

BOARD OF SUPERVISORS' BUDGET HEARING MINUTES

The Pima County Board of Supervisors met at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 1:30 p.m. on Tuesday, May 1, 2018. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
Ramón Valadez, Vice Chair
Sharon Bronson, Acting Chair
Ally Miller, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Eric Thompson, Sergeant at Arms

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. COUNTY ADMINISTRATOR - Introduction

Chuck Huckelberry, County Administrator, stated that this was the first of five budget hearings scheduled and outlined the budget timelines. He indicated that the hearings would provide departments the opportunity to present their budget requests and answer questions from the Board. He further indicated that for any questions not answered during the hearings, staff would follow-up with a memorandum addressing those questions.

Supervisor Valadez inquired whether the expenditure cap to set at the May 22, 2018 Tentative Budget Adoption meeting would include the 25 cent property road tax.

Mr. Huckelberry confirmed that the cap would include the 25 cent property road tax and the collection of the County sales tax. He explained that this allowed flexibility, if the sales tax were approved, to decrease the 25 cent property road tax.

Supervisor Bronson inquired whether there were any concerns with State cost shifts for the upcoming fiscal year.

Mr. Huckelberry responded that the State's budget reflected \$88 million in cost shifts, which was an increase of \$2.5 million from the previous year. He indicated that the increases were a result of the Arizona Long Term Care System

(ALTCS) Program operated by the State. He explained that the State was still debating the elected official's retirement, which would possibly increase by 62%, and cost the county an additional \$2.6 million. He added that the State would likely reverse the juvenile detention and sexually violent persons cost transfer realized by the County, and if they were reversed, the additional costs for the elected official retirement plan would be offset by those reductions.

Supervisor Miller questioned whether the County would exceed its 1% cap.

Mr. Huckelberry responded that it would depend upon the primary property tax rates adopted by each taxing jurisdiction. He noted that the recommended primary rates were decreased by 14 cents. He explained that the County had been over by \$17 million, which included schools district and primary taxes. He added that while the County was in the 1% litigation, consideration was given to portioning it out to other taxing jurisdictions that had a primary levy. He added that Pima County's share would have been \$7 million dollars; however, legislation transferred all of it to the County.

Supervisor Miller inquired whether there was concern that legislation would put that responsibility back on the County.

Mr. Huckelberry responded that until the litigation was final, it was unknown.

Supervisor Miller inquired whether the new Department of Public Safety (DPS) motor vehicle registration fee was going to be distributed back to the County through Highway User Revenue Funds (HURF) or Vehicle License Tax (VLT).

Mr. Huckelberry responded that those fees were expected to come back through as increased HURF distributions, but he did not have specific details.

Supervisor Christy inquired whether the Director of the State Transportation Department set VLT increases and if that amount covered funding for DPS.

Mr. Huckelberry confirmed that the fees were set by the Director to recover the operational costs for DPS.

Supervisor Miller questioned whether the County expected a lawsuit as a result of a non-elected bureaucrat assessing a tax.

Mr. Huckelberry stated that was a possibility.

3. **COUNTY BUDGET**

County Budget Fiscal Year 2018/2019

4. DEPARTMENT BUDGET PRESENTATIONS

- **Constables**

Michael Stevenson, Constable, Justice Precinct No. 10, addressed the Board. He explained that due to funding from the Constables Ethics and Standards Training Board costs for capital expenditures would be offset and they anticipated exceeding revenues. He stated that the department maintained their obligations and came on under their overall expenditure projections. He indicated that they had worked with the Information Technology Department and the Sheriff's Department to finalize the implementation of a case management system. He added his support for the proposed 2.5% salary increase for employees, as it would aide in office morale and minimize turnover.

Supervisor Miller inquired about the decrease in telephone and internet charges.

Mr. Stevenson responded that those charges had been transferred to other object codes to correctly itemize where the funds were being expended.

Supervisor Miller questions why motor pool costs had decreased.

Mr. Stevenson responded that one of the constables was not utilizing a county vehicle, he was being reimbursed for mileage.

- **Clerk of the Superior Court**

Toni Hellon, Clerk of the Superior Court, presented the department's budget to the Board. She stated that the only change was the addition of two full-time employees and one temporary employee that were being funded through a grant. She explained that 94% of the budget was for personnel. She added that three full time positions were reallocate from the Special Revenue Fund to the General Fund.

Supervisor Miller inquired about the depleted funds from the Special Revenue Fund and asked what the long-term implications would be.

Ms. Hellon responded that approximately \$1,000,000.00 had been expended from the Special Revenue Fund to cover salaries for several employees. She added that those expenditures were no longer coming from the Special Revenue Fund, but had been transferred to the General Fund.

Mr. Huckelberry added that the situation was stable and there was no longer a negative fund balance for Special Revenue Funds.

Ms. Hellon expressed her gratitude to her staff for their hard work and dedication.

Supervisor Bronson asked what was the greatest challenges in the upcoming fiscal year.

Ms. Hellon responded that since the passport process was transferred, there had been a decrease in revenue and her department needed to find other ways of creating revenue.

- **Sheriff**

Mark Napier, Pima County Sheriff, addressed the Board and stated that in January 2017 the Sheriff's Department was \$6 million in debt and through commitment to fiscal responsibility, that debt had been decreased by 50%. He added that in April 2018 there was a projected surplus of \$3.4 million which required a \$7 million adjustment in just over a year. He explained that in order to accomplish this they reduced executive staff, overtime/on-call pay was controlled and enhanced their budget accountability and awareness without causing a reduction in direct service delivery. He indicated that compensation increases for staff were justifiable and necessary because of reduced recruitment and retention. He commented that the proposed budget was stable and that the compensation plan provided a significant increase to the lower end of the pay scale, which was a 12% increase for deputies and an 11% increase for corrections officers. He noted that a retention incentive had been added for tenured employees and requested a 2.5% salary increase for all employees. He indicated that 82% of the Sheriff's Department budget was for personnel and 18% was for non-discretionary. He recommended that the County move towards a merit based compensation plan as it would provide predictability, reward performance and tenure, and offer clearly defined movement within the pay scale.

Chairman Elías commented that the past nine years had been difficult for all County employees. He inquired about the total cost of training and outfitting a deputy.

Sheriff Napier responded that for the first year of employment, including the probationary period, it cost approximately \$180,000.00.

Chairman Elías inquired about the status of the policy relating to the Operation Stonegarden grant.

Sheriff Napier responded that they were working on the fourth revision of that policy and that it was being developed in collaboration with other stakeholders in the community. He stated that of the \$1.4 million Stonegarden grant, approximately \$300,000.00 was spent on public safety equipment and the remainder was used to fund overtime to patrols in underserved areas.

Chairman Elías inquired about the number of individuals detained by Immigration and Customs Enforcement (ICE) within the jail and asked if having that additional law enforcement agency in the County jail was necessary.

Sheriff Napier responded that the Department followed the best practices approach of the National Sheriff Association and the Major County Sheriff's Association, which recommended an ICE Detainer be present for direct hand off when needed.

Supervisor Bronson asked for clarification regarding ICE's presence in the jail and if the individuals detained by ICE were found guilty of crimes.

Sheriff Napier responded that the individuals detained by ICE had been arrested for a crime and were subject to criminal deportation.

Supervisor Bronson requested data on the release of individuals to ICE.

Sheriff Napier responded that the data could not be produced because the amount of individuals released to ICE detainers was less than 5%. He indicated that a report containing monthly statistics could be provided.

Supervisor Christy inquired about the cost to have ICE detainers in the jail.

Sheriff Napier responded that there were no costs associated with having ICE in the jail.

Supervisor Christy inquired whether the delay in creating a new policy was due to the lack of data from other agencies.

Sheriff Napier responded that they were awaiting Daily Activity Reports from all Stonegarden deployments and some agencies have yet to submit their reports.

Supervisor Christy inquired whether the report could be generated and the policy created without input and Daily Activity Reports from other agencies.

Sheriff Napier responded that they had received cooperation from other agencies, though receiving responses in a timely manner was difficult.

Supervisor Christy asked what other agencies were recruiting deputies.

Sheriff Napier responded the Sahuarita Police Department and other higher paying agencies. He stated that a change in the current compensation plan would make the County's pay more competitive to surrounding agencies.

Supervisor Christy thanked Sheriff Napier for his professionalism and commitment to public service.

Sheriff Napier stated he was honored to serve as the Sheriff.

Supervisor Elías questioned the statement made by Sheriff Napier regarding costs for housing ICE detainees within the jail. He asked whether there were direct jail, apprehension and processing costs involved.

Sheriff Napier explained that the individual would have been in jail as a result of committing a crime in Pima County; therefore, the detention and detainment costs for that individual would be unavoidable. He stated that having an ICE detainer on sight allowed for the individual to be directly handed off resulting in no further costs being incurred by the County.

Supervisor Bronson commented that she had concerns regarding the use of federal grants, but commended Sheriff Napier for taking control of the Department's budget.

Supervisor Miller indicated that overtime pay was under budget by 14% and asked why there was a 20% increase for the upcoming fiscal year.

Sheriff Napier responded minimal staffing had to be maintained at the correctional facility and due to a reduction in staff there was an increase in overtime. He indicated that the majority of overtime was for the detention facility and hiring and retaining staff would assist in resolving that issue.

Supervisor Miller asked about the \$660,000.00 budget increase for the upcoming fiscal year.

Sheriff Napier responded that the increase was a result of trying to move funds into different areas to achieve the desired outcome.

Supervisor Miller questioned the increase in retirement for corrections officers.

Sheriff Napier responded that the increase in the corrections officer retirement fund was state mandated.

Supervisor Miller inquired whether there would be an internal process to hire executive staff.

Sheriff Napier responded that he hoped to hire from within the department.

- **Superior/Juvenile Courts/Justice Courts**

Kyle Bryson, Presiding Judge, Pima County Superior Court, addressed the Board. He indicated that for the 2018/19 fiscal year, the Court had requested an increase of \$434,539.00. He explained that the increases were for judicial raises, two full time positions, motor pool charges, port charges and employee benefits. He stated that the Court had submitted two supplemental requests that were approved. He explained that these additional funding requests allowed the Courts to continue providing essential services for domestic violence and community restitution programs. He stated that the first request was for the Adult Probation's Community Restitution Program. He added that the Court received \$55,756.00 for the community restitution program, which covered the costs of intermittent on-call crew leaders assigned to supervise adult probationers performing court-ordered community work. He stated that the second request was for the Domestic Violence Arrest Team (DVAT). He added that the Court received \$63,285.00 to cover the salary and benefits for one surveillance officer (SO). He stated that this funding replaced grant funding that had been used for eleven years, but was no longer available. He stated that these programs were critical to the community's safety. He commented on the number of individuals served at the Superior and Juvenile Courts last year. He highlighted the major programs and related services provided by the various departments. He indicated that Adult Probation employed 282 full time employees of which 203 were funded by probation fees, grants, and state funds, and 79 of the employees were funded through the general fund. He added that in 2017, evidenced-based supervision was provided to 8,169 probationers and 4,457 presentenced reports were prepared. He indicated that Pretrial Services had roughly 60 full time employees, that screened and provided bail recommendations in 9,360 felony cases and provide release screening in 24,000 misdemeanor cases. He stated that 5,248 defendants would be released under the supervision of Pretrial Services, and that division would conduct approximately 4,800 post-initial appearance release assessments in the next fiscal year. He indicated that the law library would be repurposed, and updated to include computer space and a self-help center. He noted that there were no significant changes except for the purchasing of smartphones for Adult Probation.

Kathleen Quigley, Presiding Judge, Pima County Juvenile Court, provided a synopsis of the Juvenile Court system. She described court programs, including the Dependency Alternative Program and the creation of the Palo Verde Neighborhood Collaborative. She then updated the Board on the Alternative Engagement Services Center (ACES), a community resource designed to enhance public safety and reduce the need for, and use of, secure detention.

Adam Waters, Presiding Judge, Pima County Justice Court and Chief Administrative Judge, Consolidated Justice Court, provided an overview of the Tucson Justice Courts. He indicated their budget had increased by \$20,000.00, which was a result of the legislature raises given to superior court judges, that resulted in an increase for consolidated court judges as well. He explained some of the innovative services the Justice Court provided and commented on the new Justice Court building. He also spoke about night court and the new process for electronic evictions. He asked for the Board's help to mitigate fines with community service.

Ray Carroll, Justice of the Peace, Green Valley, thanked the Board for the proposed 2.5% employee salary increase. He stated that he was requesting a \$24,500.00 increase and that the special revenue fund was at a low because it was used to pay for general fund expenses.

John Peck, Presiding Judge, Ajo Justice Court, stated that the Court's budget had decreased by \$629.00. He indicated that a proposed utility increase could increase their utility costs from \$10,000.00 to \$30,000.00 annually. He reported on the Justice Court's achievements over the past year and explained they had been the recipients of multiple grants that helped fund important programs.

- **County Attorney**

Barbara LaWall, Pima County Attorney, addressed the Board regarding her support for the proposed 2.5% employee salary increase. She then introduced Amelia Cramer, Chief Deputy County Attorney, who would provide the budget presentation.

Amelia Cramer, Chief Deputy County Attorney, presented some of the major accomplishments achieved by the County Attorney's Office and highlighted ten criminal reform projects the department completed over the previous fiscal year. She indicated that the County Attorney's Office requested a supplemental budget of \$207,429.40 and stated the increase would add less than 1% to their General Fund budget.

Supervisor Bronson suggested the County Attorney's Office look into RICO Funds for assistance in receiving their supplemental budget request.

5. PUBLIC SPEAKERS

Billy Peard thanked Sheriff Napier for his work and for including community stakeholders in the development of the immigration enforcement policy.

Thomas Frazier, President, Pima Corrections Association, expressed his support of the Sheriff Department's proposed budget.

Christopher Cole, Chair, Pima County Libertarian Party, spoke to the Board regarding the purposes of the court.

6. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 4:33 p.m.

CHAIRMAN

ATTEST:

CLERK