

FLOOD CONTROL DISTRICT BOARD MINUTES

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, June 6, 2023. Upon roll call, those present and absent were as follows:

Present: Adelita S. Grijalva, Chair
Rex Scott, Vice Chair
Dr. Matt Heinz, Member
Sharon Bronson, Member
Steve Christy, Member

Also Present: Jan Leshar, County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Robert Krygier, Sergeant at Arms

1. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee proposal in the amount of \$4,879.73 for placement of a single family residence on property located at 4991 N. Placita Borboa, located within Regulated Riparian Habitat classified as Important Riparian Area with underlying Xeroriparian B Habitat. (District 4)

It was moved by Supervisor Christy, seconded by Chair Grijalva and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item.

2. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee proposal in the amount of \$83,520.00 for a sand and gravel operation located at 13000 S. Old Nogales Highway, located within Regulated Riparian Habitat classified as Important Riparian Area with underlying classification of Xeroriparian Class B and Xeroriparian Class B Habitat. (District 2)

It was moved by Supervisor Christy, seconded by Chair Grijalva and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item.

3. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee proposal in the amount of \$4,180.00 for property located at 9757 N. Blue Bonnet Road, located within Regulated Riparian Habitat classified as Important Riparian Area with underlying Classification Xeroriparian C Habitat. (District 1)

It was moved by Supervisor Christy, seconded by Chair Grijalva and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item.

4. **CONTRACT**

Tucson Clean and Beautiful, Inc., to provide for the Adopt-A-Wash Program, Flood Control Ops Fund, contract amount \$60,000.00 (CT-FC-23-401)

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Christy asked if any funds were being contributed by the City of Tucson.

Jan Leshner, County Administrator, responded that this contract was to provide cleanup work in the washes located within the unincorporated areas of the County.

Upon the vote, the motion unanimously carried 5-0.

5. **CONTRACT**

Enid Whittaker, to provide for Acquisition Agreement - Acq-1142 and Warranty Deed for property located at 4330 E. Havasu Road, Tax Parcel No. 109-05-2030, in Section 3, T13S, R14E, G&SRM, Pima County, AZ, Flood Control Non-Bond Projects Fund, contract amount \$488,091.00 (CT-RPS-23-412)

It was moved by Supervisor Bronson and seconded by Chair Grijalva to approve the item. No vote was taken at this time.

Supervisor Christy questioned what had precipitated the need to purchase this property.

Carmine DeBonis, Jr., Deputy County Administrator, responded that the home was within the area impacted by the recent flood following the Bighorn Fire where some of the residences had experienced multiple instances of threatening flood waters and their homes had been deemed unsafe to occupy. He explained that the Flood Control District had acquired properties in the area based on a willing seller/buyer approach and a memorandum from the County Administrator recently sent to the Board identified properties at most severe risk that could potentially be acquired.

Supervisor Christy asked whether the home was recently identified as a risk.

Mr. DeBonis, Jr., responded that it was identified following the Bighorn Fire and the post fire floods which had taken place.

Chair Grijalva asked for confirmation that a memorandum regarding those purchases had been provided to the Board.

Jan Leshner, County Administrator, responded in the affirmative.

Upon the vote, the motion carried 4-1, Supervisor Christy voted “Nay.”

6. CONTRACT

Arizona Board of Regents, University of Arizona, Amendment No. 3, to provide for project services and related research, education and employment, extend contract term to 10/2/28 and amend contractual language, Flood Control Tax Levy Fund, contract amount \$1,000,000.00 (CT-FC-19-154)

It was moved by Supervisor Bronson and seconded by Chair Grijalva to approve the item. No vote was taken at this time.

Supervisor Christy commented that the item appeared to be related to Minute Item No. 5 and questioned whether the University of Arizona was looking into a solution for the flooding issues in this area.

Carmine DeBonis, Jr., Deputy County Administrator, responded that the two items were unrelated and explained that the contract allowed for the leverage of the University’s expertise and ability to perform evaluations and analysis on flood circumstances across the region. He added that it rounded out the group of expertise that could help with those items, but indicated they had not looked at the Bighorn Fire post flood area that was the subject of Minute Item No. 5.

Supervisor Christy questioned whether that was an option.

Mr. DeBonis, Jr., responded that there were a limited number of properties at risk and there were no cost-effective flood control improvements available upstream of the residences within the Finger Rock Wash area. He explained that removing properties from harm’s way was an effective strategy in addition to what was done in other areas using constructed improvements and stated that a consultation could be conducted to see whether different information was received.

Upon the vote, the motion unanimously carried 5-0.

7. GRANT ACCEPTANCE

Arizona Department of Forestry and Fire Management, to provide for the Healthy Forest Initiative Grant Program No. NFHF 22-205, \$404,415.00/\$156,509.00 RFCD Tax Levy Fund match/\$16,812.00 in-kind volunteer support match/3 year term (GTAW 23-137)

It was moved by Supervisor Bronson, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to approve the item.

8. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:04 p.m.

CHAIR

ATTEST:

CLERK

LIBRARY DISTRICT BOARD MINUTES

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, June 6, 2023. Upon roll call, those present and absent were as follows:

Present: Adelita S. Grijalva, Chair
Rex Scott, Vice Chair
Dr. Matt Heinz, Member
Sharon Bronson, Member
Steve Christy, Member

Also Present: Jan Leshar, County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Robert Krygier, Sergeant at Arms

1. GRANT ACCEPTANCE

Institute of Museum and Library Services, Library Services and Technology Act, to provide for the VR Career Exploration and Workforce Readiness Program for Teens, \$4,000.00/\$400.00 Library District Fund match (GTAW 23-144)

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 2:04 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

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, June 6, 2023. Upon roll call, those present and absent were as follows:

Present: Adelita S. Grijalva, Chair
Rex Scott, Vice Chair
Dr. Matt Heinz, Member
Sharon Bronson, Member
Steve Christy, Member

Also Present: Jan Leshar, County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Robert Krygier, Sergeant at Arms

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by ~~Valeria~~ **Valerie** Buenamea, Clerk - Senior, Pima County Clerk of the Board's Office.

3. PAUSE 4 PAWS

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

4. POINT OF PERSONAL PRIVILEGE

Supervisor Christy commented that June 6th marked the 79th Anniversary of the Normandy Invasion otherwise known as D-Day, where thousands of combined allied forces lost their lives fighting against the evil forces of tyranny, fascism, and racist supremacy. He stated their fight, deaths and final allied victory sustained precious rights and the founding principles of our country, with the most precious being the right to free speech and added that vigilantly defending that right honored their memory and final sacrifice and must always be remembered.

Supervisor Bronson acknowledged the passing of Joshua Liffiton, a former dedicated and compassionate Pima County Public Defender who worked for the department for over 8 years, where he represented clients from the drug and mental health courts and the DTAP Program. She stated that he would be missed and requested a moment of silence be held in remembrance.

Chair Grijalva wished Supervisor Heinz a happy birthday.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Matt McGlone, Community Outreach Coordinator, Pima County Office of Emergency Management; Ken Drozd, Warning Coordination Meteorologist, National Weather Service Tucson; Joseph Cuffari, Program Coordinator, Pima County Regional Flood Control District; Wesley Crane, Supervisor, Land Services and Environmental, Trico Electric Cooperative; Mike Sagara, Public Information Officer, Lynn Sagara and Courtney Slanaker, Southern AZ Chapter, American Red Cross, proclaiming the week of June 11 through 17, 2023 to be: "MONSOON SAFETY AWARENESS WEEK"

It was moved by Supervisor Scott, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to approve the item. Supervisor Scott made the presentation.

6. Presentation of a proclamation to Karl Wagner, Chair, Pima County Division of the American Federation of State, County and Municipal Employees (AFSCME), Jen Wagner and Ciro Wagner, members of the Pima County Division of AFSCME, proclaiming the month of June 2023 to be: "PRIDE MONTH IN PIMA COUNTY"

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-1 vote, Supervisor Christy voted "Nay," to approve the item. Chair Grijalva made the presentation.

7. CALL TO THE PUBLIC

Gisela Aaron spoke in opposition to the Pride Month Proclamation and Minute Item Nos. 14 and 24.

Lynn Blankinship addressed the Board in support of Minute Item No. 14 and stated that Call to the Public was valuable, but was abused by individuals who did not respect or understand civil discourse. She commented that Arizona open meeting laws clearly indicated that being allowed to speak was a privilege, not a public right and urged the Board to find ways to create a meeting culture that felt safe for everyone.

Jim McFadzean expressed his displeasure with a month-long celebration of gay pride and voiced his opposition to Minute Item No. 14.

Ciro Wagner thanked Chair Grijalva, Supervisor Heinz and the rest of the Board for their support of the LGBTQ Community.

Karl Wagner thanked the Board, specifically Chair Grijalva and her staff, for the Pride Month Proclamation.

Cory Stephens addressed the Board in opposition of continued use of taxpayers' money for asylum seekers.

Sharon Fickes expressed her displeasure with the lack of funding for road repairs and preservation and opposition to continued asylum seeker aid, COVID mandates, sexually explicit books in public libraries and freedom of speech restrictions.

Sharon Greene spoke in opposition to using taxpayer money for illegal immigrant needs and indicated that it aided and abetted fentanyl use, crime, and the sex trafficking crisis in the County.

Steve Spain voiced his opposition to Minute Item No. 14 and his displeasure with what he felt was the Board's careless spending of taxpayer monies.

The following speakers addressed the Board regarding the overpopulation at the Pima Animal Care Center (PACC):

- | | |
|-------------------|----------------|
| • Kelly Smith | • John McLean |
| • Barbara Monroe | • Tina Glidden |
| • Joey Fitzgerald | • Rachel Jones |

They offered the following comments:

- Asked the Board to ensure transitional housing by allowing the acceptance of pets without breed restrictions for those facing financial and housing crisis.
- Asked the Board to disperse information to residents within their districts regarding how they could help PACC continue the lifesaving efforts of reuniting stray pets with their owners and adopting or fostering pets.
- Asked that PACC be allowed to transition to a limited intake model when shelter capacity reached 425 dogs because census studies had indicated that anything above that number slowed adoptions and increased illness.
- PACC was one of the nation's most progressive shelters and had routinely done the very difficult work of comparable shelters across the country with a fraction of the staff and a much smaller budget.
- There were not enough staff or volunteers to complete all the necessary tasks to properly care for all the animals.
- A lower shelter population provided needed valuable time for volunteers and staff to create lifesaving transformational journeys from unmanageable pets to adoptable trusted ones.
- Overpopulation had created a crisis within the facility with only momentary periods of reprieve for volunteers and staff.
- Additional caretakers were needed for prevention of volunteer and staff burnout and added time resources.
- Euthanasia was not the answer and would not solve the larger problem because without consistent change the facility would again be at or above capacity within 1 to 2 months.
- Managed intake during times of overcapacity could be part of the solution of keeping the census manageable and humane.
- Current housing costs and breed restrictions within the community separated beloved pets from their families and contributed to the shelter overpopulation crisis.

- Nearly 4,000 pets were surrendered to PACC in 2022, half of those were surrendered because of housing restrictions and or financial struggles.
- Asked the Board to advocate for affordable and accessible large breed friendly housing with tax incentives for landlords with no or low monthly pet fees and restrictions for rental and lease agreement discriminations based solely on breed or weight.
- The importation and sale of factory farmed puppies significantly contributed to the overcrowding and resulted in the euthanasia of dogs at PACC.
- Tucson, Phoenix, and Tempe had banned puppy mill stores until 2016 when the State Legislature passed a law that explicitly preempted any local control.
- Despite that preemption several actions could be taken to address the puppy mill problem due to the statute explicitly calling for enforcement regulation by County authorities.
- Pets at Park Place was cited by PACC officers in December 2022, but no fines or penalties were assessed, and further violations should be addressed with serious fines and sanctions as allowed by State law.
- An ordinance banning retail sales of puppy milled dogs should be established and put into effect with the removal of the preemption clause.
- The Board should challenge the current preemption clause because state legislature had been campaigning for preemption of local control on a wide variety of issues that would undermine the authority of the Board and ultimately disenfranchise the citizens of Pima County.
- No valid reason had been given by the state for preemption of local control, but the County had borne the increased burden of that law with time spent for inspection and enforcement by PACC, pressure on the shelters and euthanasia of adoptable dogs within the County's care.
- Requested that the Board direct the County Attorney to pursue a legal challenge of state over-reach.
- Increased medical care costs and decreased accessibility of vet appointments in recent years had contributed to shelter overcrowding.
- Arizona ranked second to last against all other states for vet care accessibility which meant significantly fewer spay and neuter opportunities to curb the overpopulation crisis.
- Veterinarian shortages kept the cost of care high and appointment availability limited. Senate Bill 1271 would offer student loan reimbursement to Arizona veterinarians.
- The County should offer additional incentives to University of Arizona graduates like sign on bonuses or incentivizing practicing vets to move or stay in the County with tax credits.

Roger Score spoke in opposition to Minute Item No. 14 and voiced his opinions about the overcrowded PACC facility and the proclamation for Pride Month.

Janet Neustedter expressed her opposition to Minute Item No. 14.

Jess Losoya spoke to the Board about acknowledging everyone's vital part of the fabric that made this nation great and how working together with love and kindness could help build a better community.

Paul Parisi urged the Board to direct the County Attorney to send a violation letter to the County Recorder for not allowing 4Tucson to be a part of the naturalization ceremonies held at the DeConcini Courthouse.

Dave Smith spoke about freedom of speech and his opposition to Minute Item No. 14.

John Fogle addressed the Board in opposition to the proclamation for Pride Month and Minute Item No. 14.

Shirley Requard voiced her opposition to Minute Item No. 14 and her displeasure with Chair Grijalva's refusal to investigate Supervisor Heinz for the incident that had taken place during a previous meeting.

Rafael Polo discussed how he had legally obtained his immigration status and expressed his opposition to Minute Item No. 14.

Laurie Moore expressed her displeasure with the proclamation for Period Poverty Awareness Week that had been approved at a previous meeting and her opposition to continued aid for asylum seekers.

Elizabeth Moll spoke to the Board about the effect elected officials had on substance abuse within the community and thanked them for placing the "Say no to panhandling" signs on County medians.

Tim Laux stated that median signs were not working and were being ignored and voiced his opposition to the Pride Month Proclamation and Minute Item No. 14.

John Halliday thanked the Board for Board Policy No. D 32.3, Pima County Public Library – Collection Development Policy, which allowed residents of all ages to benefit from high quality and up to date library services.

Carol Lindsey expressed her concerns regarding illegal immigration and her opposition to the continued aid for asylum seekers.

Anastasia Tsatsakis addressed the Board in opposition to Minute Item Nos. 6, 14, 17, 28 thru 30, 32 thru 36, 38, 39 and 64.

Barbara Stockwell expressed her concerns with illegal immigration and the border crisis.

J.P. Salvatierra talked about the Arizona Department of Environmental website that provided information about the daily air quality forecast because high ozone levels in the afternoons increased the health risks for children during outdoor play.

Stephanie Kirk spoke about veteran suicides, D-Day, security checks for Board members, fentanyl use, open borders, and her opposition to COVID mandates and Minute Item Nos. 14, 28, 37 thru 42, 64 and 74.

Dewall Dehr stated that the Board was trying to silence his freedom of speech and restrict his constitutional rights.

Malinda Sherwood addressed the Board regarding First Amendment Rights, problems she had experienced with the Arizona Department of Child Safety and questioned whether the Board had any type of supervisory role over them.

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Supervisor Scott requested that staff follow up with Mr. McLean regarding the suggestions he made about legal and legislative courses of action the Board should advocate for in terms of the repeal of the preemption statute.

Supervisor Heinz responded to the comments made regarding veterans, D-Day and his birthday, and stated that his military family members never expected anything for their service and were simply excellent examples who demanded nothing in return and served because of their love for this country. He stated they served so that we could have a pride month celebration and indicated that thousands of service members were young, gay, bisexual and transgender individuals who had given their lives to protect our freedom. He commented that it was also incredibly important to acknowledge the high suicide rate for veterans and that the highest suicide rate for individuals in this country was the transgender community. He thanked Ms. Blankinship for her presence, for speaking accurately about Minute Item No. 14 and quoting from the Arizona Revised Statutes in regards to Open Meeting Law and Call to the Public.

8. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:57 a.m.

9. **RECONVENE**

The meeting reconvened at 10:48 a.m. All members were present.

EXECUTIVE SESSION

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the City of Tucson differential water rate lawsuit - Pima County v. City of Tucson, et al., Maricopa County Superior Court Case No. CV2022-001141. (District 1)

This item was informational only. No Board action was taken.

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the decision in Pima County Sheriff's Department v. Fimbres, et al., C20222761.

This item was informational only. No Board action was taken.

12. Pursuant to A.R.S. §38-431.03(A) (3), discussion only regarding Mesch, Clark & Rothschild's request for a conflict of interest waiver.

This item was informational only. No Board action was taken.

BOARD OF SUPERVISORS

13. **Lawsuit Related to the City of Tucson Differential Water Rate**

Direction/Action regarding Pima County v. City of Tucson, et al., Maricopa County Superior Court Case No. CV2022-001141, to include possible approval of amending complaint to add nominal plaintiffs. (District 1)

It was moved by Supervisor Christy, seconded by Supervisor Scott and carried by a 4-1 vote, Chair Grijalva voted "Nay," to allow Counsel to add Supervisors Bronson and Scott as nominal plaintiffs to the lawsuit, if necessary.

14. **Revisions to Board of Supervisors Rules and Regulations**

Discussion/Action: A measure to revise Section K.3. of the Board of Supervisors Rules and Regulations, adopted on December 1, 2020. (District 1)

It was moved by Supervisor Scott and seconded by Chair Grijalva to approve the item. No vote was taken at this time.

Supervisor Scott explained that the item performed two functions; it allowed for 60 minutes of public comment time and reduced individual speaker time from 3 minutes to 2 minutes if there were more than 20 people who wanted to speak. He stated it was not an assault on free speech and presented the audience with a table that showed the rules and regulations for public comment followed by local cities, towns, school districts and Pima Community College. He stated that only one listed entity allowed 60 minutes for public comment and most of them invested great authority and discretion by either the Mayor or Board Chair to determine total individual speaker time. He stated that his proposal allowed for the greatest amount of time, was numbers based, did not overly empower the Chair, and would allow more people the opportunity to speak when a large number of requests were made. He indicated the item was somewhat reactive as the officers of the Republican Party and their precinct representatives acted in a coordinated way to make use of this time and stated this would not prevent any of them from speaking at future meetings. He added that it would prevent a political party from monopolizing a public meeting to serve their own partisan ends. He stated he has held multiple

town halls since being elected and has spoken to any community groups when invited. He stated that he was invited to an event that was moderated by a Republican precinct leader and attended by many Republican constituents. He added that interaction was had for 90 minutes and that each of the Board members held public events in their districts. He stated that any individual could request a meeting directly with a Supervisor, provide written forms of communication that could be sent directly to their offices or submitted to the Clerk of the Board's Office to ensure communications with each district. He stated that Board members were not holding themselves apart from the public and indicated Call to the Public was an important part of their meeting and would not go away, but it needed some reasonable parameters. He reiterated that there was nothing in this item that prevented anyone from directly addressing the Board and urged the Board to support these necessary and fair changes to the rules.

Supervisor Christy commented that the Board had been debating the issue of free speech and Call to the Public and the ramifications therein. He stated numerous articles had been read about the conduct of the audience in regard to their statements, about decorum and civility, but in said articles and with the item and in others related to restricting free speech, the whole issue was purposely overlooked. He stated that it needed to be brought back to the surface and topic of discussion. He felt that the Board would not have expended time and effort over many months of public discourse with Call to the Public participants if it had not been for Supervisor Heinz's irresponsible behavior in the past due to the interruption of speakers on numerous occasions. He stated that everything was pointed back to speakers, the political party, wearing the same clothes and having like-minded statements. He stated those things coupled with Supervisor Heinz's erratic behavior of interrupting speakers and inflammatory comments in regard to COVID-19, which had been proven to be wrong, was the reason the reaction was given and was expected. He stated that no Board member had been sanctioned or a statement had been made that the reason the issue existed was because of Supervisor Heinz's actions. He added that if he had not started this the Board would not be discussing it. He further stated that this kind of situation gave him pause to wonder how it came to be that Supervisor Scott would be the one to present the item. He stated that with the scenarios available he would not expect Supervisor Heinz to add it because of his behavior, he would not expect Supervisor Grijalva to add it because she had brought forth similar suppression issues of free speech and would want to stay above the fray as Chair, so that left Supervisor Scott to present this in a supposed very compromising, easy going, acceptable type of format. He indicated that it appeared there was some element of collaboration and collusion between Board members on how it would be presented. He added that one would wonder if any Open Meeting Law violations had occurred. He stated that a pattern was apparent that showed continued attempts to suppress, patrol and limit free speech and he felt that by their getting together or obscenely communicating the time, place and meeting that this issue be presented by Supervisor Scott. He stated that the 3 votes would be in favor. He added it was a very dark day for the community and Board and those that took the time to attend the meeting and had the right to address their elected officials and state their views no matter what they were. He stated that it was irrelevant if it was a political party or what was being said. He

stated the important thing was that it was being said and should always be allowed to be said.

Supervisor Heinz commented that he was comfortable voting on the issue and wished to call the question.

Supervisor Bronson commented that she would vote in opposition of the item. She felt that just because other jurisdictions did it, it did not make it right. She added that the one thing Pima County got right was to allow the public to speak, however, there were several people who spoke against the item and one who spoke in favor that made valid points about behavior of those speaking at Call to the Public. She stated that it would be nice to maintain decorum and civility, but was not sure that always happened.

Chair Grijalva questioned whether the Board had ever restricted time for Call to the Public in the past. She recalled a time in the past that something changed by Supervisor Elías.

Jan Leshner, County Administrator, responded that there were specific incidents where there were a number of people to speak on an item and the Chair made a determination that there would be a 2-minute limit for that item. She stated that for the time she had been with the County it had occurred with Chair Bronson, Chairman Valadez and Chairman Elías.

Chair Grijalva stated that under this proposal the Board had the ability to extend Call to the Public with a majority vote. She stated for example there were 30 speakers, after 20, everyone would get 2 minutes and a handful of speakers still needed to speak and at the end of the call, the Chair should ask the Clerk how many people remained and if the Board wished to extend the time. She added that her concern was that the Board was not willing to support any changes on people's conduct and the burden was placed on the Chair to decide what was appropriate or not. She added there were no other parameters that would be helpful because it was difficult in the position of Chair to change anyone's behavior if that was how it had been occurring for this length of time. She stated that January was rough for her personally because she knew there were things that needed to be changed and it had been a struggle. She felt this was a positive move because the Board spent 2 to 3 hours for Call to the Public and then the rest of the agenda was rushed. She stated that she would vote in favor of the item. She added that she had been places where people told her they were so embarrassed of what was happening at Board meetings. She stated that was not representative of Pima County, her party or the community.

Supervisor Scott commented that with any item on the agenda, if he discussed it with one other member, he did not discuss it with any of the others. He stated that if Supervisor Christy had some belief there was collusion or collaboration, he could present the charges formally. He assured Supervisor Christy there was no collusion or collaboration and to raise it without any basis or fact was offensive. He asked Supervisor Christy to retract his statements.

Supervisor Christy stated that he would not retract what was merely his own opinion and added that the Chair was quick to address issues with the audience to curtail speech and turn off the microphone. He questioned if the Chair would do the same thing with Board members if they got out of line.

Chair Grijalva responded in the negative and stated that since she has been Chair she had done that. She stated it was important to note that one of the issues was that Board members felt that they could not respond to anything at the end of Call to the Public. She stated that once that avenue was opened, she had not seen any interruptions since then.

Supervisor Christy commented that avenue had always been open.

Chair Grijalva concurred and stated that it had not been articulated.

Supervisor Christy reiterated it had been articulated, open and available to any Board member. He stated there were many instances when the behavior of a Supervisor was in the wrong as opposed to talking during Call to the Public.

Chair Grijalva stated she understood the concerns and hoped that since she had been Chair she had been able to stop individuals if they were out of line regardless of where they were. She stated that she knew it was an ability, but if someone was unfamiliar with Robert's Rules and not familiar with the type of way these Boards functioned, they might not know that. She added that she did not think that Supervisor Heinz had the opportunity at the end of the Call to Public to address something. She stated that was the reason she currently stated it at the end of Call to the Public.

Upon roll call vote, the motion carried 3-2, Supervisors Bronson and Christy voted "Nay."

Chair Grijalva commented that the changes would go into effect at the next Board of Supervisors meeting.

COUNTY ADMINISTRATOR

15. Update on County Initiatives to Address Homelessness and Public Safety

Jan Leshner, County Administrator, stated that a memorandum dated June 2, 2023 was provided to the Board which detailed the update and that Mr. Holmes could highlight some of the things that had occurred.

Steve Holmes, Deputy County Administrator, explained that the most current update in regards to the transition center was meant to deal with issues associated with repeat offenders and recidivism in the space of criminal justice. He added equally important was to deal with Failure to Appear(s) (FTAs) in court. He explained that one of the primary purposes of the center was to connect people who were being

released with these services so they could take advantage of it right away. He stated that the Justice Department under the direction of Director Kate Vesely, had endeavored to staff four individuals as Justice Navigators in the modular who would work with multiple service providers. He stated they were close to completing the modular so that staff could be placed there. He added the hope was for the hired navigators with lived experiences to convince individuals to get the services they needed and to focus on the misdemeanor offenses since it was the revolving door that was occurring in the criminal justice system. He stated individuals with felony offenses would not be excluded, but indicated those individuals were released through pretrial services and in many cases had some form of supervision and support. He stated that misdemeanor cases were processed through initial appearances and were sometimes lost within the system. He stated connecting individuals to needed services would provide dramatic improvements for the situation particularly because of the center's proximity to the jail and stated that staff would continue coordinating efforts with the Sheriff's Department and Pretrial Services regarding facility safety. He added staff would begin to track data about the impact this had on the individuals who took advantage of services and the impact on the reduction in the number of FTAs and the amount of misdemeanor offenses for repeat offenders. He added that staff had hired two navigators and were in the process of hiring two more.

This item was for discussion only. No Board action was taken.

CLERK OF THE BOARD

16. Petition for Relief of Taxes

Pursuant to A.R.S. §42-11109(E), Iglesia Bautista de Sahuarita, has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax years 2019, 2020, 2021 and 2022, for Tax Parcel Nos. 303-60-070C, 303-56-012A and Personal Property Account No. 0137839.

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item.

COMMUNITY AND WORKFORCE DEVELOPMENT

17. Pima County Regional Affordable Housing Gap Funding Recommendations

Staff recommends acceptance of the recommendations, as endorsed by the Pima County Regional Affordable Housing Commission, of the 2 highest scoring proposals totaling \$2,625,000.00 for 203 affordable housing units - representing new rental development and preservation of existing units.

At the request of the County Administrator and without objection, this item was continued to the Board of Supervisors' Meeting of June 20, 2023.

DEVELOPMENT SERVICES

18. Final Plat With Assurances

P23FP00004, Redford Estates, Lots 1-276, Common Areas "A, B, C, D and E". (District 5)

It was moved by Chair Grijalva, seconded by Supervisor Bronson and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item.

FINANCE AND RISK MANAGEMENT

19. Operating Transfer Exception

Staff requests approval of an exception to Board of Supervisors Policy D 22.8, through June 30, 2024, to process any operating transfers from the General Fund to the Kino Stadium District to accurately account for the hotel/motel receipts in Fiscal Years 2023 and 2024.

It was moved by Supervisor Christy and seconded by Supervisor Bronson to approve the item. No vote was taken at this time.

Jan Leshner, County Administrator, stated that she had additional information to provide related to the Visit Tucson contract being presented and the Kino Stadium District regarding the allocation of dollars. She presented a PowerPoint presentation and explained that A.R.S. §42-6108 provided for the levy and collection of transient lodging also referred to as a "bed tax," which equaled about 6%. She stated the statute very specifically indicated how the dollars could be allocated. She added the tax came in only for unincorporated areas and 50% went to the recognized tourism promotion agency in the County. She stated that for Pima County, the agency was Visit Tucson, known as Metropolitan Tucson Convention and Visitors Bureau (MTCVB), which had been in place since 1991. She explained that per A.R.S. §48-4204, 34% of the revenues from that fund were allocated to the Stadium District. She stated that she hoped that as the items were brought forth, she could explain how they were allocated. She stated that this year and on other occasions, they were brought back to the Board because while funds were budgeted to be received, the County believed that the amount the State had received from the unincorporated Pima County bed tax was inaccurate. She added that the Arizona Department of Revenue (ADOR) was notified of the discrepancy, so they began audits of the hotel/motel facilities and it was found that they had not paid what was needed. She stated that Pima County was the beneficiary of the additional dollars, and as the new dollars were received, the contracts for Visit Tucson and the Stadium District needed to be adjusted. She added it would authorize the agencies to be able to receive the funds and that the County had the authority by the Board to allocate them as described by the statutes.

Supervisor Christy commented that the purpose of the item was that it did not need Board approval because approval was already given. He stated that it was important to note that the background material indicated that in April the Finance and Risk Management Department was made aware that another distribution would be received this fiscal year. He added it was due to another property not properly paying.

Ms. Leshar concurred.

Supervisor Christy stated that this was the reason he would vote against the item and he felt it was important that they be brought back before the Board to apply the whole issues of the properties involved.

Chair Grijalva stated for clarification that the County was a pass-through for the funds from ADOR for distribution to the agencies, per the state statute.

Ms. Leshar concurred.

Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

20. Quarterly Report on Collections

Staff recommends acceptance of the Quarterly Report on Collections for the period ending March 31, 2023.

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

21. Revisions to Board of Supervisors Policy

Staff recommends approval of the proposed revisions to Board of Supervisors Policy D 22.11, Public Safety Personnel Retirement System and Corrections Officer Retirement Plan Pension Funding.

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

REAL PROPERTY

22. Dedication of Right-of-Way

Dedication of a Right-of-Way for property located between Rolling Water Drive and northeast of Pugly Lake Drive. (District 4)

It was moved by Chair Grijalva, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to approve the item.

23. **Abandonment by Vacation**

RESOLUTION NO. 2023 - 18, of the Board of Supervisors, for the vacation of a portion of Irvington Road and Carol Avenue, a public roadway as Pima County Road Abandonment No. A-0069, within Section 34, T14S, R12E, G&SRM, Pima County, Arizona. (District 5)

It was moved by Chair Grijalva, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to adopt the Resolution.

24. **Consent for Sale of Communications Easement**

Staff requests approval to sell cellular licenses with New Cingular Wireless, Cellco Partnership (Verizon), Sprint Spectrum (T-Mobile), CCTM1, L.L.C., and PTI, located in Pima County right-of-way or on County owned property, by auction to the highest bidder. (Districts 1, 3, 4 and 5)

It was moved by Chair Grijalva and seconded by Supervisor Heinz to approve the item. No vote was taken at this time.

Supervisor Heinz stated that proceeds from these sales had historically gone to roads, which the County had done well on and had spent quite a bit of money on. He felt that there were other priorities in the County and indicated that a one-time \$8 million in revenue to invest in roads and other transportation infrastructure resulted in the need for more investment in the future. He stated that it did not make sense to receive a one-time tranche of funds to pay for something that was going to require ongoing funds. He stated that it would make more sense to align all or half of these proceeds to other things like bolstering public health infrastructure, affordable housing, pet care services and transportation safety for cyclists and pedestrians. He recommended that staff reevaluate priorities.

Chair Grijalva questioned whether there were any restrictions on proceeds and if they were General Fund monies.

Carmine DeBonis, Jr., Deputy County Administrator, responded that the reason staff recommended it go to transportation was because the bulk of the sites that were subject up to the sale of the easement were in the right-of-way, but it was at the Board's discretion as to how the funds would be applied. He stated that the bid amount was a minimum and that upon successful sale, it could come back with a recommendation on how to apply those funds upon the actual completion of the auction.

Supervisor Heinz inquired about the timeframe for bringing the item back to the Board.

Supervisor Bronson clarified there was a motion on the floor for approval.

Mr. DeBonis, Jr., responded that he estimated it would take four months to get through the process.

Supervisor Bronson commented that this was for the sale of communications easement so what it did was allowed the County to sell the licenses. She added that there was a need to move forward and sell the licenses.

Mr. DeBonis, Jr., responded that he apologized for the confusion and indicated staff would appreciate the Board's authorization to move forward with the auction. He stated that once a successful bidder was known and they had a dollar amount, a proposal would be presented to the Board on how to apply the funds.

Chair Grijalva clarified this would only approve the sale and was not for the designation of the proceeds.

Upon the vote, the motion unanimously carried 5-0.

TRANSPORTATION

25. Abandonment of County Highway

RESOLUTION NO. 2023 - 19, of the Board of Supervisors, abandoning a county highway within the incorporated limits of the City of Tucson for the Broadway Boulevard IGA Bond Improvement Project between Euclid Avenue and Campbell Avenue situated within Sections 7, 8, 17, and 18, T14S, R14E, G&SRM, Pima County, Arizona. (Districts 2 and 5)

It was moved by Chair Grijalva and seconded by Supervisor Christy to adopt the Resolution. No vote was taken at this time.

Supervisor Christy asked for clarification regarding how a County highway came to existence within the limits of the City of Tucson.

Carmine DeBonis, Jr., Deputy County Administrator, responded that the roadway had to be dedicated as a County highway in order to be able to participate in the application of the funds and upon conclusion of the construction improvements, the County would abandon the highway back to the municipality so they would then be responsible for its ongoing maintenance.

Supervisor Christy clarified that the item was to accommodate the bond issue for work that was being done within the City of Tucson.

Mr. DeBonis, Jr., responded in the affirmative.

Upon the vote, the motion unanimously carried 5-0.

CONTRACT AND AWARD

Attractions and Tourism

26. Metropolitan Tucson Convention and Visitors Bureau, d.b.a. Visit Tucson, Amendment No. 2, to promote and enhance tourism, business travel, film production and youth, amateur, semi-professional and professional sports development and marketing and amend contractual language, General Fund, contract amount \$1,200,000.00 (CT-ED-22-401)

(Clerk's Note: See Minute Item No. 19, for discussion related to this item.)

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

Community and Workforce Development

27. Aspire Business Consultants, to provide for financial accounting and reporting services - Pima Vocational High School, General Fund, contract amount \$35,000.00 (CT-CR-23-346)

It was moved by Supervisor Christy and seconded by Supervisor Bronson to approve the item. No vote was taken at this time.

Chair Grijalva felt that this was a missed opportunity for the County to encourage these students to fill vacancies within the County and hoped that this year would be taken as an opportunity to reimagine what types of educational programming the County offered through the high school.

Upon the vote, the motion unanimously carried 5-0.

28. Child-Parent Centers, Inc., Amendment No. 1, to provide for Pima Early Education Program Extended Day Head Start, extend contract term to 6/30/25 and amend contractual language, American Rescue Plan Act - Coronavirus State and Local Fiscal Recovery Funds, contract amount \$1,755,190.00 (CT-CR-23-1)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-1 vote, Supervisor Christy voted "Nay," to approve the item.

29. Habitat for Humanity Tucson, Amendment No. 1, to provide for Habitat for Humanity Tucson Marana Infill 2022 Down Payment Assistance Project, extend contract term to 3/30/24, amend contractual language and scope of work, no cost (CT-CR-22-270)

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

30. To provide for Pima Early Education Program, extend contract term to 5/31/25 and amend contractual language, American Rescue Plan Act - Coronavirus State and Local Fiscal Recovery Funds, for the following:

Vendor/Amendment No./Contract Amount/Contract No.

Flowing Wells Unified School District No. 8, d.b.a. Flowing Wells School/2/\$345,656.00/
CT-CR-21-410

Marana Public School District, d.b.a. Marana Unified School District/1/\$864,140.00/CT-CR-22-359

Sahuarita Unified School District/2/\$172,828.00/CT-CR-21-428

Sunnyside Unified School District 12, d.b.a. Sunnyside Unified School District/1/\$345,656.00/
CT-CR-22-350

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Bronson questioned whether American Rescue Plan Act (ARPA) funds was still available.

Jan Leshar, County Administrator, responded that this was the last year ARPA funds would be available and allocated to PEEP's and future funding would be provided through the Library District should the Board continue the funding of this program.

Supervisor Bronson stated she was opposed to using Library District funds for this program, but would be voting in favor of the item due to the current availability of ARPA funds.

Chair Grijalva stated funding for PEEP's was a priority and wanted further Board discussion about the continued funding, but wanted to ensure money was not being taken from the libraries in order to fund preschools.

Supervisor Scott thanked the County Administrator and her staff for the memorandum the Board received that indicated funding for the PEEP's Program would be provided through year 2028. He stated that the memorandum explained the first four years of the program would be funded by ARPA funds and a portion of secondary property tax funds from the Library District would be used for subsequent years and indicated that the Board had been assured that it would not impact library operations.

Supervisor Bronson stated for the record that it would impact secondary property taxes.

Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

County Attorney

31. CBS Consulting Group, Amendment No. 2, to provide for professional grant writing services, extend contract term to 6/30/24 and amend contractual language, Anti-Racketeering Fund, contract amount \$55,000.00 (CT-PCA-22-375)

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Chair Grijalva requested that information about the secured amount total be provided to the Board.

Sam Brown, Chief Civil Deputy County Attorney, responded that the information would be provided to the Board.

Upon the vote, the motion unanimously carried 5-0.

Economic Development

32. Sun Corridor, Inc., to provide for economic development for Pima County and Southern Arizona, General Fund, contract amount \$650,000.00 (CT-CA-23-421)

It was moved by Supervisor Bronson and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Scott commented that the Board had recently passed the Economic Development Strategic Plan, which the item referenced and stated the item also referenced the Economic Blueprint and the Pivot Playbook designed by Sun Corridor to help the region come out of the pandemic with a strong footing. He asked about the County's partnership with Sun Corridor, how they worked together and how working together supported the collaborative regional approach.

Heath Vescovi-Chiordi, Director, Economic Development, explained that the contract was complimentary of the work being done. He commented that as economic developers they were fully aware it was like a team sport. He stated that the Economic Development Department operated on behalf of the public sector, they operated well and very efficiently in the public space. He stated that the Economic Development Strategic Plan was a demonstration of their efficiency, which had been codified of the work they would do. He added that the work Sun Corridor completed with the Pivot Playbook and their strategic planning documents was also a complimentary confluence. He stated both entity's work would be completed in lockstep effectively. He added that monthly meetings were conducted on individual projects, and they received general cumulative monthly updates from Sun Corridor. He stated they worked with one another on a project-to-project basis and their relationship were quite strong.

Supervisor Scott requested that the Sun Corridor reports the Board currently received be supplemented with a report by the Economic Development Department that clarified the alignment with the Key Performance Indicators in the Economic Development Strategic Plan so that the work being done together on promoting that collaborative regional approach was clear.

Mr. Vescovi-Chiordi responded that the information would be provided to the Board.

Chair Grijalva stated she believed Pima County contributed 27% to Sun Corridor's budget and asked whether that percentage was accurate.

David Welsh, Executive Vice President, Sun Corridor, Inc., responded in the affirmative and stated that the ratio had significantly decreased over the last 15 years from a high of almost 100 percent.

Chair Grijalva commented that many constituents had reached out to her office with grave concerns with the indication that Sun Corridor had brought Pima County an organization/business. She felt that the County needed to work closer with Sun Corridor on the County's priorities and the types of organizations/businesses being vetted. She provided an example of businesses that used an excess amount of water or if something did not contribute to the community and the County could not reap the benefits. She stated that would be a helpful Board discussion because she did not want that type of occurrence to happen in the County. She added the need to be mindful of the environmental impact when it came to entities like Aerospace, which were some of the biggest polluters. She indicated the need to have more effective conversations with Sun Corridor and felt the County had not done a good job together to be able to bridge the communication. She stated that since the County was a large contributor to their budget it was important that Sun Corridor understood the County's guiding principles when selecting businesses. She added that the County wanted to promote businesses and opportunities, but some of the businesses had a significant environmental impact and very few jobs. She stated there needed to be a balance and was not sure the County had done what was needed to communicate the parameters so that Sun Corridor could utilize them to attract businesses. She stated that Sun Corridor had 73% revenue that came from places other than Pima County.

Supervisor Christy encouraged Sun Corridor to become more involved and supportive of the County's mining industry and indicated that HudBay, Rosemont Copper and the new Copper World projects were going to be providing large revenue amounts to the community and many desperately needed jobs. He stated it would provide food to people in need of work, was the backbone of the community and the State and was part of the 5 C's. He stated that because of the connection between the County and Sun Corridor, Sun Corridor had been hamstrung in its efforts to be able to support the mining industry. He stated the mining industry was a core industry and it needed Sun Corridor's support. He urged Sun Corridor to get behind it to make sure the County did not lose any mining interests. He commented that Caterpillar was close by, and they could connect with the other mining companies to provide jobs, revenue and tax base.

Chair Grijalva clarified that the Board had previously voted against expanding mining.

Supervisor Heinz stated that he supported the item and commented that there were some industries that were unable to come to Pima County because of the tremendous water usage involved in their manufacturing. He added that the Board wanted to be stewards of water resources in order to sustain life

Supervisor Scott commented about the relationship Sun Corridor had with the Economic Development Department and asked Mr. Welsh to address how they worked in partnership with the County, specifically with site selectors and the regional collaborative approach.

Mr. Welsh responded that Sun Corridor could not do the work without the partnership of Pima County due to the huge amount of space the County occupied with the process of trying to make the area economically prosperous. He stated that since he has been with Sun Corridor for the past 17 years, there had been a partnership with the County. He stated it was an essential regional approach that they worked with the County on multiple levels as a landowner, a regulatory body, a sending body, and a workforce development body and indicated that the County basically touched all aspects of their work. He stated that their job was not to choose winners or losers or bring the County projects, but was to bring forward what the market was trying to achieve or what the market was interested in and stated that a connection was facilitated when there was a match. He explained mismatches were handled quickly and there were many reasons that might happen, such as the level of their workforce, availability, quantity, and skill level were much bigger drivers than most of what was already mentioned. He stated they were constantly trying to match the workforce with what the market brought. He added that the industries mentioned by Chair Grijalva were businesses that gave a competitive advantage and they intended to focus on for site selectors. He stated that they would not be Silicon Valley and that they did not have critical mass of software developers or intellectual property. He stated that there were some things they were good at that the workforce mightily contributed to, which was their focus. He stated that the County was an enormous landholder and had the ability to accelerate or decelerate projects based on the number of incentives placed on the project. He stated many projects came into the region that Sun Corridor had no dealings with, but when incentives were asked for then deals were possible. He indicated they did not incentivize projects that were big water users or ones that presented environmental issues and had even dissuaded projects that did not present a certain amount of compensation to their employees. He added that it was not in the best interest of the region to incentivize companies that paid below the County median in wages. He stated that with companies that paid above the median they could partner with the County for incentives because of returns on every employee which would create a multiplier effect and good spinoffs from the economic impacts of that partnership. He stated it was a regional partnership and was essential with all municipalities because Sun Corridor would not have been successful without them.

Supervisor Scott commented that one of the areas in the Pivot Playbook that dealt with having more shovel ready properties which were ready for development. He requested a report regarding what was being done or what needed to be done to increase the number of the shovel ready sites to make the County more competitive with other areas.

Jan Leshar, County Administrator, responded that a report would be provided to the Board.

Supervisor Heinz commented that sometimes there was a match that was not sufficient, like an adequate parcel of land, that the County may step in and take a role on some level of coordination because it was a daunting process, and he did not want an entity to go elsewhere because of it. He felt that it made sense to dedicate certain staff as facilitators for businesses that dealt with multiple land holders that were government entities.

Mr. Welsh concurred and cited an example of the HomeGoods facility that was a unique project that required coordination amongst four different property owners, one public and three private and indicated that because it was so large it could not have been completed without the coordinated efforts of the County. He stated that two similar projects were currently in process, but not enough land was available and indicated that Sun Corridor would be meeting with the Governor about the possibility of engaging state lands in those efforts and added that land availability was one of the primary issues affecting competitiveness. He added that the perception of water use and where federal spending would land to improve infrastructure were also issues, and they would track with the County as they moved forward.

Supervisor Heinz commented that the County used less water than Phoenix.

Upon the vote, the motion unanimously carried 5-0.

Environmental Quality

33. Youth Outdoor Experience, d.b.a. Ironwood Tree Experience, to provide for the Youth for Blue Skies Program, ADEQ Fund, contract amount \$52,000.00 (CT-DE-23-410)

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

Facilities Management

34. Bruce Wayne, L.L.C., Amendment No. 5, to provide for a Fifth Amendment to 3550 N. 1st Avenue Lease, extend contract term to 12/31/24 and amend contractual language, Health and Grant Funds, contract amount \$208,167.33 (CT-FM-19-323)

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Christy inquired about the status of the Golden Pins building since its purpose was for the elimination of this lease agreement.

Jan Leshar, County Administrator, responded that a report would be provided to the Board and explained that this extension was for the allowance of more time to be able to coincide with the planned movement. She stated that the Northwest Service Center had not adhered to the time schedule initially provided and this space was not ready for the movement of the lease into the facility.

Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

35. Catholic Community Services of SO AZ, Inc., Amendment No. 4, to provide a Cooperative Agreement for Provision of Humanitarian Services, extend contract term to 7/21/24 and amend contractual language, no cost (CTN-FM-20-10)

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Christy stated that this contract was to provide services to asylum seekers and was set to expire in the middle of July 2024. He noted that the County anticipated being in the asylum seeking processing business through that date and stated that he opposed this type of activity.

Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

36. Catholic Community Services of SO AZ, Inc., Amendment No. 1, to provide a Cooperative Agreement for Provision of Humanitarian Services and amend contractual language, no cost (CTN-FM-23-118)

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Christy stated that this was for the expansion of the Drexel facility so there would be an additional area that would be used for asylum seekers.

Supervisor Bronson asked if frequent audits were performed by the Grants Department.

Jan Leshar, County Administrator, responded that review and oversight was being done and a report would be provided to the Board regarding how often it occurred and to what extent.

Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

Health

37. Arts Foundation for Tucson and Southern Arizona, Amendment No. 1, to provide for SaludArte - Building a Culture of Health by Increasing Health Literacy, extend contract term to 12/31/23, amend contractual language and scope of services, Advancing Health Literacy Grant, U.S. Department of Health and Human Services Fund, contract amount \$43,560.00 (CT-HD-22-407)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-1 vote, Supervisor Christy voted “Nay,” to approve the item.

38. Arts Foundation for Tucson and Southern Arizona, Amendment No. 1, to provide for SaludArte - Building a Culture of Health to Address Health Disparities, extend contract term to 12/31/23, amend contractual language and scope of services, no cost (CT-HD-22-408)

It was moved by Chair Grijalva and seconded by Supervisor Christy to approve Minute Item Nos. 38, 39, 40, 41 and 42. No vote was taken at this time.

Supervisor Christy commented that each of the items extended the contract term and that the funding should be given back to the federal government if it had not been fully spent by the County. He stated that he would be voting against approval of these items.

Upon the vote, the motion carried 4-1, Supervisor Christy voted “Nay.”

39. Arts Foundation for Tucson and Southern Arizona, Amendment No. 1, to provide for SaludArte - Building a Culture of Health through Vaccine Equity, extend contract term to 12/31/23, amend contractual language and scope of services, no cost (CT-HD-22-409)

(Clerk's Note: See Minute Item No. 38, for discussion and action on this item.)

40. Literacy Connects, Amendment No. 1, to provide for adult education and literacy experts for Advancing Health Literacy Project, extend contract term to 12/31/23, amend contractual language and scope of services, no cost (CT-HD-22-125)

(Clerk's Note: See Minute Item No. 38, for discussion and action on this item.)

41. Portable Practical Educational Preparation, Inc., Amendment No. 1, to provide for community relations service for Advancing Health Literacy Project, extend contract term to 12/31/23, amend contractual language and scope of services, no cost (CT-HD-22-106)

(Clerk's Note: See Minute Item No. 38, for discussion and action on this item.)

42. Marana Health Center, d.b.a. MHC Healthcare, Amendment No. 1, to provide for facilitating patient and provider participation for Advancing Health Literacy Project, extend contract term to 12/31/23, amend contractual language and scope of services, no cost (CT-HD-22-150)

(Clerk's Note: See Minute Item No. 38, for discussion and action on this item.)

Procurement

43. Award

Award: Master Agreement No. MA-PO-23-175, Metals Treatment Technologies, L.L.C. (Headquarters: Arvada, CO), to provide for shooting range lead removal and recycling service. This master agreement is for an initial term of one (1) year in the annual award amount of \$522,000.00 and includes four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Natural Resources, Parks and Recreation.

It was moved by Supervisor Bronson and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Chair Grijalva questioned whether the revenue from the shooting ranges offset the annual cleanup costs.

Carmine DeBonis, Jr., Deputy County Administrator, responded that a report would be provided to the Board.

Chair Grijalva requested that the report include background information regarding the reason the shooting ranges were purchased and the length of time that they had been owned by the County.

Upon the vote, the motion carried 4-1, Chair Grijalva voted "Nay."

44. Award

Award: Master Agreement No. PO-PO-23-20, La Mesa RV Center, Inc. (Headquarters: San Diego, CA), to provide for command center vehicle platform (RV Base). This purchase order is for a one-time award in the discrete amount of \$275,949.71 (including sales tax). Funding Source: Non-Bond Projects Fund. Administering Department: Sheriff.

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

45. Rugged Solutions America, L.L.C., d.b.a. Mobile Concepts Technology, to provide for Panasonic computer equipment, peripherals and related items, Internal Service Fund and Department funds as applicable to include General (15%) Fund, contract amount \$2,900,000.00 (MA-PO-23-173) Administering Department: Information Technology and Sheriff

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

46. Borderland Construction Company, Inc., Amendment No. 6, to provide for Construction Manager at Risk Services: South Houghton Road Widening (4SHRWD), extend contract term to 6/30/27 and amend contractual language, no cost (CT-TR-21-228) Administering Department: Transportation

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

47. Arizona Style Construction, L.L.C. and Woodstock Builders, Inc., to provide for Pima County Mobile Home Weatherization, General (\$15,000.00) and Various Grant Funds, contract amount \$400,000.00 (MA-PO-23-181) Administering Department: Community and Workforce Development

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

48. Kashable, L.L.C, Amendment No. 5, to provide for the Employee Loan Program, extend contract term to 6/30/28 and amend contractual language, no cost (MA-PO-18-268) Administering Department: Human Resources

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

49. Pueblo Mechanical and Controls, L.L.C. and Sun Mechanical Contracting, Inc., Amendment No. 1, to provide a job order master agreement for HVAC contracting services and amend contractual language, Various Funds, contract amount \$575,000.00 (MA-PO-23-6) Administering Department: Facilities Management

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

50. Jot Redroof Properties, L.L.C. and Jot Comfort Properties, L.L.C., Amendment No. 9, to provide for hotel shelter services, extend contract term to 12/18/23 and amend contractual language, FEMA EFSP Phase CR23 Fund, contract amount \$2,623,525.87 (MA-PO-22-30) Administering Department: Health and Community and Workforce Development

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Christy stated that the background material indicated the County had paid Jot Redroof Properties over \$15.5 million of taxpayer money from the federal government for hotel services and sheltering of asylum seekers.

Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

51. Kone, Inc., to provide a job order master agreement for elevator modernization design and contracting services, Various Funds, contract amount \$3,000,000.00 (MA-PO-23-194) Administering Department: Facilities Management

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. No vote was taken at this time.

Supervisor Bronson inquired about the completion of the work.

Jan Leshar, County Administrator, responded that a report would be provided to the Board.

Upon the vote, the motion unanimously carried 5-0.

Real Property

52. William & Christiane Street Family Revocable Trust, to provide for Pima County License for Right-of-Way encroachment, total contract amount \$9,250.00 revenue/25 year term (\$370.00 per year) (CTN-RPS-23-181)

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

Sheriff

53. Town of Sahuarita, to provide for video court hearings of municipal prisoners, contract amount \$5,000.00 estimated revenue (CTN-SD-23-158)

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

54. Town of Oro Valley, to provide for video court hearings of municipal prisoners, contract amount \$5,000.00 estimated revenue (CTN-SD-24-157)

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

55. Town of Marana, to provide for video court hearings of municipal prisoners, contract amount \$5,000.00 estimated revenue (CTN-SD-23-156)

It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

56. RESOLUTION NO. 2023 - 20, of the Board of Supervisors, authorizing the approval of Organized Crime Drug Enforcement Task Forces FY 2023 Agreement for Case No. SW-AZT-930 between the Federal Bureau of Investigation and Pima County for assistance in law enforcement operations during Fiscal Year 2022 - 2023, \$25,000.00 revenue (CTN-SD-23-172)

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to adopt the Resolution.

57. RESOLUTION NO. 2023 - 21, of the Board of Supervisors, authorizing the approval of Organized Crime Drug Enforcement Task Forces FY 2023 Agreement for Case No. WG-CR-0073 between the Federal Bureau of Investigation and Pima County for assistance in law enforcement operations during Fiscal Year 2022 - 2023, \$25,000.00 revenue (CTN-SD-23-173)

It was moved by Chair Grijalva, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to adopt the Resolution.

58. Sheriff's Auxiliary Volunteers Green Valley District, Inc., Amendment No. 1, to provide for property loss protection, extend contract term to 6/30/24 and amend contractual language, \$3,462.00 revenue (CT-SD-22-415)

It was moved by Supervisor Christy, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

59. Town of Sahuarita, Amendment No. 3, to provide for dispatch services, extend contract term to 6/30/24 and amend contractual language, contract amount \$337,601.00 revenue (CTN-SD-20-162)

It was moved by Supervisor Christy, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

Transportation

60. Pinal County Arizona, Amendment No. 1, to provide for construction and maintenance of Edwin Road, extend contract term to 6/30/49 and amend contractual language, no cost (CT-TR-23-408)

It was moved by Supervisor Christy, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

GRANT APPLICATION/ACCEPTANCE

61. **Acceptance - Community and Workforce Development**

Arizona Department of Economic Security, Amendment No. 7, to provide for the Community Action Services Program, extend grant term to 6/30/23, amend grant language and scope of work, \$4,944,404.00 (GTAM 23-69)

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the item. Not vote was taken at this time.

Supervisor Christy commented that this was another example of unspent COVID money that should no longer be accepted by the County and should be returned.

Upon the vote, the motion carried 4-1, Supervisor Christy voted “Nay.”

62. **Acceptance - County Attorney**

Vitalyst Health Foundation, to provide for the FY2223 Pima County Attorney's Office System Change Grant, total grant amount \$175,000.00/3 year term (\$58,333.33 per year) (GTAW 23-142)

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

63. **Acceptance - Environmental Quality**

Arizona Department of Environmental Quality, to provide for the Voluntary No Drive Days Program, \$268,250.00 (GTAW 23-134)

It was moved by Chair Grijalva and seconded by Supervisor Christy to approve the item. No vote was taken at this time.

Supervisor Christy commented that due to his previous employment as a car dealer, automobiles should be encouraged and not banned.

Upon the vote, the motion carried 4-1, Supervisor Christy voted “Nay.”

64. **Acceptance - Health**

Arizona Family Health Partnership, d.b.a. Affirm Sexual and Reproductive Health, to provide for reproductive health services, \$26,000.00 (GTAW 23-141)

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item.

65. **Acceptance - Justice Services**

Arizona Housing Coalition, Inc., to provide for Bolstering Supportive Housing Now, High Impact Rural Supports and Statewide Capacity Buildings, \$300,000.00 (GTAW 23-129)

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

66. **Acceptance - Natural Resources, Parks and Recreation**

U.S. Department of Interior/Fish and Wildlife Service, to provide for the Partners for Fish and Wildlife Program Landowner Agreement, total grant amount \$25,000.00/10 year term (\$2,500.00 per year) (GTAW 23-140)

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

67. **Acceptance - Pima Animal Care Center**

Friends of Pima Animal Care Center, to provide for one provisional Veterinarian position, \$150,000.00 (GTAW 23-145)

It was moved by Chair Grijalva and seconded by Supervisor Bronson to approve the item. No vote was taken at this time.

Supervisor Scott requested a report be provided to the Board regarding how the County was making use of the provisional veterinarian position and to include the necessity of the position and whether the County anticipated a heightened need for a position of this nature.

Upon the vote, the motion unanimously carried 5-0.

68. **Acceptance - Pima Animal Care Center**

Petco Love (formerly Petco Foundation), to provide for the 2023 Petco Love 'Return to Owner' Community Engagement Grant, \$5,000.00 (GTAW 23-146)

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the item.

69. **Acceptance - Sheriff**

U.S. Department of Justice - Office of Community Oriented Policing Services, Amendment No. 1, to provide for the FY2020 COPS Hiring Program, extend grant term to 6/30/24 and amend grant language, no cost (GTAM 23-70)

It was moved by Chair Grijalva and seconded by Supervisor Bronson to approve the item. No vote was taken at this time.

Supervisor Bronson stated that this grant was originally supposed to serve the rural areas of District 3, which included Arivaca, Robles Junction, Ajo, Picture Rocks and Avra Valley, and was supposed to be directed towards issues related to the border, but indicated that the Sheriff's Office had since moved it into District 4. She stated that this was a replacement for the Stonegarden grant that the Board previously rejected and requested that the Grant's Department perform an internal audit and

provide the Board with information on whether this grant had been reapplied for or if a new COPS grant was going to be presented at a future meeting.

Jan Leshar, County Administrator, responded that a report would be provided to the Board.

Upon the vote, the motion unanimously carried 5-0.

FRANCHISE/LICENSE/PERMIT

70. Hearing - Liquor License

Job No. 244258, Emily Francisca Silvas Cabrera, Taqueria La Herradura, 16461 S. Houghton Road, Suite B, Vail, Series 12, Restaurant, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Chair Grijalva 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.

DEVELOPMENT SERVICES

71. Hearing - Rezoning Ordinance

ORDINANCE NO. 2023 - 10, P22SP00001, Wong Family, L.P. - N. Thornydale Road Specific Plan Rezoning. Owner: Wong Family, L.P. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

ENVIRONMENTAL QUALITY

72. Hearing - Solid Waste Fee Schedule

ORDINANCE NO. 2023 - 11, of the Board of Supervisors, relating to solid waste; repealing the existing fee schedule for Pima County's solid waste facilities and adopting a new fee schedule for Pima County's solid waste facilities, effective August 1, 2023.

At the request of the County Administrator and without objection, this item was continued to the Board of Supervisors' Meeting of June 20, 2023.

Supervisor Bronson expressed her appreciation for the continuance of this item because the new fee schedule was going to be a hardship for Ajo constituents and she wanted the opportunity to meet with Waste Management to discuss her concerns and also to speak with her constituents prior to the implementation of the new schedule.

BOARD OF SUPERVISORS

73. TikTok Ban

Discussion/Action regarding a ban of TikTok on all Pima County owned devices. (District 3)

Supervisor Bronson withdrew the item from the agenda. She stated that material had been distributed to the Board regarding Maricopa County's TikTok Ban that was unanimously passed by their majority Republican Board and it also included a copy of a resolution for the Protection and Security of County data. She urged Board members to review the information because she planned on placing the item on a future agenda. She stated that TikTok had become a problem for all jurisdictions and presented a security challenge. She indicated that whether or not the Board approved a resolution similar to Maricopa County it was worth their time to look into the County's Information Technology (IT) approach. She stated that as a policy setting Board, they were not involved in the IT policy. She indicated her concern of the County's IT Department (ITD) making changes to things without the Board being made aware of them.

Chair Grijalva commented that it was important to discuss risks involved with Pima County information. She stated that her office had an opportunity to discuss with Director Baca security concerns that involved some departments that were not transitioned to the systems designed to protect County information. She requested a memorandum detailing the status of department transitions to the Cloud system and which of the departments had not been transitioned. She felt this was a big security risk and there were other larger security issues that were also important. She suggested Director Baca provide a presentation to the Board on these issues at a future meeting.

Supervisor Heinz asked for clarification on whether a motion and second was required for further discussion of the item.

Supervisor Bronson clarified that she had withdrawn the item.

Chair Grijalva confirmed the item was withdrawn and that any further discussion could be brought back on a future agenda to provide Director Baca an opportunity to provide information to the Board.

Supervisor Bronson piggybacked off of Chair Grijalva's comments and stated that another piece of the issue not being paid attention to was how all departments, including the Board of Supervisors, had used social media. She stated that social media put the County at risk from a security perspective and could also be pictured as electioneering from a political standpoint. She stated the need to be cautious about what was being posted and that there was no specific policy about social media.

This item was withdrawn by Supervisor Bronson.

74. **Personnel Policy Updates - Alignment with Merit System Rules**

Discussion/Direction/Action: Motion to direct the County Administrator to update Personnel Policies 8-108 (A) and (D) and 8-119 (Z)(9), BOS Policies D 23.3 (6) and D 23.9, and any other relevant County personnel policies to ensure alignment with Merit System Rule 2.2, which states that, "The purpose of these Rules is to establish a system of personnel administration in compliance with federal and state laws," and specifically, with Merit System Rule 2.2 (F), which states that, "Employees have the right to participate in partisan political activities, but such activities shall not influence or interfere with the conduct of official County business or activities." (Merit System Rule 2.2 (F)). This Merit System Rule is in place, in part, to protect all employees' First Amendment rights.

In making the necessary updates to these policies, County Administrator shall:

- (a) Strike any references to the following: "County employees shall not: a) make a political contribution, and/or b) solicit or collect political contributions for any candidates for any elected County office."; and
- (b) Eliminate any prohibition on a county employee being able to continue serving in their employee role while running for elected office, so long as their campaign for office does not "influence or interfere with the conduct of official County business or activities," as per Merit System Rule 2.2 (F). (District 2)

It was moved by Supervisor Heinz and seconded by Chair Grijalva to approve the item. No vote was taken at this time.

Supervisor Heinz stated that the purpose of the item was to align County policy with State and Federal law and indicated the Attorney General wrote an opinion regarding the previously and currently unenforceable restriction on the freedom of County employees to contribute politically to candidates of their choice. He stated it was brought to his attention that County employees were not allowed to seek partisan elective office without resigning from their positions once their petition signatures were filed. He stated the policy was inconsistent across multiple other governmental entities, which made no sense and indicated it was also inconsistently enforced internally. He provided an example of a current legislator that recently ran for office that did not have to resign because he worked for a Board Supervisor and indicated any other employee would have had to resign. He stated that he wanted to remove any references within County policy statements that were inconsistent internally with what was lawful and urged for the Board's support.

Chair Grijalva stated she was not in favor of allowing employees to make political contributions and felt the policy should be imposed across the board. She stated that some employees were technically exempt and could contribute. She indicated this was not a rule consistently applied to elected office appointed staff. She felt comfortable moving forward with item (b) but requested that the County Attorney provide the Board with a legal review of that section because there may be employees interested in running for office. She added that many of them had to retire first and then return to the County. She stated that if employees wanted to run

for office they should have the opportunity, provided that it did not interfere with their job duties. She felt that with item (a) it could be perceived as County employees needed to provide money to keep their job or being pressured into making contributions.

Supervisor Bronson stated she would second a motion if one was made to move forward with item (b) only.

Supervisor Heinz stated legal advice had already been requested from the County Attorney and asked for a status update regarding that request.

Sam Brown, Chief Civil Deputy County Attorney, responded that it was still an open question of law, but with the Attorney General opinion it suggested that item (a) would be less legally defensible and item (b) was more legally defensible and indicated that a detailed analysis of the ramifications of both would be provided to the Board.

Supervisor Bronson questioned which Attorney General had provided the opinion.

Mr. Brown responded that it was Attorney General Brnovich.

Supervisor Bronson asked if there was a new Attorney General for Arizona.

Mr. Brown responded yes.

Supervisor Christy commented that Attorney General Brnovich wrote that opinion at the request of former Supervisor Miller. He questioned whether a determination of both items (a) and (b) would be provided.

Mr. Brown reiterated that it was an open question of law that was not settled, but could provide an opinion and analysis of both.

Supervisor Bronson commented that to her point it was open and had not been contested and was not written in stone.

Chair Grijalva questioned whether Supervisor Heinz had an interest to amend his motion to move forward with requesting a legal opinion for item (b).

Supervisor Heinz accepted the amendment to the motion. He commented that he made the request as an individual Supervisor, but it could be done by the entire Board.

Chair Grijalva stated that she appreciated what Supervisor Heinz was trying to accomplish with item (a), but felt it would cause more problems than help. She restated the motion was to request a legal opinion on item (b) and to bring it back to the Board.

Upon the vote, the motion unanimously carried 5-0.

Supervisor Bronson stated she concurred with Chair Grijalva regarding County employees running for office without having to resign and questioned whether Chair Grijalva wanted to make a motion on item (a).

Chair Grijalva stated the Board voted to move forward with item (b) only. She added that item (a) would cause more problems with contributions.

Supervisor Christy inquired about the problems referred to by Chair Grijalva.

Chair Grijalva stated that the Hatch Act was started because of the perceived pressure by employees to make contributions to retain their employment and keeping that rule in place ensured County employees would not feel that kind of pressure.

Supervisor Scott agreed with the points made by Chair Grijalva and Supervisor Bronson and was concerned that any political activity by employees also brought into question the noninterference policies.

75. Affordable Housing Gap Funding Recommendations

Discussion/Direction/Action: Motion to approve the TOP FOUR highest scoring proposals received in response to the CWD Affordable Housing Gap Funding RFP for FY23, totaling \$3,775,000.00 for 224 affordable housing units, including both rental units and homeownership units. Per the staff scoring of the proposals received, the following four projects all scored highly on the RFP, which looked at multiple variables including: other resources leveraged and degree of leverage, affordability, median income of households served, energy efficiency, project readiness, smart growth principles, sustainable neighborhoods, healthy communities, and affirmation of fair housing choices.

The top four highest scoring projects, in order of score received, were:

1. Southwest Nonprofit Housing Corporation - Rio Mercado; 107 affordable rental units, new construction, \$2.125 million requested
2. Family Housing Resources - Talavera Apartments; rehab and preservation of 96 affordable rental units, \$500k requested
3. Casa Maria - El Camino Affordable Housing; rehabilitation of 17 affordable units, \$400k requested
4. Pima County Community Land Trust - Barrio Anita Casitas; 4 units, new construction, home ownership, \$750k requested

In the spirit of the staff's and the Regional Affordable Housing Commission's recommendations, the remaining \$225,000.00 allocated for Gap Funding for FY23 would be rolled over into the funding available for the FY24 Gap Funding RFP. (District 2)

At the request of Supervisor Heinz and without objection, this item was continued to the Board of Supervisors' Meeting of June 20, 2023.

76. County Budget for Fiscal Year 2023/2024

Further Discussion/Direction/Action regarding the County Budget for Fiscal Year 2023/2024. (District 4)

Supervisor Christy stated that some things had come up in the fiscal year that seemed to already be included, but had not been discussed by the Board. He stated that the CBIZ study results were scheduled to be implemented in July 2023, but the Board was unaware of what the new job classifications or compensation were. He stated that his office would be impacted by it but had not been briefed on how. He questioned what would happen when a current employee did not meet the new criteria, would they be terminated, would they be reassigned or have a different kind of pay plan. He stated another concern was in regards to the County Administrator's Memorandum dated April 28, 2023, under the section "Being an Employer of Choice," which specified that \$14 million for implementation of the classification compensation study and \$5 million for anticipated changes to the personnel hiring policy would be included in the Fiscal Year 23/24 budget. He felt there needed to be more information on the involvement of the money, where it would go, and how it would be spent. He indicated that it was a lot of money and tried at the last Board meeting to delay it for a year and reassign the money to the road repair program. He requested an explanation of what the classification and compensation study results would be and what the \$5 million for anticipated changes to the hiring policy meant. He added that County employees had been given four raises over the last five years that ranged from 10.5% to 14.5% and raises would be given without explanation about how money would be spent for new positions, pay ranges and new titles with the implementation of the study.

Jan Leshner, County Administrator, responded that specifics about the two amounts were not yet available because the study was not fully completed. She explained that all of the initial work had taken place and CBIZ and Human Resources staff were meeting individually with departments to verify whether job descriptions or new classifications were correct and indicated that it would be presented for Board approval once the work was completed. She explained that if it was approved, a restructuring cost would be needed to implement affected employees into the correct classifications and indicated that initially \$14 million had been estimated using raw data without specific knowledge of how it would affect each position. She felt it was appropriate to put the estimated amount into the recommended budget as a placeholder so that funding would be available should the Board decide to implement those results after review. She stated the \$5 million was a placeholder for "smoothing" purposes that sometimes happened whenever raises or any form of adjustments were made and was necessary for compensating individuals that might jump ahead of someone who was classified above them. She added that they did not indicate it would start July 1st, but hoped it would come back to the Board for final approval on July 11th. She stated that the study results would include the specifics of how the \$14 million and \$5 million would be allocated, which were subject to Board approval.

Supervisor Christy reiterated that his understanding was that the \$14 million would be implemented by July.

Ms. Leshar stated that was the anticipated date, but CBIZ was still in the process of meeting with the departments and indicated she would rather it be postponed for a couple more weeks and fully vetted and approved by all before it was presented to the Board.

Supervisor Christy stated that the July implementation date was what prompted him to want to revisit the topic. He questioned what the budget impact had been for the past four raises given to employees over the last 5 years.

Ms. Leshar responded that she did not currently have the information, but would provide it to the Board, including any other questions she was unable to answer at the time.

Supervisor Christy asked for assurance that the \$14 and \$5 million would not be automatically implemented into the new budget prior to Board approval.

Ms. Leshar responded that results from the entire program needed to be reviewed and approved by the Board before implementation.

Chair Grijalva questioned whether the Board approved the raises during tentative budget approval. She added that the budget in general was approved, which included the allocation for this purpose.

Ms. Leshar concurred and stated that it was important for the full plan to be reviewed by the Board.

Chair Grijalva agreed and stated that compression or smoothing was a concern because the trend was to always look at starting salaries and not across the board, which was horrible for morale, but it was the most expensive piece of making the changes. She stated it was important to get it done right than to have to go back and fix it later.

Supervisor Christy asked for confirmation if the Board would be provided the results of the study prior to budget approval.

Ms. Leshar responded that final budget adoption was scheduled for June 20th, and she was not sure the report would be completed and provided to the Board prior to that date. She stated that the anticipated cap had already been set aside in the tentative budget and indicated the placeholders had been allocated just like with contingency or inflation. She explained that dollars had been allocated in the budget to make sure there was money necessary should the action be taken by the Board.

This item was for discussion only. No Board action was taken.

77. Pima County Website

Discussion/Direction/Action regarding the County Administrator's response to questions asked about the redesign and launch of the pima.gov website. (District 4)

Supervisor Christy stated that this item was in response to the County Administrator's memorandum dated May 22, 2023, which replied to the Board's prior questions. He reiterated that he was not a subject matter expert, but he knew of people who were, and they read the responses to his questions which brought up additional questions. He stated that he reviewed the contract with CivicPlus and asked if it was a no bid contract.

Mark Evans, Director, Communications Department, responded that the purchase was made through the Information Technology Department's (ITD) SHI cooperative agreement.

Javier Baca, Director, ITD, explained that SHI was a cooperative agreement and a reseller of many software products. He stated a solicitation was made for CivicPlus after evaluations were made and assurances provided of the necessary services, quotes were then received by ITD via the cooperative contract.

Supervisor Christy commented if it was like a stockbroker that went to another level of stock experts to provide recommendations, who then referred them back to the stockbroker who then finally referred it back to their client.

Mr. Baca responded in the affirmative.

Supervisor Christy commented that the cost for the first year was \$301,000.00. He asked how many years the contract was for and what the cost was per year.

Mr. Baca responded that it was a five-year contract and the first year was a higher upfront cost because of the professional services involved with implementing a new system and added that subsequent years would be for maintenance costs at approximately \$87,000.00 per year.

Supervisor Christy questioned how it was determined that American Rescue Plan Act (ARPA) funds would be used for the first two years.

Mr. Evans responded that the County had looked at trying to upgrade the website over the years and upgrading costs had been their biggest barrier. He explained that when ARPA funding was allocated to the Communications Office, he worked with the Grants Management and Innovation Department to determine whether technology upgrades were allowed under ARPA and it was confirmed that they were allowed. He then explored with County Administration about the possibility of using the office's ARPA allocation to pay for the needed upgrades.

Supervisor Christy questioned how the remaining years of the contract would be paid once ARPA funds expired.

Mr. Evans responded that it would become part of the budget for ITD.

Supervisor Christy asked how the contract was awarded and indicated that he did not recall that it came before the Board for approval.

Mr. Baca responded that the master agreement had been brought to the Board for a not-to-exceed amount and underneath that amount the Board had authorized the software purchase. He explained that because the purchase did not exceed the already approved amount, there was available funding of capacity within the contract to procure it.

Supervisor Christy stated for clarification that the underlying issue was that it had been included in an agreement that was presented to the Board, but it did not exceed the threshold where it required specific approval.

Mr. Baca responded in the affirmative.

Supervisor Christy questioned why the website at the top of the page was named Pima.gov instead of just Pima County.

Mr. Evans responded that it had been named Pima.gov because that was how it was referred to when individuals were directed to the website. He stated it was an issue of branding, but the site did mention Pima County multiple times and indicated it could be changed at any time if it was the will of the Board for the website to state Pima County in a more prominent way.

Supervisor Christy stated that functionality of the website for several departments that had created standardized appearances in the past had been eliminated and indicated that half of their office content was gone. He stated their email links for contacts did not work and questioned whether this process was complaint driven or due to department proactivity.

Mr. Evans responded that implementation of the website was still in process and would take several months to fully complete. He explained that a part of that process was implementing the training program for department staff that would be responsible for updates to their own department's webpage and indicated that the Communications Office and the ITD web team were currently handling those requests.

Supervisor Christy commented that the Clerk of the Board's Office was still listed under Administration and not the Board of Supervisors. He stated that memorandums and correspondence were categorized by month instead of topic and indicated that most individuals searched for memos by topic and not by date.

Jan Leshner, County Administrator, responded that this was a duplication of the previous format that was categorized by month and sub-grouped by year. She stated that historically memorandums were listed in more than one location and

gave an example of the County Administrator's memorandums, which were categorized by month and year. She stated subset tabs were also available for frequently searched topics such as COVID, bonds, transportation, or elections where all of the memorandums related to those topics were available by topic, month or type and new jump pages were created for specific areas. She stated staff would explore any suggestions or changes requested by the Board.

Supervisor Christy stated that many of the complaints his office received were due to the inability to search by topic since most did not remember the date of the issue.

Ms. Leshar responded that she would further investigate that issue.

Supervisor Bronson questioned whether there was a search button available on the County Administrator's webpage to search by topic.

Mr. Evans responded that a chat bot and a search function were available on the website for entire website searches, but there was no specific search option for the County Administrator's page or the memorandum page.

Supervisor Bronson stated that it might be a good idea to implement one.

Mr. Evans responded that he would further explore that possibility.

Supervisor Christy suggested that "Visiting Tucson" be linked to Visit Tucson and information regarding "Owning and Operating a Business" should be linked to the Economic Development page. He indicated he would provide a synopsis of his questions to be addressed, if necessary.

Mr. Leshar responded that information would be provided to the Board for any questions or issues that had not been addressed.

This item was for discussion only. No Board action was taken.

COUNTY ATTORNEY

78. Conflict of Interest Waiver

Discussion/Direction/Action regarding Mesch, Clark & Rothschild's request for a conflict of interest waiver.

It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to waive the conflict of interest.

CONSENT CALENDAR

79. Approval of the Consent Calendar

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the Consent Calendar, as amended.

* * *

BOARD, COMMISSION AND/OR COMMITTEE

1. **Flood Control District Advisory Committee**
Ratification of City of South Tucson appointment: Josue Licea, to replace Herman Lopez. No term expiration. (Jurisdictional recommendation)
2. **Workforce Investment Board**
Appointment of Brent Maloney, representing State Employment Service Office under Wagner-Peyser, to fill a vacancy created by Maria S. Zepeda. Term expiration: 9/30/24. (Staff recommendation)

SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/ PATIO PERMIT/WINE FAIR/WINE FESTIVAL/JOINT PREMISES PERMIT APPROVED PURSUANT TO RESOLUTION NO. 2019-68

3. **Special Event**
Michael J. Kwinn, Corpus Christi Catholic Parish-Tucson, 300 N. Tanque Verde Loop Road, Tucson, June 10, 2023.

ELECTIONS

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

RESIGNATION-PRECINCT-PARTY

Leslie Hunten-080-DEM, Kyle Vilaubi-081-REP, Sergio Arellano-084-REP, Holly Claghorn-127-REP, Cynthia Kuhn-165-REP, Zane Lewis-169-REP, Bruce Stone-170-REP, Linda Nix-173-REP, Bill Beard-254-REP, Jill Henderson-257-REP

APPOINTMENT-PRECINCT-PARTY

Jennifer McDowell-211-DEM, Paul Broderick-011-REP, Nelida Sprunt-011-REP, Roger Sprunt-011-REP, Christian Daahir-020-REP, Julie Kane-030-REP, Denise Stark-032-REP, Elizabeth Peart-039-REP, Patrick Sullivan-041-REP, Imelda Blanchard-077-REP, Nancy Carpenter-079-REP, Frank Bantlin-083-REP, Carol Lindsey-084-REP, Shirley Zanotti-084-REP, Caitlin Watters-104-REP, Bill Beard-105-REP, MariAnne Fortunato-109-REP,

Matthew Kennedy-109-REP, Gary Hoffsmith-122-REP, Emily Skelly-131-REP, Clifford Smith-131-REP, Jennyetta Washington -George-132-REP, Connie Halkowitz-147-REP, Renee Kibbey-147-REP, Rocio Kary-158-REP, Charles Anzalone-164-REP, Myra Wright-173-REP, George Orozco-177-REP, Collin Johnston-180-REP, Sharah Gray-192-REP, Jeffry Williamson-192-REP, ~~Patrice Unruh-194-REP~~, Chad McRae-198-REP, Melissa Frew-200-REP, Richard Loehr-202-REP, Christopher Hudecek-206-REP, Jeffrey Hotchkin-209-REP, John Oyler-219-REP, Kristin Gilman-224-REP, Shaughn Gilman-224-REP, LeeAnn Martin-224-REP, Elizabeth Boudreau-227-REP, Jeremy Watson-227-REP, Kristinea Watson-227-REP, Robby Smith-229-REP, Brian Crytzer-231-REP, James Davis-231-REP, Beth Gibbs-231-REP, Terry Gonzalez-242-REP, Edward Hernandez-249-REP, Janet Zampieri-115-LBT, Kevin Coca-181-LBT, Milly Ryan-198-LBT

FINANCE AND RISK MANAGEMENT

5. Duplicate Warrants - For Ratification

Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00 Southwest Gas Corporation \$31.85;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
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Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
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Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$340.00; Southwest Gas Corporation \$400.00;
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Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$146.95; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$97.89;
Southwest Gas Corporation \$180.35; Southwest Gas Corporation \$139.38;
Southwest Gas Corporation \$673.01; Southwest Gas Corporation \$104.14;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;

Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
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Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$102.84;
Southwest Gas Corporation \$59.71; Southwest Gas Corporation \$450.29;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$400.00;
Southwest Gas Corporation \$400.00; Southwest Gas Corporation \$205.18.

TREASURER

6. **Duplicate Warrants - For Ratification**
May Phillip W III & Mac Eachen Joan \$21.65

RATIFY AND/OR APPROVE

7. Minutes: April 4, 2023
Warrants: May, 2023

* * *

80. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:04 p.m.

CHAIR

ATTEST:

CLERK