

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
WORK SESSION HELD ON
Tuesday, August 16, 2016**

A work session of the Cochise County Board of Supervisors was held on Tuesday, August 16, 2016 at 1:30 p.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Richard R. Searle, Chairman; Patrick G. Call, Vice-Chairman; Ann English, Member

Staff Present: James E. Vlahovich, County Administrator
Britt W. Hanson, Chief Civil Deputy County Attorney
Arlenthe G. Rios, Clerk of the Board
Paul Esparza, Planning & Zoning Director

Attendees: Edward Garcia, Garcia Development/Linda Vista
John Johnson, Local Contractor

Chairman Searle called the meeting to order at 1:32 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

INTRODUCTIONS

ITEMS FOR DISCUSSION

Community Development

1. Discussion and possible direction regarding assurance agreement extensions.

Mr. Vlahovich gave the background and noted that the Board had requested that staff identify criteria in order for the Board to extend assurance agreements.

Mr. Esparza presented this item using a PowerPoint presentation. He covered the history of assurance agreements over the last decade. He moved on to the purpose of an assurance agreement, cited Arizona Revised Statute 11-821, and county subdivision regulations.

Chairman Searle asked if the policy could change to require the assurance agreement to be accompanied by a bond.

Mr. Hanson said that it was an option that the Board has.

Mr. Esparza said that there were several reasons why assurance agreements should not be

extended:

- Subdivision plat not subject to new subdivision regulations that may have been adopted since original plat approval.
- Traffic impact, street connectivity, drainage issues, water conservation requirements and the general character of the area may have changed since original approval.
- If property taxes are not paid, tax liens could be sold on individual lots in a platted subdivision that is never developed.

He also suggested that assurance agreements that are not extended should result in subdivision plats being abandoned.

He moved on to the criteria for determining an assurance agreement extension: considered on a case by case basis; property taxes should be current; progress made to date on subdivision improvements should be presented; consider the number of previous extensions granted; and existing conditions affecting the ability to complete the subdivision.

Chairman Searle said that there were some unique situations for subdivisions that were in the process of developing, but noted that some subdivisions have never even started development.

Supervisor English stated that the Board wanted to work with developers that were actively working on their subdivisions, but wanted to formally finalize or abandon plats where no progress was being made.

Mr. Esparza noted that there is a cost to abandoning a plat.

Chairman Searle voiced his concern about "paper" plats and asked what a sufficient amount of time would be to allow a contractor to complete a subdivision.

Mr. Hanson said that he thought the assurance agreements were working well.

Mr. Vlahovich said he could research what process other counties had in place.

Mr. Hanson said that some of the older subdivisions would have to be treated differently since the requirements were different when those were first put in place.

Supervisor English asked if the criteria being discussed would be sufficient to give staff a structure and guidance.

Vice-Chairman Call said that he thought the new guidelines were an improvement on the current process, but wanted to ensure that subdivisions are not forgotten and left unattended. He also suggested ensuring old and new subdivisions stay current with the most up-to-date requirements.

Supervisor English said that a ten year time frame would be appropriate.

Vice-Chairman Call stated that ten years seemed reasonable. He noted that even old subdivisions should have to conform to current regulations in place.

The Board directed staff to move forward as discussed.

Chairman Searle adjourned the meeting at 2:19 p.m.

APPROVED:

Richard R. Searle, Chairman

ATTEST:

Arlthe G. Rios, Clerk of the Board