

## AGENDA SUMMARY

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

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

**November 20, 2012 9:00 a.m.**

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Reverend John Miller, Northwest Bible Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

**(Clerk's Note:** As of the posting date of 11/14/12, 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 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**

#### **Revisions to Merit System Rules and Personnel Policies**

Staff requests approval of the recommended revisions to the following Merit System Rules and Personnel Policies effective November 26, 2012:

- A. Merit System Rule 1 – Definitions.
- B. Merit System Rule 3 – Merit System Commission.
- C. Merit System Rule 7.1 - Certification and Appointment.

- D. Merit System Rule 10.1 – Probation.
- E. Merit System Rule 11 – Terminations.
- F. Merit System Rule 12 – Disciplinary Actions, Administrative Suspension and Special Observation Period.
- G. Merit System Rule 13.3 – Grievance System.
- H. Merit System Rule 14 – Merit System Commission Appeals.
- I. Merit System Rule 15 – Employee Performance Appraisal.
- J. Personnel Policy 8-104 C.2 – Attendance.
- K. Personnel Policy 8-108 – Leaves of Absence without Pay.
- L. Personnel Policy 8-118 G.5 – Personnel Records.
- M. Personnel Policy 8-122 - Group Insurance.
- N. Personnel Policy 8-123 – Termination.

Motion carried to approve (5/0)

## 7. **SHERIFF’S DEPARTMENT**

Staff requests permission to donate a surplus 1999 GMC ¾ Ton Cargo Van, VIN No. 1GTGG25R9X1062725, to the Yuma County Sheriff’s Office for their HIDTA initiative.

Motion carried to approve (5/0)

### **\*\*\* HEARINGS \*\*\***

#### **FRANCHISES/LICENSES/PERMITS**

##### **Liquor Licenses**

- 8. 12-36-9133, Rudolph Munoz Garcia, Stagecoach Bar and Grill, 277 W. Duval Road, Green Valley, Series 6, Bar, Person Transfer and Location Transfer.

Motion carried to approve (5/0)

- 9. 12-38-9135, Raynu Michael Fernando, Oasis at Wild Horse Ranch, 6801 N. Camino Verde, Tucson, Series 6, Bar, Person Transfer.

Motion carried to approve (5/0)

- 10. 12-37-9134, John Wesley Little, Quik Mart, 6363 N. La Cholla Boulevard, Tucson, Series 10, Beer and Wine Store, New License.

Motion carried to approve (5/0)

#### **HEALTH DEPARTMENT**

##### **Pima County Code Text Amendment**

11. ORDINANCE NO. 2012 - **67**, of the Board of Supervisors of Pima County, Arizona, relating to immunization; amending Section 8.12.030 to provide for third party billing.

Motion carried to approve (5/0)

## **TRANSPORTATION**

### **Traffic Ordinances**

12. ORDINANCE NO. 2012 - **68**, of the Board of Supervisors, regulating U-Turns of vehicles at the intersection of Paseo Sonoyta/Via Zarzosa and Sunrise Drive in Pima County. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

13. ORDINANCE NO. 2012 - **69**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Sabino Canyon Road in Pima County. Staff recommends **APPROVAL**. (Districts 1 and 4)

Without objection, continued to 12/4/12

14. **CALL TO THE PUBLIC**

15. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
Pima County Homepage: [www.pima.gov](http://www.pima.gov)

DATE POSTED: 11/14/12

TIME POSTED: 5:00p.m.

## CONSENT CALENDAR, NOVEMBER 20, 2012

### 1. CONTRACTS AND AWARDS

#### A. Community Development and Neighborhood Conservation

1. Habitat for Humanity, Amendment No. 3, to provide for the Neighborhood Stabilization Program 2 Redevelopment Project and amend contractual language, Federal NSP2 HUD Fund, contract amount \$120,000.00 (CT-CD-13000342)
2. Southern Arizona Land Trust, Inc., Amendment No. 2, to provide for the Neighborhood Stabilization Program 2 Consortium Funding Agreement and amend contractual language, HUD Federal Fund, contract amount \$345,000.00 (CT-CD-12000347)
3. Tohono O'odham Nation, to provide the sub recipient, Clinica Amistad, medical supplies, services and operational support, Indian Gaming Revenue Fund, contract amount \$43,440.00 revenue (CTN-CD-13000133)
4. Tohono O'odham Nation, to provide the sub recipient, Flowing Wells Unified School District No. 8, the Payless Shoe Cards Program, Indian Gaming Revenue Fund, contract amount \$3,000.00 revenue (CTN-CD-13000134)
5. Tohono O'odham Nation, to provide the sub recipient, Avra Valley Fire Distirct, a fire truck, Indian Gaming Revenue Fund, contract amount \$259,947.30 revenue (CTN-CD-13000135)
6. Tohono O'odham Nation, to provide the sub recipient, Elephant Head Volunteer Fire Department, operational funding expenses, Indian Gaming Revenue Fund, contract amount \$8,095.00 revenue (CTN-CD-13000136)
7. Tohono O'odham Nation, to provide sub recipient American Lung Assocation, the Asthma Management Program, Indian Gaming Revenue Fund, contract amount \$50,000.00 revenue (CTN-CD-13000142)
8. Tohono O'odham Nation, to provide the sub recipient, Southern Arizona Children's Advocacy Center, advocate and operational expenses, Indian Gaming Revenue Fund, contract amount \$15,000.00 revenue (CTN-CD-13000143)
9. Tohono O'odham Nation, to provide the sub recipient, USA Youth Sports, capital improvements, Indian Gaming Revenue Fund, contract amount \$49,544.00 revenue (CTN-CD-13000144)

10. Tohono O'odham Nation, to provide the sub recipient, St. Lukes in the Desert, Inc., room air conditioning and heating units, Indian Gaming Revenue Fund, contract amount \$54,400.00 revenue (CTN-CD-13000145)
11. Tohono O'odham Nation, to provide the sub recipient Southern Arizona Community Sports, Inc., the Southern Arizona Indoor Sports Center, Indian Gaming Revenue Fund, contract amount \$50,000.00 revenue (CTN-CD-13000146)
12. Tohono O'odham Nation, to provide the sub recipient, GAP Ministries, the Backpack-2- School Program, Indian Gaming Revenue Fund, contract amount \$5,000.00 revenue (CTN-CD-13000147)
13. Tohono O'odham Nation, to provide the sub recipient, International Sonoran Desert Alliance, the GED and Jobs Program, Indian Gaming Revenue Fund, contract amount \$15,300.00 revenue (CTN-CD-13000148)

**B. County Attorney**

14. Eller Executive Education, to provide a Leadership Development Program, Special Revenue Fund, contract amount \$60,000.00 (CT-PCA-13000381)

**C. Health Department**

15. Pima Council on Aging, Amendment No. 1, to provide direct health services and supportive counseling and amend contractual language, no cost (CTN-HD-13000045)

**D. Information Technology**

16. Alltel Communications Southwest Holdings, Inc., d.b.a. Verizon Wireless, Amendment No. 8, to provide a Non-Exclusive Right-of-Way Use License and amend contractual language, no cost (CTN-IT-CMS140044)

**E. Institutional Health**

17. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 1, to provide for the Hospital Graduate Medical Education Program, amend contractual language and extend contract term to 11/30/12, General Fund, contract amount \$22,636.49 (CT-IH-13000124)
18. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 1, to provide for the Hospital Graduate Medical Education Program,

amend contractual language and extend contract term to 11/30/12, General Fund, contract amount \$439,050.23 decrease (CT-IH-13000125)

**F. Procurement**

**Awards**

19. Limited Competition: Award of Contract, Requisition No. 13000000000000055, Granite Construction Company (Headquarters: Tucson, AZ), for overburden material in the annual amount of \$450,000.00. The award amount is for \$2,250,000.00 for a five year term. Funding Source: General Fund. Administering Department: PDEQ/Solid Waste.
  
20. Low Bid: Award of Contract, Requisition No. 66922 in the amount of \$339,300.00 to the lowest responsive bidder, 4-L Construction, Inc., (Headquarters: Tucson, AZ) for the Pima County Mission Road Complex Building 24 Remodel. The contract is for an eight (8) month period and may be extended for project completion. Funding Source: Fleet Services Special Revenue Fund. Administering Department: Facilities Management.

**G. Sheriff**

21. Arizona Department of Homeland Security, Amendment No. 1, to provide a Subgrantee Agreement and extend contract term to 11/30/12, no cost (CTN-SD-12000375)

**2. JUSTICE COURTS**

**Judge Pro Tempore**

Appointment of John Peck as Judge Pro Tempore for the period July 1, 2012 through June 30, 2013.

**3. FINANCE AND RISK MANAGEMENT**

**Duplicate Warrants – For Ratification**

Paul Jablonka	\$	140.00
Foothills Hotel Investors, L.L.C.	\$	163.65
Grace F. Gartner	\$	241.44
Gabriel Noperi	\$	9.35
Rhome Wilson	\$	195.00
Susan Dodd	\$	140.00
George Edward Schlager	\$	15.58
Merrijo Ann Smith	\$	22.25

Claude Niragira	\$	670.00
Tina Liao	\$	100.00
Enrique Carrillo	\$	174.52
The State of Arizona	\$	72.00
Vernon D. Van Oosterhout	\$	140.00
City of Tucson	\$	51,817.61
Chicanos Por la Causa	\$	16,262.12
Barbara Lapczynski	\$	140.00
Bernadette Sousa Medrano Wall	\$	64.05
DataLink Software Consultants	\$	7,080.00
Cheryl T. Rogers	\$	75.00
Stephen Bleich	\$	140.00
Wood Stock Builders, Inc.	\$	10,111.82
Aadland Graves & Associates, Inc.	\$	1,000.00

4. **TREASURER'S OFFICE**

**Duplicate Warrants – For Ratification**

Kirsti P. Crawley \$83.32

5. **REGIONAL WASTEWATER RECLAMATION**

**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, 3035 W. El Camino del Cerro, Tucson, Arizona 85745-9750. 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:

Ole Mexican Grill, Case No. C2012-19. The proposed settlement of completion of a supplemental environmental project (SEP), attendance at pollution school, and acquisition of a permit is in accordance with the Industrial Wastewater Enforcement Response Plan.

6. **RATIFY AND/OR APPROVE**

Minutes:      October 2, 2012  
                   October 9, 2012

## ADDENDUM SUMMARY

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

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

**November 20, 2012 9:00 a.m.**

#### **1. PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Brandt Hazen, President, and Judy McDermott, CEO, Tucson Conquistadores, proclaiming November 20, 2012 to be:

#### **“TUCSON CONQUISTADORES DAY”**

Motion carried to approve (5/0)

#### **... EXECUTIVE SESSION**

#### **BOARD OF SUPERVISORS ALSO SITTING AS THE FLOOD CONTROL DISTRICT BOARD IN EXECUTIVE SESSION**

#### **Call to the Public (for Executive Session item only)**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County v. Clyde Gilmore et al., Pima County Superior Court Case No. C20114605.

Motion carried to accept recommendation (5/0)

#### **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

#### **... FLOOD CONTROL DISTRICT BOARD**

#### **CONTRACTS**

- A. RESOLUTION NO. 2012 - **FC6**, approving a Purchase Agreement with The Rincon Institute for 8.9 acres of open space located at E. Speedway Blvd. and the Tanque Verde Wash, 2004 Bond Fund, contract amount not to exceed \$158,000.00 including closing costs (CT-PW-13000409)

Motion carried to approve (5/0)

- B. The Rincon Institute, Susan M. North and Susan M. North as Trustee, to provide a Consent, Transfer and Assignment of a Conservation Easement, no cost (CTN-PW-13000159)

Motion carried to approve (5/0)

- C. RESOLUTION NO. 2012 - **FC7**, approving a Purchase Agreement with Lois Kelly, Trustee of the Jack and Lois Kelly Revocable Trust of 1984, for 148 acres of open space, Tax Parcel Nos. 205-20-004D; 205-17-002D; 205-17-005L; 205-21-002F; 205-21-002E; 205-22-002A; 205-17-010K; 205-17-010J; 205-17-0080; and 205-17-007B, 2004 Bond Fund, contract amount not to exceed \$410,000.00 including closing costs (CT-PW-13000418)

Motion carried to approve (5/0)

### **BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

#### **2. COUNTY ADMINISTRATOR**

- A. Request of the Election Integrity Commission to sort early ballots by precinct for audit. Discussion/Action.

Motion carried to accept recommendation (5/0)

- B. Establishment of the Canoa Ranch Historic/Architectural Review Committee.

Motion carried to approve (5/0)

#### **3. CONTRACTS**

##### **A. Community Services, Employment and Training**

Arizona Department of Economic Security, Amendment No. 6, to provide homeless assistance/eviction prevention services to low-income, extend term to 6/30/15 and amend contractual language, contract amount \$215,635.00 revenue (CTN-CS-CMS143044)

Motion carried to approve (5/0)

##### **B. Facilities Management**

- 1. RESOLUTION NO. 2012 – **108**, approving and authorizing the termination of a contract with D.L. Withers Construction, L.C. (CT-FM-13000229)

Motion carried to approve (5/0)

2. Southern Arizona Community Sports, Inc., to provide an Operating Agreement for construction, maintenance, repair and operation of Curtis Park Community Center, General Fund, contract amount \$2,872,488.00; and contract amount \$625,000.00 revenue/10 year term (CT-FM-13000435)

Motion carried to approve (5/0)

**C. Real Property**

1. The Rincon Institute, Susan M. North and Susan M. North as Trustee, to provide a Consent, Transfer and Assignment of a Conservation Easement, no cost (CTN-PW-13000159)

Motion carried to approve (5/0)

2. RESOLUTION NO. 2012 - **109**, approving an Exchange Agreement, Special Warranty Deed, Assignment and Assumption of Grazing Lease, and Performance of Deed of Trust with Oracle Ridge Mining, L.L.C., for the acquisition of open space, General Fund, contract amount not to exceed \$6,000.00 including closing costs (CT-PW-13000416)

Motion carried to approve (5/0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
Pima County Homepage: [www.pima.gov](http://www.pima.gov)

DATE POSTED: 11/16/12

TIME POSTED: 12:30p.m.

## ADDENDUM II SUMMARY

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

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

**November 20, 2012 9:00 a.m.**

#### **1. PRESENTATION**

Presentation of Tucson Mountains Association 2012 Public Servant of the Year Award to Supervisor Sharon Bronson, for dedicated support for West Side Open Space and Preservation.

No Board action taken.

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
Pima County Homepage: [www.pima.gov](http://www.pima.gov)

DATE POSTED: 11/16/12

TIME POSTED: 2:30 p.m.