



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

October 21, 2008

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.

October 21, 2008 9:00 a.m.

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATIONS**
 - A. Presentation by Glen Sampson, Tucson Meteorologist-In-Charge for the National Weather Service, recognizing Pima County as a StormReady County.
 - B. Presentation of a proclamation to Mike Burkholder, President of the American Diabetes Association in Pima County, proclaiming November 14, 2008, to be:

"WORLD DIABETES DAY IN PIMA COUNTY"

... **EXECUTIVE SESSION**

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

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

Contract

Southern Arizona Rescue Association, Inc., Amendment No. 1, to provide a Lease Agreement for property located at 3455 N. Craycroft Road and extend contract term to 9/2/09, contract amount \$10.00 revenue (04-64-S-133013-0903)

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

UNFINISHED BUSINESS (RM 9/16/08)

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

B. **Appeal of Hearing Officer's Decision**

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)

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. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION**

RESOLUTION NO. 2008 - 280, of the Pima County Board of Supervisors, relating to housing and infrastructure systems; designating the area known as Arivaca Townsite as a Colonia. (District 3)

7. **NATURAL RESOURCES, PARKS AND RECREATION**

RESOLUTION NO. 2008 - 281, of the Pima County Board of Supervisors, approving the filing of Recreation and Public Purposes Applications with the U. S. Bureau of Land Management (BLM) to acquire BLM disposal lands for parks, recreation, open space and trail purposes.

8. REGIONAL WASTEWATER RECLAMATION

Pretreatment Settlement Agreements

Staff recommends approval of the following proposed Pretreatment Settlement Agreements, RWRD System Development Fund:

- A. Catalina Restaurant Group, d.b.a. Coco's Bakery Restaurant No. 176, Case No. 2008-05. Proposed settlement amount is \$508.06.
- B. Macayo Restaurants, L.L.C., d.b.a. Macayo's Del Norte, Case No. 2008-06. Proposed settlement amount is \$508.06.

*** HEARINGS ***

FRANCHISE/LICENSE/PERMIT

Liquor License

- 9. 08-35-8957, Randy Allen Guse, Walgreen's No. 6645, 5525 E. River Road, Tucson, Series 9, Liquor Store License, Location Transfer.

DEVELOPMENT SERVICES

UNFINISHED BUSINESS (RM 10/7/08)

Rezoning

- 10. Co9-08-08, RIVERSIDE ASSOCIATES, ET. AL. – RIVER ROAD NO. 2 REZONING
Request of Riverview Associates and Pima County, represented by The Planning Center, for a rezoning of approximately 14.79 acres from SH (Suburban Homestead) to approximately 8.71 acres of TR (Transitional), approximately 4.11 acres of CB-2 (General Business) and approximately 1.97 acres of SH® (Suburban Homestead) (Restricted), on property located on the east and west sides of River Road at Roller Coaster Road, approximately 2,000 feet east of La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Richey was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

NEW BUSINESS**Rezoning**

11. Co9-08-15, INA BUSINESS CENTER, L.L.C. – CAMINO DE LA TIERRA NO. 3 REZONING
Request of Ina Business Center, L.L.C., represented by Craig Courtney, for a rezoning of approximately 3 acres from TR (Transitional) to CB-2 (General Business), on property located on the northwest corner of Ina Road and Camino de la Tierra. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Membrila were absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 1)

Conditional Use Permits

12. P21-08-040, BISHOP – S. AVALON DRIVE
Robert and Pennie Bishop, on property located at 6820 S. Avalon Drive, in the RH zone, request a Conditional Use Permit for a roping arena with amplification. Chapter 18.97, in accordance with Section 18.13.030.B.35, allows a roping arena with amplification as an other conditional use which is similar in type, scale and intensity to other listed conditional uses. A roping arena with amplification and commercial stable is a Type II Conditional Use in the RH zone. The Hearing Administrator recommends **APPROVAL**, subject to **STANDARD AND SPECIAL CONDITIONS**. (District 3)
13. P21-08-057, COOPER – W. EL TIRO ROAD
Stephen and Andrea Cooper, on property located at 16480 W. El Tiro Road, in the GR-1 zone, request a Conditional Use Permit for an automobile repair store. Chapter 18.97, in accordance with Sections 18.14.030.B.4 of the Pima County Zoning Code, allows an automobile repair store as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL**, subject to **STANDARD AND SPECIAL CONDITIONS**. (District 3)
14. P21-08-033, VARGAS AND LORTA – W. VALENCIA ROAD
Luis Vargas, on property located at 2600 W. Valencia Road, in the GR-1 zone, requests a Conditional Use Permit for a restaurant. Chapter 18.97, in accordance with Section 18.14.030.B.8 of the Pima County Zoning Code, allows a restaurant as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL**, subject to **STANDARD AND SPECIAL CONDITIONS**. (District 5)

15. **Rezoning Ordinance**

ORDINANCE NO. 2008 - 99, Co9-07-04, Fidelity National Title TR 60303 – Valencia Road Rezoning. Owner: Fidelity National Title TR 60303. (District 3)

TRANSPORTATION16. **Abandonment Resolution**

RESOLUTION NO. 2008 - 282, of the Pima County Board of Supervisors, abandoning to the City of Tucson, all portions of South Twelfth Avenue, South Tenth Avenue, Jetty Avenue, Clark Avenue, Forty-Third Street, and Forty-Fourth Street lying within the incorporated limits of the City of Tucson. (Districts 2 and 5)

17. **Traffic Ordinances**

A. ORDINANCE NO. 2008 - 100, of the Board of Supervisors, regulating parking on Los Reales Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 2)

B. ORDINANCE NO. 2008 - 101, of the Board of Supervisors, establishing prima facie reasonable speed limits on Continental Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

C. ORDINANCE NO. 2008 - 102, of the Board of Supervisors, establishing prima facie reasonable speed limits on Mary Ann Cleveland Way in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

D. ORDINANCE NO. 2008 - 103, of the Board of Supervisors, designating Mary Ann Cleveland Way as a through street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

18. **CALL TO THE PUBLIC**19. **ADJOURNMENT**

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

DATE POSTED: 10/15/08

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, OCTOBER 21, 2008**1. CONTRACTS AND AWARDS****A. Assessor**

1. Robert J. Gloudemans, Amendment No. 3, to provide consulting services for the CAMA Project, extend contract term to 11/1/09 and amend contractual language, General Fund, contract amount \$50,000.00 (07-28-G-137331-1105)

B. Community Development and Neighborhood Conservation

2. RESOLUTION NO. 2008 - 274, approving an Intergovernmental Agreement with the Arizona Department of Housing, to provide for the Pima County Homeless Management Information System, Arizona Housing Trust Fund, contract amount \$25,000.00 revenue (01-70-A-141407-1008)
3. RESOLUTION NO. 2008 - 275, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Avondale Neighborhood Lighting Project, 2004 Neighborhood Reinvestment Bond Fund, contract amount \$295,600.00 (01-70-T-141408-1008)
4. RESOLUTION NO. 2008 - 276, approving an Intergovernmental Agreement with the City of Tucson, to provide for the West University Neighborhood Catalina Park Project, 2004 Neighborhood Reinvestment Bond Fund, contract amount \$476,190.00 (01-70-T-141409-1008)
5. RESOLUTION NO. 2008 - 277, approving an Intergovernmental Agreement with the City of Tucson, to provide for the El Cortez Heights Neighborhood Park Improvement Project, 2004 Neighborhood Reinvestment Bond Fund, contract amount \$110,000.00 (01-70-T-141410-1008)

C. Community Resources

6. Sahuarita Unified School District, Amendment No. 1, to provide an after-school elementary recreation program and extend contract term to 7/31/09, General Fund, contract amount \$42,000.00 (01-67-S-140376-0807)

D. Community Services, Employment and Training

7. Corporation for a Skilled Workforce, to provide grant proposal development assistance, U. S. Department of Labor and WIRED Grant Funds, contract amount \$68,500.00 (07-69-C-141413-0708)

E. Natural Resources, Parks and Recreation

8. Catholic Community Services of Southern Arizona, Inc., d.b.a. St. Elizabeth's Health Center, to provide a Lease Agreement for a medical and dental clinic at the Ellie Towne Flowing Wells Community Center, General Fund, total contract amount \$75,250.00 revenue/25 year term (04-05-C-141405-1008)

F. Pima Health System

9. Northwest Hospital, L.L.C., d.b.a. Northwest Medical Center, Amendment No. 10, to provide hospital services and amend contractual language, no cost (18-15-N-135763-0205)
10. Oro Valley Hospital, L.L.C., d.b.a. Northwest Medical Center Oro Valley, Amendment No. 8, to provide hospital services and amend contractual language, no cost (18-15-O-135818-0105)
11. Carondelet Health Network, Amendment No. 8, to provide hospital services and amend contractual language, no cost (18-15-C-135843-0505)
12. University Medical Center Corporation, Amendment No. 11, to provide hospital services and amend

contractual language, no cost (18-15-U-135865-0405)

13. Tucson Medical Center, Amendment No. 10, to provide hospital services and amend contractual language, no cost (18-15-T-136017-0505)
14. Brea Tucson, L.L.C., d.b.a. The Court at Tucson, Amendment No. 1, to provide assisted living center services, extend contract term to 9/30/09 and amend contractual language, no cost (07-15-T-140569-1007)
15. Insurance Staffers, Inc., d.b.a. Jacobson Solutions, Amendment No. 1, to provide professional interim medical claims examiner services and amend contractual language, PHCS Enterprise Fund, contract amount \$53,000.00 (18-15-I-140860-0508)

G. Procurement

16. Sellers and Sons, Inc, Amendment No. 6, to provide emergency repairs and historic renovation to Canoa Ranch Buildings 106, 107, 108, and 109 and extend contract term to 1/15/09, no cost (03-73-S-140469-1007) Public Works, Cultural Resources
17. Poster Frost Associates, Inc., Amendment No. 1, to provide professional planning services for the Historic Fort Lowell Park Master and Restoration Plan and amend contractual language, 2004 Bond Fund, contract amount \$5,500.00 (07-73-P-140842-0408) Public Works, Cultural Resources
18. PB Americas, Inc., Amendment No. 5, to provide roadway planning and design services for the Vail and Colossal Cave Road Projects and amend contractual language, Development Impact Fee Fund, contract amount \$69,723.00 (16-04-P-134047-0204) Transportation

Award

19. Award of Contracts, Requisition No. 0900004, for occupational medical services to the highest ranked/most qualified respondents in the cumulative

annual amount of \$728,000.00 as listed below: Contracts are for a one-year term and include four one-year renewal periods. The award includes the authority for the Procurement Department to reallocate the award amounts among the contracts considering actual usage and anticipated requirements without further action by the Board of Supervisors provided that the sum of the revised contract amounts do not exceed the sum of the contract award amounts. Funding Source: Self Insurance Trust Fund. Administering Department: Finance and Risk Management.

(Headquarters: Tucson, AZ)	Annual Amount
Group A: Workers Compensation Medical Services	
Sunnyside Medcenter, P.C.	\$120,000.00
Tucson Occupational Medicine	120,000.00
Well America, Inc.	120,000.00
Group B: Occupational Medical Services	
Sunnyside Medcenter, P.C.	\$100,000.00
Tucson Occupational Medicine	100,000.00
Well America, Inc.	100,000.00
Group C: AZ Post Physical Examination Services	
Tucson Occupational Medicine	34,000.00
Sunnyside Medcenter, P.C.	34,000.00

H. **Sheriff**

- 20. RESOLUTION NO. 2008 - **278**, approving an Intergovernmental Agreement with the U.S. Dept. of Justice, Community Oriented Policing Services, to provide for 2008 COPS Technology Program, Federal Grant Fund, contract amount \$631,328.00 revenue (01-11-J-141412-1207)

2. **BOARDS, COMMISSIONS AND/OR COMMITTEES**

A. **Air Quality Hearing Board**

Reappointment of Dr. Barry A. Friedman. Term expiration: 10/31/11. (Staff recommendation)

B. Pima County Wireless Integrated Network

Appointment of Division Chief Randy Karrer, 2nd Alternate, Drexel Heights Fire District, to fill an existing vacancy. No term expiration. (Jurisdictional recommendation)

3. PROCUREMENT

Quarterly Contract Report

Pursuant to Pima County Code, §11.08.010, staff submits the quarterly report on contracts awarded from July 1, 2008 through September 30, 2008.

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

A. Elizabeth A. McMahon, Catholic Community Services Foundation, La Paloma Resort, 3800 E. Sunrise Drive, Tucson, November 14, 2008.

B. Donald Keith Poore, Tucson Center for Spiritual Living, 3895 N. Alvernon Way, Tucson, October 31, 2008.

5. REAL PROPERTY

Condemnation

RESOLUTION NO. 2008 - **279**, of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn real property interests, where necessary, for transportation improvements on Camino Loma Alta, Old Spanish Trail to Colossal Cave Road, in Section 34, T15S, R16E, G&SRM. (District4)

REGIONAL WASTEWATER RECLAMATION

6. 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 will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Pima County Wastewater 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:

Arizona Canning Company, L.L.C., Case No. 2008-09. Proposed settlement amount is \$600.00.