



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

September 15, 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.
September 15, 2009 9:00 a.m.**

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

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.

UNFINISHED BUSINESS (RM 9/1/09)

- A. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding approval of tax appeal settlement recommendations for the following:
 1. Stardust-Cantera v. Pima County
Tax Parcel Nos. 140-32-5690 through 140-32-7110
Arizona Tax Court Case No. TX2008-000903
 2. Stardust-Reif v. Pima County
Tax Parcel Nos. 132-28-0010 through 132-28-7550
Arizona Tax Court Case No. TX2008-000603
 3. AIG v. Pima County
Tax Parcel Nos. 133-14-462B, 133-14-8180
Arizona Tax Court Case No. TX2008-000833
 4. First Professional Plaza v. Pima County
Tax Parcel Nos. 105-09-015G, 105-09-015J,
105-09-015K, 105-09-015L, 105-09-015M
Arizona Tax Court Case No. TX2008-000927

NEW BUSINESS

- B. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding approval of tax appeal settlement recommendations for the following:
1. Azin v. Pima County
Tax Parcel No. 225-02-008E
Arizona Tax Court Case No. TX2009-000151
 2. 6650 S. Country Club v. Pima County
Tax Parcel No. 140-42-003A
Arizona Tax Court Case No. TX2008-000536

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. **BOARD OF SUPERVISORS**

RESOLUTION NO. 2009 - 233, of the Board of Supervisors of Pima County, supporting the grant application of the Friends of Saguaro National Park, to the Pascua Yaqui Tribe for a portion of the Tribe's annual contribution to Cities, Towns and Counties, in the amount of \$15,000.00. (District 3)

7. **FINANCE AND RISK MANAGEMENT**

- A. RESOLUTION NO. 2009 - 234, of the Board of Supervisors of Pima County, Arizona ordering the sale of not to exceed \$28,000.00 principal amount of Pima County, Arizona, street and highway revenue bonds.
- B. RESOLUTION NO. 2009 - 235, of the Board of Supervisors of Pima County, Arizona ordering the sale of not to exceed \$115,000.00 principal amount of Pima County, Arizona, general obligation bonds.

8. **PROCUREMENT**

Staff requests approval of Board of Supervisors Policy No. D29.11, Pima County Surplus Personal Property.

9. **DEVELOPMENT SERVICES**

Final Plat with Assurances

P1207-006, Rocking K South, Blocks 1-14. (District 4)

TRANSPORTATION

10. **Acceptance of Project/Roadway for Maintenance**

Co12-94-94, Offsite Improvements on Campbell Road, Station 1+00 to Station 11+15.76 to serve Madera Reserve Village 4, Lots 95-117, Expansion Parcels 18EX – 34EX and Common Area A. Developer: Continental Foothills, L.L.C., Diamond Management. (District 4)

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Liquor Licenses

11. 09-18-8988, Jane Marie Lawson, Stage Coach Bar and Grill, 277 W. Duval Road, Green Valley, Series 12, Restaurant License, New License.
12. 09-19-8989, Tsz Ching Ip, Tatsu Sushi, 7332 N. Oracle Road, Tucson, Series 12, Restaurant License, New License.

Fireworks Permit

13. Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, October 3, 2009 at 8:00 p.m.

DEVELOPMENT SERVICES

Rezoning Closure

14. Co9-98-03, ZOZAYA – AJO/GILA BEND HIGHWAY REZONING
Request of David Zozaya, to close a rezoning from SH (Suburban Homestead) to TH (Trailer Homesite) of 1.79 acres located on the east side of Ajo/Gila Bend Highway, approximately 200 feet south of Briggs Road in Ajo. The rezoning was approved in 1998 and expired in 2003. Staff recommends **CLOSURE**. (District 3)

Conditional Use Permit

15. P21-09-015, KERN – E. EDWIN RD.
Request of Robert and Teresa Kern, represented by Bonesteel Inc., on the property located at 3302 E. Edwin Rd., in the GR-1 zone, for a Conditional Use Permit for an expansion of a Feed Store. Chapter 18.97, in accordance with Section 18.14.030B1 of the Pima County Zoning Code, allows a Feed Store as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

Plat Note Waiver/Modification

16. Co12-72-42, LA CANADA FOOTHILLS, PORTION OF LOT 74
Request of Eric Clark for a waiver of a plat note on Lot 74 of La Canada Foothills subdivision (Bk. 24, Pg. 79) which depicts a one-foot no access easement along the northern boundary of the lot fronting Rudasill Road. The applicant requests to allow two vehicular access drives via Rudasill Road to a portion of Lot 74, Tax Parcel No.102-14-081C. The subject property is 1.36 acres zoned CR-1 and is located on the south side of Rudasill Road, approximately 1,300 feet east of La Cholla Boulevard. Reference case: Co9-72-29. Staff recommends **APPROVAL WITH CONDITIONS**. (District 1)

Rezoning Ordinances

17. ORDINANCE NO. 2009 - 85, Co9-05-30, Stewart Title and Trust No. 1580 – Kinney Road Rezoning. Owner: Stewart Title and Trust No. 1580. (District 3)
18. ORDINANCE NO. 2009 - 86, Co9-06-12, Grant Road Lumber Co., Inc. Profit Sharing Plan and Tr. – Rocket Road Alignment Rezoning. Owner: Grant Road Lumber Co., Inc. PSP&TR. (District 4)
19. ORDINANCE NO. 2009 - 87, Co9-07-13, Circle K Stores, Inc. – Valencia Road No. 2 Rezoning. Owner: Circle K Stores, Inc. (District 5)

Rezoning Resolutions

20. RESOLUTION NO. 2009 - 236, Co9-83-139, Elan Development – Magee Road Rezoning. Owners: Title Security Agency TR. T-530. (District 1)
21. RESOLUTION NO. 2009 - 237, Co9-90-27, A. Z. Medici, Inc. – Magee Road Rezoning. Owners: La Cholla – Magee Investments, L.L.C. (District 1)

22. RESOLUTION NO. 2009 - **238**, Co9-96-15, Gehlsen/Myers – Oracle Road Rezoning. Owners: Ronald Gehlsen, et. al. (District 1)
23. RESOLUTION NO. 2009 - **239**, Co9-99-15, Gatzionis Brothers Family Partnership, et. al., - Orange Grove Road No. 2 Rezoning. Owners: Constantino and Nelida Panousopoulos. (District 1)

Comprehensive Plan Amendment Resolutions

24. RESOLUTION NO. 2009 - **240**, Co7-07-25, Wilmot and Kolb, L.L.C. – S. Wilmot Road Plan Amendment. Owners: Wilmot and Kolb, L.L.C. (District 4)
25. RESOLUTION NO. 2009 - **241**, Co7-08-08, Cortaro Farms Land and Cattle, L.L.C., and Piotrowski Holdings, L.L.C. – W. Cortaro Farms Road Plan Amendment. Owners: Cortaro Farms Land and Cattle Company, L.L.C., 75% and Piotrowski Holdings, L.L.C., 25%. (District 1)
26. RESOLUTION NO. 2009 - **242**, Co7-08-11, Jiahornng Lin and Chihua Wu Revocable Trust, et. al. – W. River Road Plan Amendment. Owners: Lin Jiahornng and Chihua Wu, Revoc. TR., et. al. (District 1)

27. Comprehensive Plan Amendment Corrections and Resolutions

- A. Staff requests approval to correct to the Board of Supervisors' Minutes of March 10, 2009, to reflect the adopted rezoning policies for the Comprehensive Plan Amendments detailed in the following resolutions.
- B. RESOLUTION NO. 2009 - **243**, Co7-08-07, State of Arizona – W. Valencia Road Plan Amendment. Owners: State of Arizona. (District 3)
- C. RESOLUTION NO. 2009 - **244**, Co7-08-10, Title Security of Arizona, TR. 913 – W. Valencia Road Plan Amendment. Owners: Title Security Agency of Arizona TR. 913. (District 3)

PROCUREMENT**Code Text Amendment**

28. ORDINANCE NO. 2009 - **88**, of the Board of Supervisors of Pima County, amending the Pima County Code, Title 11, Pima County Procurement Code.

TRANSPORTATION**Traffic Ordinance**

29. ORDINANCE NO. 2009 - **89**, of the Board of Supervisors, establishing prima facie speed limits on Dodge Boulevard in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

Abandonment

30. RESOLUTION NO. 2009 - **245**, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of Tucson all roadways lying within Sections 25 and 26, T14S, R13E, which are within the Sunset Villas Neighborhood Enhancement Project. (Districts 2 and 5)
31. RESOLUTION NO. 2009 - **246**, of the Board of Supervisors of Pima County, Arizona, abandoning to the City of South Tucson all roadways lying within Sections 25 and 26, T14S, R13E, which are within the Sunset Villas Neighborhood Enhancement Project. (District 2)

32. **CALL TO THE PUBLIC**

33. **ADJOURNMENT**

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

DATE POSTED: 9/9/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, SEPTEMBER 15, 2009**1. CONTRACTS AND AWARDS****A. Community Resources**

1. Flowing Wells School District, Amendment No. 2, to provide after-school and summer elementary school-based recreation programs, extend contract term to 7/31/10 and amend contractual language, General Fund, contract amount \$41,206.25 (01-67-F-140177-0807)

B. Community Services, Employment and Training

2. Tucson Regional Economic Opportunities, Amendment No. 3, to provide administration of the WIRED Program and amend contractual language, WIRED Grant Fund, no cost (11-69-T-140341-0707)
3. Goodwill Industries of Southern Arizona, Inc., Amendment No. 3, to provide workforce development services to youth and adults and amend scope of work, U.S. Department of Labor and Arizona Department of Economic Security WIA Grant Funds (expenditure determined by client eligibility), contract amount \$50,000.00 (11-69-G-141103-0908)
4. Goodwill Industries of Southern Arizona, Inc., Amendment No. 1, to provide workforce development services for youth and adults and extend contract term to 8/31/10, U.S. Department of Labor and Arizona Department of Economic Security WIA Grant Funds (expenditure determined by client eligibility), contract amount \$50,983.00 (07-69-G-141647-0908)
5. Corporation for a Skilled Workforce, to provide workforce development and consultation services with the implementation of the WIRED Program, WIRED Grant Fund, contract amount \$37,000.00 (07-69-C-142314-0709)

6. Arizona Technology Council Foundation, to provide workforce development services and administration of the WIRED Program, WIRED Grant Fund, contract amount \$31,000.00 (07-69-A-142317-0809)
- C. **County Attorney**
7. RESOLUTION NO. 2009 - **231**, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Victim Witness Program, State Fund, contract amount \$27,420.00 revenue (01-02-T-142313-0709)
- D. **Economic Development and Tourism**
8. The Critical Path to Accelerate Therapies, d.b.a. The Critical Path Institute, Amendment No. 4, to provide equipment and personnel, extend contract term to 7/1/10 and amend contractual language, General Fund, contract amount \$375,000.00 (11-71-C-137133-1005)
- E. **Health**
9. Arizona Department of Health Services, Amendment No. 2, to provide supplemental nutritious foods donated by the Department of Agriculture to eligible participants, extend contract term to 9/30/10 and amend contractual language, Federal Fund, contract amount \$113,803.80 revenue (01-01-A-140409-1007)
- F. **Natural Resources, Parks & Recreation**
10. Pima County Community College District, Amendment No. 1, to provide for the operation and maintenance of the Community Performing Arts and Learning Center in Green Valley and amend contractual language, no cost (01-05-P-134482-0903)

G. Pima Health System

11. Hospitalist of Arizona, Inc., Amendment No. 3, to provide hospitalist rounding, primary care physician, pain and palliative medicine services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-H-137848-0606)
12. Arizona Health Care Containment System (AHCCCS), Amendment No. 9, to provide long term care services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, revenue based on services (18-15-A-138594-1006)
13. Arizona Inpatient Medicine Associates, L.L.C., Amendment No. 2, to provide hospitalist rounding services, PHCS Enterprise Fund, contract amount \$200,000.00 (18-15-A-139078-0107)
14. Amendment No. 1, to provide dental services, extend contract term to 10/31/10 and amend contractual language, PHCS Enterprise Fund, no cost, for the following:

<u>VENDOR</u>	<u>CONTRACT NO.</u>
General Dentistry for Kids, L.L.C.	18-15-G-139783-1107
Charles A. Davis, D.D.S., M.S., P.C.	18-15-D-140329-1107

15. Critical Care Systems, Inc., Amendment No. 2, to provide home infusion therapy services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-C-140004-0807)
16. Catalina Village Assisted Living, L.P., Amendment No. 4, to provide assisted living center services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$1,500,000.00 (18-15-C-140510-1007)
17. Amendment No. 2, to provide assisted living center services, extend contract term to 9/30/10 and amend contractual language, PHCS Enterprise Fund, for the following:

<u>VENDOR</u>	<u>CONTRACT NO.</u>	<u>AMOUNT</u>
Devon Gables Health Care Center, Inc.	18-15-D-140511-1007	\$ 50,000.00
Hundred Palms Tucson, L.L.C., d.b.a. Hundred Palms Tucson	18-15-H-140512-1007	\$200,000.00
Villa Maria Care Center, L.L.C.	18-15-V-140516-1007	\$400,000.00

18. Creative Networks, L.L.C., d.b.a. Rescare Homecare, Amendment No. 1, to provide homecare services and amend contractual language, PHCS Enterprise Fund, no cost (07-15-C-142062-0709)

H. Procurement

Award

19. Award of Contract, Requisition No. 0901365, in the amount of \$293,000.00 to the highest ranked/most qualified respondent, ESI Acquisitions, Inc., (Headquarters: Augusta, GA) for an Incident Management Solution. Contract is for a five year term with no renewal option. Funding Source: Tucson Area UASI Regional EOC Enhancement Grant. Administering Department: Office of Emergency Management and Homeland Security.

I. Real Property

20. Norman D. Franzen, Jr. and Charlene L. Franzen, to provide an acquisition agreement for property located at 4911 N. La Cholla Blvd., Tax Parcel No. 101-26-0290, needed for the La Cholla Blvd.: Ruthrauff Road to River Road Project, Urban HURF Fund, contract amount \$256,500.00, includes closing costs (22-04-F-142309-0909) Transportation

J. Regional Wastewater Reclamation

21. City of Tucson, Amendment No. 3, to provide for a Household Hazardous Waste Collection Program and amend contractual language, RWRD Enterprise Fund, contract amount \$562,000.00 (01-51-T-135701-0205)

K. Transportation

22. RESOLUTION NO. 2009 - **232**, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide design and construction of improvements at Continental Elementary and Middle School locations, RTA Fund, contract amount \$297,000.00 revenue; HURF/Transportation Enhancement Fund, contract amount \$813,000.00. (01-04-R-142311-0909)

2. DIVISION OF ELECTIONS

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

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Rosenlicht, Carla Z.	078	DEM
<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Watts, Ryan P.	101	DEM
Knipe, Luke O.	348	DEM
Pivonka, Kathryn G.	412	REP

3. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Pima County/Tucson Commission on Addiction, Prevention and Treatment

1. Appointment of Lynn Reyes, to fill the unexpired term of Lupe Rodriguez. Term expiration: 11/30/10. (Commission recommendation)
2. Reappointments of Carl Bedford, Koreen Johannessen, Mollie Hunter, Sue Krahe and Ken Karrels, Ph.D. Term expirations: 9/30/11. (Commission recommendations)

B. Workforce Investment Board

Reappointments of the following: Term expirations: 9/30/12. (Staff recommendations)

Member/Representation

Shawna Adams, Business
Dr. Linda Arzoumanian, General Education
Hank Atha, Mandated - WIA Title I: Adults, Youth
Dislocated Workers, Welfare To Work, HUD-Employment
and Training
Jacob Bernal, Mandated – Native American Workers
Dr. Johnson Bia, Mandated –
Postsecondary/Vocational/Adult Education
Duane Bock, Business
Clarence Boykins, Economic Development
Joyce Choate, Mandated – Title I/Voc Rehab
Dr. Nicholas Clement, General Education
Judith Clinco, Business
Wilette Diggs, Business
Peggy Feenan, Mandated – Employment Service, Trade
Adjustment Assistance, NAFTA Transitional Adjustment
Assistance, Veterans Employment and Training
Programs, Unemployment Insurance
Roger Forrester, Mandated – Older Worker Program
Clayton Hamilton, Business
Peg Harmon, CBO/Faith Based
Chris Hazen, Business
Thomas Hinman, Business
Kari Hogan, Mandated – Seasonal/Migrant Workers
Gregg Johnson, Higher Education
Doug Jones, Business
Dorothy Kret, Business
Suzanne Lawder, Business
Tere LeBarron, Business
Charles Monroe, CBO
Noreen Nelson, Other
Jason Ott, Business
Edmund Parker, CBO
Jill Pearson, Business
Beverly Price, Business
Carld Rosborough, Business & Mandated

Marcia Ruttenberg, Business
 Jack Scott, Mandated – Labor Representative
 Lee Smith, Economic Development
 Dr. Alan Storm, Education
 Paula Stuht, Business
 Jim Watson, Mandated – Labor Representative &
 Community Services Block Grant Representative
 James Zarling, Business

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

- A. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, September 12, 2009.
- B. Lance Richard Hurst, American Legion Post 109, 15921 S. Houghton Road, Vail, October 10, 2009.

REGIONAL WASTEWATER RECLAMATION

5. **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(s) 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's reception desk, 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, 5025 W. Ina Road, Tucson, Arizona, 85743. 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:

Quality Inn, n/k/a Grant Inn, No. 2009-08. Proposed settlement amount is \$500.00.

6. **RATIFY AND/OR APPROVE**

Minutes: July 28, 2009
 August 4, 2009