

MINUTES, FLOOD CONTROL DISTRICT BOARD

SEPTEMBER 15, 2009

The Pima County Flood Control District Board met in its regular session in 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, September 15, 2009. Upon roll call, those present and absent were as follows:

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

1. **CONTRACT**

Title Security Agency of Arizona, as Trustee under Trust No. 813 and Trustee under Trust No. 912, to provide an acquisition agreement for the purchase of 852 acres located in the Ryan Ranch and Snyder Hill areas of the Black Wash watercourse in Section 31, T14S, R12E and Sections 5 and 6, T15S, R12E, Tax Parcel Nos. 210-13-002A, 210-12-009A, 210-13-004A, 210-13-0010, 212-38-1950 and 212-38-1960, for the Floodprone Land Acquisition Program, Flood Control District Tax Levy Fund, contract amount \$3,856,125.00 including closing costs (11-59-T-142326-0909) Real Property

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:55 a.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

SEPTEMBER 15, 2009

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, September 15, 2009. Upon roll call, those present and absent were as follows:

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

1. **INVOCATION**

The invocation was given by Reverend Blake Hutson of St. Philip's in the Hills Church.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

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

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:10 a.m.

4. **RECONVENE**

The meeting reconvened at 9:18 a.m. All members were present.

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

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

6. **LITIGATION**

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

A. **Stardust-Cantera v. Pima County**

Tax Parcel Nos. 140-32-5690 through 140-32-7110
Arizona Tax Court Case No. TX2008-000903

Lesley Lukach, Deputy County Attorney, stated this litigation involved 143 unimproved lots in a platted subdivision located near south Alvernon Way and Benson Highway. Appraisal reports and sales in this area supported a FCV of \$5,594.00 per lot for 2009 and a FCV of \$4,196.00 for 2010. The Assessor and the County Attorney's Office recommended settlement.

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

B. **Stardust-Reif v. Pima County**

Tax Parcel Nos. 132-28-0010 through 132-28-7550
Arizona Tax Court Case No. TX2008-000603

Lesley Lukach stated this litigation involved 755 unimproved lots in a platted subdivision located on the south side of I-10 near the Kino Parkway exit. Appraisal reports and sales in this area supported a FCV of \$4,967.00 per lot for 2009 and a FCV of \$4,305.00 for 2010. The Assessor and the County Attorney's Office recommended settlement.

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

C. **AIG v. Pima County**

Tax Parcel Nos. 133-14-462B, 133-14-8180
Arizona Tax Court Case No. TX2008-000833

Lesley Lukach stated this litigation involved the Radisson Suites Hotel located at 6555 East Speedway. The plaintiffs submitted income and expense information for the last three years. After reviewing this information, the Assessor recommended a reduction in the FCV from \$6,840,000.00 to \$5,434,000.00 for each parcel. The Assessor and the County Attorney's Office recommended settlement.

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

D. **First Professional Plaza v. Pima County**

Tax Parcel Nos. 105-09-015G, 105-09-015J, 105-09-015K,
105-09-015L, 105-09-015M
Arizona Tax Court Case No. TX2008-000927

Lesley Lukach stated this litigation involved a strip of office buildings located on North First Avenue just south of River Road for tax year 2009. The property which was in poor condition, had recently been sold to Mavin Capital, L.L.C. The offices in

the building were only 200 square feet each which limited their use. The Assessor recommended a decrease in the total FCV of the five parcels from \$1,731,104.00 to \$900,000.00. The Assessor and the County Attorney's Office recommended settlement.

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

NEW BUSINESS

7. **LITIGATION**

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

- A. Azin v. Pima County
Tax Parcel No. 225-02-008E
Arizona Tax Court Case No. TX2009-000151

Lesley Lukach, Deputy County Attorney, stated this litigation involved three multi-tenant strip retail buildings located at North Thornydale Road and Overton. The improvements on the property had not been completed. After the builder abandoned the property, the bank foreclosed on them and sold them to the current owner for \$1,200,000.00. The Assessor recommended reducing the FCV from \$1,903,590.00 to the purchase price of \$1,200,000.00. The Assessor and the County Attorney's Office recommended settlement.

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

- B. 6650 S. Country Club v. Pima County
Tax Parcel No. 140-42-003A
Arizona Tax Court Case No. TX2008-000536

Lesley Lukach stated this litigation involved an office building located at 6550 S. Country Club Road for tax year 2009. It was originally put on the tax rolls as 100% office use. The actual use was 65% as office and 35% as warehouse. After similar buildings in the area were reviewed, it was determined that the office use space was valued at \$75.00 per square foot while the warehouse use was valued at \$30.00 per square foot. The Assessor recommended reducing the FCV from \$4,004,000.00 to \$3,003,000.00. The Assessor and the Pima County Attorney's Office recommended settlement.

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

8. **LITIGATION**

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

Kapsal v. Pima County

Tax Parcel No. 216-01-001E

Arizona Tax Court Case No. TX2009-000231

Lesley Lukach, Deputy County Attorney, stated this litigation involved 34.67 acres of vacant land located at the southwest corner of Tangerine Road and Camino de Oeste for tax year 2009. The Assessor recommended reduction of the FCV from \$2,080,200.00 to \$1,500,000.00. The Assessor and the County Attorney's Office recommended settlement.

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

9. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to address the Board. No one appeared.

B. **APPROVAL OF CONSENT CALENDAR**

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

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **Community Resources**

1. Flowing Wells School District, Amendment No. 2, to provide after-school and summer elementary school-based recreation programs, extend contract term to 7/31/10 and amend contractual language, General Fund, contract amount \$41,206.25 (01-67-F-140177-0807)

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

2. Tucson Regional Economic Opportunities, Amendment No. 3, to provide administration of the WIRED Program and amend contractual language, WIRED Grant Fund, no cost (11-69-T-140341-0707)

3. Goodwill Industries of Southern Arizona, Inc., Amendment No. 3, to provide workforce development services to youth and adults and amend scope of work, U.S. Department of Labor and Arizona Department of Economic Security WIA Grant Funds (expenditure determined by client eligibility), contract amount \$50,000.00 (11-69-G-141103-0908)
4. Goodwill Industries of Southern Arizona, Inc., Amendment No. 1, to provide workforce development services for youth and adults and extend contract term to 8/31/10, U.S. Department of Labor and Arizona Department of Economic Security WIA Grant Funds (expenditure determined by client eligibility), contract amount \$50,983.00 (07-69-G-141647-0908)
5. Corporation for a Skilled Workforce, to provide workforce development and consultation services with the implementation of the WIRED Program, WIRED Grant Fund, contract amount \$37,000.00 (07-69-C-142314-0709)
6. Arizona Technology Council Foundation, to provide workforce development services and administration of the WIRED Program, WIRED Grant Fund, contract amount \$31,000.00 (07-69-A-142317-0809)

C. County Attorney

7. RESOLUTION NO. 2009 - 231, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Victim Witness Program, State Fund, contract amount \$27,420.00 revenue (01-02-T-142313-0709)

D. Economic Development and Tourism

8. The Critical Path to Accelerate Therapies, d.b.a. The Critical Path Institute, Amendment No. 4, to provide equipment and personnel, extend contract term to 7/1/10 and amend contractual language, General Fund, contract amount \$375,000.00 (11-71-C-137133-1005)

E. Health

9. Arizona Department of Health Services, Amendment No. 2, to provide supplemental nutritious foods donated by the Department of Agriculture to eligible participants, extend contract term to 9/30/10 and amend contractual language, Federal Fund, contract amount \$113,803.80 revenue (01-01-A-140409-1007)

F. Natural Resources, Parks & Recreation

- 10. Pima County Community College District, Amendment No. 1, to provide for the operation and maintenance of the Community Performing Arts and Learning Center in Green Valley and amend contractual language, no cost (01-05-P-134482-0903)

G. Pima Health System

- 11. Hospitalist of Arizona, Inc., Amendment No. 3, to provide hospitalist rounding, primary care physician, pain and palliative medicine services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-H-137848-0606)
- 12. Arizona Health Care Containment System (AHCCCS), Amendment No. 9, to provide long term care services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, revenue based on services (18-15-A-138594-1006)
- 13. Arizona Inpatient Medicine Associates, L.L.C., Amendment No. 2, to provide hospitalist rounding services, PHCS Enterprise Fund, contract amount \$200,000.00 (18-15-A-139078-0107)
- 14. Amendment No. 1, to provide dental services, extend contract term to 10/31/10 and amend contractual language, PHCS Enterprise Fund, no cost, for the following:

VENDOR

CONTRACT NO.

| | |
|-----------------------------------------|---------------------|
| General Dentistry for Kids, L.L.C. | 18-15-G-139783-1107 |
| Charles A. Davis, D.D.S., M.S., P.C. | 18-15-D-140329-1107 |

- 15. Critical Care Systems, Inc., Amendment No. 2, to provide home infusion therapy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-140004-0807)
- 16. Catalina Village Assisted Living, L.P., Amendment No. 4, to provide assisted living center services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,500,000.00 (18-15-C-140510-1007)
- 17. Amendment No. 2, to provide assisted living center services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, for the following:

| <u>VENDOR</u> | <u>CONTRACT NO.</u> |
|-----------------------------------------------------------|---------------------|
| Devon Gables Health Care Center, Inc. | 18-15-D-140511-1007 |
| Hundred Palms Tucson, L.L.C., d.b.a. Hundred Palms Tucson | 18-15-H-140512-1007 |
| Villa Maria Care Center, L.L.C. | 18-15-V-140516-1007 |

18. Creative Networks, L.L.C., d.b.a. Rescare Homecare, Amendment No. 1, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-C-142062-0709)

H. Procurement

Award

19. Award of Contract, Requisition No. 0901365, in the amount of \$293,000.00 to the highest ranked/most qualified respondent, ESi Acquisitions, Inc., (Headquarters: Augusta, GA) for an Incident Management Solution. Contract is for a five year term with no renewal option. Funding Source: Tucson Area UASI Regional EOC Enhancement Grant. Administering Department: Office of Emergency Management and Homeland Security.

I. Real Property

20. Norman D. Franzen, Jr. and Charlene L. Franzen, to provide an acquisition agreement for property located at 4911 N. La Cholla Blvd., Tax Parcel No. 101-26-0290, needed for the La Cholla Blvd.: Ruthrauff Road to River Road Project, Urban HURF Fund, contract amount \$256,500.00, includes closing costs (22-04-F-142309-0909) Transportation

J. Regional Wastewater Reclamation

21. City of Tucson, Amendment No. 3, to provide for a Household Hazardous Waste Collection Program and amend contractual language, RWRD Enterprise Fund, contract amount \$562,000.00 (01-51-T-135701-0205)

K. Transportation

22. RESOLUTION NO. 2009 - 232, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide design and construction of improvements at Continental Elementary and Middle School locations, RTA

Fund, contract amount \$297,000.00 revenue;
HURF/Transportation Enhancement Fund, contract amount
\$813,000.00. (01-04-R-142311-0909)

2. DIVISION OF ELECTIONS

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

| <u>RESIGNATION</u> | <u>PRECINCT</u> | <u>PARTY</u> |
|----------------------|-----------------|--------------|
| Rosenlicht, Carla Z. | 078 | DEM |

| <u>APPOINTMENTS</u> | <u>PRECINCT</u> | <u>PARTY</u> |
|---------------------|-----------------|--------------|
| Watts, Ryan P. | 101 | DEM |
| Knipe, Luke O. | 348 | DEM |
| Pivonka, Kathryn G. | 412 | REP |

3. BOARDS, COMMISSIONS AND/OR COMMITTEES

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

1. Appointment of Lynn Reyes, to fill the unexpired term of Lupe Rodriguez. Term expiration: 11/30/10. (Commission recommendation)
2. Reappointments of Carl Bedford, Koreen Johannessen, Mollie Hunter, Sue Krahe and Ken Karrels, Ph.D. Term expirations: 9/30/11. (Commission recommendations)

B. Workforce Investment Board

Reappointments of the following: Term expirations: 9/30/12. (Staff recommendations)

Member/Representation

Shawna Adams, Business

Dr. Linda Arzoumanian, General Education

Hank Atha, Mandated - WIA Title I: Adults, Youth Dislocated Workers, Welfare To Work, HUD-Employment and Training

Jacob Bernal, Mandated – Native American Workers

Dr. Johnson Bia, Mandated – Postsecondary/Vocational/Adult Education

Duane Bock, Business

Clarence Boykins, Economic Development

Joyce Choate, Mandated – Title I/Voc Rehab

Dr. Nicholas Clement, General Education

Judith Clinco, Business
Wilette Diggs, Business
Peggy Feenan, Mandated – Employment Service, Trade Adjustment Assistance, NAFTA Transitional Adjustment Assistance, Veterans Employment and Training Programs, Unemployment Insurance
Roger Forrester, Mandated – Older Worker Program
Clayton Hamilton, Business
Peg Harmon, CBO/Faith Based
Chris Hazen, Business
Thomas Hinman, Business
Kari Hogan, Mandated – Seasonal/Migrant Workers
Gregg Johnson, Higher Education
Doug Jones, Business
Dorothy Kret, Business
Suzanne Lawder, Business
Tere LeBarron, Business
Charles Monroe, CBO
Noreen Nelson, Other
Jason Ott, Business
Edmund Parker, CBO
Jill Pearson, Business
Beverly Price, Business
Carl Rosborough, Business & Mandated
Marcia Ruttenberg, Business
Jack Scott, Mandated – Labor Representative
Lee Smith, Economic Development
Dr. Alan Storm, Education
Paula Stuht, Business
Jim Watson, Mandated – Labor Representative & Community Services Block Grant Representative
James Zarling, Business

4. **SPECIAL EVENT LIQUOR LICENSES APPROVED PURSUANT TO RESOLUTION NO. 2002-273**
- A. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, September 12, 2009.
 - B. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, October 10, 2009.

REGIONAL WASTEWATER RECLAMATION

5. Public Announcement

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

Quality Inn, n/k/a Grant Inn, No. 2009-08. Proposed settlement amount is \$500.00.

6. RATIFY AND/OR APPROVE

Minutes: July 28, 2009
August 4, 2009

REGULAR AGENDA/ADDENDUM ITEMS

10. BOARD OF SUPERVISORS

RESOLUTION NO. 2009 - 233, of the Board of Supervisors of Pima County, supporting the grant application of the Friends of Saguaro National Park, to the Pascua Yaqui Tribe for a portion of the Tribe's annual contribution to Cities, Towns and Counties, in the amount of \$15,000.00. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to adopt Resolution No. 2009-233.

11. FINANCE AND RISK MANAGEMENT

A. RESOLUTION NO. 2009 - 234, of the Board of Supervisors of Pima County, Arizona ordering the sale of not to exceed \$28,000.00 principal amount of Pima County, Arizona, street and highway revenue bonds.

B. RESOLUTION NO. 2009 - 235, of the Board of Supervisors of Pima County, Arizona ordering the sale of not to exceed \$115,000.00 principal amount of Pima County, Arizona, general obligation bonds.

Without objection these items were removed from the agenda. See Item No. 29 .

12. PROCUREMENT

Staff requests approval of Board of Supervisors Policy No. D29.11, Pima County Surplus Personal Property.

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

DEVELOPMENT SERVICES

13. Final Plat With Assurances

P1207-006, Rocking K South, Blocks 1-14. (District 4)

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

TRANSPORTATION

14. Acceptance of Project/Roadway for Maintenance

Co12-94-94, Offsite Improvements on Campbell Road, Station 1+00 to Station 11+15.76 to serve Madera Reserve Village 4, Lots 95-117, Expansion Parcels 18EX – 34EX and Common Area A. Developer: Continental Foothills, L.L.C., Diamond Management. (District 4)

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

FRANCHISES/LICENSES/PERMITS

15. Liquor Licenses

A. 09-18-8988, Jane Marie Lawson, Stage Coach Bar and Grill, 277 W. Duval Road, Green Valley, Series 12, Restaurant License, New License.

B. 09-19-8989, Tsz Ching Ip, Tatsu Sushi, 7332 N. Oracle Road, Tucson, Series 12, Restaurant License, New License.

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

16. **Fireworks Permit**

Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, October 3, 2009 at 8:00 p.m.

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

DEVELOPMENT SERVICES

17. **Rezoning Closure**

Co9-98-03, ZOZAYA – AJO/GILA BEND HIGHWAY REZONING

Request of David Zozaya, to close a rezoning from SH (Suburban Homestead) to TH (Trailer Homesite) of 1.79 acres located on the east side of Ajo/Gila Bend Highway, approximately 200 feet south of Briggs Road in Ajo. The rezoning was approved in 1998 and expired in 2003. Staff recommends CLOSURE. (District 3)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing and approve the rezoning closure as recommended by staff.

18. **Conditional Use Permit**

P21-09-015, KERN – E. EDWIN RD.

Request of Robert and Teresa Kern, represented by Bonesteel Inc., on the property located at 3302 E. Edwin Rd., in the GR-1 zone, for a Conditional Use Permit for an expansion of a Feed Store. Chapter 18.97, in accordance with Section 18.14.030B1 of the Pima County Zoning Code, allows a Feed Store as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

Standard Conditions

1. Access be onto a paved public road with "collector" classification or higher (Edwin Road is a paved street that has been improved to Pima County DOT standards).
2. Receive an approved Development Plan.

Special Conditions

No special conditions are deemed warranted, other than:

1. That the feed store expansion proceed in general conformance with the Preliminary Development Plan as submitted with this conditional use permit application.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Supervisor Day, seconded by Supervisor Bronson 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.

19. **Plat Note Waiver/Modification**

Co12-72-42, LA CANADA FOOTHILLS, PORTION OF LOT 74

Request of Eric Clark for a waiver of a plat note on Lot 74 of La Canada Foothills subdivision (Bk. 24, Pg. 79) which depicts a one-foot no access easement along the northern boundary of the lot fronting Rudasill Road. The applicant requests to allow two vehicular access drives via Rudasill Road to a portion of Lot 74, Tax Parcel No.102-14-081C. The subject property is 1.36 acres zoned CR-1 and is located on the south side of Rudasill Road, approximately 1,300 feet east of La Cholla Boulevard. Reference case: Co9-72-29. Staff recommends APPROVAL WITH CONDITIONS. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Supervisor Day, seconded by Supervisor Bronson and unanimously carried by a 5-0, vote to close the public hearing and approve the plat note waiver/modification.

20. **Rezoning Ordinances**

- A. ORDINANCE NO. 2009 - 85, Co9-05-30, Stewart Title and Trust No. 1580 – Kinney Road Rezoning. Owner: Stewart Title and Trust No. 1580. (District 3)
- B. ORDINANCE NO. 2009 - 86, Co9-06-12, Grant Road Lumber Co., Inc. Profit Sharing Plan and Tr. – Rocket Road Alignment Rezoning. Owner: Grant Road Lumber Co., Inc. PSP&TR. (District 4)
- C. ORDINANCE NO. 2009 - 87, Co9-07-13, Circle K Stores, Inc. – Valencia Road No. 2 Rezoning. Owner: Circle K Stores, Inc. (District 5)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote to close the public hearing and adopt Ordinance Nos. 2009 – 85 through 87.

21. **Rezoning Resolutions**

- A. RESOLUTION NO. 2009 - 236, Co9-83-139, Elan Development – Magee Road Rezoning. Owners: Title Security Agency TR. T-530. (District 1)
- B. RESOLUTION NO. 2009 - 237, Co9-90-27, A. Z. Medici, Inc. – Magee Road Rezoning. Owners: La Cholla – Magee Investments, L.L.C. (District 1)
- C. RESOLUTION NO. 2009 - 238, Co9-96-15, Gehlsen/Myers – Oracle Road Rezoning. Owners: Ronald Gehlsen, et. al. (District 1)

- D. RESOLUTION NO. 2009 - 239, Co9-99-15, Gatzionis Brothers Family Partnership, et. al., - Orange Grove Road No. 2 Rezoning. Owners: Constantino and Nelida Panousopoulos. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Chairman Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote to close the public hearing and adopt Resolution Nos. 2009 – 236 through 239.

22. Comprehensive Plan Amendment Resolutions

- A. RESOLUTION NO. 2009 - 240, Co7-07-25, Wilmot and Kolb, L.L.C. – S. Wilmot Road Plan Amendment. Owners: Wilmot and Kolb, L.L.C. (District 4)
- B. RESOLUTION NO. 2009 - 241, Co7-08-08, Cortaro Farms Land and Cattle, L.L.C., and Piotrowski Holdings, L.L.C. – W. Cortaro Farms Road Plan Amendment. Owners: Cortaro Farms Land and Cattle Company, L.L.C., 75% and Piotrowski Holdings, L.L.C., 25%. (District 1)
- C. RESOLUTION NO. 2009 - 242, Co7-08-11, Jiahornng Lin and Chihua Wu Revocable Trust, et. al. – W. River Road Plan Amendment. Owners: Lin Jiahornng and Chihua Wu, Revoc. TR., et. al. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearings and adopt Resolution Nos. 2009 – 240 through 242.

23. Comprehensive Plan Amendment Corrections and Resolutions

- A. Staff requests approval to correct to the Board of Supervisors' Minutes of March 10, 2009, to reflect the adopted rezoning policies for the Comprehensive Plan Amendments detailed in the following resolutions.
- B. RESOLUTION NO. 2009 - 243, Co7-08-07, State of Arizona – W. Valencia Road Plan Amendment. Owners: State of Arizona. (District 3)
- C. RESOLUTION NO. 2009 - 244, Co7-08-10, Title Security of Arizona, TR. 913 – W. Valencia Road Plan Amendment. Owners: Title Security Agency of Arizona TR. 913. (District 3)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing and approve the request and adopt Resolution Nos. 2009 – 243 and 244.

PROCUREMENT

24. Code Text Amendment

ORDINANCE NO. 2009 - 88, of the Board of Supervisors of Pima County, amending the Pima County Code, Title 11, Pima County Procurement Code.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon 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. 2009 – 88.

TRANSPORTATION

25. Traffic Ordinance

ORDINANCE NO. 2009 - 89, of the Board of Supervisors, establishing prima facie speed limits on Dodge Boulevard in Pima County, Arizona. Staff recommends APPROVAL. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon 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. 2009 – 89.

26. Abandonments

A. RESOLUTION NO. 2009 - 245, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of Tucson all roadways lying within Sections 25 and 26, T14S, R13E, which are within the Sunset Villas Neighborhood Enhancement Project. (Districts 2 and 5)

B. RESOLUTION NO. 2009 - 246, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of South Tucson all roadways lying within Sections 25 and 26, T14S, R13E, which are within the Sunset Villas Neighborhood Enhancement Project. (District 2)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was there upon moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing and adopt Resolution Nos. 2009 – 245 through 246.

27. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the substantial scope expansion request for the Midtown (Garden District) Neighborhood Reinvestment Sidewalk Project.

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

28. **DEVELOPMENT SERVICES**

Final Plat Without Assurances

P1209-018, River Crossing Corporate Center Condominiums,
Lots 1-229 and Common Element and Limited Common Elements. (District 1)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to approve the final plat without assurances.

29. **FINANCE AND RISK MANAGEMENT**

Correction for the Record

- A. RESOLUTION NO. 2009 - 234 , of the Board of Supervisors of Pima County, Arizona ordering the sale of not to exceed ~~\$28,000.00~~ **\$28,000,000.00** principal amount of Pima County, Arizona, street and highway revenue bonds.
- B. RESOLUTION NO. 2009 - 235, of the Board of Supervisors of Pima County, Arizona ordering the sale of not to exceed ~~\$115,000.00~~**\$115,000,000.00** principal amount of Pima County, Arizona, general obligation bonds.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to adopt Resolution Nos. 2009 – 234 and 2009 - 235.

30. **CONTRACTS AND AWARDS**

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

- 1. Community Food Bank, to provide emergency assistance services, Community Services Block Grant and American Recovery and Reinvestment Act Grant Funds, contract amount \$30,000.00 (07-69-C-142340-0909)

B. **Facilities Management**

- 2. Catalina Community Services, to provide a construction agreement for the Catalina Community Services Center, 2004 Bond Fund, contract amount \$435,000.00; CDBG Fund, contract amount \$474,459.00; and Catalina Community Services contribution, contract amount \$500,000.00 (03-13-C-142337-0909)

C. Natural Resources, Parks and Recreation

3. Arizona Board of Regents, University of Arizona, Amendment No. 3, to provide for the Invasive Plant Management Education and Eradication Coordination Project and extend contract term to 7/31/10, Starr Pass Environmental Enhancement Fund, contract amount \$50,000.00 (07-05-A-138448-0806)

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

31. Procurement

Award

Low Bid, Award of Contract, Requisition No. 0902176, in the amount of \$904,900.00 to the lowest responsive bidder, Tucson Building and Remodeling, Inc., d.b.a. TBR Construction and Engineering (Headquarters: Tucson, AZ) for the construction of the Catalina Community Services Building. The award includes the base bid and all alternates. The contract term is for a twelve month period and may be extended for project completion. Funding Source: 2004 General Obligation Bond Fund (\$435,000.00), Community Development Block Grant American Recovery and Reinvestment Act Fund (\$399,459.00) and Non-Profit Community Donation (\$70,441.00). Administering Department: Facilities Management.

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

32. BOARD, COMMISSION AND/OR COMMITTEE

Pima County Attorney Investigators Local Retirement Board

Reappointments: Leo Duffner and Kenneth R. Janes. Term expirations: 10/1/13. (Committee recommendations)

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

33. TREASURER'S OFFICE

A. Certificate of Removal and Abatement

Pursuant to A.R.S. §42-18353, staff requests approval of the Certificates of Removal and Abatement for the following:

| | |
|---------------|------------------------------|
| Real Property | \$39,596.30 |
| | Abatement Nos. 400160-400167 |

Personal Property \$5,663.21
Abatement Nos. 500348-500351

TOTAL \$45,259.51

B. Certificates of Clearance

Pursuant to A.R.S. §42-19118, staff requests approval of the following:

Unsecured Mobile Homes: \$ 8,473.63

Business Personal Property: \$44,587.74

TOTAL Unsecured Personal Property: \$53,061.37

On consideration, it was moved by Chairman Elías, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to approve the above Certificates.

34. CALL TO THE PUBLIC

The Chairman inquired whether anyone wished to be heard.

Bill Katzel of the Regional Wastewater Reclamation Committee requested a reconsideration of the Green Valley Household Waste Collection budget cuts.

Joe Sweeney addressed the issues of immigrations.

35. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 9:55 a.m.