

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

November 3, 2009 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
- ... **EXECUTIVE SESSION**

(**Clerk's Note:** As of the posting date of 10/28/09, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

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) as amended

6. **COUNTY ADMINISTRATOR**

UNFINISHED BUSINESS (RM 9/8/09 and RM 10/20/09)

Proposed amendments to Personnel Policy 8-102 (A) (2) and (F) (3).
Discussion/direction/action.

Motion carried to continue to 12/1/09 (5-0)

NEW BUSINESS

7. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2009 – **279**, of the Board of Supervisors, authorizing Pima County to support the San Ignacio Yaqui Council's application for a \$69,972.00 grant for the Old Pascua Senior Nutrition and Socialization Program and the SIYC Emergency, Employment and Social Service Program from the 12% Local Revenue-Sharing contribution of the Pascua Yaqui Tribe.

Motion carried to approve (5-0)

8. **PROCUREMENT**

Appeal of Procurement Director's Decision

Pursuant to Pima County Code Section 11.20.010(J), Thompson-Krone, P.L.C., appeals the decision of the Procurement Director regarding Solicitation No. 0902199, Sportspark League, Tournament and/or Concession Coordinator Services.

Motion carried to deny appeal (4-1)

9. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

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

Quality Inn, n/k/a Grant Inn, No. 2009-08. Proposed settlement amount is \$500.00.

Motion carried to approve (5-0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor License

10. 09-24-8994, James Famighetti, Jimmy's Canal Street Pizzeria, 5655 E. River Road, No. 111, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5-0)

Fireworks Permit

11. Lori McGee, Caterpillar Inc., 5000 W. Caterpillar Trail, Green Valley, November 12, 2009 at approximately 8:00 p.m.

Motion carried to approve (5-0)

Extension of Premises/Patio Permits

12. Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Temporary Extension of Premises for November 16, 2009.

Motion carried to approve (5-0)

13. Pamela L. Headley, Brats Bar and Grill, 5975 W. Western Way, No. 106, Tucson, Temporary Extension of Premises for November 14, 2009.

Motion carried to approve (5-0)

DEVELOPMENT SERVICES

Conditional Use Permit

14. P21-09-025, COX – S. SONOITA HIGHWAY
Request of Leo and Rhea Cox, on the property located at 18585 S. Sonoita Highway in the RH Zone, for a conditional use permit for a winery. Chapter 18.97, in accordance with 18.13.030.B.1 of the Pima County Zoning Code, allows a winery as a Type II Conditional Use in the RH Zone. The Hearing Administrator recommends **APPROVAL, SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**
(District 4)

Motion carried to approve (5-0)

TRANSPORTATION

15. Traffic Ordinances

- A. ORDINANCE NO. 2009 - **102**, of the Board of Supervisors, regulating traffic at the intersection of Ferret Drive and Lemur Lane in Pima County, Arizona. Staff recommends **APPROVAL.** (District 1)

Motion carried to approve (5-0)

- B. ORDINANCE NO. 2009 - **103**, of the Board of Supervisors, establishing prima facie reasonable speed limits for vehicles on Mainsail Boulevard in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5-0)

- C. ORDINANCE NO. 2009 - **104**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 10,000 pounds from using Telera Street over the Ajo Wash Bridge (Structure No. 8258) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Motion carried o approve (5-0)

- D. ORDINANCE NO. 2009 - **105**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 30,000 pounds from using Mission Road over the Mine Haul Road Bridge (Structure No. 8318) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (5-0)

- E. ORDINANCE NO. 2009 - **106**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 40,000 pounds from using Marsh Station Road over the Cienega Creek, Medium Wash RCB and Mescal Arroyo Wash Bridges (Structure Nos. 8293, 8294 and 8299) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5-0)

- F. ORDINANCE NO. 2009 - **107**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 20,000 pounds from using Greaterville Road over the Empire Gulch Wash Bridge (Structure No. 8300) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5-0)

- G. ORDINANCE NO. 2009 - **108**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Madera Canyon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5-0)

16. **CALL TO THE PUBLIC**

17. **ADJOURNMENT**

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

DATE POSTED: 10/28/09

TIME POSTED: 5:00P.M.

CONSENT CALENDAR, NOVEMBER 3, 2009

1. CONTRACTS AND AWARDS

A. Assessor

1. Robert J. Gloudemans, Amendment No. 4, to provide for the Computer Assisted MAS Appraisal System and extend contract term to 11/1/10, General Fund, no cost (07-28-G-137331-1105)

B. Community Development and Neighborhood Conservation

2. RESOLUTION NO. 2009 – 271, approving an Intergovernmental Agreement with the Drexel Heights Fire District, to provide fire hydrants in the Valencia West target area, CDBG Fund, contract amount \$30,000.00 (01-70-D-142409-1009)
3. RESOLUTION NO. 2009 – 272, approving an Intergovernmental Agreement with the Drexel Heights Fire District in the Valencia West target area, to provide for the Family Safety Program, CDBG Fund, contract amount \$15,000.00 (01-70-D-142410-1009)
4. RESOLUTION NO. 2009 – 273, approving an Intergovernmental Agreement with the Town of Marana, to provide management and implementation of the Community Development Block Grant Program, CDBG Fund, contract amount \$130,000.00 (01-70-M-142420-1009)
5. Pima Association of Governments, Amendment No. 2, to provide regional planning services, amend contractual language and extend contract term to 6/30/10, General Fund, \$263,721.00; BOS Contingency Fund, \$34,000.00; total contract amount \$297,721.00 (11-70-P-141524-0708)

C. Community Services, Employment and Training

6. Tucson Youth Development, Inc., Amendment No. 1, to provide staffing to assist with workforce development services and extend contract term to 6/30/10, DOL, DES and WIA Grant and General Funds, no cost (07-69-T-142037-0709)

D. County Attorney

7. Department of Justice, Office on Violence Against Women, Amendment No. 1, to provide for the Rural Victim Witness Satellite

Program and extend contract term to 9/30/11, Federal Fund, contract amount \$304,579.00 revenue (02-02-J-140241-1007)

E. Division of Elections

- 8. RESOLUTION NO. 2009 - **274**, authorizing an Intergovernmental Agreement with the City of Tucson, to provide election services for the November 3, 2009 General and Special Election, General Fund, contract amount \$90,000.00 revenue (01-23-T-142450-1109)

F. Health Department

- 9. RESOLUTION NO. 2009 - **275**, approving an Intergovernmental Agreement with the Green Valley Fire District, to provide required childhood immunization services, no cost (01-01-G-142414-1109)

G. Institutional Health

- 10. RESOLUTION NO. 2009 - **276**, approving an Intergovernmental Agreement with the Arizona Board of Regents, to provide access to the University of Arizona Telemedicine Network Program, General Fund, contract amount \$112,790.00 (01-65-A-142428-0709)

H. Pima Health System

- 11. Arizona Community Physicians, P.C., Amendment No. 6, to provide primary care physician, specialty, OB/GYN, flu vaccine administration and sleep studies services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-135580-0405)
- 12. To provide nursing facility services and extend contract term to 10/31/10, PHCS Enterprise Fund:

<u>Vendor</u>	<u>Amd. No.</u>	<u>Contract No.</u>	<u>Contract Amount</u>
Manor Care of Tucson, L.L.C., d.b.a. Manorcare Health Services (Tucson) No. 498	7	8-15-M-137016-1005	\$2,000,000.00
Life Care Centers of America, Inc., d.b.a. La Canada Care Center	5	18-15-L-137033-1005	\$1,500,000.00

Life Care Centers of
America, Inc., d.b.a.
Mountain View Care
Center 4 18-15-L-137037- \$1,500,000.00
1005

Life Care Centers of
America, Inc., d.b.a.
Life Care Center of
Tucson 4 18-15-L-137040- \$1,500,000.00
1005

Avalon Care Center-
Tucson, L.L.C., d.b.a.
La Colina Health Care
Center 5 18-15-A-137067- \$4,500,000.00
1005

13. Mariposa Community Health Center, Inc., Amendment No. 9, to provide primary care physician, dental, radiology, OB/GYN, transportation and pharmacy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-137143-1005)
14. Palo Verde Homecare, L.L.C., d.b.a. Tucson House Calls, Amendment No. 5, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-138998-0207)
15. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 8, to provide acute care medical services and amend contractual language, revenue based on services (02-15-A-141668-1008)
16. Reliable Nurses, L.L.C., Amendment No. 3, to provide homecare services, PHCS Enterprise Fund, contract amount \$1,300,000.00 (18-15-R-142078-0709)
17. Maxim Healthcare Services, Inc., Amendment No. 2, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-M-142130-0709)
18. Bridgeway Health Solutions of Arizona, L.L.C., to provide a Preferred Medicare Advantage Plan Affiliation, contract amount \$252,000.00 revenue (07-15-B-142421-0110)

I. Procurement

Awards

19. Low Bid: Award of Contract, Requisition No. 1000262, in the amount of \$604,243.00 to the lowest responsive bidder, Sellers & Sons, Inc. (Headquarters: Buckeye, AZ) for the base bid and all alternates for renovation of the Roy Place Commercial Building Facade. The apparent low bid at time of bid opening, Caymus Corporation, was deemed non-responsive for failure to meet the minimum qualifications for historic experience as set forth in the solicitation. The contract is for a ten month period and may be extended for project completion. Funding Source: Facilities Renewal Fund. Administering Department: Facilities Management.
20. Highest Scoring Proposals: Award of Contracts, Requisition No. 1000133, Urban Engineering, (Headquarters: Tucson, AZ), Ashby Surveying & Drafting, Inc. (Headquarters: Tucson, AZ), Precision Land Surveying, Inc. (Headquarters: Tucson, AZ), Stantec Consulting, Inc. (Headquarters: Phoenix, AZ), Amerson Surveying, Inc. (Headquarters: Tucson, AZ) and PSOMAS (Headquarters: Los Angeles, CA) for construction survey services for transportation capital improvement projects. The estimated total cost shall not exceed \$2,000,000.00 for each contract. The term of each contract shall be three years. Funding Source: Transportation Special Revenue Fund. Administering Department: Transportation.

Motion carried to continue to 11/17/09 (5-0)

21. Low Bid: Award of Contract, Requisition No. 1000338, in the amount of \$9,582,372.20 to the lowest responsive bidder, Eagle Rock Excavating, L.L.C., (Headquarters; Tucson, AZ), for the construction of the La Cholla Boulevard, Ruthrauff Road to River Road Project. The contract term is thirty-six months with the ability to extend the term for project completion. Construction is to be complete within 375 working days from Notice to Proceed. The Department of Transportation requests that the Procurement Director's Change Order authority be increased to up to \$500,000.00 per change order, not to exceed a cumulative total of \$1 million. Funding Sources: 97 HURF Bond - DOT 20 (1.7%), HURF 12.6% (44.8%), RTA Sales Tax (51.7%), and Impact Fee (CDO) (1.8%) Funds. Administering Department: Transportation.

J. **Real Property**

22. Acquisition Agreement

- A. Approval of the transfer of the following to the Capital Improvement Project Fund:

\$1,300,000.00 – Parking Garage Enterprise Fund
\$2,500,000.00 – Facilities Renewal Fund

- B. 6550 South Country Club, L.L.C., to provide an Acquisition Agreement for the purchase of property needed for the Election Center Facility, Tax Parcel No. 140-42-003A, Capital Improvement Project Fund, contract amount \$3,790,000.00 including closing costs (22-14-S-142424-1109) Facilities Management

23. El Paso Natural Gas Company, a Delaware Corporation, to provide a Gift Agreement, and Gift Deed and Reservation of Perpetual Easement for the donation of approximately 69.72 acres in Fee located along the alignments of South Greasewood Road and South Westover Avenue for the purposes of a linear park, Special Revenue Fund, contract amount \$22,962.00 (11-05-E-142423-1109) Natural Resources, Parks and Recreation

K. **Regional Wastewater Reclamation**

24. Title Security of Arizona, Trust No. 913, to provide a Connection Fee Credit Agreement, RWRD Fund, contract amount \$182,027.64 credit (11-03-T-141555-1109)

L. **Sheriff**

25. RESOLUTION NO. 2009 - **277**, approving an Intergovernmental Agreement with the Tucson Metropolitan Counter Narcotics Alliance, to provide coordination of drug enforcement and anti-terrorism efforts, Federal Fund, contract amount \$500,000.00 revenue (01-11-T-142422-1109)

2. **BOARD OF SUPERVISORS**

Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2010.

3. **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>
Kinsey, Adam D.	045	DEM
Nelson, Terry A.	140	DEM
Holden, Phyliss A.	205	REP
Poule, Mike	222	REP
Crawford, Virginia D.	262	REP
Ruetz, Steven S.	382	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Watson, Paul S.	131	REP
Kinsey, Adam D.	145	DEM
Johnson, Gerald E.	168	REP
Marchand, Chad S.	180	DEM
Harrod, Julie W.	262	REP
Heidinger, Pamela J.	262	REP
Lau, Bruce H.	326	REP
Cashion Jr., Kenneth D.	392	REP

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

A. **Public Art Committee**

Appointment of Jane L. Hallett to fill vacancy created by Kate O’Rielly. No term expiration. (County Administrator recommendation)

B. **Mechanical/Plumbing Code Committee**

Reappointment of Chris McGinnis. Term expiration: 5/1/13. (Committee recommendation)

C. **Workforce Investment Board**

Appointment of Arnold Palacios, Other, to replace Ramón Valadez. Term expiration: 9/30/12. (W.I.B. recommendation)

FINANCE AND RISK MANAGEMENT

5. **Duplicate Warrants – For Ratification**

Rent Properties \$ 1,583.95

ADDENDUM

Pima County Board of Supervisors' Meeting

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

November 3, 2009 9:00 a.m.

1. BOARD OF SUPERVISORS

- A. RESOLUTION NO. 2009 - **280**, of the Board of Supervisors, calling for the voluntary elimination of artificial trans fats from food sold in restaurants and other food service establishments and served to the public in Pima County. (District 5)

Motion carried to approve (5-0)

- B. RESOLUTION NO. 2009 - **281**, of the Board of Supervisors, relating to conservation and the environment; reaffirming the value of the Sonoran Desert Conservation Plan, recognizing the critical role of Maeveen Behan in developing it and re-naming the Conservation Lands System as the "Maeveen Marie Behan Conservation Lands System." (Districts 2 and 5)

Motion carried to approve (5-0)

2. BOARD, COMMISSION AND/OR COMMITTEE

Parks and Recreation Commission

Appointment of Charles S. Catino to replace David Ridings. Term expiration: 7/31/15. (District 4)

Motion carried to approve (5-0)

3. CONTRACTS - Procurement

- A. MWH Constructors, Inc., Amendment No. 3, to provide for the construction of the Interim Digested Sludge Thickening Facility for the Ina Road WPCF Capacity and Effluent Quality Upgrade Project and amend contractual language, 2004 Sewer Revenue Bond Fund, contract amount \$1,540,000.00 (03-03-M-141162-0808)

Motion carried to approve (5-0)

B. MWH Constructors, Inc., Amendment No. 4, to provide earthwork, construction of retention ponds and drainage piping for the Ina Road WPCF Capacity and Effluent Quality Upgrade Project and amend contractual language, 2004 Sewer Revenue Bond Fund, contract amount \$4,727,565.00 (03-03-M-141162-0808)

Motion carried to approve (5-0)

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

DATE POSTED: 10/30/09

TIME POSTED: 11:00 A.M.