

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

MAY 18, 2004 9:00 A.M.

1. **ROLL CALL**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PROCLAMATION/PRESENTATION**

Presentation of a proclamation to the following members of the Small Business Development Council: Glenn Fournie, Charlie O'Dowd and Jill A'Hern, proclaiming the week of May 17 through May 23, 2004, to be:

"SMALL BUSINESS WEEK"

... **EXECUTIVE SESSION**

Public discussion and action may occur on the executive session item listed below during the regularly scheduled meeting.

UNFINISHED BUSINESS

(RM 3/2/04 and RM 5/4/04)

Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding the proposed Consent Decree and Settlement Agreement with Clear Channel Outdoor, Inc., in Superior Court Case No. 20022918, Pima County and Pima County Board of Supervisors v. Clear Channel Outdoor, Inc., which would settle all pending

Approved
5/0

Accept report
and give
direction
5/0

and impending building, zoning and outdoor lighting code violation cases.

NEW BUSINESS5. DEPARTMENTAL BUDGET HEARINGS

- A. Justice and Law Enforcement Departments
- B. Public Works Departments
- C. County Administration Departments
- D. Community and Economic Development Departments
- E. Medical Services Departments

Informational
onlyBOARD OF SUPERVISORS SITTING AS OTHER BOARDS... KINO COMMUNITY HOSPITAL GOVERNING BOARDA. Notice of Sale

Staff recommends approval of the sale of surplus property, Sale No. 81610, one Picker PQ-20000SA Spiral Computed Tomography (CT Scanner) to Block Imaging International, Inc., (Corporate Headquarters: DeWitt, MI) in the amount of \$15,000.00.

Approved
5/0B. Agreements, Contracts and/or Amendments

- 1. Kino Community Hospital Auxiliary, Inc., Amendment No. 1, to provide volunteer services and amend contractual language, PHCS Enterprise Fund, no cost (11-01-K-100116-0777)
- 2. United Medical Systems, Amendment No. 6, to provide radiology equipment maintenance services and amend contractual language, PHCS Enterprise Fund, no cost (10-06-U-127606-0200)
- 3. StarMed Staffing Group, Amendment No. 3, to provide traveling nurse agreement

Approved
5/0Approved
5/0Approved
5/0

and assign all rights, duties and obligations to IntelliStaf Healthcare, Inc., PHCS Enterprise Fund, no cost (07-06-S-131937-1202)

4. InteliStaf Healthcare, Inc., Amendment No. 4, to provide traveling nurse services and amend contractual language, PHCS Enterprise Fund, no cost (07-06-S-131937-1202)

Approved
5/0

C. Monthly status report - Kino Community Hospital Advisory Board.

Information only

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

6. CONSENT CALENDAR: For consideration and approval

A. Call to the Public

Approved
5/0

B. Approval of Consent Calendar

7. COUNTY ADMINISTRATOR

Classification and Compensation

Wastewater Management Department requests approval of the following new classification and grade:

Approved
5/0

<u>Class Code</u>	<u>Class Title</u>	<u>Grade Code</u>	<u>EEO, O/T CODE</u>
2360	Permit and Regulatory Compliance Officer	58 (\$47,196-\$74,801)	B, E*

*E = Exempt, not Paid Time

UNFINISHED BUSINESS
(RM 3/2/04, RM 5/4/04)

8. COUNTY ATTORNEY/DEVELOPMENT SERVICES

Clear Channel Outdoor, Inc. Settlement Agreement

Report by staff regarding meetings with concerned residents in connection with staff's previous request for approval of the proposed Consent Decree and Settlement Agreement with Clear Channel Outdoor, Inc., to resolve all pending and impending litigation regarding illegal

Accept report and give direction
5/0

billboards, as well as billboards in
condemnation. Discussion/Action.

9. PROCUREMENT

Direct Selection Contract - Wastewater Management

Staff recommends award to Water Environment Research Foundation (Corporate Headquarters: Alexandria, VA) for the provision of water quality research in the amount of \$125,000.00, EPA Grant and WWM Enterprise Funds.

Approved
5/0

*** * * HEARINGS * * ***

FRANCHISE/LICENSE/PERMIT

FIREWORKS PERMIT

- 10. Jim Sims, Del Lago Golf Course, 14155 E. Via Rancho Del Lago, Vail, July 4, 2004 at approximately 9:00 p.m.

Approved
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

UNFINISHED BUSINESS

(RM 1/13/04, RM 2/17/04)

APPEAL OF HEARING OFFICER'S DECISION

- 11. P03ZV00350, PETER TESCIONE

In accordance with the Pima County Zoning Code Section 18.95.030.C, Peter Tescione appeals the decision of the Hearing Officer in Case No. P03ZV00350 regarding a violation of Section 18.07.030.D, open storage not allowed. (District 3)

Continued to
6/15.
3/0

NEW BUSINESS

REZONINGS

- | | |
|---|--|
| <p>12. <u>Co9-03-19, CHRISTOPHER TRUST, ET. AL. - COLUMBUS BOULEVARD REZONING</u>
 Request of <u>Christopher Trust, et. al., represented by Black Horse Advisors, L.L.C.</u>, for a rezoning of approximately 187 acres from GR-1 (Rural Residential) to CR-3 (Lot Reduction Option) consisting of approximately 37 acres and CR-4 consisting of about 150 acres, located on the southwest and northwest corners of Columbus Boulevard and Mainsail Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Spendiarian voted NAY; Commissioner Gungle was absent) to recommend DENIAL. Staff recommends APPROVAL WITH CONDITIONS and standard and special requirements. (District 3)</p> | <p>Without objection, withdrawn by petitioner's representative</p> |
| <p>13. <u>Co9-03-30, MARTINEZ - LA CANADA DRIVE REZONING</u>
 Request of <u>Ralph and Leonore Martinez, represented by Planning Resources</u>, for a rezoning of approximately 1.99 acres from SH (Suburban Homestead) to CB-2 (General Business) located on the west side of La Canada Drive, approximately 600 feet north of River Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 4-3 (Commissioners Poulos, Gungle and Hirsch voted NAY; Commissioner Membrila was absent) to recommend APPROVAL WITH CONDITIONS. Staff recommends DENIAL. (District 1)</p> | <p>Approved
5/0</p> |
| <p>14. <u>Co9-03-35, MARTINEZ - TUCSON ESTATES PARKWAY REZONING</u>
 Request of <u>Carole Martinez</u>, for a rezoning of approximately 4.06 acres from SR (Suburban Ranch) to SH (Suburban Homestead) located on the northwest corner of Tucson Estates Parkway and Oklahoma Street. The proposed rezoning conforms</p> | <p>Approved
5/0</p> |

to the Pima County Comprehensive Plan, Co7-00-20.
On motion, the Planning and Zoning Commission
voted 7-0 (Commissioner Membrila was absent) to
recommend **APPROVAL WITH CONDITIONS**. Staff
recommends **DENIAL**. (District 3)

MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT

15. Co14-04-01, TORTOLITA ROAD MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT
 Request of Sunset 80 Property, L.L.C., represented by Planning Resources, to amend the Pima County Major Streets and Scenic Routes Plan by deleting from the plan that portion of Tortolita Road between Camino de la Amapola and Sunset Road. Tortolita Road is currently designated a major scenic route. On motion, the Planning and Zoning Commission voted 7-0 (Commissioner Membrila was absent) to recommend **APPROVAL**. Staff recommends **MODIFIED APPROVAL**. (District 5)

Approved
5/0

LOT SPLIT

16. Co12-79-176, ALVERNON RAIL CENTER (LOT 24)
 Request of Duke Ventures, L.L.C., represented by The Planning Center, for a lot split of two parcels which total approximately 17.87 acres into four parcels of 3.38, 4.48, 4.95 and 5.06 acres each. General Note No. 8 states that no further subdividing will be done nor any lots split without the written approval of the Pima County Board of Supervisors. The subject property was rezoned to CI-2 (AE) (General Industrial) in 1956 and is located on the west side of Davis Monthan Air Force Base, at the terminus of Michigan Street, approximately 900 feet east of Contractor's Way. Staff recommends **APPROVAL WITH CONDITIONS**. (District 2)

Approved
5/0

17. PROPOSED ORDINANCES - Unadvertised Hearings

- A. ORDINANCE NO. 2004 - 35, Co9-03-05, Benchmark Mortgage Fund, L.P., et. al. - Irvington Road Rezoning. Owners: Benchmark Mortgage Fund, L.P. and May Ann Molina. (District 3)

Approved
5/0

NOTES/ACTION

B. ORDINANCE NO. 2004 - 36, Co9-03-28, Pima
County - Mt. Lemmon/Aspen Fire Area No. 2
Rezoning. Owners: Multiple. (District 4)

Approved
5/0

18. COMPREHENSIVE PLAN AMENDMENT RESOLUTIONS - Unadvertised Hearings

- | | |
|---|-------------------------|
| <p>A. RESOLUTION NO. 2004 - <u>119</u>, Co7-03-08, Ryan Ranch, L.L.C. - W. Snyder Hill Road (Major Plan Amendment). Owner: Ryan Ranch, L.L.C. (District 3)</p> | <p>Approved
5/0</p> |
| <p>B. RESOLUTION NO. 2004 - <u>120</u>, Co7-03-21, Greil - W. Tetakusim Road Plan Amendment (Minor Revision). Owner: Ron Greil. (District 3)</p> | <p>Approved
5/0</p> |
| <p>C. RESOLUTION NO. 2004 - <u>121</u>, Co7-03-22, Title Guaranty Agency of Arizona, Inc., Trust No. T-1321 - Abrego Drive Plan Amendment (Minor Revision). Owner: Title Guaranty Agency of Arizona, Trust No. T-1321. (District 4)</p> | <p>Approved
5/0</p> |

19. STREET NAME CHANGES - Unadvertised Hearings

- | <u>Present</u> | <u>Proposed</u> | |
|---|------------------------|--|
| <p>A. Unnamed easement/road
Co14-98-071
(District 3)</p> | <p>Windy Mesa Road</p> | <p>Without
objection,
removed by
staff</p> |
| <p>B. Unnamed easement/road
in alignment with existing
street name
Co14-98-060
(District 3)</p> | <p>Avra Road</p> | <p>Approved
5/0</p> |
| <p>C. Unnamed easement/road
Co14-02-036
(District 4)</p> | <p>Andy's Place</p> | <p>Approved
5/0</p> |

TRANSPORTATION

20. TRAFFIC ORDINANCES

A. ORDINANCE NO. 2004 - 37, regulating traffic at the intersection of Rocky Creek Drive and Rocky Creek Circle in Pima County, Arizona. (District 4)

Approved
5/0

- B. ORDINANCE NO. 2004 - 38, regulating parking of vehicles on both sides of Camino de Oeste in Pima County, Arizona. (District 5)

Approved
5/0

21. CALL TO THE PUBLIC

22. ADJOURNMENT

CLERK'S NOTE:

- A. Public discussion and action may occur on any executive or regular agenda item; and,
- B. Any backup material will be available for review twenty-four (24) hours before the meeting at the Clerk of the Board's Office.

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

NOTES/ACTION

DATE POSTED: 5/12/04

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, MAY 18, 2004

1. PROCUREMENT

AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

- A. RESOLUTION NO. 2004 - 115, approving an Intergovernmental Agreement with the Tucson Unified School District, to provide job development and educational services for youth, YO, RYA and WIA Grant and General Funds, contract amount not to exceed \$227,263.00 (01-39-T-134167-0104) Community Services
- B. RESOLUTION NO. 2004 - 116, approving an Intergovernmental Agreement with the Avra Valley Fire District, to provide for the development/enhancement of public health preparedness and response for bio-terrorism, Public Health Preparedness and Response for Bio-Terrorism Grant Fund, contract amount not to exceed \$5,000.00 (01-01-A-134188-0903) Health Department
- C. RESOLUTION NO. 2004 - 117, approving an Intergovernmental Agreement with the City of Tucson Police Department, to provide for participation in the Southwest Border Alliance, H.I.D.T.A. XIV Grant Fund, contract amount \$228,605.00 (01-11-T-134158-1003) Sheriff
- C-1. RESOLUTION NO. 2004 - 118, approving an Intergovernmental Agreement with Santa Cruz County Attorney's Office, to provide for participation in the Southwest Border Alliance, H.I.D.T.A. XIV Grant Fund, contract amount \$198,739.00 (01-11-S-134176-1003) Sheriff

* * *

D. Salvation Army, Amendment No. 1, to provide emergency financial assistance and case management services, extend contract term to

- 9/30/04 and amend contractual language, Emergency Food and Shelter Program and FEMA Funds, contract amount \$20,000.00 (07-39-S-133796-1003) Community Services
- D-1. Travelers Aid Society of Tucson, to provide transitional housing, training assistance and other supportive services, HUD and SHP Grant Funds, contract amount \$105,542.00 (07-39-T-134166-0504) Community Services
- E. U.S. Department of Justice, Amendment No. 1, to provide for the Community Gun Violence Prosecution Program and extend contract term to 9/30/05, Community Gun Violence Prosecution Grant Fund, no cost (02-02-U-130331-1001) County Attorney
- E-1. Mesch Clark and Rothschild, Inc., Amendment No. 1, to provide legal advice and representation services for Adams v. Pima County, Superior Case No. C20034732, Risk Management/Tort Fund, contract amount \$40,000.00 (17-02-M-133425-1003) County Attorney
- F. DMJMH+N, Inc., Amendment No. 9, to provide architectural design services for the Maximum Security Detention Addition and amend scope of work, Bond Fund, contract amount \$54,568.00 (15-13-D-127193-0999) Facilities Management
- F-1. M3 Engineering & Technology Corporation, Amendment No. 2, to provide as-needed mechanical engineering services and extend contract term to 7/30/04, Capital Improvement Bond Fund, contract amount \$791.00 (16-13-M-130639-0402) Facilities Management
- F-2. Sakellar Associates, Amendment No. 2, to provide architectural design services for the Bear Canyon Library Addition, extend contract term to 5/1/05 and amend scope of work, Capital Improvement Fund, contract

amount \$10,000.00 (15-13-S-132470-0403)
Facilities Management

- G. Automated Presort Services, Inc., Amendment No. 4, to provide pre-sort first class mail services and extend contract term to 6/2/05, General Fund, contract amount \$110,000.00 (11-09-A-130792-0602) Finance
- H. Frontier Towing, Inc., Amendment No. 2, to provide towing services for County owned vehicles and extend contract term to 5/31/05, Internal Service Fund, contract amount \$45,000.00 (11-12-F-131085-0602) Fleet Services
- I. Castro Engineering Corp., Amendment No. 6, to provide civil engineering services for the Southeast Regional Park Shooting Range Phase I Project and extend contract term to 12/31/04, Capital Improvement Bond Fund, no cost (16-05-D-128349-1000) Natural Resources, Parks and Recreation
- J. Copper Sky Foot and Ankle Centers, Inc., Amendment No. 3, to provide podiatry services, reflect vendor name change, extend contract term to 7/31/05 and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (07-15-C-128371-1100) Pima Health System
- J-1. In Home Health, Inc., d.b.a. Heartland Home Health & Hospice, Amendment No. 2, to provide hospice services and amend contractual language, PHCS Enterprise Fund, contract amount \$250,000.00 (07-15-H-132119-0403) Pima Health System
- J-2. Heart and Hands Midwifery, P.C., Amendment No. 1, to provide certified nurse midwife services, reflect vendor name change and amend contractual language, PHCS Enterprise Fund, no cost (18-15-B-132782-0803) Pima Health System

J-3. Birth and Women's Health Center, Inc.,
Amendment No. 1, to provide child birth and
parenting class services, reflect vendor
name change and amend contractual language,
PHCS Enterprise Fund, no cost (07-15-B-
132834-0803) Pima Health System

- J-4. Raymond F. Graap, M.D., P.C., to provide endocrinology consulting services, PHCS Enterprise Fund, contract amount not to exceed \$50,000.00 (18-15-G-134186-0504) Pima Health System
- K. Tucson Newspapers, Inc., Amendment No. 7, to provide as-needed advertising services and extend contract term to 4/6/05, Various Department Funds, contract amount \$900,000.00 (07-26-T-127652-0400) Procurement
- L. TransCor America, Inc., Amendment No. 5, to provide prisoners transport/extradition services, extend contract term to 6/7/05 and amend the rate schedule, General Fund, no cost (11-11-T-127738-0600) Sheriff
- L-1. AT&T, Amendment No. 3, to provide telephone services and extend contract term to 5/31/05, General Fund, contract amount \$80,000.00 (11-11-A-129133-0601) Sheriff
- M. Gordley Design Group, Inc., Amendment No. 1, to provide public outreach and community relations for the Veterans Memorial Overpass Project, Capital Improvement Fund, contract amount \$100,000.00 (07-04-G-133214-0903) Transportation

2. PROCUREMENT

A. Req. 81744

Pursuant to Pima County Code Section 11.24.010, use of the Arizona State Contract No. AD000171-001 for Temporary Transcription Services, (Sheriff/General Fund) Kelly Temporary Services, (Corporate Headquarters: Pasadena, CA), contract amount \$218,400.00.

B. Req. 81737

Inmate Furniture for the Pima County Adult Detention Center, (Sheriff/General Fund) Arizona Department of Corrections, (Corporate Headquarters: Phoenix, AZ) in the amount of \$177,367.08 including taxes.

3. DIVISION OF ELECTIONS

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

<u>RESIGNATION</u>	<u>PRECINCT</u>	<u>PARTY</u>
Osterloh, Mark D.	211	DEM

<u>APPOINTMENT</u>	<u>PRECINCT</u>	<u>PARTY</u>
Hooton, Amy-Ann E.	061	DEM
Dryden, Mary N.	105	DEM
Schaefer, Richard A.	126	REP
Boykins, Clarence E.	181	DEM
Egan, Jacquelyn R.	194	REP
Rubin, Marshall	267	DEM
Osterloh, Mark D.	303	DEM

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

Linda Shalit, Angel Charity for Children, Inc., 3800 E. Sunrise Drive, Tucson, December 11, 2004.

PUBLIC WORKS

5. DEVELOPMENT SERVICES

A. Public Utility Easement

Public Utility Easement with Stewart Title and Trust of Tucson under Trust No. 1580, located in a portion of Lots 407 through 491 of the approved subdivision plat for Tucson Mountain Village II, Lots 237-491. (District 3)

B. Quit Claim Deed

Quit Claim Deed from Pima County to La Naranja Commercial Center, L.L.C., to correct a duplication and error of a

dedication of an additional right-of-way for Orange Grove Road from 50 feet to 25 feet, under Pima County Development Plan Case No. P1203-059 and Pima County Rezoning Case No. Co9-02-19, La Naranja Commercial Center. (District 1)

6. REAL PROPERTY

Exclusive Access Easement

Exclusive Access Easement from Richard and Claire Genser, Trustees of The Genser Community Property Trust, Tax Parcel Nos. 304-18-9560 and 304-18-9570, for a 25 foot easement, no cost. (District 4)