

**AGENDA, BOARD OF SUPERVISORS' MEETING**

**BOARD OF SUPERVISORS' HEARING ROOM**

**130 W. CONGRESS, 1ST FLOOR**

**MARCH 13, 2007 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 regarding a proposed tax appeal settlement recommendation for Leftovers Dog, L.L.C., an Arizona limited liability company, Arizona Tax Court Case No. ST2006-000064, Tax Parcel No. 128-15-020E.

Accept County Attorney's Office and Assessor's recommendation  
5/0

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

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

- ... **FLOOD CONTROL DISTRICT BOARD**

**UNFINISHED BUSINESS**

(RM 1/9/07, RM 2/6/07, RM 2/20/07 and RM 3/6/06)

**Appeal of Chief Engineer's Decision**

Pursuant to Pima County Code, Section 16.56.050, Shirley Van Someren appeals the decision of the Chief Engineer regarding denial of a Floodplain Use Permit on property located at 11241 E. Shady Lane. (District 4)

Continued to  
04/17/07  
5/0

... ZONING ENFORCEMENT BOARD OF APPEALS

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. P06BV00260, L. Hulbert. The Board may also during the course of the hearing and upon motion, enter into executive session.

Informational only

APPEAL OF HEARING OFFICER'S DECISION

B. P06BV00260, L. Hulbert

In accordance with the Pima County Code 18.95.030.D, L. Hulbert appeals the decision of the Hearing Officer in Case No. P06BV00260, 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 and violation of the Pima County Outdoor Lighting Code on property located at 17562 W. Redrock Lane. (District 3)

Continued for 120 days  
5/0

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. CONSENT CALENDAR: For consideration and approval

A. Call to the Public

B. Approval of Consent Calendar

Approved  
Except CC1-G18  
5/0

6. BOARD OF SUPERVISORS

Justice Precinct No. 5/Appointment

Appointment of Justice of the Peace, Precinct 5, made vacant by the resignation of Judge Jim Green.

Approved  
appointment of  
Keith Bee  
5/0

7. COUNTY ADMINISTRATOR

Classification and Compensation

The Treasurer's Office requests approval to create the following classification. There is no budget impact.

Approved  
5/0

<u>Class Code</u>	<u>Class Title</u>	<u>Grade Code</u>	<u>EEO, O/T Code</u>
7826	Treasurer's Investment Manager	U4 (\$56,843-\$127,858)	*E

\*Not Paid Overtime (Exempt)

PUBLIC WORKS

TRANSPORTATION

8. ACCEPTANCE OF PROJECTS/ROADWAYS FOR MAINTENANCE

A. P1204-122, Valstate II, Lots 1-136.  
Developer: Terramar Properties. (District 2)

Approved  
5/0

B. P1203-134, Sycamore Canyon, Block 5, Lots 306-371 and Common Areas A and B. Developer: DR Horton Homes. (District 4)

Approved  
5/0

C. P1203-134, Sycamore Canyon, Block 3, Lots 412-427 and Common Areas A and B. Developer: Canoa Builders, Inc. (District 4)

Approved  
5/0

**\* \* \* HEARINGS \* \* \***

FRANCHISE/LICENSE/PERMIT

LIQUOR LICENSE

9. 07-04-8887, Ronald Dale Shamburg, Sierrita Restaurant and Cantina, 15390 W. Ajo Highway, Tucson, Series 12, Restaurant License, New License.

Approved  
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

REZONINGS

UNFINISHED BUSINESS

(RM 2/13/07)

- 10. Co9-05-28, SORREL 136, L.L.C. - SORREL LANE REZONING  
 Request of Sorrel 136, L.L.C., represented by Stantec, for a rezoning of approximately 136.00 acres from GR-1 (Rural Residential) to CR-2 (Single Residence) on approximately 67 acres and to CR-3 (Single Residence) on approximately 69 acres, on a property located east of Sorrel Lane and north of Hermans Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cuyugan and Membrila were absent) to recommend **DENIAL**. Staff recommends **DENIAL**. (District 5)

Approved as amended  
5/0

NEW BUSINESS

**\*(CLERK'S NOTE:** Staff requests a continuance to the Board of Supervisors meeting of March 20, 2007 for Regular Agenda Item Nos. 11, 12 and 13 to ensure accurate public notice.)

- \*11. Co9-06-33, COUNTRY CLUB OF GREEN VALLEY, INC. - PASEO DE GOLF REZONING  
(District 4)
- \*12. Co9-06-36, WICK - DESERT OASIS TRAIL REZONING  
(District 3)
- \*13. Co9-06-43, OLIVEREZ/VELASCO - VELO ROAD REZONING  
(District 3)

Without objection, continued to 03/20/07

Without objection, continued to 03/20/07

Without objection, continued to 03/20/07

**APPEAL OF HEARING ADMINISTRATOR'S DECISION**

14. P21-06-033, PHILIP W. AND MILDRED B. BREWER - W. BOUNTIFUL LANE  
 In accordance with Pima County Zoning Code Section 18.97.030F(6), Arthur W. Jackson, Jr., Eric and Anna Hartvigsen, Michael and Stephanie Brueggemann and James and Lori Hahn, appeal the decision of the Hearing Administrator in Case No. P21-06-033, to allow a Conditional Use Permit for a bed and breakfast establishment on property located at 2610 W. Bountiful Lane in an SR 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 1 Conditional Use. The Hearing Administrator recommends **APPROVAL**. (District 1)

Uphold appeal  
5/0

**CONDITIONAL USE PERMIT**

15. P21-07-002, LA CASITA WATER COMPANY, INC. - S. OAK CANYON LANE  
 Request of Robert E. Bolt, applicant, on property located at 9965 S. Oak Canyon Lane, in GR-1 zone, for a conditional use permit for a water pumping and distribution facility. Chapter 18.97, in accordance with Section 18.14.030.B.15 of the Pima County Zoning Code, allows a water pumping and distribution facility as a Type II conditional use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL**. (District 2)

Approved  
5/0

16. REZONING ORDINANCE - Unadvertised Hearing  
 ORDINANCE NO. 2007 - 27, Co9-06-05, Lovitt Trust - Conestoga Avenue Rezoning. Owner: David M. Jr. and Gail A. Lovitt. (District 4)

Approved  
5/0

17. REZONING RESOLUTION - Unadvertised Hearing  
 RESOLUTION NO. 2007 - 51, Co9-02-27, Temunovic - Wetmore Road Rezoning. Owner: Broadway Motor, Inc. (District 3)

Approved  
5/0

18. COMPREHENSIVE PLAN RESOLUTIONS - Unadvertised Hearings

- A. RESOLUTION NO. 2007 - 52, Co7-06-04, Pima County - Transfer of Development Rights Regional Comprehensive Plan Policy Plan Amendment. (All Districts) Approved  
5/0
  
- B. RESOLUTION NO. 2007 - 53, Co7-06-11, Oneida Associates - N. Thornydale Road Plan Amendment. Owner: Oneida Associates. (District 1) Approved  
5/0
  
- C. RESOLUTION NO. 2007 - 54, Co7-06-13, Lee, et. al. - W. La Cresta Road Plan Amendment. Owner: Dennis and Janis Lee; Marshall and Nancy Capsuto. (District 1) Approved  
5/0
  
- D. RESOLUTION NO. 2007 - 55, Co7-06-15, Vail UPRR South, L.L.C. et. al. - E. Old Vail Road Plan Amendment. Owners: Vail UPRR South, L.L.C. (District 4) Approved  
5/0
  
- E. RESOLUTION NO. 2007 - 56, Co7-06-17, Sahuarita Corners Limited Partnership and Equivest Properties, Ltd. Partnership - S. Kolb Road Plan Amendment. Owner: Sahuarita Corners Limited Partnership and Equivest Properties, Ltd. Partnership. (District 4) Approved  
5/0

TRANSPORTATION

19. TRAFFIC ORDINANCE

ORDINANCE NO. 2007 - 28, of the Board of Supervisors, regulating traffic at the intersection of Houghton Road and Sahuarita Road, in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4) Approved  
5/0

20. CALL TO THE PUBLIC

21. ADJOURNMENT

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

DATE POSTED: 03/07/07

TIME POSTED: 5:00 P.M.

## CONSENT CALENDAR, MARCH 13, 2007

1. CONTRACTS AND AWARDSA. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

1. Drachman Design-Build Coalition, Inc., to install off-site improvements and infrastructure in the public right-of-way for a 5 unit development know as The Lessons from Civano Project, 2004 Bond Fund, contract amount not to exceed \$136,903.00 (03-70-D-139274-0307)
2. Chicanos Por La Causa, Inc., to install off-site improvements and infrastructure in the public right-of-way for a 6 unit development known as the Iowa Project, 2004 Bond Fund, contract amount not to exceed \$166,540.00 (03-70-C-139275-0207)
3. Ajo Ambulance, Inc., to provide for the purchase of 2 new ambulances, Tohono O'odham Grant Fund, contract amount \$200,000.00 (02-70-A-139276-0307)

B. COMMUNITY SERVICES EMPLOYMENT AND TRAINING

4. Tucson Youth Development, Inc., Amendment No. 5, to provide workforce development services, WIA Grant Fund, contract amount \$45,408.00 (07-39-T-135271-0904)
5. JEM Management, Inc., to provide consultation services for employer workforce needs, WIA Grant Fund \$40,040.00; Vocational Rehabilitation Grant Fund, \$8,008.00; and General Fund \$32,032.00, contract amount not to exceed \$80,080.00 (07-69-J-139263-0307)

C. COUNTY ADMINISTRATOR

6. United Way of Tucson and Southern Arizona, Inc., to provide for the Earned

Income Tax Credit Taskforce, Board of Supervisors Contingency Fund, contract amount not to exceed \$25,000.00 (28-30-U-139285-0107)

D. **COUNTY ATTORNEY**

7. Quarles & Brady, Streich Lang, L.L.P., Amendment No. 7, to provide legal advice and representation services in ongoing litigation concerning the operations of Kino Hospital and extend contract term to 6/29/08, General Fund, contract amount \$100,000.00 (17-02-Q-133092-0703)

E. **HEALTH DEPARTMENT**

8. Animal Welfare Alliance of Southern Arizona, Amendment No. 1, to provide spay and neuter services, extend contract term to 12/31/07 and amend contractual language, no cost (07-01-A-138284-0506)

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

9. RESOLUTION NO. 2007 - **48**, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Atterbury Wash Sanctuary Land Acquisition and Expansion Project, 2004 Bond Fund, contract amount \$1,200,000.00 (01-05-T-139271-0307)
10. RESOLUTION NO. 2007 - **49**, approving an Intergovernmental Agreement with the City of Tucson, to provide for the design, construction, ownership, operation and maintenance of the Rudy Garcia Park Scoreboards, 2004 Bond Fund, contract amount \$64,200.00 (01-05-T-139272-0307)
11. City of Tucson, Amendment No. 1, to provide for the design, construction,

operation and maintenance of the Pantano River Park, 2004 Bond Fund, contract amount \$800,000.00; City of Tucson, contract amount \$65,000.00 revenue (01-05-T-138306-0806)

G. **PIMA HEALTH SYSTEM**

12. NurseCore Management Services, L.L.C., d.b.a. NurseCore, Amendment No. 7, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-C-134404-0704)
13. Wisdom Access, Inc., Amendment No. 4, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-W-134429-0704)
14. Arcadia Health Services, Inc., d.b.a. Arcadia Health Care, Amendment No. 7, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-A-134430-0704)
15. Dependable Home Health, Inc., Amendment No. 4, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (11-15-D-134563-0704)
16. Ajo Ambulance, Inc., Amendment No. 1, to provide transportation services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-A-136124-0605)
17. Kindred Nursing Centers West, L.L.C., d.b.a. Valley Health Care and Rehabilitation Center, Amendment No. 3, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-K-137062-1005)

18. Arizona Health Care Cost Containment System, Amendment No. 2, to provide long term care services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-A-138594-1006)
19. SLO Ridgecrest, L.L.C., d.b.a. Ridgecrest Healthcare, to provide skilled nursing services, PHCS Enterprise Fund, contract amount not to exceed \$1,000,000.00 (18-15-S-139267-0307)

Without objection,  
removed from  
agenda

H. **PROCUREMENT**

20. Richard and Bauer Architects, L.L.C., Amendment No. 4, to provide architectural services needed for the Marana - Continental Ranch Library, extend contract term to 6/30/08 and amend contractual language, 2004 Bond Fund, contract amount \$1,500.00 (07-13-R-135830-0105) Facilities Management
21. RS Engineering, Inc., Amendment No. 6, to provide roadway design engineering services for the Country Club: 36th Street to Irvington Road Project and amend contractual language, no cost (16-04-R-127842-0300) Transportation

**AWARDS**

22. Low Bid: Award of Contract, Requisition No. 0702218, in the amount of \$315,576.00 to the lowest responsive bidder, Durazo Construction Corporation (Headquarters: Tucson, AZ). This award is for the construction of a new adobe and wood roof structured community building, site work and historic restoration work at San Pedro Chapel. Contract is for a nine-month period with the option to extend for project completion. Funding Source: 2004 Bond

Fund. Administering Department: Cultural Resources.

23. Qualified Applicants: Recommendation for Appointment and Award of Contracts, Requisition No. 0700977, in the total amount of \$36,000.00 to the 3 responsive and responsible applicants for Hearing Officer/Administrator. The award will be allocated as listed with four annual renewal options. (Headquarters: Tucson, AZ). Funding Source: Development Services Enterprise Fund. Administering Department: Development Services.

<u>Recommended</u>	<u>Award</u>
Centerline Offset, Inc.	\$12,000.00
Grace L. Evans	\$12,000.00
Roger Paul Schneider	\$12,000.00

24. Amendment No. 1, Contract No. B502962, Favorite Healthcare Staffing, Inc., to provide temporary medical personnel, extend term to 6/30/08 and increase award in the amount of \$26,000.00. Funding Source: PHCS Enterprise Fund. Administering Department: Posada Del Sol.

I. REAL PROPERTY

25. Golder Ranch Fire District, to provide an Acquisition Agreement for property located at 3535 E. Hawser Road, Catalina, Tax Parcel No. 222-21-0150, 2004 Bond Fund, contract amount \$171,819.00 including closing costs (22-70-G-139197-0307) Community Development and Neighborhood Conservation

J. RECORDER

26. RESOLUTION NO. 2007 - 50, approving an Intergovernmental Agreement with the Town of Sahuarita, to provide election

related services, revenue based on  
services (01-31-S-139278-0207)

2. **DIVISION OF ELECTIONS**

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

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Newsome, Samuel	189	DEM

  

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Segal, Robert (Bob)	042	GRN
Lewis, Roberta F.	056	DEM
Bhattacharya, Runa	073	DEM
Rosenblatt, Simon	073	DEM
Dittemore, Diane D.	079	DEM
Newsome, Samuel E.	097	DEM
Hunter, Salle E.S.	154	GRN
Harmon, Carmella S.	190	DEM
Canton, Anthony M.	205	DEM
Webb, Rosa M.	206	DEM
Mills, Melinda	258	DEM
Clancy, Dennis J.	266	DEM
Smith, Joyce T.	286	DEM

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

Workforce Investment Board

Appointment of Marcia Ruttenberg, Business, to  
replace Irma Federico. Term expiration: 9/30/09.  
(Staff recommendation)

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

- A. Clarence D. Klinefelter, VFW Post 3578, 1764  
N. 2nd Avenue, Ajo, March 10, 2007.
- B. Gail Brown, The Humane Society of Southern  
Arizona, Tucson Country Club, 2950 N. Camino  
Principal, Tucson, April 27, 2007.

5. RATIFY AND/OR APPROVE

Minutes: January 16, 2007

Zoning Enforcement Board of Appeals  
Minutes of February 13, 2007