

MINUTES, AIR QUALITY CONTROL DISTRICT BOARD

AUGUST 7, 2012

The Pima County Air Quality Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 7, 2012. Upon roll call, those present and absent were as follows:

Present:	Ramón Valadez, Chairman Sharon Bronson, Vice Chair Ray Carroll, Member Richard Elías, Member Robin Brigode, Clerk
Absent	Ann Day, Member

1. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding Rosemont Copper Company v. Pima County Air Quality Hearing Board et al., Pima County Superior Court Case No. C20120242.

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

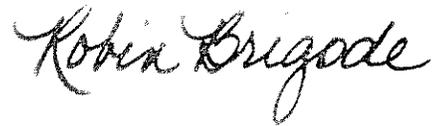
2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:57 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, FLOOD CONTROL DISTRICT BOARD

AUGUST 7, 2012

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 7, 2012. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Richard Elías, Member
 Robin Brigode, Clerk

Absent Ann Day, Member

1. **CONTRACT/AWARDS**

- A. City of Tucson, to provide a Purchase Agreement, Warranty Deed and Temporary Construction Easement for the Houghton Road and Irvington Road Intersection Project, Tax Parcel No. 141-01-678A, contract amount \$2,900.00 revenue (CTN-PW-13000016)

- B. Highest Scoring Firm: award of contract for Requisition No. 46439 and approval to enter into negotiations with PSOMAS, (Headquarters: Los Angeles, CA), the respondent receiving the highest combined score for statement of qualifications and interviews for design engineering services for the Pantano Bank Protection and River Park Phase 3, Tanque Verde Road to Glenn Phase 4 Glenn to Craycroft Project. The contract shall be for a 24-month period in an amount not to exceed \$1,000,000.00 and may be extended for project completion. In the event a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: Kimley-Horn and Associates, Inc., and CMG Drainage Engineering, Inc., until a contract is executed or the list is exhausted. Funding Source: Flood Control Tax Levy. Administering Department: Regional Flood Control.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the contract and award.

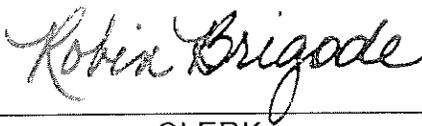
2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:57 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, ZONING ENFORCEMENT BOARD OF APPEALS

AUGUST 7, 2012

The Pima County Zoning Enforcement Board of Appeals met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 7, 2012. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Richard Elías, Member
 Robin Brigode, Clerk

Absent Ann Day, Member

1. LITIGATION

The Board of Supervisors on June 19, 2012 and July 10, 2012, continued the following:

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the appeal of the decision of the Hearing Officer in Case No. P11CV00348-2, 13105 E. Colossal Cave Road. The Board may also, during the course of the hearing and upon motion, enter into executive session.

Without objection, this item was continued to the Board of Supervisors Meeting of October 9, 2012.

2. APPEAL OF HEARING OFFICER'S DECISION

The Board of Supervisors on June 19, 2012 and July 10, 2012, continued the following:

P11CV00348-2, 13105 E. COLOSSAL CAVE ROAD

In accordance with the Pima County Zoning Code Section 18.95.030C, Fred Wang, 13105 C.C.R., Inc., represented by Ron Asta, C.P.E. Consultants, L.L.C., appeals the decision of the Hearing Officer in Case Number P11CV00348-2 on property located at 13105 E. Colossal Cave Road, for violations of the Pima County Zoning Code, Section 18.71 – Development Plan standards. (District 4)

Without objection, this item was continued to the Board of Supervisors Meeting of October 9, 2012.

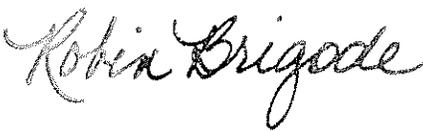
3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:57 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, BOARD OF SUPERVISORS' MEETING

AUGUST 7, 2012

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, August 7, 2012. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Richard Elías, Member
 Robin Brigode, Clerk

Absent Ann Day, Member

1. **INVOCATION**

The invocation was provided by Pastor Dave Drum, 4Tucson.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

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

4. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Jeanne Silverberg and Peg Harmon recognizing:

“THE 30TH YEAR CELEBRATION OF ANGEL CHARITY FOR CHILDREN, INC.”

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías, and carried by a 4-0 vote, to approve the proclamation.

Supervisor Carroll presented the proclamation to Jeanne Silverberg, Lynn Wood Dusenberry and Peg Harmon and congratulated Angel Charity for Children for all the wonderful work they have done in Pima County.

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Tracy Koslowski, Drexel Heights Fire District and Yomy Diaz, Safe Kids Tucson, proclaiming August 1 through August 31, 2012, to be:

“DROWNING IMPACT AWARENESS MONTH”

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

Supervisor Bronson presented the proclamation to Tracy Koslowski, Drexel Heights Fire District, who expressed her appreciation to the Board and requested that the public continue to be diligent in implementing water safety for children to prevent any further loss of life this season.

6. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to United Community Health Center, Inc., representatives Grace Bee, Director of the Board of Directors, Rodney Lichenberger, President of the Board of Directors and Arleen Boyuls, Community Outreach Development Coordinator, proclaiming August 5 through August 11, 2012, to be:

“NATIONAL HEALTH CENTER WEEK”

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the proclamation.

Supervisor Carroll presented the proclamation to Grace Bee, Rodney Lichenberger and Arleen Boyus. They expressed their gratitude for being recognized during National Health Center Week.

7. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Bianca Varelas, Balance of State South Regional Manager, DES-Division of Child Support Enforcement, proclaiming the month of August, 2012 to be:

“CHILD SUPPORT AWARENESS MONTH”

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

Supervisor Elías presented the proclamation to Bianca Varelas, who thanked the Board for their support of this issue.

8. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Kathleen Nabours and Sharon Chadwick, members of the Tucson-Pima County Historical Commission, proclaiming the month of August 2012 and the day of August 7, 2012 to be:

“THE 237TH ANNIVERSARY OF THE CITY OF TUCSON”

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the proclamation.

Supervisor Elías presented the Proclamation to Kathleen Nabours of the Tucson-Pima County Historical Commission.

9. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Alison Hughes, Pima County/Tucson Women’s Commission Chairperson, proclaiming August 26, 2012, to be:

“WOMEN’S EQUALITY DAY”

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the proclamation.

Supervisor Bronson made the presentation to Allison Hughes who thanked the Board for their continued support and encouraged everyone to get out and vote.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 4-0 vote, that the Board convene to Executive Session at 9:35 a.m.

10. **RECONVENE**

The meeting reconvened at 10:02 a.m. Supervisor Day was absent, all other members were present.

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

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

12. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding execution of a Tolling Agreement on a claim filed by John Calvo against

Pima County, Pima County Sheriff Clarence Dupnik and Pima County Deputy Sheriff Alvaro Arizpuru for purposes of possible settlement.

Chris Straub, Chief Civil Deputy County Attorney, explained this case involved the claim filed by John Calvo and that the County Attorney's Office requested permission to enter into a Tolling Agreement, and to proceed as discussed in Executive Session.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to enter into the Tolling Agreement and to proceed as discussed in Executive Session.

13. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the appeal in Town of Marana v. Pima County, 1 CA-CV 11-0381.

Chris Straub, Chief Civil Deputy County Attorney, reported this concerned the ongoing litigation with the Town of Marana and that the County Attorney's Office sought authority to respond to any Petition for Review filed by the Town of Marana, and to file a Cross Petition for Review if the Town of Marana sought to reverse the decision of the Appellate Court.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the County Attorney's request.

14. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding participation in settlement of a class action against JP Morgan Chase, and execution of a Release of Claim.

Chris Straub, Chief Civil Deputy County Attorney, explained the County Attorney's Office sought authority to enter into a settlement in the amount of \$32,517.63.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 4-0 vote to approve the County Attorney's request.

15. LITIGATION

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding authorization to pursue legal remedies, including the filing of a lawsuit, against the Estate of Irene Welter and William Welter for breach of contract.

Chris Straub, Chief Civil Deputy County Attorney, reported this item concerned the County's lease of property for a PCWIN site that had already been leased to someone else. The County Attorney's Office requested authority to recover monies

the County paid under the invalid lease agreement as discussion in Executive Session.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote to proceed as discussed in Executive Session.

16. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

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

* * *

PULLED FOR SEPARATE ACTION

It was moved by Supervisors Carroll, seconded by Supervisors Bronson and carried by a 4-0 vote, to act upon this item separately from the Consent Calendar.

1. **CONTRACTS AND AWARDS**

C. **County Administrator**

13. Southern Arizona Rescue Association, to provide equipment and supplies for search and rescue operations, Board Contingency Fund, contract amount \$75,000.00/3 year term (CT-CA-13000020)

Supervisor Carroll recognized members of the Southern Arizona Rescue Association that were present. Henry Jacobs, Volunteer and General Counsel for the Southern Arizona Rescue Association, addressed the Board and expressed their appreciation for the support they have received.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Elías, and carried by a 4-0 vote, to approve the contract.

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to approve the remainder of the Consent Calendar.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. To provide management and implementation of the Community Block Grant Program and extend contract term to 12/31/12, no cost, for the following:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amendment No.</u>
Town of Marana	CT-CD-12000935	2
City of South Tucson	CT-CD-12000937	1
City of South Tucson	CT-CD-12000938	2
Town of Marana	CT-CD-12000960	1

2. Community Home Repair Projects of Arizona, Inc., Amendment No. 1, to provide for the emergency Home Repair Program, extend contract term to 12/31/12 and amend contractual language, HUD Fund, contract amount \$25,000.00 (CT-CD-12001790)
3. Chicanos Por La Causa, Inc., Amendment No. 5, to provide for the Iowa Project, known as Liberty Corners, extend contract term to 6/30/13 and amend contractual language, no cost (CT-CD-12002076)
4. City of South Tucson, to provide management and implementation of the Community Development Block Grant Program, State Grant Fund, contract amount \$28,004.03 (CT-CD-12002292)
5. State of Arizona, Governor's Office of Energy Policy, to provide for the Weatherization Low-Income Home Energy Assistance Program, State Grant Fund, contract amount \$60,310.46 revenue (CTN-CD-13000001)
6. State of Arizona Governor's Office of Energy Policy, to provide for the Southwest Gas Assistance Program, State Grant Fund, contract amount \$31,233.00 revenue (CTN-CD-13000002)
7. State of Arizona, Governor's Office of Energy Policy, to provide for the Weatherization Low-Income Assistance Program, State Grant Fund, contract amount revenue based on services (CTN-CD-13000004)

B. Community Services, Employment and Training

- 8. City of South Tucson, Amendment No. 2, to provide for youth and community recreational activities and extend the contract term to 7/31/13, General Fund, contract amount \$113,000.00 (CT-CS-12001626)
- 9. Tucson Youth Development, Inc., to provide youth workforce development staff, DOL, DES and other Workforce Funds, contract amount \$51,588.00 (CT-CS-13000023)
- 10. To provide emergency assistance to low-income households experiencing a temporary financial crisis and extend contract term to 6/30/13, for the following:

<u>Vendor</u>	<u>Contract No</u>	<u>Amendment No.</u>	<u>Contract Amount</u>
AZ Housing and Prevention Services	MA-CS-12000158	7	\$54,057.00
Chicanos Por La Causa	MA-CS-12000159	7	\$53,851.00
Interfaith Community Services	MA-CS-12000160	9	\$78,906.00
Portable Practical Educational Preparation, Inc.	MA-CS-12000161	7	\$39,231.00
Primavera Foundation	MA-CS-12000162	7	\$57,011.00
American Indian Association of Tucson	MA-CS-12000163	7	\$37,070.00
Tucson Urban League	MA-CS-12000164	7	\$41,942.00

- 11. Arizona Department of Economic Security, Amendment No. 5, to provide emergency assistance to low-income households experiencing a temporary financial crisis and amend contractual language, no cost (CTN-CS-CMS143044)
- 12. Tucson Youth Development, Inc., to provide youth workforce development staff, DOL, DES and other Workforce Funds, contract amount \$382,618.50 (MA-CS-12000724)
- 13. Southern Arizona Rescue Association (PULLED FOR SEPARATE ACTION)

D. County Attorney

- 14. RESOLUTION NO. 2012 - 65, approving an Intergovernmental Agreement with the Arizona Criminal Justice Commission, to provide for the Drug, Gang and Violent Crime Control Grant, Federal Funds, contract amount \$555,071.00 revenue (CTN-PCA-12000650)

15. City of Tucson, to provide for the Victim Witness Program, State Funds, contract amount \$24,900.00 revenue (CTN-PCA-13000005)

E. Elections Department

16. RESOLUTION NO. 2012 - 66, approving an Intergovernmental Agreement with Avra Valley Fire District, to provide election services, General Fund, contract amount \$3,000.00 revenue (CTN-EL-13000006)

F. Fleet Services

17. To provide for fuel and maintenance services, revenue amount based on services, for the following:

<u>Vendor</u>	<u>Contract No.</u>
Town of Sahuarita	CTN-FS-130000010
Drexel Heights Fire District	CTN-FS-130000011
City of South Tucson	CTN-FS-130000012
Arizona Department of Corrections, Amendment No. 1	CTN-FS-130000013
Three Points Fire District	CTN-FS-130000025

G. Health Department

18. City of South Tucson, Amendment No. 2, to provide childhood immunization services to school children, no cost (CTN-HD-12000084)
19. Walter L. and Jill D. Pearson, Amendment No. 1, to provide a lease agreement at 821 E. 47th Street for the Bioterrorism Preparedness Program and extend contract term to 8/31/17, PHEP Grant Fund, contract amount \$255,747.54 (CT-HD-13000036)

H. Office of Emergency Management

20. Ajo School District, to provide modifications to the Emergency Generator Project, General Fund, contract amount \$100,000.00 (CT-OEM-12002262)

I. Procurement

21. Motorola Solutions, Inc., Amendment No. 3, to provide PCWIN Voice Radio System Services and amend contractual language, no cost (MA-PO-12000284)

Awards

22. Award of Job Order Master Agreement (MA-PO-130000010) to Sellers & Sons, Inc. (Headquarters: Buckeye, AZ); Concord General Contracting (Headquarters: Mesa, AZ); and Durazo Construction Corp. (Headquarters: Tucson, AZ) for historic preservation services at various locations and to replace individual contracts for the same services. The total value of the Job Order Master Agreement is \$3,000,000.00. The Master Agreement will have a one year term with the option to extend for three additional one year periods. Funding Source: Various Funds. Administering Department: Facilities Management.
23. Amendment of Award: Requisition No. 0703343, Amendment No. 2, to provide heavy equipment rentals, extend contract term to 11/7/12, no cost. Funding Source: General Fund. Administering Department: Fleet Services.
24. Direct Select: Award of Contract, Requisition No. 13000038, Grupo SMS U.S.A., L.L.C. (Headquarters: Irvine, CA), for mainframe consulting services in the amount of \$162,000.00. Contract is for a one-year term and includes four one-year renewal periods. The award includes the authority for the Procurement Director to approve renewals without further action by the Board of Supervisors provided that the sum of the contract amount does not exceed the award amount. Funding Source: General Fund. Administering Department: Information Technology.
25. Award of Contract, Solicitation No. 37548 and approval to enter into negotiations with LambTech (Headquarters: Phoenix, AZ) for the system-wide odor control program sampling, monitoring, and performance evaluation. Contract amount will not exceed \$350,000.00. Contract is for a one year term and includes four one-year renewal periods. Funding Source: RWRD Operating Fund. Administering Department: Regional Wastewater Reclamation.
26. Low Bid: Award of Contracts, Requisition No. 12000426, for chemicals in the annual amount of \$294,400.00. Contract is for a five-year term in a total award amount of \$1,472,000.00. The Award includes the authority for the Procurement Department to reallocate the award amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts does not exceed the sum of the contract award amounts. Funding Source: 75% RWRD

Enterprise and 25% General Funds. Administering Departments: RWRD and NRP&R, for the following:

<u>Contractor HQ Location</u>	<u>Award Amount</u>
Next Generation Industries, Inc. dba NexGen (Chatsworth, CA)	\$565,000.00
Biocope, Inc. (Canyon, TX)	\$425,000.00
Brenntag Pacific (Santa Fe Springs, CA)	\$250,000.00
Hill Brothers Chemical Company (Orange, CA)	\$130,000.00
Thatcher Company of Arizona (Salt Lake City, UT)	\$ 80,000.00
Kendall and Son, Ltd. (Royse City, TX)	\$ 14,000.00
Leslie's Poolmart, Inc. dba Leslie's Swimming Pool Supplies (Phoenix, AZ)	<u>\$ 8,000.00</u>
	\$1,472,000.00

J. Real Property

27. Southern Arizona TV Stations, Inc., to provide a PCWIN Communication Site Lease Agreement on Mount Bigelow, General Fund, contract amount \$60,244.00/4 year term (CT-PW-13000001)
28. Pasadera Homeowners Association, Inc., to provide a License for Right-of-Way Encroachment for existing entry monuments, retaining walls and landscaping, contract amount \$8,000.00 revenue (CTN-PW-13000014)

K. Sheriff

29. Pima County Community College District, Amendment No. 3, to provide for the Adult Basic Education Program at the Pima County Adult Detention Center and extend contract term to 6/30/13, Inmate Welfare Fund, contract amount \$139,360.00 (CT-SD-12000280)
30. City of South Tucson, to provide incarceration of municipal prisoners, contract amount \$222,469.29 revenue (CTN-SD-12000627)
31. Town of Oro Valley, to provide incarceration of municipal prisoners, contract amount \$213,673.00 revenue (CTN-SD-12000628)
32. Town of Marana, to provide incarceration of municipal prisoners, contract amount \$307,305.00 revenue (CTN-SD-12000629)

33. Town of Marana, to provide video-court hearings for municipal prisoners, estimated contract amount \$10,000.00 revenue (CTN-SD-12000657)

L. Transportation

34. State of Arizona, Governor's Office of Highway Safety, to provide for installation of thirty street signs to enhance DUI Public Awareness, Federal Fund, contract amount \$7,000.00 revenue (CTN-TR-13000009)

2. ELECTIONS DEPARTMENT

Pursuant to A.R.S. §16-531, appointment of all elections boards and tally boards recruited and on file in the Elections Department Office for the Primary Election on August 28, 2012 and General Election on November 6, 2012.

3. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Election Integrity Commission

Reappointment of Tom Ryan. Term expiration: 7/31/14. (District 3)

B. Flood Control District Advisory Committee

Ratification of Town of Marana appointment: Paul Baughman, alternate representative, to replace Carl Larson. No Term Expiration. (Jurisdictional recommendation)

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

- A. Benjamin S. Jimenez, Knights of Columbus Council No. 8077, St. Elizabeth Ann Seton Church, 8650 N. Shannon Road, Tucson, July 21, 2012.
- B. Jonas Wes Hunter, Greater Oro Valley Arts Council d.b.a. The Southern Arizona Arts and Cultural Alliance, La Encantada, 2905 E. Skyline Drive, Tucson, August 25, 2012.
- C. Rachel Lee Zuckerman, National MS Society, Chinese Cultural Center, 1288 W. River Road, Tucson, September 22, 2012.

- D. Shari Renee Ordog, American Liver Foundation, Loews Ventana Canyon Resort and Spa, 7000 N. Resort Drive, Tucson, September 27, 2012.
- E. Pamela Sue Clark-Raines, Strengthbuilding Partners, St. Philips Plaza, 4280 N. Campbell Avenue, Tucson, October 4, 2012.
- F. Brooke Idelle McDonald, TMC Foundation, La Paloma, 3800 E. Sunrise Drive, Tucson, October 6, 2012.
- G. Christine Lee Turney, Angel Charity for Children, Inc., La Paloma, 3800 E. Sunrise Drive, Tucson, December 8, 2012.

FINANCE AND RISK MANAGEMENT

5. Duplicate Warrants – For Ratification

Debra Sue Chasteen	\$	57.36
Sergio Martinez	\$	600.00
Sergio Martinez	\$	1,950.00
Casey Boutelle	\$	62.70
Ann Guernsey	\$	38.24
Stephanie Meade	\$	1,470.00
Zenon Environmental Corporation	\$	13,901.00
Tiffany Huffman-Spiers	\$	1,232.10
Rita Rakowicz	\$	77.40
Leroy Masseth	\$	25.35
Randy H. Gordy	\$	62.70
Keith Campbell	\$	41.80
Carol M. Gaudette	\$	50.70
Vision Business Products Arizona	\$	468.90
Overdrive, Inc.	\$	3,069.07
Arizona Machinery	\$	703.65
Barbara Kittel	\$	155.00
Rick Farwell	\$	140.00
Willie D. Murphy	\$	471.03
Patricia T. Bergen	\$	155.00
Vincent Frey	\$	74.00
Carondelet Health Network	\$	42.22
Philabaum Glass	\$	1,328.00
Amparo Elizabeth Bernal	\$	200.00
Raymond Keith Smith	\$	150.00
William Mellum	\$	160.00
Gail Yvette Valenzuela	\$	106.80
Stephen C. Villareal	\$	457.98

- B. Olyver Land, L.L.C., a Delaware Limited Liability Company, to provide an Abandonment and Release of Sewer Facility for Tax Parcel No. 132-16-6420 in Section 14, T14S, R33E. No Cost. (District 2)

9. **REGIONAL WASTEWATER RECLAMATION**

Public Announcement

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case(s) will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 3035 W. El Camino del Cerro, Tucson, Arizona 85745-9750. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

CRT Partners 1, L.L.P., d.b.a. Jack in the Box No. 1150, Case No. C2012-14. The proposed settlement of completion of a Supplemental Environmental Project is in accordance with the Industrial Wastewater Enforcement Response Plan.

10. **RATIFY AND/OR APPROVE**

Minutes: June 19, 2012
June 26, 2012

Warrants: July, 2012

REGULAR AGENDA/ADDENDUM ITEMS

17. **BOARD OF SUPERVISORS: JUSTICE OF THE PEACE, PRECINCT 3**

- A. Acceptance of the written resignation of the Honorable Judge Maria L. Alvillar, Justice of the Peace, Precinct 3.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elfas and carried by a 4-0 vote, to accept the resignation.

- B. Discussion/Direction/Action regarding a selection process to fill the vacancy of Justice of the Peace, Precinct 3.

Supervisor Bronson inquired if any comments had been received regarding

the process to fill the vacancy. The Honorable Presiding Judge Sarah Simmons and Judge Keith Bee addressed the Board and stated no formal comments had been received. Supervisor Bronson questioned the continuity of services in Ajo due to the vacancy and was assured that coverage was being provided under the leadership of Judge Simmons and the Court Administrator, Lisa Royal.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, that the process be established as follows:

To be eligible to fill the vacancy in Justice of the Peace, Precinct 3, an individual must be:

- 18 years of age or older at the time of the appointment;
- Registered to vote in the precinct;
- A resident of the precinct; and
- The same political party as the person vacating the office, in this case a Democrat.

Interested individuals should submit a Letter of Interest, Resume and Financial Disclosure Statement to the Pima County Clerk of the Board. The submission deadline will be Friday, August 31, 2012 at 5:00 p.m.

The requirements for the position and all other information are to be published in the Ajo Copper News for three weeks and placed on the Pima County Homepage.

Comments in support or concern may be submitted via the link on the Pima County Homepage or to the Clerk of the Board.

The names of individuals to be considered for the appointment will be posted to the Pima County Homepage as submissions are received.

The Pima County Board of Supervisors will make the appointment to fill the vacancy at their meeting on September 4, 2012. The individual appointed will serve the remainder of the term through 2014.

18. BOARD, COMMISSION, AND/OR COMMITTEE: SMALL BUSINESS COMMISSION

Presentation of the 2012 Annual Report of the Small Business Commission.

Ken Goodman, Chairman of the Pima County Small Business Commission, presented the 2011/2012 Annual Report of the Pima County Small Business Commission to the Board of Supervisors and thanked them for their help and support that made it possible to achieve their goals.

Supervisor Elías offered that re-introduction of the Arizona Film Bill included in the Pima County Legislative Program for the next session. He also stated that the proposed Small Business Loan Fund should not involve any decision by Pima County or the Board of Supervisors and that a good partner be selected.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to accept the report.

19. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2012 - 68, of the Board of Supervisors, authorizing the Community Development and Neighborhood Conservation Department to apply for \$27,500.00 from the U.S. Department of Agriculture Rural Housing Services Section 533 Housing Preservation Grant Program for Fiscal Year 2012 to conduct Home Repair Program activities within Pima County.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to adopt Resolution No. 2012 – 68.

20. **FINANCE AND RISK MANAGEMENT: MEET AND CONFER MEMORANDUM OF UNDERSTANDING**

Staff requests approval of the Meet and Confer Memorandum of Understanding with Service Employees International Union (SEIU), Arizona Local 48, for Fiscal Year 2012-2013.

Maya Castillo, President of the Pima Chapter of SEIU addressed the Board and stated that the changes to the Memorandum of Understanding were overwhelmingly accepted by their membership. The representatives on the Meet and Confer Committee are looking forward to working with the members and hope they can continue a respectful and productive dialogue this fiscal year for the benefit of both the county taxpayers and county employees.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve Meet and Confer Memorandum of Understanding for Fiscal Year 2012-2013.

21. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2012 – 69, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its Education Facility Revenue Bonds (Children First Academy Project), Series 2012 in an aggregate principal amount not to exceed \$8,000,000.00 and declaring an emergency.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to adopt Resolution No. 2012 – 69.

22. **REGIONAL WASTEWATER RECLAMATION: PRETREATMENT SETTLEMENT AGREEMENTS**

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

- A. Alice's Restaurant, Inc., d.b.a. The Happy Rooster Café, Case No. C2012-07. The proposed settlement of completion of a Supplemental Environmental Project is in accordance with the Industrial Wastewater Enforcement Response Plan.
- B. Sunnyside Unified School District Foundation, d.b.a Sunnyside High School, Case No. C2012-14. The proposed settlement of performance of a Supplemental Environmental Project is in accordance with the Industrial Wastewater Enforcement Response Plan.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the Pretreatment Settlement Agreements.

23. **FRANCHISES/LICENSES/PERMITS: LIQUOR LICENSES**

- A. 12-18-9115, Andrea Dahlman Lewkowitz, Westin La Paloma Hotel, 3800 E. Sunrise Drive, Tucson, Series 6, Bar, Person Transfer.
- B. 12-19-9116, Andrea Dahlman Lewkowitz, La Paloma Country Club, 3660 E. Sunrise Drive, Tucson, Series 14, Club, New License.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearings, approve the licenses and forward the recommendations to the Arizona Department of Liquor Licenses and Control.

24. **FRANCHISES/LICENSES/PERMITS: EXTENSION OF PREMISES/PATIO PERMITS**

- A. Gary T. Kilbourne, Outlaw Saloon, 1302 W. Roger Road, Tucson, Permanent Extension of Premises.
- B. Scott A. Busse, Territorial, 3727 S. Palo Verde, Tucson, Temporary Extension of Premises for September 1, 8, 15, 22, October 6, 13, 20, 27, November 3, 10, 17, 24, December 1, 8, 15 and 22, 2012.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearings, approve the permits and forward the recommendations to the Arizona Department of Liquor Licenses and Control.

25. **HEALTH DEPARTMENT: PIMA COUNTY CODE TEXT AMENDMENT**

ORDINANCE NO. 2012 – 33, of the Board of Supervisors of Pima County, Arizona, relating to animals; amending the Pima County Code by amending Chapter 6.04, Section 6.04.100, Advisory Committee – Established – Powers and Duties.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to close the public hearing and adopt Ordinance No. 2012-33.

26. **DEVELOPMENT SERVICES: REZONING**

The Board of Supervisors on April 3, 2012, April 17, 2012, May 1, 2012, May 15, 2012, June 5, 2012, June 19, 2012 and July 10, 2012, continued the following:

Co9-11-09, PASCUA YAQUI TRIBE, ET AL. – MARK ROAD REZONING

Request of the Pascua Yaqui Tribe, et al., for a rezoning of approximately 30.1 acres of GR-1 (TDR-RA) (Rural Residential) (Transfer of Development Rights – Receiving Area) to CB-2 (General Business) (TDR-RA), on property located at the southeast corner of Mark Road and Valencia Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Membrilla, Cook, Matter and Steinbrenner were absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 3)

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

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. Transportation conditions:
 - A. The property owner/developer(s) shall dedicate 100 feet half right-of-way for Valencia Road, along the northern boundary of the rezoning.
 - B. The property owner/developer(s) shall dedicate 60 feet right-of-way, for Mark Road along the western boundary of the rezoning.
 - C. The property owner/developer(s) shall provide offsite improvements, including but not limited to, additional travel lanes, possible median improvements, drainage, relocation of curb/sidewalk, and relocation of bus stop, as determined necessary by the Department of Transportation.
 - D. The relocation of the bus stop on Valencia Road will need to be coordinated and approved by Sun Tran prior to approval of Offsite Improvement Plans.
7. Regional Flood Control conditions:
 - A. A drainage study shall be submitted for review and approval that addresses the impacts of development to the federally mapped floodplain and local area drainage.

- B. 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 critical basin.
 - C. A Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) are required due to changes to and development within a FEMA 100-year floodplain.
8. Water Resources condition:
- A. A Final Integrated Water Management Plan (FIWMP) shall be submitted for review at the time of development plan submittal which details conservation measures, including water harvesting and other indoor and outdoor conservation measures.
9. Wastewater Management conditions:
- A. The owner / developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.
 - B. The owner / developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner / developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - C. The owner / developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner / developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
 - E. The owner / developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan or request for building permit.
 - F. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
10. Environmental Planning condition:
- 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. Prior to the approval of the Development Plan, the developer must either secure Pima Pineapple Cactus to mitigate transplants or establish an acceptable propagation plan to grow new cactus.
11. In the event the subject property is annexed, the property owner(s) / developers(s) shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
12. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner to any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
13. The following uses are prohibited on the property: night club, tavern, cocktail lounge or bar not associated with a restaurant, adult activities facility, theater, bowling alley, billiard or pool hall, non-chartered financial institution.
14. The following development standards shall apply to the development of the property:
- A. All new utilities shall be installed underground.
 - B. All satellite dishes and communication equipment shall be screened from view from adjacent roadways and residentially-zoned properties.
 - C. Parking lot and security lighting shall conform to the Pima County Outdoor Lighting Code regulations and Buffer Overlay Zone standards. Such lighting shall be shielded so that no light source shall be visible from adjoining property or higher elevations.
 - D. No exterior amplified public address system shall be installed or used in connection with the shopping center or the anchor store. Remote communications systems used in drive-through facilities such as banks, pharmacies and restaurants, shall be calibrated so as to be inaudible beyond the property boundaries. Wherever possible, such facilities shall be screened by intervening buildings, walls and landscaping from adjoining residential property.
 - E. Maximum building heights and minimum building setbacks from property boundaries shall conform to those shown on the approved development plan.
15. The following operating conditions and restrictions shall apply to the activities and operations conducted on the property:
- A. Trash or refuse removal shall occur between 7:00 AM and 7:00 PM.
 - B. The following shall apply to any use or tenant within one hundred feet (100') of that portion of the east property line that abuts the Circle J Estates:
 - 1. Hours of operation for commercial/retail uses (not including security related uses) shall be 6:00 AM to Midnight.
 - 2. Hours of service deliveries shall be from 6:00 AM to 9:00 PM. The continuous operation of truck engines and trailer refrigeration units, the parking of delivery trucks and/or trailers in locations other than designated loading zones and docks, and other operations that generate loud noises that would impact the surrounding residential properties are prohibited between the hours of 10:00 PM and 6:00 AM.
 - 3. Outdoor amplified music is prohibited.
16. The following conditions and restrictions shall apply during construction of the property:
- A. For any use or tenant within one hundred feet (100') of that portion of the east property line that abuts the Circle J Estates:
 - 1. Hours of site construction activity are restricted to 7:00 AM to 8:00 PM, Monday through Saturday. Construction is prohibited on Sundays. A construction start time of 6:00 AM will be permitted during the summer months (May through September).
 - 2. The owner/developer will make every attempt to limit the timing of delivery of construction materials and equipment to the period of 8:00 AM to 4:00

- PM, including delivery of tenant improvement materials.
- B. Construction is prohibited on all federal holidays.
 - C. The owner/developer and anchor store will provide written notification of these restrictions during construction to all contractors, subcontractors, vendors, and suppliers.
17. The owner/developer and anchor store owner will enter into a formal Development Agreement with Pima County, prior to the issuance of building permits, which will address the following items:
- A. Payment of required impact fees by all shops and pad buildings less than 40,000 SF in size,
 - B. Payment of an enhancement contribution by any single tenant or store of 40,000 SF in floor area or greater, with the understanding that the enhancement contribution is fully creditable against applicable impact fees. The contribution shall be the same percentage of retail sales, have the same payment term, and the Agreement shall afford the tenant or store the same protections against competitive disadvantage as were established by the prior development agreement approved by the Board of Supervisors on November 14, 2006 for the proposed commercial shopping center at Kinney Road/Ajo Highway,
 - C. Identification of Pima County's intended uses of the enhancement funds.
18. Adherence to the preliminary development plan as approved at public hearing.

Chris Poirier, Assistant Planning Director, provided a staff report which indicated the rezoning would allow for a regional shopping center to be anchored by a Fry's Supercenter on the land. He stated there had been no written comment concerning this case.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearing and approve Co9-11-09, subject to Standard and Special Conditions Nos. 1 through 18.

27. **DEVELOPMENT SERVICES: PIMA COUNTY CODE TEXT AMENDMENT**

Co8-12-06, BUILDING AND CONSTRUCTION CODE UPDATES. An Ordinance of the Board of Supervisors of Pima County, Arizona, relating to building and construction; adopting by reference the 2012 International Building Code with local amendments; adopting by reference the 2012 International Residential Code with local amendments; adopting by reference the 2011 National Electrical Code with local amendments; adopting by reference the 2012 International Mechanical Code with local amendments; adopting by reference the 2012 International Plumbing Code with local amendments; adopting by reference the 2012 International Fuel Gas Code with local amendments; adopting by reference the 2012 International Energy Conservation Code with local amendments; adopting by reference the 2012 International Property Maintenance Code with local amendments; adopting by reference the 2012 International Wildland-Urban Interface Code with local amendments (applicable only to areas designated Rural Forest Village under the Pima County Comprehensive Plan and areas encircled thereby); adopting by reference the 2012 International Existing Building Code with local amendments; amending Chapters 15.04, 15.08, 15.12, 15.14, 15.16, 15.18 and 15.20 of the Pima County Code to reflect the amendments adopted by this ordinance; to update an

A.R.S. Title 11 Citation in Section 15.04.050 to change the designated location of copies of adopted codes available for public inspection; and amend Section 15.04.080 to reflect changes to Code Committees previously adopted by the Board of Supervisors. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Membrilla was absent) to recommend APPROVAL. Staff recommends APPROVAL.

If approved, pass and adopt:

ORDINANCE NO. 2012 – 34

Yves Khawam, Chief Building Official provided the staff report.

John H. Shorbe Sr., Chairman of the Building Codes Committee, encouraged the Board to approve the Building and Construction Code updates.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearing and adopt Ordinance No. 2012-34.

28. **DEVELOPMENT SERVICES: TYPE II CONDITIONAL USE PERMIT**

P21-12-010, CATALINA COUNCIL, INC., BOY SCOUTS OF AMERICA – S. KINNEY RD.

Request of Catalina Council, Inc., Boy Scouts of America, on property located at 3801 S. Kinney Rd. (Tax Parcel Nos. 212-20-0060, 212-20-007A, 212-20-0080, 212-20-0090, 212-20-0100, 212-20-0110, 212-20-0120, 212-20-0130 and 119-32-005A), in the SR Zone, for a conditional use permit for a community service agency. Chapter 18.97 in accordance with Section 18.17.030C.7 of the Pima County Zoning Code allows a community service agency as a Type II Conditional Use in the SR Zone. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (Districts 3 and 5)

Standard Conditions per the Pima County Zoning Code

1. Minimum site area must be ten (10) acres.
2. Maximum site coverage: thirty percent.
3. Minimum setback for playground or athletic fields: one hundred feet.
4. All driveways and parking areas shall be maintained with a dust-proof material which will minimize the generation of dust and shall be approved by the department of transportation.
5. Screening: in accordance with Chapter 19.83 (Landscape, Buffering and Screening Standards).
6. All outdoor lighting shall be in accordance with the County Outdoor Lighting Code (Title 15).

Special Conditions

1. Prior to the issuance of a certificate of occupancy permit, the developer shall dedicate a 50-foot access area for a trail, trail number 374, TMP Starr Pass Road Trail, as shown on the Pima Regional Trail System Master Plan (PRTSMP). Label the trail area as "Public Non-Motorized Trail." The trail is located north of the secondary access and south of Boy Scouts of America (BSA's) northern boundary and a portion of parcel number 212-20-007A. This trail will connect to an existing trail, trail #373 TMP Starr Pass, which generally traverses in a

- northerly direction. The applicant shall provide the legal description and location map for the access area.
2. Prior to the issuance of a certificate of occupancy permit, BSA will recommend that their Board create a resolution for BLM stating that BSA will abandon a portion of parcel 212-20-007A, and parcels 212-20-0060 and 212-20-0150 (see attached map for locations) so that Pima County can submit to BLM an application for land for Recreation or Public Purposes. The applicant shall provide legal descriptions and location maps for each parcel. Provide documentation that this item has been approved by BSA Board.
 3. The property owner/developer shall provide offsite improvements to Kinney Road as determined necessary by the Department of Transportation.
 4. No permanent public-address system will be installed on the property without a separate conditional use permit approval.
 5. Activity in the shooting ranges is limited to archery, BB guns, and air guns and shall occur under adult supervision at all times and cease no later than 8:00 PM.

Jim Portner, Hearing Administrator, provided the staff report and explained that at the public hearing four residents spoke regarding logistical questions, but there were no objections.

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

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Valadez and carried by a 3-0 vote, Supervisor Elías was not present for the vote, to close the public hearing and approve P21-12-010, subject to standard and special conditions.

29. DEVELOPMENT SERVICES: REZONING ORDINANCE

ORDINANCE NO. 2012 - 35, Co9-07-24, Arber L.L.C. – Twin Lakes Drive Rezoning. Owner: Vistoso Catalina Limited Partnership. (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 Elías and carried by a 4-0 vote, to close the public hearing and adopt Ordinance No. 2012-35.

30. TRANSPORTATION: TRAFFIC ORDINANCES

- A. ORDINANCE NO. 2012 - 36, of the Board of Supervisors, regulating parking of vehicles on Freer Drive in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- B. ORDINANCE NO. 2012 - 37, of the Board of Supervisors, regulating parking of vehicles on Crestone Drive in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- C. ORDINANCE NO. 2012 - 38, of the Board of Supervisors, establishing an abutting school crosswalk for Lulu Walker Elementary School on Roller Coaster Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

- D. ORDINANCE NO. 2012 - 39, of the Board of Supervisors, regulating parking on Roller Coaster Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- E. ORDINANCE NO. 2012 - 40, of the Board of Supervisors, establishing a non-abutting school crosswalk on Bald Eagle Avenue at Overton Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- F. ORDINANCE NO. 2012 - 41, of the Board of Supervisors, regulating parking on Bald Eagle Avenue in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- G. ORDINANCE NO. 2012 - 42, of the Board of Supervisors, establishing an abutting school crosswalk on Overton Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
- H. ORDINANCE NO. 2012 - 43, of the Board of Supervisors, regulating parking on Overton Road in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, to close the public hearings and adopt Ordinance Nos. 2012 - 36, 37, 38, 39, 40, 41, 42 and 43.

31. BOARD OF SUPERVISORS

Authorize the allocation of \$2,500.00 from the Contingency Fund to the Southern Arizona AIDS Foundation for its efforts to promote the 10th Annual National Latino AIDS Awareness Day. (District 5)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the allocation.

32. COUNTY ADMINISTRATOR

Discussion/direction regarding Tucson Water service/policies in unincorporated Pima County.

Without objection, this item was continued to the Board of Supervisors Meeting of September 11, 2012.

33. COUNTY ADMINISTRATOR

Staff recommends that \$250,000.00 be authorized from the General Fund Reserve Balance to improve and open two fields at the Canoa Preserve Softball Complex for

public use, subject to the funds being matched by any combination of private and/or Sahuarita Unified School District contributions. This action will reduce the General Fund Reserve Balance to \$29,680,587.00.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 4-0 vote, to approve the request.

34. **CONTRACTS**

A. **Community Development and Neighborhood Conservation**

Southern Arizona Land Trust, Inc., Amendment No. 1, to provide for the acquisition and rehabilitation of units and the redevelopment of vacant land to revitalize neighborhoods impacted by the foreclosure crisis and amend contractual language, no cost (CT-CD-12000347)

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

1. Portable Practical Preparation (PPEP), Inc., to provide employment and training services, U.S. Department of Labor, Arizona Department of Economic Security and other Workforce Funds, contract amount \$417,424.00 (MA-CS-13000027)
2. U.S. Department of Housing and Urban Development, to provide for Project Advent, HUD Fund, contract amount \$461,425.00 revenue (CTN-CS-13000028)
3. U.S. Department of Housing and Urban Development, to provide for the New Chance Project, HUD Fund, contract amount \$387,476.00 revenue (CTN-CS-13000029)

C. **Economic Development and Tourism**

Metropolitan Tucson Convention and Visitors Bureau, Amendment No. 1, to promote and enhance tourism, business travel, film production and youth, amateur, semi-professional and professional sports development and marketing, and extend contract term to 9/15/12, General Fund, contract amount \$242,000.00 (CT-ED-12001620)

D. **Office of Emergency Management**

Tucson Airport Authority, to provide for the eradication of buffelgrass around the airport, State Grant Fund, contract amount \$2,169,533.00 (CT-OEM-13000134)

E. Natural Resources, Parks and Recreation

Arizona Superior Court, to provide for juvenile work crew services, General Fund, contract amount \$100,000.00 (CT-PR-13000047)

F. Regional Wastewater Reclamation

MWH Constructors, Inc., Amendment No. 16, to provide construction manager at-risk services for the Ina Road WPCF Capacity and Effluent Quality Upgrade and amend contractual language, RWRD Obligation Fund, contract amount \$7,770,000.00 (CT-WW-11002104-P)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the contracts.

35. CONTRACT: Real Property

North Stone Avenue Commercial Retail, L.L.C., to provide a Purchase and Sale Agreement for property located at 160 N. Stone Ave., Tax Parcel No. 117-11-0880, General Fund Reserve, contract amount \$668,800.00 including closing costs (CT-PW-13000070)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 3-1 vote, Supervisor Carroll voting “Nay,” to approve the contract.

36. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Board of Adjustment, District 3

Appointment of Bruce Wysocki to replace Marsha Mendelsohn. Term expiration: 3/31/16. (District 3)

B. Election Integrity Commission

1. Reappointment of Charles Geoffrion. Term expiration: 8/31/14. (District 1)
2. Reappointment of Arnold B. Urken. Term expiration: 7/31/14. (County Administrator)

C. Metropolitan Education Commission

Appointment of Paul Lovelis, Social Service Agencies Serving Children/Youth, to fill the unexpired term of Magdalena Barajas. Term expiration: 12/31/12. (Chairman Recommendation)

On consideration, it was moved by Supervisor Elias, seconded by Supervisor Bronson and carried by a 4-0 vote, to approve the appointments and reappointments.

37. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard.

Margaret M. Wagner spoke regarding the recent flooding conditions in the Picture Rocks area and requested assistance.

Sheldon Gutman addressed the Board regarding the Pima County Sports and Tourism Authority and bringing professional spring training baseball back to the community.

38. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:57 a.m.


CHAIRMAN

ATTEST:



CLERK