

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

APRIL 18, 2006 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 approval of the tax appeal settlement recommendation for Broadwing Communications Services, Inc., a Delaware Corporation, Arizona Tax Court Case No. TX2003-000005.

Accept County Attorney's Office recommendation 5/0

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

CONTRACTS

A. John Terrance and Violet May Monahan, Trustees of the Monahan Family Revocable Trust, to provide an Acquisition Agreement for property located south of Magee Road, east of Trico Road at the Brawley Wash, Tax Parcel No. 208-32-027F, Floodprone Land Acquisition Fund, contract amount \$17,800.00 including closing costs (22-59-M-137834-0406)

Approved 5/0

B. Donald E. Snyder, to provide an Acquisition Agreement for property located at 4310 E. Trotter Place, Catalina, Tax Parcel No. 222-

Approved 5/0

38-0410, Floodprone Land Acquisition Fund, contract amount \$111,000.00, including closing costs (22-59-S-137858-0406)

- C. Octavio M. and Veronica A. Fuentes, to provide an Acquisition Agreement for property located at 2748 and 2756 E. Wooden Bucket Street, Tax Parcel Nos. 303-10-5840 and 303-10-5850, Floodprone Land Acquisition Fund, contract amount \$113,250.00, including closing costs (22-59-F-137859-0406)

Approved
5/0

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
5/0

- 5. **COUNTY ADMINISTRATOR**

- A. Staff requests assignment, in whole or in part, of the PacificCare Health Systems, Inc., Contract No. 11-43-P-134190-0604, for compliance with the order of the U.S. District Court, District of Columbia.

Approved
5/0

- B. **Drought Management and Water Conservation**

Staff requests direction regarding the following:

- 1. Collaborate with other jurisdictions and the Tohono O'odham Nation and the Pasqua Yaqui Tribe to formulate common approaches to drought management;
- 2. Adopt the proposed Drought Management Plan;
- 3. Direct the County Administrator to appoint a Drought Task Force and Monitoring Committee;

Approved as amended
Items B1-6
5/0

- 4. Under the County Administrator's direction, instruct the Drought Task Force to review and finalize the draft Drought Response Plan and Water Wasting Ordinance for possible adoption;
- 5. Complete public input on water conservation measures for new construction and prepare ordinances for future adoption; and,
- 6. Develop a proposal for a targeted rebate/distribution program for ultra low flow toilets, gray water systems and other water conservation technologies.

6. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the following Neighborhood Reinvestment Projects:

Approved
5/0

<u>Neighborhood</u>	<u>Project</u>	<u>Estimated Budget</u>
Alvernon Heights	Traffic Mitigation	\$ 38,000.00
Oak Flower	Street Lights	\$496,760.00
Highland Vista	Pedestrian Pathway	\$ 75,000.00

7. **INDUSTRIAL DEVELOPMENT AUTHORITY**

A. RESOLUTION NO. 2006 - **94**, 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 \$6,000,000.00 Education Revenue Refunding Bonds (Basis School, Inc. Project) Series 2006 and declaring an emergency.

Approved
5/0

B. RESOLUTION NO. 2006 - **95**, of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima, regarding the

Approved
5/0

issuance of its not to exceed \$15,000,000.00 Charter School Revenue Bonds (Southgate Academy Charter School Project), Series 2006 and declaring an emergency.

- C. RESOLUTION NO. 2006 - 96 , of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima and the Industrial Development Authority of the City of Tucson, Arizona, regarding the issuance of their Joint Single Family Mortgage Revenue Bonds, Draw Down Series 2006, in an amount not to exceed \$100,000,000.00 and declaring an emergency.

Approved
5/0

PUBLIC WORKS

TRANSPORTATION

8. GRANT APPLICATION

RESOLUTION NO. 2006 - 97 , of the Pima County Board of Supervisors authorizing the Pima County Department of Transportation to apply to the Governor's Office of Highway Safety for a grant in the amount of \$79,800.00 to fund the Pima County Teen Driver Safety Awareness Program; authorizing the Chairman of the Board to execute any necessary documents to apply for and accept the grant funds for Pima County; authorizing the Pima County Department of Transportation to expend the grant funds in accordance with the County's Teen Driver Safety Awareness Program. (All Districts)

Approved
5/0

9. ACCEPTANCE OF PROJECTS/ROADWAYS FOR MAINTENANCE

- A. P1201-149, Offsite Improvements on Lambert Lane to serve Avra Vista, Lots 1-64. Developer: American Pacific Engineering. (District 3)
- B. P1200-314, Palo Verde Ranch II, Lots 27-29, 76-78 and Parcels A-D. Developer: Oceano Land Company. (District 4)

Approved
5/0

Approved
5/0

C. P1203-049, Rancho del Lago, Block 44, Lots 105-160 and 177-229. Developer: Richmond American Homes. (District 4)

Approved
5/0

D. P1203-123, Las Campanas, Block L, Lots 1-67. Developer: Meritage Homes. (District 4)

Approved
5/0

WASTEWATER MANAGEMENT

10. **PUBLIC ANNOUNCEMENT**

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 case 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 Agreement:

No Board
action

Tucson Container Corporation, an Arizona Corporation, No. 2006-02. Proposed settlement amount is \$500.00.

*** * * HEARINGS * * ***

11. **BOND IMPLEMENTATION PLAN FOR MAY 16, 2006
PSYCHIATRIC CARE FACILITIES BOND ELECTION**

ORDINANCE NO. 2006 - 29, an ordinance of the Board of Supervisors of Pima County, Arizona, adopting the Bond Implementation Plan for the May 16, 2006 Special Bond Election.

Approved
5/0

FRANCHISES/LICENSES/PERMITS

EXTENSION OF PREMISES/PATIO PERMIT

- 12. Michael Joseph Basha, AJ's No. 122, 2805 East Skyline Drive, Tucson, Temporary Extension of Premises/Patio Permit for May 14, 2006. Approved
5/0

FIREWORKS PERMITS

- 13. Jennifer Townsend, Caterpillar, Inc., Tinaja Hills Proving Grounds, 5000 West Caterpillar Trail, Green Valley, May 5 and 16, 2006 at 9:00 p.m. Approved
5/0
- 14. Jennifer Townsend, Caterpillar, Inc., Tinaja Hills Proving Grounds, 5000 West Caterpillar Trail, Green Valley, May 18, 2006 at 9:00 p.m. Approved
5/0
- 15. Jachie Ludwig, Starr Destinations, Rancho De Los Cerros, 13500 North Oracle Road, Tucson, April 29, 2006 at 9:00 p.m. Approved
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

APPEAL OF HEARING ADMINISTRATOR'S DECISION

- 16. P21-06-002, FISHER - W. AVOCADO STREET
In accordance with Pima County Zoning Code Section 18.97.030F(6), Flora L. Eppling-Agnew appeals the decision of the Hearing Administrator in Case No. P21-05-019, to allow a Conditional Use Permit for a bed and breakfast establishment on property located at 1610 West Avocado Street, in the SH Zone. Chapter 18.97, in accordance with Section 18.09.020L, of the Pima County Zoning Code allows a bed and breakfast establishment containing up to four guest bedrooms as a Type I Conditional Use in an SH Zone. (District 1) Continued
to 7/11/06
5/0

ZONING CODE TEXT AMENDMENT

17. Co8-05-09, GATEWAY OVERLAY ZONE AMENDMENTS
(CHAPTER 18.78)

An ordinance of the Board of Supervisors relating to zoning; amending the Pima County Zoning Code Title 18 by amending Chapter 18.03, General Definitions, to add a definition for parking area; amending Chapter 18.78, Gateway Overlay Zone, to add and modify development standards and guidelines; and amending Chapter 18.99, Review Committees, to add a requirement for the Pima County Design Review Committee to review and approve specific types of development within Gateway Overlay Zones. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Gungle voted **NAY**, Commissioner Membrila was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

Approved as amended
5/0

If approved, pass and adopt:

ORDINANCE NO. 2006 - 30

-AND-

Co8-05-09, GATEWAY DEVELOPMENT GUIDELINES MANUAL

A resolution of the Pima County Board of Supervisors adopting a Development Guidelines Manual for use in connection with implementing the requirements of the Pima County Zoning Code, Chapter 18.78, Gateway Overlay Zone. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Gungle voted **NAY**, Commissioner Membrila was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

Approved
5/0

If approved, pass and adopt:

RESOLUTION NO. 2006 - 98

PLAT NOTE MODIFICATION

18. Co12-83-115, COUNTRYSIDE VISTA LOT NO. 375
Request of Emily Irwin-Lisenby, for a plat note modification of the Countryside Vista Subdivision Plat, BK. 37, PG. 99, to reduce the building setback line to accommodate a portion of the existing main dwelling. The applicant requests to reduce the building setback of Lot No. 375, as shown on the plat, from ten feet to seven feet. The parcel is approximately 6,090 square feet, zoned CR-4 and is located on the north side of Eaglestone Loop, approximately 500 feet east of Hartman Lane, and 1,000 feet north of Overton Road. Staff recommends **APPROVAL**. (District 1)

Approved
5/0

TRANSPORTATION

PIMA COUNTY CODE TEXT AMENDMENT

19. COMMUNITY PARTICIPATION AND MITIGATION

ORDINANCE NO. 2006 - 31 , of the Board of Supervisors of Pima County, Arizona, amending Chapter 10.56 of the Pima County Code relating to public involvement on major roadway projects; revising Sections on Implementation Process, Public Participation, Community Advisory Committee Involvement and Mitigation Measures; adding provisions for environmentally-sensitive roadways, consideration of business impacts and business assistance; revising the requirements for Design Concept Reports and Transportation Action Plans; amending Ordinance No. 1992-69. (All Districts)

Approved
5/0

20. TRAFFIC ORDINANCES

A. ORDINANCE NO. 2006 - 32 ,an ordinance of the Board of Supervisors, regulating traffic at the intersection of Baybrook Road and Firebrook Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Approved
5/0

- B. ORDINANCE NO. 2006 - 33, an ordinance of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Sunrise Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1) Approved
5/0

- C. ORDINANCE NO. 2006 - 34, an ordinance of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Colossal Cave Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4) Approved
5/0

- D. ORDINANCE NO. 2006 - 35, an ordinance of the Board of Supervisors, establishing prima facie reasonable speed limits on Melpomene Way in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4) Approved
5/0

- E. ORDINANCE NO. 2006 - 36, an ordinance of the Board of Supervisors, designating Melpomene Way as a through street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4) Approved
5/0

21. CALL TO THE PUBLIC

22. ADJOURNMENT

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

DATE POSTED: 4/12/06

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, APRIL 18, 2006

1. CONTRACTS AND AWARDSA. FACILITIES MANAGEMENT

1. Koryn Rolstad Studios, to provide artist services for the Kino Public Health Center Building, 2004 Bond Fund, contract amount \$100,000.00 (07-13-K-137864-0406)

B. HEALTH DEPARTMENT

2. RESOLUTION NO. 2006 - 89, accepting the Arizona Division of Emergency Management Award for the support of the Pima County Office of Emergency Management, Arizona Division of Emergency Management Grant Fund, contract amount \$116,427.00 revenue (02-01-A-137860-1005)
3. Arizona Department of Health Services, Amendment No. 5, to provide the Commodity Supplemental Food Program, Federal Fund, contract amount \$2,160.00 decrease (01-01-A-131407-1002)
4. Arizona Department of Health Services, Amendment No. 2, to provide home based, family centered, culturally and developmentally appropriate coordinated home visiting services and extend contract term to 6/30/07, Federal Fund, no cost (02-01-A-134918-0704)
5. Arizona Department of Health Services, Amendment No. 2, to provide breastfeeding peer counseling, extend contract term to 9/30/06 and amend contractual language, Federal Fund, contract amount \$51,500.00 revenue (02-01-A-136018-0405)

C. **INFORMATION TECHNOLOGY**

6. RESOLUTION NO. 2006 - **90**, approving an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona, to promote the interconnection of data networks, General Fund, no cost (07-14-A-137861-0406)

D. **PIMA HEALTH SYSTEM**

7. Arizona Pediatric Surgery, Ltd., Amendment No. 4, to provide pediatric surgery services, extend contract term to 3/31/06 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-A-130012-1201)
8. Tucson House Calls, P.L.L.C., Amendment No. 10, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-B-130235-0102)
9. Alvernon Optical, Inc., Amendment No. 4, to provide vision care services, extend contract term to 6/30/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$200,000.00 (18-15-A-131012-0702)
10. Beacon Group, SW, Inc., Amendment No. 5, to provide sheltered employment services, extend contract term to 6/30/07 and amend contractual language, PHCS Enterprise Fund, no cost (07-15-T-132675-0703)
11. Santa Cruz Anesthesia Associates, Amendment No. 3, to provide anesthesia services, extend contract term to 6/30/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (07-15-S-132676-0703)

12. Pima Council on Aging, Amendment No. 2, to provide, management of home delivered meals, congregate meals, home repairs and adaptation, extend contract term to 6/30/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (11-15-P-132875-0703)
13. Computerized Healthcare Management Services, L.L.C., d.b.a. Carestaf of Tucson, Amendment No. 4, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-C-134404-0704)
14. Maxim Healthcare Services, Inc., Amendment No. 5, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$310,000.00 (11-15-M-134428-0704)
15. Dependable Nurses, Inc., Amendment No. 4, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-D-134886-0704)
16. Hospitalists of Arizona, Inc., to provide hospital rounding services, PHCS Enterprise Fund, contract amount not to exceed \$1,500,000.00/2 year term (18-15-H-137848-0606)

E. **PROCUREMENT**

17. Automated Presort Services, Inc., Amendment No. 6, to provide pre-sort first class mail services, General Fund, contract amount \$105,000.00 (11-09-A-130792-0602) Finance
18. Camp, Dresser and McKee, Inc., Amendment No. 5, to provide scientific management for the Arid West Water Quality Research

Project and extend contract term to 3/30/07, EPA Fund, contract amount \$76,000.00; WWM Enterprise Fund, contract amount \$4,000.00 (07-03-C-128618-1200) Wastewater Management

AWARDS

19. Increase in Award: IFB No. 85785 to US Foodservice, Inc.(B500997), and Shamrock Food Company (B501835) in the amount of \$900,000.00 for the provision of general food products and extend term to 8/2/07. Funding Source: General Fund. Administering Department: Sheriff and Posada del Sol.
20. Low Bid: Award of Contract, Requisition No. 89241, in the amount of \$3,217,762.15 to the lowest responsive bidder, Western Slope Utilities, Inc., (Headquarters: Breckenridge, CO) for the Carrillo Neighborhood Sewer Rehabilitation Project. Construction is to be complete within 180 calendar days from Notice To Proceed. Funding Source: Wastewater Management Enterprise Fund. Administering Department: Wastewater Management.

F. SHERIFF

21. Arizona Board of Regents, University of Arizona, Veterinarian Diagnostic Lab, Amendment No. 3, to provide animal necropsy services, expert testimony and extend contract term to 2/28/07, General Fund, no cost (01-11-A-132333-0303)

G. SUPERINTENDENT OF SCHOOLS

22. RESOLUTION NO. 2006 - 91, approving an Intergovernmental Agreement with the Arizona Supreme Courts - Administrative Office, to provide No Child Left Behind

Funding Educational Services for juvenile detainees at the Pima County Juvenile Detention Facility for Pima Accommodation District, AOC State Fund, contract amount \$116,894.94 plus \$6,045.70 carryover, total contract amount \$122,940.64 (01-77-A-137847-0406)

H. **TRANSPORTATION**

23. Mount Lemmon Fire District, Amendment No. 4, to provide removal of standing and fallen burned trees and associated debris from County lands and extend contract term to 6/30/07, HURF Grant Fund, no cost (01-04-M-134487-0404)

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

A. Pima County/City Of Tucson Code Review Committees

1. RESOLUTION NO. 2006 - 92, amending Resolution No. 1988-17 by merging mechanical and plumbing code review into a single committee; relegating the pool and spa code review to the Building Code Committee and updating committee requirements and language therein to conform to current legislation and norms.
2. Establish Joint Pima County/City of Tucson Code committees as follows:
 - Building Code Committee
 - Mechanical/Plumbing Code Committee
 - Electrical Code Committee
 - Outdoor Lighting Code Committee
3. Abolish the Spa/Pool Code Committee.

B. Outside Agency Citizen Review Committee

1. The Outside Agency Citizen Review Committee requests approval to increase the voting membership of the Outside Agency Citizen Review Committee by changing the County Administrator's Appointee from ex-officio, non-voting member status to voting member status; amending Committee By Laws, with four or more members constituting a quorum for the transaction of business.
2. Appointment of Yoram Levy, voting member status. No Term expiration. (Committee recommendation)

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

- A. Adrienne Leslie Reilly, Tanque Verde Schools Educational Enrichment Foundation, Desert Bloom Nursery, 11011 East Tanque Verde Road, Tucson, April 29, 2006.
- B. Melanie Lynn Gordon, Women's Active 20/30 Club of Southern Arizona, La Encantada, 2905 East Skyline Drive, Tucson, April 22, 2006.

PUBLIC WORKS4. REAL PROPERTYA. Abandonment and Quit Claim Deed

1. RESOLUTION NO. 2006 - 93, of the Pima County Board of Supervisors providing for vacation of a portion of Vail Road and Old Vail Road, Pima County Road Abandonment No. A-06-02, within Section 16, T16S, R16E, G&SRM. (District 4)

2. Quit Claim Deed to Patricia D. and Jonathan D. Kelley, for a portion of Vail Road and Old Vail Road, within Section 16, T16S, R16E, G&SRM. No revenue. (District 4)

B. Quit Claim Deed

Quit Claim Deed to Louis A. and Joan F. King, for the sale of previously abandoned right-of-way known as Wetstones Road, Pima County Road Abandonment No. A-94-04, under Resolution 1994-248. Revenue of \$100.00. (District 4)

5. RATIFY AND/OR APPROVE

Minutes: February 21, 2006