



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

April 14, 2009

BOARD MEMBERS

Richard Elías
Chairman
District 5

Ramón Valadez
Vice Chairman
District 2

Sharon Bronson
District 3

Raymond Carroll
District 4

Ann Day
District 1

HEARING ROOM COURTESY

Please turn off cell phones/pagers or place in silent mode.

MEETING LOCATION

Pima County Administration Building
130 W. Congress St., 1st Floor
Board of Supervisors' Hearing Room
Tucson, AZ 85701

AGENDA/ADDENDUM INFORMATION

- ◆ Within 24 hours of each scheduled meeting, Agendas/Addendums are available in the Clerk of the Board's Office, 130 W. Congress St., 5th Fl., Tucson, AZ 85701, Mon-Fri, 8 to 5.
- ◆ Website: **www.pima.gov**
For online meeting schedules, agendas, addendums and associated reference material.

LIVE BROADCAST

- ◆ *Cablecast Channel* Comcast..... 96; Cox.....12
- ◆ *Webcast:* www.pima.gov

PUBLIC PARTICIPATION SPEAKERS ARE LIMITED TO 3 MINUTES

To address the Board of Supervisors, please complete a Speaker's Card available in the Hearing Room. Clearly print your name/address and indicate the relevant agenda item and/or description.

Place Speaker Card in labeled basket located on the dais. When the Chairman announces your name, step forward to the podium, speak into the microphone and state your name/address for the record.

The Chairman reserves the right to ensure all testimony is pertinent or non-repetitive so the matter will be handled fairly and expeditiously. Any questions pertaining to the meeting can be directed to Lori Godoshian, Clerk of the Board.

The Board Hearing Room is wheelchair and handicapped accessible. Any person who is in need of special services (e.g., assistive listening device, Braille or large print agenda material, signer for hearing impaired, accessible parking, etc.) due to any disability will be accommodated. Please contact the Clerk of the Board at (520) 740-8449 or the TDD line at (520) 740-3579 for these services at least three (3) business days prior to the Board Meeting.

AGENDA

Pima County Board of Supervisors' Meeting

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

April 14, 2009 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PAUSE 4 PAWS**
5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Pastor Larry Munguia with the S.O.B.E.R. Project proclaiming April 18 and 19, 2009, to be:

“CLEAN OUT YOUR MEDICINE CABINET DAYS”

... EXECUTIVE SESSION

(Clerk's Note: As of the posting date of 4/8/09, 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

Riparian Habitat Mitigation Plan

Staff requests approval of the Riparian Habitat Mitigation Plan for the proposed construction of a perimeter block wall on property located at 1701 N. Wentworth Road, within the Forty Niners Country Club Estates Subdivision adjacent to the Tanque Verde Creek. (District 4)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

6. **CONSENT CALENDAR:** For consideration and approval
 - A. **CALL TO THE PUBLIC**
 - B. **APPROVAL OF CONSENT CALENDAR**
7. **FINANCE AND RISK MANAGEMENT**
 - A. RESOLUTION NO. 2009 - **57**, of the Board of Supervisors of Pima County, Arizona, relating to lease-purchase financing for capital projects for the County; authorizing the execution and delivery of supplemental lease-purchase agreements and supplemental trust agreements or amendments thereto and other necessary agreements, instruments and documents in connection with amending and extending certain current obligations and financing additional capital project costs; approving the execution and delivery of certificates of participation; authorizing other actions and matters in connection therewith; and declaring an emergency.
 - B. RESOLUTION NO. 2009 - **58**, of the Board of Supervisors of Pima County, Arizona, providing for the financing of certain sewer system improvements and facilities through loan agreements with the Water Infrastructure Finance Authority of Arizona; approving and directing the execution and delivery of one or more loan agreements or amendments to existing loan agreements and the execution and delivery of other documents and agreements in connection therewith; providing for other related matters; and declaring an emergency.

***** HEARINGS *******FRANCHISES/LICENSES/PERMITS****Extension of Premises/Patio Permits**

8. Rick Quintela, Mad Cow Bar, 2660 W. Ruthrauff Rd., Tucson, Temporary Extension of Premises for May 3 and 10, 2009.
9. Randy D. Nations, Fox & Hound Smokehouse & Tavern, 7625 N. La Cholla Blvd., Tucson, Temporary Extension of Premises for May 5, 2009.

10. **HEALTH DEPARTMENT**UNFINISHED BUSINESS (RM 3/17/09)**Pima County Code Text Amendment**

ORDINANCE NO. 2009-26, of the Board of Supervisors of Pima County, Arizona, relating to the fees assessed for actions of the Pima County Health Department's Consumer Health and Food Safety Program; amending the Pima County Code, Chapter 8.04, Sections 8.04.125 and 8.04.130.

NEW BUSINESS**DEVELOPMENT SERVICES****Pima County Code Text Amendment**11. Co8-09-01, TIME LIMITS FOR DEVELOPMENT PLANS, TENTATIVE SUBDIVISION PLATS AND TYPE II GRADING PERMITS

An ordinance of the Pima County Board of Supervisors relating to Zoning; amending the Pima County Zoning Code Title 18, Section 18.01.030 to give the Development Services Director authority to lengthen the initial approval time limits and approve time limit extensions for Development Plans, Tentative Subdivision Plats and Type II Grading Permits and to provide for related fees. On motion, the Planning and Zoning Commission voted 5 to 3 (Commissioners Gungle, Holdridge and Matter voted NAY and Commissioner Smith was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2009 - **35**

Subdivision Plat Waiver

12. PPW09-01, MAGEE CENTER LOTS 3, 4 AND 5
Request of Magee Como Development Association, L.L.C., et. al., represented by Craig Courtney, for a subdivision plat waiver for Lots 3, 4 and 5 of Magee Center, Book 56, Page 94, Tax Parcel Nos. 225-44-5460, 5470 and 5480, pursuant to Section 18.69.080 of the Pima County Zoning Code, which allows a waiver of any or all code standards for a subdivision which has received or is not subject to an order of exemption from the public report requirements administered

by the Arizona Department of Real Estate. The applicant proposes to split, for sale or lease, existing or proposed buildings, building pads, or portions of buildings or building pads within each lot. The subject property is approximately 3.32 acres zoned TR and CB-2 and is located on the north side of Magee Road, between La Cholla Boulevard and Como Drive. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

13. Comprehensive Plan Amendment Resolutions

- A. RESOLUTION NO. 2009 - **59**, Co7-05-17, Hook M Ranch, L.L.C., et. al. – E. Andrada Road Alignment East Major Plan Amendment. Owner: Andrada Investors, L.L.C.; Co7-05-18, Hook M Ranch, L.L.C., et. al. - E. Andrada Road Alignment West Plan Amendment. Owner: Andrada Investors, L.L.C.; and Co7-05-19, Pima County – E. Andrada Road Alignment/BLM Land Major Plan Amendment. Owner: U.S. Bureau of Land Management. (District 4)
- B. RESOLUTION NO. 2009 - **60**, Co7-07-32, Pima County – Southwest Sub-region Major Plan Amendment. (District 3)
- C. RESOLUTION NO. 2009 - **61**, Co7-06-14, Arizona Board of Regents/Tucson 738, L.L.C. – West Ajo Highway Major Plan Amendment. Owners: Tucson 738, L.L.C. (District 3)
- D. RESOLUTION NO. 2009 - **62**, Co7-06-16, Economic Development Authority of the Tohono O’odham Nation – West Old Ajo Highway Plan Amendment. Owners: San Joaquin Land Investments, L.L.C. (District 3)
- E. RESOLUTION NO. 2009 - **63**, Co7-08-01, Flowing Wells Neighborhood Association and Community Coalition - N. Highway Drive Area Plan Amendment. (District 3)
- F. RESOLUTION NO. 2009 - **64**, Co7-08-02, Monument West Estates, L.L.C. - N. Sandario Road Plan Amendment. Owners: Mountain West Estates, L.L.C. (District 3)
- G. RESOLUTION NO. 2009 - **65**, Co7-08-05, Goeke – E. Noyes Street Plan Amendment. Owners: Jon and Karen Goeke. (District 4)

H. RESOLUTION NO. 2009 - 66, Co7-08-03, Sisters of Immaculate Heart of Mary - N. Sabino Canyon Road Plan Amendment. Owners: Sisters of Immaculate Heart of Mary. (District 1)

14. **CALL TO THE PUBLIC**

15. **ADJOURNMENT**

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

DATE POSTED: 4/8/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, APRIL 14, 2009**1. CONTRACTS AND AWARDS****A. Community Development and Neighborhood Conservation**

1. Tucson Unified School District, Amendment No. 1, to provide for a seating wall, kiosk, ramada, landscaping and security system for the Pueblo Gardens Elementary School Neighborhood Reinvestment Grant Project, 1997 Bond Fund, contract amount \$100,000.00 (01-70-T-137180-1005)

B. Health Department

2. Arizona Department of Health Services, Amendment No. 2, to provide sexually transmitted disease prevention services and amend contractual language, Federal Grant Fund, contract amount \$1,956.00 decrease (01-01-A-140955-0108)
3. Susan G. Komen Breast Cancer Foundation, Inc., to provide for breast cancer screening and diagnostic services, Bridging the Gap Fund, contract amount \$40,000.00 revenue (02-01-S-141854-1208)

C. Procurement

4. Desert Archaeology, Inc., Amendment No. 1, to provide for the archaeological data recovery services needed for the Ina Road Regional Wastewater Reclamation Facility Expansion and Upgrades Project and amend contractual language, 2004 Sewer System Revenue Bond Fund, contract amount \$4,680,337.00 (07-73-D-140846-0408) Public Works, Cultural Resources Office
5. Don Kelly Construction, Inc., d.b.a. Kell and Company, Amendment No. 6, to provide for the Santa Cruz Interceptor: Franklin Street to Prince Road - Phase 2 Project and amend contractual language, 2004 Sewer System Revenue Bond

Fund, contract amount \$510,000.00 (03-03-D-139168-1206) Regional Wastewater Reclamation

D. Real Property

- 6. Sierra Villas North Owners Association, to provide a License for right-of-way encroachment at Kinney Road and Tucson Estates Parkway with existing walls and boulders, contract amount \$4,000.00 revenue (12-04-S-141841-0407) Transportation

E. Transportation

- 7. RESOLUTION NO. 2009 - 55, approving an Intergovernmental Agreement with the Town of Sahuarita, to provide for the joint administration of capital improvement construction projects and personnel balancing, HURF Fund, contract amount not to exceed \$5,000,000.00 for a five year term for both jurisdictions (01-04-S-141843-0409)

2. DIVISION OF ELECTIONS

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

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Kryder, Richard D.	010	REP
Kennedy, Kelly	125	REP
Kennedy, Tiane R.	125	REP
Olson, Kathy S.	128	DEM
Olson, Paul C.	128	DEM
Cirrincione, Laura A.	142	DEM
Cox, Dustin C.	165	DEM
Clements, Neil C.	241	REP
Clements, Virginia T.	241	REP
Nelson, Linda S.	274	REP
Shumaker, Charlene	274	REP
Heydt, Shawna A.	382	REP
Reeves-Knipp, Marie	393	REP

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

- A. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, April 18, 2009.

- B. Mark D. McCord, LaPalomaKids.Org, 2905 E. Skyline Drive, Tucson, April 23, 2009.

4. **REAL PROPERTY**

A. **Abandonment by Exchange and Quit Claim Deed**

1. RESOLUTION NO. 2009 - 56, of the Pima County Board of Supervisors providing for the vacation by exchange of a portion of Los Reales Road and adjacent unnamed public right-of-way as Pima County Abandonment No. A-06-08, located between Old Spanish Trail and Rocking K Ranch Estates III, in Section 21, T15S, R16E, G&SRM. (District 4)
2. Quit Claim Deed to Fidelity National Title Agency, Inc., Trustee under Trust No. 60,380, for a portion of Los Reales Road and adjacent unnamed public right-of-way located between Old Spanish Trail and Rocking K Ranch Estates III. No revenue. (District 4)

B. **Public Utility License**

Public Utility License to Ridgeline Water Company, L.L.C., to provide a public water distribution system using all Pima County rights-of-way now existing or hereafter established and lying within the unincorporated areas of Pima County. (District 1)

5. **RATIFY AND/OR APPROVE**

Minutes: February 17, 2009