



PIMA COUNTY BOARD OF SUPERVISORS' MEETING AGENDA

December 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.

December 15, 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), for legal advice regarding Co14-09-01, Silverbell Road, Happy Valley Road and Santa Rita Road Major Streets and Scenic Routes Plan Amendments.

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

- ... FLOOD CONTROL DISTRICT BOARD

RESOLUTION NO. 2009 - FC **12**, authorizing the execution of restrictive covenants on district property set aside as mitigation for the U.S. Army Corps of Engineers Section 404 Permit issued for the Pantano Wash Bank Stabilization Project. (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. **REAL PROPERTY**

UNFINISHED BUSINESS (RM 10/6/09, RM 10/20/09 and RM 11/17/09)

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)

NEW BUSINESS

7. **REGIONAL WASTEWATER RECLAMATION**

Pretreatment Settlement Agreement

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund.

Golden China Restaurant, L.L.C., No. 2009-13. Proposed settlement amount is \$391.65.

***** HEARINGS *****

FRANCHISES/LICENSES/PERMITS

Fireworks Permit

8. Alan Raso, Westward Look Resort, 245 E. Ina Road, Tucson, December 31, 2009 at Midnight.

Liquor License

9. 09-33-9004, Jessica Louise Rojas, Country Club of Green Valley, 77 E. Paseo De Golf, Green Valley, Series 14, Club, New License.

Agent Change/Acquisition of Control/Restructure

10. 09-31-9002, Avtar Singh Thandi, Three Points General Store, 16225 W. Ajo Way, Tucson, Acquisition of Control.

DEVELOPMENT SERVICES**Rezoning Time Extension**UNFINISHED BUSINESS (RM 11/17/09)

*(**Clerk's Note**: Applicant requests this item be continued to the Board of Supervisors Meeting of 1/19/10.)

*11. 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 AmendmentUNFINISHED BUSINESS (RM 11/17/09)

12. 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 Membrilla, Spendiarian and Smith voted NAY) to recommend **DENIAL**. Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES.** (District 1)

NEW BUSINESS**MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT**

13. Co14-09-01, SILVERBELL ROAD, HAPPY VALLEY ROAD and SANTA RITA ROAD MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT

Request from Pima County to amend the Pima County Major Streets and Scenic Routes Plan to designate Scenic Routes the portion of Silverbell Road west of Trico Road in Sections 16, 17, 19, 20, 21, 22 and 27, T11S, R10E: Sections 18, 19, 20, 21, 24, 25, 26, 27 and 28,

T11S, R09E; Sections 09, 10, 13, 14, 15, 16, 17, 20, 29, 31, 32 and 33, T11S, R8E; Sections 04, 05, 08, 09, 10, 13, 14 and 15, T12S, R8E; designate Scenic Routes the portion of Happy Valley Road west of the Pima/Cochise County Boundary in Sections 01, 02, 11, 14, 15, 22, 23, 25, 26 and 36, T15S, R18E; and Section 01, T16S, R18E; designate Scenic Routes the portion of Santa Rita Road south of Sahuarita Road in Sections 19, 20, 27, 28, 29, 34 and 35, T17S, R14E; Sections 01, 02 and 12, T18S, R14E; Sections 07, 17, 18, 20, 21 and 22, T18S, R15E. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Spendiarian, Smith and Membrila voted NAY; Commissioner Ritchey abstained; Commissioner Matter was absent) to recommend **APPROVAL WITH A MODIFICATION**. Staff recommends **APPROVAL WITH A MODIFICATION**. (Districts 2, 3 and 4)

If approved, pass and adopt:

ORDINANCE NO. 2009 - 117

REZONING

*(**Clerk's Note**: Applicant requests this item be continued to the Board of Supervisors Meeting of 1/19/10.)

- *14. Co9-07-20, SAHUARITA CORNERS L.P./EQUIVEST PROPERTIES L.P. – KOLB ROAD REZONING
Request of Sahuarita Corners L.P. / Equivest Properties L.P., represented by The Planning Center, for a rezoning of approximately 149.7 acres from RH (Rural Homestead) to CR-1 (Rural Residential) on property located at the northwest corner of Sahuarita Road and the Kolb Road alignment. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co20-00-20. On motion, the Planning and Zoning Commission voted 4-2 (Commissioners Spendiarian and Richey voting NAY) to recommend **DENIAL**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

COMPREHENSIVE PLAN AMENDMENTS

*(**Clerk's Note**: Applicant has withdrawn this request.)

- *15. Co7-09-02, LAWYERS TITLE OF ARIZONA TR 6549-T - E. INA ROAD PLAN AMENDMENT

16. Co7-09-03, DAVIDSON - E. EDWIN ROAD PLAN AMENDMENT
Request of Christiaan Davidson, represented by Tim McCann Consulting, L.L.C., to amend the Pima County Comprehensive Plan from Low Intensity Urban 3.0 (LIU 3.0) to Community Activity Center (CAC) for approximately 1.38 acres located on the south side of E. Edwin Road, approximately 1,250 feet east of N. Oracle Road, in Section 4, Township 11 South, Range 14 East, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Smith, Cook, Creasy-Klein, and Membrila were absent) to recommend **MODIFIED APPROVAL SUBJECT TO REZONING POLICIES**. Staff recommends **MODIFIED APPROVAL SUBJECT TO REZONING POLICIES**. (District 1)
17. Co7-09-06, TUCSON UNIFIED SCHOOL DISTRICT (TUSD) – N. SABINO CANYON ROAD PLAN AMENDMENT
Request of Tucson Unified School District (TUSD), represented by The Planning Center, to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) and Resource Transition (RT) to Low Intensity Urban 3.0 (LIU-3.0) for approximately 16.7 acres located on the northwest corner of N. Sabino Canyon Road and Old Sabino Canyon Road, in Section 29, Township 13 South, Range 15 East, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Smith, Cook, Creasy-Klein and Membrila were absent) to recommend **APPROVAL SUBJECT TO REZONING POLICIES**. Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES**. (District 1)

PLAT NOTE MODIFICATION

18. P1200-015, CANOA NORTHWEST SUBDIVISION
Request of Landmark Title Assurance Agency of Arizona, L.L.C., as Trustee under Trust No. 18349-T and Landmark Title Assurance Agency of Arizona, L.L.C., as Trustee under Trust No. 18354-T, WLB Group, Inc. applicant for modification of General Plat Note No. 5 of the Canoa Northwest Plat (Bk 53, Pg 81) to add Tax Parcel Nos. 304-68-003K and 304-68-003L to Common Area "B" and to remove Tax Parcel No. 304-68-763E from Common Area "B." Staff recommends **APPROVAL**. (District 4)

TRANSPORTATION

19. **Traffic Ordinances**
- A. ORDINANCE NO. 2009 - **118**, of the Board of Supervisors, regulating parking on the north side of Condor Drive from 735

- feet to 765 feet west of Bald Eagle Avenue at the drainage/pedestrian/utility easement as “No Stopping, Standing or Parking” in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)
- B. ORDINANCE NO. 2009 - **119**, of the Board of Supervisors, regulating traffic at the intersection of Lake Echo Road and Sherbrooke Street in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)
- C. ORDINANCE NO. 2009 - **120**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 30,000 pounds from using Trico Marana Road over the Santa Cruz River Bridge (Structure No. 9552) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- D. ORDINANCE NO. 2009 - **121**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 6,000 pounds from using Silverbell Road over the Blanco Wash Bridge (Structure No. 8259) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- E. ORDINANCE NO. 2009 - **122**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 10,000 pounds from using Mile Wide Road over the East Branch Brawley Wash Bridge (Structure No. 8474) and the West Branch Brawley Wash Bridge (Structure No. 8475) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- F. ORDINANCE NO. 2009 - **123**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 30,000 pounds from using Trico Road over the Santa Cruz River Bridge (Structure No. 8262) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- G. ORDINANCE NO. 2009 - **124**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on McGee Ranch Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- H. ORDINANCE NO. 2009 - **125**, of the Board of Supervisors, prohibiting all motor vehicles with a gross vehicle weight rating greater than 36,000 pounds from using Houghton Road over the Southern Pacific Rail Road Bridge (Structure No. 9563) in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

20. Traffic Resolution

RESOLUTION NO. 2009 - **324**, of the Board of Supervisors, permitting the temporary closure of Esperanza Avenue, Lomita Avenue, and Plaza Street in the Town of Ajo, for the Ajo Rotary Club Christmas Eve Street Parade on December 24, 2009. Staff recommends **APPROVAL**. (District 3)

21. CALL TO THE PUBLIC**22. ADJOURNMENT**

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

DATE POSTED: 12/9/09

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, DECEMBER 15, 2009**1. CONTRACTS AND AWARDS****A. Community Development and Neighborhood Conservation**

1. RESOLUTION NO. 2009 - **319**, approving an Intergovernmental Agreement with the U.S. Department of Housing and Urban Development, to provide for the administration of the Casa for Families Project, contract term 7/1/09 - 6/30/10, HUD Grant Fund, contract amount \$434,713.00 revenue (01-70-U-142559-0709)
2. RESOLUTION NO. 2009 - **320**, approving an Intergovernmental Agreement with the Golder Ranch Fire District, to provide for the installation of five (5) fire hydrants in the Catalina area, contract term 10/1/09 - 9/30/10, CDBG Grant Fund, contract amount \$30,000.00 (01-70-G-142565-1009)

B. Health Department

3. RESOLUTION NO. 2009 - **321**, approving an Intergovernmental Agreement with the Tucson Unified School District, to provide administration of childhood immunization services, no cost (01-01-T-142558-1209)
4. Arizona Family Planning Council, Amendment No. 1, to provide services under the Family Planning Title X Grant Project and amend contractual language, contract amount \$6,388.00 revenue (02-01-A-141806-0109)

C. Information Technology

5. Sprint Spectrum L.P., Amendment No. 3, to provide a Non-Exclusive Right-of-Way Use License for wireless communications facilities and amend contractual language, contract term 5/26/09 - 5/25/10, General Fund, contract amount \$12,000.00 revenue decrease (12-14-S-142320-0500)

D. Pima Health System

6. Devon Gables Health Care Center, Amendment No. 7, to provide nursing facility services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-D-137015-1005)
7. Kindred Nursing Centers West, L.L.C., d.b.a. Desert Life Rehabilitation and Care Center, Amendment No. 9, to provide nursing facility services, extend contract term from 11/1/09 to 10/31/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$5,000,000.00 (18-15-K-137036-1005)
8. Juanita and Paul Hernandez, d.b.a. Ridgecrest I, Amendment No. 4, to provide assisted living home services, PHCS Enterprise Fund, contract amount \$100,000.00 (07-15-H-140262-0907)
9. Paul and Juanita Hernandez, d.b.a. Ridgecrest II, Amendment No. 4, to provide assisted living home services, PHCS Enterprise Fund, contract amount \$150,000.00 (07-15-H-140263-0907)
10. Fox Infusion, Inc., Amendment No. 2, to provide home infusion therapy services, extend contract term from 12/1/09 to 11/30/10 and amend contractual language, PHCS Enterprise Fund, contract amount \$50,000.00 (18-15-F-140460-1107)
11. The Oasis Assisted Living Center, L.L.C., d.b.a. The Oasis at El Corral Assisted Living Center, Amendment No. 4, to provide assisted living center services, PHCS Enterprise Fund, contract amount \$250,000.00 (18-15-O-140515-1007)
12. NSI-Nursing Services, Inc., Amendment No. 3, to provide homecare services, PHCS Enterprise Fund, contract amount \$500,000.00 (18-15-N-142082-0709)

E. Procurement

Award

- 13. Cooperative Procurement: Award of contract, Requisition No. 1000445, in the amount of \$420,000.00 for hardware, software and maintenance services for Spillman server upgrade awarded to IBM (Headquarters: Phoenix, AZ). The initial term is one three-year period. An annual award amount of \$60,000.00 for maintenance fees is required for the two one-year renewal periods. Funding Source: JAG Grant Fund. Administering Department: Sheriff Department.

F. Sheriff

- 14. RESOLUTION NO. 2009 - **322**, approving an Intergovernmental Agreement with the Bureau of Land Management, to provide law enforcement assistance through special patrols, contract term 10/2/08 - 9/30/09, Federal Fund, contract amount \$10,000.00 revenue (01-11-B-142562-1008)
- 15. RESOLUTION NO. 2009 - **323**, approving an Intergovernmental Agreement with the Town of Sahuarita, to provide video-court hearing of municipal prisoners, contract term 12/1/09-11/30/10, General Fund, contract amount \$10,000.00 estimated revenue (01-11-S-142578-1209)

2. 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>
Hormel, Peter	019	DEM
Durham, Paul W.	075	DEM
Sandberg, Robert J.	209	DEM
Hammann, Jack A.	387	DEM
Hammann, Margaret	387	DEM
Gabaldon, Rosanna	414	DEM

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Gebrekidane, Ezekiel A.	064	DEM
Katz, Rebecca E.	080	DEM
Gundersen, Dianne M.	130	DEM
Lewis, Barbara M.	145	DEM

Krino, Gregory J.	189	REP
Durham, Paul W.	212	DEM
Rowe, Kathleen	225	REP
Dorgan, Patricia A.	254	DEM
Lenhard, Robert E.	267	REP
Rimer, Janice L.	270	REP
Rimer, John M.	270	REP
Ruhl, Frank G.	286	REP
Ruhl, Rebecca L.	286	REP
Orr, Michael J.	370	REP
Wilford, Michael A.	370	REP

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

Linda E. Jallad, Tohono Chul Park, 7366 N. Paseo del Norte, Tucson, December 13, 2009.

4. REAL PROPERTY

Ratification of Utility Easements Serving Pima County Facilities

Resolution No. 1979-48 of the Pima County Board of Supervisors authorizes the Pima County Administrative Officer or designee to execute utility easements and licenses to utility companies to service Pima County properties, subject to ratification by the Pima County Board of Supervisors. (All Districts)

Easement Type/ EASE #	Utility Company/ Grantee	County Facility Served	Recording Date	Docket /Page
Electric/08-02	Trico Electric Cooperative, Inc.	Avra Valley WWTF	5/23/08	13313/4264
Electric/08-06	Trico Electric Cooperative, Inc.	Marana WWTF	5/23/08	13313/4240
Water/08-08	City of Tucson Water	Children's Advocacy Center	5/23/08	13313/3870
Electric/08-12	Trico Electric Cooperative, Inc.	Avra Valley WWTF	1/26/09	13481/3337
Electric/08-17	Tucson Electric Power	Paradise Falls Park	11/17/08	13435/76
Water/08-20	Community Water Co. of Green Valley	G.V. Performing Arts Center	3/24/09	13521/946
Electric/09-09	Tucson Electric Power	Brandi Fenton Park	7/1/09	13591/713
Electric/09-11	Tucson Electric Power	Water Treatment Plant	7/1/09	13591/705
1' No Access 09- 17 (Declaration)	Pima County	Canoa Ranch Drive	11/3/09	13677/54

5. **RATIFY AND/OR APPROVE**

Minutes: October 20, 2009
 November 3, 2009