

MINUTES, AIR QUALITY CONTROL DISTRICT BOARD

SEPTEMBER 7, 2010

The Pima County Air Quality Control 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, September 7, 2010. Upon roll call, those present and absent were as follows:

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

1. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the Rosemont Copper Company Air Quality Permit Application.

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:00 a.m.

MINUTES, FLOOD CONTROL DISTRICT BOARD

SEPTEMBER 7, 2010

The Pima County Flood Control District Board met in its regular session in the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, September 7, 2010. Upon roll call, those present and absent were as follows:

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

1. **RIPARIAN HABITAT MITIGATION PLAN**

Staff recommends approval of the Onsite and Offsite Riparian Habitat Mitigation Plan for Quail Call Estates (P1209-055) located within an important riparian area with underlying Class H habitat, near the intersection of Homestead and Limberlost Roads within a locally mapped floodplain associated with Soldier Canyon Wash, and including a financial contribution in the amount of \$28,464.00. (District 4)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the Riparian Habitat Mitigation Plan.

2. **CONTRACT**

Jason DePizzo and Jennifer Lohse, to provide a License for Encroachment to maintain an existing block wall on property owned by the Pima County Flood Control District, Tax Parcel No. 114-26-3810, contract amount \$1,500.00 revenue (12-59-D-143211-0910)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the contract.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:00 a.m.

MINUTES, LIBRARY DISTRICT BOARD

SEPTEMBER 7, 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, September 7, 2010. Upon roll call, those present and absent were as follows:

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

1. **CONTRACTS**

- A. Arizona State Library, Archives and Public Records, to provide for the purchase of patron materials, LSTA Grant Fund, contract amount \$11,165.00 revenue (02-66-A-143204-0810)
- B. Arizona State Library, Archives and Public Records, to provide homework help and literacy programming, State Grant Fund, contract amount \$25,000.00 revenue (02-66-A-143205-0710)
- C. Arizona State Library, Archives and Public Records, to provide continuing education and staff development, State Grant Fund, contract amount \$26,051.00 revenue (02-66-A-143206-0710)
- D. Arizona State Library, Archives and Public Records, to provide for the purchase of patron materials, LSTA Grant Fund, contract amount \$10,000.00 revenue (02-66-A-143207-0810)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the contracts.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:00 a.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

SEPTEMBER 7, 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, September 7, 2010. Upon roll call, those present and absent were as follows:

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

1. **INVOCATION**

The invocation was given by Chaplain Vernon P. Harris, Green Valley Fire District.

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. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Caren Prather and Lisa Romero, Pima County Office of Emergency Management and Homeland Security; Stephen Schuldenfrei, Chair of the Pima County Citizen Corps and Tucson Citizen Corps; Vaughan Thompson and Frank Rando, Tucson Citizen Corps; and Cheryl Bender of the American Red Cross, proclaiming the month of September, 2010, to be:

“PREPAREDNESS MONTH”

Supervisor Elías presented the proclamation to Stephen Schuldenfrei. Mr. Schuldenfrei expressed his appreciation for the Board’s support.

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

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to J. J. Lamb, Director, and Board Members of the Vail Preservation Society, proclaiming September 18, 2010, to be:

“VAIL MEET YOURSELF – BETWEEN THE TRACKS DAY”

Supervisor Carroll presented the proclamation to J.J. Lamb. Ms. Lamb thanked the Board for the recognition of the event.

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

... **EXECUTIVE SESSION**

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

6. **RECONVENE**

The meeting reconvened at 10:05 a.m.

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

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

The following individual addressed the Board:

Jo Anne Meyer

Her comments were:

- A. She felt it was premature for the Board to consider the air quality permit application for the proposed Rosemont Mine since the Draft Environmental Impact Statement had not been issued by the Coronado National Forest.
- B. She submitted an article on a study that the University of Arizona has been conducting regarding arsenic mine tailings and the side effects from arsenic exposure.

8. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the Rosemont Copper Company Air Quality Permit Application.

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

9. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

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

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, that the Consent Calendar be approved in its entirety.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **County Attorney**

1. RESOLUTION NO. 2010 – 205, of the Pima County Board of Supervisors, authorizing a Grant Agreement with the State of Arizona, Office of the Attorney General, to provide six full-time legal processing support employees, Victim's Rights Grant Fund, contract amount \$239,400.00 revenue (02-02-A-143203-0710)

B. **Development Services**

2. Town of Marana, Amendment No. 2, to provide for the regulation of public property for the term 7/1/10 to 6/30/12, no cost (01-25-M-128497-0101)

C. **Information Technology**

3. SSI Group, Inc., Amendment No. 2, to provide electronic data interchange services and amend contractual language, no cost (07-15-S-141536-0708)

D. **Pima Health System**

4. Tomar, L.L.C., d.b.a. Tom's Pharmacy, Amendment No. 5, to provide prescription pharmacy and medical supplies for the term 9/1/10 through 12/31/10, PHCS Enterprise Fund, no cost (18-15-T-135723-0405)

5. To provide adult foster care home services, extend contract term to 8/31/11 and amend contractual language, PHCS Enterprise Fund, for the following:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amend. No.</u>	<u>Amount</u>
Maria Apalategui	07-15-A-140064-0907	4	\$25,000.00
Gloria Espinoza	07-15-E-140071-0907	4	\$45,000.00
Mary Herron	07-15-H-140074-0907	4	\$35,000.00

6. To provide assisted living home services, extend contract term to 8/31/11 and amend contractual language, PHCS Enterprise Fund, for the following:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amend. No.</u>	<u>Amount</u>
Elsa's Adult Care Home, L.L.C.	07-15-E-140091-0907	5	\$130,000.00
Casa De Dios, Inc.	07-15-C-140094-0907	4	\$ 60,000.00
Four Star Enterprises, Inc., d.b.a. Crossroads Adult Care Home II	07-15-F-140096-0907	4	\$175,000.00
Four Star Enterprises, Inc., d.b.a. Crossroads Adult Care Home	07-15-F-140097-0907	5	\$ 50,000.00
Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home	07-15-E-140100-0907	4	\$100,000.00
Ubalдина R. Trejo, d.b.a. Care Haven	07-15-T-140102-0907	4	\$125,000.00
Bluefield ACH, L.L.C.	07-15-B-140104-0907	4	\$125,000.00
Melissa G. Grijalva Vazquez d.b.a. Betania Care Home	07-15-R-140105-0907	5	\$155,000.00
Leonor Arroyo d.b.a. Autumn House	07-15-A-140107-0907	5	\$135,000.00
Angela's Assisted Living, L.L.C.	07-15-A-140108-0907	4	\$155,000.00
Frances Irene Diaz/Jesus D. Diaz d.b.a. All Comforts of Home	07-15-D-140109-0907	4	\$ 50,000.00
Kuenmark Corporation d.b.a. Aguilera Home	07-15-K-140110-0907	4	\$150,000.00
Sher-Lan, L.L.C., d.b.a. Elder Care & More II	07-15-S-140111-0907	5	\$0.00
Sher-Lan, L.L.C., d.b.a. Elder Care & More	07-15-S-140112-0907	5	\$150,000.00
Lisa O'Neal d.b.a. Desert Oasis Adult Care Home	07-15-O-140114-0907	4	\$100,000.00

Adobe Adult Care Home, Inc.	07-15-A-140116-0907	4	\$ 25,000.00
Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home III	07-15-E-140120-0907	5	\$100,000.00
Amie Rose Assisted Living Homes, L.L.C.	07-15-N-140131-0907	6	\$ 25,000.00
Lovecare Co.	07-15-L-140135-0907	4	\$ 40,000.00
Highland Hills Adult Care Home, L.L.C.	07-15-H-140141-0907	4	\$ 50,000.00
Spring Days Adult Care Home, L.L.C.	07-15-S-140145-0907	4	\$150,000.00
The TLC Team, L.L.C., d.b.a. Silver Moon Assisted Living Home	07-15-S-140146-0907	5	\$125,000.00
Assisted Living by BJ, L.L.C., d.b.a. Saguaro Horizons	07-15-H-140150-0907	5	\$ 25,000.00
Sakuta Enterprises, Inc., d.b.a. Sakuta's Young at Heart	07-15-S-140152-0907	4	\$110,000.00
Sierra Adult Care, L.L.C.	07-15-S-140154-0907	4	\$ 75,000.00
Tommy T. Pallanes, d.b.a. The Pallanes Assisted Living Home	07-15-P-140156-0907	5	\$165,000.00
Cahill, Inc., d.b.a. Our Place-Burns	07-15-C-140200-0907		\$ 25,000.00
Sunset Adult Care Home, L.L.C.	07-15-S-140201-0907	5	\$200,000.00
Santo Nino Adult Care Home, L.L.C.	07-15-S-140203-0907	4	\$ 35,000.00
Case De Asistencia, L.L.C., d.b.a. The Rose	07-15-C-140204-0907	4	\$140,000.00
Whispering Hills Care Homes, L.L.C.	07-15-W-140210-0907	4	\$ 25,000.00
La Paloma Home for the Aging, L.L.C.	07-15-L-140212-0907	6	\$ 75,000.00
Espinosa Care, L.L.C., d.b.a. Heatherwood	07-15-E-140213-0907	4	\$225,000.00
Marbry Enterprises, L.L.C., d.b.a. Desert Steppes II	07-15-M-140221-0907	4	\$ 75,000.00
Brymar Enterprises, L.L.C., d.b.a. Desert Steppes I	07-15-B-140222-0907	4	\$ 60,000.00
Juanita & Paul Hernandez d.b.a. Ridgecrest I	07-15-H-140262-0907	5	\$225,000.00
Juanita & Paul Hernandez d.b.a. Ridgecrest II	07-15-H-140263-0907	5	\$150,000.00

Asterion Acres, L.L.C.	07-15-A-140677-0208	5	\$ 25,000.00
Arnold Obregon, Jr. & Helda Obregon, d.b.a. Casa Theresita III	07-15-O-141034-0608	5	\$100,000.00

7. Supported Living Systems, Inc., Amendment No. 3, to provide behavioral health services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-140688-0408)
8. Carondelet Health Network, d.b.a. Carondelet St. Mary's Hospice, Amendment No. 1, to provide hospice services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$150,000.00 (18-15-C-141561-1008)
9. MGA Home Healthcare, L.L.C., Amendment No. 3, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-142080-0709)
10. DVA Renal Healthcare, Inc., to provide dialysis services for the term 5/1/10 to 4/30/11, PHCS Enterprise Fund, contract amount not to exceed \$3,500,000.00 (18-15-D-143214-0510)

E. Procurement

Awards

11. Award of Contracts, Requisition 1002571 to Centerline Mechanical, L.L.C. (Headquarters: Phoenix, AZ), Oracle Control Systems, Inc. (Headquarters: Tucson, AZ) and Pueblo Mechanical and Controls, Inc. (Headquarters: Tucson, AZ) in the amount of \$250,000.00 each for as-needed heating, ventilating and air conditioning (HVAC) construction services at various locations throughout Pima County. The term of the contracts is one year with the option to extend for up to two additional one year periods. Funding Source: Various Funds. Administering Department: Facilities Management.
12. Amendment of Award, B505175, Revision No. 2, (Reference: 11-14-C-143196-0305) to Computer Associates International, Inc. (Headquarters: Islandia, NY) to provide mainframe software and maintenance support services and amend contractual language, no cost. Funding Source: General Fund. Administering Department: Information Technology.

13. Amendment of Award, B501313, Revision No. 8 (Reference: 11-11-V-140574-0707) to Verizon Wireless, L.L.C., (Headquarters: Basking Ridge, NJ) to provide wireless products and services in an increased amount of \$320,000.00. Funding Source: General Fund. Administering Department: Information Technology.
14. Award of Contract, Requisition No. 1002533, in the amount of \$5,000,000.00 to the highest ranked/most qualified respondent, American Associated Druggists d.b.a. United Drugs, Inc. (Headquarters: Phoenix, AZ) for pharmacy benefit manager and pharmacy services. Contract is for a one year term and includes four one year renewal periods. Funding Source: PHCS Enterprise Fund. Administering Department: Pima Health System.
15. Award of Contract, Requisition No. 1002322, in the amount of \$460,765.72 to the low responsive bidder, SunWestern Contractors, Inc. (Headquarters: Tucson, AZ) to construct paved shoulders on each side of Whitehouse Canyon Road from Continental Road to Continental Middle School and an eight foot wide shared use path on the north side of Whitehouse Canyon Road from Madera Reserve Drive to Continental Middle School. The contract term is twelve months with the ability to extend for contract completion. Construction is to be complete within 80 working days from the Notice to Proceed. Funding Source: Transportation Enhancement Fund. Administering Department: Transportation.

F. Real Property

16. RESOLUTION NO. 2010 – 206, of the Pima County Board of Supervisors, approving and authorizing the execution of a Purchase Agreement and an Addendum to Purchase Agreement with Compass Bank, for approximately 9 acres located near Mission Road and W. 36th St., 2004 Bond Fund, contract amount \$193,000.00 including closing costs (22-64-C-143222-0910)
17. RESOLUTION NO. 2010 – 207, of the Pima County Board of Supervisors, approving and authorizing the execution of a Purchase Agreement with Tanque Verde and Houghton Partners, L.L.C., for approximately 77.6 acres located near Tanque Verde Road and Houghton Road, Tax Parcel Nos. 133-01-027A and 133-01-026D, 2004 Bond Fund, contract amount \$1,559,200.00 including closing costs (22-64-T-143223-0910)

18. City of Tucson, Amendment No. 1, to provide a License Agreement for an additional well site located within the right-of-way of Fairy Duster Drive, contract amount \$1,500.00 revenue (12-04-T-142438-1109)

G. Sheriff

19. RESOLUTION NO. 2010 – 208, approving an Intergovernmental Agreement with the State of Arizona, Arizona Attorney General, to provide for the Victims' Rights Program for the term 7/1/10 to 6/30/11, State Grant Fund, contract amount \$55,300.00 revenue (01-11-A-143208-0710)
20. RESOLUTION NO. 2010 – 209, approving an Intergovernmental Agreement with the Arizona Department of Public Safety, to provide for participation in the Arizona Vehicle Theft Task Force, State Grant Fund, contract amount \$68,907.75 revenue (01-11-A-143224-0910)
21. RESOLUTION NO. 2010 – 210, approving an Intergovernmental Agreement with the Governor's Office of Economic Recovery, to provide for participation in the Border Security Enhancement Program for the term 7/16/10 to 9/30/11, Federal Grant Fund, contract amount \$1,136,688.00 revenue (01-11-G-143225-0710)
22. Town of Oro Valley, Town of Marana, City of South Tucson, Town of Sahuarita, Pascua Yaqui Nation and the Tucson Airport Authority, Amendment No. 1, to provide for the Regional Special Weapons and Tactics Team and amend contractual language, no cost (01-11-O-140770-0408)

H. Transportation

23. RESOLUTION NO. 2010 – 211, approving an Intergovernmental Agreement with the Arizona Department of Transportation, to provide for road restoration/rehabilitation/resurface at La Canada Drive, El Toro Road and Duval Mine Road, American Recovery and Reinvestment Fund, contract amount not to exceed \$1,380,000.00 revenue (01-04-A-143219-0910)
24. RESOLUTION NO. 2010 – 212, approving an Intergovernmental Agreement with the Regional Transportation Authority of Pima County, to provide for railroad crossing safety improvements at Ruthrauff Road and the Union Pacific Railroad and Colossal Cave Road/Union Pacific Railroad/Success Drive Projects, Regional Transportation Authority Fund, contract amount \$365,000.00 revenue (01-04-R-143220-0910)

I. **Regional Wastewater Reclamation**

25. Tucson Botanical Gardens, Amendment No. 2, to provide management services for the Pima County Native Plant Nursery, amend contractual language and extend contract term to 6/30/11, General Fund, contract amount \$150,000.00 (11-05-T-141346-0708)

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

A. **Joint City/County Building Code Committee**

(City of Tucson recommendations)

1. Ratification of Appointment/Term

Richard Gonzalez. Term expiration: 4/19/14.

2. Ratification of Reappointments/Term

Gordon V. Brown, David Eisenberg, Jonathan D. Fenton, Hyman Kaplan, Ed Morgan, C. Alan Nichols, Wayne Swan, and Brent Woods. Term expirations: 4/12/14.

B. **Joint City/County Electrical Code Committee**

(City of Tucson recommendations)

1. Ratification of Appointment/Term

Jay S. Hoobler. Term expiration: 4/19/14.

2. Ratification of Reappointments/Term

Douglas C. Jones, Chuck Snell, Dennis Coon and Ray D. Mason, Sr. - Term expirations: 4/19/14.

C. **Joint City/County Outdoor Lighting Code Committee**

(City of Tucson recommendations)

1. Ratification of Appointments/Term

Paul S. Smith, Craig R. Barron and Carlet Castro. Term expirations: 9/15/12.

2. Ratification of Reappointments/Term

Buell T. Jannuzi. Term expiration: 4/12/14.

Dennis W. Coon, Hyman Kaplan, Sharon Bonesteel, Earl Zoeller and Joyce J. Kelly. Term expirations: 9/15/12.

D. Air Quality Hearing Board

Appointment of Ann Marie Wolf to replace Tom Peterson. Term expiration: 9/7/13. (Staff recommendation)

E. Tucson-Pima County Bicycle Advisory Committee

Appointment of Brian Beck to replace Norman Land. Term expiration: 6/30/12. (Committee recommendation)

F. Board of Adjustment, District 3

Reappointment of Jo Courday. Term expiration: 9/6/14. (District 3)

G. Election Integrity Commission

1. Reappointment of Charles Geoffrion. Term expiration: 8/31/12. (District 1)

2. Reappointment of Tom Ryan. Term expiration: 7/31/12. (District 3)

3. Reappointment of Dr. Arnold Urken. Term expiration: 7/31/12. (County Administrator)

H. Metropolitan Education Commission

Appointment of John Fife, Teachers, Grades 5-9 (Arizona Education Association) to replace Chris Walden-Jones; Alan Storm, Ph.D., School Superintendent to replace Dr. Jay St. John; and Kasey Urquidez, University of Arizona to replace Dr. Paul Kohn. Term expirations: 8/13/13. (Commission recommendations)

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

A. Brett Mecum, Arizona Republican Party, 5120 S. Julian Drive, Tucson, September 10, 2010.

B. Lance R. Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, September 11, 2010.

C. Jonathan Landeen, Tucson Culinary Festival, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, October 29, 30 and 31, 2010.

D. Jack Najar, Green Valley Elks Lodge No. 2592, 2951 S. Camino Mercado, Green Valley, October 10, 2010.

- E. Patrick Stephen West, St. Rita in the Desert Catholic Church, 13260 E. Colossal Cave Road, Vail, September 17 and 18, 2010.
- F. Lance Richard Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, October 9, 2010.
- G. Lance Richard Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, November 6, 2010.
- H. Lance Richard Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, November 13, 2010.
- I. Meredith Erin Moore, Humane Society of Southern Arizona, La Encantada, 2905 E. Skyline Drive, Suite 208, Tucson, September 18, 2010.

FINANCE AND RISK MANAGEMENT

4. Duplicate Warrants – For Ratification

Sherril Antonietti	\$ 8.01
Stewart Title	\$ 441.54
Mike Tucker	\$ 415.16
Golden Star Properties	\$5,304.75
Floyd Herbert and Mary Gilman	\$ 14.00
Joseph and Marylyn Bruins	\$ 7.65
John Ferrel	\$ 30.00
Abby S. Eason	\$ 56.70

REAL PROPERTY

5. Sewer Access Easement

City of Tucson, to provide a permanent sewer access easement located in Section 14, T14S, R13E. (District 5)

6. RECORDER

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of November and December 2009.

7. PROCLAMATION

Proclaiming September 6 through September 12, 2010, to be:

“NATIONAL PATRIOTISM WEEK”

8. **RATIFY AND/OR APPROVE**

Warrants: August, 2010

REGULAR AGENDA/ADDENDUM ITEMS

10. **BOARD OF SUPERVISORS: FRIENDS OF SAGUARO NATIONAL PARK**

RESOLUTION NO. 2010 - 213, of the Pima County Board of Supervisors, supporting the Friends of Saguaro National Park Grant Application to the Pascua Yaqui Tribe for a portion of the Tribe's annual contribution to cities, towns and counties. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 4-0 vote, Supervisor Elías not present for the vote, to adopt Resolution No. 2010 - 213.

11. **BOARD OF SUPERVISORS: INITIATION OF REZONING**

Request for direction to initiate a rezoning for a County owned 8.18 acre property (Tax Parcel No. 226-15-015A) at the southeast corner of W. Linda Vista Boulevard and N. Tiffany Loop in Tucson, Arizona. The majority of the property is currently zoned Rural Homestead (RH) with the northern portion zoned General Business (CB-2). The desired zoning is for the General Business Zone (CB-2) to apply to the entire property. This requested zoning change conforms to the Comprehensive Plan, Co7-00-20. The rezoning request, if initiated and ultimately approved, would implement the terms of the compromise of the San Joaquin Land Investments, L.L.C., claim against Pima County approved on August 3, 2010.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the request.

12. **COUNTY ADMINISTRATOR: QUARTERLY MANAGEMENT REPORT ON COLLECTIONS**

Staff recommends acceptance of the Quarterly Management Report on Collections for the period ending June 30, 2010, and approval of the write-off requests in the amount of \$46,583.00.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to accept the report and approve the write-off requests.

13. **COUNTY ADMINISTRATOR: CLASSIFICATION AND COMPENSATION**

The Information Technology Department requests approval to create the following 12 new Position Control Numbers (PCNs). Any associated costs will be paid from the current department budget.

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
4	4745/ITD – Applications Analyst	63
2	4750/ITD – Information Engineer	64
4	4750/ITD – Relationship Manager	65
1	4719/ITD – Technical Support Engineer	60
1	4716/ITD – Technical Support Analyst	56

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the PCNs.

14. FINANCE AND RISK MANAGEMENT: REVOLVING LINE OF CREDIT AGREEMENTS

RESOLUTION NO. 2010 - 214, authorizing the execution and delivery of agreements for, or amendments to, separate Revolving Line of Credit Agreements between the Board of Supervisors of Pima County and Bank of America, N.A., and among the Board of Supervisors of Pima County, Bank of America, N.A., and each political subdivision of Pima County, pursuant to A.R.S. §11-604.01 and authorizing related documents and actions.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 4-0 vote, Supervisor Elías not present for the vote, to adopt Resolution No. 2010 - 214.

15. NATURAL RESOURCES, PARKS AND RECREATION

The Board of Supervisors on 8/3/10 continued the following:

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

Without objection, this item was removed from the agenda.

- 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.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to adopt Resolution No. 2010 - 183.

16. SUPERINTENDENT OF SCHOOLS

RESOLUTION NO. 2010 - 215 of the Pima County Board of Supervisors, approving the cancellation of uncontested School District Governing Board Elections scheduled for November 2, 2010, and appointing the persons who filed nomination petitions for the following:

Continental Elementary School District No. 39 (2 positions)
Niehaus, Sharon R.

Continental Elementary School District No. 39 (Write In)
Nickl, Ralph J.

Empire Elementary School District No. 37 (2 positions)
NO CANDIDATES

Flowing Wells Unified School District No. 8 (2 positions)
Daily, Kevin
Long, Gerald "Jerry" E.

Redington Elementary School District No. 44 (1 four year position)
Dykes, Judith H.

Redington Elementary School District No. 44 (2 Special Two year term positions)
Kelly, Jack
Smallhouse, Mary G.

Sahuarita Unified School District No. 30 (2 positions)
Eves, David R.
Murphy, Tom

San Fernando Elementary School District No. 35 (2 positions)
Knagge, Alice C.

Tanque Verde Unified School District No. 13 (2 positions)
Auslander, Steven L.
Place, Claire W.

Pima County JTED Member District No. 2 (1 position)
Solomon, Ruth

Pima County JTED Member District No. 3 (1 position)
Weiss, Christopher G.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to adopt Resolution No. 2010 - 215.

17. **SUPERIOR COURT**

Pursuant to A.R.S. §12-224, Superior Court requests approval of the following salary adjustment for the court reporter:

<u>PCN</u>	<u>Effective Date</u>	<u>New Rate</u>
253407	9/15/2010	\$26.9586

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the salary adjustment.

18. **DEVELOPMENT SERVICES: FINAL PLAT**

P1208-098, Hidden Creek Ranch, Lots 1-3. (District 1)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the final plat.

19. **TRANSPORTATION: ACCEPTANCE OF PROJECTS/ROADWAYS FOR MAINTENANCE**

A. P1205-019, Vail Elementary School, South Access Roads Phase 2, High Bluff Drive, Station 10+00 to 12+45 and Andress Lane, Station 13+15 to 14+11. Developer: Vail School District No. 20. (District 4)

B. P1204-313, New Tucson, Unit 2, Lots 1-54. Developer: Western Associates Development. (District 4)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to accept the projects/roadways for maintenance.

20. **FRANCHISE/LICENSE/PERMIT: EXTENSION OF PREMISES/PATIO PERMIT**

Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Temporary Extension of Premises for October 22, 2010.

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, Supervisor Elías not present for the vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona State Liquor License and Control.

21. **DEVELOPMENT SERVICES: ELECTRICAL SUBSTATION PERMIT**

Co18-10-02, ARIZONA STATE LAND DEPARTMENT/SOUTHWEST TRANSMISSION COOPERATIVE INC. – E. ANDRADA ROAD 230/24.9kV / 230/69kV ELECTRICAL SUBSTATION PERMIT

Request of Southwest Transmission Cooperative, Inc., represented by The WLB Group, for a 230/24.9kV and 230/69kV electrical substation permit, and a request to waive screening requirements as prescribed in Section 18.07.040B.5.b of the Pima County Zoning Code. The 24.93 acre site is located on the north side of E. Andrada Road, 145 feet west of S. Calle Rinconado. Staff recommends APPROVAL WITH CONDITIONS. (District 4)

- “1. Future amendment to permit for addition of 230/69kV substation component. Should the applicant determine that it will need to add a 230/69kV Phase Two component to the substation it agrees to apply for a new amendment to this permit for this specific use to include a new Board of Supervisors public hearing and enhanced public notification. The applicant shall hold one public outreach meeting in the local neighborhood prior to submittal **of the application for the 230/69kV Phase Two portion, and a second public outreach meeting** prior to the Board of Supervisors 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 substation site.
2. Future addition of a 230/24.9kV substation component. If the applicant determines need for an additional 230/24.9kV substation component, that addition would be covered under this permit. The site is designed in two phases with Phase One being developed initially. However, the site development/NPPO/landscape and related plans shall reflect the full site design and be approved as such so that all zoning and environmental compliance items are met.
3. Prior to construction of any Phase Two expansion, the owner(s)/developer(s) shall demonstrate that the electrical transformers and associated equipment for the two phases combined would meet applicable noise, radio and television interference standards then in effect.
4. Upon issuance of the electrical substation permit, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the permit area and Pima County may enforce this substation permit condition against the property owner. Prior to final approval of the development plan, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
 Invasive Non-Native Plant Species Subject to Control
 Ailanthus altissima Tree of Heaven
 Alhagi pseudalhagi Camelthorn
 Arundo donax Giant reed
 Brassica tournefortii Sahara mustard
 Bromus rubens Red brome
 Bromus tectorum Cheatgrass
 Centaurea melitensis Malta starthistle
 Centaurea solstitialis Yellow starthistle
 Cortaderia spp. Pampas grass
 Cynodon dactylon Bermuda grass (excluding sod hybrid)
 Digitaria spp. Crabgrass
 Elaeagnus angustifolia Russian olive
 Eragrostis spp. Lovegrass (excluding E. intermedia, plains lovegrass)
 Melinis repens Natal grass
 Mesembryanthemum spp. Iceplant
 Peganum harmala African rue
 Pennisetum ciliare Buffelgrass
 Pennisetum setaceum Fountain grass
 Rhus lancea African sumac
 Salsola spp. Russian thistle
 Schinus spp. Pepper tree
 Schismus arabicus Arabian grass
 Schismus barbatus Mediterranean grass
 Sorghum halepense Johnson grass
 Tamarix spp. Tamarisk
5. Any nursery(s) created to temporarily keep native plants for transplant on-site shall not be located in areas identified as Natural Open Space on the Development Plan.
6. The owner/developer must secure approval from the Pima County Department of

- Environmental Quality to use on-site sewage disposal systems within the permit area at the time a tentative plat, development plan or request for building permit is submitted for review.
7. The applicant shall augment natural desert bufferyards with additional trees as needed on the south and east sides to provide additional screening, and a temporary water system shall be installed to help establish the trees, to be shown on an approved Landscape Plan.
 8. The applicant shall work with neighbors to design and install 48" decorative steel gates and associated structures on the substation access roads to provide for additional screening and security.
 9. The applicant shall work with representatives of the Vail Preservation Society to provide for interpretative signage as may be agreed upon by the parties."

Tom Hudson, Zoning Administrator, briefed the Board on this case. He stated that subsequent to the preparation of the staff report, additional concerns were expressed by neighbors and representatives of the Empire-Fagan Coalition. The memorandum to the Board dated September 3, 2010 highlighted the issues and contained supplemental conditions which were agreed upon by the neighbors, Southwest Cooperative, Inc., and staff. Staff recommended approval of the permit and the requested waiver of the bufferyard requirements including the conditions contained in the memorandum dated September 3, 2010, and the correction to Condition No. 1.

The following speakers addressed the Board:

- A. Elizabeth Webb, President of the Empire-Fagan Coalition
- B. J.J. Lamb, Director of the Vail Preservation Society

The provided the following comments:

1. They requested a policy shift where registered neighborhood and homeowner associations are notified about projects that occur in the conservation land system, outside of zoning cases.
2. They thanked Supervisor Carroll and the applicant for being responsive and working closely with the greater Vail community.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to close the public hearing and approve Co18-10-02 with conditions, including the new language from the September 3, 2010 memorandum and the correction to Condition No. 1.

22. **TRANSPORTATION: TEMPORARY ROAD CLOSURE**

RESOLUTION NO. 2010 - 216, of the Pima County Board of Supervisors, temporarily closing street segments on Well Road, La Mina Avenue, Fundicion Street, Lomita Avenue and Plaza Street in Ajo, Arizona, for the International Day of Peace Celebration on September 21, 2010. Staff recommends APPROVAL. (District 3)

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, Supervisor Elías not present for the vote, to close the public hearing and adopt Resolution No. 2010 - 216.

23. TRANSPORTATION: ROAD ABANDONMENTS

A. RESOLUTION NO. 2010 - 217, of the Board of Supervisors of Pima County, Arizona, abandoning to the Town of Marana, a portion of Cortaro Farms Road from the Union Pacific Railroad to Star Grass Drive, lying within Sections 25 and 26, T12S, R12E, Pima County, Arizona.

B. RESOLUTION NO. 2010 - 218, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of Tucson, a County highway that lies within T14S, R13E, Section 35, Rose Neighborhood Association Bridge Project.

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, Supervisor Elías not present for the vote, to close the public hearings and adopt Resolution Nos. 2010 - 217 and 218.

24. COUNTY ADMINISTRATOR: MEET AND CONFER AGREEMENT

Discussion/Direction/Action regarding the Meet and Confer Agreement between Pima County and Service Employees International Union (SEIU) Arizona.

Chuck Huckelberry, County Administrator, stated that the County fully supported the Meet and Confer Agreement.

The following speakers addressed the Board:

- A. Dave Mitchell, President Emeritus of SEIU, Pima County Chapter
- B. Maya Castillo, President of SEIU, Pima County Chapter

The provided the following comments:

1. They thanked the Board and the management team for their commitment and support of the meet and confer process.
2. They hoped to improve discussions with management over union rights, financial security and individual department issues. They felt some issues could be resolved at the department management level.
3. The possibility of becoming self-insured and having a non-profit organization facilitate the delivery of healthcare services to Pima County employees was suggested. They felt this would be the best solution cost-wise for both the County and employees.
4. They hoped the Board would reconsider making County healthcare plans available to retired employees.

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

25. COUNTY ADMINISTRATOR: INITIATION OF ZONING CODE TEXT AMENDMENT

Initiation of a Zoning Code text amendment concerning medical marijuana dispensaries and cultivation locations, direction that the Planning and Zoning Commission consider the amendment at their meeting on September 29, 2010, and for the Commission to forward their recommendation for consideration by the Board of Supervisors on October 5, 2010.

Chuck Huckelberry, County Administrator, briefed the Board on the purpose of this request as it related to Proposition 203, a ballot initiative on the November 2, 2010 General Election. He stated his recommendation was to direct the Planning and Zoning Commission to consider the Zoning Code Text Amendment at its September 29, 2010 Meeting and to provide their recommendation for consideration at the Board of Supervisors Meeting of October 5, 2010. The Zoning Code Text Amendment, if adopted, would take effect in November, 2010. He requested that the notice of Public Hearing be made by publication rather than by direct mail to provide sufficient time to comply with Code requirements. He explained that the Board of Health would simultaneously consider amendments to Title 8, of the Pima County Code, which would also be presented at the meeting of October 5, 2010.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the initiation of a Zoning Code Text Amendment with the direction that notification be made by publication rather than by direct mail.

26. CONTRACTS AND AWARDS

A. Community Services, Employment and Training

1. RESOLUTION NO. 2010 – 219, approving an Intergovernmental Agreement with Arizona Department of Economic Security, to enhance education and workforce services in Pima County, WIA Grant Fund, contract amount \$6,041,180.00 revenue (01-69-A-143255-0410)

B. Health Department

2. State of Arizona Department of Corrections, Amendment No. 1, to provide an inmate labor pool to support the Pima County Animal Care Center and amend contractual language for the term 9/1/10 to 8/31/11, General Fund, contract amount \$25,000.00 (11-01-A-142292-0908)

C. **Real Property**

3. RESOLUTION NO. 2010 – 220, approving an Intergovernmental Agreement with the Drexel Heights Fire District, to provide joint use of facility space for communication sites and a Site Specific Agreement, no cost (01-80-D-143237-0910)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the contracts and adopt Resolution Nos. 2010 - 219 and 220.

27. **CONTRACT AND AWARD: HEALTH DEPARTMENT**

Borderlands Theater, Inc., to provide instruction and materials for elementary schools to develop student folktale plays, One Percent for Youth Fund, contract amount \$10,000.00 (32-01-B-143257-0910)

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

28. **RATIFICATION OF EMERGENCY PROCUREMENT: INFORMATION TECHNOLOGY**

Queue Corporation, to provide voter registration/database consulting services for the term 9/1/10 to 8/31/11, Document Storage and Retrieval Fund, contract amount \$90,000.00 (07-14-Q-143239-0910)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the ratification.

29. **BOARD, COMMISSION AND/OR COMMITTEE: PIMA COUNTY FAIR COMMISSION**

Appointment of Rocco Bene to replace Steve Hopkins. Term expiration: 9/7/14. (District 4)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the appointment.

30. **DIVISION OF ELECTIONS**

Special Districts to be Reflected on the 2010 General Ballot

- A. Cancellation of uncontested elections for Fire and Water District Governing Board members scheduled for the November 2, 2010 General Election, and appointment of the following candidates who filed nomination petitions:

WATER DISTRICTS

Green Valley Water District No. 3 (Vote for 3)

Richard G. Newman
Curt C. Wagner
John L. Wilson

Marana Water District No. 2 (Vote for 3)

Donald O. Peetoom
Anthony D. Sostarich
Michael P. Young

Mt. Lemmon Water District No. 4 (Vote for 2)

Jeff Kennedy
John W. Mulay

Why Water District No. 5 (Vote for 5)

Nancy Bagby
Vern Denning
Ann M. Morrow
Curtis T. Taylor
Paul J. Waterman

FIRE DISTRICTS

Arivaca Fire District No. 23 (Vote for 5)

Mark E. Dresang
James L. Meade
Terry Wayne Tompkins
Theresa Kathleen Wishnick

Drexel Heights Fire District No. 2 (Vote for 2)

Laura Dailey

Golder Ranch Fire District No. 12 (Vote for 2)

Mark A. Clark
Vicki Lynn Cox Golder

Hidden Valley Fire District No. 5 (Vote for 1)

No Candidate Filed

Mescal-J6 Fire District No. 20 (Vote for 5)

Mary J. Bowen
Mary McCool
Mark Lee

Mountain Vista Fire District No. 22 (Vote for 2)

Jerry E. Phillips
Earle W. Ruhnke Sr.

Picture Rocks Fire District No. 10 (Vote for 2)

Charles E. Hay
George R. James

Rincon Valley Fire District No. 15 (Vote for 2)

Gavin P. Obert
Kirsten Schlenker

Sabino Vista Fire District No. 11 (Vote for 2)

Michael B. Halladay
James Mozur

Tanque Verde Valley Fire District No. 4 (Vote for 1)

Kay Don Treese

Three Points Fire District No. 21 (Vote for 2)

Jane L. Pierce

Why Fire District No. 16 (Vote for 2)

Gary Bagby
Ann Morrow

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the cancellation of the uncontested elections and make the appointments as listed.

- B. Pursuant to A.R.S. §16-649, the Board of Supervisors shall determine by lot the elected candidate for the position of Precinct Committeeman, as follows:

Republican Candidates

Precinct 385

Leona Mondello
Albert Mondello

Precinct 199

Garland Cox
Chuck Moffett

Green Party Candidates

Precinct 44

Dave Croteau
Dave Stewart

Precinct 320

Claudia Ellquist
Deanie Sparks

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Elías not present for the vote, to approve the candidates for the position of Precinct Committeeman, as drawn:

Republican Candidate, Precinct 385: Leona Mondello
~~Republican Candidate, Precinct 199: (Item Withdrawn)~~
Green Party Candidate, Precinct 44: Dave Stewart
Green Party Candidate, Precinct 320: Claudia Ellquist

31. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard.

The following speakers addressed the Board concerning the lack of retiree health insurance coverage:

- A. Sue Villabrille
B. Marsha Price

- C. Lisa Hulette
- D. Virginia Wise

The following speakers addressed the Board regarding their opposition to the proposed Marana Landfill:

- A. Pamela Ruppelius
- B. Erik J. Rohlik
- C. Steve Storzer
- D. Mimi Battin

Lea Marquez Peterson introduced herself and spoke about the Southern Arizona Chamber of Commerce Alliance.

Gary Bahr addressed the Board concerning dog issues.

Sheldon Gutman spoke on major league baseball concerns and keeping spring training in Pima County for one more season.

32. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:00 a.m.