

AGENDA**Pima County Board of Supervisors' Meeting****130 W. Congress St., Hearing Room, 1st Fl.****May 19, 2009 9:00 a.m.**

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

Call to the Public (for Executive Session items only)

Public discussion and action may occur on the executive session item listed below during the regularly scheduled meeting.

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding T-Mobile v. Pima County, District Court Case No. 04:08-CV-00292-RCC in conjunction with Development Services Conditional Use Permit P21-07-027.

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

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5. **TENTATIVE BUDGET HEARINGS**

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

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

Review and adoption of Flood Control District Tentative Budget for Fiscal Year 2009/2010.

- ... **IMPROVEMENT DISTRICT BOARD**

Review and adoption of the following County Improvement District Tentative Budgets for Fiscal Year 2009/2010:

<u>IMPROVEMENT DISTRICT</u>	<u>FY 2009/2010 LEVY INCOME</u>
OTHER IMPROVEMENT DISTRICT	
HAYHOOK RANCH	\$ 57,817.00
STREET LIGHTING IMPROVEMENT DISTRICTS	
DESERT STEPPES	\$ 2,982.00
HERMOSA HILLS ESTATES	\$ 2,559.00
LONGVIEW ESTATES NO. 1	\$ 5,287.00
LONGVIEW ESTATES NO. 2	\$ 6,185.00
ROLLING HILLS	\$ 10,090.00
MAÑANA GRANDE B	\$ 4,332.00
MAÑANA GRANDE C	\$ 7,113.00
CARRIAGE HILLS NO. 1	\$ 5,118.00
LAKESIDE NO. 1	\$ 4,060.00
CARRIAGE HILLS NO. 3	\$ 1,961.00
CARDINAL ESTATES	\$ 7,850.00
ORANGE GROVE VALLEY	\$ 4,380.00
PEPPERTREE	\$ 5,439.00
LITTLE TOWN	\$ 16,255.00
MIDVALE PARK	\$ 7,291.00
PEACH VALLEY	\$ 2,554.00
OAKTREE NO. 1	\$ 13,103.00
OAKTREE NO. 2	\$ 10,286.00
OAKTREE NO. 3	\$ 13,749.00
SALIDA DEL SOL	\$ 8,384.00
MORTIMORE ADDITION	\$ 20,627.00

... **LIBRARY DISTRICT BOARD**

Review and adoption of Library District Tentative Budget for Fiscal Year 2009/2010.

... **STADIUM DISTRICT BOARD**

Review and adoption of Stadium District Tentative Budget for Fiscal Year 2009/2010.

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

BOARD OF SUPERVISORS

Review and adoption of Tentative County Budget for Fiscal Year 2009/2010.

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BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**... ZONING ENFORCEMENT BOARD OF APPEALS**

UNFINISHED BUSINESS (RM 10/5/04, RM 11/2/04, RM 11/21/06 and RM 11/18/08)

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. P04ZV00151, 1 and 2, Debra Morrow. The Board may also during the course of the hearing and upon motion, enter into executive session.

B. Appeal of Hearing Officer's Decision

P04ZV00151-1 AND 2, Debra Morrow

In accordance with the Pima County Zoning Code Section 18.95.30.D, Debra Morrow appeals the decision of the Hearing Officer in Case Nos. P04ZV00151-1 and 2, regarding violations of Sections 18.19.010 and 18.18.020, business without a permit and Section 18.01.030.E, structures without permits, on property located at 2150 N. Rosser Road, Ajo, AZ. (District 3)

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. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION DEPARTMENT**

Annual Action Plan Funding Recommendations

RESOLUTION NO. 2009 - **93**, of the Board of Supervisors, of Pima County, Arizona, approving submission to the U.S. Department of Housing and Urban Development of the Annual Action Plan for FY 2009/2010, identifying funding for the following purposes and to the following agencies:

Community Development Block Grant Program:	\$ 2,639,548.00
Home Program:	\$ 810,819.00
Emergencies Shelter Grant Program:	\$ 114,004.00

CDBG Funds

<u>Agency</u>	<u>Requested</u>	<u>Recommended</u>	<u>District</u>
Ajo-Health Clinic Pharmacy Addition	\$62,000		3
Ajo-WPCCC Operating Funds	\$5,000		3
Ajo-Ambulance CPR/EMT Training	\$3,000	\$ 3,000	3
Ajo-Life Enrichment Poverty Intervention	\$183,386		3
Ajo-Roping Arena Restoration	\$85,222		3
Ajo-Fire Department Equipment	\$14,804	\$ 12,000	3
Ajo-Food Bank New Site Study	\$28,000		3
Ajo-Curley School Manual Arts Bldg Renovation	\$137,000	\$ 137,000	3
Amado-Food Bank/Community Center Improvements	\$300,000		3
Arivaca-Water Coop Improvements	\$44,000	\$ 44,000	3
Catalina-CCS Senior Meals	\$20,000	\$ 20,000	1
Catalina-CCS Refrigerator/Freezer	\$20,000	\$ 20,000	1
Catalina-Fire Hydrants	\$60,000	\$ 30,000	1
Continental-Clinic Furnishings and Equipment	\$128,500		4
Flowing Wells-Community Center Sound System	\$18,924		3
Flowing Wells-FWNACC Operating Funds	\$5,000	\$ 5,000	3
Flowing Wells-FWNACC Revitalization Coordinator	\$10,000	\$ 10,000	3
Picture Rocks-Avra Water Security System	\$18,290		3
Picture Rocks-Avra Water Water Meters	\$40,800	\$ 30,000	3
Picture Rocks-PRFD Community Message Board	\$38,400	\$ 38,000	3
Rillito-Water System Improvements	\$248,196	\$ 75,000	3
Robles Junction-3-Pts F.D. Fire Protection Equipment	\$52,000	\$ 30,000	3
Robles Junction-Youth Program Computer Equipment	\$6,425	\$ 7,000	3
Robles Junction-Park Shade Structure	\$24,000	\$ 24,000	3
Robles Junction-Soccer Field Fencing	\$41,085		3
Valencia West-DHFD Family Safety Program	\$22,000	\$ 15,000	3
Valencia West-DHFD Fire Hydrants	\$36,000	\$ 30,000	3
Why-Fire Protection Equipment	\$20,000	\$ 10,000	3
Town of Marana – Administration	\$40,000	\$ 30,000	1 & 3
Town of Marana – Housing Rehabilitation	\$100,000	\$ 100,000	1 & 3
City of South Tucson – Administration	\$70,000	\$ 70,000	2
City of South Tucson – Community Clean-Up	\$10,000	\$ 10,000	2
City of South Tucson – Community Policing and Crime Prevention	\$96,000	\$ 75,000	2
City of South Tucson - Demolition	\$60,000		2
City of South Tucson - Fire Safety Equipment	\$55,000	\$ 55,000	2
City of South Tucson - Graffiti Abatement	\$12,000		2
City of South Tucson - Home Repair	\$100,000	\$ 70,000	2

City of South Tucson –Youth & Family Assistance	\$ 133,725	\$ 115,000	2
Pima County CDNC - Administration	\$ 400,000	\$ 400,000	
Pima County CDNC – Home Repair	\$ 600,000	\$ 600,000	All
Pima County CDNC – Septic Program	\$ 75,000	\$ 75,000	All
Pima County CDNC - Contingency	\$ 100,000	\$ 100,548	
Acorn	\$ 10,000		3
Administration of Resources and Choices	\$ 38,314	\$ 15,000	All
American Red Cross	\$ 51,307		All
Arizona Children's Association	\$ 50,000	\$ 50,000	All
Caridad-de Porres, Inc.	\$ 10,000		All
CPLC – Housing Counseling	\$ 40,000	\$ 20,000	All
CPLC – Corazón De Aztlan	\$ 25,000	\$ 15,000	All
Child Language Center, Inc.	\$ 25,000		All
CHRPA	\$ 105,000	\$ 90,000	All
DIRECT	\$ 53,000	\$ 50,000	All
EMERGE!	\$ 28,900	\$ 29,000	All
Empowering Local Communities, Inc.	\$ 25,000	\$ 10,000	All
Family Housing Resources	\$ 60,000		All
Hands of a Friend	\$ 45,372		4
Jewish Family and Children's Services – Facility Renovations	\$ 48,008		All
Jewish Family and Children's Services - Seniors Financial Literacy	\$ 39,898		All
LUZ Social	\$ 7,500		All
Pima Council on Aging	\$ 22,466		All
Pima Prevention Partnership – Community Health Ctr. Improvements	\$ 57,750		All
Pima Prevention Partnership – Teen Court	\$ 25,000	\$ 10,000	All
PPEP	\$ 30,343		2, 3 & 5
Primavera	\$ 35,000		All
RISE	\$ 25,000	\$ 10,000	All
So. Arizona Legal Aid, Inc.	\$ 23,291	\$ 20,000	All
Southwest Fair Housing Council	\$ 25,000	\$ 25,000	All
Tucson Urban League – Emergency Home Repair	\$ 45,000	\$ 45,000	All
Tucson Urban League - Microenterprise Program	\$ 45,003		All
University of Arizona	\$ 10,000	\$ 10,000	All
TOTAL	\$4,529,909	\$ 2,639,548	

HOME Program Funds

<u>Purpose</u>	<u>Recommended</u>
Administration	\$ 81,797
Affordable Housing projects	\$ 729,022
TOTAL	\$ 810,819

Emergency Shelter Grant

<u>Agency</u>	<u>Recommended</u>
Caridad de Porras	\$ 5,000
New Beginnings for Women & Children	\$ 6,500
Open Inn, Inc	\$ 4,000
Our Family Services	\$ 6,500
Primavera Foundation, Inc – Casa Paloma	\$ 15,000
Primavera Foundation, Inc –Greyhound Family Emergency Shelter	\$ 12,000
Tucson Centers for Women and Children dba: Emerge! Center	\$ 20,000
Jackson Employment Center	\$ 14,004
Pima Co Community Action Agency	\$ 31,000
TOTAL	\$ 114,004

8. PROCUREMENT**A. Appeal of Procurement Director's Decision**

Pursuant to Pima County Code, Section 11.20.010(J), Bestway Electric Motor Service Co., Inc., appeals the decision of the Procurement Director regarding IFB No. 0901647, Rewind/Repair of Electric Pump Motors.

B. Award

Low Bid: Award of Contract, Requisition No. 0901647, in the amount of \$120,608.30 for repair/rewind of electric motors to Phoenix Pumps, Inc. (Headquarters: Phoenix, AZ). The contract is for a one-year term and includes four one-year renewal periods. Funding Source: General Fund. Administering Departments: Facilities Management and Regional Wastewater Reclamation Department.

9. NATURAL RESOURCES, PARKS AND RECREATION

RESOLUTION NO. 2009 - 94, of the Pima County Board of Supervisors, approving the George Mehl Family Foothills Park Master Plan. (District 1)

TRANSPORTATION

UNFINISHED BUSINESS (RM 5/5/09)

10. Acceptance of Projects/Roadways for Maintenance

P1203-048, Public Offsite Improvements to serve Tierra Linda Nueva, Lots 1-190, Emigh Road, Station 22+00 to Station 52+21.50

and Via Socorro, Station 20+47.45 to Station 30+00.00. Developer: Robert P. Zammit. (District 3)

*** HEARINGS ***

FRANCHISES/LICENSES/PERMITS

Liquor License

11. 09-04-8974, Tommy Dale Hinsen, Cow Palace Restaurant, 28802 S. Nogales Hwy., Amado, Series 6, Bar License, New License.

Extension of Premises/Patio Permit

12. Scott A. Busse, Territorial, 3727 S. Palo Verde Rd., Tucson, Temporary Extension of Premises for June 6, June 20, July 25, August 29, September 26 and October 31, 2009.

DEVELOPMENT SERVICES

Rezoning Time Extensions

13. Co9-01-20, KOIRIF – VALENCIA ROAD REZONING
Request of Isaac & Maria Koirif, for a three-year time extension of a rezoning from GR-1 (Rural Residential) of approximately 0.59 acres to CB-2 (General Business) located on the south side of Valencia Road, approximately 1/4 mile east of Camino de Oeste, The subject site was rezoned in 2001 and expired in 2008. Staff recommends **APPROVAL OF A THREE-YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 5)
14. Co9-02-36, JOHNSON – SANTA RITA ROAD REZONING
Request of Neil Johnson, represented by David Blair, for a five-year time extension for a rezoning of approximately 2.50 acres from GR-1 (Rural Residential) to approximately 2.0 acres of CI-2 (General Industrial) and approximately 0.50 acres to CB-2 (General Business) on property located on the east side of Santa Rita Road, approximately 650 feet south of Sahuarita Road. The subject property was rezoned in March 2004 and expired in March 2009. Staff recommends **APPROVAL OF A TWO-YEAR TIME EXTENSION WITH ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 2)

15. Co9-03-31, BACKUS – OLD SPANISH TRAIL REZONING
Request of Peter G. Backus, for a five-year time extension of a rezoning from SR (Suburban Ranch) of approximately 3.10 acres to CB-1 (Local Business) for approximately 0.97 acres and SR® (Suburban Ranch Restricted) for approximately 2.07 acres located on the southwest corner of Old Spanish Trail and Camino del Garanon. The subject site was rezoned in 2004 and expired in 2009. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS.** (District 4)

Conditional Use Permit

16. P21-07-027, REAY – N. SANDARIO ROAD
T-Mobile, applicant, on property at 6860 N. Sandario Road, in a GR-1 zone, requests a conditional use permit for a communication tower. Chapter 18.97, in accordance with Section 18.07.030(H)2.d of the Pima County Zoning Code, allows a communication tower as a Type III Conditional Use in the GR-1 zone. A conditional use permit for a communication tower at a different location on the same site was previously denied by the Board. This hearing is scheduled pursuant to a proposed settlement of a Federal District Court Case Number CV 08-292-TUC-RCC (04:08-CV-00292-RCC). The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 3)

Rezoning Ordinances

17. ORDINANCE NO. 2009 - 48, Co9-71-178, Empire Acres Subdivision (Portion of Lot 5) Rezoning. Owner: Ronnie and Samone Breaux. (District 4)
18. ORDINANCE NO. 2009 - 49, Co9-07-18, Vail UPRR North II, L.L.C. – Rocket Road Alignment Rezoning. Owner: Vail UPRR North II, L.L.C. (District 4)
19. ORDINANCE NO. 2009 - 50, Co9-07-29, Vanderkolk TR – Montebella Road Rezoning. Owner: Jack & Josephine Vanderkolk TR. (District 1)

Rezoning Resolution

20. RESOLUTION NO. 2009 - 95, Co9-97-53, Ali, et. al. – Oracle Road Rezoning. Owners: Assunta Ali, et. al. (District 1)

21. **CALL TO THE PUBLIC**

22. **ADJOURNMENT**

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

DATE POSTED: 5/13/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, MAY 19, 2009**1. CONTRACTS AND AWARDS****A. Community Development and Neighborhood Conservation**

1. RESOLUTION NO. 2009 - 89, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Menlo Park Neighborhood Reinvestment Project, 2004 Bond Fund, contract amount \$498,975.00 (01-70-T-141950-0509)
2. Chicanos Por La Causa, Inc., Amendment No. 3, to provide off-site improvements and infrastructure in the public right-of-way for the Copper Vista II Project, extend contract term to 6/30/10 and amend contractual language, 1997 Bond Fund, no cost (11-70-C-137480-1005)
3. Chicanos Por La Causa, Inc., Amendment No. 2, to provide for off-site improvements and infrastructure in the public right-of-way for the Iowa Project, extend contract term to 6/30/10 and amend contractual language, 2004 Bond Fund, no cost (03-70-C-139275-0207)
4. Chicanos Por La Causa, Inc., Amendment No. 1, to provide for infrastructure improvements in the public right-of-way for the Westmoreland Project, extend contract term to 5/19/10 and amend contractual language, 2004 Bond Fund, no cost (03-70-C-140847-0508)
5. American Red Cross Southern Arizona Chapter, to provide safety training and emergency equipment, Pascua Yaqui Tribe Fund, contract amount \$100,000.00 (02-70-A-141943-0509)
6. Arizona Masonic Foundation for Children, to provide training and support to educators and staff to identify at-risk youth, Pascua Yaqui Tribe Fund, contract amount \$12,677.07 (02-70-A-141944-0509)

B. Community Services, Employment and Training

7. SER - Jobs for Progress of Southern AZ, Inc., to provide workforce development services to youth and adults, WIA Grant Fund, \$64,882.00; General Fund, \$3,400.00; contract amount \$68,282.00 (07-69-S-141934-0509)
8. Tucson Urban League, Inc., to provide workforce development services to youth and adults, WIA Grant Fund, \$65,510.00; General Fund, \$3,400.00; contract amount \$68,910.00 (07-69-T-141935-0509)
9. Tucson Youth Development, to provide workforce development services to youth and adults, WIA Grant Fund, \$129,764.00; General Fund, \$6,800.00; contract amount \$136,564.00 (07-69-T-141936-0509)

C. County Attorney

10. Howard Baldwin, Esq., Amendment No. 2, to provide legal representation relating to the Boards of Adjustment and amend contractual language, General Fund, contract amount \$25,000.00 (17-02-B-139388-0207)

D. Environmental Quality

11. Arizona Department of Environmental Quality, Amendment No. 1, to provide for the Voluntary Vehicle Repair and Retrofit Program, contract amount \$16,000.00 decrease (02-51-A-135268-1104)

E. Health Department

12. SharMoore Children's Productions, to provide for after school health and education activities for youth under the Stories that Soar Program, Health Fund (1% for Youth), contract amount \$4,800.00 (02-01-S-141929-0509)

F. Natural Resources, Parks and Recreation

13. American Bicycle Association Foundation, Amendment No. 1, to provide a lease-management agreement for the BMX Track at Winston Reynolds-Manzanita Park and extend contract term to 6/30/14, contract amount \$1,000.00 revenue (04-05-A-134995-0904)

G. Pima Health System

14. McLain Enterprises, Inc., d.b.a. Comfort Keepers, Amendment No. 9, to provide non-skilled homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (11-15-M-134842-0804)
15. Park Waverly Healthcare, L.L.C., d.b.a. Park Avenue Health and Rehabilitation, Amendment No. 5, to provide long term care and skilled nursing services and reflect name change, PHCS Enterprise Fund, no cost (18-15-P-137077-1005)
16. LifeCare Solutions, Inc., Amendment No. 1, to provide durable medical equipment/supplies and amend contractual language, PHCS Enterprise Fund, contract amount \$200,000.00 (07-15-L-140580-0108)
17. Dependable Medical Equipment, Inc., Amendment No. 2, to provide durable medical equipment/supplies and amend contractual language, PHCS Enterprise Fund, contract amount \$500,000.00 (07-15-D-140581-0108)
18. Pima Council on Aging, Inc., Amendment No. 1, to provide home and community based services, extend contract term to 6/30/10 and amend contractual language, PHCS Enterprise Fund, no cost (07-15-P-141041-0708)
19. Reliable Nurses, L.L.C., Amendment No. 1, to provide homecare services and amend contractual language, PHCS Enterprise Fund, contract amount \$200,000.00 (07-15-R-141111-0708)

H. Procurement**Award**

20. Amendment of Award: Oracle USA, Blanket Contract No. B504228, Revision 2, to provide software maintenance for SPL Synergen Series products, extend contract term to 6/30/10 and increase award in the amount of \$107,120.00. Funding Source: Various Departments. Administering Department: Information Technology.

I. Regional Wastewater Reclamation

21. RESOLUTION NO. 2009 - 90, approving an Intergovernmental Agreement with the Town of Marana, to exchange water use information to calculate billings to sewer users, RWRD Enterprise Fund, contract amount \$45,000.00 (01-03-M-141932-0509)

J. Transportation

22. RESOLUTION NO. 2009 - 91, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide planning, design and construction of improvements to Sunset Rd: Silverbell to I-10 to River Road, RTA Fund, contract amount \$350,000.00 revenue (01-04-R-141937-0509)
23. Regional Transportation Authority, Amendment No. 1, to provide design and construction to Tanque Verde Road: Catalina Highway to Houghton Road, RTA Fund, contract amount \$11,099,000.00 revenue (01-04-R-139737-0707)
24. Regional Transportation Authority, Amendment No. 1, to provide design and construction to La Cholla Blvd: Ruthrauff Road to River Road, RTA Fund, contract amount. \$11,963,376.00 revenue (01-04-R-139778-0906)

- 25. Regional Transportation Authority, Amendment No. 1, to provide for wireless communications systems at 98 existing signalized intersections, RTA Fund, contract amount \$30,000.00 revenue (01-04-R-140464-1207)
- 26. Regional Transportation Authority, Amendment No. 2, to provide miscellaneous intersection safety and capacity improvement and amend contractual language, RTA Fund, no cost (01-04-R-140922-0608)
- 27. Qwest, to provide replacement of conduit and manholes for the La Canada Drive Project, RTA Fund, contract amount \$401,153.33 (07-04-Q-141945-0509)

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>
DeConcini, Suzanne S.	155	DEM
Musgrove, Ellar B.	155	DEM
Hay, Marcia C.	219	REP
Henderson, Jill	219	REP
Walker, Candice M.	219	REP

3. **REAL PROPERTY**

RESOLUTION NO. 2009 - 92, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn for real property or real property interests where necessary for the Sunrise Drive: Craycroft to Kolb Road Project in Sections 11, 12, 13 and 14 of T13S, R14E and Sections 7 and 18 of T13S, R15E, G&SRM. (District 1)