug and border-related crimes, Federal Fund, contract amount \$1,285,040.00 revenue (02-02-J-142343-0709)

D. Finance and Risk Management

5. RBC Dain Rauscher, Inc., Amendment No. 3, to provide for financial advisor services and extend contract term to 8/31/10, General Obligation Bond Fund, \$100,000.00; Sewer Revenue Bond Fund, \$75,000.00; HURF Bond Fund, \$25,000.00; total contract amount: \$200,000.00 (07-09-R-139372-0906)

E. Fleet Services

6. RESOLUTION NO. 2009-248, of the Board of Supervisors of Pima County, Arizona, approving an Intergovernmental Agreement with the Northwest Fire District, to provide fuel and vehicle maintenance, revenue per fee schedule (01-75-N-142341-1009)

F. Health Department

7. RESOLUTION NO. 2009-249, of the Board of Supervisors of Pima County, Arizona, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide rental and use of the Pima County Mobile Dental Unit, contract amount \$12,000.00 revenue (01-01-P-142347-1009)
8. Golder Ranch Fire District, Amendment No. 4, to provide childhood immunization services and extend contract term to 8/1/10, no cost (01-01-G-136434-0805)
9. City of South Tucson, Amendment No. 4, to provide childhood immunization services and extend contract term to 8/1/10, no cost (01-01-S-136548-0805)
10. Green Valley Fire District, Amendment No. 1, to provide secure storage for a Bio-Terrorism Program trailer and extend contract term to 10/2/12, no cost (01-01-G-138563-1006)
11. Luz Social Services, to provide health education and awareness activities for youth, 1% for Youth Fund, contract amount \$1,000.00 (32-01-L-142360-1009)

G. Pima Health System

12. Old Pueblo Healthcare, L.L.C., Amendment No. 5, to provide primary care physician services, PHCS Enterprise Fund, contract amount \$80,000.00 (18-15-O-138391-0806)
13. Portable X-Ray of Arizona, L.L.C., Amendment No. 2, to provide mobile radiology and electrocardiogram services, extend contract term to 10/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-P-138587-1106)
14. Arizona Healthcare Cost Containment System, Amendment No. 10, to provide long term care services and amend contractual language, PHCS Enterprise Fund, revenue based on services (18-15-A-138594-1006)
15. L. Hunter Nash, D.D.S., P.C., Amendment No. 3, to provide dental services, extend contract term to 10/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-138661-1106)
16. Ajo Community Health Center, d.b.a. Desert Senita Community Health Center, Amendment No. 4, to provide dental, family planning extension and primary care physician services, extend contract term to 10/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-138810-1106)
17. Brea Tucson, L.L.C., d.b.a. The Court at Tucson, Amendment No. 2, to provide assisted living center services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (07-15-T-140569-1007)
18. Apria Healthcare, Inc., Amendment No. 1, to provide durable medical equipment and administrative support services, PHCS Enterprise Fund, contract amount \$250,000.00 (07-15-A-141138-0808)
19. Arizona Health Care Cost Containment System, Amendment No. 5, to provide acute care medical services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, revenue based on services (02-15-A-141668-1008)
20. Arizona Health Care Cost Containment System, Amendment No. 6, to provide acute care medical services and amend contractual language, PHCS Enterprise Fund, revenue based on services (02-15-A-141668-1008)

21. Amendment No. 2, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost:

<u>VENDOR</u>	<u>CONTRACT NO.</u>
Dependable Nurses, Inc.	07-15-D-142064-0709
McClain Enterprises, d.b.a., Comfort Keepers	07-15-M-142110-0709

22. Michael T. Mayo, D.D.S., P.C., to provide dental services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00/2 year term (18-15-M-142322-1109)
23. Suncrest Healthcare Center, L.L.C., to provide nursing facility services, PHCS Enterprise Fund, contract amount not to exceed \$500,000.00 (18-15-S-142327-0809)
24. University Medical Center Corporation, to provide primary care physician services, PHCS Enterprise Fund, contract amount not to exceed \$500,000.00/ 2 year term (18-15-U-142331-0909)
25. Glendale Healthcare Associates, L.L.C., d.b.a. Desert Sky Rehabilitation Center, to provide nursing facility services, PHCS Enterprise Fund, contract amount not to exceed \$500,000.00 (18-15-G-142334-0809)

H. Procurement

Awards

26. Low Bid, Award of Contract, Requisition No. 1000036, in the amount of \$350,000.00 to the lowest responsive bidder, American Western of Arizona, L.L.C., (Headquarters: Tucson, AZ) for as-needed low income mobile home weatherization services. The contract is for a one year term and includes four one-year renewal periods. Funding Source: American Recovery and Reinvestment Act-Weatherization. Administering Department: Community Development and Neighborhood Conservation.
27. Low Bid, Award of Contract, Requisition No. 1000054, in the amount of \$330,000.00 to each of the lowest responsive bidders, Wood Stock Builders, Inc., B.C. Construction, Inc., and Desert Earth and Wood, L.L.C., (All Headquarters: Tucson, AZ) for as-needed low income conventional home weatherization services. The contracts are for a one year term and include four one-year renewal periods. Funding Source: American Recovery and Reinvestment Act - Weatherization. Administering Department: Community Development and Neighborhood Conservation.

I. **Sheriff**

- 28. RESOLUTION NO. 2009- 250 , of the Board of Supervisors of Pima County, Arizona, approving an Intergovernmental Agreement with the State of Arizona, Department of Public Safety to provide employee salary, benefits and overtime for participation in the Arizona Vehicle Theft Task Force, State Grant Fund, contract amount \$68,907.75 revenue (01-11-A-142325-1009)

- 29. RESOLUTION NO. 2009- 251 , of the Board of Supervisors of Pima County, Arizona, approving an Intergovernmental Agreement with the State of Arizona, Department of Public Safety, to provide employee salary, benefits and overtime for participation in the State Gang Task Force, State Grant Fund, contract amount not to exceed \$45,353.00 revenue (01-11-A-142329-0709)

2. **DIVISION OF ELECTIONS**

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Leon, Jesus	076	DEM
Maxwell, Ed E.	095	REP
Olson, Kathy S.	128	DEM
Olson, Paul C.	128	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Arnold, Thomas W.	079	DEM
Kalinski, Frank C.	084	REP
Monzon, Mario A.	084	DEM
Alster, Ellen B.	088	DEM
Washburn, William L.	121	REP
McDowell, Earl C.	126	REP
Kightlinger, Dianna G.	177	REP
Kightlinger, Rodney, W.	177	REP
Oebker, Daniel N.	177	REP
Leatherman, Linda C.	181	DEM
Copeland, Gary F.	193	REP
Copeland, Randa J.	193	REP
Ruth, Lisa	267	REP
Willenbrock, Alan F.	268	REP
Romero, Bastidas, Gina	363	REP
Larson, David A.	408	REP
Pfeiffer, Dee	417	REP

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

- A. Kim K. Kimbriel, Angel Charity for Children, La Encantada, 2995 E. Skyline Drive, Tucson, November 28, 2009.
- B. Kim K. Kimbriel, Angel Charity for Children, Westin La Paloma, 3660 E. Sunrise Drive, Tucson, December 12, 2009.
- C. Laura Brumbelow, Rincon Institute, 12500 E. Old Spanish Trail, Tucson, September 19, 2009.
- D. Grace L. Reed, VFW Post 10254, 10111 S. Sasabe Highway, Tucson, September 26, 2009.
- E. Grace L. Reed, VFW Post 10254, 10111 S. Sasabe Highway, Tucson, November 7 and 8, 2009.
- F. Sylvia D. Bracamonte, Big Brothers Big Sisters of Tucson, 3660 E. Sunrise Drive, Tucson, October 2, 2009.

4. **TREASURER'S OFFICE**

Certificates of Clearance

Pursuant to A.R.S. §42-19118, staff requests approval of the following:

Unsecured Mobile Homes:	\$ 18,288.66
Business Personal Property:	\$176,154.44
TOTAL Unsecured Personal Property	<u>\$194,443.10</u>

5. **REAL PROPERTY**

A. Abandonments and Quit Claim Deeds

- 1. RESOLUTION NO. 2009- **252**, providing for the abandonment by vacation of a drainage and road easement in Lot 17, Block B of Alvernon Manor as recorded in Book 8 of Maps and Plats at Page 77, located in Section 34, T14S, R14E, G&SRM. (District 2)
- 2. Quit Claim Deed to Atlantic Southwest Land Ventures, L.L.C., needed for drainage and road easements in Alvernon Manor. No revenue. (District 2)

3. RESOLUTION NO. 2009-253, providing for the vacation of the right-of-way of Broatch Street located in Valencia Industrial Properties, as recorded in Book 48 of Maps and Plats at Page 92, located in Section 34 T14S, R14E. (District 4)
4. Quit Claim Deed to Lawyers Title of Arizona, Inc., an Arizona Corporation as Trustee under Trust No. 7982-T, for a portion of Broatch Street located in Valencia Industrial Properties. No revenue. (District 4)

B. Release of Public Ingress/Egress Easement

Leadstar, L.L.C., representing the Gates Pass Condominium Project, requests the release of an unneeded 25-foot public ingress/egress easement as reserved in Docket 8450 at Page 1623 and dedicated in Docket 8516 at Page 591 and Docket 9233 at Page 676, Section 15, T15S, R13E, G&SRM. No revenue. (District 5)

Without objection, this item was continued to 10/20/09

C. Addendum to Easement and Agreement

Addendum to Easement and Agreement between the City of Tucson and Pima County for the construction of the Santa Cruz Interceptor Sewer Line as re-recorded in Docket 12942 at Page 69. The addendum will add four turnaround easements for use by the Pima County Regional Wastewater Reclamation Department. No cost or revenue. (District 5)

6. **RATIFY AND/OR APPROVE**

Warrants: September, 2009

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

October 6, 2009 9:00 a.m.

1. PRESENTATION/PROCLAMATION

Presentation of a proclamation to Joan Lionetti, Executive Director of Tucson Clean & Beautiful and Founder of the Trees for Tucson Program; Sally Gestautas, President of Tucson Clean & Beautiful; Sharon Foltz, Community Relations Director for Tucson Electric Power Company; and, Harold Hummer, Utility Arborist for Tucson Electric Power Company, proclaiming the month of October 2009, to be:

“TREES FOR TUCSON MONTH”

Motion carried to approve (5/0)

. . . 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 a proposed settlement in Gonzalez v. Pima County, et. al., Pima County Superior Court Case No. C20090812.

Motion carried to accept recommendation (5/0)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction to seek approval of a tax appeal settlement recommendation on the following matter:

R & M Real Estate v. Pima County

Tax Parcel Nos. 117-10-050A, 117-10-049A and 112-06-0160, Arizona Tax Court Case No. ST2008-000498.

Motion carried to accept recommendation (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

2. COUNTY ADMINISTRATOR

Soccer Field Lighting for Brandi Fenton Memorial Park

Staff requests direction regarding funding and a source of funds to allow the soccer fields to be used in the evening under lighted conditions.

Motion carried to approve (5/0)

3. CONTRACTS

A. Health Department

1. Coalition for African American Health and Wellness, to provide health education and awareness activities, 1% for Youth Fund, contract amount \$2,500.00 (11-01-C-142380-0909)

Motion carried to approve (5/0)

2. RESOLUTION NO. 2009 - 256, of the Pima County Board of Supervisors, approving an Intergovernmental Agreement with the City of Tucson, to provide for animal care enforcement services, contract amount \$1,315,890.00 revenue (01-01-T-142364-0709)

Motion carried to approve (5/0)

B. Regional Wastewater Reclamation

3. Sundt/Kiewit Joint Venture, Amendment No. 3, to provide construction manager at-risk services for the Roger Road Wastewater Treatment Plant to the Ina Road Water Pollution Control Facility Plant Interconnect, 2004 Sewer Revenue Bond (60%); Water Infrastructure and Finance Authority of Arizona/American Recovery and Reinvestment Act Funds (40%), contract amount \$384,175.00 decrease (03-03-S-141878-0309)

Motion carried to approve (5/0)

C. Real Property

4. RESOLUTION NO. 2009 - 257, approving and authorizing the execution of the following documents with Susan S. Clyne, a widow; Susan S. Clyne, Trustee, or her successors in Trust, under the Susan S. Clyne Living Trust, dated February 19, 2007, and any amendments thereto; Janet Anderson, an unmarried woman; and Meade S. Clyne, a

married man, as his sole and separate property for the purchase of Clyne Ranch:

- A. Assignment and Assumption
(11-64-C-142253-0809, Amendment 1)
- B.. Option Agreement
(11-64-C-142283-1009)
- C. Restrictive Covenants (2)
(11-64-C-142253-0809)
- D. Declarations of Easement (3)
(11-64-C-142253-0809)
- E. Right of First Refusal
(11-64-C-142253-0809)

Motion carried to approve (5/0)

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

Community Action Agency Board

Reappointment of John Vasquez Bedoy. Term expiration: 12/31/12. (District 3)

Motion carried to approve (5/0)

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

DATE POSTED: 10/2/09

TIME POSTED: 11:00 A.M.