

MINUTES, FLOOD CONTROL DISTRICT BOARD

JANUARY 22, 2013

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, January 22, 2013. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Richard Elías, Member
 Ally Miller, Member
 Robin Brigode, Clerk

1. **CONDEMNATION – REAL PROPERTY**

RESOLUTION NO. 2013 – FC², of the Board of Directors of the Pima County Flood Control District, authorizing the County Attorney to condemn real property or real property interests where necessary for the Cañada Del Oro Wash Pathway: La Cholla to La Cañada Project in Sections 15 and 22, T12S, R13E, G&SRM. (District 1)

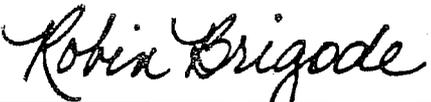
On consideration, it was moved by Supervisor Bronson, seconded by Chairman Valadez and unanimously carried by a 5-0 vote, to adopt Resolution No. 2013 – FC².

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:20 a.m.


CHAIRMAN

ATTEST:


CLERK

MINUTES, STADIUM DISTRICT BOARD

JANUARY 22, 2013

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, January 22, 2013. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Richard Elías, Member
 Ally Miller, Member
 Robin Brigode, Clerk

1. **CONTRACTS**

- A. Williams Entertainment, to provide food, non-alcoholic and alcoholic beverage sales, contract amount \$50,000.00 revenue (CTN-KSC-13000207)
- B. Tucson Invitational Games, to provide food, non-alcoholic and alcoholic beverage sales, contract amount \$50,000.00 revenue (CTN-KSC-13000208)
- C. Pinnacle Concessions, L.L.C., to provide food, non-alcoholic and alcoholic beverage sales, contract amount \$50,000.00 revenue (CTN-KSC-13000209)
- D. Target ME Marketing and Events, to provide food, non-alcoholic and alcoholic beverage sales, contract amount \$50,000.00 revenue (CTN-KSC-13000210)

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

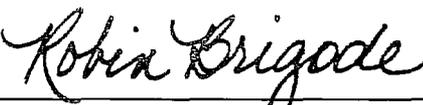
2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:20 a.m.



CHAIRMAN

ATTEST:



CLERK

MINUTES, BOARD OF SUPERVISORS

JANUARY 22, 2013

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, January 22, 2013. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 Sharon Bronson, Vice Chair
 Ray Carroll, Member
 Richard Elías, Member
 Ally Miller, Member
 Robin Brigode, Clerk

1. **INVOCATION**

The invocation was given by Bishop John Joost, Sahuarita 3rd Ward, Church of Latter Day Saints.

2. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

3. **PAUSE 4 PAWS**

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

... **EXECUTIVE SESSION**

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, that the Board convene to Executive Session at 9:10 a.m.

4. **RECONVENE**

The meeting reconvened at 9:24 a.m. All members were present.

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

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

6. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding potential settlement of litigation between Robson Communities and the County in Robson Ranch Quail Creek v. Pima County, Arizona Court of Appeals Case Nos. 2 CA-CV 2012-0091-S and 2 CA-CV 2012-0156-S (Cons.).

Without objection, this item was removed from the agenda.

7. **LITIGATION**

Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding Pima County's claim against the State of Arizona DES/CPS for reimbursement of costs of child visit transports.

Chris Straub, Chief Civil Deputy County Attorney, explained this item concerned a possible claim against the State of Arizona for reimbursement of costs incurred by Pima County for child visit transports.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to accept the County Attorney's recommendation to proceed as discussed in Executive Session.

8. **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, to approve the Consent Calendar in its entirety.

CONSENT CALENDAR ITEMS ARE AS FOLLOWS:

1. **CONTRACTS AND AWARDS**

A. **Community Development and Neighborhood Conservation**

1. La Posada at Park Centre, Inc., Amendment No. 1, to provide for renovations at Casa Community Center and extend contract term to 9/30/13, no cost (CT-CD-12001972)

B. Procurement

Awards

2. Amendment of Award: Amendment No. 1, to provide tires for passenger, light, medium and heavy duty vehicles and increase contract amount. Funding Source: Internal Service Fund. Administering Department: Fleet Services.

<u>Contractor</u>	<u>Contract No.</u>	<u>Amount</u>
Bridgestone Americas Tire GCR Tire Center, (Austin, TX)	B508321 (formerly B505494)	\$100,000.00
American Tire Distributors AM-PAC Tire Dist., (Simi, CA)	B506938 (formerly B505502)	\$100,000.00

3. Award of Direct Select Contract, CT-TR-13000525, to Kimley-Horn and Associates, Inc. (Headquarters: Raleigh, NC) in an amount not to exceed \$200,000.00 to provide roadway design engineering services for the Nogales/Old Nogales Intersection Project. This contract is for a twelve month period. Funding Source: 1997 Bond Fund (65%) and RTA Fund (35%). Administering Department: Transportation.

2. ELECTIONS DEPARTMENT

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

<u>RESIGNATIONS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Jean Barrera	081	REP
Raquel J. Cook	145	REP
James R. Cook	145	REP
Scott Freiman	225	REP

<u>APPOINTMENTS</u>	<u>PRECINCT</u>	<u>PARTY</u>
Arthur J. Miller	006	REP
Peter J. Davis Jr.	010	REP
William Beard	032	REP
Peter D. Herder	056	REP
David W. Eppihimer	106	REP
Kuuleme T. Stephens	116	REP
Doreen G. Laird	119	REP
Eddie F. Badilla	134	REP
Kenneth D. Cashion	140	REP
George H. Allen	145	REP
Douglas M. Zoucha	148	REP
Kerry R. Massagli	163	REP
Priscilla J. Junggren	168	REP
Delvin W. Junker	171	REP

David L. Farnsworth	187	REP
Edward T. Martin	202	REP
Dean S. Spencer	222	REP
Lynnette M. Huggins	225	REP
Eugene E. Saucerman	226	REP
Catherine Reynolds	237	REP
Charis Ober	255	REP
James J. Cromwell	274	REP
Judith D. Cromwell	274	REP

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

Melinda Marit Udovich, VFW Post 10254, 10111 S. Sasabe Highway, Tucson, January 19, 2013.

FINANCE AND RISK MANAGEMENT

4. Duplicate Warrants – For Ratification

Anthony Saucedo	\$261.95
Sandy Richmond	\$160.00
Kari A. Aragon	\$ 67.60
Robyn Hardy	\$140.00
Jose L. Chaidez	\$700.00
Olivia Y. Escobar-Trujillo	\$ 50.94

5. RATIFY AND/OR APPROVE

Minutes: December 18, 2012

REGULAR AGENDA/ADDENDUM ITEMS

9. FINANCE AND RISK MANAGEMENT

Staff requests approval of the Request for Exemption from Requirement to Post Statutory Deposit for submission to the Industrial Commission of Arizona.

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

10. FIRE DISTRICT: MOUNTAIN VISTA FIRE DISTRICT

Pursuant to A.R.S. §48-262.A.12, validation of the petitions presented from the Mountain Vista Fire District for the proposed Camino de Mañana Annexation. (District 1)

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

11. **REGIONAL WASTEWATER RECLAMATION: CONTRACT**

The Board of Supervisors on November 13, 2012 and December 4, 2012, continued the following contract:

Tucson Electric Power Company, to provide electric power services to the Ina Road Treatment Facility at the established commercial rates, RWRD Enterprise Fund, contract amount \$1,400,000.00 (CT-WW-13000359)

Without objection, this item was continued to the Board of Supervisors' Meeting of February 5, 2013.

12. **REGIONAL WASTEWATER RECLAMATION: PRETREATMENT SETTLEMENT AGREEMENTS**

Staff recommends approval of the following proposed Pretreatment Settlement Agreements in accordance with the Industrial Wastewater Enforcement Response Plan, RWRD Enterprise Fund.

- A. Golden Dragon Restaurant, Case No. C2012-15. The proposed settlement payment of \$1,003.97, removal of the two-compartment sink located outside, completion of a supplemental environmental project (SEP), and attendance at IWC's Pollution Prevention School.
- B. Ole Mexican Grill, Case No. C2012-19. The proposed settlement of completion of a supplemental environmental project (SEP), attendance at pollution school, and acquisition of a permit.
- C. VW Dig, L.L.C., Case No. C2012-22. The proposed settlement payment of \$500.00 and attendance at IWC's Pollution Prevention School.

On consideration, it was moved by Supervisor Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to approve the Pretreatment Settlement Agreements.

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

12-42-9139, Pimolrat Boutsanirath, Sushi Tran, 9725 N. Thornydale Rd. No. 149, Tucson, Series 7, Beer and Wine Bar, Person Transfer.

Without objection, this item was continued to the Board of Supervisors' Meeting of February 5, 2013.

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

- A. Kevin Arnold Kramber, Country Club of Green Valley, 77 E. Paseo de Golf, Green Valley, Permanent Extension of Premises.
- B. Chad Douglas Pitlik, Holiday Inn Hotel and Suites, 4550 S. Palo Verde Road, Tucson, Temporary Extension of Premises for February 7 through 15, 2013.
- C. Myron Christopher Squires, 1055 Brew Works, L.L.C., 3810 E. 44th Street, Ste. 315, Tucson, Temporary Extension of Premises for February 2, 9, 16 and 23, 2013.

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

15. **FRANCHISE/LICENSE/PERMIT: WINE FESTIVAL LICENSE**

~~Lori Marie Reynolds~~ **Gordon R. Dutt**, Sonoita Vineyards, Green Valley Recreation Center, 1111 S. Via Arcoiris, Green Valley, February 2, 2013.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Carroll, 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 Department of Liquor Licenses and Control.

16. **DEVELOPMENT SERVICES: ZONING CODE TEXT AMENDMENT**

The Board of Supervisors on December 18, 2012, continued the following:

Co8-12-07, CONTRACTOR YARD, HOME OCCUPATION, CONDITIONAL USE PERMIT, SUBDIVISION PLAT AND DEVELOPMENT PLAN CODE AMENDMENTS

An ordinance of the Pima County Board of Supervisors relating to Zoning (Title 18); amending the Pima County Code by amending Chapter 18.03 (General Definitions), Section 18.03.020 (Definitions) to define a contractor's yard; amending Chapter 18.09 (General Residential and Rural Provisions), Section 18.09.020 (General Requirements and Exceptions) to provide setback requirements for shade structures within corrals; and Section 18.09.030 (Home Occupations) to expand home occupations; amending Chapter 18.69 (Subdivision Standards) Section 18.69.020 (Definitions) to eliminate the plat requirement for non-residential subdivisions; amending Chapter 18.97 (Conditional Use Procedures) Section

18.97.030 (Procedures and Requirements) by revising the Development Plan requirements. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Matter was absent) to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt:

ORDINANCE NO. 2012 - 71

Chris Poirier, Assistant Planning Director, offered the staff report and outlined the following proposed changes to the Zoning Code which had received no neighbor feedback:

- Introduction of a definition for “Contractor’s Yard.”
- Allowance of a 200 square foot shade structure to take on a setback in a corral, rather than be subject to a setback for an animal shade structure.
- Removal of the Development Plan requirement for a Conditional Use Permit.
- Alignment of Code with State statute to eliminate the requirement for a subdivision plat for commercial property, when splitting into six or more lots.

Mr. Poirier stated that numerous comments had been received on the suggested changes to the home occupation aspect of the Code. After meeting with concerned citizens and groups, additional proposals were drafted and submitted on both January 15, 2013, and January 18, 2013, which culminated in the following:

- Expansion of the client cap to allow up to seven clients per day.
- Exception from previous prohibition of commercial food preparation to allow for home baked goods and confectionaries as a home occupation which would be in line with State statute.
- Withdrawal of the proposals regarding expanded home occupations.

Supervisor Elías commented regarding Health Code regulations that govern food preparation that were in addition to Zoning Code regulations.

The following speakers addressed the Board:

- Carole DeAngeli, Oracle Foothills Neighborhood Association
- Ed Verberg, Tucson Mountains Association
- Roger Carpenter, member of the Gates Pass Area Neighborhood Association and Tucson Mountains Association
- Ivy Schwartz, President, Tucson Mountains Association

They provided the following comments:

- Requested that the review of the Accessory Building Code be conducted with the upcoming Comprehensive Plan Review.

- In rural neighborhoods, a 300 foot notification area was not enough as lots could be several acres.
- Suggested that on dirt roads not maintained by the County, all residents responsible for maintenance of the road be notified.
- Appreciation was given for the efforts of the Development Services Department to accommodate neighbor concerns.
- A continuance was looked upon favorably due to the late submittal of the most recent update, rather than disputed content.
- Recommended that the County adopt a policy to alert neighborhoods about changes in the Code that may have an effect on them.

Supervisor Miller stated that numerous comments had been received by her office concerning increased traffic to neighborhoods, cooking smells, lack of proper notice for review of proposed changes and other issues. She said the amendment had not been clearly written as there were too many components.

It was thereupon moved by Supervisor Miller, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to continue this matter to the Board of Supervisors' Meeting of February 5, 2013.

17. DEVELOPMENT SERVICES: PLAT NOTE MODIFICATION

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 34)

Request of Williad E., Jeanne A. and David Lee Northcraft TR, represented by Randel Jacob Design Group, P.L.L.C., for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lot 34 (3.21 acres) of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 7), a portion of the Sabino Springs Specific Plan. The subject property is zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and is located on the north side of Sabino Estates Drive, south of the Coronado National Forest, and approximately three quarters of a mile east of Bowes Road. Staff recommends APPROVAL. (District 1)

Chris Poirier, Assistant Planning Director, provided the staff report and noted that no neighbor comment had been received.

On consideration, it was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

18. DEVELOPMENT SERVICES: REZONING RESOLUTION

RESOLUTION NO. 2013 – 4, Co9-83-29, Tucson Estates, Inc. – Kinney Road Rezoning. Owner: Accent Homes, Inc. (District 3)

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

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Carroll and carried by a 5-0 vote, to close the public hearing and adopt Resolution No. 2013 – 4.

19. **CONTRACTS**

Community Services, Employment and Training

- A. Arizona Department of Economic Security, Amendment No. 7, to provide homeless assistance/eviction prevention services to low-income and amend contractual language, AZ DES Fund, contract amount \$32,881.00 revenue (CTN-CS-CMS143044)
- B. DK Advocates (DKA), Inc., Amendment No. 3, to provide workforce development services, amend contractual language and extend contract term to 6/30/13, U.S. DOL, AZ DES and other Workforce Funds, contract amount \$29,213.50 (CT-CS-12001628)
- C. Tucson Urban League (TUL), Inc., Amendment No. 3, to provide workforce development services, amend contractual language and extend contract term to 6/30/13, U.S. DOL, AZ DES and other Workforce Funds, contract amount \$25,413.00 (CT-CS-12001630)

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

20. **FRANCHISES/LICENSES/PERMITS: WINE FESTIVAL LICENSES**

- A. Karyl Lee Wilhelm, Wilhelm Family Vineyards, Green Valley Recreation Center, 1111 S. Via Arcoiris, Green Valley, February 2, 2013.
- B. Mark McDaniel Mabry, Rancho Maria Vineyards, Green Valley Recreation Center, 1111 S. Via Arcoiris, Green Valley, February 2, 2013.

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

21. **BOARD, COMMISSION AND/OR COMMITTEE**

Pima County Housing Commission

Reappointment of Frank Moreno. Term expiration: 12/31/16.
(District 5)

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

22. **CALL TO THE PUBLIC**

The Chairman inquired whether anyone wished to be heard.

John Becerra, SEIU Representative, addressed the Board regarding sustainability and uses of renewable energy resources and urged the Board to continue its commitment to the Sustainability Action Plan.

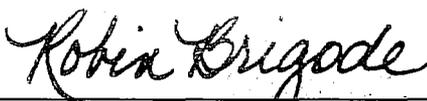
23. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 10:20 a.m.



CHAIRMAN

ATTEST:



CLERK