

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

DECEMBER 9, 2003 9:00 A.M.

- 1. **ROLL CALL**
- 2. **INVOCATION**
- 3. **PLEDGE OF ALLEGIANCE**
- 4. **PAUSE 4 PAWS**
- 5. **PRESENTATION**

Presentation to the Board of Supervisors from Barbara LaWall, Pima County Attorney, to express appreciation.

... EXECUTIVE SESSIONS

Public discussion and action may occur on the executive session item 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 an Ordinance of the Board of Supervisors of Pima County, relating to zoning; amending the Pima County Code by adding Neighborhood Assisted Living Center to Chapter 18.14 (General Definitions); and adding Neighborhood Assisted Living Center as a permitted or conditional use to Chapter 18.13 (Rural Homestead Zone; Chapter 18.14 (Rural Residential Zone); Chapter 18.17 (Suburban Ranch Zone); Chapter 18.18 (Suburban Ranch Estates Zone); and Chapter 18.21 (Single Family Residence Zone).
- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding applications for Redemption of the Waivers of Tax Exemptions.

Informational only

Informational only

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... FLOOD CONTROL DISTRICT BOARD

A. Gift Deed

Gift Deed from Irene Kislowski, for 3.37 acres of real property in Diamond Bell Ranch, Tax Parcel Nos. 301-64-0970, 301-64-0980, 301-64-1550, and 301-64-1560, in Section 1, T17S, R10E. No Cost. (District 3)

Approved
4/0

B. Hydro/Meso Riparian Habitat Mitigation Plan

Staff requests approval of the Hydro/Meso Riparian Habitat Mitigation Plan to construct an addition, garage and relocate the existing driveway on property at 2010 N. Forty-Niner Drive. (District 4)

Approved
4/0

C. Condemnation

RESOLUTION NO. 2003-FC 8, of the Pima County Flood Control District, authorizing the Pima County Attorney to condemn for real property interest where necessary for public purposes in Section 1, T13S, R12E, G&SRM, Pima County, Arizona. (Districts 3 and 5)

Approved
4/0

D. Agreements, Contracts and/or Amendments

1. RESOLUTION NO. 2003-FC 9, approving an Intergovernmental Agreement with the U.S. Department of the Interior, Bureau of Land Management, to provide for the restoration of native plant communities to Cienega Creek Bottom Lands on the Empirita Ranch portion of Cienega Creek Natural Preserve, BLM Grant Fund, contract amount \$41,500.00, revenue, Flood Control Levy Fund, contract amount \$59,700.00 (01-59-U-133521-1203)

Approved
4/0

- 2. Robert D. Woodell, to provide an exchange agreement, quit claim deed and warranty deed for the Pantano Wash Bank Protection and Riverpark Project, Flood Control Levy Bond Funds, contract amount not to exceed \$2,000.00 for closing cost (11-64-W-133504-1203) Real Property Approved
4/0

- 3. BKW Farms, to provide a temporary construction easement needed for the Lower Santa Cruz River Levee Project, Flood Control Levy Fund, contract amount not to exceed \$2,900.00 for closing cost (11-64-B-133512-1203) Real Property Approved
4/0

... **KINO COMMUNITY HOSPITAL GOVERNING BOARD**

Agreements, Contracts and/or Amendments

- A. Douglas C. Trego, M.D., Amendment No. 5, to provide cytotechnologist services and extend contract term to 12/31/04, PHCS Enterprise Fund, contract amount \$30,000.00 (07-06-T-127154-0200) Approved
4/0

- B. Mobile Medical Staffing, L.L.C., Amendment No. 1, to provide traveling nurse staffing services and amend contractual language, no cost (18-06-M-133111-0903) Approved
4/0

- C. Access Nurses, Inc., Amendment No. 1, to provide temporary traveling nurse staffing services and amend contractual language, no cost (18-06-A-133113-0903) Approved
4/0

... **LIBRARY DISTRICT BOARD**

Agreement, Contract and/or Amendment

- MER-MEL Investments, Inc., Amendment No. 3, to provide a lease for the Ajo Library and extend contract term to 5/31/04, Library District Fund, contract amount \$154,310.00 (04-13-M-121509-0696) Facilities Management Approved
4/0

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

6. CONSENT CALENDAR: For consideration and approval

- A. Call to the Public
- B. Approval of Consent Calendar

Approved
with the
exception
of 1-D
4/0

7. COUNTY ADMINISTRATOR

Report from the Pima County Bond Advisory Committee with recommendations for a May 18, 2004 County Bond Election. Discussion/Direction/Action.

Approved
4/0

8. ASSESSOR - REQUEST FOR REDEMPTION OF WAIVER OF EXEMPTION

Pursuant to A.R.S. §42-11153(B), the Assessor has received 673 applications for Redemption of the Waivers of Tax Exemptions for the year 2002. The Assessor has determined that all of the applications qualify for exemption under the applicable statutes. Staff requests the Board of Supervisors redeem the Waivers of Tax Exemptions as recommended by the Assessor

Approved
4/0

9. PROCUREMENT

A. Award of Contracts - Facilities Management

- 1. Posada Del Sol Health Care Center ADA Modifications. Staff recommends Sandpiper Construction, Inc. (Corporate Headquarters: Tucson, AZ) in the amount of \$188,432.00 for Base Bid and Alternate No. 1, Capital Improvement Bond Fund.
- 2. Kino Community Hospital 5th Floor North Wing Improvements. Staff recommends Ardavin Builders, Inc. (Corporate Headquarters: Tempe, AZ) in the amount of \$419,612.00 for Base Bid and Alternate Nos. 2 and 3, Capital Improvement Bond Fund.

Approved
4/0

Approved
4/0

B. Award of Contract - Wastewater Management

Design and Engineering Services for the Sahuarita Landfill Expansion Project. Staff recommends SCS Engineers, Inc. (Corporate Headquarters: Long Beach, CA), in an amount not to exceed \$350,000.00. In the event that staff cannot successfully negotiate a contract with SCS Engineers, the recommendation is to enter into negotiations with the second ranked firm, Bryan A. Stirrat and Associates, Corporate Headquarters: Diamond Bar, CA) Capital Improvement Bond Fund.

Approved
4/0

C. Revision to Award of Contract - Wastewater Management

Supervisory Control and Data Acquisition Utility Pole Installation Project. Staff recommends a decrease in amount of \$30,000.00 for the award to Mountain Power Electrical Contractors, Inc. (Corporate Headquarters: Tucson, AZ) decreased award amount not to exceed \$90,000.00, WWM Enterprise Fund.

Approved
4/0

PUBLIC WORKS

TRANSPORTATION

10. ACCEPTANCE OF PROJECT/ROADWAY FOR MAINTENANCE

P1200-150, Tucson Mountain Sanctuary, Lots 232-247 and 299-340. Developer: First American Title. (District 5)

Approved
4/0

*** * * HEARINGS * * ***

HEALTH DEPARTMENT

11. ORDINANCE NO. 2003 - 117, of the Board of Supervisors of Pima County, Arizona, establishing fees for Family Planning Services provided by the Health Department Family Planning Program.

Approved
4/0

PUBLIC WORKS

DEVELOPMENT SERVICES

UNFINISHED BUSINESS

ZONING CODE TEXT AMENDMENT

(RM 11/4/03)

- 12. Co8-02-06, NEIGHBORHOOD ASSISTED LIVING CENTER (CHAPTER 18.03, 18.13, 18.14, 18.17, 18.18, 18.21)
 An ordinance of the Board of Supervisors of Pima County, Arizona; relating to zoning; by amending the Pima County Code by adding neighborhood assisted living center to Chapter 18.03 (General Definitions); and adding neighborhood assisted living center as a permitted or conditional use to Chapter 18.13 (Rural Homestead Zone); Chapter 18.14 (Rural Residential Zone); Chapter 18.17 (Suburban Ranch Zone); 18.18 (Suburban Ranch Estates Zone); and Chapter 18.21 (Single Family Residence Zone). On motion, the Planning and Zoning Commission voted 6-0, (Commissioners Membrila, Paulos and RedDog were absent) to recommend **DENIAL**. Staff recommends **APPROVAL**. (All Districts)

Denied
4/0

If approved, pass and adopt:

ORDINANCE NO. 2003 - 100

NEW BUSINESS

COMPREHENSIVE PLAN AMENDMENTS

- 13. Co7-03-01, PIMA COUNTY - CAMINO DOROTEA ALIGNMENT PLAN AMENDMENT
 Request of Pima County, to amend the Comprehensive Plan from Resource Transition (RT), Low Intensity Urban-0.3 (LIU-0.3) and Low Intensity Urban-0.5 (LIU-0.5) to Medium Intensity Urban (MIU), for approximately 332 acres located south of the Camino Dorotea alignment and north of the Voyager Road alignment, approximately 1.5 miles west of Old Spanish Trail in Sections 27 and 28, T15S, R16E in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 5-0 (Commissioner Membrila abstained; Commissioners Gungle, Poulos and RedDog were absent) to recommend **DENIAL**. Staff recommends **APPROVAL WITH SPECIAL AREA POLICIES**. (District 4)

Without
objection,
removed from
the agenda

- 14. Co7-03-03, PIMA COUNTY - INTERSTATE 10 PLAN AMENDMENT
 Request of Pima County, to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Resource Transition (RT). The subject property is approximately 221 acres and is located west of Interstate 10, to the north and south of Avra Valley Road in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Membrila, Poulos and RedDog were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 3)

Approved
4/0
- 15. Co7-03-06, KHAN - W. LA CRESTA ROAD PLAN AMENDMENT
Request of Rashid & Katherine Khan, represented by Shazia Krause, to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT) to Low Intensity Urban 1.2 (LIU 1.2). The subject property is approximately 4 acres and is located north of W. La Cresta Road and west of N. La Cholla Boulevard in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 5-1 (Commissioner Spendiarian voted NAY; Commissioners Membrila, Poulos and RedDog were absent) to recommend **DENIAL**. Staff recommends **DENIAL**. (District 3)

Denied
4/0
- 16. Co7-03-13, APEX MICROTECHNOLOGY CORP. - SHANNON ROAD PLAN AMENDMENT
 Request of Apex Microtechnology Corp., represented by Laidlaw Consulting, L.L.C., to amend the Pima County Comprehensive Plan from Urban Industrial (I) to Medium Intensity Urban (MIU). The subject property is approximately 21.5 acres and is located on the southeast corner of Shannon Road and Rudasill Road in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Membrila, Poulos and RedDog were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 3)

Approved
4/0

17. Co7-03-14, FIDELITY NATIONAL TITLE TR 30,156 - E. VALENCIA ROAD PLAN AMENDMENT
 Request of Fidelity National Title TR 30,156, represented by The Planning Center, to amend the Pima County Comprehensive Plan from High Intensity Urban (HIU) to Neighborhood Activity Center (NAC). The subject property is approximately 20.64 acres located southeast of E. Valencia Road and Swan Road, and southwest of Interstate 10, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Membrila, Poulos and RedDog were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 2)

Approved
4/0

18. STREET NAME CHANGES - Unadvertised Hearings

	<u>Present</u>	<u>Proposed</u>	
A.	Unnamed easement/road Co14-02-056 (District 4)	Taurus Place	Approved 4/0
B.	Unnamed easement/road Co14-02-057 (District 4)	Pegasus Run Court	Approved 4/0

19. CALL TO THE PUBLIC

20. ADJOURNMENT

CLERK'S NOTE:

- A. Public discussion and action may occur on any executive or regular agenda item; and,
- B. Any backup material will be available for review twenty-four (24) hours before the meeting at the Clerk of the Board's Office.

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

DATE POSTED: 12/3/03

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, DECEMBER 9, 2003

1. PROCUREMENT
AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

THE FOLLOWING ITEM MAY PRESENT A POTENTIAL CONFLICT
OF INTEREST FOR SUPERVISOR CARROLL.

- A. Lovitt and Touche, Inc., Amendment No. 3, to provide insurance broker and consultant services and extend contract term to 9/30/04, Self Insurance Trust Fund, contract amount \$93,500.00 (07-52-L-128294-1000) Risk Management

CONSENT CALENDAR, DECEMBER 9, 2003

1. PROCUREMENT
AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

B. RESOLUTION NO. 2003 - 282, approving an Intergovernmental Agreement with the Town of Sahuarita, to facilitate the review and update of the Emergency Operations Plan, FEMA Grant Fund, contract amount not to exceed \$10,000.00 (01-01-S-133513-1203) Health Department

B-1. RESOLUTION NO. 2003 - 283, approving an Intergovernmental Agreement with the City of South Tucson, to facilitate the review and update of the Emergency Operations Plan, FEMA Grant Fund, contract amount not to exceed \$10,000.00 (01-01-S-133548-1203) Health Department

* * *

C. Earl Kai Chann Associates, Ltd., Amendment No. 2, to provide as-needed architectural services for category 089 - rehabilitation, extend contract term to 7/1/04 and amend scope of work, General Fund, no cost (15-13-E-130253-1201) Facilities Management

D. Arizona Department of Health Services, Amendment No. 3, to provide for the development and enhancement of a bio-terrorism response, extend contract term to 8/30/04 and amend scope of work, Preparedness and Response for Bio-Terrorism Grant Fund, contract amount \$1,008,000.00 revenue (01-01-A-130645-0402) Health Department

Without objection removed from the agenda

E. Amendment No. 1, to provide ambulance transportation services, extend contract term to 8/31/04 and amend rate schedule for the following, General Fund, Institutional Health:

<u>Vendor</u>	<u>Contract No.</u>	<u>Amount</u>
Rural/Metro Corp., Inc	07-65-R-131709-1002	\$ 50,000.00
Southwest Ambulance of Tucson, Inc., d.b.a. Kord's Southwest	07-65-S-131710-1002	\$ 0.00

- F. Castro Engineering Corp., Amendment No. 5, to provide civil engineering services for the Southeast Regional Park Shooting Range Phase I Project and extend contract term to 6/30/04, Capital Improvement Bond Fund, no cost (16-05-D-128349-1000) Natural Resources, Parks and Recreation
- G. To provide non-emergency transportation services, PHCS Enterprise Fund, contract amounts not to exceed amounts listed for the following, Pima Health System:

<u>Vendor</u>	<u>Contract Number</u>	<u>Amount</u>
Safe Ride Services, Inc.	11-15-S-133552-1203	\$ 200,000.00
AAA Cab Service	11-15-A-133553-1203	\$ 100,000.00
American Pony Express, Inc.	11-15-A-133554-1203	\$ 400,000.00
A and K Transportation Co., Inc. d.b.a. Handi Car	11-15-A-133555-1203	\$ 400,000.00
Kord's Metro Services, Inc.	11-15-K-133556-1203	\$ 200,000.00

- G-1. Bayada Nurses, Amendment No. 6, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (11-15-B-128170-0800) Pima Health System
- G-2. Arizona Pediatric Cardiology Consultants, P.C., Amendment No. 2, to provide pediatric cardiology services, extend contract term to 12/31/04 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-130202-0102) Pima Health System
- G-3. The Aleph Center, P.L.L.C., Amendment No. 2, to provide psychiatry services and amend contractual language, PHCS Enterprise Fund, contract amount \$150,000.00 (18-15-K-131477-1002) Pima Health System
- G-4. Enza Piazza, d.b.a. Enza's Adult Care Home, to provide assisted living home services, PHCS Enterprise Fund, contract amount not to exceed \$140,000.00 (11-15-E-133518-1003) Pima Health System

G-5. Arizona Department of Economic Security, Amendment No. 7, to provide home and community based services, extend contract term to 6/30/04 and amend contractual language, Federal Grant, State Supplemental Payment Program and State Funds, no cost (01-15-A-129235-0701) Pima Health System

H. To provide master copier maintenance services and extend contract term to 12/15/04, for the following, Procurement:

<u>Vendor</u>	<u>Contract Number</u>	<u>Amount</u>	<u>Amendment</u>
Hughes-Calihan, Corp.	10-26-H-128569-1200	\$10,000.00	3
Kachina Business Solutions, L.L.C.	10-26-K-128697-1200	\$ 0.00	3
Xerox Corporation	10-26-X-128598-1200	\$150,000.00	3
IKON Office Solutions	10-26-I-128568-1200	\$130,000.00	4

I. Joseph J. and Mildred C. Maleske, to provide an acquisition agreement for a 1,500 sq. ft. temporary construction easement, 5,498 sq. ft. permanent drainage easement and a 23,657 sq. ft. right-of-way, located at 6011 N. La Cholla Boulevard, Tax Parcel No. 101-09-0200, Transportation Bond Fund, contract amount \$107,162.00 including closing costs (22-64-M-133503-1203) Real Property

I-1. Continental Road 2, L.L.C., to provide an acquisition agreement for 1.12 acres of vacant land needed for the I-19 Southbound Frontage Road at Continental Road, Tax Parcel Nos. 304-26-025R and 304-26-025V, Transportation Bond Fund, contract amount not to exceed \$384,000.00 including closing costs (22-64-C-133517-1203) Real Property

2. PROCUREMENT

IFB - 80049 Sewer parts and accessories, (Wastewater Management/WWM Operating Fund) Sreco-Flexible (Corporate Headquarters: Marina Del Rey, CA) in the amount of \$344,529.15 including sales tax.

3. DIVISION OF ELECTIONS

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

<u>APPOINTMENT</u>	<u>PRECINCT</u>	<u>PARTY</u>
Kline, Gay V.	039	REP
Silva-Stump, Richard	090	DEM
Maxwell, Edgar E.	095	REP
Shell, Tim	126	REP
Bintz, Jereme	143	REP
Weizenbaum, Joseph S.	171	DEM
Douglas, Kristen	182	REP
Olander, Michaelina C.	185	DEM
Clodfelter, Todd	302	REP
James, Laylin K.	345	DEM
Tobin, Saul	363	DEM
Tobin, Susan R.	363	DEM
Shafer, Michael S.	370	DEM

JUSTICE AND LAW ENFORCEMENT4. APPOINTMENT OF SMALL CLAIMS HEARING OFFICERS

Appointments of Small Claims Hearing Officers for the Consolidated Justice Courts for CY 2004:

Michael Barrios	Craig Molloy
Bill Beards	Mary Lou Moore
Barbara Ann Behrens	Alfonso G. Ramirez
Ben E. Davis	James A. Rendon
Michael Figueroa	Frances Shaughnessy
John H. Hall	Karen Shields
Michael Hellon	Sandra S. Sillik
Bruce Kurth	Ronald Swanson

PUBLIC WORKS5. REAL PROPERTYAmendment to Franchise

Amendment to Franchise for Southern Pacific Pipe Lines Partnership, L.P., to change name to SFPP, Limited Partnership, pursuant to the current franchise granted January 17, 1989 by Resolution No. 1989-10. (All Districts)

WASTEWATER MANAGEMENT DEPARTMENT6. BILLS OF SALE

- A. G-2001-058, A-Atlas Self Storage Off-Site.
Owner: Garold C. Brown Family Ltd.
Partnership.
- B. G-2002-141, Desert Vista Terrace, Lots 1-183.
Owner: D.R. Horton, Inc.
- C. G-2002-139, Tierra Vista Subdivision, Phase 2,
Lots 118-221 and 243-246. Owner: K.B. Home
Tucson, Inc.
- D. G-98-069A, Centre Park II, Lots 23-27, 117 and
118. Owner: T.J. Bednar and Co.
- E. G-2002-118, Rancho De Reposo, Lots 1-18.
Owner: Marc Gerson.
- F. G-2002-081, Rancho Del Lago, Block 39 and 41,
Lots 1031-1133. Owner: K.B. Home Tucson, Inc.
- G. G-97-014, Cortaro Ranch, Phase 2B, Lots 118-
230 and 263-283. Owner: D.R. Horton, Inc.
- H. G-2002-140, Silver Creek II, Lots 289-356.
Owner: Stonebridge Capital Properties, L.L.C.
- I. G-2000-13, Coronado School K-8 Off-Site.
Owner: Amphitheater Public Schools.
- J. G-2001-129, Walgreens at River Center Public
Sewer Relocation. Owner: River Center Pads II,
L.L.C.
- K. G-2002-149, Marana Town Center. Owner: James
R. DeGrood.
- L. G-2001-005, Canoa Northwest, Phase IV, Lots
257-328. Owner: Sears Canoa Northwest, L.L.C.
- M. G-2002-056, Camino Verde Estates II, Lots 1-
204. Owner: U.S. Home Corporation.

- N. G-2001-039, Rincon Trails Outfall Sewer, Phase III, Voyager Road to Garigans Gulch Road. Owner: P.B. Trading Company, Inc.
- O. G-2002-134, Whisper Ranch, Lots 1-46. Owner: Sombra Homes, Inc.
- P. G-2002-084, the Home Depot Public Sewer Relocation (Pantano Interceptor). Owner: October 23rd Group, L.L.C.
- Q. G-2002-019, Santa Rita Ranch, Manholes 1-5, 20-22, 24-28, 31-33, 53, 56, 57, 66-68, and 92-94 (only). Owner: Santa Rita BelAir Ranch L.L.C.
- R. G-2002-131, Desert Willow Estates, Phase 3, Lots 233-337 and 340-353. Owner: U.S. Home, Corp.

7. RATIFY AND/OR APPROVE

Minutes: October 14, 2003