

AGENDA

Pima County Board of Supervisors' Meeting

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

January 13, 2009 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
- ... **EXECUTIVE SESSION**

(Clerk's Note: As of the posting date of 1/7/09, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

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

Mitigation Plan

Staff requests approval of the Riparian Habitat Mitigation Plan for the Union Pacific Railroad impacting important riparian areas needed for the UPRR Pantano Railroad Line Change Project, which includes a financial contribution in the amount of \$99,020.00 to a Mitigation Bank. (District 4)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

5. **CONSENT CALENDAR:** For consideration and approval
 - A. **CALL TO THE PUBLIC**
 - B. **APPROVAL OF CONSENT CALENDAR**

6. **COUNTY ADMINISTRATOR**

Classification and Compensation

A. The Consolidated Justice Court requests the creation of three (3) new Position Control Numbers to be allocated as follows, JCEF Funds:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>GRADE/RANGE</u>	<u>EEO, O/T CODE</u>
9001	Administration 2 Courts (1)	L4(\$27,729-\$55,979)	NP*
5393	Litigation Support Level 2 Courts (2)	L2(\$16,893-\$42,930)	PT**

*NP = (Not Paid Overtime) Exempt
 **PT = (Paid Overtime) Non Exempt

Revision to Merit System Rules and Personnel Policies

B. Staff requests approval of the following revision:

Personnel Policy 7-119 – Rules of Conduct

Section X is proposed to address an employee’s conduct on and off duty. It reads as recommended by the Merit System Commission after discussions regarding its applicability and a review regarding how other jurisdictions address this matter. The proposal reads as follows: “Whether on or off duty, an employee shall conduct himself or herself in a manner that will not bring discredit or embarrassment to the County.”

7. **FLEET SERVICES**

Annual Vehicle Exemptions

Pursuant to A.R.S. §38-538.03, staff requests the Board of Supervisors authorize the annual vehicle exemptions for 2009.

***** HEARINGS *****

DEVELOPMENT SERVICES

Rezoning

8. Co9-07-18, VAIL UPRR NORTH II, L.L.C. – ROCKET ROAD ALIGNMENT REZONING

Request of Vail UPRR II, L.L.C., represented by The Planning Center, for a rezoning of approximately 43.90 acres from RH (Rural Homestead) to CR-5 (Multiple Residence), on property located on

the north side of the Rocket Road alignment, approximately 2,000 feet west of Mary Ann Cleveland Way. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Smith, Spendiarian and Hewitt were absent) to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

*(**Clerk's Note:** Staff requests Agenda Item Nos. 9 and 10 be heard together.)

Rezoning Closure

- *9. Co9-97-53, ALI, ET. AL. – ORACLE ROAD REZONING
Request of Assunta Ali, et. al., represented by Frank Thomson of Frank Thomson & Associates, L.L.C., for closure of a rezoning from GR-1 (GZ) (Rural Residential) (Gateway Overlay) to CB-1 (GZ) (Local Business) (Gateway Overlay) of 3.40 acres located on the east side of Oracle Road, approximately 600 feet south of Mainsail Boulevard. The subject site was rezoned in 1998 and expired in 2008. Staff recommends **AGAINST CLOSURE**. (District 1)

Rezoning Time Extension

- *10. Co9-97-53, ALI, ET. AL. – ORACLE ROAD REZONING
Request of Assunta Ali, et. al., represented by Frank Thomson of Frank Thomson & Associates, L.L.C., for a five-year time extension for a rezoning from GR-1 (GZ) (Rural Residential) (Gateway Overlay) to CB-1 (GZ) (Local Business) (Gateway Overlay) of 3.40 acres located on the east side of Oracle Road, approximately 600 feet south of Mainsail Boulevard. The subject site was rezoned in 1998 and expired in 2008. Staff recommends **APPROVAL FOR A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 1)

Comprehensive Plan Amendment

11. Co7-08-08, CORTARO FARMS LAND AND CATTLE, L.L.C. AND PIOTROWSKI HOLDINGS, L.L.C. – W. CORTARO FARMS ROAD PLAN AMENDMENT
Request of Cortaro Land and Cattle, L.L.C. and Piotrowski Holdings, L.L.C., to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU-0.3) to Multifunctional Corridor (MFC) for approximately 17.1 acres located on the south side of W. Cortaro Farms Road and east of the N. Camino de Oeste alignment, in Section 30, T12S, R13E, in the Northwest Subregion. On motion,

the Planning and Zoning Commission voted 6-1 (Commissioner Holdridge voted NAY; Commissioners Smith, Spendiarian and Hewitt were absent) to recommend **MODIFIED APPROVAL** to Medium Intensity Urban (MIU) subject to Rezoning Policies. Staff recommends **MODIFIED APPROVAL** to Medium Intensity Urban (MIU) subject to Rezoning Policies. (District 1)

Zoning Code Text Amendment

12. Co8-07-04, CLUSTER SUBDIVISION PROCEDURES
An ordinance of the Board of Supervisors of Pima County, Arizona; relating to zoning; amending the Pima County Code by adding to Section 18.09.040 for proposed cluster subdivisions; a revised process to appeal Design Review Committee cluster decisions; revised notice procedures; and revised review procedures and timeframes. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Smith, Spendiarian, Cook and Hewitt were absent) to recommend **MODIFIED APPROVAL OF THE STAFF RECOMMENDATIONS**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2009 - 3

Conditional Use Permits

13. P21-08-039, MENDOZA – W. TETAKUSIM ROAD
Request of Rodolfo & Otilia Mendoza, represented by Manuel Amado, on property located at 4361 W. Tetakusim Rd., in the GR-1 zone, for a conditional use permit for a contractor's yard. Chapter 18.97 in accordance with Sections 18.14.030.B.12 of the Pima County Zoning Code allows a contractor's yard as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 5)
14. P21-08-068, VISTA COMPANIES, L.L.C. – W. SAHUARITA ROAD
Request of Vista Companies, on property located at 2052 W. Sahuarita Rd., in the RH zone, for a conditional use permit for a feed store. Chapter 18.97 in accordance with Sections 18.13.030.B.5 of the Pima County Zoning Code allows a feed store as a Type II Conditional Use in the RH zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

Rezoning Ordinances

15. ORDINANCE NO. 2009 - 4, Co9-07-26, Lawyers Title of AZ, TR 7992-T – Magee Road No. 2 Rezoning. Owner: Magee Como Development Assoc., L.L.C. (District 1)
16. ORDINANCE NO. 2009 - 5, Co9-08-15, Ina Business Center L.L.C. – Camino de la Tierra No. 3 Rezoning. Owner: Ina Business Center, L.L.C. (District 1)
17. ORDINANCE NO. 2009 - 6, Co9-08-13, Smithson – Pinto Lane Rezoning. Owner: Ted and Peggy Smithson. (District 1)

REGIONAL WASTEWATER RECLAMATION**Pima County Code Text Amendment**

18. ORDINANCE NO. 2009 - 7, of the Pima County Board of Supervisors relating to wastewater; amending Pima County Code, Title 13, Chapter 24, Sanitary Sewer User Fees.
19. **CALL TO THE PUBLIC**
20. **ADJOURNMENT**

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration Bldg.
DATE POSTED: 1/7/09
TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, JANUARY 13, 2009**1. CONTRACTS AND AWARDS****A. Office of Court Appointed Counsel****Award**

1. Award of Contract, Requisition No. 0901254, in the total amount of \$300,000.00 to Daniel W. Anderson for court appointed attorney services on the Superior Court Felony Panel. The contract has the renewal option for a three-year period. Funding Source: General Fund. Administering Department: Office of Court Appointed Counsel.

B. Pima Health System

2. Holy Cross Hospital, Inc., Amendment No. 3, to provide nursing facility services, extend contract term to 10/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,600,000.00 (18-15-H-137075-1005)
3. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 1, to provide acute care services and amend contractual language, PHCS Enterprise Fund, no cost (02-15-A-141668-1008)

C. Procurement**Awards**

4. Award of Contract, Requisition No. 0900540, in the annual amount of \$2,802,750.00 to the highest ranked/most qualified respondent, A & K Transportation, Inc. (Headquarters: Tucson, AZ) for special needs transportation services. Contract is for a one-year term and includes four one-year renewal periods. Funding Source: General Fund. Administering Department: Transportation.
5. Award of Contract, Requisition No. 0900926, URS Corporation, (Headquarters: San Francisco, CA) the respondent submitting the highest scoring proposal for

roadway planning and design engineering services for the La Cholla Boulevard: Magee Road to Tangerine Road Project. The contract shall be for a 30-month period for the Preliminary Planning and Engineering Phase (Stages I and II). The final negotiated contract amount for the Preliminary Planning and Engineering Phase shall not exceed \$2,300,000.00, unless amended by written agreement. Upon satisfactory completion of the first phase, the contract may be amended by written agreement to include scope, fee and additional time to perform the Final Design (Stages III, IV and V) and Post Design Services. The contract may be extended as required for project completion. In the event a fee agreement cannot be reached with the highest ranked firm, request authorization to negotiate with the next highest ranked firms in the following order: HDR Engineering, Inc., and EPS Group, Inc. Funding Source: RTA \$1,800,000.00 (80%) and Impact Fee Fund \$500,000.00 (20%). Administering Department: Transportation.

D. Real Property

6. Therapeutic Riding of Tucson, Inc., Amendment No. 1, to provide a lease agreement for property located at 8920 and 9020 East Woodland Road and extend contract term to 12/3/33, annual contract amount \$10.00 (11-64-T-137245-1105)

E. Recorder

7. RESOLUTION NO. 2009 - 12, approving an Intergovernmental Agreement with the City of South Tucson, to provide election related services, revenue per fee schedule (01-31-S-141671-0209)
8. RESOLUTION NO. 2009 - 13, approving an Intergovernmental Agreement with the Town of Sahuarita, to provide election related services, revenue per fee schedule (01-31-S-141672-0209)

F. Transportation

9. RESOLUTION NO. 2009 - 14, approving an Intergovernmental Agreement with the Arizona Department of Transportation, to design and construct a traffic signal and the approaches at the intersection of Camino de Oeste and Ajo Highway, Impact Fee Fund, contract amount \$350,000.00 (01-04-A-141669-0109)
10. RESOLUTION NO. 2009 - 15, approving an Intergovernmental Agreement with the Regional Transportation Authority, to design and construct a 1.7 mile segment of the Pantano River Park, RTA Fund, contract amount: \$1,200,000.00 revenue (01-04-R-141670-0109)

2. BOARD, COMMISSION AND/OR COMMITTEE

Flood Control District Advisory Committee

Ratification of Town of Marana appointment of Carl Larson P.E., alternate, to replace Jennifer Christelman. No term expiration. (Jurisdictional recommendation)

3. TREASURER'S OFFICE

Certificates of Clearance pursuant to A.R.S. §42-19118.

Name on Assessor's Record	Reference No.	Tax Year
A Touch of Sicily	04012165320	2004
Abacus Technologies	05012175020	2005
Abstractions	06012176692	2006
Abstractions	07012176692	2007
Aero California	04012104900	2004
Aero California	05012104900	2005
Amazing Video & Redemption	04012120165	2004
Anderson, Shirlean S.	06011129466	2006
Anderson, Shirlean S.	07011129466	2007
Antigua Designs	04012170202	2004
Arizona Auto & Bike Repair Ctr.	05012175512	2005
Arlington Investments, Inc.	07011151753	2007
Atchison, Donald C.	07011150099	2007
Aulds, Jimmie or Maria T.	07881500022	2007
Aviles, Jesus	07011152957	2007

Baez, Maria	07011158600	2007
Barajas, Sochil J.	06011189907	2006
Barajas, Sochil J.	07011189907	2007
Barrios, Arthur	07011125698	2007
Beauvais Chiropractic	07012191568	2007
Bedrock Custom Pool Interior & Tile	06012120868	2006
Benson, Kevin or Alice	07011128173	2007
Big Dawg	06011132883	2006
Big Dawg	07011132883	2007
Bishop, Mike	07011138825	2007
Boggie, Tracy	06011145337	2006
Boggie, Tracy	07011145337	2007
Boggs, Gary	06011141172	2006
Boggs, Gary	07011141172	2007
Bounce Around	05012176096	2005
Brockelsby-Bright, Sheri L.	07011154378	2007
Brown, Alan A.	06011142581	2006
Brown, Alan A.	07011142581	2007
Burke, John or Sandra	06011190563	2006
Burke, John or Sandra	07011190563	2007
Cambron, Jennifer	07011162280	2007
Capitol Vail	06012177064	2006
Capitol Vail	07012177064	2007
Carstensen, Gary or Dee	04011172215	2004
Carter, Linda	06011161662	2006
Carter, Linda	07011161662	2007
Case, Raymond G. or Garza, Carolina	06011189562	2006
Case, Raymond G. or Garza, Carolina	07011189562	2007
Checchi, Edmund J.	06011158442	2006
Checchi, Edmund J.	07011158442	2007
Clark, Jessie M.	07011143321	2007
Collins, Maria	03011154471	2003
Collins, Maria	04011154471	2004
Collins, Maria	05011154471	2005
Collins, Maria	06011154471	2006
Collins, Maria	07011154471	2007
Complete Bug & Rail	05012177235	2005
Coronado, Robert	07011144531	2007
Criglar, Gregory R.	06011148833	2006
Criglar, Gregory R.	07011148833	2007
Cundiff, Crystal	07011164323	2007
Dean's Nail & Hair Professional	03012023505	2003
Dean's Nail & Hair Professional	04012023505	2004
Dial, Lawrence or Barbara	06011155759	2006
Dial, Lawrence or Barbara	07011155759	2007
El Tepeyac	05012175716	2005
E-Max Promotions	05012174424	2005
Enriquez, Felix or Dora M.	07011161225	2007
Fanestra Practice	05012165786	2005

Fashion Furniture & More	04012120353	2004
Ford David Castelo Ins	06012183101	2006
Fuse Mobile Inc.	07012192884	2007
Fuse Mobile Inc.	07012192691	2007
Fuse Mobile Inc.	07012192692	2007
Gibbons, Lizabeth	07011190288	2007
Global Mobile	05012178419	2005
Goff, Elvis	07011136169	2007
Greathouse Distributing Inc.	03012097409	2003
Greathouse Distributing Inc.	04012097409	2004
Harrigan, Harold W.	07011128986	2007
Herbaugh, Robert Erwin	05011156719	2005
Hernandez, Joe	04012021451	2004
Hughes, Cynthia	07011132323	2007
Humbertos	05012174983	2005
International Auto Service	05012175727	2005
International Car Trade	04012170427	2004
Itip, L.L.C.	07011146805	2007
Jacobo, Ismael	07011136856	2007
Johnson, John	07011156386	2007
Jorgensen Productions	04012063991	2004
Jorgensen Productions	05012063991	2005
Kanpai Japanese Restaurant	03012078603	2003
La Catedral Bakery	04012112560	2004
La Dulceria Mi Pequena Alexandra	05012175615	2005
Lamb's Mobile Auto	04012165896	2004
Lamb's Mobile Auto	05012165896	2005
Lentine, James M. or Tina L.	06011182201	2006
Lentine, James M. or Tina L.	07011182201	2007
Long Family, L.P.	07011126163	2007
Lozano, Juan	06011127565	2006
Lozano, Juan	07011127565	2007
Lujan, Jesus A.	07011153711	2007
Martinez, Alejandro Diaz	05011137336	2005
Martinez, Alejandro Diaz	06011137336	2006
Martinez, Alejandro Diaz	07011137336	2007
Martinez, Francisco R.	07011148298	2007
Martinez, Gilberto or Ignacio	06011190255	2006
Martinez, Gilberto or Ignacio	07011190255	2007
Moran, Patrick	03011147678	2003
Moran, Patrick	04011147678	2004
Moran, Patrick	05011147678	2005
Moran, Patrick	06011147678	2006
Nunez, Carlos	07011131508	2007
Olson, Oscar M.	03011147988	2003
Olson, Oscar M.	04011147988	2004
Olson, Oscar M.	05011147988	2005
Olson, Oscar M.	06011147988	2006
Olson, Oscar M.	07011147988	2007

Osburn, Teresa J.	05011135422	2005
Osburn, Teresa J.	06011135422	2006
Osburn, Teresa J.	07011135422	2007
P M H Office Partners, L.P.	06011136622	2006
P M H Office Partners, L.P.	07011136622	2007
Palmer, Eugene Theodore	07011157851	2007
Paredes, Maria or Perez, Jorge J.	03011133055	2003
Paredes, Maria or Perez, Jorge J.	04011133055	2004
Paredes, Maria or Perez, Jorge J.	05011133055	2005
Paredes, Maria or Perez, Jorge J.	06011133055	2006
Paredes, Maria or Perez, Jorge J.	07011133055	2007
Prince Manor Properties, L.L.C.	06011125955	2006
Prince Manor Properties, L.L.C.	07011125955	2007
Quest Community Church	07012184509	2007
Raikes Collectibles	03012084007	2003
Raikes Collectibles	04012084007	2004
Raikes Collectibles	05012084007	2005
Raikes Collectibles	06012084007	2006
Raikes Collectibles	07012084007	2007
Red Star Collectables	04012166548	2004
Reyes, Andres or Lomeli, Andrea	04011172543	2004
Reyes, Andres or Lomeli, Andrea	05011172543	2005
Reyes, Andres or Lomeli, Andrea	06011172543	2006
Reyes, Andres or Lomeli, Andrea	07011172543	2007
Riley, Michael D.	07011158410	2007
Roberts, Jay	06011133984	2006
Robinson, Peter T.	05011152195	2005
Robinson, Peter T.	06011152195	2006
Robinson, Peter T.	07011152195	2007
Ruff Enterprises	07012190871	2007
Sagaz Upholstery Shop	04012170523	2004
Santa Ana Villa Assisted Living	04012113269	2004
Santa Ana Villa Assisted Living	05012113269	2005
Scheeringa, David	07011190440	2007
Scott Woodrow or Heath Michele	06011150228	2006
Scott Woodrow or Heath Michele	07011150228	2007
Shoults, George	06011148988	2006
Shoults, George	07011148988	2007
Skyline Ridge, L.L.C.	06011182151	2006
Skyline Ridge, L.L.C.	07011182151	2007
Sleepy Hollow Trailer Ranch	06011190519	2006
Sleepy Hollow Trailer Ranch	07011190519	2007
Southwest Baptist Mission	06011128973	2006
Southwest Baptist Mission	07011128973	2007
Spencer, Roy or Jacoby, Linda	07011145371	2007
Star Auto Detail	03012120341	2003
Star Auto Detail	04012120341	2004
Star Auto Detail	05012120341	2005
Star Auto Detail	06012120341	2006

Starr Distribution Services	07012120587	2007
Stott, Paul or Millie	06011126693	2006
Stott, Paul or Millie	07011126693	2007
Taco Centro	07012194721	2007
Taylor, Thomas	07011147953	2007
Tucson Bearing Co.	05012174217	2005
Vaaco Distributor	05012175385	2005
Valencia, Raul	07011127026	2007
Valentine, Patrick	06011126975	2006
Valentine, Patrick	07011126975	2007
Vasquez, Olga	06011182450	2006
Vasquez, Olga	07011182450	2007
Villagas, Victor Gonzalo	06011161475	2006
Villagas, Victor Gonzalo	07011161475	2007
Wallick Properties SW L.L.C.	05012174908	2005
Weber Gold Recycling	05012174769	2005
Yang, Marshall Gayhart	07011148749	2007

4. **RATIFY AND/OR APPROVE**

Minutes: December 2, 2008