

**AGENDA, BOARD OF SUPERVISORS' MEETING**

**BOARD OF SUPERVISORS' HEARING ROOM**

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

**JANUARY 18, 2005 9:00 A.M.**

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

Public discussion and action may occur on the executive session item listed below during the regularly scheduled meeting.

Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding a settlement demand by the plaintiff in ATLAS Enterprises, Inc., v. Pima County, Case No. C20034521 in the Pima County Superior Court, on appeal to the Arizona Court of Appeals.

County  
Attorney to  
Defend  
Appeal  
5/0

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

... **FLOOD CONTROL DISTRICT BOARD**

A. **Big Wash Levee, Phase I, Maintenance Agreement and Drainage Easements**

- 1. Maintenance agreement with the Town of Oro Valley, setting forth the operation, maintenance and repair responsibilities for the Big Wash Levee, Phase I. (District 1)
- 2. Drainage easement from Vistoso Partners L.L.C., within Rancho Vistoso

Approved  
5/0

Approved  
5/0

NOTES/ACTION

Neighborhood 3, needed for the Big Wash  
Levee, Phase I. No cost.  
(District 1)

NOTES/ACTION

- 3. Drainage easement from Vistoso Holdings L.L.C, within Rancho Vistoso Neighborhood 5 needed for the Big Wash Levee, Phase I. No cost. (District 1) Approved 5/0
- 4. Drainage easement from Northwest Hospital L.L.C. , within Rancho Vistoso Neighborhood 3 needed for the Big Wash Levee, Phase I. No cost. (District 1) Approved 5/0

B. Agreements, Contracts and/or Amendments

- 1. RESOLUTION NO. 2005-FC 1, approving an Intergovernmental Agreement with the City of Tucson and the Tucson Unified School District, to provide construction, maintenance and operation of the Arroyo Chico-Park Avenue Flood Detention Basin Project, Flood Control Levy Fund, contract amount \$2,551,385.00; and US Army Corps of Engineer Grant Fund, \$17,100,000.00 (01-59-T-135540-0105) Approved 5/0
- 2. Castro Engineering Corporation, Amendment No. 1, to provide review assistance for floodplain use permits and land development projects and extend contract term to 12/14/05, Flood Control District Operating Fund, no cost (16-59-C-133716-1203) Approved 5/0

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

- 4. CONSENT CALENDAR: For consideration and approval Approved 5/0  
A. Call to the Public except CC 3  
B. Approval of Consent Calendar
- 5. COUNTY ADMINISTRATOR

Classification and Compensation

A. Graphic Services Department requests approval to create the following classification and

Approved  
5/0

grade. There is no budget impact to create this classification:

<u>Class Code</u>	<u>Class Title</u>	<u>Grade Code</u>	<u>EEO, O/T CODE</u>
1585	Printing and Reproduction Services Supervisor	50 (\$39,565-\$62,307)	E*

\*E = Exempt, not Paid Time

- B. Human Resources requests approval to create the following classification and grade. There is no budget impact to create this classification:

<u>Class Code</u>	<u>Class Title</u>	<u>Grade Code</u>	<u>EEO, O/T CODE</u>
0914	Trades Maintenance Foreman	46 (\$36,038-\$56,635)	NE**

\*\*NE = Not Exempt, Paid Time

Approved  
5/0

6. PROCUREMENT

**UNFINISHED BUSINESS**

(RM 12/14/04)

- A. Award of Contract - Transportation

Low Bid: Award of Contract, Requisition No. 83283 in the total amount of \$530,600.00 to the lowest responsive bidders as outlined below, for de-icing, dust control and soil stabilization chemicals. Contract is for a one-year period with the option to extend for three additional one-year periods. Funding Source: Transportation Operating Fund. Administering Department: Transportation.

Approved  
5/0

<u>Items</u>	<u>Amount</u>	<u>Bidder</u>	<u>Corporate Headquarters</u>
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NOTES/ACTION

1, 2, 3, 5	\$389,000.00	Desert Mountain Corp.	Riverton, WY
4	\$141,600.00	Earthcare Consultants	Tucson, AZ

**NEW BUSINESS**

B. Award of Contracts - Development Services

Award of six contracts, Requisition No. 73081, in the total amount of \$525,000.00, to the respondents submitting the highest scoring proposals for plan review services. The contracts will be in the amounts stated below. Contracts are for a one year period with the option to renew for two additional one year periods. Funding Source: Development Services Enterprise Fund. Administering Department: Development Services.

Approved  
5/0

<u>Vendor</u>	<u>Amount</u>	<u>Corporate Headquarters</u>
Castro Engineering, Corp.	\$ 100,000.00	Tucson, AZ
EEC, Inc.	\$ 100,000.00	Tucson, AZ
Tetra Tech, Inc.	\$ 100,000.00	Pasadena, CA
Stantec Consulting, Inc.	\$ 75,000.00	Edmonton, Alberta, Canada
Willdan, Inc.	\$ 75,000.00	Anaheim, CA
RS Engineering, Inc.	\$ 75,000.00	Tucson, AZ

**PUBLIC WORKS - DEVELOPMENT SERVICES**

7. Final Plat with Assurances

P1203-108, Rancho Del Lago, Blocks 43 and 49. (District 4)

Approved  
5/0

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

**FRANCHISES/LICENSES/PERMITS**

**EXTENSION OF PREMISES/PATIO PERMITS**

8. Kathleen O'Rielly, d.b.a. Pima County Stadium District, 2500 E. Ajo Way, Temporary Extension of Premises Permit for January 28 through February 14, 2005.

Approved  
5/0

NOTES/ACTION

9. Amy Alane Wilcox, d.b.a. Holiday Inn Palo Verde,  
4550 S. Palo Verde Road, Temporary Extension of  
Premises Permit for February 3 through February  
11, 2005.

Approved  
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

UNFINISHED BUSINESS

COMPREHENSIVE PLAN AMENDMENT

(RM 10/19/04 and RM 12/14/04)

10. Co7-04-07, MENDEZ - S. VAHALLA ROAD PLAN AMENDMENT

Request of Ernest and Amanda Mendez, represented by John Bravo, to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Medium Intensity Rural (MIR). The subject property is approximately 4.34 acres and is located on the southeast corner of W. Zorro Road and S. Vahalla Road in Section 21, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Cuyugan, Membrila and Smith voted NAY; Commissioner Spendiarian was absent) to recommend **DENIAL**. Staff recommends **APPROVAL, SUBJECT TO THE SPECIAL AREA POLICY**. (District 3)

Denied  
5/0

NEW BUSINESS

APPEAL OF HEARING OFFICER DECISIONS

11. P04ZV00166-2, 3, 4, CLEMENTE AND JO RIVERA

In accordance with the Pima County Zoning Code Section 18.95.030.D, Clemente and Jo Rivera hereby appeal the decision of the Hearing Officer in Case Nos. P04ZV00166-2, 3, 4, regarding three separate violations of Section 18.01.030.E.1, structures without permits on property located at 1810 W. Birch Way. (District 1)

Uphold Hearing Officer Decision, suspend fines for 90 days  
5/0

12. P04BV00108, BUELAH VIOLA SMITH TRUST

In accordance with the Pima County Zoning Code Section 18.95.030.D, Mr. Evan L. Thompson, in his capacity as attorney for the defendant, the

Continued to  
02/01  
5/0

Buelah V. Smith Trust, c/o Mr. Don Davis, does hereby appeal the decision of the Hearing Officer in Case

No. P04BV00108, regarding a violation of Section 301, construction without a permit, Section 305.4, failure to comply with a correction notice and Section 308, connection to utilities on property located at 4570 W. Valencia Road. (District 3)

13. STREET NAME CHANGES - Unadvertised Hearings

	<u>Present</u>	<u>Proposed</u>	
A.	Unnamed easement/road Co14-02-059 (District 4)	Camino Emmanuel	Approved 5/0
B.	Unnamed easement/road Co14-04-013 (District 4)	Upper Loma Linda Place	Approved 5/0

14. CALL TO THE PUBLIC

15. 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.

NOTES/ACTION

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

DATE POSTED: 1/11/05

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, JANUARY 18, 2005

1. PROCUREMENT

AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

A. RESOLUTION NO. 2005 - 18, approving an Intergovernmental Agreement with the Town of Oro Valley, to provide exchange of proprietary water use information for calculating billings to sewer users, WWM Enterprise Fund, contract amount \$319,564.00 (01-03-O-135554-0105) Wastewater Management

\* \* \*

B. Pima County Community College District, Amendment No. 4, to provide educational programs for Community Development and extend contract term to 2/28/05, no cost (01-02-P-130550-0701) County Attorney

B-1. Oversight Council on Driving or Operating Under the Influence Abatement, to provide for overtime associated with DUI activity that occurs around holidays, Driving or Operating Under the Influence Abatement Grant Fund, contract amount \$5,000.00 Revenue (02-02-O-135539-1204) County Attorney

C. University Physicians, Inc., to provide breast cancer radiology services to eligible women, Well Woman Healthcheck Program Grant Fund, contract amount not to exceed \$110,000.00 (18-01-U-135549-1004) Health Department

D. Tucson Associates in Nephrology and Hypertension, P.C., Amendment No. 3, to provide nephrology services, extend contract term to 3/31/06 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (07-15-T-128638-0201) Pima Health System

D-1. Rural/Metro Corporation, Amendment No. 5, to provide non-emergency ambulance

transportation services, extend contract  
term to 6/30/06 and amend contractual  
language, PHCS Enterprise  
Fund, no cost (11-15-R-128663-0301) Pima  
Health System

- D-2. Tucson Heart Group, Amendment No. 4, to provide cardiology services, extend contract term to 3/31/06 and amend contractual language, PHCS Enterprise Fund, contract amount \$150,000.00 (18-15-T-128717-0301) Pima Health System
- D-3. M. David Ben-Asher, M.D., Amendment No. 5, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-S-129721-0901) Pima Health System
- D-4. Great Grins Children's Dentistry, P.C., Amendment No. 5, to provide pediatric dental services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-130057-1201) Pima Health System
- D-5. Marana Health Center, Inc., Amendment No. 6, to provide primary care physician, dental, radiology and OB/GYN services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-130059-1201) Pima Health System
- D-6. Portable X-Ray of Arizona, L.L.C., Amendment No. 4, to provide mobile radiology and electrocardiogram services and amend contractual language, PHCS Enterprise Fund, contract amount \$150,000.00 (07-15-P-130192-1001) Pima Health System
- D-7. Jolyon D. Schilling, M.D., P.C., d.b.a. Atkinson, Charles A., M.D. & Schilling, Jolyon D., M.D., Amendment No. 3, to provide general and vascular surgery services, extend contract term to 1/31/06 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-130201-0102) Pima Health System
- D-8. Retina Centers, P.C., Amendment No. 2, to provide ophthalmology services, extend contract term to 3/31/06 and amend

contractual language, PHCS Enterprise Fund,  
contract amount \$125,000.00 (18-15-R-130299-  
0202) Pima Health System

- D-9. COPE Behavioral Services, Inc., Amendment No. 4, to provide behavioral health services, extend contract term to 1/31/06 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-131632-1102) Pima Health System
- D-10 David R. Allen, M.D., Amendment No. 1, to provide pediatric primary care physician services, extend contract term to 3/31/06 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-132091-0403) Pima Health System
- D-11 Pediatric Neurology Associates, P.C., Amendment No. 2, to provide pediatric neurology services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-P-133316-1003) Pima Health System
- D-12 Marco A. Guerrero, D.D.S., P.C., Amendment No. 1, to provide dental services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-133414-1203) Pima Health System
- D-13 Scott Matthew Bolhack, M.D., P.C., Amendment No. 1, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-B-134063-1003) Pima Health System
- D-14 Raymond F. Graap, M.D., P.C., Amendment No. 1, to provide endocrinology consulting services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-134186-0504) Pima Health System
- D-15 Gastroenterology Associates, P.C., Amendment No. 1, to provide gastroenterology services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-134511-0704) Pima Health System
- D-16 Care Plus Dental, Inc., Amendment No. 1, to provide dental services and amend contractual language, PHCS Enterprise Fund,

NOTES/ACTION

no cost (18-15-C-134823-0804) Pima Health  
System

- D-17 A Place To Call Home, Inc., Amendment No. 1, to provide respite services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-134884-0904) Pima Health System
- E. The Ashton Company, Inc., Change Order No. 6, to provide for the La Cholla Boulevard: River Road to Omar Drive Project and amend scope of work, 1997 HURF Fund, contract amount \$127,597.11 (03-04-A-133528-1103) Transportation
- F. Camp Dresser & McKee, Inc., Amendment No. 4, to provide scientific research services for the Arid West Water Quality Research Project, extend contract term to 3/30/06 and amend scope of work, EPA Grant Fund, contract amount \$150,000.00 (07-03-C-128618-1200) Wastewater Management
- F-1. HB Land Development Company, to provide for connection fees through a Sewer Credit Agreement for Continental Reserve, Phase 1, Blocks 1-14, no cost (14-03-H-135552-0105) Wastewater Management
- F-2. HB Land Development Company, to provide for connection fees through a Sewer Credit Agreement for Continental Reserve, Phase 2, Blocks 15-20, no cost (14-03-H-135553-0105) Wastewater Management
2. RATIFICATION OF CHANGE ORDERS EXECUTED PURSUANT TO THE PIMA COUNTY PROCUREMENT CODE
- A. Sundance Design and Construction, Inc., Change Order No. 4, to provide for the Legal Services Building 16th Floor Tenant Improvement/ Emergency Generator Project and amend scope of work, Capital Improvement

Bond Fund, contract amount \$326.00 (03-13-S-134141-0404) Facilities Management

- A-1. Corona Sierra, Inc., Change Order No. 1, to provide for the Kirk Bear Canyon Library Addition and Renovation Project and amend scope of work, Capital Improvement Bond Fund, contract amount \$3,699.00 (03-C-134882-0704) Facilities Management

3. PROCUREMENTRequisition No. 83708

Low Bid: Award of Contract, Requisition No. 83708, in the total amount of \$255,500.00 to the lowest responsive bidder, Sara Lee Bakery Group (Corporate Headquarters: Phoenix, AZ) for Bread and Bakery Products for various departments. The solicitation allows for additional departments to be added to the award. Contract is for a one year period with the option to extend for four additional one year periods. Funding source: General and PHCS Enterprise Funds. Administering Departments: Sheriff, Posada del Sol and Juvenile Court.

Denied  
2/3

4. TREASURER'S OFFICE - Certificates of Clearance pursuant to A.R.S. §42-19118.

<u>NAME OF OWNER</u>	<u>REFERENCE NO.</u>	<u>TAX YEAR</u>
Advanced Technologies Cellular Communications	01042031440	2001
All Tune & Lube	03012119776	2003
Amigos Market	00082003356	2000
Amigos Market	01042096425	2001
Anderson's Riding Academy	02034075937	2002
Associated Service Company	03012078161	2003
Backstage	02032104076	2002
Barajas, Javier and Rosemary P.	01042104905	2001
Beautiful Floors & Décor	02032112150	2002
Beautiful Floors & Décor	03012112150	2003
Bernstein, Ronald A.	03012037665	2003
Bikers Dream	03012090736	2003
Contractors Equipment Repair	01042090239	2001
Cory's on Tanque Verde	02032078599	2002
Crown Pool Service	03012104022	2003
Cyberworld U.S.A.	01042085326	2001
Damon's	02032082996	2002
Dawg Daze, Inc.	03012077805	2003
Desert Rose Foods, Inc.	03012067761	2003
DRM Enterprises, Inc.	99052000756	1999
DRM Enterprises, Inc.	00082001124	2000
DRM Enterprises, Inc.	01042039225	2001
Eagle Eye Promotions	01042104389	2001

NOTES/ACTION

Express Tech	03012097567	2003
Factory to You Furniture Warehouse	02032111897	2002
Fairfax Clean Air Research	03012083977	2003
Fifth Third Bank Southwest	01042087513	2001
Fine Gift Shop, A	02032113167	2002
Flores Land Development	99092001553	1999
Flores Land Development	00082003111	2000
Flores Land Development	01042090969	2001
Flower Square Health Care Center	01042002219	2001

## NOTES/ACTION

Four Palms Apartments	03012102310	2003
Frank's Union Service	03012003171	2003
Frequency Hip Hop Shop	03012119531	2003
F X for Hair	97072001480	1997
F X for Hair	03012058818	2003
Golden Palace	03012084890	2003
Grunstein, Robert M.	03012122027	2003
G T N Mobile Auto	02032113492	2002
Hamilton Aviation	00072000169	2000
Hamilton Aviation	01042008861	2001
Hamilton Aviation	02032008861	2002
Hiline Designs, Ltd.	02032036129	2002
Insty Prints No. 17	02032090102	2002
J Shields & Company	03012119541	2003
Jackrabbit Towing and Salvage	03012028485	2003
Jacobs Engineering Group	02032104881	2002
Keystone International	02032112993	2002
Kolb Road Chevron	03012003504	2003
La Paloma Discount Caskets	03012120183	2003
Learning Express	01042096623	2001
Lee Myles Transmission	02032068142	2002
Little White School House	01042081320	2001
Little White School House	02032081320	2002
Living Room	03012119548	2003
Major Leaguer Auto, Inc.	03012113874	2003
Martinez Auto Repair	96102002793	1996
Martinez Auto Repair	03012069118	2003
Master's Styling Salon	03012119474	2003
McLellan Store	02032002937	2002
McLellan Store	02032111491	2002
Medical Solutions	03012082997	2003
Micro Age Computer	01042077813	2001
Mom's Laundromat	01042084862	2001
Mountain View Automotive Repair	02032113498	2002
New West	01042071776	2001
Next Care - Urgent Care	02032096675	2002
Next Care - Urgent Care	02032096676	2002
Next Care - Urgent Care	03012096675	2003
Next Care - Urgent Care	03012096676	2003
Ocotillo Southwest Flavors	03012075973	2003
O'Doughnuts	01042097481	2001
Pak-Mail No. 29	02032115484	2002
Phi Kappa Psi	99092000761	1999
Phi Kappa Psi	00082001833	2000
Phi Kappa Psi	01042068086	2001
Pueblo Center Partners, Ltd. Partnership	03012116761	2003
R & S Computer Systems	02032112330	2002
Ridgepointe Apartments	02032030473	2002
Ridgeway, C.L.	01042067943	2001
Round Table Pizza	02032076145	2002

NOTES/ACTION

S & D United Trucking Co., Inc.	03012120401	2003
Sassy Flowers & Gifts	03012097527	2003
Sonora Fashions	02032112770	2002
S O S Auto Sales & Salvage	03012120233	2003
Sugar's Kitchen	03012011069	2003
Sun Pacific International	00082003886	2000
Sun Pacific International	01042097521	2001
Taquito Mio	03012104138	2003
Tecate Grill	02032111859	2002
Things for Thinkers	03012010295	2003
Three Sea Flavorants, Inc.	01042098360	2001
Three Sea Flavorants, Inc.	02032098360	2002
Thrifty Car Rental	01042076082	2001

Tile Man of Green Valley	02032112573	2002
T-N-T Towing	03012074935	2003
Tucson Custom Sheet Metal, Inc.	01042003574	2001
Upholstery Specialists	03012078044	2003
US Mattress Manufacturing	03012006072	2003
US Vibra, Inc.	01042006544	2001
Valley Furniture Rental	01042104363	2001
Vision Autoglass	02032111954	2002
Westenburg, Chuck Inc., Concrete Contractor	03012008606	2003
Wilson, Debra Ann and Lockett, Nancy Sue	99092000675	1999
Wilson, Debra Ann and Lockett, Nancy Sue	02032063606	2002
Wilson, Debra Ann and Lockett, Nancy Sue	03012063606	2003

### PUBLIC WORKS

#### WASTEWATER MANAGEMENT DEPARTMENT

#### 5. BILLS OF SALE

- A. G-2002-181, The Gallery Resort Parcel, Lots 1-15. Owner: Art Powell, Vice-President, Tortolita Properties.
- B. G-2001-091, Dove Mountain Boulevard, Phase 4. Owner: Cottonwood Properties.
- C. G-2001-084, Quail Creek, Unit 9, Lots 1-97. Owner: Kenneth Marks, Vice President of Land Development, Robson Ranch Quail Creek, L.L.C.
- D. G-2003-092, Valencia Reserve, Phase 1, Lots 1-132, 170-229 and 282-326. Owner: StoneBridge Capital Properties, L.L.C.
- E. G-2003-140, Bantam Estates, Lots 1-30. Owner: David W. Varela as Owner and Manager of MPKS Associates, L.L.C.

F. G-2003-109, Mesquite Cove Off-Site Public Sewer for existing On-Site, Private Sewer Lots 1-73. Owner: Houghton-Irvington Ltd., Partnership.

6. CORRECTION FOR THE RECORD

Correction of Scrivener Error from the Board of Supervisors Meeting of December 14, 2004:

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 of ~~\$85,281.35~~ **\$859,281.35** be transferred to the Local Courts Assistance Fund for supplemental aid to the Superior Court and Justice Courts for processing of criminal cases.

7. RATIFY AND/OR APPROVE

Minutes: December 15, 2004