

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

DECEMBER 5, 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.

UNFINISHED BUSINESS

(RM 11/14/06)

- A. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding Desert American Builders Corp. v. Pima County, in the Pima County Superior Court Cause No. C20063999.

Without objection, removed

NEW BUSINESS

- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding applications for the redemption of the Waivers of Tax Exemptions.
- C. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding Vistoso Partners, L.L.C., an Arizona Limited Liability Company, Tax Parcel No. 219-21-627H.
- D. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a

Accept County Attorney's recommendation 5/0

Accept County Attorney's recommendation 5/0

Informational only

proposed "Meet and Confer" Ordinance and proposed amendments to the Pima County Code regarding the same.

- E. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a possible appeal of the State Land Commissioner's decision regarding mining in Davidson Canyon.

Appeal as discussed in executive session 5/0

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **STADIUM DISTRICT BOARD**

UNFINISHED BUSINESS

(RM 11/21/06)

Ratification

Letter to Arizona Senate President-elect, Tim Bee, to sponsor and immediately enact legislation to disallow the ASTA from financing stadiums for teams that move from within Arizona and ratify letters to the Arizona Legislative delegation regarding same.

Approved 5/0

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

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

Approved 5/0

A. Call to the Public

B. Approval of Consent Calendar

- 6. **BOARD OF SUPERVISORS**

UNFINISHED BUSINESS

(RM 10/3/06 and 11/14/06)

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

Without objection, continued to 01/16/2007

NEW BUSINESS

7. **COUNTY ADMINISTRATOR**

Possible appeal of the State Land Commissioner's decision regarding mining in Davidson Canyon. Discussion/Direction/Action.

See Addendum Item

8. **ASSESSOR**

Request for Redemption of Waiver of Exemptions

Pursuant to A.R.S. §42-11153(B), the Pima County Assessor has received 1,014 applications for redemption of the Waivers of Tax Exemptions for the year 2006. The Assessor has determined that all of the applications qualify for exemption under the applicable statutes and requests the Board of Supervisors redeem the Waivers of Tax Exemptions.

Approved
5/0

9. **INDUSTRIAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2006 - 319, 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 \$15,000,000.00 Education Revenue Bonds (Arizona Charter Schools Project) Series 2006 O&P and declaring an emergency.

Approved
5/0

10. **INSTITUTIONAL HEALTH**

RESOLUTION NO. 2006 - 320, of the Board of Supervisors of Pima County, Arizona, accepting the award of grant funding in the amount of \$294,776.00 from the Substance Abuse and Mental Health Services Administration.

Approved
5/0

11. CONTRACTS AND AWARDS

UNFINISHED BUSINESS

A. Economic Development and Tourism
(RM 11/14/06)

Tucson Regional Economic Opportunities, Inc., Amendment No. 1, to provide for economic development activities to assist in the creation and retention of jobs and extend contract term to 6/30/07, General Fund, contract amount \$1,139,600.00 (11-71-T-~~137137~~ **137167**-0705)

Approved
5/0

B. Procurement

1. Awards (RM 11/14/06)

A. Highest Scoring Proposal: Award of Four Contracts, Requisition No. 0700077, in the total amount of \$2,300,000.00 to Sanitors Services, Inc. (Headquarters: San Antonio, TX) for Janitorial Services, the respondent submitting the highest scoring proposals and allocated as follows: Group A: Downtown Facilities (\$1,000,000.00), Group B: Outlying "A" Facilities (\$600,000.00), Group C: Outlying "B" Facilities (\$600,000.00), and Group D: Ajo, Arizona Facilities (\$100,000.00). Funding Source: General Fund. Administering Department: Facilities Management.

Approved
5/0

B. Award of Contract for Requisition No. 0700252, to PinnacleOne (Headquarters: Tempe, AZ), the highest-ranked respondent for project management/construction management services for the Santa Cruz Interceptor - Phase II Prince to Franklin, in an amount not to exceed \$1,500,000.00. In the event

Approved
5/0

a fee agreement cannot be reached with the highest ranked firm, staff requests authorization to negotiate with the next highest ranked firms in the following order: Vanir Construction Management, Inc., and Damon S. Williams Associates, L.L.C. (DSWA), until a contract is executed or the final list is exhausted. Funding Source: Wastewater Management Enterprise Funds; Administering Department: Wastewater Management.

- 2. Appeal of Procurement Director's Decision
(RM 11/21/06)

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.

Uphold
Procurement
Director's
decision
3/2

NEW BUSINESS

- 3. Requisition No. 0700112, Amado Food Bank
 - A. Appeal of Procurement Director's Decision

Pursuant to Pima County Code Section 11.20.010(J), Ovis Mead, President, MERIT Builders, appeals the decision of the Procurement Director regarding Solicitation No. 0700112, Amado Food Bank Phase II Expansion.

Uphold
Procurement
Director's
decision
4/1

UNFINISHED BUSINESS

- B. Award (RM 11/14/06 and 11/21/06)

Low Bid: Award of Contract,
Requisition No. 0700112, in the

Approved
4/1

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.

12. PUBLIC WORKS - GRAPHIC SERVICES

Staff requests permission to donate the following surplus equipment to the Pueblo Magnet High School:

Approved
5/0

- 1. Multi 1860 Offset Printing Press, Serial No. 407521, County ID No. 2002859. Purchased in 1985 and currently valued at \$500.00.
- 2. Light Table, Model No. 33GP, County ID No. 74617. Purchased in 1990 and currently valued at \$75.00.

*** * * HEARINGS * * ***

FRANCHISES/LICENSES/PERMITS

LIQUOR LICENSES

*(CLERK'S NOTE): The Zoning Inspector recommends approval subject to the applicant obtaining a Type I Conditional Use Permit)

- *13. 06-50-8873, Virginia Hagen Knox, Universal Ranch, 15785 "B" Universal Ranch Road, Arivaca, Series 12, Restaurant License, New License.

Approved
5/0

*(CLERK'S NOTE): See Sheriff's Report.)

- *14. 06-46-8869, Eric Anthony Lopez, Putneys Sports Saloon, 6090 N. Oracle, Tucson, Series 6, Bar License, Person Transfer.

Forward with no
recommendation
5/0

NOTES/ACTION

- *15. 06-51-8874, Jeffrey Dale Spear, Palo Verde Bar and Grill, 5801 S. Palo Verde Road, Tucson, Series 6, Bar License, Person Transfer.
- 16. 06-52-8875, Jason Barclay Morris, CVS Pharmacy No. 07859, 6370 N. Campbell Ave, No. 120, Tucson, Series 9, Liquor Store License, Location Transfer.

Forward with no recommendation
5/0

Approved
5/0

PUBLIC WORKS - DEVELOPMENT SERVICES

UNFINISHED BUSINESS

(RM 7/11/06, RM 8/21/06 and RM 9/5/06)

REZONING TIME EXTENSION

- 17. Co9-00-06, GOLDER - ORACLE ROAD NO. 3 REZONING Request of Treehouse Realty Group, L.L.C. represented by Planning Resources, for a five-year time extension for the above referenced rezoning from GR-1 (Single Residence) to TR (Transitional) for 5.23 acres. The subject site was rezoned in 2001. The rezoning expired on May 8, 2006. The site is located on the east side of Oracle Road, approximately 1/4 mile south of Rollins Road. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

Approved as amended
5/0

NEW BUSINESS

COMPREHENSIVE PLAN AMENDMENTS

- 18. Co7-06-07, KMIEC - N. RIDGE ROCK TRAIL PLAN AMENDMENT
Request of Adam and Bronislawa Kmiec, to amend the Pima County Comprehensive Plan from Resource Transition (RT) to Medium Intensity Rural (MIR), for approximately 5.93 acres located on N. Ridge Rock Trail approximately three-quarters of a mile east of N. Lago del Oro Parkway and one-quarter mile south of the Pinal County line, in Section 1, T11S, R14E, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 5-0 (Commissioners Cook, Cuyugan, Membrila and Smith were absent) to recommend **DENIAL**. Staff recommends **DENIAL**. (District 1)

Denied
5/0

19. Co7-06-16, ECONOMIC DEVELOPMENT AUTHORITY OF THE TOHONO O'ODHAM NATION - W. OLD AJO HIGHWAY PLAN AMENDMENT
 Request of the Economic Development Authority of the Tohono O'Odham Nation, represented by The Planning Center, to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.5 (LIU 0.5) and Resource Transition (RT) to Medium Intensity Urban (MIU) and Resource Transition (RT). The subject property is approximately 106.05 acres and is located on the south side of W. Snyder Hill Road and the north and south sides of W. Old Ajo Highway, approximately 1,300 feet southwest of the intersection of W. Old Ajo Highway and S. San Joaquin Road, in Section 4, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 5-0 (Commissioners Cook, Cuyugan, Membrila and Smith were absent) to recommend **DENIAL**. Staff recommends **MODIFIED APPROVAL**. (District 3)
- Without objection, continued to 4/3/2007
20. Co7-06-17, SAHUARITA CORNERS LIMITED PARTNERSHIP AND EQUIVEST PROPERTIES, LTD. PARTNERSHIP - S. KOLB ROAD PLAN AMENDMENT
 Request of Sahuarita Corners Limited Partnership and Equivest Properties Limited Partnership, represented by Michael Grassinger of the Planning Center, to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Low Intensity Urban 3.0 (LIU 3.0) for approximately 155.1 acres located at the northwest corner of S. Kolb Road and E. Sahuarita Road in Section 7, T17S, R15E, in the Rincon-Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 5-0 (Commissioners Membrila, Cuyugan, Cook and Smith were absent) to recommend **MODIFIED APPROVAL, TO MEDIUM INTENSITY RURAL (MIR) WITH A MODIFIED REZONING POLICY**. Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES**. (District 4)
- Approved as amended 5/0
21. Co7-06-18, K. HOVNANIAN GREAT WESTERN HOMES, L.L.C. - W. VALENCIA ROAD PLAN AMENDMENT
 Request of K. Hovnanian Great Western Homes, L.L.C., to amend the Pima County Comprehensive
- Approved 5/0

Plan from Low Intensity Urban 3.0 (LIU 3.0) to Neighborhood Activity Center (NAC). The subject property is approximately 13.3 acres and is located on the northwest corner of W. Valencia Road and the Spencer Avenue alignment, in Section 11, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 5-0 (Commissioners Cook, Cuyugan, Membrila and Smith were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 3)

22. Co7-06-21, KLEIN DIVERSIFIED, L.L.C. - N. ORACLE ROAD PLAN AMENDMENT

Request of Klein Diversified, L.L.C., Britt and Cindy Klein, to amend the Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Medium Intensity Urban (MIU) for approximately 4.05 acres located at the southeast corner of N. Oracle Road and E. Mountaineer Drive in Section 21, T11S, R14E, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 3-2 (Commissioners Matter and Hirsch voted Nay) (Commissioners Cook, Cuyugan, Membrila and Smith were absent) to recommend **DENIAL**. Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES**. (District 1)

Without objection, continued to 2/6/2007

LOT SPLIT

23. P1203-033, SYCAMORE CANYON - BLOCK 17 - LOT SPLIT
Request of Fidelity National Title Agency, Inc., Trust No. 60,071, represented by Sycamore Springs, L.L.C., for a lot split of Block 17 in Sycamore Canyon Block Plat (Blocks 1-18 and Common Areas A-1 to A-10 and B), Bk. 58, Pg. 26., Tax Parcel No. 305-22-4690. The applicant requests to split approximately 412.2 acres into 5 parcels (Parcel 17A - 216.6 acres, Parcel 17B - 29.7 acres, Parcel 17C - 83.5 acres, Parcel 17D - 45.9 acres, Parcel 17E - 36.5 acres). Block 17 is zoned SP and located within the Santa Rita Mountain Ranch Specific Plan. The block is located at the corner of South Sycamore Leaf Road and South Canyon Edge Trail approximately one mile southwest of South Harrison Road and one mile south of West Sahuarita Road. Staff recommends **DENIAL**. (District 4)

Approved 5/0

TRANSPORTATION

24. **TRAFFIC ORDINANCES**

A. ORDINANCE NO. 2006 - **103** , of the Board of Supervisors, regulating the parking on Mona Lisa Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Approved
5/0

B. ORDINANCE NO. 2006 - **104** , of the Board of Supervisors, establishing the prima facie speed limit on Camino Verde in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Approved
5/0

25. **CALL TO THE PUBLIC**

26. **ADJOURNMENT**

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

DATE POSTED: 11/29/06

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, DECEMBER 5, 2006

1. CONTRACTS AND AWARDSA. COMMUNITY DEVELOPMENT & NEIGHBORHOOD
CONSERVATION

1. RESOLUTION NO. 2006 - 316 , approving an Intergovernmental Agreement with the Altar Valley School District, to provide for coordination of educational and recreational opportunities for the Altar Valley School District Area, General Fund, contract amount \$15,000.00 (01-70-A-138915-0706)
2. City of Tucson, Amendment No. 2, to provide for Home Investment Partnership and Subrecipient Agreement and extend contract term to 6/30/07, HUD Home Program Grant Fund, contract amount \$860,278.00 (01-70-T-135239-0704)

B. HEALTH DEPARTMENT

3. RESOLUTION NO. 2006 - 317 , approving an Intergovernmental Agreement with the Marana Unified School District, to provide for administration of childhood immunization services, no cost (01-01-M-138892-1206)

C. PIMA HEALTH SYSTEM

4. Arizona Physical Therapy and Sports Rehabilitation, P.C., Amendment No. 4, to provide for physical therapy services, extend contract term to 12/31/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-A-131740-0103)
5. Children's Dental Clinic of Tucson, L.L.C., Amendment No. 6, to provide for

- pediatric dental services, extend contract term to 12/31/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-C-131813-0103)
6. Deepa Agarwal, M.D., Amendment No. 5, to provide for pediatric primary care physician services, extend contract term to 12/31/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-A-131815-0103)
 7. Javior Rios, M.D., a Medical Professional Corp., d.b.a. Tucson Clinica Medica Familiar, Amendment No. 5, to provide for primary care physician services, extend contract term to 12/31/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$100,000.00 (18-15-T-131831-0103)
 8. Life, Inc., Amendment No. 5, to provide for homecare services, to reflect name change and amend contractual language, PHCS Enterprise Fund, no cost (11-15-E-134424-0704)
 9. University Physicians Healthcare, Amendment No. 6, to provide for hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-U-134476-0604)
 10. NovaCare Outpatient Rehabilitation West, Inc., Amendment No. 2, to provide for physical, occupational and hand therapy services, extend contract term to 11/30/07 and amend contractual language, PHCS Enterprise Fund, contract amount \$250,000.00 (18-15-N-135315-1204)
 11. Department of Economic Security (DES), Amendment No. 4, to provide for supportive services to eligible elderly

and physically disabled individuals and amend contractual language, PHCS Enterprise Fund, contract amount based on services revenue (01-15-D-137491-0705)

12. Pima Council on Aging, Amendment No. 1, to provide for case management, respite, housekeeping, personal care reassurance, and intake services and amend contractual language, PHCS Enterprise Fund, contract amount \$398,059.00 (07-15-P-138146-0706)
13. MGA Home Healthcare, L.L.C., to provide for homecare services, PHCS Enterprise Fund, contract amount \$600,000.00 (11-15-M-138918-1206)

D. **PROCUREMENT**

14. Qualified Applicants: Award of Contract, Requisition No. 0603051, in the amount of \$300,000.00 to the six responsive and responsible applicants for as required Investigator Services. The award will be allocated to 6 contracts in the amount of \$50,000.00 each with four annual renewal options to those Investigators listed below.

James W. Driscoll, Jr., d.b.a. Driscoll Investigations and Research, Inc.	Headquarters: Tucson, AZ
David Keith Lopez, d.b.a. At Your Services Investigations	Headquarters: Tucson, AZ
Vincent Paul Fuca, d.b.a. In Touch Investigations	Headquarters: Oro Valley, AZ
Lois J. Grushka, d.b.a. Capital Service Investigations	Headquarters: Tucson, AZ
Edward G. Hardesty, d.b.a. E.G. Hardesty Investigations, Inc.	Headquarters: Tucson, AZ
Charles E. Laroue, Jr., d.b.a. Lash Laroue Investigations, L.L.C.	Headquarters: Tucson, AZ

Funding Source: General Fund.
Administering Department: Office of
Court Appointed Counsel.

15. Cooperative Procurement: Award of Contract, Requisition No. 0701626, in the amount of \$328,000.00 to Five Star Ford (Headquarters: Scottsdale, AZ) for four (4) each F450, 4x4 trucks with mounted rodders for the Wastewater Management Department. Funding Source: Wastewater Enterprise and Other Internal Service Funds. Administering Department: Fleet Services.
16. Low Bid: Award of Contract, Requisition No. 0701119, in the amount of \$1,388,792.50 to the lowest responsive bidder, Southern Arizona Paving and Construction Co., (Headquarters: Tucson, AZ), for the mill and overlay of Sunrise Drive: Campbell Avenue to Swan Road. Funding Source: Transportation Special Revenue Fund. Administering Department: Transportation.

E. **REAL PROPERTY**

17. La Colina Health Care, an Arizona Limited Partnership, to provide an Acquisition Agreement for property located at 2900 E. Milber Street for future expansion of the Kino Campus, Tax Parcel Nos. 132-19-1390 and 132-19-1400, 2004 Bond Fund, contract amount \$667,379.00 including closing costs (22-13-L-138923-1206) Facilities Management
18. C. B. Richard Ellis, L.L.C., to provide for real estate broker services for the Justice Courts Project, General Fund, contract amount \$350,000.00 (07-64-E-138898-1206) Real Property

19. Beulah Viola Smith and her successor(s) as Trustee under the Beulah Viola Smith Separate Property Trust, to provide an Acquisition Agreement for property located at 6450 S. Speaks Trail for the Valencia Road: Mark Road to Camino de la Tierra Improvement Project. Tax Parcel Nos. 137-18-1260 and 137-33-115E, 1997 Bond Fund, contract amount \$204,753.00 including closing costs (22-04-S-138894-1206) Transportation
20. Casas Adobes Plaza II, L.L.C., and Casas Adobes Ventures II, L.L.C., to provide a License Agreement for Right-of-Way Encroachment at Giaconda Way and Ina Road, west of Oracle Road, General Fund, contract amount \$22,000.00 revenue (12-04-C-138919-1206) Transportation

F. **SHERIFF**

21. RESOLUTION NO. 2006 - **318**, approving an Intergovernmental Agreement with the Arizona Attorney General's Office/City of Tucson, to provide Elder Abuse Task Force, General Fund, no cost (01-11-A-138911-1206)

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

- A. Clarence D. Klinefelter, VFW Post 3578, 1764 N. 2nd Avenue, Ajo, December 2, 2006.
- B. Clarence D. Klinefelter, VFW Post 3578, 1764 N. 2nd Avenue, Ajo, December 15, 2006.
- C. Frank Valenzuela, Tucson International Mariachi Conference, Inc., Westin La Paloma Resort, 3800 E. Sunrise Drive, Tucson, December 31, 2006.

PUBLIC WORKS

3. **DEVELOPMENT SERVICES**

Public Non-Motorized Trail Easement

P1206-054, Double Take Equestrian, L.L.C., to provide a public non-motorized trail easement to maintain, repair, replace or reconstruct the trail and vegetation and erect signs within the easement area. (District 4)

4. **RATIFY AND/OR APPROVE**

Minutes: October 10, 2006

Warrants: November, 2006