



# PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

**November 17, 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](http://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.

November 17, 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) (4) and (7), for legal advice and direction regarding bidding at a public auction of the property known as the Valencia Archaeological Site scheduled for November 24, 2009.

#### **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

- ... FLOOD CONTROL DISTRICT BOARD

#### **Contracts and Awards**

- A. RESOLUTION NO. 2009 – FC 9, of the Board of Directors of the Pima County Regional Flood Control District, authorizing additional funding in the amount of \$100,000.00 for the Tres Rios del Norte Santa Cruz River Ecosystem Restoration Project Feasibility Phase Study, Tax Levy Fund.
- B. RESOLUTION NO. 2009 – FC 10, approving an Intergovernmental Agreement with the Town of Oro Valley, to provide for the Lomas de Oro Wash Channelization Project and the Oro Valley Estates Drainage Improvement Project,

Phase II, Flood Control Tax Levy Fund, contract amount \$485,000.00 (01-59-O-142465-1109)

- C. RESOLUTION NO. 2009 – FC **11**, approving an Intergovernmental Agreement with the City of Tucson, to provide for repairs to damaged sections of the Pantano Wash, Flood Control Tax Levy Fund, contract amount \$4,000,000.00 (01-59-T-142466-1109)
- D. Town of Marana, to provide an Acquisition Agreement and Special Warranty Deed for the sale of 2.999 acres for the I-10 traffic interchange at Twin Peaks, Flood Control Tax Levy Fund, contract amount not to exceed \$182,371.00 revenue (22-59-M-142467-1109)

#### **Award**

- E. Low Bid: Award of Contract, Requisition No. 1000352, in the amount of \$2,979,929.25 to the lowest responsive bidder, The Ashton Company, Inc., (Headquarters: Tucson, AZ), for construction of soil cement bank protection along a segment of the Pantano Wash between Speedway Boulevard and Tanque Verde Road. The contract term is thirty-six months with the ability to extend the term for contract completion. Construction is to be complete within 175 working days from Notice to Proceed. Funding Source: Flood Control Tax Levy Fund. Administering Department: Regional Flood Control District.

#### **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. **COUNTY ADMINISTRATOR**

RESOLUTION NO. 2009 - **114**, of the Board of Supervisors, adopting the Pima County Legislative Program for 2010.

## 7. COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

The Pima County Neighborhood Reinvestment Oversight Committee recommends approval of the following Neighborhood Reinvestment Project and authorization for staff to negotiate a future Intergovernmental Agreement, if applicable:

<u>District</u>	<u>Community Group</u>	<u>Project</u>	<u>Estimated Budget</u>
D2	South Tucson Youth	Recreational Improvements	\$425,000.00

## 8. CULTURAL RESOURCES AND HISTORIC PRESERVATION

### Fort Lowell Master Plan and Preservation Plan

Staff recommends approval of the historic Fort Lowell Master Plan and Preservation Plan for the Adkins Parcel at Fort Lowell Park. (District 4)

\*(**Clerk's Note:** This item should be heard after 10:00 a.m., after the final bid opening.)

## \*9. FINANCE AND RISK MANAGEMENT

A. RESOLUTION NO. 2009 - **115**, providing for the issuance and sale of Pima County, Arizona, Street and Highway Revenue Bonds, Series 2009; providing for the payment of the bonds; providing terms, covenants and conditions concerning the bonds; accepting a bid for the purchase of the bonds; authorizing and directing the refunding of certain outstanding bonds and the execution and delivery of documents and further actions relating to the issuance of the bonds; appointing an initial bond registrar and paying agent for the bonds; and declaring an emergency.

B. RESOLUTION NO. 2009 - **116**, providing for issuance and sale of Pima County, Arizona, General Obligation Bonds, Series 2009A; providing for the annual levy of a tax for the payment of the bonds; providing terms, covenants and conditions concerning the bonds and the refunding of certain outstanding bonds of the County; accepting a bid for the purchase of the bonds; appointing an initial registrar and paying agent for the bonds; and declaring an emergency.

10. **FIRE DISTRICT****Mountain Vista Fire District**

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Mountain Vista Fire District for the proposed Suffolk Hills Annexation. (District 1)

11. **PROCUREMENT**UNFINISHED BUSINESS (RM 11/3/09)**Award**

Highest Scoring Proposals: Award of Contracts, Requisition No. 1000133, Urban Engineering, (Headquarters: Tucson, AZ), Ashby Surveying & Drafting, Inc. (Headquarters: Tucson, AZ), Precision Land Surveying, Inc. (Headquarters: Tucson, AZ), Stantec Consulting, Inc. (Headquarters: Phoenix, AZ), Amerson Surveying, Inc. (Headquarters: Tucson, AZ) and PSOMAS (Headquarters: Los Angeles, CA) for construction survey services for transportation capital improvement projects. The estimated total cost shall not exceed \$2,000,000.00 for each contract. The term of each contract shall be three years. Funding Source: Transportation Special Revenue Fund. Administering Department: Transportation.

12. **REAL PROPERTY**UNFINISHED BUSINESS (RM 10/6/09 and RM 10/20/09)**Release of Public Ingress/Egress Easement**

Leadstar, L.L.C., representing the Gates Pass Condominium Project, requests the release of an unneeded 25-foot public ingress/egress easement as reserved in Docket 8450 at Page 1623 and dedicated in Docket 8516 at Page 591 and Docket 9233 at Page 676, Section 15, T15S, R13E, G&SRM. No revenue. (District 5)

**\*\*\* HEARINGS \*\*\*****FRANCHISES/LICENSES/PERMITS****Fireworks Permits**

13. Benji Lyons, USA Raceway, 4300 E. Los Reales, Tucson, November 21 and 28, 2009 at approximately 8:30 p.m.

14. Lori McGee, Caterpillar Inc., 5000 W. Caterpillar Trail, Green Valley, November 18, 2009 at approximately 8:00 p.m.

## DEVELOPMENT SERVICES

### Rezoning

15. Co9-08-16, KELLEY – COLOSSAL CAVE ROAD REZONING  
Request of Patricia and Jonathan Kelley, represented by MJM Consulting, for a rezoning of approximately 4.85 acres from RH (Rural Homestead) to CB-2 (General Business) on property located at the southwest corner of the intersection of Colossal Cave and Old Vail Roads. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co20-00-20. On motion, the Planning and Zoning Commission voted 10-0 to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

### Rezoning Time Extension

16. Co9-04-06, FIDELITY NATIONAL TITLE, TRUST NO. 30226 – CAMINO VERDE REZONING  
Request of Fidelity National Title, Trust No. 30226, for a five-year time extension of a rezoning from SR (Suburban Ranch) to CR-4 (Mixed Dwelling Type) Small Lot Option for approximately 29.09 acres located on the east side of Camino Verde approximately one half mile south of Ajo Highway. The subject site was rezoned in 2004 and expires in 2009. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS**. (District 3)

### Comprehensive Plan Amendments

17. Co7-09-04, GATEWAY HACIENDA, L.L.C. - E. RIVER ROAD PLAN AMENDMENT  
Request of Gateway Hacienda, L.L.C., represented by Tom Meehan, et. al., to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2) to Neighborhood Activity Center (NAC) for approximately 7.24 acres located at the southeast corner of East River Road and Hacienda del Sol Road, in Section 20, T13S, R14E, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 7-3 (Commissioners Membrila, Spendiarian and Smith voted NAY) to recommend **DENIAL**. Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES**. (District 1)

18. Co7-09-05, DOMINGUEZ – S. CRAYCROFT ROAD PLAN AMENDMENT

Request of Leonardo and Peggy Dominguez to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Multifunctional Corridor (MFC) for approximately 0.5 acres located on the northeast corner of South Craycroft Road and Rex Stravenue in Section 13, T15S, R14E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 7-3 (Commissioners Holdridge, Spendiarian and Richey voted NAY) to recommend **DENIAL**. Staff recommends **MODIFIED APPROVAL SUBJECT TO REZONING POLICIES**. (District 2)

\*(**Clerk's Note**: The applicant has withdrawn this request.)

\*19. Co7-09-01, 4341 W. AJO, L.L.C. - W. AJO HIGHWAY PLAN AMENDMENT

Request of 4341 W. Ajo, L.L.C., represented by The Planning Center, to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Regional Activity Center (REAC) for approximately 2.54 acres located on the south side of West Ajo Highway, approximately 1,320 feet east of S. Camino de Oeste, in Section 31, T14S, R13E, in the Southwest Subregion. (District 5)

\*\*(**Clerk's Note**: Staff requests this item be removed and will be readvertised for a later date.)

\*\*20. Co7-09-07, HSL RIO CANCION PROPERTIES, L.L.C. – N. LA CHOLLA BLVD PLAN AMENDMENT

Request of HSL Rio Cancion Properties, L.L.C., represented by The Planning Center, to amend the Pima County Comprehensive Plan from Medium Intensity Urban (MIU) to Neighborhood Activity Center (NAC) for approximately 17.92 acres located on the west side of La Cholla Blvd. south of the Hardy Road alignment in Section 28, T12S, R13E, in the Northwest Subregion. (District 1)

21. **CALL TO THE PUBLIC**

22. **ADJOURNMENT**

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

DATE POSTED: 11/10/09

TIME POSTED: 5:00 P.M.

**CONSENT CALENDAR, NOVEMBER 17, 2009****1. CONTRACTS AND AWARDS****A. Community Resources**

1. Sunnyside School District, Amendment No. 2, to provide before/after school and summer recreation program for elementary school-age children, amend contractual language and extend contract term from 8/1/09 to 7/31/10, General Fund, contract amount \$71,250.00 (01-67-S-140424-0807)

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

2. Rise, L.L.C., d.b.a. Rise Equipment Recycling Center, Amendment No. 2, to provide computer skill training workshops for the One Stop Program, amend scope of work and extend contract term from 7/1/09 to 6/30/10, DOL, DES and WIA Grant Funds, contract amount \$30,900.00 (11-69-P-141079-0708)
3. Amendment No. 1, to provide staff assistance and workforce development services for the One Stop Program, amend scope of work and extend contract term from 1/1/09 to 6/30/10, DOL, DES and WIA Grant Funds:

<u>Vendor</u>	<u>Contract No.</u>	<u>Contract Amount</u>
Tucson Youth Development, Inc.	07-69-T-141721-0109	\$21,153.00
SER - Jobs for Progress of Southern Arizona, Inc.	07-69-S-141722-0109	\$25,857.00
Portable Practical Education Preparation, Inc.	07-69-P-141723-0109	\$21,278.00
Catholic Community Services	07-69-C-141724-0109	\$25,295.00
Tucson Urban League, Inc.	07-69-T-141725-0109	\$25,413.00

**C. Facilities Management**

4. Daveck Properties, L.L.C., to provide a Lease Agreement for Adult Probation Westside as landlord, General Fund, contract amount not to

exceed \$700,000.00/7 year term (04-13-D-142477-1109)

**D. Health Department**

5. Marana Unified School District, Amendment No. 4, to provide childhood immunization services and extend contract term to 12/4/10, no cost (01-01-M-138892-1206)
6. Southern Arizona AIDS Foundation, to provide medical services for the Points of Health Project, SAAF Grant Fund, contract amount \$20,080.00 revenue (02-01-S-142476-1009)

**E. Justice Courts**

7. Arizona Superior Court, Pima County Consolidated Justice Court and City of Tucson Court, Amendment No. 2, to provide for the provision of twice-a-day initial appearances and extend contract term from 7/1/09 to 6/30/10, contract amount \$148,000.00 (01-18-T-140195-0707)

**F. Natural Resources, Parks and Recreation**

8. RESOLUTION NO. 2009 - 111, approving an Intergovernmental Agreement with the Arizona Superior Court, Juvenile Court Center, to provide for juvenile work crew services for the term 6/30/09 to 6/30/10, General Fund, contract amount \$100,000.00 (01-05-A-142479-0609)

**G. Office of Court Appointed Counsel**

9. Brick P. Storts, III, Amendment No. 4, to provide first degree murder panel attorney services, General Fund, contract amount \$200,000.00 (17-74-S-136414-0705)

**H. Pima Health System**

10. Cornerstone Hospital of Southeast Arizona, L.L.C., to provide hospital services to Pima Health System members for the term 10/1/09 to 8/31/11, PHCS

Enterprise Fund, contract amount not to exceed \$10,000,000.00 (18-15-C-142485-1009)

**I. Procurement**

- 11. Hunter Contracting Company, Amendment No. 7, to provide Construction Manager-at-Risk services for the Craycroft Road/River Road to Sunrise Drive Project, 1997 HURF Revenue Bond Fund, contract amount \$380,687.41 (03-04-H-136246-0505) Transportation

**J. Real Property**

- 12. Town of Marana, to provide an Acquisition Agreement and Special Warranty Deed for the sale of 2.999 acres for the I-10 traffic interchange at Twin Peaks, contract amount not to exceed \$23,493.00 revenue (22-59-M-142468-1109)
- 13. RESOLUTION NO. 2009 - **112**, of the Board of Supervisors, authorizing the execution of an Acquisition Agreement for the Terra Rancho Grande property of approximately 72.3 acres at the intersection of Speedway Blvd. and Houghton Road, 2004 Open Space Bond Fund, contract amount \$1,380,000.00 (22-64-T-142469-1109)
- 14. To provide title and escrow services, General Fund, contract amount \$250,000.00 each:

<u>Vendor</u>	<u>Contract Number</u>
Landmark Title Assurance Agency	07-64-L-142470-1209
Fidelity National Title Agency	07-64-F-142471-1209
Stewart Title and Trust of Tucson	07-64-S-142472-1209

**K. Sheriff**

- 15. RESOLUTION NO. 2009 - **113**, approving an Intergovernmental Agreement with the Arizona Attorney General's Office, to provide for implementation of the Victims' Rights Program, State Grant Fund for the term 7/1/09 to 6/30/10,

contract amount \$54,375.00 revenue (01-11-A-142464-0709)

- 16. Arizona Department of Homeland Security, Amendment No. 2, to provide for equipment under the Operation Stonegarden Grant Program, amend contractual language and extend contract term from 11/1/09 to 10/31/10, Federal Grant Fund, contract amount \$43,000.00 revenue (01-11-A-141637-1108)
- 17. Arizona Department of Homeland Security, Amendment No. 1, to provide for the Urban Area Security Initiative Grant Program and extend contract term from 10/1/09 to 9/30/10, no cost (01-11-A-141638-1008)

2. **TREASURER’S OFFICE**

**Annual Certification: Fill-The-Gap**

Staff requests approval of the annual certification, as directed by A.R.S. §41-2421, that the five (5) percent set-aside “Fill-the-Gap” Funds in the amount of \$1,176,768.74 be transferred to the Local Courts Assistance Fund for supplemental aid to the Superior Court and Justice Court for processing of criminal cases.

3. **DIVISION OF ELECTIONS**

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Macinnes, Darlene R.	109	REP
Ekstrom, Kevin M.	391	REP
<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Abrams, Pegge	175	REP
Lawson, Donovan	333	REP
King, Tracey D.	340	REP
McGlocklin, Judy M.	355	REP
McGlocklin, Richard J.	355	REP
Burtzloff, Sue E.	383	REP
Chamberlain, Debra	407	REP

**4. BOARDS, COMMISSIONS AND/OR COMMITTEES****A. Arizona Municipal Property Corporation**

Reappointments of Bernhardt Wm. Collins, Cecilia Cruz, Frank Y. Valenzuela, Stanley Lehman and Virginia L. Yrun. Term expiration: 11/19/10. (Corporation recommendations)

**B. Metropolitan Education Commission**

1. Appointment of Jay St. John, Ed.D, School Superintendents Representative. Term expiration: 6/30/10. (Commission recommendation)
2. Reappointments of Louis Albert, Ph.D., Pima Community College Representative; Joe Riester and Patricia Wiedhopf, At-Large Commission Appointees. Term expiration: 12/31/12. (Commission recommendations)

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

- A. Linda E. Jallad, Tohono Chul Park, 7366 N. Paseo del Norte, Tucson, November 5, 2009.
- B. Jodi Lynn Hubbard, Sun Riders M/C Inc., 3200 E. Irvington, Tucson, December 13, 2009.