

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met in special session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

TRUTH IN TAXATION HEARING AND FINAL BUDGET HEARING

1. Truth in Taxation Hearing

Pursuant to A.R.S. §48-254, conduct a public hearing on proposed expenditures and the District's intent to raise the secondary property taxes over last year's level.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Bronson to close the Truth in Taxation public hearing. Upon roll call vote, the motion unanimously carried 5-0.

2. Final Budget Hearing

Flood Control District Final Budget for Fiscal Year 2023/2024. If approved, pass and adopt: RESOLUTION NO. 2023 - FC1

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing, approve the Flood Control District Final Budget in the amount of \$17,612,053.00 with an effective tax rate of \$0.3253, and adopt Resolution No. 2023 – FC1. Upon roll call vote, the motion unanimously carried 5-0.

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK

IMPROVEMENT DISTRICT BOARD MINUTES

The Pima County Improvement District Board met in special session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

1. FINAL BUDGET HEARINGS

Improvement District Final Budgets for Fiscal Year 2023/2024, as follows.

If approved, pass and adopt:

Resolution No. 23, in the amount of \$40,000.00 for Hayhook Ranch.

Resolution No. 27, in the amount of \$30,299.00 for Mortimore Addition.

Resolution No. 30, for the following Districts:

Street Lighting Improvement District

CARDINAL ESTATES	\$13,251
CARRIAGE HILLS NO. 1	\$ 7,990
CARRIAGE HILLS NO. 3	\$ 2,737
DESERT STEPPES	\$ 4,789
HERMOSA HILLS ESTATES	\$ 4,110
LAKESIDE NO. 1	\$ 6,391
LITTLETOWN	\$23,966
LONGVIEW ESTATES NO. 1	\$ 8,672
LONGVIEW ESTATES NO. 2	\$10,043
MAÑANA GRANDE B	\$ 6,846
MAÑANA GRANDE C	\$11,183
MIDVALE PARK	\$14,329
OAKTREE NO. 1	\$22,890
OAKTREE NO. 2	\$18,907
OAKTREE NO. 3	\$24,783
ORANGE GROVE VALLEY	\$ 6,667
PEACH VALLEY	\$ 3,747
PEPPERTREE	\$ 9,940
ROLLING HILLS	\$16,432
SALIDA DEL SOL	\$14,613

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing, approve the Improvement District Final Budgets and adopt the Resolutions. Upon roll call vote, the motion unanimously carried 5-0.

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK

LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met in special and regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

TRUTH IN TAXATION HEARING AND FINAL BUDGET HEARING

1. Truth in Taxation Hearing

Pursuant to A.R.S. §48-254, conduct a public hearing on proposed expenditures and the District's intent to raise the secondary property taxes over last year's levels.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott to close the Truth in Taxation public hearing. Upon roll call vote, the motion carried 3-2, Supervisors Bronson and Christy voted "Nay."

2. Final Budget Hearing

Library District Final Budget for Fiscal Year 2023/2024. If approved, pass and adopt: RESOLUTION NO. 2023 – LD1

Supervisor Bronson indicated that she would be voting in opposition since she felt the half cent increase in property taxes to fund early childhood education was not a function of the library and that the money should be used for road repair, which was a primary responsibility of the County.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing, approve the Library District Final Budget in the amount of \$46,249,939.00 with an effective tax rate of \$0.5493, and adopt Resolution No. 2023 – LD1. Upon roll call vote, the motion carried 3-2, Supervisors Bronson and Christy voted "Nay."

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3 **Grant Acceptance**

Institute of Museum and Library Services, Library Services and Technology Act, to provide for the Writers in Residence in PCPL Libraries \$7,500.00 (GTAW 23-143)

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

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK

ROCKING K SOUTH COMMUNITY FACILITIES DISTRICT BOARD MINUTES

The Pima County Rocking K South Community Facilities District Board met in special session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

1. FINAL BUDGET HEARING

Rocking K South Community Facilities District Final Budget for Fiscal Year 2023/2024. If approved, pass and adopt: RESOLUTION NO. 2023 – RK2

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Christy to close the public hearing, approve the Rocking K South Community Facilities District Final Budget in the amount of \$4,879,332.00, and adopt Resolution No. 2023 - RK2. Upon roll call vote, the motion unanimously carried 5-0.

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK

STADIUM DISTRICT BOARD MINUTES

The Pima County Stadium District Board met in special session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

1. FINAL BUDGET HEARING

Stadium District Final Budget for Fiscal Year 2023/2024. If approved, pass and adopt: RESOLUTION NO. 2023 - SD1

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing, approve the Stadium District Final Budget in the amount of \$8,826,776.00, and adopt Resolution No. 2023 – SD1. Upon roll call vote, the motion carried 4-1, Supervisor Christy voted "Nay."

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK

WILDFLOWER COMMUNITY FACILITIES DISTRICT BOARD MINUTES

The Pima County Wildflower Community Facilities District Board met in special session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

1. FINAL BUDGET HEARING

Wildflower Community Facilities District Final Budget for Fiscal Year 2023/2024. If approved, pass and adopt: RESOLUTION NO. 2023 - WCFD¹

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Bronson to close the public hearing, approve the Wildflower Community Facilities District Final Budget in the amount of \$0.00, and adopt Resolution No. 2023 – WCFD¹. Upon roll call vote, the motion unanimously carried 5-0.

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in special and regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, June 20, 2023. Upon roll call, those present and absent were as follows:

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

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

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by Antonio Ramirez, Communications & Policy Director, Office of City of Tucson Ward 1, Council Member Lane Santa Cruz.

3. PAUSE 4 PAWS

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

PRESENTATION

4. Mt. Lemmon Woman's Club

Presentation of a Certificate of Recognition to Sandi Triplett, President of the Mt. Lemmon Woman's Club, honoring the club's 50 years of dedication to improving the quality of life for Mt. Lemmon residents and those in the valley below. (District 4)

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

5. **50th Anniversary of Green Valley Council**

Presentation of a Certificate of Recognition to Debbie Kenyon, President, David McAllister Romo, Executive Director, and Lisa Coker, Operations Manager of the Green Valley Council on the occasion of its 50th Anniversary of service to the Greater Green Valley community. (District 4)

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

6. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chair Grijalva, seconded Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:26 a.m.

7. **RECONVENE**

The meeting reconvened at 9:52 a.m. All members were present.

EXECUTIVE SESSION

8. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice and discussion regarding changes to policies related to political participation.

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

9. **CALL TO THE PUBLIC**

Lawrence Scholz addressed the Board regarding the Pledge of Allegiance provided at the beginning of each Board meeting, immigration and homelessness.

Anastasia Tsatsakis spoke about the Runbeck Elections Services award and stated that they needed to be in compliance with state and federal laws.

Elizabeth Moll requested that the Board issue a proclamation for September 17th as Constitution Day in support of Public Law.

Caitlin Tveit, Representative, Dominion, addressed the Board regarding the affordable housing gap funding.

Jane Hubbard spoke in opposition of shortening the amount of time speakers could address the Board at Call to the Public and the unseating of Supervisor Scott during the next election cycle.

Sandy Davenport, Chair, Bail Reform Subcommittee, spoke in support of Agenda Item No. 25 regarding the intergovernmental agreement for initial appearances.

Patti Woodbury expressed her concerns with a series of memorandums initiated by Supervisor Heinz's Chief of Staff, David Higuera.

Stephanie Kirk expressed her opposition to Minute Item Nos. 44 and 45, and asked the Board to vote no on both contracts.

Steve Gordon spoke in opposition to the Vail Incorporation and asked the Board to vote against it.

Cory Stephens addressed the Board regarding the County budget, increase in property taxes, and an additional \$19 million in support of immigrants. She stated the funds were inappropriately allocated and that the Board's priorities should be homelessness, fentanyl crisis and staffing.

Christine Bauserman addressed the Board regarding Minute Item No. 51.

Carol Lindsey spoke about funding for immigrants and same day voting.

Shirley Requard addressed the Board regarding symptoms caused by the EM's Electromagnetic Fields and shared her concerns with the County becoming a 15-minute city.

Tim Laux spoke about Freedom of Speech Rights and Constitutional Rights. He also shared his opinion on Runbeck election services.

Barbara Stockwell thanked the Board for paving Arivaca Road, and asked that the Board stop funding immigrants.

Janet Neustedt expressed her concerns regarding Minute Item Nos. 44 and 45 and addressed health literacy strategies.

Gisela Aaron addressed the Board regarding maladministration, malfeasance, nonfeasance, treason and neglect of county residents.

Robert Reus stated that Supervisor Heinz was wrong to tell him that he had not right to address the Board during meetings.

Peter Norquest spoke about the affordable housing gap recommendations and asked for more information on energy efficiency, smart growth, sustainable neighborhood and healthy community.

Michael Thompson spoke regarding the County Jail's overcrowding, lack of employees, mold, and asbestos issues.

David Smith, Chairman, Pima County Republican Party, spoke about the Board spending money frivolously, the electoral process and opposition to the Runbeck election services award.

J.P. Salvatierra addressed the Board regarding how inflation diminished money and property values. He suggested that the Board and County Administrator dissolve Tucson Electric Power.

Debra Ludden expressed her opposition to housing immigrants.

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Supervisor Heinz commented that November was National Veterans and Military Families Month, so veterans had a full month designated to them. He indicated that County officials could not raise their own pay, since it was a requirement that it needed to be voted on and raised by the State Legislature. He added that on April 18, 2023, both Pfizer and Moderna Bivalent vaccines received full FDA approval.

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TRUTH IN TAXATION HEARING AND FINAL BUDGET HEARING

10. Truth in Taxation Hearing

Pursuant to A.R.S. §42-17104 and §42-17107, the Board of Supervisors will conduct a public hearing on proposed expenditures and Pima County's intent to raise the primary property taxes over last year's level.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Bronson to close the Truth Taxation public hearing. Upon roll call vote, the motion unanimously carried 5-0.

BOARD OF SUPERVISORS

11. Final Budget Hearing

Final Budget for Fiscal Year 2023/2024. If approved, pass and adopt: RESOLUTION NO. 2023 – 22

It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing and approve the Final Budget in the amount of \$1,760,492,343.00, with an effective tax rate of \$5.1048 and adopt Resolution No. 2023 - 22. No vote was taken at this time.

Supervisor Christy referenced the County Administrator's memorandum dated June 7, 2023, entitled "Financial Forecast for Period 10." He stated that his office had continued to look at ways for the County to keep its promise on ways to fix the roads. He stated that per the memorandum, \$64 million was programmed for 1,009 employment positions within the County with 1/3 of those positions vacant since May 30th. He asked if a position could remain vacant for six months how essential was

the position, and what was the likelihood that those positions would be filled within the next year.

Jan Leshar, County Administrator, explained that staff monitored the amount of time a position had been open and that positions were swept if opened for more than 360 days. She stated staff looked closely at positions that had been open for 180 days and some of them were necessary positions, however, they were unsuccessful in filling them. She stated that for example, departments like Regional Wastewater Reclamation, Transportation or the Flood Control District had requirements for high level Engineers that were kept open for recruitment. She stated staff worked with the Finance Department, Human Resources and the departments to look at those positions since it continued to be a concern. She stated that staff also looked at expanding recruitment efforts for those positions.

Supervisor Christy commented that as he harkened back to his private sector days, if a job was unfulfilled for six months, it became evident that it was not essential. He stated that the memorandum had a breakout on the amount of money budgeted for General Fund and Non-General Fund departments, but it was unclear where the 33% of long-term vacancies existed within the two categories. He inquired about that information.

Ms. Leshar responded that she believed that information was included in a weekly Vacancy Summary provided to the Board, which showed vacancies by department and the number of days a vacant position had been opened.

Supervisor Christy asked if that information was broken down in the reports.

Ms. Leshar responded in the affirmative and that the report was sent out regularly, but would resend it to the Board.

Supervisor Christy asked if it would be reasonable to take 1/3 of those vacancies from General Fund positions, which could result in a potential amount of \$13 million, to be allocated to the road repair plan in fiscal year 2023/2024.

Ms. Leshar explained that vacancy savings were allocated to the fund balance. She stated that one of the ways the fund balance was accrued was to look at vacancy savings. She stated the positions were open, but had been budgeted and vacancy savings from turnover for the remainder of the year was moved into the fund balance.

Ellen Moulton, Director, Finance and Risk Management, added that they could provide the level of breakdown Supervisor Christy requested. She stated that out of roughly 600 General Fund department positions, over 100 were in the Sheriff's Department and another 100+ were in the Courts. She stated that if 1/3 were removed, it would severely cut those areas. She stated that she could provide the information, as requested, to the Board.

Supervisor Christy re-referenced the memorandum and stated that the annualized budgeted costs, salary and benefits of the 1,009 positions was approximately \$64

million. He stated it only focused on the General Fund departments that equaled \$13 million. He questioned if that amount of money was already spent.

Ms. Leshar clarified it was not money that was already spent, but was accruing in the fund balance.

Supervisor Christy stated that he would propose that since those jobs remained vacant for 180 days or at least 6 months, to allocate the budgeted savings for the unfulfilled positions and apply the \$13 million towards roads. He questioned if that would be a reasonable way to ensure the County kept its promise to repair the roads.

Ms. Leshar responded that \$43 million was allocated for roads and if the Board wished to reallocate vacancy savings from the fund balance to another item, that was a policy direction from the Board.

A substitute motion was made by Supervisor Christy and seconded by Supervisor Bronson to reallocate the budgeted \$13 million from General Fund departments that represented the portion of jobs that remained vacant for six months or longer, to the road repair plan. No vote was taken at this time.

Chair Grijalva indicated she would not vote in favor of the substitute motion and that based on the information provided by Ms. Moulton there could be unintended negative consequences to the County.

Supervisor Scott agreed with Chair Grijalva's comments, especially given what was stated by Ms. Moulton on the potential impact on the Courts and the Sheriff's Department. He requested that the numbers be provided to the Board in response to Supervisor Christy's comments.

Supervisor Christy clarified that the timeframe would be for one year.

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

Chair Grijalva stated that they were back to the original motion, but before a vote was taken there was one speaker that wanted to address the Board and he would be allowed to speak.

Michael H. Thompson addressed the Board regarding his concerns with the Pima County Jail. He stated that he would provide information to the Environmental Protection Agency on the ongoing mold and asbestos issues. He thanked the Board for providing breathing treatments while there and stated that if the jail was going to be rebuilt there was a need to make sure it was done right. He added that an environmental group was needed to spray out the jail and clean the filtration systems. He stated another concern was that NaphCare employees were overworked and underpaid and there was not enough doctors or nurses. He stated that a Veteran Liaison was needed in the Courts, the jail and probation department. He commented that inmates could be transferred to the Ajo jail if they had medical issues due to the

environmental impacts of the jail and that longtime officers had dealt with these ongoing issues, which caused them to become violent. He added that Homeland Security could come in to help with the situation.

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

12. **Adopt Debt Service Final Budget for Fiscal Year 2023/2024**

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing and adopt the Debt Services Final Budget in the amount of \$103,035,321.00 with an effective tax rate of \$0.2200. Upon roll call vote, the motion unanimously carried 5-0.

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BOARD OF SUPERVISORS

13. The Board of Supervisors on June 6, 2023, continued the following:

Affordable Housing Gap Funding Recommendations

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

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

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

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

Chair Grijalva asked if Supervisor Heinz wanted to move forward with the item since the Board had passed the top two projects.

Supervisor Heinz stated he would be appreciative of any support by his colleagues for the projects. He stated that since this was the first go round, and as staff indicated, they could pick another one or two if the majority of the Board wanted to move forward with additional ones and felt that would be reasonable.

Chair Grijalva commented that was one of the reasons why she asked staff to go back to the proposers and figure out the reason they were not funded. She added that perhaps one of the criteria could be how the County could leverage other dollars and look to federal and state funding opportunities. She stated that she did not mean to say that she did not want the projects to have some other kind of support, but in some cases some of the proposals did not have other funding sources. She stated that maybe they could look at maximum for leverage and the scoresheet to reconsider changing the points.

Jan Leshner, County Administrator, commented that since the Board approved the funding for the first two projects, she requested to meet with staff and would bring back a full analysis of their recommendation on the next tranche, the other \$5 million and whether they recommended funding of it and the remaining dollars from this year. She stated that the dollars would be available for the new fiscal year starting July 1 since the Board had passed the County budget and stated that a recommendation would be made for the next steps, if allowed.

Chair Grijalva commented that she would like to see the funding go out, but had concerns about the Commission and its make-up and she was sure they wanted the same thing. She stated that some areas of the scoresheets could be improved upon and hoped that the proposals could be brought back to the Board.

Supervisor Scott indicated his appreciation that Mr. Sullivan noted that a non-conflicted member of the Commission in the future would join the four staff members on the review panel.

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

ATTRACTIONS AND TOURISM

14. Attractions and Tourism Outside Agency Funding Recommendations for Fiscal Year 2023/2024

**FY 23-24 Funding available: \$400,000.00/FY 23-24 Funding Requests \$1,151,500.00
25 Agencies requested Funding/22 Agencies Awarded**

Agency/Program/FY23-24 Recommendation

Arizona Media Arts Center/Arizona International Film Festival/\$10,000.00
Arts Foundation for Tucson and Southern AZ/Arts and Culture Programs/\$21,800.00
International Sonoran Desert Alliance/Wayfinding and Signage for an Emerging Destination/\$12,500.00

Jazz in January, d.b.a. Tucson Jazz Festival/Tucson Jazz Festival 2023-2024/\$21,500.00
 La Frontera Mariachi Conference, Inc./La Frontera Tucson Mariachi Conference/\$13,167.00
 Light Up Lives Charity Foundation, d.b.a. Rockin' 4 Heroes/Rockin' 4 Heroes/\$10,000.00
 Perimeter Bicycling Association of America, Inc./El Tour de Tucson/\$36,000.00
 Portable Practical Educational Preparation, Inc./Amado Chili Cook-Off/\$14,000.00
 Santa Cruz Valley Heritage Alliance, Inc./ Santa Cruz Valley National Heritage Area/\$16,500.00
 Southern Arizona Arts and Cultural Alliance/Oro Valley Holiday Festival of the Arts and Tree Lighting/\$10,000.00
 Southwest Folklife Alliance, Inc./Tucson Meet Yourself Folklife Festival/\$30,000.00
 St. Patrick's Day Parade of Tucson, Inc./2024 Tucson St. Patrick's Day Parade and Festival/\$10,000.00
 Tucson Audubon Society/Southeast Arizona Birding Festival 2023/\$10,000.00
 Tucson Botanical Gardens/FY22-23 Programs & Exhibits at the Tucson Botanical Gardens/\$46,750.00
 Tucson Children's Museum/Museums for all, Discovery Nights and Art After Dark Programs/\$42,833.00
 Tucson City of Gastronomy/Tucson City of Gastronomy/\$15,800.00
 Tucson Juneteenth Festival Committee/ Tucson Juneteenth Festival Committee/\$10,000.00
 Tucson Kitchen Musicians Association/Tucson Folk Festival/\$10,000.00
 Tucson Pops Orchestra/Tucson Pops Orchestra 2023-2024/\$10,000.00
 Tucson Presidio for Historic Preservation/Heritage and History Events/\$29,150.00
 Tucson Rodeo Parade Committee, Inc./Tucson Rodeo Parade/\$10,000.00
 Tucson Symphony Society/TSO Special Concerts - Calexico, Raiders of the Lost Ark and Verdi's Requiem/\$10,000.00
GRAND TOTAL: \$400,000.00

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

COMMUNITY AND WORKFORCE DEVELOPMENT

15. The Board of Supervisors on June 6, 2023, continued the following:

Pima County Regional Affordable Housing Gap Funding Recommendations

Jan Leshner, County Administrator, explained that the recommendation was from the Pima County Regional Affordable Housing Commission to fund the two highest scoring proposals received after a variety of public education and Request for Proposal (RFP) process that totaled \$2,625,000.00 for 203 affordable housing units, which represented new rental development and preservation of existing units.

It was moved by Supervisor Bronson 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 May 22, 2023, that included a May 19, 2023 memorandum from Community and Workforce Development Director Dan Sullivan. He referenced the section of the memorandum regarding Technical Assistance session and asked for additional information on what was covered in the session and what additional inquiries were received. He felt that would help address the status of some objections received from some of the proposals that were not granted.

Jenifer Darland, Deputy Director, Community and Workforce Development, explained the technical assistance training provided was basically to cover the nuts and bolts of the proposal process that addressed any of the areas within the scope related to leverage questions and project design. She stated that overall, the questions that were asked and answered were relative to the process piece. She added that she did not have the feedback specifically on the substance of the questions available at the time, but would provide it as a supplement to the Board.

Supervisor Scott stated that the information would be helpful and referred to the memorandum under the Moving Forward section regarding feedback and questioned if Commissioners and/or the review-panel members would also provide voice to the concerns received from some of the applicants.

Ms. Darland responded that she would need to go back and review the questions during the process. She reiterated that the technical assistance training tended not to necessarily be substance about specific concerns, rather getting down to a little bit more of the specificity of what was being requested in the actual proposal as it was published. She stated that following the process, review and presentation to the Commission most of the feedback received, including feedback from review-panel members, were the opportunity for future funding award to create a space and opportunity to have a conversation such as a Best and Final Offer (BAFO) with proposers. She stated that within any area that a review-panel could not identify the response or felt that more background was needed in order for it to be fairly evaluated or scored could happen one-on-one with proposers prior to recommendations going forward to the Commission. She added that was one of their recommendations and that following the process and with the Board's action today, it was the intent of staff to engage one-on-one with proposing entities. She stated that as noted, seven proposals received broad spectrum of housing remedies to address affordable housing, which was important work and impressive response to the RFP. She stated it was their sincere desire to ensure they balanced the competition and to ensure that they got best proposals for the Board's consideration. She added it would be done in as many opportunities as possible in a collaborative approach. She stated they needed the developers in the space and their feedback in the process was instrumental in the refinement of the process moving forward.

Supervisor Scott questioned if technical assistance would be provided in general, but also specifically to any applicant that requested it.

Ms. Darland replied in the affirmative and explained that there was a process by which the proposer would notify staff and once staff provided the answer it would be recorded to the publicly posted page under the FAQs so that all proposers would be privy to that information.

Supervisor Scott again referred to the memorandum under the Moving Forward section regarding the new RFP and requested that the information that would be presented to the Commission also be presented to the Board given that the Board would need to approve the Commission's recommendations.

Chair Grijalva commented that she was confused with some of the proposals that were not approved based on the amount and that it was difficult to see money left on the table. She stated that at the last Commission meeting she attended there was discussion of that money rolling forward to be available for the upcoming fiscal year. She questioned the status of the land trust items, the Barrio Anita Casitas, which were the only proposals that involved home ownership. She felt that was a big priority because everything else was mostly rentals. She added that another one was for the Curley School Artisan Apartments for \$250,000.00 to rehab 30 units. She stated that seemed like a lot of units to rehab for a small amount of money. She questioned if the Commission could re-review the two proposals to identify the concerns and work on them. She tended to be on the side to approve them, but stated that they might have been a reason the proposals were not accepted. She added that the County had invested \$17 million on the Curley School and wanted to ensure that the affordable units continued to stay part of the inventory in that area.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, responded that with set up of the RFP it articulated the standards, the criteria and a threshold score. He stated that the proposals had to hit or be close to the threshold score in order to be funded. He added that staff applied the RFP criteria rigorously and followed the rules. He stated that the County had not made a significant investment in the area in over a decade and that part of the idea that had come up was to have a more iterative process where they went back and forth with the proposer as referred to by Ms. Darland in regards to the BAFO component. He stated that what was exciting was staff received seven very good proposals which were very different from each other that ranged from restoration, new home building, multi-housing and single-family projects. He added it boded well for the future of affordable housing in the community to have that much creativity. He stated there were private sector and public investors that had responded. He reiterated this was the process and they tried to follow the rules and staff recommendation as articulated in the RFP. He stated that the Board had the absolute capacity to award beyond the rules as the rule of the Board.

Chair Grijalva stated she was reluctant to do so because of the formed Commission. She stated that considering the low amount of both projects there was some concerns for them, but she would like to see them addressed and to be able to figure out a way to fund them, if possible. She added to not necessarily wait until a specific time of the year because the funding was available from the previous fiscal year. She stated the door was open to bring those up.

Supervisor Bronson concurred with Chair Grijalva's comments and stated that she understood why the recommendations by the Commission were really great projects because it was a big bang for the small amount. She requested to see why the other projects were not recommended by the Commission.

Supervisor Christy asked if they had the Commissioners' votes and how they voted.

Dr. Garcia responded in the affirmative and stated that the Commission voted unanimously in support of staff's recommendation. He stated that in regard to

Supervisor Bronson's question about the specific deficiencies, he explained in the provided background materials there was a summary score sheet for each of the projects and the table listed all the different criteria, a degree of leverage, affordability, accessibility, and rental acquisition and so forth. He stated it indicated the average score for the project and the maximum score available. He added the decision to recommend funding of the two were not purely based on the number of cost per unit, but was based on the totality of scoring features. He stated there was flexibility to go back and engage the vendors to try to augment or refine the proposals. He stated that the process allowed them the authority to enter into a contract negotiation with the two vendors with the possibility to lead to a different outcome. He stated this was a first step and the Board would get the opportunity to vote on the contracts individually. He stated that at this point the Board would have the opportunity to exercise its oversight.

Supervisor Scott shared his gratitude towards staff that the score sheets showed the totality of scores. He added that it would be helpful to get the story behind the numbers due to the objections received from the applicants in regard to the genuine confusion. He requested to receive the story behind the numbers and to also provide them to the applicants. He stated that would speak to the promise as stated by Mr. Sullivan in his memorandum from last month to look at the urgency of the need to get the funding out and have more community collaboration.

Supervisor Bronson echoed Supervisor Scott's thoughts and stated that the remaining funds would be rolled over to the following year and that this was the first time the County attempted this so it was a trial run. She stated it was a learning curve and as she looked at the numbers, she had no idea of the thought process the Commissioners used when making a decision. She added that numbers were only as good as the criteria that was set up. She added it looked like an iterative process and felt the Commission did an outstanding job and the votes were unanimous so she could accept it, but asked for the process to improve for the next go round.

Chair Grijalva commented that when she attended the Commission meeting someone had indicated that there was not a lot of funding available for mobile homes or mobile home renovations and rehab, which she felt was a huge population of the County that other funding sources could not apply for those opportunities. She stated that perhaps that was something to look at because each district had mobile home communities and individuals that needed the help. She stated it was huge percentage of people for affordable housing. She stated that there was flexibility for this funding that was not available with other grants. She commented that the hope of this was to leverage other funds and questioned what other funding opportunities the County had applied for to be able to leverage this as a match.

Dr. Garcia stated that part of the scoring system included in the criteria was the type of leverage the individual projects brought. He stated the larger issue that Chair Grijalva indicated, they were currently looking at a variety of opportunities that would allow them to tap into the Arizona Department of Housing (ADOH) funding and whether it was explicitly used as matching or not, it would be complimentary to this. He added that there was a variety of federal Housing and Urban Development (HUD)

and state programs opening in the space and was critical and foundational to the work of the County. He added it was an iterative process that had not been done in a while and they would continue to get better.

Supervisor Heinz commented that this was for 203 units, but there was a 40,000-home deficit in the County. He understood that roads were important, but he had to discharge his patients to the curb every day that he was at the hospital. He stated that this had to be taken more seriously and housing insecurity was seen all the time in the medical field. He added that the Board had just passed a budget that included \$43 million in road repair and that \$4 or \$5 million per year was not enough. He stated that anything approved now would not be used until 2025 because it took time and encouraged his colleagues to add an extra zero behind the current amount. He stated that the City and County had to do better to address the problem. He questioned why this was a yearly process. He added that if other funds could be found between budget cycles, he could support making the funds available to complete a 30-60 RFP right away.

Dr. Garcia responded that it did not have to be an annual process. He stated that as the Board made any funding recommendations they would continue to engage with other developers on proposals in the space. He added this was envisioned to be a continuous process rather than a seasonal process. He stated that the process started in January and it had taken time to go through, but believed the process would speed up moving forward.

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

COUNTY ATTORNEY

16. Anti-Racketeering Revolving Funds

Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$4,983.72 for Barrios Unidos Land Trust's Trunk-or-Treat event under Board of Supervisors Policy No. C 6.3.

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

FINANCE AND RISK MANAGEMENT

17. Fiscal Year 2021/22 Audit Results

Presentation of Fiscal Year (FY) 2021/22 Audit Results by the Office of the Auditor General for compliance with Arizona Revised Statutes (A.R.S.) §11-661 and §41-1494. Staff recommends acceptance of the FY2021/22 audit results submitted by the Office of the Auditor General and approval of the Human Resources memorandum proposed in the separate agenda item demonstrating compliance with A.R.S. §41-1494.

Jan Leshner, County Administrator, stated that representatives from the Arizona Auditor General's Office were in attendance to present their findings regarding their annual process of auditing the County's finances and budget, as well as a single audit that dealt with County grants.

Lindsey Perry, Auditor General, Arizona Auditor General's Office, provided a presentation on the annual audit results. She explained the make-up of their office and added that they were an independent office that provided information concerning state and local entities that included Pima County and all the other Arizona counties. She stated that they were well versed in governmental auditing standards promulgated by the United States comptroller, which was also used in all federal, state and local governments. She explained that auditors went through a slew of requirements needed to complete their job and per state statute were required to present audit results and findings within 90 days of issuance of the reports. She stated they issued three required annual audit reports that will be discussed. She stated that the first report was the County's annual comprehensive financial report that presented the County's financial statements and their opinion of whether they were presented fairly in accordance with auditing standards. She stated that it was wonderful to report for fiscal year 2022, they reported an unmodified or clean opinion that meant the County's financial statements were reliable. She continued that the second report was on the Internal Control and Compliance, where they would report any findings or recommendations resulting from their audit of the financial statements. She stated that although they found that the financial statements were reliable, they were required to report findings on items like deficiencies in internal control, fraud, abuse, and non-complete alliance with laws, regulations, contracts, and agreements that were identified as part of the financial statement audit, which two financial findings were issued. She stated that the third and final report was the Federal Single Audit report that included their assessment of the County's compliance with the federal major program requirements over each federal program they were required to audit and the County's schedule of annual federal financial expenditures and their opinion on it. She added that five federal programs were audited and the County met the deadline for the report. She stated they reported a qualified opinion on the County's Emergency Food and Shelter National Board Program, which meant the County did not comply with certain federal requirements in key areas such as subrecipient monitoring. She added that they included an unmodified opinion for the other four federal programs, which was a clean opinion that the County adhered to the federal requirements. She stated that they also provided report highlights to help see 10-year financial trends of the County plus their reported findings and recommendations.

Katherine Edwards Decker, Audit Senior, stated that over the past 5 years, the County's key financial information included four sources of revenue that consisted of property taxes, federal and state grants, state shared sales taxes, and county sales taxes. She stated the County's revenues had been relatively consistent over the last five years, with exception to federal and state grants, which had increased over the last couple of years, primarily because of increases in federal programs and awards attributed to relief findings associated with COVID-19.

Supervisor Scott commented that he knew the County received other state shared revenues besides shared sales taxes, mostly through the Highway User Revenue Funds (HURF). He asked if HURF was incorporated into the federal and state grants and programs.

Taryn Stangle, Financial Audit Manager, replied that HURF revenues were likely included with the state shared sales tax.

Supervisor Scott asked if HURF was included with the Vehicle License Tax (VLT).

Ms. Stangle replied that VLT was included with intergovernmental.

Ms. Edwards Decker continued and stated that the County's four primary expense purposes consisted of General Government, Public Safety, Highways and Streets and Health and Welfare. She explained the expenses decreased during the period with the exception of Public Safety, which had remained relatively consistent over the period. She added there was an increase in Highways and Streets. She stated the decreases were primarily attributed to general savings and changes in the COVID-19 relief funding. She stated that they highlighted the County's revenues and expenses over the past five years, and it demonstrated the County's revenues had consistently exceeded the expenses. She explained the County's net position or reserves were considerably higher than its revenues or expenses. She stated the County's overall net position increased by \$124 million in Fiscal Year 2022. She added that the total net position for the County was \$2.4 billion at the end of June 30, 2022. She added it was important to note that not all of the net position balance was spendable, because \$2.5 billion was included in capital assets, \$240 million was restricted and there was a negative unrestricted balance of \$393 million primarily because of the County's Pension Liability, which was \$628 million. She highlighted the County's federal expenditures that were present each year in the single audit report. She stated that the four largest federal agencies that the County had received federal grants in 2022 were from the U.S. Department of Treasury, Health and Human Services, Labor, and Homeland Security. She stated there were significant increases in federal expenditures for Fiscal Years 2021 and 2022, primarily because of increased COVID-19 monies the County received. She added the U.S. Department of Treasury was the largest agency with expenditures that were primarily from the Emergency Rental Assistance Program and the Coronavirus State and Local Fiscal Recovery Fund, which totaled \$57.8 million. She stated that Health and Human Services expenses decreased by \$3.4 million due to the expiration of several COVID-19 programs. She stated that the County's Homeland Security expenditures changed significantly from the prior year, because the County received and spent \$10.4 million in the Emergency Food and Shelter National Board Program.

Ms. Stangle stated the report on Internal Control and Noncompliance was where the two financial statement findings that were reported and the County's responses to them. She stated the first financial statement they found that the previous County Administrator retired on July 4, 2022, and exercised a Return-to-Work clause within the employment contract without informing the Board, which impacted the Board's ability to effectively assess and make decisions about the County's executive

management. She added that the previous County Administrator instructed a limited number of County employees to hold the information closely. She stated that as a result, the Board was unaware that the County Administrator would be required to work a reduced number of hours, including less than 20 hours per week for half of the year, and therefore, the Board could not determine if any changes to the County's executive management was necessary to ensure appropriate County governance. She stated that in order to correct the finding their recommendation was for the County to enforce its policy approved on May 3, 2022, to require the County Administrator to provide notice to the Board of their intention to retire within at least 90 days prior to the retirement date and return to work by the County Administrator to be supported by a new employment contract. She added it should ensure that the County maintained a policy that included requirements that the County Administrator provide a notice of intent to retire and return to work. She stated that the County corrected the finding and had implemented the recommendations. She continued that the second financial statement finding reported they identified deficiencies in the County's verification controls over its Vendors Self Service (VSS) portal. She stated that specifically, contrary to the County's policies and procedures, the County's Procurement Department did not require a vendor to submit an IRS W-9 form prior to resetting a vendor login credentials and passwords in the VSS portal. She stated that instead, based solely on a fraudulent email request, the department provided the vendor's login credentials and temporary password that allowed the fraudster to access the vendor's VSS portal, add fraudulent bank account information for electronic fund transfers (EFT) and then was able to steal \$42,739.00 from the County. She added that the County also approved two additional payments and transferred one payment of \$1.5 million and a second pending payment of \$2.5 million to the fraudulent account. She stated that fortunately the bank where the fraudulent account was maintained, noticed that there were discrepancies in the bank information and alerted the County, which allowed the County to reverse and cancel the transactions and saved an additional \$4 million from being stolen. She stated that in order to correct the finding, it was recommended the County's Procurement Department provide training to employees on its existing policies and procedures, obtain vendor IRS W-9 forms prior to approving a vendor request to reset its login credentials and passwords, to strengthen existing policies and procedures to require employees to conduct additional verification procedures when a vendor requested to reset its login credentials and passwords, such as verifying vendor email, requests are from a valid email domain including within the vendor profile before responding to the vendor's request for the information. She stated that in addition they should implement system controls to log on and monitor changes to sensitive information within the VSS portal. She added such as obtaining system alerts when the vendor modified its EFT bank information and requiring an employee to perform a secondary verification through an alternate method with the vendor prior to processing payments. She added that the County reported that it suspended the vendors ability to make these types of changes in the VSS portal and anticipated fully correcting the finding and implementing the recommendations by April 2024. She continued on with the Single Audit Report finding where they found on the Emergency Food and Shelter National Board Program (EFSP). She stated that the County's Grants Management and Innovation (GMI) Department administered the EFSP, which was passed through federal funds to sub-recipients that were responsible for administering a portion of

the federal program. She stated that there was a federal requirement for the County to monitor the sub-recipients and verify that the monies passed through were spent appropriately. She stated that, however, the department had not performed all of the required monitoring activities for the sub-recipient that it passed through \$1.6 million to help administer the federal program. She stated that as a result, the department's lack of monitoring increased the risk of \$1.6 million of program monies which could have been spent inappropriately. She stated that because it was 15% of the programs federal expenditures, they reported a qualified opinion on the EFSP specifically over the sub-recipient monitoring. She stated that in order to correct the finding they recommended GMI should evaluate the substance of its federal awards with other parties to determine whether each of the parties receiving the monies was a role of a sub-recipient or a contractor and whether they were required to comply with any of the federal program requirements that the department should monitor. She stated that they should perform required monitoring of its sub-recipients and their compliance with the award terms and program requirements by following its existing policies and procedures that required the department to assess the risk of each sub-recipient, non-compliance and carry out monitoring activities based on the risk assessments. She stated such as receiving financial and performance reports, provide training, or technical assistance on program related matters, performing onsite reviews, selective audits and any other monitoring procedures they felt necessary. She added they should ensure sub-recipients received timely single audits, follow-up on and ensure corrective action was taken for any audit findings that could potentially affect the program and issue a management decision for any audit finding pertaining to the federal award. She stated that finally they should maintain documentation of monitoring procedures demonstrating that they were performed including the monitoring procedures resulting in any County actions taken, if appropriate. She stated that the County fully planned to correct the finding by June 2024.

Supervisor Heinz asked how Pima County had compared to other Counties, specifically Maricopa County.

Ms. Perry responded that Maricopa County had similar findings with their federal programs and some financial statement findings. She stated that they were different and in comparison, there were three findings for Pima County and five or six for Maricopa County. She added that no one liked to have findings, but they wanted to provide a window into County operations and the financial folks to get on top of these things and correct them and get the County back to zero findings. She stated they stood ready to help educate and inform the Board. She stated that they did not try to compare Counties because each was uniquely different.

Supervisor Bronson asked why it would take a year to make the corrections.

Ms. Perry responded that she deferred to the County on their plan and timeframe to make the corrections as it was a governance decision to determine how to align staffing to ensure the issues were corrected.

Ms. Leshar stated that all changes had been made and there was a window of time they had been provided. She stated that for example, the federal grants did not end until a future date which was why dates were added. She stated that if you looked at the finding that occurred between the contractor and the subrecipient, the County's relationship changed with the City as a contractor. She stated that with the asylum seeker surge, they moved to a subrecipient, and the agreement was modified on July 1, 2022, and the error occurred in June 2022. She stated that it was one small issue that was significant to all County grants, but had been resolved. She added that the first finding that dealt with the previous County Administrator that all of the required policies were implemented in 2022, and the second finding in regards to the EFT occurred as modifications were being made to a new system. She stated that all checks and balances as recommended by the Auditor General were in place.

Supervisor Bronson commented that was real money and asked the implication of the Finance and Risk Management Department. She stated that it was standard operating procedures in the private sector and asked if that was correct.

Ms. Leshar replied in the affirmative and stated the issues had been corrected and the Board received an email on March 31st that explained what happened with the single audit finding and it included additional information. She agreed that these were not inconsequential and appreciated the Auditor General's perspective.

Supervisor Bronson indicated her appreciation to the Auditor General and commented that it was eye opening for her.

Chair Grijalva commented that with the previous County Administrator's retirement the entire Board had not been informed and questioned if the changes made to the policy required the entire Board be made aware of a retirement as opposed to one individual.

Ms. Leshar replied there were variety of changes made and that was one of them.

Supervisor Christy commented there were different gradations of audits, some being a snapshot at the moment, others were year-end or halfway through. He questioned if the improprieties found were in a certain category and if it was a full blown audit or snapshot audit.

Ms. Perry responded that these were audits done under auditing and accounting standards. She stated they audited all the financial statements and provided an opinion as to whether the financial statements could be relied upon and the numbers in them. She explained that an audit by nature was not looking at everything, but a forensic audit where you had to look at every transaction was different than what their audit's purpose was. She stated that their audit's purpose was to give the County an idea on the reasonability of the numbers, and they found that the financial statements were accurate and reasonable. She stated that was one component of the audit and the other component was the County received a lot of federal funding that had increased over the past three years. She stated that the federal government had certain requirements for auditing federal programs and those programs were set up

by dollar thresholds. She stated that they would not look at programs that had very little monies connected to them, they had to look at certain thresholds. She stated that the amount of the money the County received from the federal government determined how they set the thresholds. She stated those were the five federal programs they reviewed. She added they did not look at all the programs because they were not required to and stated that it gave them enough coverage to say the County met its requirements for the federal government and to abide by the monies provided by the federal government. She stated that since there was a finding in that area, the federal government could decide to ask for the monies back, put the County on a plan, require more auditing or look at it with the hope that it would be corrected in the next year. She stated that as the County auditors they would go back to see that all three findings were corrected or partially corrected for the fiscal year 2023 audit which has already begun.

Supervisor Christy indicated that there was a potential that they could find improprieties in other areas that were not required to be audited by the federal government, but it did not remove the fact that there could be other issues. He questioned if there was a comfort level with the current audit and was it indicative of the condition of the entire County system.

Ms. Perry replied in the affirmative and stated they conducted a very thorough risk analysis and looked at financial statements to see where the largest risk of misstatement was. She reiterated that the purpose of the financial statement audit was to look at the financial statements and ensure that they were accurately reported. She stated the County had a lot of money and they looked at high risk areas, areas with the opportunity for misstatements. She stated that an audit did not look at everything and if there were concerns about a particular area that was when you needed to have an agreed upon procedures audit to look directly at the audit and scope it out with the parameters and forensic audit would do something similar.

Supervisor Christy commented that with his experience with IRS audits, they were very specific on a certain area they audited, but not with the entire accounting system. He stated that he thought the Auditor General had the same type of regulations from the same manner with the thresholds and classifications.

Ms. Perry confirmed that was correct for the federal single audit, but they also looked at financial statements that had their own set of requirements and standards.

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to accept the 2022 audit results.

FLEET SERVICES

18. Donation of Surplus Property

Staff recommends approval of the donation of a surplus vehicle to the City of South Tucson, to support the Housing and Community Development Department. The vehicle would be utilized to support the Housing Choice Voucher Program,

specifically providing reliable transportation for the initial and ongoing inspection of rental housing county wide.

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

HUMAN RESOURCES

19. Certification of Compliance with Arizona Revised Statutes

Staff recommends approval of the memorandum certifying Pima County's compliance with A.R.S §11-661(D) and §41-1494.

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

INDUSTRIAL DEVELOPMENT AUTHORITY

20. Joint Single Family Mortgage Revenue Bond Program

RESOLUTION NO. 2023 - 23, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima and the Joint Single Family Mortgage Revenue Bond Program of 2023 of the Industrial Development Authority of the County of Pima and the Industrial Development Authority of the City of Tucson, Arizona; approving standards and requirements related thereto; approving a general plan related thereto; approving program documents related thereto; and authorizing and approving the issuance of not-to-exceed \$26,000,000.00 the Industrial Development Authorities of the County of Pima and the City of Tucson, Arizona Joint Single Family Mortgage Revenue Bonds, Series 2023A in one or more series or issues.

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

Supervisor Scott requested data regarding the number of mortgage holders that would potentially benefit from this program.

Michael Slania, Attorney, Industrial Development Authority, responded that he was unable to provide that information because this was a forward-looking projection and indicated that he could explain what the Pima Tucson Homebuyer Solution Program had done. He stated that this was for a brand new program since it had not been done since 2008 and anticipated that at the current usage, \$25 million, at \$250,000.00 per home meant only a few homes were going to be had. He continued that this program was back to an inverted yield curve, in order to be able to take advantage of the differential between tax exempt rates and taxable rates, and stated that if the program was able to be done, it would be a replicable program depending on the costs.

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

JUVENILE COURT

21. Juvenile Court Center Family Counseling Program

RESOLUTION NO. 2023 - 24, of the Board of Supervisors, electing participation by Pima County in the Juvenile Justice Services Family Counseling Programs and providing \$15,388.00 in matching funds.

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

Supervisor Scott requested a report regarding the overall need of the program and if the program was effective, the possibility of expansion of the program.

Jan Leshner, County Administrator, responded that information would be provided to the Board.

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

NATURAL RESOURCES, PARKS AND RECREATION

22. Renaming of Sweetwater Preserve Trailhead for Steve Anderson Sweetwater Preserve Trailhead

RESOLUTION NO. 2023 - 25, of the Board of Supervisors, authorizing the renaming of Sweetwater Preserve Trailhead for Steve Anderson.

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

Victor Pereira, Director, Natural Resources, Parks and Recreation, introduced the family of Steve Anderson; his wife, Amy Anderson, and his siblings, Susan and David.

Amy Anderson shared her appreciation and gratitude to the Board and indicated that Steve would have been so excited about the dedication.

23. Pima County Cooperative Extension (PCCE) Appropriation of Funds for FY2023/24

Staff recommends approval of the appropriation of funds in the amount of \$151,400.00, to allow PCCE to enhance county services provided to the public.

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

SHERIFF

24. Request to Auction

Staff requests approval to auction two (2) Cessna 203 Aircraft capital assets utilizing Sierra Auction Management.

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

A substitute motion was made by Supervisor Christy and seconded by Supervisor Bronson to have the proceeds from the sale of the Cessna at auction be returned to the general fund and not to the Sheriff's special revenue fund. He added that the Sheriff had asked for money to cover a \$3.3 million deficit from the general fund. No vote was taken at this time.

Chair Grijalva inquired about the legality and whether the funds could go back to the general fund.

Ellen Moulton, Director, Finance and Risk Management, explained the planes had been purchased with restricted funds and that the normal accounting practice was that those funds, if any, that were garnered at the sale of the assets, be returned to those funds. She added the funds that were used were both state and federal RICO funds, as well as a grant that paid for a portion of one aircraft.

Supervisor Christy withdrew his substitute motion and Supervisor Bronson withdrew as the seconder to the substitute motion.

Upon the vote of the original motion, it unanimously carried 5-0.

SUPERIOR COURT

25. Report on Findings and Recommendations for Initial Appearances

Discussion/Direction/Action: Presentation by the Presiding Judge of the Superior Court, of the findings and recommendations by the workgroups regarding the intergovernmental agreement for initial appearances.

Jan Leshner, County Administrator, explained that the Board had tabled discussions for the Intergovernmental Agreement (IGA) for initial appearances. She stated that Judge Bergin and staff from the Courts worked with a variety of workgroups to address issues brought up by the National Association for the Advancement of Colored People (NAACP) and others.

Jeffrey Bergin, Presiding Judge, Superior Court, explained that their request was for an extension of the IGA in support of the Initial Appearances Program (IAP). He stated that the IGA was a fee sharing agreement and did not request money. He stated that it would identify who would be responsible for the expense in support of

the IAP. He stated that it had been in place for 20 years and was highly respected throughout the State, which was reflected in the fact that Tony Riojas, City Court Presiding Judge, who was responsible for training all Judges across the state on initial appearances. He clarified that the IGA did not outline the administration of the program, and it did not request permission for authority to go forward with the way the Court administered the program. He added that the United States Constitution and the Arizona Constitution recognized the Court as an independent third branch of government with the sole responsibility of how it administered its business including initial appearances. He stated that Pima County's court system was recognized as forward thinking and innovative locally, throughout the state and nationally. He stated that courts from other states have come to see what they have done because it was done well. He stated that they formed a workgroup that was wide ranging that had many voices on it and included members from the Superior Court, the County Attorney's Office, Public Defense Services, Tucson City Court, Town of Sahuarita Municipal Court, national advisors from the Center for Effective Public Policy, Advancing Pretrial Policy and Research, and the Pima County Government. He stated that the workgroup met twice a month over the past year and had done amazing work over a short period of time. He summarized the recommendations of the workgroup. He stated that priority number one was in regards to data collection and reporting. He explained it was the first priority because when the courts made changes or improved systems it was based on data, evidence, and ways they could identify the areas that needed improvements and target the improvements. He added there were five areas for data collection, which looked at those who had been detained preventatively and were unable to secure release due to a financial condition of bail; the second area were those arrested for misdemeanors and detained on bail; the third area were those arrested for one or more violent felonies; the fourth area were those arrested for felonies, released to Pretrial Services and re-offend during the time of oversight; and the fifth area was those arrested for misdemeanors, had financial bail imposed, but were unable to honor their bond within one day, three days or seven days. He added that further recommendations were that data be collected and broken down by race and ethnicity. He stated that the workgroup indicated it could be done, but would require expansion of the Pretrial Services team. He stated that the estimated expenses were about \$150,000.00 that included a Statistical Officer supported by two Clerks for the data collection area of Pretrial Services. He stated that another area to discuss was regarding Electronic Monitoring (EM), which would take time to implement due to its complicated nature. He stated it was complicated because there was so little data available nationally on the effectiveness of EM. He added the data was unreliable because many jurisdictions used it in an untargeted manner and was available for anything. He stated that the workgroup found that if you focused EM on individuals with restricted movement there may be a positive effect on Failures to Appear (FTAs) and subsequent arrests. He stated that they identified the first group for EM, which was for felony domestic violence. He stated that another complicated factor with EM specific to Arizona was that it must include defendants on release who had sexual assault charges so they would have to be included for EM. He stated the combined population of domestic violence felony on release and sexual assault were about 350 individuals. He stated the equipment and programming alone were about \$110 per month per defendant. He added further recommendations of the workgroup was if EM moved forward it would need to be a

low ratio of defendants to pretrial officers that equaled 30 to 1. He stated the reason for that was that you had to monitor people, which required more bodies. He added that when the individuals were added to Pretrial Services with two (2) new teams, that included 12 officers and two supervisors plus other expenses, and 350 defendants would come to a \$1.2 million annual investment. He stated that further discussion was needed, and they would continue to analyze the best way to administer the program and respond to those who violated it. He added that further information would come forward. He stated that another recommendation in regard to Pretrial Services was monitoring and supervision. He stated that it went hand in hand with the ongoing discussion whether they should treat money bond in a different way. He stated that prosecutors had been very direct in that they would be open to the idea of lower bond and not using bond to hold someone if Pretrial Services was more robust and had a higher level of confidence that the individuals were being watched closely. He stated the recommendation was for the Pretrial Services Department to be strengthened and include peer support, which allowed pretrial services to have more face-to-face meetings and more visits with the individuals. He stated that peer support was becoming a nationally recognized highly effective way to interact with defendants. He stated that it would take an increase in pretrial services of five additional members including three peer support staff. He added that the annual associated cost was about \$575,000.00, which allowed a reduction of the ratio to 85 defendants to one pretrial services officer, with peer support available. He also discussed bail decisions and outcome and indicated that a state workgroup reviewing the issues that would be presented next week to a commission that would then present it to the Supreme Court that included identical recommendations. He stated the recommendations included a new matrix on how bail decisions were evaluated and put in place, along with a Bail Quality Assurance Program (BQAP). He stated the BQAP would be similar to the previously mentioned workgroup that was wide ranging and an advisory group to the courts, which included Superior Court, Tucson City Court, Rural or non-Metropolitan Court, Public Defense Services, the County Attorney's Office, victim advocacy, law enforcement and a peer support type of individual to evaluate what and how it was being done and rely on the data collected to make recommendations moving forward. He added they were in support of the extension of the IGA to provide an opportunity to modify how fees were shared if necessary and to have further discussions.

Supervisor Scott commented that the Board had first addressed a serious and substantial issue with FTAs. He questioned how the workgroup addressed FTAs.

Judge Bergin responded that it was encompassed within the recommendations the workgroup made for FTAs. He stated that you could not focus on FTAs across the board and there were some individuals that would not cooperate and engage. He stated the value was to look at ways for those on release that could be motivated to appear. He added the real debate was with bail and bond reform. He stated that if bonds were issued for purposes of holding and ensuring someone would appear, but that statute and constitution laid out that it should be set to assure appearance be set at the lowest level achievable to be released. He stated that if people were not appearing then the question would become if they should increase bond. He stated then the debate would become what could they do to improve, like with peer support,

and should the money bond be increased or detention versus release. He stated it was a much bigger ongoing discussion on a statewide basis and nationally. He stated that one of the options was for preventative detention or no bond hearings, but there was a need to meet statutory and constitutional requirements. He stated that at this point it was unclear what that would look like and would make it difficult for prosecutors to make a decision on a short-term basis and initial appearances were short-term. He stated that they would look at how they could rework the statutory and constitutional definitions to make no bond decisions more clearly.

Supervisor Scott stated that what Judge Bergin commented was that the workgroup took into consideration this overarching issue and it was not only woven into the recommendation, but they were waiting to hear back on what would come out of the workgroup by the Supreme Court.

Judge Bergin replied in the affirmative, but with a caveat. He stated that he did not want to give the impression that the court workgroup had not discussed the issue because they were. He stated that at this point it was unclear and no recommendations had arisen from it because of the challenges discussed. He stated that in addition to the statewide group, the court workgroup continued to discuss the issue, but had not come forward with a particular recommendation.

Supervisor Scott questioned if the workgroup would look at or had looked at other jurisdictions that made more targeted use of EM.

Judge Bergin stated that the workgroup had been working with national advisory individuals and they had limited data available that discussed different jurisdictions in different regions and municipalities and how EM was used. He stated that it appeared that for EM to move forward in Pima County it needed to be more targeted and utilized it for particular populations with the focus to collect that data to ensure it moved forward in an effective way. He stated that it would take another year to finalize what the program would look like and update the expenses associated with it.

Supervisor Scott commented that as the Board received presentations from Mr. Holmes in regard to the new transition center, there were references to what changes the County made in terms of pretrial services. He stated that he anticipated what the workgroup would focus on with pretrial services. He added that he met with Dr. Garcia and Ms. Perrera and staff from Behavioral Health that oversaw the Inmate Navigation Support and Treatment (INVEST) Program. He stated that he saw parallels between what the INVEST Program did and peer navigators. He requested the Board receive a crosswalk document that showed what the County was requesting with pretrial services, with INVEST and what the court workgroups proposed.

Ms. Leshar responded that the information would be provided to the Board. She provided assurance to the Board that they had worked with Pretrial Services and had much collaboration at this point, but would make sure the Board received a summary on it.

Chair Grijalva commented that it was good to hear that it was acknowledged there was room for improvement in the processes and that it was under the purview of the Board to guide that process. She stated that the Board received a memorandum from County Attorney Laura Conover dated June 19, 2023, to request approval of the IGA with an additional three recommendations. She read the following recommendations as listed in the memorandum, "1. Request the Court report on its vetting process for magistrates appointed to conduct IA hearings, including minimum and other qualifications; 2. Request the Court report on its IA training process, including training materials; and 3. Revisit this item in January of 2024 after the Supervisors have had a chance to analyze the December 2023 report recommended by County Administrator Leshner." She questioned if it was something the courts would be willing to collaborate and work on together. She added that they had heard from the community and partners with Tucson Police Department (TPD) and the Sheriff's Department, regarding concerns to the condition of the jail and overpopulation. She stated that everyone was trying to address the same issue, but how to get there was one of the questions.

Judge Bergin responded that he received and reviewed County Attorney Conover's letter, and it was referred to the workgroup. He stated he needed to rely on the workgroup to make their recommendations and take steps from there. He added that it should not take a lot of time for the workgroup to review the County Attorney's recommendations. He stated that he saw the value in what was requested and would take steps to evaluate it.

Chair Grijalva questioned if there were representatives from TPD and the Sheriff's Department, as part of the workgroup.

Judge Bergin replied he did not have representatives from TPD and the Sheriff's Department as part of the workgroup at this point. He stated that they would be added as a phased in group and it was a next step.

Chair Grijalva asked when it would be anticipated for them to be added. She stated that law enforcement partners were critical in helping understand what happened when they brought someone into the jail to be processed. She stated that she had heard from Sheriff Nanos and that Chief Kasmar had monthly meetings to discuss concerns. She added that when someone was being taken to the jail and the processing took three to four hours it created a bottleneck. She stated there needed to be solution and another piece left unaddressed in the recommendations were the feedback from the community that surrounded the jail and the concern with 24-hour release made it difficult because community partners were not available 24/7 to be able to help provide support.

Judge Bergin replied that some of the issues might fall to a different group that Mr. Holmes had previously discussed. He clarified those issues were not necessarily involved with the court workgroup, but the information was shared with each other. He added that law enforcement partners would be added in the next few meetings before the Fall. He stated that he did not have the specific answer, but would provide it to the Board.

Chair Grijalva commented that the Board would appreciate more information because they asked for an additional extension when it was first discussed 16 months ago, but an IGA had not been in place for two to three years. She stated it was important to provide the support needed and reiterated they received calls and demands from constituents with their concerns.

Judge Bergin clarified that he did not the impression that seemed like they had not worked during the time the IGA had not been in place. He emphasized that the IGA and the workgroup were separate and distinct. He encouraged the Board to provide comments to the workgroup for evaluation.

Chair Grijalva requested that when the Board received an update from the Court, that it also included contact information for the workgroup.

Judge Bergin replied that he could do that.

Supervisor Bronson commented that Judge Bergin had answered a question she had and asked for clarification if this item required an action by the Board or were they asking to continue the existing IGA.

Ms. Leshar responded there were a variety of recommendations to look at with continued discussions, but the final request was to approve the IGA for a period not to exceed one year.

It was moved by Supervisor Bronson and seconded by Supervisor Scott to approve the item and the extension of the IGA for an additional year. No vote was taken at this time.

Supervisor Heinz asked for clarification if this would also include approval of the three additional recommendations from County Attorney Conover or with some type of contingency with the workgroup.

Chair Grijalva replied that she preferred that it be passed with the three recommendations to go to the workgroup, as indicated by Judge Bergin and then provide the information to the Board. She added that they were not demands but this was the only vehicle for the Board to provide input.

Sam Brown, Chief Civil Deputy County Attorney, commented for clarification that the item was in regards to the recommendations by the workgroup and if the IGA was extended for a year, the document needed to come back to the Board.

Dr. Cheree Meeks, NAACP, thanked the Board for their consideration of the extension of the IGA. She stated that this would address issues and concerns that were brought up 16 months ago. She stated that they were pleased to know that with the IGA, Superior Court Judges would be handling initial appearances on weekends, nights and holidays. She stated they were also pleased with Judge Bergin's memorandum regarding the collection of data for bail on race and ethnicity. She

added that they hoped the Board would allocate any funding necessary to implement data collection and reporting projects and other services. She stated that they felt the funding estimates were modest, but the return on investment would be significant in terms of enhanced public safety, reduced recidivism, and justice for pretrial defendants.

Supervisor Scott questioned if Supervisor Bronson's motion was to approve the four recommendations in the County Administrator's Memorandum dated June 14, 2023.

Supervisor Bronson concurred.

Supervisor Scott confirmed that was what he had seconded.

Mr. Brown stated for the record that the Board could approve the IGA, subject to Civil Division's review and approval as to form and authority.

Supervisor Bronson stated that she would amend her motion to approve the extension of the IGA and accept Judge Bergin's report.

Judge Bergin stated that he appreciated Dr. Meeks comments, but clarified that the IGA had a new date with no other changes. He also addressed the handling of initial appearances by judges on weekends, nights and holidays. He clarified the IGA was a fee sharing agreement that stated the Superior Court would provide judges including special commissioners, magistrates, and pro tempore judicial officers. He added that it also included special commissioners to handle initial appearances on weekends, nights and holidays. He clarified that it indicated the Superior Court would be responsible for the expense and not that the Superior Court would be doing the work.

Chair Grijalva requested a friendly amendment to the motion to include the three points that Judge Bergin stated would go to the workgroup that were recommended by County Attorney Conover.

Supervisor Bronson stated she did not have an objection, but that it was up to the Court not the County Attorney.

Chair Grijalva commented that they were requests for information and the Board then could revisit the item after it received the report after December 2023.

Supervisor Bronson asked what Judge Bergin's pleasure was on that amendment.

Judge Bergin replied that they valued the input from the Board and the recommendations would move forward to the workgroup and if the Board wished to have a formal notice of its support, he had no objection.

Supervisor Scott stated he could support that, but encouraged his colleagues to read the County Administrator's Memorandum regarding a recommendation that had not been discussed regarding the County Administrator continued work with the City of Tucson (COT) because it also need to be approved by the COT.

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

CONTRACT AND AWARD

Attractions and Tourism

26. Metropolitan Tucson Convention and Visitors Bureau, d.b.a. Visit Tucson, to promote and enhance tourism, business travel, film production and professional, semi-professional, youth amateur and professional sports development and marketing, General Fund, contract amount \$5,655,000.00 (CT-ED-23-424)

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

Behavioral Health

27. CODAC Health, Recovery & Wellness, Inc., d.b.a. CODAC, Amendment No. 5, to provide for the medical forensic examination and evidence collection for victims of sexual assault, extend contract term to 6/30/24 and amend contractual language, General Fund, contract amount \$240,000.00 (CT-BH-20-268)

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

28. Southern Arizona Children's Advocacy Center, Amendment No. 3, to provide for medical forensic examination and evidence collection for juvenile abuse, extend contract term to 6/30/24 and amend contractual language, General Fund, contract amount \$375,000.00 (CT-BH-20-426)

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

Community and Workforce Development

29. Pima County Community College District, Amendment No. 1, to provide for workforce development education services, extend contract term to 6/30/24 and amend contractual language, General Fund, contract amount \$10,720.00 (CT-CR-22-316)

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

30. Southern Arizona AIDS Foundation, Amendment No. 1, to provide for the Positive Directions Program HUD Housing Opportunities for Persons with AIDS, extend contract term to 8/16/23 and amend contractual language, no cost (CT-CR-21-203)

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

31. Family Housing Resources, Inc., Amendment No. 1, to provide for Emergency Rental Assistance Program, extend contract term to 12/31/23 and amend contractual language, no cost (CT-CR-23-45)

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

Supervisor Christy expressed his opposition to the item and commented that COVID was over and the unspent funds should be returned to Washington.

Supervisor Bronson commented that she supported the item, but it gave her pause due to the Auditor General's report.

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

32. Green Valley Assistance Services, Inc., d.b.a. Valley Assistance Services, Amendment No. 1, to provide for Facility Improvement Project HUD CDBG Public Facilities Activity, extend contract term to 5/31/24 and amend contractual language, no cost (CT-CR-22-245)

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

33. Southern Arizona AIDS Foundation, Amendment No. 2, to provide for the HUD Housing Opportunities for Persons with AIDS CARES Act Project, extend contract term to 8/31/23, amend contractual language and scope of work, no cost (CT-CR-21-210)

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

County Attorney

34. Epidaurus, d.b.a. Amity Foundation, Amendment No. 7, to provide for Specialty Courts Initiative - Residential Treatment, extend contract term to 4/15/24 and amend contractual language, no cost (CT-PCA-19-407)

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

35. Avertest, L.L.C., d.b.a. Averhealth, Amendment No. 4, to provide for the Tucson/Pima County Problem Solving Court Initiative and amend contractual language, SAMHSA Fund, contract amount \$30,000.00 (CT-PCA-20-155)

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

36. Pima County Superior Court, Amendment No. 1, to provide for STEPs Court Diversion Specialist, extend contract term to 10/18/23 and amend contractual language, Felony Diversion Funds, contract amount \$100,000.00 (CT-PCA-22-114)

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

Development Services

37. City of South Tucson, to provide an intergovernmental agreement for reciprocal services relating to building codes, total contract amount \$50,000.00 revenue/5 year term (\$10,000.00 per year) (CT-DSD-23-428)

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

Economic Development

38. Ajo District Chamber of Commerce, Amendment No. 2, to provide for the Ajo Visitor Center: Gateway to the Sonoran Desert, extend contract term to 6/30/24 and amend contractual language, General Fund, contract amount \$48,000.00 (CT-CA-22-46)

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

39. DM50 C4, Amendment No. 4, to provide for ~~David~~ **Davis** Monthan Air Force Base Advocate; Economic Development Activities, extend contract term to 6/30/24 and amend contractual language, General Fund, contract amount \$60,000.00 (CT-CA-20-189)

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

Chair Grijalva inquired if there was a match or support from the City of Tucson (COT).

Linda Morales, former President, DM50, responded yes and in the last fiscal year had received \$60,000.00 from the COT. She stated that they hoped to receive something similar in the upcoming fiscal year.

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

40. Metropolitan Education Commission, Amendment No. 1, to provide for A1 - Metropolitan Education Commission and A2 - Regional College Access Center, extend contract term to 6/30/24 and amend contractual language, General Fund, contract amount \$122,000.00 (CT-CA-23-163)

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

Facilities Management

41. Southern Arizona Community Sports, Inc., to provide an operating agreement for the Sporting Chance Center, located at 2100 W. Curtis Road, total contract amount \$75,000.00 revenue/5-year term (\$15,000.00 per year) (CTN-FM-23-186)

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

42. City of Tucson, Amendment No. 3, to provide for maintenance of the City of Tucson premises located at 201 N. Stone, extend contract term to 6/30/24 and amend contractual language, contract amount \$30,404.00 revenue (CTN-FM-17-221)

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

43. Eleven Café, L.L.C., Amendment No. 1, to provide a lease agreement for 33 N. Stone, Suite 150, extend contract term to 8/31/25 and amend contractual language, contract amount \$28,501.33 revenue (CT-CTN-FM-19-18)

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

Health

44. Arizona Board of Regents on behalf of The University of Arizona College of Medicine, Amendment No. 1, to provided quality improvement consultant services for Health Literacy Project, extend contract term to 12/31/23, amend contractual language and scope of services, Advancing Health Literacy grant from Health and Human Services Fund, contract amount \$35,612.00 decrease due to reduced scope of work (CT-HD-22-89)

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 COVID was over and the contract was not in the purview of the County's spending. He commented that he opposed the item.

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

45. Arizona Board of Regents on behalf of The University of Arizona Department of Mexican American Studies, Amendment No. 1, to provide for evaluation services for Advancing Health Literacy Project, extend contract term to 12/31/23, amend contractual language and scope of services, Advancing Health Literacy Grant from Health and Human Services Fund, contract amount \$63,143.00 (CT-HD-22-84)

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 he opposed the item and would vote against it for the same reason listed on Minute Item No. 44.

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

Natural Resources, Parks and Recreation

46. Town of Marana, Amendment No. 1, to provide for environmental educational services and programming, extend contract term to 6/30/27 and amend contractual language, contract amount \$8,000.00 revenue (CTN-PR-19-127)

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

47. Rillito Racing, Inc., Amendment No. 4, to provide for the non-exclusive operation of Rillito Racetrack, extend contract term to 6/30/24 and amend contractual language, contract amount \$89,000.00 revenue (CTN-PR-21-84)

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

Supervisor Scott thanked staff for the changes made to Section 11, Rules, which he read aloud. He then asked for an example of what an approved outdoor event would be. He stated that the change was responsive to the concerns heard from constituents in regards to noise at all Rillito Regional Park events and also made specific reference to racing days. He questioned what type of outdoor music would be approved if approached by Rillito Racing.

Victor Pereira, Director, Natural Resources, Parks and Recreation, explained that one example that would be approved at his level, for an outdoor event during a race day event last year was the performance of the Tucson Boys Symphony Choir.

Supervisor Scott commented that his office had received numerous emails, phone calls and letters that expressed concerns about the health and safety of the horses that participated in racing. He questioned what was being done to ensure the health and safety of horses who participated in racing if the Board approved the contract.

Chair Grijalva stated that she had the same concerns especially since 7 horses died in 2022, but had yet to receive a report on it.

Ed Ackerley, President, Rillito Park Foundation, explained they had implemented Stride Safe in 2023, which was a microchip on the horse saddle blanket that helped with issues. He added that in 2023, there were no fatalities on the track or breakdowns. He stated that their renowned Equine Wellness Program coordinated through the University of Arizona there was a sophisticated protocol for horses that came to the track. He stated they were tested by Veterinarians before they practiced and ran. He stated the Vets and Jockeys had the ability to strike a horse from racing for any concern about safety.

Russell True, Chairman, Rillito Park Foundation, explained that Stride Safe was cutting edge technology that was placed under the saddle. He stated that it was not meant to stop a horse in the middle of a race. He stated that it was meant to go green when a horse was striding appropriately, yellow meant concern, and red meant the horse needed to be evaluated in the future. He stated that this was the first place being used on quarter horses. He stated it was used at Churchill both before a bad run at the derby and also during the derby. He stated that it was a leading edge technology and it impacted Rillito's safety record and also the established equine wellness program. He stated they had a very high scratch rate.

Chair Grijalva questioned if the 2023 season had ended.

Mr. True stated the 2023 season was over, but they would make a request for more days in 2024.

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

Office of Emergency Management and Homeland Security

48. Southern Arizona Rescue Association, to provide for provision of equipment, supplies and training for Search and Rescue Operations, General Fund, total contract amount \$100,000.00/5 year term (~~\$20,000.00 per year~~) (CT-OEM-23-413)

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

Pima Animal Care Center

49. Friends of Pima Animal Care Center, Amendment No. 1, to provide for a Master Cooperative Agreement for philanthropic support, extend contract term to 6/5/24 and amend contractual language, no cost (CTN-PAC-22-176)

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

Procurement

50. Award

Award: Master Agreement No. MA-PO-23-167, Multiple Contractors, to provide for various tires. This master agreement is for an initial term of one (1) year in the shared annual award amount of \$800,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: General (\$56,000.00), Flood Control Ops, Stadium District and Fleet Services Ops Funds. Administering Department: Fleet Services.

Contractor Name (Headquarters):

Group A: Purcell Tire and Rubber Company, d.b.a., Purcell Tire and Service Center (Potosi, MO) - Primary

Group A: Southern Tire Mart, L.L.C. (Columbia, MS) - Secondary

Group B: Purcell Tire and Rubber Company, d.b.a., Purcell Tire and Service Center (Potosi, MO) - Primary

Group C: American Tire Distributors, Inc., d.b.a., A.T.D. (Huntersville, NC) - Primary

Group C: Southern Tire Mart. L.L.C. (Columbia, MS) - Secondary

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

51. Award

Award: Master Agreement No. MA-PO-23-191, Runbeck Election Services, Inc. (Headquarters: Phoenix, AZ), to provide for mail ballot scanning and sorting solution. This master agreement is for an initial term of one (1) year in the award amount of \$339,000.00 (including sales tax) and includes three (3) one-year renewal options in the annual award amount of \$41,000.00 (including sales tax). Funding Source: General Fund. Administering Department: Records.

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

A substitute motion was made by Supervisor Christy and seconded by Supervisor Bronson to continue the item to the Board of Supervisors' Meeting of July 25, 2023 and that the item be sent to the Elections Integrity Commission (EIC) for their review and that after their review, their comments be provided to the Board prior to consideration of this item. Upon roll call vote, it failed 2-3, Chair Grijalva and Supervisors Heinz and Scott voted "Nay."

Supervisor Scott expressed support for the item and explained that the new technology would cut the time in half for scanning and separating ballots and it would allow staff to focus more on signature verification. He added they planned to get early ballots to the Elections Department for tabulation in less than two days, which had previously not been possible, so it would improve efficiency, accuracy and help with ballots being tabulated more quickly.

Supervisor Heinz commented that the new technology would allow for additional transparency and would allow voters to see when exactly the early ballot got affirmed and processed.

Supervisor Christy stated he would feel more comfortable with a review by the EIC due to Runbeck's controversial elements.

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

52. Award

Amendment of Award: Master Agreement No. MA-PO-18-349, Amendment No. 6, Senergy Petroleum, L.L.C., to provide for gasoline, diesel and diesel exhaust fluid. This amendment extends the termination date by five (5) months with a new termination date of 12/31/23 and appends the Force Labor of Ethic Uyghurs provision to the contract, pursuant to A.R.S. §35-394. Funding Source: Fleet Services Operations Fund. Administering Department: Fleet Services.

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

53. International Business Machines Corporation, d.b.a., IBM Corporation, Amendment No. 1, to provide for enterprise resources planning (ERP) system implementation services, amend contractual language and scope of services, Capital Project Fund / Department Funds, contract amount \$840,000.00 (MA-PO-23-125) Administering Department: Analytics and Data Governance

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

54. ADP, Inc. (formerly ADP, L.L.C.), Amendment No. 10, to provide for HR/Payroll, benefits and eTime management and amend contractual language, no cost (MA-PO-13-202) Administering Department: Human Resources

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

55. SHI International, Corp., Amendment No. 2, to provide for Information Technology Solutions and Services and amend contractual language, Internal Service and General (25%) Funds, contract amount \$7,500,000.00 (MA-PO-22-93) Administering Department: Information Technology

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

56. Aetna Life Insurance Company and Aetna, Inc., d.b.a. Aetna Behavioral Health, L.L.C., Amendment No. 5, to provide for medical benefits administrative services - Third Party Administration and Employee Assistance Program, extend contract term to 6/30/24 and amend contractual language, Health Benefit Self-Insurance Fund, contract amount \$16,600,000.00 (MA-PO-18-189) Administering Department: Human Resources

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

57. CaremarkPCS Health, L.L.C., d.b.a., CVS Health, Amendment No. 2, to provide for pharmacy benefits administrative services, extend contract term to 6/30/24 and amend contractual language, Health Benefits Self-Insurance Fund, contract amount \$150,000.00 (MA-PO-18-190) Administering Department: Human Resources

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

58. Arizona Style Construction, L.L.C., Desert Earth and Wood, L.L.C. and Woodstock Builders, Inc., to provide for Pima County conventional home weatherization, General (\$15,000.00) and Various Grant Funds, contract amount \$400,000.00 (MA-PO-23-182) Administering Department: Community and Workforce Development

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

59. Wiss, Janney, Elstner Associates, Inc., to provide for Design Services: 130 W. Congress façade upgrade, FM Capital Non-Bond Projects Fund, total contract amount \$398,089.00/3 year term (\$132,696.33 per year) (CT-FM-23-436) Administering Department: Project Design and Construction

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

Regional Wastewater Reclamation

60. Town of Oro Valley, Amendment No. 2, to provide for wastewater billing and collection services, extend contract term to 6/30/24, amend contractual language and scope of services, RWRD Enterprise Fund, contract amount \$441,000.00 (CT-WW-21-367)

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

61. Metropolitan Domestic Water Improvement District, Amendment No. 3, to provide for wastewater billing and collection services, extend contract term to 6/30/24, amend contractual language and scope of services, RWRD Enterprise Fund, contract amount \$533,000.00 (CT-WW-20-306)

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

School Superintendent

62. Pima County Elections Department, to provide local election services to school districts, no cost (CT-SS-23-382)

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

63. Pima County Recorder, to provide for school district elections, no cost (CT-SS-23-383)

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

Sheriff

64. Sheriff's Auxiliary Volunteers, Amendment No. 1, to provide for property loss protection - Tucson SAV vehicles, extend contract term to 6/30/24 and amend contractual language, contract amount \$3,462.00 revenue (CT-SD-22-414)

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

65. Pima County Community College District, Amendment No. 4, to provide for the Adult Basic Education College and Career Program at the Pima County Adult Detention Complex, extend contract term to 6/30/24 and amend contractual language, Special Revenue - Sheriff Inmate Welfare Fund, contract amount \$152,000.00 (CT-SD-20-16)

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

GRANT APPLICATION/ACCEPTANCE

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

Arizona Department of Economic Security, Amendment No. 3, to provide for WIOA Title I Employment Services and amend grant language, \$17,798.00 (GTAM 23-71)

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

67. **Acceptance - Grants Management and Innovation**

Emergency Food and Shelter National Board Program, to provide for the Federal Emergency Management Agency, Emergency Food and Shelter Program Humanitarian Relief advance grant ("Phase HR23"), \$19,291,181.45 (GTAW 23-154)

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

Supervisor Christy expressed opposition to the item. He stated that the grant was to fund asylum seekers and that the County should not be in the asylum-seeking business. He added that if the grant was accepted then the County would have spent approximately \$60 million for this purpose.

Chair Grijalva clarified that the County was not in the asylum-seeking business. She continued that they provided services to people who were asylum seekers that came into Pima County and it was important for the entire community's safety and wellness to be providing these services.

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

68. **Acceptance - Health Community and Workforce Development**

Arizona Department of Economic Security, to provide for the WIOA Title 1 Adult, Dislocated Worker and Youth Programs, total grant amount \$8,417,370.00/5 year term (\$1,683,474.00 per year) (GTAW 23-149)

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

69. **Acceptance - Justice Services**

John D. and Catherine T. MacArthur Foundation, Amendment No. 3, to provide for the Safety and Justice Challenge and extend grant term to 5/31/23, no cost (GTAM 23-67)

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 his opposition to the item.

Supervisor Bronson expressed her support of the item. She indicated that she had been on the Committee and felt that this was not getting them any closer to where they needed to be for justice reform.

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

70. **Acceptance - Justice Services**

John D. and Catherine T. MacArthur Foundation, Amendment No. 1, to provide for the Safety and Justice Challenge and extend grant term to 12/31/23, no cost (GTAM 23-72)

Supervisor Christy stated his opposition to the item.

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

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

Friends of Pima Animal Care Center, to provide for the PACC Noise Reduction Project, a.k.a. Decimate the Decibels, total grant amount \$125,000.00/~~20-year term (\$6,250.00 per year)~~ (GTAW 23-148)

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

72. **Acceptance – Transportation**

RESOLUTION NO. 2023 - 26, of the Board of Supervisors, approving an Arizona Department of Transportation Airport Development Reimbursable Grant for Eric Marcus Municipal Airport, (Grant No. E3S3H01D), total grant amount \$75,000.00/4 year term (\$18,750.00 per year) (GTAW 23-127)

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

73. **Acceptance – Transportation**

RESOLUTION NO. 2023 - 27, of the Board of Supervisors, approving an Arizona Department of Transportation Airport Development Reimbursable Grant for Eric Marcus Municipal Airport, (Grant No. E3S3J01D), total grant amount \$225,000.00/4 year term (\$56,250.00 per year) (GTAW 23-128)

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

74. **Acceptance – Transportation**

State of Arizona Department of Forestry and Fire Management, to provide for the DFFM Post-Fire Flood Mitigation, \$54,987.00 (GTAW 23-138)

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

75. **Acceptance – Transportation**

State of Arizona Department of Forestry and Fire Management, to provide for the DFFM Post-Fire Flood Mitigation, \$19,538.00 (GTAW 23-139)

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

76. **Acceptance – Transportation**

U.S. Department of Transportation, to provide for the Pima County Safe Streets for All: Creating a Culture of Safety for Our Community, total grant amount \$1,520,000.00/2 year term (\$760,000.00 per year)/\$380,000.00 In-kind match (GTAW 23-108)

Supervisor Christy voiced his opinion on this item and claimed he would be voting against it because he believed the money should go reallocated to repairing our roads, not in the form of a grant.

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

FRANCHISE/LICENSE/PERMIT

77. The Board of Supervisors on May 16, 2023, continued the following:

Hearing - Liquor License

Job No. 236186, Jon Kelvin Post, Marana Farm Festivals, L.L.C., 14950 N. Trico Road, Marana, Series 7, Beer and Wine Bar, New License.

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

78. **Hearing - Liquor License**

Job No. 244945, Jaskaran Singh, Last Stop Chevron, 195 S. Sonoyta Way, Why, Series 10, Beer and Wine Store, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Liquor Licenses and Control.

79. **Hearing - Liquor License**

Job No. 245306, Suresh Kumar Thathi, Curtis Chevron, 2760 W. Curtis Road, Tucson, Series 9, Liquor Store, Person Transfer and Location Transfer.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Chair Grijalva and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Liquor Licenses and Control.

80. Hearing - Fireworks Permit

Lisa DeFalco, Forty Niner Country Club, 12000 E. Tanque Verde Road, Tucson, June 30, 2023 at 8:50 p.m.

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

81. Hearing - Fireworks Permit

John Lashley, Tucson Speedway, 11955 S. Harrison Road, Tucson, July 1, 2023 at 9:00 p.m.

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

82. Hearing - Fireworks Permit

Bobby Retz, Westin La Paloma, 3800 E. Sunrise Drive, Tucson, July 2, 2023 at 9:00 p.m.

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

83. Hearing - Fireworks Permit

Troy Finley, Tucson Country Club, 2950 N. Camino Principal, Tucson, July 4, 2023 at 9:00 p.m.

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

84. Hearing - Fireworks Permit

Natasha Bassi, Westin La Paloma, 3800 E. Sunrise Drive, Tucson, July 4, 2023 at 9:00 p.m.

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

85. Hearing - Fireworks Permit

Anita Beaubien, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, July 4, 2023 at 9:00 p.m.

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

DEVELOPMENT SERVICES

86. Hearing - Specific Plan Rezoning

P22SP00003 UIP QUAIL CANYON I, L.L.C., ET AL. - N. ORACLE ROAD SPECIFIC PLAN

UIP Quail Canyon, L.L.C., et al., represented by Lazarus and Silvyn, P.C., request a specific plan rezoning for approximately 53 acres (Parcel Codes 102-21-062A, 102-21-070A, 105-01-136G, 105-01-136H and 105-01-136J) from the CR-1 (Single Residence) to the SP (Specific Plan) zone, located on the south side of W. Rudasill Road, approximately 525 feet east of the T-intersection of N. Oracle Road and W. Rudasill Road and on the east side of Oracle Road at the T-intersection of N. Oracle Road and W. Kanmar Place. The rezoning conforms to the Pima County Comprehensive Plan which designates the property as Community Activity Center, Higher Intensity Urban and Low Intensity Rural 1.2. On motion, the Planning and Zoning Commission voted 7-2 (Commissioners Hanna and Matter voted NAY, Commissioner Becker was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS LIMITING THE SITE TO 210 APARTMENTS AND 100 SINGLE-FAMILY RESIDENCES WITH A \$300,000 VOLUNTARY CONTRIBUTION FOR IMPROVEMENTS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

At the request of the staff and without objection, the item was continued to the Board of Supervisors' Meeting of July 11, 2023.

ENVIRONMENTAL QUALITY

87. The Board of Supervisors on June 6, 2023, continued the following:

Hearing - Solid Waste Fee Schedule

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

At the request of the County Administrator and without objection, this item was continued to the Board of Supervisors' Meeting of July 11, 2023.

BOARD OF SUPERVISORS

88. Attractions and Tourism Outside Agency Funding Additional Recommendation for Fiscal Year 2023/2024

Discussion/Direction/Action: African American Museum of Southern Arizona - \$20,000.00 for 2023/2024; Additional General Fund Allocation of \$20,000.00 for FY 2023/2024 to the Attractions & Tourism Department. (District 1)

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

Supervisor Scott introduced Bob and Beverly Elliot, members of the African American Museum of Southern Arizona.

Beverly Elliot thanked the Board for their support of the museum. She provided information on the museum and stated it had been open for less than two years and was part of the University of Arizona Alumni. She stated their kickoff had been with Ruby Bridges and they also had Stacy Snowden there to talk about her father. She indicated that they were in collaboration with several groups around the City and State, worked with Dunbar, were entrenched in the community and wanted to continue that. She added that they also wanted to continue to not charge an admission fee for individuals in the community to attend since the bi-population was unable to pay a \$10 to \$12 admission fee. She indicated that since January 14, 2023, over 1,200 people had attended the museum, and they had done giveaways, especially for children and believed it was important to continue that work.

Bob Elliot added his gratitude towards the Board and the people that came forward showing interest.

Supervisor Christy asked for details on the Museum's opening day.

Mr. Elliot responded that prior to opening day the Fire Marshall informed them that the building could hold approximately 71 people at one time and they were shocked when they realized 362 people were in attendance for their grand opening and waited outside for their turn to enter the Museum.

Supervisor Bronson inquired about the Museum's location.

Mr. Elliott responded that the Museum was located in the University of Arizona's Student Union, Room 244.

COUNTY ADMINISTRATOR

89. Sheriff's Department - Over Budget for FY 2022/2023

Staff recommends approval of an allocation of Budget Authority from General Fund Contingency to the Sheriff's Department General Fund. This allocation would cover the anticipated budget overage of up to \$3.3 million.

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

Chair Grijalva commented that this was the first time the Sheriff's Department had been over budget in five years. She stated that overage did not just happen without concerted effort to get there. She stated she understood it was for overtime, but it was frustrating because it was the largest budget item in the County's budget. She added they were requesting an additional \$3.3 million and it would be a significant hit to the budget and she had concerns.

Supervisor Heinz commented that as earlier discussed with Judge Bergin, the cost would be \$1.9 million to do the various things to get some folks out of jail. He stated that it would be better to figure out how to get them the money than to deal with overages from the Sheriff's Department every cycle.

Supervisor Bronson concurred with Chair Grijalva and Supervisor Heinz's concerns and asked how and why the Sheriff's Department got to this point. She stated there was no explanation.

Jan Leshner, County Administrator, responded that monthly memorandums had been provided that showed which departments might be over budget and staff had been working with Sheriff's Department staff to get them back within the budget. She stated that the hope was to get them back within their budget, but it had not occurred and that was the reason why they continued to provide monthly information. She hoped the monthly information provided the reasons, but stated that a final report could be provided to the Board.

Supervisor Bronson responded that the monthly reports provided reasons that she felt were unsatisfactory.

Supervisor Christy commented that when the Sheriff's predecessor, Sheriff Nanos, took office, he inherited a budget deficit of \$5 to \$6 million and at that time informed the prior County Administrator of the overage. He stated that the prior County Administrator responded to the Sheriff to make it work. He added the Sheriff had made it work and was perplexed by it. He stated that he understood there was COVID-19 and inflation, but it did not appear any effort or communication was made by the current Sheriff to remedy it. He stated that there was a negative feeling the way it was handled, and it was something that was hard for him to consider since he was huge supporter of law enforcement. He added that he was also in a fiduciary capacity to watch expenses and budget. He felt that he needed more explanation and

understanding on how this could happen given the history of the preceding Sheriff that was able to address it during his term. He stated he would vote against approval of the item.

Ms. Leshner responded that there were other elected officials who had gone over budget like this a variety of times. She stated that since she had been with the County, what had occurred was simply administrative adjustments to cover the budget deficits. She stated that they continued to believe that they err on the side of transparency and that was why they provided the monthly numbers to the Board. She assured the Board that Ms. Moulton and her staff met regularly with the Finance staff from the Sheriff's Department. She stated that they could provide additional information on what those discussions entailed. She added that part of the reason the Board had not seen this in the past was because adjustments were made administratively to make sure things were balanced. She stated that they wanted to make sure that with this requested amount they had the approval of the Board.

Chair Grijalva questioned what the consequences would be if the item did not pass. She commented that the Board approved the Sheriff's budget, but the Board was being put in a position to approve an additional \$3.3 million after several items had come to the Board this fiscal year requesting increases due to food supply increases and other items. She also questioned how often vehicles were being turned over, the age of the vehicles, and other expenses in the Sheriff's Budget. She felt that it was an important conversation to have, considering that the Board only approved the Sheriff's Budget. She stated that it was becoming frustrating knowing that there were big needs in the community to be able to provide additional support for.

Ellen Moulton, Director, Finance and Risk Management, explained that in the past these types of issues had been administratively dealt with. She stated that if the Board did not approve the item, they would technically not be allowed to spend more money. She stated they could move money from next year's budget to allocate it to the current year to cover the deficit and reduce their budget for next year. She stated there was money saved in contingency which was where they planned as the 2023 budget was created to spend but had not spent. She stated it was not over and above the total budget that was approved by the Board. She added that was where they recommended to take the money from. She stated that they have tried to be more transparent with the monthly financial reports and the Sheriff had indicated that he would be over budget since November or December. She stated they have worked with the Sheriff to try mitigating it, and part of the overages were due to \$9 million of overtime being spent due to lack of staffing.

Supervisor Bronson requested a line item of where the overages were.

Ms. Moulton stated she would provide that information to the Board.

A substitute motion was made by Supervisor Christy and seconded by Supervisor Bronson to continue the item to the Board of Supervisors' Meeting of July 11, 2023 and requested that Sheriff Nanos present his recommendations of the situation. He stated that perhaps the Board could not see everything and might become more

transparent if there was more time to gather the information. No vote was taken at this time.

Chair Grijalva commented that as another duly elected official, if he did not want to present in person, he could send the information. She stated that the Board could not demand his presence, but could ask him to come.

Supervisor Heinz commented that if the Sheriff was asking for an additional \$3.3 million, he would show up and agreed that it would be helpful to speak to the Sheriff. He questioned if the amount could be cut in half and approve another portion through the budget another way.

Chair Grijalva reiterated that if it did not get approved it would come out of next year's budget. She stated that the Board could still have an opportunity to continue discussion and it would be a negative impact if not passed. She added the hope was that the Board would get a better understanding with additional information from the Sheriff. She questioned what would happen if the proposal passed and the line item stayed in the negative until July 11th.

Chair Bronson asked why the item was on the agenda at this time.

Ms. Moulton responded that the overage of up to \$3.3 million was split about \$1.8 million in labor and \$1.5 million in supplies and services. She stated that the recommendation would be to approve the labor number because they were salaries being earned. She stated that the supplies and services was a number that could shrink. She stated that they would pull the numbers on all expenditures and work with the Sheriff's Finance staff to put together a report for the Board to see what they could do with that.

Supervisor Christy commented that continuing the item would give everyone a chance to gather more information and make a presentation that would explain issues that would benefit the Board. He stated that it would not be an adversarial situation, but an educational situation. He stated that it might enlighten some other problems that would come to the forefront that needed to also be addressed, like staffing and inflation.

Chair Grijalva responded that it was heard several times that this was not uncommon, but for transparency it came to the Board, otherwise it was dealt with through contingency.

Ms. Leshner replied that one of the reasons it was brought to the Board now was that throughout the year it was indicated that there was a problem with the Sheriff's Department budget, and this was the latest time they could try to make it level out. She stated that the Board policy was clear that elected and appointed officials could not expend their budgets without money appropriated by the Board. She stated that historically, as they approached the end of the year there were concerns and people were over budget, adjustments were made from contingency and other funds to

ensure they were not over budget. She reiterated they erred on the side to bring it to the Board.

Chair Grijalva stated that she had some concern to not allocate the \$1.8 million for staff. She felt since there was still time until the end of the fiscal year some other adjustments could be made before June 30th. She stated that she could not support the substitute motion because she felt that employees needed to get paid.

Supervisor Bronson questioned if that was in the form of a motion.

Chair Grijalva replied that she could if that was the will of the Board. She stated that there was already a substitute motion on the floor to continue the entire amount, unless Supervisor Bronson wished to withdraw her second to the substitute motion. She stated that she planned on making a motion to pay the labor and do something similar to what Supervisor Heinz suggested.

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

A substitute motion was moved by Chair Grijalva and seconded by Supervisor Heinz to approve the \$1.8 million in labor costs. No vote was taken at this time.

Supervisor Scott commented that he has reviewed the financial forecasts and it was not a big surprise. He stated that the Board hired the County Administrator to oversee matters as such so when she made a recommendation to the Board to cover the entire overage, he felt that was a recommendation that came from transparency and the day-to-day work done with the Sheriff's Department. He felt that there was Monday morning quarterbacking with the motion and was unsure of what the Board would hear on July 11th that would make the need for the full \$3.3 million any less apparent. He was sure they would hear things in regards to inflation and other issues related to the economy that was exacerbated by the pandemic. He stated that he appreciated Chair Grijalva's motion, but could not support it.

Chair Grijalva commented that the County Administrator had limited oversight into elected official's budgets, and she could advise on the situation. She stated that since the Sheriff was an elected official, he had more discretion with his own budget. She stated that her concern was that the Sheriff's Department budget was the largest than any other department. She stated that the overage was significant, and it seemed like they could not abide by it. She wanted to make sure that employees would receive a paycheck and were not penalized.

Supervisor Scott questioned if on July 11th, they could hear from the Finance staff, Ms. Leshner and the Sheriff and his staff in terms of how these overages in the non-labor areas occurred. He stated that everyone understood the labor and why the Board had previously unanimously approved their pay packages. He stated that he could support the motion if he was assured that on July 11th they could provide additional detail on the work entailed.

Chair Grijalva commented that her motion did not include the presentation on July 11th and she would be happy to accept that as an amendment to her motion.

Supervisor Heinz accepted the amendment as the seconder to the motion.

Supervisor Christy asked for clarification of the motion.

Chair Grijalva reiterated that the motion was to approve the \$1.8 million for labor and to request it be brought back for discussion on July 11th.

Supervisor Christy questioned if the \$1.8 million were not approved would employees not receive a paycheck.

Ms. Moulton clarified that employees would receive their pay, but the Sheriff's Department would remain in an over budget position.

Supervisor Bronson commented that it might have been handled historically administratively, but now they were providing transparency. She added that the Board was not informed at a time that it should have, and the Board should have been asking questions. She stated that the Sheriff had not been over budget in the last five years and hoped that Sheriff Nanos would attend the meeting on July 11th. She stated that she was weighing how she would vote because it was an Occam's razor position because she wanted the employees to get paid. She stated that she could reluctantly support the motion because there had not been transparency in the office. She was concerned why there was so much overtime and needed to know the reasons.

Ms. Leshner reiterated the reasons of why some departments were over budget for the entirety of the year. She stated that if the Board wished, they could indicate which departments were over budget and why, in a brief summary to provide more granularity.

Supervisor Bronson replied she would appreciate that information and stated that most of the departments that were over budget were administrative departments. She stated the challenge was with elected officials. She indicated that the Board should not be giving blank checks and that was what the Board had done.

Upon roll call vote of substitute motion made by Chair Grijalva, it carried 4-1, Supervisor Christy voted "Nay."

REGIONAL WASTEWATER RECLAMATION

90. Pretreatment Settlement Agreement

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund:

Kingwood Collision, Inc., d.b.a. Gerber Collision & Glass, Case No. C2022-R-002. The proposed settlement amount of \$500.00 is in accordance with the Industrial Wastewater Enforcement Response Plan.

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

CONTRACT AND AWARD

PROCUREMENT

91. Award

Award: Master Agreement No. MA-PO-23-213, Tyler Technologies, Inc. (Headquarters: Falmouth, ME), to provide for Tyler Technologies, Inc. Assessor's Software. This master agreement commences on 6/20/23, and will terminate on 6/19/26, in the not-to-exceed contract amount of \$1,400,000.00. Funding Source: General Fund. Administering Department: Information Technology and Assessor.

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

92. Sundt Construction, Inc., to provide for Construction Manager at Risk Services: 130 W. Congress Façade Upgrades and Tenant Improvements, General Fund, total contract amount \$98,356.93/2 year term (\$49,178.47 per year) (CT-FM-23-453) Administering Department: Project Design & Construction

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

BOARD, COMMISSION AND/OR COMMITTEE

93. Community Action Agency Board

Reappointment of Willie Blake. Term expiration: 12/31/23. (District 2)

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

94. Library Advisory Board

- Reappointment of Mary Ann O'Neil. Term expiration: 6/30/27. (District 2)
- Appointment of Rebecca Peralta, to fill a vacancy created by Betsy Shepard. Term expiration: 6/30/27. (District 5)

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

95. **Planning and Zoning Commission**

Reappointment of David Hook. Term expiration: 6/19/27. (District 4)

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

96. **Board of Health**

Reappointments of Gail Smith and Paul R. Horwitz, M.D. Term expirations: 6/30/27. (District 3)

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

FRANCHISE/LICENSE/PERMIT

97. **Hearing - Fireworks Permit**

David Tibbitt, Ajo/Gibson Volunteer Fire Department, Freeport Slag Dump, 400 Taladro Avenue, Ajo, July 4, 2023 at 7:00 p.m.

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

CONSENT CALENDAR

98. **Approval of the Consent Calendar**

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the Consent Calendar in its entirety.

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BOARD, COMMISSION AND/OR COMMITTEE

1. **Metropolitan Education Commission**

- Appointment of Dr. Irene Robles-Lopez, representing Pima Community College, to replace David Doré. Term expiration: 4/16/24. (Commission recommendation)
- Appointment of José Gastelum, representing School Superintendents' Representative, to fill a vacancy created by Steve Holmes. Term expiration: 5/31/26. (Commission recommendation)

2. **Library Advisory Board**

Reappointment of John Halliday. Term expiration: 6/30/27. (District 1)

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

3. **Special Event**

Timothy Ryan Angelillo, Balanced & Consistency.org, 2905 E. Skyline Drive, Suite 262, Tucson, June 16, 17 and 18, 2023.

4. **Temporary Extension**

14103017, Kevin Arnold Kramber, AMVETS Post 770, 3015 S. Kinney Road, Tucson, November 11, 2023.

ELECTIONS

5. **Precinct Committeemen**

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

RESIGNATION-PRECINCT-PARTY

Steven Early-154-DEM, Christina Early-154-DEM, Anakarina Rodriguez-166-DEM, Dana Allmond-184-DEM

APPOINTMENT-PRECINCT-PARTY

Karen Karl-047-DEM, Mark Blessington-056-DEM, Myrna Marell-056-DEM, Douglas Syme-141-DEM, Mark Eberlein-166-DEM, Vivek Patel-169-DEM, Anakarina Rodriguez-235-DEM, Jonathan Salvatierra-246-DEM

JUSTICE COURT

6. **Judge Pro Tempore Appointment**

Appointment of Judge Pro Tempore of the Pima County Justice Courts for the period of July 1, 2023, through June 30, 2024: Darlene Chavez, John Davis, Carmen Dolny, Maria Felix, Oscar Flores, Jr., Robert Forman, Charles Harrington, Stuart De Haan, William Parven, Brick Storts and Virjinya Torrez.

TREASURER

7. **Certificate of Removal and Abatement - Certificate of Clearance**

Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$42,400.13.

8. **Request to Waive Interest**

Pursuant to A.R.S. §42-18053, staff requests approval of the Submission of Request to Waive Interest Due to Mortgage Satisfaction in the amount of \$616.76.

REGIONAL WASTEWATER RECLAMATION

9. **Public Announcement**

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following case will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone Avenue, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days, and written comments may be sent to Industrial Wastewater Control, 2955 W. Calle Agua Nueva, Tucson, Arizona 85745-9750. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

True Blue Car Wash, L.L.C. The proposed settlement in which True Blue Car Wash, located at 4300 West Ina Road, agrees to pay a penalty of \$800.00.

RATIFY AND/OR APPROVE

10. Minutes: April 18, 2023

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99. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 2:13 p.m.

CHAIR

ATTEST:

CLERK