

## FLOOD CONTROL DISTRICT BOARD MEETING 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, July 2, 2024. Upon roll call, those present and absent were as follows:

Present: Adelita S. Grijalva, Chair  
Rex Scott, Vice Chair  
\*Dr. Matt Heinz, Member  
Dr. Sylvia M. Lee, Member  
\*\*Steve Christy, Member

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

\*Supervisor Heinz joined the meeting at 9:41 a.m.

\*\*Supervisor Christy participated remotely.

### 1. **CONTRACT**

Department of Interior U.S. Geological Survey, to provide a joint funding agreement for water resource investigations, Flood Control Tax Levy Fund, contract amount \$69,800.00/4 year term (CT-FC-24-483)

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.

### 2. **CONTRACT**

JE Fuller/Hydrology and Geomorphology, Inc., Amendment No. 5, to provide for Brawley and Black Wash detailed risk analysis and mapping, amend contractual language and scope of services, FEMA Grant Fund, contract amount \$97,260.65 (CT-FC-21-117)

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.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:37 p.m.

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
CLERK

DRAFT

## 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, July 2, 2024. Upon roll call, those present and absent were as follows:

Present: Adelita S. Grijalva, Chair  
Rex Scott, Vice Chair  
\*Dr. Matt Heinz, Member  
Dr. Sylvia M. Lee, Member  
\*\*Steve Christy, Member

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

\*Supervisor Heinz joined the meeting at 9:41 a.m.

\*\*Supervisor Christy participated remotely.

### 1. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

### 2. **LAND ACKNOWLEDGEMENT STATEMENT**

The Land Acknowledge Statement was delivered by Amanda Monroy, Senior Program Manager, Office of Policy, Resilience, and Equity, Pima County Health Department.

### 3. **PAUSE 4 PAWS**

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

### 4. **CALL TO THE PUBLIC**

Mike Aaron addressed the Board regarding his opposition to Minute Item No. 53 and stated that firearms were a tool to be used and was the public's Second Amendment right to own firearms. He urged the Board to vote against this item.

Laurie Moore expressed concern about the excess money spent by the County and funding given to non-governmental organizations that she believed funded human trafficking, drug abuse and the illegal invasion.

Cory Stephens stated that she opposed Minute Item No. 20 and that the Board paid donors to do the jobs that County employees could do. She expressed her concerns with the illegal immigrant invasion, the lack of attention given to the homeless population and increasing crime rates.

Gisela Aaron voiced her opposition to Minute Item No. 23 and her concerns about the increasing number of Bird flu cases, fentanyl deaths and human trafficking.

Katie Woodall spoke in support of Minute Item No. 53. She recounted a traumatic event she went through and stated that the item provided the transparency needed to end the sale of weapons at gun shows.

Patricia Maisch addressed the Board in support of Minute Item No. 53. She stated she was a survivor of the Gabrielle Giffords shooting, gun violence was on the rise and having full transparency around the purchase of firearms was the beginning to ending gun violence.

Joel Tiger spoke about property taxes in the Diamond Bell Ranch area. He stated that he was excluded from meetings regarding zoning to his properties and that needed to change.

Sandra Tracy read a letter addressed to Supervisor Lee about her and other County officials' attendance at a Diamond Bell Ranch Homeowners meeting regarding zoning and taxes in the area. She stated that it was not okay that property owners were not allowed at the meeting.

Steven Eddy thanked the Board for the recent paving of the Mount Lemmon road and that it made a difference for cyclists in that area.

Mike Humphrey, Member, Board of Health, spoke in support of Minute Item No. 53. He stated that requiring better background checks could help prevent the sale of firearms to a person that wanted to cause harm to the public.

Katya Peterson spoke in support of Minute Item No. 53 and stated that releasing the memorandum could help save lives and change the way firearms were purchased. She also expressed her support of Minute Item No. 9.

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Supervisor Scott stated that the Bureau of Alcohol, Tobacco and Firearms passed new regulations regarding private sale of firearms at gun shows and he requested that County Administration follow up with the Sheriff's Department and other government officials on who was responsible for enforcement of the new federal regulations.

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5. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chair Grijalva, seconded by Supervisors Scott and unanimously carried by a 5-0 vote, to convene to Executive Session at 11:23 a.m.

6. **RECONVENE**

The meeting reconvened at 12:05 p.m. All members were present.

**EXECUTIVE SESSION**

7. Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding opioid litigation and new potential defendants.

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

**BOARD OF SUPERVISORS**

8. **Board of Supervisors Representative Updates on Boards, Committees and Commissions and Any Other Municipalities**

Chair Grijalva stated that on June 26, 2024, she attended the 2024 annual meeting with Visit Tucson held at the Tucson Convention Center, with representatives from across Pima County. She stated that what stood out to her about Tucson's brand was their community and tourism, which contributed to the economy and reduced taxes. She also attended the Board of Health's virtual meeting on June 26th where there was a discussion about updating the bylaws and Dr. Cullen provided a presentation on heat, the opioid settlement and healthy Pima metrics.

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

9. **Santa Cruz River Urban National Wildlife Refuge**

Discussion/Direction/Action: Proposal to send a joint letter with Santa Cruz County to the U.S. Fish and Wildlife Service in support of creating a Santa Cruz River Urban National Wildlife Refuge that would span the two counties. The Santa Cruz County Board of Supervisors will be considering approval of this letter on July 2, as well. (District 5)

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

Supervisor Christy stated that in the background information it proposed that the Secretary of the Interior would use administrative authority with the creation of the refuge and felt that was troubling.

A substitute motion was made by Supervisor Christy to continue this item until the Pima County Attorney's Office could provide a reading if this item was going to be in violation and conflict with the Supreme Court ruling on the Chevron Deference issue. The substitute motion died for lack of a second.

Supervisor Heinz expressed concern about any communications with federal agencies. He stated that the Supreme Court made a decision that gave more power to the federal agencies, but was unsure if that affected state agencies in regards to the Chevron Deference. He asked if the D.C. Circuit Court Clerk needed to be copied if the County interacted with a federal agency.

Chair Grijalva clarified that the request was for a letter in support of the creation and would copy whoever the Board decided should be copied on it. She indicated that the Board could ask the County Attorney if there was any recommendation on who should receive this communication.

Supervisor Scott stated that he believed this was a simple matter of two County Board of Supervisors advocating for something that would be beneficial to the people and the environment of both counties and whatever needed to be sorted out at the federal level could be sorted out at that level. He expressed his support for this item and was happy to join with his colleagues in Santa Cruz County.

Upon the vote, the motion carried 4-0, Supervisor Christy abstained.

## **COMMUNITY AND WORKFORCE DEVELOPMENT**

### **10. Outside Agency Committee Funding Recommendations for Fiscal Year 2024/2025**

#### **Community Services Category**

##### **Agency/Program Name/Amount Requested/Committee Recommendation**

Amistad y Salud, Clinica Amistad/Community Health & Wellness/\$45,500/\$29,817

Catholic Community Services of Southern Arizona, Inc., d.b.a. Community Outreach Program for the Deaf/Reengaging and Connecting Deaf, DeafBlind and Elderly Deaf Individuals with resources through supportive partnerships/\$65,000/\$45,520

Community Home Repair Projects of Arizona, Inc./Roof Repair and Replacement Program/\$40,000/\$30,416

COPE Community Services, Inc., d.b.a. Evolve Job Training Center/Evolve/\$40,000/\$23,032

International Rescue Committee, Inc./Job Readiness Training/\$20,000/\$17,469

International Rescue Committee, Inc./Medical Case Management/\$20,000/\$17,469

Jewish Family and Children's Services of Southern Arizona/Financial Wellness Program/\$70,000/\$23,223

Jewish Family and Children's Services of Southern Arizona/HoME/\$50,000/\$33,581

Southern Arizona Legal Aid, Inc./Southern Arizona Legal Aid, Inc./\$89,944/\$83,408

YWCA of Southern Arizona/WCN/\$30,000/\$23,703

Center for Community Mediation and Facilitation/Community Services-Conflict Resolution/\$15,000/\$15,000

**Category Subtotal: \$485,444/\$342,638**

### **Emergency Food & Clothing Category**

#### **Agency/Program Name/Amount Requested/Committee Recommendation**

Arivaca Coordinating Council-Human Resource Group, Inc./AHR Food & Clothing/\$95,308/\$57,940  
Community Food Bank, Inc./Caridad Community Kitchen/\$50,000/\$33,334  
Community Food Bank, Inc./Child Nutrition Program/\$40,000/\$28,498  
Community Food Bank, Inc./Emergency Food Assistance Program/\$375,000/\$326,032  
Community Food Bank, Inc./Rural Resource Centers and Mobile Distributions/\$80,000/\$74,531  
IMPACT of Southern Arizona/IMPACT Clothing Bank/\$38,000/\$32,622  
IMPACT of Southern Arizona/IMPACT Food Bank/\$40,000/\$36,458  
Sahuarita Food Bank, d.b.a. Sahuarita Food Bank & Community Resource Center/Sahuarita Food Bank: Emergency Food for Sahuarita and Unincorporated Pima County/\$100,000/\$40,677  
Southern Arizona AIDS Foundation/SAAF Food for Life/\$115,000/\$91,313  
The Diaper Bank of Southern Arizona/Diapers for Infants, Children, Disabled, and Seniors/\$42,357/\$30,056

**Category Subtotal: \$975,665/\$751,461**

### **Senior Support Category**

#### **Agency/Program Name/Amount Requested/Committee Recommendation**

Administration of Resources & Choices/Elder Shelter Coordination & Placement Program 2024/\$55,179/\$38,568  
Arivaca Coordinating Council-Human Resource Group, Inc./Senior Support/\$50,000/\$21,881  
Catholic Community Services of Southern Arizona, Inc./Quincie Douglas Breakfast/\$50,000/\$33,005  
Interfaith Community Services/ICS Mobile Meals/\$50,000/\$30,895  
Interfaith Community Services/Transportation Services for At-Risk Seniors/\$50,000/\$30,512  
Mobile Meals of Southern Arizona, Inc./Mobile Meals of Southern Arizona Meal Delivery Program/\$50,000/\$28,498  
Southern Arizona Association for the Visually Impaired (SAAVI)/Health and Wellness Program for Blind Seniors/\$20,000/\$19,771  
St. Luke's in the Desert, Inc., d.b.a. St. Luke's Home/The Stronger, Longer Senior Dietary Program/\$29,010/\$24,374  
YWCA of Southern Arizona/Las Comadritas/\$40,000/\$26,100  
About Care, Inc./Empowering Independent Living/\$150,000/\$15,000  
Green Valley Assistance Services, Inc. d.b.a. Valley Assistance Services/Older Adult Resource Program Specialist/\$22,500/\$15,000

**Category Subtotal: \$566,689/\$283,604**

### **Support Services, Shelter & Domestic Violence Services Category**

#### **Agency/Program Name/Amount Requested/Committee Recommendation**

Catholic Community Services, d.b.a. Pio Decimo Center/Case Management for Homeless Families/\$58,110/\$44,961  
Interfaith Community Services/Eastside Emergency Financial Assistance/\$50,000/\$26,580  
Our Family Services/Emergency Shelter-HFS/\$43,285/\$39,047  
Our Family Services/HYS-CUP/\$27,315/\$25,941  
Primavera Foundation, Inc./Casa Paloma Drop-In Center/\$45,000/\$28,498  
Primavera Foundation, Inc./Resource Center: Homelessness Intervention and Prevention Program (HIP)/\$40,000/\$32,494  
Primavera Foundation, Inc./Supp Hsg RS Svcs/Supportive Services/\$45,000/\$36,649  
Southern Arizona AIDS Foundation/SAAF AVP (Anti-Violence Project)/\$30,000/\$23,223  
Tucson Center for Women and Children, d.b.a. Emerge Center Against Domestic Abuse/Comprehensive Domestic Abuse Support Services/\$125,000/\$114,170  
Sister Jose Women's Center/Sister Jose Women's Center Gateway to Housing Programs/\$65,000/\$15,000  
Soldier's Best Friend/Soldier's Best Friend's Services/Therapeutic Companion Dog Training Program/\$15,000/\$15,000  
The Salvation Army/Emergency Shelter/Motel/\$30,000/\$15,000

**Category Subtotal: \$573,710/\$416,563**

### **Youth, Young Adults & Family Support Category**

#### **Agency/Program Name/Amount Requested/Committee Recommendation**

Arivaca Action Center Incorporated/Arivaca Early Learning Center/\$22,500/\$19,387  
Arizona's Children Association/Las Familias Program Support/\$40,000/\$31,135  
Child & Family Resources, Inc./Pima County Healthy Families/\$45,564/\$38,206  
Girl Scouts of Southern Arizona/GSSOAZ EmpowHERment for All Girls/\$40,000/\$27,539  
Green Valley Assistance Services, Inc., d.b.a. Valley Assistance Services/Family and Youth Resource Program/\$27,500/\$16,031  
Higher Ground a Resource Center/Higher Ground-Restart SMART/\$64,584/\$28,354  
International Sonoran Desert Alliance/Ajo Las Artes: ABE, GED & Jobs Program/\$48,000/\$45,664  
Jewish Family and Children's Services of Southern Arizona/Project Safe Place (PSP)/\$58,940/\$32,174  
Literacy Connects/Literacy Connects Youth Programs/\$62,340/\$46,959  
Make Way for Books/The Story Project/\$35,000/\$23,799  
Portable Practical Educational Preparation, Inc./Amado Food Project/\$18,000/\$16,430  
Southern Arizona AIDS Foundation/SAAF ALLY (Arizona Life Links for Youth)/\$43,070/\$39,424  
Southern Arizona AIDS Foundation/SAAF EON Youth Lounge/\$39,575/\$29,162  
Tu Nidito Children and Family Services/Children to Children Grief Support Program/\$25,000/\$26,196  
Tu Nidito Children and Family Services/Pathways for Seriously Ill Children and their Families/\$15,000/\$17,469  
Youth On Their Own/YOTO Program (Stipends)/\$110,250/\$103,666  
YWCA of Southern Arizona/Pima County Teen Court/\$50,000/\$41,253  
3rd Decade/3rd Decade Financial Education & Mentoring/\$50,000/\$15,000  
Boys to Men Tucson, Inc./Healthy Masculinity Site Based Mentorship Program for Marginalized and Rural Communities/\$175,281/\$15,000  
Center for Community Mediation and Facilitation/Youth, Young Adults & Family-Conflict & Communication Training/\$15,000/\$15,000  
Chicanos Por La Causa, Inc./CPLC Nahui Ollin Wellness Program/\$20,000/\$15,000  
Greater Tucson Leadership, Inc./Tucson Youth Leadership Academy/\$50,000/\$15,000  
The Diaper Bank of Southern Arizona/Potty Training and Cloth Diapers for Infants, Children and Families/\$26,240/\$15,000  
**Category Subtotal: \$1,081,844/\$672,848**

### **General Services Category**

#### **Agency/Program Name/Amount Requested/Committee Recommendation**

Arizona Sonora Desert Museum/Bufelgrass Education and Coordination/\$48,043/\$44,528  
El Rio Santa Cruz Neighborhood Health Center, Inc./Patient Centered Medical Home/\$50,000/\$45,108  
El Rio Santa Cruz Neighborhood Health Center, Inc./Trichloroethylene (TCE) Program/\$165,000/\$161,178  
Friends of Robles Ranch/Robles Food Pantry/My Friends Closet/\$53,137/\$47,978  
Pima Council on Aging/Family Caregiver Support Program/\$22,000/\$17,578  
Pima Council on Aging/Home Delivered Meals/\$50,000/\$17,658  
Pima Council on Aging/Neighbors Care Alliance/\$70,000/\$55,978  
Pima Council on Aging/Rights & Benefits, Older Adults/\$150,000/\$130,278  
Pima County Community Land Trust/Housing Counseling/\$74,588/\$60,978  
Southern Arizona Childrens Advocacy Center, Inc./Services for Child Victims/\$77,713/\$70,538  
United Way of Tucson and Southern Arizona/Volunteer Income Tax Assistance Program/\$44,563/\$26,000  
**Category Subtotal: \$805,044/\$677,800**

**OA SERVICE CATEGORIES TOTAL: \$5,311,175/\$3,144,914**

### **County Departments Managing OA Programs with Other Sources**

#### **Agency/Program Name/Amount Requested/Committee Recommendation**

Desert Survivors, Inc./Desert Survivors, Inc./\$67,760/\$67,760



Pima Association of Governments/Pima Association of Governments Overall Work  
Program/\$298,000/\$298,000  
**Category Subtotal: \$365,760/\$365,760**

**OA PROGRAM TOTAL: \$4,854,156/\$3,510,674**

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

## **CONSTABLES**

### **11. Constables Office Update**

Discussion regarding an update from the Constables Office, to include the following:

- Work load performed by the Constables.
- Training and equipment issued/available to the Constables.
- Appointing sole candidate for office of JP4 Constable to fill the current vacancy before August 2024.

Eric Krznarich, Presiding Constable, provided an update to the Board and stated that the office had some issues in 2022 and prior, but improvements had been made. He explained that there were nine justice precincts in Pima County, and they currently had eight working Constables with one vacancy in Justice Precinct (JP) 4. He stated that every Constable completed the work of their precinct and provided coverage for the work of JP4. He added that they also helped one another because there were times when precincts received more papers to serve than others, and they had a great team with office staff and the other Constables. He stated that there was one issue being discussed, and he had been approached by the media on, was for evictions. He explained that in 2023, there were 12,993 evictions filed in Pima County and the Constables had served 3,150 evictions, which meant they were executed to remove people from the property, however, this number did not show how many people they helped. He stated that they not only removed people, but provided them with information of the services available to them, such as County assistance and which department or private organizations to contact for assistance. He stated that the Sheriff's Civil Office also served evictions that came from Superior Court, but he did not have those numbers. He explained that in Tucson there were seven Constables in the Consolidated Courthouse, he was in JP3 in Ajo, and JP7 in Green Valley were separate courts. He stated that Constable Schenek, who was the Green Valley JP, also received paperwork from Tucson to serve and the total documents from all three courts in 2023 was 8,183 and had successfully served 5,894. He stated that they also served protective orders, injunction against harassments, criminal subpoenas or civil lawsuits that came not only from Pima County, but from different courts around Arizona or other courts in the United States. He explained that safety was the utmost importance for any kind of law enforcement agency, peace officers, and others and that they had made safety improvements which included ballistic vests, body cameras, tasers and taser training to Constables. He stated that seven of the nine Constables had received the training and carried a taser in the course of their duties, and six of them had

received the AZ Post required firearms safety training, the yearly requalification, and carried firearms in the course of their duties. He stated that anyone that was issued a County-owned firearm was required to go through the training, which was provided by the Sheriff's Department, or by the Arizona Constables Association. He added that some of them also carried their own personal firearms that they were qualified and trained with, as well as tasers, and all of them were issued a body camera. He stated the caveat with the equipment was that they could not be forced to use them because they were each elected to their precinct, so it was at their discretion to assume the liability of not wanting to use it. He explained that another issue they had was with the vacancy of JP4, which the citizens of the area had not had an effective Constable for many years, and when the former Constable resigned and it left the vacancy, the other Constables had taken care of those documents. He stated that as elected officials of their own precinct, they were beholden there first and foremost, but would then attend to the JP4 documents and confirmed they were being addressed and served, however there were some delays due to other priorities, but that they would address orders of protection first. He added that JP4 evictions took between a week and 14 days to complete, and they explained this to the property managers or homeowners involved and they understood the issue. He requested that the Board consider appointing the sole candidate that was running for the JP4 position, Tracy Ethridge-Nielsen, at the Board's July 16, 2024 meeting. He stated that Ms. Ethridge-Nielsen was a democrat, had a wealth of law enforcement knowledge, 28 years in law enforcement, a Bachelor's degree in Police Science and Administration, and a Master's degree in Educational Leadership.

Chair Grijalva noted that she had seen a campaign sign for a write-in candidate for JP4.

Constable Krzmarich stated that he had not seen any for JP4, but was aware of the two for JP9.

Supervisor Scott stated that in the past the Board had eliminated a Justice Precinct based on a recommendation from the former County Administrator and asked whether County Administrator Leshner could provide a recommendation regarding the request being made by the Presiding Constable.

Supervisor Heinz stated that recently there had been some impact to the community with regards to timeliness of serving orders of protection and asked what protocols were in place to ensure orders were not taking several weeks to be served, which could impact someone's life.

Constable Krzmarich responded that orders of protection were the forerunners of the paperwork that would be served first, and those attempts would be made, however since they were civil papers, many times if people did not answer their door, then those could not be served, but he assured the Board they would continue to make those attempts to the best of their ability. He stated that orders of protection were one of the most dangerous types, especially an exclusive use order of protection, because that would require somebody to be removed and it could be a scary

situation, but they managed it very well. He reiterated that injunctions against harassment and orders of protection were served first and then evictions followed. He added that criminal papers and subpoenas could be done later because they had a longer timeline since court dates were set six weeks out and they had a good lead time for civil lawsuits. He stated that there was nothing written, but it was an accepted best practice.

Supervisor Lee thanked Constable Krznarich and the other constables for their work and noted that he had come from Ajo to address the Board which took him away from his duties. She supported filling the vacancy because she saw the need and did not want a backlog, and it had been several years with no service.

Supervisor Christy asked if the write-in candidate Chair Grijalva mentioned was registered with the Elections Department, which he believed was the process for write-in candidates.

Chair Grijalva stated that she was not aware if the candidate had registered because she had only seen their sign as she drove to this meeting. She stated that her assumption was that they would need to register and that the County Administrator indicated the office would look into it and would get back to the Board.

Supervisor Heinz stated that he supported the idea for one Constable like the way they had one Recorder and one Sheriff, but the Board needed statutory authority for that, and the County's lobbyists were directed to try to affect that because that would take care of a lot of issues. He stated that one elected County-wide Constable could have an entire professional staff who covered the districts the way they wanted and could require wearing body cameras.

Constable Krznarich replied that he wore everything which included a body camera.

Supervisor Heinz asked Constable Krznarich what his thoughts were on that kind of change of a one Constable system with an entire professional staff as opposed to nine, if they had the statutory authority to ensure a professional staff, and ensure that everyone had to follow the rules, like wearing body cameras.

Constable Krznarich understood and respected Supervisor Heinz' viewpoint, and as a statutory position, it could be very difficult to change. He explained that the Constables were doing their very best to put in place best practices to ensure things were done safely and the County was represented very well. He stated that they had discussions regarding the possibility of Deputy Constables, which could then be distributed amongst the County. He provided an example for a Constable on sick leave for several days, they could then assign a Deputy Constable to that precinct or assign them to assist other Constables in the County, especially for the orders of protection or some evictions that were extremely dangerous. He explained that currently they called the Tucson Police Department or the Sheriff's Department for assistance, and they had done fantastic work to the best of their abilities, but at times there might be a delay because they were being taken away from their area. He stated that they wanted to have up to two Deputy Constables, which would fall

under the presiding authority to direct them to attend to the area that needed assistance, and it was something that could be done in the short term while changes were made legislatively at the State level.

Chair Grijalva indicated that a proposal for Deputy Constables would increase the Constable's budget.

Constable Krznarich concurred.

Chair Grijalva stated that she was not in favor of increasing the budget and that they needed to understand the Board's position that most of the time they heard from the Constables Office, it was not in a positive light and there were accusations of rogue people and leadership changes that caused tension in general. She agreed with Supervisor Heinz's to move to a model where there would be one Constable that had some authority over everyone else, and it made most sense even if those other representatives were from the same JP areas. She stated that her hope was that the County would move in that direction because it was a huge liability since the Constables interacted with the community and there were no checks and balances in the office. She stated that the Board heard of employees not going to work for a month, and they did not answer their phones, and the comments were generally not positive so she was glad that Constable Krznarich provided an update to the Board.

Supervisor Scott stated that he represented the Board on the Legislative Policy Committee for the County Supervisors Association, and that there was a Supervisor from each of the other 14 counties on that committee, and the other counties oftentimes expressed concern about the existing statutory model for Constables throughout the State of Arizona. He stated that he also had talked with the Board's lobbyist about any kind of changes to it and was aware that it was something the Board would discuss with consideration of the new legislative program. He stated that something else heard from Mr. Rossi regarding doing away with the Constable position, was that there were members of both parties of the legislature that were very supportive of the existing model. He stated that what the Board needed to do was work with the Constables in Pima County and that there had been great efforts made by Constable Krznarich and former Presiding Constable Lake under their leadership to bring more professionalism and collaboration into the office. He stated that he thought the resignation of the previous incumbent in JP4 was a good thing, given they had been disciplined by the Board and the previous Board of Supervisors. He added that the Board also needed to have conversations with the other counties about what could reasonably happen at the State level. He thanked Constable Krznarich for addressing the Board and reiterated that it was important for the Board to receive a recommendation from the County Administrator in terms of the recommendation that Constable Krznarich had made because the data the Constables dealt with could be reviewed by the County Administrator's office. He explained that the Board chose not to fill that vacancy when the previous Constable resigned, which would be a reversal of what the Board had previously done, and that he had wanted to hear from the Constables, as well as receive a recommendation from the County Administrator.

Supervisor Lee stated that once the Board reviewed and voted on the County's Legislative Agenda they should, as Supervisor Heinz suggested, find a way to add through the statute to mandate Constables to safety training, including Taser training and wearing of safety equipment such as body cameras. She also wanted the Constable's compensation to be reviewed because it was wrong for them to be paid minimum wage and noted that Constable Krznarich had three jobs due to this.

Supervisor Christy stated that it was his understanding that Constables were listed and included in the State Constitution and was sure the Board did not want to open themselves up to any kind of lawsuits pertaining to extending what they were doing with the Constables in Pima County, as opposed to what was in the Constitution. He stated that while the various options or inclusions were being presented, perhaps it would be a good idea to request that the Board's legal counsel research what it stated in the State Constitution to ensure they were not overstepping bounds or doing something that superseded what the Constitution allowed for Constables.

Supervisor Heinz agreed with Supervisor Christy and stated that unfortunately to completely eliminate the constabulary would be dangerous and would require a statewide approval to a constitutional amendment, which he felt was unlikely. He stated there were 4 or 5 counties smaller than Pima County that either did not have Constables or only had one. He stated that in terms of the number of Constables and nesting them with the JP districts was statutory. He stated that his hope was that the Board could achieve a statutory change that allowed for counties like Pima County to decouple the Constables from the individual JP districts and just have one. He clarified that he did not want to eliminate the entire role.

Sam E. Brown, Chief Civil Deputy County Attorney, clarified that it was a statutory issue, not a constitutional issue.

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

## **DEVELOPMENT SERVICES**

### **12. Final Plat With Assurances**

P22FP00014, Canoa Ranch Block 27 South, Lots 1-337 and Common Areas "A" and "B". (District 4)

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

## **ELECTIONS**

### **13. Election Board Worker Appointments**

Pursuant to A.R.S. §16-531(A), appointment of election board workers recruited and on file in the Elections Department for the July 30, 2024 Primary Election.

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

Constance Hargrove, Director, Elections Department, stated that this item was a statutory requirement and that the volunteer list was not static and changed constantly. She indicated that her office was trying to add standbys so that individuals could be replaced, if needed. She explained that with party representation if they lost a Democratic inspector, they would try to replace them with a Republican inspector in order to balance out the inspectors and have equity the way it was needed. She stated that this was the cleanest list she had seen since she had been with the department, there was good equity and her office continued to work towards parity.

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

## **HUMAN RESOURCES**

### **14. Classification/Compensation**

The Sheriff's Department requests approval to create the following new classification, associated costs will be borne by the department from within its current budget:

**Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code**

6031/ Public Safety Data Technician II/ 06 (\$41,811-\$56,445)/ 6/ NE\*

\*NE = Not Exempt (paid overtime)

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

## **CONTRACT AND AWARD**

### **Behavioral Health**

15. Southern Arizona Children's Advocacy Center, Amendment No. 4, to provide for forensic medical examination and evidence collection for juvenile abuse, extend contract term to 6/30/25 and amend contractual language, General Fund, contract amount \$375,000.00 (CT-BH-20-426)

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

16. CODAC Health, Recovery & Wellness, Inc., d.b.a. CODAC, Amendment No. 7, to provide for medical forensic examination and evidence collection for victims of sexual assault, extend contract term to 6/30/25 and amend contractual language, General Fund, contract amount \$311,620.80 (CT-BH-20-268)

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

### **County Attorney**

17. The Center for Community Mediation and Facilitation, Amendment No. 1, to provide for Restorative Justice Program, extend contract term to 5/31/25, amend contractual language and scope of services, Vitalyst Health Foundation BJA-JMHCP Fund, contract amount \$25,000.00 (CT-PCA-23-405)

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

Supervisor Christy stated that in the background material under public benefit, it stated that Pima County residents would save significant tax dollars by having the Restorative Justice Program divert eligible felony level offenses to the program. He stated that the program was largely run by volunteer community members as opposed to cases being routed through the traditional criminal justice system. He stated that these were felonies, the most serious levels of crimes and delegating them to volunteer community members was a very dangerous step to take and it could lead to a great misunderstanding of how the County's justice system worked, as well as a lack of confidence in its ability to render justice. He stated that this was another form of emphasizing or reimagining a new judicial system that did not hold criminals accountable, particularly felonies, and he would be voting against this item.

Chair Grijalva stated that she ran a juvenile diversion program for 26 years and these types of programs had been happening for a long time. She explained that these were for eligible offenses and many of them were for small amounts of a substance, not anything for sale and most had very specific criteria.

Supervisor Christy indicated that they were still felonies.

Chair Grijalva stated that if a person shoplifted over a certain amount it was a felony.

Supervisor Christy stated that was juvenile versus felony.

Chair Grijalva stated that it backed up the system with relatively minor offenses, even if they were listed as a felony. She stated that many of the offenses were reduced to a misdemeanor after going through diversion and this item was for a negligible amount of money to provide volunteer training.

Supervisor. Scott asked if Legal Counsel had anything to provide regarding the program and why it was in place.

Sam E. Brown, Chief Civil Deputy County Attorney, stated the individuals in the program were nonviolent offenders. He stated that even though they were felonies,

the victim had to participate and agree that this was the way it would be resolved. He stated that the language used about clearing up the log jam and saving tax dollars was accurate and he reiterated that just because it was a felony that did not mean that it was a violent crime.

Supervisor Scott asked if the victim did not agree then it was not a matter that could go through this program.

Mr. Brown responded that was correct.

Chair Grijalva indicated there was mediation, listening circles and facilitation and there had to be participation from the victim.

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

### **Economic Development**

18. Ajo District Chamber of Commerce, Amendment No. 3, to provide for Ajo Visitor Center: Gateway to the Sonoran Desert, extend contract term to 6/30/25, amend contractual language and scope of services, General Fund, contract amount \$48,000.00 (CT-ECD-24-47)

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

19. Metropolitan Education Commission, Amendment No. 2, to provide for A1 - Metropolitan Education Commission and A2 - Regional College Access Center, extend contract term to 6/30/25, amend contractual language and scope of work, General Fund, contract amount \$122,000.00 (CT-ECD-24-25)

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

20. Sun Corridor, Inc., to provide economic development support services for Pima County and Southern Arizona, General Fund, contract amount \$550,000.00 (CT-ECD-24-494)

Joe Snell, President and CEO, Sun Corridor, Inc., addressed the Board and stated that they were celebrating their 20th anniversary as an organization and that Pima County was a founding member of the organization. He explained that in those 20 years their partnership created opportunities for people who lived in the County, and it was a great investment and smart partnership because Sun Corridor could do things that the County could not do and vice versa. He stated that the County was a good steward for the public dollar and for every dollar that was invested, there was a return of \$3.00 matched by their partners involved in the same agenda.

Susan Gray, Chair, Sun Corridor, Inc. Board of Directors, and President and CEO, Tucson Electric Power (TEP), stated that it was important to have this partnership



so they could attract new businesses to the community, the County's investment was also an investment in the community, and without the partnership they would not be effective in bringing these new businesses in or expanding the businesses that were already in the County. She explained that it would help the community prosper by bringing in new tax bases and new jobs and that TEP was committed to it.

Judy Rich, Former Chair, Sun Corridor, Inc. Board of Directors, and retired CEO, Tucson Medical Center, spoke on the importance of Sun Corridor and that several weeks ago they held a meeting and many people attended on their own time simply because they believed in Sun Corridor's work. She explained that they listened to new businesses in the community about what they did, what they built, how things worked, and their opportunity to grow in the future. She stated that it felt like a very concrete, active organization and every time they had a meeting, they met 5 or 6 new people who had either just moved to Pima County or started new businesses. She explained that from the health care perspective, the Board was going to be hearing more about Thrive and how they were going to find more doctors because there were not enough doctors and Sun Corridor would get behind a program that she was going to be involved in that would determine what it was that the County was missing, and what needed to be done differently to ensure there was enough people to take care of the community.

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

Supervisor Scott referenced the County Administrator's Memorandum dated June 28, 2024, that described the regional economic development ecosystem, which was a T-chart that showed the different responsibilities for Sun Corridor staff versus the responsibilities for the County's Economic Development Department's (ECD) staff and inquired about the development of that document.

Jan Leshar, County Administrator, stated that during conversations with the Board and the public over the last several years, there had been comments or confusion with what the County did versus what Sun Corridor did and whether there was duplication of services, and as a result, they felt it was appropriate to show how the organizations complemented each other and how to fill the gaps, rather than competing in some ways.

Carmine DeBonis, Jr., Deputy County Administrator, explained that staff, himself and ECD Director, Heath Vescovi-Chiordi, met with David Welch, the Vice Executive Director at Sun Corridor, and Susan Duman, to identify what the respective roles were and how they laid out. He stated that as they went through and prepared the contract amendment, they carefully identified those items that were on the T-chart. He added that it was then shared with Mr. Snell and Ms. Leshar for their final input and approval and had worked with the County's Communications Department to move forward with that format. He stated that it was not intended to be exhaustive or all inclusive, rather it was a snapshot of the roles that each performed in a complementary fashion.

Mr. Snell stated that Deputy Administrator DeBonis, Jr. had adequately characterized the way it was developed and concurred that it was not meant to be exhaustive, but that it was important to ensure that services were not duplicated. He felt comfortable that there were distinct roles and lanes to plan, and that it added value for the County.

Chair Grijalva stated that the City of Tucson (COT) had been a contributor and asked whether Sun Corridor was included in the COT's current budget.

Mr. Snell clarified that Sun Corridor had one contract of services with one government entity, which was with Pima County. He explained that it was designed that way, but they had participation from all the municipalities in the metro area, but they strictly paid Board dues. He stated that someone had mentioned that the COT had a low contract amount, but they did not have a contract with them and what they paid was for their highest level of membership.

Chair Grijalva inquired about the cost of their highest level of membership.

Mr. Snell responded that they paid \$50,000.00, and not as high as the private sector firms, which were higher and that there had been discussions with Administrator Leshar that maybe it was time to explore a different formula, but that this was the way it was designed for over a decade.

Chair Grijalva thanked Mr. Snell for the clarification and stated that it had come up often with the Board on what the County contributed and what the COT contributed, as well as other municipalities that were in the area. She stated that she appreciated Sun Corridor's outline of monthly/quarterly updates provided to the Board which allowed the Board to respond if there were any questions. She stated that it was important as they moved forward, if the Board passed resolutions that they thought might impact the work or the kinds of businesses that they would draw, it would be shared with Sun Corridor because there was a time when her staff member had worked full-time trying to figure out ways to prevent the beginning of a business that they were very proud to bring into the community, but the Board had passed a resolution in opposition of it. She stated that it was important for everyone to be on the same page and for Sun Corridor to understand the Board's position, for example with the I-11 resolution that was passed by the Board, and not to work against each other.

Mr. Snell agreed that it was helpful to have some guidelines to follow.

Chair Grijalva stated that not all resolutions were unanimously passed by the Board, but it was important if they passed with a supermajority vote, that he be made aware of the Board's position.

Supervisor Christy appreciated Sun Corridor for being in attendance and he encouraged them to continue their work in recruiting the businesses they were

recruiting and was apologetic for the input they had just heard from the Board's majority.

Supervisor Scott stated that as Chair Grijalva noted, the Board received a quarterly update from Sun Corridor and since the document showed two sides, he requested that the update include a similar report from ECD so that the Board received reports from both, which would provide holistic information.

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

21. DM50, to provide for Davis Monthan Air Force Base Advocate; Economic Development Activities, General Fund, contract amount \$60,000.00 (CT-ECD-24-382)

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

Supervisor Lee stated that she had served on the DM50 and it did tremendous work but would like to see Pima County acknowledged at DM50 events because the County was donating money. She stated that she guessed that Pima County was the only government entity doing so, and that it was a large sum being donated.

Upon the vote, the motion carried 4-0, Chair Grijalva was not present for the vote.

### **Facilities Management**

22. City of Tucson, Amendment No. 4, to provide for maintenance of the City of Tucson premises located at 201 N. Stone, extend contract term to 6/30/25 and amend contractual language, contract amount \$30,745.97 revenue (CTN-FM-17-221)

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

### **Grants Management and Innovation**

23. Catholic Community Services of Southern Arizona, Inc., to provide for Fiscal Year 2024 Shelter and Services Program - Allocated (SSP-A), U.S. DHS/FEMA/Grant Programs Directorate Fund, contract amount \$1,512,248.58 (CT-GMI-24-465)

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

Supervisor Christy questioned when the decision was made to change administrators or carriers of the program and indicated that he read about it in the newspaper and the Board had not received a direct notification from County Administration.

Jan Leshar, County Administrator, responded that the decision was made when Catholic Community Services made the decision not do it any longer and the County began to look for another provider. She explained that on Thursday, May 16, 2024, she learned that Catholic Community Services would no longer be providing a service and the Board was notified via memorandum on Friday, May 17, 2024.

Supervisor Christy stated that there was no direct memorandum to the Board, but it was in the form of a statement from the Communications Department and that did not constitute notification. He stated that the Board should have been formally notified first before it was released to the public. He asked when the lease with Catholic Community Services expired at the Ajo facility.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, responded that the current term of the lease for the Ajo facility would expire soon, and it would be an agenda item in the near future for Board approval.

Supervisor Christy asked if it would be for a renewal.

Dr. Garcia responded in the affirmative.

Supervisor Christy stated that Catholic Community Services provided other activities and missions, and one dealt with the homeless population. He asked if there would be a blending of Catholic Community Services to offer homeless and migrant services.

Ms. Leshar responded no.

Supervisor Christy asked if the Drexel Road facility was closed since Catholic Community Services was gone.

Ms. Leshar responded no and that the County had an operator, AMI, a subcontractor that worked at the Drexel facility who had assumed full responsibility for the operations at that location.

Supervisor Christy asked if the Drexel Road facility was still in operation under AMI and was no longer under Catholic Community Services jurisdiction.

Ms. Leshar responded in the affirmative.

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

### **Real Property**

24. Serrano Solar, L.L.C., to provide for Pima County License for Right-of-Way encroachment, total contract amount \$4,375.00 revenue/25 year term (\$175.00 per year) (CTN-RPS-24-207)

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

25. Sulphur Springs Valley Electric Cooperative, Inc., to provide a Non-Exclusive Right-of-Way Use License for Public Utility Facilities, no cost/25 year term (CTN-RPS-24-204)

At the request of staff and without objection, this item was removed from the agenda.

26. Rillito Park Foundation, Amendment No. 2, to provide an operating agreement for the Historic Jelks House, extend contract term to 6/30/25 and amend contractual language, contract amount \$24,000.00 revenue (CTN-RPS-23-185)

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

#### **Recorder**

27. Town of Marana, Amendment No. 1, to provide for election services, amend contractual language and scope of services, no cost (CTN-RE-22-91)

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

#### **Sheriff**

28. City of South Tucson, to provide for the incarceration of municipal prisoners, contract amount \$101,118.00 revenue (CTN-SD-24-196)

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

29. Town of Marana, to provide for the incarceration of municipal prisoners, contract amount \$272,704.00 revenue (CTN-SD-24-197)

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

30. Town of Oro Valley, to provide for the incarceration of municipal prisoners, contract amount \$167,582.00 revenue (CTN-SD-24-198)

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

31. City of Tucson, to provide for the incarceration of municipal prisoners, contract amount \$6,045,251.00 revenue (CTN-SD-24-199)

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

32. Town of Sahuarita, to provide for the incarceration of municipal prisoners, contract amount \$163,105.00 revenue (CTN-SD-24-200)

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

33. City of Tucson, to provide for designation of the City of Tucson as the 911 Funding Public Safety Answering Points (PSAPs) system administrator, no cost (CTN-SD-24-203)

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

#### **GRANT APPLICATION/ACCEPTANCE**

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

RESOLUTION NO. 2024 - 32, of the Board of Supervisors, authorizing the approval of the continuum of care "Scope of Work for Fiscal Year 2023 Grant Amendment" from the U.S. Department of Housing and Urban Development ("HUD"), no cost (GTAM 24-92)

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

35. **Acceptance - Health**

Arizona Department of Health Services, Amendment No. 1, to provide for Arizona's Prescription Drug Overdose Prevention Program, amend grant language and scope of work, \$401,025.00 (GTAM 24-93)

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

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

AZ Water Infrastructure Finance Authority, to provide for the ORG3213 WIFA - Water Conservation Grant Fund; Pima County Arthur Pack Park Water Conservation Project, \$250,000.00/\$2,000,000.00 General Fund Match (GTAW 24-160)

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

Chair Grijalva questioned how many of the County parks were not on effluent or reclaimed water.

Carmine DeBonis, Jr., Deputy County Administrator, responded that of the 198 parks half of them were either on potable water system or wells that utilized groundwater. He stated that County Administration was going to do provide a more comprehensive report to the Board to update them on where the County was and what was being done to make conversions.

Chair Grijalva stated that she was aware it was costly, but in the long run it benefitted the community. She indicated that she looked forward to the report so that the County could start to create a plan on how they would transition their parks.

Supervisor Scott commented that his office had discussions with the Regional Flood Control District about the need to do more to retain and detain storm water and use it for irrigation, and in some cases, to recharge the aquifer. He stated that Director Shepp was going to talk with Deputy Administrator DeBonis, Jr. about a more comprehensive plan for the County.

Mr. DeBonis, Jr., stated that several months ago he and Mr. Shepp prepared a report that was provided to the Board via the County Administrator. He explained that they would come back to this topic and the Climate Action Executive Team had pulled together the various department directors and worked on these issues that spanned the range of all of the County functions. He stated that water was one of those topics and the team had been very instrumental as the County discussed heat and mitigating the effects of heat on the community. He explained that water would be a topic that they would take a comprehensive look at, not just from a flood control perspective, but across all of the departments that were represented on that team.

Supervisor Lee stated that her office had a tour of the wastewater facility with Director Jenkins and one of the things that he discussed with them was that the County received very little reclaimed water that came out of the wastewater facility. She asked that the follow-up report include an explanation regarding the amount of reclaimed water the County received because it was shocking to see how little the County got to use.

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

37. **Acceptance - Office of Digital Inclusion**

Comcast of Southern Arizona, to provide for the Pima County Digital Navigator Program, \$88,648.00 (GTAW 24-163)

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 program sounded like it was geared towards training people to sell broadband services and asked about the program's benefits. He asked why the Office of Digital Inclusion reported to Dr. Garcia and not the Information Technology Department that reported to Mr. Holmes. He referred to the background material and expressed his concern with the lack of an explanation about what the County was trying to achieve and the end goal of the program.

Jan Leshar, County Administrator, explained that discussions had over the last two years of the \$25 million dollar grant were to ensure that all segments of the County had access to internet services. She stated that the grant and work was done through the Library Department, which reported to Dr. Garcia and Michelle Simon had been the Deputy Director of the Library Department, but it was moved when the Office of Digital Inclusion was split from the library. She added that there may be other reorganizations and clarified that it came from the library, which was why it continued to report to Dr. Garcia.

Michelle Simon, Director, Office of Digital Inclusion, stated that she was excited about this opportunity with Comcast, which was a grant award in the amount of \$88,648.00 with \$25,000.00 of that in cash and the remaining dollar amount was for a donation of 100 laptops, and it was in support of the County's Learn to Earn a Computer Program, which would be introduced in the fall of 2024. She explained that this gave people in the community the opportunity to take specific classes and complete a workforce development or health component to earn a laptop. She stated that the \$25,000.00 was to purchase the mobile equipment necessary for them to go out into the community and provide the classes, to purchase a projector, a staff laptop, computer screens, and portable storage devices that would allow them to charge up the laptops and be able to take them out into the County vehicles to provide support. She stated that the individuals taking the classes currently worked in the Office of Digital Inclusion and were trained as Digital Navigators. She explained that Digital Navigators helped people connect to the internet whether it was in the Comcast, Cox or Lumen service areas, and connected them to those low-cost programs. She explained that the Comcast low-cost program was called Internet Essentials and there was some qualification that needed to happen, but it was a \$10.00 per month program that families could qualify for so they could have internet at home, which was the reason why there was information about providing that resource to community members. She stated that since it was a Comcast grant, the focus of the effort would be in the 85735, 85757 and 85746 zip codes in the Comcast area, which were inclusive of Three Points, Drexel Heights, Tohono O'odham and Pascua Yaqui Nations.

Supervisor Christy asked if this item was administrated through the libraries and about the total number of staff.

Ms. Simon responded no, it was through the Office of Digital Inclusion and there were three staff members.

Supervisor Scott thanked Ms. Leshar and Ms. Simon for placing a navigator model in the Office of Digital Inclusion because the County had seen the effectiveness of



the navigator model in the Community and Workforce Development Department and in Justice Services, with the Justice Navigators that worked at the transition center and it sounded like it was a similar model within the office that was built on the successes of those previously adopted models.

Ms. Simon concurred.

Supervisor Lee thanked Ms. Simon for the inclusion of Three Points since the rural areas were sometimes forgotten.

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

**38. Acceptance - Public Defense Services**

U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Amendment No. 17, to provide for the Title IV-E Federal Foster Care Matching Funds, \$392,760.58 (GTAM 24-88)

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

**FRANCHISE/LICENSE/PERMIT**

**39. Hearing - Liquor License**

Job No. 296364, Jaime Alberto Garcia Urias, Mosaic Cafe Dos, 7350 N. La Cholla Boulevard, No. 108, Tucson, Series 12, Restaurant, New License.

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

**40. Hearing - Liquor License**

Job No. 295801, Andrea Dahlman Lewkowitz, Speedway No. 2978, 6225 W. Ajo Highway, Tucson, Series 9, Liquor Store, New License.

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

**41. Hearing - Liquor License**

Job No. 295804, Andrea Dahlman Lewkowitz, Speedway No. 2980, 15841 W. El Tiro Road, Marana, Series 9, Liquor Store, New License.

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

42. **Hearing - Agent Change/Acquisition of Control/Restructure**

Job No. 296006, Stephen Chung Sze, Lee Lee Oriental Supermart, 1990 W. Orange Grove Road, Tucson, Acquisition of Control.

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

43. **Hearing - Bingo License**

24-03-8047, Charles Soukup, GVR Foundation, 1111 S. GVR Drive, Green Valley, Class A - Small Game.

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

44. **Hearing - Fireworks Permit**

David Tibbitt, Ajo/Gibson Volunteer Fire Department, Freeport Slag Dump, 400 Taladro Avenue, Ajo, July 4, 2024 at 8:30 p.m.

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

**DEVELOPMENT SERVICES**

45. The Board of Supervisors on June 18, 2024 continued the following:

**Hearing - Rezoning**

P23RZ00008, WOHLFORD - N. BONANZA AVENUE REZONING

Kevin and Sandra Wohlford, request a rezoning of approximately 6.07 acres from the SR (Suburban Ranch) to the CR-1 (Single Residence) zone, located on the east side of N. Bonanza Avenue approximately 1,500 feet south of E. Snyder Road, addressed as 4510 N. Bonanza Avenue. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Gungle and Cook were absent) to recommend APPROVAL

**SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)**

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. The properties shall be limited to a single access point per lot onto Bonanza Avenue.
  - B. Access point to each lot shall be determined at time of building permit submittal.
3. The owner(s) must secure approval from the Pima County Department of Environmental Quality to use an on-site sewage disposal system at the time a tentative plat, development plan or request for building permit is submitted for review.
4. Cultural Resources condition: A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
5. Adherence to the sketch plan as approved at public hearing.
6. No more than one single-family residence allowed on the proposed 3.14-acre parcel located east of existing wash without the written approval of the Board of Supervisors.
7. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
8. The property owner shall execute the following disclaimer regarding the Private Property Protection Act. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning, or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
- ~~9. In order to minimize floodplain impacts, there shall be no encroachment into or development within the El Duro Wash floodplain. Development of Lot 3 on the sketch plan will require that the owner obtain legal access from the south or east of the subject property.~~
- ~~10 9. All new residences will be reviewed and approved by the Design Review Committee to ensure that the new homes integrate into the existing community.~~
- ~~11. New residences shall be limited to single story with a maximum height of 20 feet.~~

Sandy Wohlford, applicant, addressed the Board and wanted to provide clarification to a neighbor who had been quite vocal about the water and had opposed the rezoning. She stated there may have been confusion that this had to do with the main wash, but it was important to know that it had nothing to do with the main wash. She showed a map of the area and explained that it affected a runoff and a small part that went across the Wohlford's property. She also showed pictures that the neighbor kept showing of terrible flooding by the neighbor's property which was not a deep wash, and hardly even a swale, and the water ran across the road. She added that the opposite side was where the Wohlford's property was, which was on the north side of the house, it was super flat, and it ran across there. She referred to

a photo and stated that for full disclosure, the water left the Wohlford's property to the north and went up to the northeast on another property. She stated that the water issue was the reason for the rezoning being stopped because the neighbor claimed they were building a house and clarified they wanted to rezone for the lots, they were not builders and were not going to build houses. She stated they wanted to sell the lots and then it would be up to someone else to build which was why there was no footprints. She stated that a house to the south and especially a house to the southeast would not affect the little runoff area even if permeability was an issue, or with the existing houses.

Elizabeth Atayde addressed the Board and indicated that her concern was with the small runoff wash, which she needed to remove the sand that came off that property across the street. She stated that she received a \$2,200.00 quote for the removal and provided pictures of what washed through from that side of the road. She stated that there was about 8 to 10 inches of sand that was not there prior to 2021-2022, and that there should be consideration for any build that went up on the north end of that property and that the south end did not affect the runoff because it went south of the Atayde's property. She clarified that her concern was that she had called the County and requested to provide the Wohlford's sand back to them, but was told no. She added that she would have to take the sand being removed next week to the County dump, which made absolutely no sense when there was a sand pile located a mile up the road. She reiterated that any development on the north side of the Wohlford's property would affect it and if it sped up runoff, she would have to do this more often at a cost to herself.

Kevin Wohlford, applicant, stated that he was a proud resident and lived in Pima County for six months. He clarified that there were no plans to build a home or anything on the north side and they also did not plan to build themselves a house anywhere on this property and reiterated that they wanted to divide it and sell some lots to pay their debts. He stated that it was his understanding that the process had seemed to move forward since he received a list of 11 conditions, which were mostly standard, however, he wanted to bring attention to Condition No. 9, which he felt was unacceptable, but that it may have been in response to the neighbor's concern. He explained the property was surrounded by homes and there was no possibility of legal access from anywhere except where it was depicted towards Bonanza Avenue. He added that he spoke with the neighbor to the south and they would not allow access, but they had a two-story house that was far from his property line. He stated that four of the properties around his property had two-story houses, which was an item that he would like to have struck. He stated that he had an engineer and surveyor that studied the topography which had established boundaries of the 100-year floodplain, for the erosion setback, calculated how far upstream from Bonanza Avenue, a driveway could cross the wash and designed a wash crossing on site. He added that they had done their homework, and at their expense had drafted a site plan that showed a wash that would have minimal impact on flood concerns. He stated that if the Board would deny access to four acres of land and render it basically worthless to anyone who might buy it, then he felt they were owed an explanation on what exactly they meant by flood impact because his engineer told him that it was absolutely ridiculous. He stated that he

was acceptable to these conditions, with the exception to Condition Nos. 9 and 11. He stated that the County allowed two-story homes up to 34 feet and he objected because 4 out of the 7 homes adjacent to his property were two-story homes, they produced less flash flood runoff due to smaller impermeable area and he had a 25-foot cactus growing in the middle of one of the lots and the person that objected to two-story homes was unable to see their 25-foot cactus. He asked that if restriction was allowed, could they have a compromise, not with a two-story home, rather the height and allow a house up to 22 or 24 feet. He added he would also like Condition No. 9 to be struck because he would be banned from crossing his wash and there was negligible impact on flooding, however they found that flood waters moved through the property. He urged the Board to approve the item with the removal of Condition Nos. 9 and 11.

Chair Grijalva stated that she was under the assumption when this item came forward that there was some meeting of the minds or agreement with the property owner and the recommendations, so that was her issue.

Supervisor Scott asked for an explanation of additional Condition Nos. 9, 10 and 11, which were responsive to concerns that were raised by Board members, and why Nos. 10 and 11 were needed and the process of them being added. He stated that he saw a contradiction between Condition Nos. 10 and 11.

Chris Poirier, Deputy Director, Development Services, explained that throughout the process they had heard from Ms. Atayde who lived on the west and also from at least four other neighbors who indicated concerns about drainage and the Pima County Regional Flood District had a substantial policy within their comprehensive plan that really tried to promote avoidance of washes. He stated that Condition No. 9 was created to offset potential negative consequences, especially with the property owners to the south. He added that the applicant indicated there was only one neighbor of concern, but there were at least five protest letters, most of them to the south of the property with concern of the potential drainage impact and they worked with the Regional Flood Control District to come up with a condition they thought was appropriate.

Supervisor Scott asked if the protest letters came in after the approval by the Planning and Zoning (P&Z) Commission.

Mr. Poirier responded no and that most were on the record at the time of P&Z. He stated that the typical sequence of a rezoning was that the Development Services Department formulated a staff report, then neighbor letters came in, followed by the commission hearing and then it proceeded to the Board. He explained that was the reason why the condition was crafted post original staff report to this Board.

Supervisor Scott requested clarification whether it was crafted post original staff report and post the unanimous decision of P&Z.

Mr. Poirier responded in the affirmative.

Supervisor Scott asked why Condition No. 9 was not created prior to the P&Z vote if the concerns from the adjacent property owners came in after the staff report, but before the P&Z report.

Mr. Poirier responded that ideally, the issue would have been fully fleshed out before or during the P&Z meeting, but in this circumstance, they received an additional neighbor concern with supplemental letters specifically regarding flooding after the P&Z meeting, which had contributed to their recognition that maybe it needed to be better addressed.

Supervisor Scott asked why both Condition Nos. 10 and 11 were recommended because it seemed that if No. 10 was fully implemented, then No. 11 seemed superfluous.

Mr. Poirier responded that with this discussion the Design Review Committee (DRC) would be better positioned to consider something like height. He clarified that the idea of including Condition Nos. 10 and 11 was to ensure that when they did track to the DRC, that height was going to be a significant portion of the review. He explained it as two conditions for two parts with the primary objective of the DRC to review architectural design, which had been a concern by Chair Grijalva at the last meeting, regarding the lack of elevations that the Board was used to with maybe more sophisticated applications where there could be a series of models that were part of the record that then everyone would know what the house would look like. He stated that in this case, it was more of a mom-and-pop rezoning, where the applicant did not know exactly what the houses would look like, but due to the potential concern raised by Chair Grijalva and the Board at the last meeting, staff thought Condition No. 10 would help the potential negative impact offset. He stated that if it went to the DRC, neighbors then could have a say and then the home would be architecturally, hopefully compatible. He stated that Condition No. 11 reinforced and gave them further direction and limits to whatever that architect might be proposing to the DRC, that whatever they did would include a height limit, because they had seen a specific neighbor concern raised post P&Z to this date, specifically about height.

Supervisor Scott stated that he found the work of the DRC to be so comprehensive that he thought they would take into account exactly what was written in that condition, that the new homes would integrate into the existing communities. He stated that he understood Mr. Wohlford's concern with Condition No. 11, however, did not agree with his concerns about Condition No. 9 based on the points raised by Mr. Poirier and the input from the Regional Flood Control District.

Supervisor Heinz reminded the Board that P&Z unanimously approved the item without Condition Nos. 9, 10 or 11, so he was unsure if they were needed, but he was fine with Condition No. 10. He stated that he could not support Condition Nos. 9 or 11, and that he would vote for approval with Condition No. 10 only.

It was moved by Supervisor Scott and seconded by Chair Grijalva to close the public hearing and approve P23RZ00008, subject to standard and special

conditions, with the exception of Condition No. 11 and requested it be struck from the conditions. Upon the vote, the motion failed 2-3, Supervisors Christy, Heinz and Lee voted "Nay."

It was then moved by Supervisor Scott and seconded by Supervisor Heinz to close the public hearing and approve P23RZ00008, subject to standard and special conditions, with the exception of Condition Nos. 9 and 11. Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

46. **Hearing - Rezoning**

P24RZ00002, 1722 INA, L.L.C. - W. INA ROAD REZONING

1722 Ina, L.L.C., represented by R. Bruce Woodruff, request a rezoning of approximately .83 acres (Parcel Code 225-47-0070) from the CR-1 (Single Residence) to the TR (Transitional) zone located on the north side of W. Ina Road, approximately 187 feet east of the corner of W. Ina Road and N. San Anna Drive, addressed as 1722 W. Ina Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 7-1 (Commissioner Membrila voted NAY, Commissioners Maese and Gungle were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the submittal of the development plan. Offsite improvements determined necessary as a result of the TIS shall be provided by the property owner.
  - B. The property shall be limited to a single access point on Ina Road.
  - C. The location and design of the access point shall be determined at time of development plan submittal and is subject to Department of Transportation's approval.
  - D. A 1-foot no access easement is required along the south property boundary along Ina Road, with the exception of the access point.
3. Regional Flood Control District condition: First flush retention shall be provided and distributed to the landscape areas.
4. Regional Wastewater Reclamation conditions:
  - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
  - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public

sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

- C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
  6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
  7. Adherence to the sketch plan approved at public hearing.
  8. The use of the property is limited to semi-professional and professional office uses.
  9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
  10. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Supervisor Scott inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Scott, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to close the public hearing and approve P24RZ00002, subject to standard and special conditions.



47. **Hearing - Rezoning Time Extension**

Co9-07-21, STEWART TITLE AND TRUST TR 3652 - NORTH COMO DRIVE REZONING

Stewart Title and Trust TR 3652, represented by The Planning Center, requests a five-year time extension for an approximate 59.91-acre rezoning (portion of Parcel Code 219-26-009E) from the RH (Rural Homestead) to the SR-2 (Suburban Ranch Estate) zone, located approximately 2,500 feet west of N. Como Drive and approximately one-half mile northwest of the intersection of W. Moore Road and N. La Cholla Boulevard. The subject site was rezoned in 2009 and received two five-year time extensions, the most recent of which expired May 5, 2024. Staff recommends APPROVAL OF THE FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 1)

Staff recommends APPROVAL of a five-year time extension to May 5, 2029 for the 59.91-acre rezoning (portion of parcel code 219-26-009E) from the RH (Rural Homestead) to the SR-2 (Suburban Ranch Estate) zone subject to modified standard and special conditions as follows:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. Offsite improvements to Moore Road and Como Drive may be required as determined necessary by the Department of Transportation.
  - B. Offsite improvements shall be required for the access between the rezoning subject property and Como Drive as determined necessary by the Department of Transportation (shown as Street A on the Preliminary Development Plan).
3. Environmental Quality conditions:
  - A. A geologic report shall be provided that contains the results of percolation testing/soil characterization and appropriate depth boring logs for each proposed lot in the subdivision. These tests shall be performed by an Arizona registered professional engineer, and shall demonstrate that an on-site disposal system can be permitted on each lot. The depth to groundwater shall be provided in this report.
  - B. In accordance with R18-5-404, please show, on each proposed lot, suitable locations for an on-site wastewater disposal system and a 100% reserve area. The size of these systems shall be determined from the tests performed as required above, and applied to a hypothetical four bedroom residence (also to be shown on the Tentative Plat). Also, include the design calculations used to size the preliminary and reserve on-site disposal fields. On-site disposal systems may not be located in floodway areas, erosion hazard setbacks, or within fifty feet of washes, whichever is more restrictive.
  - C. Percolation test/soil evaluation holes shall be shown on the Tentative Plat.
4. Flood Control conditions:
  - A. ~~Development associated with the rezoning subject property shall meet Critical Basin detention requirements before approval of a tentative plat and/or development plan, as determined necessary and approved by the Flood Control District.~~  
First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
  - B. Off-site improvements shall be required to provide all weather access to the subject site along Street A, as shown on the preliminary development plan, before approval of a tentative plat and/or development plan, as determined necessary and approved by the Flood Control District.
  - C. A letter of intent to serve from a water service provider (Tucson Water) shall be submitted with the tentative plat.

- D. ~~The applicant shall prepare a water conservation plan with the tentative plat. The plan shall indicate the maximum allowed turf area for each individual lot. The maximum turf area shall be included in the subdivision's recorded CC&R's.~~ Critical detention basin standards shall be met for on-site flows. Detention basins shall not capture and detain off-site flows.
- E. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table A such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
5. Wastewater Reclamation conditions:  
The owner / developer shall secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal systems within the rezoning area at the time a tentative plat, development plan or request for building permit is submitted for review.
6. Environmental Planning condition:
- A. Total grading for the rezoning site shall not exceed 492,230 square feet. Maximum grading limits for individual lots shall be determined at the time of platting. The plat shall identify all common areas and those areas on individual lots that are set-aside and reserved from grading as natural open space.
- B. Upon the effective date of the Ordinance, the owner(s)/~~developer(s)~~ shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the current property owner. ~~Prior to issuance of the Certificate of Compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~  
Invasive Non-Native Plant Species Subject to Control:
- |                               |   |
|-------------------------------|---|
| Ailanthus altissima           | Tree of Heaven  |
| Alhagi pseudalhagi            | Camelthorn  |
| Arundo donax                  | Giant reed  |
| Brassica tournefortii         | Sahara mustard  |
| Bromus rubens                 | Red brome   |
| Bromus tectorum               | Cheatgrass  |
| Centaurea melitensis          | Malta starthistle                                     |
| Centaurea solstitialis        | Yellow starthistle                                    |
| Cortaderia spp.               | Pampas grass  |
| Cynodon dactylon              | Bermuda grass (excluding sod hybrid)                  |
| Digitaria spp.                | Crabgrass   |
| Elaeagnus angustifolia        | Russian olive   |
| Eragrostis spp.               | Lovegrass (excluding E. intermedia, plains lovegrass) |
| Melinis repens                | Natal grass   |
| Mesembryanthemum spp.         | Iceplant  |
| <u>Oncosiphon piluliferum</u> | <u>Stinknet</u>                                       |
| Peganum harmala               | African rue   |
| Pennisetum ciliare            | Buffelgrass   |
| Pennisetum setaceum           | Fountain grass  |
| Rhus lancea                   | African sumac   |
| Salsola spp.                  | Russian thistle                                       |
| Schismus arabicus             | Arabian grass   |
| Schismus barbatus             | Mediterranean grass                                   |
| Sorghum halepense             | Johnson grass   |
| Tamarix spp.                  | Tamarisk  |
- C. Walls or fences shall not be allowed along the perimeter of any lot or on the perimeter of the subject property, except for walls immediately adjacent to the gated entryway; however, walls and fences may be erected within the maximum grading area for each lot established by the subdivision plat. Walls shall not be located within

- natural open space designated on each individual lot. These restrictions shall be a Permitting Note on the plat.
7. A. A cultural resources mitigation plan (that includes strategies for Preservation and/or Data Recovery) for any identified archaeological sites on the subject property that are not avoided by development shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate.
  - B. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
  8. The following conditions shall be required in support of County Sustainability Initiatives:
    - A. Water harvesting techniques to be employed with subdivision roadway design and individual grading on each individual lot. Roof runoff to be directed into landscaped areas. Swales and micro basins to use stormwater to irrigate vegetation.
    - B. The recorded private subdivision Covenants, Conditions, and Restrictions (CC&Rs) shall not prohibit and shall encourage the use of solar energy and other alternative energy sources shall be encouraged and not be prohibited.
    - C. Each home shall be oriented for optimal solar orientation, to the maximum extent possible.
    - D. Each house shall be built with a greywater stub out.
  9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
  10. The property owner shall execute and record the following disclaimer regarding the Private Property Rights Protection Act ~~Proposition 207~~ rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner to any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
  11. Adherence to the preliminary development plan (EXHIBIT C) as approved at public hearing.
  12. There shall be a maximum of 18 residences.

Former Regional Flood Control District conditions #4A-D are modified to conditions #4A-E, to delete and add new conditions for providing first flush retention, meeting critical detention basin standards and selecting of water conservation measures to meet up-to-date requirements for the department.

The conditions provided under approved Resolution 2020-19 for other reporting departments are essentially the same conditions other than minor updates for current condition language.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Scott, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-07-21, Five-Year Time Extension subject to original and modified standard and special conditions.

#### 48. **Hearing - Conditional Use Permit**

P23CU00012, ANDRADA INVESTMENTS, L.L.C., ET AL. - S. WILMOT ROAD  
Andrada Investments, L.L.C., et. al., represented by Wilmot Energy Center II,  
 request a Type II Conditional Use Permit for a utility-scale renewable energy facility in accordance with Section 18.07.030.Q of the Pima County Zoning Code, in the Conditional RH (Rural Homestead), TR (Transitional), CB-1 (Local Business), SR

(Suburban Ranch), and CR-5 (Multiple Residence) zones. The applicant is required to close the prior rezoning at the same hearing as the conditional use approval. The zoning of the site must be all RH in order for the conditional use permit to be approved. The project is located on Parcel Nos. 305-23-018D, 305-23-018A, 305-23-026A, 305-23-027B, 305-23-0140, 305-22-0050, 305-22-004A, 305-22-004B, and 305-22-0030. Staff and the Hearing Administrator recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 4)

Standard Conditions & Requirements pre the Pima County Zoning Code

1. A utility-scale renewable energy facility (including a “solar farm”) is allowed in the RH zone as a conditional use per Section 18.07.030.Q.

Special Conditions – Hearing Administrator

The following Special Conditions incorporate detailed input provided by the Development Services Department, the Department of Transportation, Environmental Planning and the Regional Flood Control District.

1. The zoning of the project area shall revert to RH following a closure of the conditional rezoning on the site (Resolution 2022-69) at the same Board of Supervisors hearing as this CUP is approved.
2. The project shall comply with the general requirements listed in Section 18.07.030.Q.4:
  - a. The minimum required fencing for a ground-mounted system is a perimeter chain link fence (unless Section 18.49.040(G) applies, in which case another type of fencing/wall is required) meeting minimum setback requirements, however, the hearing administrator may recommend additional or alternative specific types of fencing, screening, and/or walls appropriate to the site and surrounding land use(s) and not otherwise prohibited by this title.
  - b. The site's permanent building, if any, shall utilize a southwestern color palette (desert tans, browns, rusts, greens) for those opaque surfaces that are not of indigenous or natural building materials. If the property is subject to the scenic route regulations of Chapter 18.77, the more restrictive requirements shall apply.
  - c. Solar energy systems shall be located such that prolonged and/or substantial concentrated solar radiation or glare shall not be directed onto abutting properties or roadways.
  - d. Suitable warning signs containing a telephone number for emergency calls shall face all access approaches to the facility. No advertising on the signs is allowed.
  - e. The site shall be maintained in a trash and debris free manner.
  - f. Any renewable energy system which becomes inoperable shall at the owner's expense be made operational or shall be removed from the property within one year of the date system became inoperable. An appropriate reclamation and closure plan, including recycling, subject to the planning director's approval shall be required prior to removal.
3. Any affected Pima Pineapple Cactus that need to be transplanted must be transplanted on-site. Pima Pineapple Cactus may not be transplanted off-site per the standards of the NPPO.
4. In the future event that the solar farm use is discontinued on the property and the solar panels and support infrastructure are removed, all impacted areas shall be hydroseeded to promote the re-establishment of ground cover and to enhance soil stabilization.

Flood Control Conditions:

5. Regional Flood Control District review and approval are required at the time of permitting.
6. The In-lieu Fee to mitigate for the disturbance to the Regulated Riparian Habitat will be paid at the time of development prior to issuance of the Site Construction Permit.
7. All proposed fencing shall meet the Technical Policy 005 Construction Standards for Fences and Walls within Regulatory Floodplains.
8. Access the crosses the floodplains between solar fields is prohibited to have fencing.
9. Encroachment into mapped Regulated Riparian Habitat, the local floodplain and flow corridors not shown on the approved site plan is prohibited.

10. The Regulated Riparian Habitat located within the Flood Control Resource Area shall be protected during construction and will remain undisturbed in perpetuity.

Department of Transportation Conditions:

11. The number, location, and design of the access points on Wilmot Road shall be determined at time of development plan submittal.
12. Prior to Development Plan approval, written proof of coordination with the City of Tucson Department of Transportation and Mobility is required regarding any access requirement for Andrada Road, access points, and traffic impacts to their roadway system.

Environmental Planning Conditions:

13. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Guidelines by providing a total of 83.8 acres of Natural Open Space within the portion of the project designated under the CLS as Biological Core Management Area.

Thomas Drzazgowski, Chief Zoning Inspector, Development Services Department, provided a staff report and stated that the project was a large scale solar farm located substantially within the Renewable Energy Incentive District, which was approved back in 2012 by the Board. He clarified that there were small areas that were not within the Renewable Energy Incentive District, so that scope of the project needed to go through the conditional use project permit process. He stated that some of it was mapping errors and some of it was an expansion outside the read of what NextEra was trying to accomplish. He explained that the first item was the conditional use followed by two closure items. He stated that the closures were needed because underneath the property there were two rezonings and those had to be reverted and closed for the zoning to be brought back to RH.

Chair Grijalva inquired about the current zones for the properties.

Mr. Drzazgowski responded that they were a combination of Transitional, Local Business, and Multiple Residence zones.

Chair Grijalva asked if they were for housing developments.

Mr. Drzazgowski responded for the development of houses and apartments. He stated that the infrastructure was not in the immediate area and that it would be an extensive process to bring in the necessary infrastructure and this project was going to last 20 to 30 years. He stated that at that point, it may be extended or removed, and the owners would need to decide what they wanted to do with the underlying property.

Supervisor Christy inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to close the public hearing and approve P23CU00012, subject to standard and special conditions.

49. **Hearing - Rezoning Closure**

Co9-11-08, ANDRADA INVESTORS, L.L.C. - ANDRADA ROAD (ALIGNMENT) REZONING

Andrada Investors, L.L.C., represented by Robert Tucker, request closure of an approximate 716.3-acre rezoning (Parcel Codes 305-22-0030, 305-22-004A, 305-22-004B, 305-22-0050, 305-23-0140) from RH (Rural Homestead) to RH-® (Rural Homestead - Restricted), SR (Suburban Ranch), CR-5 (Multiple Residence) (Small Lot Subdivision Option), TR (Transitional), and CB-1 (Local Business) zones located approximately 1 ¾ miles west of S. Houghton Road, ¾ mile west of E. Andrada Road, and one mile north of E. Sahuarita Road, (637.3 acres) and located approximately 3 ¾ miles west of S. Houghton Road, 2 ¾ miles west of E. Andrada Road, and 1 ½ miles north of E. Sahuarita Road (79 acres). The rezoning was conditionally approved in 2012 and expires April 3, 2027. Staff recommends CLOSURE. (District 4)

Supervisor Christy inquired whether anyone wished to address the Board. No one appeared. It was moved Supervisor Christy, seconded by Supervisor Scott, and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation of closure of Co9-11-08.

50. **Hearing - Rezoning Closure**

P16RZ00007, ANDRADA WILMOT 180, L.L.C. - S. WILMOT ROAD REZONING

Andrada Wilmot 180, L.L.C., represented by Robert Tucker, request closure of an approximate 359-acre rezoning (Parcel Codes 305-23-018D, 305-23-026A, 305-23-027B and portion of 305-23-018A) from the RH (Rural Homestead) to the CR-5 (Multiple Residence-Small Lot Option) zone, located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road. The rezoning was conditionally approved in 2016 and the rezoning expires on November 22, 2026. Staff recommends CLOSURE. (District 4)

Supervisor Christy inquired whether anyone wished to address the Board. No one appeared. It was moved Supervisor Christy, seconded by Supervisor Scott, and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation of closure of P16RZ00007.

51. **Hearing – Rezoning Comprehensive Plan Amendment Resolution**

RESOLUTION NO. 2024 - 33, P23CA00005, Habitat for Humanity Tucson, Inc. - W. Mars Street Plan Amendment. Owner: Habitat for Humanity Tucson, Inc. (District 3)

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

## **BOARD OF SUPERVISORS**

### **52. Revisions to Board of Supervisors Policies and Personnel Policy**

Discussion/Direction/Action regarding approval of the proposed revisions to the following:

- Board of Supervisors Policy No. D 23.3, Personnel Administration - Classified Service
- Board of Supervisors Policy No. D 23.9, Personnel Administration Classified Service/Unclassified Service Political Affiliation Protection
- Personnel Policy No. 8-119, Rules of Conduct. (District 3)

Supervisor Lee stated that this was one of the items that came before the Board on June 6, 2023, and then was brought back on July 7, 2023. She stated that it was one of two policies relating to elections and County employees, which had not been approved at the time. She explained that the proposed changes would allow County employees to make a political contribution and/or solicit or collect political contributions for any candidates for any elected County office so long as it occurred outside of County facilities and work hours and did not utilize County resources.

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

A substitute motion was made by Supervisor Christy and seconded by Supervisor Lee to continue the item to the first Board of Supervisors' Meeting in January 2025, after a new Board had been seated.

Supervisor Christy stated that it was highly inappropriate that this was under discussion for campaign contributions when the current Board members, with the exception of Supervisor Lee, was running for reelection and that ballots would be out the following day. He stated that it was bad optics to have the discussion of campaign contributions by County employees during the height of the election season, which would go into full effect the following day.

Chair Grijalva stated that she would vote against this item.

Supervisor Christy asked if this would be a retroactive action to and for employees who had already made donations to campaigns this year.

Chair Grijalva clarified that the Board was considering Supervisor Christy's substitute motion to continue the item, which meant they could not discuss it, but clarified that county employees were prohibited, except for elected officials. She explained that under the current policy employees could not contribute, and it should not be retroactive.

Supervisor Christy asked if there were employees who had made contributions.

Chair Grijalva stated that she knew of one County employee that gave contributions in 2023.

Supervisor Christy indicated that he knew of two employees that had recently given contributions.

Supervisor Heinz stated that it was their right, per the courts.

Chair Grijalva understood that, but that was not the Board's current policy and clarified there would be no retroactive because it was not currently allowed.

Supervisor Scott requested clarification whether they could speak only on the motion to continue the item or to the motion in general.

Chair Grijalva clarified that he could speak to the motion period.

Supervisor Scott stated that he would not vote in favor of this item now or in January and that he appreciated Supervisor Christy's point because adopting this item meant that County employees could contribute to political campaigns and that all County elected officials could solicit contributions from County employees. He stated that he had around 350 individual contributors to his current campaign, and there were a handful of them who went on his website and gave him a contribution, but the vast majority of them were asked by him to make a contribution. He stated that there were many potential negative ramifications from allowing Supervisors and Row Officers to solicit from employees, which would place direct and indirect pressure on the 7,000 employees who worked for Pima County, even if they were not solicited for a contribution. He stated that a County employee might feel compelled to provide one if they worried about how the elected officials felt if they did not make a contribution. He added that the Board recently removed the requirement that County employees had to take leave if they wanted to run for office and there was a current situation in a department where the incumbent row officer and an employee of that department were both seeking to be the new row officer. He stated that by adopting this measure, it could create a situation where employees donated to one candidate, but not the other, which might exacerbate tensions within that department. He stated that in departments where elected officials or their deputies completed employee evaluations or considered promotions could present favoritism or retaliation based on whether or not an employee made a contribution. He stated that even though there were non-retaliation policies, it could still happen if someone acted unscrupulously and he admired the motives that caused Supervisor Lee to put this matter forth, and that free speech and choice should be supported, but he was concerned with the direct and indirect pressure this change would put on employees and the potential for unethical behavior by elected officials.

Supervisor Heinz stated that this issue was not constitutional and whether he liked or disliked the current policy, it was not consistent with the First Amendment. He stated that multiple other courts at other levels had found you could not do this and the reason he brought it up last year and seconded the motion was because



although there might be undue pressure, he never had and never would ask his staff for a contribution. He stated that as a County, they could not infringe upon the First Amendment Rights of employees and it had already been essentially nullified and unconstitutional, so in his view, this would align County policy with the expressly stated opinions of other courts.

Sam E. Brown, Chief Civil Deputy County Attorney, clarified that the Attorney General (AG) had opined on this, but it had not gone through the court system yet. He stated that the AG opined on the contribution side, not the solicitation side and the constitutionality of that, it was an open question that could be decided by a court and could be challenged, so they only had an opinion and not necessarily a court order.

Supervisor Heinz inquired about the AG's opinion.

Mr. Brown responded that the AG's opinion was that the contribution ban was unconstitutional.

Supervisor Scott stated the AG opinion had already been shared with the Board and the former County Administrator who indicated that the Board could act on it if they chose, but they were not obliged to because it was an AG opinion, which was an opinion from the former AG. He asked whether the Board could act on that opinion or choose not to act on that opinion.

Mr. Brown answered in the affirmative.

Supervisor Scott stated that he did not think the Board was being told to do anything by the courts and there was an opinion from the former AG. He stated that this item was brought forth by a constituent of Supervisor Lee's who advocated that the Board change this policy, but the Board was not obliged to do that. He urged his colleagues to consider the direct and indirect pressure that employees were going to feel if this change was made to the policy.

Upon roll call vote, the substitute motion failed 2-3, Chair Grijalva and Supervisors Heinz and Scott voted "Nay."

Chair Grijalva stated that the Board was back to the original motion.

Supervisor Heinz asked if it would be helpful if they removed the solicitation side of things and then enacted it in January.

Chair Grijalva stated that was not the reason she did not support the item. She stated that it made sense similar to the Hatch Act for federal employees and was one of the things she thought was really beneficial. She stated that the District 5 office worked with many departments, and employees could feel pressured to contribute and it was safer to not put anyone in that position, and if someone wanted to help they could participate, but she felt it was the contribution angle that

was difficult for her to move forward with and she had the same issue with it last June.

Upon roll call vote, the original motion failed 2-3, Chair Grijalva and Supervisors Christy and Scott voted "Nay."

53. **Removal of Attorney/Client Privilege from Expansion of Background Checks for Firearm Purchases Memorandum**

Discussion/Direction/Action: Requesting that Attorney/Client Privilege be removed from the memorandum sent to the Board on June 24, 2024, by County Administrator Jan Leshner. The memorandum is titled "Expansion of Background Checks for Firearm Purchases" and was authored by Jonathan Pinkney, Supervisor, Health Law Unit within the Pima County Attorney's Office. It is dated June 19, 2024. (District 1)

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to remove the attorney/client privilege from the memorandum.

54. **Pima County Housing Trust Fund - Funding Options**

Discussion/Direction/Action: Per the recommendation of the Pima County Regional Affordable Housing Commission, directing the County Administrator to come back to the Board at the second meeting in September with initial options vetted by staff for a dedicated funding source, or sources, to fund the Pima County Housing Trust Fund, such that the Trust Fund can achieve annual revenues for affordable housing development and preservation of at least \$10 million per year starting in FY2026. The direction is to bring back the pros and cons, and legal requirements, of the top two or three most efficient and equitable vetted options. (District 2)

Supervisor Heinz stated this came from an item that he brought forth several meetings ago, and the discussion at that time was to have this referred to the Regional Affordable Housing Commission (RAHC) since they were empaneled to review these types of things on behalf of the Board. He stated that he reviewed it and several other items that had been discussed with regards to housing and one of their three recommendations was to direct staff to review potential options and that it be brought back to the Board with potential options to have a dedicated funding source for affordable housing moving forward.

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

Chair Grijalva requested clarification whether this item was direction to work with the RAHC to explore options.

Supervisor Heinz stated that it had already gone through the RAHC and that one of their recommendations was to have County Administration review options to find dedicated funding.

Chair Grijalva stated that the item indicated it was for \$10 million, but the current budget had \$5 million. She asked if this would double it, or whether it was for an additional \$10 million.

Supervisor Heinz replied that it would be to double the budget.

Supervisor Scott stated that at some point in the future, there might be a need for a Housing Trust Fund, which was certainly one of the options that could be considered, but he was frustrated with the fact that the RAHC had yet to come up with a long range strategic plan for increasing the stock of affordable housing, workforce housing, and marketplace housing in the County. He stated that they may be able to move forward with it since the Request for Proposal for the dashboard was moving forward and that would be able to do the needs assessment that should have been a priority earlier in their tenure. He stated that the RAHC needed to do some substantive long-range planning before deciding on the need for a housing trust fund, but until they completed a long-range strategic planning and currently had more of the capacity to undertake due to the dashboard moving forward, he could not support the item because he felt it was putting the cart before the horse. He appreciated that Ms. Darland was made an ex-officio member of the RAHC because he hoped that with the additional staff direction, the commission could get back to the original charges from the County Administrator when it was formed that dated back to the recommendations from the task force that predated the commission.

Supervisor Christy stated that he had several basic issues with this, and the most troubling was the need to establish a County Housing Trust Fund, which was not the role of government, and the government created the affordable housing crisis in the first place with its land use policies and limitless regulations, and then more government and more money was needed to fix it, but he did not agree and would vote against this item.

Chair Grijalva stated that Pima County had a housing crisis and she was not opposed to receiving more information about how to be able to build a dedicated funding source for housing. She stated that the Board could consider to act upon the recommendations or not, and that the Board had dedicated \$5 million for the last three years, but did not believe it leveraged in the way it could with trying to receive grants and other opportunities and using it as a match. She stated that the \$5 million was negligible and that it was never going to be enough to really have a significant impact for the size of the community, but the hope was that once there was a line item established, it would be utilized as leverage.

Supervisor Lee stated that she and Supervisor Scott had a tour with Primavera, and they did fantastic, amazing things, and they shared that they purchased an old hotel that they were revamping for affordable housing for families and had also looked at land adjacent to them to build a women's transition center. She stated that one of the things she wanted explored was potential partnerships because there were grants to be leveraged, and they should look at partnering whenever possible. She

stated that the only part of this that she had trouble with was where the \$10 million trust would come from. She stated that taxes were not raised and there was a flat tax, so it would not be seen on their tax bill, however, the Board did not have money this year and they had to be very careful. She expressed her support of Supervisor Heinz's comments to ensure support of the RAHC, but was unsure that she could support dedicating \$10 million until she knew where that money would come from.

Chair Grijalva stated that her understanding of the item was to explore what those options could be and part of that could be the grants as she had mentioned. She stated that it would come back to the Board for consideration. She added that when the Board first allocated this funding, they had to try to fly the plane while it was already in the air, so they needed to figure out how it would be done. She stated that it was not a perfect system, and perhaps other options could be explored if they allocated more funding and felt it was important to continue to be part of the solution for affordable housing in Pima County.

Supervisor Heinz stated for clarification that this was not a dedicated \$10 million and it came from discussions at the Commission's meeting and was a number that they put forward as a goal. He added that this item was to ask staff to help look at ways to develop pathways and perhaps grants matching to find the dedicated funding at a level of ideally \$10 million or more, and to come back to the Board in September with their recommendation. He further clarified that the Board was not voting to dedicate more money at this time, rather to help look at legal ways to find a dedicated amount of dollars to put into a Housing Trust Fund and for the options to be brought back to the Board.

Supervisor Scott stated that he supported the money in the budget the last two years for GAP funding and may support the creation of a Housing Trust Fund in the future, but restated in the strongest possible terms that there needed to be more direction provided to the Commission to go back to their original charges, which he felt they never addressed holistically, which was why he could not support the item at this time.

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

## **COUNTY ATTORNEY**

### **55. Opioid Litigation and New Potential Defendants**

Discussion/Direction/Action regarding opioid litigation and new potential defendants.

It was moved by Chair Grijalva, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to approve adding the following new defendants: Albertsons, Mylan, Indivior, Inc., KVK-Tech, Inc., Express Scripts and OptumRx.

## **BOARD, COMMISSION AND/OR COMMITTEE**

### **56. Board of Health**

Appointment of Octaviana Trujillo, to fill a vacancy created by Paul R. Horwitz, M.D. Term expiration: 6/30/27. (District 3)

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

### **57. State Board of Equalization**

Appointment of Lisa A. Nutt, to fill a vacancy created by Rosalie C. Roszak. Term expiration: 12/31/24. (District 3)

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

## **CONSENT CALENDAR**

### **58. Approval of the Consent Calendar**

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the Consent Calendar in its entirety. No vote was taken at this time.

## **PULLED FOR DISCUSSION**

## **COUNTY ADMINISTRATOR**

### **3. Regional Opioid Settlement Advisory Committee**

Pima County appointments to the Regional Opioid Settlement Advisory Committee:

- Lisa F. Soltani, MD, MPH, FACP
- Christina C. Bell Andrews, JD, MPH, MBA, MA

Supervisor Scott recollected a recent interview of the Arizona Attorney General (AG) with a local NPR station where she said that she wanted to use state funds from the opioid settlement to partner with cities and counties to create economies of scale to address abuse and addiction. He asked how the County was trying to make contact the AG to find out exactly what she and her staff intended to do with Pima County in terms of creating those partnerships.

Jan Leshar, County Administrator, responded that the Health Department had been working both with the dollars that had been directed to the County through the opioid funds and with the AG.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, stated that the Health Department contacted Nick Davis in the AG's Office and started the dialog on the opioid settlement funds. He stated that he believed the AG was trying to do the right thing and tried to coordinate their efforts in terms of the dollars that they were stewarding on behalf of the people of the State of Arizona. He explained that there was no mechanism for that kind of dialog, so it was on an individual basis. He stated that the County established a relationship with the AG's Office and they started to benefit from that. He explained that most recently the Health Department brought to the Board a project that was funded by those Arizona AG opioid dollars for the Behavioral Health Department. He stated that those dollars were flowing much more rapidly than expected and he believed that the County was in a good position to continue to capitalize on that relationship.

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Upon the vote for approval of the Consent Calendar, the motion unanimously carried 5-0.

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#### **BOARD, COMMISSION AND/OR COMMITTEE**

1. **Pima County/Tucson Women's Commission**  
Ratification of appointment: Catherine Bosch, to fill a vacancy created by Alma Hernandez. Term expiration: 5/8/28. (Commission recommendation)
2. **Pima County Regional Affordable Housing Commission Membership and By-Laws**  
Approval of the revised Commission membership/by-laws to include the Director of Housing Opportunities and Homeless Solutions to serve as an Ex-officio nonvoting member of the Commission.

#### **COUNTY ADMINISTRATOR**

3. **Regional Opioid Settlement Advisory Committee** (PULLED FOR DISCUSSION)

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

4. **Special Event**  
Edward Lucero, Roman Catholic Church of Saint Elizabeth Ann Seton - Tucson, St. Elizabeth Ann Seton Church - Gym & Parish Hall, 8650 N. Shannon Road, Tucson, June 29, 2024.

## ELECTIONS

### 5. Precinct Committeemen

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

#### APPOINTMENT-PRECINCT-PARTY

Serina Hernandez-006-REP, Linda Evans-088-REP, Zamia Mosman-092-REP, Becky Young-099-REP, Patrick Thompson-107-REP, Joanne Bergeron-117-REP, Michael Adamo-188-REP, Jodi Butts-218-REP, Albert Armour-221-REP

## SUPERIOR COURT

### 6. Court Commissioner Appointment

Appointment of Court Commissioner:

#### Superior Court and Juvenile Court Commissioner

Dawn Walton

## RATIFY AND/OR APPROVE

7. Minutes: April 16, 2024  
Warrants: June, 2024

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### 59. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:37 p.m.

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CHAIR

ATTEST:

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CLERK