

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

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

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

\*Supervisor Heinz joined the meeting at 9:13 a.m. and left the meeting at 12:20 p.m.

\*\*Supervisor Christy participated remotely.

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

All present joined in the Pledge of Allegiance.

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

The Land Acknowledgement Statement was delivered by Rikki Riojas, Board President, Los Descendientes de Tucson, Co-Director, Mexican American Heritage and History Museum.

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

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

### **4. MOMENT OF SILENCE**

Chair Grijalva observed a moment of silence for the passing of Officer Adam Buckner, Tucson Police Department, who was involved in a car accident while on-duty. She extended condolences to his family, as well as to the Tucson Police Department and the community.

Chair Grijalva observed a moment of silence for Serena Raquel Arevalo, Owner of Barrio Books, who passed away while awaiting a transplant.

5. **POINT OF PERSONAL PRIVILEGE**

Supervisor Scott acknowledged Amy Bola, a former teacher and governing board member in the Catalina Foothills School District. He commended her long record of service to the community and its children. He recognized her passing and sent well wishes to her family.

Supervisor Christy spoke in honor of Paul Marsh, former Pima County District 4 Supervisor, and longstanding community leader who singlehandedly created the Marana Military Cemetery.

Supervisor Christy congratulated the Tanque Verde High School Cheer Team who won first place at the World Class Cheer Competition in Las Vegas. He acknowledged that this was the first time in the school's history.

**PRESENTATION/PROCLAMATION**

6. Presentation of a proclamation to Anthony Avila, Development Director, The Drawing Studio, proclaiming the week of April 15 through 19, 2024 to be: "ARTS AND CULTURE WEEK"

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

7. Presentation of a proclamation to Sydney Lunsford, Interim Executive Director, Southern Arizona Association for Education of Young Children and Chinna Garza, Pima County Community Engagement Coordinator, First Things First, proclaiming the week of April 6 through 12, 2024 to be: "WEEK OF THE YOUNG CHILD IN PIMA COUNTY"

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

8. Presentation of a proclamation to Audrey Jimenez, Arizona Interscholastic Association Champion & Sunnyside High School Senior; Coach Anthony Leon; José Gastelum, M. Ed., Superintendent, Sunnyside Unified School District, and Stephanie Ponce, Principal, Sunnyside High School, proclaiming the day of Tuesday, April 2, 2024 to be: "AUDREY JIMENEZ DAY"

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.

9. Presentation of a proclamation to ~~Savannah Randall, Education and Outreach Specialist~~ **Jay Young, Executive Director**, Southwest Fair Housing Council and Frances Salcido, Housing Program Coordinator, Pima County Community and Workforce Development, proclaiming the month of April 2024 to be: "FAIR HOUSING MONTH"

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

10. Presentation of a proclamation to Katlyn Monje, Director, Southern Arizona Center Against Sexual Assault; Kristine Welter-Hall, Chief Operating Officer, CODAC; Ed Sakwa, CEO, and Anna Harper, Executive Vice President & Chief Strategy Officer, Emerge Center Against Domestic Abuse, proclaiming the month of April 2024 to be: "SEXUAL ASSAULT AWARENESS MONTH" and proclaiming the day of Tuesday, April 2, 2024 to be: "WEAR TEAL DAY"

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.

#### 11. **CALL TO THE PUBLIC**

Robert Reus addressed the Board regarding the number of signatures needed to run for the District 1 seat, compared to the amount needed to run for a City of Tucson seat.

Steve Wilcox expressed his concern with the time limit given to speakers during Call to the Public.

Sharon Greene spoke about the Military Accountability Petition.

Laurie Moore expressed her concerns regarding the illegal immigration invasion, child trafficking and the abortion initiative.

Cory Stephens spoke in opposition to Minute Item No. 21. She stated that the report included redundancy, wasted money and failed to address and act accordingly to the root cause of the issues at the County jail.

Lexie Alvarez, Tucson Bail Bond, addressed the Board regarding Minute Item No. 21 and expressed her content with statements made by Chair Grijalva and Supervisor Heinz in a Daily Star Article that they would not be willing to move forward with a new jail proposal.

Bex Diamond, Tucson Bail Bond, expressed her concern with the lack of representation for incarcerated individuals who dealt with the conditions at the current jail.

Joseph Alvarez thanked the Board on their decision to forgo building a new jail with County funds. He also commented on the care and safety of the inmates at the jail.

Sandy Davenport, Member, Tucson NAACP Criminal Justice Committee, spoke in support of the proposal for a committee to study and implement steps to reduce the jail population.

Dave Smith thanked the Board for acknowledging Tucson Police Officer Adam Buckner. He also questioned the Board's plan on the invasion of illegal immigration and on the infrastructure of the jail.

Amelia Craig Cramer, on behalf of the NAACP Tucson Branch, expressed support for the County Administrator's proposal to establish a new justice system and infrastructure review committee to conduct reports on racial and ethnic disparities, and goals to reduce the jail population.

Anton Russell read a poem titled Moon Children, in honor of the proclamations that were presented at the meeting.

12. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chair Grijalva, seconded by Supervisor Lee and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to convene to Executive Session at 12:28 p.m.

13. **RECONVENE**

The meeting reconvened at 12:58 p.m. Supervisor Heinz was not present. All other members were present.

**EXECUTIVE SESSION**

14. Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding a potential settlement with AHCCCS regarding an overpayment to the Pima County Health Department.

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to proceed as discussed in Executive Session.

15. Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding Mesch, Clark & Rothschild, P.C.'s request for a conflict of interest waiver to represent candidates in petition challenges for 2024.

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

16. Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding legal options relating to County sewer line damage near Kalalau Drive.

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to proceed as discussed in Executive Session.

## **BOARD OF SUPERVISORS**

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

Chair Grijalva felt there was confusion with this item and clarified that if presentations were being requested, a Board member should place their own agenda item for transparency and so that the public would know what would be discussed. She clarified this item was for updates on the Boards, Committees and Commissions that Board members represented the County on or any other municipalities because of other cities within the districts. She stated that she attended the Board of Health Meeting on March 27, 2024, and indicated it was a review of some of their supplementals with the main focus being the increase of Syphilis cases in the community and stated their next meeting would be held on April 24, 2024.

Supervisor Scott commended County Administrator Leshner and Deputy County Administrator DeBonis, Jr., as they were the County representatives on the Technical Management Committee that advised the Regional Transportation Authority (RTA) Board, for attending several meetings in preparation to move forward with some of the issues regarding moving the RTA Next Plan into the public review phase. He stated that the RTA Board and the Pima Association of Governments (PAG) Regional Council were scheduled to meet on April 4, 2024, and the RTA Board would also meet on April 25, 2024 and sometime in May. He stated that he thought it was the hope of all nine RTA Board members to get the plan out for the public review phase after the May meeting and thanked Ms. Leshner, Mr. DeBonis, Jr. and the other jurisdictional representatives for their efforts in moving this forward.

Supervisor Lee stated that she attended the State of the Town of Marana and that Mayor Honea and the Town Council spoke about the extensive growth they were experiencing and partnering with the Ascent Group that would start out with two new hangers in Pinal Air Park and that much of the workforce would be living in the Town of Marana, which she was pleased with since it was also in Pima County.

Supervisor Scott stated he was grateful to the Mayors of the Towns for always inviting him to their State of the Town events because they served together on the PAG Regional Council and the RTA Board. He stated that Mayor Honea made reference to the central importance of relationships in every successful endeavor in life and he appreciated his thematic focus on his remarks.

Supervisor Lee stated that Mayor Honea had paid tribute to Sharon Bronson for her 27 years of service and he was very appreciative of her work including the hard work of Ms. Leshner and he also appreciated the relationship he had with the County.

Jan Leshner, County Administrator, provided an introductory to Supervisor Lee's request for a presentation from Luis Ramirez regarding the Ports of Entry (POE) between Arizona and Mexico. She stated that many had the opportunity to work with

Mr. Ramirez and he had done work with Santa Cruz County and many other counties regarding numerous issues with the border and primarily the economics of the County's shared partnership between Arizona and Mexico. She stated that Mr. Ramirez provided the same presentation at the Arizona Border Counties Coalition and that she and Supervisor Lee felt that it would be beneficial to everyone to hear the presentation.

Luis Ramirez Thomas, President, Ramirez Advisors Inter-National, provided a presentation regarding the POE between Arizona and Mexico and stated they reviewed Trade and Tourism with Mexico, and the investments made on both sides of the border. He explained that they looked at the POE as a system compared to independent entities and shared border crossing data which showed increases in vehicle and pedestrian travel. He went over Arizona's Trade with Mexico and Canada and stated that last year's total trade with Mexico was \$19.8 billion and with Canada \$5.3 billion and combined, it came out to \$25.1 billion and that Arizona's total export to the world was \$28.8 billion or 38%. He stated that the POE were gateways and that \$35.8 billion was processed and passed through to other States or other areas of Mexico and that \$17 billion passed through Arizona. He stated this would be a tremendous opportunity to reach out to those companies and their products and commodities to better impact the region. He went over the investments made at the POE and last year San Luis processed 3.3 million cars and 7.8 million people and was being rebuilt to be able to accommodate 16-car lanes that would cost \$307 million and that it would take about 55-60 months to complete due to it not being able to be completely shut down during construction and must remain operational. He stated that the Douglas POE was also highly congested and overburdened and that both trucks and cars were processed there and it was also surrounded by population on both sides of the border. He stated a two-port solution would cost \$400 million and would consist of removing commercial traffic to a new facility to the west and the current POE would be modernized and both would be a catalyst for major investment in Cochise County and the entire southeast corner of the State. He stated that the Nogales DeConcini was the most outdated, overburdened, and congested facility with monsoon flooding. He stated the process was starting to modernize it and a feasibility study was underway that would be completed by the end of the year and suspected the investment would be in excess of \$400 million or double that amount.

Supervisor Lee thanked Mr. Ramirez and urged the County Administrator to review this as an economic development opportunity regarding the \$17 billion passing through Arizona and asked what the County could do to maximize this opportunity. She stated that speakers in the audience had criticized individuals coming across the border, but that the economic boom was not taken into consideration and she saw Mexico as an incredible partner, and hoped the County looked at these opportunities with the expertise of Mr. Ramirez and how the County could partner with him.

Mr. Ramirez stated that he would be more than happy to help Pima County and disclosed that he also partnered with Yuma and Cochise Counties. He explained that the presentation had a more detailed explanation regarding reshoring and

manufacturing coming back from countries, such as China and the tremendous challenges they faced and the opportunities it presented for the unique region of Sonora, Arizona on global supply chains.

Supervisor Christy stated that he had served on the State Transportation Board and that a great deal of money, effort and energy was spent/earmarked on expanding that POE to deal with traffic and to build a flyover onto I-19. He questioned the status of the improvements and stated that he was concerned that it no longer met U.S. Customs and Border Protection (CBP) mission requirements.

Mr. Ramirez stated that the flyover on State Route 189 was completed in 2022 and had been operational since then and that \$1.34 million were invested to modernize the facility and it created great separation for traffic coming out of the high school. He indicated that 370,000 trucks flowed through Nogales, and it was a significant improvement. He clarified that the CBP had made the designation that the POE no longer met their mission requirements and unfortunately, they were forced to work with what they had, and stakeholders and community members' tasks were to ensure they had what was needed to do their job effectively and efficiently. He provided an example of the conditions when the monsoon season arrived and the water flowed into the U.S. side with sewage and garbage, and this was what the CBP officers had to do their job in and gave them kudos for doing it.

Supervisor Christy questioned if the priority of the Nogales POE for transportation, goods and services, was being downgraded for the other POE. He added that with the \$174 million investment for the flyover, they would take into consideration the flooding that had continued for years and it seemed to be moved down the list. He asked if he understood correctly that it was no longer a priority POE.

Mr. Ramirez replied that because of the feasibility study being conducted it meant that CBP and the General Service Administration had determined it to be the highest priority projects of the entire U.S./Mexico Border. He explained that the feasibility study was an essential requirement to determine the expansion of the footprint, conceptual design and estimated costs to rebuild it from ground up to a state of the art facility and that national projects of this magnitude took 5-7 years from start to finish due to the complexity of the projects and were Homeland Security initiatives including the required technology. He added that the flyover was geared towards the facilitation of commercial traffic that came out of the Mariposa POE and emphasized the impact of efficiency in congestion and was a tremendous benefit to the community. He stated that there were many good things that came out of that project, which included investments from the Arizona Department of Transportation, federal grants and funds contributed by both the City of Nogales and Santa Cruz County, from their overweight funds.

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

**18. Duplication of Pima County Programs and/or Services**

Discussion/Direction/Action: Directing the County Administrator to bring to the Board of Supervisors a list and detailed explanation of any Pima County funded external programs and/or services that are found to be a duplication of internal Pima County programs and/or services. (District 3)

Supervisor Lee that the County was in the middle of a tight budget year with cuts being made across the board and she knew that there were duplication of services or programs that were being provided externally and internally. She provided an example of a program outside of the County that had done very similar things as what was done in-house at Pima County One-Stop, which she had been aware of for years when she was at Pima Community College. She stated that she had been asked what the difference between the programs were and she explained that the County provided an outside entity with County money to do similar things and she felt the County had the internal capacity to absorb the programmatic issues while ensuring there was no loss of services or programs. She stated it was her belief that the County provided a dollar amount to the particular entity that she felt could be utilized to perhaps increase outside agency funding or allocate funds to the Pima County One-stop that could be used for individuals that did not qualify for federal funding. She stated that the entity was able to serve their clients and she felt the County should be providing those services. She stated that it would require a further review of how taxpayer money was being utilized efficiently and whether there were other ways to utilize the funds. She added that program directors would know where they were spending monies that caused duplication and provided an example of how difficult it was to employ Veterinarians at Pima Animal Care Center and that contracts with outside contractors may be required. She requested that the County Administrator provide a crosswalk of the services being performed outside of the County that could potentially be performed within the County and stated that this was the time to examine it.

Chair Grijalva commented that when Supervisor Lee had broached the idea, she thought it would be to review any General Fund dollars where the County had similar in-house jobs. She stated that she wanted to ensure that the review was not about targeting specific Outside Agency programs for elimination, but rather about clarifying the language of funded services and tightening funds with programs such as Pima Prospers and the Prosperity Initiative. She expressed her concern that while some programs might seem similar on paper, they were targeting different communities like Ajo and other general areas. She stated she had tried to explain to the Board and others that had not had the opportunity to delve into some programs, was how programs like Visit Tucson and Pima County Attractions and Tourism, Sun Corridor and Pima County Economic Development, and JobPath and Pima County One-Stop differed and whether there was duplication, which she had wanted to be reviewed. She stated that she did not want to cut budgets, but rather to articulate clearly how their functions differed because the County allocated a significant amount of money and she felt in some cases there was an opportunity to keep those functions in-house and strengthen departments. She expressed her opinion that the Metropolitan Education Commission (MEC) should be required to compete



for funding rather than having a designated line item in the upcoming year. She stated that this was in line with discussions she had with Supervisor Lee.

Supervisor Lee concurred and stated that she had given an example, but Chair Grijalva had clarified the parameters.

Chair Grijalva indicated that some of the programs were specific to certain areas of the town such as the John Valenzuela Youth Center which received funding per calendar year and she also had a list of other programs and asked if anyone had other suggestions on duplicate services in-house, departments with the same type of programming and felt it was important to review internally. She stated that when the County had placed several programs under Community & Workforce Development (CWD) it revealed overlaps in services across different departments, specifically, that the deputies often oversaw similar programs that served the same description. She stated that if the County was requesting organizations and departments to cut their funds, she wanted to ensure everything was being done to avoid that and to keep Outside Agency funding flat with no cuts even if that meant a need to cut other programs.

Supervisor Scott concurred with Chair Grijalva on maintaining the funding level to Outside Agencies, however, he stated that the decision to exempt the MEC from a competitive process was made based on a request by the MEC itself, which had been conveyed to the prior Board and the City of Tucson (COT) Mayor and Council. He stated that the COT also had put the MEC through their competitive process, but that they no longer provided funds to them, and that the County had fulfilled its commitment despite promises made by Mayor Romero to address the matter when she was elected. He stated his intention to have a thorough discussion on potentially reinstating a competitive process for the MEC and expressed his interest in exploring opportunities for increased partnership and collaboration between Job Path and CWD. He stated that in previous times that JobPath funding had come before the Board, he did not recall CWD informing the Board that there was duplication of services, however they had informed that to Supervisor Lee. He stated that if it required a reduction in funding to JobPath he was okay with it, but requested more detail from CWD. He stated that he and Supervisor Lee asked the County Administrator to provide the history of why the County had provided more support to Sun Corridor when compared to the COT or other jurisdictions and had only heard references of why and requested to have further discussions of his three concerns as they came before the Board.

Supervisor Lee clarified that she had initiated the request to Daniel Sullivan, Director, Rhonda Piña and Andy Flagg, Deputy Directors, CWD, and challenged them to bring forward duplicative programs due to her knowledge of duplication when she was with Pima Community College. She stated that her opinion on the matter was that the programs had been brought forth in history by prior Board members that had tremendous buy-in and at the time probably made sense, which had been seen with Pima Vocational High School. She acknowledged the courage required for staff to evaluate long-standing programs and stressed the importance of

prioritizing the best interests of the clients served and maximizing efficiency and effectiveness.

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

19. **Recognition of Armando Membrila**

Discussion: Recognizing Armando Membrila for his 25 years of service on the Regional Wastewater Reclamation Advisory Committee and 33 years of service on the Planning and Zoning Commission. (District 2)

At the request of Supervisor Heinz and without objection, this item was continued to the Board of Supervisors' Meeting of May 7, 2024.

20. **Pima County Treasurer Appointment Process**

Discussion/Direction/Action regarding whether a virtual public forum needs to be scheduled with the League of Women Voters of Greater Tucson, for the qualified applicants.

Chair Grijalva stated that there were three qualified applicants; Patti E. Davidson, Raymond J. Carroll and John Christopher Ackerley. She stated the Board had previously utilized two approaches for selecting candidates, had conducted a public forum with the League of Women Voters and conducted individual interviews. She indicated that historically, the Board filled elected official positions with individuals who did not intend to run for the position in the election and that her preference was to have individual interviews regardless of whether they moved forward with all three candidates or decided to narrow down the pool, however she was also open to other options.

Supervisor Heinz expressed his view that the Board had set the precedent that those individuals who would run for the position in the election would not likely be appointed, which would eliminate one candidate and another candidate was a sitting elected official that would cause a disruption in governance and require an additional appointment by the Board. He explained that there was only one obvious choice and that the Board should proceed with the appointment without the need for a forum, but acknowledged that the appointment may not be possible until the position was officially vacated. He requested clarification on whether the Board could have a conditional anticipatory appointment.

Chair Grijalva stated that at the previous meeting the Board had approved the selection process, which outlined the appointment would be made on April 16, 2024. She stated that technically the Board could change it, but would be unable to appoint someone until the day after Ms. Ford's resignation.

Sam Brown, Chief Civil Deputy County Attorney, concurred and stated that he had a concern with the title of the agenda item.

Supervisor Christy commented that he was unsure with the issue of the precedent and reminded the Board that when former Sheriff Dupnik resigned he fervently asked that Sheriff Nanos be his replacement and the Board had granted his request out of respect for his years of service and he felt the same instance could be applied to this situation. He stated that Ms. Ford served as Treasurer for 24 years and had good solid insight into the needs and ways of her office. He stated that she made it clear that she had a successor to replace her for purposes of continuity and expertise and at the last meeting he tried to circumvent the unnecessary process of a forum by the League of Women Voters and that Board members could individually conduct interviews and follow the precedent set by Sheriff Dupnik and honor the request of the outgoing Treasurer.

Chair Grijalva clarified that the precedent being discussed was set when Supervisors Heinz, Scott and herself were elected to the Board and had looked to individuals who would not run for office, but that she was not tied to that precedent. She agreed with Supervisor Christy that Board members should conduct their own interviews considering the number of applicants.

Supervisor Scott stated that he felt this situation should be judged based on what the Board had done with the appointment to replace former Supervisor Bronson and that it had not set a precedent in how it was being characterized during this discussion. He stated that every situation was different and that he intended to proceed with individual interviews for the three applicants and would also like the League of Women Voters to conduct a public forum. He added it would be another opportunity for the Board and the public to observe how the candidates conducted themselves in a public setting and to hear their responses to questions. He stated that the public forum held for the District 3 position helped him understand what each candidate brought to the table. He stated that his preference was for Board members to move forward with their own interviews and to ask the league to conduct a public forum.

Chair Grijalva inquired about Supervisor Lee's preference.

Supervisor Lee stated the process she had gone through when she was appointed was fair and agreed that the forum gave the public a chance to observe the candidates and that she did not believe she needed a private interview, however she supported that option. She stated that she would vote for a public forum.

Supervisor Heinz expressed his strong preference to move forward with an appointment on April 16, 2024, and considered further delay to be unproductive.

Supervisor Christy agreed with Supervisor Heinz in proceeding with the appointment. He stated that the candidates could possibly come before the Board and explain why they should be appointed to the position, but he did not understand the significance regarding a candidate's decision to run for office. He stated that it provided credibility since the individual would be held accountable during the interim period of finishing the term of the outgoing official. He felt it was best to expedite

this process and not wait on a public forum since he believed everyone had made up their minds.

Chair Grijalva stated that she had not made up her mind, but there was different opinions on how to proceed.

It was moved by Chair Grijalva and seconded by Supervisor Scott to approve the option of holding a virtual public forum, and that Board members conduct individual interviews, if desired, with the three applicants that applied for the position. No vote was taken at this time.

Chair Grijalva stated that she understood the comments of her colleagues and clarified that she did not have a specific candidate in mind and had concerns that she thought were expressed based on previous appointments that would provide an advantage to individuals that would run for the upcoming election. She stated that maybe she misread the situation and perhaps it would be on a case-by-case basis.

Melissa Manriquez, Clerk of the Board, asked for clarification if the virtual public forum would be conducted by the League of Women Voters of Greater Tucson.

Chair Grijalva responded in the affirmative.

Supervisor Christy inquired about the date of the public forum. He reiterated that he felt a public forum was not necessary and that the appointment could be addressed today.

Chair Grijalva responded that the public forum would need to take place before the next Board meeting on April 16, 2024, and that the appointment could not be addressed since the item was not agendaized as such, and the current agenda item was to determine whether or not to hold a virtual public forum. She reiterated the motion was to move forward with the virtual public forum conducted by the League of Women Voters of Greater Tucson for the three qualified applicants.

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

## **COUNTY ADMINISTRATOR**

21. The Board of Supervisors on March 5, 2024 continued the following:

### **Pima County Adult Detention Center Blue Ribbon Commission**

Discussion/Direction/Action: Establish a new charter for a new commission.

Jan Leshner, County Administrator, stated that a report had been provided to the Board. She stated that while they received information regarding the commission it brought up broader issues focusing on the physical building itself and what might need to be done. She stated that it might entail recommendations on deferred maintenance, which the Facilities Management team had been examining and

setting aside discussions about constructing a new jail, due to cost concerns. She stated they would begin to explore the next phase of what a commission might look like to encompass broader issues related to jail capacity, recidivism, and other concerns. She stated that as she worked on details of the commission, she had the opportunity to meet with stakeholders, who had provided valuable insight from their experiences with past committees and projects, in other communities and jurisdictions. She stated that in the final analysis, there were many opportunities to learn from what had worked and what had not worked. She stated that she believed that rather than assembling volunteers and using their time as subject matter experts, an initial review of the data available would be examined by County staff to compile information and provide recommendations to be able to bring back the larger group based specifically on what was found with the data research to address concerns raised by representatives of the courts, those with experience within the facility, public defenders, county attorneys, and the behavioral health area. She added it would allow them to determine whether any policy recommendations could be implemented. She stated that a question arose that indicated this would be a committee within established committees and clarified that had not occurred. She explained that when the entire judicial system or the system related to incarceration was considered it was significant and worthy of considerable or equal discussion. She stated that any time the County reviewed the impact of its employees or the public, including consideration of the costs, it was appropriate to have a variety of teams who reviewed the information. She stated that the Blue Ribbon Commission was comprised with individuals that had knowledge of the construction of the facility and operation of the jail and that the next group would review the larger needs that would impact the entire system related to incarceration. She reiterated the current pause would be to allow staff to fully review all data and use it to form the next level of discussion. She added that she was unsure if any action was required as long as the Board concurred with the plan moving forward.

Chair Grijalva questioned if there was a statutory requirement for the maintenance of the jail facility. She stated there was oversight of the Sheriff with the function of the jail, but she had wondered about the facility because during her tour of the jail, she was concerned with the condition of the facility. She added that there was no other facility within the County that was in that condition at its age. She stated that it was her understanding that maintenance responsibilities had gone back and forth between Facilities Management and the Sheriff. She expressed her interest in completing an analysis of the condition with Facilities Management and that there should be a conversation with the Sheriff or future Sheriffs regarding more oversight in the facilities areas and cooperation with the County. She added that with any purchases that went through different procurement processes for the jail, there needed to be a checks and balance. She stated that her office could not decide to purchase something without going through a process which included justifications and outcomes. She added that during her tour they noted several large purchases related to installation of showers and bedding which were significant investments however, they showed signs of wear and tear but were not very old. She stated that her concern was that vendors may want to offer the newest options, but it did not always benefit the facility due to its age. She stated that she and her colleagues had the experience of having an older facility that they tried to retro, but it did not work

out as planned because the materials were not a new build. She stated that she felt that there was an opportunity, not to increase costs for maintenance, but rather, to include others with expertise in facilities management and maintenance to help guide some of the mistakes. She stated that the flooring in the kitchen had recently been installed, but some areas were already peeled away. She stated that if the County was sold services and products that had not withstood their lifespans, why had there not been any legal action taken on them. She expressed her concerns with the facility which did not include the population in the jail. She added that the Board could address what was in the statutory authority and could not control who was in the jail and she wanted the Board to focus its energy on what they could do and work with community partners and programs like the Transition Center to enhance these programs.

Ms. Leshar stated that the Facilities Management team had identified a company that specialized in jail facilities and hoped to collaborate with them and conduct a walkthrough with the Facilities Management team, experts, and Sheriff's Department staff to assess the needs for the deferred maintenance. She stated that her concern, after discussions with Chief Civil Deputy County Attorney Brown, and others from the County Attorney's Office, had been revolved around potential litigation exposure and the need to ensure the safety of both the staff and those within the facility. She stated that she also worked with the Procurement Department Director to ensure compliance with the necessary processes and was also working with the Sheriff's Department. She stated that she could report back to the Board with regular and periodic reports relating specifically to the facility and procurement while identifying the next steps and the key partners involved to move the needle in the largest portion of the County's budget.

Supervisor Scott stated that he concurred with Chair Grijalva's request for a report from Facilities Management including input from the Sheriff's Department, but that the Board needed clarity on the short-term improvements and repairs that were needed at the facility. He requested the Board be provided the information on or before the time Ms. Leshar received her report on August 1st. He clarified that the Board and the community at-large were interested in learning about the composition of the jail population which had been initially named, "The Justice System and Infrastructure Review Committee", but he did not feel it should be the role of the committee to determine the sense of the jail population, but rather the role of the County staff team. He stated his preference in the matter would be for the staff team to determine which members of the jail population were flight risks or threats to public safety, and which were incarcerated for other reasons including their inability to make bail. He stated that if there was no clear understanding, the Board would be making decisions in a vacuum. He hoped the committee would address the consideration of a consolidated warranty resolution center that had been brought up by County Administration over a year ago because one of the salutary aspects of such a center would be to address Failures to Appear.

Supervisor Christy concurred with Chair Grijalva's predisposition to focus on the physical condition of the jail and had always voiced his opinion which should be the goal of any commission to analyze the condition, repair ability and future

sustainability of the jail. He expressed both agreement and disagreement on Supervisor Scott's perspective and that he should also be concerned with the physical condition of the jail, but that he was skeptical and trepidatious about delving into areas of incarceration policies with political narratives that started with analyzing the jail population and who should be there. He stated the courts decided who should be in jail and the Sheriff had the sole authority of operating the jail, staffing the jail, and how inmates needed to be incarcerated. He stated that by having outside special interests involved in these commissions, as shown with the Blue Ribbon Commission, when those outside interest groups had become so adamant and disruptive, which had caused a meeting to stop because of violence toward commission members. He stated that occurrence needed to be avoided at all costs and the Board was not in a position to dictate from their standpoint how the Sheriff operated their jail. He requested the focus be on what the physical jail had incurred and what was needed and to stay away from reimagining incarceration or functions of the jail or allow special interest groups to disrupt and deflect what was really needed at the jail. He questioned whether the Sheriff was involved with the Blue Ribbon Commission meetings and the process, did the Sheriff provide his input on what was needed, or was he being subjugated to reducing the jail population and determining the make-up of the population or considering no bail policies, but the Board needed to focus on fixing the jail and the cost. He urged the Sheriff front and center with the commission to guide them on the needs of the jail.

Supervisor Lee stated that she toured the jail the day before and noted that during the tour, the facility had shown significant signs of disrepair. She stated that the jail was built in 1980 and some of the areas of the jail were crumbling and she understood that it was a 24-hour facility, but her mother's house was built in 1954 and it still stood up in good shape. She stated that it was clear that they needed facilities maintenance, but also needed plumbing and electrical expertise. She added that she was told a plumbing position was offered at a starting rate of \$17.00 per hour but had not been accepted due to the low pay. She understood the County had just undergone a Class and Comp Study, but the County needed to be more competitive with these hard-to-fill positions. She stated that as she went through the kitchen of the jail it had a dirt floor with rust, but it could not be worked on until the plumbing issue was resolved. She stated that this was a full-time employment position that could not be filled because of the pay, but that needed to be reexamined when major facility issues were apparent.

Ms. Leshar stated that an ongoing issue previously discussed before the Board, was the need to identify the hard-to-fill positions that could be hired at a higher quartile and the challenge of defining those individuals. She stated they had faced a dilemma with this, and they were identified as they encountered them, but they looked at factors like certifications and licenses. She stated, for example, they had one Locksmith in the County which was a critical position and there was no one-size fits all criteria for determining hard-to-fill positions. She added that she had been in communication with the Facilities Management Director regarding what needed to be done to fill those positions. She explained that using outside support became more expensive compared to fairly compensating internal staff. She addressed Supervisor Christy's questions and explained that while the Sheriff attended some

Blue Ribbon Commission meetings, his staff consistently participated, and they had formed three committees from the main commission, with one that specifically dealt with facilities. She stated there were representatives from Sundt and other construction companies that had been working Facilities and Management and the jail daily. She stated the second-largest committee focused on finances and what needed to be done and the vast majority of the Blue Ribbon Commission was to collaborate with the Sheriff and his staff to identify immediate physical needs and to identify how the County would work with partners from the construction industry.

Supervisor Scott clarified and acknowledged Supervisor Christy's point regarding the court's responsibility in determining who was incarcerated and why, but when discussing the justice system overall, whether it be the jail or the intergovernmental agreement for initial appearances, what was frustrating for him was that there was no clear answer from the courts as to the composition of the jail population. He recognized they were the custodians of those records, but they were not able or willing to provide the information. He stated that he did not want this committee to get bogged down on the composition of the jail population, but rather it be the role of the County staff team that Ms. Leshner put together.

Supervisor Christy asked what the County Administrator's effort was for this issue and the next steps. He stated he was not compelled to vote for something at this point, however, he would consider something procedural or for the composition of a group.

Ms. Leshner responded that this was to provide an update to the Board and the community regarding where the County was with staff work and reviewing what the next steps might be, and at this point no action was necessary.

No Board action was taken.

## **ATTRACTIONS AND TOURISM**

### **22. Arizona Aerospace Foundation - 390th Bomber Memorial Museum Heating and Air Conditioning Units**

RESOLUTION NO. 2024 - 14, of the Board of Supervisors, to approve the replacement of heating and cooling system for the 390th Memorial Museum located at the Pima Air and Space Museum.

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



## **COUNTY ATTORNEY**

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

Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$450.00 to help fund a National Crime Victims' Rights Week event under Board of Supervisors Policy No. C 6.3.

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

## **ELECTIONS**

### **24. Canvass**

Pursuant to A.R.S. §16-642(A) and §16-645(A), canvass of the election results for the March 19, 2024, Presidential Preference Election.

Constance Hargrove, Director, Elections Department, recommended approval of the canvass. She stated that there were no gross errors found in any of the returns. She added that the Secretary of State requested the hand count audit be included in the canvass and there was one ballot that the machine could not count because it had been marked and written on.

It was moved by Chair Grijalva, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to canvass the election.

## **CONTRACT AND AWARD**

### **Community and Workforce Development**

### **25. Cochise Private Industry Council, Inc., d.b.a. ARIZONA@WORK Southeastern Arizona, Amendment No. 2, to provide for H-1B Workforce Program and amend contractual language, no cost (CT-CR-21-356)**

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

Supervisor Christy stated that on the March 5, 2024 agenda there was a similar agenda item for the H-1B Workforce Program. He questioned how this item related to that previous agenda item.

Francisco García, M.D., M.P.H., Deputy County Administrator & Chief Medical Officer, Health and Community Services, stated that Minute Item Nos. 25, 26, 27, and 28 were procedural amendments to the item that was heard on March 5th. He stated the amendments were requested by the federal funder following a site review, that revealed deficiencies in the subrecipient agreements language regarding intellectual property and the Stevens Amendment, which was a reporting

obligation associated with the federal funding. He explained the items were no cost procedural amendments and were identical to subrecipient entities.

A substitute motion was made by Supervisor Christy to address Minute Item Nos. 25, 26, 27, and 28 together.

Chair Grijalva amended her original motion to include the approval of Minute Item Nos. 25, 26, 27 and 28.

Upon the vote, the amended motion carried 4-0, Supervisor Heinz was not present for the vote.

26. Santa Cruz County, Amendment No. 2, to provide for H-1B Workforce Program and amend contractual language, no cost (CT-CR-21-361)

(Clerk's Note: See Minute Item No. 25, for discussion and action on this item.)

27. Goodwill Industries of Southern Arizona, Inc., Amendment No. 1, to provide for H-1B Workforce Program and amend contractual language, no cost (CT-CR-21-343)

(Clerk's Note: See Minute Item No. 25, for discussion and action on this item.)

28. Pima County Community College District, Amendment No. 1, to provide for workforce development education and amend contractual language, no cost (CT-CR-22-315)

(Clerk's Note: See Minute Item No. 25, for discussion and action on this item.)

### **Natural Resources, Parks and Recreation**

29. YMCA of Southern Arizona, to provide an Operating Agreement for Northwest YMCA-Pima County Community Center, General Fund, total contract amount \$1,500,000.00/10 year term (\$150,000.00 per year) (CT-PR-24-340)

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

Supervisor Christy asked why the Pima County Community Center was co-located at the YMCA.

Carmine DeBonis, Jr., Deputy County Administrator, stated that in 1999, the County entered into a 25 year joint agreement with the YMCA to develop, construct, operate, and maintain the facility, which had reached the end of the term. He explained that the proposed agreement was for 10 years to continue the joint operation with shared programming and operational costs, including a 50/50 split of utility expenses by both entities. He indicated that the YMCA would assume responsibility of interior maintenance, while the County would be responsible for the

exterior maintenance. He noted that the arrangement reflected a longstanding cooperative arrangement between the County and YMCA.

Supervisor Christy inquired if any other location had a similar relationship with the YMCA.

Mr. DeBonis, Jr., responded that this was the most significant formalized relationship with the YMCA and no others came to mind at a similar scale.

Jan Leshner, County Administrator, recalled a previous relationship with the YMCA at the event center on Ajo, for a period of time which had ended, likely due to pandemic-related concerns.

Upon the vote, the motion carried 4-0, Supervisor Heinz was not present for the vote.

## **Procurement**

### **30. Award**

Award: Master Agreement No. MA-PO-24-141, Microwave Networks, Inc. (Headquarters: Stafford, TX), to provide for land mobile radio equipment. This master agreement is for an initial term of one (1) year in the annual award amount of \$380,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Pima County Wireless Integrated Network.

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

### **31. Award**

Award: Master Agreement No. MA-PO-24-144, Arizona Style Construction, L.L.C. (Headquarters: Tucson, AZ) and Advantage Home Performance, Inc. (Headquarters: Prescott, AZ), to provide HVAC equipment and services for residential homes. This master agreement is for an initial term of one (1) year in the shared annual award amount of \$1,000,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: USHUD CDBG Fund. Administering Department: Community & Workforce Development.

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

### **32. Award**

Amendment of Award: Master Agreement No. MA-PO-24-94, Amendment No. 1, Custom Storage, L.L.C., d.b.a. cStor, to provide for flex production refresh and disaster & recovery deployment services. This amendment is for a one time

increase in the amount of \$175,000.00 for a cumulative not-to-exceed contract amount of \$675,000.00. Funding Source: General Fund. Administering Department: Information Technology, on behalf of Treasurer's Office.

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

33. International Business Machines Corporation, d.b.a. IBM Corporation, Amendment No. 4, to provide for enterprise resource planning (ERP) system implementation services, amend contractual language and scope of services, Non-Bond Project Fund (Capital Project Fund), contract amount \$216,000.00 (MA-PO-23-125) Administering Department: Analytics and Data Governance

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

34. Tenex Software Solutions, Inc., Amendment No. 6, to provide for Tenex election desk modules and amend contractual language, General Fund, contract amount \$700,000.00 (MA-PO-22-80) Administering Department: Information Technology, on behalf of Elections Department

Chair Grijalva questioned whether the amount had already been budgeted or if it was an additional expense.

Constance Hargrove, Director, Elections Department, responded that it was already budgeted. She stated that it was a shared contract between her department and the Recorder's Office and the increase was so that they had the purchasing ability if any additional purchases for toner was needed for the November general election.

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

Supervisor Christy asked how they anticipated that \$700,000.00 was needed for toner.

Ms. Hargrove responded that there was over 360 printers with four different colors of toner that they could potentially need to purchase toner for and toner was quite expensive. She stated that additional toner would only be purchased for those printers that needed it.

Supervisor Christy questioned if the length of the ballot was the reason for the amount requested for toner.

Ms. Hargrove responded in the affirmative and stated that the ballot would be a 19 inch ballot and that it could be a 2 to 3 page ballot depending on the number of items listed on the ballot.

Supervisor Christy asked if additional technical support was being assigned to each vote center.

Ms. Hargrove responded that there would be an equipment specialist at each vote center, and trouble shooters and technical support from her department would be available on Election Day, but they did not anticipate hiring anyone from Tenex to provide those services.

Supervisor Christy asked if the requested amount included any potential additional support.

Ms. Hargrove responded yes, if it was needed.

Upon the vote, the motion carried 4-0, Supervisor Heinz was not present for the vote.

35. CGI Technologies and Solutions, Inc., Amendment No. 12, to provide proprietary software maintenance for Enterprise Resource Planning System and to terminate contract on 3/31/24, no cost (MA-PO-12-374) Administering Department: Information Technology

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

36. Arizona Dental Insurance Services, Inc., d.b.a. Delta Dental of Arizona, Amendment No. 4, to provide for self-funded dental plan and amend contractual language, Health Benefit Self-Insurance (96%) and Employee Contributions (4%) Funds, contract amount \$600,000.00 (MA-PO-20-141) Administering Department: Human Resources

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

37. Progressive Services, Inc., d.b.a. Progressive Roofing, to provide for roofing services for Sporting Chance Center (EXTB24), Facilities Renewal Fund, contract amount \$352,741.00 (CT-FM-24-392) Administering Department: Facilities Management

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

### **Regional Wastewater Reclamation**

38. Town of Marana, to provide an intergovernmental agreement for the Bike Path Construction and Cost Sharing Project, CIP Fund - 1140, estimated contract amount \$586,810.19/2 year term (CTN-WW-24-142)

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

Supervisor Christy stated that normally the Loop was under the Flood Control District and questioned why this item was listed under the Regional Wastewater Reclamation Department (RWRD).

Carmine DeBonis, Jr., Deputy County Administrator, responded that in this instance RWRD would be working on a sewer line project, which included improvements to the Loop. He stated that through coordination with the Town of Marana, they identified that they had an upcoming waterline improvement project and in order to avoid unnecessary work repairs, some of the project's design was relocated, which resulted in the Town of Marana funding half of the project costs. He clarified that the Town of Marana, RWRD, and the Flood Control District were involved in the collaboration.

Upon the vote, the motion carried 4-0, Supervisor Heinz was not present for the vote.

#### **Sheriff**

39. National Park Service, to provide a mutual aid agreement for law enforcement assistance and to conduct search and rescue operations, no cost/5 year term (CTN-SD-24-145)

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

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

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

Arizona Department of Economic Security, Division of Employment and Rehabilitation Services, Amendment No. 2, to provide for the PY21/FY22 - Workforce Innovation and Opportunity Act Funding Opportunities Allocations, \$2,973,834.00 (GTAM 24-57)

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

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

Connie Hillman Family Foundation, to provide for the Pima County Veteran's Workforce Center, \$5,000.00/10 year term (GTAW 24-121)

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

**42. Acceptance - Justice Services**

Arizona Housing Coalition, Inc., Amendment No. 1, to provide for Bolstering Supportive Housing Now; High Impact Rural Supports & Statewide Capacity Buildings and amend grant language, no cost (GTAM 24-56)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 3-1 vote, Supervisor Christy voted "Nay," and Supervisor Heinz was not present for the vote, to approve the item.

**43. Acceptance - Justice Services**

John D. and Catherine T. MacArthur Foundation, to provide for Safety and Justice Challenge Capstone, \$225,000.00 (GTAW 24-124)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 3-1 vote, Supervisor Christy voted "Nay," and Supervisor Heinz was not present for the vote, to approve the item.

**FRANCHISE/LICENSE/PERMIT**

**44. Hearing - Fireworks Permit**

Gabby Blake, Loews Ventana Canyon Resort, 7000 N. Resort Drive, Tucson, April 20, 2024 at 9:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.

**45. Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, May 7, 2024 at 8:30 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.

**46. Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, May 21, 2024 at 8:30 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.

**47. Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, May 23, 2024 at 8:30 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.

**48. Hearing - Fireworks Permit**

Heather Anderson, Mountain View High School, 3901 W. Linda Vista Boulevard, Tucson, May 21, 2024 at 9:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.

**49. Hearing - Fireworks Permit**

Kevin Amidan, Sabino High School, 5000 N. Bowes Road, Tucson, May 23, 2024 at 9:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.

**50. Hearing - Fireworks Permit**

Taylor Cooley, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, April 27, 2024 at 9:15 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing and approve the permit.



**51. Hearing - Liquor License**

Job No. 277310, Daniel Dominic Scordato, Vivace Restaurant, 6440 N. Campbell Avenue, Tucson, Series 7, Beer and Wine Bar, Location Transfer.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva and seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing, approve the license subject to the Zoning Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

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

Job No. 283480, Andrea Dahlman Lewkowitz, Applebee's Neighborhood Grill & Bar, 2230 W. Ina Road, Tucson, Multi-License Acquisition of Control.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

**53. Hearing - Permanent Extension of Premises/Patio Permit**

12104529, Kevin Arnold Kramber, Wild Garlic Grill, 2870 E. Skyline Drive, Tucson.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to close the public hearing, approve the permit and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

**BOARD OF SUPERVISORS**

**54. Opioid Settlement Funds Update**

Discussion/Direction/Action: Requesting an update from the County Administrator and any staff member she designates on the funds awarded to the county and other jurisdictions from the opioid settlement. Would like updated information on the total amount awarded to the county, to each one of the other jurisdictions in the county and what has been expended so far by the county. Would also like an update on any plans for getting additional funds into the community to address pressing needs associated with substance abuse and addiction.

In addition to this requested information, the Board should be briefed on any other pertinent information related to the opioid settlement and the potential uses for its proceeds. (District 1)

Supervisor Scott stated that the initial impetus for this item arose after his meeting with Dr. Cullen and the Pima County Health Department. She stated that a comment had been made regarding moving forward with opioid funds being disbursed into the community and the challenge in reaching an agreement with the City of Tucson (COT) with their portion of the allocation through an intergovernmental agreement (IGA). He stated that since that meeting which was several months ago, he had checked in with Ms. Leshner on the status of the settlement and the IGA with the COT. He referred to Dr. Cullen's memorandum that was attached to the County Administrator's March 29, 2024 memorandum which referenced the lack of agreement by the COT and cited the County Administrator's references. He questioned how long the IGA had been in negotiations, what had held up its finalization and what the status was on how the County would move forward. He stated that it seemed like the finalization of the IGA had been a significant issue.

Jan Leshner, County Administrator, explained that within the last week the County had received draft resolutions from the COT and Deputy County Administrator Garcia had worked with Assistant COT Manager Thomure and it was their understanding that COT would be taking action at their April 16th meeting. She stated they could then return documents to the Board and that progress had been made to proceed with a model to pool those dollars rather than COT keeping their dollars. She stated that it would provide support for the types of programs that Dr. Cullen and the department wished to achieve. She stated there had been ongoing negotiations for about 6 months with the concern of governance of the distribution of the funds and COT was concerned with receiving a check for \$4 million or pooling the funds with the County for distribution to deal with opioid abuse and to ensure they had a voice in the distribution of those dollars. She added that in most recent conversations they were very close to providing the IGA to the Board for finalization.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, explained that they were nearing completion with the IGA and resolution language.

Supervisor Scott stated that Dr. Cullen's memorandum prompted another area of curiosity with her reference to a new Division called "Division of Community Mental Health, Addiction, and Injury" and it seemed that the new division would be elemental in moving forward with the use of Opioid settlement funds and grant funds that could help combat addiction and substance abuse. He inquired if his statement was accurate.

Dr. Garcia explained that the newly created division served to coordinate various funding streams and funds through the Centers for Disease Control's Overdose Data to Action, Prop 207 funds and Opioid settlement funds. He stated that rather than addressing the initiatives separately, the division aimed to assess the overall community needs and how to best quilt together the funding sources, each with its own restrictions, to meet the needs of the community. He gave examples, such as with the Prop 207 funding being focused on Youth, and Opioid funding focused on harm reduction and Medication Assisted Therapy.

Supervisor Scott requested that the Board be provided with regular reports on that division. He stated that once their last position was filled it would be fully operational and regular reports would provide an opportunity for the Board to receive information on the overall progress of the Opioid settlement funds and other associated funds.

Ms. Leshner responded that regular reports would be provided to the Board.

Chair Grijalva stated the primary challenge with this funding source was the necessity to work regionally and ensure the IGA accommodated the needs of both the COT and the County. She explained that at one point, they thought of splitting the funds and working together in collaboration, but be able to utilize the funds quicker. She added there was also a point of discussion where the funds' plans for use would come out of the Board of Health, which had been an issue with the COT since they had no representation on that board. She felt that they would eventually get to a better agreement and hoped it was sooner rather than later and added it was a topic of conversation she had with Ms. Leshner, the Mayor and other leadership at every meeting.

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

## **COUNTY ADMINISTRATOR**

### **55. Federal Funding of Legal Asylum Seeker Program Update**

Discussion: Update on the status of federal funding in support of the Legal Asylum Seeker Program in Pima County.

Jan Leshner, County Administrator, stated that communication had been directed to the Board and wanted to ensure it was publicly discussed. She stated that when previously discussed, the onset of street release would begin by April 1st. She stated that in meetings with the humanitarian and business communities, the Chamber of Commerce and other jurisdictions, there were increasing concerns of the impact to the community with the potential release of thousands of individuals at the Greyhound bus station. She stated the County had committed to not spend General Fund dollars on this effort and therefore without future funding from the federal government the program would end. She stated that since that last meeting, they received confirmation with the passing of the legislation and assurances from the White House, Department of Homeland Security, Border Patrol, U.S. Customs and Border Protection (CBP), Federal Emergency Management Agency and the Grants Directorate, as well from the Delegation in Arizona, that the inclusion of \$650 million to support CBP and those efforts would include at a minimum the amount provided in the County's last tranche of \$12.7 million. She stated those assurances allowed the County to continue with some of the contracts moving forward in the interim and it was their hope that the County would be out of the business, however the way out was not to stop providing services and allow thousands of individuals to be released and staff continued to work with its partners and others in the

community to identify who might best serve as the fiscal agent in the long term to ensure the operation could continue. She stated they believed the funding would get them through August and provided the County with the umbrella of identifying other providers. She stated that they had been in communication with the Community Foundation of Southern Arizona with the opportunity of existing funding in their organization and should private donors wish to provide for the philanthropic side, it would be available. She stated that the Board's staff had received many calls from individuals on how they or their business could support this effort in order to avoid street releases, but currently federal dollars would be coming and work with the foundation to ensure philanthropic dollars could also support it. She stated that although there was no action needed today, she would continue to update the Board regarding the status of the funds and the programs.

Supervisor Christy stated that he had always referred to what the County had done as the asylum seeking business and it was refreshing that the County Administrator had addressed it as such and had referred to getting away from the business. He stated that the County would find itself in another situation like the continuing resolution to shut down the government and continue to go through the process and come to the precipice of there not being any funds and then the concern of having street releases, but then suddenly the money appeared later. He asked that now would be the perfect time to ween the County of its addiction of enablement and to search for ways for the County to extricate itself from providing asylum for migrants coming into the country. He hoped this was a learning experience where the County could not and should not be doing this and the effort did not need to be helped with more funding, but rather with government intervention at the border before migrants stepped into the country. He urged the County to find ways to make it less attractive for migrants around the world to come to Pima County and it should be known there was reprieve, however, it would slowly be shutting off the activities involved, and it was the perfect time to do this and the County did not have to get back into the situation with deadlines, requirements and other issues if funding was not received. He stated that if the private sector wanted to do it they could not be stopped, but wondered if they would have the same scrutiny of the migrants that the federal government had as they entered the country. He reiterated his hope of lessons learned and that ways would be found to completely shut down the asylum seeking business.

Chair Grijalva indicated the efforts to obtain federal funding were not a miracle, but the result of diligent work and required extensive outreach to representatives on both sides of the aisle with, Congress, Senators, Mayors, Cochise and Santa Cruz Counties, and the Bishop from the Catholic Diocese. She explained that true comprehensive immigration reform was needed to avoid being in the same situation and stressed the importance of stopping the campaign of misinformation that the individuals who arrived were illegal. She clarified that they were legal asylum seekers who had undergone a legitimate process to get here, and the County had only expedited their travel to their final destination. She stated that if the County did not provide that, there would be a culmination of people wandering around downtown and looking for help. She added the City of Tucson did not have the capacity to do so and neither did the County, however the responsibility fell on the

County if individuals accumulated in the middle of downtown. She stated that the idea that whether the County provided services, people would cross the border due to desperation and reiterated the County helped them get to their final destination and not have a prolonged stay in Pima County, which would become a major issue for everyone.

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

## **COUNTY ATTORNEY**

### **56. Conflict of Interest Waiver**

Discussion/Direction/Action regarding Mesch, Clark & Rothschild, P.C.'s request for a conflict of interest waiver to represent candidates in petition challenges for 2024.

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

### **57. Budgetary Concerns**

The Pima County Attorney's Office requests the approximately \$2.4 million in funding that was removed from its budget be returned for this fiscal year, as well as the upcoming fiscal year, either in full or in part.

Jan Leshner, County Administrator, addressed concerns raised by the County Attorney regarding the sweeping of \$2.4 million related to implementing policy directives provided by the Board. She clarified that \$1.4 million were special revenue funds or grant funds which were not dollars that were swept from the General Fund, but remained within the County Attorney's Office, but due to those being related to positions targeted for removal, budget authority and capacity for those funds had been frozen. She stated that although the money was present in various funds or grants, the County Attorney's Office lacked the authority to spend it. She stated that her first recommendation was to submit a supplemental request in next year's budget to restore the budget authority to spend those dollars that existed within those funds and had also discussed whether within the last 90 days of the fiscal year, the County Attorney should have the opportunity to hire positions related to those grants or funds, while ensuring there would be budget capacity. She stated the second issue pertained to vacancies within the County Attorney's Office, particularly during the period when new law graduates were being recruited and currently making offers to individuals who might not be taking the Bar or receiving notice of passing the Bar into the new fiscal year. She added that the County Attorney had requested that positions targeted to be swept due to being open for an extended period of time, be kept open so that she could move through the hiring process to hire the individuals which was the \$660,000.00 recommendation that would be added to her base budget next year to fill those positions. She stated that the third element was the County Attorney's request to reinstate \$660,000.00 in the current year's budget. She explained that the additional positions they wished to open next year would continue to be part of the base of \$660,000.00, but would only

cover three months' worth and take a quarter of the funds and allocate toward those positions to be able to move forward with offers. She stated that the additional dollars would allow for salary increases this year to attract or retain members of her current staff. She explained these were the recommendations that could be accommodated in this budget and asked for confirmation by the County Attorney.

Supervisor Scott inquired about the percentage of the \$660,000.00 for the current fiscal year.

Ms. Leshar clarified that the percentage would amount to about \$165,000.00 for the new positions and the additional funds to cover the swept positions for the year.

Laura Conover, Pima County Attorney, stated that the Board had seen a slide which showed the County's priority however it did not include public safety, but the strategic priorities of quality of life and core functions were mentioned, which she felt was something that related to the current topic. She expressed her appreciation for Ms. Leshar's assistance in resolving the real-world consequences of funds being swept from her budget and what it meant for public safety. She was pleased to report that Ms. Leshar directed Finance and Human Resources (HR) to assist them in what was needed to reach through the end of the year and thanked them for recognizing that experience mattered. She reminded the Board that they had been through a unique situation in their office and the norm with their trial rate was 84 attorneys, but she had walked into the office with 61 attorneys. She stated that she was not asking for additional positions, rather to address the massive vacancy problem. She stated that in late 2021, they swept in 9 attorneys with 117 years of combined experience. She added that had left them without years of service as a priority, and without an experience matters philosophy, they had extreme inequities in salaries within the office and were particularly pronounced with the implementation of the Class and Comp Study since September. She stated that the attorneys that were brought in were not making nearly the salaries of folks with far less experience. She provided an example of female attorneys that made far less than their male counterparts by virtue of having returned to the office and not being compensated for their years of service and that the requested \$660,435.00 would correct the issue. She stated the paperwork was already with HR so that those inequities could be corrected immediately to help retain their veterans that were crucial for public safety. She thanked Ms. Leshar for acknowledging the freezing of budget authority and their ability to hire and work collaboratively so as they hired, they would request to unfreeze the authority to use their existing funds. She stated that a breakdown of the funds going back to September 10th could be provided to the Board.

Supervisor Christy commented that he heard Ms. Conover speak regarding her pursuit for criminal justice reform and requested a reader's digest version of criminal justice reform.

Chair Grijalva stated that this item pertained to a budget request and did not know whether Supervisor Christy's question was covered in the item.

Supervisor Christy wished to explain why he asked the question. He stated that what he understood as criminal justice reform was examining closely those being prosecuted to determine whether they needed to be prosecuted based on the severity of the penalty or conviction. He stated that he heard among his colleagues and the County Attorney's Office the need to reduce the jail population. He clarified that his question was if the County Attorney would pursue criminal justice reform, which to him and others was interpreted as less litigation and less prosecution, than what would be the need for so many attorneys.

Ms. Conover responded that the answer was clear, and that criminal justice reform was an academia that encouraged policies that were data-driven and solution-oriented. She explained the importance of reducing crime rates and the willingness to adjust policies to achieve results. She expressed her happiness that another core priority for the County of economic growth had been realized with the decrease of 39% in homicide and 36% in robberies in the past two years and they were building a healthier and safer community. She stated that to Supervisor Christy's point, at a normal trial rate that was run by the Superior Court, they historically had 84 attorneys in the office, and she started with 61 and in 2020 many professionals left jobs due to being asked to litigate behind masks and the opportunity to triple their salary and work from home. She stated that she did not fault her predecessor, but had limped along and maintained services because they had not done trials. She explained that they survived because of it, but they were back to completely running trials and had as many as 9 different trials running in the same week in 9 different court rooms. She added that they could not be a quarter down on staff and continue to serve the community to the excellence it required.

Supervisor Scott questioned if Ms. Conover received additional guidance from either the Administrative Office of the Courts or the Supreme Court regarding the trial rate and the number of prosecutors needed.

Ms. Conover responded affirmatively and stated that Chief Justice Brutinel of the Arizona Supreme Court had issued an edict to the Pima County Superior Court indicating his disappointment in them having the lowest trial rate and longest disposition times and that the County had historically lagged behind other counties and issued the edict to start everything for trial pursuant to the rules. She stated that they felt it to be an aggressive response to the Superior Court and were doing everything possible to avoid disclosure violations, advocating for victims and advocating for justice as the priority, despite the speed being taken. She stated that nevertheless, the Superior Court had been double setting and triple setting trials.

Supervisor Scott questioned whether a Chief Justice had the authority to provide that direction to the Superior Court of a particular county.

Ms. Conover responded that they had asked repeatedly for a written document and she had repeated his words because it was hard to follow unwritten rules. She stated that the pressure upon his colleagues in Pima County was enough to cause a significant reaction and they reacted to it as best as they could in the name of justice.

Sam Brown, Chief Civil Deputy County Attorney, cautioned Board members to keep conversation to the agenda item being discussed and believed they were starting to veer off topic.

Supervisor Scott apologized and stated that he thought they were because the discussion was regarding the staffing numbers and being responsive to what they had heard from the Chief Justice. He pointed out to his colleagues on the Board that this predated Supervisor Lee's appointment to the Board and previously the Sheriff had approached the Board in relation to a policy passed in 2022 that dealt with fund balances and vacancy savings. He stated that the Sheriff questioned the policy and was not fully on board with the policy and felt it was an intrusion of his authority. He added that this discussion was very similar to the comments being made by the County Attorney. He stated that he thought the Board had been clear in October 2022 when the policy was passed, and he re-reviewed the County Administrator's memorandum, and it passed by a 4-1 vote. He stated that he was clear on what the policy would do, but it was abundantly apparent that it was not clear with the other elected officials. He added that he would bring forth an additional item regarding this subject on the April 16th agenda for an opportunity to put in place a policy that was much clearer and provided exceptions after the County Administrator followed up with department heads or elected officials. He indicated he would vote for this request because he felt they were appropriate uses of the contingency in regards to the General Fund and was appropriate for restoration of budget authority, but felt that this item made a strong case for what would be taken up the following week.

It was moved by Supervisor Heinz and seconded by Chair Grijalva to approve the recommendations made by the County Administrator in the amount of \$660,435.00. No vote was taken at this time.

Supervisor Christy asked for clarification of the motion.

Chair Grijalva clarified the motion was to approve the amount of \$660,435.00.

Ms. Leshner further clarified the recommendation was for \$660,435.00 from the contingency for the remainder of the fiscal year and to include the same amount for the following year's base budget and to unfreeze the funding associated with the special revenue funds.

Supervisor Christy questioned where the \$2.4 million factored into the item.

Ms. Conover responded that this was her attempt to come to a mid-point to be able to get them through the year, however, it was for short term relief and not a long-term plan or solution. She stated she would address the Board at the budget hearings in May and emphasized the importance of maintaining a strong partnership and to keep in mind their bond ratings.

Chair Grijalva clarified that to get them through the end of the year would require \$660,435.00 and in total \$1,466,130.00.



Ms. Leshar clarified that the \$1.4 million was the amount they would unfreeze from the special revenue funds.

Supervisor Heinz stated that he thought it was \$165,000.00 for the rest of this fiscal year.

Supervisor Scott responded affirmatively.

Chair Grijalva requested further clarification on the amounts being discussed so that it was clear.

Ms. Leshar clarified that the first recommendation would be to provide budget authority in the next fiscal year for \$1,466,130.00, which was related to the amount associated with special revenue funds and grant funded positions. She added the money remained in the accounts and allowed the budget authority to expend those dollars.

Chair Grijalva requested clarification on what the amounts would be for the end of the current fiscal year.

Ms. Leshar clarified that with the same fund they would add it for the following year, should the County Attorney be able to successfully hire those positions, she would work with her to release the budget authority for those positions. She stated that for next year the total would be \$660,435.00, which would allow for the funding of previously swept General Funds for those vacant positions. She stated that for the current year it was an additional amount from contingency of \$660,435.00 to cover the \$165,000.00 for the County Attorney to be able to hire and release of swept dollars and additional funds to provide compensation necessary to level out the Class and Comp Study implementation.

Chair Grijalva reiterated it was for \$660,435.00 for the current year and \$660,435.00 for the following year, as well as budget authority over the special revenue funds.

Supervisor Scott stated that he thought for the current year it was only a portion of the \$660,435.00, but did not include the full amount.

Ms. Leshar reiterated that the County Attorney requested two elements for the current year one portion related to the reinstatement of positions that were swept from the General Fund which came out to the full analyzed amount with one quarter of it left in the year. She stated that in addition to the \$165,000.00 the County Attorney was interested in receiving an additional delta back that would provide the funding necessary for additional raises during Class and Comp Study.

Melissa Manriquez, Clerk of the Board, stated for the record that Supervisor Heinz left the meeting.

Chair Grijalva stated the Board no longer had a motion on the floor since Supervisor Heinz left the meeting and he was the maker of the motion.

It was then moved by Chair Grijalva and seconded by Supervisor Lee to approve the County Administrator's recommendations. No vote was taken at this time.

Supervisor Scott stated that he was thoroughly confused, however, he understood the reference to fiscal year '25, but did not understand the reference to '24 with only three months left in the year and perhaps it was he who could not follow it.

Baird Greene, Chief Deputy County Attorney, clarified that they were requesting monies to fund the intent of the Board when it passed the classification and compensation package effective on September 10th of the current fiscal year. He explained with only three months left in the fiscal year that did not provide enough compensation for the employee's experience. He explained the total amount of \$533,428.00 would rectify the situation and bring them back to September 10th, however an additional \$127,007.00 from the General Fund would be to assist in the ongoing and aggressive recruiting for the current year. He added they had one outstanding offer with an experience attorney and had managed to hire a couple others. He stated their hope to meet the current avalanche of cases going to trial, they hoped to meet their obligations to victims and the public and justice, by hiring individuals at appropriate compensated salaries through their experience. He explained that one of the issues during the Class and Comp Study, it was passed and they had vacant positions and they were not funded to reflect any increases. He stated that another problem they had, even though the Board had approved the increase for base salaries for starting lawyers, they did not have sufficient funding in individual Position Control Numbers (PCNs) to compensate them. He stated this funding would help them do this and if they should be fortunate enough to prosper from their recruiting efforts to find additional experienced attorneys, they would cost more money under Class and Comp, which was the intent of the balance of the \$660,435.00.

Supervisor Scott thanked Mr. Greene for his detailed clarification.

Supervisor Christy expressed his confusion and stated the amounts were not what was presented on the agenda item, and it seemed they were requesting money certain for the 2025 fiscal year, but it would circumvent the budget process.

A substitute motion was made by Supervisor Christy to continue the item to the Board of Supervisors' Meeting of April 16, 2024, to allow the County Attorney's Office to re-present her request with an analytical explanation with more detail than being discussed. He questioned if the remainder of this year added up with the request for the following year equaled \$2.4 million. He felt they should take a step back and reexamine the whole situation and continue it to next year. The substitute motion died for lack of a second.

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

Supervisor Scott questioned why the budgetary authority for the special revenue funds were frozen.

Ms. Leshar responded that they related to the funding of the PCN's that were frozen under the vacancy policies and after review of positions that had been vacate for over 2,000 days and they had frozen the position, but could not sweep the dollars, they did it to be consistent with the vacancy plan.

Upon roll call vote, the motion carried 3-1, Supervisor Christy voted "Nay," and Supervisor Heinz was not present for the vote.

## **FINANCE AND RISK MANAGEMENT**

### **58. Fiscal Year 2024/25 Recommended Budget Update**

Discussion/Direction/Action: Update on the Fiscal Year 2024/25 Recommended Budget.

Jan Leshar, County Administrator, provided a slideshow presentation that detailed the basics of the foundation of what was reviewed to build the budget and explained that it had not been finalized, but the budget transmittal would be provided to the Board on April 26th. She stated that it required policy questions that needed to be answered and ensured they moved in a direction the Board wanted to follow. She explained that the budget process began in September and October by reviewing forecasts and guidelines and started working on departmental budgets in November and January, and that she, the Deputy County Administrators and the Finance Department began weekly meetings to assess budget and capital requests which continued through May. She reiterated that she would submit the tentative budget to the Board at the end of April, which led to discussions of the tentative budget in May and a final budget hearing in June. She explained the County revenue was derived from various sources, with property tax being the primary contributor, funding most county services via the General Fund. She added that secondary property taxes existed in special taxing districts that dealt with their budgets including the Library District, Flood Control District and Bonds and other debts. She stated the County had Enterprise funds for fees for wastewater, development services fees and licenses and other funds like state-shared revenues primarily for roads, and increased work in the grants area and lastly fees for services. She referred to the slide that highlighted the combined County property tax rate which showed a 5.72 rate in 2014 per \$100.00 assessed valuation and was currently at 5.10 and showed a couple spiked in 2017 and 2018, but it also showed a consistent decrease in the overall tax rate. She stated they reviewed the budget focus area, a document the Board received as a possible discussion point for inclusion in the budget, which included strategic initiatives or platforms of the four pillars with a variety of goals, strategies and tactics that dealt with promoting conservation, sustainability, and climate resiliency; effectively managed core functions and provided excellent service; improved the quality of life for Pima County residents; and prioritized critical infrastructure and economic growth. She stated the other document the Board received would allow the Board to annually review the progress in qualitative and

quantitative measures to assess the goal. She stated that if approved by the Board, they wanted to amend agenda request forms that would indicate which goal or pillar the item addressed. She explained that there had been questions in the past with the number of the positions and provided a snapshot over the last decade that showed they were down 155 positions. She stated they continued to consolidate positions and do as much as possible with the current staff. She went over the 24/25 funding needs and emphasized the importance of prioritizing five critical areas, including the Early Childhood Education Program and continuation of the Pima Early Education Program scholarships; climate action; affordable housing; raising overall community wealth with the Prosperity Initiative; and to continue to address the County's infrastructure. She stated that throughout the year, she regularly advised the Board of the financial and economic indicators for the County's future. She stated they had been nervous with the numbers which showed the six elements tracked, including inflation, housing, retail sales, gasoline sales, federal fund rates and unemployment, were all unfavorable. She further explained the additional pressures that went into the 2024/25 budget included the State cost shifts, inflation and the real estate market. She added that when the State of Arizona experienced deficiencies of several billion dollars, they frequently lurched for the lowest jurisdictions or organizations, such as the County, to claw back those dollars. She stated they continued to watch inflation and the real estate market that affected property values, which ultimately affected the tax base. She stated that the expectation for the 2024/25 budget was the County would tighten its belt. She explained that the key budget assumptions included the implementation of two recent policies one being D22.12, the Capital Improvement Fund, Pay-As-You-Go (PAYGO) program, with a \$50 million allocation front loaded for the construction of roads over ten years for infrastructure projects, and also with D22.13 that addressed the passing of cost shifts onto taxpayers based on previous years' shifts of 15.6 cents and this year would be 3.9 cents. She stated that they wanted to keep the overall tax rate unchanged by potentially cutting other areas. She stated another area and policy they would focus on was the fund balance to ensure they had 17% of the previous year's net expenditures. She referred to the slideshow and explained the basic budget assumptions and what the rates looked like with variance on how they implemented PAYGO, but that the bottom line for the 2023/24 adopted rates were \$5.1048 and if the scenario continued at the same rate, it would remain flat for the following year. She went over what the General Fund revenues looked like for the adopted budget at \$720,393,537.00 with an increase in the forecast of \$734 million and up to \$772 million in the following year. She added that the expenditures slightly outpaced the revenue, with various transfers going in and out of different programs. She also added that fund balance policy was at \$93 million, with a requested budget of \$97,945,000.00 for the next year, emphasizing that the fund balance was distinct from Contingency funds. She added that people indicated that they were spending down the contingency, but it was a separate line item in the budget. She stated that they had an item for contingency and that was when she came before the Board to request an allocation from the contingency funds, but it did not affect the general fund balance being discussed. She emphasized her aim to maintain the 17% General Fund balance to maintain the bond rating for potential future borrowing and went over the additional requested expenditures which showed Phase 3 with the final steps to implement the Class and

Comp Study to correct issues related to break in service and discrepancies in the amount of \$1 million.

Ellen Moulton, Director, Finance and Risk Management, stated they had received over \$20 million in supplemental requests for Non-General Fund areas, along with an additional estimated \$20 million for the General Fund. She explained that among those requests, \$11.6 million had passed through the various review processes, including departmental requests, meetings with the Deputy County Administrators, and with Ms. Leshner, which they collectively agreed on moving forward with funding.

Ms. Leshner stated that based on the current expenditures and anticipated revenues for the next year, while adhering to the Board's policies on fund balance and maintaining a flat tax rate, there was a projected deficit of \$18.2 million. She explained that to address the deficit they were considering reductions or eliminations of supplement requests, implementing a 3% decrease in all General Fund departments and a 1% reduction for Elected Officials. She reiterated that to present the Board with a balanced budget and keep the tax rate flat, they would need to adhere to the County's various policies and strategic initiatives. She stated that their desire today were to highlight the issues that were clearly policy decisions by the Board and before they continued finalizing the budget they wanted to hear from the Board related to the tax rate and adherence of the policies.

Supervisor Heinz questioned why they were so committed to keeping the tax rate flat when it had been decreasing for the past few years. He explained that policy D 22.13 aimed to respond to State shifts onto the County without harming the residents' access to services. He suggested the tax rate could potentially increase to accommodate cost shifts from the State and reminded his colleagues that the Board had violated its own policy the last two budget cycles and did not absorb the cost shifts. He stated the Board should move forward with enforcing the policy and adjust the tax rate accordingly. He indicated wanting to review different scenarios of the tax rate, but not keeping it the same or lower. He used the State of Utah as an example where they could increase or lower their tax rate based on need, but that it was harder to do in Arizona due to needing a two third vote in the House of Chambers and Legislature for increases, but only a majority for decreases. He preferred several options on the table so that they would diminish services provided and the vast majority of residents would not notice the tiny numbers absorbed in their mortgages.

Supervisor Lee concurred with Supervisor Heinz's statement and emphasized the need to examine the impact of the absorbed costs. She stated that if core services were cut and if they were needed across the board and other areas like outside agencies that were critical and also with housing. She expressed her interest in reviewing all the options.

Supervisor Christy asked for clarification whether Supervisors Heinz and Lee were in favor of raising the primary property tax rate.

Supervisor Lee responded in the affirmative.

Supervisor Heinz responded affirmatively and stated that it would be by the force of the State in order to preserve services.

Supervisor Christy inquired about the status of the current balance and condition of the Contingency Fund.

Ms. Leshar responded it was at about \$2.5 million.

Ms. Moulton confirmed it was roughly \$2.5 million and explained there were other items on the agenda that would potentially impact that amount.

Supervisor Scott stated he recalled the Board had passed a policy regarding State cost shifts, and during their first year it was not implemented, however he believed it was implemented for the current fiscal year. He inquired if this was correct.

Ms. Moulton stated that both the PAYGO policy and the State cost shifts had been implemented, with one policy aimed to reduce property taxes, 60% of which the Debt Service dropped, and the cost shifts increased it. She stated that despite the competing policies, which were implemented the past year and both were suggested with keeping the tax rate flat. She stated that by implementing both policies this year would drop the tax rate from 5.1048 to 5.0476 and was the reason why they requested to keep the rate flat which was an increase over the application of both policies. She added the reason being that the Debt Service had dropped 9.5 cents and the cost shifts called to increase 3.9 cents and the PAYGO policy factored in 60% of the drop in Debt Service plus 60% increase in the net assessed value which was a complicated formula that caused the tax rate to drop compared to where they started.

Supervisor Scott requested clarification on whether both policies had been in place since the beginning of the current fiscal year.

Ms. Moulton responded in the affirmative.

Supervisor Scott expressed his interest in hearing the feedback from other departments regarding the proposed cuts that both Ms. Moulton and the Deputy County Administrators had been discussing. He stated he had hoped to revisit the proposed vacancy policy at the next meeting, with the intention of putting a dent in the longstanding issue of 900 to 1,000 vacant positions within the County. He indicated that his preference was to slim down internal operations before considering additional property taxes from taxpayers in Pima County and to avoid it resulting in service reductions. He reiterated that addressing issues such as the number of vacant positions and first looking internally would indicate to the taxpayers their responsible governance.

Chair Grijalva stated the Board had provided direction to explore different options and she felt it was important to examine duplications of programs and services, and vacancies. She expressed her concern with percentage cuts across the board and

draconian cuts for several things. She stated they needed to be mindful of the suggestions being brought forward and had relied on County Administration to provide thoughtful suggestions and that some departments could not afford cuts and they had made their own consolidations. She reminded the Board that the vast majority of funding supported salaries and when discussing cuts that included the people. She was also concerned with the continued use of contingency because its purpose was for emergencies and when the funds were being used unwisely that was when it negatively impacted the County's ratings.

Ms. Leshar indicated her appreciation for the feedback received since no direction had been provided until the tentative budget was distributed and it was helpful to hear from the Board as the budget was built.

Chair Grijalva stated that departments were being asked to make percentage cuts across the board and that should also apply to their own District Offices. She acknowledged the difficulties it would impose on other departments and felt a shared responsibility was justified.

Supervisor Scott referred to Goal 3.2 of the strategic framework, which focused on promoting economic growth in Pima County. He stated the Board and the entire community had gone through a lengthy process of overhauling, revising and approving the Economic Development Strategic Plan which had been vetted by the Federal Economic Development Administration. He stated that all the other plans, such as the Comprehensive Plan and the Climate Action Plan, were referenced in the document and would appreciate it if the Economic Development Strategic Plan was more explicitly referenced within Goal 3.2.

Ms. Leshar stated that the plan was referenced but that was what they used to inform the pillar and if they had not crosswalked back to it correctly they would make the adjustment.

No Board action was taken.

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

### **59. Board of Health**

Reappointment of Mike Humphrey. Term expiration: 1/19/28. (District 1)

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

## **CONSENT CALENDAR**

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

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

\* \* \*

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

1. **Flood Control District Advisory Committee**  
Ratification of Town of Oro Valley appointment: Dennis Roberts, P.E., alternate representative, to fill a vacancy created by Justin Turner. No term expiration. (Jurisdictional recommendation)
2. **Election Integrity Commission**  
Appointment of Scott Stewart, to replace Arthur Kerschen. Term expiration: ~~3/18/26~~ **4/1/26**. (Libertarian Party recommendation)
3. **Public Art and Community Design Committee**  
Appointment of Alisha Vasquez, to fill a vacancy created by Alex Jimenez. No term expiration. (District 5)

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

4. **Special Event**  
Jose M. Alday, Our Lady of Fatima Catholic Parish, 1950 W. Irvington Place, Tucson, April 27 and 28, 2024.

## **ELECTIONS**

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

### RESIGNATION-PRECINCT-PARTY:

Beverly Ross-013-REP, Richard Colbert-046-REP, Linda Ingebrand-063-REP, Phillip Young-127-REP, Susan Schmitt-145-REP, Yumi Wong-148-REP, Christopher Liby-195-REP, Lester Young-197-REP, Michael Ivan-224-REP, Felix Slette-226-REP, Jennie Bennett-238-REP

### APPOINTMENT-PRECINCT-PARTY:

Diane Snedden-013-REP, Sara Lloyd-024-REP, Linda Ingebrand-045-REP, David Buechel-055-REP, William Lake-Wright-069-REP, Lynne Cheek-085-REP, Michael Meshirer-172-REP, Cindi Starner-185-REP, Michael Ivan-192-REP, Bonnie Haymore-200-REP, Pamela Egleston-216-REP, Kerry Kreutz-225-REP, Lori Erwin-232-REP, Mark Erwin-232-REP, John Corsi-275-REP, Nancy Corsi-275-REP



## **SUPERIOR COURT**

### **6. Judge Pro Tempore Appointments**

Appointments of Judges Pro Tempore of the Superior Court for the period of July 1, 2024 through June 30, 2025:

#### **Judges Pro Tempore (Voluntary Attorneys/Without Pay)**

John Eli Aboud; Laura Belleau; Elizabeth Inger Benavidez; Lee L. Blackman; Mark Bockel; John J. Brady; Suzanne Brei; Caleb N. Brown; Luke E. Brown; Dan Cavett; Douglas H. Clark, Jr.; Peter Collins, Jr.; Roger H. Contreras; Katrina M. Conway; Roger J. Curigliano; Suzanne L. Diaz; Melissa Errico; Erin K. Fox; Roberto C. Garcia; Abbe M. Goncharsky; Phoebe L. Harris; Daniel Robert Huff; John N. Iurino; Todd Jackson; Yancy Alexander Jencsok; Michael A. Johnson; Daniel Jurkowitz; Leonard Karp; Brian Keith Kimminau; Kevin F. Kinghorn; Reagen A. Kulseth; Zelma Letarte; Robert G. Lewis; Jennifer Manzi; Annalisa Moore Masunas; Lisa C. McNorton; Timothy M. Medcoff; Andrew P. Meshel; Natalie Ann Evans Parkman; J.C. Patrascioiu; Alyce Loraine Pennington; Karen R. Pollins; Terri Lynn Pones; Annie M. Rolfe; Michael J. Rusing; Dee-Dee Samet; Susan Marie Schauf; Ted Schmidt; Dev K. Sethi; Denice R. Shepard; Russell B. Stowers; Grant L. Stratton; Stanley Jon Trachta; David Burr Udall; Bernardo M. Velasco; Nanette Warner; James A. Whitehill; Paul E. Willman; Jeffrey S. Wohlford; Sarah L. Wright; Dawn Deann Wyland; Kaytlyn Yrun-Duffy; Ronald Zack; Raymond (R. Douglas) Zirkle

#### **Court Commissioners to serve as Judges Pro Tempore (With Pay)**

John Assini; Sandra Bensley; Lisa Bibbens; Jane Butler; Julia Connors; Jennifer Espino; Geoffrey Ferlan; Patricia Green; Lori Jones; Nicholas Knauer; Derek Koltunovich; Jennifer Langford; Bunkye Olson; Gilbert Rosales; Kristin Schriner; Lisa Schriner Lewis; Helena Seymour; Michael Vampotic; Nathan Wade

#### **Judges Pro Tempore/Hearing Officers (With Pay)**

Howard Fell; Teresa Godoy; Renee Hampson; June Harris; Michelle Metzger

## **RATIFY AND/OR APPROVE**

7. Minutes: January 23, 2024  
Warrants: March, 2024

\* \* \*

61. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:54 p.m.

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
CLERK