AGENDA, BOARD OF SUPERVISORS’ MEETING

BOARD OF SUPERVISORS HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

APRIL 20, 2004  9:00 A.M.

1. ROLL CALL

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

... EXECUTIVE SESSION

(CLERK’S NOTE: As of the posting date of 4/14/04, 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

HYDRO/MESO RIPARIAN HABITAT MITIGATION PLANS

1. Staff requests approval of the Hydro/Meso Riparian Habitat Mitigation Plan to construct a single family home on property located at 10883 E. Grass Shack Place, Santa Paula Ranch Lot No. 7. (District 4)

   Without objection
   Continued to 07/06

   Approved 5/0

2. Staff requests approval of the Hydro/Meso Riparian Habitat Mitigation Plan to construct a detached guest house with septic leach field on property located at 5201 N. Bear Canyon Road. (District 4)
A. Monthly status report - Kino Community Hospital Advisory Board.

B. Agreements, Contracts and/or Amendments

1. United Healthcare of Arizona, Inc., Amendment No. 3, to provide a hospital participation agreement and extend contract term to 4/20/04, Revenue per fee schedule (07-06-U-127817-0400)

2. United Healthcare of Arizona, Inc., Amendment No. 4, to provide a hospital participation agreement, extend contract term to 8/31/04 and amend contractual language, Revenue per fee schedule (07-06-U-127817-0400)

3. Southeastern Arizona Behavioral Health Services, Inc., Amendment No. 2, to provide inpatient and outpatient behavioral health services, contract amount $150,000.00 Revenue (07-06-S-131876-0701)

4. Cochise Health Systems, to provide laboratory and radiology services for Cochise Health Members residing in Pima County, contract amount $100,000.00 Revenue (07-06-C-134062-0703)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

4. CONSENT CALENDAR: For consideration and approval

A. Call to the Public

B. Approval of Consent Calendar

Approved 5/0 except CC 1A
5. PROCUREMENT

Award of Contract - Natural Resources, Parks and Recreation

Rillito Park Improvement Project. Staff recommends M. Anderson Construction Corporation, (Corporate Headquarters: Tucson, AZ) in the amount of $423,660.00, Capital Improvement Bond Fund.

6. FIRE DISTRICT

Pursuant to A.R.S. §48-262.A.11, validation of the petitions presented for the proposed Golder Ranch Fire District – Vistoso Ridge Annexation. (District 1)

7. HEALTH DEPARTMENT

RESOLUTION NO. 2004 - 84, approving and authorizing the Pima County Animal Care Center to establish and administer a volunteer Pet Identification Program to include microchips and cat identification tags for the benefit of the residents of Pima County and their pets.

8. SUPERIOR COURT

Staff requests approval for submission of the application for the Drug Court Enhancement Grant through the Office of the Department of Justice in the amount of $200,000.00 to fund treatment costs of defendants participating in the newly established Drug Court Post-Conviction Program.

PUBLIC WORKS

DEVELOPMENT SERVICES

9. FINAL PLAT WITH ASSURANCES

P1203-024, Co9-02-018, Valencia Reserve, Lots 1-326 and Common Areas A-C. (District 2)
* * * HEARINGS * * *

FRANCHISES/LICENSES/PERMITS

UNFINISHED BUSINESS
(RM 4/6/04)

EXTENSION OF PREMISES/PATIO PERMIT

*(CLERK’S NOTE: See Pima County Zoning Inspector’s Report.)*

*10. Georgina Avila, d.b.a. La Osa Junction Bar, 41400 S. La Osa Ranch Road, Sasabe, Permanent Extension of Premises Permit.*

NEW BUSINESS

LIQUOR LICENSES

11. 04-04-8735, Rosa Carnero Schoepflin, d.b.a. Candela Restaurant, 5845 N. Oracle Road, Tucson, Series 12, Restaurant License, New License.

*(CLERK’S NOTE: Applicant must satisfy Chapter 18.97 in accordance with Section 18.43.030(G) of the Pima County Zoning Code, which requires a Type I Conditional Use Permit for a Restaurant Liquor License in the CB-1 Zone.)*


13. 04-06-8737, Luis Fernando Elizalde, d.b.a. Ovens Bistro and Bar, 4280 N. Campbell Avenue, Suite 37, Tucson, Series 12, Restaurant License, New License.

FIREWORKS PERMITS

Continued to 08/03
Approved 5/0
Approved 5/0
Approved 5/0

RA 4–20–04 (4)
14. Troy Finley, d.b.a. Tucson Country Club, 2950 N. Camino Principal, Tucson, May 1, 2004 at approximately 8:00 p.m.

Approved
5/0
15. Troy Finley, d.b.a. Tucson Country Club, 2950 N. Camino Principal, Tucson, May 8, 2004 at approximately 8:00 p.m.

16. Alan Michaels, d.b.a. The Centurions, Rillito Race Track, Tucson, May 1, 2004 at approximately 9:00 p.m.

**PUBLIC WORKS**

**DEVELOPMENT SERVICES**

**UNFINISHED BUSINESS**

**REZONING**

(RM 11/18/03 and RM 2/17/04)

17. **Co9-03-03, LAWYERS TITLE OF ARIZONA, INC. 7638-T - LA CHOLLA BOULEVARD REZONING**

Request of Lawyers Title of Arizona, Inc., 7638-T, represented by The Planning Center, for a rezoning of approximately 8.22 acres from SR (Suburban Ranch) to CR-5 (Multiple Residence) located on the northeast corner of Magee Road and La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Membrila and Spendiarian voted nay, Commissioner RedDog was absent) to recommend DENIAL. Staff recommends DENIAL. (District 1)

**APPEAL OF HEARING OFFICER’S DECISION**

(RM 11/4/03 AND RM 1/13/04)

18. **P02ZV00235 - 3 AND 4, STEWART TITLE AND TRUST NO. 1580, MONTE SEYMOUR, TRUSTEE**

In accordance with Pima County Zoning Code Section 18.95.030.C, Monte Seymour as Trustee of Stewart Title and Trust No. 1580, appeals the decision of the Hearing Officer in Case No. P02ZV00235, Citation Nos. 3 and 4, regarding violations to the Pima County Code Section 18.01.030.E.1, on property located at 3901 S. Kinney Road for operating a contractor’s yard

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Approved 5/0

Approved 5/0

Without objection Continued to 07/06

Uphold Hearing Officer’s decision 5/0
without a zoning permit for the property; and Section 18.71.010, substantial expansion of a use without the required Development Plan. (District 5)
APPEAL OF HEARING OFFICER'S DECISION
(RM 3/16/04)

19. P03ZV00449-6 AND 7, DENNIS SHEPPARD AND GERLINDE EVERETT
In accordance with the Pima County Zoning Code Section No. 18.95.030.D, Dennis Sheppard and Gerlinde Everett, through their attorney and designated representative Michael W. Capp, appeal the decision of the Hearing Officer in Case No. P03ZV00449, Citation Nos. 6 and 7, on property located at 3150 W. Lobo Road, Tucson, AZ. Citation No. 6 involved a violation of Section 18.01.030.E.1, studio without a permit; and Citation No. 7 involved a violation of Section 18.21.040, insufficient distance between main buildings. (District 3)

NEW BUSINESS
REZONING

20. Co9-03-28, MT. LEMMON/ASPEN FIRE NO. 2 REZONING
Request of Pima County for a rezoning of about 2.26 acres from ML (Mount Lemmon) to RVC (Rural Village Center). The subject area is located on the north and south sides of east Turkey Run Road, near its intersection with Sabino Canyon Parkway and on the west side of the northern portion of Sabino Canyon Parkway in the Village of Summerhaven. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 7-0 (Commissioner Gungle was absent) to recommend APPROVAL. Staff recommends APPROVAL. (District 4)

MODIFICATION OF REZONING CONDITIONS

21. Co9-94-55, WALKER/LAWYERS TITLE TRUST NO. 5587 SUNSET ROAD REZONING
Request of Sunset Capital, L.L.C., represented by Projects International, Inc., for a modification of rezoning Condition No. 13 which requires adherence to the Preliminary

Uphold Hearing Officer’s decision and waive fine 5/0

Approved 5/0

Approved as amended 5/0
Development Plan as approved at public hearing. The applicant requests to modify the approved Preliminary Development Plan to eliminate two access drives to Sunset Road and add
one access drive to Camino de Oeste. The subject portion of the rezoning is 77.06 acres, conditionally rezoned to CR-1 (Single Residence) and SR-2 (Suburban Ranch Estates) in 1995 and is located on the southeast corner of Camino De Oeste and Sunset Road. Staff recommends APPROVAL WITH CONDITIONS. (District 3)

HILLSIDE DEVELOPMENT ZONE VARIANCE

22. Co24-03-05, A & K VENTURES – WENTWORTH ROAD ALIGNMENT
Request of A & K Ventures for a Hillside Development Overlay Zone (HDZ) exception to allow a single dwelling unit on a 3.31 acre parcel with an average cross slope of 29.94%. Pima County Code, Section 18.61.052 requires an average area per dwelling unit of 16 acres on parcels with an average cross slope of 30%. The subject property is zoned SR (Suburban Ranch) BZ (Buffer Overlay Zone) and is located north of the Wentworth Road alignment, approximately 3/4 mile north of Snyder Road and immediately south of the Mount Lemmon Highway. Staff recommends DENIAL. (District 4)

TIME EXTENSIONS

Request of Garold Brown Family LP, represented by Physical Resource Engineering, Inc., for a five-year time extension for the above referenced rezoning from SR (Suburban Ranch) AE (Airport Environ and Facilities) to CB-2 (General Business) AE and CI-2 (General Industrial) AE for a total of 70.41 acres. The subject site was rezoned in 1999. The rezoning expired in 2004. The site is located on the north and south sides of Valencia Road,
approximately 1/4 mile west of Kolb Road. Staff recommends **DENIAL.** (District 4)
24. **Co9-98-40, VALENZUELA - ORACLE ROAD REZONING**
Request of DM Federal Credit Union, represented by Acorn Associates Architecture, LTD., for a five-year time extension for the above referenced rezoning from TR (Transitional) GZ-1 (Gateway Overlay Zone 1) to CB-1 (Local Business) GZ-1 for 16,000 square feet. The subject site was rezoned in 1999. The rezoning expired in 2004. The site is located on the east side of Oracle Road, approximately 400 feet north of Pinal Street. Staff recommends **APPROVAL**. (District 3)

*(CLERK'S NOTE: Staff requests a 90 day continuance.)*

25. **Co9-97-05, BERTRAND - THORNYDALE ROAD REZONING**
Request of Pima County for a five-year time extension for the above referenced rezoning from CR-3 (Single Residence) to TR (Transitional) for 0.7 acres. The subject site was rezoned in 1997. The rezoning expired in 2002. The site is located on the east side of Thornydale Road, approximately 1/4 mile south of Magee Road. Staff recommends **APPROVAL**. (District 3)

**ZONING CODE TEXT AMENDMENT**

26. **Co8-04-03, TUCSON MOUNTAINS PROTECTED PEAKS AND RIDGES (AREAS 1,2,3, and 4 LEVEL 2 DESIGNATION (CHAPTER 18.61)**
Proposal to amend Chapter 18.61, Hillside Development Overlay Zone, of the Pima County Zoning Code in order to designate certain peaks and ridges as Level 2 protected that are located within an area bounded by Avra Valley Road on the north; City of Tucson and Town of Marana on the east; San Xavier Indian Reservation on the southeast and south; and the Sheridan Avenue Alignment on the west. The Planning and Zoning Commission recommends **MODIFIED APPROVAL**. Staff recommends **MODIFIED APPROVAL**. (All Districts)

If approved, pass and adopt:
27. **COMPREHENSIVE PLAN AMENDMENT RESOLUTIONS** - Unadvertised Hearings

A. **RESOLUTION NO. 2004 - 85**, Co7-03-11, Lawyers Title of Arizona Trust No. 7992 - W. Magee Road Plan Amendment. Owner: Lawyers Title and Trust No. 7992-T. (District 3) Approved 5/0

B. **RESOLUTION NO. 2004 - 86**, Co7-03-17, Grijalva - E. Sahuarita Road Plan Amendment Owner: Elsa P. Grijalva. (District 4) Approved 5/0

28. **STREET NAME CHANGES** - Unadvertised Hearings

<table>
<thead>
<tr>
<th>Present</th>
<th>Proposed</th>
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<th>5/0</th>
</tr>
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<tbody>
<tr>
<td>A.</td>
<td>Unnamed easement/road</td>
<td>Alexandra Drive</td>
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<tr>
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<td>in alignment with existing street name</td>
<td>Co14-02-070 (District 3)</td>
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<td>B.</td>
<td>Bellevue Road</td>
<td>Iron Wheel Way</td>
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<td>Co14-02-072 (District 3)</td>
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<td>C.</td>
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<td>D.</td>
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29. **CALL TO THE PUBLIC**

30. **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.
CONSENT CALENDAR, APRIL 20, 2004

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

1. PROCUREMENT AGREEMENT, CONTRACT AND/OR AMENDMENT

A. Mountain States Administrative Services, Amendment No. 5, to provide administrative dental services and extend contract term to 6/30/05, General Fund, contract amount $2,100,000.00 (07-43-M-127761-0700) Human Resources

Approved 4/0
CONSENT CALENDAR, APRIL 20, 2004

1. PROCUREMENT AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

B. RESOLUTION NO. 2004 - 81, of the Board of Supervisors of Pima County, Arizona, approving and authorizing an Intergovernmental Agreement with the Three Points Fire District, to provide public health preparedness and response for bio-terrorism, Federal Grant Fund, contract amount not to exceed $5,000.00 (01-01-T-134057-0903) Health Department

B-1. RESOLUTION NO. 2004 - 82, of the Board of Supervisors of Pima County, Arizona, approving and authorizing an Intergovernmental Agreement with the City of South Tucson Fire Department, to provide public health preparedness and response for bio-terrorism, Federal Grant Fund, contract amount not to exceed $50,000.00 (01-01-S-134058-0903) Health Department

* * *

C. Primavera Builders, Inc., Amendment No. 4, to provide Hope 3 Programs, reflect vendor name change and extend contract term to 10/12/04, HUD/Hope 3 Grant Funds, no cost (11-39-P-128798-0401) Community Services

C-1. Primavera Builders, Inc., Amendment No. 2, to provide home construction/selling program - South Tucson Infill Development, reflect vendor name change and extend contract term to 12/31/04, HUD/HOME Program Grant Funds, no cost (11-39-P-130156-0102) Community Services

D. Dorothy Kret and Associates, Inc., Amendment No. 4, to provide supported employment and training for persons with disabilities and
extend contract term to 4/30/05, General and Transportation Operating Funds, contract amount $83,500.00 (11-02-D-127604-0500)
County Attorney
D-1. Paul Larmour, to provide expert investigation/consultation and witness services relating to a claim filed by Christopher and Margarita Gordon, Risk Management/Tort Fund, contract amount not to exceed $35,000.00 (07-02-L-134051-0304) County Attorney

E. RBC Dain Rauscher, Amendment No. 3, to provide financial advisor services, request assignment of all rights, duties and obligations to RBC Dain Rauscher and extend contract term to 1/4/06, Wastewater Management Bond Fund, contract amount $100,000.00 (07-09-D-124153-0198) Finance

F. Northwest Fire District, Amendment No. 4, to provide immunization services and extend contract term to 4/11/05, no cost (01-01-N-127334-0400) Health Department

F-1. Arizona Department of Health Services, Amendment No. 3, to provide participation in the Dental Sealant Program, extend contract term to 4/30/04 and amend contractual language, Federal Fund, no cost (01-01-A-131909-1202) Health Department

G. Old Pueblo Plastic Surgery, P.C., Amendment No. 3, to provide plastic surgery services, extend contract term to 4/30/05 and amend contractual language, PHCS Enterprise Fund, contract amount $50,000.00 (07-15-O-127211-0402) Pima Health System

G-1. Arizona Oncology Associates, P.C., Amendment No. 6, to provide oncology, radiation and medic services, extend contract term to 4/30/05 and amend contractual language, PHCS Enterprise Fund, contract amount $500,000.00 (07-15-A-127416-0500) Pima Health System

G-2. Old Pueblo Anesthesia, P.C., Amendment No. 4, to provide anesthesia services, extend contract term to 6/30/05, amend contractual
language and reflect vendor name change, PHCS Enterprise Fund, contract amount $500,000.00 (07-15-0-127440-0500) Pima Health System
G-3. Southwestern Surgery Associates, Ltd., Amendment No. 4, to provide surgery services, extend contract term to 5/31/05 and amend contractual language, PHCS Enterprise Fund, contract amount $250,000.00 (18-15-S-127655-0600) Pima Health System

G-4. IPC The Hospitalists Co., d.b.a. Hospitalists of Arizona, Amendment No. 4, to provide hospital rounding services, extend contract term to 5/31/05, amend contractual language and reflect vendor name change, PHCS Enterprise Fund, contract amount $500,000.00 (18-15-H-128903-0901) Pima Health System

G-5. La Paloma Home For The Aging, L.L.C., Amendment No. 5, to provide assisted living home services, PHCS Enterprise Fund, contract amount $200,000.00 (11-15-L-129757-1001) Pima Health System

G-6. Alvernon Optical, Inc., Amendment No. 2, to provide optical services, extend contract term to 6/30/05, amend contractual language and reflect vendor name change, PHCS Enterprise Fund, contract amount $100,000.00 (18-15-A-131012-0702) Pima Health System

G-7. Heart Care of Southern Arizona, d.b.a. Desert Cardiology of Tucson, Amendment No. 1, to provide cardiology services, extend contract term to 8/31/05 and amend contractual language, PHCS Enterprise Fund, contract amount $75,000.00 (18-15-D-131229-0802) Pima Health System

G-8. Grace Maternity and Women's Health, P.L.C., Amendment No. 2, to provide primary care physician and obstetrical/gynecological services, extend contract term to 6/30/05 and amend contractual language, PHCS Enterprise Fund, contract amount $100,000.00 (18-15-G-131397-1002) Pima Health System

G-9. Maxim Healthcare Services, Inc., Amendment No. 1, to provide homecare services, PHCS
Enterprise Fund, no cost (11-15-M-133700-0104) Pima Health System
G-10 Scott Matthew Bolhack, M.D., P.C., to provide primary care physician services, PHCS Enterprise Fund, contract amount not to exceed $400,000.00 (18-15-B-134063-1003) Pima Health System

G-11 Freedom Manor, Inc., to provide assisted living homes services, PHCS Enterprise Fund, contract amount not to exceed $492,750.00 (11-15-F-134065-0404) Pima Health System

H. Santa Cruz County Attorney's Office, Amendment No. 1, to provide for participation in the Southwest Border Alliance, H.I.D.T.A. XIII Grant Fund, contract amount $27,500.00 (01-11-S-132493-1002) Sheriff

I. The Handlers of Tucson, Inc., Amendment No. 4, to provide supported employment and training for persons with disabilities and extend contract term to 4/30/05, Transportation Operating Fund, contract amount $15,000.00 (11-04-H-127633-0500) Transportation

J. Lamb Technical Services, Inc., Amendment No. 1, to provide as-needed odor and hydrogen sulfide monitoring services and amend scope of work, WWM Enterprise Fund, contract amount $10,000.00 (16-03-L-132874-0703) Wastewater Management

2. PROCUREMENT

IFP 65314 Non-Emergent Medical Transportation (Pima Health Services/PHCS Enterprise Fund) awarded to the following in the amounts listed:

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<th>Company</th>
<th>Award Amount</th>
<th>Award Service</th>
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<tr>
<td>AAA Cab Service, Inc. (Phoenix, AZ)</td>
<td>$1,004,000.00</td>
<td>Taxi, W/C Van, Bari Stretcher, Chronic Treatment</td>
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<td>A and K Transportation, Inc.</td>
<td>$1,045,000.00</td>
<td>Ambulatory Van, W/C Van, Stretcher, Bari</td>
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<td>(Tucson, AZ) American Pony Express (Tucson, AZ)</td>
<td>$1,074,000.00</td>
<td>W/C Van, Bari Stretch, Chronic Treatment Taxi, Ambulatory Van, W/C Van, Stretch, Chronic Treatment</td>
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Freedom Cab Co. Inc. $ 67,000.00 Taxi, Chronic Treatment (Tucson, AZ)
Kord’s Metro Services, Inc. $ 900,000.00 Ambulatory Van, W/C Van, Stretcher, Bari Stretcher, Chronic Treatment (Tucson, AZ)
Safe Ride Services, Inc. $ 917,000.00 Ambulatory Van, W/C Van, Stretcher, Chronic Treatment (Phoenix, AZ)

3. DIVISION OF ELECTIONS

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

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<th>APPOINTMENT</th>
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<td>Leister, Dwight D.</td>
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4. SPECIAL EVENT LIQUOR LICENSE APPROVED PURSUANT TO RESOLUTION NO. 2002-273


PUBLIC WORKS

5. REAL PROPERTY

Abandonment and Quit Claim Deed

A. RESOLUTION NO. 2004 - 83, of the Pima County Board of Supervisors providing for the vacation of a portion of an alley dedicated by the plat of Bonanza Heights, Book 18, Page 83, a subdivision of part of the NW 1/4 of the NW 1/4 of Section 4, T11S, R14E, G&SRM, Pima County, Arizona. (District 3)

B. Quit Claim Deed to Catalina Storage, L.L.C., an Arizona Limited Liability Company, for a portion of an alley. $5,225.00 revenue. (District 3)
6. **CORRECTION FOR THE RECORD**

Approved by the Board of Supervisors on April 6, 2004:

RESOLUTION NO 2004-69, approving and authorizing an Intergovernmental Agreement with the City of Tucson, to provide for the State Homeland Security Exercise Grant Program, AZDEM Fund, contract amount not to exceed $25,000.00 $475,000.00 (01-01-T-1333974-0404) Health Department

7. **RATIFY AND/OR APPROVE**

Minutes: March 2, 2004