

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

February 2, 2010 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor David Stertzbach, Bethel Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 1/27/10, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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

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

B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve (5/0)

6. **BOARD OF SUPERVISORS**

Presentation by Tim Escobedo and/or Celestino Fernandez to highlight the annual Mariachi Conference to be held in April and request that Pima County designate an official witness for the local event in an attempt to break its own "~~Guinness Guinness~~ Guinness World Record" for assembling the most Mariachi bands in one location. (District 5)

Motion carried to approve (5/0)

7. **COUNTY ADMINISTRATOR**

Quarterly Management Report on Collections

Staff recommends acceptance of the Quarterly Management Report on Collections for the period ending September 30, 2009, and approval of the write-off request in the amount of \$7,527.00.

Motion carried to approve (5/0)

8. **INDUSTRIAL DEVELOPMENT AUTHORITY**

A. RESOLUTION NO. 2010 - 27, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its Education Facility Revenue Bonds (Flagstaff Arts and Leadership Academy Project), Series 2010 in an aggregate principal amount not to exceed \$5,000,000.00 and declaring an emergency.

Motion carried to approve (5/0)

B. RESOLUTION NO. 2010 - 28, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its Education Facility Revenue Bonds (Caurus Academy Project), Series 2010 in an aggregate principal amount not to exceed \$5,000,000.00 and declaring an emergency.

Motion carried to approve (5/0)

9. **REAL PROPERTY**

UNFINISHED BUSINESS (RM 10/6/09, RM 10/20/09, RM 11/17/09 and RM 12/15/09)

A. **Release of Public Ingress/Egress Easement**

Leadstar, L.L.C., representing the Gates Pass Condominium Project, requests the release of an unneeded 25-foot public ingress/egress easement as reserved in Docket 8450 at Page 1623 and dedicated in Docket 8516 at Page 591 and Docket 9233 at Page 676, Section 15, T15S, R13E, G&SRM. No revenue. (District 5)

Without objection, this item was removed from the agenda.

NEW BUSINESS

B. **Title Insurance Policy**

RESOLUTION NO. 2010 - 29, approving and authorizing the expenditure of an amount not to exceed \$5,000.00 for title insurance premium and escrow fees in connection with recordation of the State Land Patent for the Valencia site parcel. (District 5)

Motion carried to approve (5/0)

10. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

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

Longhorn Cattle Company, L.L.C., d.b.a. Longhorn Steakburger, Case No. 2009-21. Proposed settlement amount is \$476.13.

Motion carried to approve (5/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

UNFINISHED BUSINESS (RM 1/19/10)

11. 09-39-9010, Douglas Baldwin Stewart, Ciones Italiano, 13190 E. Colossal Cave Road, No. 160, Tucson ~~Vail~~, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

NEW BUSINESS

12. 09-40-9011, Louie Lazos, Stagecoach Grill and Cantina, 5200 S. Palo Verde, Tucson, Series 6, Bar, New License.

Motion carried to approve (5/0)

13. 09-41-9012, Nicholas Carl Guttilla, 7 Eleven No. 17426H, 4661 E. Skyline Drive, Tucson, Series 10, Beer and Wine Store, New License.

Motion carried to approve (5/0)

Extension of Premises/Patio Permits

14. Ricardo Quintela, Mad Cow Bar, 2660 W. Ruthrauff Road, Tucson, Temporary Extension of Premises for March 2, 20 and 22, 2010.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 12/15/09)

Major Streets and Scenic Routes Plan Amendment

15. Co14-09-01, SILVERBELL ROAD, HAPPY VALLEY ROAD and SANTA RITA ROAD MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT

Request from Pima County to amend the Pima County Major Streets and Scenic Routes Plan to designate Scenic Routes the portion of Silverbell Road west of Trico Road in Sections 16, 17, 19, 20, 21, 22 and 27, T11S, R10E; Sections 18, 19, 20, 21, 24, 25, 26, 27 and 28, T11S, R09E; Sections 09, 10, 13, 14, 15, 16, 17, 20, 29, 31, 32 and 33, T11S, R8E; Sections 04, 05, 08, 09, 10, 13, 14 and 15, T12S, R8E; designate Scenic Routes the portion of Happy Valley Road west of the Pima/Cochise County Boundary in Sections 01, 02, 11, 14, 15, 22, 23, 25, 26 and 36, T15S, R18E; and Section 01, T16S, R18E; designate Scenic Routes the portion of Santa Rita Road south of Sahuarita Road in Sections 19, 20, 27, 28, 29, 34 and 35, T17S, R14E; Sections 01, 02 and 12, T18S, R14E; Sections 07, 17, 18, 20, 21 and 22, T18S, R15E. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Spendiarian, Smith and Membrilla voted NAY; Commissioner Ritchey abstained; Commissioner Matter was absent) to recommend **APPROVAL WITH A MODIFICATION**. Staff recommends **APPROVAL WITH A MODIFICATION**. (Districts 2, 3 and 4)

If approved, pass and adopt:

ORDINANCE NO. 2009 - 117

Motion carried to approve, as amended (5/0)

NEW BUSINESS

Appeal of Hearing Administrator's Decision

16. P21-09-023, PC ROW – W. IRONWOOD HILL DR.
In accordance with Pima County Zoning Code Chapter 18.97, Michael Brown, Pastor Gil Garcia, Marylou Garcia, Frank Lopez and Connie Lopez, appeal the decision of the Hearing Administrator in Case No. P21-09-023, to allow a Type I Conditional Use Permit for a communication tower/utility pole replacement and an on-the-ground equipment area in the right-of-way located at 2941 W. Ironwood Hill Drive in the CR-2

zone. Chapter 18.97, in accordance with Section 18.07.030H2.e.7 (previously Section 18.07.030H2.d.4) of the Pima County Zoning Code, allows a communication tower/utility pole replacement and an on-the-ground equipment area as a Type I Conditional Use in the CR-2 zone. The Hearing Administrator **APPROVED THE REQUEST SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 5)

Motion carried to uphold appeal (5/0)

Rezoning Closures/Rezoning Time Extensions

17. Co9-99-17, ALI, ET. AL. – ORACLE ROAD REZONING

- A. Proposal to close Co9-99-17, a rezoning from SH (Suburban Homestead) to CB-1 (GZ-1) (Local Business) (Urban Gateway Overlay Zone-1) of 1.3 acres located on the east side of Oracle Road, approximately 300 feet south of Lupine Place. The rezoning was conditionally approved in 1999 and expired on October 12, 2009. Staff recommends **AGAINST CLOSURE.** (District 1)

Motion carried to approve (5/0)

- B. Request of CAPT Properties, L.L.C., represented by Anselmo Alleva, for a five-year time extension for the above-referenced rezoning from SH (Suburban Homestead) to CB-1 (GZ-1) (Local Business) (Urban Gateway Overlay Zone-1). The subject site is 1.3 acres and was rezoned in 1999. The rezoning expired on October 12, 2009. The site is located on the east side of Oracle Road, approximately 300 feet south of Lupine Place. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 1)

Motion carried to approve (5/0)

18. Co9-99-18, ALI – ORACLE ROAD REZONING

- A. Proposal to close Co9-99-18, a rezoning from SH (Suburban Homestead) to CB-1 (GZ-1) (Local Business) (Urban Gateway Overlay Zone-1) of 2.34 acres located on the east side of Oracle Road, approximately 800 feet south of Lupine Place. The rezoning was conditionally approved in 1999 and expired on October 12, 2009. Staff recommends **AGAINST CLOSURE.** (District 1)

Motion carried to approve (5/0)

- B. Request of CAPT Properties, L.L.C., represented by Anselmo Alleva, for a five-year time extension for the above-referenced rezoning from SH (Suburban Homestead) to CB-1 (GZ-1) (Local Business) (Urban Gateway Overlay Zone-1). The subject site is 2.34 acres and was rezoned in 1999. The rezoning expired on October 12, 2009. The site is located on the east side of Oracle Road, approximately 800 feet south of Lupine Place. Staff recommends **APPROVAL**

OF A FIVE-YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 1)

Motion carried to approve (5/0)

Conditional Use Permit

19. P21-09-033, WOSICKI – E. INTERSTATE - 10
Request of T-Mobile, (c/o Declan Murphy, applicant), on behalf of David Wosicki (property owner), on property at 22700 E. Interstate - 10, in the RH zone, for a Conditional Use Permit for a communication tower and associated on-the-ground equipment area. The property in question is a former Titan Missile installation site that has since been physically removed and the property accordingly cleared. The proposed tower height is one hundred ninety feet (190') and is of "lattice" construction. Chapter 18.97, of the Pima County Zoning Code, allows this use in the RH zone, subject to a Type III Conditional Use Permit. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Matter, Creasy-Klein and Cook were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

Motion carried to continue to 2/9/10 (5/0)

Rezoning Ordinance

20. ORDINANCE NO. 2010 - 6, Co9-08-23, Canoa Northwest Homeowners Association – Camino Del Sol Rezoning. Owner: CNSI Holdings, L.L.C. (District 4)

Motion carried to approve (5/0)

TRANSPORTATION

21. **Traffic Ordinance**

ORDINANCE NO. 2010 - 7, of the Pima County Board of Supervisors, regulating parking of vehicles on the east and west sides of Sabino Canyon Park **Parkway** in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve, as amended (5/0)

22. **CALL TO THE PUBLIC**

23. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 1/27/10
TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, FEBRUARY 2, 2010

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Town of Sahuarita, Amendment No. 1, to provide for implementation of the Sahuarita Workforce Housing Program and extend contract term from 1/1/10 to 12/31/10, no cost (01-70-S-141446-0109)

B. County Attorney

2. RESOLUTION NO. 2010 - 23, approving an Intergovernmental Agreement with La Paz County, to provide legal services for Title 36 Involuntary Commitment Proceedings for the term 1/1/10 to 12/31/19, La Paz County Fund, contract amount - revenue based on services (01-02-L-142683-0110)
3. Deconcini, McDonald, Yetwin and Lacey, P.C., Amendment No. 2, to provide legal representation services regarding legal obligations of the Treasurer with respect to retention or destruction of ballots from the May 16, 2006 Special Election and extend contract term to 7/6/12, General Fund, contract amount \$30,000.00 (17-02-D-141119-0708)
4. Encore Discovery Solutions, Amendment No. 2, to provide OCR document imaging for Maricopa County Superior Court Case No. CV2008-009136, Seaboard Surety Company v. Pima County et. al. and extend contract term from 9/24/09 to 9/23/10, RWRD Enterprise Fund, contract amount \$20,000.00 (29-02-E-141908-0908)

C. Economic Development and Tourism

5. Tucson Regional Economic Opportunities, Inc., Amendment No. 4, to provide for economic development activities for the term 7/1/09 to 6/30/10 and amend contractual language, General Fund, contract amount \$436,590.00 (11-71-T-137167-0705)

D. Health

6. RESOLUTION NO. 2010 - 24, approving an Intergovernmental Agreement with the Tucson Unified School District, to provide dental screening, referral and sealant placement services, no cost (01-01-T-142688-0210)

E. Information Technology

7. Comcast of Arizona, Inc., Amendment No. 1, to provide a non-exclusive license agreement for cable television service in unincorporated Pima County, extend contract term from 12/15/09 to 12/14/14 and amend contractual language, General Fund, contract amount \$9,220,000.00 revenue (12-14-J-141198-0798)

F. Pima Health System

8. United Community Health Center - Maria Auxiliadora, Inc., Amendment No. 7, to provide physician, dental, social worker, counselor services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-U-135696-0305)
9. El Rio Health Center, Inc., Amendment No. 10, to provide primary care physician, specialty, obstetrical, dental services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-E-135703-0405)
10. To provide long term care services including skilled nursing and amend contractual language, PHCS Enterprise Fund, no cost:

<u>VENDOR</u>	<u>AMENDMENT</u>	<u>CONTRACT NO.</u>
Devon Gables Health Care Center	8	18-15-D-137015-1005
Life Care Centers of America, Inc., d.b.a. La Canada Care Center	6	18-15-L-137033-1005
Life Care Centers of America, Inc., d.b.a. Mountain View Care Center	5	18-15-L-137037-1005
Ensign Sabino, L.L.C., d.b.a. Sabino Canyon Rehabilitation and Care Center	6	18-15-E-137038-1005
Life Care Centers of America, Inc., d.b.a. Life Care Center of Tucson	5	18-15-L-137040-1005
SRCV-Rosa, L.L.C., d.b.a. Santa Rosa Care Center	12	18-15-S-137045-1005
Avalon Care Center-Tucson, L.L.C., d.b.a. La Colina Health Care Center	6	18-15-A-137067-1005
Park Waverly Healthcare, L.L.C., d.b.a. Park Avenue Health and Rehabilitation	9	18-15-P-137077-1005

11. Mariposa Community Health Center, Inc., Amendment No. 10, to provide primary care physician, dental, radiology, OB/GYN, transportation, pharmacy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-137143-1005)

12. Tucson Heart Group, P.L.C., Amendment No. 5, to provide cardiology services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-137416-0406)
13. Carondelet St. Mary's-Northwest L.L.C., d.b.a. Carondelet Foothills Surgery Center, Amendment No. 3, to provide ambulatory surgery center services, extend contract term to 1/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-C-137706-0206)
14. Southwest Heart Group, L.L.C., Amendment No. 4, to provide cardiovascular medicine services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-137910-0406)
15. Ajo Community Health Center, d.b.a. Desert Senita Community Health Center, Amendment No. 5, to provide primary care physician, dental, family planning extension services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-138810-1106)
16. Catalina Ear, Nose and Throat, P.C., Amendment No. 2, to provide ear, nose, throat, dermatology and dermatopathology services, extend contract term to 1/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-138978-0207)
17. Palo Verde Homecare, L.L.C., d.b.a. Tucson House Calls, Amendment No. 6, to provide primary care physician services, extend contract term to 1/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-138998-0207)
18. Easter Seals Blake Foundation, Amendment No. 5, to provide habilitative residential, behavioral health management, counseling services, extend contract term to 1/31/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-B-139072-0207)
19. Agave Surgical Associates, P.C., Amendment No. 2, to provide general and vascular surgery services, extend contract term to 1/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-139074-0207)
20. Arizona Inpatient Medicine Associates, L.L.C., Amendment No. 3, to provide hospitalist rounding services, extend contract term to 1/31/11 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-139078-0107)

21. Tucson Pulmonology, P.C., Amendment No. 2, to provide pulmonology services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-139375-0507)
22. Heart Care of Southern Arizona, P.C., d.b.a. Desert Cardiology of Tucson, Amendment No. 3, to provide cardiology services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-H-140334-0907)
23. Dependable Medical Equipment, Inc., Amendment No. 5, to provide durable medical equipment, medical supplies, administrative supportive services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-D-140581-0108)
24. LifeCare Solutions, Inc., Amendment No. 3, to provide durable medical equipment, supplies and amend contractual language, PHCS Enterprise Fund, no cost (07-15-L-140580-0108)
25. To provide nursing facility services and amend contractual language, PHCS Enterprise Fund, no cost:

<u>VENDOR</u>	<u>AMENDMENT</u>	<u>CONTRACT NO.</u>
Senior Living Options, L.L.C., d.b.a. Palm Valley Rehabilitation and Care Center	2	18-15-S-142277-0809
Glendale Healthcare Associates, L.L.C. , d.b.a. Desert Sky Health and Rehabilitation Center	2	18-15-G-142334-0809
Santa Rita Care Center, L.L.C., d.b.a. Santa Rita Nursing and Rehabilitation Center	9	18-15-S-137035-1005
SLO Ridgecrest L.L.C., d.b.a. Ridgecrest Healthcare	5	18-15-S-139267-0307

G. Procurement

26. Durazo Construction Corp., Amendment No. 4, to provide a job order contract for park development services, extend contract term to 2/5/11 and amend contractual language, no cost (26-05-D-139371-0207) Natural Resources, Parks and Recreation
27. AECOM USA, Inc., Amendment No. 2, to provide roadway design engineering services for the Magee Road/Cortaro Road: Thornydale Road to Oracle Road Project and amend contractual language, RTA Fund, contract amount \$55,615.00 (16-04-D-139958-0807) Transportation

Awards

28. Low Bid: Award of Contract, Requisition No. 1000945, in the amount of \$350,000.00 to each of the lowest responsive bidders, La Causa Construction, L.L.C. (Headquarters: Tucson, AZ) and Woodstock Builders, Inc. (Headquarters: Tucson, AZ) for as-needed low income mobile home weatherization services. The contract is for a one year term and includes four one-year renewal periods. Funding Source: American Recovery and Reinvestment Act – Weatherization. Administering Department: Community Development and Neighborhood Conservation.
29. Direct Select Award of Contract, Requisition No. 1001206, in an amount not to exceed \$17,930.00 to AECOM, Inc. (Headquarters: Los Angeles, CA) to complete engineering services begun under Qualified Consultants List (QCL) Contract No. 25-04-D-138363-0706 for the Continental Middle School Enhancement Project. As a result of an unanticipated need for additional services, the value of the QCL contract approached the \$250,000.00 limit established in Board Policy D29.1 and was allowed to expire at the end of December, 2009. AECOM requires an additional \$17,930.00 to complete the design and provide other post-design services. A.R.S. §34-103 and Policy D29.1 provide authority for direct selection. Funding Sources: RTA and Urban HURF (12.6%) Funds. Administering Department: Transportation.

H. Sheriff

30. RESOLUTION NO. 2010 - 25, approving an Intergovernmental Agreement with the State of Arizona - Department of Public Safety, to provide for the enhancement of law enforcement services concerning the criminal activities of illegal immigration, human smuggling and border related crimes, for the term 7/1/09 to 6/30/10, State Grant Fund, contract amount \$942,000.00 revenue (01-11-A-142691-0210)
31. RESOLUTION NO. 2010 - 26, approving an Intergovernmental Agreement with the Town of Marana, to provide video-court hearing services for municipal prisoners, for the term 12/1/09 to 11/30/10, General Fund, contract amount \$10,000.00 estimated revenue (01-11-M-142693-1209)

I. Transportation

32. Regional Transportation Authority, Amendment No. 1, to provide design and construction for the Valencia Road: Ajo Highway to Mark Road Project, extend contract term to 12/31/12 and amend contractual language, RTA Fund, contract amount \$2,000,000.00 revenue (01-04-R-139818-0807)

2. **BOARD OF SUPERVISORS**

Approval of the revised Board of Supervisors' Meeting Schedule for the period February through May, 2010.

3. **DIVISION OF ELECTIONS**

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Downing, LaVancha	089	DEM
McClure, Stephen J.	089	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Kayser, Ralph H.	012	REP
Downing, LaVancha	074	DEM
McClure, Stephen J.	074	DEM
Pearson, Walter L.	283	DEM
Sweeney, Lorine R.	283	REP
Hartung, Kevin W.	286	REP
Osburn, Richard M.	314	DEM
Roberts, Christine M.	321	DEM
Romero-Wagner, Alex B.	334	DEM
Friedericy, Joyce J.	385	REP

4. **FINANCE AND RISK MANAGEMENT**

Duplicate Warrants – For Ratification

Bjorgum, Anna	\$	92.92
Lucio-Lyons, Toni	\$	445.23
Sunrise Trucking	\$	497.96
Belmar, Robert and Connie	\$	91.15

5. **PROCUREMENT**

Quarterly Contracts Report – 4th Quarter, 2009

Pursuant to Pima County Code, Section 11.08.010, staff submits the quarterly report on contracts awarded from October 1, 2009 through December 31, 2009.

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

A. **Board of Adjustment, District 1**

Appointment of Lisa Suarez to replace Vicki Cox Golder. Term expiration: 2/28/13. (District 1)

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

Appointment of Edward Grijalva to fill the unexpired term of Mollie Hunter; and Margaret Higgins to fill the unexpired term of Koreen Johannessen. Term expirations: 9/30/11. (Commission Recommendations)

C. City/County Water and Wastewater Study Oversight Committee

Request that the Joint City/County Water and Wastewater Study Oversight Committee be disbanded.

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

A. Alan E. Foster, V.F.W. Post 5990, 15850 W. El Tiro Road, Marana, January 23, 2010.

B. Michelle Lynn Garmon, St. Thomas the Apostle Preschool, 5150 N. Valley View Road, Tucson, February 6, 2010.

8. REGIONAL WASTEWATER RECLAMATION

Public Announcement

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case(s) will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 5025 W. Ina Road, Tucson, Arizona, 85743. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

Toma Ventana, L.L.C., d.b.a. El Charro Café, Case No. 2009-24. Proposed settlement is in accordance with the Industrial Wastewater Enforcement Plan.

9. CORRECTION FOR THE RECORD

BOARD, COMMISSION AND/OR COMMITTEE (Approved by the Board of Supervisors on January 12, 2010.)

Pima County Housing Commission

Appointment of Jessica Whyde, representing Southern Arizona Homebuilders Association, to replace Ed Taczanowsky. ~~No term expiration~~ **Term expiration: 1/31/13.**
(County Administrator)

10. **RATIFY AND/OR APPROVE**

Minutes: December 8, 2009

Warrants: January, 2010

ADDENDUM

Pima County Board of Supervisors' Meeting

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

February 2, 2010 9:00 a.m.

... EXECUTIVE SESSIONS

Call to the Public (for Executive Session items only)

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

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding New Cingular Wireless PCS, L.L.C. vs. Pima County Board of Supervisors, U.S. District Court Case No. 10-CV-00028.

Motion carried to defend lawsuit (5/0)

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

1. Bellon v. Pima County
Tax Parcel No. 224-43-062D
Arizona Tax Court Case No. ST2009-000754

Motion carried as recommended (5/0)

2. Carrigan v. Pima County
Tax Parcel No. 222-02-089B
Arizona Tax Court Case No. ST2009-000508

Motion carried as recommended (5/0)

3. Jurasek v. Pima County
Tax Parcel No. 129-11-109B
Arizona Tax Court Case No. ST2009-000477

Motion carried as recommended (5/0)

- C. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the following land use related items on the Regular Agenda:

1. Co14-09-01, Silverbell Road, Happy Valley Road and Santa Rita Road Major Streets and Scenic Routes Plan Amendment.

This item was informational only.

2. P21-09-023, PC ROW – W. Ironwood Hill Dr., appeal of decision of Hearing Administrator of a Type I Conditional Use Permit.

This item was informational only.

3. P21-09-033, Wosicki – E. Interstate 10; a Type III Conditional Use Permit.

This item was informational only.

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. COUNTY ADMINISTRATOR

Bond Advisory Committee Request for Board of Supervisors Direction Regarding a Possible November 2010 Bond Election

Staff requests that direction be provided to the Bond Advisory Committee regarding a future general obligation bond election date.

Motion carried, direction given to Bond Advisory Committee (4/1)

2. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. GRL Apartments, L.P., to provide for the development of the Ghost Ranch Lodge Apartments, Phase I for the term 1/1/10 to 12/31/12, 2004 and execution of the Performance Deed of Trust, General Obligation Bond Fund, contract amount not to exceed \$1,100,000.00 (03-70-G-142717-0110)

Motion carried to approve (4/0)

B. Community Services, Employment and Training

2. Portable Practical Education Preparation, Inc., to provide basic education opportunities for the term 1/1/10 to 5/31/10, U.S. Department of Labor and Arizona Department of Economic Security Funds, contract amount \$36,312.00; General Fund, contract amount \$4,000.00 (07-69-P-142713-0110)

Motion carried to approve (5/0)

3. Cochise Private Industry Council, to provide workforce development services in green job industries for the term 7/1/09 to 6/30/10, U.S. Department of Labor Fund, contract amount \$68,726.00 (07-69-C-142723-0709)

Motion carried to approve (5/0)

C. Procurement - Award

4. Award of Contract, Requisition No. 1000882, to Jacobs Engineering Group, Inc., (Headquarters: Pasadena, CA) the respondent submitting the highest scoring proposal for the ROMP Water Reclamation Campus Central Laboratory Complex Site Civil Engineering Project. The total cost for this project shall not exceed \$1,000,000.00. In the event that a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms on the final-list in the following order: Stantec Consulting, Inc., Kimley-Horn and Associates, Inc., until a contract is executed. Funding Source: Capital Fund Sewer Revenue Obligation. Administering Department: Regional Wastewater Reclamation.

Without objection, this item was continued to 2/9/10.

3. SHERIFF

RESOLUTION NO. 2010 - **31**, of the Board of Supervisors authorizing the Pima County Sheriff to require prisoners under his charge who are capable of hard labor to be employed on the public streets, highways or other public works where they will not compete with free labor.

Motion carried to approve (5/0)

4. BOARD, COMMISSION AND/OR COMMITTEE

Outside Agency Citizens Review Committee

Appointment of Rosalva Bullock to replace Doris Williams. No term expiration. (District 5)

Motion carried to approve (5/0)

5. **OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY**

Ratification of Resolution

RESOLUTION NO. 2010 - 30, of the Pima County Board of Supervisors, in support of the Emergency Declaration of the Tohono O'Odham Nation. (District 3)

Motion carried to approve (5/0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 1/29/10
TIME POSTED: 11:30 A.M.