

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

OCTOBER 3, 2006 9:00 A.M.

- 1. ROLL CALL
- 2. INVOCATION
- 3. PLEDGE OF ALLEGIANCE
- 4. PAUSE 4 PAWS
- ... EXECUTIVE SESSION

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

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

- ... FLOOD CONTROL DISTRICT BOARD

UNFINISHED BUSINESS

(RM 9/19/06)

CONTRACTS

- A. John D. and Tonya F. Stofko, to provide an Acquisition Agreement for property located at 12310 S. Old Spanish Trail, Vail, for the Floodprone Land Acquisition Program, Tax Parcel No. 205-81-0250, Flood Control Levy Fund, contract amount \$459,478.00 including closing costs (22-59-S-138551-0906)

Without objection continued to 10/17/06

NEW BUSINESS

- B. Tohono O'Odham Nation, Amendment No. 1, to provide for the construction of the Sells Youth Recreation Center Drainage Improvement

Approved 4/0

Project and extend contract term to 12/31/06,
no cost (01-59-T-135623-0704)

... **ZONING ENFORCEMENT BOARD OF APPEALS**

A. **EXECUTIVE SESSIONS**

1. 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. P06ZV00226-1, Mahmoud Vossough. The Board may also during the course of the hearing and upon motion, enter into executive session.

Informational only

2. 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. P06ZV00178, Elsa Grijalva Garcia. The Board may also during the course of the hearing and upon motion, enter into executive session.

Informational only

3. 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. P06BV00097, Ivan and Margery Wolverton. The Board may also during the course of the hearing and upon motion, enter into executive session.

Without objection continued to 11/14/06

B. **APPEAL OF HEARING OFFICER DECISIONS**

1. P06ZV00226-1, Mahmoud Vossough
In accordance with the Pima County Code 18.95.030D, Mahmoud Vossough appeals the decision of the Hearing Officer in Case No. P06ZV00226-1. The citation is for a violation of Pima County Zoning Code Section 18.81.080.C.1, failure to obtain a grading permit, on property located at

Uphold Hearing Officer's Decision 4/0

9044 and 9050 W. Snyder Hill Road.
(District 3)

2. P06ZV00178, Elsa Grijalva Garcia

In accordance with the Pima County Code 18.95.030D, Elsa Grijalva Garcia appeals the decision of the Hearing Officer in Case No. P06ZV00178. The citation is for a violation of Pima County Zoning Code Section 18.81.030E, second mobile home without a permit, on property located at 6585 E. Sahuarita Road. (District 4)

Uphold
Hearing
Officer's
Decision and
dismiss fine
4/0

*(CLERK'S NOTE): The appellant has requested a continuation to the Board of Supervisors Meeting of November 14, 2006)

*3. P06BV00097, Ivan and Margery Wolverton

In accordance with the Pima County Code 18.95.030D, Ivan and Margery Wolverton appeals the decision of the Hearing Officer in Case No. P06BV00097. The citation is for a violation of the Uniform Administrative Code, Section 301, construction without a permit and Section 305.4, failure to comply with a correction notice, on property located at 12000 S. Sierrita Mountain Road. (District 3)

Without
objection
continued to
11/14/06

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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

Approved
4/0

A. Call to the Public

B. Approval of Consent Calendar

6. **BOARD OF SUPERVISORS**

RESOLUTION NO. 2006 - 262 , in opposition to mining in the Rosemont Valley, Santa Rita Mountains. (District 4)

Continued to
11/14/06
4/0

7. COUNTY ADMINISTRATOR

CLASSIFICATION AND COMPENSATION

A. The Health Department requests approval of the following new classifications. There are no costs associated with the creation of these classifications.

Approved
4/0

| <u>Class Code</u> | <u>Class Title</u> | <u>Grade Code</u> | <u>EEO, O/T Code</u> |
|-------------------|------------------------------|----------------------------|----------------------|
| 3405 | Chief of Veterinary Services | 70 (\$62,334-\$100,018) | 2, E* |
| 3403 | Veterinarian | 63 (\$53,178-\$84,420) | 2, E* |

*E = Not Paid Overtime (Exempt)

B. The County Attorney's Office requests approval of the following new classification. There are no costs associated with the creation of this classification.

Approved
4/0

| <u>Class Code</u> | <u>Class Title</u> | <u>Grade Code</u> | <u>EEO, O/T Code</u> |
|-------------------|---|---------------------------|----------------------|
| 3149 | Adult Diversion Specialist County Attorney | P3 (\$21,762-\$49,070) | 2, NE* |

*NE = Not Exempt, Paid Overtime

PUBLIC WORKS

DEVELOPMENT SERVICES

8. PROJECT DEVELOPMENT AGREEMENT AND RESTRICTIONS - SOUTHWEST CORNER OF SKYLINE DRIVE AND CAMPBELL AVENUE

RESOLUTION NO. 2006 - 263, approving and authorizing the execution of a Development Agreement between Pima County, Plaza Colonial Development Limited Partnership, an Arizona Limited Partnership, and Skyline Campbell Community Coalition, an Arizona Corporation.

Approved
4/0

9. Co8-06-13, NCH CORPORATION - SKYLINE DRIVE

Request of NCH Corporation, represented by Michael Marks, to allow a restaurant with a Class 6 Liquor License on property located at 2880 E. Skyline Drive, No. 5, in the CB-1 (Local Business) Zone. Section 18.43.030.B.110 of the Pima County Zoning Code allows the Board of Supervisors to adopt a use that in the opinion of the Board as evidenced by resolution, is not more obnoxious or detrimental to the welfare of the particular community than enterprises or businesses already enumerated in 18.43.030.B of the CB-1 Zone. Staff has **NO OBJECTION** to the request, provided in the opinion of the Board of Supervisors the uses are no more obnoxious or detrimental than other CB-1 uses. (District 1)

Approved
4/0

If approved, pass and adopt:

RESOLUTION NO. 2006 - 264 .

TRANSPORTATION

10. ACCEPTANCE OF PROJECT/ROADWAY FOR MAINTENANCE

P1201-307, Leadflower Avenue Offsite Improvements from Silver Flower Place to Gold Flower Avenue. Developer: Tucson Unified School District. (District 3)

Approved
4/0

WASTEWATER MANAGEMENT

11. PRETREATMENT SETTLEMENT AGREEMENT

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

Approved
4/0

911 Collision Centers, Pantano L.L.C., an Arizona Corporation, No. 2006-10. Proposed settlement amount is \$400.00.

*** * * HEARINGS * * ***

FRANCHISES/LICENSES/PERMITS

FIREWORKS PERMITS

- 12. Susan Rich, Mountain View High School, 3901 West Linda Vista Blvd., Tucson, October 6, 2006 at 9:00 p.m. Approved
4/0
- 13. Jennifer Townsend, Caterpillar, Inc., 5000 West Caterpillar Trail, Green Valley, October 10, 12, 17, 19 and 25, 2006 at 8:00 p.m. Approved
4/0

PUBLIC WORKS

DEVELOPMENT SERVICES

REZONING TIME EXTENSION

- 14. Co9-94-56, MARCHESANO - AJO/GILA BEND HIGHWAY REZONING Approved
4/0
Request of Casa de Jose, L.L.C., for a five-year time extension for the above reference rezoning from SH to CB-2 on 1 acre located on the west side of the Ajo/Gila Bend Highway, approximately 1/2 mile south of Snyder Road, Ajo, Arizona. The subject site was rezoned in 1995. The rezoning expired on December 5, 2003. Staff recommends **APPROVAL** subject to revised rezoning conditions. (District 3)

MODIFICATION OF REZONING CONDITIONS

- 15. Co23-88-01, SOUTH KOLB ROAD SPECIFIC PLAN Approved
4/0
Request of Kolb Road Development Ltd. Partnership, et. al., represented by John Jones and Dick Walbert of the Planning Center, for a modification (non-substantial change) of the South Kolb Road Specific Plan to eliminate the distinction between "Primary Uses" and "Secondary Uses" as set forth in the South Kolb Road Specific Plan for Planning Areas A, C, D, E, F, G, and H for a total area of approximately 336 acres. The South Kolb Road

Specific Plan, which in its entirety is approximately 348 acres in size, was rezoned from RH (Rural Homestead) and SR (Suburban Ranch) to SP (Specific Plan) on November 15, 1988, and is located on the east side of S. Kolb Road, on the north and south sides of Valencia Road, and north of the Union Pacific Railroad. Staff recommends **APPROVAL** subject to conditions. (Districts 2 and 4)

16. STREET NAME CHANGE

Present

Proposed

Unnamed easement/road
Co14-06-017
(District 4)

Placita Agua Del Pedregal

Approved
4/0

TRANSPORTATION

17. WAIVER OF DEVELOPMENT IMPACT FEE

Pursuant to Pima County Code Section 19.03.070(B), Green Valley Recreation, Inc., requests a waiver of the development fee for P1206-009, Canoa Ranch Recreation Center in Green Valley, AZ. Staff recommends granting the waiver. (District 4)

Approved
4/0

18. CALL TO THE PUBLIC

19. ADJOURNMENT

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

DATE POSTED: 9/27/06

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, OCTOBER 3, 2006

1. CONTRACTS AND AWARDSA. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD
CONSERVATION

1. RESOLUTION NO. 2006 - 254, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Oak Flower Neighborhood Reinvestment Improvement Project, 2004 Bond Fund, contract amount \$496,760.00 (01-70-T-138558-1006)
2. Tucson Urban League, Inc., Amendment No. 5, to provide emergency financial assistance to eligible low-income households, extend contract term to 6/30/07 and amend contractual language, STCCS/TANF and EEIP Fund, contract amount \$100,000.00; General Fund, contract amount \$10,000.00 (07-39-T-133574-1003)

B. COMMUNITY RESOURCES

3. RESOLUTION NO. 2006 - 255, approving an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona, Udall Center for Policy, to provide training in Environmental Conservation and Leadership to students and instructors in Pima Vocational High School, Federal and State Grant Funds, contract amount \$15,000.00 (01-67-A-138586-0506)

C. COMMUNITY SERVICES EMPLOYMENT AND TRAINING

4. RESOLUTION NO. 2006 - 256, approving an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona, PHASE Program, to provide

program support specialist staff at County One-Stop Centers, WIA Grant Fund, contract amount not to exceed \$37,175.00 (01-69-A-138577-0706)

5. RESOLUTION NO. 2006 - 257 , approving an Intergovernmental Agreement with the Tucson Unified School District, to provide job development and educational services to Youth, WIA Grant Fund, contract amount \$71,832.35; General Fund, contract amount \$3,780.65 (01-69-T-138578-0706)

D. COUNTY ATTORNEY

6. Chandler & Udall, L.L.P., Amendment No. 7, to provide legal advice and representation services regarding Maricopa County Superior Court Case No. CV2003-015486, Ponce, et. al., v. Pima County and CV2003-016710, Acosta, et. al., v. Pima County, Risk Management Tort Litigation Fund, contract amount \$106,000.00 (17-02-C-133950-0204)
7. Gallagher & Kennedy, P.A., Amendment No. 3, to provide legal representation, Self Insurance Trust Fund, contract amount \$125,000.00 (17-02-G-136174-0605)

E. HEALTH DEPARTMENT

8. RESOLUTION NO. 2006 - 258 , approving an Intergovernmental Agreement with the Town of Oro Valley, to provide animal control services, contract amount revenue based on services (01-01-O-138562-1006)
9. RESOLUTION NO. 2006 - 259 , approving an Intergovernmental Agreement with the Green Valley Fire District, to provide secure storage for a Bio-Terrorism

Preparedness Program Trailer and equipment, no cost (01-01-G-138563-1006)

10. Drexel Heights Fire District, Amendment No. 1, to provide administration of childhood immunizations and extend contract term to 9/5/07, no cost (01-01-D-136935-0905)

F. **NATURAL RESOURCES, PARKS AND RECREATION**

11. RESOLUTION NO. 2006 - **260**, approving an Intergovernmental Agreement with the Sahuarita Unified School District, to transfer the Kay Stupy-Sopori Neighborhood Park to the Sahuarita Unified School District, no cost (01-05-S-138553-1006)
12. Sahuarita Unified School District, Amendment No. 1, to provide space at Sahuarita Park for modular classrooms and extend contract term to 1/31/11, no cost (01-05-S-128979-0201)

G. **PIMA HEALTH SYSTEM**

13. Tucson House Calls, P.L.L.C., Amendment No. 11, to provide primary care physician services and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-B-130235-0102)
14. Neonatal Specialists, Ltd., Amendment No. 5, to provide neonatology and hospitalists rounding services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-130682-0602)
15. Heart Care of Southern Arizona, P.C., d.b.a. Desert Cardiology of Tucson, Amendment No. 6, to provide cardiology services, extend contract term to 8/31/07 and amend contractual language,

PHCS Enterprise Fund, no cost (18-15-D-131229-0802)

16. Carondelet Medical Group, Inc., Amendment No. 6, to provide primary care physician services, extend contract term to 9/30/07 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-134001-0404)
17. Arizona Hematology Oncology, P.C., Amendment No. 3, to provide hematology and oncology services, extend contract term to 10/31/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-A-134900-1104)
18. KPS Mountain, Inc., d.b.a. Kindred Pharmacy Services, Amendment No. 2, to provide pharmaceutical services to Posada Del Sol Health Care Center, reflect name change from Kindered Hospitals West, L.L.C., d.b.a. Kindred Pharmacy Services to KPS Mountain, Inc., d.b.a. Kindred Pharmacy Services and extend contract term to 9/30/07, PHCS Enterprise Fund, no cost (18-15-K-135050-1004)
19. Obstetrix Medical Group of Arizona, P.C., Amendment No. 2, to provide perinatology and routine OB/GYN services, extend contract term to 10/31/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-O-135273-1104)
20. Healthsouth Rehabilitation Institute of Tucson, L.P., Amendment No. 4, to provide rehabilitation hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-H-135780-0305)

21. Southern Arizona Regional Hospital, L.P., d.b.a. HealthSouth Rehabilitation Hospital of Southern Arizona, Amendment No. 4, to provide rehabilitation hospital services and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-S-135781-0305)
22. Carondelet Health Network, Amendment No. 3, to provide hospital services and amend contractual language, PHCS Enterprise Fund, contract amount \$1,600,000.00 (18-15-C-135843-0505)
23. University Medical Center Corporation, Amendment No. 4, to provide hospital services and amend contractual language, PHCS Enterprise Fund, contract amount \$5,100,000.00 (18-15-U-135865-0405)
24. Tucson Medical Center, Amendment No. 4, to provide hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-T-136017-0505)
25. Adobe Hearing Center, Inc., to provide audiology services, PHCS Enterprise Fund, contract amount not to exceed \$50,000.00/2 year term (18-15-A-138583-1006)
26. Radiology LTD., P.L.C., to provide radiology services, PHCS Enterprise Fund, contract amount not to exceed \$1,500,000.00/2 year term (18-15-R-138584-1006)
27. ABC Dental Centers, P.C., to provide dental services, PHCS Enterprise Fund, contract amount not to exceed \$1,000,000.00/2 year term (18-15-A-138585-1006)
28. Portable X-Ray of Arizona, L.L.C., to provide mobile radiology/mobile

electrocardiogram services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00/2 year term (18-15-P-138587-1106)

29. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 1, to provide long term care services to the indigent Pima Health System populations residing in both Pima and Santa Cruz Counties, contract amount \$440,000,000.00 revenue/3 year term (18-15-A-138594-1006)

H. **PROCUREMENT**

30. Sabino Electric, Inc., Amendment No. 2, to provide a job order contract for electrical contracting service and extend contract term to 10/31/07, General Fund, contract amount \$139,659.74 (26-13-S-135421-1104) Facilities Management

I. **SHERIFF**

31. Arizona Department of Public Safety, Amendment No. 1, to provide for participation in the H.I.D.T.A. XV Program and extend contract term to 6/30/07, H.I.D.T.A. XV Grant Fund, no cost (01-11-A-136214-1004)
32. Arizona Department of Emergency and Military Affairs, Amendment No. 1, to provide for SWAT deployment kits, 2005 Homeland Security Grant Fund, contract amount \$85,000.00 revenue (01-11-A-138214-1004)

2. **BOARD, COMMISSION AND/OR COMMITTEE**

Pima County Wireless Integrated Network Committee

Appointments of Captain Kevin Mayhew, 2nd Alternate, Tucson Police Department, to replace Captain Bill Richards; and Lieutenant Jason

Larter, 2nd Alternate, Oro Valley Police Department, to replace Commander Charles Lentner. No term expirations. (Jurisdictional recommendations)

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

- A. Jennifer Lynne Renda, American Liver Foundation, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, September 27, 2006.
- B. Bruce Wayne Spencer, VFW Avra Valley-Marana Post 5990, Beaudry RV Center, 5120 S. Julian Drive, Tucson, October 6, 7 and 8, 2006.
- C. Louis Nick Buckelew, United Pima Fire Fighters Local 3504 Benevolent Association, Inc., Buckelew Farm Pumpkin Festival, 17000 W. Ajo Road, Tucson, October 13, 14 and 15, 2006.
- D. Louis Nick Buckelew, United Pima Fire Fighters Local 3504 Benevolent Association, Inc., Buckelew Farm Pumpkin Festival, 17000 W. Ajo Road, Tucson, October 20, 21 and 22, 2006.
- E. Louis Nick Buckelew, United Pima Fire Fighters Local 3504 Benevolent Association, Inc., Buckelew Farm Pumpkin Festival, 17000 W. Ajo Road, Tucson, October 27, 28 and 29, 2006.
- F. Clarence D. Klinefelter, VFW Post 3578, 1764 N. 2nd Avenue, Ajo, September 22, 2006.
- G. Nancy M. Davis, Angel Charity for Children, Inc., La Encantada, 2905 E. Skyline Drive, Suite 279, Tucson, November ~~11~~ 4, 2006.

PUBLIC WORKS4. REAL PROPERTYWater Franchise Agreement

RESOLUTION NO. 2006 - 261 , of the Board of Supervisors of Pima County, Arizona, authorizing a water franchise to Arizona Water Company. The service area will include Sections 2, 3, 4, 9, 10, 11, 15, 16, 21 and 22, all in T12S, R6W, and Sections 33, 34 and 35, all in ~~T12S~~ **T11S**, R6W, G&SRM. (District 3)

TRANSPORTATION5. PERMISSION TO ADVERTISE

Swan Road from Valencia Road October 17, 2006
to Sahuarita Road
Establishment No. 2995
(District 2)

WASTEWATER MANAGEMENT DEPARTMENT6. 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:

- A. Little Mexico Restaurant, an Arizona Corporation, No. 2006-017. Proposed settlement amount is \$1,906.10.
- B. Target Stores, Inc., a Minnesota Corporation, No. 2006-18. Proposed settlement amount is \$1,200.00.
- C. Thoroughbred Cars, Inc., and Arizona Corporation, No. 2006-20. Proposed settlement amount is \$500.00.

7. **RATIFY AND/OR APPROVE**

Minutes: Zoning Enforcement Board of Appeals
Minutes of September 5, 2006

Warrants: September 2006.