

## AGENDA SUMMARY

### **Pima County Board of Supervisors' Meeting**

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

**October 19, 2010 9:00 a.m.**

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Dan Gutierrez, Drexel Heights Baptist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

(**Clerk's Note:** As of the posting date of 10/13/10, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

### BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

#### **Riparian Habitat Mitigation Plan**

Staff requests approval of a combination of onsite and offsite mitigation (Mitigation Plan and In-lieu Fee Proposal) for property located at 3605 E. Calle Agassiz, located within important riparian area with underlying Xeroriparian Class C Habitat. (District 4)

Motion carried to approve (5/0)

### BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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

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

B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve as amended (4/1)

6. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2010 - 254, amending Resolution No. 2010-41, of the Board of Supervisors of Pima County, Arizona, by amending the approval of the issuance of the Industrial Development Authority of the County of Pima Education Revenue Bonds (Paradise Education Center Project), Series 2010, by increasing the aggregate principal not to exceed amount from \$8,000,000.00, to an aggregate principal amount not to exceed \$13,000,000.00, changing the location of the project, and declaring an emergency.

Motion carried to approve (5/0)

7. **INFORMATION TECHNOLOGY**

Staff requests approval of amendments to Board of Supervisors Policy No. C 3.12, Electronic Mail.

Motion carried to approve (5/0)

**\*\*\* HEARINGS \*\*\***

**FRANCHISES/LICENSES/PERMITS**

8. **Liquor License**

10-29-9041, Marc Guy Lory, Frog's Bakery and Café, 7109 N. Oracle Road, Tucson, Restaurant, Series 12, New License.

Motion carried to approve (5/0)

9. **Fireworks Permit**

Joel Bacalia, Catalina Foothills High School, 4300 E. Sunrise Drive, Tucson, October 29, 2010, at approximately 7:00 p.m.

Motion carried to approve (5/0)

10. **COUNTY ADMINISTRATOR**

A. **Pima County Bond Program Update**

B. **Amendments to Pima County Bond Ordinances**

1. ORDINANCE NO. 2010 - 62, An Ordinance of the Board of Supervisors of Pima County, Arizona, relating to Highway User Revenue Fund Revenue Bond Projects, amending Ordinance No. 1997-80, as

amended by 1998-59, Ordinance No. 2001-112, Ordinance No. 2004-118, Ordinance No. 2005-90, Ordinance No. 2006-20, Ordinance No. 2006-83, Ordinance No. 2007-93, Ordinance No. 2009-39, Ordinance No. 2009-91, and Ordinance No. 2010-22, for the purpose of reallocating bond funds, amending the scope of certain projects, and authorizing the use of additional other funds to finance certain bond projects.

Motion carried to approve (5/0)

2. ORDINANCE NO. 2010 - 63, an Ordinance of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects, amending Ordinance No. 2004-18, as amended by Ordinance No. 2005-92, Ordinance No. 2006-21, Ordinance No. 2006-84, Ordinance No. 2007-33, Ordinance No. 2007-95, Ordinance No. 2008-25, Ordinance No. 2008-106, Ordinance No. 2009-40, Ordinance No. 2009-92 and Ordinance No. 2010-24, for the purpose of reallocating bond funds, amending the scope of certain projects, amending implementation periods for certain bond projects, and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve as amended (5/0)

3. ORDINANCE NO. 2010 - 64, an Ordinance of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 1997-35 as amended by Ordinance No. 1998-58, Ordinance No. 2001-111, Ordinance No. 2004-15, Ordinance No. 2005-91, Ordinance No. 2006-19, Ordinance No. 2006-82; Ordinance No. 2007-32, Ordinance No. 2007-94, Ordinance No. 2008-24, Ordinance No. 2008-107, Ordinance No. 2009-90, and Ordinance No. 2010-23, for the purpose of amending the scope of certain projects, amending implementation periods for certain projects, and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5/0)

## **DEVELOPMENT SERVICES**

### UNFINISHED BUSINESS (RM 9/14/10)

#### 11. **Modification of Rezoning Condition**

##### Co9-81-94, PIONEER TRUST OF ARIZONA NO. 11,326 – CAMINO CASA VERDE REZONING

Request of Garold C. Brown Family Limited Partnership, represented by Jeffery Stanley, P.E., for a waiver of Rezoning Condition No. 10 which states, "Recording of a covenant to the effect that there will be no further subdividing or lot splitting without the

written approval of the Board of Supervisors.” The subject site is 9.4 acres of the original 40 acre rezoning to CB-2 and is located on the north side terminus of Ward Lane, approximately 630 feet west of Bessett Avenue and 600 feet north of Camino Casa Verde. Staff recommends **DENIAL OF THE WAIVER AND APPROVAL OF LOT SPLITS WITH CONDITIONS.** (District 4)

Without objection, continued to 11/16/10

## NEW BUSINESS

### 12. **Rezoning Closure/Time Extension**

- A. Co9-00-30, ARAVAIPA PROPERTIES, L.L.C. – VALENCIA ROAD REZONING  
Proposal to close Co9-00-30, a rezoning from GR-1 (Rural Residential) to CB-1 (Local Business) and CB-2 (General Business) of 15.0 acres located on the south side of Valencia Road, approximately 1/4 mile west of Cardinal Avenue. The rezoning was conditionally approved in 2000 and will expire on November 21, 2010. Staff recommends **AGAINST CLOSURE.** (District 5)

Motion carried to approve (5/0)

- B. Co9-00-30, ARAVAIPA PROPERTIES, L.L.C. – VALENCIA ROAD REZONING  
Request of PBH II, L.L.C. for a five-year time extension for the above-referenced rezoning from GR-1 (Rural Residential) to CB-1 (Local Business) and CB-2 (General Business). The subject site was rezoned in 2000. The rezoning will expire on November 21, 2010. The site is 15.0 acres located on the south side of Valencia Road, approximately 1/4 mile west of Cardinal Avenue. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ORIGINAL STANDARD AND SPECIAL CONDITIONS.** (District 5)

Motion carried to approve (5/0)

### 13. **Rezoning Ordinance**

ORDINANCE NO. 2010 - 65, Co9-08-24, Junior League of Tucson, Inc. – River Road Rezoning. Owner: Junior League of Tucson, Inc. (District 1)

Motion carried to approve (5/0)

### 14. **Rezoning Resolutions**

- A. RESOLUTION NO. 2010 - 255, Co9-00-35, Southwest Food Systems, Inc. – Oracle Road No. 2 Rezoning. Owner: John Mallo. (District 1)

Motion carried to approve (5/0)

- B. RESOLUTION NO. 2010 - 256, Co9-93-08, Southwest Food Systems, Inc. - Oracle Road Rezoning. Owner: John Mallo. (District 1)

Motion carried to approve (5/0)

## **TRANSPORTATION**

### 15. **Traffic Ordinance**

ORDINANCE NO. 2010 - 66, of the Pima County Board of Supervisors, establishing prima facie speed limits on Redington Road. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5/0)

### 16. **CALL TO THE PUBLIC**

### 17. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.

DATE POSTED: 10/13/10

TIME POSTED: 5:00 p.m.

## CONSENT CALENDAR, OCTOBER 19, 2010

### 1. **CONTRACTS AND AWARDS**

#### A. **Community Development and Neighborhood Conservation**

1. Kuehl Enterprises, L.L.C., to provide planning, technical/training assistance and report preparation services for the term 8/1/10 to 7/31/11, Community Development Block Grant Fund, contract amount \$15,000.00 (32-70-K-143332-0810)

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

2. San Ignacio Yaqui Council, Inc., Amendment No. 2, to provide emergency assistance to eligible low income households experiencing a temporary financial crisis and amend contractual language, Community Services Block Grant Fund, contract amount \$26,196.00 (07-69-S-142506-0709)
3. Arizona Board of Regents, University of Arizona, d.b.a. Pima County Cooperative Extension, Amendment No. 2, to provide emergency assistance services to low income families, extend contract term to 6/30/11 and amend contractual language, Community Services Block Grant Fund, contract amount \$25,000.00 (07-69-A-142786-0709)

#### C. **County Attorney**

4. Department of Justice, Office on Violence Against Women, Amendment No. 2, to provide for four attorneys, one legal assistant, one legal secretary, one detective and one part-time forensics technician, non-local travel and consultant costs for the Centralized Domestic Violence Prosecution Unit for the term 8/1/10 to 7/31/12, Federal Grant Fund, contract amount \$990,498.00 revenue (02-02-J-140242-0807)
5. Gabroy, Rollman & Bosse, P.C., Amendment No. 3, to provide legal advice and representation relating to Town of Marana v. Pima County, et. al., and amend contractual language, RWRD Enterprise Fund, contract amount \$50,000.00 (17-02-G-140477-1007)

#### D. **Facilities Management**

6. Goldberg & Osborne, Amendment No. 2, to provide an office lease agreement and storage unit space in the Bank of America Building, extend contract term to 7/31/14 and amend contractual language, contract amount \$7,200.00 revenue (04-13-G-139865-0804)

**E. Health Department**

7. AWASA, d.b.a. Animal Welfare Alliance of Southern Arizona, Inc., Amendment No. 1, to provide spray and neuter services, extend contract term to 12/13/11 and amend contractual language, Health Fund, contract amount \$220,000.00 (07-01-A-142624-1209)

**F. Office of Emergency Management and Homeland Security**

8. City of Tucson Police Department, Amendment No. 1, to provide for the procurement of digital video downlink equipment to be mounted on Tucson Police Department aviation assets, extend contract term to 12/31/10 and amend contractual language, Department of Homeland Security Fund, no cost (01-01-T-142132-0709)

**G. Procurement**

9. CH2M Hill, Inc., Amendment No. 8, to provide design engineering services for the Ina Road Wastewater Pollution Control Facility Capacity and Effluent Quality Upgrade Project, extend contract term to 2/4/12 and amend contractual language, RWRD Obligations, contract amount \$2,510,833.00 (16-03-C-140877-0208) Regional Wastewater Reclamation
10. The Ashton Company, Inc., Amendment No. 2, to provide for job order contract for traffic signal, roadway intersection, paving and drainage improvements, extend contract term to 9/21/11 and amend contractual language, various 2004 and 2007 Bond and Capital Improvement Funds, contract amount \$729,466.60 (26-04-A-141353-0908) Transportation
11. KE&G Construction, Inc., Amendment No. 2, to provide job order contract for traffic signal, roadway intersection, paving and drainage improvements, extend contract term to 9/21/11 and amend contractual language, various 2004 and 2007 Bond and Capital Improvement Funds, contract amount \$222,961.47 (26-04-K-141354-0908) Transportation

**H. Sheriff's Department**

12. RESOLUTION NO. 2010 - 248, approving an Intergovernmental Agreement with the Governor's Office of Highway Safety, to provide overtime, employee related expenses and capital outlay to enhance selective traffic enforcement, Federal Grant Fund, contract amount \$69,460.00 revenue (01-11-G-143335-1010)

13. RESOLUTION NO. 2010 - 249, approving an Intergovernmental Agreement with the Governor's Office of Highway Safety, to provide for the purchase of one fully equipped police package motorcycle and one speed detection device to enhance selective traffic enforcement, Federal Grant Fund, contract amount \$23,866.00 revenue (01-11-G-143336-1010)
14. RESOLUTION NO. 2010 - 250, approving an Intergovernmental Agreement with the Governor's Office of Highway Safety, to provide for the purchase of collision reconstruction equipment, Federal Grant Fund, contract amount \$7,000.00 revenue (01-11-G-143337-1010)
15. RESOLUTION NO. 2010 - 251, approving an Intergovernmental Agreement with the U.S. Department of Justice: Community Oriented Policing Services (COPS), to provide law enforcement technology for the Community Oriented Policing Services Program for the term 12/16/09 to 12/15/12, Federal Grant Fund, contract amount \$200,000.00 revenue (01-11-U-143340-1209)
16. U.S. Department of Agriculture, Forest Service, Coronado National Forest, Amendment No. 1, to provide law enforcement on National Forest Service land and amend contractual language, Federal Fund, contract amount not to exceed \$31,300.00/year revenue (01-11-U-142436-1109)

2. **BOARD OF SUPERVISORS**

Approval of the Board of Supervisors' Meeting Schedule for the period of January through May, 2011.

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

A. **Board of Adjustment, District 4**

Appointment of Stephen Hopkins, to fill unexpired term of Susanne Blodgett. Term expiration: 10/31/12.

B. **Pima County/Tucson Women's Commission**

Appointment of Nena Ashton, to replace Debbie Rich. Term expiration: 12/31/12. (District 4)

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

Louis Vern Brand, BPO Elks No. 1576, 350 Yermo St., Ajo, October 16, 2010.

5. **FINANCE AND RISK MANAGEMENT**

**Duplicate Warrants – For Ratification**

Raul Rodriguez Sora, M.D.	\$900.00
Carolina M. Cabral	\$ 12.15
Frank Duarte	\$ 26.99

6. **REAL PROPERTY**

**Sale of Land Under Treasurer’s Deed**

A. **Tax Parcel No. 116-19-181D**

1. RESOLUTION NO. 2010 - 252, of the Pima County Board of Supervisors, authorizing the sale of land held by the State under a Treasurer’s Deed to Old West Properties, L.L.C., highest bidder, for a portion of Lot 38 of Section 11, T14S, R13E, G&SRM. Sale price, \$650.00; administrative fee, \$500.00; total \$1,150.00 revenue. (District 5)
2. Quit Claim Deed to Old West Properties, L.L.C. to convey all rights and title of a portion of Lot 38 of Section 11, T14S, R13E, G&SRM. (District 5)

B. **Tax Parcel No. 116-19-181E**

1. RESOLUTION NO. 2010 - 253, of the Pima County Board of Supervisors, authorizing the sale of land held by the State under a Treasurer’s Deed to Old West Properties, L.L.C., highest bidder, for a portion of Lot 38 of Section 11, T14S, R13E, G&SRM. Sale price, \$750.00; administrative fee, \$500.00; total \$1,250.00 revenue. (District 5)
2. Quit Claim Deed to Old West Properties, L.L.C. to convey all rights and title of a portion of Lot 38 of Section 11, T14S, R13E, G&SRM. (District 5)

Without objection these items were removed from the Agenda

## ADDENDUM SUMMARY

### **Pima County Board of Supervisors' Meeting**

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

**October 19, 2010 9:00 a.m.**

#### **... EXECUTIVE SESSIONS**

##### **Call to the Public (for Executive Session items only)**

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

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Angela Stuebe et. al. v. Perimeter Bicycling Association of America, Inc., et. al., Pima County Superior Court Case No. C20095087.

Motion carried to approve recommendation (5/0)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a compromise settlement agreement with a workers' compensation claimant, Richard Meister.

Motion carried to approve recommendation (5/0)

#### **BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

##### **1. CONTRACTS**

###### **UNFINISHED BUSINESS** (RM 10/12/10)

###### **A. Economic Development and Tourism**

Arizona-Sonora Desert Museum, Amendment No. 1, to provide a cooperative management agreement and amend contractual language, no cost (23-71-A-135188-1003)

Motion carried to approve (5/0)

NEW BUSINESS

**B. County Administrator**

Approval of a Foreign Trade Zone Application Agreement between Ventana Medical Systems, Inc. (Ventana), Pima County and the associated taxing jurisdictions of Amphitheater Unified School District, Pima County Community College, Joint Technical Education District and Golder Ranch Fire District (11-71-V-143401-1010)

Motion carried to approve (5/0)

**C. County Attorney**

1. RESOLUTION NO. 2010 - 257, authorizing a grant agreement with the Department of Health and Human Services, Office of the Secretary, to provide for the Pima County Drug Court, Federal Fund, contract amount \$873,050.00/3 year term - revenue (02-02-H-143400-0910)

Motion carried to approve (5/0)

2. RESOLUTION NO. 2010 - 258, authorizing a grant agreement with the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to provide for the Pima County Drug Court, Federal Fund, contract amount \$299,414.00/3 year term - revenue; in-kind match, General Fund, contract amount \$100,982.00 (02-02-J-143402-1010)

Motion carried to approve (5/0)

**D. Office of Emergency Management and Homeland Security**

Arizona Department of Homeland Security, Amendment No. 1, to provide for the Citizen Corps Program and the Pima County Citizen Corps Council, amend contractual language and extend contract term to 3/31/11, Federal Fund, no cost, (02-79-A-142739-1009)

Motion carried to approve (5/0)

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

**A. Pima County Fair Commission**

Reappointment of Donald Clark. Term expiration: 6/30/14. (District 3)

Motion carried to approve (5/0)

**B. Pima County/Tucson Women's Commission**

Appointment of Mohur Sidhwa to replace Anna Harper. Term expiration:  
12/31/12. (District 5)

Motion carried to approve (5/0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 10/15/10  
TIME POSTED: 11:30 a.m.