

AGENDA

Pima County Board of Supervisors' Meeting

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

December 16, 2008 9:00 a.m.

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

(Clerk's Note: As of the posting date of 12/10/08, no executive session item has been placed on the regular agenda. However, this is subject to any addendum.)

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

... **FLOOD CONTROL DISTRICT BOARD**

A. Riparian Habitat Mitigation Plans

1. Staff requests approval of the Hydro/Meso Riparian Habitat Mitigation Plan for the Riverside Crossing Apartments, P1208-009, located at the intersection of La Cholla Boulevard and River Road. (District 1)
2. Staff requests approval of the Hydro/Meso Riparian Habitat Mitigation Plan to construct a single family residence on property located at 1978 N. Wentworth Road. (District 4)

B. Contract

Stantec Consulting, Inc., Amendment No. 2, to provide for the Lee Moore Wash Basin Management Study and extend contract term to 5/31/09, no cost (16-59-S-138098-0606)

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION5. **CONSENT CALENDAR:** For consideration and approvalA. **CALL TO THE PUBLIC**B. **APPROVAL OF CONSENT CALENDAR**6. **COUNTY ADMINISTRATOR**A. **Donation of Small Appliances**

Pursuant to A.R.S. §11-251(58) staff requests approval to donate surplus and unnecessary electrical appliances to Habitat for Humanity's HabiStore.

B. **Quarterly Management Report on Collections**

Staff recommends the Board accept the Quarterly Management Report on Collections for the period ending September 30, 2008 and approve the write-off request in the amount of \$16,947.00.

UNFINISHED BUSINESS (RM 12/2/08)

*(**Clerk's Note:** On 12/2/08, the Board of Supervisors continued these items to their meeting of 1/6/09. Staff requests these items be heard on 12/16/08.)

*7. **CONTRACTS**A. **Procurement**

HDR Engineering, Inc., Amendment No. 5, to provide project management and roadway design engineering services for the La Canada Drive: Ina Road to Calle Concordia Project and amend scope of work, RTA Tax Revenue Fund, contract amount \$265,434.00 (16-04-H-139265-0207)

B. **Transportation**

Braaksma Design, Inc., to provide artist services for the La Canada Drive: Ina Road to Calle Concordia Roadway Project, HURF Bond (16%), RTA (59%) and Urban HURF (24%) Funds, contract amount: \$250,000.00 (07-04-B-141556-1208)

***** HEARINGS *****NEW BUSINESS**FRANCHISES/LICENSES/PERMITS****Liquor Licenses**

8. 08-42-8964, Ricardo Quintela, Jr., Mad Cow Bar, 2660 W. Ruthrauff Road, Tucson, Series 6, Bar License, Person Transfer.

*(**Clerk's Note:** Zoning Inspector's Report requires applicant to satisfy the requirements of Section 18.43.030(G) of the Pima County Zoning Code which requires a Type I Conditional Use Permit.)

- *9. 08-42-8965, Jay Herbert Thorpe, Game On Sports Grille, 6453 N. Oracle Road, Tucson, Series 12, Restaurant License, New License.

Agent Change-Acquisition of Control-Restructure

10. 08-05-0020, Steven William Baldwin, Taste of Texas, 8310 N. Thornydale Road, Suite 180, Tucson, Agent Change and Acquisition of Control.

11. **ENVIRONMENTAL QUALITY****Pima County Code Text Amendment**

ORDINANCE NO. 2008 - **117**, of the Board of Supervisors of Pima County, Arizona, relating to the removal of rubbish, trash, weeds, filth debris, and dilapidated buildings that constitute a hazard to public health and safety: amending the Pima County Code by amending Title 7, Chapter 33 to improve the clarity of the meaning of "weed" and the provisions and procedures for removal, abatement injunction and cost recovery.

DEVELOPMENT SERVICES

UNFINISHED BUSINESS: (RM 12/2/08)

Conditional Use Permit

12. P21-08-060, VALENCIA 13 L.L.C. – W. VALENCIA ROAD
Valencia 13 L.L.C., represented by Michael Marks, on property located at 3345 W. Valencia Road., in the GR-1 zone, requests a conditional use permit for a gasoline service station and convenience

store. Chapter 18.97, in accordance with Sections 18.14.030.B.3 and 18.14.030.B.2 of the Pima County Zoning Code, allows a gasoline service station and convenience store as a Type II Conditional Use in the GR-1 zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 5)

NEW BUSINESS

*(**Clerk's Note:** Agenda Item Nos. 13, 14 and 15 should be heard together.)

Pima County Code Text Amendment

*13 Co8-05-01, AIRPORT ENVIRONS AND FACILITIES (OVERLAY) ZONE REVISIONS

A proposed ordinance of the Board of Supervisors of Pima County, Arizona, amending Pima County Code Chapter 18.03, Section 18.03.020 by adding a definition for floor area ratio; amending Pima County Code Chapter 18.07, Section 18.07.040 by referencing Chapter 18.57 for exceptions to public utilities as permitted uses; amending Pima County Code Chapter 18.57, Sections 18.57.020 and 18.57.030 by deleting the Military Clear Zone (MCZ), the Accident Potential Zone One (APZ I), the Accident Potential Zone Two (APZ II), the Compatible Use Zone 3 (CUZ-3), and the Compatible Use Zone Four (CUZ-4) from Airport Land Use Overlay Zone 3 (Davis-Monthan Air Force Base); amending the definition for the day-night average sound level, and establishing definitions for Approach-Departure Corridor One (ADC-1), Approach-Departure Corridor Two (ADC-2), Approach-Departure Corridor Three (ADC-3), Noise Control Zone A (NCZ-A), and Noise Control Zone B (NCZ-B); amending Pima County Code Chapter 18.57 by amending Section 18.57.010 and establishing Section 18.57.031 to add five new Airport Environs Land Use Overlay Zones to Airport Land Use Overlay Zone 3 (Davis-Monthan Air Force Base) designated as Approach-Departure Corridor One (ADC-1), Approach-Departure Corridor Two (ADC-2), Approach-Departure Corridor Three (ADC-3), Noise Control Zone A (NCZ-A), and Noise Control Zone B (NCZ-B), and establishing permitted uses, prohibited uses, safety requirements or performance standards, exceptions, and applicability for each of the five new zones; amending Pima County Code Chapter 18.57, Section 18.57.030 by adding new review criteria for requests for special-use waivers and variances from requirements of the zones contained in Airport Land Use Overlay Zone 3 (Davis-Monthan Air Force Base) and adding new notice requirements for requests for special-use waivers, appeals of a decision or interpretation of the hearing administrator, and requests for variances for property located in any Airport Environs Height Overlay Zone or any Airport

Environs Land Use Overlay Zone; amending Pima County Code Chapter 18.57, Section 18.57.060 by repealing existing Figure 18.57.060C2, Airport Land Use Overlay Zone 3 (Davis-Monthan Air Force Base) and replacing it with new Figure 18.57.060C2, Airport Land Use Overlay Zone 3 (Davis-Monthan Air Force Base); amending Pima County Code Chapter 18.93, Section 18.93.030 by adding new review criteria for requests for variances from requirements of the zones contained in Airport Land Use Overlay Zone 3 (Davis-Monthan Air Force Base) and adding new notice requirements for requests for variances or temporary use permits for property located in any Airport Environs Height Overlay Zone or any Airport Environs Land Use Overlay Zone. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Smith and Richey were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2008 - **118**

Rezoning

*14. Co8-05-01, AIRPORT ENVIRONS AND FACILITIES (OVERLAY) ZONE REVISIONS

Request of Pima County for a rezoning to expand the Airport Environs and Facilities (Overlay) Zone by approximately 2,366 acres from RH (Rural Homestead), GR-1 (Rural Residential), SR (Suburban Ranch), CR-3 (Single Residence), TH (Trailer Homesite), SP (Specific Plan), CB-1 (Local Business), CI-1 (Light Industrial/Warehousing), and CI-2 (General Industrial) to RH (AE) (Rural Homestead - Airport Environs), GR-1 (AE) (Rural Residential - Airport Environs), SR (AE) (Suburban Ranch - Airport Environs), CR-3 (AE) (Single Residence - Airport Environs), TH (AE) (Trailer Homesite - Airport Environs), SP (AE) (Specific Plan - Airport Environs), CB-1 (AE) (Local Business - Airport Environs), CI-1 (AE) (Light Industrial/Warehousing - Airport Environs), and CI-2 (AE) (General Industrial - Airport Environs), on properties in the vicinity of Davis-Monthan Air Force Base in unincorporated Pima County. Properties included in this request are more specifically located on the west side of Houghton Road on north and south sides of Brekke Road; on the south side of Old Vail Road, west of the Freeman Road alignment and north of Rocket Road; on the north and south sides of Old Vail Connection Road, east of Houghton Road; on the north side of Interstate 10, west of Rita Road and east of Kolb Road; on the east and west sides of Kolb Road, north of Valencia Road; on the north and south sides of Valencia Road, east of Kolb Road and west of Pantano Road; and on the east and west sides of Randolph

Avenue, south of 44th Street, north of Columbia Street and east of Country Club Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0. (Commissioners Smith and Richey were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (Districts 2 and 4)

Pima County Code Text Amendment

*15. Co19-08-01, BUILDING AND CONSTRUCTION CODE TEXT AMENDMENTS

A proposed ordinance of the Board of Supervisors of Pima County, Arizona; relating to Building and Construction; amending Section 1 of Ordinance No. 2006-91, the 2006 International Building Code, to incorporate Noise Level Reduction Design and Construction Standards; and Readopting Section 6 of Ordinance No. 2006-91, the 2006 International Property Maintenance Code, to reference A.R.S. §11-268; and amending Chapter 15.04 of the Pima County Code to reflect the amendments adopted. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Holdridge voted Nay, Commissioners Smith and Richey were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2008 - **119**

Conditional Use Permit

16. P21-08-075, EPIDAUROS – EAST TANQUE VERDE ROAD
Epidaurus, represented by Rick Engineering, on property located at 10500 E. Tanque Verde Rd., in the SR zone, requests a Conditional Use Permit for a community service agency. Chapter 18.97, in accordance with Section 18.17.030C7 of the Pima County Zoning Code, allows a Community Service Agency as a Type II Conditional Use in the SR zone. The Hearing Administrator recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 4)

17 **Street Name Change**

Present	Proposed
Co14-08-010, Unnamed easement/roadway (District 4)	Prairie View Court

TRANSPORTATION18. **Traffic Ordinances**

- A. ORDINANCE NO. 2008 - **120**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Golder Ranch Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (District 1)
- B. ORDINANCE NO. 2008 - **121**, of the Board of Supervisors, designating Ajo Well No. 1 Road as a through street and correcting road name, in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- C. ORDINANCE NO. 2008 - **122**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Mile Wide Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)
- D. ORDINANCE NO. 2008 - **123**, of the Board of Supervisors, regulating parking on Sabino Canyon Park in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)
- E. ORDINANCE NO. 2008 - **124**, of the Board of Supervisors, establishing pedestrian crosswalks on Sabino Canyon Park in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)
- F. ORDINANCE NO. 2008 - **125**, of the Board of Supervisors, establishing a non-abutting school crosswalk for Old Vail Middle School on Mary Ann Cleveland Way at Driscoll Mountain Drive in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)
- G. ORDINANCE NO. 2008 - **126**, of the Board of Supervisors, regulating parking on Mary Ann Cleveland Way in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)
- H. ORDINANCE NO. 2008 - **127**, of the Board of Supervisors, establishing parking spaces for physically disabled persons on Sabino Canyon Park in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

- I. ORDINANCE NO. 2008 - **128**, of the Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Bear Canyon Road in Pima County, Arizona. Staff recommends **APPROVAL**. (District 4)

19. **CALL TO THE PUBLIC**

20. **ADJOURNMENT**

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

DATE POSTED: 12/10/08

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, DECEMBER 16, 2008**1. CONTRACTS AND AWARDS****A. Community Development & Neighborhood Conservation**

1. RESOLUTION NO. 2008 - **323**, approving an Intergovernmental Agreement with the Town of Marana, to provide for the management and implementation of the Community Development Block Grant Program, CDBG Grant Fund, contract amount \$155,000.00 (01-70-M-141622-1008)

B. Community Resources

2. Marana Unified School District, Amendment No. 1, to provide for an after-school elementary school based recreation program and extend contract term to 7/31/09, General Fund, contract amount \$80,000.00 (01-67-M-140444-0807)

C. Health

3. Marana Unified School District, Amendment No. 3, to provide administration of childhood immunization services and amend contractual language, no cost (01-01-M-138892-1206)
4. Arizona Department of Health Services, Amendment No. 1, to provide supplemental foods, nutrition education and client referrals to other health and social service agencies and extend contract term to 9/30/09, WIC Grant Fund, contract amount \$1,728,800.00 revenue (01-01-A-140164-1007)
5. Arizona Department of Health Services, Amendment No. 1, to provide for the Farmer's Market Nutrition Program, WIC Grant Fund, contract amount \$1,750.00 revenue (01-01-A-140662-0308)
6. Arizona Department of Health Services, Amendment No. 1, to provide for the County Prenatal Block Grant Program and amend contractual language, Prenatal Block Grant Fund,

contract amount \$18,148.00 decrease (01-01-A-140836-0708)

7. Arizona Department of Health Services, Amendment No. 1, to provide sexually transmitted disease prevention services, extend contract term to 12/31/09 and amend contractual language, STD Services Grant Fund, contract amount \$181,225.00 revenue (01-01-A-140955-0108)
8. Southern Arizona AIDS Foundation, to provide HIV counseling and testing, STD screening, Hepatitis B and C testing, and bi-monthly immunization outreach clinics, Southern Arizona AIDS Foundation Grant Fund, contract amount \$26,774.00 revenue (02-01-S-141614-1008)

D. Human Resources

9. United Health Care, Amendment No. 4, to provide COBRA administration services, extend contract term to 12/31/09 and amend contractual language, General Fund, contract amount \$20,000.00 (07-43-C-135422-0105)

E. Information Technology

10. Cox Com., Inc., Amendment No. 1, to provide a cable license agreement in unincorporated Pima County, extend contract term to 7/13/13 and amend contractual language, General Fund, contract amount \$2,250,000.00 revenue (12-14-C-141166-0798)

F. Pima Health System

11. VibrantCare Outpatient Rehabilitation West, Inc., Amendment No. 4, to provide physical, occupational and hand therapy services, extend contract term to 11/30/09 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-N-135315-1204)
12. United Healthcare Insurance Company on behalf of Evercare, Amendment No. 2, to provide advanced and concurrent coordination of benefits for Medicare and Medicaid services, extend contract

term to 12/31/09 and amend contractual language, PHCS Enterprise Fund, contract amount \$180,816.00 revenue (07-15-U-137383-1205)

G. Procurement

13. Low Bid: Award of Contract, Requisition No. 900800, in the amount of \$215,280.00 to the lowest responsive bidder, The Ashton Company, Inc., (Headquarters: Tucson, AZ), for the Rose Neighborhood pedestrian bridge over Rodeo Wash. The apparent low bidder, 4-L Construction, Inc. was deemed non-responsive for failure to meet the 1% MBE goal set for this project, and their submitted Request for Waiver was denied. The contract term is six months with the ability to extend the term for contract completion. Funding Source: 2004 Bond Fund. Administering Department: Transportation.
14. Amendment of Award: West Valley Uniform, Inc., B500541, Amendment No. 4, to provide Monarch body armor, extend the contract term to 1/31/10, revise the scope of products and increase contract amount by \$246,062.40. Funding Source: General Fund (50%) and RICO Fund (50%). Administering Department: Sheriff.

2. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. State Board of Equalization

Reappointment of Dan Swango. Term expiration: 12/31/12 (District 3)

B. Self-Insured Trust Fund Trustees

Reappointments: Tom Burke, Director of Finance and Risk Management, Pima County; Joyce Goedel, Environmental Health and Safety Administrator, Raytheon Missile Systems; Steve Holland, Director of Risk Management and Safety, University of Arizona; George Ninow, Risk Manager, Tucson Electric Power Company (Retired); Michael Hannley, President and CEO, Bank of Tucson; Maria Luna, Interim Director of Risk Management, Tucson Unified School District; and Judy Patrick, Board of Directors, Arizona State Compensation

Fund. Term expirations: 12/31/12. (Committee recommendations)

C. Pima County Wireless Integrated Network

Appointment of Fire Chief Patrick Kelly, Tucson Fire Department, to replace Chief Dan Newburn. No term expiration. (Committee recommendation)

3. **DIVISION OF ELECTIONS**

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

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Parisi, Paul D.	013	REP
Ciscomani, Juan	049	REP
Ciscomani, Laura	049	REP
Hershman, Boyd	054	REP
Tobin, Thomas R.	061	GRN
Smalley, Kenneth L.	094	REP
Eppihimer, David W.	106	REP
Sanford, Edwin A.	182	REP
Junker, Leonard	203	REP
Kahl, Robert G.	212	GRN
Chewning, Sarah S.	233	REP
Hancock, Carole	257	REP
Hancock, Robert L.	257	REP
Crawford, Virginia D.	262	REP
Feuerbach, Rachel C.	271	REP
Larson, Laura L.	279	REP
Larson, Scott M.	279	REP
Wagemaker, David I.	289	REP
Wagner, Karen	289	REP
Kelley, Jim	296	REP
Abbott, Jeffrey D.	308	REP
Ellquist, Claudia D.	320	GRN
Medler, Robert T.	330	REP
Lomax, Charles E.	417	REP

4. **RECORDER**

Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the month of May, 2008.

5. **RATIFY AND/OR APPROVE**

Minutes: October 21, 2008
 November 4, 2008