

MINUTES, FLOOD CONTROL DISTRICT BOARD

JULY 12, 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, July 12, 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. **RIPARIAN HABITAT MITIGATION PLANS**

- A. Staff requests approval of a combination Riparian Habitat Mitigation Plan and in-lieu fee in the amount of \$18,086.00 for the La Cholla Boulevard: Magee Road to Overton Road Improvement Project. (District 1)
- B. Staff requests approval of the Riparian Habitat Mitigation Plan for the Rillito River Park: Mountain Avenue to Campbell Avenue Improvement Project. (District 3)

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

2. **CONTRACTS**

- A. Joshua Sarantitis and Alex Garza, to provide artist services for the Arroyo Chico - Park Avenue Basins, Flood Control District Tax Levy Fund, contract amount \$90,000.00 (07-59-S-144087-0711)
- B. Mary Lucking, to provide artist services for the Arroyo Chico - Park Avenue Basins, Flood Control District Tax Levy Fund, contract amount \$90,000.00 (07-59-L-144088-0711)
- C. John Davis, to provide artist services for the Arroyo Chico - Park Avenue Basins, Flood Control District Tax Levy Fund, contract amount \$90,000.00 (07-59-D-144089-0711)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:42 p.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, LIBRARY DISTRICT BOARD

JULY 12, 2011

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, July 12, 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. **CONTRACT**

Arizona State Library, Archives and Public Records, to provide the printing and distribution of the Southwest Books of the Year publication, Library Services and Technology Act Grant Fund, contract amount \$4,000.00 revenue (02-66-A-144091-0711)

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:42 p.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, STADIUM DISTRICT BOARD

JULY 12, 2011

The Pima County Stadium 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, July 12, 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. **CONTRACT**

Heinfeld, Meech and Co., P.C., Amendment No. 3, to provide financial audit services and extend contract term to 7/30/12, Stadium District Fund, contract amount \$19,500.00 (07-09-H-141161-0708)

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

2. **PRESENTATION**

Presentation of the Annual Report by the Pima County Sports and Tourism Authority (PCSTA) for FY2010-2011 and approval of the Budget and Business Plan for 2011-2012.

Tom Tracy, Chairman of the Pima County Sports and Tourism Authority (PCSTA) provided a presentation on the 2010-11 Annual Report of PCSTA. The report included an update on major activities of the PCSTA for 2010-11. He indicated that the PCSTA Plan for 2011-12 will be presented at a future Board of Supervisors Meeting.

Mr. Tracy said that the PCSTA would be proposing a Ballot Initiative by the end of 2013, to create renewable funding to be in the position to facilitate more events and opportunities for Southern Arizona.

Supervisor Day expressed her concern that PCSTA was missing a big opportunity by not focusing on youth and amateur sports. She challenged PCSTA to start a dialogue with the community sport leaders to gather ideas and

to begin to lay the groundwork to make Pima County a nationally renowned destination for youth and amateur tournaments and a host of other sports related events.

Mr. Tracy responded by indicating the PCSTA remained committed to economic growth of Pima County and to provide better facilities for youth and amateur sporting activities. However, the lack of funding to renovate fields and areas for these events to take place was currently nonexistent.

Supervisor Elias asked that PCSTA be fair and open to working with major league soccer if something was brought to the table.

Supervisor Carroll congratulated PCSTA for bring the Tucson Padres to the stadium. He felt that working with the University of Arizona on their future needs could lead to better opportunities for the entire community.

The following individual addressed the Board:

Sheldon L. Gutman

He provided the following comments:

- A. The PCSTA had dramatically downgraded and scuttled Major League Baseball spring training to where it was virtually nonexistent.
- B. The Board was asked to delay approval of the budget and business plan and appoint 15 new members to the PCSTA.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Day voting "Nay," to approve the Budget and Business Plan for FY 2011-2012.

3. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 1:42 p.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

JULY 12, 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, July 12, 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. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

2. **PAUSE 4 PAWS**

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

3. **PRESENTATION**

Presentation of the Davis Monthan Air Force Base Economic Impact Analysis.

Lieutenant Colonel Douglas Pierce presented the Economic Impact Analysis to the Board and thanked them for their continued support of the Air Force Base.

Mr. Paul Burrell, Fighter Wing Liaison Officer, thanked the Board for the opportunity to share this information and encouraged other groups in the community to invite the Air Force to make this presentation at their events.

This item was informational only, the Board of Supervisors took no action.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Day and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:20 a.m.

4. **RECONVENE**

The meeting reconvened at 10:25 a.m. All members were present.

5. **CALL TO THE PUBLIC (for Executive Session item only)**

The Chairman inquired whether anyone wished to be heard on any item listed under Executive Session. No one appeared.

6. **LITIGATION**

MacArthur Tucson, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2010-000314, Tax Parcel No. 117-06-089C

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement for tax year 2009. The County Administrator recommended the Limited Value (LV) be decreased from \$1,073,310.00 to \$938,810.00. The LV, Class and Assessment Ratio would not 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 recommendation.

7. **LITIGATION**

Marketview Properties II, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2010-000814, Tax Parcel No. 133-48-128F.

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement for tax year 2011. The Pima County Attorney's Office and Assessor recommended a decrease in the Full Cash Value (FCV) from \$5,500,000.00 to \$4,200,000.00. The FCV would not rollover for 2012.

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**

PHJ Building, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2010-000886, Tax Parcel No. 219-10-1200.

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement for tax year 2011. The Pima County Attorney's Office and Assessor recommended a decrease in the FCV from \$1,200,000.00 to \$300,000.00. The FCV would 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 approve the recommendation.

9. LITIGATION

Grant Century, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2010-000885, Tax Parcel No. 115-16-0130.

Regina Nassen, Civil Deputy County Attorney, stated the Pima County Attorney's Office and Assessor recommended a decrease in the FCV from \$4,300,000.00 to \$2,700,000.00 for tax year 2010 and a decrease in the FCV from \$4,300,000.00 to \$2,400,000.00 for tax year 2011. The 2011 values would not rollover.

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

10. LITIGATION

Oracle Genematas, L.L.C. v. Pima County, Arizona Tax Court Case No. TX2010-000888, Tax Parcel No. 105-03-007A

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement for tax year 2011. The Pima County Attorney's Office and Assessor recommended a decrease in the FCV from \$1,058,071.00 to \$400,000.00. The 2011 value would not rollover.

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

11. LITIGATION

Magna/El Con, L.L.C.; K-Gam El Con, L.L.C. and Sierra Investment Company v. Pima County, Arizona Tax Court Case No. TX2010-001278, Tax Parcel Nos. 125-10-006B and C.

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement for tax year 2011. The Pima County Attorney's Office and Assessor recommended no change for Tax Parcel No. 125-10-006B and a decrease in LV from \$13,429,675 to \$10,019,542.00 for Tax Parcel No. 125-10-006C. The 2011 values would not rollover.

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

12. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding settlement in Tucson Post 549 VFW v. Pima County, Arizona Tax Court Case No. TX2010-000887, Tax Parcel No. 134-09-002E.

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement for tax year 2010. The Pima County Attorney's Office and Assessor recommended a decrease in the FCV from \$1,014,224.00 to \$440,000.00. For tax year 2011, the Assessor had lowered the FCV to \$400,000.00 and the owners had filed an Exemption Affidavit.

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

13. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Susan Hankinson v. Pima County, U.S. District Case No. 4:10-CV-00023-TUC-FRZ.

Regina Nassen, Civil Deputy County Attorney, explained this was a proposed settlement of an employment case regarding alleged age and gender discrimination. She said the plaintiff had agreed to settle the lawsuit for \$100,000.00 which included attorney's fees, and to be placed in the position of Election Compliance Officer with no probationary period. The County Attorney's Office recommended acceptance of the settlement offer.

On consideration, it was moved by Supervisor Elías and seconded by Chairman Valadez to approve the recommended settlement. Upon the vote being taken, the motion failed by a 2-3 vote, Supervisors Bronson, Carroll and Day voting "Nay."

Supervisor Bronson inquired if this item was time sensitive.

Leslie Lynch, Civil Deputy County Attorney, stated she did not believe it to be time sensitive and that the plaintiff was aware this settlement was subject to Board approval.

It was thereupon moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to continue this item to the Board of Supervisors' Meeting of August 2, 2011.

14. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Celine Baker v. Clarence W. Dupnik, et al., United States District Court Case No. 09-CV-00015-HCE.

Regina Nassen, Civil Deputy County Attorney, stated this was a proposed settlement of an employment case regarding a former Pima County employee who alleged disability discrimination and retaliation. The County Attorney's Office recommended approval of the settlement.

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

15. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement offer in Valles et al. v. Pima County, Ninth Circuit Court of Appeals Case No. 11-15794 and regarding West Speedway Partners, L.L.C., United States Bankruptcy Court Case No. 4:-6-bk-01632-EWH.

Regina Nassen, Civil Deputy County Attorney, explained this was a proposed settlement from the plaintiffs who had appealed the District Court's ruling. The County Attorney's Office recommended against the settlement offer.

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

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

A. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard on any item listed for action on the Consent Calendar.

Garry Bahr spoke in support of several items on the Consent Calendar.

PULLED FOR DISCUSSION BY SUPERVISOR DAY

1. **CONTRACTS AND AWARDS**

J. **Procurement - Award**

41. Cooperative Procurement: Award of Contract, Requisition No. 1103679, in the amount of \$400,000.00 for salad bars and related equipment to Arizona Restaurant Supply, Inc. (Headquarters: Marana, AZ). Contract is for a one-year term with one annual renewal. Funding Source: Federal Grant. Administering Department: Health Department.

Supervisor Day asked for clarification regarding the Federal Grant for this award and where the salad bars would be installed.

Sherry Daniels, Health Department Director, replied that the funding was from the \$16,000,000.00 Communities Putting Prevention to Work Grant

received last year. The salad bars would be installed into approximately 150 schools and the schools would be required to make application.

Supervisor Day requested a report be prepared that detailed what programs the grant had funded and the amount allocated for each program.

B. APPROVAL OF CONSENT CALENDAR

It was thereupon moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the consent calendar as presented, including Requisition No. 1103679.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. Our Family Services, Inc., Amendment No. 1, to provide for the Teens in Transition Program and amend scope of work, HUD Emergency Shelter Grant Fund, contract amount \$2,500.00 (02-70-O-143527-1010)
2. La Paloma Family Services, Amendment No. 1, to provide for the Amparo de Los Angeles Program and amend scope of work, HUD Emergency Shelter Grant Fund, contract amount \$2,500.00 (02-70-L-143529-1010)
3. RESOLUTION NO. 2011- 106, approving and authorizing the 2010 Supportive Housing Grant with the U.S. Department of Housing and Urban Development, to provide administration of the Casa for Families II Project, General Fund, contract amount \$60,201.50 matching funds; HUD/SHP Grant Fund, contract amount \$434,713.00 revenue (02-70-U-144095-0711)
4. International Sonoran Desert Alliance, Inc., to provide for the Ajo Plaza Rental Project, HUD/HOME Grant Fund, contract amount \$200,000.00 (11-70-I-144104-0411)

B. Community Services, Employment and Training

5. Arizona Housing and Prevention Services, Inc, Amendment No. 5, to provide emergency financial assistance and case management referral services, extend contract term to 6/30/12 and amend contractual language, Federal and State

Social Service Grant Funds, contract amount \$54,057.00 (07-69-A-141757-0708)

6. To provide emergency financial assistance, case management, referral and advocacy services, extend contract term to 6/30/12 and amend contractual language, Federal and State Social Service Grant Funds:

<u>Vendor</u>	<u>Amount</u>	<u>Contract No.</u>	<u>Amend. No.</u>
Primavera Foundation	\$57,011.00	07-69-P-141758-0708	5
Chicanos Por La Causa, Inc.	\$53,851.00	07-69-C-141759-0708	5
Portable Practical Educational Preparation, Inc.	\$39,231.00	07-69-P-141761-0708	5
Tucson Urban League, Inc.	\$41,942.00	07-69-T-141762-0708	5
American Indian Association of Tucson, Inc. d.b.a. Tucson Indian Center	\$37,070.00	07-69-A-141763-0708	5
Interfaith Community Services	\$78,906.00	07-69-I-141764-0708	6

7. Goodwill Industries of Southern Arizona, Inc., Amendment No. 1, to provide staff to assist with workforce development services, extend contract term to 6/30/12 and amend contractual language, U.S. Department of Labor, Arizona Department of Economic Security and Other Workforce Funds, contract amount \$62,481.00 (07-69-G-143008-0710)
8. Goodwill Industries of Southern Arizona, Inc., to provide assistance to individuals preparing for the workforce, General Fund, contract amount \$10,000.00; U.S. Department of Labor, Arizona Department of Economic Security WIA Grant and Other Workforce Funds, contract amount \$95,600.00: total contract amount not to exceed \$105,600.00 (07-69-G-144102-0711)
9. SER Jobs for Progress of Southern Arizona, Inc., to provide staff to assist with workforce development services, General Fund, contract amount \$55,000.00; U.S. Department of Labor, Arizona Department of Economic Security WIA Grant and Other Workforce Funds, contract amount \$493,560.00 total contract amount not to exceed \$548,560.00 (CT-12-000001)

10. SER Jobs for Progress of Southern Arizona, Inc., to provide basic education and English as a second language services, General Fund, contract amount \$10,000.00; U.S. Department of Labor, Arizona Department of Economic Security and other Workforce Funds, contract amount 152,500.00; total contract amount not to exceed \$162,500.00 (CT-12-000002)

11. To provide transitional housing and supportive services to the homeless, HUD/SHP Fund:

<u>Vendor</u>	<u>Amount</u>	<u>Contract No.</u>
Our Family Services, Inc.	\$107,386.00	CT-12-000003
Arizona Housing and Prevention Services, Inc.	\$165,428.00	CT-12-000004
Comin' Home, Inc.	\$134,793.00	CT-12-000005
Old Pueblo Community Services, Inc.	\$113,582.00	CT-12-000006
The Salvation Army	\$93, 920.00	CT-12-000007

12. SER Jobs for Progress of Southern Arizona, Inc., to provide for the Las Artes Youth Basic Education Program, General Fund, contract amount \$3,000.00; U.S. Department of Labor and Arizona Department of Economic Security Fund, contract amount \$238,200.00; total contract amount \$241,200.00 (CT-12-000008)

C. County Attorney

13. Zingg Law Office, L.L.C., Amendment No. 6, to provide legal services related to workers' compensation claims, extend contract term to 5/28/13 and amend contractual language, Risk Management Tort Fund, contract amount \$100,000.00 (17-02-Z-134943-0604)

14. Moeller Law Office, Amendment No. 7, to provide legal services related to workers' compensation claims, extend contract term to 5/27/13 and amend contractual language, Risk Management Tort Fund, contract amount \$200,000.00 (17-02-M-135232-0604)

15. Goering, Roberts, Rubin, Brogna, Enos and Treadwell-Rubin, P.C., Amendment No. 8, to provide legal services related to workers' compensation claims, extend contract term to 5/27/13 and amend contractual language, Risk Management Tort Fund, contract amount \$150,000.00 (17-02-G-135233-0604)

16. RESOLUTION NO. 2011- 107, of the Pima County Board of Supervisors, accepting the Arizona Criminal Justice Commission Crime Victim Assistance Grant, to provide 3 Victim Witness personnel, General Fund, contract amount \$106,900.00 matching funds; Federal Fund, contract amount \$106,900.00 revenue (02-02-A-144103-0711)

D. Facilities Management

17. Pacific Income Properties, L.L.C., to provide a lease agreement for property located at 3550 N. First Avenue, Suite 280, General Fund,

E. Finance

18. Hawkins, Delafield and Wood, L.L.P., Amendment No. 4, to provide arbitrage rebate compliance services and extend contract term to 6/30/12, no cost (07-09-H-141090-0708)

F. Health Department

19. Arizona Department of Health Services, Amendment No. 5, to provide for the Smoke Free Arizona Program and amend contractual language, no cost (01-01-A-139453-0507)
20. Arizona Department of Health Services, Amendment No. 5, to provide for the Tuberculosis Control Program and amend contractual language, no cost (01-01-A-140692-0108)
21. Arizona Department of Health Services, Amendment No. 2, to provide for the Arizona Immunization Program and amend contractual language, no cost (01-01-A-140731-0108)
22. Arizona Department of Health Services, Amendment No. 4, to provide for the Tuberculosis Control Program and amend contractual language, no cost (01-01-A-141124-0708)
23. Arizona Department of Health Services, Amendment No. 5, to provide for the Tuberculosis Control Program, extend contract term to 6/30/12 and amend scope of work, State Fund, contract amount \$76,150.00 revenue (01-01-A-141124-0708)

G. Information Technology

24. Queue Corporation, Amendment No. 1, to provide voter registration/database consulting services and extend contract term to 8/31/12, no cost (07-14-Q-143239-0910)

H. Natural Resources, Parks & Recreation

- 25. The Tucson Girls Chorus Association, Inc., Amendment No. 2, to provide a lease agreement for property located at 4020 E. River Road and extend contract term to 6/30/12, General Fund, contract amount \$4,800.00 revenue (04-05-T-134993-0804)

I. Pima Health Systems

- 26. Maria Apalategui, Amendment No. 5, to provide adult foster care service, extend contract term to 9/30/11 and amend contractual language, no cost (07-15-A-140064-0907)
- 27. Gloria Espinoza, Amendment No. 5, to provide adult foster care services, extend contract term to 9/30/11 and amend contractual language, no cost (07-15-E-140071-0907)
- 28. Esperanza and Amado Gutang, d.b.a. Gutang's Adult Foster Care Home, Amendment No. 6, to provide adult foster care services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$35,000.00 (07-15-G-140073-0907)
- 29. Cherie Hackman, d.b.a. Saguaro Horizons, Amendment No. 6, to provide assisted living home services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$25,000.00 (07-15-H-140150-0907)
- 30. Sher-Lan, L.L.C., d.b.a. Elder Care and More II, Amendment No. 7, to provide assisted living home services, extend contract term to 9/30/11 and amend contractual language, PHCS Enterprise Fund, contract amount \$25,000.00 (07-15-S-140111-0907)
- 31. To provide assisted living home services, extend contract term to 9/30/11 and amend contractual language, no cost:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amend. No.</u>
Spring Days Adult Care Home, L.L.C., d.b.a. Springs Days Adult Care Home	07-15-S-140145-0907	5
The TLC Team, L.L.C. d.b.a. Silver Moon Assisted Living Home	07-15-S-140146-0907	6
Sakuta Enterprises, Inc., d.b.a. Sakuta's Young at Heart	07-15-S-140152-0907	5

Sierra Adult Care, L.L.C.	07-15-S-140154-0907	5
Tommy T. Pallanes d.b.a. The Pallanes Assisted Living Home	07-15-P-140156-0907	6
Sunset Adult Care Home, L.L.C.	07-15-S-140201-0907	6
Casa De Asistencia, L.L.C. d.b.a. The Rose	07-15-C-140204-0907	5
Whispering Hills Care Homes, L.L.C.	07-15-W-140210-0907	5
Paul & Juanita Hernandez d.b.a. Ridgecrest II	07-15-H-140263-0907	6
Elsa's Adult Care Home, L.L.C.	07-15-E-140091-0907	6
Casa De Dios, Inc.	07-15-C-140094-0907	5
Four Star Enterprises, Inc. d.b.a. Crossroads Adult Care Home II	07-15-F-140096-0907	5
Four Star Enterprises, Inc. d.b.a. Crossroads Adult Care Home	07-15-F-140097-0907	6
Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home	07-15-E-140100-0907	5
Ubalдина R. Trejo d.b.a. Care Haven	07-15-T-140102-0907	5
Bluefield ACH, L.L.C.	07-15-B-140104-0907	5
Melissa G. Grijalva Vazquez d.b.a. Betania Care Home	07-15-R-140105-0907	6
Leonor Arroyo d.b.a. Autumn House	07-15-A-140107-0907	6
Frances Irene Diaz/Jesus D. Diaz d.b.a. All Comforts of Home	07-15-D-140109-0907	5
Apodaca Enterprises, L.L.C., d.b.a. Aguilera Home	07-15-K-140110-0907	6
Sher-Lan, L.L.C., d.b.a. Elder Care and More	07-15-S-140112-0907	6
Lisa O'Neal d.b.a. Desert Oasis Adult Care Home	07-15-O-140114-0907	5
Emmanuel Care Home, Inc., d.b.a. Emmanuel Care Home III	07-15-E-140120-0907	6
Amie Rose Assisted Living Home, L.L.C.	07-15-N-140131-0907	7
Lovecare Co.	07-15-L-140135-0907	5
House of Prayer, Inc., d.b.a. House of Prayer	07-15-H-140139-0907	6
Highland Hills Adult Care Home L.L.C.	07-15-H-140141-0907	5
La Paloma Home for the Aging, L.L.C., d.b.a. La Paloma Home for the Aging	07-15-L-140212-0907	7

Espinosa Care L.L.C., d.b.a. Heatherwood	07-15-E-140213-0907	5
Marbry Enterprises, L.L.C., d.b.a. Desert Steppes II	07-15-M-140221-0907	5
Brymar Enterprises, L.L.C., d.b.a. Desert Steppes I	07-15-B-140222-0907	5
Corpuz Holdings, L.L.C. d.b.a. Amorosa Assisted Living	07-15-A-140225-0907	6
Juanita and Paul Hernandez d.b.a. Ridgecrest I	07-15-H-140262-0907	6
Asterion Acres, L.L.C.	07-15-A-140677-0208	6
Arnold Obregon, Jr. and Helda Obregon d.b.a. Casa Theresita III	07-15-O-141034-0608	6

32. Maxim Healthcare Services, Inc., Amendment No. 7, to provide homecare services, extend contract term to 9/30/11 and amend contractual language, no cost (07-15-M-142130-0709)
33. Kindred Hospitals West, L.L.C., d.b.a. Kindred Hospital Arizona - Tucson, Amendment No. 2, to provide hospital services, extend contract term to 9/30/11 and amend contractual language, no cost (18-15-K-142146-0509)
34. Urological Associates of Southern Arizona, P.C., Amendment No. 2, to provide urology services, extend contract term to 8/31/12 and amend contractual language, no cost (18-15-U-142266-0909)
35. Cornerstone Hospital of Southeast Arizona, L.L.C., Amendment No. 2, to provide hospital services, extend contract term to 8/31/12 and amend contractual language, no cost (18-15-C-142485-1009)

J. Procurement

36. Durazo Construction Corp., Amendment No. 3, to provide a job order contract for residential property rehabilitation services, extend contract term to 9/14/12 and amend contractual language, General Fund, contract amount \$100,000.00 (26-70-D-142385-0909)
37. Environmental Strategies, Inc., Amendment No. 2, to provide a job order contract for residential property rehabilitation services, extend contract term to 9/14/12 and amend

contractual language, General Fund, contract amount \$100,000.00 (26-70-E-142493-0909)

38. Tucson Asphalt Contractors, Inc., Amendment No. 3, to provide for the Rillito River Divided Urban Pathway Transportation Enhancement Project, extend contract term to 9/2/11 and amend contractual language, no cost (03-05-T-143712-0111) Natural Resources, Parks and Recreation
39. KE&G Construction, Inc., Change Order No. 5, to provide construction services for the La Canada Drive: Ina Road to Calle Concordia Improvement Project and amend contractual language, RTA and Urban HURF Funds, contract amount \$298,616.29 (03-04-K-142492-1109) Transportation
40. Kimley-Horn and Associates, Inc., Amendment No. 3, to provide for the Laguna Elementary School Pedestrian Enhancement Project, extend contract term to 9/30/12 and amend scope of work, Transportation Special Revenue Fund, contract amount \$15,000.00 (16-04-S-142709-0110)

Awards

41. Cooperative Procurement: Award of Contract, Requisition No. 1103679 (PULLED FOR DISCUSSION)
42. Low Bid: Award of Contracts, Requisition No. 1103426, in the amount of \$1,400,000.00 for asphaltic concrete to the vendors listed below. Contract is for a five year term. The award includes the authority for the Procurement Department to reallocate the award amounts among the contracts 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: Transportation.

<u>Contractor</u>	<u>Headquarters</u>	<u>Annual Amount</u>
Granite Construction Co.	Watsonville, CA	\$700,000.00
CalPortland Co.	Glendora, CA	\$420,000.00
Vulcan Materials Co.	Birmingham, AL	\$280,000.00

K. Real Property

43. Arizona Christian Missionary Society, to provide a license for right-of-way encroachment on Overton Road, contract amount \$1,500.00 revenue/25 year term (12-04-A-144070-0711) Transportation

L. Regional Wastewater Reclamation

44. RESOLUTION NO. 2011 - 108, approving an Intergovernmental Agreement with the Metropolitan Domestic Water Improvement District, to provide sewer user fees billing and collection services, Wastewater Management Enterprise Fund, contract amount \$252,000.00 (01-03-M-144107-0711)

M. Sheriff

45. Arizona Department of Homeland Security, Amendment No. 1, to provide a subgrantee agreement for reallocation of funding under the Operation Stonegarden Grant Program and extend contract term to 7/31/11, Federal Grant Fund, contract amount \$6,160.49 revenue (01-11-A-143474-1010)

N. Superintendent of Schools

46. Pima County Elections Department, Amendment No. 1, to provide local school district election services and extend contract term to 6/30/12, no cost (07-38-P-142900-0710)

2. BOARD OF SUPERVISORS

Approval of the Board of Supervisors' Meeting Schedule for the period of September through December 2011.

3. ELECTIONS DEPARTMENT

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Storrs, Brittni M.	120	DEM
Farwell, Richard R.	125	GRN
Flax, Katherine	344	GRN
Walters, Gregory S.	101	REP
Cashion, Kenneth D.	392	REP
Rebling, Blake W.	402	REP
Winsky, Jason M.	411	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Motherway, Michael B.	200	GRN
Vieweg, Bren T.	295	REP
Cashion, Kenneth D.	339	REP
Sjostrand, Gene L.	345	REP
Sjostrand, Sandra R.	345	REP
Hinske, Cindy L.	398	REP
Hinske, Robert E.	398	REP

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

A. **Animal Care Center Advisory Committee**

Reappointment of Nancy Emptage, Animal Welfare Coalition. Term expiration: 6/30/15. (Organizational recommendation)

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

Reappointments of David Bachman-Williams, Martha Lemen, Eric Post and Jean Gorman. Term expirations: 6/30/13. (Commission recommendations)

C. **Tucson-Pima County Historical Commission**

Appointment of Marty McCune. Term expiration: 12/31/12. (District 3)

D. **Library Advisory Board**

Appointment of Elizabeth Sullivan to replace Marjorie Gerdes. Term expiration: 6/30/15. (District 1)

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

1. Appointment of Arthea Tate. Term expiration: 7/31/13. (Commission recommendation)

2. Reappointments of:

Roy Tullgren III Term expiration: 1/31/12

Lynn Reyes Term expiration: 10/31/12

Mauricio Lopez, Sr. Term expiration: 11/30/12

(Commission recommendations)

F. **Small Business Commission**

Appointment of John Peck to fill the unexpired term of Pat Taviss. Term expiration: 4/30/12. (District 3)

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

A. Kord M. Klinefelter, American Legion Post No. 10, The Ajo Plaza at Plaza Street and Highway 85, Ajo, July 4, 2011.

B. Carla Jean Keegan, Angel Charity for Children, Inc., Westin La Paloma, 3800 E. Sunrise Drive, Tucson, October 1, 2011.

- C. Mary J. Redden, Tucson Roller Derby, 5120 S. Julian Drive, Tucson, July 9 and August 6, 2011.

FINANCE AND RISK MANAGEMENT

6. Duplicate Warrants – For Ratification

Technical Difference	\$	3,860.11
Douglas Hanna	\$	585.00
Ana D. Perez	\$	300.00
Nasr Badri	\$	235.68
Double D Alignment	\$	55.00
City of Tucson	\$	112.88
Terry Lewis	\$	64.95
Elvia Carino	\$	117.00
Clark Munger	\$	457.98
Paul Tang	\$	457.98
Idexx Distribution, Inc.	\$	307.37
Maria Valarie Palumbo	\$	142.40
Star Romero	\$	19.92
Las Montañas	\$	540.00

7. RECORDER

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of April, 2011.

8. DEVELOPMENT SERVICES

Restrictive Covenant

Acceptance of the Restrictive Covenant offered by TRICO Exchange, L.L.C., to maintain 18 acres as natural open space, in Section 27, T11S, R10E, G&SRM. No revenue. (District 3)

9. REAL PROPERTY

A. Public Utility License Agreement

Tierra Linda Water Company, Inc., an Arizona Corporation, to provide a public utility license for a water distribution system using County public rights-of-way now existing or hereafter established and lying within the unincorporated areas of Pima County. No cost. (All Districts)

B. Condemnation

RESOLUTION NO. 2011 - 109, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn for real property or real property interests where necessary for road maintenance purposes at the intersection of E. Rohyans Trail and Indian Trail Road, in Section 8, T13S, R15E, G&SRM. (District 1)

C. Gift Deed

Acceptance of a Gift Deed from Stewart Title, under Trust No. 3644, for Tax Parcel No. 303-56-005G, a portion of property located in Section 8, T17S, R14E, G&SRM. (District 4)

10. RATIFY AND/OR APPROVE

Minutes: May 17, 2011

Warrants: June, 2011

REGULAR AGENDA/ADDENDUM ITEMS

17. COUNTY ADMINISTRATOR: FRV Solar Project Environmental Mitigation

Discussion/direction regarding a more comprehensive environmental mitigation approach for the lease of the City of Tucson owned properties.

Chuck Huckelberry, County Administrator, stated this was a continuing discussion relating to mitigation obligations from FRV Solar. He reported that all the entities involved were cooperatively developing an appropriate mitigation plan for the facilities in Avra Valley and recommended the Board accept the letters from the Coalition for Sonoran Desert Protection (the Coalition) and the City of Tucson Water Department as commitments by these parties to meet the mitigation requirements.

The following speakers addressed the Board:

- A Caroline Campbell, Coalition for Sonoran Desert Protection
- B. Michael Toney

They provided the following comments:

1. The Coalition looked forward to working with the County, the City of Tucson and the Town of Marana in regional conservation planning, restoration efforts and future site selection for mitigation.
2. Federal environmental initiatives have pitted renewable energy against the protection of natural resources. A successful burrowing

- owl restoration would show how they could work together on the same parcel.
3. FRV had called the first meeting of the Burrowing Owl Working Group and the Coalition hoped Pima County would participate.
 4. The cumulative impact these projects could have with heat radiation and rising ambient air temperature may have a negative effect on residential areas.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to direct staff to participate in the Burrowing Owl Working Group and to accept the following commitments as recommended by the County Administrator to meet the mitigation requirements:

City of Tucson, Water Department letter dated 7/12/11, signed by Andrew Quigley, Interim Director.

1. Tucson Water agrees to place conservation easements on Tucson Water lands, with the mitigation acreage consistent with Pima County's Conservation Land System, and the recommendations from the Burrowing Owl Working Group (BUOW WG), resulting from those acres after:
 - a. Acreage both preserved on-site and acres restored for burrowing owl habitat.
 - b. Land purchased and preserved by Pima County with \$200k from FRV.
2. Parcels selected for protection through conservation easements will be based on recommendation by the reconvened BUOW WG. Lands to be considered include, the Levkowitz and Comiskey parcels as well as establishing two mitigation bank preserves, one in the southern Avra Valley. (Buckelew/Penuzoil) and one in northern Avra Valley (Simpson-Santa Cruz-Hearst), or other alternative sites that the BUOW finds to be suitable for the burrowing owl habitat.
3. A conservation easement will be placed on the mitigated area of the Chu parcel. Additional restoration may be possible after decommissioning of the solar facilities, dependent on the success of Burrowing Owl Management Area (BOMA) on-site.
4. Tucson Water will work with the Coalition for Sonoran Desert Protection and the BUOW WG to identify future opportunities in Avra Valley for the burrowing owl conservation and future solar project mitigation.
5. Tucson Water agrees to participate in BUOW WG process.
6. Tucson Water will finalize and submit the Avra Valley Habitat Conservation Plan (HCP).

Coalition for Sonoran Desert Protection letter dated 7/11/11, signed by Carolyn Campbell, Executive Director.

1. Tucson Water will be placing conservation easements on a suitable number of mitigation acres to complete full CLS mitigation, after accounting for on-site restoration and land purchased by Pima County with \$200,000 from FRV.
2. The Burrowing Owl Working Group will be consulted when determining which specific off-site parcels will be targeted for conservation easements, taking into

account both the County Administrator's proposal to use the Levkowitz and Comiskey parcels and Tucson Water's desire to create a mitigation bank-type preserve in the north and south areas of Avra Valley.

3. Tucson Water will place a conservation easement on the mitigated area of the Chu parcel. Additional restoration may be possible when the solar facilities are decommissioned.
4. Tucson Water will continue to work with the Coalition and the Burrowing Owl Working Group on future renewable energy opportunities in Avra Valley. We will collaborate regarding burrowing owl conservation, renewable energy site selection, mitigation, management and monitoring.
5. Tucson Water will finalize and submit the Avra Valley Habitat Conservation Plan, including a commitment to fund management and monitoring for conserved Avra Valley holdings.
6. FRV will provide a monetary and/or other in-kind contribution for a monitoring and management plan associated with the burrowing owl habitat restoration in the buffer area of the Chu property, as informed and advised by the Burrowing Owl Working Group.
7. Tucson Water will pursue advance credits for its conservation easements from the U.S. Fish and Wildlife Service in order to meet its HCP obligations.

18. COUNTY ADMINISTRATOR: Classification and Compensation

The Sheriff's Department requests approval to create two Position Control Numbers (PCNs):

<u>Positions Requested</u>	<u>Classification Code/Title</u>	<u>Salary Grade</u>
2	3527/Sheriff's 9-1-1 Dispatcher	38

Any associated costs incurred with the creation of these new PCNs will come from within the current budget.

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

19. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of a substantial change of scope to the Five Points Coalition Neighborhood Reinvestment Project.

Supervisor Carroll requested a report that would provide more information on this project.

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

20. **COMMUNITY SERVICES, EMPLOYMENT AND TRAINING**

RESOLUTION NO. 2011 – 110, of the Board of Supervisors of Pima County, Arizona, approving and authorizing the request to extend the Local Workforce Investment Plan for the continued operation of the County One-Stop System during Program Year 2011.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to adopt Resolution 2011-110.

21. **FINANCE AND RISK MANAGEMENT: Meet and Confer Memorandum of Understanding**

The Board of Supervisors' on June 21, 2011, continued the following:

Staff requests approval of the Meet and Confer Memorandum of Understanding with Service Employees International Union (SEIU) for Fiscal Year 2011-2012.

Chuck Huckelberry, County Administrator, provided a brief update on this item.

The following individual addressed the Board:

Maya Castillo, President, SEIU Pima Chapter

Her comments were:

- A. She indicated there had not been a meeting with management regarding the joint Labor/Management Healthcare Committee.
- B. She requested the current MOU be extended until the new one was approved and to direct management to prioritize a meeting where the joint Labor/Management Healthcare Committee could be discussed.

Supervisor Elias asked if staff had met with SEIU since the last Board meeting.

Mr. Huckelberry stated a meeting had not been conducted and that he was not advised there was discussion regarding the possible creation of a joint labor management committee on healthcare.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to continue operating under the current Memorandum of Understanding, to direct staff to meet with SEIU to discuss the proposed joint Labor/Management Healthcare Committee and to continue this item to the Board of Supervisors' Meeting of August 15, 2011.

22. **FINANCE AND RISK MANAGEMENT: Operating Transfers**

Pursuant to Board of Supervisors Policy No. D22.8, staff requests approval of the following:

- A. \$2,000,000.00 from the Pima Health Systems for the Arizona Long Term Care System (ALTCS) to the General Fund.
- B. \$4,596,685.00 from the General Fund to the Special Revenue Fund to pay for future costs associated with the employee transition from Pima Health Systems.
- C. \$1,445,000.00 from the Facilities Renewal Fund to the Capital Projects Fund for field lighting improvements for parks throughout the County.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to approve the operating transfers.

23. FINANCE AND RISK MANAGEMENT: Ratification of Report

On operating transfers approved by the County Administrator and the Director of Finance and Risk Management for Fiscal Year 2010-11 pursuant to Board Policy No. D22.8.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to ratify the report on operating transfers.

24. FINANCE AND RISK MANAGEMENT: Board of Supervisors Policies

Staff recommends approval of the amendment to the following Board of Supervisors Policies:

- A. No. D.22.2, Budget Accountability
- B. No. D.22.6, Policy for Administering Grants
- C. No. D.22.7, Capitalization Policy for Capital Assets
- D. No. D.22.8, Operating Transfers

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to approve the policy amendments.

25. INDUSTRIAL DEVELOPMENT AUTHORITY

RESOLUTION NO. 2011 – 111, 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 Educational Facility Revenue Bonds

(New Plan Learning, Inc. Project), Series 2011 in an aggregate principal amount not to exceed \$90,000,000.00 and declaring an emergency.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to adopt Resolution No. 2011-111.

26. **HEALTH DEPARTMENT**

- A. RESOLUTION NO. 2011 – 112, of the Board of Supervisors of Pima County, accepting the University of Arizona Patient Navigation Pilot for Reach Grant in support of the Pima County Health Department Family Planning and Public Health Nursing Programs in the amount of \$2,050.00.
- B. RESOLUTION NO. 2011 – 113, of the Board of Supervisors of Pima County, accepting the Arizona Early Childhood Development and Health Board renewal award for the support of the Pima County Health Department Public Health Nursing Program in the amount of \$188,294.00.
- C. RESOLUTION NO. 2011 – 114, of the Board of Supervisors of Pima County, accepting the Arizona Early Childhood Development and Health Board renewal award for the support of the Pima County Health Department Oral Health Program in the amount of \$224,987.00.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to adopt Resolution Nos. 2011-112, 113 and 114.

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

P1210-031, Edgar Heights, Lots 1-42 and Common Areas A, B, C and D. (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.

28. **TRANSPORTATION: Acceptance of Project/Roadway for Maintenance**

P1205-303, Public offsite improvements on Camino del Toro as a part of New Tucson Units 2, 5, 7, 8, 9 and 10. Camino del Toro, Station 1+87 to Station 49+85 and Frontage Road, Station 1+00 to Station 21+18. Developer: Sycamore Vista Master Homeowners Association, Inc. (District 4)

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Day recused herself due to a potential conflict of interest, to accept the project/roadway for maintenance.

29. **TRANSPORTATION: Acceptance of Projects/Roadways for Maintenance**

- A. P1204-313, New Tucson, Unit 2, Lots 55-201. Developer: Sycamore Vista No. 2 Homeowners Association. (District 4)
- B. P1205-317, Andrada Ranch, Phase 1 of Block 1, New Tucson, Unit 21, Lots 1-33. Developer: Floerchinger, Sadler Steele and Baker Incorporated. (District 4)

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to accept the projects/roadways for maintenance.

30. **FRANCHISES/LICENSES/PERMITS: Liquor Licenses**

- A. 11-13-9074, Roger Kenneth Burton, Giant No. 615, 6150 S. Kolb Road, Tucson, Series 10, Beer and Wine Store, New License.
- B. 11-14-9075, Robert Edward Grady, Under the Tucson Sun, 5151 S. Country Club Road, Tucson, Series 12, Restaurant, New License.
- C. 11-15-9076, Nicholas Carl Guttilla, Miraval Raintance Pass, 5000 E. Via Estancia Miraval, Tucson, Series 10, Beer and Wine Store, New License.

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 hearings, approve the liquor licenses and forward the recommendations to the Arizona State Liquor Licenses and Control.

31. **FRANCHISES/LICENSES/PERMITS: Bingo Licenses**

- A. 11-02-8024, AMVets Post No. 770, 3015 S. Kinney Road, Tucson, Class B - Medium Game.
- B. 11-03-8025, American Citizens Social Club, 811 N. 2nd Avenue, Ajo, Class A - Small Game.

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 hearings, approve the applications for bingo licenses and forward the recommendations to the Arizona Department of Revenue.

32. **HEALTH DEPARTMENT: Fee Schedule**

ORDINANCE NO. 2011-43, of the Pima County Board of Supervisors, establishing fees for birth and death certificates provided by the Pima County Health Department, Vital Records Division.

Sherry Daniels, Health Department Director, reported the State had established an additional surcharge for the use of their automation system effective July 1, 2011, for a total of \$5.00 per certificate issued. She said this increase made it necessary for the Health Department to increase its fee schedule to be consistent with the Arizona State Office of Vital Records, other County Registrars and to prevent the department from requiring increased General Fund support.

Supervisor Bronson stated this was another instance of the State passing off costs to Counties, and that the Board had no alternative but to approve the fee increase.

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 adopt Ordinance No. 2011 - 43.

33. RECORDER: Fee Schedule

ORDINANCE NO. 2011- 44, of the Pima County Board of Supervisors, establishing fees for election related services, voter registration data and recorded document services provided by the Pima County Recorder.

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 adopt Ordinance No. 2011 - 44.

34. DEVELOPMENT SERVICES: Rezoning Time Extension

The Board of Supervisors' on April 19 and June 7, 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 as 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)

"IF THE DECISION IS MADE TO APPROVE THE TIME EXTENSION, THE FOLLOWING MODIFIED STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of requirements by March 21, 2016

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 property without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. ~~A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) / developer shall provide be responsible for construction of offsite improvements as required determined necessary by the Department of Transportation to meet concurrency requirements.~~
 - B. The property owner(s) / developer shall dedicate 30 feet right-of-way for Mark Road.
 - C. Location of access on Valencia and Mark Roads shall require approval of the Department of Transportation. ~~Minimum driveway spacing, corner clearance and local street design of the Subdivision Street Standards (approval by Board of Supervisors in March or April, 2005) shall be adhered to when the tentative plat is submitted.~~
8. Flood Control conditions:
 - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. Submittal of a complete hydraulic and hydrologic drainage report to the Department of Transportation and Flood Control.
 - C. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on site and off site of the subject property, including but not limited to, detention and all weather access. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District. In addition to providing these improvements at no cost to the County, the owner(s) may be required to contribute funds for improvements to be constructed by the County.
9. Wastewater Management conditions:
 - A. The owner(s) / 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. ~~The owner(s) / developer acknowledges treatment and conveyance capacity may not be available when development of the property is desired and shall construe no action by Pima County as a commitment of capacity to serve the rezoning area until Pima County executes an agreement with the owner(s) / developer to that effect.~~
 - B. The owner(s) / developer shall obtain written documentation from the Pima County Regional Wastewater Management Reclamation Department that treatment and conveyance capacity for the proposed development 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 the proposed that time of development~~, the owner(s) / developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his/her sole expense or cooperatively with others affected parties, and the Pima County Wastewater Management Department All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - C. The owner(s) / developer shall sewer the rezoning area as directed below:
 1. The rezoning area may be sewered using private gravity sewers within private streets flowing to a private sewage pumping station that discharges

to existing public sewer line, G-90-049, via a private force main, only if authorized by the Pima County Regional Wastewater Management Reclamation Department in their written documentation that treatment and conveyance capacity for the proposed development is available.

2. The rezoning area may be sewerred using public sewers, if and only if the owner(s) / developer meets all of the following conditions:
 - a. The on-site and off-site public sewers shall operate by gravity flow alone. No sewage pumping stations may be used.
 - ~~b. Within one year of the rezoning, the owner(s) shall prepare a study of the sewer basin at his or her sole expense or cooperatively with other owner(s) in the area for the purposes of determining the routing and sizing of all off-site and on-site public sewers necessary to provide both capacity and service to the rezoning area and any tributary properties upstream or downstream of the rezoning area. (This requirement may be waived by the Pima County Wastewater Management Department if it determines that an acceptable study of the sewer basin has been recently completed.) The sewer basin study shall be approved by the Pima County Wastewater Management Department before the owner(s) may submit any tentative plat, development plan, sewer construction plan, or request for building permit showing a connection to Pima County's public sewer system for review.~~
 - ~~eb. Within six months of the Pima County Wastewater Management Department's approval of the sewer basin study, t~~The owner(s) / developer shall enter into a sewer service agreement with Pima County that specifies the necessary improvements to be made to Pima County's public sewerage system and their timing. This sewer service agreement may require the owner(s) / developer to fund, design and construct an oversized off-site extension of the Valencia Road Trunk Sewer in Valencia Road right-of-way, either at his/her sole expense or cooperatively with other owners in the area, and/or to augment a portion of the existing Valencia Road trunk line.
 - ~~ec.~~ The owner(s) / developer shall obtain any necessary off-site sewer easements across the adjacent properties at his/her own expense.
 - ~~ed.~~ The owner(s) / developer shall provide an appropriately wide common area on the east side of the proposed development to accommodate future flow-through from the properties to the east currently being served by individual on-site wastewater disposal (septic) system.
 - D. The owner(s) / 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 Management Reclamation Department in the required sewer service agreement, the required 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(s) / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by the applicable regulations, including the Clean Water Act and those promulgated by ADEQ, and agreements, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for new development within the rezoning area.
10. Environmental Quality conditions:
 - A. The owner(s) shall conduct sufficient soil sampling and analysis on the subject parcels, and submit the results to Pima County Department of Environmental Quality (PDEQ), to demonstrate that the Arizona Department of Environmental

- Quality (ADEQ) Residential Soil Remediation levels for the 13 Environmental Protection Agency Priority Metals are not exceeded.
- B. If the soil report shows that the site exceeds the maximum levels for the priority metals, building permits shall not be issued until such time that the site and the Saginaw Hill site have been remediated. Soil sampling and analysis shall be submitted to PDEQ demonstrating that the site meets ADEQ requirements and documentation provided showing that the Saginaw Hill site no longer poses a risk to the subject property.
- C. The properties shall be served by either public or private sewers.
11. Environmental Planning conditions:
- A. ~~Unless Development Services is provided with information from the U.S. Fish & Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. Results of these surveys and copies of any data collected shall be provided to Development Services.~~
- B. ~~Unless Development Services is provided with information from the U.S. Fish & Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for Pima pineapple cactus. The survey shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S. Fish & Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services. If Pima pineapple cacti are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game & Fish Department's Heritage Data Management System.~~
- C. ~~Within common areas, plants to be used for landscaping and revegetation shall be drought tolerant native species which are compatible with native vegetation endemic to the project area. Revegetated areas will establish multiple height layers of vegetation that create a ground cover layer, a shrub mid story layer, and a canopy layer. Under no circumstances shall the following exotic plant species be planted anywhere on the site:~~
- ~~Fountain grass (Pennisetum setaceum)
Buffelgrass (Pennisetum ciliare)
Johnson grass (Sorghum halapense)
Giant reed (Arundo donax)
Common crabgrass (Digitaria sanguinalis)
Pampas grass (Cortaderia selloana)
Red brome (Bromus rubens)
Mediterranean grass (Schismus spp.)
Tree of heaven (Ailanthus altissima)
African sumac (Rhus lancea)
Russian olive (Eleagnus angustifolia)
Salt cedar/Tamarisk (Tamarix pertandra & T. ramosissima)
Bermuda grass (Cynodon dactylon) excluding sod hybrid Bermuda
Lovegrasses (Eragrostis spp.) excluding Plains lovegrass (Eragrostis intermedia)
African rue (Peganum harmala)
Iceplant (Mesembryanthemum crystallinum)
Arabian Grass (Schisums arabicus)
Natal Grass (Melinis repens (=Rhynchelythrum repens))~~
- 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:

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

12. Natural Resources, Parks and Recreation conditions:
- A. View walls shall be constructed on north and west perimeter lots that are adjacent to open space.
- B. Trails are permitted in the open space located in the northern half on the property, neighboring Saginaw Hill.
13. Cultural Resources condition:
The final recovery report shall be approved by Pima County Cultural Resources Office prior to tentative plat approval or any disturbance to the site.
14. All bufferyards mandated by Chapter 18.73 of the Pima County Zoning Code shall be located within common areas.
15. Adherence to the preliminary development plan as approved at public hearing (Exhibit "B").
16. Development plans shall be submitted for review to the Design Review Committee.
17. Public disclosure of potential noise pollution related to the casino shall be made available to potential buyers.
- ~~18. No more than 50 homes shall be constructed until transportation capacity improvements are made.~~
18. In the event the subject property is annexed, the owner(s)/developer(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.
19. The property owner(s)/developer(s) 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 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(l)."

20. 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.

Arlan Colton, Planning Director, presented the staff report and said this case had been continued to allow time to resolve the issue of whether the Tucson Water Department would make an exception and supply water to this property. He explained the Tucson Water Appeal Board had made the decision not to make that exception, but there was a committee working on modifications within the obligated service area and staff felt there was still a possibility of the exception being granted.

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve the rezoning time extension subject to modified standard and special conditions.

35. **DEVELOPMENT SERVICES: Conditional Use Permit**

P21-11-007, NORTHWEST FIRE DISTRICT – W. EL CAMINO DEL CERRO

Request of Northwest Fire District, represented by FM Group, on property located at 4151 W. El Camino del Cerro, in the CR-1 Zone, for a Conditional Use Permit for a communication tower (proposed 11 foot 2 inch increase in height of communication tower). Chapter 18.97, in accordance with Section 18.07.030H.2.e of the Pima County Zoning Code, allows a communication tower as a Type III Conditional Use in the CR-1 Zone. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Cook, Cox-Golder, Spendiarian and Steinbrenner were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

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

Standard Conditions

1. Obtaining an approved Development Plan.
2. Adherence to all requirements of Section 18.07.030.H (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

1. The new communications tower shall have a height of no more than seventy-five feet (75').
2. The new pole structure and new panel antennae shall match the color of the existing monopole tower.

3. The equipment shelter shall be located within the existing masonry walled enclosure as shown on the submitted Development Plan. The shelter shall be painted a desert tan color or be painted to match the existing masonry wall as best as possible.
4. Any expansion of the walled enclosure shall substantially match the color and materials of the existing masonry enclosure.
5. It is understood that the Fire Department's WHIP and Omni antennae may be placed atop the tower and are permitted to extend above the prescribed 75' tower height.

Jim Portner, Hearing Administrator, presented the staff report and noted this was an existing tower at a Northwest Fire District Fire Station Facility which required the additional height to accommodate another carrier.

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve the Conditional Use Permit subject to standard and special conditions.

36. **DEVELOPMENT SERVICES: Rezoning**

Co9-11-01, AJOUZ – WEST INA ROAD REZONING

Request of Toufic M. and Katherine Mather Ajouz, for a rezoning of approximately .88 acres from CR-1 (Single Residence) to TR (Transitional Zone) on property located on the north side of Ina Road and approximately 2000 feet east of La Canada Drive. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20, amended by Resolution No. 2011-30 (Rezoning Policy-129). On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Cook, Cox-Golder, Spendiarian and Steinbrenner 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 requirements 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. Environmental Quality condition:
A Notice of Intent to Discharge shall be submitted to PDEQ in order to receive a Discharge Authorization for the existing on-site wastewater treatment system prior to issuance of the Certificate of Compliance.

8. A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction and other ground-disturbing activities from compliance with State burial protection laws. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws A.R.S. § 41-865 and A.R.S. § 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
9. Adherence to the sketch plan as approved at public hearing and in accordance with Resolution 2011-30, the adaptive re-use of the property is limited to office uses with a maximum of six employees, the residential character of the property shall be preserved, the footprint of the existing building shall not change, and the owner shall construct a six foot masonry wall on the west property line to buffer the residential use to the west.
- ~~10. The owner(s)/developer(s) shall execute and record a document acceptable to the Pima County Department of Community Services indicating that the owner(s)/developer(s) 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.~~
- ~~11.~~ 10. The property owner shall execute and record the following disclaimer regarding Prop 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 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(l)."

Arlan Colton, Planning Director, stated that the Planning and Zoning Commission recommended approval subject to standard and special conditions and two additional changes. Condition No. 9 would have the following language added, "in accordance with Resolution 2011-30, the adaptive re-use of the property is limited to office uses with a maximum of six employees, the residential character of the property shall be preserved, the footprint of the existing building shall not change, and the owner shall construct a six foot masonry wall on the west property line to buffer the residential use to the west." Condition No. 10 would be deleted. Staff recommended approval with the modified conditions.

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Day, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing and approve the rezoning subject to standard and special conditions and the two additional changes to Condition Nos. 9 and 10.

37. **DEVELOPMENT SERVICES: Rezoning**

Co9-11-02, DOMINGUEZ – CRAYCROFT ROAD REZONING

Request of Peggy and Leonardo Dominguez, represented by MJM Consulting, Inc., for a rezoning of approximately 0.5 acre from CR-3 (Single Residence) to CB-1 (Local Business) on property located at the northeast corner of Craycroft Road and Rex Stravenue, approximately 600 feet north of Interstate 10. The proposed

rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 7-0, (Commissioners Cook, Cox-Golder, and Steinbrenner were absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 2)

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

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
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. Appropriate dedications and/or abandonments may need to be provided by the property owner/developer for the realignment of internal and adjacent streets and drainageways.
 - B. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a Development Plan and Subdivision Plat.
 - C. Off-site improvements shall be provided by the property owner/developers as determined necessary by both Pima County and Arizona Department of Transportation.
8. Flood Control condition:

The property owner(s) shall obtain a Floodplain Use Permit for any development on the subject property.
9. Wastewater Reclamation conditions:
 - A. The owner/developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/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 Pima County 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. A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction and other ground-disturbing activities from compliance with State burial protection laws. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws A.R.S. § 41-865 and A.R.S. § 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
 11. Adherence to the sketch plan as approved at public hearing for a restaurant.
 12. New development is limited to single-story.
 13. The north and east side bufferyards shall contain minimum ~~five~~ six-foot-high decorative masonry walls.
 14. Restaurant hours of operation shall commence no earlier than 6:00 a.m. and cease no later than 9:00 p.m. Deliveries to the site shall not occur earlier than 7:00 a.m. or later than 7:00 p.m.
 15. Refuse storage shall be screened from view on three sides and shall be located in the southeast corner of the rezoning site with a minimum 20-foot setback from Lot 2 of Block 2 of Littletown No.1, Bk. 10, Pg. 100.
 16. Illuminated wall signs are limited to the south and west facades of the proposed building.
 17. The property owner shall execute and record the following disclaimer regarding Prop 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 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(l)."
 18. 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.
 19. In the event the subject property is annexed, the property owner 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."

Arlan Colton, Planning Director, presented a report and stated they had received eight letters in support of the rezoning and 52 letters in opposition, but a super majority vote was not necessary. He explained the Planning and Zoning Commission had amended Condition No. 13 to change the decorative masonry walls from five feet to a minimum of six feet.

The Chairman inquired whether anyone wished to be heard.

The following individual addressed the Board:

James Jutry, representing The Tucson Truck Terminal, Inc.

He provided the following comments:

- A. This rezoning would create increased noise, traffic, dust and safety concerns for school children commuting to and from school.
- B. Concern was raised that the rezoning had grown from a beauty shop and HVAC office to a restaurant with longer hours of operation.
- C. He did not believe the Dominguez family lived in the area or resided in District 2.

Chairman Valadez noted for the record that a letter from Cheryl Paden had been received which opposed the rezoning.

Michael Marks, MJM Consulting, Inc., indicated the restaurant conformed to the amended conditions adopted by the Board in 2009. He said they had met with the neighbors and most of the support was from those within the 300 foot radius. He stated this was a good project which had been designed to mitigate the impact to the properties on the north and east sides.

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Chairman Valadez, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing, approve the rezoning subject to standard and special conditions and include the change to Condition No. 13.

38. DEVELOPMENT SERVICES: Rezoning Closure

Co9-96-09, 4-D PROPERTIES LAVERGNE THOMPSON WHOLESALE, L.L.C. – LITTLETOWN ROAD REZONING

Proposal to close an 8.75 acre portion of Co9-96-09 that rezoned approximately 17.5 acres of property from SR (Suburban Ranch) and AE (Airport Environs) to CI-2 (General Industrial) and AE (Airport Environs). The rezoning was conditionally approved by the Board of Supervisors on July 16, 1996, and expired on September 17, 2004. The site is located off Littletown Road, approximately one half mile east of Wilmot Road. Staff recommends AGAINST CLOSURE. (District 4)

Chris Poirier, Assistant Planning Director, provided a report on the closure and time extension and stated that staff recommended approval of the extension until September 17, 2013. This would give the applicant ample time to obtain an approved Development Plan and a Certificate of Compliance.

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

On consideration it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve the recommendation against closure as recommended by staff..

39. **DEVELOPMENT SERVICES: Time Extension**

Request of The Planning Center, representing Charles and Lynda Pearce and the Pearce Family Revocable Living Trust, for a five-year time extension for a 8.75 acre portion of the above referenced rezoning of approximately 17.5 acres from SR (Suburban Ranch) and AE (Airport Environs) to CI-2 (General Industrial) and AE (Airport Environs). The rezoning was conditionally approved on July 16, 1996, and expired on September 17, 2004. The site is located off Littletown Road, approximately one-half mile east of Wilmot Road. Staff recommends APPROVAL SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 4)

“IF THE DECISION IS MADE TO APPROVE THE TIME EXTENSION, THE FOLLOWING ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Department of Transportation, Real Property Division.
6. ~~Transportation condition conditions:~~
~~An area consisting of the southern 200 feet of the subject property shall be reserved from development by a recorded covenant, running with the land, for a period of five years. In this instance, development means the construction of any permanent structure as defined in Pima County Code. Use of the reserved area for storage of parking shall be allowed. Any materials within the reserved area shall be removed at no cost to Pima County if any or all of the reserved area becomes public right of way. The construction of a chip seal pavement over appropriate sub-grade material will be allowed within the reserved area and private access easement to provide access to the subject property until such time that the Valencia Road re-located decision is made or the five year reserve period expires. In the event that alignment Alternative II is selected for the relocation of Valencia Road within the five year reserved period, the property owner(s) shall dedicate to Pima County up to 75 feet of property adjacent to the south property line of the~~

- ~~subject property at no cost except for the replacement costs of the existing well and ancillary equipment. In addition the property owner(s) would be under no further obligation to improve the access road. If alternate II is not selected for the relocation of Valencia Road, or if the five year reserve period expires before a selection is made, the owner(s) of the property shall construct permanent access improvements within the reserved area and private access easements according to Pima County standards.~~
- A. The property owner shall provide onsite and offsite improvements as determined necessary by Department of Transportation during subdivision plat or plat waiver and development plan approvals.
- B. The property owner shall provide for turnarounds at terminus of internal access streets/driveways, as required by the Department of Transportation during subdivision plat or plat waiver and development plan approvals.
7. Flood Control conditions:
- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
- B. All internal drainage improvement required to mitigate drainage impacts caused by the proposed development shall be constructed at no cost to the District.
- C. The property owner shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance, since the property lies within a balanced basin.
8. Wastewater Management condition:
The property owner or ~~his~~ owner's agent ~~must~~ shall secure approval from the Pima County Department of Environment Quality to use individual sewage disposal systems within the proposed rezoning.
9. Environment Quality ~~condition~~ conditions:
~~Subsurface sewage disposal shall not exceed 1,200 gallons per acre per day. Any further development will need to be reviewed during the development plan process to insure that the sewage disposal density limit is not exceeded. At the time when development exceeds the sewage disposal density limited then the property will be required to connect to the sewer.~~
- A. It must be documented that the total discharge of nitrogen into ground water is controlled, pursuant to Arizona Administrative Code, Title 18, Chapter 9 (R18-9-E323 4.23), prior to the construction and/or continued use of either of the following:
1. an on-site wastewater treatment facility with a design flow from 3000 gallons per day to less than 24,000 gallons per day; or,
2. two or more on-site wastewater treatment facilities on a property, or adjacent properties under common ownership, with a combined design flow from 3000 gallons per day to less than 24,000 gallons per day;
- B. The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.
10. Prior to ground modification activities, an on-the-ground archaeological survey and appropriate mitigation measures shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological sites on the subject property shall be submitted at the time of, or prior to the submittal of any tentative plat or development plan. The mitigation plan shall be prepared and reviewed as described in the Pima County Site Analysis Requirements.
- ~~11. Concurrent with tentative plat or development plan submittal, a plant preservation/mitigation study and plan shall be prepared by an independent horticulturalist or other qualified professional and submitted to the Planning Division for review and approval. The developer shall preserve in place, relocated or mitigate significant on-site cacti and trees as recommended by the preservation~~

~~plan, including but not limited to: Threatened or endangered plant species, plants on the Arizona Protected Plants List, areas of riparian vegetation, or significant wildlife habitat and corridors.~~

- ~~4211.~~ Building heights are limited to 25 feet.
- ~~4312.~~ Adherence to the preliminary development plan as approved at public hearing.
- ~~4413.~~ Uses are restricted to CI-1 uses, machine or welding shop with ancillary uses, automobile repair and storage, junk, salvage, auto wrecking, impoundment storage, used materials or automobile recycling in accordance with section 18.53.030.H (including the need for authorization by the board of adjustment for expansion such uses).
- 14. Environmental Planning condition:
Upon the effective date of the Ordinance, the owner(s)/developer(s) 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.
- 15. 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 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(l)."

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

On consideration it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve subject to modified standard and special conditions.

40. **DEVELOPMENT SERVICES: Zoning Code Text Amendment**

Co8-10-08, ADULT CARE HOME SERVICE

Without objection, this item was removed from the agenda.

41. **DEVELOPMENT SERVICES: Zoning Code Text Amendment**

Co8-11-03, FIRST RESPONDER VEHICLE AND COMMERCIAL VEHICLE

An ordinance of the Pima County Board of Supervisors relating to zoning; amending the Pima County Zoning Code Title 18, Chapter 18.01 (General Provisions), Section 18.01.030, to add a statutory exemption for parking public service and public safety emergency vehicles; and to amend Chapter 18.07 (General Regulations and Exceptions) to clarify permitted locations for commercial vehicle parking. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook, Cox-Golder and Steinbrenner were absent) to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2011- 45

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- 45.

42. **DEVELOPMENT SERVICES: Rezoning Ordinance**

ORDINANCE NO. 2011- 46, Co9-10-02, Faith Community Church, Inc., – Orange Grove Road Rezoning. Owners: Faith Community Church, Inc. (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 carried by a 4-1 vote, Supervisor Elías voting “Nay,” to close the public hearing and adopt Ordinance No. 2011 - 46.

43. **TRANSPORTATION: Roadway Establishment and Intergovernmental Agreement**

A. RESOLUTION NO. 2011 – 115, of the Pima County Board of Supervisors, establishing a County highway within the incorporated limits of the City of Tucson for the Cherry Avenue Road Improvement Project: Broadway Boulevard to 13th Street.

B. RESOLUTION NO. 2011 – 116, approving an Intergovernmental Agreement with the City of Tucson, to provide neighborhood transportation safety improvement assistance to the Miles Neighborhood Association for the design and installation of new sidewalks and pedestrian access on South Cherry Avenue, 1997 HURF Fund, contract amount \$170,000.00 (01-04-T-144105-0711)

The Chairman inquired whether anyone wished to be heard.

The following individual addressed the Board:

Bill Richards, Co-Chair of the Miles Neighborhood Association

He provided the following comments:

A. He expressed his gratitude for the Board’s work on this project.

- B. He stated this improvement would allow safe access to the Pima County Flood Control District's Detention Basin Multi-Use Park and also provide much needed legal parking in the area.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearings, and adopt Resolution Nos. 2011 – 115 and 116.

44. TRANSPORTATION: Roadway Establishment

RESOLUTION NO. 2011 – 117, of the Board of Supervisors, providing for the establishment of Spica Drive, a County highway situated within a portion of the southwest quarter of Section 24, T14S, R11E, G&SRM, Pima County, Arizona.

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elias and unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2011 - 117.

45. TRANSPORTATION: Traffic Ordinances

- A. ORDINANCE NO. 2011- 47, of the Board of Supervisors, regulating parking of vehicles on Pontatoc Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- B. ORDINANCE NO. 2011- 48, of the Board of Supervisors, designating Helmet Peak Road as a through street in Pima County, Arizona. Staff recommends APPROVAL. (Districts 3 and 4)
- C. ORDINANCE NO. 2011- 49, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Whitehouse Canyon Road in Pima County, Arizona. Staff recommends APPROVAL. (District 4)

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearings and adopt Ordinance Nos. 2011 – 47, 48 and 49.

46. BOARD OF SUPERVISORS

RESOLUTION NO. 2011- 117, of the Pima County Board of Supervisors, opposing the National Association of Counties' proposed resolution urging Congress to waive environmental laws on public lands for Border Patrol Agents within 100 miles of the U.S.-Mexico Border. (District 5)

Supervisor Elias stated this resolution urged all Counties adjacent to the U.S./Mexico Border to vote against the proposed resolution in front of the National Association of Counties. He said that it was an environmental problem along the

U.S./Mexico Border and it infringed upon the sovereign rights of the Tohono O'Odham Nation and the Pasqua Yaqui Tribe.

Supervisor Bronson noted that the Santa Cruz County Board of Supervisors had just approved a similar Resolution.

Supervisor Carroll stated although he appreciated the effort that had gone into this between Santa Cruz County, Pima County and other border Counties, he had concerns with the wording in the Resolution that indicated the Pima County Board of Supervisors believed the Nation's borders were protected efficiently and effectively by the Department of Homeland Security.

Supervisor Elías stated for the sake of unanimity on this very important issue the wording would be removed from the Resolution as requested by Supervisor Carroll.

On consideration, it was moved by Supervisor Elías and seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2011 – 117 as amended, and to direct staff to forward it to the Southern Arizona Congressional Offices.

47. COUNTY ADMINISTRATOR: Donation of Pima Health Systems Training Items

Pursuant to Board of Supervisors Policy No. 29.11, staff requests approval to donate the Pima Health Systems training room equipment and materials to the Pima Council on Aging.

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

48. ECONOMIC DEVELOPMENT AND TOURISM: Arizona-Sonora Desert Museum

Pursuant to the Lease Agreement, the Arizona-Sonora Desert Museum requests approval of the modifications and alterations to the Baldwin Education Building.

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

49. ECONOMIC DEVELOPMENT AND TOURISM: Metropolitan Tucson Convention and Visitors Bureau

Presentation by Brian Johnson, Chairman of the Stakeholder Audit Committee of the Metropolitan Tucson Convention and Visitors Bureau, of the Performance Audit Report and acceptance of the Committee recommendations.

Chuck Huckelberry, County Administrator, stated that at the Board's direction, he had appointed a committee of stakeholders to conduct a performance audit of the Metropolitan Tucson Convention and Visitors Bureau (MTCVB). The purpose of

the audit was to assure that the appropriated use of public funds were used to maximize tourism development and provide positive impacts. He introduced Brian Johnson, Chair of the Stakeholders Audit Committee, who would explain the committee's findings and recommendations.

Mr. Brian Johnson, Committee Chair and Managing Director of Loews Ventana Canyon Resort, introduced himself and the other committee members in the audience. He proceeded with his presentation and briefly explained the findings and recommendations as stated in the report.

Lynn Erickson, Vice Chair and General Manager of MTCVB, conveyed that MTCVB was pleased to support the audit and recognized the need for constructive accountability and goal orientation. He felt their response to the recommendations would be well considered, comprehensive and taken into account.

The Board Members expressed their current concerns with the MTCVB which included a lack of engagement with the MTCVB Board, senior management responsibilities, branding the region as a travel destination, the lack of performance measures and established timelines, and the overall importance of MTCVB since it is the only regional tourism entity in Pima County.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the report as presented; to continue with the Stakeholders Audit Committee as an oversight compliance group for the MTCVB for a period of at least one year; to report back to the Board in 6 months which should include timelines, performance goals and milestones that have been met; ensure a strategic implementation plan is developed; and to show positive steps are being taken to move forward in implementing the Audit Committee recommendations.

50. PIMA COUNTY SPORTS AND TOURISM AUTHORITY

Presentation of the Annual Report by the Pima County Sports and Tourism Authority (PCSTA) for FY2010-2011 and approval of the Budget and Business Plan for 2011-2012.

Tom Tracy, Chairman of the Pima County Sports and Tourism Authority (PCSTA) provided a presentation on the 2010-11 Annual Report of PCSTA. The report included an update on major activities of the PCSTA for 2010-11. He indicated that the PCSTA Plan for 2011-12 will be presented at a future Board of Supervisors Meeting.

Mr. Tracy said that the PCSTA would be proposing a Ballot Initiative by the end of 2013, to create renewable funding to be in the position to facilitate more events and opportunities for Southern Arizona.

Supervisor Day expressed her concern that PCSTA was missing a big opportunity by not focusing on youth and amateur sports. She challenged PCSTA to start a dialogue with the community sport leaders to gather ideas and to begin to lay the groundwork to make Pima County a nationally renowned destination for youth and amateur tournaments and a host of other sports related events.

Mr. Tracy responded by indicating the PCSTA remained committed to economic growth of Pima County and to provide better facilities for youth and amateur sporting activities. However, the lack of funding to renovate fields and areas for these events to take place was currently nonexistent.

Supervisor Elías asked that PCSTA be fair and open to working with major league soccer if something was brought to the table.

Supervisor Carroll congratulated PCSTA for bring the Tucson Padres to the stadium. He felt that working with the University of Arizona on their future needs could lead to better opportunities for the entire community.

The following individual addressed the Board:

Sheldon L. Gutman

He provided the following comments:

- A. The PCSTA had dramatically downgraded and scuttled Major League Baseball spring training to where it was virtually nonexistent.
- B. The Board was asked to delay approval of the budget and business plan and appoint 15 new members to the PCSTA.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and carried by a 4-1 vote, Supervisor Day voting “Nay,” to approve the Budget and Business Plan for FY 2011-2012.

51. **CONTRACTS AND AWARDS**

A. **Community Development and Neighborhood Conservation**

- 1. RESOLUTION NO. 2011- 118, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Wakefield Neighborhood Improvement Project, 2004 Bond Fund, contract amount \$500,000.00 (CT-CD-12-000055)
- 2. Tucson Summer Pro League, to provide for the 2011 Pascua Yaqui Youth Internship Program, Indian Gaming Fund, contract amount \$44,500.00 (CT-CD-12-000080)

B. Community Services, Employment and Training

3. Open Inn, Inc., to provide transitional housing and supportive services to the homeless, HUD/SHP Fund, contract amount \$68,950.00 (CT-CS-12-000012)

C. Office of Emergency Management

4. RESOLUTION NO. 2011- 119, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Tucson Urban Area Security Initiative - Regional Emergency Operation Center Enhancement, Department of Homeland Security Fund, contract amount \$527,613.00 (CT-OEM-12-000081)

D. Procurement: Award

5. Amendment of Award to the following contractors for copier maintenance, parts and supplies and extension of contract term to 12/31/11, no cost. Administering Department: Information Technology.

<u>Contractor</u>	<u>Contract</u>	<u>Amend. No.</u>
IKON Office Solutions, Inc.	B508441	1
Kachina Business Solutions	B502819	6

E. Transportation

6. Simon Donovan, L.L.C., and Ben Olmstead, to provide artist services for the Magee Road: La Cañada to Oracle Road Project, RTA, Urban HURF and Impact Fee Funds, contract amount \$61,000.00 (CT-TR-12-000015)
7. RESOLUTION NO. 2011- 120, approving an Intergovernmental Agreement with the Metropolitan Domestic Water Improvement District, to provide for the relocation of the Matter Well needed for the La Cholla Roadway Improvement Project, RTA, HURF and Impact Fee Funds, contract amount not to exceed \$1,000,000.00 (CT-TR-12-000082)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the contracts and awards and adopt Resolution Nos. 2011 – 118, 119 and 120.

52. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Pima County Sports and Tourism Authority

Appointment of Mike Varney, Tucson Metropolitan Chamber of Commerce, to fill the unexpired term of Jack Camper. Term expiration: 3/31/12.

B. Public Art Committee of the Tucson Pima Arts Council

Appointment of Hope Cramer to replace Elizabeth Albert. No term expiration. (District 5)

C. Trial Court Appointments Nominating Committee, District 5

Appointments:

Albert Lundquist	Democrat
Claudia Ellquist	Green Party
Sky Jacobs	Independent

Reappointments:

Camiliano Juarez	Democrat
Sami Hamed	Democrat
Carolyn Campbell	Democrat
Bill Moeller	Green Party

No term expiration.

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

53. MAGEE/CORTARO FARMS ROAD IMPROVEMENTS: Exchange Agreement and Special Warranty Deed

RESOLUTION NO. ~~2010~~ **2011** - 121, of the Pima County Board of Supervisors, approving and authorizing an Exchange Agreement, Special Warranty Deed, Drainage and Utility Easement, and Temporary Construction Easement with Magee Como Development Association, L.L.C., to exchange properties needed for the Magee Road/Cortaro Farms Road Improvement Project, RTA and Impact Fee Funds, contract amount not to exceed \$5,000.00 for closing costs (CT-TR-12-000083) Real Property

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- 121.

54. MAGEE/CORTARO FARMS ROAD IMPROVEMENTS: Development Agreement

RESOLUTION NO. ~~2010~~ **2011**- 122, of the Pima County Board of Supervisors, approving and authorizing the execution of a Development Agreement with Magee Como Development Association, L.L.C. (District 1)

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- 122.

55. **CALL TO THE PUBLIC**

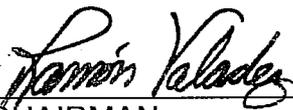
The Chairman inquired whether anyone wished to be heard.

Gary Bahr addressed the Board regarding civil rights and the freedom of speech.

Michael Toney spoke regarding the Rosemont Mine leaching system and other community issues.

56. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:42 p.m.



CHAIRMAN

ATTEST:



CLERK