

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

March 16, 2010 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Jon Farmer, Foothills Community Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(**Clerk's Note:** As of the posting date of 3/10/10, 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**

A. **Riparian Habitat Mitigation Plan**

Staff requests approval of the Mitigation Banking Proposal for the Pima County Department of Transportation, Roadway Improvement Project for Tanque Verde Road: Catalina Highway to Houghton Road, in the amount of \$85,834.45. (District 4)

Motion carried to approve (5-0)

B. **Contracts and Awards**

1. RESOLUTION NO. 2010 - FC **3**, approving an Intergovernmental Agreement between Pima County, the **Pima County Flood Control District** and the Tohono O'odham Nation, to provide for the construction of the Sells Youth Recreation Center Wash Stabilization Project, 2004 Bond Fund, contract amount \$893,511.00 (01-59-T-142781-0310)

2. Low Bid: Award of Contract, Requisition No. 1001252, in the amount of \$1,734,033.46 to the lowest responsive bidder, Norquay Construction, Inc. (Headquarters: Tempe, AZ) for construction of the Canyon Del Oro Linear Park: Thornydale Road to Magee Road Project. The contract term is twelve months with the ability to extend for contract completion. Construction is to be completed within 180 working days from the Notice to Proceed. Funding Source: Flood Control Tax Levy (94%) and 2004 Bond (6%) Funds. Administering Department: Regional Flood Control District.

Motion carried to approve (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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 (5-0)

UNFINISHED BUSINESS (RM 3/9/10)

6. **BOARD OF SUPERVISORS**

Appointment to District 30, Arizona House of Representatives, to fill the unexpired term of Frank R. Antenori, Republican.

Motion carried to approve (5-0) appointment of Janson Theodore Vogt.

NEW BUSINESS

7. **COUNTY ADMINISTRATOR**

Revision to Pima County Merit System Rules and Personnel Policies

Staff requests approval of the following revisions:

- A. Rule 1- Definitions:

Rule 1.33 combines the various types of intermittent employees under one definition.

- B. Rule 5 - Examinations:

Rule 5.1.B.3 prohibits potential subordinates from serving on an interview panel as a panel member. A subordinate making a decision on his or her potential supervisor is not an acceptable personnel practice. It has been the standard practice of Pima County to prevent this, and we have no policy to refer to when such activity is reported to Human Resources.

- C. Rule 11 - Terminations:

Rule 11.5.A corresponds to the change recommended in Rule 1.33 above pertaining to the definition of an intermittent employee.

- D. Rule 12 - Disciplinary Actions, Administrative Suspension and Special Observation:
- Rule 12.1.B is corrected to reflect reference to the rules contained in Merit System Rule 11.5.B through E, instead of through G. G was eliminated in a prior revision.
- E. Rule 14 - Merit System Commission Appeals:
- Rule 14.1.C corresponds to the change recommended in Rule 1.33 above pertaining to the definition of an intermittent employee. Rule 14.2.C is revised to conform to the time for hearing an appeal as established by Arizona Revised Statute 11-356.C, as amended.
- F. Personnel Policy 8-102 - Premium Pay:
- Personnel Policies 8-102.D, E, and F.2 correspond to the change recommended in Rule 1.33 above pertaining to the definition of an intermittent employee. Personnel Policy 8-102.F.9 is changed to delete "chooses to use" and is replaced with "is using" to reflect current practice when an employee is on FMLA leave.
- G. Personnel Policy 8-105 - Annual Leave:
- Personnel Policy 8-105.A.1 corresponds to the change recommended in Rule 1.33 above pertaining to the definition of an intermittent employee.
- H. Personnel Policy 8-106 - Sick Leave:
- Personnel Policy 8-106.A.1 corresponds to the change recommended in Rule 1.33 above pertaining to the definition of an intermittent employee.
- I. Personnel Policy 8-107 - Special Leaves of Absence with Pay:
- Personnel Policies 8-107.D.5 and E.3 correspond to the change recommended in Rule 1.33 above pertaining to the definition of an intermittent employee.
- J. Personnel Policy 8-118 - Personnel Records:
1. Personnel Policy 8-118.B.2 is expanded to require departments with centralized Human Resources staff, as a result of consolidation, to designate that staff to maintain its personnel files and medical records on the Appointing Authority's behalf. The Appointing Authority continues to have ultimate responsibility for his or her records.
 2. Personnel Policy 8-118.F.1 is updated to exclude documents that are not a part of the department personnel file. PP 8-118.F.1.d. Position Description and g. Attendance Records are properly deleted. Based on this exclusion, departments must purge these documents from their files and maintain them elsewhere, when necessary. The State Retention and Disposition Schedules for these documents continue to apply. All other items in this section have been re-lettered.
 3. Personnel Policy 8-118.F.2.c. has been clarified to properly allow any Family and Medical Leave Act (FMLA) medical certifications or medical history documents, prior to January 16, 2009, to be filed in the department's medical files. However, due to changes in the federal FMLA and our centralized function, any medical certifications and medical history documents dated on or after January 16, 2009, must be maintained centrally in a separate FMLA file. Any medical documents, dated on or after January 16, 2009, must be purged from the departmental file and submitted immediately to the Human Resources FMLA-Administration files for compliance.
- K. Personnel Policy 8-119 – Rules of Conduct:
- Since Pima County employs youth and/or conducts youth programs, it is in the best interest of the County that we include a clear statement in our Rules of Conduct on expectations of our employees who work with and/or around these youths. This addition, lettered as V, gives the County a specific policy to cite when employees who act improperly when interacting with youth are disciplined for such action. Based on this addition, the subsequent policies are re-lettered.

Motion carried to approve (5-0)

UNFINISHED BUSINESS (RM 2/16/10)

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

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 approve (5-0)

NEW BUSINESS

9. **DIVISION OF ELECTIONS**

A. In accordance with A.R.S. §16-642 and §15-493, canvass of the March 9, 2010 election results for Marana Unified School District No. 6, Flowing Wells Unified School District No. 8, and Sahuarita Unified School District No. 30.

Motion carried to approve (5-0)

B. Pursuant to A.R.S. §16-248, staff recommends approval of the designation of precinct consolidations and polling place assignments for the Special Election on May 18, 2010.

Motion carried to approve (5-0)

10. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2010 - 55, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima, regarding the issuance of its Education Facility Revenue Bonds (Montessori Academy Project), Series 2010 in an aggregate principal amount not to exceed \$6,000,000.00 and declaring an emergency.

Motion carried to approve (5-0)

11. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

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

Toma Ventana, L.L.C., d.b.a., El Charro Café, Case No. 2009-24. Proposed settlement is in accordance with the Industrial Wastewater Enforcement Plan.

Motion carried to approve (5-0)

12. **TRANSPORTATION**

Acceptance of Projects/Roadways for Maintenance

- A. P1207-056, Swan Industrial Park, Lots 1-14 and Blocks I and II. Developer: Swan Industrial, L.L.C. (District 2)
- B. P1207-105, Offsite Improvements on Old Vail Road for Ferganchick Equipment Storage, Station 10+30.74 to Station 16+20.00. Developer: Mark Ferganchick. (District 4)

Motion carried to approve (5-0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Extension of Premises/Patio Permits

- 13. Albert Sherman Hall, Jr., Acacia at St. Phillips, 4340 N. Campbell Avenue, No. 103, Tucson, Temporary Extension of Premises for April 18, 25; May 2, 9, 16, 23 and 30, 2010.

Motion carried to approve (5-0)

- 14. Daniel Dominic Scordato, Pizzeria Vivace, 4280 N. Campbell Avenue, Tucson, Permanent Extension of Premises.

Motion carried to approve (5-0)

- 15. Ricardo Quintela, Mad Cow Bar, 2660 W. Ruthrauff Road, Tucson, Temporary Extension of Premises for April 3, 6 and 17, 2010.

Motion carried to approve (5-0)

- 16. Pamela L. Headley, Brats Bar and Grill, 5975 W. Western Way No. 106, Tucson, Temporary Extension of Premises for April 10, 2010.

Motion carried to approve (5-0)

DEVELOPMENT SERVICES

Rezoning Closure/Rezoning Time Extension

UNFINISHED BUSINESS (RM 2/16/10)

*(**Clerk's Note**: Staff requests these items be continued to the Board of Supervisors' Meeting of May 11, 2010.)

*17. 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)
- 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)

Continued to 5/11/10.

NEW BUSINESS

Conditional Use Permit

18. P21-09-035, TUCSON SCHOOL DISTRICT NO. 1 – N. BOWES ROAD

Request of Tucson School District, No. 1, represented by Commscapes, on property at 5000 N. Bowes Road, in the SR zone, for a Conditional Use Permit for a communication tower. Chapter 18.97, in accordance with Section 18.07.030.H.2.e of the Pima County Zoning Code, allows a communication tower as a Type III Conditional Use in the SR zone. On motion, the Planning and Zoning Commission voted 10-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

Motion carried to approve (5-0)

Time Extension for Conditional Use Permit

19. P21-09-001, HERNANDEZ – N. LA CHOLLA BOULEVARD
Request of Jenna Hernandez, represented by Stubbs & Schubart, on property located at 9811, 9813 and 9815 N. La Cholla Boulevard, in the SR Zone, for a three month time extension of the Conditional Use approval for a commercial riding stable and school. Chapter 18.97, in accordance with Section 18.17.030.C.1 of the Pima County Zoning Code, allows a commercial riding stable and school as a Type II Conditional Use in the SR zone. Staff recommends **APPROVAL OF A THREE MONTH TIME EXTENSION.** (District 1)

Motion carried to approve (4-0)

Rezoning

20. Co9-08-05, NORTH DORADO, L.L.C. – SHERIDAN AVENUE REZONING
Request of North Dorado, L.L.C., represented by Tierra Right of Way, for a rezoning of approximately 9.58 acres from SR (Suburban Ranch) TDR-RA (Transfer of Development Rights – Receiving Area) to CR-4 (Mixed Dwelling Type) TDR-RA (Transfer of Development Rights – Receiving Area), on property located on the east side of Sheridan Drive, approximately 1/4 mile south of Irvington Road and 3/4 mile east of Camino de Oeste. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Poulos and Steinbrenner voted NAY; Commissioner Smith and Richey were absent, Commissioner Spendiarian recused himself from hearing this case) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** (District 3)

Motion carried to deny (5-0)

21. Co9-09-06, REAY, ET. AL. – TRICO ROAD REZONING
Request of Gordon and Lois Reay, et. al., represented by The Planning Center, for a rezoning of approximately 9.05 acres from GR-1 (Rural Residential) to CB-1 (Local Business), on property located at the southwest and northwest corners of Trico Road and El Tiro Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Holdridge abstained; the abstention is counted as a yes vote, Commissioner Smith was absent.) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** (District 3)

Motion carried to approve (5-0) as amended

22. Co9-09-10, VIA LATIGO 5636, L.L.C. – VIA LATIGO REZONING
Request of Via Latigo 5636, L.L.C., represented by Indevco Partners, Inc., for a rezoning of approximately 3.57 acres from SR (Suburban Ranch) to CR-1 (Single

Residence) on property located on the east side of Via Latigo, approximately 700 feet north of Oracle Jaynes Station Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0; (Commissioner Smith was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (5-0)

Rezoning Time Extension

23. Co9-04-22, THATCHER – SUNSET ROAD REZONING
Request of Steven and Mary Thatcher, for a five year time extension for the above-referenced rezoning from SR (Suburban Ranch) to CR-1 (Single Residence). The subject site was rezoned in 2005. The rezoning expired on January 4, 2010. The site is approximately 3.35 acres located on the north side of Sunset Road approximately 1,300 feet west of La Canada Drive. Staff recommends **MODIFIED APPROVAL OF A ONE YEAR TIME EXTENSION WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (5-0)

Modification of Rezoning Conditions

24. Co9-92-07, HARDY-THORNYDALE ASSOCIATES – THORNYDALE ROAD REZONING
Request of Pacific Income Properties, L.L.C., represented by Presidio Engineering, Inc., for a waiver of Rezoning Condition No. 5 of Ordinance No. 1992-112 which states, "Recording of a covenant to the effect that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors." The subject site is 4.87 acres, zoned CB-1 and is located at the southeast corner of the intersection of Thornydale Road and Hardy Road. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

Continued to 5/18/10 (3-1)

Comprehensive Plan Amendments

25. Co7-10-01, SOUTH WILMOT LAND INVESTORS, L.L.C. – S. WILMOT ROAD PLAN AMENDMENT
Request of South Wilmot Land Investors, L.L.C., represented by Corrections Corporation of America, to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Heavy Industrial (HI) for approximately 391 acres located on the west side of Wilmot Road, one mile south of E. Old Vail Connection Road and approximately four miles south of Interstate 10 in Section 12 of Township 16 South, Range 14 East, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Poulos and Spendarian voted NAY; Commissioners Smith and Richey were absent) to recommend **MODIFIED**

APPROVAL TO AMEND TO URBAN INDUSTRIAL FOR 120 ACRES IN THE NORTHEAST PORTION OF THE AMENDMENT SITE SUBJECT TO REZONING POLICIES AND DENIAL OF THE AMENDMENT FOR THE REMAINING 271 ACRES. Staff recommends **MODIFIED APPROVAL SUBJECT TO REZONING POLICIES.** (District 2)

Motion carried to approve (5-0)

26. Co7-09-07, HSL RIO CANCION PROPERTIES, L.L.C. – N. LA CHOLLA BOULEVARD PLAN AMENDMENT

Request of HSL Rio Cancion Properties, L.L.C., represented by The Planning Center, to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Neighborhood Activity Center (NAC) for approximately 17.92 acres located on the west side of La Cholla Boulevard, south of the Hardy Road alignment in Section 28, Township 12 South, Range 13 East, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 10-0 to recommend **MODIFIED APPROVAL FOR MEDIUM INTENSITY URBAN (MIU) SUBJECT TO REZONING POLICIES.** Staff recommends **MODIFIED APPROVAL FOR MEDIUM INTENSITY URBAN (MIU) SUBJECT TO REZONING POLICIES.** (District 1)

Motion carried to approve (5-0) as amended

Site Analysis Requirement Amendment

27. Co8-09-05, SITE ANALYSIS POLICY

Proposal to amend the Pima County "Site Analysis Requirements" which are used to implement the Pima County Site Analysis Policy, adopted by Board of Supervisors Resolution in July, 1985; and as last amended in March, 1998. The amendments reorganize, clarify and make the language of the current document more precise, as well as include additions and deletions to some of its directions and requirements. The Site Analysis Requirement document is an informational tool required to accompany most applications for rezoning, all specific plan applications and all cluster project requests. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Smith and Richey were absent) to recommend **APPROVAL PURSUANT TO STAFF RECOMMENDATION, WITH ADDITIONS.** Staff recommends **APPROVAL.** (All Districts)

Motion carried to approve (5-0) as amended

28. **Rezoning Ordinances**

A. ORDINANCE NO. 2010 - 16, Co9-09-03, Tucson School District, No. 1 – Wilmot Road Rezoning (Catalina Foothills Zoning Plan). Owner: Tucson School District, No. 1. (District 1)

Motion carried to approve (5-0)

- B. ORDINANCE NO. 2010 - 17, Co9-08-12, Fidelity National Title, TR 10,756 - Old Vail Road Rezoning. Owner: Fidelity National Title, TR 10,756. (District 4)

Motion carried to approve (5-0)

- C. ORDINANCE NO. 2010 - 18, Co9-08-21, Hot Rods Investments, L.L.C. - Old Vail Road Rezoning. Owner: Hot Rod Investments, L.L.C. (District 4)

Motion carried to approve (5-0)

29. **Rezoning Resolutions**

- A. RESOLUTION NO. 2010 - 56, Co9-92-07, Hardy-Thornycroft Associates – Thornycroft Road Rezoning. Owners: Pacific Income Properties, L.L.C. (District 1)

Motion carried to approve (5-0)

- B. RESOLUTION NO. 2010 - 57, Co9-04-14, Faith Community Church, Inc. – San Joaquin Avenue Rezoning. Owners: Title Security Agency of Arizona, TR 1073. (District 1)

Motion carried to approve (5-0)

- C. RESOLUTION NO. 2010 - 58, Co9-04-16, St. Phillips Foothills, L.L.C. – Campbell Avenue Rezoning. Owners: Campbell Foothills Investors, L.P. (District 1)

Motion carried to approve (5-0)

- D. RESOLUTION NO. 2010 - 59, Co9-01-28, Pinnacle Capitol, Inc. – Ajo Highway Rezoning. Owners: Georgelos Revocable Trust. (District 3)

30. **CALL TO THE PUBLIC**

31. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 3/10/10
TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, MARCH 16, 2010

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. City of Tucson, Amendment No. 1, to provide rental assistance to HIV positive households, HOPWA Grant Fund, contract amount \$35,310.00 (01-70-T-140745-0108)
2. RESOLUTION NO. 2010 - 51, of the Board of Supervisors with the U.S. Department of Housing and Urban Development, to provide for the Pima County Consortium, Federal Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009 for the term 1/14/10 to 2/11/13, HUD Grant Fund, contract amount \$22,165,000.00 revenue (02-70-U-142778-0110)

B. Community Services, Employment and Training

3. Arizona Board of Regents, Arizona State University, Amendment No. 2, to provide administration of a Workforce Innovation in Regional Economic Development (WIRED) Program for the term 7/1/07 to 11/30/09 and to terminate contract, no cost (01-69-A-140656-0707)

C. Constable's Office

4. Constable Ethics Standards and Training Board, to provide for attendance at a national conference, State Grant Fund, contract amount \$6,000.00 revenue (02-78-C-142780-0310)

D. Forensic Science Center

5. University of Arizona, Center for Applied Spatial Analysis, Amendment No. 2, to provide a spatial database for the International Open GIS Initiative for Missing and Deceased Migrants Project for the term 12/31/09 to 12/31/10, Howard Buffet Grant Fund, contract amount \$17,320.00 (07-30-A-140596-0108)

E. Health

6. RESOLUTION NO. 2010 - 52, approving an Intergovernmental Agreement with the Arizona Department of Health Services, to provide for the Regional Oral Health Coordinator Project for the term 2/1/10 to 1/31/15, State Grant Fund, contract amount \$34,750.00 revenue (01-01-A-142779-0210)

F. Pima Health System

7. Tomar, L.L.C., d.b.a., Tom's Pharmacy, Amendment No. 4, to provide prescription pharmacy and medical supplies for the term 4/1/10 to 8/31/10, PHCS Enterprise Fund, no cost (18-15-T-135723-0405)
8. Amendment No. 6, to provide nursing facility services, PHCS Enterprise Fund:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amount</u>
Life Care Centers of America, Inc., d.b.a., Mountain View Care Center	18-15-L-137037-1005	\$1,500,000.00
Holy Cross Hospital, Inc.	18-15-H-137075-1005	\$1,000,000.00

9. Tucson Heart Group, P.L.C., Amendment No. 6, to provide cardiology services for the term 4/1/10 to 3/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-137416-0406)
10. To amend contractual language regarding reimbursement and payment methods, PHCS Enterprise Fund, no cost:

<u>Vendor</u>	<u>Amend. No.</u>	<u>Contract No.</u>
Holy Cross Hospital, Inc.	5	18-15-H-137075-1005
Hospitalists of Arizona, Inc.	4	18-15-H-137848-0606
Old Pueblo Healthcare, L.L.C.	6	18-15-O-138391-0806
Tucson Heart Hospital-Carondelet, L.L.C.	6	18-15-M-138814-1106

11. Arizona Pediatric Surgery, Ltd., Amendment No. 4, to provide pediatric surgery services for the term 4/1/10 to 3/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-138007-0406)
12. Pulmonary Associates of Southern Arizona, P.C., Amendment No. 4, to provide pulmonary services for the term 4/1/10 to 3/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$75,000.00 (18-15-P-139304-0407)
13. Arizona Medical Services, P.C., Amendment No. 3, to provide primary care physician services for the term 2/1/10 to 1/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-A-139594-0207)

14. Fox Infusion, Inc., Amendment No. 4, to provide home infusion therapy services, PHCS Enterprise Fund, contract amount \$375,000.00 (18-15-F-140460-1107)
15. Supported Living Systems, Inc., Amendment No. 2, to provide behavioral health services for the term 4/1/10 to 3/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-140688-0408)
16. Dependable Home Health, Inc., Amendment No. 4, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-D-142063-0709)
17. My House, L.L.C., Amendment No. 3, to provide homecare services, PHCS Enterprise Fund, contract amount \$1,100,000.00 (07-15-M-142070-0709)
18. Soreo In Home Support Services, L.L.C., Amendment No. 3, to provide homecare services, PHCS Enterprise Fund, contract amount \$5,000,000.00 (07-15-S-142117-0709)

G. Procurement

Ratification of Urgent Procurement

19. KE&G Construction, Inc., to provide fill dirt and construction services for the Roger Road Campus Earthwork Project, Capital Fund – Sewer Revenue Obligation, contract amount not to exceed \$587,235.00 (03-03-K-142796-0210) Regional Wastewater Reclamation

H. Public Works

20. RESOLUTION NO. 2010 - **53**, approving an Intergovernmental Agreement between **Pima County**, the Pima County Flood Control District and the Tohono O'odham Nation, to provide for the construction of the Sells Youth Recreation Center Wash Stabilization Project, 2004 Bond Fund, contract amount \$893,511.00 (01-59-T-142781-0310)

I. Real Property

21. RESOLUTION NO. 2010 - **54**, of the Board of Supervisors, approving and authorizing the execution of a Purchase Agreement with Treehouse Realty Group, L.L.C., Tax Parcel Nos. 223-01-0030 and 222-45-009C, 2004 Bond Fund, contract amount \$927,500.00 including closing costs (22-64-T-142788-0310)

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>
Meeks, Crystal D.	089	REP
Pidgeon, Jefferey	090	REP
Allison, Vicki L.	164	REP
Clark, Elaine A.	189	DEM
Clark, Robert F.	189	DEM
Townsend, Rebecca D.	216	REP
Johnson, Jeremy D.	247	REP

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

A. **Building Code Board of Appeals**

Reappointment of Ed Marley and Richard Kaiser. Term expirations: 5/1/14.
(Board of Appeals Recommendations)

B. **Mechanical/Plumbing Code Committee**

Reappointment of Stanley Adams and Joe Svoboda. Term expirations: 5/1/14.
(Committee Recommendations)

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

- A. Sharon Kha, Arizona Chapter American Parkinson Disease Association, 4280 N. Campbell Avenue, Tucson, April 10, 2010.
- B. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, March 13, 2010.
- C. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, April 10, 2010.
- D. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, April 25, 2010.
- E. Mimi Phillips, International Sonoran Desert Alliance, 201 W. Esperanza, Ajo, March 16, 17 and 18, 2010.

5. **RATIFY AND/OR APPROVE**

Minutes: January 19, 2010
February 2, 2010

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

March 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.

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Magna Investments et. al., v. Pima County (El Con Mall) for tax years 2007 through 2010, Arizona Tax Case Nos. TX2006-000133, TX2007-000434, TX2008-00056, and TX2009-000552, for the following tax parcel numbers:

125-10-003D	125-10-004B	125-10-0680
125-10-003E	125-10-0050	125-10-0860
125-10-003F	125-10-006B	125-10-0870
125-10-003G	125-10-006C	125-10-0880
125-10-004A	125-10-067A	125-10-0890

Motion carried to accept the recommendation (5-0)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding past and potential violations of the Floodplain and Erosion Hazard Management Ordinance by Mule Tank Limited Partnership, L.L.L.P. and Joseph L. Goff on property owned by Mule Tank Limited Partnership and identified by Tax Parcel No. 205-16-005A; and past and present violations of a Conservation Easement on the property held by Pima County.

Motion carried to accept the recommendation (5-0)

- C. 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:

1. Estrella Lots L.L.C., v. Pima County
Tax Parcel Nos. 114-06-007T and 114-06-007S
Arizona Tax Court Case Nos. ST2009-001724 and ST2009-001725

Motion carried to accept the recommendation (5-0)

2. Grisham v. Pima County
Tax Parcel No. 214-28-059C
Arizona Tax Court Case No. ST2009-000625

Motion carried to accept the recommendation (5-0)

3. Ornelas v. Pima County
Tax Parcel No. 138-24-039A
Arizona Tax Court Case No. ST2009-000572

Motion carried to accept the recommendation (5-0)

4. Poynter, et. al., v. Pima County
Tax Parcel No. 124-15-0090 and 124-15-010B
Arizona Tax Court Case No. ST2009-001791

Motion carried to accept the recommendation (5-0)

5. Rothman v. Pima County
Tax Parcel No. 109-24-0740
Arizona Tax Court Case No. ST2009-000822

Motion carried to accept the recommendation (5-0)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

Executive Session

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding past and potential violations of the Floodplain and Erosion Hazard Management Ordinance by Mule Tank Limited Partnership, L.L.P. and Joseph L. Goff on property owned by Mule Tank Limited Partnership and identified by Tax Parcel No. 205-16-005A; and past and present violations of a Conservation Easement on the property held by Pima County.

Motion carried to accept the recommendation (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. PRESENTATION/PROCLAMATION

Presentation of a proclamation proclaiming March 20, 2010, to be:

“THE 100th ANNIVERSARY OF TEMPLE EMANU-EL-TUCSON”

Motion carried to approve (5-0)

2. **CONTRACTS AND AWARDS**

A. **Community Development and Neighborhood Conservation**

1. RESOLUTION NO. 2010 - **60**, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the San Ignacio Pascua Yaqui Council Emergency Employment and Social Service Program, Tribal Fund, contract amount \$35,000.00 revenue (01-70-P-142800-0310)
2. RESOLUTION NO. 2010 - **61**, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the Sheriff's Pima Regional S.W.A.T. Program, Tribal Fund, contract amount \$50,000.00 revenue (01-70-P-142801-0310)
3. RESOLUTION NO. 2010 - **62**, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for VOICES, Community Past and Present, Inc., Tribal Fund, contract amount \$50,000.00 revenue (01-70-P-142802-0310)
4. RESOLUTION NO. 2010 - **63**, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe and the Tucson Unified School District, to provide for the purchase and installation of electronic marquees, Tribal Fund, contract amount \$62,000.00 (01-70-P-142808-0310)
5. Community Development Partners, L.L.C., to provide an agreement to convey real property for Tax Parcel Nos. 104-03-186A, 104-03-1830 and 104-03-2750 needed for affordable housing, no cost (11-70-C-142822-0310)

Motion carried to approve (5-0)

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

6. Community Renewal, to provide technical assistance in restorative justice planning and facilitation for the term 12/1/09 to 6/30/10, U.S. Department of Labor–YEARN Grant Fund, contract amount \$7,200.00 (07-69-C-142818-1209)
7. Oasis Family Life Center, to provide technical assistance in planning and implementation of Youth Employment and Re-Entry Network for the term

12/1/09 to 6/30/10, U.S. Department of Labor–YEARN Grant Fund, contract amount \$12,040.00 (07-69-O-142819-1209)

8. SER-Jobs for Progress of Southern Arizona, Inc., Amendment No. 1, to provide English as a second language and basic education for the term 7/1/09 to 6/30/11, U.S. Department of Labor and WIA Grant Funds, contract amount \$75,000.00 (07-69-S-142162-0709)
9. Research and Development Associates, L.L.C., to provide consultation and technical assistance in grant writing, planning and facilitation for the term 12/1/09 to 6/30/10, U.S. Department of Labor–YEARN Grant Fund, contract amount \$29,970.00 (07-69-R-142816-1209)
10. Integrity Counseling Services, P.L.C., to provide technical assistance for counseling and manuscript services for the term 12/1/09 to 6/30/10, U.S. Department of Labor–YEARN Grant Fund, contract amount \$19,980.00 (07-69-I-142817-1209)

Motion carried to approve (5-0)

C. **Information Technology**

11. RESOLUTION NO. 2010 - 64, approving an Intergovernmental Agreement between the Superior Court of Arizona in Pima County, the Pima County Consolidated Justice Court and Pima County, to provide a cooperative agreement for the creation of a Court Data Center, no cost (01-14-S-142807-0310)
12. KMSB-TV, Inc., Amendment No. 2, to provide a license agreement for the use of the Elephant Head Radio site for the term 6/30/09 to 6/30/12, General Fund, contract amount \$43,263.79 (12-14-K-130119-0102)

Motion carried to approve (5-0)

D. **Procurement**

Award

13. Low Bid: Award of Contract, Requisition No. 1001197, in the amount of \$825,200.00 to the Ashton Company, Inc., (Headquarters: Tucson, AZ) for bridge deck rehabilitation on the Sabino Canyon Bridge Road at the Tanque Verde Creek after the withdrawal of the apparent low bidder, Falcone Brothers and Associates, Inc., because of a material mistake in their bid. The contract term is twelve months with the ability to extend for contract completion. Construction is to be completed within 120 working

days from the Notice to Proceed. Funding Source: American Recovery and Reinvestment Act of 2009 (73%) and RTA (27%) Funds. Administering Department: Transportation.

Motion carried to approve (5-0)

E. Regional Wastewater Reclamation

14. Greeley and Hansen, L.L.C., Amendment No. 5, to provide program management services for the Regional Optimization Master Plan (ROMP) CIP Implementation for the term 1/1/11 to 12/31/12 and amend contractual language, 2004 Bond Fund, contract amount \$746,918.00 (07-03-G-140586-0108)
15. Greeley and Hansen, L.L.C., Amendment No. 6, to provide program management services for the Regional Optimization Master Plan (ROMP) CIP Implementation and amend contractual language, 2004 Bond Fund, contract amount \$842,230.00 (07-03-G-140586-0108)

Motion carried to approve (3-2)

3. BOARD, COMMISSION AND/OR COMMITTEE

Board of Adjustment, District 1

Appointment of Corey Smith to replace Margaret Kenski. Term expiration: 3/31/14. (District 1)

Motion carried to approve (5-0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 3/12/10
TIME POSTED: 1:00 P.M.

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

March 16, 2010 9:00 a.m.

1. PRESENTATION/PROCLAMATION

Presentation of a proclamation:

“Celebrating the life of Hector A. Morales, Jr.”

Motion carried to approve (5-0)

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

DATE POSTED: 3/15/10

TIME POSTED: 9:15 A.M.