

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, October 1, 2024. Upon roll call, those present and absent were as follows:

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

Also Present: Jan Leshar, County Administrator
 Sam E. 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.

1. CONTRACT

Rocking K Development Co., Amendment No. 2, to provide for the second amended and restated Rocking K Development Agreement, extend contract term to 5/14/38 and amend contractual language, \$252,000.00 revenue (CT2400000040)

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

Chair Grijalva requested clarification on the amendment.

Carmine DeBonis, Jr., Deputy County Administrator, responded that additional information was provided in the County Administrator's memorandum, which outlined key changes in the development agreement and indicated that over 500 acres of the Rincon Creek would be dedicated to the Pima County Flood Control District and Pima County. He explained that materials from prior construction in the regulatory floodway would be removed and repurposed for a pad for the future Rocking K Town Center. He stated that it set the location for a future bridge across Rincon Creek that would guide development away from the floodplain and the golf course at Rocking K North would be removed, and Hope Camp Trail would be built as a public open space amenity, with Rocking K contributing to its construction once costs were finalized by the County.

Supervisor Christy questioned whether the development agreement had been approved by the Pima County Attorney's Office.

Mr. DeBonis, Jr., responded in the affirmative.

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:53 p.m.

CHAIR

ATTEST:

CLERK

DRAFT

LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, October 1, 2024. Upon roll call, those present and absent were as follows:

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

Also Present: Jan Leshar, County Administrator
Sam E. 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.

1. GRANT ACCEPTANCE

Arizona State Library, Archives and Public Records, to provide for State Grants-In-Aid 2025, \$25,000.00/\$25,000.00 Library District Fund match (G-LIB-70415)

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

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:53 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, October 1, 2024. Upon roll call, those present and absent were as follows:

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

Also Present: Jan Leshar, County Administrator
Sam E. 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.

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by Selina Barajas, Community Engagement Strategist.

3. PAUSE 4 PAWS

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

PRESENTATION

4. 100th Anniversary of O'Rielly Chevrolet

Presentation of a Certificate of Recognition to Richard B. "Buck" O'Rielly of O'Rielly Chevrolet to commemorate the dealership's 100th Anniversary of business in and contributions to communities in Pima County. (District 4)

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 approve the item. Supervisor Christy made the presentation.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Michelle Simon, Director, Office of Digital Inclusion, proclaiming the week of October 7 through October 11, 2024 to be: "DIGITAL INCLUSION WEEK 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.

6. Presentation of a proclamation to Kelle Maslyn, Assistant Director for Strategic Affairs, Pima County Economic Development; Kristen Bitgood, Pima County Community and Workforce Development; Jacquelyne Vega, City of Tucson, Office of Economic Initiatives; Karla Morales, AZ Tech Council; and Autumn Hufault, Women in Manufacturing, proclaiming the month of October 2024 to be: "NATIONAL MANUFACTURING MONTH"

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

7. Presentation of a proclamation to Natalie Shepp, Climate and Community Engagement Manager, Karen Wilhelmsen, Environmental Education Program Manager and Skye Siegel, Community Engagement Coordinator, Pima County Department of Environmental Quality; Cytllali Gonzalez, Public Health Program Manager and Christina Flores, Public Health Program Coordinator, Pima County Health Department, proclaiming the week of September 30 through October 4, 2024 to be: "WALK-N-ROLL TO SCHOOL WEEK"

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 Kristen Garcia Hernandez, CEO, Allyson Israel, Entrepreneurship Program Manager, Kate Ramirez, Digital Marketing Coordinator and Leia Begay, Girl Scout, Girl Scouts of Southern Arizona, proclaiming the day of Friday, October 11, 2024 to be: "GIRL SCOUTS TAKEOVER DAY IN HONOR OF INTERNATIONAL DAY OF THE GIRL"

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 Feng-Feng Yeh, Founder, Tucson Chinese Chorizo Project, proclaiming the month of October 2024 to be: "CHINESE CHORIZO MONTH 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. Supervisors Heinz and Lee made the presentation.

10. Presentation of a proclamation to Gabriella Cázares-Kelly, Pima County Recorder, and Constance Hargrove, Director, Pima County Elections Department, proclaiming the week of October 7 through 11, 2024 to be: "VOTER EDUCATION WEEK 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. Chair Grijalva made the presentation.

11. **CALL TO THE PUBLIC**

Hans Huth addressed the Board regarding concerns with the growing homeless population near the Grant and I-10 intersection, particularly under the Grant bridge by the Santa Cruz River. He requested that the Board place garbage bins near the river to reduce trash and post signs at the on and off ramps that encouraged donations to County services instead of giving cash to the homeless.

Dave Smith highlighted the nation's constant proximity to catastrophe, referencing the recent Iranian missile launch, the devastation caused by Hurricane Helene, and rising crime rates. He urged the Board to publicly condemn the tampering with political signs and to take a stand for a free and fair election.

Sharon Greene spoke about the destruction of law and order and the impact of the lawless open border. She emphasized that the MAGA movement aimed to restore peace, prosperity, and the civil rights progress seen during JFK's era.

Mohyeddin Abdulaziz urged the Board to individually and collectively oppose Proposition 314 and to inform, educate, and advocate within the community regarding its potential dangers.

Isabel Garcia expressed concerns with Proposition 314 and that it was strategically implemented by Republicans to incite hatred against immigrants through racial profiling. She urged the Board to oppose the proposition.

Cory Stephens expressed her opposition to illegal immigration, free trash services for the homeless, and raised concerns about an incident involving Chair Grijalva at a County-hosted event that she believed was a statutory violation.

Rolande Baker, on behalf of Jobs With Justice Tucson, read a statement that opposed Proposition 314 and requested the Board's consideration to officially condemn the proposition.

Sarah Roberts asked that the Board research and document the costs associated with enforcement of Proposition 314, and described it as a racist, unfunded mandate. She stated that immigration enforcement was a federal responsibility and urged the Board to oppose the proposition to preserve the County's immigrant-welcoming stance.

Daniel Garcia highlighted the positiveness of several proclamations and shared his beliefs on the importance of feeding, clothing, and housing the homeless, as well as welcoming migrants. He expressed his opposition to Proposition 314, and stated that the community would suffer under its divisive and uncompassionate effects.

Christine Bauserman expressed concerns with one of the voting locations listed under Minute Item No. 18, and cited the lack of inspectors, marshals, and judges at various locations. She called for an end to negative rhetoric from all parties and questioned who was responsible to register and validate voters at the state level.

Betts Putnam-Hidalgo requested that the Board develop a resolution or proclamation opposing Proposition 314, which she felt was unconstitutional.

Vivek Bharathan stated that racial bias still existed in policing and urged the Board to oppose Proposition 314. He also encouraged everyone to vote against Propositions 138 and 312, which he described as equally cruel.

Pilar Acosta Ruiz suggested that the Board pass a resolution advocating for fair elections, which included commitments to protecting political signs, avoiding promotional photos and not endorsing candidates.

Manuel Ruiz addressed the Board and expressed his opposition to Proposition 314.

Hassan Clement recalled the implementation of SB1070 and warned that Proposition 314 would bring a similar sense of oppression to the community. He urged the Board to use their power and voice opposition.

Erick Meza expressed his opposition to Proposition 314 and that the Secure the Border Act was drafted by radical politicians' intent on preventing real change at the border.

* * *

Supervisor Lee requested that the Board consider adopting a resolution at their next meeting that would disavow Proposition 314.

Chair Grijalva stated that a legal opinion was needed since it was a statutory issue, but it could still be discussed by the Board.

Supervisor Heinz indicated that he had been a legislator when the state passed Senate Bill 1070, which was an economic disaster and a horrible, hateful action. He echoed Supervisor Lee's comments and expressed his support of a proposal if something could be brought forward at the next meeting.

Chair Grijalva stated that she would follow up with staff to request estimates of the potential costs of Proposition 314 to the County. She explained that at the Yaqui Vote event, she had removed her candidate badge and set down her literature while reviewing a sample ballot and that a picture which showed her literature on the table

was shared, but quickly taken down once the issue was noticed. She regretted the incident, stressed that no campaign materials were displayed afterwards and expressed concern about the spread of false information. She also addressed the issue of campaign signs disappearing, mentioned that some of her signs had vanished within hours of being posted, and urged the public to report sign theft. She emphasized that none of the Board members encouraged illegal actions and that false claims amounted to slander, which was a crime.

BOARD OF SUPERVISORS

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

Supervisor Scott stated on September 26th the Regional Transportation Authority Board met and a majority of that Board voted to move the draft plan into the public review period and they also unanimously voted that if an RTA Next election was held, it would be scheduled for November 2025. He stated that decision was based on the time required for public outreach and input before the statutory deadline for the Board of Supervisors to place the election on the ballot, as well as the need for further discussion within the Board after the public review period, which was set to conclude in late January 2025.

Chair Grijalva reported that on September 25th the Board of Health held its first hybrid meeting and several items were discussed, including a presentation by Director Cullen, who noted that COVID remained the number one respiratory disease in Pima County. She stated the Board of Health reviewed the County's Heat Ordinance and discussed the closure of cooling centers, which had not been updated despite ongoing high temperatures. She indicated their next meeting was scheduled for October 23rd, at the Abrams Public Health Center.

Supervisor Lee provided an update on the Arizona Border Counties Coalition and that the group was scheduled to visit the Cochise County port of entry, which had received a \$500 million designation for upgrades. She invited her colleagues who were interested in joining to inform Administrator Leshner so that proper notice would be given if more than three members would be in attendance. She stated that the visits focused on economic development and the port of entry, with plans to visit Cochise in October, Nogales in November, and Yuma in December.

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

COUNTY ADMINISTRATOR

13. Update on County Initiatives to Address Homelessness and Public Safety

Jenifer Darland, Director, Office of Housing Opportunities and Homeless Solutions (OHOHS), explained that an element that had been missed from the September update, was to identify the systems of coordination that were being activated to address the status of homelessness versus those systems that were engaged when

talking about the behaviors of individuals experiencing homelessness that violated laws or ordinances. She provided a slide show presentation, and the first slide showed a macro level view of two co-occurring systems that were currently in use. She stated that one system was voluntary, meaning teams were engaging with individuals to offer services to connect them with available shelter beds or other programs that addressed their housing crisis, and they could elect to accept those services and engage in support, or they could opt out. She stated that the other service was essentially a compelled compliance system that when the behavior, whether it was loitering, trespassing, nuisance, open use of drugs or other activities, violated the law, those next steps were a matter of what an individual would be compelled to comply with engaging in the next reasonable approach to remediate the circumstance. She explained that when a call was made for a nuisance or loitering, and it did not come close to violating a law, there was a move-on strategy where they moved the individual along, however if there was a behavior or elevated to ongoing or chronic nuisance, there could be a citation at that particular point of engagement. She stated that if an individual expressed that they had a mental distress or expressed a willingness to detox, law enforcement could facilitate transport to the Crisis Response Center (CRC) or to a detox facility and if during the course of that interaction, an individual displayed a medical event, law enforcement could facilitate involving emergency medical services. She stated that if the behavior was one that would only be resolved through an arrest, they would transport to jail for that process to work that way through. She stated that these systems were co-occurring, and for all practical purposes were independent of one another, but as the volume increased, they had seen some overlap as the activity accelerated. She explained that as people engaged and ultimately moved through the service strategy for voluntary and experienced longer stays of homelessness, it increased the likelihood that there was going to be some intersect with law enforcement, which meant they were likely going to receive a trespassing call because that activity took place on private property and there could be the likelihood of increased nuisance calls, where an individual had been engaged on more than one occasion. She stated that the trauma and some of the challenges associated with the homeless crisis could also exacerbate into a crisis response, including being sent to the CRC and ultimately jail. She stated these systems had been co-occurring in a number of different areas, whether it was efforts to work in advance of the County's own protocol process. She reminded the Board of Administrative Procedure 50-2, that when staff went out to engage with an individual who was encamped on a County-owned and maintained asset, they were directed to coordinate with the Sheriff's Department at the time of posting for the 72-hour notice to vacate. She stated that they were already in some ways coordinating to advance voluntary services in advance of removal and moving on to the cleanup of that particular site. She stated that when they had individuals that consistently refused to accept services, it increased the likelihood that there was going to be some intersection with a law enforcement entity. She referred to the slide regarding opportunities for collaboration where they could proactively bring more of these resources in preventative measures to avoid and divert individuals away from justice. She stated that when they worked collaboratively together, they could get someone into shelter or detox versus having to transporting someone to jail. She added that when they had an individual who sought housing and had an active

warrant, they could work with their justice partners to quash that warrant, making it easier for them to get into housing. She added when they had individuals housed and were housing vulnerable with active addiction, they would work with their detox partners to connect with substance treatment or individuals with a mental health crisis, connecting with their CRC partners could go a long way to ensure that they remained housing stable. She stated that they also found that these crises were occurring in unhoused settings, which made their efforts of attempting to proactively engage with individuals and connect them to available shelter or other resources very challenging. She stated that most of this was also compelled and exacerbated by the rampant use of fentanyl in the community, which was very challenging and made their efforts collectively complicated. She reiterated that even though the system had areas of opportunity and early collaboration, they still remained very much independent, one offering voluntary services and the other requiring a set cadence of next elevated steps as a matter of law. She stated that it was mentioned at Call to the Public, the Grant and I-10 Intersection which was one of the locations in and around the Chuck Huckelberry Loop Patrol Program that was a program entering its second month of existence and the first month report should be forthcoming. She stated that during the first month, she and Mr. Stuckey visited approximately a dozen businesses to talk about the program, the intent of the program, to describe the vehicle so that businesses would know what the vehicle looked like, explained the hours of operation and provided their contact information so if anyone had any questions or concerns, they could contact either of them directly. She stated they had also been reviewing daily reports from the Vet Sec staff. She stated that she worked with Mari Vasquez to identify areas of opportunity where they could go during the day to proactively engage with individuals that were reported in the evening to offer services and were fine tuning the process. She stated that in some areas there had been outreach events, whether through the County protocol or through their own maintenance efforts in reaching out to those areas where they knew resettlement often happened. She stated that it was also difficult to locate folks in the daytime because they tended to recede or carry about their activities during the day and returned to the parks in the evening. She stated that coordinating more closely with law enforcement was the next iteration of that conversation so that both the efforts in the daytime and evening to engage with folks to offer services and added support for the enforcement of the park rules wherever and whenever it was necessary. She added that County staff engaged on the front aspect of carrying out activities as directed in the County protocol had gathered to discuss areas to increase communications making it more unified and they were currently utilizing emails and telephone calls, which sometimes delayed responsiveness in answering questions from constituents on a status of a cleanup. She stated they were working to identify a shared communication platform and a way to streamline the receipt of the initiation of the protocol before it was later distributed to the appropriate and responsible County department that owned the responsibility of maintaining the County asset. She stated that additional next steps would be to circle back to identify when they were going out on an encampment of being cognizant that at times there might be three different departments in one particular area and ensure that they were working in concert with each other. She stated that for example, the Flood Control District could be working alongside the County Department of Transportation adjacent to a private property, which would be

monitored by the Department of Environmental Quality, and across the street it could be the City of Tucson jurisdiction. She added that when they went out for protocols, rather than a siloed view on that particular encampment and where it was located, it would take a holistic approach to the entire situation and how to potentially address and remediate those challenges within that particular area and anticipate what the next movement would be and work proactively in that space.

Chair Grijalva asked if there was any progress in working with Judges and legal on some of those other issues.

Steve Holmes, Deputy County Administrator, stated that they continued to be optimistic with the Presiding Judge and being open to some of those discussions. He stated that the progress made so far had been relational with folks handling initial appearances to encourage those exiting from the jail during initial appearances to be a condition of their release that they visit the Transition Center. He added that it had not become systematic, but was something that they would continue working on with the Judges and part of the issue was to put that into place and be consistent with the throughput to the jail, if that was something to be worked on with judges. He stated that individuals being cited and released on site and not taken to the jail to be booked, they would not increase the likeliness to be able to serve some of the community with the Transition Center and those resources available, which was at the core of the challenge. He stated that if they did not have an insight it was worth having that discussion and work on that front end first to figure out with law enforcement what the strategy was going to be and if they were going to be better utilized with the Transition Center for purposes of then having conversations with the Judges because currently, that population being discussed and these systems in place, were still not clear on the law enforcement side of what the strategy was going to be due to discretion with enforcement that currently was not necessarily being impacted, which the Board wanted them to have.

Supervisor Christy referred to one of the slides that showed the implications regarding mental health or drug addiction which there were avenues those individuals could follow that seemed to be very easily and readily available with options for them to take if they had some kind of a crisis or situation and there were things in place that could easily be transferred to those facilities to accommodate that problem. He added that Deputy County Administrator Holmes had also spoken about the law enforcement side, which was a different segway into another major problem, but the opportunities for mental health and addiction problems had already been addressed and Deputy County Administrator Holmes made it clear that if those things did not come into play, the contact with the law enforcement issue would come into play. He asked what the significance of this situation was and where it led with the law enforcement side.

Mr. Holmes responded that the issue that continued to be dealt with was that there was no forced choices in this because none of these things happened in real time. He explained that the outreach team was not going side-by-side with law enforcement as they dealt with these issues, which was not how the protocol worked unless there was a cleanup activity happening, and as a result of the

cleanup, they wanted to ensure that individuals were being moved along, and usually it was the presence of the Officer that helped move them along. He stated that the Officer's role in that cleanup was not necessarily to check for warrants or to actually arrest people and so there was not a teamed approach in these visitations of encampments. He added that what happened on the law enforcement side was somewhat independent of the other systems' side and some of those decisions were left up to the Officer that dealt with that situation at the time.

Supervisor Christy stated that was the key problem that the community was facing, that there seemed to be kind of an awkward situation with the law enforcement side that there was not enough attention, consequences or opportunities to go that route. He stated that he commended the efforts of everyone on the addiction and the mental health issues because they made pathways to accomplish some kind of a reconciliation for those, but it did not seem like anything was happening on the law enforcement side and it was very frustrating for the folks on the front lines. He stated that it was the most frustrating thing in the community that they believed that the laws were not being enforced. He asked if there was any kind of a game plan, approach, or blueprint where they could take what they learned with the mental health and addiction problems and apply them to the law enforcement side.

Mr. Holmes stated that they needed to meet with law enforcement to figure out what the best strategy was and clarified that if a law enforcement officer was out in the field dealing with a particular issue with a homeless individual, there were several choices they could make; to tell the person they needed to move on, or that they could not be there, or they could arrest the person and release there on site. He stated that if it was enough of a crime for arrest to happen, they could do a paper arrest. He added that depending on the actual type of crime, whether it be misdemeanor or felony would determine whether they went through a pre-booking module or got booked into jail. He stated those were currently the the choices that were on the table and were continuing to be part of the process.

Supervisor Christy asked for clarification regarding arrest and release, and if there were any consequences.

Mr. Holmes stated that was a common strategy for Officers and it was a kind of paper arrest in which the consequences were the equivalent of an arrest where they had to show up for court later, so they would not be booked into jail, but were cited and released.

Supervisor Christy commented that it was similar to a traffic ticket.

Mr. Holmes stated that the concern there was they were dealing with the unsheltered community being cited and released and in many cases, it was guaranteeing that person was not going to be able to show up for court. He stated that it created Failures to Appear and then a Warrant, and so that strategy, although common due to staffing and other kinds of situations at that moment in time for an Officer, he was not sure it led to better results in getting services to people who

used the jail as a vehicle or a tool for getting connected with other supportive resources.

Supervisor Christy asked if Pima County Sheriff's Deputies or City of Tucson Police patrolled the Huckelberry Loop Patrol Program.

Ms. Darland responded that the patrol was contracted through the Vet-Sec Protection Agency.

Supervisor Christy clarified that these were not official law enforcement officers, but were security guards.

Ms. Darland responded in the affirmative.

Supervisor Christy inquired if that was the best resource available on the Loop.

Ms. Darland explained that for the purpose of enforcing the park closure rules that was part of the pilot program to establish what the best course was. She stated that in these areas, a majority of these sites fell within the jurisdictional authority of the City of Tucson even though it was a County asset. She stated that it was within the City of Tucson Law Enforcement jurisdiction, which was why they used the data to inform conversations and future conversations, to determine strategies when they found individuals not complying with the closure and what those next steps could be so that they ensured that the park and the amenities stayed safe for all County constituents.

Supervisor Christy stated that it appeared they made headway on the mental illness and addiction issues quite readily, but still lagged far behind on law enforcement and were now enforcing laws on the Loop that were being performed by temporary security. He stated that perhaps a focus on the law enforcement side and figuring out the arrest and release, or arrest and book to jail and what that process needed to be shored up to have more teeth in it, and perhaps a 6 or 8 week sweep by official law enforcement like Tucson Police or Sheriff's Deputies on that Loop for about that time period, might have a much more lasting effect than temporary private security guards doing the work.

Supervisor Lee referred to the slide that showed collaboration in areas of opportunities and that Supervisor Christy mentioned they had addressed the issues with substance abuse and the mental health, but she debated that because the police also had the ability to bring someone to the CRC, depending on the situation in the field, they dropped them off and five minutes later were back in the field. She stated that the psychiatrist and staff at the CRC had a 23 hour, 59 second evaluation period and if they determined the individual had a co-occurrence of substance abuse and mental illness, but substance abuse was the primary cause of the psychosis or mental illness, they were not allowed to keep them because there was no substance abuse, Title 36 to allow them to keep them, only if they had a mental illness as their primary issue. She asked if this information was correct.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, responded in the affirmative and stated that the crisis system as it was configured, was meant to deal with individuals in mental health crisis and plenty of individuals who had mental health crisis also had co-occurring substance misuse. He stated that if the primary reason the person ended up at the CRC was because they were on methamphetamine and were acting out, which often looked psychotic and were misbehaving, law enforcement brought them, and if that was their issue and not a mental health issue, they could not hold on to that individual and there was no legal basis on which that individual could be held for further evaluation and treatment.

Supervisor Lee reiterated that the Board had agreed and voted on exploring some alternate possible legislation to add Substance Abuse to Title 36, there were 36 states that had a Substance Abuse component, but it was a very complex issue. She stated that there was a working group with the CRC that was comprised of two of the leaders in that area, Dr. Rhoads, that managed the CRC; and Dr. Belfour, the national coordinator for this whole issue, Paula Perrera, Dr. Garcia, Steve Holmes and Jen Darland. She stated they created a small group that was currently going to be including more folks in law enforcement because they narrowed it down to the area they could work with, which could be that they created a five-day hold that provided them more opportunity. She stated that would require them to secure where that facility would be and how it would operate and what were the best practices. She reiterated that it was a very complex problem and currently Arizona had no solution if it was substance abuse driven and that was why they were taking a leadership stance in Pima County.

Mr. Holmes believed that the work they had done was a good alternative to trying to deal with the crisis they had with drug abuse and substance use disorder. He stated that the other in-volunteer place was jail and that had a lot of nuances. He stated that in terms of how they got law enforcement involved, and the discretion was there, but the idea behind what Supervisor Lee mentioned was providing a secure facility that allowed people to stabilize enough to make good decisions for themselves, which he thought lacked and was something that had been echoed by experts in the field that were working at the CRC. He stated that that if they had a little bit more time, they could maybe help them get stabilized and make some decisions for what other services that may be available to them, which were difficult to make when they were under such great substance abuse.

Supervisor Scott requested a brief overview of the current protocol they followed when an encampment was reported, which County departments were involved, and a step-by-step explanation.

Ms. Darland explained that a reported encampment or a reported homeless encampment would go through either a shared platform with the City of Tucson or through 311 from the public. She stated that within County departments, it was generally an email sent to HomelessProtocol@pima.gov. She explained that when those reports landed in unincorporated Pima County or on an asset that the County owned, it went to Pima County Flood Control for the initial inspection to determine

who was responsible to respond to that homeless report. She stated they would determine whether it was public land or private land, and if it was private, the report went to Pima County Department of Environmental Quality. She stated that if it was public, further determination would be made on whether or not it was in unincorporated Pima County or if it was in the incorporated jurisdictions of Marana, Oro Valley, or Sahuarita. She stated the other piece included whether it was an asset in unincorporated Pima County that was maintained by the Bureau of Land Management, Arizona State Land Department, or Arizona Department of Transportation to ensure that the right jurisdiction that owned the responsibility of that asset was notified. She stated that if it was owned and maintained by Pima County, it was further determined which department owned the responsibility to maintain that asset and it could be Flood Control, Department of Transportation, Conservation Land and Resources Department, Parks and Recreation, Facilities Management or Economic Development, if they had land assets. She stated that if that asset was recorded as being within that department, that department also had a responsibility to respond to and remediate the homeless encampment on their space. She stated that once it was determined who owned that asset or which County department was responsible to respond, the next directive was to send it to that department. She stated the department coordinated with homeless services outreach and additionally, determined possibly working with their other care coordinators. She stated that they had started to reach out to the Health Department when they knew if it was an area where they had a record of some level of fentanyl activity, they would have the Health Department team go out for education, harm reduction, to bring the right outreach approach in that space. She stated that outreach was provided to offer available shelter and any additional services to get those individuals out of that environment to let them know that they were on a public place and were not allowed to camp there. She stated that after that outreach attempt was done, the next follow up was to schedule the 72-hour posting, done in partnership with law enforcement, the Sheriff's Department in unincorporated Pima County and staff would attempt to work in coordination at the time of posting and in compliance with the protocol to coordinate with Tucson Police Department whenever they were available to do that. She stated that following the posting of the 72-hour notice was when their contracted vendor went out to remove anything that might have been left behind by those individuals after they had vacated the site. She stated that in practice when their teams went out for the initial inspection and offered outreach, they went back out a second time at the time of posting the 72-hour notice to see if there were individuals still there on the site for the purpose of once again offering available shelter or any other resources. She stated that what had been reported to her was that typically, by the time they got back to the site for the posting of the 72-hour notice, either individuals had left or were in the process of leaving, and nine times out of ten those individuals refused to accept services and they also refused to give information that could help them better identify if there were other care coordinators that were also out there looking for them. She stated that the individuals at the time of either the initial inspection or at the time of posting, if they elected to give information and received services, they could arrange transportation to an eligible shelter and work to get them connected to any other case managers. She added there were a lot of care coordination that could happen in the field, but that was if the individuals elected to engage.

Supervisor Scott stated that was quite a process, and he understood why there was a meeting coming up between all of the points of contact in each of those County departments to ensure that there was a coordinated approach. He inquired about the approximate percentage of individuals who refused services or shelter. He stated that the City of Tucson was considering an ordinance to make it illegal to camp in rivers and washes and asked what laws or regulations were already in place governing such behavior on either private or public property.

Carmine DeBonis, Jr., Deputy County Administrator, stated that he wanted to provide information regarding the properties of the Regional Flood Control District. He stated that this might be one of the areas where they were finding unhoused people, so with respect to lands owned by the Regional Flood Control District, the County had trespass laws that existed and in some instances had been posted through a series of interactions with the City of Tucson, with law enforcement, where they had a prevalence of the occurrence of unhoused individuals on property owned by the Regional Flood Control District. He added that they had taken steps to post those as no trespassing areas, and so with that, then law enforcement was able to act upon it from that perspective. He stated that as it related to the Loop itself that was a Flood Control owned asset, although it was maintained and operated by Natural Resources, Parks and Recreation. He stated that they had park rules that applied to the Loop and the pathways and areas on either side of the path that was primarily with the pilot with Vet-Sec for ways to address, informing people, and enforcing those parks rules that said no one could camp, have campfires or those types of activities along the Loop. He stated that it was really specific to the ownership of the property, what requirements applied there or authorities they had to take enforcement action.

Sam E. Brown, Chief Civil Deputy County Attorney, stated that A.R.S. §11-251 allowed them the authority to preserve the health of the County, and they could have some further discussions if the Board wanted to explore some other authorities.

Supervisor Scott asked if the City of Tucson and/or the County enacted an ordinance like the one that was being discussed by the City Mayor and Council, how would that affect the existing County protocol dealing with encampments, and how would that be aligned with existing statute or in the case of what Mr. DeBonis mentioned, with trespass restrictions.

Mr. Holmes responded that he was not sure about the impact on the ordinance, but the County had trespassing rules and if there was not a coordinated effort to enforce those rules, in his opinion, a new ordinance would have the same outcome.

Supervisor Scott asked if this was the reason why the City of Tucson had pulled their item and gave direction to their City Attorney to explore some of those considerations.

Mr. Holmes responded that it was not clear why it was pulled, but what he saw on that particular ordinance was there was also a fine associated with that ordinance, which went into some of the concerns that if they fined an unsheltered individual, they would be setting themselves up for continuing to chase people around. He stated that there were some unrealistic pieces of that ordinance that he did not think were applicable to the County's issues. He stated that they were doing outreach and moving people along and if there were laws that needed to be enforced, it was not up to them to make that decision. He stated that as a result, they were continuing to see some of the similar outcomes that were frustrating constituents and some of the individuals. He stated that he knew there was hope they had a little bit more authority in that space and there were some conversations, particularly as it related to individuals that spoke earlier on the Santa Cruz and Grant situation. He stated that he drove by weekly, and they placed signs in areas where they had jurisdiction and oversight. He stated that area was in the City of Tucson and so they could not put signs in the City of Tucson, but it was an area where they had Vet-Sec which identified in this pilot serious concerns of individuals who had open use in that particular area. He stated that as people were being spoken to move along, at the end of the day, behavior would not change unless there was another strategy at play and potentially that strategy was enforcement.

Jan Leshar, County Administrator, stated that she looked forward to more conversations about their authority as a public health entity, but that was by no means the panacea. She stated they explored using their public health authority in numerous occasions and when looking at things like the Old Spanish Trail area that they thought could easily step out and deal with either communities living there, or a building that was clearly beyond its useful life, hoping that there was a public health nexus that would allow them the ability to take action and it was very limited, but there were things they could do. She stated that what the Board heard overall was that they had many tools, and there seemed to be a wall for some of them, whether it be legislative fixes and they had been working on this for a period of time of how they could grab ahold of whatever piece of certain legislation and combine with others to move the needle.

Chair Grijalva appreciated all of the efforts that were being made and continued to share the frustration of many that were going out and doing the work that the vast majority of people that were being offered assistance were not accepting it. She stated that they also had this whole other kind of influx of people that were not from Arizona or from Tucson, that were being encouraged by other States, being given transportation options to come here, because they were enforcing their rules differently in different States. She stated that one of the things they kept getting approached on was why these people could not just be arrested and trying to explain that many of the offenses were misdemeanor offenses in the City of Tucson that were not arrestable offenses, and it might be the same person over and over again and it might not be the same Officer that came out. She stated that they needed to continue working together. She stated that Administrator Leshar and she met with the City Mayor's Office monthly, and this was a huge topic of conversation. She knew that all of the County departments were working together, but at some point, there was a level of what came next and that they had to have cooperation

from the courts and law enforcement, and it was not that they did not want to provide help and other things, but at some point, there was a breaking point. She felt that they heard from many constituents and businesses that had passed the breaking point. She asked how they would continue to move forward with the next steps. She stated they needed to get together to try to figure it out because they were trying to address an issue that was very complex and not one the Board had to deal with in this scope. She asked what were some other models that were working better in different states and that many of the other states who seemingly had more success were not really addressing the issue, but were encouraging them to move somewhere else.

Supervisor Christy asked with all the dealings being had in all those areas and witnessing where the weaknesses in that whole chain were, could they come up with any ordinances or regulations that Pima County could construct or assert that would be beneficial for the end result they wanted.

Mr. Holmes responded that he believed they had the rules and ordinance in place and was not sure if they needed additional ones, but there had to be some different strategy in enforcement that was currently not in play. He reiterated that he was not sure new ordinances were necessary, as much as they could look at ways in enforcing the rules and the ordinance that currently existed.

Supervisor Christy requested an analysis of the current rules or ordinances that needed to be enforced, strengthened, or enhanced that pinpointed and spotlighted the enforcement areas already in place that needed to be strengthened.

Mr. Holmes clarified that part of the enforcement and many of those rules were being enforced, but many of those rules were misdemeanor offenses. He stated that the reason why this was an important distinction was that misdemeanor offenses, where there was more choice of what decision was made to enforce, and many misdemeanor offenses would not result in them being taken to jail. He stated that those working more closely with the Transition Center, if in those misdemeanor offenses individuals were taken down, not necessarily booked in jail, but shepherded through the Transition Center, was a different strategy that had not been widely used. He stated that it was still enforcing the law that currently existed, particularly in a trespassing situation, but rather than using the current strategy that was more common, maybe take some time to look if there was places that individuals could go where services could be actually part of the tool, or continuum of that arrest because it was an arrest that was happening. He added that it was a combination of the rules that were happening, but not necessarily what was being enforced, rather how it was being enforced. He stated that was equally important because that enforcement was just more of a nuanced strategy of enforcement versus whether they be enforced or not.

Supervisor Christy asked if Mr. Holmes was suggesting they had to analyze if there were holes in the laws or holes in the strategy, and that was where he thought the factors lied.

Mr. Holmes responded in the affirmative and stated that this was where a more nuanced analysis was needed.

Supervisor Lee stated that she had said this before, one of the reasons when asking an unhoused person that might be in a wash or on the corner building, for help with services, they declined because of their animal which was their best friend and they would not go anywhere without them. She stated that they needed to look at the whole picture when exploring solutions and that if she was homeless and was separated from her animal for food or a house, she would choose to stay. She mentioned the recent assault of Demion Clinco by a homeless man in front of Time Market, the police were called and they deemed it a felony because he was assaulted but as he had been going through the court system, and it had been a very cumbersome issue and some of the folks were saying it was things like this, that did not get enforced and people put in because this person had clear mental illness, was that nobody was willing to go through the difficulty of the system. She stated that with such a comprehensive issue having that whole system flow would also make it easier because this person had a mental illness. She stated that it was such a complex issue and did not know if it could all be accomplished, but they had to realize that people gave up and would not take them to court.

Supervisor Scott stated that when he heard what the City of Tucson was considering, he contacted the County Administrator and told her that if they were going to do that, he thought the County should be in alignment and perhaps have a companion ordinance. He stated that Ms. Leshar had followed up with the County Attorney's Office, per his request, but he was going to retract that request because it seemed through dialogue that there was no need for additional ordinances or laws, however, there was a need for coordination of enforcement and he certainly hoped that the Board would hear from staff as to the efforts of that kind of coordination, because it was unacceptable that there were people in our community that felt they could not use their parks, go on the Loop, engage in the enjoyment of public amenities because of behavior that was clearly an impact to public health and safety and that they needed additional laws to make that happen. He stated that he had a few requests to staff on other areas related to homelessness and one of the requests aligned with Priority No. 4 of the OHOHS. He stated that there was a County Administrator memorandum dated March 26, 2024, which noted the current totals for emergency shelter, safe haven and transitional housing. He stated what had always been unclear to him was how much additional shelter space was needed and what was the approximate number in each of those categories and that he would like to hear back from staff about that. He read from the memorandum that aligned with Priority No. 4, as follows: "As noted in a July 7, 2023 update to the Board, the increase in need as federal pandemic funding recedes means success requires a collective regional approach to ensure efficient use and application of the whole continuum of resources for homeless households, from shelter to prompt access to housing, to ongoing case management and housing stability after housing placement, such as employment and connection to mainstream resources." He asked what the County's plan was to get in place that collective regional approach and felt it was important and essential for the County to lead in that space. He requested a report to the Board as to how they would move forward with their

regional partners, both governmental and otherwise, to have that collective regional approach. He added that it might be building on HUD's central command approach that had been heard of otherwise or building on what was going on with the Tucson-Pima County Historical Commission and that the memorandum had referenced something from July of 2023, and he wanted to know the game plan and how the County would lead in that space.

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

FINANCE AND RISK MANAGEMENT

14. Financial Report

Presentation of the financial report for August 2024 - Period 2.

Ellen Moulton, Director, Finance and Risk Management, provided a slide show presentation and stated that the current slide showed the year-to-date actuals for the first two months of the fiscal year and projections through June 30th. She explained that because they were only two months into the year they were projected to be on target for both revenues and expenditures. She stated that for the revenues, the year-to-date actuals were only about 3%, but were expected to be on target because so much of the revenues that went into the General Fund were taxes. She stated that taxes were normally collected in October prior to the November 1st deadline, so they anticipated no issues with regards to revenue projections this year. She stated that the actual expenditures were tracking at about 17% of the budget, which was two months, so they were right on target and that the General Fund Reserve Balance was budgeted at approximately \$98 million. She stated that the next slide was an analysis of the Contingency Fund for Fiscal Year (FY) 2025 and that as part of the adopted budget, the Board adopted a General Fund Contingency of \$673,305.00 and in July the Board authorized an additional \$4.1 million of Unrestricted General Fund Balance from FY 2024 to be allocated to the General Fund Contingency for FY 2025. She stated that slide showed the uses of those funds for this year so far and allocated approximately \$1.03 million for four items; a new Probation Officer, the Marana Sahuarita Food Bank, additional lease space and tenant improvements for the Recorder's Office, and a new generator for the Justice Courts Ajo building. She stated that additionally, \$1.5 million had been earmarked as matches for potential grants listed on the slide. She added if the County was awarded those grants and the Board accepted them, those dollars would then be moved out of an earmark status into actual uses. She stated that the final item in her report was on the County's credit ratings, the credit rating was an independent assessment of the County's credit worthiness and risk levels. She stated that on September 3, 2024, the Board authorized the sale of up to \$40 million in Certificates of Participation and up to \$54 million in Sewer Revenue Obligations. She stated that after authorization of those sales, County Administration, members of the Finance team, as well as their financial advisors met with the credit rating agencies to review the County's financial status, as well as some predictors of where they believed they would be in the future. She stated that as a result of those meetings, the credit ratings were issued, and the detailed credit reports were

provided to the Board via a memorandum from Administrator Leshar on September 24, 2024. She stated that the current slide showed the most recent credit ratings in each of the types of debt that the County currently had outstanding, and it showed that both Standard & Poor's and Fitch rated the County very highly with double A, and in some cases triple A or double A+. She stated that the County had very strong financial resources to support the levels of debt that the County issued.

Supervisor Christy asked whether the new Probation Officer position from the Justice Courts - Green Valley should have been included in the original budget.

Jan Leshar, County Administrator, stated that they always hoped for things to not be in Contingency, rather to be in initial budget, but they worked with the probation office for the allocation of partial funding of that position. She stated that they wanted to fund the entire position, but there were some additional costs due to the accessories or tools that the Probation Officer needed. She stated that the contingency funds assisted with car or wraparound services or other things they would need, but the officer position was funded by other funding with the courts.

Chair Grijalva asked if it was a one-time allocation.

Ms. Leshar responded in the affirmative.

Supervisor Christy questioned whether the Recorder's Office request for a new leased space and tenant improvements was the same as a previous request or if this involved a new location or the reconstruction of an existing one.

Ms. Leshar responded this was the same previous request. She explained that it was budgeted in the prior year, but was unable to be completed at that time, so it had not gotten moved forward into the next fiscal year because when the election ended, that was the window of time when the Recorder could expand or move in some way. She clarified that it was to provide an additional expanded location that they had been using that was by the Elections building, so that they could have both the Recorder and the Elections Department working together in the Ajo/Country Club area.

Supervisor Christy asked if the Recorder's Office would be moving to the south area.

Ms. Leshar responded that not the entirety of the office and details of what functions of the Recorder's Office that would move to that location would be provided to the Board.

Chair Grijalva stated that she had an issue with Contingency being in the amount of \$3.7 million. She stated that she was aware that there were individual Supervisors who had discussed on the Dais expenditures they wanted. She questioned what the difference was between Contingency and Reserve and whether that contingency amount was sufficient for Pima County's size and budget.

Ms. Leshar responded that the amount was certainly not what they had hoped for in terms of a contingency. She stated that they had started with a very small contingency, but then had some additional excess funds at the end of last fiscal year than what they were mandated to have, in accordance with Board policy, which was \$4.1 million, so those dollars were rolled into contingency. She stated that they would continue to look at all dollars possible to move into contingency, that the prior year's contingency budget was about \$25 million, which had all been spent, except for \$2 million.

Ms. Moulton explained that the difference between the General Fund Reserve, the Reserve Fund Balance, or the \$98 million was a set aside to ensure the County's credit rating, and that sufficient cash was put aside for unfortunate or unplanned events. She added that the contingency was actually a budgeted expenditure line item, and the prior was quite healthy because a huge portion of that was dedicated to classification and compensation. She stated that they had not been able to identify it at the adoption of the prior year's budget, where those dollars would eventually end up in individual departments, so they put it all in contingency so that it could be allocated out. She stated that historically, without the large, identified items like classification and compensation, they had somewhere between \$5 and \$10 million set aside for contingency, but this year was rather slim.

Chair Grijalva stated that needed to be said publicly because Board members got asked from different constituents and organizations that more could be done, but they needed to focus on the fact that what they currently had in contingency was \$3.7 million when they used to have \$5 to \$10 million, and it was something that they needed to pay attention to.

Supervisor Scott questioned whether the 17% of expenditures was determined internally by the County or if it was recommended by the rating agencies.

Ms. Moulton responded that it was not an internal calculation, they spoke to a number of the rating agencies and received feedback, as well as from their financial advisor, and the Government Financial Accounting Office, which had recommended somewhere between 15% and 20% and they settled on the 17% as a good place to land.

Supervisor Scott asked what might prompt the County to aim for a higher or lower percentage within the recommended range.

Ms. Leshar responded that it was a range, and they tried to ensure there was some cushion. She stated they would not recommend going to the bottom of the range because through the course of the year, it was easy for those additional dollars to be reallocated to something else. She stated that this would ensure that they protected that fund balance, which protected the credit rating.

Supervisor Scott asked what might cause them to go above 17%.

Ms. Leshar stated that she could not imagine having to ask to go above 17% and recalled that when this started, what appeared to be Fund Balance was about \$40 million and that they had used vacancy savings to provide that additional Fund Balance that was in excess of \$100 million each year. She stated that when the Board saw the draft budget, the first pages of the budget explained how they wanted to spend the \$100 million and so they tried to ensure that they had a different process to allocate and lock that Fund Balance as what was needed for the credit rating, not more or less.

Supervisor Heinz asked what a ten-cent increase in the primary property tax rate would have generated in terms of millions of dollars.

Ms. Leshar replied that she referred to it as “a penny is a million”, but for ease of math, 10 cents would generate \$10 million.

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

HUMAN RESOURCES

15. Classification/Compensation

The Human Resources Department requests approval to create the following new classifications, associated costs will be borne by the user department from within its current budget:

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

2035/ Deputy Director Detainee and Crisis Systems/ 19 (\$102,213-\$153,320)/ 1/ E**

2036/ Division Manager Detainee and Crisis Systems/ 18 (\$88,881-\$133,321)/ 1/ E**

2037/ Correctional Health Release Manager/ 14 (\$60,487-\$84,682)/ 2/ E**

2062/ Release Specialist Detainee & Crisis Systems/ 10 (\$49,763-\$69,668)/ 5/ NE*

*NE = Not Exempt (paid overtime)

**E = Exempt (not paid overtime)

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

REAL PROPERTY

16. Surplus Property

Staff requests approval to sell surplus property consisting of .24 acres of vacant land, located at the Northwest corner of Speedway Boulevard and Anita Avenue, Tax Parcel Nos. 115-18-0500 and 0520, by auction to the highest bidder. (District 5)

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

17. **Sale of Real Property**

RESOLUTION NO. 2024 - 55, of the Board of Supervisors, authorizing sale of land held by State under Treasurer's Deeds to the Pima County Regional Flood Control District. (District 3)

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

RECORDER

18. **2024 General Election - Early Ballot Drop-Off Sites & Emergency Voting Locations**

RESOLUTION NO. 2024 - 56, of the Board of Supervisors, relating to Elections; approving the early ballot drop-off sites and authorizing emergency voting locations for the 2024 General Election.

Chair Grijalva stated that she had an issue with a few of the early sites, there were three sites that would open on October 9th through November 1st, and then two sites, one in District 1 and one in District 2, that would be open October 21st, and an additional 13 sites that would open on October 28th. She stated that her concern was with the University of Arizona (U of A) site since it was difficult to navigate, considering how large the U of A was and all the locations that they had. She added that it was difficult to find locations that were willing to host elections, with the capacity to be able to do that because once the property and equipment was in, it had to stay there. She stated that at the U of A it had been more difficult than other locations, but she wondered about the possibility of opening up the Student Union Santa Cruz Room on October 21st, instead of on its current scheduled opening date of October 28th, and asked what that might look like.

Gabriella Cázares-Kelly, Pima County Recorder, explained that the U of A location opening up sooner than listed would be a really difficult pivot for them and were exploring whether or not they had the staffing available to do that. She added that they did not have that site committed to an additional week and were currently asking for a week. She stated that she was confused by the comment made at Call to the Public that the U of A had two locations, but she stated they might have been referring to an early voting site and also to a vote center which were two separate items, but those would not have an overlap. She stated that was something they could investigate, but since there already in an active election that request would be difficult. She stated that they had mailed out military and overseas ballots and were in the middle of a high-volume data entry of voter registration paper forms, which their highly trained staff needed to spend time with and were quickly coming up on the October 7th voter registration deadline. She stated they would be open until 10:00 p.m. to continue to accept those voter registration forms, and the Service Arizona website would be open until 11:59 p.m. on that date. She stated they were expecting an influx of voter registration forms that needed to be reviewed and there also had been some changes with documentary of proof of citizenship and proof of

residency, due to some court cases that required additional attention, which was not standard. She stated there were additional steps that staff had to go through and so to divert additional staff to that location, they were struggling on whether or not they could do that, and she could not commit to that at the moment.

Sam E. Brown, Chief Civil Deputy County Attorney, requested a motion be made before the Board continued discussion on this item.

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, for discussion purposes.

Chair Grijalva stated that an email had been received by the U of A Assistant Vice President, which said they could accommodate early voting on campus in the Santa Cruz Room at the Student Union beginning on October 21st and felt that for accessibility, especially with that population, the vast majority were going to vote in person. She asked if they could pass the item with that site tentatively opening on October 21st, provided that the Recorder's Office could provide staff support because, if possible, she preferred to have everything ready to go versus voting starting on October 28th and then finding out later that they had the capacity to start on October 21st.

Ms. Cázares-Kelly stated that she had not had the opportunity to discuss the staffing with her Chief Deputy or the Voter Administrator. She stated that they were currently training, so it would take time for them to get all the necessary people together to talk about those logistics. She stated that she felt comfortable adding it in so that the item would not have to be brought back for a future change. She stated that it would be helpful to them because it was time-consuming and time sensitive, however, she reiterated that she could not commit to it. She stated that she shared Chair Grijalva's concern for that particular community because that student body group in particular, were the most likely to be impacted by federal only voting laws because they were living in temporary housing, and their parents were not excited to send them with their birth certificate to their dorm room. She added there was a lot of movement and change, and so typically, when people relocated and were students for nine months, four years in a row, those students lived here, but they did not usually pack their birth certificates, passports or those additional items. She stated that since they lived in a dormitory on an accessible campus that was specifically designed to keep them on campus, they often did not get Arizona driver's licenses because they often did not have a car or did not need to drive. She stated they tended to run into the paperwork issue and so she agreed that was a vulnerable population. She stated that in the future, as a standard, they would increase the amount of time they spent on the campus, however, for this election, which was in the middle of an active election, where they were already in the middle of planning, logistics and hiring, and would face a hiring concern with the changeover to Workday, that might present an additional burden for her office, but would do the best they could because they were committed to that population.

Chair Grijalva asked if they could place an asterisk next to the U of A location with a tentative opening date of October 21st and then the Recorder could let the Board know the outcome.

Ms. Cazáres-Kelly responded yes.

It was moved by Chair Grijalva and seconded by Supervisor Scott, to adopt the Resolution with an amendment to add an asterisk on No. 18, University of Arizona Student Union, Santa Cruz Room, 3rd Floor, through the Recorder's Office's efforts would be able to open on October 21st, instead of October 28th. No vote was taken at this time.

Supervisor Christy requested clarification that based on past discussions whether the Recorder would not allow observers during early voting. He stated that on social media, it stated that there was training for poll workers to be present during early voting and asked if the social media posting was a correct assertion that there would be poll workers and they would go through training.

Ms. Cázares-Kelly responded in the negative and stated that her stance remained the same, but provided some additional clarification to the specific language they were using. She explained that poll workers were specifically in reference to Election Day workers, which were managed by the Elections Department and were not under her scope whatsoever, they did not provide training and did not hire poll workers. She stated that was a function of the Elections Department and clarified that her office was specifically responsible for early voting site workers, which were two separate categories. She stated that it was also important for people to know that an early voting site was legally different from a polling location or a vote center and were defined differently. She added that a Call to the Public speaker had conflated those two locations, referencing an Inspector and a Marshal position, which were specific to Election Day and did not have the force of law within the early voting sites. She stated that they would continue to allow for observers at their Country Club facility like they had in the past and they never had early voting site observers at any of those locations, even under the previous Administration, and so, they continued to move forward with simply offering observation, if interested through the parties, at the Country Club facility where they were processing those early ballots.

Supervisor Christy quoted the social media post as follows, "Poll observers are stationed at voting locations during early voting and on Election Day. Poll observers, also known as poll watchers, are essential. Poll observer training will be held on various times and dates." He added that this was in relation to only one particular party that was producing this training opportunity. He asked how the Recorder would respond to what was being stated in the public domain regarding poll watchers, which she stated would not be allowed.

Ms. Cázares-Kelly stated that she could not be responsible for what a political party posted on their website and was disappointed because they had provided many documents explaining the difference between the two. She added that those

resources were also available on their website and if that was being posted by a political party, she had no control over it. She urged people to review the official correspondence and communication that the Elections Department and the Recorder's Office were disseminating.

Supervisor Christy asked the Recorder if she disavowed any connection to or knowledge of the social media posting regarding training of poll workers.

Ms. Cázares-Kelly responded that she had not seen the post and it was not something that was put out by her social media team. She stated that she was responsible for the Recorder's Office and the communications that went out from there, and she reviewed all social media posts before they went out, which was one of their checks to ensure they were sending out accurate information. She reiterated that she did not have control over other people's political posts, and it did not matter which political party. She stated that could reach out to those that were incorrectly posting, however, that was not the scope of their work.

Supervisor Christy stated that it would be helpful if she reached out to the social media platform being used to describe the training that would be taking place since it was confusing because of the Recorder's previous stance of not allowing poll workers, but clearly this was either misguided or there was some kind of miscommunication that needed clarification.

Chair Grijalva stated that perhaps Supervisor Christy could send the Recorder a screenshot of the site because it was intimidating trying to find something on someone else's posts.

Supervisor Christy stated that he would share the post.

Chair Grijalva inquired how often the Recorder's Office and the Elections Department worked collaboratively and asked how often the locations being used as early voting sites and emergency voting, were also vote centers.

Ms. Cázares-Kelly explained that they communicated where their locations were and also reviewed what the Elections Department decided. She stated that she was unsure which locations were also vote centers, and those locations had not yet been approved. She stated that all of those locations had adjusted their hours and that they previously used to close the emergency voting locations at 5:00 p.m., which was dangerously close to the time that the vote center workers, the poll workers would come to set those sites up. She stated that they would often have interactions between the two, things had gotten heated previously and it was not a very positive transition, and so to mitigate that, they changed their emergency voting hours to end at 3:00 p.m. so that their staff members, if a voter came in at 2:59 p.m., were obligated by law to give them a ballot and allow them to vote and take as much time as they needed, even if it was after 3:00 p.m. She stated that they also needed to be able to reconcile at the end of the day, provide paperwork and tear down their equipment before Elections came in to set up their equipment, so they had specifically done that to make way for that. She stated that if that was

the choice, however, that decision was not up to her, but something that was completely facilitated by the Elections Department and by the Board. She stated that they were happy to continue to work together in communicating that to the public in whatever way that was needed.

Chair Grijalva stated that if there was a location that was an early voting site, it would be ideal if it was a vote center so the community was not confused because they would see the A-frames out for early voting and then on Election day, if they showed up to those locations to vote but they were not vote centers, since they had seen those signs for a few days and now they were gone. She stated that whenever possible, it was ideal for those locations to be the same and it would make it easier for the community.

Supervisor Christy asked if there would be any legal conflict or ramifications involved if this Board voted on an item with an asterisk.

Mr. Brown responded that it was simply a modification of the motion.

Chair Grijalva indicated that her assumption was the Recorder would inform the Board as soon as possible if it would be possible to open the U of A site earlier on October 21st.

Ms. Cázares-Kelly concurred.

Supervisor Heinz inquired about the rules regarding undergraduate age individuals and whether they could vote here. He stated that as a legislator he was told that if they designated here they could absolutely vote in the State of Arizona.

Ms. Cázares-Kelly explained that in order to be eligible to vote, a voter must reside in Pima County for at least 29 days and be 18 years of age, a U.S. Citizen and not incapacitated or have their rights revoked. She stated that a person needed to be able to prove that they lived here 29 days, which was a documentary proof of residency which had become cumbersome for many people to be able to provide that proof, and then also the documentary proof of citizenship. She stated Arizona was one of two States in the Country that had that requirement, however, voters were still attesting that they were U.S. Citizens when they registered to vote. She added that for students, it was recommended that they discuss any changes because if they were making the decision to be a resident of Arizona that was not something they accidentally did. She stated that it was an intentional act, and if they were receiving a scholarship that was based on the State or County or a location somehow, that they only qualified for because they were a resident of that location and was something they needed to discuss with the Financial Aid Office and with that scholarship or grant, but for the most part, if a student chose to change and intentionally claim Arizona as their residence, they would then also receive the benefit of being an in-State tuition student as opposed to out-of-State and that was something they needed to decide for themselves. She stated that there were many different scenarios in which students might find themselves in if a student chooses to vote, maybe they were from Ohio and they wanted to vote on an Ohio ballot, it

was their choice to do that depending on where they considered their residency to be, and they would then need to call Ohio and their County Clerk or Recorder and arrange for a ballot that way. She stated that if they had a lot of students in other Arizona counties, all of those voters might still be here in Arizona and be Arizona residents, but they would need to contact their County to receive their appropriate ballot and for those students who chose to make Tucson or Pima County their home, they had the ability to register here and receive a ballot here. She stated that because all of those scenarios were so prevalent in that community, it was really helpful for them to have an early voting site there and agreed with Chair Grijalva's statement that the community needed that additional resource.

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

Ms. Cázares-Kelly stated that the Recorder's website (recorder.pima.gov) included all of the early voting sites, especially in the situation where there were changes, those changes would be automatically reflected and that was going to be the most up-to-date reference point. She stated that the other thing they would notice was a car icon on several of the locations, were they intended to have a drive thru ballot drop off, which was at the main office at 240 N. Stone, the fellowship Bible Church at 6700 E. Broadway, their Country Club facility at 6550 S. Country Club, and in Oro Valley at 1305 W. Naranja Drive, which was their next highest volume location.

Chair Grijalva asked whether information about the early voting sites would also be listed on the Pima.vote website.

Ms. Cázares-Kelly responded in the affirmative.

Chair Grijalva stated that the message was going out to Pima.vote, so she hoped everyone coordinated so that it was as up-to-date as possible.

Ms. Cázares-Kelly stated that Pima.vote would have the information regarding early voting sites, Election Day sites and it would send them to the right locations, and that voter registration, identification requirements and all of that information could be found online.

CONTRACT AND AWARD

County Attorney

19. Mesch, Clark and Rothschild, P.C., Amendment No. 6, to provide for legal representation of Pima County in *Deschenes v. Pima County, et al.*, C20180857 and amend contractual language, Risk Management Tort Fund, contract amount \$100,000.00 (PO-CT-21-368)

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

20. Boss Rollman, P.C., Amendment No. 8, to provide for Pima County Sheriff's Department employee disciplinary matters, extend contract term to 9/19/25 and amend contractual language, no cost (PO-CT-21-197)

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

Facilities Management

21. Accelerate Diagnostics, Inc., to provide an amended and restated lease agreement for properties located at 3950 W. Country Club Road, 4th Floor, and 2980 E. Ajo Way, contract amount \$3,814,344.62 revenue/5 year term (CT2400000037)

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

Health

22. CODAC Health, Recovery & Wellness, Inc., to provide for the Mobile Addiction Treatment Team Engaging Rural Settings Program, One Arizona Distribution of Opioid Settlement Funds, contract amount \$266,928.00 (PO2400002265)

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

Supervisor Scott stated the available metrics for measuring performance included the number of people served and engaged, the number of people started on medications for opioid use disorder, the number of people served in rural and semi-rural communities, and the length of time individuals remained engaged in treatment after the initial encounter, and asked if there were any specific expectations for each of these categories regarding the desired outcomes.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, expressed excitement about this contract because it was one of the first large pilot projects funded by the One Arizona opioid abatement dollars. He explained that the metrics outlined were process-oriented rather than outcome-focused, as stipulated in the scope of work and stated that the metrics included targets for the contractor. He emphasized that the more interesting conversation would be about the effectiveness of these approaches and while the pilot was modest in scope, it aimed to introduce medication-assisted therapies into communities without brick-and-mortar facilities which he considered a positive step forward.

Supervisor Scott stated that the mobile treatment and resource delivery primarily targeted rural and semi-rural communities and asked how the service model could be expanded to other areas of the community with hard-to-reach populations.

Dr. Garcia responded that some providers offering medication-assisted therapy (MAT) in the County already had mobile services, but due to regulatory constraints on MAT involving scheduled substances, these efforts had only been tried on smaller scales including Tucson. He noted that the effectiveness of this approach was still being evaluated as it remained in the pilot phase and expansion of these services into rural communities that were particularly underserved would be a significant improvement.

Supervisor Scott asked which specific areas in the County would be targeted for this work.

Dr. Garcia responded that determining the specific areas would involve discussions with their contractor. He mentioned that locations like Catalina, Arivaca, and Avra Valley had been identified as potential areas in need of these services, but final decisions were still under discussion. He stated that once the sites were determined they would be shared with the Board, but noted that the timing of the services would not be disclosed due to the sensitivity of the situation and the potential for an adverse impact on the service delivery model.

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

Procurement

23. Award

Award: Multiple Supplier Contracts, to provide for law enforcement ammunition. Supplier Contract No. SC-24-2271, San Diego Police Equipment Co., Inc. (Headquarters: San Diego, CA). This supplier contract is for an initial term of one (1) year in the annual award amount of \$370,000.00 (including sales tax) and includes four (4) one-year renewal options. Supplier Contract No. SC-24-2279, Norma Precision, Inc. (Headquarters: Pooler, GA). This supplier contract is for an initial term of one (1) year in the annual award amount of \$19,400.00 (including sales tax) and includes four (4) one-year renewal options. Supplier Contract No. SC-24-2280, Dooley Enterprises, Inc. (Headquarters: Anaheim, CA). This supplier contract is for an initial term of one (1) year in the annual award amount of \$100,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Sheriff's Department.

Group A - Duty Ammunition Lethal
San Diego Police Equipment Co., Inc.

Group B - 50 BMG Ammunition
Norma Precision, Inc.

Group C - Practice and Full Metal Jacket (FMJ) Ammunition
Primary: San Diego Police Equipment Co., Inc.
Secondary: Dooley Enterprises, Inc.

Group D - Simunition Ammunition
San Diego Police Equipment Co., Inc.

Group E - Marking Ammunition

San Diego Police Equipment Co., Inc.

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

Real Property

24. SunZia Transmission, L.L.C., to provide a Pima County Highway Maintenance Reimbursement Agreement, contract amount \$200,000.00 revenue (CT2400000035)

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

Transportation

25. Rocking K Development Co., Amendment No. 2, to provide for the second amended and restated Rocking K Development Agreement, extend contract term to 5/14/38 and amend contractual language, \$252,000.00 revenue (CT2400000040)

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

GRANT APPLICATION/ACCEPTANCE

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

Arizona Community Action Association, d.b.a. Wildfire, to provide for the 2024-25 Utility Assistance Programs, \$297,290.00 (G-CWD-75026)

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

Supervisor Scott questioned one of the metrics because he was unfamiliar with the system it described.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, explained that the emergency services network was comprised of participating agencies and providers that shared resources for utility assistance. He stated that a detailed report on the network could be provided to the Board and noted that it was a collaborative effort involving multiple agencies that worked together to coordinate service delivery.

Supervisor Scott knew constituents in his district had taken advantage of the program and that the network helped ensure outreach to potential applicants. He asked if a one-page resource had ever been sent to district offices for use when following up with constituents.

Jan Leshar, County Administrator, responded yes and she would provide the requested resource.

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

27. Acceptance - Public Defense Services

U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Amendment No. 18, to provide for the Title IV-E Federal Foster Care Matching Funds and amend grant language, \$483,250.73 (GA-PDS-66302)

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

FRANCHISE/LICENSE/PERMIT

28. Hearing - Liquor License

Job No. 305413, Luz Maria Acosta de Ramirez, Taco Giro, 77 E. Paseo de Golf, Green Valley, Series 12, Restaurant, New License.

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

CONSENT CALENDAR

29. Approval of the Consent Calendar

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

Supervisor Christy stated that Consent Calendar Item No. 6 included several inconsistencies and there was some confusion in the format of the revised contract. He stated that his outlined concerns would be provided directly to the County Administrator for response.

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

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BOARD, COMMISSION AND/OR COMMITTEE

1. **Regional Affordable Housing Commission**
Ratification of Town of Marana appointment: Matthew Taylor, to replace Lisa Shafer. Term expiration: 12/5/26. (Jurisdictional recommendation)
2. **Workforce Investment Board**
Reappointments of Barbra Coffee, representing ECDE and Trish Muir, representing Workforce; CBO. Term expirations: 9/30/27. (Staff recommendations)

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

3. **Special Event**
 - Edward Lucero, Roman Catholic Church of Saint Elizabeth Ann Seton - Tucson, St. Elizabeth Ann Seton Church - Gym & Parish Hall, 8650 N. Shannon Road, Tucson, October 11, 2024.
 - Joseph C. Melhorn, American Legion Madera Post 131, 249 W. Esperanza Boulevard, Green Valley, October 12 and 26, 2024.
 - Donna Pedota, Oracle Schools Foundation, Rancho De Los Cerros, 13500 N. Oracle Road, Tucson, October 27, 2024.

TREASURER

4. **Certificate of Removal and Abatement - Certificate of Clearance**
Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$91,868.08.
5. **Request to Waive Interest**
Pursuant to A.R.S. §42-18053, staff requests approval of the Submission of Request to Waive Interest Due to Mortgage Satisfaction in the amount of \$383.20.

CORRECTION FOR THE RECORD

6. On July 16, 2024, the Board of Supervisors approved an earlier draft version of the agreement that was not the final version executed by the other Parties. This item contains the final version of the agreement with revisions to Section II.a. and other minor clerical errors.

Contract

Town of Oro Valley, to provide for Motorola Spillman "Shared Agency" intergovernmental user agreement, contract amount \$75,000.00 revenue/5 year term (CTN-SD-24-213)

RATIFY AND/OR APPROVE

- 7. Minutes: July 16, 2024
- Warrants: September, 2024

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30. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:53 p.m.

CHAIR

ATTEST:

CLERK