

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

March 15, 2011 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Joe Chan, Chinese Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Daniele Diamenta, Event Coordinator for Cyclovia Tucson, proclaiming the week of March 21 through March 27, 2011, to be:

"CYCLOVIA TUCSON WEEK"

Motion carried to approve (5/0)

... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 3/9/11, 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**

Contract

Arizona Department of Environmental Quality, Amendment No. 2, to provide a license with Pima County and the **Pima County Regional Flood Control District**, to drill, install, operate, maintain and access six (6) monitor well sites on property located within T13S, R13E, Sections 8, 9, 17, 21, 23 and amend contractual language, no cost (12-04-A-140582-0108) Transportation

Motion carried to approve (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

6. **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)

7. **COUNTY ADMINISTRATOR**

Revisions to Merit System Rules and Personnel Policies

Staff requests approval of the following Personnel Policy revisions effective March 15, 2011:

Merit System Rule 13 - Grievance System: Workplace violence is removed from Merit System Rules 13.1.B and 13.3.B which address the grievance systems that are not used for these matters.

Personnel Policy 8-115 - Mediation Program: Workplace Violence, listed as a matter to be mediated before filing a grievance, is properly removed.

Motion carried to approve (5/0)

8. **PROCUREMENT**

UNFINISHED BUSINESS (RM 2/15/11)

Award

Highest Scoring Firm: Award of Contract, Requisition No. 1002244, EPS Group, Inc., (Headquarters: Mesa, AZ) for design engineering services for the Valencia Road: Wilmot Road to Kolb Road Project. The contract shall be for a 36 month period in an amount not to exceed \$1,300,000.00. The contract may be extended as required for project completion. In the event a fee agreement cannot be reached with the highest ranked firm, staff requests authorization to negotiate with the next highest ranked firms in the following order: Kimley-Horn and Associates, Inc., and URS Corporation, until a contract is executed or the list is exhausted. Funding Source: RTA Fund. Administering Department: Transportation.

Motion carried to approve (5/0)

NEW BUSINESS

9. **OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY**

- A. RESOLUTION NO. 2011 - 43, of the Pima County Board of Supervisors, accepting the Arizona Emergency Response Commission Award for the support of the Pima County Office of Emergency Management in the amount of \$49,508.71.

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2011 - 44, of the Pima County Board of Supervisors, accepting the State of Arizona Department of Homeland Security Award for the support of the Pima County Office of Emergency Management in the amount of \$12,105.87.

Motion carried to approve (5/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Fireworks Permits

10. Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, April 2, 2011 at approximately 9:30 p.m.

Motion carried to approve (5/0)

11. Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, April 16, 2011 at approximately 9:45 p.m.

Motion carried to approve (5/0)

12. Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, April 30, 2011 at approximately 10:00 p.m.

Motion carried to approve (5/0)

13. Lonnie Lister, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, May 6, 2011 at approximately 9:00 p.m.

Motion carried to approve (5/0)

Extension of Premises/Patio Permit

14. Scott A. Busse, Territorial, 3727 S. Palo Verde Road, Tucson, Temporary Extension of Premises for May 1, 7, 8, 14, 15, 21, 22, 28, 29, June 4, 5, 11, 12, 18, 19, 25, 26, July 2, 3, 9, 10, 16, 17, 23, 24, 30, 31, August 6, 7, 13, 14, 20, 21, 27 and 28, 2011.

Motion carried to continue to 4/5/11 (5/0)

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 2/15/11)

Rezoning

15. Co9-10-02, FAITH COMMUNITY CHURCH, INC. – ORANGE GROVE ROAD REZONING

Request of Faith Community Church, Inc., represented by The Planning Center, for a rezoning of approximately 16.10 acres from SR (Suburban Ranch) to CR-5 (Multiple Residence Zone) and approximately 7.60 acres from SR (Suburban Ranch) to SR® (Suburban Ranch-Restricted), on property located on the south side of Orange Grove Road approximately 1/2 mile east of Shannon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Membrila and Richey voted Nay; Commissioners Steinbrenner and Spendiarian were absent) to recommend **DENIAL**. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

Motion carried to approve (4/1)

NEW BUSINESS

Rezoning Time Extension

16. Co9-04-23, PAIRMAN - OLD VAIL ROAD REZONING

Request of KV, L.L.C., represented by Gordon and Sharon Pairman, for a five-year time extension for a rezoning of approximately 4.8 acres from SR (Suburban Ranch) and AE (Airport Environs and Facilities), to CB-2 (General Business) and AE (Airport Environs and Facilities) on property located at the southwest corner of Valencia and Kolb Roads, north of Old Vail Road. The subject property was rezoned in December, 2005 and expired in December, 2010. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. Staff recommends **APPROVAL SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 4)

Without objection, this item was withdrawn.

*(**Clerk's Note:** The following item may present a potential conflict of interest for Chairman Valadez.)

Conditional Use Permit

- *17. P21-10-022, RURAL METRO CORPORATION - N. HOUGHTON ROAD
Request of Rural Metro Corporation, represented by FM Group, on property located at 2741 N. Houghton Road, Tax Parcel Nos. 114-55-1590 and 114-55-1600, in the CR-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 CR-1 zone. On motion, the Planning and Zoning Commission voted 6-0 (Commissioner Holdridge abstained; Commissioners Spendiarian and Steinbrenner 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 (4/0)

18. **Rezoning Resolutions**

- A. RESOLUTION NO. 2011 - **45**, Co9-04-07, Starbound Tucson Hotel, L.L.C. - Palo Verde Road Rezoning. Owner: Palo Verde Property, L.L.C. (District 2)

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2011 - **46**, Co9-00-30, Aravaipa Properties, L.L.C. - Valencia Road Rezoning. Owner: PBH II, L.L.C. (District 5)

Motion carried to approve (5/0)

TRANSPORTATION

19. **Road Abandonment**

RESOLUTION NO. 2011 - **47**, of the Board of Supervisors, abandoning a County highway within the incorporated limits of the City of South Tucson, Ninth Avenue, South of 38th Street, a public roadway lying within Section 25, T14S, R13E, for the South Tucson Neighborhood Association 1997 Bond Improvement Project.
(District 2)

Motion carried to approve (5/0)

20. **Traffic Ordinances**

- A. ORDINANCE NO. 2011 - 17, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits on Mona Lisa Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

- B. ORDINANCE NO. 2011 - 18, of the Pima County Board of Supervisors, establishing a pedestrian crosswalk on Camino Miraval in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

21. **CALL TO THE PUBLIC**

22. **ADJOURNMENT**

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

DATE POSTED: 3/9/11

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, MARCH 15, 2011

1. CONTRACTS AND AWARDS

A. Health Department

1. Arizona Department of Health Services, Amendment No. 1, to provide for services under WIC, Breastfeeding Peer Counseling and Farmer's Market Nutrition Programs and amend contractual language, Federal Fund, contract amount \$937.50 revenue (01-01-A-143105-1010)

B. Pima Health System

2. Arizona Health Care Containment System, Amendment No. 13, to provide long term care services and amend contractual language, no cost (18-15-A-138594-1006)
3. Tucson Pulmonology, P.C., Amendment No. 4, to provide pulmonology services, extend contract term to 4/30/12 and amend contractual language, no cost (18-15-T-139375-0507)
4. Evercare Hospice, Inc., Amendment No. 2, to provide hospice services, extend contract term to 2/29/12 and amend contractual language, no cost (18-15-E-141842-0309)

C. Procurement

5. HDR Engineering, Inc., Amendment No. 9, to provide project management and roadway design engineering services for La Canada: River Road to Ina Road project and amend scope of work, RTA Sales Tax Fund (90%), CDO Impact Fees (10%), contract amount \$79,978.00 (16-04-H-139002-1106) Transportation

Award

6. Low Bid: Award of Contracts, Requisition No. 1101438, in the cumulative annual amount of \$914,000.00 for vehicle emergency code equipment as defined by the list below to the responsive and responsible bidders that submitted the lowest total by group as specified in the IFB. Contracts are for a one year term which includes up to four one year renewal options. The award includes the authority for the Procurement Department to reallocate the award amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts does not exceed the sum of the contract award amounts. Funding Source: Internal Service Fund. Administering Department: Fleet Services.

<u>Groups</u>	<u>Contractor</u>	<u>Annual Amount</u>
1, 3, 4, 15	AEP (Headquarters: San Diego, CA)	\$379,000.00
2, 9, 11, 14, 16, 17, 18	Creative Communications (Headquarters: Phoenix, AZ)	\$165,000.00
5, 6, 10, 13, 20	First In, L.L.C. (Headquarters: Salt City, UT)	\$175,000.00
7, 8, 19, 21	Auto Safety House (Headquarters: Phoenix, AZ)	\$195,000.00

D. **Real Property**

7. Arizona Department of Environmental Quality, Amendment No. 2, to provide a license with **Pima County** and the Pima County Regional Flood Control District, to drill, install, operate, maintain and access six (6) monitor well sites on property located within T13S, R13E, Sections 8, 9, 17, 21, 23, and amend contractual language, no cost (12-04-A-140582-0108) Transportation

2. **DIVISION OF ELECTIONS**

Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Mondello, Leona R.	385	REP
<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Zazueta, Miguel J.	028	DEM
Barajas, Magdalena	053	DEM
Cage, Cheryl A.	415	DEM
Cohen, Cameron L.	220	REP
McDaniel, Stuart W.	326	REP
Dunn, Thomas R.	379	REP
Culver, Conny K.	387	REP

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

Pima County Wireless Integrated Network

Appointment of Assistant Chief Sharon Allen, Tucson Police Department, 1st Alternate, to replace Assistant Chief Terry Rozema. No term expiration. (Jurisdictional recommendation)

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

- A. Pedro Pacheco, Knights of Columbus, Council No. 8077, 8650 N. Shannon Road, Tucson, March 19, 2011.
- B. Vivian L. Fellom, University Medical Center Foundation, La Encantada, 2905 E. Skyline Drive, Tucson, March 19, 2011.
- C. Pamela Sue Clark-Raines, StrengthBuilding Partners, St. Philip's Plaza, 4280 N. Campbell Avenue, Tucson, May 6, 2011.
- D. William Dean Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, March 25, 2011.
- E. William Dean Woodruff, Knights of Columbus, Council No. 12696, 300 N. Tanque Verde Loop Road, Tucson, April 3, 2011.

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:

Athens on Fourth Avenue, L.L.C., Case No. C2009-26. Proposed settlement amount is \$1,009.42.

6. **PROCLAMATION**

Proclaiming May 1 through May 7, 2011, to be:

"PIMA COUNTY PEACE OFFICERS MEMORIAL WEEK"

and proclaiming May 6, 2011, to be:

"PIMA COUNTY PEACE OFFICERS MEMORIAL DAY"

7. RATIFY AND/OR APPROVE

Minutes: January 18, 2011
January 21, 2011
February 1, 2011

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

March 15, 2011 9:00 a.m.

1. PRESENTATION/PROCLAMATION

Presentation of a proclamation to Rowan Frost, Program Supervisor, and Stephanie Arendt, Senior Prevention Educator, from the Southern Arizona Center Against Sexual Assault, proclaiming the month of April, 2011, to be:

"SEXUAL ASSAULT AWARENESS MONTH IN PIMA COUNTY"

and the day of April 12, 2011, to be:

"TAKE BACK THE NIGHT PIMA COUNTY 2011"

Motion carried to approve (5/0)

. . . 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 Margaret A. Bland, et al., v. Pima County, Pima County Superior Court Case No. C20097813.

Motion carried to reject proposed settlement (5/0)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the claim of the Estate of Jack Rappeport (through its personal representative) and Ginger Rodgers Rappeport against the Pima County Public Fiduciary and Pima County.

Motion carried to deny claim (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

2. COUNTY ADMINISTRATOR

Proposed Development Services Fees

Staff requests acceptance of the March 2, 2011, Stakeholder Review Report, the modification or reduction of fees identified in the draft fee schedules and that this item be referred to the Planning and Zoning Commission for a public hearing at their earliest available meeting.

Motion carried to approve (5/0)

3. FINANCE AND RISK MANAGEMENT

RESOLUTION NO. 2011 - **48**, of the Board of Supervisors, establishing the VP Domestic Water Improvement District of Pima County, Arizona. (District 4)

Motion carried to approve (5/0)

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

DATE POSTED: 3/11/11

TIME POSTED: 11:00 a.m.