

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

April 20, 2010 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor La'Tresa M. Jester, Gideon Missionary Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 4/14/10, 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 (5/0)

6. **COUNTY ADMINISTRATOR**

Classification and Compensation Matters

A. The Health Department requests approval to create 15 Position Control Numbers (PCN's) to be allocated as follows. There is no General Fund impact.

<u>PCN</u>	<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>GRADE</u>
3	7015	Senior Secretary-Unclassified	U1
6	7020	Special Staff Assistant-Unclassified	U1
2	7120	Program Coordinator-Unclassified	U2
2	7150	Program Manager-Unclassified	U3
2	1351	Accountant	40

Motion carried to approve (5/0)

- B. The Regional Wastewater Reclamation Department requests the creation of three new classifications. There are no costs associated with the creation of these classifications.

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>GRADE/RANGE</u>	<u>EEO, O/T CODE</u>
2701	Wastewater Planner/Scheduler	54 (\$49,560-\$73,359)	NE
2727	Wastewater Heavy Duty Maintenance Mechanic	44(\$39,731-\$57,780)	NE
2780	Wastewater Operations and Maintenance Technician	F1(\$36,923-\$60,589)	NE

*NE = Not Exempt (Paid overtime)

Motion carried to approve (5/0)

7. **DIVISION OF ELECTIONS**

In accordance with A.R.S. §16-449 and the Arizona Secretary of State Election Procedures Manual, the Pima County Board of Supervisors shall appoint an Accuracy and Certification Board for a Special Election to be held on May 18, 2010 to consist of two election officials representing voters of different political parties to verify the accuracy of the computer programs, through the logic and accuracy test materials, and attest to the procedures during computer processing of the ballots.

Motion carried to approve (5/0)

8. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2010 - **81**, 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 not to exceed \$4,000,000.00 Health Facility Revenue Note (El Rio Health Center Project), Series 2010.

Motion carried to approve (5/0)

9. **SHERIFF**

RESOLUTION NO. 2010 - **82**, approving and authorizing submission of a grant proposal to the Governor's Office of Highway Safety for Child Seat Enforcement and Car Seat Equipment in the amount of \$31,612.00.

Motion carried to approve (5/0)

*** HEARINGS ***

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

10. 10-06-9018, Kim Kenneth Kwiatkowski, Circle K No. 0809, 4395 N. Romero Road, Tucson, Series 9, Liquor Store, Person Transfer/Location Transfer.

Motion carried to approve (5/0)

*(**Clerk's Note**: See Sheriff's Report.)

- *11. 10-07-9019, Richard J. Mascolino, Branding Iron North Bar and Grill, 2660 W. Ruthrauff Road, Tucson, Series 6, Bar, Person Transfer.

Motion carried to approve (5/0) subject to Clerk's Note.

12. 10-08-9020, Janet Elaine Petrauskas Blackwell, Café Tremolo, 7401 N. La Cholla Boulevard, Suite 152, Tucson, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

13. 10-09-9021, Kim Kenneth Kwiatkowski, Circle K Store No. 1737, 3845 S. Country Club Road, Tucson, Series 9, Liquor Store, Person Transfer/Location Transfer.

Motion carried to approve (5/0)

Extension of Premises/Patio Permit

14. Richard J. Mascolino, Branding Iron North Bar and Grill, 2660 W. Ruthrauff Road, Tucson, Temporary Extension of Premises for May 4, 15, 22, June 1, 19, July 6, 17, August 3 and 20, 2010.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

15. **Street Naming and Addressing Services**

Fee Schedule

A. Co8-10-03, ADDRESS STANDARDS FEE AMENDMENT

An ordinance of Pima County, Arizona; relating to fees for addressing services provided by the Development Services Department; and amending Ordinance No. 2003-27, Section 2 and Exhibit A, Table 1, Paragraph 15 (street names and addressing). On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Membrilla was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2010 - 25

Motion carried to approve (5/0)

Pima County Code Text Amendment

B. Co8-10-02, ADDRESS STANDARDS

An ordinance of Pima County, Arizona relating to Zoning; amending the Pima County Zoning Code Chapter 18.83 to bring address standards up to date with current practices and technologies, redefine the address system for Ajo; establish address systems for Corona de Tucson and Why; and amend address and street name change procedures and appeal procedures. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Membrila was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2010 - 26

Motion carried to approve (5/0)

Contracts

- C. RESOLUTION NO. 2010 - 83, approving an Intergovernmental Agreement with the Town of Oro Valley, to provide street naming and addressing services, revenue based on fees (01-25-O-142853-0410)

Motion carried to approve (5/0)

- D. RESOLUTION NO. 2010 - 84, approving an Intergovernmental Agreement with the Town of Sahuarita, to provide street naming and addressing services, revenue based on fees (01-25-S-142854-0410)

Motion carried to approve (5/0)

- E. RESOLUTION NO. 2010 - 85, approving an Intergovernmental Agreement with the City of Tucson, to provide street naming and addressing services, revenue based on fees (01-25-T-142855-0410)

Motion carried to approve (5/0)

UNFINISHED BUSINESS (RM 2/2/10, RM 2/9/10 and RM 3/2/10)

Conditional Use Permit

16. P21-09-033, WOSICKI – E. INTERSTATE - 10
Request of T-Mobile, (c/o Declan Murphy, applicant), on behalf of David Wosicki (property owner), on property at 22700 E. Interstate - 10, in the RH zone, for a Conditional Use Permit for a communication tower and associated on-the-ground equipment area. The property in question is a former Titan Missile installation site that has since been physically removed and the property accordingly cleared. The proposed tower height is one hundred ninety feet (190') and is of "lattice" construction. Chapter 18.97, of the Pima County Zoning Code, allows this use in the RH zone, subject to a Type III Conditional Use Permit. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Matter, Creasy-Klein and Cook were absent) 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)

NEW BUSINESS

Conditional Use Permit

17. P21-09-038, BROWNING – N. FORECASTLE AVE.
Request of Jerry D & Mary Jean Browning, TR, represented by Western Land Services L.L.C., on property located at 16741 N. Forecastle Ave., in the GR-1 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 GR-1 zone. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Holdridge voted NAY, Commissioners Richey, Membrila and Smith were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (4/0)

Rezoning

18. Co9-08-22, REAY, ET. AL. – SANDARIO ROAD REZONING
Request of Gordon and Lois Reay, et. al., represented by The Planning Center, for a rezoning of approximately 6.11 acres from GR-1 (GZ) (Rural Residential) (Gateway Zone) to CB-1 (GZ) (Local Business) (Gateway Zone), on property located on the east side of Sandario Road, approximately 500 feet north of Picture Rocks Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Membrila and Spendiarian voted NAY, Commissioners Smith and Richey were absent) to recommend **DENIAL**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 3)

Motion carried to approve (4/0)

Pima County Code Text Amendment

19. Co8-09-02, CONCURRENT PLAN AMENDMENT/REZONING PROCESS

An ordinance of the Board of Supervisors of Pima County, Arizona; relating to zoning; amending the Pima County Zoning Code Chapter 18.89 to add Section 18.89.041 (other plan amendment procedures) and adding a process for a concurrent comprehensive plan amendment and rezoning as Section 18.89.041(c); relocating the current Sections 18.89.040(e) (board-initiated amendments for immediate review) and Section 18.89.040(f) (minor revisions to comprehensive plan) to the new Section 18.89.041 as Sections 18.89.041(a) and 18.89.041(b); by amending Section 18.91.040(c) (requirement of compliance with comprehensive plan) to incorporate the concurrent plan amendment/rezoning process into the rezoning procedures; and amending Section 18.101.030 (Planning and Zoning Commission) to clarify the current responsibilities of the Planning and Zoning Commission. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Holdridge abstained and Commissioner Membrilla was absent) to recommend **APPROVAL PURSUANT TO STAFF'S RECOMMENDATION, WITH ONE ADDITION.** Staff recommends **APPROVAL.** (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2010 - 27

Motion carried to approve (4/0)

20. **Street Name Change**

Present

Proposed

Unnamed Easement
Co14-10-012
(District 3)

Adobe View Court

Motion carried to approve (4/0)

21. **CALL TO THE PUBLIC**

22. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 4/14/10
TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, APRIL 20, 2010

1. CONTRACTS AND AWARDS

A. Community Services, Employment and Training

1. Yuma Private Industry Council, to provide workforce development services for veterans to assist in obtaining employment and/or training in green jobs industries for the term 1/1/10 to 3/31/11, U.S. Department of Labor Grant Fund, contract amount \$75,000.00 (07-69-Y-142870-0110)
2. Cochise Private Industry Council, to provide workforce development services for veterans to assist in obtaining employment and/or training in green jobs industries for the term 1/1/10 to 3/31/11, U.S. Department of Labor Grant Fund, contract amount \$75,000.00 (07-69-C-142871-0110)

B. Health Department

3. Pima County Community College District, Amendment No. 1, to provide mutual aid assistance for use of campus facilities for the term 5/3/10 to 5/2/15, no cost (01-01-P-135962-0502)
4. Arizona Board of Regents, University of Arizona, Amendment No. 2 (Revised), to provide overseeing and delivering the HIV, STD, TB and Hepatitis A, B and C testing, treatment and referral component in coordination with the University of Arizona, The Haven and Primavera Foundation's HerStory Health Project for the term 9/30/09 to 9/29/10, contract amount \$36,073.98 revenue (02-01-A-140708-0907)

C. Procurement

5. Lifeline Systems, Inc., Amendment No. 3, to provide emergency alert system and monitoring services, extend contract term to 8/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$430,000.00 (11-15-L-141067-0908) Pima Health System

2. BOARD, COMMISSION AND/OR COMMITTEE

Pima County/Tucson Commission on Addiction, Prevention and Treatment

Appointment of Kristina Simpson to replace Joan McNamara. Term expiration: 4/30/12.
(Commission recommendation)

3. **DEVELOPMENT SERVICES**

Approval of Written Decision

Written decision of P21-09-023, Pima County Right of Way (PC ROW) – W. Ironwood Hill Drive, denied by the Board of Supervisors on 2/2/10.

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

Stephanie C. Linden, Student Bar Association, U of A College of Law, Westin La Paloma, 3800 E. Sunrise Drive, Tucson, April 16, 2010.

REGIONAL WASTEWATER RECLAMATION

5. **Public Announcement**

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case(s) will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 5025 W. Ina Road, Tucson, Arizona, 85743. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

Marco Crane and Rigging Company, Case No. C2009-27. Proposed settlement amount is \$1,500.00.

6. **RATIFY AND/OR APPROVE**

Minutes: March 2, 2010

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

April 20, 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), for legal advice regarding legal issues that might impact Pima County's decision whether to continue to offer a health insurance benefit to retirees of Pima County government or to offer a subsidy to those retirees.

This item was informational only.

- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding waiver of the attorney client privilege to permit release, as directed by the Board or County Administration, of a response to comments from the attorney who advises the Merit Commission regarding amendments to the Pima County Merit System/Law Enforcement Merit System Rules.

Motion carried to waive (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. Kwong v. Pima County
Tax Parcel No. 113-04-0750
Arizona Tax Court Case No. ST2009-001584

Motion carried to accept recommendation (5/0)

2. Quijada v. Pima County
Tax Parcel No. 214-54-0140
Arizona Tax Court Case No. ST2009-00567

Motion carried to accept recommendation (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

UNFINISHED BUSINESS (RM 4/13/10)

1. COUNTY ADMINISTRATOR

Active employee medical insurance contribution strategy for fiscal year 2010/11.
Discussion/Direction/Action.

Motion carried to approve (3/2)

NEW BUSINESS

2. CONTRACTS AND AWARDS

Office of Emergency Management and Homeland Security

A. RESOLUTION NO. 2010- 86, of the Pima County Board of Supervisors approving an Intergovernmental Agreement with the Mt. Lemmon Fire District, to define roles and responsibilities for the provision of emergency financial assistance, no cost (01-30-M-142887-0410)

Motion carried to approve (4/0)

B. Mt. Lemmon Fire District, to provide for the acquisition and sale of real property located at 13170 N. Oracle Control Road, Tax Parcel No. 205-13-008A, Board of Supervisors Contingency Fund, contract amount \$137,500.00 (22-30-M-142888-0410)

Motion carried to approve (4/0)

Procurement

C. AECOM Services, Inc., d.b.a. AECOM Design, Amendment No. 2, to provide architectural and engineering design services for the Pima County Superior Court 8th Floor Relocation and Remodel Project and amend contractual language, 1997 Bond Fund, contract amount \$63,720.00 (15-13-A-141923-0409) Facilities Management

Motion carried to approve (4/0)

D. Amendment of Award: Insight Public Sector (Headquarters: Tempe, AZ) BC No. 506763, to provide Cisco network equipment and increase contract in the amount of \$500,000.00. Funding Source: Internal Service Fund. Administering Department: Information Technology.

Motion carried to approve (4/0)

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

A. **Pima County Bond Advisory Committee**

1. Reappointments – Term expirations: 4/30/16

Chris Sheafe and Peter Backus (District 1);
Tom Warne and Rene Gastelum (District 2);
Larry Hecker (District 3);
David Lyons (District 4);
Patty Richardson and Wade McLean (County Administrator)
Dan Sullivan (Town of Marana)
Achim Marriotti (Town of Sahuarita)

Motion carried to approve (4/0)

2. Ratification of Correction to Term Expiration

Terri Hutts - Term expiration: 12/12/12. (District 3)
Rebecca Manoleas - Term expiration: 5/13/14. (District 4)
Byron Howard – Term expiration: 11/14/12. (City of Tucson)
Brian Flagg – Term expiration: 10/13/15. (City of South Tucson)

Motion carried to approve (4/0)

B. **Parks and Recreation Commission**

Appointment of Peter Chesson to fill the unexpired term of Bill Markell. Term expiration: 6/30/12. (District 3)

Motion carried to approve (4/0)

***** HEARING *****

FRANCHISE/LICENSE/PERMIT

Fireworks Permit

*(**Clerk's Note**: The Sheriff recommends **DENIAL** as this request for an indoor display is not in compliance with the Pima County Code.)

- *4. Stephanie Sanders, Lowes Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, April 24, 2010 at approximately 10:05 p.m.

Motion carried to deny (4/0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 4/16/10
TIME POSTED: 11:45 A.M.