

## AGENDA

### Pima County Board of Supervisors' Meeting

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

September 16, 2008 9:00 a.m.

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. PAUSE 4 PAWS

... **EXECUTIVE SESSION**

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

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

... **FLOOD CONTROL DISTRICT BOARD**

Appeal of Chief Engineer's Decision

Pursuant to Pima County Code, Section 16.56.050, Jeff and Allyson Miller appeal the decision of the Chief Engineer regarding the Floodplain Use Permit No. 07-051RP for property located at 9987 N. Camino de Oeste. (District 1)

... **ZONING ENFORCEMENT BOARD OF APPEALS**

A. **Executive Sessions**

1. 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. P08ZV00186, Phillip and Paula Delaney. The Board may also during the course of the hearing and upon motion, enter into executive session.
2. 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.

P08ZV00250–1 and 2, James Hessler. The Board may also during the course of the hearing and upon motion, enter into executive session.

3. 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. P08BV00109, Patrick D. Daniel. The Board may also during the course of the hearing and upon motion, enter into executive session.

**B. Appeal of Hearing Officer Decisions**

1. P08ZV00186, Phillip and Paula Delaney  
In accordance with the Pima County Code 18.95.030.D, Phillip and Paula Delaney appeal the decision of the Hearing Officer in Case No. P08ZV00186, regarding a violation of the Pima County Zoning Code Section 18.17.020, storage containers not a permitted use in SR zone, on property located at 11111 N. Shannon Rd. (District 1)
2. P08ZV00250– 1 and 2, James Hessler  
In accordance with the Pima County Code 18.95.030.D, James Hessler appeals the decision of the Hearing Officer in Case No. P08ZV00250– 1 and 2, regarding violations of the Pima County Zoning Code Section 18.81.080.C1, failure to obtain a grading permit and Section 18.72.060.A1, removing native plants without an approved plant preservation plan, on property located at 231 N. Vail View Rd. (District 4)
3. P08BV00109, Patrick D. Daniel  
In accordance with the Pima County Code 18.95.030.D and Building Code Enforcement Rules of Administrative Procedure, Chapter 4, Section 402, Patrick D. Daniel appeals the decision of the Hearing Officer in Case No. P08BV00109, regarding violations of the 2006 Pima County International Building Code Sections 105, Permits; 109, Inspections; 113, Violations; and 114, Stop Work Order, on property located at 11238 E. Old Vail Rd. (District 4)

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**5. **CONSENT CALENDAR:** For consideration and approvalA. **CALL TO THE PUBLIC**B. **APPROVAL OF CONSENT CALENDAR**6. **COUNTY ADMINISTRATOR****Classification and Compensation**

The Transportation Department requests the creation of a new classification for 2370/Environmental Planning and Compliance Officer. There is no cost associated with this position.

Class Code	Class Title	Grade/Range	EEO, O/T Code
2370	Environmental Planning and Compliance Officer	55(\$50,753 - \$75,135)	1, E*

\*E – Exempt, Not Paid Overtime

7. **DIVISION OF ELECTIONS**

A. The following list of Fire and School Districts have asked that the Board of Supervisors cancel their election and appoint the listed candidates.

**GOLDER RANCH FIRE DISTRICT**

BRADY, STEPHEN F.  
DAHL, DAVID A.  
KOSLOWSKI, RONALD J.

**HERITAGE HILLS FIRE DISTRICT**

NO CANDIDATES

**LA CANADA FIRE DISTRICT**

NO CANDIDATES

**MT. LEMMON FIRE DISTRICT**

COZZETTI, DENNIS  
MACK, CAROL

**NORTH RANCH/LINDA VISTA FIRE DISTRICT**

NO CANDIDATES

**NORTHWEST FIRE DISTRICT**

CARTER, GEORGE E.  
MISCHEL, ANKA  
NASSI, RICHARD B.

**PICTURE ROCKS FIRE DISTRICT**

NO CANDIDATES

**RINCON VALLEY FIRE DISTRICT**

TOLER, DESIREE

**SABINO VISTA FIRE DISTRICT**

ARENA, BRUNO

GREEN, R. JEFFREY

SUBRIN, LAWRENCE I.

**WHY FIRE DISTRICT**

NO CANDIDATES

**AMPHITHEATER UNIFIED SCHOOL DISTRICT No. 10**

BARRABEE, KENT P.

BOROS, DIANA L.

LOOMIS, LINDA

**SUNNYSIDE UNIFIED SCHOOL DISTRICT No. 12**

BARAJAS, MAGDALENA

GONZALES, LOUIE C.

JARAMILLO, ROBERTO

**TANQUE VERDE UNIFIED SCHOOL DISTRICT No. 13**

LIVINGSTON, PETER A.

NEFF, JEFFREY M.

PEATE, WAYNE

**VAIL UNIFIED SCHOOL DISTRICT No. 20**

BURKHOLDER, MARGARET B.

COULTER, JIM

KING, DEBBIE

**CONTINENTAL ELEMENTARY SCHOOL DISTRICT No. 39**

DAVIS, CHESTER

McNARIE, WILLIAM J.

SCHMERL, PETER G.

**INDIAN OASIS-BABOQUIVARI UNIFIED SCHOOL DISTRICT No. 40**

NO CANDIDATES

**REDINGTON ELEMENTARY SCHOOL DISTRICT No. 44**

NO CANDIDATES

- B. RESOLUTION NO. 2008 - **253**, of the Pima County Board of Supervisors, cancelling the election for District Board Members of the Green Valley Domestic Water Improvement District and appointing Lorraine M. Botheilo, Les Gunderson, Robert Hedden and Leonard Murphy to the Green Valley Domestic Water Improvement District Board of Directors.
- C. RESOLUTION NO. 2008 - **254**, of the Pima County Board of Supervisors, cancelling the election for District Board Members of the Metropolitan Domestic Water Improvement District and appointing Bryan R. Foulk and Dan M. Offret to the Metropolitan Domestic Water Improvement District Board of Directors.

**8. PROCUREMENT**UNFINISHED BUSINESS (RM 08/18/08)**Award**

Low Bid: Award of Contract, Requisition No. 0803163, in the amount of \$3,006,500.00 to the lowest responsive bidder, Triumph Builders Southwest, L.L.C. (Headquarters: Tucson, AZ) for the base bid and all alternates for remodeling and construction of an addition to the Pima Animal Care Center. The contract is for an eighteen-month period and may be extended for project completion. Funding Source: 2004 General Obligation Bond-70%; General Obligation Bond Interest-9%; Space Acquisition Fund-21%. Administering Department: Facilities Management.

NEW BUSINESS**TRANSPORTATION****9. Acceptance of Projects/Roadways for Maintenance**

- A. P1203-090, Santa Rita Ranch II, Lots 1-169. Developer: KB Homes. (District 4)
- B. P1203-090, Santa Rita Ranch II, Lots 170-233. Developer: AF Sterling. (District 4)
- C. P1203-090, Offsite Improvements on Camino del Toro, Phase II to serve Santa Rita Ranch II from Station 35+07 to Station 41+66, Lots 1-301. Developer: Santa Rita Bel Air Hills, L.L.C. (District 4)
- D. P1203-090, Offsite Improvements on Melpomene Way, Phase I to serve Santa Rita Ranch II from Station 8+50 to Station 12+96, Lots 1-301. Developer: Santa Rita Bel Air Hills, L.L.C. (District 4)
- E. P1298-096, Mountain View Ranch, Lots 60-91 and 298-362. Developer: Mountain View Ranch Development Joint Venture, L.L.C. (District 4)

**\*\*\* HEARINGS \*\*\*****FRANCHISES/LICENSES/PERMITS****Agent Change-Acquisition of Control-Restructure**

10. 08-02-017, Laura Karin Williamson, Vintabla, 2890 E. Skyline Drive, No. 100, Tucson, Acquisition of Control.

**Fireworks Permits**

11. Cherisse Mills, Caterpillar, Inc., Tinaja Hills Training Facility, 5000 West Caterpillar Trail, Green Valley, October 21, 2008 at 8:00 p.m.
12. Pete Mangelsdorf, Old Tucson Studios, 201 S. Kinney Road, Tucson, October 2, 2008 at 8:15 p.m.
13. Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, October 4, 2008 at 8:30 p.m.
14. Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, November 1, 2008 at 8:30 p.m.

**Liquor License**

15. 08-32-8954, Randy Allen Guse, Walgreens No. 6245, 7877 E. Snyder Rd., Tucson, Series 9, Liquor Store License, Location Transfer.

**DEVELOPMENT SERVICES**UNFINISHED BUSINESS (RM 08/18/08)**Rezoning**

16. Co9-07-02, PARK COMPANY OF ARIZONA, INC. – DUVAL MINE ROAD REZONING  
Request of Park Company of Arizona, Inc., represented by Tierra Planning Services, for a rezoning of 53.00 acres from RH (Rural Homestead) to CR-4 (Mixed Dwelling Type), on property located on the south side of Duval Mine Road and on north side of the Camino Casa Verde alignment in Green Valley. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrila was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff

recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

NEW BUSINESS

\*(**Clerk's Note**: Staff requests Item Nos. 17 and 18 to be heard together.)

**Modification (Non-Substantial Change) of Rezoning Conditions**

- \*17. Co23-97-01, VAIL VALLEY RANCH SPECIFIC PLAN  
Request of Fidelity National Title TR 60273, represented by Rick Engineering Company, for a modification (non-substantial change) of the Vail Valley Ranch Specific Plan to reduce the front setbacks for architectural projections, porches and livable space of residences to ten feet on Lots 1-320 of the Four Seasons - Phase 1 Subdivision Plat, Bk. 63, Pg. 10 (P1205-019) and Tax Parcel Nos. 305-05-072A, 305-05-072B, 305-05-073A, 305-05-074A, 305-05-076D, 305-05-107A, 305-73-3450, 305-73-3460 (equivalent to Lots 321-526 of the Four Seasons – Phase 2 Subdivision Plat (P1206-132 – under County review). The request, if approved, would not reduce the required front setback for garages. The subject site is designated Medium Density Residential (MDR) by the Vail Valley Ranch Specific Plan. The MDR designation requires a minimum front building setback of 20 feet, or 10 feet with side or rear entry driveways. The subject site is approximately 129 acres and is located in the north central portion of the Vail Valley Ranch Specific Plan (commonly referred to as Rancho del Lago). Vail Valley Ranch Specific Plan, which in its entirety is approximately 1,600 acres in size, was originally rezoned from RH (Rural Homestead), GR-1 (Rural Residential) and CB-2 (General Business) to SP (Specific Plan) on September 12, 1989 and is located approximately 1 1/4 miles north of Interstate 10 and Colossal Cave Road, on the north and south sides of Colossal Cave Road and on the north and south sides of Mary Ann Cleveland Way, north of Union Pacific Railroad. Staff recommends **APPROVAL**. (District 4)

**Plat Note Waiver/Modification**

- \*18. P1205-019, FOUR SEASONS - PHASE 1 SUBDIVISION  
Request of Fidelity National Title TR 60273, represented by Rick Engineering Company, for a plat note modification to reduce the front setbacks for architectural projections, porches and livable space of residences to ten feet for Lots 1-320 of the Four Seasons – Phase 1 Subdivision Plat (Bk. 63, Pg. 10). Subdivision Plat Permitting Note 2 requires a minimum individual lot setback of 20 feet. The subject site is approximately 107 acres and is located in the north central portion of the Vail Valley Ranch Specific Plan (commonly referred to as

Rancho del Lago) northwest of Colossal Cave Road and on the west side of Mary Ann Cleveland Way. Staff recommends **APPROVAL**. (District 4)

19. **Rezoning Ordinance**

ORDINANCE NO. 2008 - **85**, Co9-06-27, PBH II L.L.C. – Valencia Road Rezoning. Owner: PBH II, L.L.C. (District 5)

20. **Rezoning Resolution**

RESOLUTION NO. 2008 - **255**, Co9-00-30, Aravaipa Properties, L.L.C. - Valencia Road Rezoning. Owner: PBH II, L.L.C. (District 5)

**TRANSPORTATION**

21. **Traffic Ordinances**

A. ORDINANCE NO. 2008 - **86**, the Pima County Board of Supervisors, designating Florence Road as a through street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

B. ORDINANCE NO. 2008 - **87**, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Wilds Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)

C. ORDINANCE NO. 2008 - **88**, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Swan Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 1 and 2)

D. ORDINANCE NO. 2008 - **89**, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Wilmot Road in Pima County, Arizona. Staff recommends **APPROVAL**. (Districts 2 and 4)

E. ORDINANCE NO. 2008 - **90**, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Yedra Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

- F. ORDINANCE NO. 2008 - 91, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Whitehouse Canyon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)
- G. ORDINANCE NO. 2008 - 92, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Dawn Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

22. **Traffic Resolution**

RESOLUTION NO. 2008 - 256, of the Board of Supervisors of Pima County, temporarily closing Well Road, La Mina Avenue, Fundicion Street, Lomita Avenue and Plaza Street, in the Town of Ajo, Arizona on September 22, 2008 for the Annual Ajo International Day of Peace Celebration. Staff recommends **APPROVAL**. (District 3)

23. **CALL TO THE PUBLIC**

24. **ADJOURNMENT**

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

DATE POSTED: 9/10/08

TIME POSTED: 5:00 P.M.

## CONSENT CALENDAR, SEPTEMBER 16, 2008

### 1. CONTRACTS AND AWARDS

#### A. Community Resources

1. University Physicians Healthcare, Amendment No. 2, to provide adolescent health care services at the Kino Teen Center and extend contract term to 6/30/09, General Fund, contract amount \$112,500.00 (02-67-U-137393-1105)

#### B. Community Services, Employment and Training

2. RESOLUTION NO. 2008 - 250, approving an Intergovernmental Agreement with the Arizona Department of Economic Security, to provide space, equipment and supplies for Disability Program Navigator at the One-Stop Career Centers, in-kind services \$4,520.00 (01-69-A-141251-0708)
3. Arizona Department of Economic Security, Amendment No. 8, to provide employment and training services to participants in the County's Workforce Investment Act Programs, WIA Grant Fund, contract amount \$20,000.00 decrease (01-69-A-136196-0405)
4. Arizona Department of Economic Security, Amendment No. 3, to provide employment and training services to eligible residents, WIA Grant Fund, contract amount \$386,975.00 decrease (01-69-A-139730-0407)
5. Portable Practical Education Preparation, Inc., Amendment No. 1, to provide workforce development services to youth and adults and amend contractual language, no cost (07-69-P-141060-0708)

**C. County Attorney**

6. RESOLUTION NO. 2008 - 251, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Victim Witness Program, City of Tucson Fund, contract amount \$32,450.00 revenue (01-02-T-141247-0708)

**D. Environmental Quality**

7. Tucson Airport Authority, Amendment No. 1, to provide a private well monitoring program and extend contract term to 6/30/09, Tucson Airport Authority Fund, contract amount \$16,898.00 revenue (11-51-T-140865-0707)

**E. Office of Court Appointed Counsel****Award**

8. Award of Contracts, Requisition No. 0802175, in the total amount of \$1,800,000.00 to six applicants for court appointed attorney services for the Post Conviction Relief Panel. Each contract is for an initial amount of \$300,000.00 and provides for one renewal for a three-year period to the following vendors. Funding Source: General Fund. Administering Department: Office of Court Appointed Counsel.

Ronald Zack  
Erin E. Duffy  
Henry Lawrence Jacobs  
Daniel W. Anderson  
Law Offices of Susan M. Schauf, P.L.L.C  
Law Offices of Stephanie K. Bond, P.C.

**F. Pima Health System**

9. Desert State Dental Anesthesia, L.L.C., Amendment No. 4, to provide dental anesthesia services, extend contract term to 9/30/09 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-D-135211-1104)

10. Alfredo Guevara, Jr., M.D., FACS, Amendment No. 3, to provide urology services, extend contract term to 9/30/09 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-G-136671-1005)

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

- A. Shari Lowell, Angel Charities for Children, Inc., Westin La Paloma Resort and Spa, 3800 E. Sunrise Drive, Tucson, December 13, 2008.
- B. Laura Brumbelow, Rincon Institute, 12500 E. Old Spanish Trail, Tucson, September 20, 2008.

3. **REAL PROPERTY**

**Abandonment and Quit Claim Deed**

- A. RESOLUTION NO. 2008 - **252**, of the Pima County Board of Supervisors, providing for the vacation by exchange of a portion of McKinley Avenue, Pima County Abandonment No. A-05-07, located just west of the intersection of Interstate 10 and Los Reales Road, in Section 13, T15S, R14E, G&SRM. (District 2)
- B. Quit Claim Deed to Fidelity National Title Agency, Inc., as Trustee under Trust No. 60,219, Of a portion of McKinley Avenue located just west of the intersection of Interstate 10 and Los Reales Road. No revenue. (District 2)

4. **RATIFY AND/OR APPROVE**

Minutes: August 5, 2008