

## AGENDA SUMMARY

### **Pima County Board of Supervisors' Meeting**

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

**November 9, 2010 9:00 a.m.**

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Pastor Raven Gaston, Catalina United Methodist Church.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

... **EXECUTIVE SESSION**

**Call to the Public (for Executive Session items only)**

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

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

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

**(Clerk's Note:** The Appellant has requested a continuance to the Board of Supervisors' Meeting of November 16, 2010.)

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. P09CV00138-1 and 2, Bonnie Martinez-Hatley and Robert Martinez. The Board may also, during the course of the hearing and upon motion, enter into executive session.

Without objection, this item was continued to 11/16/10

**B. Appeal of Hearing Officer's Decision**

P09CV00138-1 and 2, Bonnie Martinez-Hatley and Robert Martinez

In accordance with the Pima County Zoning Code Section 18.95.030C, Bonnie Martinez-Hatley and Robert Martinez, appeal the decision of the Hearing Officer in the following Case No. P09CV00138-1, regarding a violation to Zoning Code Section 18.14.020.A.7, excessive number of livestock; and, Case No. P09CV00138-2, regarding violations to Zoning Code Section 18.01.030.E.1, structures without permits (animal corrals/goat pens, goat houses, round pen, animal shade and adjoined sheds over 200 square feet), on property located at 11970 W. Archer Drive, Tucson, AZ. (District 3)

Without objection, this item was continued to 11/16/10

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

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

**A. CALL TO THE PUBLIC (for Consent Calendar items only)**

**B. APPROVAL OF CONSENT CALENDAR**

Motion carried to approve as amended (4-0)

**6. COUNTY ADMINISTRATOR**

**City of Tucson/Pima County Action Plan for Water Sustainability**

Staff recommends acceptance of the City of Tucson/Pima County Action Plan for Water Sustainability and direction to move forward with implementation of the action items.

Motion carried to approve (4-0)

**DEVELOPMENT SERVICES**

**7. Final Plat with Assurances**

P1207-111, VP Commerce Center, Lots 1-99 and Common Areas A, B and C.  
(District 4)

Motion carried to approve (4-0)

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

**FRANCHISES/LICENSES/PERMITS**

**8. Liquor License**

10-31-9043, Kim Kenneth Kwiatkowski, Circle K Store No. 0592, 2080 W. Ruthrauff Road, Tucson, Series 9, Liquor Store, New License.

Motion carried to approve (4-0)

**9. Extension of Premises/Patio Permits**

A. Daniel Dominic Scordato, Vivace Restaurant, 4310 N. Campbell Avenue, Tucson, Temporary Extension of Premises for December 22, 2010.

B. Heidi Marietta Rogers, Firelite Lounge and Cafe, 2413 W. Wetmore Road, Tucson, Temporary Extension of Premises for November 25, December 18 and 23, 2010 and January 1, 2011.

Motion carried to approve (4-0)

**DEVELOPMENT SERVICES**

UNFINISHED BUSINESS (RM 8/3/10 and 9/14/10)

**Appeal of Hearing Administrator's Decision**

**10. P21-09-036, PIMA COUNTY RIGHT-OF-WAY – W. SAGE ST.**

In accordance with Pima County Zoning Code Section 18.97, New Cingular Wireless, represented by Lake and Cobb, P.L.C., appeal the decision of the Hearing Administrator in Case No. P21-09-036, for a Type I Conditional Use Permit for a communication tower/utility pole replacement in the right-of-way located at 1715 W. Sage St. in the SR zone. Chapter 18.97, in accordance with Section 18.07.030H.2.e.7 of the Pima County Zoning Code, allows a communication tower/utility pole replacement meeting certain conditions as a Type I Conditional Use in the SR zone. The Hearing Administrator **DENIED** the request for the proposed communication tower. (District 1)

Without objection, this item was continued to 1/11/11

NEW BUSINESS

**TRANSPORTATION**

11. **Road Abandonment**

RESOLUTION NO. 2010 - **278**, of the Board of Supervisors, abandoning a County highway within the incorporated limits of the City of Tucson, all those roads within Sections 19, 20, 29 and 30, of T14S, R14E, for the Pueblo Gardens Neighborhood Association 1997 Bond Improvement Project. (District 2)

Motion carried to approve (4-0)

12. **Temporary Road Closure**

RESOLUTION NO. 2010 - **279**, of the Pima County Board of Supervisors, permitting the temporary closure of West Plaza Street in the Town of Ajo, Arizona, for a street fair on November 13, 2010. Staff recommends **APPROVAL**. (District 3)

Motion carried to approve (4-0)

13. **CALL TO THE PUBLIC**

14. **ADJOURNMENT**

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

DATE POSTED: 11/3/10

TIME POSTED: 5:00 p.m.

# CONSENT CALENDAR, NOVEMBER 9, 2010

## 1. CONTRACTS AND AWARDS

### A. Community Services, Employment and Training

1. To provide employment and training services under the Federal Community Based Job Training (CBJT) Program for the term 7/1/10 to 3/31/11, U.S. Department of Labor Fund:

<u>Vendor</u>	<u>Amount</u>	<u>Contract No.</u>
Yuma Private Industry Council	\$345,440.60	07-69-C-143439-0710
Cochise County Workforce Development, Inc., d.b.a. Cochise Private Industry Council	\$453,891.00	07-69-C-143440-0710

### B. County Attorney

2. Demand Construction Services, Inc., Amendment No. 5, to provide expert witness services in the matter of Seaboard Surety Co. v. Pima County and amend contractual language, RWRD Enterprise Fund, contract amount \$25,000.00 (31-02-D-141537-0708)

### C. Finance and Risk Management

3. Hawkins, Delafield and Wood, L.L.P., Amendment No. 3, to provide arbitrage rebate compliance services, extend contract term to 6/30/11 and amend contractual language, General Obligation and Sewer Revenue Bond Interest Funds, contract amount \$50,000.00 (07-09-H-141090-0708)

### D. Forensic Science Center

4. RESOLUTION NO. 2010 - 271, approving an Intergovernmental Agreement with Pinal County, to provide medical examiner services, General Fund, contract amount \$635,000.00 estimated revenue/5 year term (01-48-P-143425-1110)

### E. Health Department

5. Arizona Family Planning Council, Amendment No. 1, to provide family planning services and amend contractual language, Arizona Family Planning Council Fund, contract amount \$36,178.00 revenue (02-01-A-142703-0110)

**F. Kino Sports Complex**

6. Marana Unified School District, Amendment No. 3, to provide after-school and summer elementary school based recreation programs and amend contractual language for the term 8/1/10 to 7/31/11, General Fund, contract amount \$50,000.00 (01-57-M-140444-0807)

**G. Pima Health System**

7. US Bioservices Corporation, Amendment No. 4, to provide prescription Synagis services, amend contractual language and extend contract term to 10/31/11, no cost (18-15-U-138825-1106)
8. Easter Seals Blake Foundation, Amendment No. 6, to provide habilitative residential services, behavioral health management and counseling and amend contractual language, PHCS Enterprise Fund, contract amount \$600,000.00 (18-15-B-139072-0207)
9. Fox Infusion, Inc., Amendment No. 5, to provide home infusion therapy services, amend contractual language and extend contract term to 11/30/11, PHCS Enterprise Fund, contract amount \$525,000.00 (18-15-F-140460-1107)
10. ToeDr1, L.L.C., d.b.a. Martin Barry Rosenthal, D.P.M., Amendment No. 3, to provide podiatry services and assignment of contract from M. Barry Rosenthal, D.P.M., no cost (18-15-R-140723-0308)
11. University Physicians Healthcare, Amendment No. 2, to provide primary care physician and specialty services, amend contractual language and extend contract term to 10/31/11, no cost (18-15-U-141533-1108)
12. To provide skilled/non-skilled homecare services and amend contractual language, no cost:

<u>Vendor</u>	<u>Amend. No.</u>	<u>Contract No.</u>
Nursefinders, Inc.	5	18-15-N-142079-0709
NurseCore Management Services, L.L.C., d.b.a. NurseCore	6	07-15-N-142113-0709
Caregiver Connection of Arizona. L.L.C., d.b.a. Aristocare Home Health Services	4	07-15-C-142116-0709
Caregiver Connection of Arizona. L.L.C., d.b.a. Aristocare Home Health Services	3	07-15-C-142120-0709
Bayada Nurses, Inc.	5	07-15-B-142128-0709
Bayada Nurses, Inc.	5	07-15-B-142129-0709
Gentiva Health Services (U.S.A.), Inc., and Gentiva Certified Healthcare Corp., d.b.a. Gentiva Health Services	3	07-15-G-142147-0709

13. Amendment No. 3, to provide nursing facility services, amend contractual language and extend contract term to 10/31/11, no cost:

<u>Vendor</u>	<u>Contract No.</u>
Senior Living Options, L.L.C., d.b.a. Palm Valley Rehabilitation and Care Center	18-15-S-142277-0809
Glendale Healthcare Associates, L.L.C., d.b.a. Desert Sky Health and Rehabilitation Center	18-15-G-142334-0809

14. To provide nursing facility services, PHCS Enterprise Fund:

<u>Vendor</u>	<u>Amount</u>	<u>Contract No.</u>
Handmaker Jewish Services for the Aging	\$ 1,000,000.00	18-15-H-143416-1110
Villa Maria Care Center, L.L.C.	\$ 3,500,000.00	18-15-V-143417-1110
Manor Care of Tucson, L.L.C., d.b.a. Manorcare Health Services (Tucson) No. 498	\$ 4,500,000.00	18-15-M-143418-1110
Devon Gables Health Care Center, Inc.	\$12,000,000.00	18-15-D-143419-1110
Avalon Care Center – Tucson, L.L.C., d.b.a. La Colina Health Care Center	\$ 8,000,000.00	18-15-A-143420-1110
SRVC – Rosa. L.L.C., d.b.a. Santa Rosa Care Center	\$ 7,000,000.00	18-15-S-143421-1110
Ensign Sabino. L.L.C., d.b.a. Sabino Canyon Rehabilitation and Care Center	\$ 3,500,000.00	18-15-E-143422-1110
Presidio Health Associates, L.L.C., d.b.a. Catalina Healthcare Center	\$ 3,500,000.00	07-15-P-143441-1110
Quince Holdings, L.L.C., d.b.a. Pueblo Springs Rehabilitation Center	\$ 4,000,000.00	18-15-Q-143466-1110

15. Community Provider of Enrichment Services, Inc., d.b.a. CPES/Counseling and Consulting Services, to provide behavioral health services for the term 10/15/10 to 10/14/11, PHCS Enterprise Fund, contract amount \$750,000.00 (07-15-C-143444-1010)

#### H. Procurement

16. AMEC, Amendment No. 4, to provide design services for the Southeast Park Shooting Range Phase II Improvement Project, amend scope of work and extend contract term to 2/15/12, 2004 Bond Fund, contract amount \$134,986.00 (07-64-A-141778-0209) Public Works Administration

I. **Sheriff**

17. RESOLUTION NO. 2010 - **272**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for Pima County Wireless Integrated Network Interoperable P25 Radio Subscriber Equipment, Federal Grant Fund, contract amount \$50,000.00 revenue (01-11-A-143449-1010)
18. RESOLUTION NO. 2010 - **273**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for Pima County Regional Bomb Squad Enhancement Training and Equipment, Federal Grant Fund, contract amount \$75,000.00 revenue (01-11-A-143450-1010)
19. RESOLUTION NO. 2010 - **274**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for Rapid Response Team Sustainment, Federal Grant Fund, contract amount \$100,000.00 revenue (01-11-A-143451-1010)
20. RESOLUTION NO. 2010 - **275**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for Pima County Wireless Integrated Network Interoperable P25 Radio Subscriber Equipment, Federal Grant Fund, contract amount \$900,000.00 revenue (01-11-A-143452-1010)
21. RESOLUTION NO. 2010 - **276**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for the Tucson Urban Area Security Initiative Regional Emergency Operations Center Equipment Initiative, Federal Grant Fund, contract amount \$33,666.00 revenue (01-11-A-143453-1010)
22. RESOLUTION NO. 2010 - **277**, approving an Intergovernmental Agreement with the Arizona Department of Homeland Security, to provide for Pima County Regional Bomb Squad Enhancement Equipment, Federal Grant Fund, contract amount \$250,000.00 revenue (01-11-A-143454-1010)

J. **Superintendent of Schools**

23. Pima County Community College District, Amendment No. 1, to provide adult education services and amend contractual language, no cost (01-38-P-127463-0700)



## ADDENDUM SUMMARY

### **Pima County Board of Supervisors' Meeting**

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

**November 9, 2010 9:00 a.m.**

#### **1. COUNTY ADMINISTRATOR**

##### **A. Amended and Restated Swan Southlands Specific Plan Development Agreement**

RESOLUTION NO. 2010 - 280, of the Pima County Board of Supervisors, approving and authorizing the execution of the first amended and restated Swan Southlands Specific Plan Development Agreement with South Wilmot Land Investors, L.L.C.

Motion carried to approve (3-1)

##### **B. Development Agreement with Corrections Corporation of America**

RESOLUTION NO. 2010 - 281, of the Pima County Board of Supervisors, approving and authorizing the execution of a Development Agreement with CCA Properties of Arizona, L.L.C.

Motion carried to approve (3-1)

#### **2. CONTRACTS**

##### UNFINISHED BUSINESS (RM 11/2/10)

##### **A. Economic Development and Tourism**

Metropolitan Tucson Convention and Visitors Bureau, to provide for the promotion of tourism, business travel, film production, youth, amateur, semi-professional and professional sports development and marketing for the term 7/1/10 to 6/30/11, General Fund, contract amount \$2,565,463.00 (11-71-M-143410-0710)

Motion carried (4-0) to continue this item to 11/16/10

NEW BUSINESS

**B. Procurement**

AECOM Technology Services, Inc., Amendment No. 4, to provide architectural and engineering design services for the Pima County Superior Court 8th Floor Relocation and Remodel Project and amend contractual language, 1997 Bond Fund, contract amount \$541,599.00 (15-13-A-141923-0409) Facilities Management

Motion carried to approve (4-0)

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

**Board of Adjustment, District 5**

Reappointment of Roger Wolf. Term expiration: 8/31/13.

Motion carried to approve (4-0)

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

DATE POSTED: 11/5/10

TIME POSTED: 11:00 a.m.