

MINUTES, FLOOD CONTROL DISTRICT BOARD

JUNE 7, 2011

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, June 7, 2011. Upon roll call, those present and absent were as follows:

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

1. **RIPARIAN HABITAT MITIGATION PLANS**

- A. Staff requests approval of the Riparian Habitat Mitigation Plan for Canoa Preserve, P1206-149, Subdivision Plat located within mapped important riparian areas with Underlying Xeroriparian Class B and Class C Habitat and Xeroriparian Class C Habitat. (District 4)
- B. Staff requests approval of the Riparian Habitat Mitigation Plan for 15964 W. Sandy Street and acceptance of fee in-lieu of onsite mitigation located within important riparian area with Underlying Xeroriparian Class C Habitat. (District 3)

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

2. **CONTRACTS**

- A. RESOLUTION NO. 2011 - FC 3, approving an Intergovernmental Agreement with the Arizona Department of Water Resources, to provide for participation in the State Standard Work Group, Flood Control Tax Levy Fund, contract amount \$5,000.00 (01-59-A-144018-0611)
- B. The Ashton Company, Inc., Amendment No. 2, to provide a job order contract for flood control and drainage improvements, Flood Control Tax Levy Fund, contract amount \$1,500,000.00 (26-59-A-142649-1209)
- C. Delia S. Gastelum, as Trustee under the Delia S. Gastelum Family Living Trust, and Ace Sand and Gravel, Inc., to provide an Acquisition Agreement for 4.22 acres with a 1,701 sq. ft. detached single family home located at

1011 W. Silverlake Road, Tax Parcel Nos. 118-10-002G and 002F, needed for the Santa Cruz: Ajo to Silverlake Project, 1997 Bond Fund, contract amount \$299,194.00 including closing costs (22-59-G-144024-0611)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to adopt Resolution No. 2011 - FC 3 and approve the contracts.

3. **CONTRACT**

Tucson Trap and Skeet Club, Inc., to provide a Lease Agreement, contract amount \$60,000.00 revenue/25 year term (04-59-T-144047-0611) Real Property

Lee Bachman, President of Tucson Trap and Skeet Club, Inc., spoke about the numerous events they would be hosting including an Olympic qualifier for shotgun sports which would take place next year.

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

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:55 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

JUNE 7, 2011

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, June 7, 2011. 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 Otis Brown, Jr., Siloam Free Will Church.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

The Pima County Animal Care Center showcased an animal available for adoption.

4. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Ken Drozd, National Weather Service and Nicolas Siemsen, Pima County Office of Emergency Management, proclaiming June 5 - 10, 2011, to be:

"MONSOON SAFETY AWARENESS WEEK"

Supervisor Day presented the proclamation to Ken Drozd. Mr. Drozd thanked the Board and encouraged everyone to attend the Safety Fair on Saturday, June 11th, at Park Place Mall, where agencies would be handing out information related to monsoon and weather related safety rules.

On consideration, it was moved by Supervisor Day, seconded by Supervisor Bronson 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 9:20 a.m.

5. **RECONVENE**

The meeting reconvened at 9:57 a.m. All members were present.

6. **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.

7. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the potential settlement with Wells Fargo Bank with respect to a construction retention formerly owned by Dogan Construction Company, Inc.

Chris Straub, Chief Civil Deputy County Attorney, indicated that during the expansion of the Green Valley Wastewater Treatment Facility, funds were placed into an account at the bank by Dogan Construction Company. The proposed settlement would allow for the release of \$546,950.57 to Pima County. The County Attorney's Office recommended approval of the proposed settlement.

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

8. **LITIGATION**

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

- A. National Bank of Arizona, et al. v. Pima County
Tax Parcel No. 219-10-0500
Arizona Tax Court Case No. ST2010-000674

Chris Straub, Chief Civil Deputy County Attorney, stated this case was for tax year 2011. The Pima County Attorney's Office and Assessor recommended a decrease in the Full Cash Value (FCV) from \$1,000,000.00 to \$300,000.00. The valuation would not roll over for 2012.

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

- B. Buchan, et al. v. Pima County
Tax Parcel Nos. 219-10-1070 and 219-10-1080
Arizona Tax Court Case No. ST2010-000666

Chris Straub, Chief Civil Deputy County Attorney, stated for Tax Parcel No. 219-10-1070, tax year 2011, the Pima County Attorney's Office and Assessor recommended a decrease in the FCV from \$800,000.00 to \$300,000.00. For Tax Parcel No. 219-10-1080, tax year 2011, the Pima County Attorney's Office and Assessor recommended a decrease in the FCV from \$2,880,000.00 to \$2,000,000.00. These values would rollover for 2012.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to accept the recommendation.

9. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) (4) and (7), for legal advice and direction regarding the sale of Posada Del Sol Health Care Center.

Chris Straub, Chief Civil Deputy County Attorney, stated that if the Board was inclined to proceed with the sale or lease of Posada del Sol, then staff and the County Attorney's Office requested authorization to proceed with the publication of a Notice of Sale or Lease as recommended in Executive Session.

Supervisor Elías reassured employees and residents of Posada del Sol that the Board was looking out for their interests and had included them in the publication package for bidders.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to proceed as discussed in Executive Session.

10. 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 Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, that the Consent Calendar be approved as amended.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community and Economic Development

1. CODAC Behavioral Health Services, Inc., to provide temporary and transitional housing and supportive services to homeless military veterans for the term 4/1/11 to 6/30/11, General Fund, contract amount \$40,000.00 (32-82-C-144032-0411)

B. Community Development and Neighborhood Conservation

2. RESOLUTION NO. 2011 - 85, approving an Intergovernmental Agreement with the City of Tucson, to provide for the operation of a rental assistance program for HIV-Positive persons, Federal Grant Fund, contract amount \$918,866.00 (01-70-T-144003-0111)
3. Allwyn Priorities, L.L.C., Amendment No. 2, to conduct eligible brownfields activities and extend contract term to 5/31/12, U.S. EPA Grant Fund, no cost (07-70-A-142025-0609)
4. Open Inn, Inc., Amendment No. 1, to provide emergency housing for LGBT Youth and amend scope of work, Federal HUD Fund, contract amount \$2,400.00 (02-70-O-143532-1010)
5. U.S. Department of Housing and Urban Development, Amendment No. 2, to provide housing and supportive services for low-income people with HIV/AIDS and amend contractual language, no cost (02-70-U-143587-0111)
6. Southern Arizona AIDS Foundation, to provide housing for low-income people with HIV/AIDS and their households, Federal Grant Fund, contract amount \$359,128.00 (11-70-S-144004-0111)

C. Community Services, Employment and Training

7. Heinfeld, Meech and Co., P.C., Amendment No. 4, to provide financial accounting and reporting services for Pima Vocational High School, extend contract term to 5/31/12 and amend contractual language, no cost (07-67-H-140971-0608)

D. County Administrator

8. Racy Associates, Inc., Amendment No. 3, to provide lobbyist services, extend contract term to 7/1/13 and amend contractual

language, Various Funds, contract amount \$75,000.00/2 year term (07-30-R-136235-0605)

E. County Attorney

- 9. Hawkins, Delafield and Wood, L.L.P., Amendment No. 4, to provide legal services relating to the Regional Optimization Master Plan (ROMP) and amend contractual language, no cost (17-02-H-140915-0308)

F. Finance and Risk Management

- 10. PrevCom International, L.L.C., Amendment No. 1, to provide safety and health consulting services, amend scope of work and amend contractual language, General Fund, contract amount \$95,000.00 (07-52-P-143760-0211)

G. Health Department

- 11. Amendment No. 1, to provide paramedic services for childhood immunizations and extend contract term to 8/1/12, no cost:

<u>Vendor</u>	<u>Contract No.</u>
City of South Tucson	01-01-S-143087-0810
Golder Ranch Fire District	01-01-G-143093-0810

H. Human Resources

- 12. American Indian Association, d.b.a. Tucson Indian Center, Amendment No. 4, to provide recruitment and retention services for Native American employment, extend contract term to 6/30/12 and amend contractual language, General Fund, contract amount \$20,000.00 (07-43-A-140857-0708)

I. Information Technology

- 13. RESOLUTION NO. 2011 - 86, approving an Intergovernmental Agreement with the Town of Oro Valley, to provide for the Inter-Connection of Data Networks, no cost (01-14-O-144005-0611)
- 14. American Towers, Inc., to provide a License Agreement for the communications facility at 7120 West Hidden Canyon Drive for the term 1/1/11 to 12/31/13, General Fund, contract amount \$398,048.04 (12-14-A-144025-0111)

J. Natural Resources, Parks and Recreation

15. Metropolitan Domestic Water Improvement District, to provide a Lease Agreement for the Lattimore North Well, General Fund, contract amount \$597,322.86 (04-05-M-144012-0611)

K. Pima Health System

16. Nardy-Tossou, L.L.C., d.b.a. Adobe Adult Care Home, Amendment No. 5, to provide assisted living home services and amend contractual language, no cost (07-15-A-140116-0907)
17. To provide homecare (skilled/non-skilled) services, extend contract term to 9/30/11 and amend contractual language, no cost:

<u>Vendor</u>	<u>Amendment No.</u>	<u>Contract No.</u>
United Cerebral Palsy of Southern Arizona, Inc.	6	07-15-U-142061-0709
NSI - Nursing Service, Inc.	7	07-15-N-142065-0709
NSI - Nursing Service, Inc.	6	18-15-N-142082-0709
McLain Enterprises, Inc., d.b.a. Comfort Keepers	6	07-15-M-142110-0709
Caregiver Connection of Arizona, L.L.C., d.b.a. Aristocare Home Health Services	5	07-15-C-142116-0709
Caregiver Connection of Arizona, L.L.C., d.b.a. Aristocare Home Health Services	4	07-15-C-142120-0709

18. Reliable Nurses, L.L.C., Amendment No. 6, to provide homecare services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$650,000.00 (18-15-R-142078-0709)
19. University Physicians Healthcare, Amendment No. 2, to provide hospital services, extend contract term to 4/30/12 and amend contractual language, no cost (18-15-U-142586-0509)

L. Procurement

20. Avra Gro Systems, Inc., Amendment No. 6, to provide for the Biosolids Management Program, extend contract term to 12/31/13 and amend contractual language, RWRD Operating Fund, contract amount \$3,000,000.00 (11-03-A-132995-0703) Regional Wastewater Reclamation Department

Awards

21. Award of Contracts for Requisition No. 1101776 to Concord General Contracting (Headquarters: Mesa, AZ), Durazo Construction Corp. (Headquarters: Tucson, AZ) and Sellers and Sons, Inc. (Headquarters: Buckeye, AZ) in the amount of \$1,000,000.00 each for as-needed historic preservation services at various locations. The term of the contracts is one year with the option to extend for up to four additional one year periods. Funding Source: Various Funds. Administering Department: Facilities Management.
22. Cooperative Procurement: Award of Contracts, in the cumulative annual amount of \$1,850,000.00 for as required wireless services, equipment, products and accessories for a five year term. The awards include the authority for the Procurement Department to execute and issue blanket contracts consistent with this item summary and 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: General Fund. Administering Department: Information Technology/Sheriff.

<u>Vendor</u>	<u>Contract Amount</u>
AT&T Mobility, L.L.C. (Headquarters: Atlanta, GA)	\$ 250,000.00
Sprint Solutions, Inc. (Headquarters: Kansas City, MO)	\$ 250,000.00
Verizon Wireless (VAW), L.L.C. (Headquarters: Basking Ridge, NJ)	\$5,000,000.00
AT&T Mobility, L.L.C. (Headquarters: Atlanta, GA)	\$2,500,000.00
Sprint Solutions, Inc. (Headquarters: Kansas City, MO)	\$1,250,000.00

23. Cooperative Procurement: Retroactive Award of Contracts, No. 11034439 to Specialized Industries, d.b.a. Super Products (Headquarters: San Antonio, TX) in the amount of \$397,743.00; and No. 11034441 to Santex Truck Centers (Headquarters: New Berlin, WI) in the amount of \$198,160.00 for the purchase of two (2) sewer vactor trucks. Contracts are for one time purchases effective March 7, 2011. Funding Source: Enterprise Fund. Administering Department: Regional Wastewater Reclamation.

24. Low Bid: Award of Contract, Requisition No. 1100759, in the total amount of \$403,328.00 to the lowest responsive bidder, M3T, L.L.C., (Headquarters: Phoenix, AZ) for construction of the Avra Valley Water Reclamation Facility Security Improvements Project. Funding Source: RWRD Obligation Fund. Administering Department: Regional Wastewater Reclamation.
25. Low Bid: Award of Contract, Requisition No. 1103176, in the amount of \$1,854,733.81 to the lowest responsive bidder, Borderland Construction Company, Inc., (Headquarters: Tucson, AZ) for the construction of the Alvernon Way/Valencia Road Intersection Improvement Project. The contract term is twenty-four months with the ability to extend for project completion. Construction is to be completed within 125 working days from Notice to Proceed. Funding Sources: RTA (98%) and HURF (2%) Funds. Administering Department: Transportation.

M. Regional Wastewater Reclamation

26. Town of Sahuarita, Amendment No. 2, to provide road maintenance, litter control and police services at the Sahuarita Landfill, extend contract term to 6/30/12 and amend contractual language, no cost (01-03-S-133026-0803)

N. Sheriff

27. RESOLUTION NO. 2011 - 87, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide a Subgrantee Agreement for the Intelligence Analyst under Urban Area Security Initiative, Federal Grant Fund, contract amount \$4,000.00 revenue (01-11-A-144013-0511)
28. Arizona Department of Homeland Security, Amendment No. 1, to provide for IED and CBRNE detection, prevention and removal abilities of the Pima County Bomb Squad and extend contract term to 3/31/11, no cost (01-11-A-142429-1009)
29. Northwest Fire Rescue District, Amendment No. 1, to provide emergency medical support for the Pima County SWAT Team during tactical operations and training sessions and extend contract term to 4/30/12, no cost (01-11-N-143098-0610)

O. Transportation

- 30. Regional Transportation Authority, Amendment No. 1, to provide for the design and construction of the Safe Routes to School Improvement Projects, extend contract term to 12/30/15 and amend contractual language, RTA Fund, contract amount \$678,000.00 revenue (01-04-R-143171-0810)
- 31. Regional Transportation Authority, Amendment No. 1, to provide for the design of bike lanes along various roadway segments to improve safety, extend contract term to 12/30/15 and amend contractual language, RTA Fund, contract amount \$2,331,101.00 revenue (01-04-R-143172-0810)

2. RATIFICATION OF EMERGENCY PROCUREMENT

Tucson Building and Remodeling, Inc. and M3 Engineering and Technology Corp., to provide a settlement and resolution of construction issues related to the Catalina Community Services Facility, no cost. (Facilities Management)

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>
Miller, Jay K.	199	REP
Rice, Jervis A.	237	REP
Rice, Carl	237	REP
Anderson, John G.	269	REP
Sweeney, Joseph	320	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Teran, Priscilla G.	051	DEM
Hockett, Traci D.	065	DEM
Cunningham, Larry	155	DEM
Turner, Daniel J.	225	DEM
Romero, Regina	270	DEM
Maki, William S.	314	DEM
Adjovu, Dorothy M.	320	DEM
Spencer, James W.	396	DEM
Spencer, Louise R.	396	DEM
Mitchell, Fariba A.	039	REP
Moroyoqui, Arthur J.	103	REP
Mellor, Julia H.	122	REP
Hague, Bryan	125	REP
Westholm, Wil T.	130	REP
Preble, Lou-Ann M.	132	REP
Allen, Lisa D.	142	REP
Allen, Wayne E.	142	REP
Anderson, Leiann	142	REP
VanBorssum, Lesley	170	REP

Danielson, Daniel T.	205	REP
Fennig, Ralph J.	205	REP
Anderson, John D.	215	REP
Henderson, Ashley N.	219	REP
Spann, Donald K.	220	REP
Buino, Michael T.	246	REP
Phillips, Barbara J.	265	REP
Rossmann, Michael J.	265	REP
Pall, Vern J.	269	REP
Knurr, Kurt W.	276	REP
McAnally, Adam C.	279	REP
Kwasman, Della M.	283	REP
Kwasman, Donald L.	283	REP
Connors, Edward A.	321	REP
Sansom, Donald G.	336	REP
Proud, Terri L.	342	REP
Penny, Jamie E.	344	REP
Woodworth, Robert L.	344	REP
Newman, Nancy G.	365	REP
Sawyer, John B.	371	REP
Fitzgerald, Stephen M.	377	REP
Reeves, Erica J.	388	REP
Hammond, David G.	411	REP
Allen, Eloise A.	414	REP

4. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Metropolitan Education Commission

Appointment of Vicky Mullins to replace Connie Greenberg. Term Expiration: 5/17/14. (Commission recommendation)

B. Tucson - Pima County Bicycle Advisory Committee

Appointment of Collin Forbes to replace Diana Tolton. Term Expiration: 6/30/13. (Commission recommendation)

C. Election Integrity Commission

Reappointment of James March. Term Expiration: 6/7/13. (Pima County Libertarian Party recommendation)

5. SUPERIOR COURT

Judges Pro Tempore

The Pima County Superior Court requests the appointment of the following as Judges Pro Tempore for the period July 1, 2011 through June 30, 2012:

Aaron, Michael	Fein, Jim	Minker, Jeffrey
Aboud, John	Felix, Maria	Mitchell, Douglas
Aboud, Michael	Fell, Howard	Mizelle, Carroll

Abrams, Lisa	Ferlan, Geoffrey	Nygaard, Karen
Afek, Dina	Ferrier, Robert	O'Neill, Nancy
Akmajian, Peter	Gibson, Scott	Ostapuk, David
Alexander, Arthur	Gingo, Biagio	Pennington, Alyce
Allen, Ronald	Glicksman, Elliott	Perez-Medrano, Juan
Altfeld, Clifford	Godoy, Teresa	Piccaretta, Carl
Assini, John	Goldman, Peter	Pollins, Karen
Bacal, Susan	Goncharsky, Abbe	Pratte, Deborah
Baldwin, Howard	Green, Patricia	Quigley, Kathleen
Barker, Emery	Griffin, Brenden	Riojas, Jr., Antonio
Barrasso, Robert	Hall, Phil	Roads, Lee
Belleau, Laura	Haralambe, Ann	Robles, Jose
Bergin, Jeffrey	Hardin, Elaine	Rolfe, Annie
Bibbens, Lisa	Henry, Richard	Rothschild, Lowell
Bolt, John	Heurlin, Bruce	Rubin, Stephen
Brei, Suzanne	Hochuli, Peter	Ryan, Patrice
Brew, Lindsay	Hubbell, Amy	Sakrison, James
Broom, Patrick	Hunter, James	Samet, Dee-Dee
Cahan, Eric	Jackson, Gary	Sattler, Barbara
Castillo, Jose	Jackson, Terrence	Schauf, Susan
Centuori, Steven	Jaszewski, Samuel	Schwanbeck, Victor
Christoffel, Dean	Jesairian, Sarah	Segal, Anne
Cohen, Gary	Johnson, Michael	Sethi, Dev
Cohen, Melvin	Johnson, Thomas	Simon, Paul
Collins, Peter	Jones, Lori	Singer, Keith
Conn, Deanna	Jurkowitz, Daniel	Slutes, Tom
Connors, Julia	Jurkowitz, Harvey	Sommer, Ronald
Contreras, Roger	Karp, Leonard	Stanford, Kenneth
Corey, Barry	Kastner, John	Strum, Edina
Corsaro, Kimberly	Kettlewell, Susan	Tedlock, Sandra
Cramer, Amelia	Khalidi, Thabet	Thompson, Evan
Crawford, Michael	Krone, Russell	Tilton, Thomas
Cuneo, Suzanne	Laboy, Melanie	Traynor, W. Patrick
Cunningham, Marjorie	Leshner, Stephen	Tsakanikas, Lenore
Daniels, Earl	Liberty, Pamela	Turchik, Merle
Dardis, Fred	Liwski, Danelle	Wagener, Joan
Dolny, Carmen	Macdonald, Bruce	Warner, Nanette
Douglas, Sharon	Maltz, Gerald	Weinstein, Steven
Duncan, Roger	Manzi, Jennifer	Willman, Paul
Economidis, Peter	Masunas, Annalisa	Woolridge, Angela
Egbert, James	Maxwell, Margaret	Wright, Sarah
Elkins, C. Joy	McCarthy, Kathleen	Wyland, Sarah
Elsberry, Anne	McNeilus, Eric	Yehling, Wayne
Errico, Melissa	Miller, Kim	Zirkle, Raymond
Everlove, Annette		

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

- A. Alan E. Foster, V.F.W. Post No. 5990, 15850 W. El Tiro Road, Marana, May 14, 2011.
- B. Harvey M. Yoos, Jr., Roland Moody V.F.W. Post No. 3578, 1764 N. 2nd Avenue, Ajo, May 30, 2011.

- C. Pedro Pacheco, Knights of Columbus, Council 8077, Saint Elizabeth Ann Seton Church, 8650 N. Shannon Road, Tucson, ~~May 21, 2011~~ June 25, 2011.
- D. Harvey M. Yoos, Jr., Roland Moody V.F.W. Post No. 3578, 1764 N. 2nd Avenue, Ajo, June 4, 2011.
- E. Susan L. Kaster, V.F.W. Post No. 10254, 10111 S. Sasabe Hwy, Tucson, June 18, 2011.
- F. Harvey M. Yoos, Jr., Roland Moody V.F.W. Post No. 3578, 1764 N. 2nd Avenue, Ajo, June 19, 2011.
- G. Alan E. Foster, V.F.W. Post No. 5990, 15850 W. El Tiro Road, Marana, May 28 and 29, 2011.

FINANCE AND RISK MANAGEMENT

7. Duplicate Warrants – For Ratification

Trico Electric Cooperative, Inc.	\$ 364.99
Tucson Electric Power Co.	\$ 221.57
El Pueblo Health Center	\$ 6,417.01
G's Academy of Tonsorial Arts	\$ 2,000.00
Fidelity National Title Agency	\$ 481.00
Next Step Counseling	\$ 3,095.00
Cambiare, L.L.C.	\$31,060.93
Rafaela De Loera	\$ 334.40
Catalina Vista, L.L.C.	\$ 9.00
Catalina Vista, L.L.C.	\$ 9.00
Casey Promotions, Inc.	\$12,863.44
West A Thomson Reuters Business	\$ 1,483.11
CIP Planner Corporation	\$ 795.00
UCLA Neurological Group Practice	\$ 515.00
Roy Sharmila	\$ 3,517.50
Sabitra Khatiwada	\$ 90.00
Teresa Fernandez	\$ 60.00
Goodmans, Inc.	\$ 354.71
Daniel Meinke	\$ 250.00
Premier Aviation	\$ 188.89
Fowler Appraisal	\$ 3,600.00
Kalil Bottling Company	\$ 850.00
Desert Health Imaging Tech, L.L.C.	\$ 37.91
Anne Smith	\$ 762.50
RMDM Solutions	\$ 1,280.00
Teresa Fernandez	\$ 60.00

8. **TRANSPORTATION**

Permission to Advertise

Spica Drive
Road Establishment No. 3008
(District 3)

July 12, 2011

9. **REAL PROPERTY**

Public Utility License Agreement

Voyager Water Company, to provide a public water distribution system using County public rights-of-way now existing or hereafter established and lying within the unincorporated areas of Pima County. (All Districts)

10. **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:

Fox Restaurant Concepts, L.L.C., d.b.a. Zinburger, Case No. C2011-11. Proposed settlement is performance of a Supplemental Environmental Project by installing a 1,000 gallon hydromechanical grease interceptor within six months of the execution of this Agreement, to defer a financial penalty of ~~\$6,000.00~~ **\$6,000.00**.

11. **RATIFY AND/OR APPROVE**

Minutes: April 12, 2011
April 19, 2011

Warrants: May, 2011

REGULAR AGENDA/ADDENDUM ITEMS

11. COUNTY ADMINISTRATOR: CLASSIFICATION AND COMPENSATION

A. The Legal Defender's Office requests approval to create three new Position Control Numbers (PCNs) as follows. There will be no General Fund impact.

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
2	7660 - Attorney-Unclassified	U3
1	3143 - Legal Secretary	P2

B. The Medical Examiner's Office requests approval to create eight new Position Control Numbers (PCNs) as follows. There will be no General Fund impact.

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
7	4443 - Forensic Medical Investigator	43
1	7428 - Forensic Anthropologist-Unclassified	U3

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

12. COUNTY ADMINISTRATOR: THE YOUTH CORPS OF AMERICA, INC., MARTIAL ARTS RESILIENCY SKILLS PROGRAM

Staff recommends approval of an allocation from the Board of Supervisors Contingency Fund in the amount of \$6,000.00 to The Youth Corps of America, Inc., for the Martial Arts Resiliency Skills Program.

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

13. ECONOMIC DEVELOPMENT AND TOURISM

Pursuant to the Lease Agreement, Old Tucson Company requests approval of the proposed alterations titled Heritage Square at Old Tucson Studios.

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

14. FINANCE AND RISK MANAGEMENT

RESOLUTION NO. 2011 - 88, of the Board of Supervisors requesting exemption from posting of security for Pima County's Self-Insured Workers' Compensation Program.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2011 - 88.

15. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION DEPARTMENT: ANNUAL ACTION PLAN FUNDING RECOMMENDATIONS**

RESOLUTION NO. 2011 - 89, of the Board of Supervisors of Pima County, Arizona, approving submission to the U.S. Department of Housing and Urban Development of the Annual Action Plan for FY 2011-2012, to the following agencies:

Community Development Block Grant Funds (CDBG)

<u>Applicant</u>	<u>Requested</u>	<u>Recommended</u>	<u>District</u>
Ajo - Food Bank Freezer	\$58,500		3
Ajo - Community Health Center Electrical/HVAC	\$76,044		3
Ajo - ISDA-Home Repair Program	\$109,210		3
Ajo - Curley School Gym Stabilization	\$100,000	\$89,671	3
Ajo - Arizona Youth Partnership After School Program	\$19,092		3
Arivaca - Fire District-Emergency Generator	\$25,000		3
Arivaca - PPEP-Community Garden Greenhouse	\$18,000		3
Arivaca - Old Schoolhouse Park Exterior Lighting	\$20,000	\$20,000	3
Catalina - CCS - Senior Meals Construction & Expansion	\$100,000	\$25,000	1
Catalina - CCS - Senior Meals Rent & Utilities	\$25,000		1
Catalina - Golder Ranch Fire Dept- Fire Hydrants	\$50,000	\$30,000	1
Continental - UCHC - Continental Clinic Medical Equipment	\$96,257		4
Continental - Casa de Esperanza- Facility Improvements	\$96,241	\$90,000	4
Flowing Wells - Flowing Wells Schools - Family Resource Center	\$30,000	\$13,000	3
Flowing Wells - FWNACC - Operating Funds	\$5,000	\$5,000	3
Flowing Wells - Sahuaro Girl Scout Leadership Program	\$30,000		3
Picture Rocks - PRCC - Food, Diaper & Clothing Assistance	\$16,914		3
Picture Rocks - CFPR -Community Center Improvements	\$96,250		3
Picture Rocks - CFPR -Community Center Computers	\$16,900	\$10,000	3
Picture Rocks - Avra Water-Water Tank Mixing System	\$28,000		3

Picture Rocks - Avra Water-Water Meter Replacement	\$35,000		3
Robles Junction - Robles Ranch Community Center Basketball Courts	\$100,000	\$90,000	3
Robles Junction - High Chaparral Water Co-op Improvements	\$80,000		3
Robles Junction - Three Points Health Clinic Improvements	\$32,572		3
Robles Junction - 3 Points Fire Department-Cardiac Monitor	\$29,450		3
Valencia West - Drexel Heights Fire Dept-Family Safety Program	\$23,060	\$10,000	3, 5
Valencia West - Drexel Heights Fire Dept-Fire Hydrants	\$36,000	\$20,000	3, 5
Vail - Rincon View Estates Fire Hydrant & Water Lines	\$450,000		4
Pima County CDNC Dept - Administration	\$400,000	\$384,000	all
Pima County CDNC Dept - Home Repair Program	\$665,000	\$667,000	all
Pima County CDNC Dept - Septic Program	\$100,000	\$100,000	all
Town of Marana - Administration	\$40,000	\$15,000	1, 3
Town of Marana - Housing Rehabilitation	\$150,000	\$85,000	1, 3
Town of Marana - Heritage Park Bike/Walking Path (ADA)	\$175,000		1, 3
Town of Marana - Honea Heights Park Improvements	\$300,000		1, 3
City of South Tucson - Administration	\$70,000	\$58,800	2
City of South Tucson - Community Cleanup	\$10,000	\$8,400	2
City of South Tucson - Community Policing & Crime Prevention	\$96,000	\$63,000	2
City of South Tucson - Demolition	\$60,000		2
City of South Tucson - Fire Safety Equipment	\$55,000	\$46,200	2
City of South Tucson - Home Repair Program	\$100,000	\$58,800	2
City of South Tucson - Graffiti Abatement Program	\$12,000	\$1,275	2
City of South Tucson - South Tucson Youth Programs & Family Assistance	\$133,725	\$115,325	2
Alzheimer's Association - Rural Family Caregiver Support & Services Program	\$28,000		all
Amity Foundation - Housing Program Staff	\$80,000		all
Admin of Resources & Choices - Reverse Mortgage Program	\$38,512	\$10,000	all
AZ Rural Human Services - Operating Funds	\$5,000	\$5,000	all

Arizona Children's Alliance - Open Arms Preschool Tuition Assistance	\$50,000		1
Arizona Children's Alliance - Little Ranch Preschool Tuition Assistance	\$50,000		3
Arizona Children's Alliance - Old Spanish Trail Christian Day School Tuition	\$25,000		4
Arizona Children's Alliance - Open Arms Preschool Facility Improvements	\$91,000		1
Arizona Children's Alliance - Open Arms Preschool Equipment Purchase	\$35,000		1
CareGiver Training Institute - Tuition Assistance	\$30,000		all
Child Language Center - Preschool Replacement of A/C system	\$32,000	\$32,000	all
CHRPCA - Emergency Home Repair Program	\$100,000	\$80,000	all
Comin' Home, Inc. - Street Outreach	\$47,848	\$25,000	all
Comin' Home, Inc. - Transitional Housing Rehabilitation	\$209,565		5
Community Food Bank - Caridad Operating Costs	\$10,000		all
Community Food Bank - Agency Freezers	\$84,577		all
Compass Health Care - 51 Homes Navigator Personnel	\$55,349		all
Compass Health Care - Amado Youth Center Rehabilitation	\$22,596		3
Compass Affordable Housing - Land Acquisition for Housing	\$150,000		all
Chicanos Por La Causa - Corazon De Aztlan Wellness Program	\$25,000	\$15,000	all
Chicanos Por La Causa - Foreclosure Intervention and Default Counseling	\$40,000		all
Chicanos Por La Causa - Housing Counseling	\$34,000	\$15,000	all
DIRECT Center - Home Access Program	\$53,000	\$50,000	all
Dunbar Coalition - Dunbar Community Center Renovation	\$270,000		all
Emerge! - Childcare Scholarships	\$25,000		all
Emerge! - Emergency Shelter Renovations	\$130,000		all
Family Housing Resources - Elderly Housing Offsite Utilities	\$205,678		5
Empowering Local Communities - Housing Rehabilitation	\$12,000		all
Interfaith Community Services - Food Bank Construction	\$93,000	\$90,000	all
Mobile Health Program-U of A - Primary Health Care	\$46,000		2, 5

New Beginnings - Transitional Housing HVAC Improvements	\$115,000		all
New Beginnings - Transitional Housing Irrigation System	\$9,500		all
Old Pueblo Community Services - Mortgage Crisis Program	\$30,000		all
Our Family Services - Emergency Housing for Teens	\$33,759		all
Pima Council on Aging - Computer Network Upgrading	\$32,289		all
Pima Prevention Partnership - Pima County Teen Court	\$25,000	\$25,000	all
Primavera Foundation - Greyhound Emergency Family Shelter Renovations	\$202,650		all
Pio Decimo Center - After School Program Operating Expenses	\$22,501		2
Pio Decimo Center - Preschool Scholarships	\$19,440		2
Reach Community Services - Housing Counseling	\$40,000		all
RISE - Computer Recycling Center	\$20,000		all
Southern Arizona Legal Aid - Homeowner and Tenant Protection Program	\$41,847	\$20,000	all
Southwest Fair Housing - Fair Housing Outreach, Education & Compliance	\$30,000	\$24,000	all
La Frontera Center - Sonora House Meals Program	\$36,525		all
Tucson Urban League - Service Center HVAC Improvements	\$63,500		all
Tucson Urban League - PAT Youth Program	\$45,530		all
Tucson Urban League - Emergency Home Repair Program	\$45,000		all
TMM Family Services - Homebuyer Education Program	\$20,000		all
TMM Family Services - Emergency Housing Assistance	\$30,000		all
TMM Family Services - Community Closet	\$30,000		all
Social Justice Education-U of A - Social Justice Education Project	\$15,000	\$15,000	all

Total	\$7,154,881	\$2,411,471	
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Emergency Solutions Grant (ESG) Program Funds

Catholic Community Services dba Pio Decimo - Transitional Shelter for Homeless Families		\$8,000	
La Paloma Family Services - Amparo de Los Angeles		\$3,500	

New Beginnings for Women and Children - Roof, Job, and Beyond	\$6,500
Open Inn - Emergency Housing for LGBT Youth	\$3,000
Our Family Services - Teens in Transition	\$6,000
Primavera Foundation - Greyhound Family Emergency Shelter	\$12,000
Primavera Foundation - Casa Paloma Women's Center	\$12,000
Tucson Center for Women and Children, dba Emerge - Domestic Violence Shelter	\$19,000
Jackson Employment Center - Operating	\$11,952
CFB-Caridad de Porres – Operating	\$5,000
Pima County CAA - Homeless Prevention	\$29,000
Total	\$115,952

HOME Program Funds

Administration	\$71,677
Affordable Housing Projects	\$641,923
Total	\$713,600

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2011 - 89.

16. **BOARD OF SUPERVISORS: ESTABLISHMENT OF AJO STREET LIGHTING IMPROVEMENT DISTRICT**

RESOLUTION NO. 2011 - 90, of the Board of Supervisors, establishing the Ajo Street Lighting Improvement District of Pima County, Arizona.

Supervisor Bronson indicated it was her understanding that there were not the requisite number of owners of real property that had signed the petitions.

Chuck Huckelberry, County Administrator, responded that was correct.

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

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 deny the request to establish the Ajo Street Lighting Improvement District.

17. **FRANCHISE/LICENSE/PERMIT: FIREWORKS PERMIT**

Stephen Fox, USA Raceway, 4300 E. Los Reales Road, Tucson, July 3, 2011, at approximately 8:30 p.m.

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

18. **FRANCHISE/LICENSE/PERMIT: BINGO LICENSE**

11-01-8023, Partners Management and Consultants, 101 S. La Canada Drive, Green Valley, Small Game.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Revenue.

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

The Board of Supervisors on April 19, 2011, continued the following:

Co9-04-17, LEE PLAZA, L.L.C. - VALENCIA ROAD REZONING

Request of Mark Road L.L.C., represented by Presidio Engineering, Inc., for a five year time extension for a rezoning of approximately 44.2 acres from GR-1 (Rural Residential) to CR-4 (Mixed Dwelling Type Zone) and approximately 51.2 acres from GR-1 to GR-1 ® (Restricted), on property located on the west side of Mark Road, approximately 600 feet north of Valencia Road. The subject property was rezoned in March 2006 and expired in March 2011. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. Staff recommends APPROVAL SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 3)

Without objection, this item was continued to the Board of Supervisors' Meeting of July 12, 2011.

20. **DEVELOPMENT SERVICES: MODIFICATION (NON-SUBSTANTIAL CHANGE) OF REZONING CONDITIONS**

Co9-10-02, FAITH COMMUNITY CHURCH, INC. - ORANGE GROVE ROAD REZONING

Request of Pima County for a change in Rezoning Condition No. 7F which states, in part, that, "the development agreement will also provide that Pima County advance funds in an amount not to exceed \$300,000 to pay for the design effort, subject to such funds being reimbursed from roadway development impact fees to be collected from this development project." The applicant requests that the not-to-

exceed cost be increased to \$375,000. The rezoning, approved by the Board of Supervisors on March 15, 2011, comprises approximately 15.70 acres rezoned from SR (Suburban Ranch) to CR-5 (Multiple Residence Zone) and approximately 7.60 acres rezoned from SR to SR®, on property located on the south side of Orange Grove Road approximately 1/2 mile east of Shannon Road. Staff recommends APPROVAL. (District 1)

Chris Poirier, Assistant Planning Director, briefed the Board on the case and stated that should the request be approved, it would align the Rezoning Conditions to the approved Development Agreement. Staff received one letter of protest.

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

On consideration, it was moved by Supervisor Day, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Elías voting "Nay," to close the public hearing and approve the modification of Rezoning Condition No. 7F, read by Supervisor Day, as follows:

"The development agreement will also provide that Pima County advance funds in an amount not to exceed \$375,000 to pay for the design effort, subject to such funds being reimbursed from roadway development impact fees to be collected from this development project."

21. **DEVELOPMENT SERVICES: APPEAL OF THE CONDITIONS OF APPROVAL OF THE HEARING ADMINISTRATOR**

P21-11-002, BRUNO - W. MARS ROAD

In accordance with Pima County Zoning Code Section 18.97, John G. and Adrian L. Bruno, represented by G. Lawrence Schubart, appeal the conditions of approval of the Hearing Administrator in Case No. P21-11-002, for an Animal Rescue and Sanctuary Facility located at 10905 W. Mars Rd., in the GR-1 Zone. Chapter 18.97, allows an appeal to the Board of Supervisors of the decision or conditions imposed by the Hearing Administrator. Chapter 18.97, in accordance with Section 18.14.030B.21 of the Pima County Zoning Code, allows an animal rescue and sanctuary facility as a Type I Conditional Use in the GR-1 zone. The Hearing Administrator APPROVED the request for an Animal Rescue and Sanctuary Facility subject to STANDARD AND SPECIAL CONDITIONS. (District 3)

Changes to Conditions

1. No (0) new animals shall be henceforth accepted or taken in on this property by Castaway Treasures Animal Sanctuary, Inc., until such time that the maximum number of animals allowed has been successfully reduced in accordance with Special Condition No. 2 below.
2. Within ~~one (1) year~~ "twenty four months" from the date of this decision, the total number of animals allowed on the property shall be reduced to fifteen (15) horses maximum and twenty-five (25) dogs maximum. Once the property is in accordance with these requirements, new animals can be accepted as long as the respective maximums (as prescribed above for horses and dogs) are not exceeded.
3. Within one hundred eighty (180) days of the date of this decision, physical modifications to the structures on the property shall be made sufficient to honor the applicable setbacks stipulated in Special Condition No. 4 below.
4. Structures shall be setback as follows from the perimeter property lines: (a) front yard

setback (west property line) shall be fifty feet (50') for all structures, whether accessory, shade, corrals, pens, or whatever; ~~(b) side yard setback (south property line) shall be twenty-five feet (25) for all structures, whether accessory, shade, corrals, pens, or whatever;~~ (c) side yard setback (north property line) shall be fifty feet (50') for all structures, whether accessory, shade, dog pens, or whatever, with the exception (per Board of Adjustment approval) that the setback for existing horse corrals shall be thirty feet (30'); and (d) the rear yard setback (east property line) shall be forty feet (40') for all structures, whether accessory, shade, corrals, pens, or whatever. All housing of animals on the property shall occur within the interior area of the property and be outside of the above setback areas.

5. Within one hundred eighty (180) days of the date of this decision, the setback areas along each property boundary that are not part of a recorded private roadway/access easement and/or are not used for driveway/vehicular access into the property shall be cleaned, cleared of materials and debris, left in a neat and tidy fashion, and not be used in any way for animal housing or waste-elimination. Any existing established shrubs, trees, or tree saplings shall be left in place.
6. Within one hundred eighty (180) days of the date of this decision, the same setback areas identified in Special Condition No. 5 shall be treated with the hydro-seeded application of a desert seed mix (in fertilized slurry) so as to, over time, establish a minimal landscape buffer comprised of native desert ground-cover and shrubs. No installation of spray or drip irrigation is required in these areas and it is sufficient to allow the hydro-seeded application to germinate naturally, over time, through normal rainfall.
7. The owners/operators shall secure as approved Waste Management Plan from the Pima County Department of Environmental Quality (PCDEQ) within sixty (60) days of the date of this decision and shall adhere to same thenceforth. Any future violation of the Plan as determined by PCDEQ shall be material cause for the withdrawal of this Conditional Use Permit approval at the sole discretion of the Chief Zoning Inspector.
8. The owners/operators shall comply with any and all determinations made by the Pima County Chief Zoning Inspector regarding the adequacy (or inadequacy) of the Site Plan submitted with this conditional use permit request, together with any and all requirements it may place on the property regarding the relocation and/or removal of any existing structures.

ADDED CONDITIONS:

9. **Zoning permits are required for all structures on the south side.**
10. **Veterinarian of staff's choice to certify that all horses and dogs are being kept in a humane environment (cost to be paid by property owner or owner's representative).**
11. **Staff will provide the Board of Supervisors with an update after 12 months and 24 months to the condition of the property and progress being made towards compliance.**

Jim Portner, Hearing Administrator, explained the appellants had appealed several of the conditions attached to the approval for the Conditional Use Permit. He stated that two issues were raised in challenging the conditions: one was concerning the time frame to reduce the number of animals on their property and the second pertained to a series of setback requirements that were stipulated in the approval. The property owners felt the setback requirements were in excess of what the Board of Adjustment granted them. He clarified that there was one exception for a 10' setback on the south property line about five years ago. However, the required permits were never obtained for the corrals so subsequently that variance approval had expired. He indicated the conditions established a 25' setback for the south side property line which the property owners were challenging.

Lawrence Schubart, Attorney representing John and Adrian Bruno, stated the Board of Adjustment had granted various variances to the appellants which had not been appealed. He explained the appellants were requesting that the one year limitation

concerning the reduction of animals at the facility be waived because they felt this was not sufficient time to come into compliance on that condition. He stated they would not accept any more animals at the facility. He also requested the setback variances approved by the Board of Adjustment be reinstated on the south and east side of the property where adjacent property owners had signed letters of consent. Mr. Schubart stated that if the appellants were required to comply with the Hearing Administrator's setback requirements, shade ramadas and pens would have to be removed.

The following speakers addressed the Board:

- A. Richard York
- B. John Eli Aboud
- C. Jon H. Simms
- D. Michelle Roof
- E. Wendy and Darrell Campbell
- F. Ben Watkins
- G. Pastor Hector Estrada

They provided the following comments:

1. There was very little neighborhood support and the rescue facility had gotten too big and intense for the residential setting. There were too many horses and dogs to be properly cared for by the property owners.
2. This was not the first time setback requirements had been imposed with no attempt by the property owners to comply with the conditions set by the Board of Adjustment or the Hearing Administrator. The property owners have been unwilling to cooperate and have been in non-compliance for years.
3. There were concerns about the animals' welfare. The rescue facility was poorly run and the shade was not adequate for the horses.
4. The mobile home, that the neighbors felt was located in the easement area, created a safety hazard by blocking the view of traffic from around the corner.
5. Over the years, there have been numerous meetings and hearings concerning these issues and nothing gets resolved. The property owners have dragged this issue on with the hope that the neighbors will grow weary and give up the fight.
6. The neighbors felt their concerns had not been taken into consideration and this had caused a lot of anger between neighbors.
7. If the property owners do not come into compliance, then they should let the animals go to another rescue facility that is able to care for them.
8. The Board was asked to reject the setback requirement on the south border of the property as the property owner did not have any issues with the rescue facility.
9. Rescue facilities are needed and the Brunos had dedicated their lives and financial resources to their facility. They needed time to come into compliance.

Supervisor Elías expressed his concern with the neighbors testimony of the property owners' noncompliance.

Mr. Schubart stated that they were in compliance with the Board of Adjustment conditions but had not yet complied with the additional criteria set forth by the Hearing Administrator. He indicated he would ensure that any criteria set forth from this meeting would be met in a timely fashion.

Supervisor Carroll inquired if there had been any evaluation of the animals by a veterinarian, the Animal Care Center or if an assessment had been done on the conditions of the animals currently on the property.

Mr. Portner responded no.

Supervisor Bronson stated her concern was that the property owners had failed to comply with previous decisions relating to complaints. She inquired how the Board would know when the property was in compliance.

Mr. Schubart suggested the Board could impose a condition that the property owners would need to be in compliance within 60 days or the approval was rejected.

Supervisor Bronson asked if the mobile home was in an easement area.

Mr. Portner stated that staff had not done any detailed surveys to determine whether it was in the easement area.

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;

1. Remove the condition regarding the setback requirement on the south side of the property set by the Hearing Administrator;
2. The owner of the property apply for the Zoning Permits required for all structures on the south side;
3. A veterinarian of staff's choice certify the condition of the animals and that they are kept in a humane environment with the cost to be paid by the property owners or owner's representative;
4. The condition for compliance be changed from one year to two years regarding the number of animals allowed on the property;
5. Staff be directed to provide the Board with an update in 12 months and again in 24 months on the condition of the property and the progress being made towards compliance.

22. **DEVELOPMENT SERVICES: REZONING ORDINANCE**

ORDINANCE NO. 2011 - 37, Co9-10-07, Steele - Sartillion Avenue (Ajo) Rezoning. Owner: M. A. and Judy Steele. (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 Ordinance No. 2011 - 37.

23. **TRANSPORTATION: TRAFFIC RESOLUTION**

RESOLUTION NO. 2011 - 91, of the Board of Supervisors providing for a three year time extension for the establishment of a County Highway, X9 Ranch Road, lying within Sections 36 and 25, T15S, R16E, and Sections 30, 20, 19 and 17 of T15S, R17E, Pima County, Arizona. (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 hearing and adopt Resolution No. 2011 - 91.

24. **CONTRACTS**

A. **Community Development and Neighborhood Conservation**

Ha'asan Preparatory School, to provide operation and administration services, Indian Gaming Revenue Fund, contract amount \$50,000.00 pass through funds (02-70-H-144048-0611)

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

1. Arizona Department of Economic Security, Amendment No. 2, to provide homeless assistance/eviction prevention services and amend contractual language, ADES Fund, contract amount \$2,519,240.00 revenue (01-69-A-143044-0710)

2. Grace Temple Baptist Church of Tucson, Amendment No. 5, to provide workforce development services and amend contractual language, WIA Grant Fund, contract amount \$4,100.00 (11-69-G-141337-0708)

C. **Forensic Science**

Bode Technologies, to provide DNA analysis of unknown and missing individuals for the term 5/1/11 to 4/30/12, Paul Coverdell Forensic Grant Fund, contract amount \$250,000.00 (11-48-B-144034-0511)

D. Procurement

1. SunE P11E Holdings, L.L.C., Amendment No. 5, to provide for a correction of address on the third amendment for the Solar Services Agreement for the Abrams Building and second amendment for the Solar License Agreement for the Abrams Building, no cost (11-13-S-142732-0609) Facilities Management
2. CH2M Hill, Inc., Amendment No. 1, to provide for the Water Reclamation Facility Design-Build-Operate Project for the Regional Optimization Master Plan and amend contractual language, no cost (34-03-C-143624-1210) Regional Wastewater Reclamation

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

25. OFFICE OF CONSERVATION SCIENCE: MEMORANDUM OF UNDERSTANDING, MODIFICATION NO. 1

Staff requests approval of Modification No. 1 to the Memorandum of Understanding with the State of Arizona, Arizona Game and Fish Commission, to provide an additional ten year term to 12/31/21.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve Modification No. 1 to the above Memorandum of Understanding.

26. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Planning and Zoning Commission

Reappointment of William Matter - Term expiration: 6/19/14; and Howard L. Richey - Term expiration: 6/19/15. (District 4)

B. Tucson-Pima County Historical Commission

Appointment of Albin Littell to fill unexpired term of Bettina Lyons. Term expiration: 12/31/12. (District 4)

Supervisor Carroll thanked Bettina Lyons for her service on the Historical Commission.

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

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

The Board of Supervisors conducted an Emergency Session on the following item:

RESOLUTION NO. 2011 - 92, of the Pima County Board of Supervisors declaring a State of Emergency on and around the Mount Lemmon Highway.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to adopt Resolution No. 2011 - 92.

28. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard.

Robin Hoover addressed the Board concerning migrant safety issues and provided clarification on cellphone rescue equipment.

Vicki Davis spoke about the budget, County raising property taxes and creating hardship.

Michael Toney spoke on various community topics.

29. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:55 a.m.



CHAIRMAN

ATTEST:



CLERK