

WATER SERVICE AREA REVIEW BOARD (WSARB)

2:00 p.m., Tuesday, April 27, 2021

Virtual Meeting via Microsoft Teams



Legal Action Report

1. **Roll Call:** The meeting was called to order by Kris LaFleur at 2:01 p.m. Those present were:

WSARB Members present:

Timothy Thomure Interim Assistant City Manager
Carlos DeLaTorre Director, Environmental & General Services

Absent:

Scott Clark Director, Planning and Development Services

Appellants:

Sam Kettaneh Owner, Parcel No. 214-39-012N

Representing Tucson Water:

Richard Sarti Planning and Engineering Administrator, Tucson Water

City of Tucson:

Chris Avery City of Tucson Attorney's Office
Kris LaFleur Lead Management Analyst, Tucson Water

2. **Appointment of Board chairperson or acting chairperson** – Member Thomure nominated Member DeLaTorre as acting Chair. Member DeLaTorre accepted the nomination. The motion passed unanimously on a roll-call vote.
3. **Announcements** – None.
4. **Review and approval of Legal Action Report and Minutes from September 26, 2019** – Member Thomure recommended that approval of the Legal Action Report and Minutes from September 26, 2019, be tabled, because only Member DeLaTorre was present at the meeting. Chair DeLaTorre agreed and tabled any further action on the item for a future meeting.
5. **Review of water service denial for 6991 W Camino del Cerro, a parcel located in unincorporated Pima County**
 - a. **Report from Tucson Water Staff** – Mr. Sarti provided a summary of the Tucson Water Service Area Policy (SAP), and an explanation of the Water Service Area map, including areas which Tucson Water is obligated to serve, those already being served, and those that are considered non-expansion zones. He explained that a residential parcel located in a non-expansion zone, such as within unincorporated Pima County, must be smaller than 20 acres and must be bordered on three sides by parcels already receiving Tucson Water service, in order to qualify for new water service. Mr. Sarti indicated that the subject parcel is located within unincorporated Pima County and is bordered on one side by a parcel currently receiving Tucson Water Service. He explained that the parcel did not meet the criteria for new service under the SAP, and was denied service accordingly.

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- b. **Appeal of water service denial** – Mr. Kettaneh indicated that he had saved to purchase the property from its previous owner and intended to build a home on it. He subsequently secured an architect's services to design and build the home. The architect's initial request for water service and subsequent request to extend a private water line to the parcel were denied by Tucson Water staff. Mr. Kettaneh indicated that nearby neighbors were receiving water service from Tucson Water and stated that he should therefore also be eligible for water service.
 - c. **Call to the audience (specific to this case)** – There were no audience comments.
 - d. **Board deliberation, decision, and recommendations** – Member Thomure moved to uphold Tucson Water's denial of water service. Member DeLaTorre seconded the motion, which passed unanimously on a roll-call vote.
6. **Call to the audience (general)** – There were no audience comments.
7. **Adjournment** – The meeting was adjourned at 2:35 p.m.