

MINUTES, BOARD OF DEPOSIT

APRIL 13, 2010

The Pima County Board of Deposit met in its regular session in the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, April 13, 2010. Upon roll call, those present and absent were as follows:

All Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Lori Godoshian, Clerk

1. **AWARD OF SERVICING BANK CONTRACT**

Award of Contract, Requisition No. 1001076, in the amount of \$1,700,000.00 to the highest ranked/most qualified respondent, Bank of America National Association (Headquarters: Charlotte, NC) for servicing bank and other ancillary banking services to Pima County. Contract is for a three year term and includes one (1) two year renewal period. Funding Source: General Fund. Administering Department: Treasurer.

Supervisor Elías indicated that he would like to have better communication with Bank of America and would like to hear from them more often regarding community development and mortgage foreclosure issues.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the award.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:20 p.m.

CHAIRMAN

ATTEST:

CLERK

MINUTES, FLOOD CONTROL DISTRICT BOARD

APRIL 13, 2010

The Pima County Flood Control District Board met in its regular session in the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, April 13, 2010. Upon roll call, those present and absent were as follows:

All Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Lori Godoshian, Clerk

1. **Real Property - Condemnation**

RESOLUTION NO. 2010 – FC 4, of the Pima County Flood Control District, authorizing the Pima County Attorney to condemn for real property or real property interests where necessary for the Santa Cruz River: Ajo Way to Silverlake Bank Protection, Ecosystem Restoration and Linear Parkway Project, in Section 23, 26 and 27 of T14S, R13E, G&SRM. (District 5)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to adopt Resolution No. 2010 – FC 4.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:20 p.m.

CHAIRMAN

ATTEST:

CLERK

MINUTES, ZONING ENFORCEMENT BOARD OF APPEALS

APRIL 13, 2010

The Pima County Zoning Enforcement Board of Appeals met in regular session in its regular meeting place at Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, April 13, 2010. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Lori Godoshian, Clerk

1. LITIGATION

The Board of Supervisors' on 10/13/09, 1/19/10 and 3/9/10 continued the following:

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the appeal of the decision of the Hearing Officer in Case Nos. P08ZV00529, 1 and 3, James Hessler. The Board may also during the course of the hearing and upon motion, enter into executive session.

Chris Straub, Chief Civil Deputy County Attorney, stated this item was informational only, no Board action was required.

2. APPEAL OF HEARING OFFICER DECISION

The Board of Supervisors' on 10/13/09, 1/19/10 and 3/9/10 continued the following:

P08ZV00529-1 and 3, James Hessler

In accordance with the Pima County Zoning Code Section 18.95.030C, James Hessler, appeals the decision of the Hearing Officer in Case No. P08ZV00529-1, for a violation of the Zoning Code, Sections 18.07.030C and 18.09.020Q, open storage of used materials, debris and inoperable vehicles; and Case No. P08ZV00529-3, for a violation of the Zoning Code, Sections 18.21.010 and 18.21.020, contractor's yard not a permitted or conditional use in CR-1, on property located at 340 N. Hilton Road, Vail, AZ. (District 4)

Rick Bruster, Code Enforcement Supervisor, provided a report. He explained that in September of 2008, Code Enforcement received a complaint regarding junk, inoperable vehicles and construction equipment stored on the property. On September 29, 2008, upon an initial inspection, it was confirmed that inoperable vehicles, miscellaneous junk, a commercial front loader, a backhoe and construction materials, including pallets of stone pavers and blocks, were present on the property and openly stored. On October 6, 2008, a citation was issued for

junk yard, opened storage and materials, and a contractor's yard without a permit. He stated that Mr. Hessler entered a plea of not responsible and a hearing was set for November 20, 2008. At Mr. Hessler's request, the hearing was continued until December 18, 2008. An inspection, prior to the hearing, revealed that there had been some progress towards the amount of open storage that was present. At the hearing on December 18, 2008, the Hearing Officer found in favor of Pima County for the contractor's yard without a permit regarding the tractor and for open storage regarding the pallets of construction material. The junk yard charged was dismissed by the Hearing Officer at the County's request.

Mr. Bruster indicated that on February 10, 2009, his office was informed that Mr. Hessler had filed an appeal. He reported that since the initial appeal, Mr. Hessler had made several requests for continuances of the hearing. During inspections, prior to each of the scheduled appeal hearings, the property presented itself in the same condition as it was when the Hearing Officer's judgment was issued. During an inspection on April 9, 2010, there was improvement on the condition of the property. He confirmed the construction equipment was no longer present on the property and general clean up of the property was observed. The only remaining issue was the presence of approximately ten large pallets of masonry blocks and stone pavers. Staff recommendation was to uphold the Hearing Officer's decision that the property was in violation at the time when the citation was issued, require the payment that the Hearing Officer requested of \$50.00 for each of the two violations, and give Mr. Hessler an additional 45 days to finish the removal or proper screening of the remaining pallets.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll to close the public hearing, uphold the Hearing Officer's decision, give the appellant 45 days to clean up the property and waive the fees pending compliance of the property within 45 days.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:20 p.m.

CHAIRMAN

ATTEST:

CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

APRIL 13, 2010

The Pima County Board of Supervisors met in regular session in its regular meeting place at Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, April 13, 2010. Upon roll call, those present and absent were as follows:

All Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Lori Godoshian, Clerk

1. **INVOCATION**

The invocation was given by Pastor Jennifer Hageman of St. Mark's United Methodist Church.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PERSONAL POINT OF PRIVILEGE**

Supervisor Elías expressed his appreciation to the participants of the Susan B. Komen Race for the Cure.

He also requested a moment of silence to honor Anna Walentynowicz, who recently was killed in a tragic plane crash in Eastern Europe. She was a union member whose 1980 firing from the Lenin Shipyards spurred the creation of the Solidarity Freedom Movement.

4. **PAUSE 4 PAWS**

The Pima County Animal Care Center showcased an animal available for adoption.

5. **PRESENTATION**

Presentation of a proclamation to Jerry Shapius, Event Organizer, proclaiming April 12, 2010 through April 18, 2010, to be:

“CYCLOVIA TUCSON WEEK”

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the proclamation.

Supervisor Elías read and presented the proclamation to Jerry Shapius. Mr. Shapius accepted the proclamation and expressed his gratitude for the Boards' support.

6. **PRESENTATION**

Presentation of the 2010 Small Business Award of the Year, as recommended by the Pima County Small Business Commission, to MicroBusiness Advancement Center (MAC).

Supervisor Bronson recognized the members from the Flowing Wells School District who were part of the Joint Technical Education Program. She presented the award to representatives of MAC. They expressed their gratitude for the award and thanked the Board for their recognition.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:40 a.m.

7. **RECONVENE**

The meeting reconvened at 10:10 a.m. All members were present.

8. **CALL TO THE PUBLIC (for Executive Session items only)**

The Chairman inquired whether anyone wished to be heard on any item listed under Executive Session.

The following speakers addressed the Board regarding the West Speedway Performance Bond settlement:

1. Constance Negley
2. James Zubick
3. Skip Wood, Attorney representing the owner of West Speedway property
4. L. Anthony Fines, representative for West Speedway Partners
5. Michael Baldwin, representative of West Speedway Phase II Limited Liability Company

They provided the following comments:

- A. They expressed their support for the approval of the settlement regarding The Enclave at Gates Pass.
- B. Lot owners wanted to see their expenses addressed and asked if the County would be willing to pay for the damages.
- C. They felt it was in the best interest of all parties involved to move forward with the settlement.

9. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding approval of tax appeal settlement recommendations for the following:

- A. DHS Property Investments Ltd. Partnership v. Pima County
Tax Parcel Nos. 128-10-0560 and 122-12-341D
Arizona Tax Court Case No. TX2009-000172

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2010 for both parcels. The proposed settlement would reduce the FCV on parcel no. 128-10-0560 from \$8,937,180.00 to \$7,035,000.00; and, reduce the FCV on parcel 122-12-341D from \$4,704,075.00 to \$3,750,000.00. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

- B. Fidelity National Trust v. Pima County
Tax Parcel Nos.: 22 parcels 219-34-0280 through 0490
Arizona Tax Court Case No. TX2009-000833

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2009 for 22 improved subdivision lots. The proposed settlement would reduce the FCV from \$1,760,000.00 (\$80,000.00 each) to \$1,075,000.00 (approx. \$48,850.00 each). The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

- C. 260 Pantano L.L.C., v. Pima County
Tax Parcel Nos.: 57 parcels (134-28-0010 through 0080, 0120; 0490-0600, 0620-0680; and 0710 – 0790); 71 parcels (134-28-0130 – 0480, 0810-0860, 0880-1360); and 1 parcel (134-28-1370)
Arizona Tax Court Case No. TX2009-000835

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for 2009 for 128 condominiums and one common area parcel. The proposed settlement would decrease the FCV from \$11,932,385.00 to \$5,488,500.00. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

D. Hobeich v. Pima County

Tax Parcel No. 108-13-3430

Arizona Tax Court Case No. TX2009-000827

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax years 2009 and 2010. The proposed settlement would decrease the FCV from \$1,809,450.00 to \$1,200,000.00 for tax year 2010; and, reduce the FCV from \$1,822,001.00 to \$1,344,000.00 for tax year 2009. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

E. Landmark Title v. Pima County

Tax Parcel Nos.: 16 parcels (225-14-3670, 3680, 3710-3820, 3850, and 3960; and 2 parcels (225-14-3870 & 3880)

Arizona Tax Court Case No. TX2009-000834

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax years 2009 and 2010 for 16 subdivided residential vacant lots and two common area parcels. The proposed settlement would decrease the FCV from \$1,164,632.00 to \$681,000.00 for tax year 2009. For 2010, the FCV would be decreased from \$962,680.00 to \$609,000.00. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

F. Tucson 5151 Investments v. Pima County

Tax Parcel No. 127-01-005D

Arizona Tax Court Case No. TX2009-000335

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for a 16-story high rise office building for tax years 2010 and 2011. The proposed settlement would decrease the FCV from \$24,000,000.00 to \$22,978,794.00 for both tax years. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

G. First American Title v. Pima County

Tax Parcel Nos.: 10 parcels (108-25-1980, 2300, 2330, 2360, 2370, 2390, 2400, 2410, and 2420); and 108 parcels (108-25-1410-1910, 1980, 2000-2190, 2300, 2330, 2360-2420, 2440-2800)
Arizona Tax Court Case No. TX2009-000831

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2009 for 10 townhouses, 108 improved subdivision lots and 6 common area parcels. The proposed settlement would decrease the FCV from \$10,964,646.00 to \$3,641,000.00 and these values would not rollover to 2010. The Pima County Assessor and Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

H. Fidelity National Title v. Pima County

Tax Parcel Nos.: 34 parcels (205-75-5790, 5830-5870, 5970-5990, 6100-6340); 3 parcels (205-75-5800, 5810, 5820); and 19 parcels (205-75-5880-5960, 6000-6090)
Arizona Tax Court Case No. TX2009-00106

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2010 for 34 improved vacant subdivision lots, 22 unimproved vacant land parcels, and one subdivided parcel of land. The Pima County Assessor and Attorney's Office recommended approval of the following:

34 parcels: (5790, 5830-5870, 5970-5990 and 6100-6340) to decrease the FCV from \$2,369,052.00 to \$1,360,000.00. These values would not rollover for 2011.

3 parcels: (5800-5820) to decrease the FCV from \$120,003.00 to \$75,000.00.

19 parcels: (5880-5960 and 6000-6090) to decrease the FCV from \$760,000.00 to \$475,000.00.

1 parcel: (205-64-092A) to decrease the FCV from \$200,000.00 to \$126,400.00.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the recommendation.

10. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction as to Pima County's position regarding its performance bond on the following matters:

- A. West Speedway Phase II, L.L.C.
U.S. Bankruptcy Court Case No. 4:09-BK-15664-EWH
- B. West Speedway Partners, L.L.C.
U.S. Bankruptcy Court Case No. 4:06-BK-01632-EWH
- C. Valles et. al., v. Pima County
U.S. District Court Case No. CV08-0009-TUC-FRZ (JCG)

Chris Straub, Chief Civil Deputy County Attorney, stated these cases involved the Performance Bond given to Pima County for improvements at Phase I of The Enclave at Gates Pass. The proposed settlement would result in the full sum of the bond being deposited into escrow and used for the construction of phase 1 improvements. The proposed settlement was approved by the Bankruptcy Court subject to approval by the Pima County Board of Supervisors. The County Attorney's Office recommended approval of the settlement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the recommendation.

11. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard on any item listed for action on the Consent Calendar. No one appeared.

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, that the Consent Calendar be approved as amended.

PULLED FOR SEPARATE ACTION

6. **REAL PROPERTY**

B. **Right-of-Way Easement**

- 2. Sale and Conveyance of a Right-of-Way Easement to Tucson Electric Power, for placement of electrical facilities Tax Parcel Nos. 140-02-015A and 140-02-019A, Section 3, T15S, R14E, G&SRM, \$3,400.00 revenue. (District 2)

Without objection, this item was continued to the Board of Supervisors' Meeting of May 4, 2010. Supervisor Bronson requested that this item be referred to the Billboard Review Committee prior to the May 4, 2010 meeting.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Yuma Private Industry Council, Amendment No. 4, to provide administration of the Workforce Innovation in Regional Economic Development (WIRED) Program and amend contractual language, Arizona Department of Commerce - WIRED Fund, contract amount \$373,831.00 decrease (11-69-Y-140339-0707)
2. Cochise Private Industry Council, Amendment No. 4, to provide administration of the Workforce Innovation in Regional Economic Development (WIRED) Program and amend contractual language, Arizona Department of Commerce - WIRED Fund, contract amount \$67,915.00 decrease (11-69-C-140340-0707)
3. Arizona Board of Regents, University of Arizona, Amendment No. 4, to provide administration of the Workforce Innovation in Regional Economic Development (WIRED) Program and amend contractual language, U.S. Department of Labor - WIRED Fund, contract amount \$153,831.00 (01-69-A-140408-0707)
4. Corporation for a Skilled Workforce, Amendment No. 1, to provide consultant services for the implementation of the WIRED Program, U.S. Department of Labor – WIRED Fund, contract amount \$64,000.00 (07-69-C-142314-0709)
5. Arivaca Coordinating Council/Human Resource Group, Inc., Amendment No. 1, to provide emergency assistance to eligible low-income households for the term 7/1/10 to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$25,000.00 (07-69-A-142400-0709)
6. El Rio Santa Cruz Neighborhood Health Center, Inc., Amendment No. 1, to provide emergency assistance to eligible low-income households experiencing a temporary financial crisis for the term 7/1/10 to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$25,000.00 (07-69-E-142507-0709)

7. Arizona Housing and Prevention Services, Inc., Amendment No. 1, to provide emergency assistance to eligible low-income households for the term 7/1/10 to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$24,810.00 (07-69-A-142508-0709)

B. Facilities Management

8. John Christensen, OKO Prototype, to provide public art services for the new psychiatric hospital on the University Physicians Healthcare Campus at Kino for the term 4/13/10 to 7/31/11, 2004 and 2006 Bond Funds, contract amount \$200,000.00 (07-13-C-142861-0410)

C. Health Department

9. Arizona Department of Health Services, Amendment No. 3, to develop, implement and evaluate a countywide HIV Prevention/Surveillance Program, Federal **State** Grant Fund, contract amount \$25,618.00 decrease (01-01-A-138127-0106)
10. Arizona Department of Health Services, Amendment No. 3, to provide for the distribution of fresh fruit and vegetables and amend contractual language, Federal Fund, contract amount \$3,053.75 revenue (01-01-A-140662-0308)

D. Office of Court Appointed Counsel

Award

11. Increase in award, No. B501742 to Cynthia J. Sweet, to provide juvenile contract attorney services for the Pima County Juvenile Court in the amount of \$30,000.00. Funding Source: General Fund. Administering Department: Office of Court Appointed Counsel.

E. Pima Health System

12. Urgent Care Associates, P.C., Amendment No. 5, to provide primary care physician and urgent care services for the term 4/1/10 to 3/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-U-137458-0406)
13. Bridgeway Health Solutions of Arizona, L.L.C., Amendment No. 1, to provide services for the Preferred Medicare Advantage Plan (MAP) and amend contractual language, PHCS Enterprise Fund, no cost (07-15-B-142421-0110)

14. Cornerstone Hospital of Southeast Arizona, L.L.C., Amendment No. 1, to provide hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-142485-1009)
15. Carondelet Health Network, to provide hospital services for the term 5/1/09 to 4/30/11, PHCS Enterprise Fund, contract amount not to exceed \$15,000,000.00 (18-15-C-142852-0509)

F. Procurement

Awards

16. Cooperative Procurement: Award of Contract, Requisition No. 1001609, in the amount of \$1,262,571.00 to Dell (Headquarters: Buffalo Grove, IL). Initial acquisition cost is \$922,571.00 that will be amortized over a three year period for Microsoft Licenses and Software Assurance. Estimated annual maintenance fee is \$170,000.00 per year, starting at year four through year six (term required by supplier). The contract term is for three years and includes three renewal periods. This award includes the authority for the Procurement Director to approve future amendments/renewals without further action by the Board of Supervisors for reasons other than increases in funding. Funding Source: General Fund. Administering Department: Information Technology.
17. Cooperative Procurement: Award of Contract, Requisition No. 1001627, in the amount of \$1,500,000.00 to Dell (Headquarters: Round Rock, TX) to provide computer equipment, peripherals and related services. The contract is for a one year term and includes four renewal periods. This award includes the authority for the Procurement Director to approve future amendments/renewals without further action by the Board of Supervisors for reasons other than increases in funding. Funding Source: General Fund. Administering Department: Information Technology.

G. Sheriff

18. RESOLUTION NO. 2010 - 77, approving an Intergovernmental Agreement with the Office of National Drug Control Policy, to provide for the High Intensity Drug Trafficking Area Program Cycle 17 initiatives, Federal Grant Fund, contract amount \$6,825.84 revenue (01-11-O-142862-0107)

19. RESOLUTION NO. 2010 - 78, approving an Intergovernmental Agreement with the Office of National Drug Control Policy, to provide for the High Intensity Drug Trafficking Area Program Cycle 18 initiatives, Federal Grant Fund, contract amount \$248,357.10 revenue (01-11-O-142863-0108)
20. RESOLUTION NO. 2010 - 79, approving an Intergovernmental Agreement with the Office of National Drug Control Policy, to provide for the High Intensity Drug Trafficking Area Program Cycle 20 initiatives, Federal Grant Fund, contract amount \$2,241,209.00 revenue (01-11-O-142864-0110)
21. City of Tucson, Amendment No. 2, to provide architectural design review services associated with renovations of Thomas Price Service Center for the Pima County Wireless Integrated Network Project and amend contractual language, 2004 Bond Fund, no cost (01-11-T-141803-0309)

2. BOARD OF SUPERVISORS

Approval of the Board of Supervisors Meeting Schedule for the period May through August, 2010.

3. DIVISION OF ELECTIONS

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Kennedy, Kelly	125	REP
Kennedy, Tiane R.	125	REP
Sutter, James F.	178	REP
Collins, Ashley	250	REP
Collins, Cyndi	250	REP
Collins, Monty	250	REP
Jackson, Anita M.	392	REP
<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Ferrell, Rocky	243	REP
Clarke, Von H.	329	DEM

4. FINANCE AND RISK MANAGEMENT

Duplicate Warrants – For Ratification

Luis Felix	\$206.00
Matt Thomas	\$206.00
Christine Whiting (aka Christine Konigsfeld)	\$231.84
Carondelet Imaging Center	\$ 84.56
St. Mary’s Imaging Center	\$ 12.92
St. Mary’s Imaging Center	\$145.68

St. Mary's Imaging Center	\$ 17.55
St. Mary's Imaging Center	\$ 30.83
Margaret Fisher	\$ 15.00
Trico Electric Cooperative	\$908.29

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

- A. Karen J. Kornman, Friend of Old Pueblo, N.R.A., Beaudry RV Event Center, 3200 E. Irvington, Tucson, May 22, 2010.
- B. Susan Lynn Kaster, VFW No. 10254, 10111 S. Sasabe Highway, Tucson, May 8, 2010.
- C. Linda E. Jallad, Tohono Chul Park, 7366 N. Paseo Del Norte, Tucson, April 8, 2010.
- D. Linda E. Jallad, Tohono Chul Park, 7366 N. Paseo Del Norte, Tucson, April 24, 2010.
- E. Linda E. Jallad, Tohono Chul Park, 7366 N. Paseo Del Norte, Tucson, April 29, 2010.
- F. William D. Woodruff, Knights of Columbus No. 12696, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, April 11, 2010.
- G. William D. Woodruff, Corpus Christi Catholic Church, 300 N. Tanque Verde Loop Road, Tucson, May 14, 2010.

6. **REAL PROPERTY**

A. **Condemnation**

RESOLUTION NO. 2010 - 80, 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 Magee/Cortaro Farms Road: Thornydale to La Canada Project, in Sections 27, 33 and 34 of T12S, R13E, G&SRM. (District 1)

B. **Right-of-Way Easements**

- 1. Acceptance of Perpetual Right-of-Way from the Arizona State Land Department, to allow Pima County to keep Camino Loma Alta on State land, in Section 35, T15S, R16E, and Section 2, T16S, R16E, G&SRM, \$51,362.00 refund. (District 4)
- 2. Sale and Conveyance of a Right-of-Way Easement to Tucson Electric Power, (PULLED FOR SEPARATE ACTION)

7. REGIONAL WASTEWATER RECLAMATION

Public Announcements

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(s):

- A. McDonalds, No. 1996. Proposed settlement amount is \$3,531.86.
- B. Walgreens Company, No. 5532. Proposed settlement amount is \$10,000.00.
- C. Best of Everything, d.b.a., Delectables Restaurant and Catering. Proposed settlement amount is \$1,009.42.

8. PROCLAMATION

Proclaiming the month of April, 2010, to be:

“FINANCIAL CAPABILITY MONTH”

9. RATIFY AND/OR APPROVE

Minutes: February 16, 2010

REGULAR AGENDA/ADDENDUM ITEMS

12. FRANCHISE/LICENSE/PERMIT: FIREWORKS PERMIT

Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, April 21, 2010 at 7:30 p.m. (Notation: If weather cancellation occurs on 4/21/10, then display will be rescheduled for April 24, 2010.)

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve the fireworks permit.

13. **COUNTY ADMINISTRATOR: AMENDMENTS TO COUNTY BOND ORDINANCES AND BOND PROGRAM UPDATE**

- A. ORDINANCE NO. 2010 - 22, of the Pima County Board of Supervisors relating to the 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 by Ordinance No. 1998-59; August 20, 2001 by Ordinance No. 2001-112; December 14, 2004 by Ordinance No. 2004-118; October 11, 2005 by Ordinance No. 2005-90; April 4, 2006 by Ordinance No. 2006-20; October 17, 2006 by Ordinance No. 2006-83; November 6, 2007 by Ordinance No. 2007-93; April 21, 2009 by Ordinance No. 2009-39; and October 6, 2009 by Ordinance No. 2009-91) for the purpose of reallocating bond funds, amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain bond projects.
- B. ORDINANCE NO. 2010 - 23, of the Pima County Board of Supervisors 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 by Ordinance No. 1998-58; August 20, 2001 by Ordinance No. 2001-111; March 9, 2004 by Ordinance No. 2004-15; October 11, 2005 by Ordinance No. 2005-91; April 4, 2006 by Ordinance No. 2006-19; October 17, 2006 by Ordinance No. 2006-82; April 10, 2007 by Ordinance No. 2007-32; November 6, 2007 by Ordinance No. 2007-94; April 1, 2008 by Ordinance No. 2008-24; November 18, 2008 by Ordinance No. 2008-107; and October 6, 2009 by Ordinance No. 2009-90) 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.
- C. ORDINANCE NO. 2010 - 24, of the Pima County Board of Supervisors 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 by Ordinance No. 2005-92; April 4, 2006 by Ordinance No. 2006-21; October 17, 2006 by Ordinance No. 2006-84; April 10, 2007 by Ordinance No. 2007-33; November 6, 2007 by Ordinance No. 2007-95; April 1, 2008 by Ordinance No. 2008-25; November 18, 2008 by Ordinance No. 2008-106; April 21, 2009 by Ordinance No. 2009-40; and October 6, 2009 by Ordinance No. 2009-92) 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 projects.
- D. Pima County Bond Program Update, Semi-Annual Report for Fiscal Year 2009/2010.

Chuck Huckelberry, County Administrator, stated these were standard Ordinance amendments for to administering the bond program. He indicated that all of the pertaining Ordinance amendments had been before the Bond Advisory Committee, and the committee had unanimously recommended them for Board adoption. In addition, the Program Update and Semi-Annual Report had also been approved by the Bond Advisory Committee and was being recommended for approval by the Board.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing, adopt Ordinance Nos. 2010 - 22, 23 and 24 and approve the report.

14. **DEVELOPMENT SERVICES: ELECTRICAL SUBSTATION**

Co18-10-01, ARIZONA STATE LAND DEPARTMENT/SOUTHWEST TRANSMISSION COOPERATIVE INC. – W. VALENCIA ROAD 115/24.9kV ELECTRICAL SUBSTATION PERMIT (EXPANSION)

Request of Southwest Transmission Cooperative, Inc., represented by The WLB Group, for an approximate 2.49 acre expansion of an existing 115/24.9kV electrical substation and a request to waive the screening requirements as prescribed in Section 18.07.040B.5b. of the Pima County Zoning Code. The expansion site is located immediately south and west of the existing substation at the southwest corner of W. Valencia Road and S. Vahalla Road. Staff recommends APPROVAL WITH CONDITIONS. (District 3)

- “1. A Development Plan for the entire site is required.
2. The existing 10-foot high earth-tone wall shall be expanded to the south as appropriate around the substation expansion area to maintain aesthetic quality and public safety.
3. The existing natural and riparian vegetative buffer areas, as approved by the Pima County Design Review Committee (Co20-93-04) and rendered on the Arizona Electric Power Cooperative, Inc. Valencia Rd. at Vahalla Rd. Substation Communication Tower Addition – 1997 Development Plan (BK 14, PG 96), shall be extended as follows to accommodate the Valencia substation expansion: The natural and riparian buffer area on the east side of the substation along Vahalla Road shall be extended south as appropriate, the west buffer area shall be extended west and south and augmented as necessary with landscape planting to match the current conditions, and the south buffer area shall be relocated south and extended, as shown on the provided site plans.
4. Upon the effective date of the permit, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the substation site and Pima County may enforce this condition against the property owner. Prior to final approval of the development plan, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
5. Transporation conditions:
 - A. A building setback of 130 feet, as measured from Valencia Road planned centerline, shall be provided on Valencia Road per the Major Streets and Scenic Routes Plan and Zoning Code Section 18.77.030.B.01.
 - B. Access on Vahalla Road shall be approved by the Department of Transportation.”

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co18-10-01 with conditions.

15. **BOARD OF SUPERVISORS**

Retiree Health Coverage. Discussion/Direction. (District 4)

Chuck Huckelberry, County Administrator, explained the situation as it related to Pima County pre-Medicare retirees, between the ages of 50-64, and the cost increase the County would have to absorb should the Board decide to continue coverage for this group. He informed the Board in December of 2009, that the County could no longer financially sustain the amount of rate increases that would be incurred should the County continue to pay their coverage as their claims and premiums ran roughly 200% higher than other class groups. If the Board decided to continue pre-Medicare health insurance coverage, the insurance company could go outside the rate cap, as stated in the contract, and adjust the rate at a higher cost of approximately 41% for the next two years. In order to pay the increase in insurance premiums, the options available to the Board would require one of the following: taxpayer assistance, additional County department cuts, and/or increases to active employees and pre-Medicare retiree benefits averaging approximately \$200.00 a month. Although it is more costly, the viable option was that the pre-Medicare retirees transfer to the Arizona State Retirement System insurance plans.

Supervisor Elías asked the County Attorney if his office had researched the Healthcare Reform Bill that had recently been passed by Congress, or other legislative issues, that could potentially create problems if the County terminated pre-Medicare retiree health coverage.

Chris Straub, Chief Civil Deputy County Attorney, responded no and requested his office be given the opportunity to complete the research and bring it back before the Board in Executive Session in approximately one week.

On consideration, it was moved by Supervisor Elías to continue this item to April 20, 2010, since he felt it was important for the Board to have the appropriate legal advice tendered to them concerning this issue. The motion died for a lack of a second.

Supervisor Carroll inquired if this was a policy decision that had already been signed excluding retirees from coverage.

Mr. Huckelberry stated that he had indicated to the Board in administering the insurance program in December 2009, that retirees would not be included in the plan option that would be executed with the insurance company. The execution of the amendment to the contract was pending.

Supervisor Carroll inquired if retirees would still have the opportunity to sign up for the State retiree insurance coverage and inquired about their deadline.

Gwyn Hatcher, Human Resources Director, replied that the State had notified the retirees that open enrollment would close on April 30, 2010. However, by law, an individual had 31 days from a qualifying event, which would be the loss of coverage, to enroll into a plan.

The following speakers addressed the Board:

1. John Micena
2. Paula Sherrick
3. Kate Clark
4. Mike Humphrey
5. David Mitchell
6. Kim Holloway
7. Lisa Hulette
8. Scott Simmons
9. Debbie Leach
10. Donna Whitman
11. Kathleen Dannreuther
12. Sharon Gilbert
13. Reita Cutshall

They provided the following comments:

- A. Opposition was expressed over the decision to stop providing retirees with insurance coverage.
- B. They asked the Board to continue to provide insurance coverage at least until they got to Medicare age.
- C. They felt the increase in cost under the COBRA insurance plan was outrageous.
- D. Retirees were not given any opportunity for comments or input concerning the decision to stop insurance coverage and would like to be involved in the communication process to come up with solutions.
- E. A list of possible cost savings options were presented to the Board.
- F. A lot of retirees stayed on with the County because the retirement plan package that was offered to them had included insurance coverage.
- G. They felt the County was not being fair. Many retirees had over 20 plus years of dedicated service with the County and now they felt like they were being disrespected and thrown away by the Board.
- H. They felt hardships were being put on them. Many retirees would not be able to afford insurance coverage with the State so they were electing not to have insurance and did not know how they would be paying for medical costs.
- I. They felt there were different ways to do the transition without adversely affecting the retirees that needed the insurance the most.
- J. They questioned the total amount it would cost to continue to cover the retirees.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías, to place the review of the Federal Healthcare Reform Bill by the County Attorney's Office on the agenda of April 20, 2010, as an Executive Session item. No vote was taken at this time.

A substitute motion was made by Supervisor Carroll to rescind the direction from the Human Resources Department, delay the removal of the retirees from health insurance coverage for a year, pay the amount it would cost to keep them on for the year out of the Board Stabilization Fund and sit down with some collaborative efforts to try to resolve this issue. The motion died for a lack of a second.

Upon the vote being taken, the motion unanimously carried by a 5-0 vote, to place an Executive Session item on the agenda for the meeting of April 20, 2010, in regards to the review of the Federal Healthcare Reform Bill.

16. **COUNTY ADMINISTRATOR**

Financial assistance to the Mount Lemmon Fire District in the amount of \$137,500.00 from the Board of Supervisors Contingency Fund. Discussion/Direction/Action.

Chuck Huckelberry, County Administrator, presented the Board with the request for funding in the amount of \$137,500.00 based on the background information provided by the Fire District. He indicated that there were no budgeted funds for this purpose so, if approved, it would have to come from the Board's Contingency Fund. He felt that it could be resolved because there was valuable collateral to be put up through an Intergovernmental Agreement to insure that taxpayers of Pima County were held harmless if it was decided to make such an appropriation. Board direction was required.

Supervisor Elías asked if it would be a cost reimbursement contract and how the Board could be assured that it would be paying actual expenses as opposed to making a larger grant than what they actually needed to complete their work until the end of the fiscal year.

Mr. Huckelberry explained that the Fire District had indicated that next year's budget was balanced and directly based on property tax receipts. Basically a decision was needed to be in place before the end of the month because the district had issues with meeting payroll and other things. He explained that they had looked at the sale or transfer of some property through an Intergovernmental Agreement (IGA). He acknowledged that if they decided to execute an IGA, the Fire District would be able to repurchase the property that was sold or transferred to the County at about the same amount, plus an interest rate, that would be close to the local government investment pool interest rate. He stated one of the biggest problems that the Fire District had was over 90% of their call load goes to non-district residents from incidents that occurred on the mountain. He stated their situation was unique because the Mount Lemmon Fire District was surrounded by federal lands and the roadway where they probably respond most often to emergency services was a federal forest highway where Pima County has an easement. He hoped other revenue sources could be found from the Federal Government and the Forest Service in particular.

Chairman Valadez inquired about the property that would be put up towards the IGA and, if the Board could make the change in financial and accounts receivable as a condition of the loan.

Mr. Huckelberry responded that it was the firehouse itself that the Board could put terms and conditions on in an IGA with the fire district. He stated that he would be cautious on that. He explained that he wanted to offer a hand as opposed to looking at an impunitive relationship with them, and was aware that there had been talk of an audit. He thought the audit occurred through the State Auditor General, but the Board could encourage performance measures that would keep this from recurring in the future.

Chairman Valadez stated it was his understanding that this had recurred for a number of years.

Mr. Huckelberry stated that this was a carry-over of a previous year where it was not corrected at the time and it then accumulated.

The following speakers addressed the Board:

1. Carol Mack, Fire District Board Member
2. Joanie Hallinan

They provided the following comments:

- A. Their gratitude was expressed for the Board's consideration on this matter.
- B. Not only does the Fire District support the property taxpayers that reside on Mount Lemmon, they also service 1.5 million visitors annually, and the property taxpayers are the individuals that carry that burden.
- C. Extreme measures would be and have been put into place so these financial difficulties don't happen again.
- D. The Mount Lemmon Fire District has tremendous volunteer support, but the financial aspect has to be addressed.
- E. They inquired why the federal government could collect the entrance fee for visitors going up the mountain but could not give any of it to the fire district that serviced the visitors if their assistance was needed.
- F. Everyone would be at risk if the fire district went away because they are the first responders to any emergencies that occur on the mountain.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the request for financial assistance.

17. COUNTY ADMINISTRATOR

Future of the Sahuarita Landfill, and the amount and conditions of a General Fund subsidy for operation and maintenance expenses for fiscal year 2010/11. Discussion/Direction/Action.

Chuck Huckelberry, County Administrator, indicated a memorandum had been prepared for the Board with five options concerning the Sahuarita Landfill from Solid Waste and the Department of Environmental Quality. His recommendation was to consider keeping the landfill open subject to:

- A. a waiver of the Sahuarita host fee that is 10% of gross revenues
- B. an increase in the fee from \$10.00 to \$15.00 per entry per vehicle, and
- C. a General Fund subsidy of approximately \$100,000.00, and the Board should make a decision with regard to the General Fund subsidy in that amount when they considered the adoption of the budget later in the fiscal year.

Supervisor Day inquired about the General Fund subsidy and the increase of the fee entry per vehicle.

Mr. Huckelberry responded that in deliberation over the budget, it would be appropriate that it be included as a possible appropriation or subsidy only if Sahuarita would waive the host fee and the fees were raised per vehicle entry. If approved with these two conditions, the subsidy would only be \$100,000.00 and, if either of the two conditions did not occur, the subsidy would be nearly \$400,000.00.

Supervisor Bronson asked if the County Administrator was seeking direction at this point for budget preparation purposes.

Mr. Huckelberry responded that the Board did not need to make a decision until they considered the budget.

Supervisor Bronson commented that the only thing she was willing to consider was the situation where Sahuarita waived the fee and that the entry fee be raised to \$15.00 so the subsidy did not exceed \$100,000.00. She indicated that it did not mean she would necessarily be voting for it at budget time because between now and then there was a Sales Tax Election and, if that failed, then the County's situation was going to be dire.

The following speaker addressed the Board:

Stan Riddle, President of the Green Valley Community Coordinating Council

He provided the following comments:

- A. He stated that he was very much in favor of Option 2 as indicated in the County Administrator's memorandum.
- B. He suggested for the Board's consideration, that they consider increasing the fee for commercial use from \$32.50 per ton to \$35.00 per ton. He did not believe the increase would sway the commercial haulers to go to another landfill. He felt this would help to further reduce the negative costs.
- C. He felt that if the landfill was closed, there would be more wildcat dumping in the desert and that cost was going to be more prohibitive to remove it and take it to another landfill.

Supervisor Bronson asked about the actual tonnage typically that a commercial hauler dumped at the landfill. She inquired if the additional cost would make the commercial haulers use another landfill to reduce their expenses or could they accommodate the increase to \$35.00 and still keep the subsidy at around \$100,000.00.

Ursula Kramer, Director of the Department of Environmental Quality, stated that it would be hard to predict what the commercial haulers would do. She stated that the rate commercial haulers were currently charged is high compared to what other transfer stations charged. She explained that Waste Management charged \$30.00 per ton at their transfer station and could be negotiating some rates that may be lower than that. She informed the Board that it was always hard to predict how the commercial haulers were going to respond and felt they were very good at doing the analysis for costs, gas prices and hauling distances. She stated that the reason a commercial fee increase was not recommended to the Board was because the commercial fees were already higher than the City and Waste Management.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the County Administrator's recommendation.

18. **COUNTY ADMINISTRATOR**

Active employee medical insurance contribution strategy for fiscal year 2010/11. Discussion/Direction/Action.

Chuck Huckelberry, County Administrator, provided an update on the active employee medical insurance proposals for fiscal year 2010/11. He stated open enrollment would begin in May, and no direction had been given from the Board regarding compensation strategy. He provided cost differences between the County and the employees over the past three years and the percentage of employees that had selected a particular plan. The County Administrator also presented the Board with proposed options for fiscal year 2010/11 and explained each of the plans which were identified as: PPO, HDHP1 and HDHP2, his Option 3, as indicated in his memorandum of March 26, 2010.

The following speakers addressed the Board:

1. Michael Uralowich
2. Jess Gauntt
3. David Mitchell, President Emeritus of SEIU, Pima Chapter

They provided the following comments:

- A. An open letter from SEIU, union members, was presented and read to the Board in regard to their health care cost concerns. They wanted the Board to consider their position on the matter.
- B. They knew these were very tough times for everyone concerned.
- C. Many employees have kept their jobs with the County, in good faith, with a pay scale that was always questionable but with benefits that superseded all of that. Over the last twenty years, employees have been losing benefits and their pay has not increased.
- D. They realized right now was a terrible time to be asking for money but questioned where the money is going. Benefits are going away and there are no pay increases.

- E. Families cannot afford increases to health insurance premiums and a lot more people would end up without insurance coverage. Families would not pay insurance premiums or, see it as an option, if it came down to paying for food or utility bills.
- F. They predicted more people would end up at University Hospital without insurance and it would be an additional cost for the County.
- G. Hand-outs were provided to the Board with SEIU's health insurance proposal for comparison with the County's proposal.
- H. SEIU believed their proposal was realistic and asked that the Board try to mitigate the loss to employees and support their proposal.

Supervisor Valadez noted that there had been negotiations with SEIU and the County had increased its proposal to \$2.7 million.

Supervisor Bronson inquired about the number of employees that were currently enrolled in the high deductible health plan.

Gwyn Hatcher, Human Resources Director, responded there were currently about 3,400 employees enrolled in the HDHP option.

Supervisor Elías asked if Mr. Huckelberry could go through the math concerning the coverage costs to try to discern the discrepancy between SEIU's adaptation option versus Option 3 of his analysis.

Mr. Huckelberry explained that was a theory of equity. Everyone that received the benefit would pay the same increase. Option 3 was simply everyone would pay the same premium increase, and the County would keep its promise with regards to the HSA contributions staying the same. He felt SEIU's option stated there were no increased premiums by employees and, to fit the cost, they had slightly reduced the HSA contribution by the County and kept the PPO contribution about the same or slightly reduced. The adaptation model was having no premium increases paid by the employees, and they tried to fit the budget box by reducing the PPO and HSA contributions. It could be reviewed in greater detail, and the Board could be provided with a memorandum that would show all the implications.

Supervisor Elías commented that there needed to be a better communication process between SEIU and the Board in the future.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to continue this item to the Board of Supervisors' Meeting of April 20, 2010, and to direct staff to sit down with SEIU and do an analysis of the numbers concerning the medical insurance contributions.

19. **COUNTY ADMINISTRATOR**

Funding for University Physicians Healthcare Hospital and Plan for final transition into an integrated two-hospital medical education system of the University of Arizona, College of Medicine. Discussion/Direction/Action.

Chuck Huckelberry, County Administrator, briefed the Board on this issue. He stated there had been discussion about the future direction of the hospital and what was occurring with regards to the Board's additional appropriation of \$15 million dollars during this year's budget which was set aside in the Board's Stabilization Fund. He explained the report that had been given to the Board included all the things that have been thought about with regard to the operation of the hospital, the transition process and how the process had opened a whole series of other opportunities particularly with the University of Arizona and the College of Medicine. He stated that a composite study and analysis was undertaken by the University of Arizona, College of Medicine, UPH and University Medical Center to talk about the proper and appropriate role of the system in the development of the academic teaching system modeled for the university. He commented that it had been concluded that the future of funding appropriations of the County should follow the Chartis Report. His recommendation to the Board was to direct staff to proceed with the development of an Intergovernmental Agreement between the County and the Arizona Board of Regents regarding future County funding of University Physicians Healthcare Hospital and the final transition of the hospital into an integrated two-hospital medical education system.

Supervisors Day and Carroll requested a copy of the Chartis Report and asked that it be forwarded to the Board as soon as possible.

Mr. Huckelberry said that he could provide the Board with the draft Phase 1 Chartis Report and the Alvarez Bi-Weekly Reports on hospital performance.

Supervisor Day stated that the idea of partnering with the university had merit but questioned moving forward with an IGA. She asked the County Administrator where he saw Kino going if UMC or UPH were adverse to an IGA.

Mr. Huckelberry stated he would come back to the Board, present the facts about the situation and ask for Board direction.

Supervisor Day commented that she would like to see the specifics of the IGA to ensure that taxpayers were protected to the fullest extent, the agreement was legal under the gift clause and that performance benchmarks were in place and would have the ability to make sure they were being met or exceeded. She also stated that the performance needed to be sustainable, and they needed to have a long term management plan in place.

Supervisor Elías stated that UMC could provide better management of the operation of the hospital, and it was critical to solidify the existence of UMC. He indicated that it was important to continue to bring the University of Arizona campus to the southside of Tucson. He felt it was a critical issue and a great opportunity to bring the university experience closer to a part of town that historically had not been able to participate in the university in the same manner that other places have. He also wanted to see better healthcare for patients that go to Kino.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to direct staff to proceed with the development of an Intergovernmental Agreement to integrate two-hospital medical education system of the University of Arizona.

20. PROCUREMENT: AMENDMENT OF AWARD

Amendment of Award: Contract No.11-03-S-142227-0809 (BC B506672) to Sierra Southwest Cooperative Services, Inc., for an additional one year period, effective August 1, 2010, and increase the award in the not to exceed amount of \$2,000,000.00 to \$4,000,000.00. This amendment will supply the County with additional MMBtu of natural gas and a new firm fixed price and index price based on actual market prices at the time of purchase. This request includes the authority to negotiate and execute the required contract amendments with Sierra Southwest and Southwest Gas. Funding Source: RWRD Operations and Maintenance Fund. Administering Department: Regional Wastewater Reclamation.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the amendment of award.

21. BOARD, COMMISSION AND/OR COMMITTEE: OUTSIDE AGENCY CITIZEN REVIEW COMMITTEE

Appointment of Pam Moseley to replace Cazlin Robbins. No term expiration. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the appointment.

22. CALL TO THE PUBLIC

The Chairman inquired whether anyone wished to be heard.

Gary Bahr addressed the Board regarding healthcare and expressed his appreciation for Supervisor Bronson and her staff.

23. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 2:20 p.m.

CHAIRMAN

ATTEST:

CLERK