

## AGENDA SUMMARY

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

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

**December 18, 2007 9:00 a.m.**

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
- ... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 12/12/06, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

(Clerk's Note: See Zoning Enforcement Board of Appeals.)

### **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

- ... **ZONING ENFORCEMENT BOARD OF APPEALS**

#### **UNFINISHED BUSINESS** (RM 12/4/07)

##### **A. Executive Session**

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. P07ZV00234, Anthony A. Fuentes. The Board may also during the course of the hearing and upon motion, enter into executive session.

Without objection, continued to 1/15/08

##### **B. Appeal of Hearing Officer's Decision**

#### **P07ZV00234–Anthony A. Fuentes**

In accordance with the Pima County Code 18.95.030.D, Anthony A. Fuentes, through his legal counsel, William Wissler, hereby appeals the decision of the Hearing Officer in Case No. P07ZV00234, regarding violations of the Pima County Zoning Code Section 18.01.030.E, pertaining to a cargo container not in conformance with permit requirements and not a permitted accessory use in the SR Zone on property located at 10000 E. Catalina Highway. (District 4)

Without objection, continued to 1/15/08

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

### 4. **CONSENT CALENDAR:** For consideration and approval

#### A. **CALL TO THE PUBLIC**

#### B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve, except CC.1.E.14 (5-0)

### 5. **COUNTY ADMINISTRATOR**

#### A. **Revisions to Merit System Rules**

##### Merit System Rule 11.5.4I

Federal and State law require employment authorization or identity verification for all employees. An employee who fails to establish this identity or authorization must be terminated. Therefore, in order to comply with Federal and State law, this condition needs to be established in "reasons for terminations."

Motion carried to approve (5-0)

#### B. **Long Term Green Valley Water Supply**

Public review and comment on future Green Valley Water Supply relating to a Report from the County Administrator dated October 2, 2007.

This item was replaced by Addendum I, Item 2

### 6. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2007-**336**, 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 not-to-exceed \$9,000,000.00 Education Revenue Bonds (Griffin Foundation Project), Series 2007 and declaring an emergency.

Motion carried to approve (5-0)

### 7. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2007-**337**, authorizing Pima County to enter into an Intergovernmental Agreement in the amount of \$685,000.00 with the Pascua Yaqui Tribe (PYT) for the management and implementation of the distribution of PYT's Annual 12% Local Revenue-Sharing contribution that includes the University Physicians Healthcare Navigating the Health Care Maze Program for women challenged by the health care system.

Motion carried to approve (5-0)

### 8. **CULTURAL RESOURCES AND HISTORIC PRESERVATION**

RESOLUTION NO. 2007-**338**, of the Pima County Board of Supervisors, approving and authorizing the application for Historic Preservation Heritage Funds,

in the amount of \$59,730.00, to rehabilitate the Immaculate Conception Church in Ajo, Arizona.

Motion carried to approve (5-0)

9. **FINANCE AND RISK MANAGEMENT**

A. RESOLUTION NO. 2007-**339**, of the Board of Supervisors of Pima County, Arizona, ordering the sale of not to exceed \$100,000,000.00 principal amount of Pima County, Arizona, General Obligation Bonds.

Motion carried to approve (5-0)

B. RESOLUTION NO. 2007-**340**, of the Board of Supervisors of Pima County, Arizona, ordering the sale of not to exceed \$75,000,000.00 principal amount of Pima County, Arizona, Sewer Revenue Bonds.

Motion carried to approve (5-0)

C. RESOLUTION NO. 2007-**341**, of the Board of Supervisors of Pima County, Arizona, ordering the sale of not to exceed \$25,000,000.00 principal amount of Pima County, Arizona, Street and Highway Revenue Bonds.

Motion carried to approve (5-0)

**TRANSPORTATION**

10. **Acceptance of Projects/Roadways for Maintenance**

A. P1204-006, Caddis Haley Estates, Lots 1-161 and Common Area A. Developer: The Hadd Company. (District 3)

Motion carried to approve (5-0)

B. P1205-005, Las Campanas, Blocks D and E and Common Area A, Lots 1-268. Developer: Meritage Homes. (District 4)

Motion carried to approve (5-0)

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

**FRANCHISES/LICENSES/PERMITS**

**Agent Change/Acquisition of Control/Restructure**

11. 07-06-015, Jeffrey Howard Roff, Wild Oats Natural Marketplace, 7133 N. Oracle Road, Tucson, Agent Change/Acquisition of Control.

Motion carried to approve (5-0)

## Liquor Licenses

\*(**Clerk's Note**: See Sheriff's Report.)

- \*12. 07-29-8913, Augustine Coronado, Augie's, 4535 W. Valencia Road, Tucson, Series 06, Bar License, Person Transfer.

Motion carried to approve (5-0)

13. 07-28-8912, Diana Mendez de Arai, Ginza Sushi, 5425 N. Kolb Road, No. 115, Tucson, Series 12, Restaurant License, New License.

Motion carried to approve (5-0)

## DEVELOPMENT SERVICES

### UNFINISHED BUSINESS (RM 11/20/07)

#### Rezoning

\*(**Clerk's Note**: Applicant requests a 90-day continuance to the Board of Supervisors Meeting of March 11, 2008.)

- \*14. Co9-07-17, WICK-CAMINO DESIERTO REZONING

Request of Brian Wick, represented by GRS Landscaping Architects, for a rezoning of 2.18 acres from SR (Suburban Ranch) to CR-1 (Single Residence), on property located on the south side of Camino Desierto, approximately 1,900 feet south of Magee Road and approximately 900 feet west of Paseo del Norte. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 4-2 (Commissioners Cook and Membrilla voted **NAY**, Commissioners Cuyugan, Hirsh and Poulos were absent) to recommend **DENIAL**. Staff recommends **APPROVAL WITH CONDITIONS** and special and standard requirements. (District 1)

Without objection, continued to 3/11/08

### NEW BUSINESS

#### Plat Note Waiver

15. Co12-85-05, KACHINA RIDGE, LOTS 1 THRU 27 AND COMMON AREA A SUBDIVISION PLAT BK. 40 PG. 97-PLAT NOTE WAIVER

Request of Robert Sanford, for a plat note waiver to remove the platted 30 foot building setback line on Lot No. 1 of the Kachina Ridge Lots 1 thru 27 and Common Area A Subdivision Plat (Bk. 40 Pg. 97). The applicants request to remove the 30 foot platted building setback line as shown on the plat, therefore, removing the setback restriction that affects Lot 1. The parcel is zoned CR-4 and is located on the northwest corner of Kananwha Street and Overton Road, approximately 700 feet east of North Shannon Road and Overton Road. Staff recommends **APPROVAL** subject to a condition. (District 1)

Motion carried to approve (5-0)

### **Plat Note Modification**

16. P1201-047, VENTANA CANYON MOUNTAIN ESTATES II LOTS 24 THROUGH 26 SUBDIVISION PLAT BK. 56 PG. 24

Request of Don Mackey, represented by Michael Franks of Seaver Franks Architects, for a plat note modification to allow platted natural open space to be evenly exchanged for natural open space in different area of Lot 26. Lot 26 (Tax Parcel No. 114-03-7000) is approximately 503,757 square feet in size. The above action, if approved, will allow the applicant to change the physical location of the Natural Open Space. The parcel is zoned CR-1 and located at 7121 North Eagle Point Dr., approximately 3/4 of a mile east of North Kolb Road, and approximately 1 1/2 miles north of Sunrise Drive. Staff recommends **APPROVAL**. (District 1)

Motion carried to approve (5-0)

### **Rezoning Ordinances**

17. ORDINANCE NO. 2007-**111**, Co9-04-30, White-Oracle Jaynes Station Road Rezoning. Owner: Daniel White. (District 1)

Motion carried to approve (5-0)

18. ORDINANCE NO. 2007-**112**, Co9-05-15, Ferganchick Trust–Old Vail Road Rezoning. Owner: Sonya and Mark Ferganchick Trust. (District 4)

Motion carried to approve (5-0)

19. ORDINANCE NO. 2007-**113**, Co9-06-13, Pima County, et. al.–Canoa Ranch No. 2 Rezoning. Owner: Pima County. (Districts 3 and 4)

Motion carried to approve (5-0)

### **Rezoning Resolution**

20. RESOLUTION NO. 2007-**342**, Co9-86-71, Cutler–Turkey Lane Rezoning. Owner: Mark and Keria Ritz. (District 1)

Motion carried to approve (5-0)

### **TRANSPORTATION**

#### **Pima County Code Text Amendment**

21. An ordinance of the Pima County Board of Supervisors, establishing a Special Events Ordinance for the unincorporated areas of Pima County, Arizona. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2007-**114**

Motion carried to approve (5-0)

22. **CALL TO THE PUBLIC**

**23. ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 12/12/07  
TIME POSTED: 5:00 P.M.

# CONSENT CALENDAR, DECEMBER 18, 2007

## 1. CONTRACTS AND AWARDS

### A. Community Development and Neighborhood Conservation

1. RESOLUTION NO. 2007-330, approving an Intergovernmental Agreement with the Why Fire District, to provide for the purchase of fire safety equipment, CDBG Grant Fund, contract amount \$10,000.00 (01-70-W-140455-1007)
2. City of South Tucson, Amendment No. 2, to provide management and implementation of the Community Development Block Grant Program and extend contract term to 12/31/08, CDBG Grant Fund, no cost (01-70-S-137787-0406)
3. City of South Tucson, Amendment No. 1, to provide management and implementation of the Community Development Block Grant Program, extend contract term to 12/31/08 and amend contractual language, CDBG Grant Fund, no cost (01-70-S-138940-1006)

### B. County Attorney

4. Hunton and Williams, L.L.P., to provide legal advice and representation regarding issues relating to environmental, natural resources, land use, toxic tort and related insurance coverage, Risk Management Tort Fund, contract amount \$100,000.00 (17-02-H-140458-0707)

### C. Health

5. Arizona Dept. of Health Services, Amendment No. 9, to provide a local Tobacco Education Prevention Program and amend contractual language, Tobacco Education Prevention Program Grant Fund, contract amount \$55,000.00 revenue (01-01-A-132475-0703)

### D. Procurement

6. Burns and Wald-Hopkins Architects, Inc., Amendment No. 10, to provide master planning and architectural design services for the Community Performing Arts and Learning Center in Green Valley and amend contractual language, 2004 Bond Fund, contract amount \$4,180.00 (16-13-B-125697-0299) Facilities Management
7. Sanitors Services, Inc., Amendment No. 2, to provide janitorial services for Outlying "B" Facilities, extend contract term to 1/31/09 and amend contractual language, General Fund, contract amount \$950,000.00 (11-13-S-139107-0207) Facilities Management
8. Sanitors Services, Inc., Amendment No. 1, to provide janitorial services for Downtown Facilities and extend contract term to 1/31/09, General Fund, contract amount \$1,800,000.00 (11-13-S-139109-0207) Facilities Management

9. Sanitors Services, Inc., Amendment No. 1, to provide janitorial services for Outlying "A" Facilities, extend contract term to 1/31/09 and amend contractual language, General Fund, contract amount \$650,000.00 (11-13-S-139110-0207) Facilities Management
10. Engineering and Environmental Consultants, Amendment No. 5, to provide for the Valencia Road: CAP to Camino de la Tierra Project and amend contractual language, 1997 HURF Fund, no cost (16-04-E-128404-1200) Transportation

### **Awards**

11. Cooperative Procurement: Award of Contract, Requisition No. 0800966, in the amount of \$1,541,450.00 to American Cadastre, L.L.C., (Headquarters: Herndon, VA) for the Pima County Recorder's Office Confidential Information Redaction Project, Phase II. Contract is for a one-year term. Funding Source: Other Special Revenue Fund. Administering Department: Recorder.
12. Low Bid: Award of Contract, Requisition No. 0703312, in the annual amount of \$505,000.00 for sewer maintenance parts to Balar Holding Corporation, d.b.a. Balar Equipment Corporation (Headquarters: Phoenix, AZ). Contract is for a one-year term and includes four one-year renewals. The Procurement Director, or his designee, may execute this award by issue of blanket contracts or purchase orders pursuant to this action. Funding Source: WWM Enterprise Fund. Administering Department: Wastewater.
13. Low Bid: Award of Contract, Requisition No. 0801028, in the annual amount of \$830,000.00 for carbon change-out for granulated activated carbon units to Norit Americas, Inc. (Headquarters: Marshall, TX). Contract is for a one-year term and includes four one-year renewals. The Procurement Director, or his designee, may execute this award by issue of blanket contracts or purchase orders pursuant to this action. Funding Source: WWM Enterprise Fund. Administering Department: Wastewater.

### **E. Sheriff**

14. RESOLUTION NO. 2007-**331**, approving an Intergovernmental Agreement with the U.S. Border Patrol, to provide law enforcement services, no cost (01-11-U-140467-1207)

Without objection, continued to 1/8/08

### **F. Transportation**

15. RESOLUTION NO. 2007-**332**, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide for construction of five foot sidewalks along 3.3 miles of roadway on

Continental Road from La Canada to the Pima Community College Campus and Flowing Wells Road from River to Roger Roads, RTA Fund, contract amount \$737,500.00 revenue (01-04-R-140462-1207)

16. RESOLUTION NO. 2007-**333**, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide for construction of six-foot sidewalks along E. Limberlost Road from N. Melpomene Way to Aqua Caliente School and along Melpomene Way from E. Fort Lowell Road to Catalina Highway and ten-foot multi-use paths along the west side of Melpomene Way from E. Limberlost Road to Camino Miramonte, RTA Fund, contract amount \$697,000.00 revenue (01-04-R-140463-1207)
17. RESOLUTION NO. 2007-**334**, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide for the installation of traffic signal wireless communication systems at 98 existing signalized intersections, which allow staff to remotely monitor intersections and resolve emergencies, RTA Fund, contract amount \$1,000,000.00 revenue (01-04-R-140464-1207)
18. RESOLUTION NO. 2007-**335**, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide for installation of traffic signal battery back-up systems at 25 existing signalized intersections, which will allow the traffic signals to operate without disruption during periods of power outage, RTA Fund, contract amount \$250,000.00 revenue (01-04-R-140465-1207)

2. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of September, 2007.

3. **RATIFY AND/OR APPROVE**

Minutes: November 6, 2007

## ADDENDUM I SUMMARY

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

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

**December 18, 2007 9:00 a.m.**

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

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 a request that Pima County waive a conflict of interest to allow Mesch, Clark and Rothschild to represent South Wilmot Investors and their subsidiaries to negotiate an agreement implementing the Specific Plan Development Agreement executed by Pima County and South Wilmot Land Investors, L.L.C.

Motion carried to waive conflict of interest (4-1)

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Johnson v. Pima County, et. al., Pima County Superior Court Cause No. C20044037.

Motion carried to accept County Attorney's Office recommendation (5-0)

- C. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the settlement conference in Desert American Builders, Corp. v. Pima County, Pima County Superior Court Cause No. C20063999.

Motion carried to accept County Attorney's Office recommendation (5-0)

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

McLaughlin v. Pima County  
Tax Parcel No. 114-18-1720  
Case No. C20076479

Motion carried to accept County Attorney's Office recommendation (5-0)

- E. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding delegation to the County Attorney, upon recommendation by the County Assessor, the authority to settle tax cases where the resulting decrease in taxes for a single year does not exceed \$5,000.00.

Without objection, continued to 1/8/08

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

### **1. BOARD OF SUPERVISORS**

RESOLUTION NO. 2007-**343**, of the Board of Supervisors of Pima County, in opposition to construction of an interstate highway link that bypasses Tucson and traverses pristine and invaluable Sonoran Desert areas. (District 5)

Motion carried to approve (5-0)

\*(**Clerk's Note**: This item should replace Regular Agenda Item No. 5B.)

### **\*2. COUNTY ADMINISTRATOR**

#### **Long-Term Green Valley Water Supply**

Public review and comment on future Green Valley Water Supply relating to a Report from the County Administrator dated October 2, 2007. Discussion/direction to staff.

Informational item only

#### **UNFINISHED BUSINESS** (RM 12/11/07)

### **3. DEPARTMENT OF ENVIRONMENTAL QUALITY**

Stage Two Vapor Recovery Report. Discussion/Direction/Action.

Motion carried to approve (5-0)

#### **NEW BUSINESS**

### **4. ECONOMIC DEVELOPMENT AND TOURISM**

Staff requests the Board of Supervisors review and consider the Native American Coop/Reservation Creations Women's Circle Charitable Trust request that the Board waive the \$6,900.00 fee for the use of the Rillito Racetrack infield for the third quadrennial Thunder-in-the-Desert Pow-Wow, December 28, 2007 through January 8, 2008.

Motion carried to approve (5-0)

### **5. BOARD, COMMISSION AND/OR COMMITTEE**

#### **Board of Adjustment, District 4**

Reappointments of George H. Richard—term expiration: 5/31/11; Richard A. Schaefer and Robert Fee—term expirations: 3/31/12; and Jack Mann—term expiration: 5/31/12. (District 4)

Motion carried to approve (5-0)

### **6. CONTRACTS AND AWARD**

#### **A. County Administrator**

1. Tucson Regional Economic Opportunities, Inc., Amendment No. 2, to provide for economic development activities to assist in the creation

and retention of jobs and extend contract term to 6/30/08, General Fund, contract amount \$1,199,600.00 (11-71-T-137167-0705)

Motion carried to approve (5-0)

**B. Finance and Risk Management**

2. Squire, Sanders and Dempsey, L.L.P., Amendment No. 3, to provide bond counsel services, extend contract term to 11/14/08 and amend contractual language, General Obligation, Sewer and HURF Bond Funds, contract amount \$150,000.00 (07-09-S-135350-1104)

Motion carried to approve (5-0)

**C. Fleet Services**

3. Award of Contracts, Requisition No. 0800890, in the cumulative annual amount of \$4,344,786.00 for light vehicle purchases, as defined by the list, to the responsive and responsible bidders that submitted the lowest item bids: O’Rielly Chevrolet (Tucson, AZ); Jim Click Ford (Tucson, AZ); Jim Click Dodge (Tucson, AZ); Holmes Tuttle Ford (Tucson, AZ); Bill Luke Dodge (Phoenix, AZ); Tucson Dodge (Tucson, AZ); Courtesy Chevrolet (Phoenix, AZ); D. Longo, Inc. (El Monte, CA); Five Star Ford (Phoenix, AZ); Desert Toyota of Tucson (Tucson, AZ). Contracts are for a one-year term and include four one-year renewal periods. The award includes 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 do not exceed the sum of the contract award amounts. Funding Source: Internal Service Fund. Administering Department: Fleet Services.

Motion carried to approve (5-0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 12/14/07  
TIME POSTED: 12:00 NOON

## **ADDENDUM II SUMMARY**

**Pima County Board of Supervisors' Meeting  
130 W. Congress St., Hearing Room, 1st Fl.  
December 18, 2007 9:00 a.m.**

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

1. **BOARD OF SUPERVISORS**

Discussion of and possible action on the proposed Home Health Care Support Services Transition Plan. (District 5)

Motion carried to approve (5-0)

### **CONTRACT**

2. **Regional Wastewater Reclamation**

RESOLUTION NO. 2007-**344**, of the Pima County Board of Supervisors, approving and authorizing the execution of an Intergovernmental Agreement with the Town of Sahuarita, to provide for wastewater treatment support services, revenue, contract amount based on actual costs incurred (01-03-S-140518-0108)

Motion carried to approve (5-0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.  
DATE POSTED: 12/14/07  
TIME POSTED: 4:45 P.M.