

## AGENDA SUMMARY

### Pima County Board of Supervisors' Meeting

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

May 3, 2011 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Lois Blei, Eastside Assembly of God.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Lois Blei, National Day of Prayer Coordinator, proclaiming May 5, 2011, to be:

"NATIONAL DAY OF PRAYER"

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 the claim of Ginger Rodgers Rappeport against the Pima County Public Fiduciary and Pima County.

Motion carried to deny claim and proceed as discussed in Executive Session (5/0)

\*(**Clerk's Note**: Chairman Valadez may have a potential Conflict of Interest on this item.)

- \*B. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the validation of petition signatures by the Board of Supervisors as part of the Green Valley Fire District's proposed North Sahuarita Block Annexation.

This item was informational only.

**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 as amended (5/0)

7. **COUNTY ADMINISTRATOR**

**Revisions to Board of Supervisors Policy**

Staff requests approval of the revisions to the Board of Supervisors Policy No. D29.3, Pima County Small Purchase Policy.

Motion carried to approve (5/0)

UNFINISHED BUSINESS (RM 4/19/11)

8. **FIRE DISTRICT**

\*(**Clerk's Note:** Chairman Valadez may have a potential Conflict of Interest on this item.)

**\*Green Valley Fire District**

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Green Valley Fire District for the proposed North Sahuarita Block Annexation.

Motion carried to validate the petitions (3/1)

NEW BUSINESS

**TRANSPORTATION**

9. **Acceptance of Project/Roadway for Maintenance**

P1209-601, Offsite Improvements for Mann Avenue Industrial Shops, 5833 S. Mann Avenue, Station 18+55 to Station 26+00. Developer: Eaglerock Excavating. (District 4)

Motion carried to approve (5/0)

10. **REGIONAL WASTEWATER RECLAMATION**

**Pretreatment Settlement Agreement**

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

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

Motion carried to approve (5/0)

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

**FRANCHISE/LICENSE/PERMIT**

**Liquor License**

11. 11-11-9072, Jason Barclay Morris, CVS/Pharmacy No. 07859, 6370 N. Campbell, No. 120, Tucson, Series 9, Liquor Store, New License.

Motion carried to approve (5/0)

**DEVELOPMENT SERVICES**

UNFINISHED BUSINESS (RM 12/14/10, 1/18/11 and 3/8/11)

**Zoning Code Text Amendment**

12. Co8-10-05, CHARTER SCHOOLS, LIGHTING, FEES, GRADING STANDARDS, REZONING NOTIFICATIONS, CONDITIONAL USE TIME LIMITS, INACCURATE CITATIONS, ETC.

An Ordinance of the Pima County Board of Supervisors relating to Zoning; amending the Pima County Zoning Code, Title 18 by amending Chapters 18.01 (General Provisions), 18.07 (General Regulations and Exceptions), 18.09 (General Residential and Rural Zoning Provisions), 18.69 (Subdivision Standards) and 18.79 (Sign Standards) to delete specific fee amounts; amending Chapters 18.07 (General Regulations and Exceptions), 18.09 (General Residential and Rural Zoning Provisions), 18.13 (Rural Homestead Zone), 18.14 (Rural Residential Zone), 18.17 (Suburban Ranch Zone), 18.19 (SH Zone), 18.39 (General Commercial Standards), 18.43 (Local Business Zone), 18.45 (General Business Zone), 18.49 (Campus Park Industrial Zone), 18.61 (Hillside Development Overlay Zone), 18.63 (Historic Zone), 18.67 (Buffer Overlay), 18.75 (Off-Street Parking and Loading Standards), 18.81 (Grading Standards) to defer the lighting requirements to the County Outdoor Lighting Code requirements; amending Chapter 18.03 (General Definitions) to add a definition for a carport, to further

describe a guest house and to revise the charter school definition; amending Chapter 18.07 to allow modification of the front yard setback thru the modification of setback requirements; amending Chapter 18.09 to add charter schools as an outright permitted use, to delete the reference to additional fees for the secondary dwelling appeal; amending Chapters 18.12 (Institutional Reserve Zone), 18.13 and Chapter 18.17 to correct inaccurate citations; amending Chapters 18.37 (Multiple Use Zone) and 18.43 to add charter schools as an outright permitted use; amending Chapter 18.81 (Grading Standards) to revise the Type I permit requirement; amending Chapter 18.91 (Rezoning Procedures) to revise notification requirements to conform with State Statutes; amending Chapter 18.97 (Conditional Use Procedures) by revising time limits and time extensions. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Holdridge and Smith were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

~~ORDINANCE NO. 2010 - 74~~

ORDINANCE NO. 2011 - 2

Motion carried to approve as amended (5/0)

#### NEW BUSINESS

#### **Plat Note Modification**

13. P1297-037, SABINO MOUNTAIN SUBDIVISION PLAT, LOT 89  
Request of Gordon R. and Renee Bennett, for a plat note modification to allow use of approximately 1,000 square feet of the Hillside Development Zone Natural Area of Lot 89, Sabino Mountain Subdivision Plat, Bk. 51, Pg. 18 for existing rip rap and a proposed 4' wrought iron fence pool barrier to be placed within the previously disturbed, platted, recorded HDZ natural area. The subject site is Lot 89 of Sabino Mountain Subdivision and the subject parcel is 48,203 square feet. This property was rezoned from SR to CR-1 Cluster. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

#### **Rezoning Resolution**

14. RESOLUTION NO. 2011 - 64, Co9-05-13, Ackerman - Old Vail Road Rezoning. Owner: Robert Ackerman. (District 4)

Motion carried to approve (5/0)

## TRANSPORTATION

### 15 Traffic Ordinances

- A. ORDINANCE NO. 2011 - **27**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Irvington Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2, 3 and 5)

Motion carried to approve (5/0)

- B. ORDINANCE NO. 2011 - **28**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Sabino Canyon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 4)

Motion carried to approve (5/0)

- C. ORDINANCE NO. 2011 - **29**, of the Board of Supervisors, designating Valencia Road as a through street in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2, 3, 4 and 5)

Motion carried to approve (5/0)

- D. ORDINANCE NO. 2011 - **30**, of the Board of Supervisors, designating Los Reales Road as a through street in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2, 3 and 5)

Motion carried to approve (5/0)

### 16. CALL TO THE PUBLIC

### 17. ADJOURNMENT

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 04/27/11  
TIME POSTED: 5:00 p.m.

## **CONSENT CALENDAR, MAY 3, 2011**

\*THE FOLLOWING ITEMS MAY PRESENT A POTENTIAL CONFLICT OF INTEREST FOR CHAIRMAN VALADEZ:

### **\*1. CONTRACTS**

#### **A. Procurement**

1. Kord's Metro Service, Inc., Amendment No. 3, to provide non-emergent medical transportation services, extend contract term to 9/30/11 and amend contractual language, no cost (11-15-K-141959-0609) Pima Health System

Motion carried to approve (4/0)

#### **B. Transportation**

2. Rural Metro Corporation, Amendment No. 1, to provide for the installation, design and maintenance of hazard identification flasher equipment and extend contract term to 3/5/21, no cost (10-04-R-128688-0301)

Motion carried to approve (4/0)

\*\*THE FOLLOWING ITEM MAY PRESENT A POTENTIAL CONFLICT OF INTEREST FOR SUPERVISOR DAY:

### **\*\*2. CONSOLIDATED JUSTICE COURTS**

#### **Judge Pro Tempore**

The Pima County Consolidated Justice Court requests the appointment of Adam Watters as Judge Pro Tempore for the period July 1, 2011 through June 30, 2012.

Motion carried to approve (4/0)

# CONSENT CALENDAR, MAY 3, 2011

## 3. CONTRACTS AND AWARDS

### A. Community Services, Employment and Training

1. RESOLUTION NO. 2011 - 62, approving an Intergovernmental Agreement with the Altar Valley School District, to provide work experience and academic instruction, U.S. Department of Labor and Arizona Department of Economic Security - WIA Grant Funds, contract amount \$78,854.00; General Fund, contract amount \$8,000.00; total contract amount \$86,854.00 (01-69-A-143928-0511)
2. The Salvation Army, Amendment No. 3, to provide emergency financial assistance through case management, referral and advocacy services to eligible, low-income households and amend contractual language, Community Services Block Grant Fund, contract amount \$14,000.00 (07-69-S-142050-0708)
3. Portable Practical Education Preparation (PPEP) Inc., Amendment No. 2, to provide workforce development services and amend contractual language, U.S. Department of Labor, Arizona Department of Economic Security and other Workforce Funds, contract amount \$50,000.00 (07-69-P-143004-0710)
4. To provide subsidized work experience and/or academic services to youth enrolled in the Youth Summer Program for the term 5/31/11 to 5/30/12, U.S. Department of Labor and Arizona Department of Economic Security - WIA Grant Funds:

<u>Vendor</u>	<u>Contract Amount</u>	<u>Contract No.</u>
Portable Practical Education Preparation (PPEP), Inc.	\$122,814.00 (\$ 12,000.00-General Fund)	07-69-P-143917-0511
SER - Jobs for Progress of Southern Arizona, Inc.	\$150,021.00 (\$ 15,000.00-General Fund)	07-69-S-143918-0511
Tucson Youth Development, Inc.	\$75,139.00 (\$ 7,000.00-General Fund)	07-69-T-143921-0511
Tucson Youth Development, Inc.	\$219,650.00 (\$ 21,000.00-General Fund)	07-69-T-143922-0511
Portable Practical Education Preparation (PPEP), Inc.	\$89,847.00 (\$ 8,000.00-General Fund)	07-69-P-143923-0511
Tucson Urban League (TUL), Inc.	\$90,296.00 (\$ 9,000.00-General Fund)	07-69-T-143924-0511
Tucson Urban League (TUL), Inc.	\$142,242.00 (\$ 14,000.00-General Fund)	07-69-T-143925-0511

SER - Jobs for Progress of Southern Arizona, Inc.	\$58,538.00 (\$ 5,000.00-General Fund)	07-69-S-143926-0511
Catholic Community Services, d.b.a. Community Outreach for the Deaf Program (COPD)	\$49,381.00 (\$ 4,000.00-General Fund)	07-69-C-143927-0511
Goodwill Industries of Southern Arizona, Inc.	\$52,384.00 (\$ 5,000.00-General Fund)	07-69-G-143929-0511

5. To provide for the CASA Project for the term 5/1/11 to 4/30/12, U.S. Department of Housing and Urban Development Fund:

<u>Vendor</u>	<u>Contract Amount</u>	<u>Contract No.</u>
Open Inn, Inc.	\$ 98,824.00	07-69-O-143919-0511
Primavera Foundation, Inc.	\$105,542.00	07-69-P-143920-0511

**B. Economic Development and Tourism**

6. United Way of Tucson and Southern Arizona, Amendment No. 1, to provide for the Employee Combined Appeal Program (ECAP), extend contract term to 12/31/11 and amend contractual language, General Fund, contract amount \$65,136.15 (07-71-U-143024-0709)

**C. Health Department**

7. Arizona Department of Health Services, Amendment No. 3, to provide for a public health physical activity program, extend contract term to 3/31/12 and amend contractual language, Federal Fund, contract amount \$83,232.00 revenue (01-01-A-140820-0408)
8. Our Family Services, Inc., Amendment No. 3, to provide direct mediation services on behalf of Pima Animal Care Center, extend contract term to 6/30/12 and amend contractual language, General Fund, contract amount \$13,000.00 (11-01-O-141147-0708)

**D. Pima Health System**

9. Pima Council on Aging, Inc., Amendment No. 3, to provide home and community based services, extend contract term to 6/30/12 and amend contractual language, PHCS Enterprise Fund, contract amount \$75,000.00 (07-15-P-141041-0708)

**E. Procurement**

10. Amendment No. 3, to provide non-emergent medical transportation services, extend contract term to 9/30/11 and amend contractual

language, PHCS Enterprise Fund, Administering Department: Pima Health System:

<u>Vendor</u>	<u>Contract Amount</u>	<u>Contract No.</u>
Arizona Medical Transport, L.L.C., d.b.a. Arizona Medical Transit	\$225,000.00	11-15-A-141956-0609
American Pony Express, Inc., d.b.a. Allstate Cab Company	\$ 0.00	11-15-A-141957-0609
A & K Transportation Company, Inc., d.b.a. Handi-Car	\$ 0.00	11-15-A-141961-0609
Safe Ride Services, Inc.	\$ 60,000.00	11-15-S-142001-0609
AAA Cab Services, Inc., d.b.a. Yellow Cab of Tucson	\$ 65,000.00	11-15-A-142004-0609

11. KE&G Construction, Inc., Amendment No. 5, to provide a job order contract for wastewater conveyance repair, rehabilitation and construction services-small pipe contract, extend contract term to 12/31/11, System Development Fund, contract amount \$600,000.00 (26-03-K-139133-0107) Regional Wastewater Reclamation
12. HDR Engineering, Inc., Amendment No. 9, to provide project management and roadway design engineering services for La Canada Drive: Ina Road to Calle Concordia and amend contractual language, Capital Improvement Fund, contract amount \$50,000.00 (16-04-H-139265-0207) Transportation
13. URS Corporation, Amendment No. 2, to provide construction surveillance and inspection services for capital improvement projects and amend contractual language, Transportation Special Revenue Fund, contract amount \$1,000,000.00 (16-04-U-142518-1109) Transportation

**F. Real Property**

14. Freeport McMoRan Sierrita, Inc., to provide a license for underground waterlines in the right-of-way, contract amount \$4,375.00 revenue/25 year term (12-04-F-143908-0511) Transportation

Without objection, this item was removed from the agenda.

**G. Regional Wastewater Reclamation**

15. Arizona Board of Regents on behalf of the University of Arizona, Amendment No. 1, to provide membership in the Industry/University Cooperative Research Center for Water Quality, extend contract term to 4/26/12 and amend contractual language, RWRD Enterprise Fund, contract amount \$60,000.00 (01-03-A-141779-0409)

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

**Elections Integrity Commission**

Appointment of Barbara Tellman to replace Donna Branch-Gilby. Term expiration: 5/3/13. (Democratic Party Recommendation)

5. **JUSTICE COURTS**

A. **Consolidated Justice Court: Judges Pro Tempore and Small Claims Hearing Officers**

The Pima County Consolidated Justice Court requests the appointment of the following as Judges Pro Tempore and Small Claims Hearing Officers for the period July 1, 2011 through June 30, 2012:

Judges Pro Tempore

Richard Augur  
Thomas Benavidez  
Sallie Blake  
John Casey  
Hortencia Delgadillo  
David Dingledine  
Roger Duncan  
Martin Green

Thomas Johnson  
Fred Klein  
Joe Machado  
Cecilia Monroe  
William Scott  
Anne Ward  
Walter Weber

Small Claims Hearing Officers

Gary Bartick  
Vera Beil  
Morton Caplan  
Carolyn A. Classen  
Ben E. Davis  
Michael Figueroa  
Michael Hellon

David Kryder  
Carol Larson  
Lesley Potts  
James A. Rendon  
Bryan Schwartz  
William B. Shope  
Allan Zoloto

B. **Green Valley Justice Court: Small Claims Hearing Officer**

The Green Valley Justice Court - Pima County - Precinct 7 requests the appointment of Barbara Blake as a Small Claims Hearing Officer for the period July 1, 2011 through June 30, 2012.

6. **PROCUREMENT**

**Quarterly Contracts Report - 1st Quarter, 2011**

Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from January 1, 2011 through March 31, 2011.

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

- A. Kord M. Klinefelter, American Legion Riders Post No. 10, The Ajo Plaza at Plaza Street and Highway 85, Ajo, May 7, 2011.
- B. Jonas Wes Hunter, Greater Oro Valley Arts Council, d.b.a. The Southern Arizona Arts and Cultural Alliance, La Encantada, 2905 E. Skyline Drive, Tucson, May 7, 2011.
- C. Robert Keith Ethridge, Three Points Union No. 3504, 15270 W. Ajo Way, Tucson, May 7, 2011.
- D. Erin B. Olmstead, Tucson Audubon Society, 3835 W. Hardy Road, Tucson, May 14, 2011.
- E. Louis Emmett Abney, Knights of Columbus Council No. 14230, 13260 E. Colossal Cave Road, Vail, May 6, 2011.

8. **REAL PROPERTY**

**Condemnation**

RESOLUTION NO. 2011 - 63, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn for real property or real property interests where necessary for the La Cholla: Magee Road to Tangerine Road Project Improvements, in Sections 21 and 22, T12S, R13E, G&SRM. (District 1)

**REGIONAL WASTEWATER RECLAMATION**

9. **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:

DriveTime Car Sales, Inc., Case No. C2011-02. Proposed settlement amount is \$2,400.00.

10. **RATIFY AND/OR APPROVE**

Minutes: March 8, 2011

Warrants: April, 2011

## ADDENDUM SUMMARY

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

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

**May 3, 2011 9:00 a.m.**

#### **1. COUNTY ADMINISTRATOR**

##### **A. Appointments to the Pima County Redistricting Advisory Committee**

Corey Smith	District 1
Robert Gugino	District 2
Terri Hutts	District 3
Robert Fee	District 4
Augustine Romero	District 5

Motion carried to approve (5/0)

B. Staff requests direction regarding the draft public outreach plan for the redistricting of supervisorial districts.

Direction was given, no Board action taken.

#### **2. CONTRACTS**

##### **A. County Attorney**

1. RESOLUTION NO. 2011 - 65, approving an Intergovernmental Agreement with the Department of Justice, Office of Justice Programs, Office for Victims of Crime, to provide for relief assistance for the "Congress on Your Corner" mass attack, Federal Grant Fund, contract amount \$1,750,338.00 (02-02-J-143941-0111)

Motion carried to approve (5/0)

2. The Havins Co., Inc. Herbert B. Havins, MAI, to provide real estate brokerage and management services, Anti-Racketeering Fund and/or Proceeds of Sale, contract amount 6% of sale price and 9% of the receipts for property management (07-02-H-143960-0511)

Motion carried to continue to 5/10/11 (5/0)

**B. Facilities Management**

\*(**Clerk's Note:** Staff requests this item be continued to the Board of Supervisors' Meeting of May 17, 2011.)

- \*3. Lutheran Social Services of the Southwest, to provide a Lease Agreement for property located at 2225 E. Ajo Way for the Domestic Violence Alternative Center and Center for Juvenile Alternative Services, contract amount \$33,350.62 plus long distance phone charges (04-13-L-143959-0511)

Motion carried to approve (5/0)

**C. Health Department**

4. Arizona Board of Regents, University of Arizona, Amendment No. 1, to provide for the Communities Putting Prevention to Work Grant Team Projects for the term 3/19/11 to 3/18/12 and amend contractual language, HHS/CDC Grant and ARRA 2009 Funds, contract amount \$49,489.00 (07-01-A-143090-0310)

Motion carried to approve (5/0)

**D. Office of Strategic Planning**

5. RESOLUTION NO. 2011 - **66**, approving an Intergovernmental Agreement with the City of Tucson, for 800MHz frequency sharing for the Pima County Wireless Integrated Network Voice Radio System, no cost (01-80-T-143935-0511)

Motion carried to approve (5/0)

6. RESOLUTION NO. 2011 - **67**, approving an Intergovernmental Agreement with the City of Tucson, for the Thomas O. Price Service Center Public Safety Emergency Communications Center Renovation Project, 2004 Bond Fund, contract amount not to exceed \$4,442,836.00 (01-80-T-143962-0511)

Motion carried to approve (5/0)

**E. Real Property**

7. RESOLUTION NO. 2011 - **68**, approving an Intergovernmental Agreement with the City of Tucson, for a master agreement for sharing of communications sites for the implementation of the Pima County Wireless Integrated Network and accept the site Specific Supplemental Agreements

for Fire Station No. 12, Fire Station No. 17, Swan Road and Public Safety Training Academy communications sites, no cost (01-80-T-143961-0511)

Motion carried to approve (5/0)

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

A. **Library District Advisory Board**

Reappointment of Shirley Geile. Term Expiration: 6/30/15. (District 4)

Motion carried to approve (5/0)

B. **Small Business Commission**

Reappointment of Ken Goodman. Term Expiration: 4/11/15. (District 5)

Motion carried to approve (5/0)

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

DATE POSTED: 4/29/11

TIME POSTED: 11:00 a.m.