

MINUTES, FLOOD CONTROL DISTRICT BOARD

AUGUST 17, 2009

The Pima County Flood Control District Board met in its regular meeting place at the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Monday, August 17, 2009. Upon roll call, those present and absent were as follows:

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

1. **CONTRACTS**

- A. KE&G Development, L.L.C., Amendment No. 4, to provide a job order contract for flood control and drainage improvements and extend contract term to 11/27/09, no cost (26-59-K-138548-0806)

- B. Arnulfo Verdugo and Carmen Verdugo, to provide an Acquisition Agreement for floodprone and riparian land located at 18999 W. Ajo Way, Tax Parcel No. 301-19-005C, 2004 Bond Fund, contract amount \$312,000.00 including closing costs (22-59-V-142251-0809) Real Property

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:40 a.m.

MINUTES, BOARD OF SUPERVISORS' MEETING AND TAX LEVY HEARING

AUGUST 17, 2009

The Pima County Board of Supervisors met in 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 Monday, August 17, 2009. Upon roll call, those present and absent were as follows:

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

1. **INVOCATION**

The invocation was given by Father Alonzo Garcia, Holy Family Catholic Church.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

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

4. **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5 to 0 vote, that the Board convene to Executive Session at 9:10 a.m.

5. **RECONVENE**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5 to 0 vote, to reconvene at 9:25 a.m. All members were present.

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

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

7. LITIGATION

Pursuant to A.R.S. §38-431.03 (A) (3) and (4), for legal advice and direction regarding Mesquite Grove Chapel v. Pima County Board of Adjustment, Pima County Superior Court Cause No. C20095271

Chris Straub, Civil Deputy County Attorney, reported that this case was brought forward for legal advice and direction concerning an appeal of the Board of Adjustment, District 4, decision upholding the Chief Zoning Inspector's interpretation that Mesquite Grove Chapel's proposed primary use of CR-1-zoned property is that of a commercial wedding venue rather than a church. The Pima County Attorney's Office requested direction on whether to seek to intervene in the action on behalf of the Chief Zoning Inspector and, if so, whether to take the position that the Board of Adjustment should not be an active litigant in this appeal.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5 to 0 vote, to approve the County Attorney's recommendation to intervene and the Board of Adjustment stay a nominal party in this action.

8. CONSENT CALENDAR

A. CALL TO THE PUBLIC

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

B. APPROVAL OF CONSENT CALENDAR

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

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community Development & Neighborhood Conservation

1. City of Tucson, Amendment No. 2, to provide for the Home Investment Partnership Program and Subrecipient Agreement and amend contractual language, Federal HOME Fund, contract amount \$1,007,273.00 revenue (01-70-T-139573-0707)

2. City of Tucson, Amendment No. 1, to provide for the Amphi Neighborhood Reinvestment Project by adding four additional streetlights, 2004 Bond Fund, no cost (01-70-T-140165-1007)

B. Community Services, Employment and Training

3. RESOLUTION NO. 2009 - 203, approving an Intergovernmental Agreement with the U.S. Department of Labor, Veterans' Employment and Training Services, to provide for the Homeless Veterans' Reintegration Project, U.S. Department of Labor Fund, contract amount \$245,000.00 revenue (01-69-U-142254-0709)
4. RESOLUTION NO. 2009 - 204, approving an Intergovernmental Agreement with the Arizona Department of Economic Security, Rehabilitation Services Administration, to provide a Collaborative Agreement under Title V Vocational Rehabilitation to establish a Disability Program Navigator at the Pima County One Stop Career Center, Arizona Department of Economic Security Fund, contract amount \$4,520.00 (01-69-A-142255-0709)
5. RESOLUTION NO. 2009 - 205, approving an Intergovernmental Agreement with the U.S. Department of Labor, Veterans' Employment and Training Services, to provide a Veterans' Workforce Investment Program, U.S. Department of Labor Fund, contract amount \$500,000.00 revenue (01-69-U-142256-0709)
6. RESOLUTION NO. 2009 - 206, approving an Intergovernmental Agreement with the U.S. Department of Labor, Employment and Training Administration, to provide for the Youth Offender Planning Grant Program, U.S. Department of Labor Fund, contract amount \$300,000.00 revenue (01-69-U-142257-0709)
7. Yuma Private Industry Council, Amendment No. 3, to provide for the administration of the WIRED Program in Yuma County and amend contractual language, Arizona Department of Commerce-WIRED Fund, no cost (11-69-Y-140339-0707)
8. Cochise Private Industry Council, Amendment No. 3, to provide for the administration of the WIRED Program in Cochise County and amend contractual language, Arizona Department of Commerce-WIRED Fund, no cost (11-69-C-140340-0707)

C. County Attorney

9. Hawkins, Delafield & Wood, L.L.P., Amendment No. 1, to provide legal representation in the implementation of the Regional Optimization Master Plan and amend contractual language, RWRD System Development Fund, contract amount \$300,000.00 (17-02-H-140915-0308)

D. Facilities Management

10. Redyns Development, L.L.C., Amendment No. 1, to provide a Lease Agreement for the Superior Court Adult Probation Division, extend contract term to 8/31/16 and amend contractual language, General Fund, contract amount \$1,340,528.03 (04-18-R-131101-0902) Superior Court
11. Goldberg & Osborne, Amendment No. 1, to provide a Lease Agreement at the Bank of America Plaza, extend contract term to 7/31/14 and amend contractual language, contract amount \$1,180,957.14 revenue (04-13-G-139865-0804)
12. United Community Health Center - Maria Auxiliadora, Inc., and Compass Bank, Amendment No. 1, to provide for a Construction Agreement for the expansion of the Continental Family Medical Clinic and amend contractual language, United Community Health Clinic Contribution Fund, no cost (02-13-U-140883-0508)

E. Finance and Risk Management

13. Beach, Fleischman & Co., P.C., Amendment No. 4, to provide Development Services audit services, extend contract term to 6/9/10 and amend contractual language, Development Services Enterprise Fund, contract amount \$13,000.00 (07-09-B-136258-0605)

F. Office of Court Appointed Counsel

Awards

14. Award of Contract, Requisition No. 0901254, in the total amount of \$600,000.00 to Eric S. Manch and Shalanda M.L. Gates, for court appointed attorney services on the Superior Court Felony Panel. Each contract is for an initial amount of \$300,000.00 for a three-year period and provides for one renewal for an additional three-year period. Funding Source: General Fund.

15. Award of Contract for the Juvenile Attorney Panel, court-appointed Spanish-speaking representation to Edwin E. Aguilar, in the amount of \$200,000.00. Funding Source: General Fund.
16. Increase in Award in the amount of \$200,000.00 to Domingo Star DeGrazia, for B501717, Amendment No. 3, to provide legal services and extend contract term to 9/30/10. Funding Source: General Fund.
17. Increase in Award in the amount of \$125,000.00 to Frederick Kabotie Lomayesva, for B502757, Amendment No. 3, to provide legal services and extend contract term to 9/30/10. Funding Source: General Fund.
18. Increase in Award in the amount of \$200,000.00 to Susan Kettlewell, for B501719, Amendment No. 3, to provide legal services and extend contract term to 9/30/10. Funding Source: General Fund.

G. Pima Health System

19. Retina Associates SW, P.C., Amendment No. 5, to provide ophthalmology services and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-R-135210-1104)
20. Old Pueblo Anesthesia, P.C., Amendment No. 4, to provide anesthesia services, extend contract term to 6/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-O-135901-0705)
21. Albert S. Callie, M.D., P.C., Amendment No. 4, to provide primary care physician services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-C-136171-0905)
22. Life Care Centers of America, Inc., d.b.a. La Canada Care Center, Amendment No. 4, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-L-137033-1005)
23. Santa Rita Care Center, L.L.C., d.b.a. Santa Rita Nursing and Rehabilitation Center, Amendment No. 6, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-S-137035-1005)

24. SRCV-Rosa, L.L.C., d.b.a. Santa Rosa Care Center, Amendment No. 9, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-S-137045-1005)
25. Kindred Nursing Centers West, L.L.C., d.b.a. Valley Health Care & Rehabilitation Center, Amendment No. 6, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-K-137062-1005)
26. Arizona Kidney Disease and Hypertension Center, Amendment No. 5, to provide nephrology services and amend contractual language, PHCS Enterprise Fund, contract amount \$125,000.00 (18-15-T-137424-0406)
27. Tucson Vascular Surgery, Ltd., Amendment No. 2, to provide vascular surgery services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-138462-0906)
28. Arizona Medical Services, P.C., Amendment No. 2, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-A-139594-0207)
29. Critical Care Systems, Inc., Amendment No. 1, to provide home infusion therapy services, extend contract term to 7/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-140004-0807)
30. Dialysis Clinic, Inc., Amendment No. 2, to provide dialysis and laboratory services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-D-140018-1007)
31. Amendment No. 2, to provide assisted living home services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, for the following:

<u>VENDOR</u>	<u>CONTRACT NO.</u>	<u>AMOUNT</u>
Casa De Dios, Inc.	07-15-C-140094-0907	\$100,000.00
Four Star Enterprises, Inc., d.b.a. Crossroads Adult Care Home II	07-15-F-140096-0907	\$ 50,000.00
Four Star Enterprises, Inc., d.b.a. Crossroads Adult Care Home	07-15-F-140097-0907	\$ 50,000.00

Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home II	07-15-E-140099- 0907	\$ 50,000.00
Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home	07-15-E-140100- 0907	\$100,000.00
Ubalдина R. Trejo d.b.a. Care Haven	07-15-T-140102- 0907	\$ 50,000.00
Leonor Arroyo d.b.a. Autumn House	07-15-A-140107- 0907	\$100,000.00
Angela's Assisted Living, L.L.C.	07-15-A-140108- 0907	\$ 50,000.00
Sher-Lan, L.L.C., d.b.a. Elder Care & More	07-15-S-140112- 0907	\$100,000.00
A Blissful Care Home, L.L.C., d.b.a. A Blissful Care Home	07-15-A-140119- 0907	\$100,000.00
Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home III	07-15-E-140120- 0907	\$ 50,000.00

32. Melissa G. Grijalva Vazquez, d.b.a. Betania Care Home, Amendment No. 3, to provide assisted living home services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (07-15-R-140105-0907)
33. Northwest Allied Physicians, L.L.C., Amendment No. 2, to provide primary care physician and specialty services, extend contract term to 8/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-140176-1007)
34. Dependable Medical Equipment, Inc., Amendment No. 3, to provide durable medical equipment/ supplies and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (07-15-D-140581-0108)
35. Lobos Acquisition of Arizona, Inc., d.b.a. Danny's SunScript Pharmacy, Amendment No. 1, to provide medical supplies, administrative support services and amend contractual language, PHCS Enterprise Fund, contract amount \$150,000.00 (18-15-L-140705-0108)
36. Ralph Green D.D.S., P.C., Amendment No. 2, to provide dental services and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-G-140801-0608)
37. Handmaker Jewish Services for the Aging, Amendment No. 1, to provide adult day health services and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (07-15-H-140938-0708)

38. Casa De La Luz Hospice, L.L.C., d.b.a. Casa De La Luz Hospice, Amendment No. 1, to provide hospice services and amend contractual language, PHCS Enterprise Fund, contract amount \$225,000.00 (18-15-C-141431-1008)
39. Pima Council on Aging, to provide case management, housekeeping/homemaker, personal care, reassurance, caregiver training/support groups, family consultation/care planning and respite services, PHCS Enterprise Fund, contract amount \$1,656,911.00 revenue (07-15-P-142230-0709)
40. Urological Associates of Southern Arizona, P.C., to provide urology services, PHCS Enterprise Fund, contract amount \$300,000.00 (18-15-U-142266-0909)

H. Procurement

41. Tucson Flooring Concepts, d.b.a. Aztec Flooring, Amendment No. 4, to provide a job order contract for flooring services, extend contract term to 8/14/10 and amend contractual language, General Fund, contract amount \$150,000.00 (26-13-T-138486-0806) Facilities Management
42. Sturgeon Electric Company, Inc., Amendment No. 2, to provide a job order contract for electrical services, extend contract term to 9/10/10 and amend contractual language, General Fund, contract amount \$50,000.00 (26-13-S-140255-0907) Facilities Management
43. Sabino Electric, Inc., Amendment No. 2, to provide a job order contract for electrical services, extend contract term to 9/10/10 and amend contractual language, General Fund, no cost (26-13-S-140267-0907) Facilities Management
44. Gilbert Electric Company, Inc., Amendment No. 2, to provide a job order contract for electrical services, extend contract term to 9/10/10 and amend contractual language, General Fund, contract amount \$20,000.00 (26-13-G-140327-0907) Facilities Management
45. Southwest Hazard Control, Inc., Amendment No. 2, to provide a job order contract for asbestos abatement and mold remediation services and amend contractual language, General Fund, contract amount \$450,000.00 (26-13-S-140881-0608) Facilities Management

46. MMLA Psomas, Inc., Amendment No. 6, to provide roadway design engineering services for the I-19 East Frontage Road: Canoa Road to Continental Road Project and amend scope of work, HURF Fund, contract amount \$250,000.00 (16-04-M-139041-1106) Transportation

Awards

47. Cooperative Procurement, award to satisfy Requisition No. 1000093 in the total amount of \$500,000.00 (not including taxes) for Cisco Network Equipment to Insight Public Sector, Inc. (Headquarters: Tempe, AZ). Award is for a one-year term and includes four one-year renewal periods. This award includes the authority for the Procurement Director to execute future remaining renewals and add funding, if necessary, provided that the annual amount of each term does not exceed the initial annual award amount and the renewal does not change the existing scope of the contract. Funding Source: Other Internal Service Funds. Administering Department: Information Technology.
48. Sole Source, Award of Contract, Requisition No. 1000101, in the annual amount of \$92,320.00 to Southern Arizona Children's Advocacy (Headquarters: Tucson, AZ) for medical forensic examination and evidence collection for victims of sexual assault. Contract is for a one-year term and includes four one-year renewal periods. The initial contract is retroactive to 7/1/09. Funding Source: General Fund. Administering Department: Institutional Health.
49. Low Bid, Award of Contract, Requisition No. 0901812, in the annual amount of \$314,000.00 for funeral goods and services to Adair Funeral Homes, Inc., (Headquarters: Tucson, AZ). Contract is for a one-year term and includes four one-year renewal periods. Funding Source: General Fund. Administering Department: Public Fiduciary.

I. Regional Wastewater Reclamation

50. Metropolitan Domestic Water Improvement District, Amendment No. 3, to provide billing and collection of sewer user fees, extend contract term to 6/30/10 and amend contractual language, no cost (01-03-M-138297-0706)

J. Sheriff

- 51. RESOLUTION NO. 2009 - 207, approving an Intergovernmental Agreement with the City of South Tucson, to provide for the incarceration of municipal prisoners, General Fund, contract amount \$267,904.00 revenue (01-11-S-142243-0709)
- 52. Arizona Department of Homeland Security, Amendment No. 1, to provide for the Special Operations Unit Projects and amend contractual language, Federal Grant Fund, contract amount \$12,153.83 revenue (01-11-A-139003-0706)

K. Superintendent of Schools

- 53. RESOLUTION NO. 2009 - 208, approving an Intergovernmental Agreement with the Pima County Fleet Services Department, to provide for the fuel and maintenance of the Zimmerman Accommodation School District vehicles, State Grant Fund, contract amount \$100,000.00 (01-38-P-142269-0809)

L. Transportation

- 54. RESOLUTION NO. 2009 - 209, approving an Intergovernmental Agreement with the City of Tucson, to provide for fixed route bus service, ADA paratransit services and ADA paratransit certification, fare certification and voucher sales for designated areas of unincorporated Pima County, Transportation Operating Fund, contract amount \$4,104,300.00 (01-04-T-142258-0709)
- 55. Regional Transportation Authority, Amendment No. 1, to provide for the design and construction of bus pull-outs on Valencia Road between Mark Road and Camino de la Tierra, extend contract term to 12/31/10 and amend contractual language, RTA Fund, contract amount \$134,000.00 revenue (01-04-R-139625-0607)

2. DIVISION OF ELECTIONS

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

RESIGNATIONS
Ekstrom, Kevin

PRECINCT
124

PARTY
REP

Faust, Paul L.	262	REP
Papcun, Alice	320	DEM
Zitkus, Kristi S.	366	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Abrams, Amy S.	005	REP
Allison, Tracy L.	030	REP
Hamilton, Mary M.	039	REP
Leal, Kresta K.	045	DEM
Leal, Sandra	045	DEM
Parent, Christopher O.	062	DEM
Uhrlaub, James D.	126	REP
Spellmeyer, Brad A.	150	REP
Spellmeyer, Margaret M.	150	REP
Niwa, Debra K.	193	REP
Hopkins, Donald J.	209	GRN
Asta, Ron	212	REP
Poule, Mike	222	REP
Talkington, Lauren R.	226	DEM
Torgerson, Kerry G.	229	REP
Pope, Georgia N.	265	DEM
Schaedler, Jacen A.	281	REP
Collins, Kevin M.	291	REP
Nystedt, Kendal K.	320	DEM
Borger, Robert J.	356	REP
Burkholder, John D.	362	REP
Pederson, Matthew S.	362	REP
Rollinson, Keith E.	362	REP
Glade, Carolyn A.	364	REP
Zitkus, Kristi S.	366	REP
Paholski, Karin G.	370	REP
LaGuardia, Adam C.	389	REP
Ekstrom, Kevin M.	391	REP
Crawford, Daniel M.	393	REP
Reeves, Michaela C.	393	REP
Atha, David S.	394	REP
Atha, Helene S.	394	REP
Buller, Peter D.	394	REP
Holman, David A.	394	REP
Novillo, Diane C.	396	REP
Kemsley, Christopher J.	408	REP
Richards, Bradley W.	408	REP
Rafacz, John C.	417	REP

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

A. **Animal Care Advisory Board**

Bradley Brumm, D.D.S., to replace Dr. Paul Horowitz. Term expiration: 3/31/11. (Board of Health recommendation)

B. Pima County Wireless Integrated Network Committee

Appointments of Assistant Fire Chief Dave Ridings, 1st Alternate, Tucson Fire Department and Assistant Chief Terry Rozema, 1st Alternate, Tucson Police Department. No term expirations. (Jurisdictional recommendations)

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

- A. Aaron Stremick, Pantano Rotary Club, Chinese Cultural Center, 1288 W. River Road, Tucson, September 25, 2009.
- B. Carol Ann Fierling, Santa Catalina Roman Catholic Parish, 14380 N. Oracle Road, Tucson, October 10, 2009.
- C. Shari Ordog, American Liver Foundation, Loews Ventana Canyon Resort & Spa, 7000 N. Resort Drive, Tucson, September 10, 2009.
- D. Diana Sheldon, Ronald McDonald House, La Encantada, 2905 E. Skyline Drive, Tucson, September 25, 2009.
- E. Brooke McDonald, TMC Foundation, La Encantada, 2905 E. Skyline Drive, Tucson, October 10, 2009.

5. ECONOMIC DEVELOPMENT AND TOURISM

Pursuant to provisions of the Lease Agreement, staff requests approval for construction of a permanent movie set at Old Tucson Studios. No cost.

6. PROCUREMENT

Quarterly Contracts Report-2nd Quarter, 2009

Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from April 1, 2009 through June 30, 2009.

7. REAL PROPERTY

Abandonment and Quit Claim Deed

- A. RESOLUTION NO. 2009 - 210, of the Pima County Board of Supervisors, providing for the vacation and abandonment by exchange, of several perpetual easements, in Rincon Valley Ranches, Lots 1-9, in

exchange for rights-of-way to be created through the proposed new subdivision of Bluff Creek, in Section 24, T15S, R16E, G&SRM, Abandonment No. A-06-10. (District 4)

- B. Quit Claim Deed to First American Title Insurance Company, as Trustee under Trust No. 9200, for the abandonment of the rights-of-way. No revenue. (District 4)

REGULAR AGENDA/ADDENDUM ITEMS

9. COUNTY ADMINISTRATOR

Report on buffelgrass public meetings. Discussion, direction and action. Chairman Elías thanked staff and everyone who attended the community meetings. The following individuals addressed the Board:

- A. Darla Sidles, Superintendent of Saguaro National Park
- B. Lindy Brigham, Southern Arizona Buffelgrass Coordination Center
- C. Linsey Miller, Executive Director, Rincon Institute
- D. Sarah Smallhouse, Southern Arizona Buffelgrass Coordination Center
- E. Dr. Julio Betancourt, U.S. Geological Survey
- F. Donna Branch-Gilby, Tucson Mountain Resident

The Chairman reported that he had 10 speaker cards for individuals who did not wish to speak but supported the testing program. The following is a summary of the speaker comments:

1. They supported proceeding with the testing.
2. The public information meetings were informative, handled professionally and provided an opportunity for public involvement, education and transparency.
3. Testing needs to proceed in a responsible way with good disbursement of information.
4. The following questions were asked with respect to the research project: (1) what were they looking for from this experiment; (2) what would be an indicator for success; (3) how many times will the spraying occur during this testing period; and (4) when and how will neighbors be advised of spraying.

On consideration, it moved by Chairman Elías, seconded by Supervisor Valadez and unanimously carried by a 5 to 0 vote, to close the public hearing.

Supervisor Bronson acknowledged this may be an ongoing process and asked if funding for additional spraying was assured or would it have to be located for future applications. Kerry Baldwin, Pima County Natural Resources Division Manager, responded that this would be a one-time application. If this project was successful and this tool became available for future use, it was anticipated that it may require a control period of 3 to 5 years and additional funding would have to be located.

Supervisor Bronson asked Mr. Baldwin to respond to the questions regarding the success of the project. He reported that evidence that the proposed testing was successful would include: the aerial application met expectations in a sense that they saw a precision application within the identified plots; they observed a significant control of the buffelgrass infestation; and there was no significant impact to the native vegetation especially to the large shrubs and plants. He also said that affected neighbors would be advised by generalized press releases, written notification and back up information which will be hand delivered to all immediate neighbors 1 to 2 weeks prior to the application. The notification would also include a contact name and number for questions.

The Chairman thanked Mr. Baldwin and his department for the work that they had put into the meetings, expressed concern over the use of glyphosate in the Tucson Mountain area in District 5, and his belief that there were other locations better suited for this testing.

Supervisor Bronson noted that although she shared some of the same concerns with the Chairman, she felt it important to move forward with this testing.

Supervisor Day stated that action needed to be taken quickly to save the Sonoran Desert.

The Chairman asked the County Administrator for his recommendation. Mr. Huckelberry recommended that the test project for the aerial herbicidal spraying of buffelgrass at Tucson Mountain Park, in rough terrain, utilizing helicopter and computer controlled technologies proceed this monsoon season if conditions are deemed adequate by the Buffelgrass Control Project Research Team, or next year, if conditions are projected to be more favorable by the same group.

In response to a question by Supervisor Carroll regarding follow up reports to the Board and the public, Mr. Baldwin reported that a summary document of the project findings would be prepared in the Spring. When completed, the document would be made available to the Board and the press.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a roll call vote of 4 to 1, Chairman Elías voting “Nay,” to approve the item in conjunction with Mr. Huckelberry’s recommendations referenced above.

10. **INFORMATION TECHNOLOGY**

RESOLUTION NO. 2009 - 211, of the Board of Supervisors, ratifying Pima County’s Non-Exclusive Right-of-Way Use License issued to Sprint Spectrum, L.P., dated May 26, 2000, for the purpose of installing and maintaining cellular communication facilities and related structures; and ratifying subsequent License Amendment 1, effective May 6, 2003; and License Amendment 2, effective May 26, 2005.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez, and unanimously carried by a 5 to 0 vote to adopt Resolution No. 2009-211.

* * *

11. **BOARD OF SUPERVISORS**

Tax Levy

- A. Adoption of the Fiscal Year 2009/2010 Tax Rates and establishing Tax Levy amounts.

If approved, pass and adopt:

RESOLUTION NO. 2009 - 212

Supervisor Bronson asked the County Administrator to confirm that all 15 Counties received recent information from the Senate and the House at the State level about the tax levy. Mr. Huckelberry reported that he believed the Board had no option but to include the State Board of Equalization (BOE) tax rate levy into the overall tax levies that would be adopted at this meeting. This date is the statutory deadline prescribed by law for the Board to levy property taxes for all of the various 92 taxing jurisdictions within Pima County. The law that repealed the State Equalization tax rate expired and, to date, had not been replaced by subsequent legislation. Therefore, the repeal was in effect. If there was a subsequent law to repeal the BOE tax rate, it must also address how the different counties adopt the rates and then determine what needs to be done at that point. The County is under contract with the printer to send the notices out within the next 10 days in order to get the bills into taxpayer hands 30 days before they are due. The notices, which will be due October 1, 2009, will become delinquent November 1, 2009. If new legislation was adopted to permanently repeal the tax rate and give the Board a legal mechanism to adjust the tax levy, the Board would have to conduct a special hearing to address this issue. Supervisor Carroll asked if that meeting could be notice and held by this Friday. Mr. Huckelberry confirmed that it was possible.

The Chairman inquired as to whether anyone wished to speak. No one appeared.

On consideration, it was moved by Chairman Elías, and seconded by Supervisor Valadez to close the public hearing and adopt Resolution No. 2009-212. Motion carried with a roll call vote of 3 to 2, Supervisors Carroll and Day voting “Nay.”

- B. RESOLUTION NO. 2009 - 213, authorizing delivery of the tax statement and the Pima County Treasurer to collect the 2009 property taxes.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and carried with a 3 to 2 vote, Supervisors Carroll and Day voting “Nay,” to adopt Resolution No. 2009-213.

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

12. 09-14-8984, Monty P. Blankier, El Saguarito Mexican Restaurant, 6875 E. Sunrise Drive No. 101, Tucson, Series 12, Restaurant License, New License.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Day and unanimously carried by a 5 to 0 vote, to close the public hearing, approve the license, and forward the recommendation to the State Liquor Control Board.

13. 09-15-8985, Albert Sherman Hall, Tohono Chul Tea Room, 7366 N. Paseo del Norte, Tucson, Series 12, Restaurant License, New License.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Chairman Elías, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing, approve the license subject to the Zoning Inspector’s Report which indicated that the property is zoned CR-1. This is not a permitted use or accessory use to a museum. This recommendation is to be forwarded to the State Liquor Control Board.

14. 09-16-8986, Randy D. Nations, Lee Lee Oriental Supermarket, 1990 W. Orange Grove Rd., Tucson, Series 9, Liquor Store License, Person Transfer, Location Transfer.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Day and unanimously carried by a 5 to 0 vote, to close the public hearing and approve the license, and forward the recommendation to the State Liquor Control Board. .

15. 09-17-8987, James Andrew Mack, Community Performing Arts Center, 1250 W. Continental Rd., Green Valley, Series 7, Beer and Wine Bar, New License.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Chairman Elías, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing, approve the license subject to the Zoning Inspector’s Report which indicated that the property is zoned RH. This requires the applicant to obtain a conditional use permit; or Pima County as property owner can claim a governmental exemption. The recommendation is to be forwarded to the State Liquor Control Board.

Extension of Premises/Patio Permit

16. Albert S. Hall, Jr., Acacia at St. Phillips, 4340 N. Campbell Ave., Suite 103, Tucson, Temporary Extension for September 13, 20; October 4, 11, 15 and 18, 2009.

On consideration it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5 to 0 vote, to close the public hearing and approve the item.

DEVELOPMENT SERVICES

Rezoning

17. Co9-08-23, CANOA NORTHWEST HOMEOWNERS ASSOCIATION – CAMINO DEL SOL REZONING

Request of CNSI Holdings, L.L.C., represented by The WLB Group, for a rezoning of approximately 25.5 acres from RH (Rural Homestead) to CR-1 (Single Residence), on property located at the intersection of Atascosa Peak and Bassett Peak Drives, approximately 2,000 feet west of Camino del Sol. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Membrila and Richey voted NAY; Commissioners Spendiarian and Smith were absent) to recommend **APPROVAL OF OPTION A, WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

Standard and Special Conditions

Completion of the following requirements within **five years** from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan and/or subdivision plat if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Condition:
 - A. No access shall be allowed onto Via Cielo Azul.
 - B. Direct access to lots on Atascosa Peak Drive shall be designed to be shared with adjacent lots to the maximum extent possible.
8. Flood Control Conditions:
 - A. Erosion hazard setbacks shall be established based on the requirements in the Floodplain and Erosion Hazard Management Ordinance (the Ordinance) in effect at the time of platting. The setbacks shall not be reduced below the Ordinance requirement.
 - B. Detention/Retention facilities shall be provided as stipulated in the Ordinance in effect at the time of platting. Detention facilities must be provided in Common Area even if the result is a reduction in the number of lots.

- C. Building envelopes for Lots 1-4, 10, 11 and 24-27 (according to the numbering shown on the Preliminary Development Plan) shall be shown in a surveyable manner on the Final Plat.
 - D. If the drainage analysis submitted at the time of platting indicates that culverts or other drainage infrastructure are necessary to provide all-weather access for any or all of the streets or driveways, engineering design for the crossings shall be provided prior to approval of the Tentative Plat. Details of the crossings shall be provided on the Tentative Plat, and private maintenance access easements for the extent of the culverts or other infrastructure shall be granted to the Homeowner's Association and shown in a surveyable manner on the Final Plat.
 - E. Riparian habitat shall be avoided. If an engineer can demonstrate that there is no feasible alternative to avoidance, a Riparian Habitat Mitigation Plan shall be submitted to the Water Resources Division of the Regional Flood Control District.
 - F. Water Resources Conditions:
 - i. The applicant shall submit a water conservation plan in conjunction with the tentative plat. Development Services and Regional Flood Control District must approve the water conservation plan prior to approval of the final plat. The plan shall include indoor and outdoor conservation measures and, if turf areas are allowed, indicate the maximum allowed turf area for each individual lot. The maximum turf area shall be included in the subdivision's recorded CC&R's.
 - ii. Low Intensity Development (LID) water harvesting should be incorporated into landscaping, paving, and parking lot designs to encourage use of stormwater to irrigate exterior areas and conserve use of groundwater.
9. Environmental Quality Conditions:
- A. As a condition of approval, the property owner(s) must connect to the public sewer system at the location and in the manner as specified by Wastewater Management at the time of review of the tentative plat, development plan or request building permit. On-site wastewater disposal shall not be allowed.
 - B. Prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet, an Air Quality Activity Permit shall be obtained.
10. Wastewater Management Conditions:
- A. The owner / developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.
 - B. The owner / developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner / developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - C. The owner / developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner / developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.

- E. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
- F. Upgrade Easements & Access:
The owner / developer shall provide all weather, unrestricted vehicular access to all new, existing and/or relocated public sewer manholes within the rezoning area. The owner / developer shall also bring all existing public sewer easements (and/or public utility easements containing public sewer lines) within the rezoning area into accordance with the most recent Pima County Wastewater Management Department's standards for such easements, as specified at the time of review of the tentative plat, development or request for a building permit is submitted for review.

11. Cultural Resources Conditions:

A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

12. Environmental Planning Conditions:

- A. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed herein. 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 rezoning site and Pima County may enforce this rezoning condition against the current and any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
- B. The following shall be incorporated into the recorded Private Subdivision Covenants, Conditions, and Restrictions (CC&Rs) that govern the Homeowners' Association (HOA) and the actions of private property owners within the Subdivision (Note: this section of the Special Condition may need to be applied at such time as either the existing CC&Rs are amended or new CC&Rs are created specifically for this rezoning area depending upon whether the rezoning site will be bought in under the existing CC&Rs for the existing Canoa Northwest development.)
 - i. Maintenance of Common Area by Association: The HOA shall be responsible for the removal of invasive non-native plant species, including those listed below, from Common Areas.
 - ii. Maintenance of Lots by Owners: Lot Owners shall keep private lots free of invasive non-native plant species, including those listed below.

Invasive Non-Native Plant Species Subject to Control

Ailanthus altissima	Tree of Heaven
Alhagi pseudalhagi	Camelthorn
Arundo donax	Giant reed

Brassica tournefortii	Sahara mustard
Bromus rubens	Red brome
Bromus tectorum	Cheatgrass
Centaurea melitensis	Malta starthistle
Centaurea solstitialis	Yellow starthistle
Cortaderia spp.	Pampas grass

Cynodon dactylon	Bermuda grass (excluding sod hybrid)
Digitaria spp.	Crabgrass
Elaeagnus angustifolia	Russian olive
Eragrostis spp.	Lovegrass (excluding E. intermedia, plains lovegrass)
Melinis repens	Natal grass
Mesembryanthemum spp.	Iceplant
Peganum harmala	African rue
Pennisetum ciliare	Buffelgrass
Pennisetum setaceum	Fountain grass
Rhus lancea	African sumac
Salsola spp.	Russian thistle
Schinus spp.	Pepper tree
Schismus arabicus	Arabian grass
Schismus barbatus	Mediterranean grass
Sorghum halepense	Johnson grass
Tamarix spp.	Tamarisk

13. A minimum of 50 feet of undisturbed area shall separate building pads on the northern lots numbered 24 - 27 on the PDP as presented at public hearing.
14. No lot shall be permitted with a disturbed area that would require an approved exception or variance to Pima County Zoning Code Chapter 18.61 Hillside Development Zone requirements in order to be constructed. This condition shall be reflected on the tentative and final plats.
15. No disturbed area on any lot shall be permitted that encroaches into riparian habitat as defined by Title 16 and for which the delineation is approved by the Regional Flood Control District. This condition shall be reflected on the tentative and final plats.
16. No disturbed area on any lot shall be permitted that encroaches into the erosion hazard setback as defined by Title 16 and for which the delineation is approved by the Regional Flood Control District. This condition shall be reflected on the tentative and final plats.
17. An average 40 foot strip of natural desert shall remain undisturbed on the west property line (patio walls are not permitted within the undisturbed area), excepting the area west of the existing model home, where disturbance shall be restricted to no more than exists at the time of the approval of the rezoning. This condition shall be reflected on the tentative and final plats.
18. The Canoa Northwest Lots 167-328 subdivision shall be revised to add two parcels (tax code numbers 304-68-003K and 304-68-003L) totaling approximately 26.49 acres to the Canoa Northwest subdivision as Natural Open Space to make up for the loss of the Natural Open Space on the subject property.
19. The split of the subject property from the Canoa Northwest Lots 167-328 subdivision plat shall be approved by the Board.
20. Building heights shall not exceed 24 feet.
21. Architectural designs shall promote the Southwestern style and architectural colors shall blend with the desert surroundings and the existing built environment.

22. Grading shall not exceed 18,000 square feet on any lot including grading for the main building, accessory structures, utilities and driveways. Driveways shall be shared between lots to the maximum extent possible.
23. There shall be no grading on any individual lot until building permits are approved for that individual lot.
24. The Homeowners' Association for the subdivision shall provide education and information about the negative effects of ambient lighting to homeowners within the subdivision and this requirement shall be a part by the subdivisions' recorded CC&R's.
25. The following conditions shall be required in support of County Sustainability Initiatives:
 - A. Employ water harvesting techniques with subdivision roadway design and individual grading on each individual lot. Direct roof runoff into landscaped areas using swales and micro basins to irrigate vegetation. Alternatively, use the water conservation techniques of the Pima County Green Building Program. In either case, the techniques shall be included in the water conservation plan required by Condition 9F.
 - B. The recorded private subdivision Covenants, Conditions, and Restrictions (CC&Rs) shall not prohibit and shall encourage the use of solar energy and other alternative energy sources shall be encouraged and not be prohibited by the CC&R's.
 - C. Each home shall be oriented for optimal solar orientation, to the maximum extent possible.
26. Adherence to the revised preliminary development plan, as approved at public hearing.
27. The owner/developer shall execute and record a document acceptable to the Pima County Department of Community Services indicating that the owner/developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.
28. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
29. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
30. There will be a minimum of 22 and a maximum of 27 lots. The 27 lots will be permitted only if during the platting process it can be demonstrated that the lots can be constructed without the need for a variance or exception.

Arlan Colton, Planning Official, presented an overview of this project and the four Options, A through D, that staff had given to the Planning and Zoning Commission for the development of the property. The original Option A that the Planning and Zoning Commission recommended to the Board approved the CR1 rezoning request, but limited the property to SR2 density yielding approximately 15 lots. The preliminary development plan submitted by the applicant showed 28 lots. Option B, which reflected what the applicant requested, would be discussed in more detail. Option C

reflected the recommendation of the Green Valley Community Coordinating Council which recommended approval with limitations of 22 lots and redesigning the lots at the northern and southern ends of the property. Option D was an alternative staff recommendation. The main difference between Options A and D, besides the number of units, was that Option D was created later when it was recognized that a road needed to be put through the proposed development to access a CR5 zoned property that would otherwise be landlocked.

Mr. Colton also reported staff has received 21 letters of protest, 3 petitions in opposition, 2 letters of support, and 6 people spoke at the Planning and Zoning Commission Hearing. Therefore, this item required a super majority vote because there is a protest of 22.3% by area and 23.7% by number within 300 feet. He stated that staff would like an opportunity to address proposed modifications after the petitioner spoke.

The Chairman stated that there were individuals who submitted cards but did not wish to speak, 2 who supported and 1 who opposed the rezoning. The following individuals addressed the Board:

- | | |
|------------------------------|--------------------|
| 1. Linda Strader | 5. Eddie Peabody |
| 2. Dick and Stephanie Loesch | 6. Ann Jones |
| 3. Frederick Lucia | 7. Jan Cochram |
| 4. Jim Mork | 8. Frederick Lucia |

They provided the following comments:

- A. No one has worked with the residents of Montana Vista.
- B. Constructing 28 homes on 36,000 square foot lots immediately adjacent to residences that are 2 to 12 acres in size would present a conflict with the rural lifestyle of Montana Vista and the urban density of Canoa Ranch.
- C. Do not allow 28 more homesites to be built when there so many lots that remain vacant and unattended in the area.
- D. Support Option A, as presented at the Planning and Zoning Hearing, and add provisions that require a setback of 40 foot natural buffers (inclusive of patio walls) between existing homeowners and the new development.
- E. Increased density would result in traffic congestion issues, more difficulty for emergency vehicles to access the area, would require utility cuts in the roadway and affect low pressure issues related to gas and water. Fairfield Homes needs to take responsibility for maintaining current levels of pressure.
- F. Fairfield had a right to develop their property, but they should build according to the existing RH zoning. Option A proposed an increase from 5 to 15 lots. This was more reasonable and should be the maximum density allowed.
- G. Major considerations when purchasing their property included aesthetics such as open space and nature. Support Option A if necessary.
- H. This development would enhance surrounding property values. The homes are nicer and will help offset the cost of maintaining the current facilities.

- I. The developer was well-known in Green Valley. Their properties hold their value and the project would provide employment opportunities.
- J. Oppose the rezoning request from RH to CR1 because of the negative effects on their community environment, all of which they paid a premium for when they bought their lots.
- K. The Canoa Sierra Subdivision entrance road and gate are private and are maintained at the homeowners expense. Fairfield should be responsible for helping with the road and gate maintenance.
- L. Some property owners felt that future use of the open space was not accurately disclosed or represented prior to purchasing their homes.

Mr. Frank Thompson, representative of Fairfield Homes and the WLB Group, provided an overview on the property and various owner and agency communications from 2000 to date. He explained the applicant's support of a modified Option B and stated that every house proposed there would encompass over 30 trades, 200 jobs and tax benefits for Pima County. In conclusion, he suggested modified conditions.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day to close the public hearing and to approve the Green Valley Coordinating Council's recommendation of 22 lots subject to standard and special conditions. No vote was taken at that time.

A substitute motion was made by Supervisor Bronson, seconded by Supervisor Valadez to close the public hearing and approve Option B, as revised, with a minimum of 23 and a maximum of 27 lots subject to modified standard and special conditions. Supervisor Bronson stated as part of her motion a maximum of 27 lots can be built only if during the platting process, it can be demonstrated that the lots can be constructed without a variance and subject to other special and standard conditions; and with the clarification as presented by the applicant.

Mr. Colton requested that additional modifications be made to the standard and special conditions, as read into the record. Frank Thompson responded to Mr. Colton's recommended modifications. It was agreed that Mr. Colton would provide the modified standard and special conditions to the Clerk for the record.

Supervisor Bronson stated that she would include the suggested changes by Mr. Colton and Mr. Thompson into the motion. When asked by Supervisor Carroll if she was rolling her motion back to the Coordinating Council's recommendation of a minimum of 22 lots, Supervisor Bronson acknowledged that she was.

The Chairman called for a roll call vote and the rezoning was unanimously approved by a 5 to 0 vote.

18. **TRANSPORTATION**

Traffic Ordinance

ORDINANCE NO. 2009 – 82, of the Board of Supervisors, establishing prima facie speed limits on La Cholla Boulevard in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 3)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5 to 0 vote, to approve the item and adopt Ordinance No. 2009-82.

19. **COMMUNITY SERVICES, EMPLOYMENT AND TRAINING**

Workforce Investment Act

RESOLUTION NO. 2009 - 214, of the Board of Supervisors, approving and authorizing the development and implementation of the American Recovery and Reinvestment Act, Workforce Investment Act, Local Plan Modification Program Year 2009 to operate a One-Stop Career Center System to provide assistance to County residents with employment and educational training.

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried to approve and adopt Resolution No. 2009-214.

20. **CONTRACTS AND AWARD**

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

1. Comin' Home, Inc., to provide outreach activities to homeless veterans, U.S. Department. of Labor-HVRP Grant Fund, contract amount \$67,291.00 (07-69-C-142281-0709)

B. **Facilities Management**

2. Cannon Parkin, Inc., d.b.a. Cannon Design, Amendment No. 6, to provide architectural and engineering services for the new Psychiatric Hospital and Urgent Care Center and amend contractual language, 2004 and 2006 Bond Funds, contract amount \$61,275.00 (15-13-C-138445-0806)
3. The Architecture Company, Amendment No. 6, to provide architectural and engineering services for the Animal Care Center Renovation/Addition Project and amend contractual language, 2004 Bond Fund, contract amount \$9,507.00 (15-13-A-137872-0306)

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

21. **Procurement**

A. **Award**

Low Bid Award of Contract, Requisition No. 1000032, in the amount of \$990,929.87 to the lowest responsive bidder, Eagle Rock Excavating, Inc., (Headquarters: Tucson, AZ) for the construction of the Camino Loma Alta: Via Rancho Del Lago to Via Sedan Project. The contract term is twenty-four months with the option to extend the term for contract completion.

Construction is to be complete within 110 working days from the Notice to Proceed. Funding Source: Development Impact Fees (Rincon Valley). Administering Department: Transportation.

B. **Sheriff**

RESOLUTION NO. 2009 - 215, approving an Intergovernmental Agreement with the Pima County Community College District, to provide the implementation and administration of the Adult Basic Education Program at the Adult Detention Center, Inmate Welfare Fund, contract amount \$133,390.95 (01-11-P-142275-0709)

On consideration, it was moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5 to 0 vote, to approve the award and adopt Resolution No. 2009-215.

22. **CALL TO THE PUBLIC**

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

23. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:40 a.m.