

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

April 7, 2009 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
- ... **EXECUTIVE SESSIONS**

Call to the Public (for Executive Session items only)

Public discussion and action may occur on the executive session items listed below during the regularly scheduled meeting.

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a request that Pima County waive a potential conflict of interest to allow Squire, Sanders and Dempsey, L.L.P., to represent Boeing and Texas Instruments on the Broadway Pantano Landfill matter.

Motion to accept County Attorney's Office recommendation (4/1)

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

Marana Apartments Ltd., Partnership v. Pima County
Tax Parcel No. 217-37-0630

Motion to accept Assessor and County Attorney's Office recommendation (5/0)

Arizona Tax Court Case No. TX2009-000110

Tucson Affordable Housing I Limited Partnership v. Pima County
Tax Parcel No. 111-08-470B
Arizona Tax Court Case No. TX2009-000109

Motion to accept Assessor and County Attorney's Office recommendation (5/0)

Cox Arizona Telecom, L.L.C. v. ADOR, et. al.
Arizona Tax Court Case No. TX2007-000015

Cox Arizona Telecom, L.L.C. v. ADOR, et. al.
Arizona Tax Court Case No. TX2007-000529

Motion to accept Attorney General's recommendation (5/0)

(Clerk's Note: See Zoning Enforcement Board of Appeals.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

A. **Mitigation Plan**

Staff requests approval of the Riparian Habitat Mitigation Plan for the Regional Wastewater Reclamation Department impacting important riparian areas needed for the proposed five mile long sewer pipeline to connect Roger Road Wastewater Reclamation Facility to the Ina Road Wastewater Reclamation Facility, which includes a financial contribution in the amount of \$33,172.00 to a Mitigation Bank. (District 3)

Motion carried to approve (5/0)

B. **Contracts**

1. Dolores A. Lusby, to provide a management agreement allowing use of the property for apiary purposes consisting of 35 hives/colonies on property located in Sections 21 and 28, T20S, R11E (Tax Parcel Nos. 302-56-002F and 003N) no cost (11-59-L-141798-0409)

Motion carried to approve (5/0)

2. RESOLUTION NO. 2009 – FC **2**, approving an Intergovernmental Agreement with the City of Tucson, **Pima County Flood Control District** and Pima County to provide for the transfer of property and delivery of effluent, no cost (01-03-T-141787-0409)

Motion carried to approve (5/0)

C. Sales Agreement and Warranty Deed

1. Sales Agreement with Tucson Electric Power Company for a three acre parcel to be used as an electrical substation located within Section 3, T19S, R313E, G&SRM. Revenue of \$78,000.00 (District 4)

Motion carried to approve as amended (5/0)

2. Warranty Deed to Tucson Electric Power Company in connection with the sale of a three acre parcel with the restriction to be used only as an electrical substation located within Section 3, T19S, R313E, G&SRM. (District 4)

Motion carried to approve as amended (5/0)

... LIBRARY DISTRICT BOARD

Special Warranty Deed

Special Warranty Deed from the City of Tucson to convey the Lewis C. Murphy Memorial Wilmot Library to the Pima County Library District. (District 4)

Motion carried to approve (5/0)

... STADIUM DISTRICT BOARD

Contract

CHISOX Tucson, L.L.C., Amendment No. 1, to provide information to assist Pima County in the exploration of youth and amateur baseball leagues and academies, no cost (12-57-C-141616-1208)

Motion carried to approve (5/0)

... ZONING ENFORCEMENT BOARD OF APPEALS

UNFINISHED BUSINESS (RM 2/5/08, RM 5/6/08, RM 6/3/08, RM 12/2/08 and RM 2/3/09)

A. Executive Session

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 No. P07ZV00518, O'Neil Trust, Suzie M. O'Neil and Twyla M. Coleman. The Board may also during the course of the hearing and upon motion, enter into executive session.

This item was informational only.

B. Appeal of Hearing Officer's Decision

P07ZV00518 – O'Neil Trust

In accordance with the Pima County Code 18.95.030.D, Twyla M. Coleman, Trustee of the O'Neil Trust, appeals the decision of the Hearing Officer in Case Nos. P07ZV00518-1 and P07ZV00518-2, regarding violations of the Pima County Zoning Code, Sections 18.01.030 and 18.25.030E, structure not meeting setback requirements in the CR-3 zone and structure (fence) erected without a building permit, on property located at 1340 W. Sol Place. (District 3)

Motion carried to uphold Hearing Officer's decision (4/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. **CONSENT CALENDAR:** For consideration and approval

A. **CALL TO THE PUBLIC**

B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve as amended except CC 1-I.28 (5/0)

6. **BOARD OF SUPERVISORS**

RESOLUTION NO. 2009 - 47, of the Pima County Board of Supervisors asking the Arizona Governor and Legislature to maintain or increase the original 2008-2009 State budget funding level in support of education.

Motion carried to approve (5/0)

7. **COUNTY ADMINISTRATOR**

A. **Department Revenue Increases**

Discussion/direction/action regarding recommended fee increases in the following categories: Natural Resources, Parks and Recreation, Solid Waste and Public Transit.

Without objection, continued to 4/14/09.

B. **Quarterly Management Report on Collections**

Staff recommends acceptance of the Quarterly Management Report on Collections for the period ending December 31, 2008 and approve the write-off request in the amount of \$7,484.00.

Motion carried to approve (5/0)

8. **CLERK OF THE BOARD**

Staff requests approval of the amendment to Board of Supervisors Policy, No. C 2.5, Agenda/Addendum Policy.

Motion carried to approve (5/0)

9. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

A. RESOLUTION NO. 2009 - 48, requesting Pima County support the Sahuaro Girl Scout Council's application for a \$10,000.00 grant for the Leadership Development Program from the 12% Local revenue-sharing contribution of the Pascua Yaqui Tribe.

Motion carried to approve (5/0)

B. RESOLUTION NO. 2009 - 49, authorizing Pima County to support the University Medical Center Foundation's application for a \$100,000.00 grant for construction of the Diamond Children's Medical Center from the 12% Local revenue-sharing contribution of the Pascua Yaqui Tribe.

Motion carried to approve (5/0)

10. **DIVISION OF ELECTIONS**

Pursuant to A.R.S. §48-1012(E), staff requests cancellation of the uncontested May 19, 2009 Recall Election against Donald Peetoom, Board member of the Marana Domestic Water Improvement Conservation District.

Motion carried to approve as amended (5/0)

*(Clerk's Note: This item should be heard after 10:00 a.m., after the bid opening.)

*11. **FINANCE AND RISK MANAGEMENT**

RESOLUTION NO. 2009 - 50, of the Board of Supervisors of Pima County, Arizona, providing for the issuance and sale of \$75,000,000.00 principal amount of Pima County, Arizona, General Obligation Bonds, Series 2009; providing for the annual levy of a tax for the payment of the bonds, providing terms, covenants and conditions concerning the bonds; accepting a bid for the purchase of the bonds; appointing an initial registrar and paying agent for the bonds; and declaring an emergency.

Motion carried to approve (5/0)

12. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

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

Texas Roadhouse Marana No. 204, Case No.: 2008-13. Proposed settlement amount is \$2,229.35.

Motion carried to approve (5/0)

TRANSPORTATION

13. **Acceptance of Projects/Roadways for Maintenance**

A. P1205-092, Outpost Preserve, Lots 1-12. Developer: Outpost Investments. (District 4)

Motion carried to approve (5/0)

B. P1205-019, Sonoran Ranch Estates II, Lots 213-309, 320-368, 409-430, 456,477, 496-510, 541-548 and 571-572. Developer: KB Homes. (District 3)

Motion carried to approve (5/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

14. 09-01-8971, Kim Kenneth Kwiatkowski, Circle K Store No. 1796, 3795 S. Palo Verde Road, Tucson, Series 10, Beer and Wine Store License, New License.

Motion carried to approve (5/0)

15. 09-02-8972, Carole Lynn Rial, American Legion Madera Post 131, 249 W. Esperanza Boulevard, Green Valley, Series 14, Club, New License.

Motion carried to approve (5/0)

16. 09-03-8973, Christa Lynne Benner, Silverticket Saloon, 4535 W. Valencia Road, Tucson, Series 6, Bar License, Person Transfer.

Motion carried to approve (5/0)

Fireworks Permit

17. Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, April 15, 2009 at 7:30 p.m.

Motion carried to approve (5/0)

Extension of Premises/Patio Permit

18. Jim C. Counts, Nimbus Brewing Co., L.L.C., 3850 E. 44th St., No. 138, Tucson, Temporary Extension of Premises for April 18, 2009.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 2/17/09)

Rezoning Ordinance

19. ORDINANCE NO. 2009- 10, Co9-08-08, Riverside Associates, et. al. – River Road No. 2 Rezoning. Owner: Riverview Ventures L.L.C., et. al. (District 1)

Motion carried to approve (5/0)

NEW BUSINESS

Rezoning

20. Co9-07-10, CARDINAL IRVINGTON HOMES L.L.C., – CARDINAL AVENUE REZONING

Request of Cardinal Irvington Homes, L.L.C., represented by Laidlaw Consulting, L.L.C., for a rezoning of approximately 14.42 acres from SH (Suburban Homestead) and TDR-RA (Transfer of Development Rights Receiving Area) to CR-4 (Mixed Dwelling Type) and TDR-RA (Transfer of Development Rights Receiving Area), on property located on the southwest corner of Cardinal Avenue and Irvington Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Co7-00-20. On motion, the Planning and Zoning Commission voted 8-1 (Commissioner Membrilla voted Nay; Commissioner Richey abstained; Commissioner Smith was absent) to recommend **DENIAL**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 5)

Without objection, continued to 5/12/09.

Appeal of Hearing Administrator Decision

21. P21-08-073, COY – W. EAGLE WAY

In accordance with Pima County Zoning Code Section 18.13.030B27, David Coy appeals the decision of the Hearing Administrator in Case No. P21-08-073, denial of a Type I Conditional Use Permit for a Commercial Kennel at 1715 W. Eagle Way, in an RH zone. Chapter 18.97, in accordance with of the Pima County Zoning Code, 18.13.030B27, allows a Commercial Kennel as a Type I Conditional Use in the RH zone. The Hearing Administrator recommends **DENIAL**. (District 3)

Motion carried to uphold Hearing Administrator's decision (5/0).

Conditional Use Permits

22. P21-09-005, UNISOURCE ENERGY CORPORATION – NORTH REBECCA AVENUE

Commscapes, applicant, on property at 2550 N. Rebecca Avenue in a SR zone, requests a conditional use permit for a communication tower. Chapter 18.97, in accordance with Section 18.07.030H2d of the Pima County Zoning Code, allows a communication tower as a Type III Conditional Use in the SR zone. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Spendiarian and Smith were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

Motion carried to continue to 5/5/09 (5/0).

23. P21-09-001, HERNANDEZ – N. LA CHOLLA BLVD.

Jenna Hernandez, represented by Stubbs & Schubart, on properties located at 9811, 9813 and 9815 N. La Cholla Blvd., in the SR zone, requests a Conditional Use Permit for a Commercial Riding Stable and School. Chapter 18.97, in accordance with Section 18.17.030C1 of the Pima County Zoning Code, allows a Commercial Riding Stable and School as a Type II Conditional Use in the SR zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (4/1)

Rezoning Ordinance

24. ORDINANCE NO. 2009 - 29, Co9-08-17, Via Latigo 5651 L.L.C., – Las Lomitas Road Rezoning. Owner: Via Latigo 5651 L.L.C. (District 1)

Motion carried to approve (5/0)

25. **Rezoning Resolutions**

- A. RESOLUTION NO. 2009 - 51, Co9-87-20, Executive Property Development, et. al. – La Canada Drive Rezoning. Owners: Malvern Investors, Inc. (District 1)

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2009 - 52, Co9-00-50, Fishkind et. al. – Oracle Road Rezoning. Owners: Fishwell, L.L.C. (District 1)

Motion carried to approve (5/0)

- C. RESOLUTION NO. 2009 - 53, Co9-00-63 La Cholla Investments, L.L.C. - La Cholla Boulevard No. 2 Rezoning. Owners: Arizona La Cholla, L.L.C. (District 1)

Motion carried to approve (5/0)

Street Name Changes

- | | | |
|-----|---|---------------------------------------|
| 26. | <u>Present</u>
Unnamed Easement
Co14-08-007
(District 3) | <u>Proposed</u>
Flybuoy Ranch Road |
|-----|---|---------------------------------------|

Motion carried to approve (5/0)

- | | | |
|-----|---|-------------------------------------|
| 27. | <u>Present</u>
Unnamed Easement
Co14-09-002
(District 3) | <u>Proposed</u>
Running Back Way |
|-----|---|-------------------------------------|

Motion carried to approve (5/0)

28. **ENVIRONMENTAL QUALITY**

Solid Waste Fee Schedule

ORDINANCE NO. 2009 - 30, an ordinance of the Pima County Board of Supervisors, relating to solid waste; repealing the existing fee schedule for Pima County's landfills and transfer stations, revoking existing fee waivers, and adopting a new fee schedule for Pima County's landfills and transfer stations.

Without objection, continued to 5/5/09.

29. **FINANCE AND RISK MANAGEMENT**

Pima County Code Text Amendment

ORDINANCE NO. 2009 - **31**, of the Board of Supervisors of Pima County, Arizona, relating to settlement of claims; amending Section 3.04.120 of the Pima County Code to increase the dollar limits of legal claims that can be settled by County Risk Management, the County Attorney and the County Administrator.

Motion carried to approve (5/0)

30. **RECORDER**

Fee Schedule

ORDINANCE NO. 2009 - **32**, an ordinance of the Board of Supervisors of Pima County, Arizona, establishing fees for election related services, voter registration data and recorded document services provided by the Pima County Recorder.

Motion carried to approve (5/0)

TRANSPORTATION

Traffic Ordinances

31. ORDINANCE NO. 2009 - **33**, of the Pima County Board of Supervisors prohibiting vehicles greater than 12,000 pounds Gross Vehicle Weight Rating from using Hacienda Del Sol Road from River Road to Sunrise Drive as a thru street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5/0)

32. ORDINANCE NO. 2009 - **34**, of the Pima County Board of Supervisors, establishing prima facie speed limits on Freeman Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5/0)

Traffic Resolution

33. RESOLUTION NO. 2009 - **54**, of the Board of Supervisors of Pima County, Arizona, temporarily closing Kinney Road in Pima County, for the Everyone Runs 10 Kilometer (6.2 Miles) Race on Sunday, July 12, 2009. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (5/0)

34. **CALL TO THE PUBLIC**

35. **ADJOURNMENT**

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

DATE POSTED: 4/1/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, APRIL 7, 2009

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. RESOLUTION NO. 2009 - 40, approving an Intergovernmental Agreement with the Arizona Department of Housing, to provide for Pima County's Homeless Management Information System, Arizona Department of Housing Fund, contract amount \$25,000.00 revenue (01-70-A-141816-0409)
2. RESOLUTION NO. 2009 - 41, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the Masonic Student Assistance Program, Pascua Yaqui Tribe Fund, contract amount \$12,677.07 revenue (01-70-P-141821-0409)
3. RESOLUTION NO. 2009 - 42, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the American Red Cross Southern Arizona Chapter, Pascua Yaqui Tribe Fund, contract amount \$100,000.00 revenue (01-70-P-141822-0409)
4. RESOLUTION NO. 2009 - 43, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the Strength Building Partners Mentoring Program, Pascua Yaqui Tribe Fund, contract amount \$80,000.00 revenue (01-70-P-141823-0409)

B. County Administrator

5. United Way of Tucson and Southern AZ, Inc., to provide the organization and operation of the County Annual Employee Combined Appeal Program for fiscal year 2008-2009, General Fund, contract amount \$73,893.00 (07-30-U-141815-0708)

C. Economic Development and Tourism

6. Ajo Community Golf Course, to provide a cooperative agreement to operate, manage and maintain the golf course in Ajo, AZ. as a golf recreation for the general public, contract amount \$50.00 revenue (23-71-A-141844-0409)

D. Environmental Quality

7. Arizona Department of Environmental Quality, Amendment No. 11, to provide for the investigation and monitoring of private wells in the vicinity of Tucson International Airport and extend the contract term to 6/30/10, ADEQ Fund, contract amount \$2,000.00 revenue (01-51-A-123566-1097)

E. Health Department

8. Arizona Department of Health Services, Amendment No. 2, to provide supplemental foods, nutrition education and client referrals to other health and social service agencies, WIC Grant Fund, contract amount \$110,448.00 revenue (01-01-A-140164-1007)

F. ~~Natural Resources, Parks And Recreation~~ Economic Development and Tourism

9. Pima Motorsports Partners, Inc., Amendment No. 1, to provide a lease and operating agreement for the County's Pima Motorsports Park Facility and expand the boundaries of the park, no cost (04-05-P-138285-0706)

G. Office of Court Appointed Counsel

10. Brick P. Storts, III, Amendment No. 3, to provide post-conviction relief panel attorney services, General Fund, contract amount \$150,000.00 (17-74-S-136417-0705)
11. David Alan Darby, Amendment No. 4, to provide first degree murder panel attorney services, General Fund, contract amount \$200,000.00 (17-74-D-136451-0705)
12. Alegria Investigations, Amendment No. 4, to provide investigator services, General Fund, contract amount \$225,000.00 (07-74-A-137124-0905)
13. Erik Godtlibsen Investigations, Amendment No. 3, to provide investigator services, General Fund, contract amount \$125,000.00 (07-74-G-137127-0905)
14. Ken Sanders, Amendment No. 3, to provide juvenile attorney panel services, General Fund, contract amount \$200,000.00 (17-74-S-137188-0705)

H. Pima Health System

15. NSI - Nursing Service, Inc., Amendment No. 11, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$600,000.00 (18-15-N-134378-0704)
16. Presidio Surgical Group, P.C., Amendment No. 5, to provide surgery services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-P-135766-0405)
17. Arizona Oncology Associates, P.C., Amendment No. 5, to provide Oncology (Radiation, Medicine) and PET/CT Scans Services, extend contract term to 2/28/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-135931-0405)
18. DVA Renal Healthcare, Inc., Amendment No. 4, to provide dialysis services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-135983-0505)
19. American Associated Druggists, Inc., d.b.a. United Drugs, Amendment No. 3, to provide pharmacy benefit management services, extend contract term to 3/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (07-15-A-136077-0405)
20. Cholla Pediatrics, P.C., Amendment No. 2, to provide primary care physician (pediatric) services, extend contract term to 4/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-137763-0506)
21. Arizona Inpatient Medicine Associates, L.L.C., Amendment No. 1, to provide hospitalist rounding services, extend contract term to 1/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-A-139078-0107)
22. Catalina Village Assisted Living, L.P., Amendment No. 3, to provide assisted living center services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-140510-1007)

I. Procurement

23. Sellers & Sons, Inc., Amendment No. 4, to provide Job Order Contract: Lighting Services and extend contract term to 4/3/10, 10% General Fund, 40% 1997 Bond Fund and 50% 2004 Bond Fund, contract amount \$750,000.00 (26-05-S-137934-0406) Natural Resources, Parks & Recreation

- 24. Poster Frost Associates, Inc., Amendment No. 3, to provide professional planning services for Historic Fort Lowell Park Master Plan and Restoration Plan and extend contract term to 12/31/09, no cost (07-73-P-140842-0408) Public Works, Cultural Resources Office

Awards

- 25. Low Bid: Award of Contract, Requisition No. 0901433, in the amount of \$487,116.00 to the lowest responsive bidder, Division II Construction Company, Inc. (Headquarters: Tucson, AZ) for the base bid with no alternates for complete construction of a pediatric health clinic addition and parking lot expansion at the existing Continental Family Medical Center located at 1260 S. Campbell Rd., Green Valley, AZ. The contract is for a nine-month period and may be extended for project completion. Funding Source: 2004 General Obligation Bond, \$304,448.00; and United Community Health Center-Maria Auxilladorea, Inc., \$182,668.00. Administering Department: Facilities Management.
- 26. Amendments to Award of Contracts as listed below to provide copier maintenance, parts and supplies, extend contract term to 6/30/10, amend contractual language and increase aggregate contract amount by \$250,000.00. Funding Source: General Fund. Administering Department: Procurement.

<u>Contractor</u>	<u>Contract No.</u>	<u>Amend. No.</u>	<u>Annual Award</u>
IKON Office Solutions, Inc.	B502816	5	\$216,801.00
Kachina Business Solutions, L.L.C.	B502819	3	\$ 33,199.00

- 27. Amendment of Award: Spillman Technologies, Inc., Blanket Contract No. B505241, No. 2, to provide maintenance and support for the Sheriff's Department Spillman Software in the amount of \$42,000.00. Funding Source: General Fund. Administering Department: Sheriff.
- 28. Amendment of Award: American Traffic Solutions, Inc., B506226, No. 1 to provide a Photo Traffic Enforcement Program, revise the scope of services and amend contractual language, no cost. Funding Source: General Fund. Administering Department: Sheriff.

Motion carried to approve (3/2)

- 29. Highest Ranked: Award of Contract, Requisition No. 0802654, in the amount of \$60,837,050.00 to Motorola, Inc. (Headquarters: Schaumburg, IL) for the PCWIN Voice Radio System. The award amount includes implementation, 5-year maintenance and anticipated Pima County and City of Tucson Public Works Department subscribers. Contract is for a five-year term and includes three additional five-year renewal periods. The

renewal is for the system maintenance services. Funding Source: 2004 General Obligation Bond Fund; Federal Grants; PCWIN Participants Various Funds. Administering Department: Sheriff.

J. Real Property

30. Sun and Shield Baptist Church, to provide a Restrictive Covenant voluntarily restricting development of an archaeological site determine eligible by the State Historic Preservation Office. Open dated contract (11-73-S-141835-0409) Public Works, Cultural Resources Office

K. Regional Wastewater Reclamation

31. RESOLUTION NO. 2009 - 44, approving an Intergovernmental Agreement with the Arizona Board of Regents on behalf of the University of Arizona, to provide membership and cooperative effort to support an Industry/University Cooperative Research Center for Water Quality, RWR Enterprise Fund, contract amount \$30,000.00 (01-03-A-141779-0409)
32. RESOLUTION NO. 2009 - 45, approving an Intergovernmental Agreement with the City of Tucson, Pima County Flood Control District and **Pima County** to provide for the transfer of property and delivery of effluent, no cost (01-03-T-141787-0409)
33. Pomegranate Farms I, L.L.C., to provide a Connection Fee Credit Agreement for completion of project upgrades, contract amount \$1,237,318.63 credit (14-03-P-141836-0409)

L. Sheriff

34. RESOLUTION NO. 2009 - 46, approving an Intergovernmental Agreement with the Arizona Criminal Justice Commission, to provide for support of the High Intensity Trafficking Area Program and the operational objectives of Domestic Highway Interdiction, Federal Grant Fund, contract amount \$80,000.00 revenue (01-11-A-141838-1007)
35. Arizona Board of Regents, U of A Veterinarian Diagnostic Labs, Amendment No. 1, to provide animal necropsy and expert testimony services in the investigation of felony animal cruelty cases, extend contract term to 2/28/10 and amend contractual language, General Fund, no cost (01-11-A-140767-0308)

M. Transportation

36. Town of Marana, Amendment No. 1, to provide sharing of costs involved in the provision of public transit services to certain areas of Pima County

and the Town of Marana (increase of funding for the Fiscal Year of 2008-2009), contract amount \$25,777.44 revenue (01-04-M-139779-0706)

2. BOARD OF SUPERVISORS

Approval of the Board of Supervisors' Meeting Schedule for the period of May through August 2009.

3. DIVISION OF ELECTIONS

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

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Wagner, Gregory M.	241	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Joiner, Ronald S.	006	REP
Fisher, Robert G.	016	DEM
Wagner, Gregory M.	017	DEM
Corella, Irene A.	023	REP
Hammon, Joseph M.	060	DEM
Kafka, Linus B.	061	DEM
Collins, Stacey B.	064	REP
Freiman, Scott	064	REP
Jefferies, James J.	093	DEM
Selby, Robert M.	097	DEM
Guzman, Dennis R.	108	REP
Salzman, Virginia H.	115	REP
Hallstrom, David E.	116	REP
Goldin, Sarah B.	117	REP
Dutiel, Curtis R.	127	DEM
Diaz, Paul S.	134	DEM
Reuter, Wendy M.	183	REP
Thibault, Josephine A.	183	REP
Paton, Jonathan	194	REP
Junker, Lawrence A.	203	REP
Lewelling, James D.	206	REP
Nelson, Colleen G.	222	REP
Nelson, Timothy W.	222	REP
Tims, Robert E.	227	REP
Buck, Clarine G.	257	REP
Kelly, Jesse N.	261	REP
Wallace, Susan T.	262	REP
Festian, Janis T.	263	REP
Martinez, Arlene E.	273	REP
McCormick, James M.	278	REP
McCormick, Jo A.	278	REP
Deppisch, Ludwig M.	283	REP
Kwasman, Adam	283	REP
Escobar, Georgette I.	287	DEM
Woodburn, David L.	296	REP
Schultz, Geoffrey K.	316	REP
Cox, John	323	REP

Hoyne, Virginia B.	329	REP
White, Claudia	336	REP
White, Walter	336	REP
Tureaud, Jeanelle L.	349	REP
Jensen, Claudia M.	361	REP
Jensen, Thomas C.	361	REP
Buccino, Maria C.	366	DEM
Zitkus, Kristi S.	366	REP
Riley, Berta	388	REP
Webb, Earl W.	388	REP
Webb, Lucille G.	388	REP
Nepusz, Anthony J.	389	REP
Bee, Grace	393	REP
Bee, Timothy	393	REP
Kobayashi, Leah D.	394	REP
Rodriguez, Alex J.	394	REP

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

A. **Design Review Committee**

Appointment of Don Laidlaw to replace Barbee Hanson. Term expiration: 3/31/12. (Staff recommendation)

B. **Metropolitan Education Commission**

Appointment of Bill Holmes, at-large, to replace Pat Wiedhopf. Term expiration: 12/31/09. (Commission recommendation)

Reappointments of Dr. Paul Kohn, University of Arizona representative; and Maria Hooker, minority group representative; Term expirations: 12/31/11. (Commission recommendations)

C. **Pima County Board of Health**

Reappointments of Charles David Stopani and Kwang Chun An. Term expirations: 3/31/13. (District 4)

D. **Pima County/Tucson Women's Commission**

Appointment of Anna Harper to replace Michele Roland-Schwartz. Term Expiration: 12/31/12. (District 5)

E. **Regional Wastewater Reclamation Advisory Committee**

Reappointment of Ann-Marie Wolf. Term expiration: 3/1/12. (District 5)

F. **Small Business Commission**

Appointment of Lyra Done to fill the unexpired term of Lea Marquez-Peterson. Term expiration: 4/30/11. (District 1)

G. **State Board of Equalization**

Reappointment of Michael Ebert. Term expiration: 12/31/12. (District 4)

H. **Technical Review Committee**

Appointment of Don Laidlaw to replace Barbee Hanson. Term expiration: 3/31/12. (Staff recommendation)

5. **JUSTICE AND LAW ENFORCEMENT**

Superior Court: Judge Pro Tempore

Appointment of Barbara C. Sattler as Judge Pro Tempore of Pima County Superior Court for the period of March 12, 2009 through June 30, 2009.

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

A. Pamela Clark-Raines, StrengthBuilding Partners, 4280 N. Campbell Avenue, Tucson, April 24, 2009.

B. Margaret Carson Romano, Ara Parseghian Medical Research Foundation, 2905 E. Skyline Drive, Tucson, May 8, 2009.

C. Joseph E. Martinez, VFW Post 3578, 1764 N. 2nd Avenue, Ajo, March 28, 2009.

D. Grace Louise Reed, VFW No. 10254, 10111 S. Sasabe Highway, Tucson, April 18, 2009.

E. Patrick S. West, St. Rita in the Desert Catholic Church, 11351 Colossal Cave Road, Tucson, April 17, 2009, and April 18, 2009.

F. Richard Poirier, Knights of Columbus, 300 N. Tanque Loop Road, Tucson, April 4, 2009.

G. Meredith Moore, Humane Society of Southern AZ, Inc., 2950 N. Camino Principal, Tucson, May 1, 2009.

7. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of February 2009.

8. REAL PROPERTY

A. Ratification of Utility Easements

After review and concurrence by the County Administrator, the following easements were granted to utility companies and other entities to serve Pima County owned property or to benefit Pima County projects in accordance with Pima County Resolution No. 1979-48. (All Districts)

Easement Type/ Ease No.	Utility Company/Grantee	County Facility Served	Recording Date	Docket/ Page
Sewer/ 03-09	Carden School	Flowing Wells Park	9/4/03	12128/30
Sewer/ 03-09	Carden School	Flowing Wells Park	9/4/03	12128/27
Electric/ 07-04	Trico Electric Cooperative, Inc.	Solid Waste Facility	4/5/07	13027/1849
Electric/ 07-23	Tucson Electric Power	Roger Rd WWTF	1/24/08	13228/99
Electric/ 07-25	Tucson Electric Power	Rillito Soccer Field	1/9/08	13218/465
Electric/ 08-07	Tucson Electric Power	Flowing Wells Library	3/27/08	13272/4521
Electric/ 07-15	Tucson Electric Power	Ina Road WWTP	6/22/07	13082/3629
Electric/ 07-20	Tucson Electric Power	Children's Advocacy Ctr.	11/2/07	13174/3381
Electric/ 07-21	Tucson Electric Power	Marana Library	11/2/07	13174/3378
Water/ 07-22	Town of Marana	Marana Library	11/8/07	13178/841
Electric/ 08-11	Sulphur Springs Valley Electric	Empirita Ranch	9/9/08	13387/1675
Electric/ 08-16	Tucson Electric Power	Tucson Electric Park	10/21/08	13417/2107

B. Sales Agreement and Warranty Deed

1. Sales Agreement with Tucson Electric Power Company for a three acre parcel to be used as an electrical substation located within Section 3, T19S, R313E, G&SRM. Revenue of \$78,000.00 (District 4)
2. Warranty Deed to Tucson Electric Power Company in connection with the sale of a three acre parcel with the restriction to be used only as an electrical substation located within Section 3, T19S, R313E, G&SRM. (District 4)

9. **TRANSPORTATION**

Permission to Advertise

Establishment of Public Roads: River Road, Alvernon Way and East River Road May 5, 2009

Establishment No. 3003 (Districts 1 and 3)

10. **PROCLAMATION**

Proclaiming the day of May 7, 2009, to be:

“NATIONAL DAY OF PRAYER”

11. **RATIFY AND/OR APPROVE**

Minutes: February 10, 2009

Warrants: March, 2009

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

April 7, 2009 9:00 a.m.

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

The Bridges at Park Avenue Development Agreement

RESOLUTION NO. 2009 - FC **3**, of the Board of Directors of the Pima County Regional Flood Control District, approving and authorizing the execution of a Development Agreement with 5151 East, L.L.C., and Tucson Retail, L.L.C., for the construction of detention and drainage improvements within the development known as "The Bridges at Park Avenue."

Motion carried to approve (5/0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. BOARD OF SUPERVISORS

Dedicate Field No. 1 at George Mehl Family Foothills Park in honor of Paul Brown.
(District 1)

Motion carried to approve (5/0)

2. TRANSPORTATION

Contracts

A. United States Department of Energy, Western Area Power Administration, to relocate twenty-one steel monopole structures to allow for widening of the La Canada Drive project, RTA and Impact Fee Funds, contract amount \$2,883,500.00 (11-04-U-141877-0409)

Motion carried to approve (5/0)

- B. Regional Transportation Authority, Amendment No. 3, to provide transportation improvements for the La Canada Drive: Ina Road to Calle Concordia segment and amend scope of work, RTA Fund, contract amount \$20,499,050.00 revenue (01-04-R-139065-0107)

Motion carried to approve (5/0)

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

A. **Board of Adjustment, District 3**

Reappointments of Marsha Mendelsohn, Eric Greeson and Carol Klamerus. Term expiration: 3/31/12. (District 3)

Motion carried to approve (5/0)

B. **Tucson-Pima County Historical Commission**

Reappointment of Betina Lyons. Term expiration: 12/31/12. (District 4)

Motion carried to approve (5/0)

C. **Housing Commission**

Reappointment of Scott Place and Brad Smith. Term expiration: 12/31/12. (District 4)

Motion carried to approve (5/0)

D. **State Board of Equalization**

Appointment of Greg Geile to replace Charles Hale. Term expiration: 12/31/12. (District 4)

Motion carried to approve (5/0)

E. **Regional Wastewater Reclamation Advisory Committee**

Appointment of William L. Katzel to replace John Sawyer. Term expiration: 3/1/13. (District 4)

Motion carried to approve (5/0)

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

DATE POSTED: 4/3/09

TIME POSTED: 11:00 A.M.