

MINUTES, FLOOD CONTROL DISTRICT BOARD

OCTOBER 5, 2010

The Pima County Flood Control District Board met in its 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, October 5, 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 requests approval of an onsite Riparian Habitat Mitigation Plan for property located at 5567 W. Oasis Road, located within Important Riparian Area with underlying Xeroriparian Class C Habitat. (District 1)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to approve the Riparian Habitat Mitigation Plan.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:05 p.m.

MINUTES, LIBRARY DISTRICT BOARD

OCTOBER 5, 2010

The Pima County Library District Board met in its 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, October 5, 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. **CONTRACT**

RESOLUTION NO. 2010 – LD 2, approving an Intergovernmental Agreement with the City of Tucson, to provide library services at the South Park Arts and Culture Center for the term 8/15/10 to 6/30/15, SGIA Grant Fund, contract amount \$2,500.00 (01-66-T-143298-0810)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to adopt Resolution No. 2010-LD2 and approve the contract.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:05 p.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

OCTOBER 5, 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, October 5, 2010. Upon roll call, those present and absent were as follows:

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

1. **INVOCATION**

The invocation was given by Pastor Jerome Parker, Freedom's Gate Ministries, Inc.

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.

. . . **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Day, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:06 a.m.

4. **RECONVENE**

The meeting reconvened at 9:25 a.m. All members were present.

5. **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. No one appeared.

6. **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 Snell & Wilmer to represent Arizona La Cholla, L.L.C., with respect to Pima County's planned drainage

and related improvements, including culverts and drainageways, passing through the property of La Cholla near the intersection of La Cholla and Magee Roads.

Chris Straub, Chief Civil Deputy County Attorney, stated this item concerned a request for a waiver of a potential conflict of interest to allow the law firm of Snell & Wilmer to represent Arizona La Cholla, L.L.C., in their negotiations regarding a drainage easement near the intersection of La Cholla and Magee Roads. He affirmed that such waivers were at the discretion of the Board.

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

7. **LITIGATION**

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

- A. R&M Real Estate Ltd. v. Pima County
Arizona Tax Court Case No. ST2009-000626
12 Tax Parcel Nos: 140-34-0010 to 0090, 011A, 0120 and 0760

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2010 for 12 parcels. The Pima County Assessor and the Pima County Attorney's Office recommended approval of the following settlement:

1. The proposed settlement for Tax Parcel No. 140-34-0040, would change the classification from commercial (21% assessment ratio) to vacant land (16%). This classification would rollover for 2011.
2. The proposed settlement for Tax Parcel No. 140-34-0070, would result in a decrease of the FCV from \$70,942.00 to \$49,146.00. The FCV would rollover for 2011.
3. The proposed settlement for Tax Parcel No. 140-34-0080, would result in a decrease of the FCV of the land and improvements owned by the landowner from \$44,758.00 to \$39,258.00. The FCV would rollover for 2011.
4. The proposed settlement for Tax Parcel No. 140-34-0090, would result in a reduction of the FCV from \$57,640.00 to \$43,518.00. The FCV would rollover for 2011.
5. The proposed settlement for Tax Parcel No. 140-34-011A, would result in a reduction of the FCV from \$36,784.00 to \$31,559.00. The FCV would rollover for 2011.

6. The proposed settlement for Tax Parcel No. 140-34-0120, would result in a reduction of the FCV from \$46,228.00 to \$39,662.00. The FCV would rollover for 2011.
7. The proposed settlement for Tax Parcel No. 140-34-0760, would result in a reduction of the FCV from \$56,563.00 to \$38,108.00. The FCV would rollover for 2011.
8. The proposed settlement for Tax Parcel Nos. 140-34-0010 through 030, was to support the FCV of each parcel at \$33,220.00. The FCV would rollover for 2011.
9. The proposed settlement for Tax Parcel No. 140-34-0050, was to support the FCV at \$33,220.00.
10. The proposed settlement for Tax Parcel No. 140-34-0060, was to support the FCV at \$187,372.00. The FCV's would rollover for 2011.

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

B. SR Lot 8 L.L.C. v. Pima County

Arizona Tax Court Case No. ST2010-000047

Tax Parcel Nos: 219-10-0850 and 219-10-0860

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2010, for Tax Parcel Nos. 219-10-0850 and 219-10-0860. The proposed settlement would result in a reduction of the FCV from \$500,000.00 to \$245,000.00 each. These FCV would not rollover for 2011. The Pima County Assessor and the Pima County Attorney's Office recommended approval of the settlement.

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

C. SR Lot 8 L.L.C. v. Pima County

Arizona Tax Court Case No. ST2010-000046

Tax Parcel No. 219-30-004A

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax year 2010 for Tax Parcel No. 219-30-004A. The proposed settlement would result in a reduction of the FCV from \$1,000,000.00 to \$490,000.00. The FCV would not rollover for 2011. The Pima County Assessor and the Pima County Attorney's Office recommended approval of the settlement.

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

- D. Tucson Acquisition and Development v. Pima County
Arizona Tax Court Case No. TX2009-000664
Tax Parcel No. 305-30-015A

Chris Straub, Chief Civil Deputy County Attorney, stated this was a proposed settlement that involved a valuation appeal for tax years 2009 and 2010 for Tax Parcel No. 305-30-015A. The proposed settlement would result in a reduction of the FCV from \$126,500.00 to \$80,000.00 for both years. The FCV does not rollover for 2011. The Pima County Assessor and the Pima County Attorney's Office recommended approval of the settlement.

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

- E. Fidelity National Title Agency et. al. v. Pima County
Arizona Tax Court Case No. TX2009-000269
349 Tax Parcel Nos: 217-27-0270 and 0280, 0370-0860, 0930-1080, 1100 - 1300, 1510-1670, 1710, 1740, 1780-1900, 2040, 2060-2180, 2250-2320, 2350, 2380-3090 and 3140-3730.

Chris Straub, Chief Civil Deputy County Attorney, stated Tax Parcel Nos. 217-27-0270 and 0280, 0370-0860, 0930-1080, 1100-1300, 1510-1670, 1710, 1740, 1780-1900, 2040, 2060-2180, 2250-2320, 2350, 2380-3090, 3140-3730 were no longer owned by the plaintiff and were dismissed from the lawsuit.

He stated in 2009, for (192) of the parcels the FCV notice was \$31,046.00, for (63) parcels the noticed FCV was \$37,559.00, for (53) parcels the noticed FCV was \$41,319.00, for (8) of the parcels the noticed FCV was \$50,000.00 and for Tax Parcel No. 217-27-2350 the noticed FCV was \$55,000.00. The Assessor recommended that this claim be treated as a notice of error and the FCV on all parcels be lowered to \$24,000.00 for 2009. The notice values for 2010 were adequately supported by the market sales. Accordingly, the claim for the 2010 tax year will be dismissed or the properties will receive no change in value. The Pima County Assessor and the Pima County Attorney's Office recommended approval of the settlement.

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

8. 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.

PULLED FOR SEPARATE ACTION

1. CONTRACTS AND AWARDS

G. Procurement

25. EMA, Inc., Amendment No. 1, to provide SCADA System Design, Programming and Integration Services for the Regional Optimization Master Plan (ROMP), amend contractual language and extend term from 10/2/10 to 8/30/14, RWRD Obligation Fund, contract amount \$8,017,768.00 (11-03-E-141845-1108) Regional Wastewater Reclamation

Supervisor Carroll requested this item to be pulled for separate action because he had objections to the ROMP Project and wanted to be consistent in voting no on it.

On consideration, it was moved by Supervisor Carroll to delay the vote for further review of the contract. The motion died for lack of a second.

Supervisor Elías stated this was something required by regulators and, if the project was not completed on time, it would ultimately be even more costly.

On consideration, it was moved by Supervisor Bronson seconded by Supervisor Elías, and carried by a 4-1 vote, Supervisor Carroll voting “Nay,” to approve the contract.

B. APPROVAL OF CONSENT CALENDAR

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

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community Services, Employment and Training

1. Arizona Housing and Prevention Services, Inc., Amendment No. 2, to provide emergency assistance services to eligible low-income households experiencing a temporary financial crisis, extend

contract term to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$24,810.00 (07-69-A-142508-0709)

2. Wingspan, Amendment No. 2, to provide emergency assistance services, transportation and counseling to youth experiencing a temporary crisis, extend contract term to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$24,558.00 (07-69-W-142511-0709)

B. Constables Office

3. Constable Ethics Standards & Training Board, Equipment Grant Award, to purchase a mobile audio system, State Grant Fund, contract amount \$2,604.00 revenue (02-78-C-143283-1010)
4. Constable Ethics Standards & Training Board, Equipment Grant Award, to purchase eight (8) shooting mats for use in firearms training, State Grant Fund, contract amount \$636.48 revenue (02-78-C-143284-1010)
5. Constable Ethics Standards & Training Board, Equipment Grant Award, to purchase nine (9) all weather response jackets, State Grant Fund, contract amount \$725.94 revenue (02-78-C-143285-1010)
6. Constable Ethics Standards & Training Board, Equipment Grant Award, to purchase three (3) GPS Navigation Systems for Constable Districts 2, 7 and 10, State Grant Fund, contract amount \$1,457.85 revenue (02-78-C-143286-1010)
7. Constable Ethics Standards & Training Board, Equipment Grant Award, to purchase firearms for Constable Districts 2, 4, 5, 6 and 10, State Grant Fund, contract amount \$2,252.75 revenue (02-78-C-143287-1010)

C. Environmental Quality

8. Arizona Department of Environmental Quality, to operate and administer a Clean Air Voluntary No Drive Program, contract amount \$192,000.00 revenue (11-51-A-143274-0710)

D. Health Department

9. RESOLUTION NO. 2010 – 230, approving an Intergovernmental Agreement with the Amphitheater Unified School District, to

administer childhood immunization services, no cost (01-01-A-143270-0910)

E. Information Technology

10. Alltel Communications of the Southwest Limited Partnership, Amendment No. 4, to provide Non-Exclusive Right-of-Way License - Cellular Communication Facilities, contract term 7/5/10 to 7/4/15, General Fund, contract amount \$265,230.32/ 5 year term - revenue (12-14-T-140044-0700)
11. Total Solutions, Inc., to provide voter registration/database consulting services for the Recorder's Office, Recorder's Document Storage and Retrieval Fund, contract amount not to exceed \$90,000.00 (07-14-T-143295-1010)

F. Pima Health System

12. RESOLUTION NO. 2010 - 231, approving an Intergovernmental Agreement with the Arizona Department of Economic Security, to provide home and community based services to eligible elderly and physically disabled individuals in the Community Services System, PHCS Enterprise Fund, contract amount \$2,615,969.00 revenue (01-15-A-143292-0710)
13. Old Pueblo Healthcare, L.L.C., Amendment No. 7, to provide primary care physician services, amend contractual language and extend contract term from 8/1/10 to 7/31/11, no cost (18-15-O-138391-0806)
14. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 12, to provide long term care services to the indigent, amend contractual language and extend contract term from 10/1/10 to 9/30/11, no cost (18-15-A-138594-1006)
15. L. Hunter Nash, D.D.S., P.C., Amendment No. 4, to provide dental services, amend contractual language and extend term of contract from 11/1/10 to 10/31/11, no cost (18-15-N-138661-1106)
16. General Dentistry for Kids, L.L.C., Amendment No. 2, to provide dental services, amend contractual language and extend contract term from 11/1/10 to 10/31/11, no cost (18-15-G-139783-1107)
17. Assisted Living by Cherie Hackman, d.b.a. Saguaro Horizons, Amendment No. 6, assignment of rights and amend contractual language, no cost (07-15-H-140150-0907)

18. To provide assisted living home services, amend contractual language and extend contract term from 10/1/10 through 9/30/11, PHCS Enterprise Fund:

<u>Vendor</u>	<u>Contract</u>	<u>Amendment</u>	<u>Amount</u>
Catalina Village Assisted Living, L.P.	18-15-C-140510-1007	7	\$1,600,000.00
Devon Gables Health Care Center, Inc.	18-15-D-140511-1007	5	\$0.00
Hundred Palms Tucson, L.L.C.	18-15-H-140512-1007	5	\$325,000.00
Marshall Home For Men, Inc.,	18-15-M-140513-1007	4	\$0.00
Handmaker Jewish Services for the Aging, d.b.a. The Rubin Community for Senior Elder Care Residents	18-15-H-140514-1007	5	\$75,000.00
The Oasis Assisted Living Center, L.L.C., d.b.a. The Oasis at El Corral Assisted Living Center	18-15-O-140515-1007	5	\$200,000.00
Villa Maria Care Center, L.L.C.	18-15-V-140516-1007	5	\$0.00
Brea Tucson, L.L.C., d.b.a. Emeritus at Catalina Foothills	07-15-T-140569-1007	4	\$0.00

19. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 9, to provide acute care medical services, amend contractual language, revenue based on services, contract term from 10/1/10 to 9/30/11, PHCS Enterprise Fund (02-15-A-141668-1008)
20. Carondelet Health Network, Amendment No. 1, to provide hospital services, amend contractual language and extend contract term to 4/30/11, no cost (18-15-C-142852-0509)
21. Pima County Community College District, to provide Coordinating Clinical Educational Programs for Posada del Sol Healthcare Center, no cost (07-55-P-143277-1010)

G. Procurement

22. Durazo Construction Corp., Amendment No. 2, Job Order Contract to provide for residential property rehabilitation services, amend contractual language and extend contract term to 9/14/11, General Fund, contract amount \$125,000.00 (26-70-D-142385-0909) Community Development & Neighborhood Conservation
23. Durazo Construction Corp., Amendment No. 5, Job Order Contract to provide park development services, amend contractual language for the term 10/5/10 to 2/5/11, various funding sources, contract amount \$1,000,000.00 (26-05-D-139371-0207) Natural Resources, Parks & Recreation

- 24. M. Anderson Construction Corporation, Amendment No. 6, Job Order Contract to provide park development services, amend contractual language, contract term 10/5/10 to 2/5/11, various funding sources, contract amount \$700,000.00 (26-05-M-139409-0207) Natural Resources, Parks & Recreation
- 25. EMA, Inc., Amendment No. 1, (PULLED FOR SEPARATE ACTION)

Awards

- 26. Amendment of Award: To provide Educational Coordinator Services for the Tobacco Prevention Program, increase total amount of contracts by \$48,000.00. Funding Source: Tobacco Prevention. Administering Department: Health Department:

<u>Contractor</u>	<u>Amount</u>
Ilynn Adler	\$12,000.00
Kathleen Carrol Educational Consulting	\$12,000.00
David McDonald Consulting	\$12,000.00
Kennith Mayes	\$12,000.00

- 27. Low Bid: Award of Contracts, Requisition No. 1002504, in the annual amount of \$612,000.00 for Toner Cartridges. Contracts are for a one-year term and include (4) one-year renewal periods. The award includes the authority for the Procurement Department to reallocate the award amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts does not exceed the sum of the contract award amounts. Funding Source: Various Funds. Administering Department: Information Technology:

<u>Contractor</u>	<u>Annual Amount</u>	
Laser Options, Inc, Tempe, AZ	\$200,000.00	Group A: Remanufactured/ Compatible Toner Cartridges
Vision Business Products, Phoenix, AZ	\$412,000.00	Group B: OEM New Toner Cartridges

H. Office of Court Appointed Counsel

Awards

- 28. Charles E. Laroue, d.b.a. Lash Laroue Investigations L.L.C., to provide investigator services. Award of (1) three-year contract in

the total amount of \$180,000.00 (\$60,000.00 per year). The contract also provides (1) renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew the contract for a three-year period for the initial contract amount of \$180,000.00 (\$60,000.00 per year) without further action by the Board of Supervisors. Funding Source: General Fund.

29. Stephanie Meade, to provide court appointed attorney services for Pima County Juvenile Court. Award of (1) one three-year contract in the total amount of \$300,000.00 (\$100,000.00 per year). This contract also provides (1) renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew the contract for a three-year period for the initial contract amount of \$300,000.00 (\$100,000.00 per year) without further action by the Board of Supervisors. Funding Source: General Fund.
30. Cornelia Honchar, Tiffany Huffman-Spiers and Jennifer Maldonado, to provide court appointed attorney services on the Pima County Justice Court Misdemeanor Panel. Award of (3) three-year contracts in the total amount of \$600,000.00 (\$200,000.00 each). The contracts also provide for (1) one renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew the contracts for a three-year period for the initial contract amount of \$600,000.00 (\$200,000.00 each) without further action by the Board of Supervisors. Funding Source: General Fund.
31. Marshall Tandy, to provide Mitigation Services. Award of (1) three-year contract in the total amount of \$150,000.00 (\$50,000.00 per year). This contract also provides (1) renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew the contract for a three-year period for the initial contract amount of \$150,000.00 (\$50,000.00 per year) without further action by the Board of Supervisors. Funding Source: General Fund.
32. Stephanie Meade and Scott Schleivert to provide court appointed attorney services on the Post Conviction Relief Panel. Award of (2) three-year contracts in the total amount of \$360,000.00 (\$180,000.00 each). The contracts also provide for (1) renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew the contract for a three-year period for the initial contract amount of \$360,000.00 (\$180,000.00 each) without further action by the Board of Supervisors. Funding Source: General Fund.

33. Stuart DeHaan, Jennifer Maldonado and Stephanie Meade to provide court appointed attorney services on the Superior Court Felony Panel. Award of (3) three-year contracts in the total amount of \$900,000.00 (\$300,000.00 each). The contracts also provide for (1) renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew each contract for a three-year period for the initial contract amount of \$900,000.00 (\$300,000.00 each) without further action by the Board of Supervisors. Funding Source: General Fund.
34. Amy Armstrong and Emily Skinner to provide court appointed attorney services on the Superior Court First Degree Murder Panel. Award of (2) three-year contracts in the total amount of \$600,000.00 (\$300,000.00 each). The contracts also provide for (1) renewal for an additional three-year period. Authorization for the Procurement Director or his designee to renew each contract for a three-year period for the initial contract amount of \$600,000.00 (\$300,000.00 each) without further action by the Board of Supervisors. Funding Source: General Fund.

I. **Real Property**

35. LCC-Kolb/Sunrise, L.L.C., to provide License for Right-of-Way Encroachment to encroach on the right-of-way of Sunrise Drive west of Kolb Road, \$4,125.00 revenue (12-04-L-143264-1010)

J. **Sheriff**

36. Arizona Department of Homeland Security, Amendment No. 1, Subgrantee Agreement to extend contract term from 10/1/10 to 9/30/11. Pima County Wireless Integrated Network (PCWIN), no cost (01-11-A-142448-1009)

2. **RATIFICATION OF EMERGENCY PROCUREMENT**

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

Primavera Foundation, Inc., to provide Neighborhood Stabilization Program for City of South Tucson Redevelopment Project, NSP Grant Fund, contract amount \$130,100.00 (11-70-P-143290-0910)

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

A. **Tucson-Pima County Bicycle Advisory Committee**

Ratification of appointment/term: Appointment of Kevin McDonald, Town of Sahuarita. Term expiration: 5/11/12. (Jurisdictional recommendation)

B. Pima County Workforce Investment Board

Appointment of Mike Verbout, Labor Organization and Kim Murray, Business. Term expirations: 9/30/12. (Staff recommendations)

C. Pima County/Tucson Women's Commission

Appointment of Cecilia Vindiola and Emma Juan. Term expirations: 9/14/14. (Commission recommendations)

4. ELECTIONS

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Marcoe, Sydnie	168	DEM
Douglas, Samuel J.	302	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Clodfelter, Todd A.	302	REP
LaGuardia, Adam C.	389	REP
Swanson, Daniel C.	391	REP
Castillo, Wilmer R.	392	REP
McManus, Debra L.	404	REP
McManus, Richard M.	404	REP

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

- A. Victoria Katherine Maloney, Sahuaro High School, Class of 2000, 13401 E. Old Spanish Trail, Tucson, October 9 and 10, 2010.
- B. Anne Rounds, Ronald McDonald House Charities of Southern Arizona, 2905 E. Skyline Drive, Tucson, September 24, 2010.
- C. Lance R. Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, September 25, 2010.
- D. Scott Arthur Anderson, American Legion Madera Post 131, 249 W. Esperanza Boulevard, Green Valley, October 29, 30 and 31, 2010.
- E. Kord M. Klinefelter, American Legion Rider, The Ajo Plaza at Plaza Street and Highway 85, Ajo, October 22, 2010.
- F. Laurie S. Buckelew, VFW Post No. 10254, 17000 W. Ajo Way, Tucson, October 8, 9, 10, 15, 16 and 17, 2010.

- G. Laurie S. Buckelew, Three Points Fire Local 3504 Union, 17000 W. Ajo Way, Tucson, October 21, 22, 23, 24, 27, 28, 29, 30 and 31, 2010.
- H. Kord M. Klinefelter, American Legion Post 10, The Ajo Plaza at Plaza Street and Highway 85, Ajo, October 16, 2010.
- I. Jill R. Rodriguez, El Rio Health Center Foundation, La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, October 14, 2010.

6. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of May and June, 2010.

7. **PROCLAMATION**

Proclaiming October 3 - 9, 2010, to be:

“MENTAL ILLNESS AWARENESS WEEK”

8. **RATIFY AND/OR APPROVE**

Warrants: September, 2010

REGULAR AGENDA/ADDENDUM ITEMS

9. **COUNTY ADMINISTRATOR: Sustainability Report Card for FY 09/10**

Staff recommends acceptance of the two year implementation report card for the Sustainable Action Plan for County Operations and adoption of the recommended amendments to the success indicators.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the Sustainability Report Card and the recommended amendments.

10. **COMMUNITY SERVICES, EMPLOYMENT AND TRAINING: Local Workforce Investment Board Recertification 2010-2011**

RESOLUTION NO. 2010 – 232, approving and authorizing the Local Workforce Investment Board recertification to allow the use of Department of Labor Funds to operate the County One-Stop(s) and provide assistance with strengthening the economy of Pima County by providing a qualified workforce through the One-Stop System.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2010-232.

11. **DEVELOPMENT SERVICES: Final Plat with Assurances**

P1207-064, Yolanda Oasis, Lots 1-16. (District 1)

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

12. **SHERIFF**

RESOLUTION NO. 2010 – 233, of the Board of Supervisors of Pima County, Arizona, establishing a Domestic Violence Fatality Review Team, pursuant to A.R.S. §41-198.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to adopt Resolution No. 2010-233.

13. **FRANCHISE/LICENSE/PERMIT: Liquor License**

10-20-9032, Louie Lazos, Stagecoach Grill and Cantina, 5200 S. Palo Verde Road, Tucson, Series 6, Bar License, Person Transfer.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing, approve the liquor license and forward the recommendation to the Arizona State Liquor Licenses and Control.

14. **FRANCHISE/LICENSE/PERMIT: Extension of Premises/Patio Permit**

Scott A. Busse, Territorial, 3227 S. Palo Verde Road, Tucson, Temporary Extension of Premises for October 9, 2010.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona State Liquor Licenses and Control.

15. **HEALTH DEPARTMENT: Pima County Code Text Amendment**

An Ordinance of the Pima County Board of Supervisors, relating to Public Health and Safety; amending the Pima County Code by adding Chapter 8.80 to Title 8 of the Pima County Code relating to the registration of medical marijuana dispensaries, cardholders, designated caregivers, dispensary agents, qualifying patients and visiting qualifying patients.

If approved, pass and adopt ORDINANCE NO. 2010 – 58

Sherry Daniels, Health Department Director, provided an overview on the recommendation of approval from the Board of Health as it related to adding Chapter 8.80, to Title 8 of the Pima County Code, relating to the registration of medical marijuana dispensaries, cardholders, designated caregivers, dispensary agents, qualifying patients and visiting qualifying patients if Proposition 203, the Arizona Medical Marijuana Act, passed on the November 2, 2010, General Election Ballot.

Ms. Daniels explained how this Ordinance proposed more stringent registration regulations of medical marijuana dispensary agents which would require them to comply with either the Federal Controlled Substances Act or the Arizona Controlled Substances Act in order to register in Pima County. She felt this Ordinance would limit the manufacture, distribution, prescription or dispensing of medical marijuana in Pima County to licensed professionals specifically trained to deal in controlled substances.

Supervisor Elías expressed his concern on what the process would be for ill patients, living in rural areas, to register.

Paula Ferrera, Deputy County Attorney, explained the Arizona Department of Health Services had not promulgated rules, in anticipation that Proposition 203 passed, and it is was not known at this time what the process would be from the State's perspective.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2010-58, as recommended by the Board of Health.

16. **DEVELOPMENT SERVICES: Pima County Code Text Amendment**

Co8-10-07, MEDICAL MARIJUANA DISPENSARIES

An Ordinance of the Pima County Board of Supervisors, relating to Zoning (Title 18); amending the Pima County Code by adding definitions for medical marijuana designated caregiver cultivation location, medical marijuana dispensary, medical marijuana dispensary offsite cultivation location and medical marijuana qualifying patient cultivation location to Chapter 18.03 (definitions) and adding medical marijuana dispensary, medical marijuana dispensary offsite cultivation location and medical marijuana designated caregiver cultivation location to Chapter 18.45 (CB-2 General Business Zone), Section 18.45.040 (Conditional Uses) as conditional uses and adding development standards, conditions, application requirements and identifying the existing applicable fee for medical marijuana dispensaries, medical marijuana dispensary offsite cultivation locations and medical marijuana designated caregiver cultivation locations to Chapter 18.45, Section 18.45.040. The Planning and Zoning Commission recommendation is pending the Planning and Zoning Commission Meeting of September 29, 2010. Staff recommends APPROVAL. (All districts)

If approved, pass and adopt ORDINANCE NO. 2010 - 59

* * *

Chris Poirier, Assistant Planning Director, provided a staff report on the proposed Ordinance that would establish development standards and regulations for medical marijuana dispensaries and their associated cultivation locations.

Mr. Poirier stated that the Planning and Zoning Commission conducted a public hearing on September 29, 2010, on the proposed Ordinance as recommended by staff, and approved such with the following modifications:

The Planning and Zoning Commission voted 5-1 (Commissioner Holdridge voted "Nay," Commissioners Smith, Poulos, Membriila and Steinbrenner were absent) to recommend APPROVAL WITH MODIFICATIONS to staff recommendations as follows:

1. Delete Section 18.45.040(D)(6)(e) which prohibits offsite deliveries. The Commission felt that this section conflicts with the wording of Proposition 203 which allows deliveries.
2. Amend Section 18.03.020 – Definitions "M" No. 5 by increasing the allowed size for a Medical Marijuana Designated Caregiver Cultivation Location from 250 to 500 square feet. The purpose of the proposed change is to provide more flexibility in where cultivation sites can occur, such as two-car garages or cargo containers.
3. Amend Section 18.03.020 – Definitions "M" No. 8 by changing the second to last sentence under Medical Marijuana Qualifying Patient Cultivation Location to state that cultivation must not be detectable from the property rather than the building. This would allow outdoor cultivation for patients growing their own.
4. Amend Sections 18.45.040(D)(1) 18.45.040(E)(1) by reducing the notification area for the conditional use permit from 2,640 feet to 1,000 feet. This would bring the notification area more into line with other similar uses such as adult entertainment facilities and bars.
5. Amend Section 18.45.040(E)(5)(a) by removing cargo containers as a non-permitted location for a medical marijuana dispensary offsite cultivation location. The reason for the amendment is that cargo containers can be excellent locations for a cultivation site because of their size (about 480 square feet) and the fact that they can be easily secured.
6. Amend Sections 18.45.040(F)(1) and (2) to increase the permitted size of a Designated Caregiver Cultivation Location, whether for a single caregiver or multiple caregivers from 250 square feet to 500 square feet. The purpose of the amendment is to make it easier to create growing cooperatives.

Mr. Poirier then summarized staff recommendations:

Staff recommendations

Medical Marijuana Dispensaries:

1. The proposed amendment shall limit the locations of Dispensaries to the CB-2 zone.
2. The uses shall be setback 2,000 feet from any other Dispensaries, 1,000 feet from any school, library, church, or substance abuse facility.
3. There shall be no drive-through or outdoor seating, and the use shall be limited to 2,000 square feet.
4. Additionally, every Dispensary shall also require a Type 3 Conditional Use Permit that will allow further site specific scrutiny.

Dispensary Off-Site Cultivation Locations:

1. The cultivation locations associated with dispensaries shall also be located in the CB-2 zone.
2. They will require setbacks of 2,000 feet from dispensaries and other cultivation locations, 1,000 feet from any schools, libraries, churches, substance abuse facilities, and shall be limited to 2,000 feet in area.
3. Additionally, they also require a Type 3 Conditional Use Permit.

Designated Caregiver Cultivation Location:

1. The standards shall be consistent with Dispensary Off-site locations except the use shall be limited to 250 square feet.

Qualified Patient Cultivation:

1. Shall be located either at the patient's primary address and limited to 50 square feet, or if at an off-site location, shall be in CB-2 and would require a Type 3 Conditional Use Permit.

Chris Poirier introduced Pima County Attorney, Barbara LaWall, who assisted staff in preparing the proposed Ordinance. Barbara LaWall stated that Sheriff Clarence Dupnik

was unable to attend the meeting but supported the Ordinances as drafted by her office. She provided a presentation on her research and statistics of medical marijuana dispensaries in other states. She thanked the Board for being proactive in considering these Ordinances should Proposition 203 pass on November 2, 2010, and indicated that adopting these Ordinances may prevent the negative, unintended consequences of marijuana dispensaries. Ms. LaWall urged the Board to adopt Ordinance No. 2010-58, as recommended by the Board of Health, and to pass Ordinance No. 2010-59 as recommended by staff. She compared the Planning and Zoning Commission recommendations to that of staff, and she strongly recommended the Board adopt staff's version of the Ordinance as it was more restrictive.

The Chairman inquired whether anyone wished to be heard.

The following speakers addressed the Board:

- A. Anthony J. Coulson
- B. Jon Gettel
- C. Tom Hayden
- D. Kent Burbank
- E. Mark Stigers
- F. James Mitchell
- G. Kathleen Robinson
- H. Nic Clement
- I. Tom Rankin
- J. George Rodriguez
- K. Michelle Graye
- L. Margaret Higgins, Ph. D.
- M. Kimberly Haslett
- N. Amelia Cramer

They provided the following comments:

1. In other jurisdictions, there was an increase in crime rates and a decline of neighborhoods and property values in areas where medical marijuana dispensaries were allowed to cluster.
2. Marijuana treats and alleviates pain for the seriously ill.
3. The Board was urged to adopt the Planning and Zoning Commission recommendations because staff recommendations were too restrictive and would harm availability to patients.
4. Law enforcement representatives from various agencies supported the recommendations and concerns of the Pima County Attorney's Office.
5. The Board was urged to adopt staff's more stringent recommendations to prevent any unintended consequences from Proposition 203.
6. People who operate marijuana dispensaries are not criminals.
7. Minimal recordkeeping of marijuana dispensaries is a concern.
8. Marijuana is an effective treatment for many illnesses.
9. The Zoning Ordinance would cause privacy issues for its marijuana patient users.

10. Without the Zoning Ordinance, marijuana dispensaries could occur within 500 feet of a school.
11. Drug trafficking organizations will exploit Proposition 203 and use every means to get into people's lives to make a profit.
12. The delivery/transport requirements in the Zoning Ordinance would not be contrary to Proposition 203 and would limit the dispensary's ability to deliver medical marijuana directly to the patient.
13. The proposed Zoning Ordinance was written to ensure rural areas would be allowed to have marijuana dispensaries.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2010 – 59, as recommended by staff; and, direct staff to bring this Ordinance back six months after the law's effective date to re-examine the intended and/or unintended consequences of such.

17. DEVELOPMENT SERVICES: Rezoning

Co9-10-01, DE GRAZIA COMPANY L.L.C – SABINO CANYON ROAD REZONING

Request of De Grazia Company L.L.C. represented by The Planning Center, for a rezoning of approximately 16.75 acres from SR (Suburban Ranch) to CR-4 (Mixed Dwelling Type) and approximately 1.40 acres from SR to CR-1 (Single Residence), on property located at the northwest intersection of Sabino Canyon Road and Old Sabino Canyon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Co7-00-20. On motion, the Planning and Zoning Commission voted 7-0 (Commissioner Holdridge abstained; Commissioners Smith, Matter and Cook were absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 1)

“IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

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

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.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. The property owner/developer shall provide off-site improvements determined necessary by Department of Transportation as part of the plat and improvement plan review process. These improvements may include, but may not be limited to intersection widening, turning lanes, improved shoulders, etc. on both Old Sabino Canyon Rd and Sabino Canyon Rd.
 - B. The property owner/developer shall provide a trail along Sabino Canyon Road frontage, to be located outside the right-of-way for Sabino Canyon Rd.

- C. The property owner/developer shall provide pedestrian access to allow for pedestrian access to Ventana Canyon Wash.
8. Regional Flood Control conditions:
- A. A drainage report shall be submitted during the platting process for the Flood Control District to determine 100-year water surface elevations for all lots and to analyze detention/retention requirements. Water harvesting, erosion control and drainage design shall be addressed.
 - B. The property owner(s)/developer(s) shall dedicate right-of-way or easements for drainage and riparian preservation purposes to the Homeowners' Association, as determined during the subdivision plat review.
 - C. All Important Riparian Areas shall be preserved within common natural open space.
 - D. A Water Conservation Plan Water showing conservation measures to be taken to mitigate additional water use shall be submitted at the time the tentative plat is submitted. If turf areas are allowed, the maximum turf area allowed shall be provided and this shall be included in the subdivision's recorded CC&Rs. Measures taken in the Water Conservation Plan shall count towards meeting the requirements of Pima County's Green Building Program (see No. 12 below).
 - E. Low Impact Development (LID) water harvesting shall be incorporated into landscaping, paving, and parking lot designs to encourage use of stormwater to irrigate exterior areas and conserve use of groundwater.
9. Wastewater Management conditions:
- A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, 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/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
10. Environmental Quality condition:
The property must be served by either public or private sewer. On-site wastewater disposal shall not be allowed.
11. Environmental Planning conditions:
- A. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
 - B. Maintenance of Lots by Owners: Lot Owners shall keep private lots free of invasive non-native plant species including but not limited to those listed below.
Invasive Non-Native Plant Species Subject to Control:

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

Brassica tournefortii	Sahara mustard
Bromus rubens	Red brome
Bromus tectorum	Cheatgrass
Centaurea melitensis	Malta starthistle
Centaurea solstitialis	Yellow starthistle
Cortaderia spp.	Pampas grass
Cynodon dactylon	Bermuda grass (excluding sod hybrid)
Digitaria spp.	Crabgrass
Elaeagnus angustifolia	Russian olive
Eragrostis spp.	Lovegrass (excluding E. intermedia, plains lovegrass)
Melinis repens	Natal grass
Mesembryanthemum spp.	Iceplant
Peganum harmala	African rue
Pennisetum ciliare	Buffelgrass
Pennisetum setaceum	Fountain grass
Rhus lancea	African sumac
Salsola spp.	Russian thistle
Schismus arabicus	Arabian grass
Schismus barbatus	Mediterranean grass
Sorghum halepense	Johnson grass
Tamarix spp.	Tamarisk

12. The project shall, at a minimum, meet the requirements for Bronze certification of Pima County's Green Building Program. The specific measures to be taken to satisfy the requirements shall be submitted at the time of the tentative plat submittal.
13. The portion of the site to be rezoned to CR-1 shall remain as natural open space.
- ~~14. The project shall not be a gated community.~~
- 14-14. The property owner(s)/developers(s) shall execute and record a document acceptable to the Pima County Community Development and Neighborhood Conservation Department 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.
- 14-15. In the event the subject property is annexed, the property owner(s)/developers(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.
- 14-16. 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)."
- 14-17. Adherence to the preliminary development plan as approved at public hearing.
18. Buildings on lots 1-3, and 36-40, as shown on the preliminary development plan, shall not be more than 1-story in height, and shall be restricted to 24 feet, except that buildings on lots 36 and 37 shall be limited to 22 feet in height."

Chris Poirier, Assistant Planning Director, provided a staff report. He stated, if approved, this request would increase the allowable density of single family homes from 5 to 40 and that Condition No. 18 had been modified at the request of Saint Alban's Church. Staff and the Planning and Zoning Commission recommended approval with standard and special conditions.

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 unanimously carried by a 5-0 vote, to close the public hearing and approve the rezoning request with standard and special conditions.

18. **DEVELOPMENT SERVICES: Plat Note Waiver**

Co12-72-92, SILVERBELL WEST (LOT 76)

Request of Raymundo and Juanita Enriquez for a waiver of plat note No. 16 for Lot 76 of the Silverbell West Subdivision, Lots 1 thru 92 (Bk. 24, PG. 70) which states, "No more than one dwelling unit shall be placed on each lot until such time as sewers are available." The applicant requests to place a second dwelling unit on the lot which is approximately 0.97 of an acre zoned SH (Suburban Homestead) and is located on the east side of Hong Street, approximately 1,300 feet south of Hiram Drive and 1,200 feet north of Silverbell Road. Staff recommends APPROVAL WITH CONDITIONS. (District 3)

"STAFF RECOMMENDATION:

Staff recommends APPROVAL of the plat note waiver to allow a second residence on Lot 76, subject to the following conditions:

1. The owner/developer must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal systems on the subject property at the time a tentative plat, development plan or request for building permit is submitted for review.
2. All proposed residential lots must have a minimum area of 43,560 square feet. A maximum of one-half of adjacent rights-of-way or easements may be used in the calculation of the area. The adjacent rights-of-way or easements must be suitable to absorb effluent; and all other design requirements must be satisfied.
3. The subject parcel shall be of sufficient size and designed in such a manner to accommodate the existing and proposed development, primary and reserve leach fields and septic tanks, while meeting all applicable set backs for on-site sewage disposal.
4. No longer than six-months prior to any transfer to another person of title to real property served by an individual sewage disposal system, the system(s) shall be inspected and a certificate of inspection shall be filed with the environmental officer."

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 unanimously carried by a 5-0 vote, to close the public hearing and approve the plat note waiver with conditions.

19. **DEVELOPMENT SERVICES: Rezoning Ordinance**

ORDINANCE NO. 2010 – 60 , Co9-09-05, Beaufort Company L.L.C. & NNK L.L.C. – Craycroft Road Rezoning. Owner: Beaufort Company L.L.C. & NNK L.L.C. (District 2)

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 unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2010-60.

20. **DEVELOPMENT SERVICES: Rezoning Resolution**

RESOLUTION NO. 2010 – 234, Co9-04-19, Shannon Business Park L.L.C., et. al., – Shannon Park Rezoning (Time Extension). Owner: First American Title TR9072, Attn: K B Home. (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 unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2010-234.

21. **TRANSPORTATION: Road Abandonments**

A. RESOLUTION NO. 2010 – 235, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of Tucson, a portion of Mountain Avenue between 35th Street and 34th Street, lying within Section 19, T14S, R14E, Pima County, Arizona. Staff recommends APPROVAL. (District 2)

B. RESOLUTION NO. 2010 – 236, of the Board of Supervisors of Pima County, Arizona, abandoning to the Town of Sahuarita, a portion of La Canada Drive from Via de Santo Tomas to El Toro Road, lying within Sections 22, 23, 26 and 27, T17S, R13E, 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 unanimously carried by a 5-0 vote, to close the public hearings and adopt Resolution Nos. 2010-235 and 236.

22. **TRANSPORTATION: Traffic Ordinance**

ORDINANCE NO. 2010 – 61, of the Pima County Board of Supervisors, authorizing U-turns at the intersection of Sunrise Drive and Swan Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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 unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2010-61.

23. **TRANSPORTATION: Resolution for Annexation**

RESOLUTION NO. 2010 – 237, of the Pima County Board of Supervisors, consenting to the annexation of a segment of Hardy Road by the Town of Oro Valley, Arizona, within Sections 23 and 26, T12S, R13E, G&SRM, Pima County, Arizona. Staff recommends APPROVAL. (District 1)

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 unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2010-237.

24. **COUNTY ADMINISTRATOR: Special Open Enrollment for Certain Adult Dependents**

Staff requests permission to offer Pima County employees a special enrollment period in mid-October 2010, to enroll certain adult dependents healthcare coverage who previously did not meet the eligibility requirements.

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

25. **DIVISION OF ELECTIONS**

Pursuant to A.R.S. §16-214, notification of receipt and direction to staff to publish the Proclamation of the Governor of the State of Arizona proclaiming “General Election 2010.”

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to acknowledge receipt and direct staff to publish the proclamation.

26. **CONTRACTS**

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

1. Goodwill Industries of Southern Arizona, Inc., Amendment No. 4, to provide employer outreach services for County workforce programs, extend contract term to 8/31/11 and amend contractual language, U.S. Department of Labor and Arizona Department of Economic Security Vocational Rehabilitation and other workforce funds, contract amount \$62,481.20 (07-69-G-141333-1008)

2. Cochise Private Industry Council, Amendment No. 1, to provide for the Veteran's Workforce Investment Program and extend contract term to 6/30/11, U.S. Department of Labor Fund, no cost (07-69-C-142723-0709)

B. Procurement

3. R.K. Sanders, Inc., Change Order No. 2, to provide roof and HVAC replacement at Joyner-Green Valley Library, amend contractual language and extend contract term to 12/29/10, Non-Bond Capital Projects Fund, contract amount \$120,800.00 (03-13-R-142815-0210)
Facilities Management

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

27. CALL TO THE PUBLIC

The Chairman inquired whether anyone wished to be heard.

Gary Bahr thanked the Board and staff for their help in lessening the dog noise in his area.

28. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:05 p.m.