

MINUTES, STADIUM DISTRICT BOARD

MAY 11, 2010

The Pima County Stadium District Board met in regular session at the regular meeting place of the Pima County Board of Supervisors (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 11, 2010. Upon roll call, those present and absent were as follows:

All Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Lori Godoshian, Clerk

1. **CONTRACT**

Pima County Sports and Tourism Authority, Amendment No. 2, to provide support for PCSTA activities, amend contractual language and extend contract term to 9/30/11, no cost (11-71-P-141887-0708) Economic Development and Tourism

Supervisor Day commented that she would like the Board to be provided with an updated business plan.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to approve the contract.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:20 a.m.

MINUTES, BOARD OF SUPERVISORS' MEETING

MAY 11, 2010

The Pima County Board of Supervisors met in regular session in its regular meeting place at Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 11, 2010. Upon roll call, those present and absent were as follows:

All Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Ann Day, Member
 Richard Elías, Member
 Lori Godoshian, Clerk

1. **INVOCATION**

The invocation was given by Pastor Abran Tadeo of St. Christopher Parish.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PERSONAL POINT OF PRIVILEGE**

Supervisor Elías recognized the life and recent death of Cele Peterson. He spoke of her many contributions to our community. He requested that the Board and audience wish their neighbor a joyous offering of peace in memory of Cele.

4. **PAUSE 4 PAWS**

The Pima County Animal Care Center showcased an animal available for adoption.

5. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Les Pierce and Sat Bir Kaur Khalsa, members of the Event Planning Committee, proclaiming May 16, 2010, to be:

“INTERNATIONAL AIDS CANDLELIGHT MEMORIAL DAY”

Supervisor Elías read and presented the proclamation to a member of the Event Planning Committee.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the proclamation.

6. **PRESENTATION/PROCLAMATION**

Presentation of a proclamation to Ken Drozd, Warning Coordination Meteorologist, National Weather Service; Chad Kahler, Hydrologist, National Weather Service; and Jeff Guthrie, Office of Emergency Management and Homeland Security proclaiming the week of June 7 to June 11, 2010, to be:

“MONSOON SAFETY AWARENESS WEEK”

Supervisor Bronson read and presented the proclamation to Ken Drozd, Chad Kahler and Jeff Guthrie. They accepted the proclamation and expressed their appreciation for the Board’s support.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the proclamation.

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:25 a.m.

7. **RECONVENE**

The meeting reconvened at 9:42 a.m. All members were present.

8. **CALL TO THE PUBLIC (for Executive Session items only)**

The Chairman inquired whether anyone wished to be heard on any item listed under Executive Session. No one appeared.

9. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the following matters:

- A. Pima County v. Hon. Stephen F. McCarville et. al., Arizona Court of Appeals, Case No. 2 CA-SA 2010-0008
- B. Dos Picos Land Limited Partnership v. Pima County, Arizona Court of Appeals, Case No. 2 CA-CV 2009-0186.

Chris Straub, Chief Civil Deputy County Attorney, stated these items were informational only, no Board action was required.

10. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County's position on a notice of claim filed by Dos Picos Land Limited Partnership on March 1, 2010, relating to the designation of Level One Peaks and Ridges Protection in Ordinance No. 2005-63.

Chris Straub, Chief Civil Deputy County Attorney, requested Board direction on whether to deny the claim or proceed with adhering to the abiding waiver of enforcement.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to deny the claim.

11. **CONSENT CALENDAR**

A. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard on any item listed for action on the Consent Calendar. No one appeared.

B. **APPROVAL OF CONSENT CALENDAR**

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, that the Consent Calendar be approved as presented.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **Constable Office**

1. Constable Ethics Standards and Training Board, Amendment No. 1, to provide Spanish language immersion classes for Constables Vince Roberts (Pima County JP10), Phil Hazlett (Maricopa County-North Valley) and John Nozar (Yuma County JP1), amend contractual language and extend term from 6/30/10 to 11/30/10, no cost (02-78-C-142657-0110)

B. **Economic Development and Tourism**

2. Pima County Sports and Tourism Authority, Amendment No. 2, to provide support for PCSTA activities, amend contractual language and extend contract term to 9/30/11, no cost (11-71-P-141887-0708)

C. Health Department

3. Arizona Board of Regents, University of Arizona Health Sciences Center, Amendment No. 6, to provide internship opportunities for public health students and the addition of special provisions for post-graduate medical training of family medicine residents and amend contractual language for the term 7/1/10 to 6/30/11, no cost (07-01-A-138323-0706)

D. Information Technology

4. T-Mobile West Corporation, Amendment No. 2, to extend a Non-Exclusive Right-of-Way Use License for wireless communications facilities and amend contractual language for the term 8/29/10 to 8/28/15, General Fund, contract amount \$331,537.88 revenue/5 year term (12-14-V-136982-0805)
5. T-Mobile West Corporation, Amendment No. 2, to extend a Non-Exclusive Right-of-Way Use License for cellular communication facilities and amend contractual language for the term 11/3/10 to 11/2/15, General Fund, contract amount \$165,768.94 revenue/5 year term (12-14-V-140046-1100)
6. Arizona Department of Administration (ADOA), Information Services Division, to provide mainframe processing and mainframe disaster recovery services for the term 5/11/10 to 6/30/13, General Fund, contract amount not to exceed \$1,500,000.00/3 year term (07-14-A-142936-0510)

E. Institutional Health

7. RESOLUTION NO. 2010 - 98, approving an Intergovernmental Agreement with the Arizona Health Care Cost Containment System (AHCCCS), to implement a system to track individuals incarcerated at the Pima County Adult Detention Complex providing for suspension of services during their incarceration and immediate reinstatement of services upon release for the term 5/11/10 to 6/30/11, no cost (01-65-A-142940-0510)

F. Pima Health System

8. Arizona Health Care Cost Containment System (AHCCCS), Amendment No. 11, to provide long term care services and amend contractual language, no cost, revenue based on services (18-15-A-138594-1006)

9. Pima Council on Aging, Amendment No. 3, to provide case management, personal care, reassurance, housekeeping/homemaker, caregiver training, caregiver support groups, family consultation, care planning and respite services and amend contractual language, PHCS Enterprise Fund, contract amount \$8,832.00 revenue (07-15-P-142230-0709)

G. Transportation

10. RESOLUTION NO. 2010 - 99, approving an Intergovernmental Agreement with the Regional Transportation Authority, to provide design and construction of improvements to Wilmot Road north of Sahuarita Road, RTA Fund, contract amount \$9,800,000.00 revenue (01-04-R-142922-0510)
11. Regional Transportation Authority, Amendment No. 4, to provide design and construction of improvements to La Canada Drive: Ina Road to River Road, amend scope of work and extend contract term to 6/30/13, RTA Fund, contract amount \$3,065,000.00 revenue (01-04-R-139065-0107)
12. Regional Transportation Authority, Amendment No. 1, to provide design and construction of improvements to Magee/Cortaro Farms Road: La Canada to Thornydale Road and La Canada to Oracle Road, amend scope of work and extend contract term to 12/30/14, RTA Fund, contract amount \$31,170,000.00 revenue (01-04-R-139819-0807)
13. Regional Transportation Authority, Amendment No. 1, to provide bike lanes throughout Pima County, amend scope of work and extend contract term to 6/30/14, RTA Fund, contract amount \$1,250,000.00 revenue (01-04-R-140876-0608)
14. Curtis Lueck & Associates, Amendment No. 1, to provide consulting services for the Americans with Disabilities Act (ADA) Transition Plan Update Phase 2 for the term 8/1/10 to 6/30/11, Project Development Activity Fund, contract amount \$43,972.00 revenue (07-04-C-142233-0809)

2. CONSOLIDATED JUSTICE COURTS

Small Claims Hearing Officers

The Pima County Consolidated Justice Court requests the appointment of the following as Small Claims Hearing Officers for the period July 1, 2010 through June 30, 2011:

Gary Bartick
Vera Beil
Morton Caplan
Carolyn A. Classen
Ben E. Davis
Barbara J. Duell
Michael Figueroa
Norman Fisk
John H.P. Hall
Sami Y. Hamed
Michael Hellon

David Kryder
Carol Larson
Deborah MacDonald
Craig Molloy
Lesley Potts
James A. Rendon
Bryan Schwartz
Karen Shields
William B. Shope
Allison Shulman
Allan Zoloto

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

- A. Jonas Wes Hunter, Greater Oro Valley Arts Council, d.b.a. The Southern Arizona Arts and Cultural Alliance, La Encantada, 2995 E. Skyline Drive, Tucson, June 5, 2010.
- B. Lance Richard Hurst, American Legion Post No. 109, 15921 S. Houghton Road, Vail, May 8, 2010.

4. **FINANCE AND RISK MANAGEMENT**

Duplicate Warrant – For Ratification

Angelica Walker \$36.36

5. **REAL PROPERTY**

A. **Access Easement**

RESOLUTION NO. 2010 - 100, of the Pima County Board of Supervisors, approving the acceptance and execution of an Access Easement from the Town of Oro Valley through Steam Pump Village Retail Center, no cost. (District 1)

B. **Abandonment and Quit Claim Deed**

- 1. RESOLUTION NO. 2010 - 101, of the Pima County Board of Supervisors, providing for the vacation and abandonment of a portion of Welcome Street, Ajo Heights, a public right-of-way, Abandonment No. A-10-02, in Section 15, T12S, R6W, G&SRM. (District 3)
- 2. Quit Claim Deed to Earl L. Carie and Jayne C. Carie, for a portion of Welcome Street, \$2,800.00 revenue. (District 3)

6. **PROCLAMATION**

Proclaiming the week of May 16 – 22, 2010, to be:

“PUBLIC WORKS WEEK”

7. **RATIFY AND/OR APPROVE**

Minutes: March 16, 2010
Zoning Enforcement Board of Appeals, April 6, 2010

REGULAR AGENDA/ADDENDUM ITEMS

12. **COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION DEPARTMENT**

Annual Action Plan Funding Recommendations

RESOLUTION NO. 2010 - 102, of the Board of Supervisors of Pima County, Arizona, approving submission to the U.S. Department of Housing and Urban Development of the Annual Action Plan for FY 2010-2011, and the Five Year Consolidated Plan for FY 2010-2014, identifying funding for the following purposes and to the following agencies:

Community Development Block Grant Program (CDBG): \$2,860,697.00
HOME Program (HOME): \$ 896,520.00
Emergency Shelter Grant Program (ESG): \$ 115,952.00

Community Development Block Grant Funds (CDBG)

<u>Agency</u>	<u>Requested</u>	<u>Recommended</u>	<u>District</u>
Ajo -Ambulance EMT Training Program	\$ 2,150	\$2,000	3
Ajo -Food Bank Feasibility Study	\$10,400	\$10,000	3
Ajo -ISDA- Kitchen & Public Restroom	\$125,860	\$75,000	3
Ajo -WALD-Roping Arena Revitalization	\$34,777		3
Ajo -WPCCC Operations	\$5,000		3
Amado -UCHC Health Clinic	\$57,349	\$57,000	3
Arivaca -HR- Vehicle Purchase	\$37,340	\$22,000	3
Arivaca -AVFD Land Acquisition	\$37,000		3
Arivaca -Water Line Replacement	\$5,000	\$5,000	3
Arivaca -AVFD 9-1-1	\$21,000		3
Catalina -Com Svc Bldg Phase 2 Design	\$50,000	\$5,000	1
Catalina -CCS Senior Meals Program	\$22,000	\$5,000	1
Catalina -GRFD-Fire Hydrants	\$50,000	\$30,000	1
Continental -UCHC Health Clinic	\$58,708	\$50,000	2,3,4
Flowing Wells - Com Coalition Operating	\$5,000	\$5,000	3

Flowing Wells -Street Lights for Flowing Wells and Rillito	\$29,000	\$29,000	3
Flowing Wells -Com Coalition Revitalization Coor.	\$10,000	\$10,000	3
Flowing Wells -FWSD-Family Resource Center Operations	\$20,000	\$15,000	3
Flowing Wells - NWFD Fire Extinguisher Training Program	\$20,372		3
Green Valley - Food Bank Improvements	\$50,700	\$50,000	4
Picture Rocks - Avra Water-Meter Replacement (2)	\$41,000		3
Picture Rocks - Avra Water-Tank Mixing System (3)	\$28,000		3
Picture Rocks - Avra Water- Infrastructure Security System (1)	\$35,728	\$36,000	3
Robles Junction - AVSD Soccer Field Bleacher Project	\$13,477	\$14,000	3
Robles Junction - Robles Ranch Comm. Center Rehabilitation	\$104,000	\$89,000	3
Robles Junction - TPFD Fire Protection Equipment	\$42,000		3
Rillito - Water System Improvements	\$85,000	\$85,000	3
Sahuarita - SUSD-Swetland Child Care Center	\$300,000		2,3,4
Valencia West - DHFD Family Safety Prgm	\$22,000	\$20,000	3,5
Valencia West - DHFD Fire Hydrants	\$36,000	\$30,000	3,5
Vail -Rincon Estates Hydrant & Water Lines	\$450,000		4
Why - Water Operation and Maintenance Building	\$75,000		3
Why - WFD Fire Protection Equipment	\$25,000	\$10,000	3
Town of Marana -Administration	\$40,000	\$25,000	1,3
Town of Marana - Housing Rehabilitation	\$120,000	\$90,000	1,3
City of South Tucson - Administration	\$70,000	\$70,000	2
City of South Tucson - Community Cleanup	\$10,000	\$10,000	2
City of South Tucson - Community Policing & Crime Prevention	\$96,000	\$75,000	2
City of South Tucson - Demolition Program	\$60,000		2
City of South Tucson - Fire Equipment	\$55,000	\$55,000	2
City of South Tucson - Graffiti Abatement	\$12,000		2
City of South Tucson - Home Repair	\$70,000	\$70,000	2
City of South Tucson - Youth & Family Assistance	\$133,725	\$15,000	2
Pima County CDNC Department - Administration	\$475,000	\$452,000	all
Pima County CDNC Department Home Repair Program	\$525,000	\$525,697	all
Pima County CDNC Department Septic Program	\$75,000	\$75,000	all
Pima County CDNC Department Unprogrammed Funds	\$40,000	\$40,000	all
Administration of Resources & Choices Mortgage Default & Foreclosure Asst	\$26,715		all
Administration of Resources & Choices Reverse Mortgage Program	\$38,512	\$25,000	all
Arizona's Children Association SACASA ADA Improvements	\$6,500	\$7,000	all

Arizona Rural Human Services Network Operating Costs	\$5,000	\$5,000	all
Arts for All - Building Improvements	\$49,314		all
Community Investment Corporation Small Business Micro Loan Program	\$150,000	\$150,000	all
Catholic Community Services - Pio Decimo Child Care Center Utility Payments	\$5,312	\$6,000	2
Chicanos Por la Causa - Corazon De Aztlan Wellness Program	\$15,000	\$15,000	all
Chicanos Por la Causa - Housing Counseling	\$34,400	\$20,000	all
Community Home Repair Projects of AZ - Emergency Home Repair Program	\$110,000	\$90,000	all
DIRECT Center for Independence - Home Access Program	\$53,000	\$50,000	all
Dunbar Coalition - School Renovations	\$270,000	\$50,000	all
Emerge! Center Against Domestic Abuse Shelter & Headquarters Rehabilitation	\$106,200		all
Interfaith Community Services - Food Bank Expansion Design	\$49,000	\$35,000	1
La Frontera Center - Apartment Buildings Rehabilitation	\$540,000		all
La Paloma Family Services - Group Home Fire Sprinkler System	\$17,975		all
New Beginnings for Women & Children - Headquarters Roof Replacement	\$15,000	\$15,000	all
Open Inn - Service Center Roof Replacement	\$38,000		all
Pima Prevention Partnership - Pima County Teen Court	\$15,000	\$15,000	all
PPEP - Arivaca Community Canning Kitchen	\$75,000		3
Primavera Foundation - Land Acquisition for Kinship Family Housing	\$75,000	\$25,000	2
Rise - Equipment Recycling Center	\$30,000		all
St. Luke's Home - Senior Resident Meals	\$10,000		all
Sonoran Center for Leadership Dev. - Leadership Center Construction	\$741,052		all
Southern Arizona AIDS Foundation - Housing Security Improvements	\$5,750	\$6,000	all
Southern Arizona Legal Aid - Homeowner and Tenant Protection	\$21,623	\$25,000	all
Southwest Fair Housing Council - Fair Housing Outreach, Education & Compliance	\$30,000	\$25,000	all
Tucson Urban League - Emergency Home Repair	\$45,000	\$25,000	all
Tucson Urban League - Mortgage and Delinquency and Default	\$16,710		all
University of Arizona Mobile Health Program - Group Prenatal Care Program	\$19,182	\$5,000	all
University of Arizona - Social Justice Education Project	\$10,000	\$10,000	all
TOTAL	\$6,314,831	\$2,860,697	

HOME Program Funds

<u>Purpose</u>	<u>Recommended</u>
Administration	\$89,654
Affordable Housing Projects	<u>\$806,866</u>
TOTAL	\$896,520

Emergency Shelter Grant

<u>Agency</u>	<u>Recommendation</u>
Caridad de Porres - Caridad Training Program	\$ 5,000
Catholic Community Services d.b.a. Pio Decimo Center - Transitional Shelter for Homeless	\$8,000
La Paloma Family Services - Amparo de los Angeles	\$3,500
New Beginnings for Women and Children - Emergency Shelter	\$6,500
Open Inn - Emergency Housing for LGBT Youth	\$3,000
Our Family Services - Teens In Transition	\$6,000
Primavera Foundation Inc. - Casa Paloma Women's Shelter	\$12,000
Primavera Foundation Inc.- Greyhound Family Emergency Shelter	\$12,000
Tucson Centers for Women and Children d.b.a. Emerge! – Domestic Violence Shelter	\$19,000
Jackson Employment Center - Motel Vouchers	\$11,952
Pima Co Community Action Agency – Homeless Prevention	\$29,000
Totals	\$115,952

The following speakers addressed the Board:

1. Tony Bruno
2. Jay St. John
3. Joyce Mayer

They provided the following comments:

- A. They complimented staff whom they had worked with on the Community Development Block Grant (CDBG).
- B. They were concerned and disappointed that the Sahuarita Swetland Child Care Center was not recommended for funding through CDBG. The targeted area is one of the poorest areas in the community that would greatly benefit from the funding.
- C. They hoped, at some point in time, the County would be able to support the Sahuarita Swetland Project.

Supervisors Bronson and Elías commented that they felt it was appropriate to look for funding for the Sahuarita Swetland Child Care Center in the future.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to adopt Resolution No. 2010 - 102, incorporate the amended plan language from the May 10, 2010 Memorandum from Hank Atha, Deputy County Administrator for Community and Economic Development, and direct staff to try to find funding for the Sahuarita School District Educational Enrichment Foundation's Swetland Child Care Center in the future.

13. **TRANSPORTATION: WAIVER OF DEVELOPMENT IMPACT FEES**

Pursuant to Pima County Code Section 19.03.070, Robin and Adele Roberts request a waiver of the Roadway Development Impact Fee for the placement of a residential dwelling unit (manufactured home) on their property located at 16500 S. Hohokam Trail, Pima County Tax Parcel No. 306-20-2970, in the Mountain View Impact Fee Benefit Area. (District 4)

Priscilla Cornelia, Director of Transportation, addressed the Board and indicated that the Board may grant a waiver or reduce the impact fees provided that the waiver does not result in an increase in the development fees for other properties in the benefit area plan.

Chuck Huckelberry, County Administrator, stated his recommendation was to reduce the development impact fee of \$4,900.00 by 50%.

The following speaker addressed the Board:

Robin Roberts

His comments were:

1. He asked the Board to approve his request for a waiver of the development impact fee on his retirement home project.
2. He stated that the location of his residence and, travel to and from the property would have no impact on county roads.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day and carried by a 3-2 vote, Supervisors Bronson and Elías voting "Nay," to approve the County Administrator's recommendation to reduce the development impact fee by 50%.

14. **FRANCHISE/LICENSE/PERMIT: LIQUOR LICENSE**

10-10-9022, Randy Allen Guse, Walgreens No. 06645, 5525 E. River Road, Tucson, Series 10, Beer and Wine, New License.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona State Liquor Licenses and Control.

15. **FRANCHISE/LICENSE/PERMIT: FIREWORKS PERMIT**

Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, May 16, 2010 at approximately 8:00 p.m.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve the permit.

16. **FRANCHISES/LICENSES/PERMITS: EXTENSION OF PREMISES/PATIO PERMITS**

A. Heidi Marietta Rogers, Firelite Lounge and Café, 2413 W. Wetmore Road, Tucson, Temporary Extension of Premises for May 15 and 16, 2010.

B. Heidi Marietta Rogers, Firelite Lounge and Café, 2413 W. Wetmore Road, Tucson, Temporary Extension of Premises for June 19, 2010.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearings, approve the permits and forward the recommendations to the Arizona State Liquor Licenses and Control.

17. **DEVELOPMENT SERVICES: REZONING CLOSURE/REZONING TIME EXTENSION**

The Board of Supervisors' on 2/16/10 and 3/16/10 continued the following:

Co9-92-26, COLLINS – COLOSSAL CAVE ROAD NO. 2 REZONING

A. Proposal to close a rezoning from RH (Rural Homestead) to CB-1 (Local Business) of approximately 3.25 acres located on the west side of Colossal Cave Road, immediately south of the Union Pacific Railroad tracks. The rezoning was first approved in January 1993, received four time extensions and expired in September 2009. Staff recommends ~~AGAINST CLOSURE~~. STAFF RECOMMENDS CLOSURE UNLESS THE COLOSSAL CAVE ROAD RIGHT-OF-WAY DEDICATION OCCURS WITHIN 90 DAYS OF THE BOARD OF SUPERVISORS CLOSURE HEARING. (District 4)

Tom Hudson, Zoning Administrator, provided a report. He stated that since the rezoning conditions were not completed within 10 years from the date of the rezoning approval, closure of the case must be considered prior to the consideration of the following time extension. He indicated that a condition of the rezoning was that the property owners were required to dedicate 45 feet of right-of-way for Colossal Cave Road. He stated in 2006, prior to compliance with the rezoning conditions, the property was split. The south property, which resulted from this split, completed the required right-of-way

dedication in 2009. He confirmed that the northern parcel had not yet complied with the dedication requirement. He recommended closure unless the Colossal Cave Road right-of-way dedication occurs within 90 days from today's date. He stated that if the dedication did not occur, staff was instructed to automatically close the case without further hearing.

Supervisor Bronson inquired what prevented the dedication from occurring.

David Cisiewski, representative for Circle K Stores, clarified that he only represented Circle K, the owner of the southern parcel. He stated the owner of the northern parcel was TNS, L.L.C., and he did not represent them.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation for closure unless the Colossal Cave Road right-of-way dedication occurs within 90 days from today's date. If that did not occur, staff should automatically close this case.

Co9-92-26, COLLINS – COLOSSAL CAVE ROAD NO. 2 REZONING

- B. Request of Circle K Stores and TNS, L.L.C., represented by David Cisiewski, for a five year time extension for a rezoning of approximately 3.25 acres from RH (Rural Homestead) to CB-1 (Local Business) located on the west side of Colossal Cave Road, immediately south of the Union Pacific Railroad tracks. The rezoning was first approved in January 1993, received four time extensions and expired in September 2009. The proposed rezoning does not conform to the Pima County Comprehensive Plan, Co7-00-20. ~~Staff recommends APPROVAL OF A THREE YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS.~~ STAFF RECOMMENDS A 90 DAY CONTINUANCE TO THE BOARD OF SUPERVISORS MEETING OF AUGUST 16, 2010. (District 4)

Without objection, this rezoning was continued to the Board of Supervisors' Meeting on August 16, 2010.

18. **DEVELOPMENT SERVICES: FEE ORDINANCE**

Co8-10-04, DEVELOPMENT SERVICES FEE AMENDMENT

an ordinance of Pima County, Arizona; relating to fees for planning, subdivision, building and zoning services provided by the Development Services Department; amending Ordinance No. 2003-27, Section 2 and Exhibit A; amending Ordinance No. 2005-34, Section 3; and amending Ordinance No. 2009-60, Section 1 and Exhibit A. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Smith, Gungle and Cook were absent) to recommend APPROVAL AS RECOMMENDED BY STAFF. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2010 - 35

Carmine DeBonis, Director of Development Services, briefed the Board on the proposal for an amendment to the Development Services fee schedule. He stated that the department was currently operating at a loss and since 2007, had relied on the Reserve Fund which has been greatly depleted. He reported that next fiscal year's proposed budget had been reduced approximately 60% from the level that was approved in 2006/2007, and anticipated General Fund support this fiscal year from the budget stabilization fund was needed. He explained the areas of service for the proposed fee increase and noted that it would be implemented in two phases. The first phase would become effective on July 1, 2010, and the second phase would be effective on January 1, 2011. He indicated that the department could not continue to deliver services at the current level without revenue adjustments. He stated that they began meeting with industry stakeholders and have committed to continue working with them on identifying opportunities to streamline processes, reduce regulations where appropriate and increase efficiencies and service delivery in the areas of most direct benefit to them.

Chuck Huckelberry, County Administrator, stated his recommendation was to approve the proposed fee amendment. He affirmed that the department needed to continue to respond in a timely and accurate manner in development services activities. The fee increase would help stabilize the department and would help prepare it so when economic recovery begins, the department would have the ability to respond according to the standards they had developed.

Supervisor Day expressed her concern about the delay in reacting to this matter when Development Services had not accumulating revenues for the Reserve Fund over the past few years and were depleting the funds that they did have. She knew that developers did not want to see service level reductions and wanted to continue to receive permits in a timely manner, but she felt there needed to be a degree of cost recovery. She stated while talking with Mr. DeBonis, he had mentioned putting together a stakeholders group but wondered why the group had not been put together before requesting a fee increase. She also questioned whether Development Services would reduce the fee increases once their revenues started to recover and their Reserve Fund began to stabilize.

The following speakers addressed the Board:

1. Dave Pittman, Director, Southern Division of the Arizona Builders Alliance
2. Jessica Whyde, President, Southern Arizona Homebuilders Association (SAHBA)

The provided the following comments:

- A. At this time, the Arizona Builders Alliance did not oppose higher development services fees to ensure adequate service levels within the department were maintained.

- B. In the future, they felt the fee structure should be reexamined when the department's revenue starts to recover and the reserve fund reached substantial levels.
- C. SAHBA felt that additional fees presented a significant challenge to their members, and they were concerned if the fees being charged by the County were too high, it could deter projects and exasperate current market conditions.
- D. They acknowledged that any increases in fees were passed on to the consumers.
- E. They asked the Board to minimize the fee increases or faze them in over a longer period of time.

Supervisor Carroll stated that he did not think the building industry was going to take off anytime in the near future, especially with so many foreclosures looming in both residential and commercial areas. He stated that he could not support the proposed increases in one full amount because he felt government and industry needed to learn how to plan and live within their means during lean years.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 3-2 vote, Supervisors Carroll and Day voting "Nay," to close the public hearing, approve Co8-10-04, adopt Ordinance No. 2010 - 35, continue and enlarge stakeholder involvement, come forward with any amendments to this Ordinance in a timely manner, if needed, and to report back to the Board within 30 days regarding the results of the stakeholder meeting.

19. **DEVELOPMENT SERVICES: STREET NAME CHANGES**

<u>Present</u>	<u>Proposed</u>
A. Unnamed Easement Co14-10-013 (District 1)	Placita Posada Real
B. Unnamed Easement Co14-10-016 (District 4)	Placita Loma Alta
C. Unnamed Easement Co14-10-019 (District 1)	Substation Road

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearings and approve the street name changes.

20. **TRANSPORTATION: TRAFFIC ORDINANCES**

- A. ORDINANCE NO. 2010 - 36, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Pima Mine Road in Pima County, Arizona. Staff recommends APPROVAL. (District 3)
- B. ORDINANCE NO. 2010 - 37, of the Pima County Board of Supervisors, establishing a pedestrian crosswalk on Ski Run Road in Pima County, Arizona. Staff recommends APPROVAL. (District 4)
- C. ORDINANCE NO. 2010 - 38, of the Pima County Board of Supervisors, establishing a pedestrian crosswalk on General Hitchcock Highway in Pima County, Arizona. Staff recommends APPROVAL. (District 4)

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearings and adopt Ordinance Nos. 2010 - 36, 37 and 38.

21. **BOARD OF SUPERVISORS**

Recognizing Kwang Chun An, Mr. An, for 37 years of service in the Tucson community in the capacity of philanthropy, the Korean Community (both locally and internationally), the Board of Health, and as an esteemed leader in the business community on his 70th Birthday, May 17, 2010. (District 4)

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to acknowledge the exemplarity service Mr. An has provided to the community and to wish him a happy birthday.

Supervisor Carroll presented Mr. An with a Certificate of Appreciation and thanked him for his many years of dedication and service to the Tucson community. Representatives from the Tucson Ladies Council and TuNidito thanked him for his continued support for their organizations. Mr. An expressed his appreciation and gratitude for the Board's recognition.

22. **BOARD, COMMISSION AND/OR COMMITTEE: BOND ADVISORY COMMITTEE**

Appointment of Donald Chatfield, Town of Oro Valley, to replace Kit Donley. Term expiration: 5/11/16. (Jurisdictional Appointment)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the appointment.

23. **CONTRACTS**

A. **Community Services, Employment and Training**

1. Arizona Department of Economic Security, Amendment No. 1, to provide employment and training services to eligible participants and amend contractual language, Arizona Department of Economic Security-WIA Grant Fund, contract amount \$26,865.00 revenue (01-69-A-142223-0809)
2. RESOLUTION NO. 2010 - 103, approving and authorizing execution of a Grant Agreement with the U.S. Department of Housing and Urban Development (HUD), to provide for the administration of the CASA – Coalition Assisting Self-Sufficiency Attainment Project, HUD Fund, contract amount \$428,470.00 revenue (02-69-U-142962-0510)
3. RESOLUTION NO. 2010 - 104, approving and authorizing execution of an Intergovernmental Agreement with the Arizona Superior Court in Pima County, on behalf of the Juvenile Court Center, to provide transitional support services to juvenile and young adult offenders being released from correctional facilities for the term 7/1/09 to 6/30/10, U.S. Department of Labor- YEARN Program Fund, contract amount \$39,021.00 (01-69-A-142961-0709)
4. SER Jobs for Progress of Southern Arizona, Inc., Amendment No. 1, to provide workforce development services to youth and adults, amend contractual language, and extend contract term to 6/30/10, U.S. Department of Labor and Arizona Department of Economic Security-WIA Grant Funds, contract amount \$10,965.75 (07-69-S-142755-1209)
5. Portable Practical Education Preparation (PPEP), Inc., Amendment No. 2, to provide workforce development services to youth and adults and amend contractual language, Arizona Department of Economic Security-WIA Grant Fund, contract amount \$30,000.00 (07-69-P-142040-0709)

B. **Forensic Science Center**

6. RESOLUTION NO. 2010 – 105, approving and authorizing execution of an Intergovernmental Agreement with the Arizona Board of Regents, to establish the Arizona Violent Death Reporting System (AVDRS), no cost (01-48-A-142965-0510)

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the contracts and adopt Resolution Nos. 2010 - 103, 104 and 105.

24. **TRANSPORTATION: WAIVER OF DEVELOPMENT IMPACT FEES**

Pursuant to Pima County Code Section 19.03.070, Daniel S. Nielsen requests a waiver of the Roadway Development Impact Fee for the construction of a residential dwelling unit on property located at 300 W. Rio Santa Cruz, Green Valley, Tax Parcel No. 304-57-0680, in the Santa Cruz Benefit Area. (District 4)

Priscilla Cornelia, Director of Transportation, reported that the property owner had already paid the permit fees and had been issued a permit to construct a residential dwelling unit on the property. Upon issuance of the permit, staff found that Mr. Nielsen was assessed the wrong amount of \$4,934.00 for the Roadway Development Impact Fee as the property is located in an age-restricted community which is assessed at a lower fee of \$3,701.00. She confirmed that Mr. Nielsen would be refunded the overcharge amount of \$1,233.00 through department procedures. She stated that the County Administrator's recommendation was for a 50% waiver of the \$3,701.00 fee.

The following individual addressed the Board:

Daniel Nielsen

His comments were:

1. He requested a 100% reduction on the impact fees.
2. He felt that he should not be assessed any impact fees since the improvement of the property would have positive impacts on the community and it would not create a need for additional roadways.

On consideration, it was moved by Supervisor Carroll and seconded by Supervisor Day to approve the County Administrator's recommendation to reduce the \$3,701.00 impact fee by 50%. The motion failed by a vote of 2-3, with Chairman Valadez, Supervisors Bronson and Elías voting "Nay."

25. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard. No one appeared.

26. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:20 a.m.