AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

FEBRUARY 7, 2006   9:00 A.M.

1. **ROLL CALL**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **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 to seek approval of the Attorney General to defend the County in the Centrally Assessed Property Tax Appeal Case; Qwest Corp. v. ADOR/PC, Case No. TX2006-050003, and to seek permission to approve the Attorney General’s representation in any of these centrally assessed cases in the future.

(CLERK'S NOTE: See Zoning Enforcement Board of Appeals.)

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

... **FLOOD CONTROL DISTRICT BOARD**

A. **WARRANTY DEED**

Special Warranty Deed from Pima County to Pima County Flood Control District for Block 31 of Canoa Ranch. (Districts 3 and 4)

Accept County Attorney’s recommendation 5/0

Approved 5/0
B. **CONTRACTS**

1. **RESOLUTION NO. 2006-FC 2**, approving an Intergovernmental Agreement with the City of South Tucson, to provide drainage maintenance for Fiscal Years 2005/2006 and 2006/2007, Flood Control District Tax Levy Fund, contract amount $360,000.00 (01-59-S-137588-0206)

2. Fidelity National Title Agency, Inc., as Trustee under Trust No. 30,037, to provide an acquisition agreement for acquiring right-of-way along the Santa Cruz River and future environmental restoration as part of Tres Rios del Norte, 2004 Bond Fund, contract amount $708,470.41 including closing costs (22-64-F-137606-0206)

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**IMPROVEMENT DISTRICT BOARD**

Camino Ojo de Agua Improvement District

Pursuant to A.R.S. §48-922(B), sealed bids for Solicitation No. 88431, Camino Ojo de Agua Improvement District, will be opened, examined, and publicly declared by the Board of Directors.

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**ZONING ENFORCEMENT BOARD OF APPEALS**

*(CLERK’S NOTE: The applicant has requested a 90 day continuance to May 16, 2006.)*

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**UNFINISHED BUSINESS**

(RM 11/1/05)

*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. P04ZV00265-1, 2, 3, Doris Ellen Woods. The Board may also during the course
of the hearing and upon motion, enter into executive session.

**APPEAL OF HEARING OFFICER DECISION**

*B.* P04ZV00265-1, 2, 3, DORIS ELLEN WOODS

In accordance with Pima County Zoning Code Section 18.95.030.D, Doris Ellen Woods appeals the decision of the Hearing Officer in Case Nos. P04ZV00265-1, 2 and 3. Citation No. 1 for a violation of Pima County Zoning Code Section 18.14.020.A.7, excessive number of livestock (20+) in the GR-1 zone, on December 21, 2004. Citation No. 2 for a violation of Pima County Zoning Code Section 18.14.020.A.7, excessive number of livestock (20+) in the GR-1 zone, on March 15, 2005. Citation No. 3 for a violation of Pima County Zoning Code Section 18.01.030.E, corrals and goat pens without a permit, on property located at 15480 N. Lago del Oro Parkway. (District 1)

**NEW BUSINESS**

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

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

   A. Call to the Public

   B. Approval of Consent Calendar

6. **COUNTY ADMINISTRATOR**

   A. United States Forest Service and University of Arizona Cost Sharing Program for Forest Health Early Detection - Rapid Response Noxious Weed Eradication

   Staff requests direction to continue to work closely with the United States Forest Service, the United States Geological Survey, and the University of Arizona, School of Natural Resources, by developing a formal cost sharing arrangement through appropriate
intergovernmental agreement or grant application.

B. Cooperative Water Supply Organization

1. Presentation by the Southern Arizona Water Users Association (SAWUA) regarding a cooperative regional water supply organization.

2. Staff recommends the following:
   
   A. Support of SAWUA’s proposal, including agreement with the basic concepts;
   
   B. Direction to staff to move forward with the process including working with SAWUA to present the proposal to business and community interest groups to collect their input; and,
   
   C. Direction to staff to prepare a report to the Board and SAWUA governing bodies summarizing input received and recommendations on how to proceed.

7. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

A. RESOLUTION NO. 2006 - 28, authorizing the Board of Supervisors of Pima County, Arizona, to sign a Subordination Agreement for the Curley School Housing Partners – Curley School Project Phase 1 needed for the Arizona Department of Housing, State Housing Fund Loan. (District 3)

   Approved 5/0

B. RESOLUTION NO. 2006 - 29, authorizing the Board of Supervisors of Pima County, Arizona, to sign a Subordination Agreement for Curley School Housing Partners – Curley School Project Phase 1 needed for Rural Community Assistance Corporation Construction Loan.

   Approved 5/0
8. **FIRE DISTRICT – NORTHWEST FIRE DISTRICT**

Pursuant to A.R.S. §48-262.A.11, validation of the petitions presented from the Northwest Fire District for the proposed Rancho Marana Annexation. (District 3)

**PUBLIC WORKS**

**DEVELOPMENT SERVICES**

9. **FINAL PLAT WITH ASSURANCES**

P1204-066, Co9-62-97, Tanque Verde Terrace, Lots 1-14 and Common Areas A, B and C. (District 4)

**WASTEWATER MANAGEMENT**

10. **PUBLIC ANNOUNCEMENTS**

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following cases will be made available for public review or copies may be obtained for $.35 per page at the Public Works Building, Pima County Wastewater Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 5025 W. Ina Road, Tucson, Arizona, 85743. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreements:


11. PRETREATMENT SETTLEMENT AGREEMENT

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, Wastewater Management Enterprise Fund:


* * * HEARINGS * * *

12. BOARD OF SUPERVISORS

PROPOSED ELEPHANT HEAD FIRE DISTRICT IMPACT STATEMENT


* * *
B. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the District Impact Statement and authorize the persons proposing the district to circulate petitions.

**FRANCHISES/LICENSES/PERMITS**

**LIQUOR LICENSE**

13. 05-41-8823, Kathryn Ann Clark, El Patron Mexican Cuisine and Tequilas, 5605 E. River Road, Suite 201, Tucson, Series 12, New License, Restaurant License.

**EXTENSION OF PREMISES/PATIO PERMITS**


15. Albert S. Hall, Acacia Restaurant of Tucson L.L.C., d.b.a. Acacia at St. Philips, 4340 N. Campbell Avenue, No. 103, Tucson, Temporary Extension of Premises/Patio Permit for April 2, 9, 16, 23, 30; May 7 and 14, 2006.

**PUBLIC WORKS**

**DEVELOPMENT SERVICES**

16. **REZONING ORDINANCE – Unadvertised Hearing**

ORDINANCE NO. 2006 - 7, Co9-05-04, Sundance Drive Rezoning (Agua Caliente-Sabino Creek Zoning Plan Plat). Owner: Stewart Title and Trust, TR No. 3622. (District 4)

**REAL PROPERTY**
17. ESTABLISHMENT OF THE EL CAMINO DEL CERRO IMPROVEMENT DISTRICT

   A. Pursuant to A.R.S. §48-905 and §48-906, public hearing on the establishment of the El Camino del Cerro Improvement District.

   B. Upon finding that the petitions have met the statutory requirements for establishment of the district, pass and adopt:

      RESOLUTION NO. 2005 - 266
      RESOLUTION NO. 2006 - 30

18. ABANDONMENT AND QUIT CLAIM DEED

   A. RESOLUTION NO. 2006 - 13, of the Board of Supervisors, providing for the vacation of a public roadway easement as Pima County Road Abandonment No. A-04-04, within Section 6, T15S, R13E, G&SRM, Pima County, Arizona. (District 5)

   B. Quit Claim Deed to James Fowler and Rebecca Fowler, all rights, title and interest for vacation and sale of public right-of-way, no cost. (District 5)

19. CALL TO THE PUBLIC

20. ADJOURNMENT

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

DATE POSTED: 2/1/06
TIME POSTED: 5:00 P.M.
CONSENT CALENDAR, FEBRUARY 7, 2006

1. CONTRACTS AND AWARDS

   A. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

   1. RESOLUTION NO. 2006-14, approving an Intergovernmental Agreement with Drexel Heights Fire District, to provide for the Family Safety Program in the Valencia West Target Area, CDBG Grant Fund, contract amount $15,000.00 (01-70-D-137569-0206)

   2. RESOLUTION NO. 2006-15, approving an Intergovernmental Agreement with Drexel Heights Fire District, to provide for the installation of five (5) fire hydrants in the Valencia West Target Area, CDBG Grant Fund, contract amount $30,000.00 (01-70-D-137570-0206)

   3. RESOLUTION NO. 2006-16, approving an Intergovernmental Agreement with Flowing Wells Unified School District, to provide for a program coordinator for the Flowing Wells Neighborhood Coalition, CDBG Grant Fund, contract amount not to exceed $10,000.00 (01-70-F-137594-0206)

   4. RESOLUTION NO. 2006-17, approving an Intergovernmental Agreement with the Town of Marana, to provide for the management and implementation of the Community Development Block Grant Program, CDBG Grant Fund, contract amount not to exceed $145,000.00 (01-70-M-137595-0206)

   5. Sylvester Drive, L.L.C., to provide for the development of off-site improvements and infrastructure at Sylvester Drive

CC 2-7-06 (1)
Estates, CDBG Grant Fund 2004 General Obligation Bond Fund, contract amount not to exceed $280,000.00 (11-70-S-137556-1005)

B. COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

6. Portable Practical Education Preparation, Inc., Amendment No. 1, to provide workforce development services and amend contractual language, WIA Grant Fund, contract amount $60,000.00 (07-69-P-136354-0705)

C. COUNTY ATTORNEY

7. RESOLUTION NO. 2006 - 18, approving an Intergovernmental Agreement with Yuma County, to provide Title 36 involuntary commitment hospitalization and proceedings services, revenue based on services (01-02-Y-137574-0705)

D. HEALTH DEPARTMENT

8. Arizona Department of Health Services, Amendment No. 6, to provide for participation in the Dental Sealant Program and amend contractual language, ADHS Grant Fund, contract amount $15,500.00 revenue (01-01-A-131909-1202)

E. INFORMATION TECHNOLOGY

9. RESOLUTION NO. 2006 - 19, approving an Intergovernmental Agreement with the City of Tucson, to provide interconnection of data networks, General Fund, no cost (01-14-T-137586-0206)

F. NATURAL RESOURCES, PARKS AND RECREATION

10. RESOLUTION NO. 2006 - 20, approving an Intergovernmental Agreement with the City of Tucson, to provide for the
design, construction, operation and maintenance of the Rio Vista Natural Resource Park, 2004 Bond Fund, contract amount $1,462,500.00 (01-05-T-137535-0206)

11. RESOLUTION NO. 2006 - 21, approving an Intergovernmental Agreement with the City of Tucson, to provide for the acquisition, construction, operation and maintenance of the Houghton Greenway, 2004 Bond Fund, contract amount $1,365,000.00 (01-05-T-137536-0206)

12. RESOLUTION NO. 2006 - 22, approving an Intergovernmental Agreement with the City of Tucson, to provide for the acquisition, construction, operation and maintenance of the Southeast Community Park, 2004 Bond Fund, contract amount $5,850,000.00 (01-05-T-137537-0206)

13. RESOLUTION NO. 2006 - 23, approving an Intergovernmental Agreement with the City of Tucson, to provide for the acquisition, construction, operation and maintenance of the Eastside Sports Complex and Senior Center Site, 2004 Bond Fund, contract amount $5,850,000.00 (01-05-T-137538-0206)

14. Gale W. Bundrick, L.L.C., Amendment No. 4, to provide professional inspection services and extend contract term to 12/31/06, General Fund, contract amount $80,000.00 (07-05-B-133745-0104)

G. PIMA HEALTH SYSTEM


17. Maxim Healthcare Services, Inc., Amendment No. 3, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount $120,000.00 (11-15-M-134428-0704)

18. University Medical Center Corporation, Amendment No. 2, to provide hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-U-135865-0405)

19. Pima Council on Aging, Amendment No. 1, to provide case management, housekeeping/chore, personal care and respite services, PHCS Enterprise Fund, contract amount $262,231.00 revenue (07-15-P-136303-0705)

20. Park Waverly Healthcare, L.L.C., d.b.a. Waverly Park Health Care Center, Amendment No. 1, to provide long term care service including skilled nursing facility and amend contractual language, PHCS Enterprise Fund, no cost (18-15-P-137077-1005)

21. Mariposa Community Health Center, Inc., Amendment No. 1, to provide primary care physician, dental, radiology, OB/GYN, transportation and pharmacy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-M-137143-1005)

H. PROCUREMENT
22. Okland Construction Co., Inc., Change Order No. 24, to provide for the Pima County Jail Expansion Project and amend scope of work, 1997 Bond Fund, contract amount $164,191.00 (03-13-O-130733-0402) Facilities Management

23. Terminix, Amendment No. 4, to provide pest control services and extend contract term to 5/6/07, General Fund, contract amount $53,000.00 (11-13-T-130786-0502) Facilities Management

24. Corona Sierra, Inc., Amendment No. 4, to provide for the Forensic Science Center Addition Project and extend contract term to 1/31/06, Capital Improvement Fund, contract amount $22,285.00 (03-13-C-133863-1203) Facilities Management

25. Lloyd Construction Company, Inc., Amendment No. 4, to provide construction manager-at-risk services for the Brandi Fenton Memorial Park and Binghampton Historic Building Renovation Projects, 2004 and 1997 Bond, AZ Heritage Grant and Private Funds, contract amount $150,000.00 (03-05-L-135775-0105) Natural Resources, Parks and Recreation

26. Structural Concepts, Inc., Amendment No. 2, to provide design engineering services for the Alvernon Way Bridge at the Rillito River, extend contract term to 5/31/07 and amend scope of work, 1997 HURF Bond Fund, contract amount $27,400.00 (07-04-S-133260-0503) Transportation

27. KE&G Development, L.L.C., Amendment No. 3, to provide a job order contract for road, traffic signal intersection and drainage improvements, extend contract term to 5/10/07 and amend contractual language, 1997 Capital Improvement Bond Fund, contract amount
$2,500,000.00 (26-04-K-134409-0504)
Transportation

28. Tetra Tech EC, Inc., Amendment No. 10, to provide for the Ina Road Water Pollution Control Facility Process Change and Expansion Project, reflect contractor contact information change and extend contract term to 6/30/06, 1997 Sewer System Revenue Bond Fund, no cost (03-03-D-127223-0100) Wastewater Management

AWARDS

29. Qualified Applicants: Award of Contract, Requisition No. 87049, in the amount of $245,000.00 to the seven (7) responsive and responsible applicants for Juvenile Attorney Panel. The award will be allocated to seven (7) contracts in the amount of $35,000.00 each with four annual renewal options to those attorneys listed below. (Headquarters: Tucson, AZ). Funding Source: General Fund. Administering Department: Office of Court Appointed Counsel.

RECOMMENDED: AWARD

Janet Altschuler $35,000.00
Gene Chang $35,000.00
Domingo DeGrazia $35,000.00
Niki DiCampli $35,000.00
Susan Kettlewell $35,000.00
Cynthia Sweet $35,000.00
Gilda Terrazas $35,000.00

30. Low Bid: Award of Contract, Requisition No. 0600193, to the lowest responsive bidder, Ardavin Builders, Inc. (Headquarters: Tempe, AZ) in the amount of $1,314,854.00, for the Picture Rocks Pool. Contract is for a one year period with the option to extend for purposes of project completion. Funding Source: 2004 Bond Fund. Administering
Department: Natural Resources, Parks and Recreation.

I. SHERIFF

31. RESOLUTION NO. 2006 - 24, approving an Intergovernmental Agreement with the City of Tucson, to provide for the design of the Pima County Wireless Integrated Network, 2004 Bond Fund, contract amount $500,000.00 revenue (01-11-T-137602-0206)

32. RESOLUTION NO. 2006 - 25, approving an Intergovernmental Agreement with the Coolidge Police Department, to provide for participation in the Southwest Border Alliance, H.I.D.T.A. XV Grant Fund, contract amount $11,509.00 (01-11-C-137604-1004)

33. Bureau of Land Management, Amendment No. 2, to provide law enforcement personnel, special patrols and emergency radio communication services and extend contract term to 9/30/06, Federal Grant Fund, contract amount $10,000.00 revenue (01-11-B-134223-1003)

34. Arizona Criminal Justice Commission, Amendment No. 1, to provide for the purchase of equipment for the prevention and abatement of DUI occurrences and extend contract term to 2/28/06, ACJC Grant Fund, no cost (01-11-A-135489-1204)

2. PROCUREMENT

Quarterly Contracts Report - 4th Quarter, 2005

Pursuant to Pima County Code Section 11.08.010,
staff submits the quarterly report on contracts awarded from October 1, 2005 through December 31, 2005.

3. **DIVISION OF ELECTIONS**

A. Pursuant to A.R.S. §16-411, staff recommends approval of the polling place changes for the 2006 election cycle.

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

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

A. **Board of Adjustment, District No. 5**

Reappointments of Susan Adler and Rebecca
McLean. Term expirations: 8/31/09. (District 5)

B. **Fair Racing Commission**

Reappointment of Geronimo Ramirez, Jr. Term expiration: 1/21/08. (District 5)

C. **Metropolitan Education Commission**

1. Appointment of Richard Elías, Board of Supervisors Representative, to replace Sharon Bronson. Term expiration: 12/31/08.

2. RESOLUTION NO. 2006 - 26, of the Board of Supervisors changing the name of an entity having the authority to appoint two members to the Metropolitan Education Commission and amending Resolution No. 1990-178.

A. Appointment of Nancy Smith, Commerce, Business or Industry Representative (Tucson Regional Economic Opportunities, Inc.) to fill unexpired term of Laura Tafoya. Term expiration: 12/31/06.

B. Reappointment of Robert P. Breault, Commerce, Business or Industry Representative (Tucson Regional Economic Opportunities, Inc.). Term expiration: 12/31/08.

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

6. **REAL PROPERTY**

A. **Special Warranty Deed**

   Special Warranty Deed from **Pima County** to Pima County Flood Control District for Block 31 of Canoa Ranch. (Districts 3 and 4)

B. **Partial Release of Bill of Sale and Right-of-Way Agreement for Sewer Facilities**

   Partial release of bill of sale and right-of-way agreement for sewer facilities in Sections 34 and 35, T12S, R12E, across Lots 56 and 57 of Continental Ranch. (District 3)

C. **Quit Claim Deed**

   Quit Claim Deed to the Town of Oro Valley for the Honey Bee Park Logan's Crossing Equestrian Trail and the Linda Vista Trailhead to the Town of Oro Valley. (Districts 1 and 4)

D. **Abandonment and Quit Claim Deed**

   1. **RESOLUTION NO. 2006 - 27**, of the Pima County Board of Supervisors, providing for the vacation of Camino Dorotea, Pima County Road Abandonment No. A-05-09, within Sections 22 and 27, T15S, R16E. (District 4)

   2. Quit Claim Deed to Rincon Desert Estates Homeowners Association for Camino Dorotea, within Sections 22 and 27, T15S, R16E. No revenue. (District 4)

E. **Consent to Assignment of Non-Exclusive Franchise**
Consent to Assignment of Non-Exclusive Franchise from Arthur Worden, to Janice E. and Lawrence A. Worden for the Worden Water Company. (District 3)

7. **RATIFY AND/OR APPROVE**

   Minutes: December 13, 2005

   Zoning Enforcement Board of Appeals
   Minutes of January 17, 2006

   Warrants: January, 2006