

## AGENDA SUMMARY

**Pima County Board of Supervisors' Meeting**  
**130 W. Congress St., Hearing Room, 1st Fl.**  
**February 16, 2010 9:00 a.m.**

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Eddie Young, First Free Will Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(**Clerk's Note:** As of the posting date of 2/9/10, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

5. **CONSENT CALENDAR:** For consideration and approval

A. **CALL TO THE PUBLIC (for Consent Calendar items only)**

B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve the consent Calendar (5/0) Except items CC1 D12 and CC3C

6. **COMMUNITY DEVELOPMENT & NEIGHBORHOOD CONSERVATION**

The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the following Neighborhood Reinvestment Project and authorization for staff to negotiate a future Intergovernmental Agreement, if applicable:

<u>District</u>	<u>Community Group</u>	<u>Project</u>	<u>Estimated Budget</u>
D2	5 Neighborhoods: Alvernon Heights, Julia Keen, Naylor, Meyers and Roberts	29 <sup>th</sup> Street Weed and Seed Coalition Park Improvements	\$500,000.00

Motion carried to approve (5-0)

7. **HEALTH DEPARTMENT**

RESOLUTION NO. 2010 – **36**, accepting the Arizona Emergency Response Commission Award in the amount of \$14,415.00, for the support of the Pima County Office of Emergency Management.

Motion carried to approve (5/0)

8. **TRANSPORTATION**

**Eric Marcus Municipal Airport Master Plan**

Staff recommends approval of the Eric Marcus Municipal Airport Master Plan. (District 3)

Motion carried to approve (5/0)

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

**FRANCHISE/LICENSE/PERMIT**

**Liquor License**

9. 10-01-9013, Donald Jack Campbell, Jr., Delta Air Lines, Inc., 7250 S. Tucson Boulevard, Tucson, Series 8, Conveyance, New License.

Motion carried to approve (5/0)

**DEVELOPMENT SERVICES**

**Rezoning Closure/Rezoning Time Extension**

\*(**Clerk's Note**: Staff requests these items be continued to the Board of Supervisors' Meeting of 3/16/10.)

- \*10. Co9-92-26, COLLINS – COLOSSAL CAVE ROAD NO. 2 REZONING

- A. Proposal to close a rezoning from RH (Rural Homestead) to CB-1 (Local Business) of approximately 3.25 acres located on the west side of Colossal Cave Road, immediately south of the Union Pacific Railroad tracks. The rezoning was first approved in January 1993, received four time extensions and expired in September 2009. Staff recommends **AGAINST CLOSURE**. (District 4)

Without objection this item was continued to 3/16/10.

- B. Request of Circle K Stores and TNS, L.L.C., represented by David Cisiewski, for a five year time extension for a rezoning of approximately 3.25 acres from RH

(Rural Homestead) to CB-1 (Local Business) located on the west side of Colossal Cave Road, immediately south of the Union Pacific Railroad tracks. The rezoning was first approved in January 1993, received four time extensions and expired in September 2009. The proposed rezoning does not conform to the Pima County Comprehensive Plan, Co7-00-20. Staff recommends **APPROVAL OF A THREE YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 4)

Without objection this item was continued to 3/16/10.

### **Rezoning Time Extension**

11. Co9-99-15, GATZIONIS BROTHERS FAMILY PARTNERSHIP/ CAB PRODUCE COMPANY – ORANGE GROVE ROAD NO. 2 REZONING  
Request of Constantino and Nelida Panousopoulos, represented by Robert M. Conant, Jr., for a five year time extension for the above-referenced rezoning from SR (Suburban Ranch) to TR (Transitional). The subject site was rezoned in 1999 and expired on November 9, 2009. The site is 10.15 acres located on the southwest corner of Orange Grove Road and La Canada Drive. Staff recommends **APPROVAL OF A FIVE YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 1)

Motion carried to approve (5/0)

### 12. **Rezoning Ordinances**

- A. ORDINANCE NO. 2010 - 8, Co9-08-04, GDV Pension Plan, L.L.C., et. al. - Placita Provida Rezoning (Catalina Foothills Zoning Plan). Owner: GDV Pension Plan, L.L.C., et. al. (District 1)

Motion carried to approve (5/0)

- B. ORDINANCE NO. 2010 - 9, Co9-09-04, Goeke-Noyes Street Easement Rezoning. Owner: Jon and Karen Goeke. (District 4)

Motion carried to approve (5/0)

- C. ORDINANCE NO. 2010 - 10, Co23-08-03, Sendero Pass Specific Plan. Owner: Tucson 738 - Montecito Communities, L.L.C. (District 3)

Motion carried to approve (5/0)

### 13. **CALL TO THE PUBLIC**

### 14. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 2/9/10  
TIME POSTED: 5:00 P.M.

## CONSENT CALENDAR, FEBRUARY 16, 2010

### 1. CONTRACTS AND AWARDS

#### A. Community Development and Neighborhood Conservation

1. Jose Gabriel Loyola, Amendment No. 3, to provide consultation, facilitation, coordination, marketing services and extend contract term to 2/27/11, General Fund, contract amount \$9,500.00 (07-70-L-140715-0308)

#### B. Health Department

2. RESOLUTION NO. 2010 - 35, approving an Intergovernmental Agreement with the Sunnyside Unified School District, to provide administration of childhood immunization services, no cost (01-01-S-142728-0210)
3. Arizona Department of Health Services, Amendment No. 4, to provide sexually transmitted disease prevention services and amend contractual language for the term 1/1/10 to 12/31/10, Federal Grant Fund, contract amount \$5,915.00 decrease (01-01-A-140955-0108)
4. Arizona Department of Homeland Security, to provide for the Emergency Operating Center Computers Project for the term 11/16/09 to 3/31/10, Federal Grant Fund, contract amount \$27,355.00 revenue (02-01-A-142719-1109)
5. Arizona Department of Homeland Security, to provide for the Citizen Corps-Pima Safe Program for the term 10/1/09 to 9/30/10, Federal Grant Fund, contract amount \$30,400.00 revenue (02-01-A-142720-1009)

#### C. Office of Court Appointed Counsel

6. Brick P. Storts III, Amendment No. 3, to provide felony attorney panel services, General Fund, contract amount \$150,000.00 (17-74-S-136422-0705)

#### D. Procurement

7. M. Anderson Construction Corporation, Amendment No. 5, to provide a job order contract for park development services, amend contractual language and extend contract term to 2/5/11, 1997 Bond (68%); 2004 Bond (20%); General (11%); and Special Revenue (1%) Funds, contract amount \$830,000.00 (26-05-M-139409-0207)

## Awards

8. Award of Revenue Contract, to the highest scoring proposal submitted by Sexton Energy L.L.C., (Headquarters: Hillside, IL) for Solicitation No. 1000341, for landfill gas utilization at the Tangerine Landfill. In the event a contract cannot be negotiated, request authorization to negotiate with the next highest ranked firm, Blue Source, L.L.C. Administering Department: Environmental Quality
9. Award of Contract, Requisition No. 1000712, in the amount of \$2,600,000.00 to the lowest cost, highest ranked respondent, Humana Insurance Company (Headquarters: De Pere, WI) for life insurance benefits. Contract is for a one-year term and includes four one-year renewal periods. Funding Source: General Fund (12%) and Employee Contributions (88%). Administering Department: Human Resources.
10. Award of Contract, Requisition No. 0901095, in an amount not to exceed \$726,760.00 to the highest ranked, most qualified respondent, New Dawn Technologies (Headquarters: Logan, UT) for a case management system and as needed professional services. The license agreement term shall be perpetual and the maintenance and professional service contract term shall be for a five year period. Funding Source: State Aid to Indigent Defense Fund. Administering Departments: Information Technology and Public Defender.
11. Cooperative Procurement: Award of Contract, Requisition No. 1001159, in the amount of \$756,000.00 to Qwest Communications Corporation, Inc. (Headquarters: Denver, CO), to provide PBX dial voice tone services and products. Initial contract term is for a one-year period with four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Information Technology.
12. Award of Contract, Requisition No. 1000829, to CPE Consultants, L.L.C. (Headquarters: Tucson, AZ), the respondent submitting the highest scoring proposal for Infrastructure Survey Program for growth and capacity planning in the amount not to exceed \$500,000.00. In the event that a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms on the final list in the following order: PSOMAS, RBF Consulting, until a contract is executed. Funding Source: Wastewater Management Enterprise Fund. Administering Department: Regional Wastewater Reclamation Department.

Motion carried to continue this item to 3/16/10. (3/2)

13. Low Bid: Award of Contract, Requisition No. 1000735, in the amount of \$1,015,888.00, to the lowest responsive bidder, Granite Construction Company, Inc. (Headquarters: Watsonville, CA), for pavement preservation along segments of Ina Road. The contract term is twelve months with the ability to extend for contract completion. Construction is to be complete within 60 working days from the Notice to Proceed. Funding Source: American Recovery and Reinvestment Act of 2009. Administering Department: Transportation.
14. Low Bid: Award of Contract, Requisition No. 1000740, in the amount of \$711,711.00, to the lowest responsive bidder, Sunland, Inc., Asphalt & Sealcoating (Headquarters: Tempe, AZ) for pavement preservation along a segment of La Canada Boulevard. The contract term is twelve months with the ability to extend for contract completion. Construction is to be complete within 45 working days from the Notice to Proceed. Funding Source: American Recovery and Reinvestment Act of 2009. Administering Department: Transportation.

**E. REAL PROPERTY**

15. Sycamore Vista Master Homeowners' Association, to provide a License for Right-of-Way Encroachment on West Camino del Toro for the purpose of installing and maintaining fence panels, contract amount \$8,000.00 revenue (12-04-S-142722-0210)

**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>
Janssen, Frances H.	080	DEM
Grossman, Maurice K.	213	DEM
Showalter, Jon L.	213	DEM
Chewning, Gene M.	233	REP
Cody, Thomas S.	388	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Duncan, Cynthia F.	074	GRN
Kress, Jonathan H.	078	DEM
Goldstein, Brad W.	260	DEM
Cozad, Robert J.	406	DEM

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

A. **Environmental Quality Advisory Council**

Reappointment of Daniel G. Rowe, Automotive Business/Industry. Term expiration: 2/16/13. (Staff recommendation)

B. **Metropolitan Education Commission**

Appointment of Jo Ann Sayre, Regionally Accredited Private Institution Representative, to replace Sister Rosa Maria Ruiz. Term expiration: 9/15/12. (Commission recommendation)

C. **Pima County Wireless Integrated Network**

Appointment of Mike Hein, Office of Emergency Management and Homeland Security Director, to replace Dennis Douglas. No Term Expiration. (Jurisdictional recommendation)

Motion carried to continue this item to 3/16/10. (3/2)

D. **Workforce Investment Board**

Appointments: Paul Roughton, Business, to replace Mark Trommer; Jonathan Peck, Community Based Organization, to replace Kelly Langford; Joshua Wright, Town of Marana, to replace Jim DeGroot; and Paul Lyons, Business, to replace Michael Lupien. Term expirations: 9/30/12. (Staff recommendations)

4. **SPECIAL EVENT LIQUOR LICENSE APPROVED PURSUANT TO RESOLUTION NO. 2002-273**

Pamela Sue Clark-Raines, StrengthBuilding Partners, 4280 N. Campbell Avenue, Tucson, April 23, 2010.

## ADDENDUM SUMMARY

**Pima County Board of Supervisors' Meeting**  
**130 W. Congress St., Hearing Room, 1st Fl.**  
**February 16, 2010 9:00 a.m.**

... **EXECUTIVE SESSIONS**

**Call to the Public (for Executive Session items only)**

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

UNFINISHED BUSINESS (RM 2/9/10)

- A. 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 conflict of interest to allow Snell & Wilmer to represent EPCOR and ~~PCL Construction Co.~~ **United Water Services Projects, L.L.C.** on the Roger Road Wastewater Treatment Plant matter.

Motion carried to approve (5/0)

NEW BUSINESS

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

1. Shega et. al., v. Pima County  
Tax Parcel No. 114-30-0210, Arizona Tax Court Case  
No. ST2009-000774

Motion carried to approve (5/0)

2. Knox v. Pima County  
Tax Parcel Nos. 219-31-001A and 219-31-001B, Arizona  
Tax Court Case No. ST2009-000634

Motion carried to approve (5/0)

3. Civano Shipley, L.L.C., v. Pima County  
Tax Parcel No. 141-01-8940, Arizona Tax Court Case  
No. ST2009-001789

Motion carried to approve (5/0)

4. Civano Shipley, L.L.C., v. Pima County  
Tax Parcel No. 141-01-8970, Arizona Tax Court Case  
No. ST2009-001795

Motion carried to approve (5/0)

5. Civano Shipley, L.L.C., v. Pima County  
Tax Parcel No. 141-01-8950, Arizona Tax Court Case  
No. ~~ST2009-001750~~ **ST2009-001797**.

Motion carried to approve (5/0)

6. Civano Shipley, L.L.C., v. Pima County  
Tax Parcel No. 141-01-8960, Arizona Tax Court Case  
No. ST2009-001798

Motion carried to approve (5/0)

7. Frey v. Pima County  
Tax Parcel No. 205-92-0040, Arizona Tax Court Case  
No. ST2009-000669

Motion carried to approve (5/0)

8. Woody v. Pima County  
Tax Parcel No. 209-24-009F, Arizona Tax Court Case  
No. ST2009-000818

Motion carried to approve (5/0)

\* \* \*

... **BOARD OF SUPERVISORS/STADIUM DISTRICT BOARD**

**Request for Reconsideration (District 4)**

- A. On January 5, 2010, the Board of Supervisors and the Stadium District Board approved the following item:

Staff and the Pima County Sports and Tourism Authority recommend acceptance of the payment in the amount of \$50,000.00 from the Chicago White Sox in lieu of the 2010 Chicago White Sox – Arizona Diamondbacks Charity Baseball Game and authorization to execute the Letter of Agreement.

“Supervisor Elías suggested that the \$50,000.00 payment be added to the Outside Agency Fund next fiscal year.

Supervisor Day disagreed and stated that she felt the \$50,000.00 payment should be given to the Southern Arizona Sports Foundation.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Day voting “Nay,” to approve the acceptance of payment and add it to the Outside Agency Fund for next fiscal year.”

- B. Request to reconsider and suspend the Board of Supervisors’ (a.k.a. the Stadium District Board) Rules and Regulations, Rule H. (1) and (2).

Motion carried to approve (5/0)

- C. If request to reconsider and suspend the Board of Supervisors’ (a.k.a. Stadium District Board) Rules and Regulations are approved, proceed with reconsideration on the following item:

Staff and the Pima County Sports and Tourism Authority recommend acceptance of the payment in the amount of \$50,000.00 from the Chicago White Sox in lieu of the 2010 Chicago White Sox – Arizona Diamondbacks Charity Baseball Game and authorization to execute the Letter of Agreement.

Motion carried to approve (5/0)

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

DATE POSTED: 2/11/10

TIME POSTED: 11:00 A.M.

## ADDENDUM SUMMARY

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

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

**February 16, 2010 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 the Award of Contract, Requisition No. 1000882, concerning the ROMP Water Reclamation Campus Central Laboratory Complex Site Civil Engineering Project, to Stantec Consulting, Inc., and possible claims by other ranked firms.

Without objection this item was continued to 3/2/10.

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

DATE POSTED: 2/11/10

TIME POSTED: 4:50 p.m.