

**AGENDA, BOARD OF SUPERVISORS' MEETING**

**BOARD OF SUPERVISORS' HEARING ROOM**

**130 W. CONGRESS, 1ST FLOOR**

**SEPTEMBER 14, 2004 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 a settlement in Montgomery Ward, L.L.C. Bankruptcy Chapter 11, Case No. 00-04667, U.S. Bankruptcy Court for the District of Delaware.
- B. Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding a settlement offer in Pima County Superior Court Case No. C20035193, Jeff Scott Wheeler v. Jody Caldwell and Pima County.

Accept County  
Attorney's  
recommendation  
5/0

Accept County  
Attorney's  
recommendation  
5/0

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

- ... **FLOOD CONTROL DISTRICT BOARD**

**WARRANTY DEED**

NOTES/ACTION

Warranty Deed from United Indian Missions, Inc.,  
to convey to the Pima County Flood Control  
District Lot Nos. 42, 43, 44 and 49, Tax Parcel  
Nos. 209-20-0420, 209-20-0430, 209-20-0440 and  
209-20-0490 of the Grant Industrial Sites  
located in the Black

Approved  
5/0

Wash Administrative Floodway, for the cost of 2004 property taxes in the estimated total amount not to exceed \$400.00, Flood Control Levy Fund. (District 3)

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

5. CONSENT CALENDAR: For consideration and approval Approved  
5/0

A. Call to the Public

B. Approval of Consent Calendar

6. ELECTIONS

Pursuant to A.R.S. §16-642 and §16-645, canvass of the election results for the September 7, 2004 Primary Election, Town of Marana Special Referendum Election, Golder Ranch Fire District No. 12 Special Bond Election and Three Points Fire District No. 21 Special Bond Election. Approved  
5/0

7. INDUSTRIAL DEVELOPMENT AUTHORITY

RESOLUTION NO. 2004 - 255, 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 \$5,000,000.00 Education Revenue Bonds (Khalsa Family Services Project), Series 2004 and declaring an emergency. Approved  
5/0

8. PROCUREMENT

A. Award of Contract - Facilities Management

Construction management services for the Kino Public Health Center. Staff recommends Gilbane Building Company, (Corporate Headquarters: Providence, RI) in an estimated amount of \$635,000.00, Capital Improvement Bond Fund. Approved  
5/0

B. Increase in Award Amount - Transportation

Staff requests an increase in the amount of \$50,000.00, for IFB No. 72111, De-icing, dust control and soil stabilization, Groups 1 and 3, with Desert Mountain Corporation, Transportation Operating Fund.

NOTES/ACTION

Approved  
5/0

**PUBLIC WORKS/TRANSPORTATION**

9. **ACCEPTANCE OF PROJECT/ROADWAY FOR MAINTENANCE**

P1201-102, Camino Verde Estates II, Lots 1-204 and Common Area A. Developer: Fidelity National Title. (District 3)

Approved  
5/0

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

**FRANCHISES/LICENSES/PERMITS**

10. 04-23-8754, Raynu Michael Fernando, d.b.a. Oasis at Wild Horse Ranch, 6801 N. Camino Verde, Series 06, Bar License, Person and Location Transfer.

Approved  
5/0

11. 04-24-8755, Albert Sherman Hall, Jr., d.b.a. Acacia at St. Philips, 4340 N. Campbell Avenue, No. 103, Series 12, Restaurant License, New License.

Approved  
5/0

**EXTENSION OF PREMISES/PATIO PERMIT**

12. Michael Joseph Basha, d.b.a. AJ's 122, 2805 E. Skyline Drive, Temporary Extension of Premises Permit for Saturday, October 30, 2004.

Approved  
5/0

**PUBLIC WORKS**

**DEVELOPMENT SERVICES**

**UNFINISHED BUSINESS**

(RM 9/7/04)

**TIME EXTENSION**

13. **Co9-98-54, STEWART TITLE & TRUST NO. 3541 - SPEEDWAY BOULEVARD REZONING**  
Request of The 76 Trust, represented by Planners Ink, for a five-year time extension for the above referenced rezoning from SR (Suburban Ranch) to CB-1 (Local Business) for 2.00 acres and SR(R) (Suburban Ranch - Restricted) for 10.42 acres. The subject site was conditionally

Denied  
5/0

rezoned in 1999. The rezoning expires in October, 2004. The site comprises of 12.42 acres, is conditionally zoned CB-1 and SR(R), and is located on the northeast corner of Houghton Road and Speedway Boulevard. Staff recommends **APPROVAL**, subject to revised and additional conditions. (District 4)

NEW BUSINESS

APPEAL OF HEARING OFFICER DECISIONS

14. P04ZV00068, P04ZV00341, P04ZV00342 and P04ZV00343, BARBARA ROSE

In accordance with the Pima County Zoning Code Section 18.95.030C, Barbara Rose appeals the decisions of the Hearing Officer as issued in the following four Zoning Code violation cases:

- P04ZV00068 - 8925 N. Scenic Drive
- P04ZV00341 - 8935 N. Scenic Drive
- P04ZV00342 - 8965 N. Scenic Drive
- P04ZV00343 - 8975 N. Scenic Drive

All of the citations allege a violation of Pima County Zoning Code Section 18.61.056.A - reflectivity and color requirements of the Hillside Development Zone. (District 3)

15. P04ZV00262-1, FRANCISCO AND GERALDINE DEATHERAGE

In accordance with the Pima County Zoning Code Section 18.95.303D, Francisco Deatherage appeals the decision of the Hearing Officer in Case No. P04ZV00262-1 regarding a violation of Pima County Zoning Code Section 18.07.030C - open storage, on property located at 6870 S. Westover Avenue. (District 3)

16. STREET NAME CHANGES - Unadvertised Hearings

	<u>Present</u>	<u>Proposed</u>	
A.	Unnamed easement/road Co14-04-004 (District 3)	Ruby Star Court	Approved 4/0
B.	Unnamed easement in alignment with existing street name Co14-04-005 (District 3)	Lone Owl Trail	Approved 4/0

Continued  
pending  
appellant  
going to  
Design Review  
Committee  
5/0

Uphold Hearing  
Officer  
decision and  
forgive fine  
4/0

**TRANSPORTATION**

17. TRAFFIC ORDINANCE

ORDINANCE NO. 2004 - 76, regulating traffic on Iberia Avenue in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Approved  
4/0

18. CALL TO THE PUBLIC

19. 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: 9/8/04

TIME POSTED: 5:00 P.M.

NOTES/ACTION

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CONSENT CALENDAR, SEPTEMBER 14, 2004

1. PROCUREMENT

AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

- A. RESOLUTION NO. 2004 - 247, approving an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona PHASE Program, to provide basic computer skills workshops to County One-Stop participants, WIA, YO Grant and General Funds, contract amount not to exceed \$12,000.00 (01-69-A-134972-0804) Community Services, Employment and Training
- A-1. RESOLUTION NO. 2004 - 248, approving an Intergovernmental Agreement with the Arizona Department of Economic Security Employment Administration, to provide employment, training services and temporary assistance, JOBS Program Grant Fund, contract amount \$444,025.00 revenue (01-69-A-134977-0804) Community Services, Employment and Training
- B. RESOLUTION NO. 2004 - 249, approving an Intergovernmental Agreement with the Town of Marana, to provide election services, General Fund, contract amount \$5,000.00 revenue (01-23-M-134978-0704) Elections
- B-1. RESOLUTION NO. 2004 - 250, approving an Intergovernmental Agreement with the Northwest Fire District, to provide election services, General Fund, contract amount \$5,000.00 revenue (01-23-N-134979-0704) Elections
- C. RESOLUTION NO. 2004 - 251, approving an Intergovernmental Agreement with the Governor's Office for Children, Youth and Families, State School Readiness Board, to provide health services for children, youth and families, State Grant Fund, contract

amount \$26,500.00 revenue (01-01-G-134975-  
0704) Health Department

NOTES/ACTION

C-1. RESOLUTION NO. 2004 - 252, approving an Intergovernmental Agreement with the Pascua Yaqui Tribe, to provide for the State Homeland Security Program - equipment purchases, planning, training and response exercise, State Homeland Security Grant Fund, contract amount not to exceed \$11,316.00 (01-01-P-134976-0904) Health Department

\* \* \*

- D. Tucson Unified School District, Amendment No. 1, to provide job development and educational services for youth, extend contract term to 6/30/05 and amend scope of work, YO, WIA, RYA Grant and General Funds, contract amount \$92,014.00 (01-39-T-134167-0104) Community Services
- E. Paxis Institute Corporation, to provide consultation and evaluation services for the Project Safe Neighborhoods Program, State Grant Fund, contract amount not to exceed \$25,000.00 (07-02-P-135007-0404) County Attorney
- F. The Tucson Girls Chorus Association, Inc., to provide a lease for the building formerly known as "The Berger House," located at 4020 E. River Road, contract amount \$12,000.00 revenue (04-05-T-134993-0804) Natural Resources, Parks and Recreation
- F-1. Sonoran Arthropod Studies, Inc., to provide a lease for real property located in the Tucson Mountain Park for entomological research, contract amount \$50.00 revenue (04-05-S-134994-0904) Natural Resources, Parks and Recreation
- F-2. Arizona Board of Regents, University of Arizona, Amendment No. 2, to provide a ground lease for the U of A Farms and amend contractual language, no cost (04-05-A-

135004-0790) Natural Resources, Parks and  
Recreation

- G. Guruprasad R. Raju, M.D., P.L.L.C., Amendment No. 2, to provide hospitalists services, reflect name change and amend contractual language, PHCS Enterprise Fund, no cost (18-15-R-131972-0303) Pima Health System
- G-1. Physiatriy Associates, Ltd., Amendment No. 2, to provide physiatriy diagnosis and treatment services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-P-132734-0703) Pima Health System
- G-2. L. Hunter Nash, D.D.S., P.C., Amendment No. 2, to provide dental services, extend contract term to 10/31/05 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-133095-1103) Pima Health System
- G-3. John Schmaling, to provide primary care services, PHCS Enterprise Fund, contract amount not to exceed \$150,000.00 (07-15-S-134969-0904) Pima Health System
- G-4. Urological Associates of Southern Arizona, P.C., to provide urology services, PHCS Enterprise Fund, contract amount not to exceed \$350,000.00 (18-15-U-134983-0904) Pima Health System
- G-5. Easter Seals Arizona, Inc., to provide group respite and recreation program services, PHCS Enterprise Fund, contract amount not to exceed \$50,000.00 (07-15-E-134987-0904) Pima Health System
- G-6. Catalina Village Assisted Living, L.P., to provide assisted living center services, PHCS Enterprise Fund, contract amount not to exceed \$5,000,000.00 (18-15-C-134989-1004) Pima Health System

G-7. El Corral Assisted Living Center, L.L.C.,  
d.b.a. The Oasis at El Corral Assisted  
Living, to provide assisted living center  
services, PHCS Enterprise Fund, contract  
amount not to exceed \$500,000.00 (18-15-E-  
134990-1004) Pima Health System

- G-8. Villa Maria Care Center, L.L.C., to provide assisted living center services, PHCS Enterprise Fund, contract amount not to exceed \$1,000,000.00 (18-15-V-134991-1004) Pima Health System
- G-9. Pima Council on Aging, to provide case management, housekeeping/chore, personal care and respite services, PHCS Enterprise Fund, \$1,371,291.00 revenue (07-15-P-134996-0704) Pima Health System
- H. Arizona Department of Public Safety, Amendment No. 2, to provide for participation in the Southwest Border Alliance and extend contract term to 9/30/05, H.I.D.T.A. XIII Grant Fund, no cost (01-11-A-132334-1002) Sheriff
- I. Lamb Technical Services, Inc., Amendment No. 2, to provide odor and hydrogen sulfide monitoring services and extend contract term to 6/30/05, WWM Enterprise Fund, no cost (16-03-L-132874-0703) Wastewater Management

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

James L. Lancaster, AmVets Post 770, 3015, 3017 and 3019 S. Kinney Road, Tucson, October 2, 2004.

PUBLIC WORKS

3. REAL PROPERTY

Rejection of Land Strips

- A. RESOLUTION NO. 2004 - 253, to authorize rejection of offered property from Fidelity National Title Agency, Inc., under Trust No. 30028 for the benefit of Justin Bunger, in Section 5, T16S, R14E, recorded in Docket 11253 at Page 475. (District 2)

B. RESOLUTION NO. 2004 - 254, to authorize rejection of offered property from First American Title Insurance Company, under Trust No. 5634 for the benefit of Marvin H. Davis, and under Trust No. 30028 for the benefit of Justin Bunger, in Section 5, T16S, R14E, recorded in Docket 11253 at Page 477. (District 2)