

FLOOD CONTROL DISTRICT BOARD MEETING MINUTES

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, March 4, 2025. Upon roll call, those present and absent were as follows:

Present: Rex Scott, Chair
Adelita S. Grijalva, Vice Chair
*Dr. Matt Heinz, Member
Jennifer Allen, 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 9:32 a.m.

1. GRANT ACCEPTANCE

Arizona Department of Emergency and Military Affairs, to provide for the Hazard Mitigation Grants Program Post Fire - HMGP FM-5434-2-2R, \$1,182,937.50 /\$394,312.50 Special Revenue Fund match (G-FC-79429)

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

Jan Leshar, County Administrator, stated this grant was received post-Bighorn Fire for floodplain mitigation. She stated that there were approximately six homes that were impacted and two additional homes now sought mitigation.

Supervisor Christy inquired about mitigation assistance.

Ms. Leshar responded that it was part of the Fire Hazard Mitigation Grants Program which included acquisition, demolition and floodplain restoration.

Supervisor Christy asked about the future of the property.

Ms. Leshar responded that it would become part of the floodplain restoration that the County would incur. She stated that staff would look at the land after the house was removed to ensure that water kept moving and did not continue to cause floods within the area following the fire.

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 4:04 p.m.

CHAIR

ATTEST:

CLERK

WILDFLOWER COMMUNITY FACILITIES DISTRICT BOARD MINUTES

The Pima County Wildflower Community Facilities District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, March 4, 2025. Upon roll call, those present and absent were as follows:

Present: Rex Scott, Chair
Adelita S. Grijalva, Vice Chair
*Dr. Matt Heinz, Member
Jennifer Allen, 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 9:32 a.m.

1. CANVASS

Pursuant to A.R.S. §48-707(D), canvass of the election results for the February 19, 2025, Special Purpose District Election.

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

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 4:04 p.m.

CHAIR

ATTEST:

CLERK

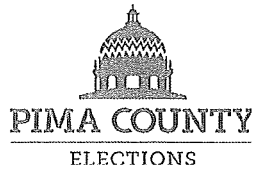


Official Canvass

Wildflower Community
Facilities District

Special Election
February 19, 2025

Pima County Elections
6550 S. Country Club Road
Tucson, AZ 85756



February 19, 2025

In accordance with Arizona Revised Statutes, Title 48-707, I hereby certify the enclosed tabulation is a full, true, and correct copy of the Returns of the Wildflower Community Facilities District Special Election held pursuant to Arizona Constitution in and for Pima County, Arizona on February 19, 2025. This tabulation includes all valid ballots cast at said election.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Constance L. Hargrove", written over a horizontal line.

Constance L. Hargrove, Director
Pima County Department of Elections

Proposition Text

FORM OF OFFICIAL BALLOT

OFFICIAL BALLOT
SPECIAL ELECTION
WILDFLOWER
COMMUNITY FACILITIES DISTRICT
February 19, 2025

SHALL THE DISTRICT BOARD OF WILDFLOWER COMMUNITY FACILITIES DISTRICT (THE "DISTRICT") BE AUTHORIZED TO LEVY AND COLLECT AN ANNUAL *AD VALOREM* TAX ON THE ASSESSED VALUE OF ALL REAL AND PERSONAL PROPERTY IN THE DISTRICT AT A RATE NOT TO EXCEED FIFTY CENTS (50¢) PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN THE DISTRICT, REPRESENTING AN INCREASE FROM THE CURRENT RATE OF THIRTY CENTS (30¢) PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION, ALL ATTRIBUTABLE TO THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT, IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF ARIZONA, INCLUDING, WITHOUT LIMITATION, SECTION 48-723, ARIZONA REVISED STATUTES?

Place an "X" in the box beside the way you wish to vote.

- ☐ TAX CHANGE, YES
- ☐ TAX CHANGE, NO

Election Summary Results


**Tally List for
Wildflower Community Facilities
District Election**

Date of Election: February 19, 2025

Number of Voter Affidavits:	1
Number of Ballots Cast:	1
Number of Votes Cast:	605
Number of Votes Tax, Yes:	605
Number of Votes Tax, No:	0

Tally Board Member Signatures

 Date: 2/19/2025

 Date: 2/19/25

 Date: 2/19/25

Statement of Votes Cast

**Tally List for
Wildflower Community Facilities
District Election**

Date of Election: February 19, 2025

Number of Voter Affidavits: 1


Number of Ballots Cast: 1


Number of Votes Cast: 605

Number of Votes Tax, Yes: 605

Number of Votes Tax, No: 0

Tally Board Member Signatures

 Date: 2/19/25

 Date: 2/19/2025

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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, March 4, 2025. Upon roll call, those present and absent were as follows:

Present: Rex Scott, Chair
Adelita S. Grijalva, Vice Chair
*Dr. Matt Heinz, Member
Jennifer Allen, 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 9:32 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 Jacqueline Ortiz, Administrative Specialist I, Pima County Justice Services.

3. PAUSE 4 PAWS

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

4. POINT OF PERSONAL PRIVILEGE

Supervisor Christy recognized Andrada Polytechnic High School and Mica Mountain High School, for receiving the 2025 A+ School of Excellence Award by the Arizona Educational Foundation. He stated that both schools were in the Vail School District and in District 4, and congratulated them on this achievement.

Chair Scott congratulated County Administrator Leshar for being named the Alumna of the Year by the University of Arizona, College of Social and Behavioral Sciences.

Supervisor Allen shared that she and her family had recently adopted a new dog from the Pima Animal Care Center (PACC) and she urged the audience to consider adopting one of the more than 500 dogs that were currently awaiting forever homes at PACC.

Supervisor Grijalva shared that she had attended the World Baseball Classic Qualifiers event at Kino Sports Complex over the weekend and Deputy County Administrator DeBonis, Jr., had thrown out the first pitch at Saturday's game. She stated that it had been a fun event and encouraged others to attend the remaining games to support the return of baseball to Tucson. She added that she had heard praise from many people regarding the quality of the sports facilities and extended her congratulations to the staff of the Kino Sports Complex for their great work.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Julie Burch, Administrative Services Division Manager, and Ana Wilber, Materials and Services Division Manager, Procurement, proclaiming the month of March 2025 to be: "PROCUREMENT MONTH" and the day of Wednesday, March 12, 2025 to be: "PROCUREMENT PROFESSIONALS' DAY"

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

6. Presentation of a proclamation to Anakarina Rodriguez, Cecelia Valdez, and Eva Carrillo Dong, Arizona César E. Chávez + Dolores Huerta Holiday Coalition, proclaiming the month of March 2025 to be: "CÉSAR CHÁVEZ AND DOLORES HUERTA MONTH IN PIMA COUNTY"

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

7. CALL TO THE PUBLIC

Luke McKee addressed the Board regarding his interactions with the Pima County Attorney's Office and spoke about his concerns with Chabad of Tucson.

Jason Priddy spoke about the need for protecting Blanca Wash and his concerns regarding the lack of enforcement of trespassing laws in the Avra Valley area. He asked that the Board ensure the Transportation Department kept its agreement to abandon all of Musket Road so that the Flood Control District could acquire the wash to properly install a fence that restricted entry to the wash.

Kendon Victor, Fireworks Productions of Arizona, stated that he wanted to get more insight as to why Supervisors Allen and Heinz continued to vote against fireworks permits, to better understand for future submissions and that he would contact their offices directly regarding this matter.

Robert Reus shared an excerpt from President Thomas Jefferson's first annual message, dated December 8, 1801, regarding financial responsibility.

Kayla Shoup expressed her gratitude for Tucson Unified School District's Pima Early Education Program Scholarships (PEEPS) Program. She shared how the PEEPS program prepared her son for kindergarten, helped him develop a love of learning and hoped the program remained available so that other children could have the same opportunities her son had in the program.

Dave Smith spoke about his experience as a police narcotics officer and that he believed with the change in government leadership in November, it was important that the Board focused on the issues of the County, including road maintenance and law enforcement.

Korinne Cooper expressed her appreciation for the Pima Early Education Scholarships Program, and shared how her son had benefited from the program.

* * *

Chair Scott closed Call to the Public.

Supervisor Heinz stated that although he enjoyed fireworks and July 4th was his favorite holiday, he began voting against fireworks permits following a situation after a fireworks display with an unclear standard as to when it should be called off due to wind speeds and at that time winds had been clocked at a considerable amount, and also due to the drought conditions in the area. He felt this was the proper thing to do in order to protect the safety and health of County residents. He indicated that there were alternatives like drones, which were amazing and did not pose any fire risks.

Supervisor Christy reminded Mr. Victor that he would have an opportunity to interact with the Board during the public hearing for the proposed ordinance related to fireworks that was listed on the agenda.

8. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Heinz, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to convene to Executive Session at 12:21 p.m.

9. **RECONVENE**

The meeting reconvened at 1:06 p.m. All members were present.

EXECUTIVE SESSION

10. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a proposed settlement in Therese Deschenes, et al. v. Pima County, et al., C20180857.

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

11. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a proposed settlement in William Farmer, et al. v. Pima County, et al., C20190642.

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

12. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a settlement recommendation in BP 5411 Investors, L.L.C. v. Pima County, TX2024-000134.

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

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

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

14. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding Intergovernmental Agreement No. 23-15-ED with the Arizona Department of Education.

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

15. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding a settlement recommendation in TNR & S Acquisition, Inc. v. Pima County, TX2023-000226.

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

BOARD OF SUPERVISORS

16. **Public Safety in Remote Areas of Pima County**

Discussion/Direction regarding the development of a Pima County Remote Area Public Safety Plan by the County Administrator, working with the Office of Emergency Management, the Pima County Sheriff's Department, et al., to include but not limited to the exploration of additional tools and options to enhance public safety in underserved, remote areas of Pima County. Staff will deliver a draft plan within 90 days, together with its fiscal impact. (District 4)

Supervisor Christy stated that he was sure everyone was aware of the recent tragedy that occurred in the Redington area, where Mr. Clifford, a resident in this remote area, minding his own business had received a knock on his door, he answered it, and found some individuals who were pleading and begging for help with their stranded position and needed a jump. He stated that Mr. Clifford had obliged, was led away by the stranger, and never returned. He stated that the following day Mr. Clifford was found in a remote area next to a burnt truck. He stated that this was an overarching problem and in addition to the tragic ending, there was countywide inadequate patrolling or proper police protection in remotely underserved areas. He stated that the residents in this area also paid property taxes just like anyone else, and to his understanding, there was a general consensus that if a Sheriff Deputy was needed, it took up to 2 to 4 hours for them to respond. He stated that before the Board discussed a resolution to this, the victim's wife, Christina Clifford, who had traveled from Redington, was in attendance, and he invited her to address the Board regarding this tragedy. He stated that they also shared in her deep loss and were horrified over what happened and he thanked her for standing tall and firm on this issue and for speaking out. He stated that what she had to say would be very impactful and helpful so this issue could be addressed and ensured these types of incidents did not happen in the future.

Christina Clifford addressed the Board and stated that she lived in the furthest remote northeastern corner of Pima County in Redington. She stated that on Christmas Eve, her husband, Paul Clifford, a gentle giant of a man, was awoken in the middle of the night to help stranded strangers near their home. She stated that those strangers chose to repay his kindness by brutally murdering him and leaving his body burning on the side of the road next to the burnt vehicle. She stated that it was a senseless act of violence that had shattered her family members who depended on him. She stated that he was a PE teacher at the Pre-K through 12, San Manuel-Mammoth School District with 272 children that were affected by his loss. She stated that he was deeply missed and this had exposed a critical vulnerability in the lack of adequate public safety resources in remote areas of Pima County. She stated that they were not asking for special treatment, rather some creative thinking to come up with a plan to provide some basic protection and the same level of safety that residents in more populated areas enjoyed and took for granted. She stated that the reality in their area was that response times for emergency services were unacceptably long, for dire emergencies, approximately 2 to 4 hours and non-emergencies, could take up to 16 hours. She stated that cell phone coverage was unreliable and it hindered the ability to call for help. She stated if there was a stranded motorist, there were 1 or 2 hotspots for local residents and once they left San Manuel or the Benson area, there was no cell phone coverage. She stated that they did not have regular law enforcement presence, no patrols and no one checking up on them and unfortunately, criminals had come to know that. She stated that 72 families lived in Redington, this was not about statistics, but was about feeling vulnerable, which permeated the community. She stated that they did not feel safe and several residents had told her that this incident had changed them forever, how they lived their daily lives, and how they would respond to strangers in

the future. She stated that it was about the knowledge that if they called for help, it could be too late, and that knowledge also led them to risk themselves to help one another. She stated that her husband left that night because he knew that in their remote area, these people were not going to find any help because it was 11:30 p.m. on Christmas Eve, it was cold and dark. She stated that he did what he wanted others to do for his own family if they were in that position. She commended the Board and Supervisor Christy for putting this important matter on the agenda and knew they had a lot on their plate, but the development of a Pima County Remote Area Public Safety Plan was critically necessary. She urged the Board to support the County Administrator, Office of Emergency Management (OEM), and the Pima County Sheriff's Department in their efforts to develop a comprehensive plan that would include increased law enforcement presence, improved communication infrastructure, and community-based safety initiatives. She stated that they could not afford to lose another life and it was important to prioritize the safety of all residents of Pima County.

Chair Scott offered condolences to Ms. Clifford and her family and appreciated her courage and resolve in coming to speak before the Board.

Supervisor Christy stated that Ms. Clifford had poignantly outlined the need, the vulnerability, and the suggested actions. He stated she mentioned something that was very critical which was the County needed to think outside the box. He stated that there was technology seen throughout the world, and particularly in this area on the southern border for surveilling the border, cartels and other nefarious groups. He asked why that same technology could not be used in the remote areas of Pima County and that there were other areas in the County that were equally as remote, such as Ajo and Arivaca. He stated that intergovernmental agreements with other Sheriff's departments garnered some thought. He added that where Ms. Clifford lived, three county lines crossed within a mile and that there should be a discussion with Cochise, Pinal, and Santa Cruz Counties, about some kind of understanding between the law enforcement community that in a situation where Pima County's law enforcement could not respond, perhaps there could be an agreement where they could respond on Pima County's behalf. He stated there had been talk regarding drone surveillance and drone patrols and that the technology was there, but would require the County to think outside the box and come up with new novel and unique ways to provide the protection lacking in these remote areas. He stated that there were communication issues, so perhaps call boxes were needed and they could rely on the cell phone service, and a landline was pretty much nonexistent and neighbors were hundreds of yards apart for any kind of landline, if there in fact was one. He commended Ms. Clifford for representing her area and the Board was very grateful for her presence. He reiterated that the essence of what the Board was trying to do was work together with the Sheriff, OEM, and any first responders in this category, to come up with some unique approaches and not just merely make excuses of not enough money, resources, or deputies and they wanted finite specific plans and instruments that could be utilized in this situation.

Chair Scott asked the County Administrator if it was possible to get some data from the Sheriff's Department and other first responding agencies, through OEM, of areas within the County that had significant response times, similar to what Supervisor Christy and Ms. Clifford described in the Redington area and other areas in the County that dealt with that. He stated that they could also make use of the resources they had through the County Supervisors Association (CSA), because Arizona had many remote areas throughout the State. He stated that there might be resources through CSA or the National Association of Counties that looked at other states with remote areas in terms of how they addressed these issues. He stated that would be responsive to this item and of interest to the Board as a whole.

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

COUNTY ADMINISTRATOR

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

Jenifer Darland, Director, Office of Housing Opportunities and Homeless Solutions (OHOHS), provided a slideshow presentation and explained that these updates were a reminder that they were grounded in the five priorities that established OHOHS. She briefly went over the five priorities and stated that this update would be centered around Priority No. 5, which was to develop a means of tracking the efficacy of County assistance programs and work with departments and partner agencies and governments to develop attainable measures of success. She stated that this involved looking at the metrics that impacted housing or housing vulnerability for individuals in Pima County with the same external variables when evaluating the indicators that informed the Prosperity Initiative. She stated that from a macro lens, they reviewed things such as unemployment rates, housing affordability or the inventory of housing that was affordable, the share of housing-cost burdened households, which meant the amount of income and the cost of housing for lower- or middle- to lower-income households and the rates of foreclosure or eviction filings. She stated that those types of trends, when they started to move in an unfavorable direction, the expectation was to see increases for requests for rent and utility assistance in Pima County, which was administered by the Community Assistance Division of the Community & Workforce Development (CWD) Department. She stated that when that resource was fully exhausted, there would be increases in requests for support for eviction resolution or legal services, which was administered by the Pima County Emergency Eviction Legal Services team of CWD for the most critical or most likely to be unhoused. She added they would see increases of annual point-in-time counts, increases in the number of individuals or families that were pinging into the community's coordinated entry system for housing for homeless individuals. She stated that they would also see increases in the number of reported homeless encampments throughout the community as constituents became more sensitive to visible street homelessness. She noted that on the preventative side with the homeless prevention programs, when available, those programs could be very strategic preventative measures to

prevent new or returns to homelessness for individuals who were most likely to be one paycheck away from homelessness on a regular basis, but most impacted if there was a loss of employment or if there was an increase in their rental rates. She stated that another regional metric they looked at in terms of homelessness was the annual point-in-time count. She explained this was facilitated on an annual basis and was a coordinated activity that occurred with the local continuum of care. She stated that the 2025 point-in-time count had just occurred in January and for the most recent indicators, they had two years to look back, from 2023 and 2024. She stated that in the Adult category and in general, there had been a modest decrease between 2023 and 2024, or more like holding stable. She stated that there was a slight uptick in the number of adults reporting as experiencing chronic homelessness, which meant they had been homeless for 12 months or longer, or three different stays of homelessness that totaled 12 months combined. She stated that in the space of special populations or special conditions within that population, there was a number of adults self-reporting as having a mental health illness or a substance abuse disorder. She stated that while the overall rate of adult homelessness had decreased, they had seen an increase in the annual indicators related to mental health and substance use disorders. She stated that this would suggest that while, at least for these metrics, there had not been a marked increase in the number of people or adults experiencing homelessness, they saw an increase in the complexity around those individuals which would complicate successful returns to housing stability.

Chair Scott asked what it meant for those conditions to be self-reported, when completing the point-in-time count, how was self-reporting documented and how accurate was self-reporting when they looked at the actual number of adults with either serious mental illness or who were suffering from substance abuse disorder.

Ms. Darland explained that a self-report meant that the individual was asked a question and asked to give their answer and they had taken them at their word. She stated that even if there were behaviors that would indicate they were under the influence, as surveyors, they did not determine that. She added that some folks might not disclose a condition at the time of their interview in the setting for a point-in-time count because they were community volunteers and the individuals being surveyed might think they were speaking to an undercover law enforcement agent. She stated they would not disclose something that could be self-incriminating, even though it was under the guise of a point-in-time count. She added that they had been exposed to people that were bad actors in some cases and settings, so it was their right to privacy. She stated that just because they asked a question to survey them did not mean they were required to provide an accurate and full disclosure of their medical history. She reiterated that it was a volunteer effort and she would not want to ask volunteers to collect too much in the degree of personal identifying information around an already vulnerable population, so if they indicated they had a condition, it was marked and if they indicated none, then none was marked.

Chair Scott stated that given those circumstances, it was not unreasonable to surmise that those numbers could actually be higher.

Ms. Darland concurred. She stated that in addition to the annual point-in-time count, in the community they had what was called coordinated entry, which was a process by which individuals experiencing homelessness could complete an assessment and be referred to housing, largely housing funded by the U.S. Department of Housing and Urban Development (HUD), specifically for those individuals experiencing homelessness. She explained it was a system set up with priorities established by the local continuum of care, which was the Tucson Pima Collaboration to End Homelessness (TPCH), a HUD-recognized, independent and self-governing body that set those priorities and guided many of the processes by which the share of HUD funded housing was distributed through the community. She stated they were made up of nonprofit social service providers, community members, and City and County representatives. She stated that they determined the goals and the local priorities to meet the community objective around ending and interrupting homelessness. She added they determined the manner in which households would be prioritized for referral to the next available housing opening. She stated that TPCH had not yet set up a process by which it showed real time number of individuals accessing or completing a Coordinated Entry Assessment, so there was no real time indicator on the number of individuals that sought services. She stated that the most current evaluation of the system's performance and associated metrics would be the December 2024 Gaps Analysis that was performed for the TPCH by the Southwest Institute for Research on Women. She stated that report showed that in Fiscal Year 2023, 7,689 individuals or households completed a Coordinated Entry Assessment for housing and homeless services with a participating agency or housing provider in the community and of those individuals, only 1,069 met the community established prioritization, which was roughly around 13% of those individuals that completed an assessment, and of the 13%, 535 were actually served in a housing program. She stated that it broke down to roughly 6% of the overall completed assessments and 6% of those households were actually served in a housing program. She stated this begged some questions for consideration like, what would have happened to the remaining 534 referred individuals. She stated that it could be a matter of the housing providers not being able to locate the individuals, so at the time that they initially completed that assessment, the individual may have been moved along. She stated those instances happened if they were in a shelter and their shelter stay of 90 days had been met and they had to move along to another shelter provider, any sort of disruption in where they might be staying in those types of systems also made it difficult to find those individuals. She stated that another question was whether or not the individual met the actual program eligibility and while there was community prioritization by which these households were referred out to the next available opening, when they were referred to a housing provider, the housing provider might have eligibility requirements that those individuals had to meet. She stated that during this time, if matched with that housing provider but they did not meet eligibility, they could be declined by the housing provider. She added the other piece was whether or not it was individual or client choice for why they might not have been served, which did not seem practicable, but in truth, there were individuals that when faced with homelessness, they would fill out a Coordinated Entry Assessment

and submit an application with a public housing authority for Housing Choice vouchers. She stated that sometimes when they were matched to a housing provider, or any other aid where it was a subsidy-based program like a rapid rehousing program or a permanent supportive housing program, when they learned that it was that type of program rather than a housing choice voucher, sometimes they declined the referral. She stated they could also be matched to a housing provider they had worked with in the past, and they declined to work with that program. She stated that there were a variety of reasons by which that number was not higher and why they did not have more success in those folks being housed, but at the end of the day, that would have to be a conversation with the continuum of care. She stated that it was an opportunity for them to evaluate their own systems, the manners in which they prioritized individuals for housing, reflect back on whether or not there was a close enough evaluation on the number of individuals completing a housing assessment and determine whether the prioritization was out of alignment with the demonstrated need seen in the coordinated entry system.

Chair Scott stated that he could not imagine that there was going to be anything else in the slideshow that was going to contain data more stunning and more disturbing than this one. He stated that this was the TPCH, the local continuum of care and the County played a big role in it as well as the City of Tucson (COT) and 15 other partners in the nonprofit sector. He stated that there was close to 7,700 people that completed a request for services and less than 1,100 of them met whatever community established prioritization was, and out of that, less than 540 were served in a housing program. He stated that the inefficiencies were apparent in this data and it meant that it did not meet the needs of this population. He asked how community-established prioritization was defined within the continuum of care, so that this scant number met the first bar.

Ms. Darland stated that there were conversations that happened and occurred within two committees within continuum of care, one being the Coordinated Entry Committee itself, which was a committee specifically charged with evaluating priorities or how to prioritize individuals for housing, which looked at the most vulnerable in the population. She stated that they were also the committee that looked at the assessment tools that the community used to determine that vulnerability. She stated that currently, they used the Vulnerability Index-Service Prioritization Decision Assistance Tool (VI-SPDAT), a service program assessment matrix with a series of questions and once completed it generated a score. She stated that score, depending upon how high or low, would indicate their vulnerability and would place them within a certain priority for housing. She stated that the Coordinated Entry Committee would evaluate those measures or those tools annually. She explained that the System Performance Committee was another committee of the continuum of care and they were very interested in digging into this gaps analysis to determine better measures or better metrics to be watching on a more consistent basis to ensure that they were dialing in and would determine how performance was being watched over a period of time versus waiting on an annualized evaluation of gaps analysis. She stated that these committees came together and reviewed information on data sets and reviewed external conditions.

She stated that during the pandemic, it was the same committee that determined a new prioritization tool that they used when working to decongregate shelters to remove the risk factors associated with medically vulnerable individuals, and the Continuum of Care Coordinated Entry Committee, came together to evaluate and approve a tool that prioritized those individuals to be placed in a non-congregate shelter setting. She stated that there were moments in time where the committee came together, informed by the most current crisis, to inform on how they started to equitably distribute, a very finite amount of resources for unhoused individuals. She stated they evaluated the information and the data, made recommendations, and brought those recommendations forward to the TPCB Board, and they approved or denied the recommendations.

Chair Scott asked if the County had membership on both the Coordinated Entry Committee and the System Performance Committee.

Ms. Darland stated that she believed they had membership on the System Performance Committee, but would verify that and provide that information to the Board.

Chair Scott reiterated that the numbers spoke for themselves and that as indicated by one of the media outlets, solutions to a problem could not be explored unless they were willing to talk about the problem. He stated that he was glad there was a willingness at the dais to talk about this kind of data, because it was just stunning and it was a topic he would bring up during his monthly meeting as the Chair of the Board with the Mayor of the COT, because they both had an interest in their roles on TPCB. He stated that the data was astounding to him and he knew that it would be of equal concern to Mayor Romero.

Supervisor Grijalva stated that during her time as Board Chair those meetings with the COT Mayor had started and it had been a topic of conversation every time they met. She stated that it was for them to understand some of the complexities of why people were not qualifying for different services, because if the numbers showed that enough had not been done, but there were also limited resources and there were different reasons why people chose not to accept services or complete the process. She stated that many times people were faced with a situation, whether they had a pet and the pet was not allowed, or they had a partner and some of the available housing was specific to male or female, but no mixing. She stated that people were making decisions that way and there was also some pushback on some of the guidelines that were required, even with low barrier shelter there were guidelines, and they could not do whatever they wanted. She stated there were a lot of different factors, and even when she had went out to the point-in-time, there were people that did not want services and when asked how long they had been in this situation, they replied with five years, but they were not homeless and had a house to go to, but they chose to do this. She stated that once the capacity issue was addressed, both with the partnership of the County and the COT working together, that was when they would have some capacity to be able to address the people that were generally refusing services. She stated that until this was handled and

additional low barrier beds were available, they would continue to run into this because there were a lot of programs that had capacity, but there were so many restrictions that people opted not to get into those services. She stated that finding that sweet spot was going to be really important, and relying on the people that were providing the service was going to be really important because there was frustration that there was not enough services to offer, but that what was available was not always something that people would commit to or complete, so trying to figure out what those things were would help. She added there were also some requirements based on where the funding was coming from, some of them being sort of niche programs, but one of the things the County should focus on was ensuring that they did not have families that were out. She stated that historically, a lot of the services that the County was focused on were the vulnerable populations, like the elderly, people with children and women because they were more likely to be victimized on the street. She stated that if they did not have enough to address the huge population, they should focus on what they had already done historically.

Chair Scott stated that he was pleased to continue the monthly meetings with the Mayor that Supervisor Grijalva had initiated when she was Chair and to continue this dialogue. He agreed with Supervisor Grijalva and stated that he was told by Ms. Darland that they needed approximately 1,200 more shelter beds in the community and he felt that there needed to be a variety of options available because there were different needs in the homeless community. He stated that given what was achieved at Craycroft, he was hopeful that what was learned from those more stable populations might be able to be applied to more challenging ones.

Supervisor Allen stated that there was still something she was not grasping and that there were 7,689 people that actually sought services and they were not the people that indicated that they did not want services, but they might have towards the end of the process. She acknowledged that it took a lot for them to step up and request the service and given that the amount went down to 535 that were served as a housing program questioned why the 6,600 people that did not get served. She understood that there were a myriad of reasons and asked if it was due to issues with funding restrictions, if it had not met requests that people had, or what kind of generalizations could be made for the people that stepped up and asked for help and were not able to get it.

Ms. Darland responded that Supervisor Allen had asked some great questions and hoped that members of the TPCH and their respective committees were also asking because there were more granular factors at play that were difficult to capture in a data point. She stated that when an individual and household received an eviction notice and lost a job they likely pinged into multiple avenues for help. She stated that had been seen through the rent and utility assistance crisis, when they applied to the public housing authority for housing choice voucher, applied for homeless prevention and completed a Coordinated Entry Assessment. She explained that the requirements for federal fund housing had four categories of homelessness such as fleeing domestic violence and only two of them applied to people that indicated they were experiencing homelessness, which were homeless sleeping in a place not

meant for human habitation, including shelters, or fleeing domestic violence. She stated that if they were an unhoused youth or an individual at risk, they were different categories or risk factors, but did not qualify for HUD subsidized housing. She provided an example of a situation that had happened the prior day with a mother with three kids who had lost her job and then got in a car accident, and was staying with a relative until the end of the month and under those circumstances that person did not qualify for HUD housing because they were currently in a place of human habitation. She stated this was when rent and utility assistance and eviction prevention programs would become very important because they would be at risk of homelessness due to a violation of a lease by having someone in the home that was not on the lease. She stated this is when the homeless crisis could become very complex and on a case-by-case basis. She stated that was one of the elements of consideration and there could be a number of people hitting the coordinated entry system that were not actually experiencing homelessness, it was all self-report and at the time that they were matched with a housing provider, they might have resolved their housing crisis and received help elsewhere. She stated that another condition was that they might have gone missing with no contact and over a period of days after the assessment if they had not kept in contact with the agency they would fall out of the system, which would require a new assessment. She explained that Coordinated Entry Housing Assessments was a tool that the County and the COT used on a regular basis in response to homeless protocols and both jurisdictions went out to see if they were connected to a provider and if they completed the assessment. She stated that when they declined, it was because they were already frustrated with filling out several assessments and it went nowhere, and outreach staff were equally frustrated because it felt that all they did was lip service. She stated that an area of opportunity would be what it would look like to have a continuum of care with policies and priorities aligned with jurisdictional efforts to address homelessness that felt like a real conversation that could improve things, especially as she presented the slide regarding regional reports of homeless encampments. She explained that they had two independent processes that were in silos from one another, so what that would look like if they could find some mutually agreed upon alignment between the coordinated entry system and the community-wide, regional-wide priorities around addressing homelessness. She stated that she participated in these conversations for a long time and there had been a lot of dialogs around what that alignment would look like. She stated that she had only seen it one time during the pandemic onset when they were able to really come together and unify around some priorities, to move some people into safer situations to prevent medical complications, including death if some of the most vulnerable in the community were exposed to COVID-19, it worked effectively. She stated that when the community had rolled up that effort and when those non-congregate hotel settings and programs started, it was a strategic, intensive matter of case management and case conferencing. She stated that it was intensive case conferencing that had taken place over a series of dedicated meetings, but they moved people into housing, including the Tucson House, and a number of individuals were served during that period of time that was experiencing chronic homelessness, and they qualified for Housing Choice Vouchers that were administered by the COT's Public Housing Authority. She stated that they did really

great work, and it meant they were very organized and dedicated to being on the same page and on the same team.

Chair Scott stated that he was struck by something Ms. Darland had mentioned and asked, what if there were policies and priorities aligned with jurisdictional efforts to end homelessness and with the work of the two TPCCH committees, the Coordinated Entry Committee and the System Performance Committee. He stated that the System Performance Committee seemed to be very interested in this gap analysis, because when close to 7,700 people applied, but only less than 1,100 met community established prioritization, it struck him that it was community established prioritization that was the problem. He added that he realized that the COT had only two members on the TPCCH and the County apparently only had membership on one of these committees. He stated that the inefficiencies within this system was causing the County to fail as a larger community and to meet the needs of all these people and this was the reason why he saw the connection between what Ms. Darland had said in her response to Supervisor Allen and the work of these two committees seemed to be more reactive than proactive.

Steve Holmes, Deputy County Administrator, stated that as they completed their analysis it showed that some of these numbers were attributable to mismatches and what services were available, and the time and lapse. He stated that a core part of why these numbers were being seen was because the system was not nimble enough. He stated that if they had multiple providers with empty beds and there were people ready to fill those beds and fit the criteria, but they were not able to get a bed that night that was a fundamental problem. He stated that he realized there was no established criteria, but there needed to be.

Ms. Darland continued with the slideshow and stated that another regional metric was the average number of reports of homeless encampments and the chart showed all total reports received through a shared reporting apparatus between the County and the COT. She stated that was not verified, but was the gross number of reports received, there could be duplicates, private property reports and things that were not actually homeless encampments. She stated that it showed the volume of reports that were coming in through the region, as constituents were sensitive to visible street homelessness. She explained that the green line on the chart indicated the County's share of reports that fell in the unincorporated jurisdiction, including reports received from Marana or Sahuarita. She stated that it also included assets that were owned by other governmental agencies and State and Federal agencies, such as Union Pacific and Arizona State Trust land. She stated that on average there were about 700 reports and 39 of those assignments fell to the County. She stated that it did not include what the County departments were receiving directly from constituents familiar with that County program and the County's maintenance of a particular site or area. She stated that generally, the community as a whole, when reporting, about 39 of those came in on a monthly basis to evaluate area opportunities to improve this metric. She stated that currently they were working with Pima County's Geographic Information System team, a dynamic group of folks that were helping them develop some phone-based survey

applications that would allow for more accurate data recording in the field when verifying homeless encampments. She stated that this would allow them to include real time verification of reported sites, the location, the conditions of the site, evidence of solid waste and other types of public safety concerns. She stated those could be recorded in real time and submitted back to a dashboard so they could start to measure in real time activities associated to what came from those regional reports. She added that it was not only about the field inspection for the sites themselves, it was also about the companion piece, which was the Outreach Services report. She stated it would be any outreach service provider that went alongside with their homeless encampment or public works teams, largely the Regional Flood Control District, when they went into the field collected some of those data points and the anecdotal sense, which were the number of individuals that had refused services, the types of services offered, the types of services that had been accepted or refused, and the general observations. She stated that it would not include recording personal identifying information, but it essentially would be recording certain metrics associated with what was being encountered when the homeless services team went out and responded to a homeless protocol.

John Stuckey, Facility Safety and Security Manager, County Administration, addressed the Board and stated that he and Ms. Darland frequently aligned their goals, but were somewhat different in that his role was to utilize resources they had available to create safe spaces on the Loop. He stated that they recognized there were problems with homelessness and criminality along the Loop and adjacent parks. He explained that each night they deployed guards from the end of August to the present, but the first six months was through February 28th. He stated that the Board should have received a memorandum from the County Administrator that outlined some of the details of that program, along with the link that showed every single one of the daily reports. He stated that each night a guard worked, they filled out a daily analog report that best calculated the extent of the problem and what they were dealing with. He stated that they managed to determine that there were certain areas along the Loop and identified six sites that were responsible for about two thirds of the problems seen in regards to criminality and illegal activity along the Loop. He stated that the status of homelessness itself was not a crime, but when these individuals were on the Loop engaging in drug use or building fires that was against the park rules and was a criminal offense. He added that when they were there after the parks were closed, generally sunset or later in certain areas that was also against park rules and considered criminal activity. He stated they were trying to address where the problem areas were, and they had been identified. He stated they tried to encourage proper behavior, the best way possible with the resources they had, which included an education campaign that involved letting people know the park was closed after sunset and asking them to leave. He stated that most of the time they gained compliance, and when they did not, they called 911 about 30 times to engage their law enforcement partners, however work still needed to be done in that area, as well. He stated that what they found early on in the program was a lot of offering of outreach, 311 pamphlets had been handed out and unfortunately not a lot of takers in that. He stated that fewer people were interested in services through some of the struggles they probably experienced and they came

to a point where they needed to move more towards enforcement. He stated that the way he saw it was they had a space, the Loop, the adjacent parks, a permissive environment, particularly so after dark because it was generally unpopulated, park staff and regular users had gone home for the day, because there were no eyes on these folks in this space they were allowed to engage in criminal activity. He stated that was what they wanted stopped and to create safe spaces for all users and that his plan moving forward was to engage with the public safety partners to get a little more presence there and recognized that enforcement exclusively was not the solution to this problem, but it had to be part of the solution. He stated that the County Administrator had approved extension of their Loop patrol plan until the end of the current fiscal year and they would continue to monitor and make headway with their law enforcement partners and with educating folks about the rules. He stated that about two thirds of the people they encountered through the six month period appeared to be experiencing homelessness or engaged in criminal activity, drug use, building fires in the parks after dark and about one third of those people were regular users. He stated that included people walking their dog, riding their bike, walking, but were still in the park after dark and so there was an opportunity to engage with those folks to let them know the park was closed. He stated that it was not well lit and was not intended to be, so it could create an unsafe environment that they wanted to educate those people and keep them safe as well. He stated that they did not want to have bicycle crashes after dark or people in the park areas when unmonitored and the opportunity to engage in criminal activity or become victims of criminal activity. He reiterated that they would continue to do the work and would try to engage their law enforcement partners to find better solutions in these specific high priority areas, so that they could reduce those numbers, incidence of criminal activity in those areas, and make it safer for all users.

Supervisor Christy stated that he had the County Administrator's memorandum on the status and asked if the patrol was a Pima County security vendor and not law enforcement.

Mr. Stuckey responded yes.

Supervisor Christy asked about the cost if the program was extended through the end of the year and how much had already been spent to date.

Mr. Stuckey responded that it was just under \$50,000.00 for an additional four months and about \$60,000.00 had already been spent.

Supervisor Christy commented that came out to about \$100,000.00 for one year and asked how much was reimbursed from the COT.

Mr. Stuckey responded none was reimbursed from the COT.

Supervisory Christy asked if this was strictly a County issue.

Mr. Stuckey responded in the affirmative.

Supervisor Allen questioned where people were being encouraged to go when asked to leave.

Mr. Stuckey stated that unfortunately, there was no answer for that, but they encouraged them to not be in that park area because it was restricted space. He stated that was one of the challenges because they had conflicting interests if they were asking them to leave the park area, the restricted area, where did they go if there were enforcement efforts, and if that was in conflict with other criminal justice reform. He stated that there were problems with that and he did not have an easy answer, but they continued to, when appropriate, offer 311 or other services like outreach to those individuals and available resources and it was the best that these guards could do in this space at the time.

Supervisor Allen stated that from the 7,600 whittled down to 500 felt like it was squeezing the balloon and pushing it somewhere else, and presumably along the Loop they were pushing people into a COT park that they would be moving on to.

Jan Leshner, County Administrator, stated that was an important opportunity to explore and while they were letting them know about 311 and the opportunity to call to get services, they would further review these next few months about what they could hand out to people and connect them to those services, or at least provide an opportunity to do that. She stated that they felt that their responsibility was to keep the Loop safe for those that wanted to continue to use it, which was why they had seen this activity. She stated perhaps they needed to determine how to take more affirmative action to provide the data.

Mr. Stuckey added that what they found was that the guards would move into these spaces and people would generally gain compliance. He stated that they had run into people that were belligerent, aggressive and angry and he understood why. He reiterated guards moved into these spaces, asked them to leave, informed them of the rules, offered 311 or other services as best as possible, and these individuals would vacate and move on and that they were generally compliant, but would then find them back in the same spaces again. He stated that they encountered just over 6,200 people in the six month timeframe, and about 4,300 of them seemed to be experiencing homelessness or engaged in some kind of criminal activity there, which was more than double the number of the total point-in-time count, so they knew they were seeing the same people repeatedly. He stated that their goal was to create safe spaces along the Loop so that they could continue to be proud of that and regular users could continue to use it in a safe way.

Supervisor Grijalva thanked the people monitoring the Loop, and that her son attended Wakefield Middle School and the Loop ended there. She stated that there was time when it was quite the congregation of people right before school started and they were not going to move anywhere. She stated that there was always a safety concern, especially when they were right across the street from young people and a lot of young children in that neighborhood walked to school. She stated that it

was important for them to offer options, but also to make it very clear. She added that the calls received about the Loop were overwhelmingly positive, but the ones that called to complain were stating things like they almost fell off their bike because someone had their belongings or something in the pathway. She stated that they had to try to balance being compassionate and offering resources and making sure that the Loop was safe, overwhelmingly for the people that it was designed for, which were pedestrians and bicyclists.

Chair Scott stated that Mr. Stuckey mentioned he wanted to try and have more engagement with their law enforcement partners, especially in the six areas where they were having the greatest amount of difficulty. He asked what strategies they would employ to get that greater level of engagement with their law enforcement partners.

Mr. Stuckey explained that their partnerships and these six areas indicated were all within the COT. He stated that the Sheriff's Department provided some patrol capacity, but they were generally focused on unincorporated areas. He stated that these problem areas were within the Tucson Police Department (TPD) and they had core community outreach resource engagement, which was a single unit that was responsible for all of the COT for these types of issues and so they were stretched thin. He stated that these six areas were within Operations Division West, a geographic area for their patrol divisions, and their resources were also stretched thin. He stated that he recognized the limitations that the COT and TPD had and he was already in communication with some captains and commanders there and the next step was to inform them where the County was, what they knew and the data that had been received throughout the course of the program, what they could do differently as far as providing proactive patrol. He stated that responsive was good and when the guards called 911 it was good and they generally responded. He stated that he felt that proactive patrol presence in these spaces after dark was when they most recognized the problems and was when the criminality was occurring. He stated that in his time at the Sheriff's Department they used to have a Mission Oriented Policing Program, and something like this could be developed so that it gave regular presence aside from just calling 911, when something was identified so that they could get into these spaces, assist the guards in enforcement, make arrests when necessary because that would need to happen in some of these instances and provide additional encouragement to individuals that might be on the fence due to being comfortable in the environment because they knew there were challenges with finding a shelter space. He stated that if there was something to put them over the edge to encourage them to follow that path, and then along with efforts and all the others that were engaged in this effort to make that process better for these individuals, but to push them in that direction and his goal was to make it a less permissive space for this type of activity and was what they needed to do.

Supervisor Christy stated that it seemed like this item centered on homelessness but also included public safety. He asked if Board members could ask general questions about public safety.

Chair Scott responded in the affirmative and explained that this presentation followed up on two requests he made at the prior meeting, and one of them was to get a follow up on the Vet Sec reports that had been shared with the Board.

Ms. Darland explained that the six sites that Mr. Stuckey referenced, the City/County teams including the COT's encampment assessors, County Public Works Departments, Regional Flood Control, Parks and Recreation, as well as the COT's respective mirrored organizations were also equally focused in some of those same areas to interrupt some of the activities there as well. She stated that even though the asset was within the COT, they shared some of the Monday through Friday daylight and their efforts were to try and engage individuals and get them connected to resources. She stated, in summary, that of all of the programming they had where they could measure for increases of need or predictive areas of incoming homelessness or homeless activity from OHOHS would remain continuing to drill down on building out those apparatuses to pull in metrics associated with the number of reported sites in areas that were verified. She stated they were being remediated by Public Works staff, the types of service engagements that were being offered by County outreach teams, the types of crisis interventions that may be indicated by the individuals with whom they encountered, as well as, continuing to develop a County inventory of other systems of support that were accessed by individuals who were at risk or experiencing homelessness. She stated that not all of these systems worked alongside one another, and not all of these systems were collecting unified data points, so it would be an effort to identify what some of the shared metrics were, not on a personal identifying information level, but just on a number of individuals served and how those were being accessed by referral with their outreach folks, but also by people that made a statement at the time that they were receiving a service from the Animal Care Center or from their colleagues at the Health Department.

Supervisor Christy stated that he wanted to share some information that was given to him that he thought was terrific about the Transition Center and their studies showed that after use recidivism was reduced from 27% to 11%. He stated that taxpayers had saved nearly \$1 million so far and the County partnered with Tucson Crime Free Coalition and the Southern Arizona Leadership Council to work on Title 36 updates to include a stabilization period for people that had a substance use disorder that were admitted to the Crisis Response Center. He stated that this was a way to get people treatment and hopefully save lives and have these measurable outcomes that had true data attached to them. He stated that he would ask some questions, but did not want a response now and asked that they be responded to in writing. He stated that one of his issues was that when he asked for this last time with about 9 questions, half of them could not be answered because they dealt with the COT. He stated that it was his understanding the County was paying 50% of the salary of a COT employee to work directly with Ms. Darland and asked if this was correct.

Ms. Leshar responded yes, but that the position had ended.

Supervisor Christy asked when it had ended.

Ms. Darland responded the first of the year.

Supervisor Christy asked if there was collaboration between the COT and OHOHS.

Ms. Leshar responded there was collaboration, but not with a staff person and they met regularly, communicated regularly and collaborated.

Supervisor Christy asked if there was not an opportunity for the COT to be asked these questions that Ms. Darland could not respond to.

Ms. Leshar stated that she would be happy to revisit that and work with the City Manager to get the responses.

Supervisor Christy stated that he would read the questions into the record and would also submit them to Ms. Leshar. He read the following, "How do we measure success rates with the partnership with the City and County was engaged in the homeless space? Why hasn't the City of Tucson and TPD fully embraced the Transition Center? Is it possible to create public facing dashboards that track financial expenditures and success rates? And by answering these questions, how do we know what we are doing is actually working? If you ask 30 people at a Walmart parking lot, have we made a dent in this space? And then they'll clearly say no. And then with voters passing Proposition 312, even in Pima County, there is a desire by the public for accountability." He stated that he would submit these questions to be answered and since the County was collaborating with the COT they should be able to respond to these questions on behalf of the COT as with the County.

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

18. Update on Federal and State Executive, Legislative and Judicial Actions that affect Pima County

(Clerk's Note: See Minute Item No. 22, for discussion related to this item.)

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

COUNTY ATTORNEY

19. Proposed Settlement in Therese Deschenes, et al. v. Pima County, et al.

Discussion/Direction/Action regarding a proposed settlement in Therese Deschenes, et al. v. Pima County, et al., C20180857.

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

20. **Proposed Settlement in William Farmer, et al. v. Pima County, et al.**

Discussion/Direction/Action regarding a proposed settlement in William Farmer, et al. v. Pima County, et al., C20190642.

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

21. **Settlement Recommendation in BP 5411 Investors, L.L.C. v. Pima County**

Discussion/Direction/Action regarding a settlement recommendation in BP 5411 Investors, L.L.C. v. Pima County, TX2024-000134.

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

FINANCE AND RISK MANAGEMENT

22. The Board of Supervisors on February 18, 2025, continued the following:

Fiscal Year (FY) 2025/26 Requested Budget Supplemental Overview

Discussion/Direction/Action: Review of the supplemental requests submitted by County departments and elected offices for inclusion in the FY 2025/26 County Administrator's Recommended Budget.

Chair Scott stated that elected officials were asked if they wanted to appear before the Board to discuss their supplemental requests and present at this meeting were the County Treasurer, the Clerk of the Superior Court, and representatives from the School Superintendent's office since Superintendent Williams was unavailable.

Brian Johnson, Pima County Treasurer, thanked the Board and Administrator Leshner for taking the time to hear a detailed presentation of the four budget supplemental requests he submitted and for Ms. Leshner recommending approval for two of those requests. He stated one of them was for additional operating expenses and the other for staff pay discrepancies. He summarized the need for the other two critical budget supplemental requests for the Treasurer's Office that were listed in the material as needing further discussion. He stated that these requests were essential to ensure compliance with new legislation and maintain the highest standards of service and public confidence. He stated the first was for \$262,000.00 for an increase in Treasurer Staff, which would address an upcoming need from House Bill 2369, which would empower the State Auditor General to review their internal control procedures, provide recommendations and ensure compliance with their requirements. He stated that even though those requirements were still pending, he anticipated they would align with the Government Finance Officers

Association and the Government Accounting Standards Board standards, emphasizing separation of duties and enhanced automation of reconciliation procedures. He stated that he also anticipated that the internal control procedures would be scaled to the size of the County, Pima being the second largest, and would be scrutinized more closely, but regardless, having the strongest internal controls for County public funds was in everyone's best interest. He stated that they would require an accountant and an additional Information Technology (IT) developer to meet those standards and that each of these positions would be at a high skill grade and advanced level of responsibility. He stated that he would request an Accounting Supervisor for the accounting position, a position they did not currently have but was needed to separate supervisory duties between payments, cash management and reconciliation. He stated that the IT developer would be a Level III and they currently had one staff member at that level that made programming changes to their internal applications and enhanced those applications to meet expected standards and enhanced efficiency would require additional application development skilled personnel. He explained that the other supplemental request of \$141,070.00 was for the Treasurer Staff Training and Education Program. He stated that House Bill 2433 would necessitate advanced professional development, membership in the Government Finance Officers Association and ongoing continuing education were no longer optional, but would be a requirement for the Chief Deputy Treasurer and himself. He stated that furthermore, investing in educational opportunities for staff was crucial, would empower them to better serve taxpayers, schools, community college, fire districts, and all of the government agencies they serviced, but also fostered career advancement leading to a more skilled and motivated workforce. He stated that he had already acknowledged in some of the previous discussions with Board members and with County Administrator Leshner that this particular supplemental request asked for a Training Supervisor, as part of the program, but that was not necessary at this time, and he recommended that supplemental request be reduced by \$110,000.00 to \$31,070.00, bringing the total amended amount for all four requested supplementals to \$481,772.00. He stated that the overarching goal of these budget supplements was to provide excellent service to all citizens and the County's government agencies to take care of their money and the enhanced safety measures were vital for securing public monies and fostering public trust. He stated that he was committed to upholding the highest standards of fiscal responsibility and transparency, and emphasized that even with the addition of these supplementals to their base budget, the funding for the Treasurer's Office would remain below 1% of the General Fund, so that was a modest investment for the crucial role of the Treasurer's Office and would yield significant returns in terms of efficiency, compliance and public confidence.

Supervisor Heinz thanked the Treasurer for his time and appreciated discussing his requests with him. He expressed his support for all of his supplement requests and that the legislature was going to be making some unfunded mandates, but it made sense given the County's neighbors to the south with \$39 million falling off a truck over a decade and something like that was not needed in Pima County. He reminded everyone that the current Treasurer's predecessors were in the position

for 24 years. He asked if this information was correct and if they had given up the 7 full-time positions, had not hired for them and then they were swept.

Mr. Johnson responded in the affirmative.

Supervisor Heinz stated that in light of the fact that this was the first Democrat Treasurer in over a generation, he was a brand new person, he should have some leeway to operate his office as needed to make it work and reiterated he was in favor of the Treasurer's supplemental requests.

Gary Harrison, Clerk of the Superior Court, addressed the Board and stated he was in attendance to ask for a supplemental budget request. He explained that he had been in the position for six years and courtroom clerks had always been a juggling act for the Clerk's Office. He stated that it was mainly due to not being able to get people to want to do it and second was the salary range. He stated they had dealt with this over the years where people did not want to do the job, but he had been most fortunate because they had some terrific people that decided to stay and work in the environment. He stated that their office had done really well in providing the service for the courtroom that they were supposed to provide. He explained that this request mainly came because of a move by the Administrative Office of the Courts (AOC) and they decided to expand the family law bench and move it to Justice Court and with that, Justice Court was a good distance away and were unable to juggle those courtroom clerks in such a way to cover every courtroom. He stated that currently, they were probably in the best state they had been in since he took office and he was proud of that and of the employees. He stated that moving these clerks to Justice Court was going to shorthand them and they would have to be able to cover those courtrooms, as well.

Ray Rivas, Chief Deputy, Clerk of the Superior Court, explained that the movement of the courtroom clerks would move approximately nine Clerks and a Supervisor to Justice Court which consisted of about a third of their downtown workforce and the position of Courtroom Clerk. He stated that the training time to get an employee to the level where they could cover court on their own for just a single family law bench was approximately 4 to 6 months, depending on the individual. He stated that this was long lead time and there was no way to move ten folks all at once and hire ten to replace them at the downtown location and train them to where they needed to be. He stated they would be behind the curve and would not be able to cover court hearings the way they had been covering them. He stated this was the reason why they were asking for this increase so they could hire the employees that they needed, get them trained so that when it came time to move them, the new employees would be up to speed, trained and ready to go when court opened at Justice Court. He stated they were using this opportunity to ask for supplemental, to also provide a path forward for employees and put them at different ranges. He stated that currently all their courtroom clerks were at a pay grade of 6 no matter what type of discipline. He stated this would give them an opportunity to create employee growth and stepping stones, so that as they took on more responsibility, as they learned more disciplines and they became a trainer, they would be

compensated for that and would be moved into another grade and compensated for what they chose to follow. He stated that this was gist of why they were asking for this supplemental so that they could implement that program and take care of the employees, Superior Court, and also continue to serve all the constituents of Pima County.

Supervisor Heinz asked if AOC meant Administrative Office of the Courts.

Mr. Harrison responded in the affirmative.

Mr. Rivas clarified that Mr. Harrison had meant to say Superior Court.

Supervisor Heinz asked if the requested \$281,000.00 was sufficient to hire and train ten new clerks.

Mr. Rivas stated it would also staff them and create the different levels and put employees in the correct ranges.

Supervisor Heinz commented that amount seemed low for ten people.

Peter Laing, Chief Deputy of Finance and Operations, Pima County School Superintendent, addressed the Board and thanked them for hearing their supplemental budget requests. He explained that they currently had four supplemental budget requests totaling \$259,500.00, one was related to facilities and one was related to their operations team. He stated that the other two were related to their programmatic side, which their Chief Deputy for Educational Services, Deborah Bryson, would speak about more fluently. He stated that as they looked at their operations, in particular within their finance team, they currently had six accountant positions, four of which were Accountant III positions. He stated that as they dove into the fundamentals of their operations, he had been in an interim role but was currently in a permanent role for 15 months. He stated that over this time, they identified a significant need to shift one of those positions to change their job coding grade from Accountant III to a Business Analyst, and that change would help them dive down into their processes, policies and procedures, ensuring they had strong documentation for internal controls, and to help them improve the efficiency and effectiveness of the office. He explained that the second request was related to facilities which was for a \$160,000.00 estimate that came from Facilities Management (FM), and that was to help upgrade the safety and security of the building facility. He stated their current building did not have a security guard and no barriers for when the public came into their office beyond a general desk area. He stated that they worked with FM and explored the options available for their office and compared it to similar projects that the County had worked with. He stated that in order to provide those necessary security and safety upgrades, largely with respect to things like plexiglass shields and barriers, to ensure better separation when the public came into their office to ensure the security of staff.

Deborah Bryson, Chief Deputy for Educational Services, Pima County School Superintendent, thanked the Board for the opportunity to share a very exciting program they had in their office called CommunityShare. She stated that they were requesting two lines for CommunityShare, one for the platform that hosted the service, and the other was for Full Time Equivalent (FTE) to run the program and help cultivate community members. She explained that CommunityShare was a program that was much like a human library, where they gave the community members the opportunity to connect with educators that had needs for presentations or work in their classroom, and they were able to do that through this platform. She stated that they recently partnered with Tucson Values Teachers to help augment the cost of the platform, but they continued to need the \$12,500.00 for that other half and the FTE position. She stated that it was critical that they had an employee who was active in the community and could be reaching out to the various community agencies, various folks in the community that were able to support and work with educators. She stated that there was always that special person that everyone had that when they looked back on their life and remembered the difference they made when they came in and were a guest in their classrooms. She added that they had this position in the past and it was funded through COVID dollars, through their Elementary and Secondary School Emergency Relief fund (ESSER) grant, which had been discontinued. She stated that their hope was that they could continue this vital program through this FTE position.

Chair Scott asked if CommunityShare was the program that was brought to the office by Josh Schachter.

Ms. Bryson responded yes and added that Pima County's program was now part of the international CommunityShare community.

Chair Scott asked if Mr. Schachter was still engaged with the program in any way.

Ms. Bryson replied that Mr. Schachter was involved in a peripheral way, but that they continued to rely on his expertise.

Supervisor Christy suggested the Board consider combining Minute Item No. 18 with this item, since they were discussing grants for supplementals. He stated that it would be appropriate for a discussion of grants, status and impact on the General Fund and was certainly a factor to consider before the Board approved any supplemental requests, and the items under review or depicted as under review by County Administration, represented roughly 10% of the entire budget.

Chair Scott stated that he appreciated Supervisor Christy's comments because the rough estimate they had of grant funding and other federal funds that might be at risk was around \$148 million. He stated that the County Administrator had a presentation for the Board that was an update on the spreadsheet that the Board received at their last meeting. He asked that if there was any opportunity to incorporate some of the updated information from the federal government into that presentation that it be done and that item would still be covered at that time

because there might be material that was separate from the consideration of this agenda item and did not want to be in trouble with the County Attorney.

Supervisor Christy stated that both were under consideration by the Board and suggested that the section Chair Scott referred to about the items under review, the Board might be able to hear from County Administration first so that the Board had an idea about how it was going to affect any supplemental requests.

Chair Scott stated that it would be helpful if there was a way of incorporating any updated information regarding federal funding into the consideration of supplemental requests.

Supervisor Grijalva stated that she had mentioned this the last time the Board discussed these requests and she was very concerned that next year they were looking at a budget deficit and thinking about expansions of different programs that were not critical and that was something that she was opposed to. She stated that in light of the fact that the Board did not know about the status of some of the grants that Supervisor Christy alluded to, and that the budget process was still ongoing, she encouraged her colleagues not to recommend any supplemental requests be included if it had not been approved and vetted through the County Administrator. She stated that her concern was, for example, if the Board approved \$200,000.00 here, \$400,000.00 there, it would create pushback somewhere in the rest of the budget that they would account for. She stated that before they made any decisions where they advocated for approving piecemeal things, it was important for the Board to have a really solid understanding of what the unintended consequences might be to the rest of the budget.

Chair Scott explained that last time, the spreadsheet the Board received broke the supplemental requests into three categories, those recommended by the County Administrator, those not recommended and those where further discussion was needed. He stated that he was hopeful that the presentation the Board received this time would enlighten them as to whether or not any of those items changed categories.

Jan Leshner, County Administrator, clarified that all discussions about supplementals remained preliminary, including those in the "yes" category and noted that if everything marked as "yes" was accepted, the primary tax rate would have increased by \$0.48, however, ongoing deliberations and revenue assessments meant that even items marked "yes" were not finalized. She suggested pausing the discussion to review federal funding updates and requested that Ms. Davis provide a quick snapshot of the federal piece, emphasizing that this information was also fluid, but could offer a clearer understanding of current program alignments.

Sam E. Brown, Chief Civil Deputy County Attorney, Pima County Attorney's Office, asked whether the Board intended to combine discussions of Minute Item No. 18 and this item.

Ms. Leshar stated that her suggestion was that as part of the conversation regarding supplementals and the budget, it would be appropriate to look at the federal picture as well.

Chair Scott stated that his understanding of what Ms. Leshar was proposing the Board could do was hear the item related to the federal funding updates and then return to this item because there may be other material related to it not connected with supplemental requests. He asked for clarification of the intent of Ms. Leshar's suggestion.

Ms. Leshar clarified that she would go through the federal updates presentation and that it would connect to the budget, but there would be no action taken on it.

Mr. Brown stated that it would be okay if the Board considered this item later, but if both items would be done together a motion should be done to combine the items.

It was moved by Supervisor Christy, seconded by Chair Scott and unanimously carried by a 5-0 vote, to consider Minute Item Nos. 18 and 22 together.

Sarah Davis, Senior Advisor, County Administration, provided a slideshow presentation on an update of federal actions affecting Pima County funding and operations. She reported that 76 executive orders had been issued since January 20th and discussed the Office of Management and Budget (OMB) memoranda that temporarily paused federal funding related to the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act of 2022 (IRA), known as OMB memo (M-25-11), a pause on all federal funding for a 90-day review period and release list of Catalog of Federal Domestic Assistance (CFDA) numbers under consideration, but with court injunctions the OMB rescinded the memo and had temporarily paused the pause and funding was still open. She stated that they would provide a review on the content that matched against the grant portfolio especially with last fiscal year impact, so that it could be tailored to the conversation for potential fiscal year impact with the budget. She stated they received reported recoupment of already issued federal grant awards on February 12th, which was currently with the courts as of February 21st, it was specific to New York and the Federal Emergency Management Agency (FEMA) Shelter Services Program funding. She stated that there was a substantial reduction in federal workforce, upwards of hundreds of thousands of temporary, probationary and career workforce and would provide a larger update on that over the next few weeks, as they learned more about the impact across federal agencies, by which they did very close work with. She stated that another consideration to be discussed was continued Resolution H.R. 10545, which expanded federal spending through March 14th and was about to expire, so there were considerable budget impacts that were currently being proposed at the federal level between the House and the Senate. She detailed the potential impact on Pima County's grant portfolio, identifying 150 affected grants totaling approximately \$150 million in expenditures from the previous fiscal year and affected 20 County departments. She stated that that most affected departments included Grants Management & Innovation, the Health Department, and Community

and Workforce Development. She noted that \$94 million of the funds came from the American Rescue Plan Act (ARPA), which had been fully obligated by December 31, 2024 and included the Emergency Rental Assistance Program (ERAP), Emergency Food and Shelter Program (EFSP) and the FEMA Shelter and Services Program (SSP). She added that of the \$150 million, these were very large awards with 63% that came from those big funding allocations that were either directly tied to the work that was being done for asylum seekers in the County and in the region. She stated that Emergency Rental Assistance programming was essential, and the ARPA, which was Covid relief dollars, were all awarded and ramping down. She added that ARPA was completely obligated, Emergency Rental Assistance was awarded and ramping down for payments, the Emergency Food and Shelter programming was awarded and closing out, the FEMA Shelter and Services program was a reimbursement grant and was potentially at risk for reimbursement of those funds. She stated that the remaining expenditures, represented \$56 million, were the ones that needed to be reviewed closely and were representative of discretionary grants or reoccurring grants, called formula grants. She explained they were annual award amounts that tended to have passed through agencies at the State. She stated those represented the Health Department and Community and Workforce Development which had the largest portfolio of those, and those impacted public health services, housing and workforce economic support. She stated that grants tended to be seen annually and they would be reviewing those closely because those were essential services by which the County provided to the community. She stated that they had reported to the Board that IJJA and IRA represented the 16 grants, which were approved congressional dollars and explained that those were what was under consideration in review of the Impoundment Control Act. She added that the County had 16 grants across that portfolio which were either currently active, had not yet started, and did not have grant agreements in place and had received notice that one or two of them were paused. She stated that the situation was still fluid and continued to hear from their federal granting agencies with directives on what to pause and what was in alignment with the executive orders. She stated that they were maintaining compliance with their federal granting agencies, and it was known that the portals by which to receive reimbursement were still active and open. She stated she had received a question in her last update regarding the invoices that were being submitted, if they had been reimbursed, and for the most part, yes. She stated that they had a couple of grants that had not been reimbursed and had received directives from their granting agencies to be diligent in the County's review and submittal of invoices for repayment. She stated that the next thing they would look at was the fiscal year spend down, to know the proportionality of the \$150 million. She stated that a lot of them were large scale funding approved by Congress for counties and jurisdictions, and they were starting to ramp down that \$56 million in fiscal 2024 expenditures which was something they would comb very closely. She stated that they were looking at the program performance period and whether they were going to be closed out and what their rate of completion was, especially across the discretionary grants. She noted that as they neared March 14th and H.R. 10545, there were considerable conversations happening in the House and the Senate around a new budget and what that would look like. She added that she

brought this up in part because of proposed cuts to Medicaid and what that impact would be to Pima County and its residents. She stated that prior to 2000, the County had the obligation for indigent care, but since then it had shifted to the state's Medicaid, Arizona Health Care Cost Containment System. She stated that represented 2 million Arizonans and roughly 300,000 at any given point in Pima County were insured under state Medicaid, which the majority of them were adults ages 22 to 64 and children 0 to 17. She stated that the population most at risk was the expansion group, which fell within the 138% of the federal poverty limit, and childless adults. She underscored that these were critical services, both in acute medical care, behavioral health care, seriously mentally ill-designated population that received essential services through Medicaid funding, substance use treatment, long term care, and Arizona's KidsCare, which was the County's children healthcare insurance program. She stated that this would have a considerable impact on the County, and a huge impact to access care for residents and the hospital health system providers, especially in medically underserved areas in critical care areas. She stated that they would continue to diligently review this to determine what budget impacts it might have to Pima County and its residents, and they would update the Board as it shifted and changed. She reiterated they would review the grants portfolio and wanted to provide a proportionality, especially as the Board considered the budget supplementals and proposals insofar of what the impact of that \$150 million across 150 grants that the County held. She stated that they would provide updates on the current fiscal year spending as soon as that was ready. She added they were looking very closely at the reductions to staffing that was invariably going to have a lot of impact with their federal granting agencies and program officers, and technical support for administering these grants. She stated that they would update the Board across the agencies as those counts were finalized. She stated that they were reviewing compliance with the OMB memoranda and there was a recent executive order directing the Department of Government Efficiency to receive written justification for any expenditures pertaining to contracts and grants and they would see how that emerged. She stated that it was issued on February 26th, so they would keep the Board updated if there was any court action on that. She stated that tariffs would begin on this day and they were closely monitoring their construction projects, in particular, on the impact of those tariffs to any sort of activities that were planned on the infrastructure side.

Supervisor Christy stated that there was a possibility that the grants being discussed were vulnerable and questioned that while they were currently open, there could be clawbacks in the future, whether the grants that the Board voted to accept were originated by the County's grant-writing efforts or if they were awarded by the grant funding source, and it was announced that there were available funds if the qualifications were met, but it required the County to request it through a grant process.

Ms. Davis answered in the affirmative and explained that some of those grants were called discretionary grants, by which a grant application was written and submitted for a Notice of Funding Award, and the County would get awarded for that specific project with its partners. She stated that if the County was awarded funding and had

applied for that Notice of Funding Opportunity and the federal funding agency agreed to award the County funds, that would come in the form of a Board of Supervisors Agenda Item Report and the Board approved every revenue that came in. She explained that they also had formula grants, which were reoccurring grants that they often received as pass-through from State agencies, for example, Immunization Block Grants that came from the U.S. Department of Housing and Urban Development. She stated that these types of awards were also brought to the Board and if they were five-year award amounts and were received annually, they would be noticed and those would also be brought forward for Board approval.

Supervisor Christy asked for clarification if those grants awarded were a result of Pima County writing a grant and requesting it at some point. He asked that during their estimation of monitoring the outstanding grants if there had been any change in the dollar vulnerability that was originally stated at \$148 million, if the amount would be any higher and what the Board should be focusing on, the \$56 million as the most vulnerable or the entire \$150 million.

Ms. Davis clarified that \$148 million was roughly estimated, it was a little bit higher at \$150 million, but highlighted that ARPA, EFSP and ERAP were included in that, and it would be higher because of the big one-time funding allocations that the County received. She stated that the amount would not get higher than \$150 million because those were awarded and closing out and they needed to focus on the \$56 million group since that was representative of ongoing current active discretionary grants and/or annual awards that were reoccurring format, and that the \$150 million appeared larger due to those one-time funding opportunities, which were now closed. She stated that what they might see with the bigger funding pertaining to ARPA, ERAP, EFSP, and SSP was potential non-reimbursement or recoupment, as seen in New York, pertaining to the FEMA Shelter Service programming. She added that they would be monitoring whether the County would be reimbursed and would update the Board at critical junctures when funding that was already contracted did not come in.

Supervisor Christy asked since the last time this was presented to the Board if the dollar amounts, the vulnerability issues and the grants themselves had not changed.

Ms. Davis responded no.

Chair Scott stated consistent with both items being combined, it was the \$56 million pot that might have the biggest effect on the Board's consideration of the overall budget.

Supervisor Christy asked if the \$56 million would be more of a short-term concern as opposed to the \$150 million as a longer-term basis.

Chair Scott replied that it was a fluid concern.

Ms. Leshar clarified that the \$56 million pertained to formula grants, rather than discretionary grants requested for specific purposes like air quality monitoring equipment. She emphasized that these grants were recurring, such as Community Development Block Grants and funding for the Women, Infants, and Children Program. She stated that these funds were allocated based on population and service usage, coming through the State to the County each year and that amount was a key concern.

Supervisor Christy commented that the County asked for those grants and he had voted against some of them.

Ms. Leshar concurred and stated that it was not similar to writing a grant, it was brought to the Board requesting it was okay to inform the grantor that the funds could be given, but there was a distinction. She stated that the Board could decide to not accept the grants, however, those were basic programs that had been relied upon for 30 years. She added that the one-time funds were also of concern and that between the ARPA funds, some \$360 million had been spent down and the assumption was that some of the other dollars would be reimbursed. She stated that it was known that other communities in this country that dollars already given to the jurisdiction were clawed back, so they were watching this with great concern. She explained that as staff began reviewing supplemental budget requests, they were aiming to improve the process based on feedback from the previous year and noted that while the tentative budget was typically presented to the Board at the end of April, by the time it reached them, it often appeared as a fully finalized package, which meant Board members did not have the chance to review individual supplementals or provide input before recommendations were made. She stated that to address this, staff hoped to involve the Board earlier, sought guidance and feedback to shape what would be included, acknowledging the challenge of needing Board input before having final recommendations in place.

Supervisor Christy inquired about the deadline for spending ARPA funds.

Ms. Leshar responded that the final authorization and spend plan had already been completed the previous year and confirmed that the County had until December 2026 to fully expend the allocated funds.

Chair Scott indicated that the authorization deadline had already passed, but this was regarding the expenditure deadline.

Ms. Leshar explained that they had made some modifications and annual adjustments and one was at the end of the prior year, which was their last opportunity to make adjustments on how the funds would be used and had up until December 2026 to spend the funds.

Supervisor Heinz asked for clarification whether out of the \$150 million, the County already had about \$93 million of those dollars, minus the reimbursable funds.

Ms. Davis responded yes and no, that ARPA and ERAP had been awarded and SSP was for reimbursement, so those dollars had not been received. She explained that ARPA was awarded in two tranches, had been obligated and would be spent down by December 31, 2026.

Ms. Leshar clarified that the last piece of this was for SSP of approximately \$5.9 million that was awaiting reimbursement which encompassed everything within that bucket.

Supervisor Heinz stated that the 16 other grants were infrastructure jobs, bipartisan federal laws that were passed by Congress and signed by the executive branch. He questioned if there were any examples of these types of grants being revoked or not funded, that had been seen, because he was aware that the courts intervened in most cases. He asked if there was something in terms of the court that had allowed this kind of a clawback or reversal of chapter law to occur.

Ms. Davis stated that the Safe Streets for All grant was a new grant that was awarded to Pima County, but had been identified as paused and there was no grant agreements in place. She added that they received feedback from their federal funding agency which confirmed it was paused and could be for a longer period of time.

Ms. Leshar indicated that it came through the Federal Highway Administration for about \$2.8 million.

Ms. Davis stated that of those 16, they were the ones that were under consideration with the court action surrounding the Impoundment Control Act. She stated that the funds had been approved, were disbursed, and it was federal law, so the determination of being able to fund them was still in the courts. She added that those should open and be reimbursed, including the portal and they had access to submit invoices to be reimbursed for those grants.

Supervisor Heinz stated that the County had spent hours dealing with the disruptions by the federal administration instead of actually identifying the priorities that the County must fund to serve the needs of the community. He stated that if the County had to bump the tax rate, it could be added to the tariffs that went into effect. He stated that tariffs would cost the average median household in this country \$2,000.00 per year, for items like furniture, tools and cars. He stated that the impact locally was to determine which of these programs needed to be funded and why and then make that the priority. He stated that for example, if the tax rate increased by \$0.48, that was approximately \$9.40 of additional property tax per month for Pima County residents. He acknowledged that this was not something everyone wanted, but these were the priorities and the County had to be responsible. He stated that unlike when he was a State legislator, money could not be printed as it could on the federal government level. He stated that the County had the tools to fund the important priorities for these programs for County residents, unlike at the legislature, where it took a two-thirds vote to bump a sales tax, remove a tax credit

or anything else. He added that unlike Utah, a three-quarters Republican legislature, they could bump their sales tax up and down by a majority vote. He stated that he wanted everyone to understand that the Board's job was not just to figure out the chaos from the federal government, it was to be vigilant and ensure the County was funding necessary programs.

Supervisor Allen thanked Ms. Davis for the presentation and commented that everyone knew by running the programs and the operations of the County was that it was not just about the \$56 million for specific programs, but these programs had ripple effects across the community. She expressed concern about federal worker layoffs, inquired how many were in Pima County and the resulting consequences, such as increased strain on small businesses, schools, healthcare, and other community systems. She stated that the threads that connected individuals to good jobs would become unemployed and it would then push an additional burden onto the County. She stated that this segued back into the conversation about the supplemental budgets, and the programs that would be hit by the executive orders and the freezing and that it was the responsibility and burden of the County to be able to weave the community back together. She stated that things that were being cut and attacked at the federal level, such as housing, health, education, air quality and the integrity of the Sonoran Desert, should become priorities within the budget. She requested that as the supplemental budgets were reviewed, that the following report include information on the happenings at the State legislature with some of the bills that were moving forward and how that would impact Pima County.

Chair Scott asked that Supervisor Allen's request be included in the recurring Update on Federal and State Executive, Legislative and Judicial Actions item next time it was on the agenda.

Supervisor Grijalva thanked Ms. Davis for the presentation and stated that it was good to have discussion every meeting because things were changing so often. She asked with the portals being open and the ability to input requests for reimbursement, if they had seen reimbursement recently.

Ms. Davis replied in the affirmative, but that a couple of them were lagging that they were examining and mostly everything that had been submitted had seen fluid traction on being reimbursed.

Supervisor Grijalva stated that Ms. Davis had mentioned New York and it was also heard in other cities and states where the process was still working, but then suddenly were not put in the requests for the funding and were not being reimbursed. She expressed concern that the \$56 million including CDBG funds, were the County's nonprofit organizations that would take a devastating hit. She added this was the reason why she was concerned with cherry picking different budgets and deciding on supplementals without having a full picture of the impacts. She stated that CDBG was not a lot of money compared to the County's overall budget, but it affected every nonprofit that did amazing work in every district all over the County. She stated that if the Board found itself in a situation with figuring out

how to continue to allow those programs to move forward while waiting on the status of the federal funds, and possibly waiting on a lawsuit, she continued to be very cautious of enhancing any department budgets without that understanding. She stated that she would be the first one to advocate for the Board to figure out how to fund CDBG and Outside Agency funds and projects with the County's General Funds if it was not available at the federal level. She stated at that point she would be willing to meet with the County Administrator to determine what things would need to be cut so that could be done, and the unfortunate part of this conversation was that it involved people. She added that the County's budget was predominantly people so as they looked at which departments to cut, that was who they were talking about and she also worried about some of the supplemental budgets that involved hiring of new staff or creation of new positions, those would be a major concern because any cuts would involve those people.

Supervisor Christy commended his colleagues for working in Department of Government Efficiency, layoffs, chaos, humanity and the devastating toll that government workers had experienced. He shared a recent Wall Street Journal headline from the prior week, "Starbucks to cut its office staff", that 1,100 workers had been laid off by Starbucks, which was the Valhalla of the progressive left when it came to their ability for meetings and gatherings. He stated that he had not seen any outrage, demonstrations or placards being waved on the streets about these people and a layoff regardless of where it came from was not pleasant. He criticized the discussion for diverting from the budget and had changed the tone to the federal government.

Supervisor Heinz stated that he personally had no issue with necessary federal layoffs for efficiency or job redundancy, however, he criticized the way such layoffs had occurred and referenced a presentation by the Chief Executive Officer the Airport Authority, during which they learned that 400 Federal Aviation Administration workers, excluding air traffic controllers, had been laid off. He stated that this occurred just days after a tragic event in commercial aviation, which he considered one of the worst in his lifetime. He emphasized that while job reductions could happen at any level of government, the critical concern was how they were executed and who was affected. He argued that decision-makers should understand job descriptions and responsibilities before dismissing employees. He encouraged residents to engage with their federal representatives, specifically, Juan Ciscomani's office in Southern Arizona and that staff there would be receptive to public concerns.

Chair Scott discussed the evolving terminology used in recent meetings, noting that "uncertainty" had been the dominant term previously, while "fluidity" was now being emphasized. He questioned where in Washington were they most likely to receive answers regarding the impact of federal decisions on the County budget and programs and the sources that had been most successful in providing clarity on these matters.

Ms. Leshar responded that answers were not known at this point, but they were focused on updating the Board as quickly as possible, that ongoing litigation and court proceedings were a factor. She stated there had been discussions with the County's federal lobbyists, the delegation, state officials, but no clear answers had emerged.

Supervisor Scott sought clarification, emphasizing that the presentations from the previous week and the current week by Ms. Davis were based on their assessment and appraisal of information received from Washington, but the situation was still uncertain.

Ms. Leshar concurred and provided a slideshow presentation on the Fiscal Year 2025/26 requested budget supplementals. She stated that this was in response to what was heard at the prior meeting for requests for information on how this was divided and how they would currently consider the various supplemental requests. She stated they would go over the priority definitions which were categorized in three sections, with the first identified as the highest priority, County-wide operational needs, such as salary adjustments and Contingency. She stated that the second priority was to maintain existing resources and assets, such as for staffing of Manzanita Park that had been developed the prior year. She stated that the third priority was the expansion of existing programs and assets, and the final priority was for any new services or programs. She stated that of those priorities they tried to determine the dollar impact for those recommendations to give the Board an idea about what a tax increase might look like and some other information. She stated that Priority 1, County-wide Organization Needs, was at about \$23.7 million or \$0.215 if it went through on a property tax increase. She stated that Priority 2, Maintaining Existing Resources and Assets, was at \$19,606,000.00 or \$0.1782 and clarified that the third column of the chart was cumulative, and when added together it came out to \$0.3937. She stated that Priority 3, Expanding Existing Resources and Assets, was \$0.0831 that brought it up to \$0.4768. She stated that initial recommendations for New Programs and Services was at \$0.00 because they did not look at prioritizing new resources. She stated that as they walked through these options, if the Board considered these various priorities and added them to the budget, there would be a tax increase, but there was also other opportunities. She stated that for every 1% reduction across the board in expenditures, was an equivalent of \$6.8 million; PAYGO modifications if maintained at the current 60/60 split, could generate another \$21 million to fund some of those operations; Reserve Policy Moratorium in the past, was at 17% for fund balance and about two months of General Fund obligations and if changed to 15% was about \$12 million the following year; Property Tax Increase at \$0.01 of the primary tax at about \$1.1 million. She stated these were some of the opportunities as they looked at expenditures and revenues. She explained that the County-wide Organizational Needs was at \$15.7 million for employee compensation, which dealt with the County's core functions and excellent service. She stated that in the past when they completed the Class/Comp Study to get people close to where they needed to be, it required maintenance or else they would have to go back to the drawing board in a couple of years. She stated that would amount to a 3.6% across the board raise for

all employees on July 1, and another 1.4% in January 2026, totaling a 5% increase by the end of the fiscal year. She explained that it was important to have in the budget, General Fund Contingency at \$5 million and that two priors it went down to about \$250,000.00, which was woefully small for an organization this size. She added that the other thing was Grant Match Contingency if the County continued to rely on grants. She stated that there were times, as an example, broadband needs, a \$30 million federal grant would come in to assist with broadband services throughout the County, particularly to underserved areas, a match was needed for that. She stated that they wanted to ensure that there was budget authority and a cap, as well as some dollars available to be able to take advantage of grant opportunities should they arise. She stated that the County's organizational needs came out to \$23.7 million. She explained that with Maintaining Existing Resources and Assets, when divided up for government services, there were one-time expenditures that did not relate to staff, such as purchasing equipment, facilities, upgrades and software. She stated that there were various things that would be considered one-time allocations, and they would not roll the County into an ongoing commitment. She stated that the total amounted to almost \$20 million. She stated that some of those expenditures were regarding facilities, particularly for the \$1 million, and they would be checking what could be paid this year. She stated that nothing was getting cheaper, and if any budget capacity was left this year and things needed to be purchased, or facilities needed to be fixed or upgraded, if there was ability to spend additional dollars during the current cycle they would. She explained the breakdown and stated that the Assessor had some operational expenses of \$662,000.00 that was ongoing and this was an example of a few issues they looked at for the budget this year and ongoing expenses that she considered to be corrections. She stated that Tax Assembly personnel had moved back to the Assessor's Office from the Finance Department, but the funding was not moved with it, which was the reason for the ongoing expense, to ensure that there was the budget there for positions that was meant to be funded in the past.

Chair Scott asked for clarification with regards to Facilities Management and maintaining existing resources and assets, if that was to ensure that preventive and deferred maintenance issues within that department were being addressed.

Ms. Leshar responded in the affirmative.

Art Cuaron, Director, Finance and Risk Management, explained that the \$1.4 million allocated for Facilities Management encompassed various departmental requests. He outlined the specifics that \$615,000.00 was designated for new building maintenance and would cover structures that recently became operational or were expected in the upcoming fiscal year. He added that there was a \$285,000.00 increase in operating expenses due to ongoing utility costs, which amounted to \$249,000.00 across the board, contract services accounted for \$230,000.00 of the budget, while the final portion, \$63,000.00, was allocated to the Downtown Tucson Partnership contract, which completed the total of \$1.4 million.

Ms. Leshar inquired if the Board found the highlights she provided to be helpful, or if the Board wished to hear a granular breakdown of the expenses.

Chair Scott indicated that he was satisfied with hearing the highlights and Board members could interject with questions.

Supervisor Grijalva requested that the Board receive a document outlining the breakdown of the budget to review at a later time, so it was not necessary to review the items line-by-line.

Ms. Leshar stated they repopulated the list and Board members were seeing these minor tweaks and adjustments, and it would be provided to them in a hardcopy and electronically. She stated that everything was fluid and nothing had been solidified at this point.

Mr. Cuaron stated that with Community and Workforce Development, the \$3 million represented the Emergency Eviction Legal Services Program (EELS) that the Board expressed interest in continuing. He noted that with Detainee and Crisis Systems they were at \$2.7 million, NaphCare was at \$1.3 million, and \$1.2 million for evaluation days.

Ms. Leshar stated that these consisted of court-ordered evaluations, both were external contracts with providers and estimated these to be increased costs.

Mr. Cuaron continued that with Environmental Quality, the \$250,000.00 represented Ina and Tangerine Landfill improvements and the \$40,000.00 ongoing represented the lease at the Ryan Field Transfer Station. He stated that with the Health Department, the \$1.1 million was the Epidemiology Program and noted there was a minor modification from the last Board meeting so it was added into the numbers upon further discussion with the County Administrator and the Deputy County Administrators. He stated that with Parks and Recreation for \$1.8 million, \$1.7 million represented the Parks Renewal Funds, which were paid from PAYGO and the other \$60,000.00 was the operating costs for the Manzanita ball fields that were constructed over the course of the previous year. He stated that with Clerk of the Superior Court, it was a one-time cost for a hard Seal replacement. He stated that with Justice Courts, it was a combination of all of the Justice Courts of \$60,000.00 for one-time cabling in the Tucson court and the \$204,000.00 ongoing was for the Ajo court for \$114,000.00 and Green Valley court for a Probation Officer for \$80,000.00, which was tentatively approved. He stated that the \$419,000.00 in Justice Services was for transition services and Juvenile Court, \$191,000.00 was for a fire panel upgrade of \$75,000.00 and HVAC for \$116,250.00. He stated they were exploring opportunities to fund some of these one-time expenses in the current fiscal year, depending on how contingency played out. He stated that with the Medical Examiner, \$250,000.00 was for the Banner contract that was recently awarded by the Board. He stated that with the County Attorney, \$475,000.00 was for prosecution costs that had increased and with Public Defense Services, the \$3 million was for the Office of Court Appointed Counsel which had been discussed in

the last forecast update. He stated that with the Sheriff's Department, \$2.7 million was for permanent funding of 10 grant Position Control Numbers (PCNs) and they had some utility cost increases, fleet costs, aviation fuel and some other operation and maintenance costs increases. He added that the total for Justice and Public Safety came to \$7.3 million. He explained that with Priority 3, there was a total of \$9.1 million for expanding existing resources and assets with \$500,000.00 in the General Government Services, \$5 million in Community & Economic Opportunity, over \$100,000.00 in Environmental & Public Health, and \$70,000.00 in Conservation & Recreational Resources, \$2 million in Infrastructure Resources, and \$1.4 million in Justice & Public Safety. He stated that with General Government Services, there was a small \$100,000.00 allocation to Finance for reorganization alignment, \$400,000.00 Recorder's request, \$200,000.00 for capital machinery and equipment, and \$200,000.00 for building, service and maintenance for Community & Workforce Development line for affordable housing funded through PAYGO. He stated that with Environmental & Public Health, Pima Animal Care was at \$113,000.00 for two Animal Protection Services staff to be funded and with Parks & Recreation, \$70,000.00 represented Ajo Curley Gym programming. He stated that for infrastructure resources, Conservation & Land Resources was at \$2 million for open space and was funded through PAYGO. He stated that for Justice & Public Safety, the Tucson Justice Court was at \$323,000.00 for courtroom audiovisual equipment of \$204,000.00 and they had \$118,000.00 to install that equipment there. He stated that the Sheriff's was at \$1.1 million which represented ten PCNs they requested that dealt with ongoing services. He stated that this concluded the Priority 1 through 3 that had preliminarily or tentatively been approved and that he would discuss the items that were not approved.

Supervisor Grijalva inquired whether the Board could review the funding for Board-initiated initiatives like open space, EELS, housing, and Pima Early Education Program Scholarships (PEEPs) to figure out a way to indicate these were funds designated for Board-initiated items and that any requested adjustments would come back to the Board. She stated that all departments were going to be going through some stress with funding and would question why they could not move around line items. She stated that perhaps a majority of the Board would be in favor of it and did not favor those decisions being made by anyone other than the Board. She stated that it could be added to their base, but those things needed to be brought back to the Board. She acknowledged that all of the budgets were voted on by the Board, but those specific ones were initiated for a purpose and her worry was that, for instance, open space would stop acquiring new properties and that would continue to enhance Pima County because there were other needs in that same budget.

Supervisor Heinz asked regarding the Clerk of the Superior Court request, if there still needed to be further discussion or if staff had come up with a resolution.

Ms. Leshar confirmed that the \$281,000.00 still required further discussion and was not currently recommended.

Supervisor Heinz stated that he was in favor of that. He asked for clarification with the Clerk of the Superior Court Grant-Funded items why there was so many and if those were up for discussion, review, or if they were uncertain.

Ms. Leshar responded that she believed the items would be funded by grants from the AOC.

Mr. Cuaron clarified that they were not necessarily only grants, but were non-general fund or other special revenue from fees.

Supervisor Heinz asked if they were unsure if they were being funded by fees or other ways.

Ms. Leshar stated that their concern was if those funds did not cover it in their entirety.

Supervisor Heinz asked if Conservation Land & Resources (CLR) requests still required further discussion and if it was required for administrative support.

Carmine DeBonis, Jr., Deputy County Administrator, explained that they would continue to work with the department director on the priority requests so there was some fluidity to that, but they understood clearly what the priorities were and were working to get those matched up into the approved category.

Ms. Leshar added that CLR and Parks & Recreation were one of those departments that was separated last year and they were looking to place this under the corrections category, where they needed to ensure it was adjusted appropriately since that department was split and ensure CLR was getting what they needed since it moved.

Chair Scott asked whether there would be an updated version of the spreadsheet as items were being discussed and questions posed at the dais would be answered when the updated version was provided to the Board.

Ms. Leshar stated that it would be helpful if Supervisor Heinz or other Board members wanted to list the concerns, and they could be double checked and crosswalked with the updated supplemental. She added that they preferred feedback on what the Board wanted them to begin to ensure they were locking into next year's budget and whether there were things listed they wanted removed or something else that had not yet been considered that needed to be.

Supervisor Heinz stated under Detainee and Crisis System, he had mentioned this before, but with the NaphCare renewal increase it would be great to bring that in-house and it should be the role of direct County employees to properly treat folks in the jail and not an outsourced function. He acknowledged it would require them to pay benefits, which was the largest difference and was unsure why they opted to go private about 20 years ago. He stated that there were still some staffing issues and

continued increases in funds going to NaphCare. He asked if before the Board made a decision to continue outsourcing, what the cost benefit analysis would be to bring it in-house. He stated that with the Health Department they had a memorandum that included some findings from the Board of Health, which he thought were really helpful. He stated that it appeared that the Epidemiology line item had been dealt with, which he really appreciated because everyone lived through the pandemic. He stated that for reference, in terms of the most recently available health data for Pima County from 2019, the overall leading causes of death for County residents were almost tied with cancer of all types. He stated 2,086 residents died from cancer in 2019, and 2,074 died from heart disease and in both cases, these were often preventable with proper screening. He stated that with health departments people mostly linked them to Tuberculosis, Hepatitis, communicable, pandemic, but under the leadership of Dr. Cullen, they had some non-communicable disease work of \$460,000.00 that he would not consider because they were in the list of priorities for expansions and starting new programs that would not be done. He stated that Dr. Cullen had obtained grant funding for the existing non-communicable disease work and would not be considered a brand new program but was potentially something that would be funded through the General Fund. He stated that it was very important to continue with blood pressure cuffs in the libraries, but help people to understand that all these silent killers could be prevented, far more than trauma or homicide, but none of that came close to the thousands of people lost to preventable illnesses, which is his opinion, was a crucial role for the Health Department. He stated that Green Valley Justice Court required further discussion and it seemed that due to the changes in the boundaries since they were reduced was the reason for the requested increase. He asked if that was the reason.

Ms. Leshar concurred.

Supervisor Heinz stated that with Justice Court Tucson Pro Tempore Judge for EELS, he was unsure if that had changed but it made sense because initially when the program came forward, it was much more effective because the judges that were used had a lot of experience specifically with eviction orders. He stated he was in favor that having that dedicated role and not pulling pro tems everywhere, but having a more dedicated type. He asked about the Information Technology Department (ITD) charge and thought it could be ongoing, if it was the County's own infrastructure and information technology.

Ms. Leshar concurred.

Mr. Cuaron explained that the ITD charge was an Internal Service Fund and they paid for their own computers, laptops, and monitors and those were charged to each department.

Supervisor Heinz stated that with the Juvenile Court for their surveillance upgrade of \$1.7 million if it was a one-time charge, how urgently it was needed and if there were more specifics on it.

Ms. Leshar responded that the item was for upgrading security systems and that more information would be provided to the Board on those costs.

Supervisor Heinz stated that with Pima Animal Care there was so much need heard there and whenever possible the County should try to preserve, protect or even slightly increase funding there. He stated that the item that said "no" should be reconsidered and that he heard a lot from constituents. He stated that they could not adequately meet the needs of the County residents. He questioned the County Attorney's request for \$125,000.00.

Mr. Cuaron responded that the \$125,000.00 represented a request from the Pima County Attorney's Office to fund external litigation costs that came up throughout the year.

Supervisor Heinz stated that he had some discussion with the Recorder he had some discussion, but with the building service and outfitting and other machinery and equipment, those items needed further discussion. He questioned if the Recorder's Office and Elections would be moving into the Drexel building that the County purchased.

Ms. Leshar stated that was being explored and the Elections Director and the Recorder were considering it, but at this point had been mothballed. She stated that it would end up being more cost effective to put them in that one location and to fix that space, rather than continuing to rent it for \$400,000.00 per year for space, but that would be brought to the Board with a proposal.

Supervisor Heinz stated that he would support that because it made more sense to find a bigger space that would be more helpful for County elections and for the Recorder's Office to use and dedicate, than completing tenant improvements on someone else's property and it was a County-owned building and would be beneficial to improve that property. He stated that with Superior Court it looked like more ITD, but this was for mandated services that were statutory. He asked if the \$550,000.00 ongoing was something that had to do with State law, or AOC.

Mr. Cuaron confirmed that the \$550,000.00 was for services mandated by the AOC.

Supervisor Heinz voiced his concern with the Sheriff's Department. He stated that he had a letter from a constituent that he would read aloud, but he also wanted to provide some background. He stated that for years, and every year he had sat on the Board, the Sheriff's Department was always in a bit of a problem with budgeting and understood with things like COVID, difficulty with recruiting, vaccine mandates and masks that affected staffing. He went over the history of the funding in terms of the General Fund contribution to that department in Fiscal Year '22, \$140 million, '23 was \$178 million, '24 was \$170.6 million, same in Fiscal Year '25 and 27% of the General Fund dollars, \$613 million General Fund dollars went to the Sheriff's Department. He noted that in Fiscal Year '24, there were 1,477 PCNs, at the

Sheriff's Department and for the Fiscal Year '25 recommended budget, they increased that by 28 to 1,505. He stated that for total salaries and benefits from Fiscal Year '24, adopted \$132.5 million and that increased \$12 million to \$144.8 million. He stated that the Board had consistently, over years, increased what the Sheriff had been getting, and it was a massive part of the Board's discretionary General Fund budget that they did that, yet, there was tremendous evidence of mismanagement and excessive overtime. He then read aloud the letter, "As a former mental health professional employed at Pima County Adult Detention Center, I still have many friends who are employed with the Sheriff's Department. It's come to my attention Sheriff Nanos has informed PCSD administrative personnel that there is a serious budget crisis due to DOGE freezing federal funding the department is reliant upon for hiring and paying the wages of deputies and correctional officers. He plans to halt hiring of new recruits, halt deputy academies, halt promotions and mandate forced overtime to cover unstaffed posts. It is my understanding that two correctional officers have currently been working in administrative roles as sergeants at the jail for months now with the intention of being promoted but have now been told that they will not be promoted and have not been compensated for the increased responsibilities and job duties. I've also been told that correctional officers will not be paid for overtime, but given comp time, which goes toward their paid time-off banks. Nanos also claims that expected raises will not be given due to the DOGE cut. All of this blame on DOGE for budgeting problems seems too convenient. As a current employee of a community mental health agency that is primarily funded through federal grants such as VOCA, I've been informed that we have not experienced any disruptions in federal funding. It's also my understanding that the executive order from the Trump administration to freeze federal funding was stopped by the judicial branch. Can you please investigate budgeting issues at the PCSD? Thank you for your time." He stated that this would absolutely be done, but that highlighted the mismanagement including the excessive use of overtime, increases in the budget by \$10 million dollars, and then there was an overage of millions more. He asked what his colleagues thought about this, but to him it seemed that before more money was given to that department, the Board needed to get a handle on what exactly was going on, and given in light of the recent conviction that was seen with regards to the sexual assault occurring between two employees, unfortunately, at the Sheriff's Department and the response, lack of internal investigation to that whole matter, he would like more information from the department as to whether or not they had a written procedure or policy for how to deal with a report of sexual assault, because that could potentially happen again in the future, and what their response would be.

It was moved by Supervisor Heinz and seconded by Supervisor Christy to not approve any additional funding for the Sheriff's Department for those two reasons until clarification was provided to the satisfaction of the Board and to the satisfaction of the County Administrator. No vote was taken at this time.

Supervisor Grijalva expressed uncertainty about the discretion the Board influenced on budgets other than approving or not approving another elected row officer, because she did not believe they did. She stated that the Board had this discussion

before and was the same thing she was going to bring up about one of the other requests, but he was aware that it was the Board's responsibility to approve or not approve, she did not think they had the authority and create an audit or sort of question individual expenditures. She asked if the Board could make any suggestions or demand any specific changes to any individual budget of another row officer, or another elected official.

Mr. Brown responded that advice had been provided on this subject, but he could provide advice in a future memorandum rather than from the dais as it would be more appropriate.

Supervisor Grijalva requested clarification of the motion that was on the floor.

Supervisor Heinz clarified that in light of the broad problems and issues that were at the Sheriff's Department, and unless and until the Board received some additional information as to how these would be corrected going forward, that the Board not consider or approve any additional funding, because it did not seem like additional dollars had ever helped deal with those management issues.

A substitute motion was made by Chair Scott and seconded by Supervisor Grijalva to direct the County Administrator to continue the budget development process, including the consideration of supplemental requests aligned with the framework just outlined. No vote was taken at this time.

Chair Scott explained that if the Board was going to start getting into individual supplementals and making any kind of decision or direction at this time, they were putting the cart before the horse. He stated they had a supplemental request prioritization summary that was broken down into four different categories, with the fourth category not even being considered. He added there were potential budget balancing options, and he did not want to make any kind of proposal for the Sheriff's Department or any department, rather he would like this process to continue and the Board receive some updates.

Supervisor Grijalva stated that one of the main reasons she was not in favor of Supervisor Heinz' motion was because there were some items such as uniform allowance, benefits and salary, and she was concerned about the unintended consequences of that motion. She stated that the Board had conversations about the concern of exceeding the budget allocated but understood the frustration by some of the efficiencies mentioned, but there were other categories here that the Board could support County Administration reviewing them as strategic as possible with the limited resources they had.

Supervisor Christy criticized that Supervisor Heinz's request and motion was being overcomplicated and while the Board was considering it wanted to continue an ongoing analysis that would be provided in future meetings. He stated that his understanding of Supervisor Heinz's motion was simply asking for some aid from the Sheriff's Department to be provided so that he could participate in ongoing

discussions and analysis and the Sheriff could decline. He stated that other row officers would come before the Board and plead their case on why it was needed and it was incumbent upon Supervisor Heinz if he had issues about why the Board was being asked to provide the Sheriff even more money in this period, more justification was needed and he did not see anything wrong with that.

Supervisor Heinz clarified that he never suggested supplementals not be funded, rather perform oversight since that was the Board's job, and his concern about why the additional funds given in the past had not seemed to resolve the staffing and other issues in that department.

Chair Scott echoed some of the points made by Supervisor Grijalva, but to Supervisor Heinz's point, he also shared some of his concerns, however, there was a framework presented that was going to help the Board consider all supplemental requests based on how they fit within this framework and how they might address some of the specific issues raised.

Supervisor Allen asked for clarification about what it meant to continue the budget process, was it in the short term, what would that look like given the conversation with this budget item around sharing priorities, would they continue sharing priorities or were they shifting to some other step in the process.

Chair Scott explained that his understanding of the process was that the prioritization summary was broken down by those four areas, not only the supplemental requests, but everything in terms of budget development and placing them in these categories that gave the Board some potential options to consider with regards to budget balancing. He stated that the Board needed that process through this framework to continue and it could be brought back as the process unfolded with the work that Ms. Leshner and Mr. Cuaron and their team had done.

Supervisor Christy asked why both could not be done because it would be continued regardless if Supervisor Heinz did not request this and the Board would still need to deal with the framework as outlined and that the substitute motion was asking for something additional along with the framework. He asked if the substitute motion failed, would the framework move forward.

Chair Scott replied that he did not make his substitute motion in response to Supervisor Heinz and had written it down a while ago because it seemed to him that what was being outlined was a budget framework for considering supplementals and everything else that went into budget development, including everything discussed with regards to the fluidity and uncertainty of federal funding.

Chair Scott explained that the intention of this unfinished business item was to provide some direction from the Board in terms of the supplemental requests that were presented two weeks ago. He stated that after seeing this framework and how it was broken down by these priority areas, he would rather see the work aligned with this framework continue as opposed to the Board making any kind of direction

with specific regard to supplemental requests. He explained his motion had to deal with the entire budget development process, including the consideration of supplemental requests, because they already had a framework based on what they were dealing with in the moment, not just supplemental requests, but the continuing uncertainty of what was going to be happening with federal funding.

Supervisor Heinz asked Legal Counsel if it was possible for the Board to request a formal review by the State Auditor General into a particular department that the Board funded since they were fiscally responsible for the budget.

Mr. Brown replied that an answer could be provided at a later date and suggested to Supervisor Christy's point, that he was unclear what the original motion was and if the motion was to be substituted to simply request information from the Sheriff, then perhaps the substitute motion could be amended to continue with just that request. He reiterated he was still unclear on what the original motion was that was being substituted and it made it difficult to understand the interplay between both motions on the table.

Chair Scott stated that he would like to continue discussion on the substitute motion and move towards a vote. He stated that if Supervisor Heinz had a specific request of the County Attorney, perhaps that was something that could be formulated and have them provide a copy to the Clerk to be distributed to the Board. He stated that it sounded like there was some uncertainty on the part of the Deputy County Attorney as to exactly what Supervisor Heinz was requesting of their department.

Supervisor Heinz clarified that he did want the Board to keep throwing money at a problem that was not being solved at the Sheriff's Department and that was a major issue. He stated that the Board was fiscally responsible and were exploring cuts in other departments and potentially would be providing an increase at a place where there was mismanagement, inefficiency and waste. He stated that was not what they should be doing as County Supervisors. He restated that his original motion was that until the Board received clarification on these mismanagement issues and on the future response to sexual assault policies, in writing, how this was going to happen in the future at the Sheriff's Department, the Board should not approve or fund any supplemental funding requests temporarily for that department.

Chair Scott stated that for purposes of the substitute motion in terms of how it addressed supplemental requests, as the Board was considering the entire budget development process, including supplemental requests, anything coming from the Sheriff's Department could be considered within this framework and anything that was specific to some of those other issues, he thought would require some formal communication to the County Attorney's Office.

Supervisor Heinz stated that he could support Chair Scott's motion because then that meant, he would not be able to vote for his own and he thought they could move forward with both.

Chair Scott stated that some of the priorities listed addressed some of the issues raised in a general fashion with regard to the consideration of supplemental requests, but some of Supervisor Heinz's questions dealt with the overall operation of the department and what he thought might need to be posed to Mr. Brown in a separate context.

Melissa Manriquez, Clerk of the Board, clarified that the vote was for approval of the substitute motion, as outlined by Chair Scott.

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

Chair Scott asked the Clerk to work with him and the County Administrator on an item to be brought back so the Board could get further updates on this framework that had been outlined and evolving it.

Ms. Leshar stated that they planned on submitting an agenda item for the next meeting regarding the Capital Improvement Project (CIP) budget and rather than limiting that to CIP only, she would work with the Clerk for it to be a continuation of the discussion about supplementals and CIP, and continued discussion on the budget until the budget was built.

Chair Scott stated that one of the things Administrator Leshar sought was direction from the Board and what had been discussed provided information and ongoing direction. He asked if this sounded acceptable to his colleagues in terms of how they moved forward.

Supervisor Christy asked if the plan had been to move forward in that manner.

Chair Scott clarified things were missing in terms of revisiting the framework, because the framework had just been described, but Ms. Leshar indicated that in conjunction with the planned-for discussion of the CIP that they would also provide an update on where things were going with the framework that was outlined.

Supervisor Grijalva asked with Justice Courts in general, as they looked at the resources allocated if that was for the number of cases processed. She stated for example, there was a Manager Court Operations position at Ajo Court, and she asked if the volume of cases was reviewed to justify the balancing and additional staff or was there a way for them to encourage the Justice Courts to share resources.

Ms. Leshar replied they could provide an analysis of the work division by the Consolidated Courts, Green Valley and Ajo that would show how the staffing related to each of those elements.

Supervisor Allen sought clarification on whether the next iteration of the budget document would integrate the newly introduced framework. She emphasized the

need to clearly distinguish between what are truly supplemental requests versus items that appeared to be part of the core budget but were currently treated as supplementals. She expressed surprise at how many items labeled as supplementals seemed like standard budget needs rather than new initiatives. She also noted the Prosperity Initiative column in the analysis seemed underdeveloped and requested a clearer explanation of how supplemental requests would explicitly advance this initiative, stressing its critical role in the County's mission.

Supervisor Heinz asked whether the detailed justifications from individual departments and offices for their supplemental requests could be made publicly available. He expressed concern that the public and media should not have to rely on formal records requests to access this information.

Ms. Leshar acknowledged Supervisor Heinz's request.

Supervisor Allen stated that she understood that the following version of the spreadsheet or the document would integrate in that framework so that it would be clear which of these requests existed in the budget. She stated that from her perspective, she was surprised by the number of things that seemed like they could have been part of the core budget and were not. She stated that her understanding of what would be considered supplemental, was not really supplemental, rather it maintained what was currently being done. She stated that it would be helpful for that to be clear, and the other piece she wanted to flag was the column around the Prosperity Initiative and the analysis of the degree to which the items were helping to further and that the initiative more than ever was so important to what the County did and how it was done.

Supervisor Heinz concluded with further clarification if all the supplemental funding requests and justifications from the individual departments and the materials would be made available since it would be helpful to the public and the media would be asking questions, and they should not have to go through a Freedom of Information Act process for the information.

Ms. Leshar responded in the affirmative.

Supervisor Allen acknowledged that as recently having been a member of the public, she appreciated the process and the detailed sharing of the supplementals line by line. She stated that it was good, and admittedly a bit tedious, but there were levels of degrees of specificity that in many ways were beyond the scope of the Board, for example, which individual parking lot should be re-stripped, and they trusted the leadership of the Board to be able to determine those decisions and allocations. She added that there was a value around transparency in budgeting that she appreciated through this process.

CONTRACT AND AWARD

Procurement

23. Award

Amendment of Award: Supplier Contract No. SC2400001025, Amendment No. 7, ASAVET Veterinary Services, L.L.C., d.b.a. Santa Cruz Veterinary Clinic, AWASA, to provide for spay and neuter services. This amendment extends the term of the contract commencing on 3/12/25 and terminating on 3/11/26, increases the shared not-to-exceed contract amount by \$400,000.00 for a cumulative not-to-exceed contract amount of \$2,400,000.00, and appends the Heat Injury and Illness Prevention and Safety Plan provision to the contract, pursuant to Pima County Procurement Code 11.40.30. The extension is needed to continue to allow for spay and neuter services while a replacement contract is established. Funding Source: General Fund. Administering Department: Pima Animal Care Center.

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

24. Award

Amendment of Award: Supplier Contract No. SC2400001656, Amendment No. 2, APL Access & Security, Inc., to provide for security systems, parts, and service. This amendment is for a one-time increase in the amount of \$25,000.00 for a cumulative not-to-exceed contract amount of \$745,000.00. The increase is required to maintain sufficient capacity for cameras and systems across County facilities until the next renewal. A significant portion of the current contract capacity was used for the completion of the large Superior Court project, which involved replacing the security system, including cameras, wiring, and the video wall. Funding Source: General Fund. Administering Department: Facilities Management.

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

25. Award

Award: Contract No. PO2500004343, Hunter Contracting Co. (Headquarters: Gilbert, AZ) to provide Pre-Construction Services for Construction Manager at Risk (CMAR) services: Canoa Ranch Sewer Extension (3CRAEX). This award of contract is recommended to the highest qualified contractor in the amount of \$440,103.92 for a contract term of 3/4/25 to 3/3/28. Funding Source: RWRD Obligations Fund. Administering Department: Regional Wastewater Reclamation.

This project is expected to have multiple Guaranteed Maximum Price (GMP's) for construction services. The CMAR contractor's construction budget is not-to-exceed \$12,000,000.00. Board of Supervisors to authorize the Procurement Director to

execute all modifications, including one or more GMP packages, provided that the cumulative total of all GMP's and pre-construction services does not exceed \$12,440,103.92 and the contract expiration date does not exceed 3/3/28, which allows for all contract close-out activities and final submittals.

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

26. Election Systems & Software, L.L.C., Amendment No. 4, to provide for an elections voting system and related services and amend contractual language, General Fund, contract amount \$954,000.00 (SC2400000794) Administering Department: Elections

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

Supervisor Grijalva asked if the funds for this amendment were included in the department's current budget.

Constance Hargrove, Director, Elections Department, responded yes.

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

27. Desert Archaeology, Inc., Amendment No. 9, to provide for Cultural Resource Services for Segment II of the Silverbell Road Improvement Project, extend contract term to 3/31/26 and amend contractual language, no cost (PO2500001515) Administering Department: Conservation Lands and Resources

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

28. Kiewit Infrastructure West Co., Amendment No. 4, to provide for Design-Build Services: Sidestream Anitamox Process (3ANOMX), extend contract term to 12/31/27, amend contractual language and scope of services, RWRD Obligations Fund, contract amount \$16,000,000.00 (PO2400013641) Administering Department: Regional Wastewater Reclamation

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

GRANT APPLICATION/ACCEPTANCE

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

Arizona Office of Economic Opportunity, Amendment No. 1, to provide for the Arizona Quality Jobs, Equity, Strategy, and Training Disaster Recovery Dislocated

Worker Grant Program, extend grant term to 9/30/25 and amend grant language, no cost (GA-CWD-65873)

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

30. **Acceptance - County Attorney**

Arizona Board of Regents, University of Arizona, to provide for the Arizona Collaborative Justice Initiative, \$43,758.00 (G-PCA-70385)

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

BOARD OF SUPERVISORS

31. **Hearing - Code Text Amendment**

ORDINANCE NO. 2025 - 3, of the Board of Supervisors, relating to the public display of fireworks; amending the Pima County Code, Chapter 9.04.

Chair Scott stated that the Board had been discussing wildfire mitigation and related fire prevention issues over several meetings. He explained that the proposed Code amendments were both proactive and preventive, likening them to the successful Firewise program on Mt. Lemmon mentioned by Supervisor Christy. He stated that the proposed changes to the Code focused on public displays of fireworks, and had been in progress for some time. He noted that staff from his office, the County Administrator, the County Attorney, and other County departments had contributed to these efforts. He stated that the proposed changes were reasonable and necessary due to wildfire risks during extreme drought and to ensure residents and their pets received sufficient notice of fireworks shows. He explained that under State law, the Board had the authority to adopt rules for granting permits for public fireworks displays within the unincorporated areas of the County, while private fireworks use remained under State jurisdiction. He outlined some of the proposed changes and stated that Section 1 required applicants to notify neighbors within 1,000 feet via first-class mail or email before submitting an application. He explained that Section 2 recommended removing the authority of Justices of the Peace and Constables to issue permits for consistency, leaving it solely to the Board. He clarified that Section 3 limited approved fireworks displays to between sunset and 11:00 p.m., with the exception to December 31st, when they could continue until 1:00 a.m. on January 1st. He noted that Section 4 prohibited fireworks displays if winds exceeded ten miles per hour, with verification by the appropriate fire department or district. He added that Section 5 prohibited public displays if the U.S. Drought Monitor categorized conditions in Pima County as D2 (severe drought), D3 (extreme drought), or D4 (exceptional drought). He stated that Section 6 outlined safety requirements for applicants, including notifying the fire department, arranging on-site standby personnel, and creating safe firing and drop zones. He

added that it also addressed remediation obligations if environmental damage occurred. He reiterated that private use of fireworks remained under State law, but public displays within unincorporated Pima County were subject to these proposed changes. He stated that more than a third of Pima County's population lived in the unincorporated areas and deserved enhanced protection. He explained that the changes aimed to mitigate fire risks, minimize noise disruptions, and ensure accountability for resident notification and environmental restoration. He stated that the current Code already allowed fire authorities to cancel fireworks shows due to weather, but these amendments reflected the need for stricter oversight amid drought and wildfire concerns. He urged his colleagues to approve the changes and encouraged cities, towns, and the State of Arizona to adopt similar measures.

The following speakers addressed the Board:

Jim Faas, resident, La Paloma area, stated that he had been subjected to repeated fireworks displays. He stated that nothing in the proposed changes would have prevented the fire and failures that occurred in July 2023. He acknowledged that the drought index requirement was understandable, but pointed out that the drought index was at D0 during that time. He asserted that the proposed changes did not address the main controversy, which was the annoyance to neighbors living near these displays. He commented that the 1,000-foot notification requirement was a welcome change, but felt that 1,000 feet was insufficient. He observed that noise levels at 2,000 feet could exceed 90db, surpassing OSHA's permissible exposure limit for noise. He stated that he had personally measured over 85db at 4,000 feet away, and for comparison, the City noise ordinance prohibited noise exceeding 70db during the day and 60db at night. He noted that State law for shooting ranges limited noise to 64db at the nearest residence. He suggested that allowing these displays until 11:00 p.m. was too late for a residential neighborhood. He reported that site inspections and permitting had failed to comply with existing ordinances. He stated that Sheriff Inspections were incomplete and that incorrect information had been provided on previous forms. He emphasized that the fire department allowed displays to occur in violation of NFPA 1123, specifically Section 5.1.4.3. He highlighted that the March 22, 2023, permit for a La Paloma fireworks display exemplified these issues. He explained that the permit application was submitted less than 45 days in advance and pointed out that four-inch shells were fired within prohibited limits, despite a 210-gallon storage tank being located at the nearby cell tower site. He expressed that he lacked confidence in Rural Metro's ability to enforce these regulations. He recalled that during a September 2023 Board meeting following the fire, Supervisor Heinz asked about the wind limit, and the Fire Marshal incorrectly answered 25 mph. He remarked that even with a standby truck present at the display, the fire could not be extinguished and this raised concerns about why such displays were still permitted in the area. He acknowledged that while he understood people wanting fireworks for weddings and birthdays, residents' rights should not be ignored. He added that fireworks displays were a significant disturbance to both residents and their pets.

Kendon Victor, Pyro Production Manager, Fireworks Productions of Arizona, thanked the Board for the opportunity to speak and expressed appreciation to Supervisor Heinz for previously addressing his concerns. He explained that he was speaking on behalf of several high schools who planned to have fireworks displays as part of their graduation ceremonies. He raised concerns regarding Section 1 of the proposed ordinance, specifically the requirement for notifying homes within 1,000 feet of a display site. He outlined that Sabino High School had 13 homes within that range, Catalina Foothills High School had 28, Mountain View High School had 60, and Sahuarita High School had 130 homes. He questioned how schools were expected to gather contact information for these homes, asked whether students would need to canvass neighborhoods to collect names and email addresses. He noted that the requirement to notify residents before submitting an application could lead to additional costs for the schools. He voiced concerns that schools could spend money on notifications, only for the Board to deny the permit later, leaving residents who had been notified with unmet expectations. He requested guidance from the Board on how schools should navigate this process if the Code amendment was approved.

Kenny Welty, President, Fireworks Productions of Arizona, stated that he had been in the business for over 40 years, during which time the Board had consistently approved permits for their displays. He expressed concern about the drought-related restrictions in the proposed ordinance, noting that many shoot sites, such as Tucson Country Club and Skyline Country Club, were well-watered and maintained areas, similar to school fields. He acknowledged the specific concerns regarding La Paloma and announced that he would no longer seek permits for that location, recognizing the community's objections. He hoped this decision would help preserve the ability to hold displays at other sites. He emphasized that Caterpillar's site had not been a neighborhood concern due to its remote location and expressed hope that it would continue to be approved moving forward, as Caterpillar was an important client. He concluded by stating that he felt there was already sufficient regulations in place and cautioned against adding more, as it could make the process unnecessarily difficult and costly for clients, such as schools and country clubs.

Chris Klok, Events Marketing Director, Forty-Niner Country Club, explained that the Red, White & Boom fireworks display had long been a beloved tradition at the club, creating community connection and drawing families from the surrounding neighborhood, including nearly 500 nearby homes and the greater Tanque Verde Valley. He noted that Forty-Niner had held a July 4th fireworks display for the past 8 to 10 years. He expressed concern over the proposed ordinance, specifically regarding drought restrictions, noting that Arizona was almost always in some level of drought. He supported the notification requirement, stating that the club already engaged in community outreach and was prepared to continue doing so through mailers or signatures, though email collection could be more challenging. He indicated that the event, which was annually held on the last Saturday of June, was a cornerstone for the community and its loss would significantly impact both the club and the surrounding area. He acknowledged alternatives like drone shows, but they

were substantially more expensive, up to six or seven times the cost, and not readily available in Arizona. He stressed the club's commitment to safety, highlighted a flawless safety record and careful adherence to regulations. He urged the Board to consider the broader implications of the ordinance, expressing confidence that with proper planning, their event could continue to be both safe and successful.

Supervisor Heinz asked Mr. Faas if his objection to fireworks displays included regular annual events such as New Year's Eve and July 4th, or if he felt that displays on those days should be allowed.

Mr. Faas responded that he personally enjoyed fireworks and had no objection to displays on holidays like the 4th of July, New Year's Eve, or for high school graduations, however, his concern stemmed from the frequent midweek fireworks displays, which became so disruptive that he resorted to driving away with his pets whenever shows were scheduled. He noted that the turning point for him was when one of his dachshunds injured its back jumping from a bed during a fireworks show that had started before the scheduled time, leading to costly surgery and significant distress. He stated that this incident prompted him to engage in the ordinance discussion. He stated that he understood having fireworks displays for special events like graduations, but advocated for revising notification methods, suggesting neighborhood signage similar to Oro Valley's rezoning notices instead of certified mail or email collection. He urged the Board to consider where to draw the line between acceptable community celebrations and excessive disturbances.

Supervisor Grijalva asked the fireworks professionals in attendance what their current notification process was to area residents. She expressed her concern that the proposed notification requirements listed in the code text amendment would be difficult.

Mr. Victor explained that each location typically handled its own fireworks notifications. He stated that La Paloma used to do a good job, but things had declined in recent years, especially during the APA convention. He stated that Skyline Country Club notified residents through its HOA, through email and direct communication, while Loew's Ventana Canyon covered certain areas, but left out parts of the community. He added that the high schools generally had not conducted notifications, despite hosting shows for several years. He mentioned that when he asked the schools about complaint levels, no one responded. He clarified that he was not opposed to notification requirements, but questioned the current proposed process. He raised concerns about the requirement for notifications to occur before permit applications, suggesting it might be more reasonable to notify residents after permit approval, which was common practice in other jurisdictions.

Supervisor Christy request confirmation from Mr. Welty that he would not conduct any further fireworks displays at La Paloma and if he had determined that to do so was not a good business decision.

Mr. Welty responded that was correct.

Supervisor Christy asked how much revenue he would forgo if he no longer worked with La Paloma.

Mr. Welty responded approximately \$5,000.00 per show and that they usually put on a total of six fireworks displays in Pima County.

Supervisor Christy noted that this amounted to a minimum of \$30,000.00 in gross sales.

Mr. Welty responded yes.

Supervisor Christy asked if Mr. Welty's plan to not work with La Paloma in the future included New Year's Eve or Christmas shows.

Mr. Welty responded that the only holiday fireworks display his company did at La Paloma Country Club was 4th of July and that was for the members. He clarified that he was referring to corporate events held at the La Paloma Resort.

Supervisor Christy noted that Fireworks Productions' pulling out of corporate shows at La Paloma Resort would affect the resort's revenue stream, as they would be unable to offer the option of fireworks shows to their corporate customers. He added that, in such cases, clients may opt to hold their events in Las Vegas or another jurisdiction with more lenient fireworks regulations.

Mr. Welty agreed that this was a potential issue. He reiterated his hope that giving up La Paloma Resort's business would allow him to continue working with Skyline Country Club, Tucson Country Club, and schools.

Supervisor Christy again pointed out that La Paloma could lose business if fireworks shows were restricted.

Mr. Welty agreed and reminded the Board that Bobby Retz, a conference planning professional with La Paloma Resort, had spoken to the Board at a previous meeting about their potential loss of revenue.

Chair Scott commented that he appreciated the questions his Board colleagues had asked and those questions reminded him why he was asking his colleagues to oppose corporate or commercial fireworks shows at La Paloma. He related that representatives from La Paloma had previously addressed the Board, saying that they would inform their sales department not to offer fireworks displays in conjunction with corporate events. He noted that La Paloma was an outlier, as other resorts in District 1, including Loews Ventana Canyon, Westward Look Resort, and the Hilton El Conquistador, rarely requested permits for corporate fireworks shows. He added that he did not oppose corporate shows held at the Caterpillar headquarters, as it was a remote location not surrounded by residential areas,

unlike the areas surrounding the resorts. He stated that he had also never objected to 4th of July or New Year's fireworks displays, or those held at Forty-Niners Country Club or Tucson Country Club, where residents were supportive of the shows.

Supervisor Christy pointed out that all resort in Pima County would be affected by the proposed ordinance.

Chair Scott agreed that those entities could potentially be affected by the provisions relating to drought and wildfire conditions.

Supervisor Christy inquired if the complaints received about fireworks shows at La Paloma would require all other resorts to comply with new regulations.

Chair Scott stated that the proposed Code changes were designed to address the disruption and noise concerns expressed by residents and also, drought and wildfire conditions that were exacerbated by fireworks shows.

Supervisor Grijalva repeated Chair Scott's earlier assertion that the proposed ordinance would affect only those areas for which the Board had jurisdiction, which only included the unincorporated areas of Pima County. She added that Sahuarita High School, which lies within the boundaries of the Town of Sahuarita, would need to present their permit application to the Town Council of Sahuarita, not this Board.

Mr. Victor stated that in January, Sahuarita began using Santa Rita Fire Department rather than Rural Metro as its fire department. He added that Fireworks Productions had reached out to Santa Rita Fire Department to determine their requirements for fireworks permits, and were told that a permit from the Pima County Board of Supervisors was necessary. He noted that a recent permit application that had been submitted to the Clerk's office for a fireworks show at Sahuarita High School was returned to Fireworks Productions as it was not under the jurisdiction of the Board of Supervisors. He stated that the issue would need to be resolved between the Board and Santa Rita Fire Department.

Chair Scott stated that statutorily the Board was only allowed to deal with fireworks permits within the County's jurisdiction, which did not include the Town of Sahuarita.

Mr. Victor commented that he did not disagree with Chair Scott's assessment of the statutory requirements, but he was confronted with a fire department that refused to issue a permit. He asked the Board to communicate with Santa Rita Fire Department regarding their issue.

Melissa Manriquez, Clerk of the Board, stated that her office had received the fireworks permit application for Sahuarita High School and had forwarded it to the Clerk's Office in the Town of Sahuarita after determining that it was not in the County's jurisdiction and this Board could not issue the permit.

Mr. Victor stated that his company would work with whichever entity had the proper jurisdiction. He pointed out that the schools he worked with that were located in unincorporated Pima County would have to determine how to compile the neighborhood contact information required by Section 1 of the proposed code text amendment.

Mr. Welty expressed concern that the proposed ordinance would act as a blanket policy affecting all sites, including Tucson Country Club, Skyline Country Club, and others. He acknowledged that while La Paloma had issues due to surrounding desert areas, other locations, like plush golf courses, had different conditions. He worried that applying one standard to all sites would unfairly restrict fireworks displays, even at locations with lower risk. He questioned whether the Board would still have the flexibility to approve certain sites, like Tucson Country Club, which had hosted fireworks for 45 years, despite the blanket drought-related restrictions. He stated that approvals should be made on a site-by-site basis, taking into account each location's ability to mitigate fire danger, rather than applying a uniform rule to all locations.

Chair Scott responded that drought conditions and wind speed affected the entire area, and could cause a risk even when fireworks shows occurred on well-irrigated golf courses.

Mr. Welty agreed with Chair Scott to a degree, but indicated that any risk might be mitigated if there was enough space available or the wind speed was low enough.

Supervisor Christy suggested that as the complaints about fireworks displays were centered on a particular neighborhood, the solution should only be focused on that area so that an undue burden was not placed on other businesses.

Chair Scott acknowledged that the incident at La Paloma may have prompted the discussion regarding fireworks safety, but his concern was driven by climatic conditions that affected the entire area.

Supervisor Christy stated, "what is predictable is preventable," and added that fire prevention measures could be implemented on each individual basis as needed rather than applying unfair blanket regulations for the entire area. He expressed concern that the ordinance may have unintended consequences for neighborhoods like the Forty-Niners Country Club, where residents had enjoyed fireworks shows in a variety of climate conditions for generations.

Supervisor Allen noted that fire districts located in rural areas had limited resources and inquired if the fire districts who monitored fireworks displays were compensated for their time

Mr. Welty responded that the fire districts were paid to be on standby during shows.

Supervisor Allen asked how that process worked.

Mr. Welty responded that after a fireworks permit was approved, Fireworks Productions sent the approved permitting paperwork to the appropriate fire district and paid them a standby fee of approximately \$250.00 to \$400.00.

Mr. Victor added that in some cases the standby fee was paid directly by the client to the fire district.

Supervisor Allen asked if fire districts only received the standby fee, or if they were compensated further in the case of a fire.

Mr. Welty responded that the standby fee was the only compensation received by the fire districts. He added that fires had never occurred at Tucson Country Club, Skyline Country Club, or other locations due to fireworks displays.

Supervisor Christy commented that the proposed ordinance would also prevent underfunded fire districts from earning revenue from standby fees.

Mr. Welty related that his company had put on thousands of large fireworks events throughout the state with a high level of safety. He noted that safety incidents were rare and could occur even with drones. He acknowledged that the fireworks industry carried a somewhat greater risk than many other industries, but that risk was mitigated as much as possible. He added that his annual liability and workers comp insurance premium was \$300,000.00. He stated that Fireworks Productions had a long history as the primary fireworks production company in Arizona, he had owned the company for 28 years and hoped to pass it on in the future.

Supervisor Grijalva shared that she lived near Casino Del Sol, where fireworks frequently went off without permits, and explained that she had grown up near Sentinel Peak, where she and her family enjoyed watching fireworks from their backyard, and as a parent of three teenagers, including a high school senior, she supported schools having the resources to host fireworks shows. She stated that while she generally supported the ordinance and had voted in favor of fireworks displays in the past, she expressed concerns about the proposed notification requirements, stating that requiring applicants to notify every neighbor by return receipt mail seemed too restrictive. She suggested posting signs in the neighborhood after the application was approved, noting that doing so beforehand felt premature. She also supported exempting certain organizations, like high schools, from the notification requirement. Additionally, she questioned the ordinance's proposed limit on allowable times for fireworks, calling the 11:00 p.m. cutoff somewhat arbitrary. She voiced concern over Section 5.F., explaining that since Pima County was almost always in drought conditions, the ordinance could unnecessarily restrict fireworks displays. She also worried about the potential impact of expanding the ordinance to other municipalities, as suggested by Chair Scott. She indicated that while she thought that the proposed mile-per-hour wind limit made sense, she raised concerns about how the rule might affect outlying areas. She questioned whether requiring applicants to approach the Board directly,

rather than the Justice of the Peace, might be too restrictive, and she did not see a pressing need to pass new ordinances for her district.

Supervisor Allen expressed her concerns about fireworks shows, citing fire danger, noise impacts on pets and wildlife, air quality issues, and the strain on limited rural fire district resources, many of which relied on volunteers. She stated that as the Supervisor representing much of rural Pima County, she worried about fire departments being stretched too thin. She suggested considering an amendment to eliminate Section 5.F., which tied fireworks restrictions to drought conditions, noting that drought had become the region's normal state. She proposed relying on wind velocity, as determined by local fire departments, to decide whether a show should proceed. She also suggested amending the notification process to make it more flexible, considering alternatives like notifying HOAs, posting signs in neighborhoods, using local publications, or obtaining address lists from the County Recorder. She stated that her aim was to find a balance between protecting the community and desert environment while still allowing fireworks shows that met certain standards.

Supervisor Heinz shared that his understanding was that on health and safety issues, such as Covid restrictions, the Board could apply regulations throughout the County, including municipalities. He requested clarification from Legal Counsel Brown on this matter.

Sam E. Brown, Chief Civil Deputy County Attorney, Pima County Attorney's Office, responded that he would have to research the issue to determine if fireworks regulations could be applied to municipalities as well. He indicated that it may be a very different situation than the public health crisis caused by Covid.

Supervisor Heinz stated that the first-class mail notice requirement might be excessive. He expressed his curiosity about the timing of the notification, questioning why it needed to happen prior to the application rather than a certain time before the show. He pointed out that fireworks can be heard beyond 1,000 feet and wondered why that specific distance was chosen, suggesting it could be extended to 2,000 or 2,500 feet. He asked what the after-action review revealed about the fire incident, particularly referencing the documented 25 mph wind speeds. He asked who was responsible for stopping the La Paloma show and why it was not halted despite the wind conditions. He acknowledged being fine with approving the ordinance as a framework, but stressed that if the policy was not implemented, it lost its value.

Chair Scott thanked Supervisor Heinz for his questions. He related that the Board had asked Rural Metro after the La Paloma incident why the show had not been stopped, and their response was that they did not believe it was necessary based on their interpretation of the Code. He noted that the decision to continue or cancel the show was under the purview of Rural Metro once the permit was approved by the Board.

Supervisor Christy commented that the current code surrounding fireworks displays should not be changed. He suggested that the Board carefully consider the merits of each application and the current climatic conditions when evaluating permit applications.

Chair Scott cited A.R.S. §36-1603, which allows governing bodies to adopt reasonable rules and regulations for public fireworks displays within their jurisdictions, in response to Supervisor Heinz's earlier question posed to the County Attorney. He noted that the Board's jurisdiction was solely the unincorporated portions of the County. He acknowledged the comments from his colleagues regarding the notification requirements in Section 1.A. and he would be willing to modify that provision to allow for the notification process to occur after permit approval.

Supervisor Grijalva commented that in her aunt's neighborhood near Starr Pass, A-frame signs were posted to inform area residents of upcoming fireworks shows. She added that she believed this notification was done as a courtesy and was not a requirement, and wondered if businesses and high schools could do this instead of a mailing. She shared her support for exempting high schools and certain other organizations from the notification requirement.

Chair Scott suggested that if the ordinance simply required applicants to notify neighbors within 1,000 feet after an application was approved, it would allow for flexibility in how applicants notified them. He mentioned his experience as a middle and high school principal, noting that there were various ways to alert nearby residents about potential disturbances. He expressed support for this simpler notification approach. He stated that Section 5.F., originated from County staff in response to discussions on wildfire and drought concerns. He requested the County Administrator to explain how Section 5.F. was developed and the reasoning behind it.

Jan Leshner, County Administrator, explained that when her staff collaborated with Chair Scott's staff on this section, they evaluated various options related to rainfall, humidity, and other factors. She noted that one concern was the variability of rainfall, as it could rain on one side of the street and not the other, raising questions about who would measure it. She added that the same issues arose when considering humidity as a factor. She stated that the goal was to prioritize safety, particularly concerning fire risks, while using information that was easy for the public to access. She mentioned that the chosen drought information came from a public, governmental website available to anyone. She stated that this approach aimed to reduce ambiguity about who would make decisions regarding conditions at specific times or places. She explained that the decision was made to rely on this system to help mitigate wildfire concerns. She acknowledged feedback that the drought index only included four levels, ranging from bad to worse, and suggested that it might be worth revisiting or simplifying the criteria. She stated that the purpose was to ensure consistent access to objective information and avoid subjective decision-making.

Chair Scott expressed appreciation for the provided background. He stated that he would be comfortable amending Section 5.F., to remove the reference to D2 (severe drought) and only retain D3 (extreme drought) and D4 (exceptional drought). He explained that after a show was approved by the Board, the fire district would then use that drought tool to assess conditions. He emphasized that, regardless of Board approval, the fire district ultimately made the final call on whether the show proceeded, according to both current Code and Arizona Revised Statutes.

Supervisor Grijalva noted that she had just checked current conditions and found that Pima County was in both D2 (severe drought) and D3 (extreme drought) at that moment. She pointed out that despite some recent rainfall, large portions of the County were still marked in bright red, indicating extreme drought. She expressed concern, noting that the County was about 50/50 between D2 and D3, emphasizing that the entire area was currently in severe or extreme drought conditions.

Supervisor Christy commented that the local fire districts, as experts in their field, should be responsible for evaluating drought conditions rather than another party that would make a determination based on a drought dashboard.

Supervisor Allen stated that she preferred to rely on scientific data to make drought-related decisions rather than leaving it to individuals whose job was to respond to fires. She emphasized that firefighters should not be responsible for evaluating complex drought conditions. She mentioned spending significant time in rural Pima County and observed that it was extremely dry, with widespread concern from residents about the current drought. She stressed that the drought was both severe and extreme, noting that typical winter rains had not arrived, which heightened concerns in District 3.

Supervisor Grijalva stated that her concerns were prompted by the low probability that the area would receive much rain between now and graduation day. She explained that evaluating fireworks permits based on drought conditions and rainfall levels could lead to no fireworks shows being approved due to the ongoing drought.

Supervisor Heinz stated that, given what the fire districts had shared about lacking reliable equipment and sufficient personnel, he believed they would likely be highly skeptical about launching incendiary devices into areas with perpetual drought. He mentioned that he was not speaking directly for them, as they were not present. He explained that he had previously voted against something he personally enjoyed because he approached this as a public health and safety issue. He emphasized that he could not let one business or industry dictate the matter entirely. He pointed out that science and safety needed to guide the decision, as he did not want to face lawsuits if another incident like the one at La Paloma occurred, resulting in fatalities or property loss. He warned that approving such permits could expose the Board to liability. He acknowledged that while there were multiple ways to look at the situation, it made sense to take action. He noted that clarifying wind speed requirements was reasonable, as was referring to drought conditions. He added that involving fire districts, when possible, made sense. He indicated that he was open

to considering this matter at a future meeting, as consensus on how to move forward did not yet seem clear, despite his appreciation for the proposed amendments. He stated that there should be clarification to ensure all parties understood the expectations.

Supervisor Grijalva proposed examining the specific location where fireworks were planned, including reviewing past instances where fireworks may have caused fires. She recommended assessing additional conditions at each location to determine if they could help offset drought risks.

Chair Scott stated that Ms. Leshner had asked if the Board would like her to meet with representatives from the fireworks industry to explore possible ordinance modifications that could help the Board reach consensus. He expressed comfort with that idea, but agreed with Supervisor Heinz's earlier point about being firm on the wind speed issue. He recalled that during a prior meeting with Rural Metro and La Paloma, there had been confusion, even within Rural Metro, about the wind speed limits in the current Code. He emphasized that the new language on wind speed was clear and was not an area where compromise would be acceptable. He indicated a willingness to compromise or continue discussions regarding notification, drought conditions, and location-specific considerations.

It was moved by Chair Scott, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to direct the County Administrator to follow up with the representatives from the fireworks profession regarding modifications to an ordinance that addresses the concerns expressed during this item.

FRANCHISE/LICENSE/PERMIT

32. Hearing - Liquor License

Job No. 316108, Timothy Jay Jardee, San Xavier Moose Lodge 1964 Loyal Order of Moose, Inc., 9022 S. Nogales Highway, Tucson, Series 14, Club, New License.

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

DEVELOPMENT SERVICES

33. Hearing – Rezoning

P24RZ00003, HAWKS AZ LAND, L.L.C. - W. PECOS WAY REZONING

Hawks AZ Land, L.L.C., represented by Paradigm Land Design, request a rezoning of approximately 114.2 acres (Parcel Codes 224-44-050A, 224-44-051A, 224-44-051B, 224-44-051C, 224-44-052A, 224-44-052B, and 224-44-052C) from the SR (Suburban Ranch) zone to the CR-1 (Single Residence) (Cluster

Development Option) and CR-1® (Single Residence - Restricted) zone, located on the north and south sides of W. Pecos Way, at the southeast corner of N. Thornydale Road and W. Lambert Lane. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property as Low Intensity Urban 0.3. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Hook was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. The property shall be limited to two access points onto Pecos Way.
 - B. A revised Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation (DOT) with the Tentative Plat submittal. Off-site improvements determined necessary as a result of the TIS shall be provided by the property owner(s). The left-turn lanes identified within the TIS shall be required.
 - C. The TIS shall include recommendations for the Pecos Way and Thornydale Road intersection approach configuration. Intersection improvements to the Pecos Way/Thornydale Road intersection shall be provided by the property owner(s) and shall be constructed to Pima County Standards.
 - D. The TIS did not include a safety analysis of the current Pecos Way/Lambert Lane/Camino De La Tierra intersection. The revised TIS shall evaluate this intersection, and the property owner(s) shall coordinate with the Department of Transportation for the most appropriate intersection alignment and right-of-way dedication.
 - E. The Lambert Lane right-of-way width varies, is irregular along the northern property boundary and has a planned 150-foot right-of-way width per the Major Streets Plan. The property owner(s) shall dedicate sufficient right-of-way for Lambert Lane between Camino De La Tierra and Thornydale Road.
 - F. Right-of-way dedication to align the intersection of Lambert Lane and Thornydale Road is required to be provided by the property owner(s).
 - G. Any required intersection corner spandrel right-of-way dedication shall be provided by the property owner(s).
3. Regional Flood Control District conditions:
 - A. Encroachment into mapped Regulated Riparian Habitat, the FEMA and local floodplain not shown on the approved PDP is prohibited.
 - B. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
 - C. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding,

designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

- C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning conditions:
- A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines by providing a total of 91.4 acres of Natural Open Space (NOS) entirely on-site and in conformance with the approximate location and configuration shown on the approved Preliminary Development Plan. Should the developed area change from that which is reflected in the Preliminary Development Plan due to variations in the engineered survey boundary during the platting process, the property owner shall provide a minimum of four (4) acres of natural open space for every acre developed to achieve full compliance with the CLS Conservation Guidelines.
 - B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control:

Ailanthus altissima	Tree of Heaven
Alhagi pseudalhagi	Camelthorn
Arundo donax	Giant reed
Brassica tournefortii	Sahara mustard
Bromus rubens	Red brome
Bromus tectorum	Cheatgrass
Centaurea melitensis	Malta starthistle
Centaurea solstitialis	Yellow starthistle
Cortaderia spp.	Pampas grass
Cynodon dactylon	Bermuda grass (excluding sod hybrid)
Digitaria spp.	Crabgrass
Elaeagnus angustifolia	Russian olive
Eragrostis spp.	Lovegrass (excluding E. intermedia, plains lovegrass)
Melinis repens	Natal grass
Mesembryanthemum spp.	Iceplant
Oncosiphon pilulifer	Stinknet

Peganum harmala	African rue
Pennisetum ciliare	Buffelgrass
Pennisetum setaceum	Fountain grass
Rhus lancea	African sumac
Salsola spp.	Russian thistle
Schinus spp.	Pepper tree
Schismus arabicus	Arabian grass
Schismus barbatus	Mediterranean grass
Sorghum halepense	Johnson grass
Tamarix spp.	Tamarisk

6. Cultural Resources condition: In the event that ancestral remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are encountered during construction, all ground disturbing activities must cease within 50 ft of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the encounter or disturbance of the remains at (520) 626-0320 so that appropriate arrangements can be made for the repatriation and reburial by cultural groups who claim cultural or religious affinity to them. The ancestral remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Adherence to the preliminary development plan as approved at public hearing.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
10. The use of cattle guards at the two entrance/exits and additional wildlife exclusionary fencing or walled areas to reduce wildlife movement into the development area, and reduce the potential risk of harm to wildlife as a result.
11. A written open space restrictive covenant as well as a monitoring and adaptive management plan to be used by the Homeowners' Association, with specific provisions dedicated to invasive species management on site. Growing threats from invasive species such as stinknet and buffelgrass can pose a risk if they are not proactively managed.
12. More specifics regarding plant transplantation and management, including prioritizing the transplantation of native plants on site, especially with old growth plants such as ironwood trees and saguaros, and the development of a watering plan.
13. A more detailed landscape plan that specifies hard and soft surfaces, and specifically that minimizes the use of decomposed granite in landscaping in favor of native groundcover plants, along with mulch, a shrub story, and a canopy layer.
14. An outdoor lighting plan that requires: all outdoor and residential lighting be shielded and downlit, to avoid light trespass; the use of warm LED light bulbs; the use of dimmers and motion-activated lighting to avoid excessive external lighting.
15. The Coalition for Sonoran Desert Protection also recommends re-evaluation of units at the development's southeast corner, which currently extend very close to the floodplain and erosion hazard setback area.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Scott and seconded by Supervisor Christy to close the public hearing and approve P24RZ00003, subject to standard and special conditions. No vote was taken at this time.

Supervisor Grijalva noted that the Board received a letter of support from a constituent. She shared that the preservation of 80% of open space in this project and the added special conditions was the reason she would vote in favor of the rezoning.

Supervisor Allen stated that she concurred with Supervisor Grijalva.

Chair Scott pointed out that Section 2(B) in the Board of Supervisors memorandum that was attached to the item said, "a revised traffic impact study shall be submitted for review and approval by the Department of Transportation with the tentative plat submittal." He requested clarification on how an updated traffic impact study would differ from the original, as the process varied depending on the particular situation.

Tom Drzazgowski, Chief Zoning Officer, Development Services Department, responded that the revised traffic study followed a linear process, which was currently in the entitlement stage. He stated that once the entitlement process was completed, the applicant would continue work on the project. He noted that there were concerns about an intersection on the northeast side of the project that was not thoroughly analyzed during the original traffic impact analysis. He stated that work was being done to determine if further improvements were needed before the approval process, which would occur during the tentative plat stage.

Chair Scott requested clarification that the revised traffic impact study would focus more on the areas adjacent to the project than the initial study did.

Mr. Drzazgowski responded in the affirmative. He explained the major concern that was raised was about the intersection of Pecos Way, Lambert Road, and Camino de la Tierra where these multiple roads combined at one point. He related that the original traffic impact analysis was focused on the intersections along Thornydale and Lambert. He added that the intersection where the three roads met would be analyzed during the platting process to determine if any improvements were needed.

Paul Oland, Applicant Representative, Paradigm Land Design, stated that he had met with the Department of Transportation (DOT) several times, and had agreed on a schematic drawing which had previously been provided to the Board. He related that DOT had requested a larger right-of-way in the northeast corner of the project, but the area had not been defined yet. He added that he had committed to comply with any requests from DOT.

Chair Scott inquired if the revised traffic impact study would include a safety analysis of Pecos Way, Lambert Way, and Camino de la Tierra.

Mr. Drzazgowski responded yes and that it was incorporated by Condition 2(D) that was included in their packet.

Chair Scott stated that would address a concern raised by constituents in his district. He referred to Section 3(C) of the memorandum, which read, “at the time of development, the developer shall be required to select a combination of water conservation measures from Table B such that the point total equals or exceeds 15 points, and includes a combination of indoor and outdoor measures.” He noted that the referenced “Table B” did not appear to be attached to the materials provided to the Board and requested further clarification on that condition.

Chris Poirier, Deputy Director, Development Services Department, stated that the condition referred to a table that was part of the rezoning site analysis application, which required applicants to achieve a certain level of water conservation, based on a points system. He explained that Table B outlined the number of points applicants would earn by installing low flow toilets, harvesting rainwater, or other conservation measures. He added that the table would be included in the ordinance that would be brought back to the Board at a future meeting, so that it was memorialized to that rezoning condition.

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

34. **Hearing - Zoning Code Text Amendment**

P22TA00003, TITLE 18 ZONING

An Ordinance of the Board of Supervisors of Pima County, Arizona, relating to Zoning (Title 18); amending the Pima County Code Chapter 18.63 (Historic Zone) Section 18.63.040 to modernize and refine the criteria for historic designation, historic district zones, and landmark zones; amending Section 18.63.050 (Establishment) to add reference to a Plans Review Subcommittee of the Historical Commission, to define submittal requirements for Historic District Zone Applications, and to change “Office to Sustainability and Conservation” to “Cultural Resources and Historic Preservation Office”; amending Section 18.63.060 (Historic District Zone Advisory Boards) to modify parameters for initiation and establishment, composition, and to add terms; amending Section 18.63.070 (Development Zones) to fix grammatical error; amending Section 18.63.080 (New Construction or Alterations) to replace “Design Review Committee” with “Plans Review Subcommittee of the Historical Commission” for all Design Plan Review Procedures pertaining to Historic Zone or Historic Landmark Zone requests; amending Section 18.63.090 (Demolition of Historic Structures) to add the Plans Review Subcommittee of the Historical Commission to the review process and to update demolition procedures to require proof of economic or physical unfeasibility for approval; amending Section 18.63.100 (Specific Regulations - San Xavier Environs Historic Zone (H-1)) to define staff and add consultation with the Tohono O’odham Nation; repealing Chapter 18.63.110 (Specific Regulations - Fort Lowell Historic District Zone (H-1)); amending Section 18.63.120 to remove map of “Fort Lowell Historic District Zone (H-2)”; renumbering Section 18.63.120 (Maps) to become Section 18.63.110; amending Chapter 18.73 (Landscape, Buffering, and Screening Standards) Section 18.73.050 (Amenity Landscaping Requirements) to clarify the role of the Plans Review Subcommittee of the Historical Commission; amending

Chapter 18.79 (Sign Standards), Section 18.79.010 (Purpose) to add promoting preservation of landmark signs to the purpose; amending 18.79.060 (Nonconforming Signs) to modify the definition of Landmark Sign; amending Chapter 18.95 (Compliance and Enforcement) Section 18.95.030 (Enforcement) to allow referral of historic zone mitigation issues to the Plans Review Subcommittee of the Historical Commission or the Design Review Committee, to clarify the roles of the Design Review Subcommittee or Plans Review Subcommittee of the Historical Commission on a review of an appeal; amending Chapter 18.99 (Review Committees) Section 18.99.030 (Design Review Subcommittee) to remove references made to Section 18.63.010, to replace "Supervisors" with "Board of Supervisors", and to remove references to "Historic Zone"; amending Chapter 18.101 (Administrators), Section 18.101.020 (Board of Supervisors) to replace "Supervisors" with "Board of Supervisors", to add "Historical Commission" to appointments, and to differentiate "Planning and Zoning Commission" from "Historical Commission"; amending Section 18.101.030 (Planning and Zoning Commission) to add Historical Commission recommendation to Historic District Zone designation process and to remove reference to Section 18.63.090; creating Section 18.101.070 (Historical Commission) to establish parameters and responsibilities for the Historical Commission and the Plans Review Subcommittee of the Historical Commission. On motion, the Planning and Zoning Commission voted 10-0 to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt: ORDINANCE NO. 2025 – 4

Jan Leshar, County Administrator, stated that in 2022, the County received notification from the National Park Service that the Historical Commission needed to be restructured and separate City of Tucson (COT) and Pima County commissions were formed at that time. She stated that subsequently that requirement was dropped for separate commissions and various other modifications had been made by text amendments, all of which were unanimously approved by the Commission. She explained that the current amendment allowed for the formation of a subcommittee, streamlining the review process, and other changes, which were unanimously recommended by the Commission. She recommended approval of this amendment.

Supervisor Heinz recalled that under the current Commission rules, members could be appointed for a maximum of two terms, or eight years. He inquired whether the amendment included a provision for term limits as well.

Carmine DeBonis, Jr., Deputy County Administrator, stated that the membership terms for the Commission had been modified to align with the COT's requirements, as it was joint commission. He explained that there were several members who had been serving on the commission for multiple years and this amendment included language that any commission members who had been serving prior to December 2024 would be treated as though their term start date was January 1, 2025 and they would be eligible for two terms, two four-year terms up to eight years. He added that

the legacy commission members would have an opportunity to stay on the commission going forward and all new appointees would have the four-year term limit with a maximum of two consecutive terms.

Supervisor Grijalva inquired if the reason for the amendment was due to the difficulty in having a quorum during commission meetings or if it was because smaller committees were easier to coordinate.

Mr. DeBonis, Jr., responded that he did not believe that the size of the Commission had been reduced. He explained that the Board of Supervisors appointed a total of ten members, one appointed by each Board member and five additional members appointed by the Board as a whole. He stated that the Commission had more than 20 members, and the change was for consistency with the COT, not to reduce the size of the commission.

Supervisor Grijalva requested clarification that each Supervisor had previously been able to appoint two Commission members, and this amendment would reduce that to one appointee. She stated that her understanding was that the members appointed jointly by the Board would include categories such as architect, an archaeologist, landscape architect or historic preservation planner, architectural historian or a historic residential or commercial property developer, and that the Board's current individual appointees fit into one of those categories.

Mr. DeBonis, Jr., responded in the affirmative. He reiterated that the Board of Supervisors appointed ten members total, five of which were individually appointed by each Board member and the other five were appointed jointly by the Board based on the criteria cited by Supervisor Grijalva.

Kris Gade, Director, Conservation Lands & Resources, concurred with Deputy County Administrator DeBonis, Jr. She stated that if the proposed ordinance was approved the current ten commission members fit into the slots and would all continue serving on the commission and their term would start for the eight years.

Supervisor Allen stated that the amendment required consultation with the Tohono O'odham within the San Xavier Environs Historic District Zone. She stated that her assumption was that projects outside of the COT or County jurisdiction area required consultation with the Nation. She inquired how that consultation would work.

Mr. DeBonis, Jr., responded that was correct.

Ms. Gade responded that although the joint County/City Commission covered the entire City/County area, the County consulted with the various tribes and the State Historic Preservation Officer on any projects that the County was the lead on.

Supervisor Allen asked why the San Xavier Historic District Zone was singled out in the amendment.

Ms. Gade responded that was a specific zone listed in the Code and it applied with the Commission since they were responsible for reviewing any plans that came in within that specific historic zone.

Supervisor Allen asked why this particular zone named as opposed to Countywide.

Ms. Gade responded that other zones were designated individually, and in the past that zone was designated as an area of special concern for historic review.

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

35. Hearing - Rezoning Ordinance

ORDINANCE NO. 2025 - 5, P24RZ00002, 1722 Ina, L.L.C. - W. Ina Road Rezoning. Owner: 1722 Ina, L.L.C. (District 1)

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

36. Hearing - Rezoning Ordinance

ORDINANCE NO. 2025 - 6, P24RZ00005, Taylor - W. Dorsey Street Rezoning. Owner: Rebecca Taylor. (District 3)

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

37. Hearing - Rezoning Resolution

RESOLUTION NO. 2025 - 4, Co9-88-80, Landon - Oracle Road Rezoning. Owner: Hilltop Farm, L.L.C. (District 1)

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

38. Hearing - Comprehensive Plan Amendment and Rezoning Resolution and Ordinance

P23CR00001, Maryvale Development, L.L.C. - W. Violet Avenue Plan Amendment and Rezoning. Owner: Maryvale Development, L.L.C. (District 3)

If approved, pass and adopt RESOLUTION NO. 2025 - 5 and ORDINANCE NO. 2025 – 7

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

BOARD OF SUPERVISORS

39. COVID-19 Presidential Executive Orders and Pima County Employees

Discussion/Direction/Action regarding the impact of the recent recession and execution of multiple COVID-19 related Presidential Executive Orders on Pima County employees, including but not limited to those who left the county's employ, were charged differential health insurance rates, or were rehired in a lesser role or pay rate, together with a report of the status of any related litigation. (District 4)

It was moved by Supervisor Christy, seconded by Chair Scott and unanimously carried by a 5-0 vote, to continue the item to the Board of Supervisors' Meeting of March 18, 2025.

40. Aerospace Research Campus

Discussion/Direction regarding an update from County Administration on the status of past, present, and proposed companies within Pima County's Aerospace Research Campus. (District 4)

It was moved by Supervisor Christy, seconded by Chair Scott and unanimously carried by a 5-0 vote, to continue the item to the Board of Supervisors' Meeting of March 18, 2025.

COUNTY ATTORNEY

41. Conflict of Interest Waiver

Discussion/Direction/Action regarding Mesch, Clark & Rothschild, P.C.'s request for a conflict of interest waiver.

It was moved by Chair Scott, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to proceed as discussed in Executive Session.

42. Arizona Department of Education Intergovernmental Agreement (IGA)

Discussion/Direction/Action regarding IGA No. 23-15-ED with the Arizona Department of Education.

It was moved by Chair Scott, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to proceed as discussed in Executive Session.

43. Settlement Recommendation in TNR & S Acquisition, Inc. v. Pima County

Discussion/Direction/Action regarding a settlement recommendation in TNR & S Acquisition, Inc. v. Pima County, TX2023-000226.

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

CONTRACT AND AWARD

COMMUNITY AND WORKFORCE DEVELOPMENT

44. Tucson Center for Women & Children, Inc., d.b.a. Emerge! Center Against Domestic Abuse, to provide for the Emergency Solutions Grant Emergency Shelter - Comprehensive Services. HUD Fund, contract amount \$33,010.00 (PO2500000412)

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

45. Compass Affordable Housing, Inc., to provide for the Pima County Countywide Rapid Rehousing Program, Arizona Department of Housing - State Housing Trust Fund Program Fund, contract amount \$540,000.00 (PO2400015971)

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

REAL PROPERTY

46. Spire Development, Inc., to provide a Development and Purchase Agreement for property located at the southeast corner of East Drexel Road and Bonney Avenue for the development of a low income affordable rental unit complex, contract amount \$200.00 revenue/3 year term (CT2500000009)

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

GRANT APPLICATION/ACCEPTANCE

47. Acceptance - Community and Workforce Development

United States Department of Housing and Urban Development, Amendment No. 1, to provide for the Emergency Solutions Grant and revise grant term to 12/8/26, no cost (GA-CWD-81574)

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

48. Acceptance – Health

Arizona Department of Health Services, to provide for Pima County Heat Mitigation, \$500,000.00/5 year term (G-HD-83591)

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

CONSENT CALENDAR

49. Approval of the Consent Calendar

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

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BOARD OF SUPERVISORS

1. Removal of Continued Item

Due to the approval of the County Administrator's new contract on January 7, 2025, Supervisor Heinz requests the following continued item be removed from the agenda:

UNFINISHED BUSINESS (1/23/24)

County Administrator Salary Adjustment

Discussion/Direction/Action regarding adjusting the salary of County Administrator Jan Leshar upwards to be more competitive with market rates and more in line with Ms. Leshar's qualifications and experience. (District 2)

BOARD, COMMISSION AND/OR COMMITTEE

2. Pima County Regional Affordable Housing Commission

Ratification of City of South Tucson appointment: Irma Gonzalez, to replace Imelda Robles. Term expiration: 2/6/27. (Jurisdictional recommendation)

3. **Workforce Investment Board**

Reappointments of Jorge Rivero, representing GECD; TANF; Business and Danielle Duarte, representing Business. Term expirations: 9/30/27. (Staff recommendations)

4. **State Board of Equalization**

Reappointment of Neil Konigsberg. Term expiration: 12/31/28. (District 5)

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

5. **Special Event**

- Peter Lynn Schultz, San Xavier Lodge No. 1964, Loyal Order of Moose, Inc., 9022 S. Nogales Highway, Tucson, February 22, 2025.
- Geoffrey William Hill, Tucson Conquistadores Foundation, La Paloma Country Club and The Westin La Paloma Resort & Spa, 3660 E. Sunrise Drive, Tucson, March 2, 3, 4, 5, 6, 7, 8 and 9, 2025.
- Alejandro Torres, Corpus Christi Catholic Church Parish - Tucson, 300 N. Tanque Verde Loop Road, March 1, 2025.

ELECTIONS

6. **Precinct Committeemen**

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

RESIGNATION-PRECINCT-PARTY:

Ricky Sage-009-DEM, Carol Schloff-021-DEM, Daniel Schloff-021-DEM, Andrés Cano-044-DEM, Karl Aurand-054-DEM, Mary Aderman-084-DEM, Linda Robertson-084-DEM, Nancy Koff-088-DEM, Karen Gleason-091-DEM, Diana Herz-091-DEM, Kay Schriener-145-DEM, Darrell Parrish Bakeman-169-DEM, Leslie Stellman-173-DEM, Michael Graham-210-DEM, Steven Marks-220-DEM, Erika Arett-238-DEM, Larry Wood-238-REP, Neil Kight-036-GRN

APPOINTMENT-PRECINCT-PARTY:

Michael Wilson-010-DEM, Darrel Parrish Bakeman-014-DEM, Jennifer Martin-040-DEM, Roger Vandenabeele-040-DEM, Sadie Shaw-042-DEM, Donald Gates-073-DEM, Leighton Rockafellow, Jr.-073-DEM, Brenda Allee-Bates-074-DEM, Gabrielle Rios-078-DEM, Lauren Burson-082-DEM, Alexander Kack-082-DEM, Janine Baxter-084-DEM, Margaret Maytag-084-DEM, Joan Will-088-DEM, Alex Sanchez-127-DEM, Beverly Lake-141-DEM, Donald Lamey-141-DEM, Andrés Cano-143-DEM, Eric Sonera-153-DEM, Aaron Ezekiel-171-DEM, Ron Deutsch-184-DEM, Stephen Kelsey-192-DEM, Laura Callejon-193-DEM, Anna Jacobs-195-DEM, Ann Machek-205-DEM, Frank Machek-205-DEM, Jackie Anderson-206-DEM,

Carol Christ-209-DEM, Patricia Stril-209-DEM, Karen Gleason-210-DEM, Lucinda Creed-211-DEM, Louis Alaimo, Jr.-213-DEM, Kyan Lee-218-DEM, Jessica Chalberg-264-DEM, Susan McIntyre-012-REP, Janis Miller-057-REP, Patrick Thompson-107-REP, Deanne Johnson-161-REP, Patti Julagay-175-REP, Danny Pinedo-176-REP, Dorothy Pinedo-176-REP, Silvia Doty-179-REP, Damaris Voyles-183-REP, Jeffry Johnston-105-LBT, Karima Wicks-069-GRN

RATIFY AND/OR APPROVE

7. Minutes: December 3, 2024
Warrants: February, 2025

* * *

50. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 4:04 p.m.

CHAIR

ATTEST:

CLERK