

AGENDA SUMMARY

Pima County Board of Supervisors' Meeting

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

October 21, 2008 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PRESENTATIONS**

A. Presentation by Glen Sampson, Tucson Meteorologist-In-Charge for the National Weather Service, recognizing Pima County as a StormReady County.

B. Presentation of a proclamation to Mike Burkholder, President of the American Diabetes Association in Pima County, proclaiming November 14, 2008, to be:

“WORLD DIABETES DAY IN PIMA COUNTY”

Motion carried to approve (5-0)

... **EXECUTIVE SESSION**

(Clerk's Note: See Zoning Enforcement Board of Appeals.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

Contract

Southern Arizona Rescue Association, Inc., Amendment No. 1, to provide a Lease Agreement for property located at 3455 N. Craycroft Road and extend contract term to 9/2/09, contract amount \$10.00 revenue (04-64-S-133013-0903)

Motion carried to approve (5-0)

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

UNFINISHED BUSINESS (RM 9/16/08)

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. P08ZV00250–1 and 2, James Hessler. The Board may also during the course of the hearing and upon motion, enter into executive session.

Without objection, continued to 11/18/08

B. Appeal of Hearing Officer's Decision

P08ZV00250– 1 and 2, James Hessler

In accordance with the Pima County Code 18.95.030.D, James Hessler appeals the decision of the Hearing Officer in Case No. P08ZV00250–1 and 2, regarding violations of the Pima County Zoning Code Section 18.81.080.C1, failure to obtain a grading permit and Section 18.72.060.A1, removing native plants without an approved plant preservation plan, on property located at 231 N. Vail View Rd. (District 4)

Without objection, continued to 11/18/08

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. CONSENT CALENDAR: For consideration and approval

A. CALL TO THE PUBLIC

B. APPROVAL OF CONSENT CALENDAR

Motion carried to approve, except 1.G.19 (5-0)

6. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

RESOLUTION NO. 2008-**280**, of the Pima County Board of Supervisors, relating to housing and infrastructure systems; designating the area known as Arivaca Townsite as a Colonia. (District 3)

Motion carried to approve (5-0)

7. NATURAL RESOURCES, PARKS AND RECREATION

RESOLUTION NO. 2008-**281**, of the Pima County Board of Supervisors, approving the filing of Recreation and Public Purposes Applications with the U. S. Bureau of Land Management (BLM) to acquire BLM disposal lands for parks, recreation, open space and trail purposes.

Motion carried to approve (5-0)

8. REGIONAL WASTEWATER RECLAMATION

Pretreatment Settlement Agreements

Staff recommends approval of the following proposed Pretreatment Settlement Agreements, RWRD System Development Fund:

- A. Catalina Restaurant Group, d.b.a. Coco's Bakery Restaurant No. 176, Case No. 2008-05. Proposed settlement amount is \$508.06.

Motion carried to approve (5-0)

- B. Macayo Restaurants, L.L.C., d.b.a. Macayo's Del Norte, Case No. 2008-06. Proposed settlement amount is \$508.06.

Motion carried to approve (5-0)

***** HEARINGS *****

FRANCHISE/LICENSE/PERMIT

Liquor License

9. 08-35-8957, Randy Allen Guse, Walgreen's No. 6645, 5525 E. River Road, Tucson, Series 9, Liquor Store License, Location Transfer.

Motion carried to approve (5-0)

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 10/7/08)

Rezoning

10. Co9-08-08, RIVERSIDE ASSOCIATES, ET. AL. – RIVER ROAD NO. 2 REZONING
Request of Riverview Associates and Pima County, represented by The Planning Center, for a rezoning of approximately 14.79 acres from SH (Suburban Homestead) to approximately 8.71 acres of TR (Transitional), approximately 4.11 acres of CB-2 (General Business) and approximately 1.97 acres of SH® (Suburban Homestead) (Restricted), on property located on the east and west sides of River Road at Roller Coaster Road, approximately 2,000 feet east of La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Richey was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve, as amended (5-0)

NEW BUSINESS

Rezoning

11. Co9-08-15, INA BUSINESS CENTER, L.L.C. – CAMINO DE LA TIERRA NO. 3 REZONING
Request of Ina Business Center, L.L.C., represented by Craig Courtney, for a rezoning of approximately 3 acres from TR (Transitional) to CB-2 (General Business), on property located on the northwest corner of Ina Road and Camino de la Tierra. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Membrila were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve, as amended (5-0)

Conditional Use Permits

12. P21-08-040, BISHOP – S. AVALON DRIVE

Robert and Pennie Bishop, on property located at 6820 S. Avalon Drive, in the RH zone, request a Conditional Use Permit for a roping arena with amplification. Chapter 18.97, in accordance with Section 18.13.030.B.35, allows a roping arena with amplification as another conditional use which is similar in type, scale and intensity to other listed conditional uses. A roping arena with amplification and commercial stable is a Type II Conditional Use in the RH zone. The Hearing Administrator recommends **APPROVAL**, subject to **STANDARD AND SPECIAL CONDITIONS**. (District 3)

Motion carried to approve (5-0)

13. P21-08-057, COOPER – W. EL TIRO ROAD

Stephen and Andrea Cooper, on property located at 16480 W. El Tiro Road, in the GR-1 zone, request a Conditional Use Permit for an automobile repair store. Chapter 18.97, in accordance with Sections 18.14.030.B.4 of the Pima County Zoning Code, allows an automobile repair store as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL**, subject to **STANDARD AND SPECIAL CONDITIONS**. (District 3)

Motion carried to approve (5-0)

14. P21-08-033, VARGAS AND LORTA – W. VALENCIA ROAD

Luis Vargas, on property located at 2600 W. Valencia Road, in the GR-1 zone, requests a Conditional Use Permit for a restaurant. Chapter 18.97, in accordance with Section 18.14.030.B.8 of the Pima County Zoning Code, allows a restaurant as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL**, subject to **STANDARD AND SPECIAL CONDITIONS**. (District 5)

Motion carried to approve (5-0)

15. **Rezoning Ordinance**

ORDINANCE NO. 2008-**99**, Co9-07-04, Fidelity National Title TR 60303 – Valencia Road Rezoning. Owner: Fidelity National Title TR 60303. (District 3)

Motion carried to approve (5-0)

TRANSPORTATION

16. **Abandonment Resolution**

RESOLUTION NO. 2008-**282**, of the Pima County Board of Supervisors, abandoning to the City of Tucson, all portions of South Twelfth Avenue, South Tenth Avenue, Jetty Avenue, Clark Avenue, Forty-Third Street, and Forty-Fourth Street lying within the incorporated limits of the City of Tucson. (Districts 2 and 5)

Motion carried to approve (5-0)

17. **Traffic Ordinances**

- A. ORDINANCE NO. 2008-**100**, of the Board of Supervisors, regulating parking on Los Reales Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)

Motion carried to approve (5-0)

- B. ORDINANCE NO. 2008-**101**, of the Board of Supervisors, establishing prima facie reasonable speed limits on Continental Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5-0)

- C. ORDINANCE NO. 2008-**102**, of the Board of Supervisors, establishing prima facie reasonable speed limits on Mary Ann Cleveland Way in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5-0)

- D. ORDINANCE NO. 2008-**103**, of the Board of Supervisors, designating Mary Ann Cleveland Way as a through street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

Motion carried to approve (5-0)

18. **CALL TO THE PUBLIC**

19. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 10/15/08
TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, OCTOBER 21, 2008

1. CONTRACTS AND AWARDS

A. Assessor

1. Robert J. Gloude-mans, Amendment No. 3, to provide consulting services for the CAMA Project, extend contract term to 11/1/09 and amend contractual language, General Fund, contract amount \$50,000.00 (07-28-G-137331-1105)

B. Community Development and Neighborhood Conservation

2. RESOLUTION NO. 2008-274, approving an Intergovernmental Agreement with the Arizona Department of Housing, to provide for the Pima County Homeless Management Information System, Arizona Housing Trust Fund, contract amount \$25,000.00 revenue (01-70-A-141407-1008)
3. RESOLUTION NO. 2008-275, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Avondale Neighborhood Lighting Project, 2004 Neighborhood Reinvestment Bond Fund, contract amount \$295,600.00 (01-70-T-141408-1008)
4. RESOLUTION NO. 2008-276, approving an Intergovernmental Agreement with the City of Tucson, to provide for the West University Neighborhood Catalina Park Project, 2004 Neighborhood Reinvestment Bond Fund, contract amount \$476,190.00 (01-70-T-141409-1008)
5. RESOLUTION NO. 2008-277, approving an Intergovernmental Agreement with the City of Tucson, to provide for the El Cortez Heights Neighborhood Park Improvement Project, 2004 Neighborhood Reinvestment Bond Fund, contract amount \$110,000.00 (01-70-T-141410-1008)

C. Community Resources

6. Sahuarita Unified School District, Amendment No. 1, to provide an after-school elementary recreation program and extend contract term to 7/31/09, General Fund, contract amount \$42,000.00 (01-67-S-140376-0807)

D. Community Services, Employment and Training

7. Corporation for a Skilled Workforce, to provide grant proposal development assistance, U. S. Department of Labor and WIRED Grant Funds, contract amount \$68,500.00 (07-69-C-141413-0708)

E. Natural Resources, Parks and Recreation

8. Catholic Community Services of Southern Arizona, Inc., d.b.a. St. Elizabeth's Health Center, to provide a Lease Agreement for a medical and dental clinic at the Ellie Towne Flowing Wells Community Center, General Fund, total contract amount \$75,250.00 revenue/25 year term (04-05-C-141405-1008)

F. Pima Health System

9. Northwest Hospital, L.L.C., d.b.a. Northwest Medical Center, Amendment No. 10, to provide hospital services and amend contractual language, no cost (18-15-N-135763-0205)
10. Oro Valley Hospital, L.L.C., d.b.a. Northwest Medical Center Oro Valley, Amendment No. 8, to provide hospital services and amend contractual language, no cost (18-15-O-135818-0105)
11. Carondelet Health Network, Amendment No. 8, to provide hospital services and amend contractual language, no cost (18-15-C-135843-0505)
12. University Medical Center Corporation, Amendment No. 11, to provide hospital services and amend contractual language, no cost (18-15-U-135865-0405)
13. Tucson Medical Center, Amendment No. 10, to provide hospital services and amend contractual language, no cost (18-15-T-136017-0505)
14. Brea Tucson, L.L.C., d.b.a. The Court at Tucson, Amendment No. 1, to provide assisted living center services, extend contract term to 9/30/09 and amend contractual language, no cost (07-15-T-140569-1007)
15. Insurance Staffers, Inc., d.b.a. Jacobson Solutions, Amendment No. 1, to provide professional interim medical claims examiner services and amend contractual language, PHCS Enterprise Fund, contract amount \$53,000.00 (18-15-I-140860-0508)

G. Procurement

16. Sellers and Sons, Inc, Amendment No. 6, to provide emergency repairs and historic renovation to Canoa Ranch Buildings 106, 107, 108, and 109 and extend contract term to 1/15/09, no cost (03-73-S-140469-1007) Public Works, Cultural Resources
17. Poster Frost Associates, Inc., Amendment No. 1, to provide professional planning services for the Historic Fort Lowell Park Master and Restoration Plan and amend contractual language, 2004 Bond Fund, contract amount \$5,500.00 (07-73-P-140842-0408) Public Works, Cultural Resources
18. PB Americas, Inc., Amendment No. 5, to provide roadway planning and design services for the Vail and Colossal Cave Road Projects and amend contractual language, Development Impact Fee Fund, contract amount \$69,723.00 (16-04-P-134047-0204) Transportation

Award

19. Award of Contracts, Requisition No. 0900004, for occupational medical services to the highest ranked/most qualified respondents in the cumulative annual amount of \$728,000.00 as listed below: Contracts are for a one-year term and include four one-year renewal periods. The award

includes the authority for the Procurement Department to reallocate the award amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts do not exceed the sum of the contract award amounts. Funding Source: Self Insurance Trust Fund. Administering Department: Finance and Risk Management.

(Headquarters: Tucson, AZ)	Annual Amount
Group A: Workers Compensation Medical Services	
Sunnyside Medcenter, P.C.	\$120,000.00
Tucson Occupational Medicine	120,000.00
Well America, Inc.	120,000.00
Group B: Occupational Medical Services	
Sunnyside Medcenter, P.C.	\$100,000.00
Tucson Occupational Medicine	100,000.00
Well America, Inc.	100,000.00
Group C: AZ Post Physical Examination Services	
Tucson Occupational Medicine	34,000.00
Sunnyside Medcenter, P.C.	34,000.00

Without objection, continued to 11/4/08

H. Sheriff

20. RESOLUTION NO. 2008-**278**, approving an Intergovernmental Agreement with the U.S. Dept. of Justice, Community Oriented Policing Services, to provide for 2008 COPS Technology Program, Federal Grant Fund, contract amount \$631,328.00 revenue (01-11-J-141412-1207)

2. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Air Quality Hearing Board

Reappointment of Dr. Barry A. Friedman. Term expiration: 10/31/11. (Staff recommendation)

B. Pima County Wireless Integrated Network

Appointment of Division Chief Randy Karrer, 2nd Alternate, Drexel Heights Fire District, to fill an existing vacancy. No term expiration. (Jurisdictional recommendation)

3. PROCUREMENT

Quarterly Contract Report

Pursuant to Pima County Code, §11.08.010, staff submits the quarterly report on contracts awarded from July 1, 2008 through September 30, 2008.

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

- A. Elizabeth A. McMahon, Catholic Community Services Foundation, La Paloma Resort, 3800 E. Sunrise Drive, Tucson, November 14, 2008.

- B. Donald Keith Poore, Tucson Center for Spiritual Living, 3895 N. Alvernon Way, Tucson, October 31, 2008.

5. **REAL PROPERTY**

Condemnation

RESOLUTION NO. 2008-279, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests, where necessary, for transportation improvements on Camino Loma Alta, Old Spanish Trail to Colossal Cave Road, in Section 34, T15S, R16E, G&SRM. (District 4)

REGIONAL WASTEWATER RECLAMATION

6. **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:

Arizona Canning Company, L.L.C., Case No. 2008-09. Proposed settlement amount is \$600.00.

ADDENDUM SUMMARY

Pima County Board of Supervisors' Meeting

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

October 21, 2008 9:00 a.m.

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

Contracts

- A. CFT Land, L.L.C., to provide an Acquisition Agreement to purchase a Drainage Easement and associated Temporary Construction Easement for the construction of the Mission View Drainage Project, Tax Parcel No. 132-15-0060, 1997 Bond Fund, contract amount \$72,950.00 including closing costs (22-59-C-141461-1008)

Motion carried to approve (5-0)

- B. Town of Marana, to provide to Pima County and **Pima County Flood Control District** an amended and restated Acquisition Agreement, Temporary Construction Easement, Public Ingress-Egress and Utility Easement and a Special Warranty Deed for property needed for the I-10 Traffic Interchange at Twin Peaks Road, Tax Parcel Nos. 226-15-002B, 226-15-002C and 226-15-020D, located in Sections 21 and 22, T12S, R12E, total contract amount \$99,200.00 revenue (22-59-M-141092-1008)

Motion carried to approve (5-0)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

1. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

The Neighborhood Reinvestment Oversight Committee recommends approval of the following:

- A. Approve the scope change for Barrios Unidos/Rancho Chuk-son Project to park and traffic improvements and name change to Barrio Kroeger Lane Neighborhood Reinvestment Project and authorize staff to negotiate an intergovernmental agreement. Estimated budget is \$150,000.00. (District 5)

Motion carried to approve (5-0)

- B. Approve the Santa Rita Project supplemental funding for a skate park. Estimated budget is \$47,000.00; and,

Approve City of Tucson, Amendment No. 2, for the Santa Rita Neighborhood Reinvestment Project and extend contract term to 12/31/10, 1997 Bond Fund, contract amount \$47,000.00; 1997 and 2004 Bond Funds, contract amount \$203,000.00, total contract amount \$250,000.00 (01-30-T-132105-0403). (District 2)

Motion carried to approve (5-0)

- C. Approve the Cardinal Neighborhood Project for traffic enhancements and authorize staff to negotiate an intergovernmental agreement. Estimated budget is \$11,000.00. (District 5)

Motion carried to approve (5-0)

- D. Approve the Barrio Viejo Project supplemental funding for a pocket park and authorize staff to negotiate an intergovernmental agreement. Estimated budget is \$43,516.00. (District 2)

Motion carried to approve (5-0)

2. **CONTRACTS**

A. **Community Services**

1. Tucson Youth Development, Inc., to provide afterschool work experience activities, U. S. Department of Labor and DES Funds, (expenditure dependent upon client status and eligibility), contract amount \$137,409.00; General Fund, contract amount \$15,000.00; total contract amount \$152,409.00 (07-69-T-141440-0908)

Motion carried to approve (5-0)

2. Tucson Urban League, to provide afterschool work experience activities, U. S. Department of Labor and DES Funds, (expenditure dependent upon client status and eligibility), contract amount \$63,003.00; General Fund, contract amount \$7,000.00; total contract amount \$70,003.00 (07-69-T-141441-0908)

Motion carried to approve (5-0)

B. **Cultural Resources**

3. Northland Research, Inc., Amendment No. 3, to provide interconnect archeological data recovery services at the Roger Road WWTP to Ina Road RWRP Plant and amend contractual language, 2004 Sewer System Revenue Bond Fund, contract amount \$996,829.00 (07-73-N-140834-0408)

Motion carried to approve (5-0)

C. Health Department

4. Mission View Assembly of God, to provide for the Higher Ground After School Program, 1% for Youth Fund, contract amount \$1,000.00 (32-01-M-141442-1008)

Motion carried to approve (5-0)

5. Sunnyside Unified School District, to provide for the Sunnyside Digital Advantage Program, 1% for Youth Fund, contract amount \$5,000.00 (32-01-S-141453-1108)

Motion carried to approve (5-0)

D. Public Works – Real Property

6. Town of Marana, to provide to **Pima County** and Pima County Flood Control District an amended and restated Acquisition Agreement, Temporary Construction Easement, Public Ingress-Egress and Utility Easement and a Special Warranty Deed for property needed for the I-10 Traffic Interchange at Twin Peaks Road, Tax Parcel Nos. 226-15-002B, 226-15-002C and 226-15-020D, located in Sections 21 and 22, T12S, R12E, total contract amount \$99,200.00 revenue (22-59-M-141092-1008)

Motion carried to approve (5-0)

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 10/17/08
TIME POSTED: 11:00 A.M.