

AGENDA, BOARD OF SUPERVISORS' MEETING

BOARD OF SUPERVISORS' HEARING ROOM

130 W. CONGRESS, 1ST FLOOR

DECEMBER 13, 2005 9:00 A.M.

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

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

- A. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding the approval of a settlement proposal in the Small Claims Tax Case ST2005-000042, Ginsburg v. Pima County.
- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a proposed settlement in the case of Hoeflinger v. Pima County, et. al., Case No. CIV 03-596-TUC-DCB, U.S. Federal District Court.

Accept County Attorney's recommendation
5/0

Accept County Attorney's recommendation
5/0

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
 - A. Classification and Compensation

Approved
5/0

Approved
5/0

Development Services requests approval to create the following classifications. There

is no budget impact to create these classifications.

<u>Class Code</u>	<u>Class Title</u>	<u>Grade Code</u>	<u>EEO, O/T CODE</u>
2656	Building Inspector II	D2 (\$32,272-\$74,794)	NE*
2657	Codes Enforcement Technician	D1 (\$29,717-\$66,602)	NE*

*NE = Not Exempt; Paid Overtime

B. Water Conservation Code Text Amendments

Staff requests direction regarding the following:

1. Development of Water Conservation Ordinances;
2. Initiation of Code text amendments to Title 15, Buildings and Construction; Title 18, Zoning; Title 8 Health and Safety; and Title 9, Public Peace, Morals and Welfare; and,
3. Solicitation of public input from the community in the development of these ordinances.

Without objection continued to 01/10/06

UNFINISHED BUSINESS

(RM 12/6/05)

7. **PROCUREMENT - AWARD**

Low Bid: Award of Contract, Requisition No. 87228, in the amount of \$3,427,863.47 to the lowest responsive bidder, Western Slope Utilities, Inc., (Headquarters: Breckenridge, CO) for the Carrillo Neighborhood Sewer Rehabilitation Project. Construction is to be complete within 180 calendar days from Notice To Proceed. Funding Source: Wastewater Management Enterprise Fund. Administering Department: Wastewater Management.

Without objection continued to 01/03/06

8. INDUSTRIAL DEVELOPMENT AUTHORITY

RESOLUTION NO. 2005 - 306 , of the Board of Supervisors of Pima County, Arizona, approving the proceedings of the Industrial Development Authority of the County of Pima, regarding the issuance of its not to exceed \$3,000,000.00 Education Facility Revenue Bonds (Sonoran Science Academy Phoenix Project), Series 2005 and declaring an emergency.

Approved
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

9. FINAL PLAT WITH ASSURANCES

P1205-001, Co9-03-34, Pima Farms, Lots 1-83, Parcel A and Common Areas A, B and C. (District 1)

Approved
5/0

10. FINAL PLAT WITHOUT ASSURANCES

P1205-064, Pinnacle Canyon, Units 1-225 and Common Elements A and B. (District 1)

Approved
5/0

11. ASSURANCES ONLY

Co12-64-34, New Tucson Unit 22, Lots 1-12, 14-30 and 32-35. (District 4)

Approved
5/0

* * * HEARINGS * * *

FRANCHISES/LICENSES/PERMITS

LIQUOR LICENSE

*(CLERK'S NOTE: See Sheriff's Report and Zoning Inspector's Report which 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.)

*12. 05-37-8819, Kengo Ikeda, Bowz, 7332 N. Oracle Road, Tucson, Series 12, Restaurant License, New License.

Approved
5/0

FIREWORKS PERMITS

- 13. Roy Franco, Tucson Raceway Park, 12500 S. Houghton Road, Tucson, December 31, 2005 at 12:00 midnight.

Approved
5/0

PUBLIC WORKS

DEVELOPMENT SERVICES

REZONING TIME EXTENSION

- 14. Co9-99-22, MCGARRY/BAUM/EIDAL, ET. AL., - VALENCIA ROAD REZONING
Request of McGarry/Baum/Eidel/Adamson, et. al. represented by Carl Winters of Planning Resources, for a five year time extension for the above referenced rezoning. The rezoning is from CR-3 to CB-2 and CB-2 to CB-2 Restricted, of approximately 18.44 acres located on the northwest corner of the intersection of Valencia Road and Benson Highway. This rezoning was conditionally approved on March 21, 2000. Ordinance No. 2000-51 was adopted on May 16, 2000. The rezoning expired March 21, 2005. Staff recommends **APPROVAL WITH CONDITIONS**. (District 2)

Approved as amended
5/0

COMPREHENSIVE PLAN AMENDMENTS

- 15. Co7-05-03, VISTA COMPANIES, L.L.C. - W. SAHUARITA ROAD PLAN AMENDMENT
Request of Vista Companies, L.L.C., represented by Daryl W. Barnes and Lynda Harper Barnes, owners, to amend the Comprehensive Plan from Low Intensity Rural (LIR) to Rural Crossroads (RX), for approximately 4.19 acres located on the north side of W. Sahuarita Road (Corona de Tucson address), approximately 1/4 mile west of N. Salero View Road and 1 1/2 miles east of S. Kolb Road, in Section 9, T17S, R15E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Membrilla were absent) to recommend **DENIAL**. Staff recommends **DENIAL**. (District 4)

Approved
5/0

16. Co7-05-07, STEWART TITLE & TRUST NO. 3602 - E. OLD SPANISH TRAIL PLAN AMENDMENT
Request of Stewart Title & Trust No. 3602, represented by MMLA Psomas, 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 a 4.41 acre portion of Block A of Coyote Creek located at the northeast corner of the T-intersection of E. Old Spanish Trail and S. Coyote Creek Ranch Road in Sections 25 & 26, T15S, R16E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Membrila were absent) to recommend **APPROVAL, SUBJECT TO REZONING POLICIES.** Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES.**

(District 4)

Approved
5/0

17. Co7-05-08, INNOVATIVE EXCAVATING, INC. - E. MARY ANN CLEVELAND WAY PLAN AMENDMENT
Request of Innovative Excavating, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Urban Industrial (I). The subject property is approximately 5 acres and is located on the south side of E. Mary Ann Cleveland Way and the north side of the UP/SP Railroad tracks, approximately 1/4 mile west of S. Cienega Lake Drive, in Section 9, T16S, R16E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Cook and Membrila were absent) to recommend **MODIFIED APPROVAL, SUBJECT TO A REZONING POLICY.** Staff recommends **MODIFIED APPROVAL, SUBJECT TO A REZONING POLICY.**

(District 4)

Approved
5/0

18. Co7-05-14, OLD SPANISH TRAIL ESTATES, L.L.C. - S. OLD SPANISH TRAIL PLAN AMENDMENT
Request of Old Spanish Trail Estates, L.L.C., represented by Planning Resources, to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT) to Low Intensity Urban 0.5 (LIU 0.5). The subject property is approximately 48.5 acres and is located approximately 700 feet southwest of the terminus of S. Old Spanish Trail, in Sections 17

Approved
5/0

and 18, T15S, R16E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Cook was absent) to recommend **MODIFIED APPROVAL, SUBJECT TO A REZONING POLICY**. Staff recommends **MODIFIED APPROVAL, SUBJECT TO A REZONING POLICY**.
(District 4)

- 19. Co7-05-15, PIMA COUNTY - CANOA RANCH NO. 3 PLAN AMENDMENT
Request of Pima County, to amend the Pima County Comprehensive Plan from Multifunctional Corridor (MFC), Low Intensity Urban 3.0 (LIU 3.0) and Resource Transition (RT) to Community Activity Center (CAC), Low Intensity Urban 3.0 (LIU 3.0), and Resource Transition (RT). The subject property is approximately 195 acres consisting of Block 1 and portions of Blocks 12, 14, 30, 31, 34, 35 and areas adjacent to Blocks 34 and 35 of Canoa Ranch and is generally located on the east and west sides of Interstate 19, south of Duval Mine Waterline Road and north of Elephant Head Road, within the Ranch Section of the Canoa Land Grant, in the Upper Santa Cruz Subregion. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Cook was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**.
(Districts 3 and 4)

Approved as amended
5/0

- 20. Co7-05-25, GRANT ROAD LUMBER COMPANY, INC., PROFIT SHARING PLAN AND TRUST - E. ROCKET ROAD ALIGNMENT PLAN AMENDMENT
Request of Grant Road Lumber Company, Inc., Profit Sharing Plan and Trust, represented by Planning Resources, to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Medium Intensity Urban (MIU). The subject property is approximately 35.55 acres and is located on the south side of the Rocket Road alignment and the north side of the UP/SP Railroad tracks, approximately 3/4 mile northwest of Colossal Cave Road, in Section 8, T16S, R16E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Gungle voted Nay; Commissioner Cook was absent) to recommend **APPROVAL, SUBJECT TO**

Approved as amended
5/0

REZONING POLICIES. Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES.**(District 4)

***(CLERK'S NOTE:** Regular Agenda Item Nos. 21, 22 and 23, should be heard together.)

- *21. Co7-05-18, HOOK M RANCH, L.L.C., ET. AL. - E. ANDRADA ROAD ALIGNMENT WEST PLAN AMENDMENT
Request of Hook M Ranch, L.L.C., and Prudence M. Haney, represented by LVA Urban Design Studio, L.L.C., to amend the Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Medium Intensity Urban (MIU) and Resource Transition (RT), for approximately 79 acres located south of the Andrada Road alignment and east of S. Kolb Road alignment, in Sections 5 and 6, T17S, R15E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Gungle and Poulos voted Nay; Commissioners Cook and Matter were absent) to recommend **APPROVAL, SUBJECT TO REZONING POLICIES.** Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES.** (District 4)

Approved as amended
5/0

COMPREHENSIVE PLAN MAJOR PLAN AMENDMENTS

- *22. Co7-05-17, HOOK M RANCH, L.L.C., ET. AL. - E. ANDRADA ROAD ALIGNMENT EAST MAJOR PLAN AMENDMENT
Request of Hook M Ranch, L.L.C., and Peter Hamlin Waid II and Marie Jerry Cornell Trust, represented by LVA Urban Design Studio, L.L.C., to amend the Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) and Low Intensity Rural (LIR) to Medium Intensity Urban (MIU), Community Activity Center (CAC) and Resource Transition (RT), for approximately 637 acres located south of the Andrada Road alignment approximately one mile east of S. Kolb Road alignment, in Sections 3 and 4, T17S, R15E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Gungle and Poulos voted Nay; Commissioners Cook and Matter were absent) to recommend **APPROVAL, SUBJECT TO REZONING POLICIES.** Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES.** (District 4)

Approved as amended
5/0

*23. Co7-05-19, PIMA COUNTY - E. ANDRADA ROAD ALIGNMENT/BLM LAND MAJOR PLAN AMENDMENT
 Request initiated by Pima County, to amend the Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Medium Intensity Urban (MIU), Community Activity Center (CAC) and Resource Transition (RT), for approximately 1,201 acres of Bureau of Land Management property located south of the Andrada Road alignment, north of Sahuarita Road and east of S. Kolb Road, in Sections 5, 7 and 8, T17S, R15E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Gungle and Poulos voted Nay; Commissioners Cook and Matter were absent) to recommend **APPROVAL, SUBJECT TO REZONING POLICIES**. Staff recommends **APPROVAL, SUBJECT TO REZONING POLICIES**. (District 4)

Approved as amended
5/0

WAIVER OF CONDITION OF WAIVER OF SUBDIVISION PLAT

24. PPW99-01, SPANISH RIDGE/ESCALANTE LOTS
 Request of Outpost Investments No. 301, Inc., represented by Robert Raynor, to waive condition No. 2 of the subdivision plat waiver which states: "There shall be no further lot splitting without the written approval of the Board of Supervisors." The applicant has divided the site into five lots. The subdivision plat waiver was approved by the Board of Supervisors on October 12, 1999. The subject property is 16.78 acres, a portion of PPW99-01, zoned SR, and is located on the west side of Escalante Ridge Place, approximately 2,000 feet south of Escalante Road. Staff recommends **APPROVAL, SUBJECT TO CONDITIONS**. (District 4)

Approved as amended
5/0

25. **CALL TO THE PUBLIC**

26. **ADJOURNMENT**

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

DATE POSTED: 12/7/05

TIME POSTED: 5:00 P.M.

CONSENT CALENDAR, DECEMBER 13, 2005

1. CONTRACTS AND AWARDSA. COMMUNITY RESOURCES

1. University Physicians Healthcare, to provide adolescent health care services at the Kino Teen Center, General Fund, contract amount not to exceed \$416,000.00 (02-67-U-137393-1105)

B. FLEET SERVICES

2. RESOLUTION NO. 2005 - 303 , approving an Intergovernmental Agreement with the Arizona Department of Transportation, to provide fuel, contract amount \$20,000.00 revenue (01-75-A-137404-0705)
3. Pima Council on Aging, to provide for fuel and vehicle maintenance, contract amount \$20,000.00 revenue (23-75-P-137403-1205)

C. HEALTH DEPARTMENT

4. Department of Health and Human Services, Amendment No. 2, to provide intervention and prevention HIV services for the Eon Program and extend contract term to 9/29/06, Substance Abuse and Mental Health Services Grant Fund, contract amount \$499,900.00 revenue (02-01-H-133398-0903)

D. PIMA HEALTH SYSTEM

5. Family Counseling Agency of Tucson, Inc., Amendment No. 2, to provide shopper services and assign all rights, duties and obligations to Our Family Services, Inc., PHCS Enterprise Fund, no cost (07-15-F-132678-0703)

6. Family Counseling Agency of Tucson, Inc., Amendment No. 2, to provide case management services and assign all rights, duties and obligations to Our Family Services, Inc., PHCS Enterprise Fund, no cost (07-15-F-132714-0703)
7. Supported Living Systems, Inc., Amendment No. 4, to provide behavioral health services, extend contract term to 3/31/07 and amend contractual language, PHCS Enterprise Fund, no cost (07-15-S-133872-0304)
8. Kindred Hospitals West, L.L.C., d.b.a. Kindred Hospital of Tucson, Amendment No. 3, to provide hospital services and amend contractual language, PHCS Enterprise Fund, no cost (18-15-K-133895-0304)
9. Southwestern Eye Center, Ltd., to provide ophthalmology, optometry and surgicenter services, PHCS Enterprise Fund, contract amount not to exceed \$300,000.00 (18-15-S-137384-0406)

E. **PROCUREMENT**

10. Sabino Electric, Inc., Amendment No. 1, to provide a job order contract for electrical contracting service, extend contract term to 10/31/06 and amend contractual language, contract amount \$25,317.98 (26-13-S-135421-1104)
Facilities Management
11. Malcolm Pirnie, Inc., Amendment No. 5, to provide for the Ina Road WPCF process change and expansion construction management, and amend contractual language, 1997 Bond and WWM Enterprise System Development Funds, contract amount \$789,000.00 (16-03-M-125816-0399)
Wastewater Management

AWARD

12. Increase in award to IFB No. 83709 with Eastman Distributing, in the amount of \$90,000.00, to provide milk and dairy products. Funding Source: General and PHCS Enterprise Funds. Administering Department: Sheriff's Department, Posada del Sol and Juvenile Court.

F. REAL PROPERTY

13. Mission Ridge Homeowners Association, to provide license and maintenance agreement for property located in the right-of-way of Sorrel Lane in Section 17, T15S, R13E, contract amount \$8,875.00/25 year revenue (12-64-M-137402-1205)

G. SHERIFF

14. RESOLUTION NO. 2005 - 304, approving an Intergovernmental Agreement with the Arizona Criminal Justice Commission, to provide for overtime to prevent or abate DUI occurrences, Oversight Council on Driving or Operating Under the Influence Abatement Grant Fund, contract amount \$25,000.00 revenue (01-11-A-137392-1005)
15. Cochise County Sheriff's Office, Amendment No. 1, to provide for participation in the Southwest Border Alliance Program and amend contractual language, H.I.D.T.A. XV Federal Grant Fund, contract amount \$15,000.00 (01-11-C-136216-1004)

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

Anthony M. Ronstadt, Tucson Conquistadores, Inc. - Chrysler Classic of Tucson, Omni National Golf Resort and Spa, 2727 West Club Drive, Tucson, February 19 through 27, 2006.

FINANCE AND INFORMATION SERVICES

3. **DUPLICATE WARRANT - FOR RATIFICATION**

Administrative Office Courts \$1,059.00

4. **TREASURER'S OFFICE** - Certificates of Clearance pursuant to A.R.S. §42-19118.

<u>NAME OF OWNER</u>	<u>REFERENCE NO.</u>	<u>TAX YEAR</u>
Banc One Mortgage Corp.	97102005665	1997
Banc One Mortgage Corp.	98092008119	1998
Cigarettes Cheaper	04012097168	2004
Elderangel Adult Care Home	03012090779	2003
Master Cleaners	00082004125	2000
Starr Skateboard Shop	04012170871	2004
Success for All West	04012119605	2004
Sunrise Oil	04012080990	2004
Valenzuela, Armando	04012166895	2004
Vivid Aviation	04012104153	2004

PUBLIC WORKS

5. **REAL PROPERTY- Condemnation**

RESOLUTION NO. 2005- **305** , of the Pima County Board of Supervisors, authorizing the Pima County Attorney to condemn for real property interests where necessary for access restriction and transportation safety for property on the east side of Houghton Road, south of Old Vail Road and immediately south of the Union Pacific Railroad tracks, in Section 36, T15S, R15E. (District 4)

6. **RATIFY AND/OR APPROVE**

Minutes: October 18 and November 1, 2005

Zoning Enforcement Board of Appeals
Minutes of November 1 and 15, 2005