

Agenda and Tax Levy Hearing
Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
August 16, 2010 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Mark S. Bickerton, Light and Life Ministries.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 8/10/10, 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**

Riparian Habitat Mitigation Plan

Staff requests approval of an onsite Riparian Habitat Mitigation Plan for property located at 5015 N. Placita Osito Negro and the associated transfer of mitigation plants to Century Park Research Center Phase II, P1208-035. (Districts 2 and 4)

Motion carried to approve (5-0)

... **LIBRARY DISTRICT BOARD**

Board of Supervisors Policy Revisions

Staff requests approval of the revisions to the following:

- A. Board of Supervisors Policy No. D32.2, Circulation Policy
- B. Board of Supervisors Policy No. D32.3, Collection Development Policy
- C. Board of Supervisors Policy No. D32.8, Fines and Fees Schedule Policy

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) as amended.

- 6. **BOARD OF SUPERVISORS**

Presentation by City of Tucson Municipal Court Judge Margarita B. Bernal, regarding the Courts Are Us Program. (District 5)

This item was informational only

- 7. **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	Five Points Neighborhood Coalition (Barrio Viejo, Armory Park, Barrio Santa Rosa and Santa Rita)	Street Lighting	\$496,880.00

Motion carried to approve (5-0)

- 8. **FIRE DISTRICT**

Mescal – J6 Fire District

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Mescal–J6 Fire District for the proposed Section 35 Annexation. (District 4)

Motion carried to approve (5-0)

- 9. **HEALTH DEPARTMENT**

RESOLUTION NO. 2010 - **197**, of the Pima County Board of Supervisors, approving the offer and acceptance from the Arizona Department of Health Services for

the provision of services under the Health Start Program for the training of Lay Health Workers.

Motion carried to approve (5-0)

10. **SHERIFF**

Property Donation

The Pima County Sheriff's Department requests approval to donate (1) Maximus "universal"-type weight system, (1) Cal Gym weight bench, (1) Johnny Gibson Gym Equipment Company weight bench, (9) free weights and (1) weight lifting bar, from the Green Valley District to the Arivaca Fire Department.

Motion carried to approve (5-0)

***** HEARINGS *****

11. **BOARD OF SUPERVISORS**

Tax Levy

A. Adoption of the Fiscal Year 2010/2011 Tax Rates and establishing Tax Levy amounts.

If approved, pass and adopt:

RESOLUTION NO. 2010 - **198**

Motion carried to approve (3-2)

B. RESOLUTION NO. 2010 - **199**, authorizing delivery of the tax statements and the collection of the 2010 taxes.

Motion carried to approve (3-2)

FRANCHISES/LICENSES/PERMITS

Agent Change/Acquisition of Control/Restructure

12. 10-02-0023, Daniel Moore Bates, El Corral Prime Rib House, 2201 E. River Road, Tucson, Agent Change/Acquisition of Control.

Motion carried to approve (5-0)

Extension of Premises/Patio Permits

13. Albert Sherman Hall Jr., Acacia at St. Philips, 4340 N. Campbell Avenue, Suite 103, Temporary Extension of Premises for September 12, 19, 26; October 3, 10, 17, 24 and 31, 2010.

Motion carried to approve (5-0)

14. Heidi Marietta Rogers, Firelite Lounge and Café, 2413 W. Wetmore Road, Temporary Extension of Premises for August 21, 26 and October 23, 2010.

Motion carried to approve (5-0)

15. **HEALTH DEPARTMENT**

ORDINANCE NO. 2010 - 50, of the Board of Supervisors of Pima County, Arizona, establishing fees for family planning services provided by the Pima County Health Department Family Planning Program.

Without objection, this item was removed.

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 2/16/10, RM 3/16/10, and RM 5/11/10)

16. **Rezoning Time Extension**

Co9-92-26, COLLINS-COLOSSAL CAVE ROAD NO. 2 REZONING

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. STAFF RECOMMENDS A 90 DAY CONTINUANCE TO THE BOARD OF SUPERVISORS MEETING OF AUGUST 16, 2010.~~ **STAFF RECOMMENDATION PENDING.** (District 4)

Without objection, this item was withdrawn.

NEW BUSINESS

17. **Rezoning Ordinances**

- A. ORDINANCE NO. 2010 - 51, Co9-09-06, Reay, et. al. – Trico Road Rezoning. Owner: Gordon and Lois Reay. (District 3)

Motion carried to approve (5-0)

- B. ORDINANCE NO. 2010 - 52, Co9-07-10, Cardinal Irvington Homes, L.L.C. - Cardinal Avenue Rezoning. Owner: Cardinal Irvington Homes, L.L.C. (District 5)

Motion carried to approve (5-0)

- C. ORDINANCE NO. 2010 - 53, Co9-07-20, Sahuarita Corners L.P./Equivest Properties L.P. – Kolb Road Rezoning. Owner: Sahuarita Corners, L.P. (District 4)

Motion carried to approve (5-0)

- D. ORDINANCE NO. 2010 - 54, Co9-63-89, Seymour – Ajo Highway Rezoning. Owner: Fidelity National Title TR 60296. (District 5)

Motion carried to approve (5-0)

18. **Rezoning Resolutions**

- A. RESOLUTION NO. 2010 - 200, Co9-99-15, Gatzionis Brothers Family Limited Partnership/Cab Produce Company – Orange Grove Road No. 2 Rezoning. Owner: Constantino and Nelida Panousopoulos. (District 1)

Motion carried to approve (5-0)

- B. RESOLUTION NO. 2010 - 201, Co9-04-22, Thatcher – Sunset Road Rezoning. Owner: Steven and Mary Thatcher. (District 4)

Motion carried to approve (5-0)

TRANSPORTATION

19. **Road Establishment**

RESOLUTION NO. 2010 - 202, of the Board of Supervisors of Pima County, Arizona, providing for the establishment of Camino Loma Alta, a County Highway situated within portions of Sections 34 and 35, T15S, R16E and Sections 2 and 3, T16S, R16E, Pima County, Arizona, Proceeding No. 3006. (District 4)

Motion carried to approve (5-0)

20. **CALL TO THE PUBLIC**

21. **ADJOURNMENT**

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

DATE POSTED: 8/10/10

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, AUGUST 16, 2010

1. CONTRACTS AND AWARDS

A. Community Services, Employment and Training

1. RESOLUTION NO. 2010 - 193, approving an Intergovernmental Agreement with the Arizona Department of Economic Security, to provide for the State Energy Sector Partnership Program (SESP) for the term 1/29/10 to 1/28/13, SESP Fund, contract amount \$1,046,063.00 revenue (01-69-A-143165-0110)
2. Loyola Associates, Amendment No. 5, to provide consultation and marketing services, U.S. Department of Labor, Arizona Department of Economic Security Workforce Investment Act, American Recovery and Reinvestment Act and Community Based Job Training Grant Funds; General Fund, contract amount \$4,000.00, total contract amount \$40,000.00 (07-69-L-140774-0208)
3. Rise, L.L.C., d.b.a. Rise Equipment Recycling Center, Amendment No. 4, to provide basic computer skill workshops to youth and adults, and amend contractual language, U.S. Department of Labor and Arizona Department of Economic Security WIA Grant Funds, contract amount \$3,090.00 (11-69-P-141079-0708)
4. Primavera Foundation, Amendment No. 2, to provide emergency financial assistance and case management services to low-income residents and extend contract term to 6/30/11, Community Services Block Grant Fund, contract amount \$62,000.00 (07-69-P-141758-0708)
5. Arizona Department of Economic Security, Amendment No. 4, to provide employment and training to eligible Pima County Workforce Investment Act Program Participants and amend contractual language, American Recovery and Reinvestment Act (ARRA) Fund, no cost (01-69-A-141894-0209)
6. The Salvation Army, Amendment No. 2, to provide emergency financial assistance through case management, referral and advocacy services to eligible, low-income households and extend contract term to 6/30/11, Community Services Block Grant Fund, contract amount \$14,000.00 (07-69-S-142050-0708)
7. Greater Littletown Area Human Resource Group, Inc., Amendment No. 1, to provide emergency food boxes to eligible low-income households, extend contract term to 6/30/11 and amend contractual language,

Community Services Block Grant Fund, contract amount \$25,000.00 (07-69-G-142399-0709)

8. Community Food Bank, Inc., Amendment No. 1, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$17,200.00 (07-69-C-142505-0709)
9. Catholic Community Services, Inc., d.b.a. St. Elizabeth's Clinic, Amendment No. 1, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$25,000.00 (07-69-C-142509-0709)
10. Arizona Board of Regents, University of Arizona, Pima County Cooperative, Amendment No. 1, to provide emergency assistance services, extend contract term to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$25,000.00 (07-69-A-142786-0709)
11. Arizona Superior Court, Juvenile Court Center, Amendment No. 1, to provide for the Youth Employment and Re-entry Network (YEARN) Program, extend contract term to 9/30/10 and amend contractual language, U.S. Department of Labor, YEARN Fund, no cost (01-69-A-142961-0709)
12. The Salvation Army, Project Advent, to provide transitional housing, extend contract term to 6/30/11 and amend contractual language, U.S. Department of Housing and Urban Development Fund, contract amount \$128,643.00 (07-69-S-143142-0710)
13. Arizona Community Action Agency, to provide weatherization work, utility repair/replacement, and bill assistance, and extend contract term to 6/30/11, U.S. Department of Housing and Urban Development/SHP Fund, contract amount \$156,382.00 revenue (02-69-A-143143-0710)
14. Goodwill Industries of Southern Arizona, Inc., to provide for the Employability Skills Workshop Program, U.S. Department of Labor, Arizona Department of Economic Security and other Workforce Funds (determined by client eligibility), contract amount \$80,983.00 (07-69-G-143166-0910)

B. County Attorney

15. Quarles & Brady, L.L.P., to provide legal services for the Pima Health System, PHCS Enterprise Fund, contract amount \$100,000.00/ 2 year term (17-02-Q-143189-0710)

C. Economic Development and Tourism

16. RESOLUTION NO. 2010 - **194**, approving an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona on behalf of the Drachman Institute, to provide community planning and project evaluation services to the Pima County Neighborhood Stabilization Program, Federal Grant Fund, contract amount \$128,847.00 (01-71-A-143178-0810)

D. Health Department

17. Arizona Department of Health Services, Amendment No. 3, to provide supplemental nutritious foods to eligible participants and extend contract term to 9/30/11, Federal Commodity Supplemental Food Program Grant Fund, contract amount \$113,803.80 revenue (01-01-A-140409-1007)

E. Pima Health System

18. Manor Care of Tucson, L.L.C., d.b.a. Manorcare Health Services No. 498, Amendment No. 9, to provide long term care and skilled nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$2,000,000.00 (18-15-M-137016-1005)
19. Presidio Health Associates, L.L.C., d.b.a. Catalina Healthcare Center, Amendment No. 6, to provide long term care and skilled nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-P-137017-1005)
20. Avalon Care Center-Tucson, L.L.C., d.b.a. La Colina Health Care Center, Amendment No. 7, to provide long term care and skilled nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$3,000,000.00 (18-15-A-137067-1005)
21. Radiology Ltd., P.L.C., Amendment No. 5, to provide radiology services for the term 10/1/10 to 9/30/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-R-138584-1006)
22. Four Star Enterprises, Inc., d.b.a. Crossroads Adult Care Home, Amendment No. 4, to provide assisted living home services and amend contractual language, PHCS Enterprise Fund, contract amount \$150,000.00 (07-15-F-140097-0907)
23. Northwest Allied Physicians, L.L.C., Amendment No. 4, to provide primary care physician and specialty services for the term 9/1/10 to 8/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-140176-1007)

24. Northwest Cardiology, L.L.C., d.b.a. Desert Cardiology of Tucson, Amendment No. 4, to provide cardiology services for the term 9/1/10 to 8/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-H-140334-0907)
25. Dependable Medical Equipment, Inc., Amendment No. 6, to provide durable medical equipment, medical supplies, and administrative supportive services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-D-140581-0108)
26. Odyssey Healthcare Operating A, L.P., d.b.a. Odyssey Healthcare of Tucson, Amendment No. 1, to provide hospice services for the term 10/1/10 to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (18-15-O-141520-1008)
27. Arizona Consumer Direct Personal Care, L.L.C., Amendment No. 4, to provide homecare (non-skilled) services for the term 7/1/10 to 6/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$11,000,000.00 (07-15-A-142119-0709)
28. Mariposa Community Health Center, Inc., to provide primary care/specialty physician and transportation services, PHCS Enterprise Fund, contract amount \$1,000,000.00/2 year term (18-15-M-143151-1010)
29. Alfredo Guevara, Jr., M.D., FACS, to provide urology services, PHCS Enterprise Fund, contract amount \$300,000.00/2 year term (18-15-G-143168-1010)

F. Procurement

30. Facilities Management DPR Construction, Inc., Change Order No. 9, to provide construction of the Psychiatric Hospital and Crisis Response Center and amend contractual language, 2004 and 2006 Bond Funds, contract amount \$654,340.00 (03-13-D-142271-0709) Facilities Management
31. SunWestern Contractors, Inc., Amendment No. 8, to provide Phase II construction services for site improvements at the Pima County Wastewater Management Field Office, amend contractual language and extend contract termination date to 9/30/10, System Development Fund, contract amount \$22,036.00 (03-13-S-142298-0809) Facilities Management

Awards

32. Award of Contracts, Requisition No. 1002477 to Gilbert Electric Co., Inc. (Headquarters: Tucson, AZ), Sabino Electric, Inc. (Headquarters: Tucson, AZ) and Sturgeon Electric Co., Inc. (Headquarters: ~~Tucson, AZ~~ **Henderson, CO**) in the amount of \$250,000.00 each for as-needed electrical contracting services at various locations throughout Pima County. The terms of the contract is one year with the option to extend for up to two additional one year periods. Funding Source: Various Funds. Administering Department: Facilities Management.
33. Award of Contract, Solicitation No. 1001906, to Securitas Security Services USA, Inc. (Headquarters: Parsipanny, NJ) for uniformed security services in the amount of \$1,850,000.00. The contract is for a one year period with four one year renewals. Funding Source: General Fund. Administering Department: Sheriff.

G. Real Property

34. RESOLUTION NO. 2010 - 195, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the joint use of facility space needed for the Pima County Wireless Integrated Network Project and the Supplemental Site-Specific Agreement, no cost (01-80-P-143169-0810) Office of Strategic Technology Planning

H. Regional Wastewater Reclamation

35. Kinney Village I, L.L.C., to provide for a Connection Fee Credit Agreement in the amount of \$93,193.54 (14-03-K-143173-0810)

I. Sheriff

36. RESOLUTION NO. 2010 - 196, approving an Intergovernmental Agreement with the Town of Sahuarita, to provide for the incarceration of municipal prisoners, General Fund, contract amount \$213,561.00 revenue (01-11-S-143157-0710)

2. PROCUREMENT

Quarterly Contracts Report - 2nd Quarter, 2010

Pursuant to Pima County Code, §11.08.010, staff submits the quarterly report on contracts awarded from April 1, 2010, through June 30, 2010.

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

A. **Industrial Development Authority**

Reappointment of Stanley Lehman and Virginia L. Yrun. Term Expirations: 9/5/16. (Authority Recommendation)

B. Staff requests the following Boards, Commissions and/or Committees be deemed inactive and officially abolished:

Voluntary Vehicle Repair and Retrofit Advisory Committee, Temporary Cable Renewal Committee and the Temporary Pima County Free Library District Internet Policy Committee.

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

A. Brian Adam Sturgeon, Northwest Fire Fighters Union, 7401 N. La Cholla Boulevard, Tucson, October 2, 2010.

B. Catherine C. Curtin, Catalina Foothills School District Foundation, La Encantada, 2905 E. Skyline Drive, Tucson, October 8, 2010.

5. **TREASURER'S OFFICE**

A. **Certificates of Removal and/or Abatement**

Pursuant to A.R.S. §42-18353, staff requests approval of the Certificates of Removal and Abatement for the following:

Real Property Abatement Nos. 400243-400248	\$ 18,688.53
---	--------------

Personal Property Abatement Nos. 500542-500575	\$100,954.13
---	--------------

TOTAL	<u>\$119,642.66</u>
-------	---------------------

B. **Certificates of Clearance**

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

Unsecured Mobile Homes:	\$242.51
-------------------------	----------

Business Personal Property:	\$ 5,317.74
-----------------------------	-------------

TOTAL Unsecured Personal Property:	<u>\$ 5,560.25</u>
------------------------------------	--------------------

6. **RATIFY AND/OR APPROVE**

Minutes: July 6, 2010

ADDENDUM

Pima County Board of Supervisors' Meeting

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

August 16, 2010 9:00 a.m.

... 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.

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Maynard v. Pima County, Pima County Superior Court Case No. C20096279.

Motion carried to approve (5-0)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... STADIUM DISTRICT BOARD

Pima County Sports and Tourism Authority

Presentation of the Annual Report by the Pima County Sports and Tourism Authority (PCSTA) for FY 2009-2010 and request for approval of the Budget and Business Plan for FY 2010-2011.

Motion carried to approve (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. COUNTY ADMINISTRATOR

RESOLUTION NO. 2010 – **203**, of the Pima County Board of Supervisors, electing not to assume the administrative functions regarding individual group health and accident coverage for the members of the various retirement plans offered by the State of Arizona.

Motion carried to approve (5-0)

2. **COUNTY ATTORNEY**

RESOLUTION NO. 2010 – **204**, of the Pima County Board of Supervisors, authorizing Pima County to enter into the Arizona Prosecuting Attorneys' Advisory Council Grant for the purchase and training of prosecutors on new courtroom presentation equipment in the amount of \$9,950.00.

Motion carried to approve (5-0)

3. **CONTRACTS AND AWARDS**

A. **Facilities Management**

1. SunE NLB-3, L.L.C., Amendment No. 4, to provide for the sale and transfer of ownership of the 1-megawatt solar facility located at Roger Road from Solon to Sun Edison, no cost (11-13-S-142106-0609)

Motion carried to approve (5-0)

2. Catalina Community Services, to provide a Lease Agreement for a portion of the newly constructed building at 3535 E. Hawser Street, contract amount \$1,428,364.14 revenue/25 year term (04-13-C-143190-0810)

Motion carried to approve (5-0)

B. **Health Department**

Arizona Board of Regents, University of Arizona, Amendment No. 1, to provide for the Oral Health Program and amend contractual language for the term 7/1/10 to 6/30/11, State Grant Fund, contract amount \$41,878.00 (07-01-A-142687-0110)

Motion carried to approve (5-0)

C. **Information Technology**

Amendment of Award: Cingular Wireless, L.L.C., (Headquarters: Atlanta, GA), B500559, Revision 5, (Reference No. 11-11-A-140577-0707), to provide wireless products and services, extend contract term from 7/1/10 to 10/30/10, and increase the award in the amount of \$410,000.00. The vendor name on this amendment will be changed to AT&T Mobility, L.L.C., (Headquarters: Dallas, TX). Funding Source: General Fund. Administering Department: Information Technology.

Motion carried to approve (5-0)

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

A. **Pima County Wireless Integrated Network (PCWIN)**

Appointment of Steven Campbell, Drexel Heights Fire District (2nd Alternate) to replace Randy Karrer. No term expiration. (Committee recommendation)

Motion carried to approve (5-0)

B. ***Pima County Sports and Tourism Authority**

Presentation of the Annual Report by the Pima County Sports and Tourism Authority (PCSTA) for FY 2009-2010 and request for approval of the Budget and Business Plan for FY 2010-2011.

*(**Clerk's Note**: See Stadium District Board Item.)

Motion carried to approve (5-0)

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

DATE POSTED: 8/12/10

TIME POSTED: 11:00 p.m.