

MINUTES, FLOOD CONTROL DISTRICT BOARD

SEPTEMBER 18, 2012

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, September 18, 2012. Upon roll call, those present and absent were as follows:

Present:                      Ramón Valadez, Chairman  
                                     Sharon Bronson, Vice Chair  
                                     \*Ray Carroll, Member  
                                     Ann Day, Member  
                                     Richard Elías, Member  
                                     Robin Brigode, Clerk

\*(Clerk's Note): Supervisor Carroll participated telephonically beginning at 9:15 am.)

1.     **CONTRACT**

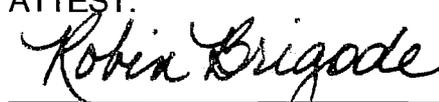
U.S. Department of the Interior – U.S. Geological Survey, to provide ongoing maintenance and operation of the data collection system, Flood Control District Tax Levy Fund, contract amount \$489,000.00 (CT-FC-13000231)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to approve the contract.

2.     **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:35 a.m.

  
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CHAIRMAN

ATTEST:  
  
\_\_\_\_\_  
CLERK

MINUTES, LIBRARY DISTRICT BOARD

SEPTEMBER 18, 2012

The Pima County Library District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, September 18, 2012. Upon roll call, those present and absent were as follows:

Present:                      Ramón Valadez, Chairman  
                                     Sharon Bronson, Vice Chair  
                                     \*Ray Carroll, Member  
                                     Ann Day, Member  
                                     Richard Elías, Member  
                                     Robin Brigode, Clerk

\*(**Clerk's Note:** Supervisor Carroll participated telephonically beginning at 9:15 am.)

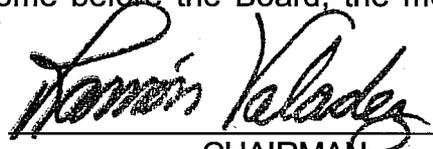
1.     **CONTRACT**

Arizona State Library, Archives and Public Records Agency, to provide Southwest Books of the Year publication, contract amount \$4,500.00 revenue (CTN-LIB-13000081)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to approve the contract.

2.     **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:35 a.m.

  
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CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
CLERK

MINUTES, STADIUM DISTRICT BOARD

SEPTEMBER 18, 2012

The Pima County Stadium District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, September 18, 2012. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman  
Sharon Bronson, Vice Chair  
\*Ray Carroll, Member  
Ann Day, Member  
Richard Elías, Member  
Robin Brigode, Clerk

\*(**Clerk's Note:** Supervisor Carroll participated telephonically beginning at 9:15 am.)

1. **CONTRACTS**

- A. Pima County Sports and Tourism Authority (PCSTA), Amendment No. 4, to provide for PCSTA activities, extend contract term to 6/30/13 and amend contractual language, Contingency Fund, contract amount \$50,000.00 (CT-ED-13000266)
- B. Williams Entertainment, to provide a concessionaire agreement for the Fall Ball Concert, contract amount \$39,000.00 revenue (CTN-KSC-13000095)
- C. Target ME Marketing and Events, to provide a concessionaire agreement for the Fall Ball Concert, contract amount \$19,300.00 revenue (CTN-KSC-13000096)

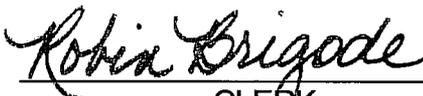
On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to approve the contracts.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:35 a.m.

  
\_\_\_\_\_  
CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
CLERK

MINUTES, BOARD OF SUPERVISORS

SEPTEMBER 18, 2012

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, September 18, 2012. Upon roll call, those present and absent were as follows:

Present:                    Ramón Valadez, Chairman  
                                 Sharon Bronson, Vice Chair  
                                 \*Ray Carroll, Member  
                                 Ann Day, Member  
                                 Richard Elías, Member  
                                 Robin Brigode, Clerk

\*(**Clerk's Note**: Supervisor Carroll participated telephonically beginning at 9:15 am.)

1.    **INVOCATION**

The invocation was given by Pastor Marlon Harmon, Friendship Mission Baptist Church.

2.    **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3.    **PERSONAL POINT OF PRIVILEGE**

Supervisor Elías commented that it had been a pleasure to be at the 75th Anniversary celebration of the Friendship Mission Baptist Church.

4.    **PAUSE 4 PAWS**

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

5.    **CONSENT CALENDAR:** For consideration and approval

A.    **CALL TO THE PUBLIC (for Consent Calendar items only)**

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 Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to approve the Consent Calendar in its entirety.

**CONSENT CALENDAR ITEMS ARE AS FOLLOWS:**

**1. CONTRACTS**

**A. Environmental Quality**

1. Arizona Department of Environmental Quality, Amendment No. 3, to provide for the Voluntary No Drive/Clean Air Program and extend contract term to 6/30/13, State Fund Grant, contract amount \$192,000.00 revenue (CTN-DE-13000076)

**B. Fleet Services**

2. Town of Marana, to provide fuel and maintenance, revenue based on services (CTN-FS-13000026)

**C. Forensic Science Center**

3. Arizona Board of Regents, University of Arizona, Center for Applied Spatial Analysis, Amendment No. 4, to provide International Open GIS Initiative for Missing and Deceased Migrants database, extend contract term to 12/31/12 and amend contractual language, no cost (CT-FSC-13000239)

**D. Health Department**

4. Amphitheater Unified School District, Amendment No. 2, to provide childhood immunization services and extend contract term to 9/10/13, no cost (CTN-HD-12000083)

**E. Procurement**

5. Granite Construction Company and Southern Arizona Paving & Construction Company, Amendment No. 1, to provide a job order master agreement for paving services, 2004 General Obligation Bond Fund (35%), 1997 HURF Fund (35%) and General Fund (30%), contract amount \$1,000,000.00 (MA-PO-12000572)

**F. Sheriff**

6. City of Tucson, to provide for the incarceration of municipal prisoners, General Fund, contract amount \$6,404,772.89 (estimated) revenue (CTN-SD-13000056)
7. Arizona Department of Homeland Security, to provide for UASI SWAT Enhancement Ballistic Helmets, Federal Grant Fund, contract amount \$15,000.00 revenue (CTN-SD-13000068)
8. Arizona Department of Homeland Security, to provide for UASI IMT Enhancement Programmable Radios, Federal Grant Fund, contract amount \$38,000.00 revenue (CTN-SD-13000069)

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

- A. Louis Emmett Abney, Knights of Columbus Council 14230, 13260 E. Colossal Cave Road, Vail, September 29, 2012.
- B. Louis Vern Brand, Ajo Elks Lodge 1576, 350 Yerma St., Ajo, October 20, 2012.
- C. John Lambert Ponzo, Green Valley Elks Lodge BPOE No. 2592, 2951 S. Camino Mercado, Green Valley, October 7, 2012.

**3. RATIFY AND/OR APPROVE**

Minutes: August 20, 2012

**REGULAR AGENDA/ADDENDUM ITEMS**

**6. DEVELOPMENT SERVICES: FINAL PLAT WITHOUT ASSURANCES**

P1211-044, La Cholla Trails West, Block 1, a Resubdivision of Trails West Resort, Lots 1-117 and Common Areas A, B and C. (District 3)

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to approve P1211-044.

**7. TRANSPORTATION: BOARD OF SUPERVISORS POLICY AMENDMENT**

Staff requests approval of the proposed amendment to Board of Supervisors Policy No. 54.1, Planting in Pima County Right-of-Way.

Without objection, this item was removed from the agenda.

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

Joel Bacalia, Catalina Foothills High School, 4300 E. Sunrise Drive, Tucson, September 21, 2012 at approximately 7:00 p.m.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to close the public hearing and approve the fireworks permit.

9. **FRANCHISE/LICENSE/PERMIT: EXTENSION OF PREMISES/PATIO PERMIT**

Myron Christopher Squires, Ten Fifty Five Brewing, 3810 E. 44th St No. 315, Tucson, Temporary Extension of Premises for October 6, 13, 20 and 27, 2012.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

10. **DEVELOPMENT SERVICES: COMPREHENSIVE PLAN AMENDMENT**

The Board of Supervisors on June 19, 2012, continued the following:

Co7-11-02, LANDMARK TITLE AND TRUST TR 7933-T (M & S UNLIMITED, L.L.C.) – E. SAHUARITA ROAD PLAN AMENDMENT

Request of Landmark Title and Trust TR 7933-T (Moshe Gedalia, M&S Unlimited, L.L.C.), represented by Tim McCann of Urban Engineering, to amend the Comprehensive Plan from Medium Intensity Rural (MIR) to Medium Intensity Urban (MIU). The approximately 22.01 acre amendment site is located at the northwest corner of E. Sahuarita Road and N. Calle Rinconado in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 6-1 (Commissioner Spendiarian voting NAY; Commissioners Poulos, Steinbrenner and Holdridge were absent) to recommend DENIAL. Staff recommends DENIAL. (District 4)

Without objection, this item was continued to the Board of Supervisors' Meeting of November 13, 2012.

11. **DEVELOPMENT SERVICES: APPEAL OF HEARING ADMINISTRATOR'S DECISION**

P21-12-009, WEE CARE COMPANION ANIMAL SHELTER INC. – N. EL MORAGA DR.

In accordance with Pima County Zoning Code Section 18.97, Wee Care Companion Animal Shelter Inc., appeals the decision of the Hearing Administrator, for Case No. P21-12-009, to allow a Type I conditional use permit for an animal rescue and

sanctuary facility at 3340 N. El Moraga Drive in the SR zone. Chapter 18.97 in accordance with Section 1817.030.B.6. of the Pima County Code allows an animal rescue and sanctuary facility as a Type I conditional use in the SR zone. The Hearing Administrator recommends DENIAL. (District 3)

Without objection, this item was removed from the agenda.

**12. DEVELOPMENT SERVICES: TYPE III CONDITIONAL USE PERMIT**

P21-12-012, WHY DOMESTIC WATER IMPROVEMENT DISTRICT – N. IRONWOOD AV.

Request of Pinnacle Consulting, on property located at 118 N. Ironwood Av., in the GR-1 Zone, for a conditional use permit for a communication tower, in accordance with Section 18.07.030.H.2.e. of the Pima County Zoning Code as a Type III conditional use permit. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Membrila was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

Standard Conditions

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

1. The new/resultant tower/antennae height shall be no more than fifty feet (50').
2. The new tower and antennae array shall be painted to, as best as possible, match the color of the existing water tanks.

Jim Portner, Hearing Administrator, provided the staff report and explained that the proposal was to remove the existing 46 foot communications tower attached to the side of a water tank and install a free-standing 50 foot tower. He noted that there had been no public comment on this matter.

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to close the public hearing and approve P21-12-012, subject to standard and special conditions.

**13. DEVELOPMENT SERVICES: TYPE III CONDITIONAL USE PERMIT**

P21-12-013, PIMA COUNTY RIGHT OF WAY – E. SUNRISE DR.

Request of Pinnacle Consulting, on property located in the right of way at 6322 E. Sunrise Dr., in the CR-1 Zone, for a conditional use permit to add antennas to an existing communication tower, in accordance with Section 18.07.030.H.2.e. of the Pima County Zoning Code as a Type III conditional use permit. On motion, the Planning and Zoning Commission voted 8-1 (Commissioner Holdridge voting NAY; Commissioner Membrila was absent) to recommend APPROVAL SUBJECT TO

STANDARD AND SPECIAL CONDITIONS. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

Standard Conditions

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

1. The new/resultant antennae height shall be no more than thirty-four feet (34').
2. The new antennae and associated cabling shall be painted to, as best as possible, match the existing antennae and the wooden tower/pole.
3. The on-the-ground equipment cabinets that serve the tower, as well as the exposed surfaces of the retaining wall surrounding them, shall be painted with a graffiti-resistant paint. The color of the paint shall be an earth-tone tan or similar, or shall match the color of the painted antennae panels.

Jim Portner, Hearing Administrator, provided the staff report and indicated that the request was to exchange the antennae array already mounted on the telephone pole for a new set of antennae. He noted that there was no public comment on this matter.

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

On consideration, it was moved by Supervisor Day, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve P21-12-013, subject to standard and special conditions.

14. **DEVELOPMENT SERVICES: REZONING**

Co9-12-01, NORTHWEST FIRE DISTRICT – CURTIS ROAD REZONING

Request of Northwest Fire District, represented by The Planning Center, for a rezoning of approximately 1.28 acres from SH (Suburban Homestead) to CR-5 (Multiple Residence Zone), on property located on the southwest corner of the intersection of Curtis Road and Davis Avenue. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 10-0 to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 3)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.

7. Transportation Conditions:
  - A. The property owner/developer shall dedicate 15 feet right-of-way for Curtis Road along the north property boundary.
  - B. The property owner/developer shall dedicate 25 feet right-of-way for the curve radius at the northeast property boundary for Curtis Road and Davis Avenue.
  - C. Provide offsite improvements to Curtis Road and Davis Avenue, which may include but may not be limited to, sidewalk or pedestrian path and additional pavement or drainage improvements, as determined necessary by Department of Transportation.
8. Flood Control conditions:
  - A. Water harvesting shown on the PDP located within the buffer yard and within common area located on the western portion of the PDP shall be designed to address detention requirements.
  - B. Potential encroachments within the local floodplain located along and within Curtis Road shall be evaluated in a drainage report to be submitted along with the Development Plan.
  - C. A final Integrated Water Management Plan shall be submitted for review at the time of submittal of the tentative plat or development plan detailing conservation measures, including water harvesting and other indoor and outdoor conservation measures.
9. Environmental Quality condition:

Prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet, an Air Quality Activity Permit shall be obtained.
10. Wastewater Management conditions:
  - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.
  - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
  - C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
  - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan or request for building permit.
  - F. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

11. Cultural Resources condition:  
Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
12. Environmental Planning Condition:  
The following shall be incorporated into the recorded Private Subdivision Covenants, Conditions, and Restrictions (CC&R's) that govern the Homeowners' Association (HOA's) and the actions of private property owners within the subdivision:
  - A. Maintenance of Common Area by Association: the HOA shall be responsible for the removal of buffelgrass from Common Areas.
  - B. Maintenance of Lots by Owners: Lot Owners shall keep private lots free of buffelgrass.
13. The following conditions shall be required in support of County Sustainability Initiatives:
  - A. Employ water harvesting techniques with roadway design and grading. Direct roof runoff into landscaped areas using swales and micro basins to irrigate vegetation. Alternatively, use the water conservation techniques of the Pima County Green Building Program. The water harvesting plan shall be approved by Development Services and shall be part of the water conservation plan approved by the Flood Control District.
  - B. The recorded private subdivision Covenants, Conditions, and Restrictions (CC&R's) shall not prohibit and shall encourage the use of solar energy and other alternative energy sources shall be encouraged and not be prohibited by the CC&R's.
14. Adherence to the preliminary development plan, as approved at public hearing.
15. The owner/developer shall execute and record a document acceptable to the Pima County Department of Community Services indicating that the owner/developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.
16. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
17. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Chris Poirier, Assistant Planning Director, offered the staff report and stated no written comments of opposition had been received.

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-12-01, subject to standard and special conditions.

15. **DEVELOPMENT SERVICES: REZONING**

Co9-12-03, WOODHAWK PROPERTIES L.L.C. – LA CANADA DRIVE REZONING  
Request of Woodhawk Properties, represented by Apex Development Consultants, for a rezoning of approximately 1.05 acres from RH (Rural Homestead) to CB-1(Local Business), on property located on the west side of La Canada Drive and approximately one-eighth mile south of Desert Bell Drive in Green Valley. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Membrilla was absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. (District 4)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Condition:  
Provide offsite improvements to La Canada Drive and the access easement(s) as determined necessary by Department of Transportation.
8. Flood Control conditions:
  - A. The site design shall incorporate water harvesting to support restoration of native riparian vegetation including trees along the watercourse.
  - B. All storm water drainage flow off impervious surfaces (including rooftops) shall be directed to 6" depressed basins (or as approved by Flood Control) to supplement any on-site irrigation of plants/vegetation.
  - C. Only drought tolerant native vegetation shall be used.
  - D. Only Environmental Protection Agency Water Sense Toilets at 1.28 gpf (gallons per flush) and other low flow fixtures or equivalent as approved by Flood Control shall be used.
9. Environmental Quality condition:  
Prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet, an Air Quality Activity Permit shall be obtained.
10. Wastewater Management conditions:
  - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
  - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to

Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.

- C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
  - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan or request for building permit.
  - F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by Arizona Department of Environmental Quality, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
11. Cultural Resources condition:  
Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
12. Environmental Planning Condition:  
Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
13. The parcels currently identified by tax code numbers 304-20-660B and 304-20-6610 shall be combined into one parcel.
14. The following condition shall be required in support of County Sustainability Initiatives:  
Employ water harvesting techniques with roadway design and grading. Direct roof runoff into landscaped areas using swales and micro basins to irrigate vegetation. Alternatively, use the water conservation techniques of the Pima County Green Building Program. The water harvesting plan shall be approved by Development Services and shall be approved by the Flood Control District.
15. Adherence to the preliminary development plan, as approved at public hearing.
16. Building height will not exceed 24 feet.
17. Architectural design shall promote the Southwestern style. Colors will blend with their desert surroundings and the existing build environment.
18. The owner/developer shall execute and record a document acceptable to the Pima County Department of Community Services indicating that the owner/developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.

19. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
20. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Chris Poirier, Assistant Planning Director, offered the staff report and stated that written comments received were inquiries, not objections.

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

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-12-03, subject to standard and special conditions.

16. **DEVELOPMENT SERVICES: MODIFICATION OF REZONING CONDITIONS**

Co9-01-01, PIMA COUNTY – CANOA RANCH REZONING

Request of Fairfield Green Valley, Inc., represented by Frank Thomson & Associates, L.L.C., for a modification of Rezoning Conditions Nos. 17C and 17D that require the golf course irrigation to utilize renewable water supply such as effluent or reclaimed water from the Central Arizona Project water or allow ground water consumption to be utilized through the offset of water replenishment or recharge through Central Arizona Project water or other renewable resource; and for a modification of a Rezoning Condition No. 17F that requires a coordinated plan to be submitted to the satisfaction of Pima County to irrigate the golf course with renewable water supply such as effluent, reclaimed water, Central Arizona Project water, or shall arrange for recharge to offset groundwater consumption. The applicant proposes a five-year compliance deferment. The subject property is approximately 1,261 acres, was rezoned from RH (Rural Homestead) to CR-5 (Multiple Residence), CR-5 (GC) (Multiple Residence, Golf Course), CB-1 (Local Business Zone), CB-2 (General Business Zone), CB-2 (GC) (General Business Zone, Golf Course), and restricted RH (Rural Homestead). The subject property is located within the San Ignacio de la Canoa Land Grant on both sides of Interstate 19 and generally south of Demetrie Wash. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 4)

Staff recommends APPROVAL of the following modification of rezoning conditions and the addition of one Regional Flood Control Water Resources condition:

17. Golf Course Development Requirements:

...  
C. Golf course irrigation shall be from a renewable water supply such as effluent, reclaimed water or Central Arizona Project water. Where effluent or reclaimed water is not physically available or cannot reasonably be made available, ground water use for golf course irrigation is permitted provided the ground water consumption by the golf course is offset through Central Arizona Project water replenishment or recharge. Such replenishment shall be required to occur within the portion of the Tucson Active Management Area that is within Pima County. The requirement for renewable water purchase will be deferred until January 1, 2016.

D. Golf course irrigation shall be from a renewable supply such as effluent, reclaimed water, or Central Arizona Project (CAP) water. Where effluent or reclaimed water is not physically available or cannot reasonably be made available, groundwater use for golf course irrigation is permitted provided the ground water consumption by the golf course is offset when practicable through CAP water replenishment or recharge (Pima County Code §18.59.030.A.1). The golf course irrigation system shall be designed and constructed in a manner to allow for future connection to effluent systems. The requirement for renewable water purchase will be deferred until January 1, 2016.

...  
F. The water provider and golf course owner/developer shall develop and coordinate a plan, to the satisfaction of Pima County, to irrigate the golf course with a renewable water supply such as effluent, reclaimed water, Central Arizona Project (CAP) water, or shall arrange for CAP recharge to offset groundwater consumption by the turfed areas of the golf course and practice areas. The golf course development shall incorporate state-of-the-art water-harvesting techniques. The requirement for renewable water purchase will be deferred until January 1, 2016.

...  
19. The Canoa Ranch Golf Course ground water consumption is limited to a maximum of 398 AF/yr (acre feet per year). Any amount of groundwater used in excess of 398 AF/yr will need to be purchased as Central Arizona Project (CAP) recharge credits to the Pima Mine Road Replenishment Facility. This condition is not deferred as in conditions 17C, 17D, and 17F.

Chris Poirier, Assistant Planning Director, provided the staff report and explained that the modification of the rezoning conditions would allow the applicant to defer the recharge purchase until January 2016 as neither effluent nor reclaimed water were available. He acknowledged that several letters and emails of concern and objection had been received from neighbors regarding rising water rates and diminishing water tables. He also stated that the addition of Condition No. 19, regarding a limit on the golf course's water usage, may alleviate some neighborhood concerns.

The following speakers addressed the Board:

- A. Steve Ellis
- B. Linda Strader

They provided the following comments:

1. In the last eight years, water levels of the neighborhood wells closest to Canoa Ranch had lost an average of 5 feet per year, approaching a total of 40 feet.
2. The cost for only two families to drill new wells, which would be necessary in two years, would be as much, if not more than what the golf course was paying for the recharge.
3. The original rezoning conditions stated that the Canoa Ranch Golf Course would develop and coordinate a plan to irrigate with renewable water and would incorporate state-of-the-art water-harvesting techniques, but nothing had been implemented in the last ten years.
4. Recharging water would do nothing for the dropping water tables.

Frank Thompson of Frank Thompson & Associates, on behalf of Fairfield Green Valley, Inc., addressed the Board and stated that Fairfield had been paying for Central Arizona Project water (CAP) since the golf course opened, but there were no CAP lines within the Santa Cruz aquifer. He maintained that Fairfield had been paying for water that had been recharged in the overall Active Management Area (AMA) and that the requested deferral would have no negative impact on local wells.

Supervisor Carroll indicated that he had read the letters and understood the concerns of the neighbors. He conveyed that the Green Valley Coordinating Council had shown support for this arrangement and he supported their wishes.

Supervisor Bronson commented that the concerns expressed speak to a larger issue and that the major regional players needed to begin a substantive regional policy dialogue on water issues.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-01-01, subject to standard and special conditions.

17. **TRANSPORTATION: TRAFFIC ORDINANCE**

ORDINANCE NO. 2012 - 49, of the Pima County Board of Supervisors, establishing prima facie reasonable speed limits for motor vehicles on Old Spanish Trail 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 Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2012 - 49.

18. **CONTRACTS**

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

1. City of Tucson, to provide for the Bridges Program, contract amount \$84,111.00 revenue (CTN-CS-13000098)
2. Tucson Urban League, Amendment No. 1, to provide workforce development services and amend contractual language, U.S. DOL/DES Funds, contract amount \$30.00 (MA-CS-12000664)

B. **Economic Development And Tourism**

3. Pima County Sports and Tourism Authority (PCSTA), Amendment No. 4, to provide for PCSTA activities, extend contract term to 6/30/13 and amend contractual language, BOS Contingency Fund, contract amount \$50,000.00 (CT-ED-13000266)

C. **Facilities Management**

4. Amistad y Salud/Clinica Amistad, Amendment No. 1, to provide a lease agreement for the Centro Del Sur Health Clinic at 1631 S. 10th Ave., extend contract term to 1/31/23 and amend contractual language, contract amount \$100.00 revenue (CTN-FM-CMS-131879)

D. **Regional Wastewater Reclamation**

5. Marana 670 Holdings, L.L.C., to provide for the construction of improvements to the public sanitary sewerage system and provision of sanitary sewer service for Saguaro Springs, Blocks 1-10 and A-D and Lots 1-9 and A and B, no cost (CTN-WW-13000078)

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

19. **BOARDS, COMMISSIONS AND/OR COMMITTEES**

A. **Board of Adjustment, District 1**

Appointment of Scott D. McDonald to fill the unexpired term of James R. Sneed. Term expiration: 8/31/13.

B. **Board of Adjustment, District 3**

Reappointment of Carol Klamerus and Eric Greeson. Term expirations: 3/31/16.

**C. Pima County Parks and Recreation Commission**

1. Appointment of Peter Chesson to replace Judith Meyer. Term expiration: 6/30/18. (District 3)
2. Reappointment of Jan Johnson. Term expiration: 6/30/19. (District 3)

**D. Regional Wastewater Reclamation Advisory Committee**

Reappointment of Armando Membrila. Term expiration: 3/1/16. (District 2)

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

**20. DIVISION OF ELECTIONS**

Pursuant to A.R.S. §16-214, notification of receipt and direction to staff to publish the Proclamation of the Governor of the State of Arizona proclaiming:

**“GENERAL ELECTION 2012”**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to acknowledge receipt and direct staff to publish the proclamation.

**21. CALL TO THE PUBLIC**

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

**22. ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 9:35 a.m.

  
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CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
CLERK