

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

SEPTEMBER 20, 2005 9:00 A.M.

1. **ROLL CALL**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

... **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 approval of a bankruptcy settlement recommendation on Saga Gameworks (debtor), No. LA-0415404BB.

Accept County Attorney's recommendation
4/0

B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a centrally assessed property tax appeal settlement proposal for ADOR, et. al. v. Nextel West, Corp., Case Nos. TX 2003-000017, TX 2003-000678 and TX2004-000999.

Accept County Attorney's recommendation
4/0

(**CLERK'S NOTE**: See Flood Control District Board.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

A. **EXECUTIVE SESSION**

Pursuant to A.R.S. §38-431.03(A)(3)(4) and (7), for legal advice and direction regarding

Accept County Attorney's recommendation
4/0

whether to appeal the decision in Superior Court Case No. C20041083, Pima County v. Kaur.

B. CONTRACTS

1. RESOLUTION NO. 2005 - FC 16 , approving an Intergovernmental Agreement with the Town of Oro Valley, to provide for the Oro Valley Urban Drainage Infrastructure Improvement Program, Flood Control District Tax Levy Fund, contract amount \$992,000.00 (01-59-O-137007-0905)

Approved as amended
4/0

2. Jackrabbit Estates, L.L.C., to provide an acquisition agreement for 6.00 acres of property located at 2731 N. Jackrabbit Avenue, Tax Parcel No. 107-03-1630, Floodprone Land Acquisition Fund, contract amount not to exceed \$204,259.00 including closing costs (22-64-J-137010-0905) Real Property

Approved
4/0

C. ABANDONMENT AND QUIT CLAIM DEED

1. RESOLUTION NO. 2005 - FC 17 , providing for the vacation by exchange of a drainageway situated between Lots 11 and 12 of Lariat Estates, as Pima County Abandonment No. A-04-13 lying within Section 4, T11S, R14E, G&SRM, Pima County, Arizona. (District 1)

Approved
4/0

2. Quit Claim Deed to Sean E. Pearson and Buffie M. Pearson, for the vacation and exchange of Pima County drainageway lying within Section 4, T11S, R14E, G&SRM, Pima County, Arizona. (District 1)

Approved
4/0

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
4/0 except
CC 1H14

5. **COUNTY ADMINISTRATOR**

RESOLUTION NO. 2005 - 243 , of the Pima County Board of Supervisors, declaring an emergency order to extend military leave to and create benefits options for employees who are Reservists and/or who are called to active duty in support of Operation Enduring Freedom.

Approved
4/0

*** * * HEARINGS * * ***

FRANCHISES/LICENSES/PERMITS

EXTENSION OF PREMISES/PATIO PERMIT

- 6. Jim C. Counts, Nimbus Brewing Co., L.L.C., 3850 E. 44th Street. No. 138, Temporary Extension of Premises/Patio Permit for October 1 and 19, 2005.

Approved
4/0

LIQUOR LICENSE

- 7. 05-27-8809, Daniel James Johnson, C-Note Lounge, 1302 W. Roger Road, Series 6, Bar License, Person Transfer.

Approved
4/0

PUBLIC WORKS

DEVELOPMENT SERVICES

APPEAL OF HEARING ADMINISTRATOR'S DECISION

- 8. P21-05-015, HVI, L.L.C. - N. SABINO CANYON ROAD

In accordance with Pima County Zoning Code Section 18.97.030F(6), affected property owners appeal the Hearing Administrator's decision to approve the

Uphold Hearing
Administrator's
decision as
amended
4/0

application of HVI, L.L.C., for a conditional use permit for a multi-story self-storage facility on property located at 4825 N. Sabino Canyon Road, in the CB-2 zone. Pima County Zoning Code Chapter 18.97, in accordance with Section 18.45.030(F)2, allows a multi-story self-storage facility as a Type 1 Conditional Use in the CB-2 zone. (District 1)

ZONING CODE TEXT AMENDMENT

9. Co8-05-05, AMENDMENTS TO ADULT ACTIVITIES FACILITY

An ordinance of the Pima County Board of Supervisors; relating to zoning; amending the Pima County Zoning Code, Title 18 by amending the definition for adult activities facility in Chapter 18.03 (General Definitions) and amending the standards for adult activities facility in Chapter 18.07.030I (Adult Activities Facility Standards). On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrila was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

Approved
4/0

If approved, pass and adopt:

ORDINANCE NO. 2005 - 87

PLAT NOTE WAIVER

10. PPW05-05, MAGEE COMO DEVELOPMENT ASSOCIATION, L.L.C.

Request of Magee Como Development Association, L.L.C., represented by Craig R. Courtney, to waive the requirements of a subdivision plat in accordance with Section 18.69.080 of the Pima County Zoning Code which allows a waiver of any or all code standards for a subdivision which is not subject to or which has received an order of exemption from the public report requirements administered by the Arizona Department of Real Estate. The subject property, Lot 1 of Magee Center Plat (BK. 56, PG. 94), is a portion of rezoning Co9-69-27 from CR-1 (Single Residence

Approved
4/0

Zone) to TR (Transitional Zone) approved in 1969. A Development Plan was approved on December 18, 2003. The subject site consists of an office building to be converted to condominiums. It is located on the northeast corner of the intersection of Magee Road and Como Drive. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

11. STREET NAME CHANGES - Unadvertised Hearings

	<u>Present</u>	<u>Proposed</u>	
A.	Oldfather Road Co14-05-023 (District 1)	Oldfather Drive	Approved 4/0
B.	Vail Road Co14-05-024 (District 4)	Colossal Cave Road	Approved 4/0

12. CALL TO THE PUBLIC

13. ADJOURNMENT

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

DATE POSTED: 9/14/05

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, SEPTEMBER 20, 2005

1. CONTRACTS AND AWARDSA. COMMUNITY SERVICES EMPLOYMENT AND TRAINING

1. Travelers Aid Society of Tucson, Amendment No. 4, to provide emergency financial assistance to eligible low-income households and amend contractual language, FEMA Grant Fund, contract amount \$88,750.00(07-39-T-133576-1003)

B. COUNTY ATTORNEY

2. Arizona Criminal Justice Commission, to provide for Project Safe Neighborhoods, Juvenile Education and Prevention Grant Fund, contract amount \$25,000.00 revenue (02-02-A-137006-0705)

C. FINANCE

3. RBC Dain Rauscher, Amendment No. 4, to provide financial advisor services, General Obligation and HURF Bond Funds, contract amount \$100,000.00 (07-09-D-124153-0198)

D. HEALTH DEPARTMENT

4. Town of Sahuarita, Amendment No. 2, to provide animal control services and amend contractual language, no cost (01-01-S-130644-0502)

E. INFORMATION TECHNOLOGY

5. Accram, Inc., Amendment No. 5, to provide as-needed personal computer consulting services, General Fund, contract amount \$70,000.00 (07-14-A-133482-1103)

F. **PIMA HEALTH SYSTEM**

6. Arizona Health Care Cost Containment System, Amendment No. 13, to provide long term care services and extend contract term to 9/30/06, PHCS Enterprise Fund, revenue based on services (18-15-A-129516-1001)
7. Arizona Health Care Cost Containment System, Amendment No. 8, to provide acute care medical services and amend contractual language, PHCS Enterprise Fund, revenue based on services (02-15-A-133235-1003)
8. Catalina Village Assisted Living, L.P., Amendment No. 1, to provide assisted living center services, extend contract term to 9/30/06 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-134989-1004)
9. Saguario Surgical, P.C., to provide surgery services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00 (18-15-S-137002-1005)

G. **PROCUREMENT**

10. Corona Sierra, Inc., Amendment No. 3, to provide for construction of the Midtown Library and Learning Center Project and extend contract term to 2/28/06, no cost (03-13-C-135402-1104) Facilities Management
11. Dependable Medical Equipment, Inc., Amendment No. 3, to provide non-customized durable medical equipment/supplies, extend contract term to 9/30/06 and amend contractual language, PHCS Enterprise Fund, no cost (11-15-D-133601-1003) Pima Health System

12. Trax International, Inc., d.b.a. Trax Transportation, Amendment No. 1, to provide rural public transportation services and extend contract term to 10/31/06, Transportation Special Revenue Fund, contract amount \$270,000.00 (11-04-T-135290-1104) Transportation
13. Dar-Hil Corporation, Amendment No. 3, to provide miscellaneous sanitary sewage conveyance system repair services, extend contract term to 9/19/06 and amend contractual language, Wastewater Management Enterprise Fund, contract amount \$1,250,000.00 (03-03-D-133246-0903) Wastewater Management

H. **WASTEWATER MANAGEMENT**

14. RESOLUTION NO. 2005 - **240**, approving and authorizing a sewer facilities development agreement with Sonoran Ranch Estates II, L.L.C., Pomegranate Farms I, L.L.C., KB Home Tucson, Inc., Diablo Village Estates, L.L.C., Title Security Agency of Arizona Trust Number 813, and Title Security Agency of Arizona Trust Number 913, to provide for sewer treatment system at Sonoran Ranch Estates II, Pomegranate Farms, Desert Meadows West, Diablo Village Estates, Diablo Village Townhouses, Winchester Ranch and Tucson Mountain Ranch, Sewer Connection Fee Credits, in the estimated amount of \$1,440,000.00 (14-03-S-137012-0905)

Continued
to 10/04
4/0

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

- A. Elizabeth Bollinger, Boys and Girls Clubs of Tucson, 3800 E. Sunrise Drive, Tucson, November 26, 2005.

- B. Robert J. Urbsis, Knights of Columbus, Corpus Christi Parish, 300 N. Tanque Verde Loop, Tucson, September 30, 2005.
- C. Ron J. Gill, Knights of Columbus, Corpus Christi Parish, 300 N. Tanque Verde Loop, Tucson, October 8, 2005.
- D. Nancy L. Down, Assistance League of Tucson, El Presidio Gallery, 3001 E. Skyline Drive, Tucson, September 22, 2005.

PUBLIC WORKS

3. **REAL PROPERTY**

A. Arizona State Land Department Auction

Staff requests approval to purchase, in an amount not to exceed \$50,000.00, a 15 foot wide perpetual right-of-way from the Arizona State Land Department at an auction to be conducted in December 2005, needed for the Wild Burro Wash Trail. (District 1)

B. Quit Claim Deed

Quit Claim Deed to Quinn C. Trubee, Brandon H. Trubee and Tanya R. Trubee, to amend the deed approved under Resolution No. 2005-209, Pima County Abandonment No. A-00-08, by correcting marital status designation. (District 5)

C. Abandonments and Quit Claim Deeds

- 1. RESOLUTION NO. 2005 - **241**, of the Pima County Board of Supervisors, providing for vacation of a portion of Verde Vista Road, Pima County Road Abandonment No. A-03-10, within Section 36, T12S, R13E. (District 1)

2. Quit Claim Deed to Patrick C. Hurd and Alison Ploesser-Hurd, for a portion of Verde Vista Road. General Fund, \$374.05 revenue. (District 1)
3. Quit Claim Deed to Hugh H. Baxter, for a portion of Verde Vista Road. General Fund, \$1,192.98 revenue. (District 1)
4. Quit Claim Deed to James L. Rose, for a portion of Verde Vista Road. General Fund, \$1,432.97 revenue. (District 1)
5. RESOLUTION NO. 2005 - 242, of the Pima County Board of Supervisors providing for the vacation of public right-of-way and access control easement of the Roberts RV Ranch, Pima County Road Abandonment No. A-05-06, within Section 1, T14S, R5W. (District 3)
6. Quit Claim Deed to the Tohono O'Odham Nation, for vacation of public right-of-way and access control easement of the Roberts RV Ranch, General Fund, \$4,500.00 revenue. (District 3)

4. RATIFY AND/OR APPROVE

Minutes: August 2, 2005