

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

OCTOBER 19, 2004 9:00 A.M.

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

(**CLERK'S NOTE**: As of the posting date of 10/13/04, 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**

Agreement, Contract and/or Amendment

Shetland Properties Co., L.L.C., and Arran Real Properties Co., L.L.C., to provide an acquisition agreement for a 38,035 square foot right-of-way (fee purchase) and 14,125 square foot drainage easement located at the Ina Road Bridge at the Santa Cruz River, Tax Parcel Nos. 226-32-011F and 226-35-006C, Sections 35 and 36, T12S, R12E, Capital Improvement Bond Fund, contract amount not to exceed \$6,000.00 including closing costs (22-64-S-135165-1004) Real Property

Approved
5/0

BOARD OF SUPERVISORS SITTING IN REGULAR SESSION

- 4. **CONSENT CALENDAR**: For consideration and approval
 - A. Call to the Public
 - B. Approval of Consent Calendar

Approved
5/0

5. PROCUREMENT

UNFINISHED BUSINESS

(RM 5/11/04, RM 5/25/04, RM 6/15/04, RM 8/3/04, RM 9/7/04 and RM 10/12/04)

A. Special Needs Transportation

Staff requests consideration of the following regarding Contract No. 11-04-A-133875-0204 with A&K Transportation, Inc., for special needs transportation services:

1. Determine that lack of a performance bond is an informality, waive the bonding requirement and accept a letter of credit in lieu of the performance bond;

OR

2. Terminate the contract, cancel the award of RFP No. 70553 to A&K Transportation, Inc., and award the contract to the second highest scoring proposal, American Pony Express, Inc.

NEW BUSINESS

B. Awards of Contract - Facilities Management

Job Order Contracts - electrical contracting services. Staff recommends award to the following in the amount of \$250,000.00 each, General Fund:

<u>Vendor</u>	<u>Corporate Headquarters</u>
Gilbert Electric Co., Inc.	Tucson, AZ
Sabino Electric, Inc.	Tucson, AZ
Sturgeon Electric, Inc.	Rolling Meadows, IL

C. Award of Contract - Natural Resources, Parks and Recreation

Picture Rocks District Park Improvements. Staff recommends M. Anderson Construction, Corp. (Corporate Headquarters: Tucson, AZ) in an amount not to exceed \$825,000.00: 1997 Bond Fund, \$730,000.00; and 2004 Bond Fund, \$195,000.00.

Without objection continued to 11/9/04

Approved 5/0

Approved 5/0

PUBLIC WORKS - DEVELOPMENT SERVICES

6. FINAL PLAT WITH ASSURANCES

P1203-134, Sycamore Canyon, Lots 1-485, Blocks A and B and Common Areas A-1 to A-24, B-1 to B-56 and C-1. (District 4)

Approved
5/0

*** * * HEARINGS * * ***

FRANCHISES/LICENSES/PERMITS

LIQUOR LICENSES

7. 04-27-8758, Terry Lee Taggart, d.b.a. Old Spanish Trail Steak House, 5400 S. Old Spanish Trail, Series 12, Restaurant License, New License.

Approved
5/0

8. 04-28-8759, Terry Lee Taggart, d.b.a. Old Spanish Trail Steak House, 5400 S. Old Spanish Trail, Series 07, Beer and Wine Bar, Person Transfer.

Approved
5/0

*** (CLERK'S NOTE:** Applicant must satisfy the requirements of Section 18.43.030(G) of the Pima County Zoning Code which requires a Type I Conditional Use Permit.)

*9. 04-30-8761, Manuel Solorzano, d.b.a. Manuel's Restaurant, 121 W. Duval Mine Road, Green Valley, Series 12, Restaurant License, New License.

Approved
5/0

*** (CLERK'S NOTE:** Applicant must satisfy the requirements of Section 18.43.030(G) of the Pima County Zoning Code which requires a Type I Conditional Use Permit.)

*10. 04-31-8762, Robert Brian McMahon, d.b.a. Charro Grill, 100 W. Orange Grove Road, Series 12, Restaurant License, New License.

Approved
5/0

11. 04-32-8763, Atul Jain, d.b.a. Wild Noodles, 7475 N. La Cholla Blvd., No. 400, Series 07, Beer and Wine Bar, Person and Location Transfer.

Approved
5/0

EXTENSION OF PREMISES/PATIO PERMIT

- 12. James Counts, d.b.a. Nimbus Brewing Co., L.L.C., 3850 E. 44th Street, Temporary Extension of Premises Permit for Saturday, October 23, 2004 and Saturday, November 6, 2004.

Approved
5/0

FIREWORKS PERMIT

- 13. Jan Tuttle, Voyager RV Park, 8701 S. Kolb Road, Space Nos. 1-280, October 31, 2004 at approximately 7:00 p.m.

Approved
5/0

HEALTH DEPARTMENT

PIMA COUNTY CODE TEXT AMENDMENT

- 14. ORDINANCE NO. 2004-96, of the Board of Supervisors of Pima County, Arizona, relating to immunizations; amending Pima County Code Chapter 8.12, Immunization.

Approved
5/0

PUBLIC WORKS

ENVIRONMENTAL QUALITY

PIMA COUNTY CODE TEXT AMENDMENT

- 15. ORDINANCE NO. 2004-97, of the Board of Supervisors of Pima County, Arizona, relating to the environment and air quality; amending Chapters 17.04; 17.08; 17.12; 17.16; and 17.28, to conform with corresponding State and Federal Air Quality Regulations.

DEVELOPMENT SERVICES

UNFINISHED BUSINESS

REZONING

(RM 9/21/04)

- 16. Co9-03-23, TNR&S ACQUISITIONS, INC., ET. AL. - LA CHOLLA BOULEVARD REZONING
Request of TNR&S Acquisitions, Inc., represented by Tetra Tech, Inc., for a rezoning of a total of approximately 65.01 acres from SR (Suburban Ranch) to CR-5 (Multiple Residence) consisting of approximately 13.6 acres located at the northeast

Without
objection
continued to
11/9/04

corner of Shannon Road and Club Drive; CR-5 (Multiple Residence) Small Lot Option consisting of approximately 17.9 acres located on the west side of La Cholla Boulevard approximately 400 feet south of the Hardy Road alignment; and CR-1 (Single Residence) consisting of approximately 33.4 acres located west of La Cholla Boulevard north of the intersection of La Cholla Boulevard and the north alignment of Magee Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Hirsch, Gungle and Staples voted NAY) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and standard and special requirements. (District 1)

NEW BUSINESS

SPECIFIC PLAN REZONING

17. Co23-04-01, SWAN/SOUTHLANDS SPECIFIC PLAN

Request of South Wilmot Land Investors, L.L.C., Pima County, and Southland Investors, L.L.C., represented by LVA Urban Design Studio, L.L.C., to rezone approximately 3,200 acres from RH (Rural Homestead) to SP (Specific Plans, Swan Southlands Specific Plan), located generally between S. Swan and Wilmot Roads, approximately 1 mile south of Old Vail Connection Road. The request lies within and conforms to the Pima County Comprehensive Plan Co7-00-20.

On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Gungle, Poulos, and Smith voted NAY; Commissioner Spendiarian was absent) to recommend **APPROVAL OF THE SPECIFIC PLAN WITH CONDITIONS, AS REVISED** and standard and special requirements.

On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Gungle and Staples voted NAY; Commissioner Spendiarian was absent) to recommend **APPROVAL OF THE SPECIFIC PLAN REGULATIONS THAT SUPERCEDE ADOPTED COUNTY ZONING REGULATIONS, AS REVISED**.

Staff recommends **APPROVAL WITH CONDITIONS, AS REVISED**. (District 2)

Without
objection
continued to
11/16/04

ZONING CODE TEXT AMENDMENTS

18. Co19-04-01, TUCSON/MARANA/PIMA COUNTY OUTDOOR LIGHTING CODE AMENDMENT

An ordinance of the Board of Supervisors of Pima County, Arizona; relating to building and construction; amending the Tucson/Marana/Pima County Outdoor Lighting Code, Exhibit A to Ordinance No. 2000-63, as amended by Ordinance No. 2001-138; by amending Section 4, Definitions; Section 5, Total Outdoor Light Output and Shielding Requirements; Section 6, Outdoor Advertising Signs; Section 7, Special Uses; and Section 8, Submission of Evidence of Compliance with Code. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Smith was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

Approved
5/0

If approved, pass and adopt:

ORDINANCE NO. 2004- 98

19. Co19-04-02, INTERNATIONAL URBAN-WILDLAND INTERFACE CODE AMENDMENT

An ordinance of the Board of Supervisors of Pima County, Arizona; relating to building and construction; amending Ordinance No. 2003-70, by amending Exhibit A, Pima County Local Amendments to the International Urban-Wildland Interface Code, and amending Section 15.04.020 of the Pima County Code. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Smith was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

Approved
5/0

If approved, pass and adopt:

ORDINANCE NO. 2004- 99

COMPREHENSIVE PLAN AMENDMENTS20. Co7-04-04, OSBORNE - N. CAMINO DE OESTE PLAN AMENDMENT

Request of Linda Osborne, represented by Laidlaw Consulting, L.L.C., to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Low Intensity Urban 0.5 (LIU 0.5). The subject property is approximately 4.25 acres and is located on the west side of N. Camino de Oeste, half a mile north of Camino del Cerro in Section 13, T13S, R12E, in the Tucson Mountains/Avra Valley Subregion. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Spendiarian was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 5)

Approved
5/0

21. Co7-04-05, DALRYMPLE REVOCABLE TRUST - W. RUDASILL ROAD PLAN AMENDMENT

Request of Debra Barnes of the Dalrymple Revocable Trust, to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2) to Medium Intensity Urban (MIU). The subject property is 7.065 acres and is located on the south side of Rudasill Road, approximately 800 feet east of Shannon Road, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Membrila, Smith and Matter voted NAY, Commissioner Spendarian was absent) to recommend **DENIAL**. Staff recommends **APPROVAL**. (District 3)

Approved
5/0

22. Co7-04-07, MENDEZ - S. VAHALLA ROAD PLAN AMENDMENT

Request of Ernest and Amanda Mendez, represented by John Bravo, to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Medium Intensity Rural (MIR). The subject property is approximately 4.34 acres and is located on the southeast corner of W. Zorro Road and S. Vahalla Road in Section 21, T15S, R12E, in the Southwest Subregion. On motion, the Planning and Zoning Commission voted 5-3 (Commissioners Cuyugan, Membrila and Smith voted NAY; Commissioner Spendiarian was absent) to recommend **DENIAL**. Staff recommends **APPROVAL, SUBJECT TO THE SPECIAL AREA POLICY**. (District 3)

Continued to
12/14/04
5/0

23. Co7-04-14, REID, ET. AL. - W. ORANGE GROVE ROAD PLAN AMENDMENT
 Request of the Naomi E. Reid Irrevocable Trust, et. al., to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2) to Medium Intensity Urban (MIU). The subject property is approximately 1.63 acres and is located on the southeast corner of Orange Grove Road and La Cañada Drive, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Spendiarian was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL**. (District 1)
- Approved
5/0
24. REZONING ORDINANCES - Unadvertised Hearings
- A. ORDINANCE NO. 2004-100, Co9-03-30, Martinez - La Canada Drive Rezoning. Owner: Ralph and Leonore Martinez. (District 1)
- Approved
5/0
- B. ORDINANCE NO. 2004-101, Co9-03-34, Price - Pima Farms Road Rezoning. Owner: Audrey Price. (District 3)
- Approved
5/0
- C. ORDINANCE NO. 2004-102, Co9-03-37, St. Mary's Second Century Foundation - La Canada Drive Rezoning. Owner: St. Mary's Second Century Foundation. (District 4)
- Approved
5/0
25. REZONING RESOLUTIONS
- A. RESOLUTION NO. 2004 - 286, Co9-90-33, Maguey Limited No. 2, et. al. - Thornydale Road No. 2 Rezoning. Owner: Title Security of Arizona, Trust No. 731. (District 3)
- Approved
5/0
- B. RESOLUTION NO. 2004 - 287, Co9-94-55, Walker/Lawyers Title Trust No. 5587 - Sunset Road Rezoning. Owner: Fidelity National Title, Trust No. 60143. (District 3)
- Approved
5/0
- C. RESOLUTION NO. 2004 - 288, Co9-98-40, Valenzuela - Oracle Road Rezoning. Owner: DM Federal Credit Union. (District 3)
- Approved
5/0

TRANSPORTATION

26. ROAD ESTABLISHMENTS

A. RESOLUTION NO. 2004 - 289, providing for the establishment of a County highway lying within Section 12, T17S, R18E, Pima County, Arizona, under Proceeding No. 2980, for a portion of the Tucson-Benson Interstate Highway. (District 4)

Approved
5/0

B. RESOLUTION NO. 2004 - 290, providing for the establishment of County highway, lying within Sections 25 and 26, T12S, R12E, Pima County, Arizona, under Proceeding No. 2968, for a portion of Cortaro Farms Road within the incorporated limits of the Town of Marana. (Districts 1 and 3)

Approved
5/0

27. CALL TO THE PUBLIC

28. 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.

DATE POSTED: 10/13/04

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, OCTOBER 19, 2004

1. PROCUREMENT
AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

- A. RESOLUTION NO. 2004 - 284 , approving an Intergovernmental Agreement with the City of Tucson, to provide for eviction prevention/emergency homeless housing assistance to low-income City residents, Arizona Department of Housing Grant Fund, contract amount not to exceed \$50,000.00 (01-69-T-135166-0704) Community Services

- B. RESOLUTION NO. 2004 - 285 , approving an Intergovernmental Agreement with the Drexel Heights Fire District, Golder Ranch Fire District, Green Valley Fire District, Northwest Fire/Rescue District and the City of Tucson Fire Department, to provide mutual aid response for hazardous materials incidents, no cost (01-01-D-135183-1004) Health Department

* * *

- C. Catholic Community Services of Southern Arizona, Inc., d.b.a. Pio Decimo, Amendment No. 5, to provide workforce development services and amend contractual language, YO and RYA Grant Funds, contract amount \$58,976.00; General Fund contract amount \$3,104.00 (11-39-C-130846-0602) Community Services

- D. Tucson Airport Authority (TAA), to provide for the TAA-PDEQ South Side Private Well Monitoring Program, Tucson Airport Authority Fund, contract amount \$17,513.00 Revenue (11-51-T-135171-1004) Environmental Quality

- E. Otis Elevator Company, Amendment No. 6, to provide for the Superior Court Elevator Modernization Project and amend contractual language, Bond Fund, contract amount \$157,000.00 (03-13-A-125581-1198) Facilities Management

- E-1. Advanced Controls Corporation, Amendment No. 6, to provide energy management and temperature control system services and extend contract term to 11/5/05, General Fund, contract amount not to exceed \$200,000.00 (10-13-A-130147-1101) Facilities Management
- E-2. Goel Enterprises, Inc., d.b.a. AAA-1 Flooring, Amendment No. 2, to provide floor covering and installation services and extend contract term to 12/16/05, General Fund, no cost (11-13-G-131848-1202) Facilities Management
- F. Arizona Department of Health Services, Amendment No. 4, to provide breast and cervical cancer screening services, extend contract term to 6/30/05 and amend scope of work, Well Woman Healthcheck Grant Fund, contract amount \$470,500.00 Revenue (01-01-A-131795-0103) Health Department
- F-1. Arizona Board of Regents, University of Arizona, Southwest Institute of Research for Women and Adolescents, Amendment No. 1, to provide substance abuse and HIV/AIDS services, extend contract term to 9/29/05 and amend contractual language, Eon Capacity Enhancement Grant Fund, contract amount \$100,592.00 (07-01-A-133889-0903) Health Department
- G. Northwest Obstetrics and Gynecology, P.C., Amendment No. 3, to provide OB/GYN services, extend contract term to 11/30/04 and amend contractual language, PHCS Enterprise Fund, no cost (18-15-L-129980-1201) Pima Health System
- G-1. Marana Health Center, Inc., Amendment No. 5, to provide primary care physician, dental, radiology and OB services, extend contract term to 12/31/05 and amend contractual language, PHCS Enterprise Fund, contract amount \$300,000.00 (18-15-M-130059-1201) Pima Health System

- G-2. A & K Transportation, Inc., Amendment No. 1, to provide non-emergent medical transportation services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-A-134244-0504) Pima Health System
 - G-3. Kord's Metro Service, Inc., Amendment No. 1, to provide non-emergent medical transportation services and amend contractual language, PHCS Enterprise Fund, no cost (11-15-K-134247-0504) Pima Health System
 - H. Castro Engineering, Inc., Amendment No. 3, to provide roadway design engineering for the River Road: Campbell Avenue to Alvernon Way Project and amend scope of work, Capital Improvement Bond Fund, contract amount \$86,150.00 (16-04-C-131556-1002) Transportation
 - I. Kennedy/Jenks Consultants, Amendment No. 1, to provide for the Randolph Park WRF Restoration Oversight Project and amend contractual language, Contractor's Builder Risk Insurance Fund, contract amount \$742,586.00 (07-03-K-134387-0604) Wastewater Management
2. RATIFICATION OF CHANGE ORDERS EXECUTED PURSUANT TO THE PIMA COUNTY PROCUREMENT CODE
- A. Sandpiper Construction, Inc., Change Order No. 5, to provide for the Posada Del Sol Health Care Center ADA Modifications Project and amend scope of work, Capital Improvement Bond Fund, contract amount \$20,143.00 (03-13-S-133808-1203) Facilities Management
 - B. The Ashton Company, Inc., Change Order No. 1, to provide asphaltic concrete overlay services and reflect as-built final quantities, HURF Fund, contract amount \$73,813.11 (03-04-A-133972-0304) Transportation

B-1. Hunter Contracting Company, Change Order No. 3, to provide for the Veterans Memorial Overpass Demonstration Project and amend scope of work, Federal STP and Urban/County HURF Funds, contract amount \$50,500.00 decrease (03-04-H-133980-0304) Transportation

3. BOARD OF SUPERVISORS

Approval of the Board of Supervisors' Meeting Schedule for the period January through May, 2005.

4. DIVISION OF ELECTIONS

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

<u>APPOINTMENT</u>	<u>PRECINCT</u>	<u>PARTY</u>
Harn, Ora Mae	006	REP
Hershberger, Freddy	012	REP
Elliott, Melva I.	017	REP
Niemi, Mikki	028	REP
Niemi, Dorothy	028	REP
Perolla, Lori Ann	128	REP
Garcia, Richard	145	REP
Blackwell, Bonnie	149	REP
Williams, Vic	202	REP
James, Cecil	202	REP
Chewning, Gene	233	REP
Pereira, Sylvania	237	REP
Wilke, William	266	REP
Bowler, William	280	REP
Scrivener, Judy	342	REP
Ekrom, Evalyn	345	REP
Beckley, Edwin	388	REP

5. BOARDS, COMMISSIONS AND/OR COMMITTEES

A. Air Quality Hearing Board

Reappointment of Caryl S. Brailsford, M.D.
Term expiration: 9/30/07. (Staff recommendation)

B. Pima County Bond Advisory Committee

Ratification of appointment: Kelly Gomez,
Pascua Yaqui Tribe representative. Term
expiration: 4/30/10. (Jurisdictional
recommendation)

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

A. Jesusita Moreno, Mano Amiga, Tucson Bargain
Center, 3750 E. Irvington Road, Tucson,
October 22, 2004.

B. Jesusita Moreno, Mano Amiga, Tucson Bargain
Center, 3750 E. Irvington Road, Tucson,
October 29, 2004.