AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

NOVEMBER 21, 2006  9:00 A.M.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSIONS**

Public discussion and action may occur on the executive session items 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 potential alternate dispute resolution for:

The Pines at Continental Ranch Golf Course

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

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

... **FLOOD CONTROL DISTRICT BOARD**

A. **Riparian Habitat Mitigation Plans**

1. Staff requests approval of the Hydro/Meso Riparian Habitat Mitigation Plan for MKZ Enterprises, L.L.C., to
comply with Hearing Officer’s judgment for failure to obtain a grading permit for property located at 15420 N. Oracle Road. (District 1)

2. Staff requests approval of the Riparian Habitat Mitigation Plan, to construct a proposed subdivision on property located on Bajada Ranch in Section 3, T17S, R16E, G&SRB&M. (District 4)

B. License Agreement

License Agreement with the City of Tucson to install four rain gauges on City of Tucson property located in Sections 14, 16, 18 and 23, T14S, R14E. No cost. (District 2)

C. Contracts

1. Felipe & Socorro R. Pena, to provide an Acquisition Agreement for property located on the south side of West Imogene Place, west of N. Luckett Road for the Floodprone Land Acquisition Program, Tax Parcel No. 208-14-0210, Flood Control Levy Fund, contract amount $10,000.00 including closing costs (22-59-P-138862-1106)

2. Frederick W. Sr. and Janet E. Averill, to provide an Acquisition Agreement for property located 3/4 of a mile north of Hermans Road and 2 miles west of Avra Road at the Brawley Wash for Floodprone Land Acquisition Program, Tax Parcel No. 208-55-0040, Flood Control Levy Fund, contract amount $74,000.00 including closing costs (22-59-A-138864-1106)
ZONING ENFORCEMENT BOARD OF APPEALS

A. EXECUTIVE SESSIONS

UNFINISHED BUSINESS
(RM 10/5/04 and 11/2/04)

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. P04ZV00151, 1 and 2, Debra Morrow. The Board may also during the course of the hearing and upon motion, enter into executive session.

NEW BUSINESS

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. P06BV00065, Steven L. Nanini, c/o Nanini Investments LTD. The Board may also during the course of the hearing and upon motion, enter into executive session.

B. APPEAL OF HEARING OFFICER DECISIONS

UNFINISHED BUSINESS
(RM 10/5/04 and 11/2/04)

1. P04ZV00151 - 1 AND 2, DEBRA MORROW
In accordance with the Pima County Zoning Code Section 18.95.30.D, Debra Morrow appeals the decision of the Hearing Officer in Case Nos. P04ZV00151 - 1 and 2, regarding violations of Sections 18.19.010 and 19.18.020, business without a permit and Section 18.01.030.E, structures without permits, on property located at 2150 N. Rosser Road, Ajo, AZ. (District 3)
NEW BUSINESS

*(CLERK’S NOTE: The appellant requests a continuance to the Board of Supervisors’ Meeting of January 9, 2007.)*

*2. P06BV00065 – STEVEN L. NANINI
   In accordance with the Pima County Zoning Code, Section 18.95.030D, Steven L. Nanini appeals the decision of the Hearing Officer in Case No. P06BV00065, regarding the violations of the Uniform Administrative Code, Sections 301 and 305.4, construction without a permit and failure to comply with a correction notice, on property located at 7773 N. Via Bellini. (District 1)*

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. CONSENT CALENDAR: For consideration and approval
   A. Call to the Public
   B. Approval of Consent Calendar

UNFINISHED BUSINESS
(RM 11/14/06)

6. COUNTY ADMINISTRATOR

   Superior Court, Juvenile Court, and Clerk of the Superior Court Compensation and Classification Proposal

   1. Conditional Approval of the Court Pay Plan
      c. The effective date of all compensation and pay adjustments being November 26, 2006.

NEW BUSINESS

7. INDUSTRIAL DEVELOPMENT AUTHORITY

   A. RESOLUTION NO. 2006 - 311, 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 $10,750,000.00 Education Facilities Revenue Bonds (Sonoran Science Academy Tucson Project) Series 2006 and declaring an emergency.

B. RESOLUTION NO. 2006 – 312, 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 tax-exempt and/or taxable not to exceed aggregate principal amount of $8,000,000.00 Education Facilities Revenue Bonds (Acclaim Charter School Project) Series 2006 and declaring an emergency.

C. RESOLUTION NO. 2006 – 313, 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 $36,000,000.00 Senior Living Revenue Refunding Bonds (Christian Care Tucson, Inc. Project) Series 2006 and declaring an emergency.

D. RESOLUTION NO. 2006 – 314, 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 $40,000,000.00 Water and Wastewater Revenue Bonds (Global Water Resources, L.L.C. Project) Series 2006 and declaring an emergency.

8. HEALTH DEPARTMENT – EMERGENCY MANAGEMENT AND HOMELAND SECURITY

RESOLUTION NO. 2006 – 315, of the Board of Supervisors to adopt the Pima County Hazard Mitigation Plan.
9. **DIVISION OF ELECTIONS**

Pursuant to A.R.S. §16-642, canvass of the election results for the November 7, 2006, General Election.

10. **PROCUREMENT-AWARD**

**UNFINISHED BUSINESS**

(RM 11/14/06)

A. Low Bid: Award of Contract, Requisition No. 0700112, in the amount of $430,000.00 to the lowest responsive bidder, 4-L Construction, Inc., (Headquarters: Tucson, AZ) for the Base Bid for the construction of the Amado Food Bank Phase II Expansion. Contract is for a ten-month period with the option to extend for project completion. **Funding Source:** 2004 Bond Fund. **Administering Department:** Facilities Management.

**NEW BUSINESS**

B. **Appeal of Procurement Director’s Decision**

Pursuant to Pima County Code Section 11.20.010(J), Noah J. Van Amburg, appeals the decision of the Procurement Director regarding Solicitation No. 0603044, Juvenile Attorney Panel.

**WASTEWATER MANAGEMENT**

11. **PRETREATMENT SETTLEMENT AGREEMENTS**

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

A. Little Mexico Restaurant, an Arizona Corporation, No. 2006-017. Proposed settlement amount of $1,906.10.


**Hearings**

**Franchises/Licenses/Permits**

**Liquor Licenses**

**Unfinished Business**

(RM 11/14/06)

*(Clerk’s Note: See Sheriff’s Report.)*

*12. 06-42-8865, Maria del Pilar Gallegos, Maria’s Family Restaurant, 111 S. La Canada Drive, Green Valley, Series 12, Restaurant License, New License.

Recommend Denial 5/0

**New Business**


Approved 5/0

14. 06-47-8870, Teresa Jenine Shaar, El Minuto Café No. 2, 5605 E. River Road, No. 201, Tucson, Series 12, Restaurant License, New License.

Approved 5/0

15. 06-48-8871, Ryan Michael Schoff, 58 Degrees Bar and Bistro, 4280 N. Campbell Avenue, No. 55, Tucson, Series 12, Restaurant License, New License.

Approved 5/0

16. 06-49-8872, Martha Louise Branson, Amigo’s Liquor and Party Supplies, 750 N. 2nd Avenue, Ajo, Series 9, Liquor Store License, Person Transfer.

Approved 5/0

**Public Works**

**Development Services**

**Conditional Use Permit**

**Unfinished Business**

(RM 11/14/06)

17. P21-06-021, PIMA COUNTY RIGHT OF WAY – W. SWEETWATER DRIVE
T-Mobile, applicant, on property at 3173 W. Sweetwater Drive, in an SR zone, requests a

Approved 5/0

CC 11-21-06 (7)
Conditional Use Permit for a communication tower/utility pole replacement. Chapter 18.97, in accordance with Section 18.07.030.H.2.d of the Pima County Zoning Code, allows a communication tower/utility pole replacement as a Type III Conditional Use in the SR zone. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Gungel voted Nay, Commissioners Matter and Cook were absent) to recommend APPROVAL WITH CONDITIONS. The Hearing Administrator recommends APPROVAL WITH CONDITIONS. (District 3)

NEW BUSINESS

REZONING TIME EXTENSION

18. Co9-01-25, MILLER – ORACLE ROAD REZONING
Request of MJM Ventures Two, L.L.C., represented by Planning Resources, for a five-year time extension for the above referenced rezoning from SH (Suburban Homestead) to TR (Transitional) for 1.2 acres. The subject site was rezoned in 2001. The rezoning expired on September 4, 2006. The site is located on the east side of Oracle Road, approximately 1,600 feet north of E. Hawser Street and 600 feet south of N. Lupine Place. Staff recommends APPROVAL WITH CONDITIONS. (District 1)

ZONING CODE TEXT AMENDMENTS

19. Co8-06-12, GOLF COURSE ZONE TEXT AMENDMENT (CHAPTER 18.59) AND SPECIFIC PLAN TEXT AMENDMENT (CHAPTER 18.90)
An ordinance of the Pima County Board of Supervisors relating to zoning, amending Pima County Zoning Code Title 18, by amending Chapter 18.59 (Golf Course Zone) to require golf courses established on or after January 1, 2007, to be irrigated with directly-served effluent, reclaimed water or Central Arizona Project (CAP) water; to delete the groundwater exception for newly established golf courses whose boundaries are more than three miles from an effluent, reclaimed water or CAP water conveyance system; to require a certificate of compliance for the completion of a golf course; and, by amending Chapter 18.90 (Specific Plans) to require the designation of an
underlying or alternative land use and reference to the Golf Course Zone when a golf course is used in a new specific plan. On motion, the Planning and Zoning Commission voted 5-0 (Commissioners Cook, CuyUGAN, Membrila and Smith were absent) to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2006 - 96

20. Co8-06-14, LANDSCAPE, BUFFERYARD AND SCREENING STANDARDS AMENDMENTS (CHAPTER 18.73)
An ordinance of the Pima County Board of Supervisors relating to zoning; amending Pima County Zoning Code Title 18 by amending Chapter 18.73 (Landscape, Bufferyard and Screening Standards) to add water conservation measures; to require reclaimed water or CAP water on turf applications over ten acres, and to bring Chapter 18.73 up to date with current procedures and regulations. On motion, the Planning and Zoning Commission voted 5-0 (Commissioners Cook, Cuyugan, Membrila and Smith were absent) to recommend APPROVAL of the amendment with additional text to prohibit water features from using groundwater. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2006 - 97

TRANSPORTATION

21. TRAFFIC ORDINANCES

A. ORDINANCE NO. 2006 - 98, of the Board of Supervisors, designating Oldfather Drive as a through street in Pima County, Arizona. Staff recommends APPROVAL. (District 1)
B. ORDINANCE NO. 2006 – 99, of the Board of Supervisors, regulating traffic at the intersection of Magee Road and Oldfather Drive in Pima County, Arizona. Staff recommends APPROVAL. (District 1)  

C. ORDINANCE NO. 2006 – 100, of the Board of Supervisors, regulating traffic at the intersection of Valencia and Wilmot Roads in Pima County, Arizona. Staff recommends APPROVAL. (District 2)  

D. ORDINANCE NO. 2006 – 101, of the Board of Supervisors, regulating traffic at the intersection of Benson Highway/Swan Road and Valencia Road in Pima County, Arizona. Staff recommends APPROVAL. (District 2)  

E. ORDINANCE NO. 2006 – 102, of the Board of Supervisors, establishing the prima facie speed limit on Emigh Road in Pima County, Arizona. Staff recommends APPROVAL. (District 3)  

22. CALL TO THE PUBLIC  

23. ADJOURNMENT
CONSENT CALENDAR, NOVEMBER 21, 2006

1. CONTRACTS AND AWARDS

   A. COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

      1. RESOLUTION NO. 2006 - 309, approving an Intergovernmental Agreement with the Arizona Department of Economic Security, to provide employment and training services, WIA Grant Fund, contract amount $46,990.00 revenue (01-69-A-138886-0705)

   B. COUNTY ATTORNEY

      2. RESOLUTION NO. 2006 - 310, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Victim Witness Program, General Fund, contract amount $32,450.00 revenue (01-02-T-138879-0706)

   C. HEALTH DEPARTMENT

      3. Arizona Family Planning Council, Amendment No. 1, to provide family planning services under Title X Family Planning, Arizona Family Planning Grant Fund, contract amount $24,961.00 revenue (02-01-A-137665-0106)

   D. PROCUREMENT

      4. Kathryn Kellner, d.b.a. Kellner Studio, Amendment No. 1, to provide presentation skills and communications strategies consultant and extend contract term to 11/17/07, General Fund, contract amount $12,500.00 (07-02-K-137405-1105) County Attorney

      5. Willdan, Inc., Amendment No. 1, to provide building codes plan review and inspection services, Development
Services Enterprise Fund, contract amount $134,250.00 (16-25-W-137716-0206) Development Services

6. Northcott, Bellow and Assoc., Inc., d.b.a. Palo Verde Landscape and Maintenance, Amendment No. 5, to provide landscape maintenance services to various Pima County locations and extend contract term to 4/30/08, General Fund, contract amount $145,000.00 (11-13-P-132469-0503) Facilities Management

7. Hunter Contracting Company, Amendment No. 11, to provide for the Veterans Memorial Overpass Demonstration Project and amend bid schedule, Federal STP and HURF Funds, contract amount $533,984.00 (03-04-H-133980-0304) Transportation

E. REAL PROPERTY

8. Tri-Tronics, Inc., an Arizona Corporation, to provide an Acquisition Agreement for Urban Open Space Encroachment on Davis-Monthan Air Force Base, Tax Parcel No. 305-02-002A, 2004 Bond Fund, contract amount $616,000.00 including closing costs (22-05-T-138863-1106) Natural Resources, Parks and Recreation

9. Tunis and Mari A. Parsons as Trustees of Parsons Revocable Trust, to provide an Acquisition Agreement for Urban Open Space Encroachment on Davis-Monthan Air Force Base, Tax Parcel Nos. 141-03-0320 and 141-03-0330, 2004 Bond Fund, contract amount $197,914.00 including closing costs (22-05-T-138865-1106) Natural Resources, Parks and Recreation

F. SHERIFF

10. Youngtown Police Department, Amendment No. 1, to provide H.I.D.T.A. XV Program
and extend contract term to 6/30/07, H.I.D.T.A XV Grant Fund, contract amount $7,263.00 decrease (01-11-Y-136213-1004)

11. Cochise County Sheriff's Office, Amendment No. 2, to provide 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-C-136216-1004)

12. Maricopa County Sheriff's Office, Amendment No. 1, to provide H.I.D.T.A. XV Program and extend contract term to 6/30/07, H.I.D.T.A XV Grant Fund, contract amount $7,263.00 (01-11-M-136285-1004)


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


C. Alfred Robert Skorupski, Catalina Community Services, Players Pub, 16024 N. Oracle Road, Tucson, December 2, 2006.


JUSTICE AND LAW ENFORCEMENT

3. CONSTABLES

Pursuant to A.R.S. §22-131(C), appointment of Lupita G. Rios as a Deputy Constable.

4. SUPERIOR COURT

Judges Pro Tempore

Appointment of Judges Pro Tempore for Pima County Superior Court for the period January 1, through December 31, 2007:

Aaron, Michael
Aboud, John E.
Aboud, Michael J.
Abrams, Lisa I.
Abrams, Theodore C.
Adam, Karen S.
Aguilar, David A.
Akmajian, Peter
Alexander, Arthur B.
Alexander, James S.
Altfeld, Clifford B.
Angiulo, James P.
Armenta, Trini
Assini, John J.
Baade, John A.
Baade, Susan H.
Baldwin, Howard L.
Barker, J. Emery
Barrasso, Robert L.
Bellevue, Laura C.
Bellovin, Barry L.
Benavidez, Thomas A.
Bernal, Margarita
Berning, Thomas J.
Bibbens, Lisa S.
Bleich, Clifford G.
Bolt, John R.
Brew, Lindsay E.
Bryson, Kyle A.
Cahan, Eric D.
Castillo, Jr., Jose Luis
Chayet, Nikki A.
Chon-Lopez, Javier
Christensen, Mark R.
Christoffel, Dean C.
Ciaccio, Michael G.
Clark, Jr., Douglas H.
Cohen, Gary J.
Cohen, Melvin C.
Collins, Jr., Peter J.
Conn, Deanna

Connors, Julia K.
Contreras, Roger H.
Corey, Barry M.
Cossitt, Erika L.
Cunningham, Marjorie F.
Cuneo, Suzanna S.
Dardis, Frederic
Davis, Richard
Davis, Thomas J.
Dawley, Francis J.
Delgadillo, Hortencia
Diamond, David J.
Dillow, Russell L.
Dingledine, David
Dolny, Carmen R.
Douglas, Sharon A.
Drickey-Prohow, Judy
Duncan, Roger L.
Dunscomb, George A.
Economidis, Peter
Egbert, James P. F.
Erickson, George H.
Everlove, Annette
Farley, James R.
Felix, Maria L.
Fell, Howard
Gaines, Jr., Edwin M.
Geiser, Jeannette K.
Gibson, Scott D.
Glicksman, Elliot A.
Gonzales, Richard J.
Grant, Philip H.
Green, Patricia A.
Grynkewich, Gary S.
Hall, Philip J.
Hardin, Elaine C.
Hayes, Stacey W.
Hazlett, Carl E.
Henry, Richard C.
Heurlin, Bruce R.
Hippert, Thomas G.
Hobson, K. Alexander
Hunter, James D.
Jackson, Gary T.
Jackson, Terrance A.
Jacobs, Thomas F.
Johnson, Michael A.
Johnson, Thomas E.
Jones, Lori B.
Julien, Paul D.
Jurkowitz, Daniel S.
Jurkowitz, Harvey
Karl, Karen
Karp, Leonard I.
Kaufman, John D.
Kimminau, Brian K.
Kimminau, Christian J.
Kirschner, Barry
Klein, Fred S.
Klotz, Jeffrey A.
Knuck, Theodore C.
Lammers, Mark D.
Lex, Michael L.
Lieberthal, David H.
Light, Susan A.
Liwski, Danielle
Macdonald, Bruce G.
Machado, Joe L.
Macpherson, Carl D.
Maltz, Gerald S.
Martin, Roy N.
Masunas, Annalisa Moore
Maxwell, Margaret L.
McCarty, Kathleen A.
McCullar, Paul H.
McNorton, Lisa C.
Minker, S. Jeffrey
Mitchell, Douglas P.
Montgomery, Danny W.
Morey, Carter
Morgan-Birch, Drue A.
Nash, III, Walter B.
Nygaard, Karen J.
O’Neill, Nancy J.
Ostapuk, David R.
Peasley-Fimbres, Elizabeth
Pennington, Alyce L.
Penny, James B.
Perez-Medrano, Juan
Peterson, Denneen L.
Pollard, Michael P.
Pratte, Deborah M.
Quigley, Kathleen
Rabb, III, Lloyd L.
Reich, Jonathan W.
Richter, Katharina
Riojas, Antonio F.
Rothschild, Lowell E.
Ruben, Stephen M.
Rusing, Michael J. S.
Ryan, Patrice M.
Sakrison, James M.
Samet, Dee-Dee
Santander, Daniel J.
Sattler, Barbara C.
Schauf, Susan M.
Schmidt, Ted A.
Schwanbeck, Victor R.
Scott, Steilisa
Scott, William C.
Segal, Ann
Shetter, Susan Q.
Silvyn, Jeffrey S.
Simon, Diana J.
Simon, Paul S.
Singer, Keith A.
Slutes, D. Thompson
Sommer, Ronald W.
Stanford, Kenneth C.
Stroud, James L.
Stuehler, James W.
Tedlock, Sandra L.
Terrill, Lora J.
Tilton, Thomas T.
Trachta, S. Jon
Traynor, William P.
Treadwell-Rubin,
   Pamela A.
Tully, John L.
Udall, D. Burr
Wagener, Joan
Ward, Anne F.
Ward, Deborah J. S.
Watters, Adam W.
Weber, Walter U.
Weinstein, Steven M.
Weiss, Stephen M.
West, James R.
Wezelman, Janice A.
Whitehill, James A.
Willis, Jeffrey
Wohl, Jacqueline D.
Woods, Catherine M.
Wright, Natalie
Yehling, Wayne E.
Zirkle, Raymond
   Douglas
Zlaket, Eugene F.
5. **RECORDER**


6. **TREASURER**

**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 in the amount of $1,015,093.61 be transferred to the Local Courts Assistance Fund for supplemental aid to the Superior Court and Justice Court for processing of criminal cases.

7. **RATIFY AND/OR APPROVE**

Minutes: October 3, 2006