

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED
AT www.pima.gov/cob AFTER APPROVAL BY THE BOARD OF
SUPERVISORS**

**Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
November 21, 2023 9:00 a.m.**

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. LAND ACKNOWLEDGEMENT STATEMENT

**To be offered by Stephanie Motzkin, Tohono O'odham Outreach
Coordinator, Office of the Pima County Recorder.**

4. PAUSE 4 PAWS

PRESENTATION/PROCLAMATION

**5. Presentation of a proclamation to Janay Arenas, Chair, and Carlos
Ruiz, Immediate Past Chair, Small Business Commission, proclaiming
the day of Saturday, November 25, 2023 to be: "SMALL BUSINESS
SATURDAY IN PIMA COUNTY"**

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

6. CALL TO THE PUBLIC

**Individuals wishing to participate telephonically at Call to the Public must
contact the Clerk of the Board's Office at 520-724-8449, to register their
request and obtain remote access information, by the deadline of Monday,
November 20, 2023 at 5:00 p.m. Call to the Public shall be scheduled for
one hour each meeting unless extended by a majority vote of the Board of
Supervisors. Speakers shall have up to three minutes to speak. However,
for any meeting where 20 or more individuals have submitted speaker
cards, each speaker's time shall be limited to two minutes. Please be
aware that you may not be called upon to speak if the time for Call to the
Public expires and is not extended by a majority vote of the Board of
Supervisors. eComments can also be submitted to COB_mail@pima.gov.**

EXECUTIVE SESSION

7. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a negotiated settlement between the parties in Wal-Mart Stores, Inc. v. Pima County in TX2022-000353 and TX2023-000151.

Motion by Chair Grijalva, seconded by Supervisor Scott, proceed with settlement as discussed 5-0.

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

8. **Aerial Easement**
Staff recommends approval of the aerial easement to the United States of America, Department of Energy, Western Area Power Administration, for property located along the alignment of the Santa Cruz River, lying within Section 34, T13S, R13E, G&SRM, Pima County, Arizona. (District 3)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.
9. **Grant Acceptance**
State of Arizona Department of Emergency and Military Affairs, to provide for the Hazard Mitigation Grant Program - HMGP FM-5310-003-03R, Canada Del Oro Levee Augmentation Project, \$1,333,327.00/\$975,277.00 RFCF Non-Bond Projects Fund match (GTAW 24-61)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.
10. **Contract**
OUTPARCEL AZ PAV WEST, L.L.C., to provide for Sales Agreement No. Sale-0124 and Special Warranty Deed for .666 acres of land located on the south side of Cortaro Road, northeast of the Santa Cruz River, Tax Parcel No. 226-28-0230, contract amount \$10,400.00 revenue (CTN-RPS-24-65)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

LIBRARY DISTRICT BOARD

11. **Award**
Amendment of Award: Master Agreement No. MA-PO-21-210, Amendment No. 3, Overdrive, Inc., to provide for digital content services. This amendment increases the annual award amount by \$1,500,000.00 for a cumulative not-to-exceed contract amount of \$4,440,000.00. Funding Source: Library District Ops Fund. Administering Department: Library District.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

13. UNFINISHED BUSINESS (11/7/23)
Infrastructure Needs in Rural Pima County
Discussion/Direction/Action: Assessment and review of infrastructure needs in rural Pima County to include, but not limited to, Transportation and Flood Control identifying the priority, funding and timeline for the projects with specific emphasis on the re-pavement of Pima Mine Road, Arivaca Road and the reconstruction of Blanco Wash Bridge at Silverbell Road. (District 3)
staff direction
14. **Education Forward Arizona Presentation**
Presentation from Melinda Gomez with Education Forward Arizona. (District 1)
No Board action taken
15. **Proposal to Amend the Pima County Legislative Agenda**
Discussion/Direction/Action: Proposing that Resolution No. 2023-36, Pima County's Legislative Agenda, be amended to direct all those authorized by Pima County to lobby on its behalf and registered as lobbyists with the Secretary of State, to support an increase in the current appropriation from the Arizona Lottery of \$6 million to \$10 million annually to the Arizona State Parks Heritage Fund. (District 1)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

COUNTY ADMINISTRATOR

16. UNFINISHED BUSINESS (11/7/23)
Release of Attorney-Client Privileged Memorandum Regarding the Authority of the Board of Supervisors to Establish and Enforce a Fee Management Ordinance for the Clerk of the Superior Court
Discussion/Action: Public release of the Attorney-Client Privileged Memorandum dated October 30, 2023, from Chief Civil Deputy County Attorney Sam Brown to County Administrator Jan Leshar regarding the authority of the Board of Supervisors to adopt a Fee Management Ordinance or to establish fees for the Clerk of the Superior Court absent consultation with or approval by the Superior Court or the Administrative Office of the Courts.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

CLERK OF THE BOARD

17. **Petition for Relief of Taxes**
Pursuant to A.R.S. §42-11109(E), Our Saviour's Lutheran Church, has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2022, for Tax Parcel Nos. 123-07-101A and 123-07-104A.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

ELECTIONS

18. **Canvass**
Pursuant to A.R.S. §16-642(A), canvass of the election results for the November 7, 2023, Consolidated Election.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-1, Supervisor Bronson voted nay.

FINANCE AND RISK MANAGEMENT

19. **Monthly Financial Update**
Discussion/Direction/Action regarding a monthly financial update on the County's financial performance.
No Board action taken

CONTRACT AND AWARD

County Attorney

20. Squire Patton Boggs, L.L.P., Amendment No. 7, to provide for bond counsel services, extend contract term to 1/1/25 and amend contractual language, GO, HURF or COPS Funds, contract amount \$250,000.00 (CT-FN-18-187)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

Facilities Management

21. Five-To-Oh Coffee, L.L.C., Amendment No. 2, to provide a lease agreement for the operation of a coffee and snack shop in the Pima County Historic Courthouse located at 115 N. Church Avenue, extend contract term to 11/30/24 and amend contractual language, contract amount \$3,900.00 revenue (CTN-FM-21-27)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

Procurement

22. **Award**
Award: Purchase Order No. PO-PO-24-11, Utility Equipment & Supply, Inc., d.b.a. Utility Crane & Equipment, Inc. (Headquarters: Tolleson, AZ), to provide for a 2023 Super Camel 1200EJ. This contract is for a one-time award in the discrete amount of \$680,970.87 (including sales tax). Funding Source: Wastewater Operations Enterprise Fund. Administering Department: Regional Wastewater Reclamation.

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

23. **Award**
Amendment of Award: Master Agreement No. MA-PO-18-201, Amendment No. 9, Transource Service Corp., d.b.a. Transource Computers, to provide for hardware including peripherals and associated services. This amendment extends the termination date to 1/31/24 and increases the contract amount by \$50,000.00 for a cumulative not-to-exceed contract amount of \$600,000.00. Funding Source: General Fund. Administering Department: Information Technology.

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

- 24. Award**
Award: Master Agreement No. MA-PO-24-66, HAWK Contracting, L.L.C. (Headquarters: Tempe, AZ), to provide for Pima County Sign and Panel Replacement, Phase 2. This master agreement is for an initial one (1) year term in the annual award amount of \$340,412.00, including sales tax. Funding Source: Federal Highway Administration Highway Safety Improvement Program Fund. Administering Department: Project Design and Construction.

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

- 25.** ADP, Inc. (formerly ADP, L.L.C.), Amendment No. 11, to provide for HR/Payroll, benefits and eTime management, amend contractual language and scope of services, no cost (MA-PO-13-202)
Administering Department: Human Resources
Meeting date: 12/5/2023

continue

- 26.** Kimley-Horn and Associates, Inc., Amendment No. 1, to provide for Canoa Ranch sewer extension segment 2 design (3CRAEX), amend contractual language and scope of services, RWRD Obligations Fund, contract amount \$168,911.00 (CT-CPO-23-225) Administering Department: Capital Program Office

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

- 27.** iSX Construction, L.L.C., d.b.a. Infrastructure Industries, Inc., to provide for Sierrita Mountain Road two-way left turn lane: Hilltop Road to Viking Street, Transportation CIP Projects (16%) and Transportation Operations (84%) Funds, contract amount \$2,880,438.00 (CT-CPO-24-209) Administering Department: Project Design and Construction

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

Regional Wastewater Reclamation

- 28.** Town of Marana, Amendment No. 2, to provide for sewer billing and collection services, extend contract term to 11/30/24, amend contractual language and scope of services, RWRD Enterprise Fund, contract amount \$100,000.00 (CT-WW-21-224)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

GRANT APPLICATION/ACCEPTANCE

- 29. Acceptance - Communications**
Friends of Pima Animal Care Center, to provide for improving the use of PACC services and resources in Spanish language households through targeted marketing and outreach, \$120,000.00 (GTAW 24-72)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 30. Acceptance - Community and Workforce Development**
RESOLUTION NO. 2023 - 59, of the Board of Supervisors, authorizing the approval of the Continuum of Care "Scope of Work for Fiscal Year 2023 Renewal Grant Agreement" from the U.S. Department of Housing and Urban Development ("HUD"), for the Coalition Assisting Self-Sufficiency Attainment Program, \$920,846.00/\$230,211.50 General Fund match (GTAW 24-62)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 31. Acceptance - Community and Workforce Development**
RESOLUTION NO. 2023 - 60, of the Board of Supervisors, authorizing the approval of the Continuum of Care "Scope of Work for Fiscal Year 2023 Renewal Grant Agreement" from the U.S. Department of Housing and Urban Development ("HUD"), for La Casita, \$212,295.00/\$53,073.75 General Fund match (GTAW 24-63)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 32. Acceptance - Community and Workforce Development**
RESOLUTION NO. 2023 - 61, of the Board of Supervisors, authorizing the approval of the Continuum of Care "Scope of Work for Fiscal Year 2023 Renewal Grant Agreement" from the U.S. Department of Housing and Urban Development ("HUD"), for the Homeless Management Information System, \$234,078.00/\$58,519.50 General Fund match/3 year term (GTAW 24-64)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.
- 33. Acceptance - Community and Workforce Development**
RESOLUTION NO. 2023 - 62, of the Board of Supervisors, authorizing the approval of the Continuum of Care "Scope of Work for Fiscal Year 2023 Renewal Grant Agreement" from the U.S. Department of Housing and Urban Development ("HUD"), for One Stop Rapid Rehousing, \$224,069.00/\$56,017.25 General Fund match (GTAW 24-70)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

- 34. Acceptance - County Attorney**
Arizona Department of Public Safety, to provide for the Victims of Crime Act Victims Assistance Grant Program,
\$848,030.00/\$212,008.00 General Fund match (GTAW 24-66)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 35. Acceptance - County Attorney**
City of Tucson, Amendment No. 1, to provide for the Edward Byrne Justice Assistance Grant, extend grant term to 9/30/24 and amend grant language, no cost (GTAM 24-35)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-1, Supervisor Christy voted nay.
- 36. Acceptance - Health**
Centers for Disease Control and Prevention, Amendment No. 8, to provide for Racial and Ethnic approaches to Community Health Pima Partnership and extend grant term to 12/29/23, no cost (GTAM 24-33)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-1, Supervisor Christy voted nay.
- 37. Acceptance - Office of Emergency Management**
Arizona Department of Emergency and Military Affairs, to provide for the FY 2023 Emergency Management Performance Grant,
\$1,041,357.82/\$520,678.91 Office of Emergency Management General Fund match (GTAW 24-51)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 38. Acceptance - Sheriff**
Governor's Office of Highway Safety, to provide for STEP enforcement and training related professional and outside services and related materials and supplies, \$29,226.00 (GTAW 24-59)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 39. Acceptance - Transportation**
Federal Highway Administration through Arizona Department of Transportation, to provide for the Off-System Bridge Program Grant - Ajo Wash Bridge Replacement, \$982,403.00/\$59,381.00 HURF Fund match/2 year term (GTAW 24-68)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.
- 40. Acceptance - Transportation**
Federal Highway Administration through Arizona Department of Transportation, to provide for the Highway Improvement Program - Pima County - Romero and Ruthrauff Road, Flashing Yellow Arrow, \$706,880.00/4 year term (GTAW 24-69)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.

41. **Acceptance - Transportation**
U.S. Department of Transportation, to provide for the Rebuilding American Infrastructure with Sustainability and Equity Grant; West Valencia Road: Creating Safe and Equitable Community Connections, \$20,000,000.00/\$10,000,000.00 Impact Fees Fund match/6 year term (GTAW 24-29)
Motion by Supervisor Christy, seconded by Chair Grijalva, approved 5-0.

***** HEARINGS *****

Individuals wishing to address the Board on a Public Hearing item, but wish to participate remotely, can contact the Clerk of the Board's Office at 520-724-8449, to obtain remote access information.

FRANCHISE/LICENSE/PERMIT

42. **Hearing - Permanent Extension of Premises/Patio Permit**
12103552, Nathan Keane, RA Sushi, 2905 E. Skyline Drive, No. 289, Tucson.
Motion by Chair Grijalva, seconded by Supervisor Heinz, closed the public hearing and approved 5-0.

DEVELOPMENT SERVICES

43. **Hearing - Landscape Design Manual Amendment**
P23TA00001. LANDSCAPE DESIGN MANUAL
A proposal to amend by Resolution the Pima County Landscape Design Manual, pursuant to Zoning Code Section 18.73, by updating Bufferyard and Screening Standards and Permitted and Prohibited Plant Lists, and by adding Stormwater Harvesting Requirements. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Hook and Truitt were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt: RESOLUTION NO. 2023 - **63**
Motion by Chair Grijalva, seconded by Supervisor Scott, closed the public hearing and approved 5-0.

44.

Hearing - Code Text Amendment

P23TA00003, GUEST HOUSE

An Ordinance of the Board of Supervisors of Pima County, Arizona, relating to Zoning (Title 18); amending the Pima County Code Chapter 18.09 (General Residential and Rural Zoning Provisions) by revising development standards for Guest Houses. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Hook and Truitt were absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (All Districts)

If approved, pass and adopt: ORDINANCE NO. 2023 - **19**

Motion by Chair Grijalva, seconded by Supervisor Scott, closed the public hearing and approved 5-0.

45. **ADJOURNMENT**

ADDENDUM 1

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

EXECUTIVE SESSION

1. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement agreement in Green Things, Inc. v. Pima County Regional Flood Control District, C20220575.

Motion by Chair Grijalva, seconded by Supervisor Scott, proceed with settlement as discussed 5-0.

SITTING AS THE BOARD OF SUPERVISORS

EXECUTIVE SESSION

2. (Clerk's Note: This item will be heard at a time certain of 12:30 p.m.) Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the damage to Arivaca Road and potential legal options for the County.

Motion by Chair Grijalva, seconded by Supervisor Scott, proceed as discussed 4-1, Supervisor Bronson voted nay.

BOARD OF SUPERVISORS

3. **Support of Proposed ATF Rule 2022-R17**
RESOLUTION NO. 2023 - **64**, of the Board of Supervisors, making a public comment to the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives in support of proposed ATF Rule 2022-R17, which will require background checks for all private firearm sales. (District 1)

Motion by Supervisor Scott, seconded by Chair Grijalva. Upon roll call vote, approved 3-2, Supervisors Bronson and Christy voted nay.

4. **Board of Supervisor, District 3**
 - A. Acceptance of the resignation of the Honorable Sharon Bronson, effective November 27, 2023.

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

- B. Discussion/Direction/Action regarding a selection process to fill the vacancy of Board of Supervisor, District 3.

Motion by Chair Grijalva, seconded by Supervisor Scott, approved as directed 5-0.

CONTRACT AND AWARD

COUNTY ADMINISTRATOR

5. Sahuarita Food Bank, d.b.a. Marana Food Bank & Community Resource Center, to provide for the collection, storage and distribution of food in rural Pima County, General Fund, contract amount \$100,000.00 (CT-CA-24-245)
Motion by Supervisor Bronson, seconded by Supervisor Heinz, approved 5-0.

PROCUREMENT

6. Carahsoft Technology Corp., to provide for computer software and related items, General (50%) and Enterprise Funds, contract amount \$2,000,000.00 (MA-PO-24-78) Administering Department: Information Technology
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-1, Supervisor Christy voted nay, Supervisor Bronson not present.
7. Atmosphere Commercial Interiors, Corporate Interior Systems, Goodmans, Inc., d.b.a. Goodmans Interior Structures and National Design & Trade Network, d.b.a. Interior Solutions, to provide for furniture products and services, General Fund, contract amount \$5,000,000.00 (MA-PO-24-83) Administering Department: Project Design and Construction
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson not present.

BOARD, COMMISSION AND/OR COMMITTEE

8. **Regional Affordable Housing Commission**
Appointment of Ann Vargas, to fill a vacancy created by Sharayah Jimenez. Term expiration: 10/31/26. (District 5)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson not present.

CONSENT CALENDAR

Approval of the Consent Calendar

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

BOARD, COMMISSION AND/OR COMMITTEE

- Self-Insurance Trust Fund Board**
Appointment of Hector Encinas, to fill a vacancy created by Kenneth Kmak. Term expiration: 12/31/24. (Staff recommendation)

This item was approved on the Consent Calendar.

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

- Temporary Extension**
 - 07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, December 16, 2023 and February 17, 2024.
 - 14101009, Kevin Arnold Kramber, American Legion No. 109, 15921 S. Houghton Road, Corona de Tucson, December 31, 2023 and January 1, 2024.
This item was approved on the Consent Calendar.

TREASURER

- Certificate of Removal and Abatement - Certificate of Clearance**
Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$29,556.05.

This item was approved on the Consent Calendar.
- Request to Waive Interest**
Pursuant to A.R.S. §42-18053, staff requests approval of the Submission of Request to Waive Interest Due to Mortgage Satisfaction in the amount of \$559.37.

This item was approved on the Consent Calendar.

RATIFY AND/OR APPROVE

- Minutes: September 5, 2023

This item was approved on the Consent Calendar.