

## **FLOOD CONTROL DISTRICT BOARD MINUTES**

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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**

Review and adoption of the Flood Control District 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 Bronson to close the public hearing and adopt the Flood Control District Tentative Budget in the amount of \$29,933,245.00 at an effective tax rate of \$0.3253. 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 1:48 p.m.

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CHAIR

ATTEST:

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CLERK

## IMPROVEMENT DISTRICT BOARD MINUTES

The Pima County Improvement District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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. TENTATIVE BUDGET HEARING

Review and adoption of the following County Improvement District Tentative Budgets for Fiscal Year 2023/2024:

<b><u>IMPROVEMENT DISTRICT</u></b>	<b><u>FY 23-24 PROPERTY TAX LEVY</u></b>
<b><u>Other Improvement District</u></b>	
HAYHOOK RANCH	\$40,000
<b><u>Street Lighting Improvement District</u></b>	
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
LAKEVIEW 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
MORTIMORE ADDITION	\$30,299
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 Supervisor Bronson and seconded by Supervisor Scott to close the public hearing and adopt the Improvement District Tentative Budgets, as presented. 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 1:48 p.m.

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CHAIR

ATTEST:

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CLERK

## LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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. TENTATIVE BUDGET HEARING

Review and adoption of the Library District Tentative 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 Library District Tentative Budget in the amount of \$56,672,590.00 at an effective tax rate of \$0.5493. 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 1:48 p.m.

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CHAIR

ATTEST:

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CLERK

## **ROCKING K SOUTH COMMUNITY FACILITIES DISTRICT BOARD MINUTES**

The Pima County Rocking K South Community Facilities District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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. TENTATIVE BUDGET HEARING**

Review and adoption of the Rocking K South Community Facilities District Tentative 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 Christy to close the public hearing and adopt the Rocking K South Community Facilities District Tentative Budget in the amount of \$4,879,332.00. Upon roll call vote, the motion unanimously carried 5-0.

### **2. FEASIBILITY REPORT RESOLUTION**

RESOLUTION NO. 2023 - RK1, of the District Board of Rocking K South Community Facilities District, authorizing and ratifying the Giving of Notice of Hearing with Respect to a Feasibility Report for Public Infrastructure to be financed by the district; approving such report; authorizing the sale and issuance of not to exceed \$1,750,000.00 aggregate principal amount of general obligation bonds, Series 2023A, of the district; prescribing certain terms, conditions and provisions for such bonds; approving the execution and delivery of a bond registrar and paying agent agreement; approving the execution and delivery of other documents relating to such bonds; awarding such bonds to the purchaser thereof; appointing a bond registrar and paying agent for the bonds; authorizing the levy of an ad valorem property tax with respect to such bonds; and authorizing the taking of other actions securing the payment of and relating to the bonds.

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:48 p.m.

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CHAIR

ATTEST:

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CLERK

## STADIUM DISTRICT BOARD MINUTES

The Pima County Stadium District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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. TENTATIVE BUDGET HEARING

Review and adoption of the Stadium District Tentative 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 Stadium District Tentative Budget in the amount of \$8,826,776.00. 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 1:48 p.m.

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CHAIR

ATTEST:

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CLERK

## **WILDFLOWER COMMUNITY FACILITIES DISTRICT BOARD MINUTES**

The Pima County Wildflower Community Facilities District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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. TENTATIVE BUDGET HEARING**

Review and adoption of the Wildflower Community Facilities District Tentative 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 Bronson to close the public hearing and adopt the Wildflower Community Facilities District Tentative Budget in the amount of \$0.00 with a tax levy in the amount of \$923.00. 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 1:48 p.m.

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CHAIR

ATTEST:

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CLERK



## **BOARD OF SUPERVISORS' MEETING MINUTES**

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, May 16, 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 Natalie Moroyoqui, Case Management, Law Offices of Rachel Wilson, Immigration Attorney.

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

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

### **4. POINT OF PERSONAL PRIVILEGE**

Supervisor Scott introduced Mark Hannah, Member, Metropolitan Education Commission, who presented Chair Grijalva with the 2023 Lifetime Achievement Award.

### **PRESENTATION/PROCLAMATION**

5. Presentation of a proclamation to Kathy Jensen, Co-Lead Tucson Chapter, Moms Demand Action for Gun Sense in America, proclaiming the day of Friday, June 2, 2023, to be: "GUN VIOLENCE AWARENESS DAY IN PIMA COUNTY"

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

6. Presentation of a proclamation to Shannon Roberts, CEO, Diaper Bank of Southern Arizona; Liane Hernandez, Director, Women's Wellness, Empowerment and Leadership Center, YWCA; and Monique Vallery, Director of Development, Southern Arizona AIDS Foundation, proclaiming the week of May 22 through 28, 2023 to be: "PERIOD POVERTY AWARENESS WEEK"

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

7. **CALL TO THE PUBLIC**

The Honorable Ray Carroll, Justice of the Peace, Green Valley Justice Court, addressed the Board regarding a supplemental request for the Green Valley Justice Court's proposed Budget.

Sharon Greene expressed her concerns with COVID-19 medications and policies. She called for the resignations of the Board.

Tim Laux addressed the Board in opposition of Minute Item Nos. 13 and 14, and stated that he disagreed with the deficit included in the proposed 2023/2024 budget.

Larry Starks, President, Tucson Juneteenth Festival, spoke about Minute Item No. 17 and described the upcoming Juneteenth events.

Howard Bochler addressed the Board regarding the reconsideration of the rezoning on Valencia Road, P22RZ0004. He stated that the nature and wildlife in that area would be destroyed and asked that the Board not approve any building permits for that location.

Rob Peters, Executive Director, Save the Scenic Santa Ritas, urged the Board to support Minute Item No. 15.

Steve Brown, Save the Scenic Santa Ritas, expressed his support of Minute Item No. 15.

Eileen Wilson expressed her concerns regarding immigration and the border.

Sharon Fickes spoke about her concerns with the time limit allowed to speakers at Call to the Public, human trafficking, and the border.

Gisela Aaron addressed the Board regarding the proposed budget and stated that County residents should not have to pay extra property taxes. She also asked if the Board had done research on the American Battery Factory located in East Tucson.

Robert Ezzo spoke about the need to have Pima Mine Road paved from Avenido Kay to Mission Road.

Cory Stephens spoke regarding her concerns with Minute Item No. 50, immigration and the border.

Anastasia Tsatsakis spoke in opposition of the gun violence proclamation. She also voiced her concerns regarding County employees that lost their jobs for not following the COVID mandates.

Dave Smith spoke about the Boards' legacies. He expressed his disagreements with the numerous liberal ideas and motions passed by the Board.

Michael King, Reverend, Chaplain in the Army, Green Beret, expressed his opposition with the Board's lack of listening to their constituents.

Elizabeth Moll addressed the Board in opposition of panhandling, for their support of the Gospel Rescue Mission, and her concerns with Fentanyl.

Ann Rose spoke to the Board regarding a mask study that was published in the Journal of Public Health and the negative effects of wearing masks.

Raul Rodriguez, Volunteer, 4Tucson, spoke regarding his concerns with preferential treatment towards The League of Women Voters by the DeConcini Courthouse when he contacted them and attempted to obtain information to participate in the Tucson Naturalization Ceremonies. He asked the Board to place an item on a meeting agenda regarding this matter.

Shirley Requard spoke in opposition of the proposed budget and asked the County Administrator about an update on the investigation on Supervisor Heinz.

Bettie Thompson, spoke in opposition of the gun violence proclamation and on taxpayers having to pay taxes to support non-citizens.

Susan Taraba shared her concerns with County Libraries and the children's books displayed in the children's section at the libraries.

Paul Parisi, Representative, 4Tucson, voiced his concerns regarding the issues his organization had when they attempted to participate in the Naturalization Ceremonies and asked that this matter be placed as an agenda item on an upcoming meeting.

Matthew Levitt expressed his concerns with transportation issues across the County. He shared a map of city/county streets that showed many streets that lacked the correct number of lanes, safety infrastructures, and commented on the unfairness of only one company awarded these city/county road contracts.

Laurie Moore spoke about the proclamation of the Awareness of the Epidemic of Missing and Murdered Indigenous People that was presented at the May 16th Board meeting and felt that none of the comments that had been made by members of the audience were rude, as indicated by Chair Grijalva.

Tina Glidden spoke about her concerns with the conditions and overcrowding of animals at the Pima Animal Care Center. She commented that a high number of animals were euthanized due to overcrowding and their fear of walking on a leash. She expressed the need for the Board to address this matter and asked that an agenda item be included on a future meeting agenda.

Tim McFadzean voiced his opposition with the Board's support of immigrants.

Peter Norquest addressed the Board regarding immigration and border issues. He also spoke about the negative effects of COVID shots/boosters.

Steve Selvy commented on the current border issues and how they had worsened throughout the years. He stated that this was a federal issue and the County had no control over it.

Pendleton Spicer voiced her opposition to the proposed budget and the deficit included in the budget.

Terra Radliff addressed the Board regarding her frustration with their continued enabling of illegal immigration.

Stephanie Kirk addressed the Board in regards to the Mexico/USA border and the ongoing homelessness in Arizona.

Roger Score shared his opinions on the border, immigration, homelessness and drug trafficking.

Raf Polo addressed the Board regarding inappropriate children's books that were currently in the Tucson libraries.

Robert Reus read a passage from a book written by Thomas Jefferson that referred to a wise and frugal government.

David Higuera, Pima County Employee, District 2, shared his comments on immigration. He stated that our nation was a nation of immigrants and people needed to stop assuming that all immigrants were bad. He talked about several world inventors and geniuses who had immigrated to our nation.

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Supervisor Scott stated that during discussion of the proposed tentative budget, he asked that the County Administrator address the assertion that had been made by multiple speakers that the recommended budget included a deficit.

Supervisor Bronson stated that she concurred with Supervisor Scott.

Supervisor Christy commented that he would like discussion items placed on a future meeting agenda regarding the issue that the Recorder's Office had not allowed 4Tucson to participate in voter registration, and regarding books in libraries; the age-appropriateness of the books, their dissemination and location at libraries.

Chair Grijalva responded to the criticism she made regarding outbursts during the presentation of the Epidemic of Missing and Murdered Indigenous People proclamation. She read the following statement, "The US-Mexico border crosses the Tohono Nation and the Pascua Yaqui tribal lands. Each has members on both sides of the border, closing the border would directly continue to cut these nations apart and further divide their communities. The Tohono O'odham, especially those on the Mexican side, are a prime example of the perception of native folks being foreigners in their own land. Discrimination and marginalization are still prevalent towards native folks who seek to protect their land. The land is theirs in name and is actually only conditionally theirs until the government decides that they are a nuisance to their interests, thereby belittling their ability to self-govern and further pushing the agenda that colonizers sought to accomplish and manifest destiny. While Tohono O'odham struggle to stay united on both sides of the border, their division makes it easier for the government to push whatever plans they have for the border further. Dividing nation citizens is just one tactic that traditionally, has been used to overtake territories without much resistance. In this case, it could very well be the downfall of this tribal nation. It is true that much more needs to be done on the epidemic of missing and murdered Indigenous women. But to think that interrupting the mothers, sisters and friends of those directly impacted at the board meeting was an intention to support their cause is obviously untrue and at best completely inappropriate."

Supervisor Heinz directed staff to follow up with the constituent that requested the paving of Pima Mine Road. He expressed concern with the animal conditions and deaths at the Pima Animal Care Center and asked staff to provide the Board with more information regarding this matter.

8. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded Chair Grijalva and unanimously carried by a 5-0 vote, to convene to Executive Session at 12:10 p.m.

9. **RECONVENE**

The meeting reconvened at 12:21 p.m. All members were present.

**EXECUTIVE SESSION**

10. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice and discussion regarding legal overview of the conditional use approval process.

At the request of the County Attorney's Office and without objection, this item was removed from the agenda.

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding proposed settlement with Torres Blancas Golf Course.

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

## 12. **TENTATIVE BUDGET HEARING**

The Chair inquired whether anyone wished to address the Board regarding the Tentative Budgets for FY 2023/2024. No one appeared.

## **BOARD OF SUPERVISORS**

13. Review and adoption of the Tentative County Budget for Fiscal Year 2023/2024.

Jan Leshar, County Administrator, explained that this was the Tentative Budget Adoption and the amount presented was the cap of the budget. She stated that if the Board wished to make amendments, the budget could only be decreased without the ability to be increased. She mentioned the current budget was approximately \$1.76 billion, which was down roughly \$172 million from last year. She added that per Board policy, approximately \$16 million was moved in new state cost shifts through to voters. She stated the County had a combined tax rate of \$5.1048 per \$100 taxable net assessed valuation. She stated that was about 7/10 of a percent increase or under \$0.04 over the current combined rates. She stated that as discussed earlier with grants, once the budget was established it became limited. She stated the County had grants in the past that equaled \$350 million for some pandemic related efforts alone. She stated they added dollars for potential grant capacity should matching dollars be needed. She added that Supervisor Scott mentioned that people thought it was a deficit budget, but clarified that it was not. She stated the one-line item regarding revenues and expenditures was one single element that addressed whether there was a balanced budget and what it might look like. She stated that for the time she has spent with the County the upside-down appearance of revenues and expenditures stayed the same.

Supervisor Bronson commented that the County was statutorily required to have a balanced budget and questioned if that was still the case.

Ms. Leshar replied in the affirmative.

Ellen Moulton, Director, Finance and Risk Management, explained that the presented tentative budget was balanced. She stated that there were multiple items involved in the calculation of the balanced budget, which included revenues, expenditures, transfers, other financing sources and the use of fund balance. She added the General Fund included \$93 million in fund balance as the General Fund balance reserve per Board policy as a set aside. She added it was not expected to be spent, but was nonetheless included. She stated they also included \$66 million in the use of fund balance for the General Fund delineated on page 6 of the transmittal memorandum or pages 3-6 of the budget book. She stated some of the

items were increases in departmental expenditures, potential state cost shifts for next fiscal year, contingency for inflation and several other contingencies.

Ms. Leshar stated that after discussion with District Offices, this year's budget started earlier than normal, and budget hearings with departments were eliminated due to feedback received. She added that if the Board wished to implement a different format or any other public hearings before Final Budget Adoption they could be scheduled.

Supervisor Christy asked when it would be appropriate to offer modifications for the tentative budget.

Ms. Leshar replied he could provide them at this time.

Supervisor Bronson inquired as a point of order if the hearings needed to be opened.

Chair Grijalva clarified they could hear feedback regarding the process, but once details were discussed they could open the hearings.

Supervisor Christy stated that implementing the CBIZ Employee Compensation Study was included in this year's budget and was expected to cost approximately \$14 million. He suggested the Board move it into the following year's budget and not implement it in this year's budget to provide savings.

Ms. Leshar inquired clarification on Supervisor Christy's suggestion that no modifications to salaries be made this year, instead that it be moved to the following year.

Supervisor Christy concurred.

Ms. Leshar stated that the General Fund total budget was \$1,760,492,353.00 for a total primary tax rate of \$5.1048. She indicated that Supervisor Christy's comments regarding the CBIZ Employee Compensation Study would be more appropriate to be discussed as part of the budget.

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 Tentative County Budget for Fiscal Year 2023/2024 in the amount of \$1,760,492,353.00 at an effective tax rate of \$5.1048. No vote was taken at this time.

A substitute motion was made by Supervisor Christy and seconded by Supervisor Bronson to delay the implementation of the CBIZ Employee Compensation Study for a year and that it not be included in the current budget.

Chair Grijalva stated that she could not support the substitute motion since she believed County employees had been waiting a significantly long time for the results of the study and she would like to have the opportunity to be able to compensate employees fairly.

Supervisor Bronson commented that as the tentative Budget was adopted there was an unknown because the State did not have a budget and the County was not aware of what the cost shifts would be.

Ms. Leshar confirmed that was correct and explained that the amount currently included for the State cost shifts were the numbers from last year's budget. She stated that it would always be one year behind during budget adoption per Board policy.

Supervisor Heinz requested a status update of the Employee Compensation Study.

Ms. Leshar stated that the Human Resource (HR) Department had started meeting with department Directors to review the results from the study to ensure accuracy. She stated that they hoped to implement the changes on July 1st.

Supervisor Christy clarified that his substitute motion was to defer implementation for a year.

Chair Grijalva stated that it was already articulated to remove the results of the compensation study and not implement changes to employee salaries for a 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, which was to adopt the Tentative County Budget for Fiscal Year 2023/2024. Supervisor Scott reaffirmed his second to the original motion.

Supervisor Scott thanked Ms. Leshar and her team for their work and their responses to Board offices. He stated the most significant response was knowing the process involved, and the overall construction of the budget with an explanation on how base budgets were determined, and the process for consideration of supplemental requests. He added his appreciation for the major focus areas of the budget, which showed the County being an employer of choice, critical infrastructure, financial stability and also how Justice and Law Enforcement were considered when supplemental requests from the departments were reviewed by the County Administration. He stated that the Board had passed Board of Supervisors' Policy D 22.13 in 2021, which dealt with State cost shifts, and it showed the County taxpayer how the State cost shifts impacted the County budget. He added that the County had not implemented the policy last year in terms of the calculation of the overall tax rate. He felt that it would be appropriate that it be implemented this year, especially since there were \$112 million of State cost shifts documented in the current budget. He stated it was \$16 million more than the



previous fiscal year and was roughly 27% of the General Fund primary property tax. He stated that Arizona and 40 other States had a balanced budget amendment. He added that Arizona voters added an amendment to the Constitution in 1992 requiring a super majority to pass any revenue measure through the Legislature, and as a result, the Legislature was able to cut spending or shift costs to local governments during times of fiscal crisis. He indicated that the State continued to implement cost shifts and it was time to implement the policy. He added that with implementation as documented in the budget transmittal memorandum, the County had the second lowest overall property tax rate in the last ten years. He also expressed his gratitude for the responses in regard to the funds in the budget for inflation contingency, how vacancy savings were calculated, how the long-term funding for PAYGO, and also overhead calculations. He stated his team also appreciated the opportunity to review individual department budgets and follow up with department heads, as needed. He stated that this was a recommended budget and their responsibility as Supervisors was to ask as many questions as possible to learn why and how it was developed. He stated that he would vote for approval of the tentative budget because he felt it was a prudent fiscal document that was carefully and deliberately crafted over time and was responsive to the community needs and priorities.

Supervisor Heinz shared that he was going to attempt to make a case for additional resources, such as affordable housing and street living homelessness, however, he received a letter from Tony Penn of United Way of Tucson and Southern Arizona and read the letter aloud and wholeheartedly agreed with Mr. Penn's remarks. He also agreed with Supervisor Scott's comments that the budget was very well thought out and it responded to many of the needs of the County, but felt that the \$5 million, which all had not been expended, was wholly inadequate to address affordable housing. He stated that he would like to see the primary rate increased by \$0.03, with the additional funding used for affordable housing.

Chair Bronson asked if Supervisor Heinz's request was by way of motion.

Supervisor Heinz clarified that it could be a substitute motion, or it could be discussed.

Chair Grijalva commented that was one of the reasons her office requested that \$5 million go directly toward affordable housing, however, it did not result to much because of eviction prevention. She felt there was an opportunity to do more to look at the amount already dedicated in the budget to be more specific and purposeful on how the funding would be utilized. She stated that at this point she would not want to increase the tax rate, but the allocated funding could be used in a more strategic way.

Ms. Leshar reminded the Board that last year's budget had set aside \$5 million for affordable housing. She stated it took extra time to get the Affordable Housing Commission established and fully seated. She stated they had begun their processes to distribute the funds and would continue on with \$5 million this year.

She added the Affordable Housing Commission would have the opportunity to make recommendations for this year's allocation and the remaining of last year's funding.

Chair Grijalva commented that she believed the Affordable Housing Commission needed to hear what Supervisor Heinz had to say along with what has been heard from the community, for the need of more affordable housing. She stated that was the goal and there was a need to allow more capacity as projects moved forward.

Supervisor Scott stated that during the last Legislative Policy Committee meeting for the County Supervisors Association (CSA), as staff reviewed the State budget it was pointed out that \$150 million of new money would be going into the Housing Trust Fund, as well as several grants that would specifically address homelessness. He stated that he asked CSA staff to follow up with Supervisors on how Counties could either use matching funds to avail themselves to funds from the Housing Trust Fund or how to apply for some of those grants targeted towards homelessness.

Supervisor Heinz asked if there was capacity in the budget for inflation, adjustments or if anticipated need was not wholly expended, could any delta be redirected to affordable housing as long as there were individuals requesting to build these types of projects.

Ms. Leshar responded that through the course of the year monthly reports had been provided and if at any time Board members would like to make changes to the budget or reallocate funds, it would be policy direction of the Board during the fiscal year. She then asked the Board if there was any sense of direction regarding Judge Carroll's request.

Chair Grijalva stated that she was comfortable with approving Judge Carroll's supplemental request for an additional \$61,000.00. She asked if there were any objections from other Board members.

Supervisor Heinz commented that Judge Carroll would be taking over Precinct No. 5.

Ms. Leshar stated for clarification that staff would evaluate and address what that would look like in the current tax structure.

Chair Grijalva concurred.

Supervisor Christy asked for clarification of the motion.

Chair Grijalva replied that they would be voting on approval the Tentative Budget, as presented by staff.

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

14. Review and adoption of the Debt Service Tentative County 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 Bronson to close the public hearing and adopt the Debt Services Tentative Budget in the amount of \$103,035,321.00 at an effective tax rate of \$0.2200. Upon roll call vote, the motion unanimously carried 5-0.

15. **Mining Legislation Resolution**

RESOLUTION NO. 2023 - 12, of the Board of Supervisors, opposing the permitting for Mining Needs Act and the Mining Regulatory Clarity Act, and supporting meaningful mining reform. (District 1)

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

Supervisor Scott acknowledged staff from the County Administrator's Office, County Attorney's Office and the Office of Sustainability and Conservation for their assistance in drafting the Resolution. He pointed out that the most significant mining law in the country was passed in 1872, 40 years before Arizona became a State. He stated the two bills the Resolution opposed were piece-meal in their scope and were not examples of meaningful mining reform, which was another thing that the Resolution called for. He stated that both legislation pieces, one introduced by the Senate and the other by the House of Representatives, would allow mining companies to dump tailings and other waste on public lands even when they do not own the rights to those lands. He stated it would reverse court decisions that Pima County supported in the furtherance of the protection of public lands. He added that members of the House and Senate should oppose both bills and shared his disappointment in Senior Senator Kirsten Sinema, who signed on as a co-sponsor to the Senate Legislation and felt that she or her staff should have contacted the second largest County in the State, but it appeared that in this matter, and others, she wanted to keep her own counsel. He stated that he hoped Senator Kelly, Congressman Ciscomani and Congressman Grijalva would oppose both pieces of this legislation. He also hoped that all members of Congress and the Biden Administration could work together to overhaul the nation's main mining law. He added that it was unrealistic to conceive a law that passed during the Grant Administration to provide sufficient guidance and safeguards to conduct of mining in the Country.

Supervisor Bronson stated that she supported the Resolution for two reasons. She stated that the way the legislation was written was for takings. She stated it was wrong if companies were allowed to dump tailings on land that was not under their ownership and also was wrong to let in the Chinese or foreign nationals to enter like when they did with the water issue. She added there would be problems and stated she did not know what the optimal solution was, but this went in the wrong direction.

Supervisor Christy indicated that this was the fourth Resolution against mining and mining issues heard before the Board and the Board did not have the authority to stop mining or do anything to prevent it. He stated that it lied within the realm of Washington, D.C., as well as in the courts. He stated that the Board heard from the extreme environmental industry during Call to the Audience and their misleading statements, twisting of facts and outright lies. He stated that specifically, Save the Santa Ritas, had done more harm for the economy, livelihoods, jobs, and growth in Pima County by adding roadblocks through the legal system rather than working with the mining owners to try to include them in the community, to be able to get them on board and help put food on people's tables, provide jobs for families and grow as a community. He stated that the County has had a deficit in missed opportunities on this level by fighting mining when it was the number one core industry or part of the 5 C's. He stated that most of the mining activity was on sacred lands. He stated that the particular situation with Hudbay and the Rosemont mine, which it was directed at, was when the Eastern slopes were tied up in the court, it gave Hudbay the opportunity to look at their other privately owned properties. He stated that during this time, they found a treasure trove of copper and other minerals that they were able to explore further. He stated the Rosemont Mine may have been secondary if not abandoned because Copper World had shown it was much more profitable and had more opportunities than the Rosemont Mine. He stated that the tying up of the courts had done Hudbay and the County community a favor. He stated that he could not support this item and that it was time for the County community to embrace the mining industry.

Chair Grijalva expressed her support for the item and emphasized how valuable it was to consider the County's role and why people came to visit. She stated that tourism was an important revenue source for the County. She reiterated that both acts would allow mining companies to use, occupy and conduct operations of public land with or without the discovery of valuable mineral deposits and she agreed with the three members from Save the Santa Ritas that addressed the Board about what the impact would be on County lands.

Supervisor Heinz shared his appreciation to hear the Save the Santa Ritas visitors. He expressed his disappointment in Hudbay and Kyrsten Sinema. He added that there was a huge concern as this was a desert southwest area and water was very important. He indicated that he supported approval of this item.

Supervisor Scott read in response to points made by Supervisor Christy, some aspects of the fourth resolution and stated that he was not anti-mining and did not know how someone could be, but felt that the legislation undermined court decisions that protected public lands and ensured that mining companies were respectful of public lands and their myriad of uses. He added that one of the most important pieces of this Resolution, and hoped all Board members agreed, was to oppose piece-meal legislation that did not address the issue of comprehensive mining reform. He stated that was something that all of Congress needed to take on moving forward. He added that the 1872 mining law was still the governing legislation in the country and it was due to a failure of leadership on the part of

Congress and every presidential administration dating back to that time. He added that this was not for anti-mining, but anti-abuse of public lands.

Supervisor Christy commented that this was anti-mining and it was clear that it was anti-mining with the Resolution. He stated that mining had been happening in the Santa Ritas for 100 years and "comprehensive mining reform" had no meaning and was not outlined or detailed in the Resolution. He compared it to the "immigration system is broken" and stated they were euphemisms that continued to be a problem. He stated that since the inception of mining it was the backbone of the County and State's economy. He added that mining had been conducted throughout the State and County for decades and mining practices had improved and become more highly technical since the 50's and 60's and the scare tactics heard from the anti-mining community were nothing more than that. He stated that he was saddened to see a destitute of folks looking for work with this opportunity and other industries that were thinking of coming to Tucson, knowing it was anti-business, anti-industry, and anti-mining with resolutions similar to this one, that had been passed by the Board.

Chair Grijalva reminded that there were current vacancies in Pima County and asked anyone interested to apply.

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

## **COUNTY ADMINISTRATOR**

### **16. Update on County Initiatives to Address Homelessness and Public Safety**

Steve Holmes, Deputy County Administrator, provided an update regarding panhandling signs located on road medians. He stated the project would be completed on May 19, 2023, but there was confusion on where the signs were being placed and clarified that the County signs were only being placed in the unincorporated areas. He indicated that the County did not have jurisdiction over the City of Tucson (COT) areas. He added that if there were any missed signs in the unincorporated areas after May 19th, he would continue to address those. He stated specific areas were targeted when the Board had approved trespassing in the median in 2016. He provided an additional update regarding the modular and stated it was set to be running by the second week in June provided that the permitting process was completed. He stated that the modular had been received and was located outside of Pretrial. He reiterated that the purpose of the modular, being referred to as, the Pima County Transition Center, was the first iteration to intercept individuals that left the jail complex to comply with conditions of release and provide them with needed services in real time. He stated that what was found during this work through the police department and those working in law enforcement, was that as individuals left or exited the jail system, there was too much time in between their release and their court date. He stated that as a result, services like mental health, drug abuse services and housing were not being met. He added it created a vicious cycle of recidivism, as well as Failure to Appear (FTA) in court. He stated that this was one potential strategy to address the issue with the

intention to grow the transition center into the Mission Annex. He stated that other models were provided to the Board that were used across the nation as a one stop place that dealt with individuals who were part of the incarceration system. He stated Bexar County, San Antonio, TX, was contacted to review their process. He stated the long-term vision was to make better use of the Mission Complex Facility beginning with the modular first iteration of a transition center. He added that it would eventually grow to add detox services and create a custodial like facility. He stated that he felt some individuals needed to stay in place for longer periods of time while receiving services and if they were released too quickly they were not complying. He stated that it did not include the accountability mechanism, but only the support wraparound service system. He stated it would be an essential component that would help make an impact in the space. He added they would provide metrics and data on a routine basis, quarterly reports regarding the impact of misdemeanor portion of arrests. He stated that some of the initial data showed that 25% of misdemeanor arrests were rearrested within 30 days. He added it needed to stop and the County needed to find ways to provide systems that addressed those issues. He indicated they were targeted for mid-June and were actively hiring 4 County Justice Navigator positions. He stated they would visit the pit routinely to talk to individuals and reassure they would be sent through the modular for support. He added they would also work with the COT to provide 2 additional Navigators with their funds. He stated most of the jail population circulating were a part of the COT and with their contribution, it would be beneficial to expand hours and services at the initial Pima County Transition Center.

Supervisor Christy asked about the laws in Pima County and in the COT regarding panhandling in intersection and on medians.

Mr. Holmes responded that there were no panhandling ordinances in Pima County pertaining to panhandling, however, the Board had passed a law specifically for congregating in the medians. He further explained it was a quasi-trespassing ordinance created by the Board in 2016, which allowed the County to hang signs to prohibit people from loitering in the median areas.

Supervisor Christy inquired about the activity by law enforcement to enforce the ordinance.

Mr. Holmes responded that it was a Sheriff activity and he could refer back to the Sheriff to answer the question more specifically. He stated there was an enforcement mechanism in play, but how they enforced it was a question he could answer after discussion with the Sheriff.

Ms. Leshar responded that staff would follow up with Sheriff Nanos and the COT regarding Supervisor Christy's questions and would provide a response to the Board.

Supervisor Christy requested to add an additional question. He asked what type of requirements needed to be met before the ordinance could be enforced.

Mr. Holmes responded that he would confirm what the requirements were with the Sheriff and would provide that information to the Board.

Chair Grijalva stated that she appreciated the aerial photo of the facility because it was visually helpful to understand where services would be co-located. She questioned the rationale of the listed national models provided in the County Administrator's Memorandum dated May 12, 2023, and if certain models were picked due to being a better fit for Pima County. She read some of the models and programs from the memorandum.

Mr. Holmes stated the intent was to ensure the changes would make a difference in crime for particular areas. He stated there were service areas located in the samples from the memorandum and staff was interested in the models from Texas. He stated that there were differences in the way Texas dealt with arrests, being that their hold timelines were different than Arizona. He added that as staff looked at the southwest regional approach, it looked to be more aligned with the vision of the County. He stated that some of the models had Public Defenders and prosecution available 24/7, including providers in a more seamless design. He stated it required more resources and commitment from other jurisdictions like judges and city magistrates who conducted initial appearances. He stated it was a coordinated effort and a reason why staff had begun to create a Proofpoint. He also commented that staff was also interested in another model in Miami-Dade County, Florida that showed impact and success, specifically, as they created incentives with services in real time and mitigating the time from arraignment to their release. He stated these were the more functional models seen across the United States.

Chair Grijalva commented that it was known that 24-hour releases had been problematic and asked if there had been any movement on that issue with City partners.

Mr. Holmes concurred that 24-hour releases were problematic, and the hope was that through initial appearances there was more substance that came along with it. He added there were multiple discussions regarding electronic monitoring, what releases looked like, and the times individuals were being released. He added there was a concern with individuals released at 7:00 p.m., because it did not allow enough space and time for individuals to connect with services, since they were being released at night and it was not safe for the community.

Chair Grijalva stated that it was also difficult for the non-profit partners to run a 24/7 operation and it would make sense for the County to work with the COT to ensure that when individuals were released, services would be available immediately.

Supervisor Scott inquired if there was a date certain that the Board and COT Mayor and Council would be provided a presentation from the working groups formed by the Superior Court with regards to the intergovernmental agreement for initial appearances.

Ms. Leshar responded that she would provide that information to the Board.

Supervisor Bronson agreed that the 24-hour release was not the best model.

Chair Grijalva commented that when she toured the jail with Sheriff Nanos, it was pointed out and she noticed that three pods were dedicated to inmates with substance abuse issues, which was not the best place for individuals to detox. She was glad to hear of the long-term solutions being discussed for this type of support and added that it should not be happening in County jails.

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

## **ATTRACTIONS AND TOURISM**

### **17. Attractions and Tourism Outside Agency Funding Recommendations for Fiscal Year 2022/2023**

#### **Agency/Approved Contract Amount/Program**

Old Pueblo Trolley, Inc., Southern Arizona Transportation Museum/\$15,000.00/Mural Project  
Tucson Symphony Orchestra/\$10,000.00/Star Wars: The Return of the Jedi, Live in Concert  
Tucson Juneteenth Festival/\$10,000.00/Juneteenth Event

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

## **COUNTY ATTORNEY**

### **18. Anti-Racketeering Revolving Funds**

Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$5,000.00 to Homicide Survivors, Inc. under Board of Supervisors Policy No. C 6.3

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

### **19. Anti-Racketeering Revolving Funds**

Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$5,000.00 for 88-CRIME under Board of Supervisors Policy No. C 6.3.

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

### **20. Proposed Settlement with Torres Blancas Golf Course**

Discussion/Action regarding a proposed settlement with Torres Blancas Golf Course.



It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to approve the proposed settlement, as discussed in Executive Session.

## **DEVELOPMENT SERVICES**

### **21. Final Plat With Assurances**

P22FP00013, Ocotillo Ridge Block 1 Lots 451-616, Block 2 Lots 241-450, Block 3 Lots 76-240, Block 4 Lots 1-75, and Common Area "A" and "B". (District 4)

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

## **REAL PROPERTY**

### **22. Abandonment by Vacation**

RESOLUTION NO. 2023 - 13, of the Board of Supervisors, for the vacation of a portion of Broken Spur Lane, a Named Easement and Right-of-Way Lease as Pima County Road Abandonment No. R-0141, within Section 32, T14S, R12E, G&SRM, Pima County, Arizona. (District 3)

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

### **23. Dedication of Right-of-Way**

Dedication of a Right-of-Way on the northeast corner of Cloud Road and Sabino Canyon Road. (District 1)

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

### **24. Treasurer's Deed**

Pursuant to A.R.S. §42-18261, application for a Treasurer's Deed for unredeemed properties totaling 2,400 parcels.

Supervisor Christy noted that the URL that had been provided where the list of properties could be found on the County website was incorrect.

Jan Leshner, County Administrator, responded that it would be corrected.

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

## **CONTRACT AND AWARD**

### **Community and Workforce Development**

25. City of South Tucson, Amendment No. 4, to provide for the John A. Valenzuela Youth Center, extend contract term to 6/30/24, amend contractual language and scope of services, General Fund, contract amount \$113,000.00 (CT-CR-20-454)

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

Chair Grijalva commented the contract amount had been consistent over a period of time and asked that inflation and similar effects be taken into consideration.

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

### **Facilities Management**

26. De La Warr Investment Corporation, Amendment No. 9, to provide a lease for property located at 33 N. Stone Avenue, Suite 850, extend contract term to 5/31/24 and amend contractual language, contract amount \$28,162.20 revenue (CTN-FM-CMS139839)

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

### **Procurement**

27. **Award**

Award: Master Agreement No. MA-PO-23-164, International Business Machines Corporation, d.b.a. IBM Corporation (Headquarters: Armonk, NY), to provide for Maximo subscription and hosting. This master agreement is effective May 16, 2023 to May 15, 2028 in the not-to-exceed contract amount of \$1,900,000.00 (including taxes). This contract is for the license subscription and hosting services for the upgraded Maximo system being integrated with the Workday Enterprise Resource Planning system. Funding Source: Non-Bond Projects Fund. 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.

28. **Award**

Award: Master Agreement No. MA-PO-23-185, Can/Am Technologies, Inc. (Headquarters: Lakewood, CO), to provide for Teller implementation licensing and support. This master agreement is effective May 16, 2023 to May 15, 2033 in the not-to-exceed contract amount of \$1,300,000.00 (including taxes). This contract is

for the implementation, license subscription and support services for the Teller system being integrated with the Workday Enterprise Resource Planning system. Funding Source: Non-Bond Projects Fund. 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.

**29. Award**

Amendment of Award: Master Agreement No. MA-PO-19-135, Amendment No. 4, James, Cooke & Hobson, Inc., to provide for Flygt submersible pumps and parts. This amendment exercises the annual renewal option to extend the termination date to 5/25/24, approves an average 6.8% price increase, and appends the Forced Labor of Ethnic provision pursuant to A.R.S. §35-394 and Attachment B, Scope of Work to the contract. No additional funds are required at this time. Administering Department: Regional Wastewater Reclamation.

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

30. Kiewit Infrastructure West, Co., to provide for Design-Build Services: Class A Biosolids Solar Drying Facility (3TRCAB), RWRD Obligations Fund, total contract amount \$6,989,384.44/3 year term (an average of \$2,329,794.81 per year) (CT-CPO-23-385) Administering Department: Capital Program Office.

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

**Real Property**

31. Crown Castle Fiber, L.L.C., Amendment No. 4, to provide for a Non-Exclusive Right-of-Way Use License for Fiber Transport Facilities, extend contract term to 6/30/28 and amend contractual language, contract amount \$1,700.00 revenue (CTN-RPS-23-174)

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

32. Serrano Solar, L.L.C., to provide for a license for Right-of-Way Encroachment (Lic-0336), for operating and maintaining 34.5kv underground electrical collection lines, total contract amount \$4,375.00 revenue/25-year term (\$175.00 per year) (CTN-RPS-23-175)

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**

### **33. Acceptance - County Attorney**

Arizona Criminal Justice Commission (ACJC), to provide for the ACJC Arizona Disposition Reporting System XML Automation Project, \$2,000.00 (GTAW 23-132)

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

### **34. Acceptance - Environmental Quality**

Environmental Protection Agency, to provide for Expanding Localized Air Quality Monitoring at Pima County Schools to Address Environmental Justice Grant Award, total grant amount \$488,210.00/3 year term (\$162,736.67 per year) (GTAW 23-124)

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

Supervisor Christy indicated this grant would establish a network of low-cost sensors that measured particulate matter and gaseous pollutants in 30 County schools with an emphasis on underserved communities that had a higher risk of cumulative exposure to air pollutants due to their proximity to more air pollution sources. He added that it was also for the development and implementation of community science education plans at schools for the education about air pollution and its connection to environmental justice. He stated that he objected to this item and the County should not accept the grant.

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

### **35. Acceptance – Health**

National Association of County and City Health Officials, to provide for the Wastewater Surveillance for SARS-CoV-2 Mentorship Program, \$9,988.00 (GTAW 23-131)

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 objection to this item. He indicated that this was for the development of wastewater surveillance data sharing, communication strategy and potential expansion of the County's wastewater surveillance efforts. He noted that the start date of the agreement was retroactive and the warning that if the grant was not accepted, the County would lose the funding for this project. He stated that the County should not accept the grant.

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

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

Friends of Pima Animal Care Center (PACC), to provide for PACC Mobile Medical Unit Animal Care Supervisor Funding Agreement, \$73,008.00 (GTAW 23-130)

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

**37. Acceptance - Project Design and Construction**

Stratford Art Works, Inc., to provide for a joint development subaward for renovation of Teatro Carmen, total grant amount \$200,000.00/3 year term (\$66,666.66 per year) (GTAW 23-123)

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

Supervisor Christy objected to this item and stated that it was a City of Tucson (COT) project and should not be included in the County's efforts.

Supervisor Bronson concurred with Supervisor Christy and indicated that the project should be funded by the COT.

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

**FRANCHISE/LICENSE/PERMIT**

**38. 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, the item was continued to the Board of Supervisors' Meeting of June 20, 2023.

**39. Hearing - Bingo License**

23-01-8043, Erica Holbert, Rocking K South Master Homeowners Association, 12620 E. Old Spanish Trail, Tucson, Class A - Small Game.

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

## **DEVELOPMENT SERVICES**

### **40. Hearing - Rezoning Ordinance**

ORDINANCE NO. 2023 - 7, P22RZ00009, Lopez Family TR, et al. - E. Colossal Cave Road Rezoning. Owner: Lopez Family TR, et al. (District 4)

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

### **41. Hearing - Rezoning Ordinance**

ORDINANCE NO. 2023 - 8, P22RZ00010, Edwin, L.L.C. - E. Drexel Road Rezoning. Owner: Edwin, L.L.C. (District 4)

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

### **42. Hearing - Rezoning Resolution**

RESOLUTION NO. 2023 - 14, Co9-70-40, Auldridge - Carol Avenue Rezoning. Owner: Victor Gonzalez. (District 3)

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

### **43. Hearing - Rezoning Resolution**

RESOLUTION NO. 2023 - 15, P16RZ00007, Andrada Wilmot 180, L.L.C. - S. Wilmot Road Rezoning. Owner: Andrada Wilmot 180, L.L.C. (District 4)

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

### **44. Hearing - Comprehensive Plan Amendment Resolution**

RESOLUTION NO. 2023 - 16, P22CA00003, Ideal Partners, L.L.C. - S. Headley Road Plan Amendment. Owner: Ideal Partners, L.L.C. - Attn: Jim Griffin. (District 5)

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

## **REGIONAL WASTEWATER RECLAMATION**

### **45. Hearing - Code Text Amendment**

ORDINANCE NO. 2023 - 9, of the Board of Supervisors of Pima County, Arizona, relating to sanitary sewer construction, connections and fees; amending the Pima County Code by amending Title 13 Public Services, Chapter 13.20.100 (Acronyms and Definitions), Section B (Definitions) to add a definition for Seller and Chapter 13.20.500 (System Improvement Construction), Section A.4 (Warranty) to increase the seller's warranty period for the sanitary sewer from one (1) year to two (2) years from the date of transfer to the County and to provide additional detail of seller's warranty obligation to the County.

Jennifer Barroso, Government Liaison, Southern Arizona Home Builders Association (SAHBA), addressed the Board regarding the proposed changes to the Pima County Ordinance regarding the seller's warranty of contributed sanitary sewer systems. She expressed her appreciation for County staff who had sought out their input, met with them, offered great collaborative discussion and adjusted their timeline according to the feedback they received. She stated that SAHBA was comfortable with the proposed changes and asked that as this new standard was brought into effect, that the Board considered contractors be notified in writing, of any repairs they were asked to make, citing where they were out of compliance. She requested that the department and contractors collaborate on a timeline for correcting the issue and that SAHBA be provided the opportunity to review the process's effectiveness in a year's time from both the Regional Wastewater Reclamation Department's standpoint, as well as the contracting community standpoint.

Supervisor Bronson commented that SAHBA's requests were reasonable and staff should follow up with them.

It was moved by Chair Grijalva, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

## **BOARD OF SUPERVISORS**

### **46. Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument**

RESOLUTION NO. 2023 - 17, of the Board of Supervisors, in support of President Joe Biden creating Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument in Northern Arizona. (District 5)

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

Supervisor Christy indicated that he had received a letter from a constituent that he felt encapsulated a very good point about the Resolution. He stated that he would not support this item due to the haste in his constituent's concern. He shared the

following concern listed in the letter, "Over 1.1 million acres on these Mojave County tribal reservation lands in Resolution before us, includes rich uranium and the watershed that supports 40 million people. Mojave County is one of the poorest counties in Arizona and needs not only jobs but less intrusion by the federal government. A national monument controlled by the federal government provides more government overreach that does not benefit the people, the source of uranium and Mojave County is one of the richest sources of uranium in the United States and could support U.S. nuclear electricity companies here in Arizona. Currently the United States imports 60% of uranium from our enemies, Russia and China. Our state of Arizona and each of our counties needs to be independently supported and have the control over our local economies and opportunities for financial independence. Why is Congressional District 7 Raul Grijalva and District 5 Supervisor Adelita Grijalva supporting and promoting this intrusion? Why aren't the Grijalvas, instead of working to promote and provide jobs and economic growth? The beauty of the Mojave County area will remain and be enjoyed without designation as a national monument. Support Mojave County for less government control." He reiterated that he would be voting against this item.

Chair Grijalva noted that several tribes including Supai, Hopi, Kaibab, Las Vegas Band, Peyote Indian and Moapa Band, had joined together in a coalition and requested that the Biden Administration designate this area to protect it from threats outlined by Supervisor Christy.

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

**47. Update on Title 42 and Title 8**

Discussion/Direction/ Action regarding the County Administration's response to and its addressing of the recent lifting of the Title 42 immigration restriction and the implementation of the Title 8 policy, including but not limited to, the impact on Pima County's staff and resources, as well as the County's related efforts, policies, and plans for public dissemination of updates and general information regarding the resulting migrant crisis. (District 4)

(Clerk's Note: Please see Minute Item No. 50, for discussion related to this item.)

**48. Pay As You Go (PAYGO) Road Repair Program**

Discussion/Direction/Action regarding scenarios from County Administration to provide adequate, continual, and/or replacement funding sources, ensuring that Pima County's PAYGO road repair program fulfills the promise made by unanimous vote of the Board of Supervisors in 2019 to repair and maintain every road in unincorporated Pima County to an 80% or better rating within ten years. (District 4)

Supervisor Christy referenced the County Administrator memorandum dated May 12, 2023, and stated that he found many revisions and re-writing of history throughout the document. He mentioned that he was on the Board in 2019 when PAYGO was first approved. He read from the background section of the



memorandum and stated that the Pavement Condition Index (PCI) amount should have been 80% or better and not an average. He referenced the chart for Roads Currently in Very Poor Condition at the end of FY22/23 Program with 8.61 miles currently in very poor condition. He asked what had happened to the failed roads and why it changed to very poor condition. He further read from the memorandum and disagreed with the statement that the 10-year plan never intended that all roads would be in good or very good condition at the end of the program. He indicated that was the original promise for the roads to be in good or very good condition at 80% or higher. He questioned why the program was labeled as a 10-year plan if the timing of when specific roads could be repaired was not something that could be determined beyond a 1-year projection. He again quoted the memorandum and stated that the equity limitation in using General Fund PAYGO allocations under \$300 million for unincorporated roadways were based on 1997 Bond monies. He stated that since that time there had been a substantial cost of living increase and the amount of money for triggering the cap limit needed to be reevaluated and recalibrated to reflect today's dollars. He asked if Pima County Department of Transportation (PDOT) positions and other programs would need to be cut for increases in roadway repair revenues. He then referred to a County Administrator memorandum and read from it and stated that a promise was made in 2019 that Pima County through the PAYGO road repair plan, all roads in unincorporated Pima County would be repaired within ten years. He referred back to the first memorandum and indicated that Scenario 1 appeared to be justifiably reviewed or removed. He added that Scenario 2 was also a good idea. He thanked the County Administrator and the PDOT staff for providing the scenarios. He commented that this issue should not be placed into a revisionist history even though past Board minutes indicated to fix the roads in 10 years.

It was moved by Supervisor Christy and seconded by Supervisor Bronson to adopt a hybrid recommendation to include Scenarios 1 and 2 of the County Administrator's memorandum dated May 12, 2023, to eliminate the Capital Improvement Plans in the policy and in the order listed, and a reduction of 1.5% of base budgets in the County, and impose an additional 4 month hiring freeze. He felt that this would address the issue of the County keeping its promise. No vote was taken at this time.

Supervisor Bronson concurred with Supervisor Christy and stated that the commitment had not been met.

Jan Leshner, County Administrator, responded that the County had kept its commitment. She stated that when the Board began the PAYGO program it was to fix the roads within 10 years and that had occurred with a dedicated \$225 million to be spent for road repairs. She stated that the difference from the initial motion was that the Board made a determination to front-load funding which caused modifications to the initial motions. She added that if the Board wished to spend an additional \$15 million in road repair at this point, there were a variety of recommendations in which that might occur.

Supervisor Heinz commented that the County had far exceeded the promise to the community. He stated that the promise was to complete it in 2030 and it was already 2023. He added it was front-loaded by bonding \$150 million to accelerate it and in four years it had been completed. He stated it was much more than what was being done for affordable housing and felt that if the County was able to bond that much money for road repair it should also be able to fund \$10-\$15 million for the street living homeless. He reiterated that the County had done more than capped and exceeded promises.

Supervisor Christy stated that the rest of the scenarios listed on the memorandum involved raising taxes and at his standpoint those fell off the table and that was why he supported Scenarios 1 and 2.

Supervisor Scott commented that the County's commitment was unwavering, which was to use local and state funding to repair and maintain roads. He further stated that he was proud to join the majority of the Board to accelerate the program. He added that an additional \$50 million was included in each of the last two fiscal years and the Board had taken advantage of favorable interest rates and the capacity of the road building industry to do the work. He stated that more resources needed to be devoted to maintenance because more roads were fixed than originally planned during the first four years of the program. He added that the worst roads first philosophy remained in place, arterial and collector roads had the largest amount of very poor roads and was appropriate to give them more attention in the coming fiscal year as the formula that was presented demonstrated. He stated this would continue with the commitment made to fix the worst roads first. He stated it was important to address the letter provided from the Transportation Advisory Committee, which called upon the Board to infuse an additional \$15 million into the program in the next fiscal year. He also read from the memorandum and indicated being taken aback by the comments in regard to advancing the \$15 million to address all roads that would slip into very poor condition by the end of fiscal year 2023/24, but it only served to be a quick fix for a single moment in time due to the constant deterioration of pavement. He felt the Board needed additional information on how the new ratings aligned with industry standards, which were mentioned in a prior memorandum, but wanted more detail of the industry standards and how the guiding principles aligned with them. He added that the bottom line was that there was a plan to be carried out and the public could be assured that the priority of fixing and maintaining roads was unchanged.

Supervisor Christy pointed out that one of the issues the residents of the County had with their roads was with the local roads because residents have paid property taxes for decades, but the roads have not been touched. He stated that a lengthy list was attached to the memorandum of local roads from 2020 calculations. He questioned why 2020 information was being provided if it no longer applied. He stated at the rate it was going, the local roads would not be touched for years, but those were the roads residents were expecting to be fixed. He stated that people would see that their roads were not being touched under the current plan and felt that it was the most important part of the promise.

Supervisor Bronson concurred and stated that the County needed to continue with pavement improvement, complete the local roads and find a way to make that happen because it only focused on arterial and collector roads.

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

49. **Actions Related to COVID-19 Vaccination Mandates for County Employees**

Discussion/Direction/Action regarding former and current Pima County employment policies as they pertain to County imposed COVID-19 vaccination mandates for County employees, including but not limited to, the impact upon the following employment scenarios:

1. Rehiring of former County employees who were terminated due to their refusal to follow the County imposed COVID-19 vaccine mandates.
2. Payment of lost wages and back pay to rehired County employees who were terminated due to their refusal to follow the County imposed COVID-19 vaccine mandates.
3. The current pay-plan structure, benefit packages, and seniority placement of rehired County employees who were terminated due to their refusal to follow County imposed vaccine mandates, as compared to what they would be if the employee had never been terminated. (District 4)

Supervisor Christy commented that he wanted to memorialize what the Board had discussed in the past, which was a bad injustice of the Board perpetrating upon employees during the COVID-19 crisis. He questioned what, if any, effects of the mandate were in regard to how many employees were terminated, how many were rehired, what was the status of their current pay plan as opposed to before they were fired, including all benefits and seniority. He added that the action taken did not commend itself to being the employer of choice.

Jan Leshner, County Administrator, stated that since these were new questions, she didn't have the specific details requested at the moment. She stated she could provide a snapshot of some employees and who had left. She added that as mentioned before, any employee terminated had a right to appeal, and if they appealed, they were returned to County employment at their discretion. She stated that those employees brought back retained their titles, pay, any adjustments and seniority. She added that one individual had a different situation that went through the Merit System Commission, which was awarded backpay. She stated there was another group of Corrections Officers that was not requested, but was on appeal with the Superior Court and was in pending status. She reiterated that people who chose to come back retained their titles and seniority. She added that 236 employees paid the additional amount of insurance equaling \$45.51 per pay period. She stated there was incremental cost differences in insurance claims when compared to employees vaccinated versus unvaccinated. She stated it ranged from \$8.85 to \$46.29 more per member, per month for those unvaccinated. She stated a memorandum was provided in 2021 that explained why there was a differential rate at that time. She stated that the policy and rules were no longer in effect.

Supervisor Christy asked for assurance if any terminated employee was rehired, they were rehired at the same rate that they were before they had been terminated.

Ms. Leshar replied in the affirmative and stated that if Supervisor Christy knew of any instances where that had not been the case, she would be happy to meet and talk with them.

Supervisor Christy asked if it could be assured after meeting with Ms. Leshar, that their pay plan could be adjusted to reflect what it was prior to being fired.

Ms. Leshar replied that it could be assured, with the caveat that the termination was for the vaccination related issue only and no other issues, which she was not aware of.

Supervisor Christy then asked if it could also be assured that the benefits package in place would be resumed as it was prior to termination.

Ms. Leshar responded in the affirmative and stated one of the questions that came up, and was not a Board policy, was to repay anyone that paid a differential. She stated that when all the rules related to the pandemic ended the additional surcharge for unvaccinated individuals ended.

Supervisor Christy questioned whether it could be assured that employees that were terminated would be returned to the same seniority level.

Ms. Leshar reaffirmed assurance and reiterated that if Supervisor Christy knew of any individual that this had not happened to, she would be happy to meet with them.

Supervisor Christy questioned the status of employees who quit instead of being terminated.

Ms. Leshar responded that individuals who had quit and their reasons for leaving was not something she would have information about.

Supervisor Christy then inquired if individuals that quit and came back and reapplied would be handled in the same manner.

Ms. Leshar replied she did not know that they would be handled in the same manner, but there were a variety of openings in the County, and would welcome an individual who had been a county employee to return. She added that the Board modified the rules so that anyone that returned within five years, came back at the same rate when they left.

Supervisor Christy then asked for confirmation on the current employment policy that guaranteed that anyone terminated would be offered a job back, and if accepted, they would be at the same rate, with the same benefits package, and the same seniority they had before they were fired.

Ms. Leshar then clarified that the County's intent was to bring back employees and keep employees. She stated there were individuals that never requested to come back. She stated that she was reluctant to look at a new policy and state that an individual that left for any reason and wanted to come back would be paid backpay and more. She added there may be unique systems or circumstances around those individuals. She assured the Board that if their only reason for leaving was that they could no longer accept the mandate, it was no longer a policy and would be welcomed back to join the County. She stated that with Board policy, those individuals would return under the rates and pay adjustments including leave and standards of seniority that were in place when they left.

Supervisor Heinz inquired when the last time was that any kind of COVID-19 vaccination requirement was a condition of employment with Pima County.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, responded the County Administrator transmitted a memorandum on September 20, 2022, and the changes became effective September 24, 2022.

Supervisor Christy stated for clarification that this issue was all related to COVID-19, which he imposed a caveat for.

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

## **COUNTY ADMINISTRATOR**

### **50. Update on Ending of Title 42 in Pima County**

Discussion regarding an update on the ending of Title 42 in Pima County.

Jan Leshar, County Administrator, stated this item was regarding an update on the status of Title 8 and 42. She explained that U.S. Code Title 8 was the Aliens and Nationality section of the U.S. Code that dealt with all of the various laws that related to immigration, which included legal asylum seekers, also when people crossed the border illegally, but it delineated the process by which people could legally seek asylum in the United States. She explained that U.S. Code Title 42 was the Public Health and Welfare section of the code which was evoked in March of 2020, to stop any crossing of the border at any time because of the public health concerns related to the introduction of communicable diseases into the United States. She added that the legal asylum seeker process which the County had been involved ceased at that time. She stated that Title 42 was lifted on May 11, 2023, which meant that any of the public health aspects or any of the stopping of the process for legal asylum seekers ended and were back only to be managed by Title 8. She stated there had been broad discussions for immigration reform, but the County's current focus was what could be done to keep the community safe. She stated what had occurred was Customs and Border Protection was transporting asylum seekers to Tucson, which was referred to as a "street release". She added

that if the County did not have facilities in the community, these individuals would be released at the Greyhound bus station which was a concern that the County could avoid. She stated that street release had been avoided every day, but was challenged on May 11th when the pandemic requirements were lifted. She stated there was great entry into the U.S. at that time and the federal government had also expedited processing element, which meant that everyone that came in could be processed in 15 minutes. She stated that it caused people to become engaged including elected officials and the delegation and others to get involved. She added that they expected 1,600 individuals on the first day and partner shelters in Tucson and Phoenix had seen 1,400 or more people in shelters every day. She stated they have been working with County and City managed hotel facilities located at Drexel and Ajo, and stated they had nine busses each day providing transportation and were adding staffing. She added that the Red Cross was also helping and would help until June 1st when the Hurricane season began. She stated that calls were planned to the Governor's Office for additional funding and the County currently received \$29 million from the federal government to assist with this matter. She stated that the piece of the legal asylum seeking process to enter the United States was a continuum for Pima County because of individuals being dropped off in the community. She stated the County received a slice of that funding for the efforts that the County managed to ensure they were not street released. She stated that one of the things the County strived for was to ensure that a system was in place for people being picked up in Douglas, Naco or Nogales, would be transported to the Phoenix area to be sheltered. She stated the hope was to transition into a mode in which the County would only be receiving those individuals that the Tucson Sector of the Border Patrol would be dropping into the community.

Supervisor Scott asked if any information was available as to when the May 12th federal injunction that halted expedited processing would be lifted.

Ms. Leshar responded there would be a hearing on Friday on the injunction and had last heard it could be 2 weeks, but had no way of predicting what the court might do. She stated that she would share the outcome of the hearing.

Supervisor Scott referred to the Southwest Border report submitted by Mr. Clark, which had been provided to the Board. He questioned if there was any idea from the State or other Counties whether additional shelters would likely be stood up as indicated.

Ms. Leshar responded that she was unaware of the specifics, however, the State and Maricopa County and communities in the Phoenix area including the City of Tucson have been working with other cities like Mesa and Phoenix on discussions for hotel sheltering in those areas. She added that there were two humanitarian partners in the Phoenix area, the International Rescue Committee and All Our Helping Hands, which had been taking about 200 to 250 individuals every day.

Supervisor Scott further read from the Southwest Border report and questioned if the Border Patrol had worked with Mr. Clark to rectify his interaction in regard to his requests for a Liaison and specific release information that was critical to understanding the full impact of the situation.

Ms. Leshar responded that a meeting was held with Chief Maudlin, the Tucson Region Director and others from his staff to make sure that any kind of communication channel was set up for what the County needed. She stated that Customs and Border Protection (CBP) and the community tended to inform the County on when they thought busses would arrive. She added that everything looked good up until May 11th and by the 12th they started with the expedited process and increases in individuals that were unable to cross since 2020 who might currently be looking to cross. She stated the County had good relationships with CBP since 2020 because their hope was to avoid street release and they could not legally hold the individuals in custody and must be released, which was a reason they looked at street release in Pima County.

Supervisor Scott again referred to the Southwest Border report and asked which County departments were contributing staff to help as needed.

Ms. Leshar answered that the staff being leaned on over the weekends, as they were desperate to avoid street releases, were from the City of Tucson and had been onsite at hotels to process individuals as they arrived to make arrangements to move them to amongst the hotels that work. She stated that when the County started this in 2019 during the pandemic, as employees were being furloughed, they had individuals from the Library, Community and Workforce Development and the Health Department. She stated the Health Department had been involved due to COVID-19 testing and every staff member that allocated time was monitored so that their time was then charged back to the grants.

Supervisor Christy also quoted the Southwest Border report and stated that he was concerned with the dissemination of information. He noted that the first notification of update status reports provided by the Communications Department indicated that information should not be forwarded to the media or agencies that were not part of the regional response. He questioned why they could not be forwarded to media or agencies, why they were not a part of the regional response and if the separate channel of information provided to the media or agencies were different than what the Board had received. He felt that the whole process seemed to be cloaked in secrecy and that no one could enter the Casa Alitas Welcoming Center. He added there had been numerous attempts by elected officials and congresspeople to be able to observe and have an idea of the conditions, process and situation, but they had been told they could not do that. He stated that the taxpayers had paid for that and felt it was problem along with the fact that charter flights were leaving from Tucson International Airport or the Phoenix Airport during the night. He added that busses coming from Nogales had their windows blacked out and there were mentions of other meetings. He questioned what those other meetings were, why they were not being held in conjunction with the briefings, was the media invited to briefings, why was the public not allowed to be part of the meetings, why a link

could not be added to the newly designed County website for the public to receive the information and if there was a different set of information being sent to the press that he had not seen and wondered about that dissemination. He reiterated that the whole issue was being suppressed for any transparency or information to the public and the public were the ones paying for the whole process and they had the right to know. He also stated that Supervisor Bronson had requested a written summation of a prior meeting to be memorialized, which had not yet been provided to the Board.

Ms. Leshar shared her agreement for a tab on the County's new website. She explained that there was a meeting at 8:00 a.m. that was run by the Department of Emergency and Military Affairs (DEMA), the County's Emergency Management team and folks from the Red Cross which was the operational component. She stated that was where they obtained the exact amount of people, number of busses, where they needed to go and when and what needed to happen. She added there were a number of people on the call. She stated that when it initially started the County's Director of Emergency Management had received many calls from representatives of elected officials, the Senator and Legislature that he was being taken away from being able to run the operations of the day-to-day mission and was dealing with the press in that way. She stated that they bifurcated it and offered to take the notes at the 9:00 a.m. meeting and present them to the public at the 11:00 a.m. meeting, which included about 70 to 75 individuals on the briefing call that included representatives from all the Arizona Delegation to Congress, both Senators, community representatives, members of the Board of Supervisors, staff and members from Cochise, Yuma and Santa Cruz County Board of Supervisors, and media.

Supervisor Christy asked for an example of the media in attendance.

Ms. Leshar responded she conducted the meeting on Sunday and remembered speaking to Craig Reck of Channel 9 News and others. She stated she would provide a list of who was invited and participated in the meeting and would figure out a way to add all the information to the website or in a publicly accessible way. She stated it was not an attempt to withhold information, rather it was an attempt to allow the folks that ran the numbers the ability to do the work without the interruption of press calls. She apologized for not providing the information from the first meeting, but would get that to the Board.

Supervisor Christy questioned who led the briefings, if it was the Communications Department, the County Administrator, the Chair of the Board of Supervisors, who or what was the entity responsible for them, and if assurances could be given that there would be complete transparency and dissemination of information that the public had complete access to be able to watch the process along with everyone else.

Ms. Leshar acknowledged she had missed an earlier question regarding individuals being turned away from being able to visit Casa Alitas. She stated that the open-source media that had representatives from the congressional delegation visited,



including Congressman Ciscomani, members of the Pima County Board of Supervisors and other individuals who had toured the facility. She stated that part of the concern with the media was to protect the privacy of the individuals within the facility. She added that they were able to learn how it operated. She stated that they would accommodate any individuals that were turned away. She explained that the 8:00 a.m. meeting had moved to 9:00 a.m. and it was run by Shane Clark, Director of Pima County's Department of Emergency Management. She stated it was mostly populated by emergency providers and those that worked on logistics for those operations. She explained that the 11:00 a.m. meeting was co-hosted by Pima County's Communications Department Director, Mark Evans, and the City of Tucson's Communications Department Director, Andy Squires. She added that the hope was to have transparency to the public and it was not felt that way. She stated it would be corrected and ensured that anything shared was open and available.

Supervisor Bronson expressed her concerns heard from District 3 constituents that Border Patrol, U.S. Immigration and Customs Enforcement (ICE), and CBP were not communicating effectively. She stated that she realized it was a federal issue, but wondered if Mr. Clark could follow up to see how the three agencies interacted and how to receive reliable information.

Ms. Leshar responded that the Department of Homeland Security was staffed with 250,000 people with a lot of components and did not necessarily communicate well. She stated that the County Administrator's Office had been attempting to impact the situation by dealing with the federal delegation that either sat on or were part of committees related to oversight of Homeland Security.

Supervisor Heinz reminded everyone that County Administrator Leshar ran the Department of Homeland Security for four years. He stated that she knew how the department operated and the Board was well served to have her leadership on this issue. He stated that he visited Casa Alitas and was allowed in with the Governor. He added that he toured the facility and was welcomed by Catholic Community Services and County staff. He stated that Congressman Juan Ciscomani had also visited the facility and Bud Foster from KOLD was physically inside the facility. He stated there were no secrets, but there were some limitations. He stated that while there they interacted with folks there including guests who were within feet of Governor Hobbs. He stated that it was an ongoing problem that also occurred during the Bush, Clinton, Bush and Trump Administrations. He stated it was not unique to Pima County, President Biden or President Trump or other Presidents, Congress and previous executives had not solved the problem, but it fell to the County. He stated that the County's job was to ensure safely helping folks' transit to their destination. He added that 99.9% had an identified sponsor, which was considered legal asylum and 85%-90% of cases, Administrative Judges did not determine a credible reason to grant asylum. He further stated that eventually these folks would go back to their country of origin. He stated that not a lot of people understood that there was a legal process, and these people were not here illegally, but were temporarily here legally. He agreed that communication was not great within CBP, but explained they were not dropping off random people. He stated everyone had the multi-tier criminal background check conducted by CBP and was

not done randomly and haphazardly in a dangerous way. He added there was a lot of people at various levels trying to make sure that it worked well. He stated that he saw many dedicated people working hard to make the situation better.

Supervisor Christy commented that he continued to hear that this was not the County's problem, but a federal problem. He stated that once the County began to accept monies from the federal government it became the County's problem. He added the only way to stop the problem was to cut off funding and inform the federal government that the County was out of the asylum-seeking business. He also stated that the dissemination of information of the recordings of the hearings had a very short shelf life and felt those recordings should be kept up much longer if not indefinitely. He questioned if the Tucson Convention Center was being utilized in the asylum-seeking process.

Ms. Leshar responded no.

Supervisor Christy commented that at one of the briefings, Mr. Squire from the City of Tucson, had mentioned the engagement of the Grand Luxe Hotel being filled with asylum seekers, but were forced to move due to a safety issue. He inquired about the safety issue.

Ms. Leshar responded that she would find out what the safety issue was and provide that information to the Board.

Supervisor Christy commented that during the same briefing it was mentioned there were 184 migrants in isolation at the Red Roof Inn for health risks. He inquired about those health risks.

Ms. Leshar responded there were a variety of concerns. She stated, for example, individuals were not released to travel on an airplane if it was believed they had a communicable disease.

He questioned if it included diseases like Smallpox, Rubella, etc.

Ms. Leshar replied she was not aware what was on the list, but would provide that information to the Board.

Supervisor Christy questioned how many County staff was dedicated to the asylum process, were federal representatives reimbursing those efforts and which departments were County staff assigned from.

Ms. Leshar responded she was unaware of the total number but it had been ongoing since 2019 and was ebbed and flowed at different times. She stated the only time staff were detailed was during the pandemic when some County facilities were closed. She added that they had volunteers at different times and any time that occurred those individuals were billed to the federal grant.

Chair Grijalva commented that it was important to note that it was a federal issue, but the responsibility fell on the County when people were being street released into the community and it was important to provide a safe pathway for asylum seekers and the community at-large. She felt that this was why Pima County stood out amongst other Counties in providing services. She was glad to hear that Maricopa County would also be contributing, because it felt like much of the responsibility was on Pima County regardless of which County people were picked up in.

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

## **CONSENT CALENDAR**

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

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

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

1. **Environmental Quality Advisory Council**  
Reappointment of Garth Bowers, representing Science or Engineering. Term expiration: 3/31/26. (Staff recommendation)

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

2. **Special Event**  
Timothy Ryan Angelillo, Balanced & Consistency.org, 2905 E. Skyline Drive, Suite 262, Tucson, April 28, 29, 30, May 12, 13, 14, 26, 27 and 28, 2023.

## **TREASURER**

3. **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 \$382.31.
4. **Duplicate Warrants - For Ratification**  
Crawford, Dorothy \$30.00
5. **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 \$706.62.

## REGIONAL WASTEWATER RECLAMATION

### 6. **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:

Carlson - Fehser Corporation. The proposed settlement in which Carlson - Fehser Corporation, located at 8973 S. Eisenhower Road, agrees to enter into a Supplemental Environmental Project if it falls out of compliance in the twelve-month period after the execution of the Negotiated Settlement Agreement.

### **RATIFY AND/OR APPROVE**

7. Minutes: March 21, 2023

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### 52. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:48 p.m.

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CHAIR

ATTEST:

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CLERK