

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

November 18, 2008 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
- ... **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 T-Mobile v. Pima County, District Court Case No. 04:08-CV-00292-RCC.

Motion carried to pursue as discussed in Executive Session (5-0)

- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a tax appeal settlement recommendation for Lin, et. al., v. Pima County, Tax Parcel No. 136-32-7210, Arizona Tax Court Case No. ST2008-000146.

Motion carried to accept recommendations (5-0)

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

Patel v. Pima County, Tax Parcel No. 114-66-0680, Arizona Tax Court Case No. ST2008-000197.

Motion carried to accept recommendations (5-0)

Singer, et. al. v. Pima County, Tax Parcel No. 114-04-6600, Arizona Tax Court Case No. ST2008-000206.

Motion carried to accept recommendations (5-0)

Wood, et. al. v. Pima County, Tax Parcel No. 219-28-004M, Arizona Tax Court Case No. ST2008-000186.

Motion carried to accept recommendations (5-0)

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

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

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

UNFINISHED BUSINESS (RM 10/5/04, RM 11/2/04 and RM 11/21/06)

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. P04ZV00151, 1 and 2, Debra Morrow. The Board may also during the course of the hearing and upon motion, enter into executive session.

Without objection, continued to 5/19/09

B. Appeal of Hearing Officer's Decision

P04ZV00151-1 AND 2, Debra Morrow

In accordance with the Pima County Zoning Code Section 18.95.30.D, Debra Morrow appeals the decision of the Hearing Officer in Case Nos. P04ZV00151-1 and 2, regarding violations of Sections 18.19.010 and 19.18.020, business without a permit and Section 18.01.030.E, structures without permits, on property located at 2150 N. Rosser Road, Ajo, AZ. (District 3)

Without objection, continued to 5/19/09

UNFINISHED BUSINESS (RM 9/16/08)

C. 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. P08ZV00186, Phillip and Paula Delaney. The Board may also during the course of the hearing and upon motion, enter into executive session.

Informational item only

D. Appeal of Hearing Officer's Decision

P08ZV00186, Phillip and Paula Delaney

In accordance with the Pima County Code 18.95.030.D, Phillip and Paula Delaney appeal the decision of the Hearing Officer in Case No. P08ZV00186, regarding a violation of the Pima County Zoning Code Section 18.17.020, storage containers not a permitted use in SR zone, on property located at 11111 N. Shannon Rd. (District 1)

Motion carried to deny Hearing Officer's Decision (4-1)

UNFINISHED BUSINESS (RM 9/16/08 and RM 10/21/08)

E. 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. P08ZV00250-1 and 2, James Hessler. The Board may also during the course of the hearing and upon motion, enter into executive session.

Informational item only.

F. Appeal of Hearing Officer's Decision

P08ZV00250-1 and 2, James Hessler

In accordance with the Pima County Code 18.95.030.D, James Hessler appeals the decision of the Hearing Officer in Case No. P08ZV00250-1 and 2, regarding violations of the Pima County Zoning Code Section 18.81.080.C1, failure to obtain a grading permit and Section 18.72.060.A1, removing native plants without an approved plant preservation plan, on property located at 231 N. Vail View Rd. (District 4)

Motion carried to continue to 2/17/09 (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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

A. **CALL TO THE PUBLIC**

B. **APPROVAL OF CONSENT CALENDAR**

Motion carried to approve (5-0)

6. **BOARD OF SUPERVISORS**

Presentation by Bill Carnegie, Community Food Bank Chief Executive, updating food bank activities and related issues. (District 5)

No action taken.

7. **COUNTY ADMINISTRATOR**

A. **Recommended State Legislative Agenda for 2009**

RESOLUTION NO. 2008-**298**, of the Board of Supervisors, adopting a Pima County Legislative Program for 2009.

Motion carried to approve (5-0)

B. **Quarterly Management Report on Collections**

Staff recommends the Board accept the Quarterly Management Report on Collections for the period ending June 30, 2008, and approve the write-off request in the amount of \$34,838.00.

Motion carried to approve (5-0)

8. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

A. The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the following Neighborhood Reinvestment Project and authorization for staff to negotiate a future Intergovernmental Agreement:

District	Neighborhood	Project	Estimated Budget
2	Elvira	Street Lights	\$448,140.00

Motion carried to approve (5-0)

B. RESOLUTION NO. 2008-299, authorizing Pima County to support the application of the Educational Enrichment Foundation for a grant from the 12% local revenue sharing contribution of the Pascua Yaqui Tribe in the amount of \$61,000.00 to administer the Focus on the Future Scholarship Program.

Motion carried to approve (5-0)

9. **DIVISION OF ELECTIONS**

Pursuant to A.R.S. §16-642, canvass of the November 4, 2008 General Election, Tucson Unified School District No. 1, Flowing Wells School District No. 8, Catalina Foothills School District No. 16, Altar Valley School District No. 51, Empire School District No. 37 and the Sonoita/Elgin Fire District Election results.

Motion carried to approve (5-0)

10. **FIRE DISTRICT: GREEN VALLEY FIRE DISTRICT**

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Green Valley Fire District for the proposed Camino de la Canoa Annexation. (District 4)

Motion carried to approve (5-0)

TRANSPORTATION

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

A. P1205-135, Riverside Crossing III, Lots 1-122 and Common Areas A-D. Developer: A. F. Sterling. (District 1)

Motion carried to approve (5-0)

B. P1200-026, Offsite Improvements on Via Rancho del Lago, to serve Rancho del Lago, Station 91+16 to 139+38, Block 21-27 and 33. Developer: Vail Valley Joint Venture, an Arizona General Partnership, c/o The Estes Company. (District 4)

Motion carried to approve (5-0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Fireworks Permit

12. Alan Raso, Westward Look Resort, 245 E. Ina Road, Tucson, December 31, 2008 at midnight.

Motion carried to approve (5-0)

Liquor Licenses

13. 08-36-8958, Purvi G. Patel, Beverage Corner, 6250 N. Oracle Road, Suite 132, Tucson, Series 9, Liquor Store License, Person Transfer.

Motion carried to approve (5-0)

14. 08-37-8959, Purvi G. Patel, Beverage Corner, 6250 N. Oracle Road, Suite 132, Tucson, Series 7, Beer and Wine Bar License, On-sale Beer and Wine, Person Transfer.

Motion carried to approve (5-0)

COUNTY ADMINISTRATOR

15. **Bond Ordinance Amendments**

- A. ORDINANCE NO. 2008-**106**, of the Board of Supervisors of Pima County, Arizona, relating to the General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 2004-18, Bond Implementation Plan, May 18, 2004 Special Election (as amended by Ordinance No. 2005-92, Ordinance No. 2006-21, Ordinance No. 2006-84, Ordinance No. 2007-33, Ordinance No. 2007-95 and Ordinance No. 2008-25) for the purpose of 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 (5-0)

- B. ORDINANCE NO. 2008-**107**, of the Board of Supervisors of Pima County, Arizona, relating to the General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 1997-35, Bond Implementation Plan, May 20, 1997 Special Election (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 and Ordinance No. 2008-24) for the purpose of 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 (5-0)

DEVELOPMENT SERVICES

Specific Plan Rezoning

16. Co23-08-01, SOUTH KOLB ROAD SPECIFIC PLAN (FIRST AMENDMENT)
Request of Lucky Levin Railroad, L.L.C. and Valencia Kolb Properties, L.L.C., represented by The Planning Center, to rezone approximately 83.4 acres from RH (AE) (Rural Homestead, Airport Environs and Facilities), SR (AE) (Suburban Ranch, Airport Environs and Facilities), and CI-1 (Light Industrial/Warehousing Zone) to SP (AE) (Specific Plans, South Kolb Road Specific Plan-Co23-88-1, Airport Environs and Facilities), adopted as Ordinance No. 1988-182 and amended by Resolution No. 2006-331, located east of South Kolb Road and on the north and south sides of West Valencia Road. The request lies within and conforms to the Pima County Comprehensive Plan, Co7-00-20. The request site lies within the Pima County Comprehensive Plan Davis-Monthan Air Force Base Special Area Policies High Noise area (Noise Control District–NCD A, NCD B) and a portion of the site lies within the Pima County Comprehensive Plan Davis-Monthan Air Force Base Special Area Policies Approach-Departure Corridor 2 (ADC 2). On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Poulos, Hewitt and Smith were absent) to recommend **APPROVAL WITH REVISED CONDITIONS**. Staff recommends **APPROVAL WITH REVISED CONDITIONS**. (District 4)

Motion carried to approve (5-0)

Rezoning

17. Co9-08-07, CRISANTES INVESTMENTS, L.L.C.–ORACLE ROAD No. 2 REZONING
Request of Crisantes Investments, L.L.C., represented by Corrales Engineering, for a rezoning of 0.73 acres from GR-1 (GZ) (Rural Residential, Gateway Overlay Zone) to CB-2 (GZ) (General Business, Gateway Overlay Zone) on property located at the southeast corner of Oracle Road and Tortolita Street in Catalina. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Gungle, Membrilla, Smith and Matter were absent) to recommend **APPROVAL TO CB-1 (GZ) WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL TO CB-1 (GZ) WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (5-0)

*(**Clerk's Note:** Staff requests Item Nos. 18 and 19 be heard together.)

Rezoning Closure

- *18. Co9-03-05, BENCHMARK MORTGAGE FUND L.P., ET. AL.–IRVINGTON ROAD REZONING
Proposal to close a portion of a rezoning from SH (Suburban Homestead) to CB-1 (Local Business) of approximately 0.40 acres located on the west side of Mission Road, approximately 250 feet south of Irvington Road. The rezoning was approved

in 2003 and expired in 2008. Staff recommends **APPROVAL TO THE PROPOSED CLOSURE FOR A PORTION OF THE REZONING SITE.** (District 5)

Motion carried to approve (5-0)

Rezoning Time Extension

- *19. Co9-03-05, BENCHMARK MORTGAGE FUND L.P., ET. AL.–IRVINGTON ROAD REZONING

Request of Benchmark Mortgage LP, represented by Michael Marks of MJM Consulting, Inc., for a five-year time extension for a portion of a rezoning from SH (Suburban Homestead) to CB-1 (Local Business) of approximately 2.78 acres located on the southwest corner of Irvington and Mission Roads. The subject site was rezoned in 2003 and expired in 2008. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 5)

Motion carried to approve, as amended (5-0)

Comprehensive Plan Amendments

20. Co7-08-02, MONUMENT WEST ESTATES, L.L.C.–N. SANDARIO ROAD PLAN AMENDMENT

Request of Monument West Estates, L.L.C., represented by CPE Consultants, L.L.C., to amend the Pima County Comprehensive Plan from Resource Transition (RT) to Medium Intensity Rural (MIR) for approximately 53.3 acres located at the southeast corner of N. Sandario Road and W. Orange Grove Road, in Section 10, T13S, R11E, in the Tucson Mountains/Avra Valley Subregion. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Membrila were absent) to recommend **MODIFIED APPROVAL SUBJECT TO REZONING POLICIES.** Staff recommends **MODIFIED APPROVAL SUBJECT TO A REZONING POLICY.** (District 3)

Motion carried to approve (5-0)

21. Co7-08-03, SISTERS OF IMMACULATE HEART OF MARY–N. SABINO CANYON ROAD PLAN AMENDMENT

Request of Sisters of Immaculate Heart of Mary, represented by The Planning Center, to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.5 (LIU-0.5) to Neighborhood Activity Center (NAC) for approximately 43 acres located on the east side of N. Sabino Canyon Road, approximately 1/4 mile north of E. River Road, in Section 29, T13S, R15E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Membrila were absent) to recommend **MODIFIED APPROVAL.** Staff recommends **MODIFIED APPROVAL.** (District 1)

Motion carried to approve (5-0)

22. Co7-08-05, GOEKE–E. NOYES STREET PLAN AMENDMENT

Request of Jon and Karen Goeke, to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Medium Intensity Rural (MIR) for approximately 5 acres located on the south side of E. Noyes Street, approximately

330 feet west of S. Langley Avenue, in Section 7, T17S, R15E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 4-2 (Commissioners Spendiarian and Randall voting **NAY**, Commissioners Gungle and Membrila were absent) to recommend **MODIFIED APPROVAL WITH CONDITIONS**. Staff recommends **MODIFIED APPROVAL**. (District 4)

Motion carried to approve (5-0)

23. Co7-08-06, TITLE GUARANTY AGENCY OF ARIZONA TR T-1312–W. VALENCIA ROAD PLAN AMENDMENT

Request of Title Guaranty Agency of Arizona TR T-1312, represented by Gordon T. Alley, III, to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Community Activity Center (CAC) for approximately 25.76 acres adjoining W. Valencia and S. Wade Roads, in Section 16, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Gungle, Membrila, Smith and Matter were absent) to recommend **DENIAL**. Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES**. (District 3)

Motion carried to continue to 3/10/09 (5-0)

24. Co7-08-07, STATE OF ARIZONA–W. VALENCIA ROAD PLAN AMENDMENT

Request of the State of Arizona, represented by Projects International, to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2) to Neighborhood Activity Center (NAC) for approximately 20 acres located at the southeast corner of the intersection of W. Valencia Road and S. Wade Road, in Section 15, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 5-1 (Commissioner Spendiarian voting **NAY**, Commissioners Gungle, Membrila, Smith, and Matter were absent) to recommend **DENIAL**. Staff recommends **DENIAL**. (District 3)

Motion carried to continue to 3/10/09 (5-0)

25. Co7-08-10, TITLE SECURITY AGENCY OF ARIZONA TR 913–W. VALENCIA ROAD PLAN AMENDMENT

Request of Title Security Agency of Arizona, Trust 913, represented by The WLB Group, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2) to Community Activity Center (CAC) for approximately 17 acres located at the northwest corner of the intersection of W. Valencia Road and S. Wade Road, in Section 9, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 5-1 (Commissioner Spendiarian voting **NAY**, Commissioners Gungle, Membrila, Smith, and Matter were absent) to recommend **DENIAL**. Staff recommends **DENIAL**. (District 3)

Motion carried to continue to 3/10/09 (5-0)

Appeals of Hearing Administrator's Decisions

*(**Clerk's Note:** Dee Chandler, appellant, requests a continuance to the Board of Supervisors' Meeting of December 9, 2008.)

*26. P21-08-025, PC ROW-6628 N. CALLE PADRE FELIPE

In accordance with Pima County Zoning Code Section 18.97.030.F(6), Dee Chandler, Judy Hunt, Eric Weiss, Fernando Maldonado, David Delmonico, Steve Rice and Sondra Klock appeal the decision of the Hearing Administrator in Case No. P21-08-025, to allow a Type I Conditional Use Permit for an antenna co-location and equipment area in the right-of-way located at 6628 N. Calle Padre Felipe in the CR-1 zone. Chapter 18.97, in accordance with Sections 18.07.030H2d4 of the Pima County Zoning Code, allows an antenna co-location and equipment area as a Type I Conditional Use in the CR-1 zone. The Hearing Administrator recommends **APPROVAL**. (District 1)

Without objection, continued to 12/9/08

27. P21-08-044, PC ROW-4798 N. PONTATOC ROAD

In accordance with Pima County Zoning Code Section 18.97.030.F(6), Austin Lee appeals the decision of the Hearing Administrator in Case No. P21-08-044, to allow a Type I Conditional Use Permit for an antenna co-location and equipment area in the right-of-way located at 4798 N. Pontatoc Rd. in the CR-1 zone. Chapter 18.97, in accordance with Sections 18.07.030H2d4 of the Pima County Zoning Code, allows an antenna co-location and Equipment Area as a Type I Conditional Use in the CR-1 zone. The Hearing Administrator recommends **APPROVAL**. (District 1)

Motion carried to continue to 1/6/09 (5-0)

Conditional Use Permits

28. P21-08-058, THREE POINTS FIRE DISTRICT-W. CAMINO LUCIDO

Commscapes, applicant, on property located at 11777 W. Camino Lucido, in the RH zone, requests a Conditional Use Permit for a communication tower. Chapter 18.97, in accordance with Section 18.07.030.H.2.d of the Pima County Zoning Code, allows a communication tower as a Type III Conditional Use in the RH zone. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Membrilla were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. The Hearing Administrator recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 3)

Motion carried to approve (5-0)

29. P21-08-067, PIMA COUNTY-N. SHANNON ROAD

The Lyle Company, applicant, on property located at 7770 N. Shannon Rd., in the SR zone, requests a Conditional Use Permit for a communication tower. Chapter 18.97, in accordance with Section 18.07.030.H.2.d of the Pima County Zoning Code, allows a communication tower as a Type III Conditional Use in the SR zone. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Membrilla were absent) to recommend **APPROVAL WITH**

STANDARD AND SPECIAL CONDITIONS. The Hearing Administrator recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.** (District 1)

Motion carried to approve (5-0)

*(**Clerk's Note:** Staff requests a continuance to the Board of Supervisors' Meeting of February 17, 2009.)

Plat Note Waiver/Modification

- *30. Co12-77-29, Green Valley Desert Hills No. 2 Subdivision Plat-Plat Note Modification for Lot 476 and Common Area C Cluster Development Option
Request of Green Valley Desert Hills No. 2, Inc., represented by Gilbert and Norlane Moss, for a plat note modification to allow approximately 540 square feet of Common Area C adjacent to Lot 476 to be incorporated into Lot 476. The lot is approximately 4,750 square feet, zoned CR-3, located on the northeast corner of Circulo De Las Lomas and Calle Alhambra, approximately 2,000 feet north of Camino Del Sol. Staff recommends **APPROVAL WITH CONDITIONS** (District 4).

Without objection, continued to 2/17/09

31. **Rezoning Ordinances**

- A. ORDINANCE NO. 2008-**108**, Co9-07-32, Diagnault/Tilley-Violet Avenue Rezoning. Owners: Daniel Daignault and Scott Tilley. (District 3)

Motion carried to approve (5-0)

- B. ORDINANCE NO. 2008-**109**, Co9-08-03, Fidelity National Title Trust 30218 -Ventana Heights Place Rezoning. Owner: Fidelity National Title Trust 30218. (District 1)

Motion carried to approve (5-0)

- C. ORDINANCE NO. 2008-**110**, Co9-08-06, Beecroft-Noyes Street Easement Rezoning. Owners: Jay and Ann Beecroft. (District 4)

Motion carried to approve (5-0)

32. **Rezoning Resolution**

- RESOLUTION NO. 2008-**300**, Co9-92-26, Collins-Colossal Cave Road No. 2 Rezoning. Owner: Circle K Stores, Inc. (District 4)

Motion carried to approve (5-0)

33. **Street Name Change**

Present

Co14-08-005, Unnamed easement/access to roadway.
(District 1)

Proposed

Cimarron Vista Court

Motion carried to approve (5-0)

TRANSPORTATION

34. **Environmental Assessment and Mitigation Report**

Staff recommends approval of the Environmental Assessment and Mitigation Report for the Sunrise Drive: Craycroft Road to Kolb Road Project.

Motion carried to approve (3-1)

35. **Traffic Ordinance**

ORDINANCE NO. 2008-**111**, of the Board of Supervisors, establishing prima facie reasonable speed limits on Los Reales Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District Nos. 2, 3, 4 and 5)

Motion carried to approve (4-0)

36. **CALL TO THE PUBLIC**

37. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 11/12/08
TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, NOVEMBER 18, 2008

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. RESOLUTION NO. 2008-290, approving an Intergovernmental Agreement with the University of Arizona, Board of Regents, to provide the Social Justice Education Project, CDBG Grant Fund, contract amount \$10,000.00 (01-70-A-141492-1008)
2. RESOLUTION NO. 2008-291, approving an Intergovernmental Agreement with the Drexel Heights Fire District, to provide the Family Safety Program in the Valencia West Target Area, CDBG Grant Fund, contract amount \$15,000.00 (01-70-D-141493-1008)
3. RESOLUTION NO. 2008-292, approving an Intergovernmental Agreement with the U.S. Environmental Protection Agency, to provide the Brownfields Assessment Cooperative Agreement to conduct community wide assessments at potential brownfields sites, Federal EPA Grant Fund, contract amount \$200,000.00 revenue (01-70-U-141498-0908)
4. RESOLUTION NO. 2008-293, approving an Intergovernmental Agreement with the Why Fire District, to provide for the purchase of Fire Safety Equipment for the Why Area, CDBG Grant Fund, contract amount \$10,000.00 (01-70-W-141527-1008)

B. Community Services, Employment and Training

5. SER—Jobs for Progress for Southern Arizona, Inc., Amendment No. 3, to provide basic education and English as a second language for adults, dislocated workers and youth and amend contractual language, WIA Grant Fund, contract amount \$219,213.00 (07-69-S-139738-0707)
6. Arizona Department of Housing, Amendment No. 1, to provide administration of an Eviction/Emergency and Homeless Housing Assistance Program and amend contractual language, Arizona Department of Housing Grant Fund, contract amount \$57,850.00 revenue (01-69-A-140968-0708)
7. SER Jobs For Progress, Inc., Amendment No. 1, to provide workforce development services to youth and adults for after school basic education and amend contractual language, WIA Grant Fund, contract amount \$15,172.00 decrease (07-69-S-141225-0808)

C. County Administrator

8. Racy Associates, Inc., Amendment No. 1, to provide public lobbyist for State Legislative representation services and extend contract term to

12/1/10, Various Department Funds, contract amount \$140,000.00 (07-30-R-138848-1106)

9. Arthur A. Chapa, Amendment No. 1, to provide public lobbyist for State Legislative representation services and extend contract term to 12/1/10, Various Department Funds, contract amount \$105,000.00 (07-30-C-138849-1106)

D. County Attorney

10. Demand Construction Services, Inc., to provide expert witness services in the matter of Seaboard Surety Company v. Pima County, et. al., RWRD Enterprise Fund, contract amount \$100,000.00 (31-02-D-141537-0708)

E. Environmental Quality

11. RESOLUTION NO. 2008-**294**, approving an Intergovernmental Agreement with the City of Tucson, to provide County recycling operations under the City of Tucson's Recycling Contract, Solid Waste Special Revenue Fund, contract amount determined by the service level (01-51-T-141515-1108)

F. Health Department

12. Cynthia Chillock, L.L.C., Amendment No. 5, to provide for Registered Dental Hygienist under the Dental Sealant Program, extend contract term to 12/31/09 and amend contractual language, Dental Sealant Grant Fund, contract amount \$15,000.00 (07-01-C-138436-0806)
13. Rincon Valley Fire District, Amendment No. 1, to provide for administering childhood immunization services and extend contract term to 11/12/09, no cost (01-01-R-140372-1107)

G. Pima Health System

14. University Physicians Healthcare, Amendment No. 10, to provide for hospital services, extend contract term to 4/30/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$16,000,000.00 (18-15-U-134476-0604)
15. Arizona Oral and Maxillofacial Surgeons, P.L.L.C., Amendment No. 5, to provide dental and oral surgery services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (18-15-A-135072-1004)
16. Devon Gables Health Care Center, Amendment No. 5, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$12,000,000.00 (18-15-D-137015-1005)

17. Manor Care of Tucson, L.L.C., d.b.a. Manorcare Health Services (Tucson) No. 498, Amendment No. 6, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$3,000,000.00 (18-15-M-137016-1005)
18. Presidio Health Associates, L.L.C., d.b.a. Catalina Healthcare Center, Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$3,000,000.00 (18-15-P-137017-1005)
19. Life Care Centers of America, Inc., d.b.a. La Canada Care Center, Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$2,500,000.00 (18-15-L-137033-1005)
20. Kindred Nursing Centers West, L.L.C., d.b.a. Villa Campana Health Care Center, Amendment No. 7, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$4,500,000.00 (18-15-K-137034-1005)
21. Santa Rita Care Center, L.L.C., d.b.a. Santa Rita Nursing and Rehabilitation Center, Amendment No. 5, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,300,000.00 (18-15-S-137035-1005)
22. Kindred Nursing Centers West, L.L.C., d.b.a. Desert Life Rehabilitation and Care Center, Amendment No. 7, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$6,000,000.00 (18-15-K-137036-1005)
23. Life Care Centers of America, Inc., d.b.a. Mountain View Care Center, Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$2,500,000.00 (18-15-L-137037-1005)
24. Ensign Sabino, L.L.C., d.b.a. Sabino Canyon Rehabilitation and Care Center, Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$2,300,000.00 (18-15-E-137038-1005)
25. Villa Maria Care Center, L.L.C., Amendment No. 5, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,500,000.00 (18-15-V-137039-1005)

26. Life Care Centers of America, Inc., d.b.a. Life Care Center of Tucson, Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$3,000,000.00 (18-15-L-137040-1005)
27. SRCV-Rosa, L.L.C., d.b.a. Santa Rosa Care Center, Amendment No. 8, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$4,500,000.00 (18-15-S-137045-1005)
28. Kindred Nursing Centers West, L.L.C., d.b.a. Valley Health Care and Rehabilitation Center, Amendment No. 5, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$3,000,000.00 (18-15-K-137062-1005)
29. Handmaker Jewish Services for the Aging, Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-H-137063-1005)
30. Avalon Care Center-Tucson, L.L.C., d.b.a. La Colina Health Care Center, Amendment No. 4, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$600,000.00 (18-15-A-137067-1005)
31. Park Waverly Healthcare, L.L.C., d.b.a. Waverly Park Health Care Center, Amendment No. 4, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$2,000,000.00 (18-15-P-~~137707-137077~~-1005)

Without objection, correction to contract number

32. Frank J. Laudonio, M.D., P.C., Amendment No. 2, to provide OB/GYN and family planning extension services, extend contract term to 11/30/09 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-L-138977-1206)
33. Genesis OB/GYN, P.C., Amendment No. 3, to provide OB/GYN services and extend contract term to 11/30/09, PHCS Enterprise Fund, no cost (18-15-A-139253-1206)
34. SLO Ridgecrest, L.L.C., d.b.a. Ridgecrest Healthcare, Amendment No. 2, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,300,000.00 (18-15-S-139267-0307)
35. University Physicians Healthcare, to provide primary care physician, radiology, pathology/laboratory, OB/GYN and specialty services, PHCS

Enterprise Fund, contract amount \$10,000,000.00 (18-15-U-141533-1108)

36. SSI Group, Inc., to provide electronic data interchange services, PHCS Enterprise Fund, contract amount \$250,000.00 (07-15-S-141536-0708)

H. Procurement

37. Poster Frost Associates, Inc., Amendment No. 2, to provide professional planning services for the Historic Fort Lowell Park Master and Restoration Plan and amend scope of work, 2004 Bond Fund, contract amount \$11,500.00 (07-73-P-140842-0408) Public Works, Cultural Resources
38. Low Bid: Award of Contract, Requisition No. 0900598, in the amount of \$1,258,050.00 to the lowest responsive bidder, Sellers and Sons, Inc. (Headquarters: Avondale, AZ) for lighting improvements at the Pima County Sports Park Facility and Brandi Fenton Memorial Park. The contract is for a nine-month period and may be extended for project completion. Funding Source: 2004 General Obligation Bond Fund. Administering Department: Natural Resources, Parks and Recreation.
39. Award of Contract for Requisition No. 0803131 to EMA Inc. (Headquarters: St. Paul, MN), the highest-ranked respondent for the SCADA System Design, Programming and Integration Services for the Regional Optimization Master Plan. This agreement shall be awarded in Phases. Phase 1 is for a SCADA Master Plan for all PCRWRD treatment and conveyance assets, and SCADA system design, programming and implementation services for the Ina Road WRF Interim Biosolids Project in the amount of \$1,650,000.00. PCRWRD intends to amend this agreement for future phases of SCADA design, programming and implementation services associated with the Ina Road Upgrade and Expansion Project, the Water Reclamation Campus Project, the conveyance system, and all Sub-regional Treatment Facilities. All future phases are expected to be completed by August, 2014 and the total cost for services provided under this agreement shall not exceed \$14,000,000. In the event a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: Red Oak Consulting and CH2M Hill, Inc. Funding Source: 2004 Bond Fund, \$5,186.00; and SDF Funds, \$1,644,814.00. Administering Department: Regional Wastewater Reclamation.

I. Sheriff

40. RESOLUTION NO. 2008-**295**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide a Subgrantee Agreement for administering the State Homeland Security Grant Program, Federal Grant Fund, contract amount \$194,000.00 revenue (01-11-A-141496-1008)

41. RESOLUTION NO. 2008-296, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide a Subgrantee Agreement for administering the Law Enforcement Terrorism Prevention Program, Federal Grant Fund, contract amount \$424,800.00 revenue (01-11-A-141497-1008)

2. **BOARD OF SUPERVISORS**

Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2009.

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

A. **Pima County, Arizona Municipal Property Corporation**

Reappointments of Bernardt Wm. Collins, Cecilia Cruz, Frank Y. Valenzuela, Stanley Lehman and Virginia L. Yrun. Term expirations: November 19, 2009. (Corporation recommendations)

B. **Tucson-Pima County Metropolitan Energy Commission**

Reappointments of Tina E. Cook, Erika Roush, Hyman Kaplan, Melissa M. Miller, Joel V. Wagner, Earl J. Jacobson, Farhad Moghimi and Richard J. Michal. Term expirations: 11/30/10. (Committee recommendations)

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

- A. Colleen George Walech, Casa de Esperanza, 780 S. Park Centre Avenue, Green Valley, ~~May 17, 2009~~ March 29, 2009.
- B. Kristine J. Howard, Ara Parseghian Medical Research Foundation, Westin La Paloma, 3660 E. Sunrise Drive, Tucson, April 17, 2009.
- C. Kristine J. Howard, Ara Parseghian Medical Research Foundation, Westin La Paloma, 3660 E. Sunrise Drive, Tucson, April 18, 2009.

5. **REAL PROPERTY**

A. **Right of Way Agreement**

Renewal of a right-of-way agreement from the Arizona State Land Department for access to a monitoring well on Rita Road in the amount of \$3,020.00, Special Revenue Fund, located in Section 3, T16S, R15E, G&SRM. (District 4)

B. **Abandonment and Quit Claim Deed**

1. RESOLUTION NO. 2008-297, of the Pima County Board of Supervisors, providing for the vacation and abandonment by exchange of a portion of Camino Aurelia, located between Houghton Road and Melpomene Way, in Section 25, T17S, R15E, G&SRM, Abandonment No. A-07-11. (District 4)

2. Quit Claim Deed to Fidelity National Title Agency, Inc., an Arizona Corporation as Trustee under Trust No. 60,238, for a portion of Camino Aurelia. No revenue. (District 4)

6. **TREASURER'S OFFICE**

Annual Certification: Fill-The-Gap

Staff requests approval of the annual certification, as directed by A.R.S. §41-2421, that the five (5) percent set-aside "Fill-the-Gap" Funds in the amount of \$995,464.20 be transferred to the Local Courts Assistance Fund for supplemental aid to the Superior Court and Justice Court for processing of criminal cases.

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

November 18, 2008 9:00 a.m.

1. COUNTY ADMINISTRATOR

Chicago White Sox Spring Training Contract

Review and direction regarding the proposed amendment to the Chicago White Sox Spring Training contract.

Motion carried to approve (5-0)

2. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

RESOLUTION NO. 2008-**301**, of the Board of Supervisors of Pima County, Arizona, amending the U. S. Department of Housing and Urban Development Annual Action Plan 2008-2009, to receive an additional \$3,086,867.00 through the Housing and Economic Recovery Act of 2008 (HERA), for the Neighborhood Stabilization Program.

Motion carried to approve (5-0)

3. CONTRACTS

A. Economic Development and Tourism

1. RESOLUTION NO. 2008-**302**, approving an Intergovernmental Agreement between the Cities of Tucson and South Tucson and the Towns of Marana and Sahuarita, to re-establish a Joint Enterprise Zone Commission, no cost (01-71-T-141569-1108)

Motion carried to approve (4-0)

B. Facilities Management

2. ThyssenKrupp Elevator Corporation, Amendment No. 1, to provide for modernization of elevators at 33 N. Stone Avenue and amend scope of work, 2007 Certificates of Participation Fund, contract amount \$282,479.00 (03-13-T-141342-0908)

Motion carried to approve (5-0)

C. Transportation

3. Regional Transportation Authority, Amendment No. 1, to provide for the design and construction of the I-19 Frontage Road: Canoa Road to Continental Road Project and amend contractual language, RTA Fund, contract amount \$2,782,200.00 revenue (01-04-R-139823-0807)

Motion carried to approve (5-0)

4. RESOLUTION NO. 2008-**303**, approving and authorizing an Intergovernmental Agreement with the Regional Transportation Authority, to provide for the design and construction of the Valencia Road: Alvernon Road to Kolb Road Project, RTA Fund, contract amount \$10,700,000.00 revenue (01-04-R-141572-1108)

Motion carried to approve (5-0)

5. RESOLUTION NO. 2008-**304**, approving and authorizing an Intergovernmental Agreement with the Regional Transportation Authority, to provide for the continuation of the Green Valley/Sahuarita Circulator and Regional Connector, RTA Fund, contract amount \$131,852.00 revenue (01-04-R-141573-0209)

Motion carried to approve (5-0)

4. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Tucson-Pima County Bicycle Advisory Committee

Ratification of University of Arizona representative: Reappointment of Charles J. Franz. Term expiration: 8/31/10. (Jurisdictional recommendation)

Motion carried to approve (5-0)

B. Pima County/Tucson Women's Commission

Appointment of Nubia Chacon to replace Felicia Granillo. Term expiration: 12/31/12. (District 2)

Motion carried to approve (5-0)

5. DEVELOPMENT SERVICES

A. Assurance Agreement

P1201-035, Canoa Ranch, Blocks 1-5. (District 4)

Motion carried to approve (5-0)

B. Final Plat with Assurances

P1208-035, Century Park Research Center Phase II, Blocks 5-16, Parcels B1 and B2, and Common Areas A and C. (District 4)

Motion carried to approve (5-0)

C. Final Plat without Assurances

P1208-022, Green Valley Country Club Estates II, Lots 377-381 and Common Area A. (District 4)

Motion carried to approve (5-0)

6. REAL PROPERTY

Amendment to the Canoa Ranch Development Agreement

Fairfield Canoa Ranch, L.L.C., Amendment No. 1, to extend the term of the Development Agreement to 3/22/2016 and approve a Declaration of Easements releasing exclusive easement rights on Block 1 and providing for a utility and access easement on Block 6.

Motion carried to approve, as amended (5-0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 11/14/08
TIME POSTED: 11:00 A.M.