

MINUTES, LIBRARY DISTRICT BOARD

AUGUST 3, 2010

The Pima County Library District Board met in regular session at the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 3, 2010. Upon roll call, those present and absent were as follows:

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

Arizona State Library, Archives and Public Records, to provide for the printing of the Southwest Books of the Year for the term 7/5/10 to 8/1/11, LSTA Grant Fund, contract amount \$4,000.00 revenue (02-66-A-143129-0710)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the contract.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:35 a.m.

MINUTES, STADIUM DISTRICT BOARD

AUGUST 3, 2010

The Pima County Stadium District Board met in regular session at the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 3, 2010. Upon roll call, those present and absent were as follows:

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

Absent Ray Carroll, Member

1. **CONTRACT**

Heinfeld, Meech and Co., P.C., Amendment No. 2, to provide for Stadium District audit services, extend contract term to 7/30/11 and amend contractual language, Stadium District Fund, contract amount \$19,500.00 (07-09-H-141161-0708)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve the contract.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:35 a.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

AUGUST 3, 2010

The Pima County Board of Supervisors met in regular session in its regular meeting place at Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 3, 2010. Upon roll call, those present and absent were as follows:

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

Absent Ray Carroll, Member

1. **INVOCATION**

The invocation was given by Pastor La'Tresa M. Jester, Gideon Missionary Baptist 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. **PRESENTATIONS/PROCLAMATIONS**

Presentation of a proclamation to Yomy Diaz from Safe Kids Tucson, and Tracy Koslowski from both Safe Kids Tucson and Drexel Heights Fire District, proclaiming the month of August 2010, to be:

“DROWNING IMPACT AWARENESS MONTH IN PIMA COUNTY”

Supervisor Bronson presented the proclamation to Yomy Diaz and Tracy Koslowski who expressed their gratitude for the Board's support of the program and urged everyone to wear purple ribbons and talk about water safety during the month of August.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Alfred Skorupski, Executive Director of Catalina Community Services, in recognition of his contributions and accomplishments. (District 1)

Supervisor Day presented the proclamation. Mr. Skorupski thanked the Board and all the people he had worked with that made a difference in our community.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

6. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Marnie Green, Amy Alvillar, Taylor Griffin, Shane Adams, April Reinhold and Heather McRae, Catalina Community Pool Lifeguards, in recognition of their commitment to their jobs and the safety of the public.

Supervisor Day presented the proclamation and expressed her gratitude for the lifeguards quick response during a traffic emergency on Oracle Road next to the Catalina Community Pool.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

7. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Zachary Mullins, Corbin Webb, Andrew Enriquez, Daniel Shipley, Fabian Zazueta, Julianne Walker and Chris Wilkenson, Picture Rocks Community Pool Lifeguards, in recognition of their commitment to their jobs and the safety of the public.

Supervisor Bronson presented the proclamation and acknowledged the lifeguards role in responding to a water emergency at the Picture Rocks Community Pool.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

8. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Kathleen Nabours and Sharon Chadwick from the Tucson – Pima County Historical Commission, proclaiming the month of August and the day of August 20, 2010, to be:

“THE 235TH ANNIVERSARY OF THE CITY OF TUCSON”

Supervisor Elías presented the proclamation to Kathleen Nabours. Ms Nabours thanked the Board and encouraged everyone to participate in the festivities during the month.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the proclamation.

9. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Sheila Tobias from the Pima County - Tucson Women's Commission, proclaiming the day of August 26, 2010, to be:

"WOMEN'S EQUALITY DAY"

Chairman Valadez presented the proclamation to Sheila Tobias who thanked the Board for their recognition.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve the proclamation.

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

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

Elizabeth Webb, President of the Empire Fagan Coalition, spoke on the Subdivision Plat Waiver for PPW-10-01, Avery, et. al., - Old Sonoita Highway. Ms. Webb requested that appropriate public outreach happen at the onset of planning and not after decisions have already been made. She provided the Board with additional conditions she hoped would be taken into consideration.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, that the Board convene to Executive Session at 9:55 a.m.

11. **RECONVENE**

The meeting reconvened at 10:35 a.m. All members were present.

12. **LITIGATION**

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 Mesch, Clark and Rothschild to represent Perin and Dee Mawhinney with respect to a claim against Pima County.

Chris Straub, Chief Civil Deputy County Attorney, stated the waiver was at the discretion of the Board.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to waive the potential conflict of interest.

13. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding San Joaquin Land Investments, L.L.C.'s offer to compromise claim related to two 2007 Comprehensive Plan Amendments.

Chris Straub, Chief Civil Deputy County Attorney, stated the item concerned an offer to compromise that arose from the adoption of two Comprehensive Plan Amendments in 2007. The proposal would involve the exchange of land located near San Joaquin Rd. and Old Ajo Highway for County-owned land near the Twin Peaks, 1-10 Interchange and would require the County to initiate the rezoning process with respect to a portion of the Twin Peaks parcel. The County Attorney's office sought direction regarding the land exchange.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to pursue the land exchange as discussed in executive session.

14. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the Subdivision Plat Waiver for PPW-10-01, Avery, et. al., - Old Sonoita Highway.

Chris Straub, Chief Civil Deputy County Attorney, stated this item was informational only.

15. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a reinsurance claim against Arizona Health Care Cost Containment System (AHCCCS).

Chris Straub, Chief Civil Deputy County Attorney, explained this was a claim against Arizona Health Care Cost Containment System (AHCCCS) for denial of reimbursement for the use of a particular drug therapy to treat a child suffering from a rare disorder. The County Attorney's Office requested authority to proceed with the appeal of the AHCCCS determination and to retain outside counsel as discussed in executive session.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote to ratify appeal and retain outside counsel as discussed in executive session.

16. LITIGATION

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

Chris Straub, Chief Civil Deputy County, indicated the following recommendations were provided to the Clerk of the Board, as recommended by their office and the Pima County Assessor, Bill Staples:

A. Sue Hill v. Pima County

Arizona Tax Court Case No. ST2009-001831, Tax Parcel No. 214-18-0940.

It was recommended for tax year 2010, to reduce the FCV from \$200,000.00 to \$150,000.00 and for tax year 2011, to reduce the FCV from \$200,000.00 to \$135,000.00. The 2011 FCV would not rollover for tax year 2012.

B. Danaco Properties, Inc. v. Pima County

Arizona Tax Court Case No. ST2009-001624, Tax Parcel No. 134-16-1970.

It was recommended for tax year 2010, to reduce the FCV from \$730,000.00 to \$510,000.00. The FCV would not rollover for tax year 2011.

C. Jason and Lynsey Hanna v. Pima County

Arizona Tax Court Case No. ST2009-001281, Tax Parcel No. 134-05-0370.

It was recommended for tax year 2009, to reduce the FCV from \$175,907.00 to \$140,000.00 and for tax year 2010, to reduce the FCV from \$161,431.00 to \$140,000.00. The 2010 FCV would not rollover for tax year 2011.

D. Francisco Romo v. Pima County

Arizona Tax Court Case No. ST2009-001280, Tax Parcel No. 120-03-010B.

It was recommended for tax year 2009, to reduce the FCV from \$124,140.00 to \$78,000.00 and for tax year 2010 to reduce the FCV from \$105,422.00 to \$78,000.00. The 2010 FCV would not rollover for tax year 2011.

E. Thomas and Rose Veneklasen v. Pima County

Arizona Tax Court Case No. ST2009-001711, Tax Parcel No. 127-09-104B.

It was recommended for tax year 2010, to reduce the FCV from \$444,406.00 to \$310,000.00. The FCV would rollover to 2011.

F. Jesus Estupinian v. Pima County

Arizona Tax Court Case No. TX2009-000720, Tax Parcel No. 140-20-024D.

It was recommended for tax year 2010, to reduce the FCV from \$1,860,000.00 to \$1,500,000.00 and for tax year 2011, to reduce the FCV from \$1,860,000.00 to \$1,320,000.00. The FCV would not rollover for 2012.

G. Marshall and Reynolds v. Pima County

Arizona Tax Court Case No. TX2009-000336, 9 parcels beginning with Tax Parcel No. 216-23-070F, G, N, Q, R, S, U and V.

Parcel No. 216-23-070F

Tax Year 2009, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$56,100.00 to \$30,000.00

Parcel No. 216-23-070G

Tax Year 2009, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$56,100.00 to \$30,000.00

Parcel No. 216-23-070N

Tax Year 2009, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$50,650.00 to \$30,000.00

Parcel No. 216-33-070Q

Tax Year 2009, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$55,000.00 to \$30,000.00

Parcel No. 216-33-070R

Tax Year 2009, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$55,000.00 to \$30,000.00

Parcel No. 216-33-070S

Tax Year 2009, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$100,000.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$55,550.00 to \$30,000.00

Parcel No. 216-33-070U

Tax Year 2009, to reduce the FCV from \$98,089.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$98,089.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$53,900.00 to \$30,000.00

Parcel No. 216-33-070V

Tax Year 2009, to reduce the FCV from \$92,633.00 to \$50,000.00

Tax Year 2010, to reduce the FCV from \$92,633.00 to \$50,000.00

Tax Year 2011, to reduce the FCV from \$52,250.00 to \$30,000.00

- H. Mitchell Giddens, Jr. v. Pima County
Arizona Tax Court Case No. ST2010-000106, Tax Parcel No. 104-03-4230.

It was recommended for tax year 2011, to reduce the FCV from \$130,000.00 to \$102,082.00. The FCV would not rollover for 2012.

- I. Willow Bridge, L.L.C., v. Pima County
Arizona Tax Court Case No. TX2009-001069, 157 parcels beginning with Tax Parcel No. 217-27-004B, 217-27-004C, 217-27-0150, 217-27-4960 through 5590, and 5630 through 6520.

For tax year 2009, dismiss cases from lawsuit.

For tax year 2010, parcel 004B was noticed at \$581,456.00, parcel 004C was noticed at \$5,009.00, and parcel 0150 was noticed at \$795,609.00. The remaining parcels were noticed at \$12,501.00. The recommendation is no change on tax parcels 004B and 004C. For tax parcel 0150, the recommendation is to decrease the FCV to \$577,605.00. For the remaining lots, the recommendation is to reduce the FCV to \$8,001.00 each.

- J. Valencia L.L.C., v. Pima County
Arizona Tax Court Case No. ST2009-000609, Tax Parcel Nos. 140-42-0520, 0540, 0550 and 0570.

It was recommended for tax year 2010:

140-42-0520, to reduce the FCV from \$211,513.00 to \$129,672.00.

140-42-0540, to reduce the FCV from \$136,118.00 to \$107,691.00.

140-42-0550, to reduce the FCV from \$66,822.00 to \$55,687.00.

140-42-0570, to reduce the FCV from \$463,032.00 to \$392,738.00.

- K. Valencia L.L.C., v. Pima County
Arizona Tax Court Case No. ST2009-000610, Tax Parcel Nos. 140-28-032B and 033B.

For tax year 2010, parcel no. 140-28-032B, it was recommended to reduce the FCV from \$598,637.00 to \$514,914.00 and for parcel no. 140-28-033B to reduce the FCV from \$319,907.00 to \$254,491.00.

- L. Valencia L.L.C., v. Pima County
Arizona Tax Court Case No. ST2009-000611, Tax Parcel No. 140-42-0420.

For tax year 2010, to reduce the FCV from \$783,703.00 to \$554,478.00.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to accept the recommendations.

17. **LITIGATION**

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

- A. Patrick and Mary Revocable Trust v. Pima County
Arizona Tax Court Case No. ST2009-001447
Tax Parcel No. 133-25-186J

- B. Patrick and Mary Revocable Trust v. Pima County
Arizona Tax Court Case No. ST2009-001448
Tax Parcel No. 133-25-186H

Chris Straub, Chief Civil Deputy County, indicated the following recommendations were provided to the Clerk of the Board, as recommended by their office and the Pima County Assessor, Bill Staples:

- A. Parcel No. 133-25-186J, to reduce the FCV from \$355,320.00 to \$304,560.00.

- B. Parcel No. 133-25-186H, to reduce the FCV from \$287,248.00 to \$245,266.00.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to accept the recommendations.

18. **CONSENT CALENDAR:**

A. **CALL TO THE PUBLIC (for Consent Calendar items only)**

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

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, that the Consent Calendar be approved as amended.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **Community Development & Neighborhood Conservation**

- 1. Community Home Repair Projects of Arizona, Inc., Amendment No. 1, to provide for the Emergency Home Repair Program,

extend contract term to 12/31/10 and amend contractual language, Federal Grant Fund, contract amount \$25,000.00 (32-70-C-142496-1009)

B. ~~(Community Resources)~~ **Community Services, Employment and Training**

2. Linda J. Schloss, Amendment No. 3, to provide consultant services for Pima Vocational High School, extend contract term to 6/30/11 and amend contractual language, General Fund (50%) and State Grant Fund (50%), contract amount \$8,000.00 (07-67-S-140634-0108)

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

3. RESOLUTION NO. 2010 - 172, approving an Intergovernmental Agreement with the Pima County Community College District, to provide workforce development services for youth and adults, WIA, Veterans, Rehabilitation Services, WIRED, Housing Funds; and General Fund, contract amount \$90,000.00 expenditure determined by client eligibility-total contract amount \$1,013,295.00 (01-69-P-143126-0710)
4. Arizona Department of Commerce, Amendment No. 1, to provide for the administration of the WIRED Program and amend contractual language, no cost (01-69-A-140259-0707)
5. SER-Jobs for Progress of Southern Arizona, Inc., Amendment No. 2, to provide workforce development services for youth and adults and amend contractual language, U.S. Department of Labor and WIA Grant Funds, contract amount \$37,000.00 (07-69-S-142162-0709)
6. U.S. Department of Labor, Veterans' Employment and Training Services, Amendment No. 1, to provide for the Homeless Veterans' Reintegration Project for the term 7/1/10 to 6/30/11, U. S. Department of Labor Fund, contract amount \$245,000.00 revenue (01-69-U-142254-0709)
7. U.S. Department of Labor, Veterans' Employment and Training Services, Amendment No. 1, to provide for the Veterans' Workforce Investment Program for the term 7/1/10 to 6/30/11, U.S. Department of Labor Fund, contract amount \$500,000.00 revenue (01-69-U-142256-0709)
8. U.S. Department of Labor, Employment and Training Administration, Amendment No. 1, to provide for the Youth

Offender Planning Grant Program for the term 6/30/10 to 9/30/10, no cost (01-69-U-142257-0709)

9. Arizona Department of Juvenile Corrections, Amendment No. 1, to provide for the YEARN Program for the term 6/30/10 to 9/30/10 and amend contractual language, U.S. Department of Labor Fund, no cost (01-69-A-142882-0709)

D. County Attorney

10. RESOLUTION NO. 2010 - 173, approving a Grant Agreement with the Arizona Criminal Justice Commission, to provide for attorney and paralegal services, for the term 7/1/10 to 6/30/11, Federal Fund, contract amount \$128,206.00 revenue (02-02-A-143095-0710)
11. RESOLUTION NO. 2010 - 174, approving a Grant Agreement with the Arizona Criminal Justice Commission, to provide compensation awards to victims of crime for the term 7/1/10 to 6/30/11, State Grant Fund, contract amount \$359,684.00 revenue (02-02-A-143102-0710)

E. Environmental Quality

12. Town of Sahuarita, Amendment No. 1, to provide for the waiver of the service fees paid to the Town and to accept biosolid waste from the Sahuarita Wastewater Treatment Facility for the term 7/1/10 to 6/30/11, no cost (01-03-S-133026-0803)

F. Finance and Risk Management

13. Hawkins, Delafield and Wood, L.L.P., Amendment No. 2, to provide for arbitrage rebate compliance services for the term 7/1/10 to 6/30/11 and amend contractual language, Bond Interest Fund, contract amount \$20,000.00 (07-09-H-141090-0708)

G. Health Department

14. RESOLUTION NO. 2010 - 175, approving an Intergovernmental Agreement with the Town of Oro Valley, to provide animal control services for the term 7/1/10 to 6/30/12, Health Fund revenue based on services (01-01-O-143116-0710)

H. Institutional Health

15. RESOLUTION NO. 2010 - 176, approving an Intergovernmental Agreement with Santa Cruz County, to provide restoration to competency services for the term 8/3/10 to 8/2/15, RTC Program through General Fund, contract amount \$300,000.00 estimated revenue (01-65-S-143132-0810)

I. Natural Resources, Parks and Recreation

16. Championship Sports, L.L.C., Amendment No. 2, to provide for the adjustment of field rental rates at the Mike Jacob Sports Park and amend contractual language, no cost (11-05-C-142668-0110)

J. Pima Health System

17. American Associated Druggist, Inc., d.b.a. United Drugs, Amendment No. 5, to provide prescription pharmacy and medical supply services for the term 6/1/10 to 12/31/10 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-135722-0405)
18. Specialists In Dermatology, P.L.L.C., Amendment No. 4, to provide dermatology services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-138809-1006)
19. Critical Care Systems, Inc., Amendment No. 5, to provide home infusion therapy services for the term 8/1/10 to 7/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$400,000.00 (18-15-C-140004-0807)
20. Dialysis Clinic, Inc., Amendment No. 6, to provide dialysis and laboratory services, extend contract term to 8/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$250,000.00 (18-15-D-140018-1007)
21. Handmaker Jewish Services for the Aging, Amendment No. 2, to provide adult day health services for the term 7/1/10 to 6/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (07-15-H-140938-0708)
22. Neurological Associates of Tucson, P.C., d.b.a. Center for Neurosciences, Amendment No. 3, to provide neurology, neurosurgery, magnetic resonance imaging and digital x-ray and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-141104-0608)

23. Casa De La Luz, L.L.C., d.b.a. Casa De La Luz Hospice, Amendment No. 2, to provide hospice services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-C-141431-1008)
24. United States Department of Veterans Affairs (VA), Amendment No. 2, to provide for the coordination of skilled nursing facility services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-U-141735-0209)
25. Amendment No. 4, to provide homecare (skilled/non-skilled) services for the term 7/1/10 to 6/30/11 and amend contractual language, PHCS Enterprise Fund, for the following:

<u>Vendor</u>	<u>Contract Amount</u>	<u>Contract No.</u>
Bayada Nurses, Inc.	\$900,000.00	07-15-B-142128-0709
Bayada Nurses, Inc.	\$100,000.00	07-15-B-142129-0709
26. Maxim Healthcare Services, Inc., Amendment No. 4, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-M-142130-0709)
27. Maxim Healthcare Services, Inc., Amendment No. 5, to provide homecare services for the term 7/1/10 to 6/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,200,000.00 (07-15-M-142130-0709)
28. Kindred Hospitals West, L.L.C., d.b.a. Kindred Hospital Arizona - Tucson, Amendment No. 1, to provide hospital services for the term 7/1/10 to 6/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$400,000.00 (18-15-K-142146-0509)
29. Julie Bradshaw, D.D.S., P.C., Amendment No. 1, to provide dental services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-B-142278-1009)
30. Pima Council on Aging, to provide case management, housekeeping/homemaker, personal care, reassurance, caregiver training, caregiver support groups, family consultation, care planning and respite services for the term 7/1/10 to 6/30/11, PHCS Enterprise Fund, contract amount \$1,700,855.00 revenue (18-15-P-143122-0710)

31. Old Pueblo Anesthesia, P.C., to provide anesthesia services for the term 7/1/10 to 6/30/12, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-O-143125-0710)

K. Procurement

32. Brown and Caldwell, Amendment No. 7, to provide for the El Camino del Cerro Landfill Groundwater Remedy Design Project, extend contract term to 8/4/12 and amend scope of work, 2004 Bond Fund, contract amount \$563,572.00 (16-51-B-138069-0306) Environmental Quality
33. Cannon Parkin, Inc., d.b.a. Cannon Design, Amendment No. 8, 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 \$26,645.00 (15-13-C-138445-0806) Facilities Management
34. DPR Construction, Inc., Amendment No. 8, to provide construction of the Psychiatric Hospital and Crisis Response Center and amend contractual language, 2004 and 2006 Bond Funds, contract amount \$1,280,792.00 (03-13-D-142271-0709) Facilities Management
35. Desert Archaeology, Inc., Amendment No. 7, to provide for Honey Bee Village archaeological data recovery services, extend contract term to 1/8/12 and amend contractual language, 2004 Bond Fund, contract amount \$310,000.00 (16-64-D-137600-0106) Public Works – Real Property
36. URS Corporation, Inc., Amendment No. 5, to provide engineering design services for the Mission View Wash Sewerline, extend contract term to 12/31/10 and amend contractual language, System Development Fund, contract amount \$7,744.25 (16-64-U-140707-0208) Public Works – Real Property
37. A & K Transportation, Inc., d.b.a. Handicar, Amendment No. 3, to provide transportation services for special needs passengers and amend contractual language, Transportation Fund (74%) and RTA Fund (26%), contract amount \$2,800,000.00 (11-04-A-141667-0209) Transportation
38. A & S Paving, Inc., Amendment No. 2, to provide for the Hohokam Middle School bicycle and pedestrian improvements, extend contract term to 10/31/11 and amend contractual language, American Recovery and Reinvestment Fund,

contract amount \$52,891.83 (03-04-A-142545-1209)
Transportation

Awards

39. Sole Source: Award of Contract, Requisition No. 1002489 in the amount of \$266,946.88 to Infor Global Solutions (Headquarters: Alpharetta, GA) for the provision of Infor Software maintenance and support services for the Finance Department's data processing system. Contract is for a one year term with the option to renew for an additional one year period with an increase of no more than 6%. The award includes the authority for the Procurement Director to approve future amendments/renewals without further action by the Board of Supervisors for reasons other than increases in funding. Funding Source: General Fund. Administering Department: Information Technology.
40. Sole Source: Award of Contract, Requisition No. 1002569, in the amount of \$436,530.00 to Arizona's Children Association (Headquarters: Tucson, AZ) for the provision of 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 contract effective date is retroactive to July 1, 2010. Funding Source: General Fund. Administering Department: Institutional Health.
41. Direct Demand: Request for authorization to enter into a contract with Tucson Electric Power Company in an amount not to exceed \$4,000,000.00 for the design and construction of a 46kV power line extension to service the Ina Road Water Reclamation Facility and support the Ina Road ROMP expansion. The preliminary estimated cost for the design and construction of this power line extension is \$2,638,233.00. Additionally, Regional Wastewater Reclamation Department anticipates that during construction of this project the County may incur costs related to archeological mitigation, easements or land acquisition, and force account. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation Department.
42. Award of Contract, Requisition No. 1001860, EPS Group, Inc., (Corporate Headquarters: Mesa, AZ) the respondent receiving the highest combined score for design engineering services for the Magee Road: La Canada to Oracle Road Project. The contract shall be for a 24 month period in an amount not to exceed \$1,500,000.00. The contract may be extended as required for project completion. In the event a fee agreement

cannot be reached with the highest ranked firm, staff requests authorization to negotiate with the next highest ranked firms in the following order: Kittelson and Associates, Inc., and Stantec Consulting, Inc., until a contract is executed or the list is exhausted. Funding Source: RTA Fund (86%) and 1997 HURF Fund (14%). Administering Department: Transportation.

L. Regional Wastewater Reclamation

43. Metropolitan Domestic Water Improvement District, Amendment No. 4, to provide billing and collection of sewer user fees, extend contract term to 6/30/11 and amend contractual language, RWRD Enterprise Fund, contract amount \$185,000.00 (01-03-M-138297-0706)
44. Town of Oro Valley, Amendment No. 3, to provide water consumption data and exchange proprietary water use information for the purpose of calculating billings to sewer users and extend contract term to 6/30/11, RWRD Enterprise Fund, no cost (01-03-O-139707-0707)

M. Sheriff

45. RESOLUTION NO. 2010 - 177, approving an Intergovernmental Agreement with the Northwest Fire Rescue District, to provide emergency medical support for the Pima County Sheriff's Department SWAT Team during tactical operations and training sessions for the term 5/1/10 to 4/30/11, no cost (01-11-N-143098-0610)
46. RESOLUTION NO. 2010 - 178, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for equipment under the Operation Stonegarden Grant Program (OSGP) for the term 7/1/10 to 6/30/11, Federal Grant Fund, contract amount \$12,370.00 revenue (01-11-A-143115-0710)
47. RESOLUTION NO. 2010 - 179, approving an Intergovernmental Agreement with the Town of Oro Valley, to provide incarceration of municipal prisoners for the term 7/1/10 to 6/30/11, General Fund, contract amount \$147,470.00 revenue (01-11-O-143123-0710)
48. Tucson Airport Authority, Amendment No. 6, to provide for the lease of office and hangar space, extend contract term to 8/31/11, Federal H.I.D.T.A. Grant Fund, contract amount \$452,059.00 (04-11-T-130503-0901)

49. Pima Community College District, Amendment No. 1, to provide implementation and administration of the Adult Basic Education Program at the Pima County Adult Detention Center for the term 7/1/10 to 6/30/11, Inmate Welfare Fund, contract amount \$139,100.00 (01-11-P-142275-0709)

N. Transportation

50. RESOLUTION NO. 2010 - 180, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide for repairs to the Marsh Station Road Bridge at the Cienega Creek for the term 8/31/10 to 12/30/11, RTA Fund, contract amount \$250,000.00 revenue (01-04-R-143141-0810)

2. PROCUREMENT

Quarterly Contracts Report

Pursuant to Pima County Code, §11.08.010, staff submits the quarterly report on contracts awarded from January 1, 2010, through March 31, 2010.

3. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Design Review Committee

Appointment of Clave Lilien, Neighborhood At-Large, to fill the vacancy of D'Laine Steinbrenner. Term Expiration: 8/31/13. (Staff recommendation)

B. Pima County Fair Commission

Reappointment of Dr. Marvin Selke. Term Expiration: 6/30/14. (District 1)

C. Metropolitan Education Commission

Appointment of Bill Ardern to fill the unexpired term of Abbie Stone. Term Expiration: 12/31/12. (Chairman Appointment)

D. Pima County/Tucson Women's Commission

Appointment of Mercy Valencia to fill the unexpired term of Nubia Chacon. Term Expiration: 12/31/12 (District 2)

E. Pima County/Tucson Commission on Addiction, Prevention and Treatment

Appointment of Sandra A. Fimbres to replace Christine E. Miller and Yolanda D. Herrera to replace Steve Nunez. Term Expirations: 6/30/12. (Commission recommendations)

F. Tucson-Pima County Bicycle Advisory Committee

1. Appointment of Scott Hurlburt to replace Evan Unger. Term Expiration: 8/2/12. (Staff recommendation)
2. Ratification of Town of Marana recommendation: Julie Prince to replace Russell Clanagan. Term Expiration: 3/16/11. (Jurisdictional recommendation)

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

- A. GinaMarie Slattery, Angel Charity for Children, Inc., La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, December 11, 2010.
- B. Shari Renee Ordog, American Liver Foundation, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, September 23, 2010.

FINANCE AND RISK MANAGEMENT

5. Duplicate Warrants – For Ratification

Celia Lopez	\$12.12
Lionel Ballesteros	\$12.12
Tamara Sargus	\$13.94

6. REAL PROPERTY

Public Utility License Agreement

Ajo Domestic Water Improvement District, to provide a public utility license for a water distribution system using all County public rights-of-way now existing or hereafter established and lying within the unincorporated areas of Pima County. (District 3)

7. SUPERIOR COURT

Judge Pro Tempore

Appointment of Jose Robles to serve as Judge Pro Tempore for the term 7/1/10 to 6/30/11.

8. CORRECTION FOR THE RECORD

Correction of Resolution No. approved by the Board of Supervisors on July 6, 2010:

Rezoning Resolution

RESOLUTION NO. 2010 - ~~157~~ 171, Co7-09-05, Dominguez – S. Craycroft Road Plan Amendment. Owners: Peggy Ann and Leonardo S. Dominguez. (District 2)

9. RATIFY AND/OR APPROVE

Minutes: June 15, 2010
Zoning Enforcement Board of Appeals Minutes: July 6, 2010

Warrants: July, 2010

REGULAR AGENDA/ADDENDUM ITEMS

19. COUNTY ADMINISTRATOR: CLASSIFICATION AND COMPENSATION

A. The Sheriff's Department requests approval to create the following four Position Control Numbers (PCNs). There will be no General Fund costs associated with these positions.

<u>Class Code</u>	<u>Class Title</u>	<u>Grade</u>
7146	Program Specialist-Unclassified	U1

B. The County Attorney's Office requests approval to create the following three Position Control Numbers (PCNs). There will be no General Fund costs associated with these positions.

<u>Positions Requested</u>	<u>Class Code</u>	<u>Class Title</u>	<u>Grade</u>
2	3115	Attorney	R1
1	3145	Paralegal	P3

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve the requests for PCN's.

20. COUNTY ADMINISTRATOR: MISSION ROAD HENNESSY PARCELS AND LAND EXCHANGE PROPOSAL

Staff recommends approval of the Hennessy Land Exchange Proposal and, if approved, declare the County property to be surplus to proceed with an exchange.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve the land exchange and declare the County property to be surplus.

21. **BOARD, COMMISSION AND/OR COMMITTEE: SMALL BUSINESS COMMISSION**

Presentation by Tom Ward, Chairman, regarding the Annual Report for Fiscal Year 2009/10.

Tom Ward, Small Business Commission Chairman, gave a presentation on the Annual Report for Fiscal Year 2009/10 and the progress of the Commission. Mr. Ward acknowledged members of the Commission that were in the audience.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to accept the report.

22. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2010 - 181, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its not to exceed \$20,000,000.00 Tax-Exempt and/or Taxable Refunding and Revenue Bonds (Providence Day School Project), Series 2010 and declaring an emergency.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution No. 2010 -181.

23. **FIRE DISTRICT: HIDDEN VALLEY FIRE DISTRICT**

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Hidden Valley Fire District for the proposed Rockcliff Annexation. (District 1)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve validation of the petitions.

24. **DEVELOPMENT SERVICES: FINAL PLATS WITH ASSURANCES**

A. P1205-156, Shannon Estates, Lots 1-55 and Common Areas A, B, and C. (District 1)

B. P1207-029, Vistas Del Sol, Lots 1-15. (District 1)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to approve the final plats with assurances.

25. **NATURAL RESOURCES, PARKS AND RECREATION**

A. RESOLUTION NO. 2010 - 182, of the Pima County Board of Supervisors, reaffirming and designating certain County lands as County parks.

- B. RESOLUTION NO. 2010 - 183, of the Pima County Board of Supervisors, establishing a County Parks Operation and Enhancement Fund and a County Parks Publication and Souvenir Revolving Fund.

Without objection, these items were continued to the Board of Supervisors' Meeting of September 7, 2010.

26. TRANSPORTATION: ACCEPTANCE OF PROJECTS/ROADWAYS FOR MAINTENANCE

- A. P1209-010, Chula Vista, Lots 1-7. Developer: HCR Investment, L.L.C. (District 1)
- B. P1203-006, Canoa Ranch, Block 11, Lots 1-17 and Common Area A. Developer: WLB Group. (District 4)

On consideration, it was moved by Supervisor Bronson seconded by Supervisor Day and carried by a 4-0 vote, to accept the projects/roadways for maintenance.

27. TRANSPORTATION: DESIGNATION OF BIKEWAY

RESOLUTION NO. 2010 - 184, of the Pima County Board of Supervisors, approving and authorizing the designation of the Kolb Road bike lanes from Valencia Road to East Voyager Road as the "Roy Schoonover Bikeway." (District 4)

On consideration, it was moved by Supervisor Bronson seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution No. 2010 – 184.

28. TRANSPORTATION: APPLICATIONS FOR ENHANCEMENT FUNDS

- A. RESOLUTION NO. 2010 - 185, of the Pima County Board of Supervisors, approving and authorizing the application for Federal Transportation Enhancement Funds through the Arizona Department of Transportation in the amount of \$689,741.00 to implement the Pantano Riverpath Bicycle and Pedestrian Enhancement Project: Speedway Boulevard to 5th Street, required local match of \$44,692.00, RTA Fund. (District 4)
- B. RESOLUTION NO. 2010 - 186, of the Pima County Board of Supervisors, approving and authorizing the application for Federal Transportation Enhancement Funds through the Arizona Department of Transportation in the amount of \$750,000.00 to implement the Sabino High School - Harrison Road Bicycle Lane Project, required local match of \$52,844.00, RTA Fund. (District 4)
- C. RESOLUTION NO. 2010 - 187, of the Pima County Board of Supervisors, approving and authorizing the application for Federal Transportation Enhancement Funds through the Arizona Department of Transportation in

the amount of \$750,000.00 to implement the Duval Mine Road Bicycle Safety Enhancement Project, required local match of \$350,292.00, RTA Fund. (District 4)

- D. RESOLUTION NO. 2010 - 188, of the Pima County Board of Supervisors, approving and authorizing the application for Federal Transportation Enhancement Funds through the Arizona Department of Transportation in the amount of \$750,000.00 to implement the Rillito Riverpath and Camino de la Tierra Bicycle and Pedestrian Enhancement Project, required local match of \$543,860.00, RTA Fund. (Districts 1 and 3)

On consideration, it was moved by Supervisor Bronson seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution Nos. 2010 – 185, 186, 187 and 188.

29. FRANCHISES/LICENSES/PERMITS: LIQUOR LICENSES

- A. 10-15-9027, Yoram Shmuel Levy, Café Jasper, 6370 N. Campbell Avenue, Ste. 160, Tucson, Series 12, Restaurant, New License.
- B. 10-16-9028, Thomas Robert Aguilera, Business Name To Be Determined, 16666 N. Oracle Road, Tucson, Series 6, Bar, New License.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to close the public hearings, approve the applications for liquor licenses and forward the recommendations to the Arizona State Liquor License and Control.

30. FRANCHISE/LICENSE/PERMIT: LIQUOR LICENSE

10-17-9029, Mark McDaniel Mabry, RanchoMaria Vineyards, 13490 S. Bell Road, Series 13, Domestic Farm Winery, New License .

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to close the public hearing, approve the license subject to the Zoning Inspector’s Report which indicated the applicant must obtain a Type II Conditional Use Permit and forward the recommendation to the Arizona State Liquor Licenses and Control.

31. COUNTY ADMINISTRATOR: CODE ORDINANCE

ORDINANCE NO. 2010 - 42, of the Pima County Board of Supervisors, amending Title 2, Chapter 2.24 of the Pima County Code, Employee Merit System Commission.

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to close the public hearing and adopt Ordinance No. 2010 – 42.

32. **DEVELOPMENT SERVICES: SUBDIVISION PLAT WAIVER**

The Board of Supervisors on June 1, 2010 continued the following:

PPW10-01, AVERY, ET. AL. – OLD SONOITA HIGHWAY

Request of Marcia Avery, et. al., for a subdivision plat waiver for Tax Parcel Nos. 306-15-0700, 0710, 0720, 073B, 073C, 073D, 0740, 0750, 076A, 076B, 0780, 0790, 0800 (well site), 0810 and 0820 pursuant to Section 18.69.080 of the Pima County Zoning Code which allows a waiver of any or all Code standards for a subdivision which has received or is not subject to an order of exemption from the public report requirements administered by the Arizona Department of Real Estate. Four of the applicants have accepted a Consent Order (File No. 08F-SD-060) before the Arizona Department of Real Estate in the matter of subdivision violations pertaining to the tax parcels referenced herein. The subject property is approximately 121.16 acres zoned RH and is located mostly east of Old Sonoita Highway and south of Empire View Drive. Staff recommends: (District 4)

- A. **APPROVAL** of the requested subdivision plat waiver subject to conditions; and
- B. **ACCEPTANCE AND EXECUTION** of 13 separate restrictive covenant documents with the following:

Walter and Charlotte Cook	Willard and Deborah Adams
James and Muriel Rosenfeld	Hank Cordaro
Mathew and Teresa Mullen	Christopher O'Neill
William and Darlene Ormsby	Norman & Jeannette Scheopner
Marcia and Richard Avery	Yvonne Clay Revocable Trust
Ryan Stam	Joseph Patterson and Kathleen McNaboe
Leroy and Cynthia Konen Living Trust	Kelesis Family Trust

“Conditions:

1. With exception of the existing overhead electric utility lines fronting Old Sonoita Highway and within the Empire View Road and Empire View Place easements, all utility lines, including electric utility lines servicing individual parcels, shall be located underground.
2. There shall be no further lot splitting without the written approval of at least four of the five members of the Pima County Board of Supervisors given at a duly-noticed public hearing. Notice shall include those neighborhood and homeowners' associations registered with the Development Services Department which are located within one mile of the boundary of the subdivision plat waiver area.
3. Any and all development is expressly limited to those uses explicitly permitted under RH zoning as defined by Pima County Code Title 18, Chapter 18.13 titled “RH Rural Homestead Zone” (“RH zoning”), Section 18.13.020. Modification or waiver of this condition shall require written approval of at least four of the five members of the Pima County Board of Supervisors given at a duly-noticed public hearing. Notice shall include those neighborhood and homeowners' associations registered with the Development Services Department which are located within one mile of the boundary of the subdivision plat waiver area.
4. The property owners shall be responsible for the maintenance, control, safety, and liability of all privately-owned roads, parking areas, drives, physical barriers, drainage improvements/drainageways, and drainage easements.

5. No direct access shall be allowed to Old Sonoita Highway except for parcels 073B and 0820 which shall be allowed one driveway access point each. The driveways shall require Pima County Department of Transportation approval.
6. Adherence to the 105-foot Major Streets and Scenic Routes Plan building setback as measured from the centerline of Old Sonoita Highway.
7. At the time of permitting, a Hydrologic Analysis shall be provided for each parcel for which development permits are sought. No building encroachment in the floodplain or erosion hazard setback of Davidson Canyon is permitted.
8. Within 120 days of approval of the subdivision plat waiver by the Board of Supervisors, the four Respondents of the Consent Order No. 08F-SD-060 who are owners of property within the subject subdivision plat waiver area shall provide payment of a total amount of \$6,600 to the Pima County Development Services Department as half of the total reimbursement for the administrative costs of the illegal subdivision investigation and enforcement. Each Respondent party shall equally contribute a one-fourth share (\$1,650) of the reimbursement total.
9. Within 60 days of approval of the subdivision plat waiver by the Board of Supervisors, the owners of parcels 306-15-073C, 0750, 076A, and 0810 shall record a covenant running with the land to the effect that if any further lot splitting is approved for the respective parcels, including lot splits approved as part of a rezoning, then within 120 days of the lot split or rezoning approval, the owner(s) of the parcel(s) approved for a lot split(s) or rezoning shall pay the Recreation Area Plan in-lieu fee of \$4,785.20 to the Pima County Natural Resources, Parks and Recreation Department and shall pay the remaining \$1,650 in administrative costs to the Pima County Development Services Department as the remaining reimbursement for the administrative costs of the illegal subdivision investigation and enforcement. The total Recreation Area Plan in-lieu fees shall not exceed \$19,140.80 (4 x \$4,785.20). The total reimbursement for the remaining administrative costs of the illegal subdivision investigation and enforcement under this condition shall not exceed \$6,600 (4 x \$1,650)."

Tom Hudson, Zoning Administrator, stated that the parties had entered into a Consent Order administered by the Arizona Department of Real Estate. Staff believed there was value in maintaining a light footprint of development that would allow retention of the largely rural, unspoiled character of the property by restricting further lot splitting. He stated that staff recommended approval of the subdivision plat waiver subject to conditions.

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to close the public hearing and approve the subdivision plat waiver with conditions and the amendment to Condition No. 7, read into the record by Supervisor Bronson which states, "No building encroachment in the floodplain or erosion hazard setback of Davidson Canyon is permitted" and to accept the 13 separate restrictive covenant documents.

33. **DEVELOPMENT SERVICES: APPEAL OF THE HEARING ADMINISTRATOR'S DECISION**

P21-09-036, PIMA COUNTY RIGHT-OF-WAY – W. SAGE ST.

In accordance with Pima County Zoning Code Section 18.97, New Cingular Wireless, represented by Lake and Cobb, P.L.C., appeal the decision of the Hearing Administrator in Case No. P21-09-036, for a Type I Conditional Use Permit for a communication tower/utility pole replacement in the right-of-way located at 1715 W. Sage St. in the SR zone. Chapter 18.97, in accordance with Section 18.07.030H.2.e.7 of the Pima County Zoning Code, allows a communication tower/utility pole replacement meeting certain conditions as a Type I Conditional

Use in the SR zone. The Hearing Administrator **DENIED** the request for the proposed communication tower. (District 1)

Without objection this item was continued to the Board of Supervisors' Meeting of September 14, 2010.

34. **DEVELOPMENT SERVICES: REZONING TIME EXTENSION**

Co9-05-02, DALRYMPLE TRUST – ORACLE JAYNES STATION ROAD REZONING

Request of First American Title Insurance Company, TR 9202, represented by Baker and Associates Engineering, Inc., for a five-year time extension for the above referenced rezoning from SH (Suburban Homestead) to CR-4 (Mixed-Dwelling Type Small Lot Option). The subject site was rezoned in 2005. The rezoning will expire on August 15, 2010. The site is approximately 7.06 acres located on the south side of Oracle Jaynes Station Road, approximately 900 feet east of Shannon Road. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 1)

"Staff recommends approval of a five-year rezoning time extension to August 15, 2015, the following standard and special conditions should be considered:

1. Submittal of a development plan 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, Document Services.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements as required by the Department of Transportation to meet concurrency requirements (may be combined with TIA for Co9-04-19).
 - B. Provision of improvements to Rudasill Road, as determined necessary by the Traffic Impact Analysis, including, but not limited to urban type roadway cross section improvements, adjacent to the rezoning.
 - C. The property owner(s) shall dedicate up to 45 feet of right-of-way to provide for an appropriate transition between the existing Rudasill Road right-of-way that currently does not align.
8. Flood Control conditions:
 - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. A drainage analysis shall be required to determine the need for and sufficiency of proposed on and off-site improvements and associated maintenance agreements.
 - C. Drainage easements to remain in common private ownership.
 - D. Swale and drainageway improvements shall use only natural materials; concrete channelization is prohibited.
9. Wastewater Management Reclamation conditions:
 - A. The owner(s)/developer(s) 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(s)/developer(s) to that effect.
 - B. The owner(s)/developer(s) 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. The owner(s)/developer(s) shall obtain written documentation from the Pima County Wastewater Management 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(s)/developer(s) 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 Wastewater ~~Management~~ Reclamation Department.
- C. The owner(s)/developer(s) 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 Wastewater ~~Management~~ 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.
 - D. The owner(s)/developer(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, including obtaining all necessary off-site easements.
 - E. The owner(s)/developer(s) shall design and construct the off-site and on-site sewers to accommodate flow-through from any properties adjacent and up-gradient to the rezoning area that do not have adequate access to Pima County's public sewer system, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
 - F. The owner(s)/developer(s) 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.
40. Environmental Planning condition:
~~The project site shall be inspected by a trained resource specialist for the presence of Western burrowing owls. A report containing inspection results and dates of when inspections were conducted shall be provided to Pima County immediately upon completion of the inspection. This report shall be received prior to approval of the tentative plat. If any Western burrowing owls are found to be present on the project site, a copy of the report shall be sent to the Arizona Game & Fish Department's Heritage Data Management System.~~
- 44-10. Cultural Resources conditions:
- A. No ground disturbing activities shall commence on the subject parcels until archaeological mitigation and data recovery requirements have been concluded, and the mitigation and data recovery have been approved by the Pima County Cultural Resources Office with concurrence from the State Historic Preservation Office.
 - B. 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.
- 42-11. Adherence to the preliminary development plan approved at public hearing (Exhibit "B").
- 43-12. In the event the subject property is annexed into the City of Tucson, the property owner(s) 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.
13. 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 to 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)."
14. 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."

Tom Hudson, Zoning Administrator, stated that staff recommended approval subject to modified standard and special conditions and that no comments had been received from the public.

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

On consideration, it was moved by Supervisor Day, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing and approve the five-year time extension subject to modified standard and special conditions.

35. TRANSPORTATION : TRAFFIC ORDINANCES

- A. ORDINANCE NO. 2010 - 43, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Twin Peaks Road in Pima County, Arizona. Staff recommends APPROVAL. (District 3)
- B. ORDINANCE NO. 2010 - 44, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Sumter Drive in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- C. ORDINANCE NO. 2010 - 45, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Irvington Road in Pima County, Arizona. Staff recommends APPROVAL. (Districts 2, 3 and 5)
- D. ORDINANCE NO. 2010 - 46, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on El Camino Del Cerro in Pima County, Arizona. Staff recommends APPROVAL. (District 3)
- E. ORDINANCE NO. 2010 - 47, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Sunset Road in Pima County, Arizona. Staff recommends APPROVAL. (Districts 1 and 3)
- F. ORDINANCE NO. 2010 - 48, of the Pima County Board of Supervisors, designating Finisterra Drive as a through street in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- G. ORDINANCE NO. 2010 - 49, of the Pima County Board of Supervisors, regulating parking of vehicles on Limberlost Road in Pima County, Arizona. Staff recommends APPROVAL. (District 4)

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to close the public hearings and adopt Ordinance Nos. 2010 - 43, 44, 45, 46, 47, 48 and 49.

36. **COUNTY ADMINISTRATOR: BUFFALO SOLDIER ELECTRONIC TEST RANGE**

Staff recommends direction be given to issue a letter of support for the Buffalo Soldier Electronic Test Range Proposal to the Arizona State Board on Geographic and Historic Names.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to direct staff to issue a letter of support for the proposed Buffalo Soldier Electronic Test Range.

37. **CONTRACTS AND AWARDS**

A. **Community Development and Neighborhood Conservation**

1. RESOLUTION NO. 2010 - 189, approving and authorizing an Intergovernmental Agreement with the City of Tucson, to establish the terms and conditions of the consortium for the Home Investment Partnership Program for the term 10/1/10 to 9/30/13, Federal Grant Fund, no cost (01-70-T-143160-1010)

B. **Economic Development and Tourism**

2. Pima County Parklands Foundation, Escabrosa, Inc., and Martha K. Maierhauser, to provide an Operation and Administration Agreement for Colossal Cave Mountain Park for the term 8/3/10 to 8/2/15 and a Declaration of Easement, contract amount not to exceed \$110,000.00 revenue (11-71-P-143150-0810)

C. **Natural Resources, Parks and Recreation**

3. Pinnacle Concessions, L.L.C., Amendment No. 1, to provide for the management of the concessions at Mike Jacob Sportspark and amend contractual language, no cost (11-05-P-142667-0110)

D. **Procurement**

4. Security Transport Services, Inc., Amendment No. 7, to provide prisoner transportation and extradition services and extend contract term to 11/9/10, no cost (11-11-W-136797-0805) Sheriff

E. **Transportation**

5. RESOLUTION NO. 2010 - 191, approving and authorizing an Intergovernmental Agreement with the Regional Transportation Authority, to provide for design and construction of four Safe Routes to School Improvement Projects for the term 8/3/10 to 12/30/14, RTA Fund, contract amount \$485,000.00 revenue (01-04-R-143171-0810)

6. RESOLUTION NO. 2010 - 192, approving and authorizing an Intergovernmental Agreement with the Regional Transportation Authority, to provide for the design of bike lanes along various roadway segments to improve safety for the term 8/3/10 to 12/30/14, RTA Fund, contract amount \$1,833,000.00 revenue (01-04-R-143172-0810)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, to adopt Resolution Nos. 2010 – 189, 191 and 192, and approve the contracts.

38. **CONTRACT AND AWARD: TRANSPORTATION**

RESOLUTION NO. 2010 - 190, of the Pima County Board of Supervisors, approving and authorizing the regionalization of County public transit and special needs transportation services and providing Maintenance of Effort Funding for the term 7/1/10 to 6/30/15, Transportation Fund, contract amount \$5,577,301.00 (01-04-R-143170-0710)

Supervisor Elías expressed his concern about the legality of the issue and the ability of the Regional Transportation Authority to fund the public transit system.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 3-1 vote, Supervisor Elías voting “Nay,” to adopt Resolution No. 2010 – 190 and approve the contract.

39. **CALL TO THE PUBLIC**

The Chairman inquired if anyone wished to address the Board. No one appeared.

40. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:35 a.m.