

## AGENDA SUMMARY

### Pima County Board of Supervisors' Meeting

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

April 17, 2012 9:00 a.m.

1. **ROLL CALL**

2. **INVOCATION**

To be offered by Bishop Ollie Wills, Sunshine Ministries.

3. **PLEDGE OF ALLEGIANCE**

4. **PAUSE 4 PAWS**

5. **PRESENTATIONS/PROCLAMATIONS**

- A. Presentation of a proclamation to the Honorable Sarah R. Simmons, Presiding Judge, Pima County Superior Court, proclaiming April 30, 2012, to be:

**“LAW DAY”**

Motion carried to approve (5/0)

- B. Presentation of a proclamation to Dr. Jonathan Walker, Director of Urology, Oncology at the University Medical Center and Assistant Professor of Surgery, Urology at the University of Arizona Medical College, proclaiming the week of April 29, 2012 through May 5, 2012, to be:

**“BLADDER CANCER AWARENESS WEEK”**

Motion carried to approve (5/0)

... **EXECUTIVE SESSION**

**(Clerk's Note:** As of the posting date of 4/11/12, no executive session item has been placed on the regular agenda. However, this is subject to any addendum. Pursuant to A.R.S. §38-431.03(A)(3) the Board of Supervisors, or the Board sitting as other boards, may vote to go into executive session for the purpose of obtaining legal advice from its counsel with respect to any item listed on this agenda or any addendum thereto.)

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

6. **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 (5/0)

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

7. **COUNTY ADMINISTRATOR**

**Amendments to County Bond Ordinances and Bond Program Update**

A. ORDINANCE NO. 2012 - **18**, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 1997-35 Bond Implementation Plan, May 20, 1997 Special Election (as amended by Ordinance No. 1998-58; Ordinance No. 2001-111; Ordinance No. 2004-15; Ordinance No. 2005-91; Ordinance No. 2006-19; Ordinance No. 2006-82; Ordinance No. 2007-32; Ordinance No. 2007-94; Ordinance No. 2008-24; Ordinance No. 2008-107; Ordinance No. 2009-90; Ordinance No. 2010-23; Ordinance No. 2010-64; Ordinance No. 2011-19, and Ordinance No. 2011-78) for the purpose of amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5/0)

B. ORDINANCE NO. 2012 - **19**, of the Board of Supervisors of Pima County, Arizona, relating to Highway User Revenue Fund Revenue Bond Projects amending Ordinance No. 1997-80 Bond Implementation Plan, November 4, 1997 Special Election (as amended by Ordinance No. 1998-59; Ordinance No. 2001-112; Ordinance No. 2004-118; Ordinance No. 2005-90; Ordinance No. 2006-20; Ordinance No. 2006-83; Ordinance No. 2007-93; Ordinance No. 2009-39; Ordinance No. 2009-91; Ordinance No. 2010-22; Ordinance No. 2010-62; Ordinance No. 2011-20, and Ordinance No. 2011-77) for the purpose of reallocating bond funds, amending the scope of certain projects, amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain bond projects.

Motion carried to approve (5/0)

- C. ORDINANCE NO. 2012 - 20, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation and Sewer Revenue Bond Projects amending Ordinance No. 2004-18 Bond Implementation Plan, May 18, 2004 Special Election (as amended by Ordinance No. 2005-92; Ordinance No. 2006-21; Ordinance No. 2006-84; Ordinance No. 2007-33; Ordinance No. 2007-95; Ordinance No. 2008-25; Ordinance No. 2008-106; Ordinance No. 2009-40; Ordinance No. 2009-92; Ordinance No. 2010-24; Ordinance No. 2010-63; Ordinance No. 2010-70; Ordinance No. 2011-21, and Ordinance No. 2011-79) for the purpose of amending the scope of certain projects, amending implementation periods for certain bond projects and authorizing the use of additional other funds to finance certain projects.

Motion carried to approve (5/0)

- D. ORDINANCE NO. 2012 - 21, of the Board of Supervisors of Pima County, Arizona, relating to General Obligation Bond Projects amending Ordinance No. 2006-29 Bond Implementation Plan, May 16, 2006 Special Election (as amended by Ordinance No. 2009-93 and Ordinance No. 2011-22) for the purpose of amending the scope and implementation periods of the projects.

Motion carried to approve (5/0)

## **FRANCHISES/LICENSES/PERMITS**

### **Liquor License**

8. 12-06-9103, Jennifer Paulos, The Olives Bistro, 514 E. Whitehouse Canyon Road, Suite 100, Green Valley, Series 12, Restaurant, New License.

Motion carried to approve (5/0)

### **Extension of Premises/Patio Permits**

9. Grant Darien Krueger, Union Public House, 4340 N. Campbell Avenue, Suite 103, Tucson, Temporary Extension of Premises for May 5 and 6, 2012.

Motion carried to approve (5/0)

10. Scott B. Mencke, Fini's Landing, 5689 N. Swan Road, Tucson, Temporary Extension of Premises for May 5 and 6, 2012.

Motion carried to approve (5/0)

## DEVELOPMENT SERVICES

### UNFINISHED BUSINESS (RM 4/3/12)

#### REZONING

11. Co9-11-09, PASCUA YAQUI TRIBE, ET AL. – MARK ROAD REZONING  
Request of the Pascua Yaqui Tribe, et al., for a rezoning of approximately 30.1 acres from GR-1 (TDR-RA) (Rural Residential) (Transfer of Development Rights – Receiving Area) to CB-2 (General Business) (TDR-RA), on property located at the southeast corner of Mark Road and Valencia 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 Membrila, Cook, Matter and Steinbrenner were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 3)

Without objection, continued to 5/1/12

### NEW BUSINESS

#### COMPREHENSIVE PLAN AMENDMENT

12. Co7-11-01, FARMERS INVESTMENT COMPANY (FICO) – E. CONTINENTAL ROAD PLAN AMENDMENT  
Request of Farmers Investment Company (FICO) represented by LVA Urban Design Studio, to amend the Pima County Comprehensive Plan from Resource Transition (RT), Low Intensity Rural (LIR), Low Intensity Urban 1.2 (LIU-1.2), Medium Intensity Urban (MIU), and Neighborhood Activity Center (NAC) to Medium Intensity Urban (MIU), Medium-High Intensity Urban (MHIU), Neighborhood Activity Center (NAC), and Community Activity Center (CAC). The approximately 287 acre amendment site is located south of the Town of Sahuarita, north and south of E. Continental Road and east of S. Abrego Drive along the Santa Cruz River in the Camino de la Canoa Land Grant in the Upper Santa Cruz Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Steinbrenner, Cook, Matter, and Membrila were absent) to recommend **APPROVAL SUBJECT TO REZONING POLICIES**. Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES**. (District 4)

Motion carried to approve (5/0)

#### REZONING WITH CLUSTER OPTION

13. Co9-07-24, ARBER L.L.C. – TWIN LAKES DRIVE REZONING WITH CLUSTER OPTION  
Request of Vistoso Limited Partnership represented by Fleorchinger, Sadler, Steele, Baker, Inc., for a rezoning of approximately 7.50 acres from GR-1 (Rural Residential) and approximately 7.50 acres from GR-1 (GZ) (Gateway Overlay Zone) to

approximately 7.50 acres CR-3 (Single Residence) (Cluster Development Option), and approximately 7.50 acres CR-4 (GZ) (Mixed Dwelling Type), on property located on the west side of Twin Lakes Drive, approximately 1/2 mile north of Golder Ranch Drive in the Catalina area. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Holdridge and Membrilla voting "NAY," Commissioners Poulos and Neely were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Motion carried to approve (4/0)

#### **ZONING CODE TEXT/FEE AMENDMENTS**

14. Co8-12-01, GUEST HOUSE AND DWELLING UNIT KITCHENS TEXT AMENDMENT  
An ordinance amending the Pima County Zoning Code, Title 18, Section 18.03.020 to revise the definition of a guest house and dwelling unit as it relates to kitchens, and amend Section 18.09.020 to relax the kitchen regulations in a guest house and secondary dwelling, to decrease the minimum distance between a guest house and a main dwelling and to repeal the subsection related to temporary kitchens. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Smith were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2012 - **22**

Motion carried to approve (5/0)

\*(**Clerk's Note**: Regular Agenda Item Nos. 15 and 16 to be heard together.)

- \*15. Co8-12-02, DEVELOPMENT SERVICES FEE AMENDMENT  
An ordinance relating to fees for subdivision and development review services provided by the Development Services Department; amending Ordinance No. 2011-25, Section 1 and Exhibit A; and suspending fee increases under Ordinance No. 1997-46, Section 4, for the period of July 1, 2012 to June 30, 2013. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Smith were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2012 - **23**

Motion carried to approve (5/0)

\*16. Co8-12-04, TIME LIMITS FOR DEVELOPMENT PLANS, TENTATIVE SUBDIVISION PLATS AND TYPE II GRADING PERMITS TEXT AMENDMENT

An ordinance amending the Pima County Zoning Code, Title 18, Section 18.01.030 (application of Zoning Code) to extend the Development Services Director's authority to lengthen initial approval time limits for development plans, tentative subdivision plats and Type II grading permits from two years to three years, repeal the fee for a lengthened initial approval time limit and to extend the permitted length of time limit extensions for development plans, tentative subdivision plats and Type II grading permits from one year to three years. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Smith were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2012 - **24**

Motion carried to approve (5/0)

**REZONING ORDINANCE**

17. ORDINANCE NO. 2012 - **25**, Co9-11-03, Underdown Trust 1/3, et al. - River Road Rezoning. Owner: Underdown Trust 1/3, et al. (District 1)

Motion carried to approve (5/0)

**TRANSPORTATION**

18. **Environmental Assessment and Mitigation Report**

Staff recommends approval of the Environmental Assessment and Mitigation Report for the Valencia Road: Wade Road to Mark Road Project.

Motion carried to approve (5/0)

19. **CALL TO THE PUBLIC**

20. **ADJOURNMENT**

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

DATE POSTED: 4/11/12

TIME POSTED: 5:00 p.m.

# CONSENT CALENDAR, APRIL 17, 2012

## 1. CONTRACTS

### A. County Attorney

Squire, Sanders & Dempsey, L.L.P., Amendment No. 1, to provide legal advice and representation related to Rosemont Copper Company's Air Quality Permit application, amend scope of work and extend contract term to 10/18/2013, DEQ Operating Fund, contract amount \$50,000.00 (CT-DE-12001801)

### B. Health Department

Sunnyside Unified School District, Amendment No. 2, to provide childhood immunization services and extend contract term to 2/15/2013, no cost (CTN-HD-12000100)

### C. Real Property

Arizona Board of Regents, University of Arizona, to provide for the joint use of facility space for implementation of the Pima County Wireless Integrated Network, no cost (CTN-PW-12000561)

### D. Sheriff

Office of National Drug Control Policy, to provide for support of the High Intensity Drug Trafficking Area Program, H.I.D.T.A. Fund, contract amount \$2,214,285.00 revenue (CTN-SD-12000565)

## 2. ELECTIONS DEPARTMENT

Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Stefanie M. Mach	165	DEM
Evalyn Ekrom	191	REP
Lou M. Munoz	270	REP
Kimberly A. Adair	366	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Scott Freiman	225	REP
Kenneth R. Miller	366	REP

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

**Conservation Acquisition Commission**

Reappointments. Term expirations: April 30, 2020:

William Roe (District 3)

Charles Pettis (District 4)

Helen Gardner (District 5)

Timothy Prouty (County Administrator)

Rob Marshall (Land Conservation Organization Representative)

Leslie Corey (Land Conservation Organization Representative)

Tom Sheridan (Ranching Community Representative)

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

A. John S. Brell, Santa Catalina Catholic Church, 14380 N. Oracle Road, Tucson, April 22, 2012.

B. Louis Emmett Abney, Knights of Columbus Council No. 14230, 13260 E. Colossal Cave Road, Vail, April 27, 2012.

C. Holly J. Thompson, Special Olympics Arizona, 16045 N. Oracle Road, Catalina, April 21, 2012.

5. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of January, February and March, 2012.

6. **REGIONAL WASTEWATER RECLAMATION**

**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, Regional Wastewater Reclamation Department, 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, 3035 W. El Camino del Cerro, Tucson, Arizona 85745-9750. 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:

Safeway No. 255, Case No. C2012-02. The proposed settlement of completion of a supplemental environmental project is in accordance with the Industrial Wastewater Enforcement Response Plan.

7. **PROCLAMATION**

Proclaiming the week of May 1, 2012 through May 7, 2012 to be:

**“YOUTH WEEK IN PIMA COUNTY”**

8. **RATIFY AND/OR APPROVE**

Minutes: March 20, 2012

## ADDENDUM SUMMARY

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

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

**April 17, 2012 9:00 a.m.**

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

##### **A. Medical Health Insurance for County Employees Next Fiscal Year**

Staff recommends approval of the following:

1. Renewal of the premiums quoted by UnitedHealthcare with a guaranteed not-to-exceed premium increase of 18 percent for FY 2012/13, resulting in the specified employee and employer rates;
2. Approval of the four options for the Healthy Lifestyle Premium Discounts Program.

Motion carried to approve (5/0)

##### **B. Adoption of the Health and Wellness Chapter**

RESOLUTION NO. 2012 - 25, of the Pima County Board of Supervisors, adopting the Health and Wellness Chapter of the Sustainable Action Plan for County Operations.

Motion carried to approve (5/0)

##### **C. FC Tucson Home Field Designation at the Kino Sports Complex**

Staff recommends authorization to develop an appropriate use agreement with FC Tucson.

Motion carried to approve (5/0)

#### **2. FINANCE AND RISK MANAGEMENT**

RESOLUTION NO. 2012 - 26, of the Pima County Board of Supervisors, providing for the issuance and sale of Pima County, Arizona, General Obligation Bonds, Series 2012A in one or more series and the issuance and sale of Pima County, Arizona, General Obligation Refunding Bonds, Series 2012B in one or more series; providing for the annual levy of a tax for the payment of the bonds; providing terms, covenants and

conditions concerning the bonds; accepting a proposal for the purchase of the bonds; authorizing and directing the refunding of certain outstanding bonds; appointing an initial registrar and paying agent for the bonds; approving and ratifying all actions taken in furtherance of this resolution.

Motion carried to approve (5/0)

3. **CONTRACT**

**Community Services, Employment and Training**

Arizona Board of Regents, University of Arizona, to provide for the operation of a Mobile Health Program for the term 7/1/11 to 6/30/12, CSBG Grant Fund, contract amount \$22,500.00 (CT-CS-12000921)

Motion carried to approve (5/0)

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

DATE POSTED: 4/13/12

TIME POSTED: 10:00 a.m.