

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

October 18, 2011 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Lazlo Vega, St. James United Methodist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 10/12/11, no executive session item has been placed on the regular agenda. However, this is subject to any addendum. Pursuant to A.R.S. §38-431.03(A)(3) the Board of Supervisors, or the Board sitting as other boards, may vote to go into executive session for the purpose of obtaining legal advice from its counsel with respect to any item listed on this agenda or any addendum thereto.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

Sale of Surplus Property

Authorize the sale of surplus property to the Regional Transportation Authority, being a portion of Lot 4, Block 9 of Lohran Subdivision, Tax Parcel No. 111-04-107A. Minimum bid is \$1,700.00. (District 3)

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)

6. COUNTY ADMINISTRATOR

Classification and Compensation Matters

The Office of Court Appointed Counsel requests approval to create seven new Position Control Numbers (PCNs):

Positions Requested	Classification Code/Title	Salary Grade
3	7660/Attorney-Unclassified	U3
2	5224/Case Manager	M2
2	0030/Office Support Level III	23

Any associated costs incurred with the creation of these new PCNs will come from within the current budget.

Motion carried to approve (5-0)

7. INDUSTRIAL DEVELOPMENT AUTHORITY

RESOLUTION NO. 2011 – 163, 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 \$11,000,000.00 Charter School Refunding and Revenue Bonds (Harvest Preparatory Academy Project), Series 2011A and declaring an emergency.

Motion carried to approve (5-0)

***** HEARINGS *****

8. COUNTY ADMINISTRATOR

Bond Ordinance Amendments

A. ORDINANCE NO. 2011 - 77, of the Board of Supervisors of Pima County, Arizona, relating to Highway User Revenue Fund Revenue Bond Projects. Amending Ordinance No. 1997-80 Bond Implementation Plan, November 4, 1997 Special Election (as amended September 22, 1998, Ordinance No. 1998-59; August 20, 2001, Ordinance No. 2001-112; December 14, 2004, Ordinance No. 2004-118; October 11, 2005, Ordinance No. 2005-90; April 4, 2006, Ordinance No. 2006-20; October 17, 2006, Ordinance No. 2006-83; November 6, 2007, Ordinance No. 2007-93; April 21, 2009, Ordinance No. 2009-39; October 6, 2009, Ordinance No. 2009-91; April 13, 2010, Ordinance No. 2010-22; October 19, 2010, Ordinance No. 2010-62; and April 5, 2011, Ordinance No. 2011-20) for the purpose of reallocating bond funds, amending the scope of certain projects,

amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain bond projects.

Motion carried to approve (5-0)

- B. ORDINANCE NO. 2011 - **78**, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects. Amending Ordinance No. 1997-35 Bond Implementation Plan, May 20, 1997 Special Election (as amended September 22, 1998, Ordinance No. 1998-58; August 20, 2001, Ordinance No. 2001-111; March 9, 2004, Ordinance No. 2004-15; October 11, 2005, Ordinance No. 2005-91; April 4, 2006, Ordinance No. 2006-19; October 17, 2006, Ordinance No. 2006-82; April 10, 2007, Ordinance No. 2007-32; November 6, 2007, Ordinance No. 2007-94; April 1, 2008, Ordinance No. 2008-24; November 18, 2008, Ordinance No. 2008-107; October 6, 2009, Ordinance No. 2009-90; April 13, 2010, Ordinance No. 2010-23; October 19, 2010, Ordinance No. 2010-64; and April 5, 2011, Ordinance No. 2011-19) for the purpose of amending implementation periods for certain bond projects, and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5-0)

- C. ORDINANCE NO. 2011 - **79**, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects. Amending Ordinance No. 2004-18; Bond Implementation Plan, May 18, 2004 Special Election (as amended October 11, 2005, Ordinance No. 2005-92; April 4, 2006, Ordinance No. 2006-21; October 17, 2006, Ordinance No. 2006-84; April 10, 2007, Ordinance No. 2007-33; November 6, 2007, Ordinance No. 2007-95; April 1, 2008, Ordinance No. 2008-25; November 18, 2008, Ordinance No. 2008-106; April 21, 2009, Ordinance No. 2009-40; October 6, 2009, Ordinance No. 2009-92; April 13, 2010, Ordinance No. 2010-24; October 19, 2010, Ordinance No. 2010-63; December 7, 2010, Ordinance No. 2010-70; and April 5, 2011, Ordinance No. 2011-21) for the purpose of amending the scope of certain projects, amending implementation periods for certain bond projects, and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5-0)

FRANCHISE/LICENSE/PERMIT

Liquor License

9. 11-29-9090, Robert Edward Grady, Florizona Grille, 5151 S. Country Club Road, Tucson, Series 6, Bar, Person Transfer and Location Transfer.

Motion carried to approve (5-0)

DEVELOPMENT SERVICES

Rezoning

10. Co9-11-03, UNDERDOWN TR 1/3 ET AL. – RIVER ROAD REZONING
Request of Underdown Trust 1/3 et al., represented by The Planning Center, for a rezoning of approximately 6.6 acres from SH (Suburban Homestead) to TR (Transitional), on property located north of River Road, approximately 1,700 feet east of La Canada Drive. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Matter, Spendiarian and Cox-Golder were 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)

Modification (Substantial Change) of Rezoning Conditions

11. Co9-98-23, CASAS ADOBES PLAZA, L.L.C./CASAS ADOBES VENTURES, L.L.C. – VIA PONTE/GIACONDA WAY REZONING
Request of Casas Adobes Plaza, L.L.C./Casas Adobes Ventures, L.L.C., represented by Robert Gugino, for a modification (substantial change) of rezoning condition No. 10 and waiver of rezoning condition Nos. 12 and 13 to allow for vehicular access to Via Ponte and to eliminate provision of speed bumps on Via Ponte. The subject site is 3.55 acres zoned CB-1 (Local Business) and is located on the south side of Ina Road, immediately east of Via Ponte, north of Giaconda Way. On motion, the Planning and Zoning Commission voted 6–1 (Commissioner Holdridge voted NAY; Commissioners Matter, Spendiarian and Cox-Golder were absent) to recommend **APPROVAL WITH MODIFIED STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (5-0)

Conditional Use Permit

12. P21-11-012, RINCON VALLEY FIRE DISTRICT – S. CAMINO LOMA ALTA
Request of Rincon Valley Fire District, represented by FM Group, on property located at 8850 S. Camino Loma Alta., in the CR-1 Zone, for a conditional use permit for a communication tower (add antenna to an existing communication tower). Chapter 18.97 in accordance with Section 18.07.030H.2.e of the Pima County Zoning Code allows a communication tower (add antenna to an existing communication tower) as a Type III conditional use in the CR-1 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 WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

Motion carried to approve (5-0)

Plat Note Modifications

13. Co12-81-57, CANYON RANCH CASITAS (UNIT 37 AND COMMON AREA "A") BOOK 34 PAGE 91

Request of ERC2011 Holdings, L.L.C. and Canyon Ranch Casitas Homeowners Association, represented by Psomas, for plat note modifications to allow: 1) an approximately 669 square foot portion of Common Area "A" on the north side of Unit 37 to be removed as common area and be incorporated into the unit area; and 2) a reduction of the 35-foot building setback line from the north subdivision boundary to approximately 20 feet. Unit 37 is approximately 2,311 square feet, zoned CR-5 and is located on the west side of Elm Ridge Circle, north of Flower Hill Drive, approximately 350 feet northwest of the intersection of Elm Ridge Circle and Canyon Ranch Drive. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5-0)

TRANSPORTATION

14. **Traffic Ordinances**

A. ORDINANCE NO. 2011 - **80**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Arcadia Avenue in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)

B. ORDINANCE NO. 2011 - **81**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Cindrigh Street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)

C. ORDINANCE NO. 2011 - **82**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Drexel Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2, 3 and 5)

D. ORDINANCE NO. 2011 - **83**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Swan Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1, 2 and 4)

Motion carried to approve (5-0)

15. **CALL TO THE PUBLIC**

16. **ADJOURNMENT**

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

DATE POSTED: 10/12/11

TIME POSTED: 5:00 p.m.

CONSENT CALENDAR, OCTOBER 18, 2011

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Early Childhood Development and Health Board (First Things First), Amendment No. 1, to provide for South Pima Regional Partnership Council, Ajo Study, and extend contract term to 6/30/12, State Grant Fund, contract amount \$77,153.00 revenue (CTN-CD-12000182)
2. Our Family Services, Inc., Amendment No. 2, to provide for Teens in Transition (TNT), extend contract term to 9/30/12 and amend contractual language, HUD Grant Fund, contract amount \$6,000.00 (CT-CD-12000490)
3. La Paloma Family Services, Inc., Amendment No. 2, to provide for the Amparo De Los Angeles Project, extend contract term to 9/30/12 and amend contractual language, HUD Grant Fund, contract amount \$3,500.00 (CT-CD-12000491)
4. Rillito Water Users Association, Amendment No. 1, to provide for the Water System Improvements Project, extend contract term to 3/31/12, and amend contractual language, no cost (CT-CD-12000827)
5. New Beginnings for Women and Children, Inc., Amendment No. 1, to provide for the Roof, Job and Beyond Program, extend contract term to 9/30/12 and amend contractual language, HUD Grant Fund, contract amount \$6,500.00 (CT-CD-12000982)
6. Open Inn, Inc., Amendment No. 2, to provide emergency housing for youth, extend contract term to 9/30/12 and amend contractual language, HUD Grant Fund, contract amount \$3,000.00 (CT-CD-12000985)
7. Tucson Centers for Women and Children, Inc., d.b.a. Emerge! Center Against Domestic Violence, Amendment No. 1, to provide comprehensive domestic abuse services, extend contract term to 9/30/12 and amend contractual language, HUD Grant Fund, contract amount \$19,000.00 (CT-CD-12000987)
8. Catholic Community Services of Southern Arizona, Inc., d.b.a. Pio Decimo Center, Amendment No. 1, to provide support for homeless families, extend contract term to 9/30/12, and amend contractual language, HUD Grant Fund, contract amount \$8,000.00 (CT-CD-12000997)

B. Community Services, Employment and Training

9. Arizona Housing & Prevention Services, Inc., Amendment No. 6, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, CSBG Grant Fund, contract amount \$67,657.00 (MA-CS-12000158)
10. Chicanos Por La Causa, Inc., Amendment No. 6, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, CSBG Grant Fund, contract amount \$67,451.00 (MA-CS-12000159)
11. Interfaith Community Services, Amendment No. 7, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, Federal and State Grant Funds, contract amount \$98,106.00 (MA-CS-12000160)
12. Portable Practical Educational Preparation, Inc., Amendment No. 6, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, CSBG Grant Fund, contract amount \$52,831.00 (MA-CS-12000161)
13. Primavera Foundation, Inc., Amendment No. 6, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, CSBG Grant Fund, contract amount \$76,211.00 (MA-CS-12000162)
14. American Indian Association of Tucson, Inc., Amendment No. 6, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, CSBG Grant Fund, contract amount \$55,470.00 (MA-CS-12000163)
15. Tucson Urban League, Inc., Amendment No. 6, to provide emergency assistance to eligible low-income households, extend contract term to 6/30/12 and amend contractual language, CSBG Grant Fund, contract amount \$51,542.00 (MA-CS-12000164)

C. County Attorney

16. RESOLUTION NO. 2011 – **162**, authorizing an Award Agreement with the State of Arizona, Office of the Attorney General, to provide for six legal processing support staff and limited operating expenses for the Victims' Rights Program, State Grant Fund, contract amount \$242,900.00 revenue (CTN-PCA-12000184)

D. Procurement

17. WSM Architects, Inc., Amendment No. 1, to provide architectural and engineering consulting services for the new Pima County Fleet Services Facilities and amend scope of services, Internal Service Fund, contract amount \$12,810.00 (CT-FM-11046556-P)

Awards

18. Amendment of Award: Ferguson Enterprises 2002 d.b.a. Ferguson Enterprises, Master Agreement B505233, Amendment No. 4, to provide plumbing fixtures, fittings, pipe, and equipment and increase the annual award amount by \$92,000.00, Funding Source: General Fund. Administering Department: Facilities Management.
19. Cooperative Procurement: Award of Contract Requisition No. 12000112, in the amount of \$1,500,000.00 to Portable Computer Systems Inc., (Headquarters: Denver, CO) to provide the Sheriff's Department with Panasonic Computer Equipment, Software, Peripherals and Related Services. Contract is for a one year period with the option to extend for four additional one year periods. Funding Source: General Fund. Administering Department: Information Technology.
20. Cooperative Procurement: Award of Contract, Requisition No. 12000123, in the amount of \$744,000.00 for janitorial supplies to Waxie Enterprises, Inc. (Headquarters: San Diego, CA). Contract is for a one-year term and includes four one-year renewal periods. Funding Source: General Fund. Administering Departments: Sheriff, Natural Resources Parks and Recreation and Regional Wastewater Reclamation.
21. Low Bid: Award of Contract, Requisition No. 15036, in the amount of \$613,484.72 to the lowest responsive bidder, Sunland Asphalt, Inc., (Headquarters: Phoenix, AZ) for the construction of the City of South Tucson Neighborhood Streets Chip Seal Project. The contract term is twelve months with the ability to extend for project completion. Construction is to be completed within 120 working days from the Notice to Proceed. Funding Source: 1997 HURF Bond. Administering Department: Transportation.

E. Regional Wastewater Reclamation

22. Vail Unified School District, to provide for sewer service for the new Vail Unified School District Transportation Building, revenue based on user fees (CT-WW-12001415)

F. **Transportation**

23. Regional Transportation Authority, Amendment No. 5, to provide transportation improvements to La Canada Drive: Ina Road to Calle Concordia Roadway and Ina Road to River Road Segments, extend contract term to 6/30/13 and amend contractual language, RTA Fund, contract amount \$100,000.00 revenue (CTN-TR-CMS139065)

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

Louis Vern Brand, BPO Elks No. 1576, 350 N. Yermo Street, Ajo, October 22, 2011.

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

October 18, 2011 9:00 a.m.

... EXECUTIVE SESSIONS

Call to the Public (for Executive Session items only)

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed consent decree in Baker v. Dupnik et al., United States District Court Case No. 09-CV-00015-HCE.

Motion carried to accept recommendation (5-0)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction, regarding Rosemont Copper Company v. Kramer and Pima County Air Quality Control District, United States District Court Case No. 4:11-CV-00552-RCC and Rosemont Copper Company's administrative appeal to the Pima County Air Quality Hearing Board, Docket No. 11.001.

Motion carried to accept recommendation (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. CONTRACTS

A. Community Services, Employment and Training

1. Arizona Department of Economic Security, Amendment No. 1, to provide for employment and training services, Arizona Department of Economic Security Fund, contract amount \$279,894.00 revenue (CTN-CS-CMS143165)

Motion carried to approve (5-0)

B. Medical and Health Services

2. Evercare of Arizona, Inc., to provide for the reimbursement of services for Arizona Long Term Care members in residence at Posada del Sol Health Care Center, contract amount \$10,000,000.00 revenue (CTN-PH-12000193)

Motion carried to approve (5-0)

3. Southwest Catholic Health Network Corporation, d.b.a. Mercy Care Plan, to provide for the reimbursement of services for Arizona Long Term Care members in residence at Posada del Sol Health Care Center, contract amount \$10,000,000.00 revenue (CTN-PH-12000194)

Motion carried to approve (5-0)

2. **REAL PROPERTY**

A. **Asset Purchase Agreement**

Foothills Real Estate, L.L.C., to provide an Asset Purchase Agreement with Special Warranty Deed and Bills of Sale, for the sale of Posada del Sol Health Care Center, Tax Parcel Nos. 121-05-0140, 0150, 016A, 017F and 017J, in the amount of \$7,800,000.00 revenue.

Motion carried to approve (4-1)

B. **Operations Transfer Agreement**

Foothills Rehabilitation Center, L.L.C., to provide an Operations Transfer Agreement for Posada del Sol Health Care Center.

Motion carried to approve (4-1)

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

DATE POSTED: 10/14/11

TIME POSTED: 11:45 a.m.