

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

November 20, 2007 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 regarding applications for the redemption of the Waivers of Tax Exemptions.

Motion carried to accept recommendation (5/0)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

- A. RESOLUTION NO. 2007 - FC 12, of the Board of Directors of the Pima County Regional Flood Control District, authorizing additional funding for the Tres Rio's del Norte Santa Cruz River Ecosystem Restoration Project Feasibility Phase Study, Tax Levy Fund, in the amount of \$220,000.00.

Motion carried to approve (5/0)

B. **Contract**

Stantec Consulting, Inc., Amendment No. 2, to provide for the Southwest Infrastructure Plan and amend scope of work, **Regional Flood Control District Revenue Fund**, Wastewater Management Enterprise Fund, Transportation Special Revenue Fund and Development Services Enterprise Fund, contract amount \$49,406.00 (16-64-S-139148-0107) Development Services

Motion carried to approve (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**

Motion carried to approve (5/0)

5. **COUNTY ADMINISTRATOR**

A. The Department of Institutional Health requests the creation of four new Position Control Numbers to be allocated as (2) 7150/Program Manager and (2) 7120/Program Coordinator. These positions will be funded through the Budget Stabilization Fund.

Motion carried to approve (5/0)

B. The Pima County Attorney's Office requests the creation of five new Position Control Numbers to be allocated as follows:

<u>CLASS CODE/TITLE</u>	
3115	Attorney
3139	Legal Processing Support-CA
3143	Legal Secretary – CA
3147	Criminal Investigator- CA
3162	Administrative Services Specialist-CA

The total cost for this request is \$322,931.00 and will be paid through the General Fund.

Motion carried to approve (5/0)

6. **ASSESSOR**

Request for Redemption of Waiver of Tax 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 2007. 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.

Motion carried to approve (5/0)

7. **DIVISION OF ELECTIONS**

Staff requests the Board of Supervisors review and take action on the establishment of a convenient number of election precincts to accommodate the increase in the number of registered voters since the 2006 election cycle. The present number of election precincts is 409. The Board is being asked to increase the number of election precincts to 417.

Motion carried to approve as amended (5/0)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Agent Change/Acquisition of Control/Restructure

8. 07-03-012, Stephen Dave Torrey, Tucson International Airport, 7250 S. Tucson Boulevard, Tucson, Acquisition of Control.

Motion carried to approve (5/0)

9. 07-04-013, Fadhl Nagi Obeid Aldhali, Pima Liquors, 2858 W. Drexel Road, Tucson, Restructure.

Motion carried to approve (5/0)

10. 07-05-014, Lucia Palazzolo, Vitello's, 15930 N. Oracle Road, No. 178, Tucson, Agent Change and Acquisition of Control.

Motion carried to approve (5/0)

Fireworks Permit

11. Alan Raso, Westward Look Resort, 245 E. Ina Road, Tucson, December 31, 2007 at 12 midnight.

Motion carried to approve (5/0)

Liquor License

12. 07-27-8911, Kevin Long Huynh, Tatsu Sushi, 7332 N. Oracle Road, Tucson, Series 12, Restaurant License, New License.

Motion carried to approve (5/0)

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 11/6/07)

Rezoning

13. Co9-07-14, ANDERSON – MCCARTY ROAD NO. 2 REZONING Request of Stephen and Anne Bell Anderson, represented by Castro Engineering, for a rezoning of 4.12 acres from SR (Suburban Ranch) to CR-2 (Single Residence), on property located at the northeast corner of McCarty and La Cholla Roads, approximately 2,000 feet north of Magee Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Hirsh, Cuygan, and Membrila were absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and special and standard requirements. (District 1)

Motion carried to approve as amended (5/0)

NEW BUSINESS

Rezoning

14. Co9-07-04, FIDELITY NATIONAL TRUST TR 60303 – VALENCIA ROAD REZONING Request of Fidelity National Trust TR 60303, represented by CPE Consultants, L.L.C., for a rezoning of approximately 13.50 acres from CR-4© (Mixed Dwelling Type) to CB-1 (Local Business), on property located on the northwest corner of Valencia Road and Spencer Avenue Alignment. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Poulos, Hirsch and Cuygan were absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and special and standard requirements. (District 3)

Motion carried to approve (5/0)

15. Co9-07-17, WICK – CAMINO DESIERTO REZONING Request of Brian Wick, represented by GRS Landscaping Architects, for a rezoning of 2.18 acres from SR (Suburban Ranch) to CR-1 (Single Residence), on property located on the south side of Camino Desierto, approximately 1,900 feet south of Magee Road and approximately 900 feet west of Paseo del Norte. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 4-2 (Commissioners Cook and Membrila voted **NAY**, Commissioners Cuygan, Hirsh and Poulos were absent) to recommend **DENIAL**. Staff recommends

APPROVAL WITH CONDITIONS and special and standard requirements.
(District 1)

Without objection, continued to 12/18/07

16. Co9-07-19, ALLEN – CAMINO VERDE REZONING
Request of David Allen, represented by Paul Hoffman, for a rezoning of 3.3 acres from SR (Suburban Ranch) to SH (Suburban Homestead), on property located at the northwest corner of Camino Verde and Michigan Street, approximately 1/2 mile north of Ajo Highway. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Cuyugan, Hirsh and Poulos were absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and special and standard requirements.
(District 3)

Motion carried to deny (5/0)

Zoning Code Text Amendment

17. Co8-06-09, REVISIONS TO TWO-STORY RESIDENTIAL BUFFER AREA
An ordinance of the Pima County Board of Supervisors relating to zoning; amending the Pima County Zoning Code Title 18 by amending Section 18.09.110 (two-story residential buffer area) to modify the standards and criteria of the two-story residential buffer. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cuyugan and Hirsch were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2007 - **101**

Motion carried to approve as amended (5/0)

Major Streets and Scenic Routes Plan

18. Co14-07-02, ROCKING K SPECIFIC PLAN MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT
Request of Rocking K Development Company, et. al., represented by PSOMAS, to amend the Pima County Major Streets and Scenic Routes Plan by amending the alignment of the eastern portion of Valencia Road west of Old Spanish Trail, located in Sections 17 and 18, T15S, R16E, to align with the City of Tucson's Major Streets and Routes Plan. To delete the Major Street designation for the east one mile of Voyager Road west of Camino Loma Alta located in Sections 27 and 34, T15S, R16E. To delete the major street designation from the unnamed

curved roadway between Wentworth Road and Camino Loma Alta located in Sections 27 and 28, T15S, R16E. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Cuyugan, Poulos and Hirsch were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 4)

Without objection, continued to 12/11/07

Plat Note Modifications

19. P1202-023, THE ESTATES AT STARR PASS (LOT 10) PLAT NOTE MODIFICATION - BK. 57, PG. 60
Request of David and Kathie Weishaar, represented by the Estates at Starr Pass Homeowners Association and GRS Landscape Architects, for a plat note modification of Lot 10 of the Estates at Starr Pass Subdivision Plat (Bk. 57, Pg. 60). The applicant requests to remove approximately 13,257 square feet of the platted natural undisturbed open space on Lot 10. The Estates at Starr Pass subdivision is a 50.30 acres, zoned SR (Suburban Ranch) and was platted in 2003. The subject property is located on the west side of Resort Hills Place, approximately 1,600 feet south of West Anklam Road and approximately 1 1/4 miles west of West Greasewood Road. Staff recommends **APPROVAL**. (District 5)

Motion carried to approve (5/0)

20. P1298-163, COYOTE CREEK PLAT NOTE MODIFICATION LOTS 1-395; BK. 53, PG. 50
Request of Lawyers Title of Arizona Trust No. 18089-T et. al., represented by MMLA, PSOMAS, for a plat note modification of P1298-163, Coyote Creek, Bk. 53, Pg. 50. The applicant requests to change the location of the driveway access stipulated on the plat; the proposed driveway accesses would cross private open space, a public trail access easement and a one-foot no access easement. The applicant requests a plat note modification of P1298-163, Coyote Creek, Bk. 53, Pg. 50 specifically;

Key note No. 1 "10' public utility, slope, drainage, maintenance, pedestrian and equestrian access easement dedicated by this plat" to allow a 12-foot wide driveway access for Lots 221, 222, 282, 283, 284, 285, 286, 287, 345, 353, 354, and 355;

Key note No. 2 " 1' no access easement dedicated by this plat" to allow a 12-foot wide driveway to access Lots 221, 222, 282, 283, 284, 285, 286, 287, 345, 353, 354, and 355;

Key note No. 3 "Private natural open space easement granted by this plat" to allow a 12-foot wide driveway access for Lots 282, 283, 284, 285, 286, and 287;

Key note No. 7 "Private natural open space granted by this plat and public trail access easement dedicated by this plat" to allow a 12-foot wide driveway access for Lots 221, and 222, and

Key note No. 9 "Private natural open space granted by this plat and public trail access easement dedicated by this plat" for Lot 345.

Coyote Creek is a 979 acre subdivision that was rezoned in 1999. This property was rezoned from RH (Rural Homestead) to CR-1 (Single Residence Zone) and is located on the north side of Old Spanish Trail, 1/2 mile east of Camino Loma Alta. Staff recommends **DENIAL**. (District 4)

Motion carried to continue to 12/4/07 (5/0)

Rezoning Ordinances

21. ORDINANCE NO. 2007 - **102**, Co9-07-08, Lee/Capsuto – La Cresta Road Rezoning. Owner: Lee/Capsuto. (District 1)

Motion carried to approve (5/0)

22. ORDINANCE NO. 2007 - **103**, Co23-97-01, Vail Valley Specific Plan Rezoning (Second Amendment). Owner: First American Title TR 9154. (District 4)

Motion carried to approve (5/0)

ENVIRONMENTAL QUALITY

23. ORDINANCE NO. 2007 - **104**, of the Board of Supervisors of Pima County, Arizona, relating to Air Quality; amending the Pima County Code by amending Title 17, Chapters 4, 12, and 16 to amend Class I, Class II, and Class III Air Quality Permit Fees.

Motion carried to approve (5/0)

TRANSPORTATION

Waiver of Development Impact Fee

24. Pursuant to Pima County Code Section 19.03.070 (A), Connie White requests a waiver of the roadway development impact fee for property located at 16315 W. Moore Rd., Tucson, Arizona. (District 3)

Motion carried to approve as amended (5/0)

Traffic Ordinance

25. ORDINANCE NO. 2007 - **105**, of the Board of Supervisors, establishing prima facie speed limit on Alvernon Way in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1, 2, 3 and 5)

Motion carried to approve (5/0)

26. **CALL TO THE PUBLIC**

27. **ADJOURNMENT**

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

DATE POSTED: 11/14/07

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, NOVEMBER 20, 2007

1. CONTRACTS AND AWARDS

A. Community Development and Neighborhood Conservation

1. RESOLUTION NO. 2007 - 304, approving an Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community, to provide management and implementation of the distribution of SRPMIC's annual 12% local revenue-sharing contribution that includes the Native Nations' Institute activities, SRPMIC Fund, contract amount \$100,000.00 revenue (01-70-S-140392-1107)

B. County Attorney

2. Gabroy, Rollman and Bosse, P.C., Amendment No. 1, to provide legal representation in the matter of McMahan v. Pima County, et. al. No. C50051418, Self-Insurance Trust Fund, contract amount \$50,000.00 (17-02-G-138020-0406)

C. Information Technology

3. Alltel Corporation, Amendment No. 2, to provide cellular communication facilities, contract amount \$24,000.00 revenue decrease (12-14-T-140044-0700)
4. U.S. Department of Agriculture Forest Service, to provide a communications use lease for the Elephant Head Communication Site, no cost (05-14-U-140390-1107)

D. Pima Health System

5. Kindred Nursing Centers West, L.L.C., d.b.a. Desert Life Rehabilitation and Care Center, Amendment No. 6, to provide long term care and skilled nursing services, extend contract term to 10/31/08 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,000,000.00 (18-15-K-137036-1005)

E. Procurement

6. Stantec Consulting, Inc., Amendment No. 2, to provide for the Southwest Infrastructure Plan and amend scope of work, Regional Flood Control District Revenue Fund, **Wastewater Management Enterprise Fund, Transportation Special Revenue Fund and Development Services**

Enterprise Fund, contract amount \$49,406.00 (16-64-S-139148-0107)
Development Services

7. KE&G Construction, Inc., Amendment No. 1, to provide a job order contract for wastewater conveyance repair, rehabilitation and construction services and extend contract term to 6/30/08, 2004 Bond Fund, contract amount \$2,500,000.00 (26-03-K-139134-0107) Wastewater Management

Awards

8. Rejection of all bids for IFB 0800590, Pima County Development Services Tenant Improvements - Public Works Building 1st, 2nd and 3rd Floors. Staff recommends that all bids be rejected with the possibility of a new solicitation to be issued at a later date. Funding Source: Capital Project Fund. Administering Department: Facilities Management.
9. Low Bid: Award of Contract, Requisition No. 0800787, in the amount of \$346,350.00 for the construction of the Interfaith Community Services Office Addition to 4-L Construction, Inc., (Headquarters: Tucson, AZ). This award is for a nine-month period with the option to extend for project completion. Funding Source: CDBG Fund (36%); Interfaith Community Services (64%). Administering Department: Facilities Management.
10. Award of Contract, Requisition No. 0800593, in the annual amount of \$1,000,000.00 to the highest ranked/most qualified respondent, Keefe Group, L.L.C., (Headquarters: Fontana, CA) for the outsourcing of inmate commissary goods and services. Contract is for a one-year term and includes four one-year renewal periods. Funding Source: Inmate Welfare Fund. Administering Department: Sheriff.

F. Sheriff

11. RESOLUTION NO. 2007 - **305**, approving an Intergovernmental Agreement with the Ajo Justice Court, Green Valley Justice Court, Town of Sahuarita Municipal Court, City of South Tucson Municipal Court, Town of Oro Valley Magistrate Court, Town of Marana Municipal Court, City of Tucson City Court and Pima County Consolidated Justice Court, to provide for the establishment of a centralized bail bond acceptance service, General Fund, contract amount \$56,715.00 revenue (01-11-A-140395-1107)

G. Transportation

12. RESOLUTION NO. 2007 - **306**, approving an Intergovernmental Agreement with the National Park Service, to provide for public highway

maintenance, HURF Fund, contract amount \$212,500.00/ten year term
(01-04-N-140394-1107)

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

A. **Pima County, Arizona Municipal Property Corporation**

Reappointment of Bernhardt W. Collins; Cecilia Cruz; Frank Y. Valenzuela and Stanley Lehman. Term expirations: 11/19/08. (Corporation recommendations)

B. **Pima County/Tucson Commission on Addiction, Prevention and Treatment**

Appointments of Mauricio Lopez, Sr., to replace Diane Katz; Lupe Rodriguez to replace Michael Urbanski; and David B. Salafsky to replace Jan Blaser-Upchurch. Term Expirations: 11/30/08. (Commission recommendations)

C. **Workforce Investment Board**

Appointments of Tony Benavidez, Business, to replace Steven Juliver; Charles Monroe, Community Based Organization, to replace Susie Huhn; Kari Hogan, Seasonal/Migrant Workers, to replace Dannie Gill Dyas; Willette Diggs, Business, to replace Tony Benavidez; and Beverly Price, Business, to replace Maria Alday. Term expirations: 9/30/09. (Staff recommendations)

3. **RATIFY AND/OR APPROVE**

Minutes: October 2, 2007
 October 9, 2007

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

130 W. Congress St., Hearing Room, 1st Fl.

November 20, 2007 9:00 a.m.

1. **BOARD OF SUPERVISORS**

Discussion of Solid Waste Ordinance relating to fees for uncovered loads.
Direction/Action. (District 3)

Direction only

2. **CONTRACT**

Community Services, Employment and Training

RESOLUTION NO. 2007 - **307**, approving an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona, to administer a Workforce Innovation in Regional Economic Development Program, AZ WIRED Grant Fund, contract amount \$40,000.00 (01-69-A-140408-0707)

Motion carried to approve (5/0)

3. **DEVELOPMENT SERVICES**

Final Plat with Assurances

P1207-043, Co9-97-24, Oracle Medical Plaza Condominiums, Lots 1-40 and Common Elements A and B. (District 1)

Motion carried to approve (5/0)

4. **HEALTH DEPARTMENT**

Homeland Security Grant Program

A. RESOLUTION NO. 2007 - **308**, of the Board of Supervisors of Pima County, Arizona, accepting the State of Arizona, Department of Homeland Security award

for the support of the Pima County Office of Emergency Management in the amount of \$262,700.00.

Motion carried to approve (5/0)

B. RESOLUTION NO. 2007 - **309**, of the Board of Supervisors of Pima County, Arizona, accepting the State of Arizona, Department of Homeland Security award for the support of the Pima County Office of Emergency Management in the amount of \$14,228.00.

Motion carried to approve (5/0)

C. RESOLUTION NO. 2007 - **310**, of the Board of Supervisors of Pima County, Arizona, accepting the State of Arizona, Department of Homeland Security award for the support of the Pima County Office of Emergency Management in the amount of \$390,000.00.

Motion carried to approve (5/0)

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

DATE POSTED: 11/16/07

TIME POSTED: 11:00 A.M.