

## **FLOOD CONTROL DISTRICT BOARD MINUTES**

The Pima County Flood Control District Board met remotely in regular session through technological means at 9:00 a.m. on Tuesday, February 15, 2022. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair  
Adelita S. Grijalva, Vice Chair  
Rex Scott, Member  
Dr. Matt Heinz, Member  
Steve Christy, Member

Also Present: Jan Leshar, Acting County Administrator  
Sam Brown, Chief Civil Deputy County Attorney  
Melissa Manriquez, Clerk of the Board  
Juan Carlos Navarro, Sergeant at Arms

### **1. RIPARIAN HABITAT MITIGATION**

Staff requests approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in the amount of \$43,360.00 for the Northwest Recharge Recovery System impacted by Regulated Riparian Habitat, located within Important Riparian Area with underlying Xeroriparian Class C and Xeroriparian Class D Habitats. (District 3)

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

### **2. RIPARIAN HABITAT MITIGATION**

Staff requests approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in the amount of \$5,460.00 for placement of a new pool at 12008 N. Star Cluster Drive, located within Regulated Riparian Habitat classified as Xeroriparian Class C Habitat. (District 3)

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

3. **AWARD**

Amendment of Award: Master Agreement No. MA-PO-21-29, Amendment No. 2, Hydrolynx Systems, Inc., to provide for ALERT Flood Warning System parts and repair service. This amendment is for a one-time increase in the amount of \$850,000.00 for a cumulative not-to-exceed contract amount of \$1,038,000.00 effective 2/15/22 and increases the annual award amount by \$6,000.00 from \$94,000.00 to \$100,000.00 effective 9/22/22. Funding Source: Flood Control Tax Levy Fund. Administering Department: Regional Flood Control District.

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

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:35 p.m.

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CHAIR

ATTEST:

\_\_\_\_\_  
CLERK

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

The Pima County Wildflower Community Facilities District Board met remotely in regular session through technological means at 9:00 a.m. on Tuesday, February 15, 2022. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair  
Adelita S. Grijalva, Vice Chair  
Rex Scott, Member  
Dr. Matt Heinz, Member  
Steve Christy, Member

Also Present: Jan Leshar, Acting County Administrator  
Sam Brown, Chief Civil Deputy County Attorney  
Melissa Manriquez, Clerk of the Board  
Juan Carlos Navarro, Sergeant at Arms

### **1. CANVASS**

Pursuant to A.R.S. §48-707(D), canvass of the election results for the February 2, 2022, Special Purpose District Election.

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

### **2. ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:35 p.m.

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CHAIR

ATTEST:

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CLERK

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

The Pima County Board of Supervisors met remotely in regular session through technological means at 9:00 a.m. on Tuesday, February 15, 2022. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair  
Adelita S. Grijalva, Vice Chair  
Rex Scott, Member  
Dr. Matt Heinz, Member  
Steve Christy, Member

Also Present: Jan Leshner, Acting County Administrator  
Sam Brown, Chief Civil Deputy County Attorney  
Melissa Manriquez, Clerk of the Board  
Juan Carlos Navarro, Sergeant at Arms

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

All present joined in the Pledge of Allegiance.

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

The Land Acknowledgement Statement was delivered by Chairman Peter Yucupicio, Pascua Yaqui Tribe.

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

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

### **4. POINTS OF PERSONAL PRIVILEGE**

Supervisor Scott spoke in remembrance of Rafael David Montaña, dedicated educator and Assistant Principal of Pueblo High School.

Supervisor Grijalva acknowledged the passing of Senator Olivia Cajero Bedford.

### **5. CALL TO THE PUBLIC**

Lori Erwin spoke in opposition to extending mask requirements for children in schools, mandatory vaccines in the workplace and changing Pima County's voting system.

The following speakers addressed the Board regarding the use of vote centers in place of polling places:

- Nancy Hand, President, League of Women Voters of Greater Tucson
- Dru Heaton, Libertarian Party

- Brian Bickel
- Priya Sundareshan

They offered the following comments:

- The proposed technology would increase election security and efficiency.
- Electronic poll books and vote centers were already in use in 11 of Arizona's 15 counties.
- The League of Women Voters was in support of voting centers and e-poll books and offered their assistance with public outreach and education.
- It was the wrong time to move to a system the public did not trust.
- The Election Integrity Commission voted 5-3 to support the implementation of voting centers and made several recommendations to the Board of Supervisors.
- Voting centers reduced confusion and improved access to voting, especially for rural voters and those living on the reservations.

The following speakers addressed the Board in opposition to extending mask regulations:

- Matt Novak
- Dr. Ann Juodakis, Pediatrician
- Stephanie Kirk

They offered the following comments:

- Public Health recommendations flew in the face of real world data.
- Areas with mask mandates experienced identical case rates to those with no mask requirements.
- The repercussions of long term, prolonged masking of children were unknown.
- The Board was urged to reconsider mask mandates in schools.
- Mask mandates in schools were unconstitutional and in violation of the Parents' Bill of Rights.

Anastasia Tsatsakis spoke about the Arizona Constitution, the U.S. Constitution, the Bill of Rights, U.S.C. Code and the Arizona Revised Statutes, as applied to parents' rights, mandates and quarantine.

Christine Johnson addressed the Board in opposition to vaccine mandates for Pima County employees.

Shirley Requard spoke regarding Board member conduct and procedural practices during Board of Supervisors Meetings.

## **PRESENTATION/PROCLAMATION**

6. Presentation of a proclamation to Dr. Cheree Meeks, President, NAACP Tucson Branch, proclaiming the month of February 2022 to be: "BLACK HISTORY MONTH IN PIMA COUNTY"

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

7. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chair Bronson, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:44 a.m.

8. **RECONVENE**

The meeting reconvened at 9:54 a.m. All members were present.

**EXECUTIVE SESSION**

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a settlement offer in the matter of the Feinerman Trust.

It was moved by Chair Bronson, seconded by Supervisor Grijalva and carried by a 4-1 vote, Supervisor Heinz voted "Nay," to proceed as discussed in Executive Session.

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a conflict of interest waiver requested by Mesch Clark and Rothschild.

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

**BOARD OF SUPERVISORS**

11. **Constable, Justice Precinct 8**

- A. Acceptance of the resignation of the Honorable Kristen Randall, effective February 14, 2022.

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

- B. Discussion/direction/action regarding a selection process to fill the vacancy of Constable, Justice Precinct 8.

Chair Bronson explained that it was at the Board's discretion whether to make the appointment for the 2022 vacancy. She stated that if the Board chose not to fill the vacancy, a selection process was unnecessary.

It was moved by Supervisor Grijalva and seconded by Supervisor Scott to proceed with the standard selection process. No vote was taken at this time.

Constable selection process outlined as follows:

1. Applicants for the position need to meet the following requirements:
  - 18 years of age or older at the time of appointment
  - Registered to vote in the precinct
  - Resident of the precinct
  - Same political party as the person vacating the office (Democrat)
2. Interested parties should file the following with the Clerk of the Board:
  - Letter of Interest
  - Resume
  - Financial Disclosure Statement
3. The submission deadline will be 5:00 p.m., Friday, March 4, 2022.
4. The Clerk of the Board will advertise the selection process in the Daily Territorial Newspaper on February 22 and 28, 2022, and will post the information on the Pima County Homepage. Information regarding how to submit public comments will be included.
5. If requested, a virtual public forum for the candidates will be scheduled the week of March 7, 2022 and will be conducted by the League of Women Voters in Greater Tucson.
6. The Board of Supervisors will make the appointment of the Constable, Justice Precinct 8, at their meeting on Tuesday, March 15, 2022.
7. The individual appointed will serve to December 31, 2022. The JP8 Office will need to be included in the 2022 election and the successful candidate will take office on January 1, 2023 and serve the remainder of the term until December 31, 2024.
8. If no one runs in the 2022 election, the office becomes vacant on January 1, 2023 and the Board will either need to reappoint the same person or appoint someone new to serve the remainder of the unexpired term to December 31, 2024.

A substitute motion was made by Chair Bronson and seconded by Supervisor Heinz to not fill the 2022 vacancy. No vote was taken at this time.

Supervisor Grijalva expressed concern that this only applied to the one precinct and questioned who would be responsible for providing services to Justice Precinct 8 if there was no constable.

Chair Bronson explained that if the Board did not fill the position, the workload would be distributed to the remaining constables until the next election cycle, at

which time interested individuals were required to follow standard candidacy processes.

Supervisor Grijalva requested a legal opinion on whether not filling the position was an option available to the Board.

Sam Brown, Chief Civil Deputy County Attorney, quoted A.R.S. §16-230.

Supervisor Scott noted that when the Precinct 5 Constable resigned, the position was filled. He maintained that the Board needed to be consistent, fill the vacancy and continue to support Administrator Napier's ongoing efforts to improve coordination between the constables.

Upon roll call vote, the substitute motion failed 1-4, Supervisors Christy, Grijalva, Heinz and Scott voted "Nay."

Upon roll call vote of the original motion, it unanimously carried 5-0.

## **COUNTY ADMINISTRATOR**

### **12. Alternative Work Schedules**

Staff recommends approval of the Alternative Work Schedule Administrative Procedure and Merit System Rule 1 revisions.

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

Supervisor Christy questioned the financial effects of implementing the procedure.

Jan Leshner, Acting County Administrator, stated that no additional costs were anticipated as employees' schedules would change but the total number of hours worked in a pay period would remain the same. She stated that the County's current payroll system was capable of accommodating the alternative schedules.

Supervisor Christy inquired how employee productivity would be measured.

Ms. Leshner explained that this was one of several policies and potential practices being reviewed in an attempt to attract and retain employees. She stated that monitoring and assessing the productivity of employees would continue to be the responsibility of the appointing authority.

Supervisor Grijalva thanked Administration for its willingness to look at creative ways to entice people to work for Pima County.

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



13. **Extension and Expansion of Pandemic Outbreak Leave**

Staff recommends approval of the following:

- An additional 80 hours of Pandemic Outbreak Leave II for full-time employees and a prorated amount of hours for part-time employees
- Allow employees to be compensated for currently accrued Pandemic Outbreak Leave I
- Provide an additional 40 hours of vacation leave to all formerly furloughed full-time employees and 20 hours of leave for formerly furloughed part-time and intermittent employees

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

Supervisor Grijalva expressed concerns with the proposed payout and wanted to allow staff additional time to provide more detailed information and to develop a more equitable plan.

A substitute motion was made by Supervisor Grijalva and seconded by Supervisor Christy, to continue the item to the Board of Supervisors' Meeting of March 1, 2022. No vote was taken at this time.

Supervisor Christy expressed concerns regarding the expense and funding for the proposed payout and requested that the report provided to the Board include a detailed itemization of the dollar amounts, a breakdown of impacted employees and justifications for the proposal.

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

**COMMUNITY AND WORKFORCE DEVELOPMENT**

14. **U.S. Department of Housing and Urban Development (HUD) Citizen Participation Plan Amendment**

Staff recommends approval of the City of Tucson - Pima County Consortium HUD Citizen Participation Plan Amendment.

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

**ELECTIONS**

15. The Board of Supervisors on February 1, 2022, continued the following:

## **Precinct Line Adjustments**

Pursuant to A.R.S. §16-411(A), staff requests approval of the proposed precinct line adjustments and the creation of the new precincts.

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

Chair Bronson stated that she did not object to precinct line adjustments but creation of new precincts was a concern.

Mary Martinson, Interim Director, Elections Department, stated that precinct lines could not cross legislative, congressional, supervisor or justice of the peace district lines. She explained that adjustments made to the legislative and congressional district lines by the Arizona Independent Redistricting Commission necessitated creation of the proposed precincts.

Supervisor Christy questioned how long the new precincts would be in effect.

Ms. Martinson responded that, if approved, the proposed precincts would be in effect until redistricting of the supervisor and justice of the peace district lines occurred.

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

## **16. Authorization of Vote Centers**

Staff requests authorization to use vote centers in place of polling places for the 2022 Primary and General Elections.

It was moved by Chair Bronson and seconded by Supervisor Christy to continue the item to the Board of Supervisors' Meeting of March 15, 2022. No vote was taken at this time.

Chair Bronson stated that she had questions regarding this item and would submit them to the Elections Department and the Recorder's Office and requested responses be formulated from a fiscal perspective.

Supervisor Grijalva indicated that delaying the item was problematic and her preference was to move forward.

Supervisor Christy expressed concern about making a decision on a fundamental change to the voting system and purchasing equipment before questions were answered and an educated discussion was conducted.

Supervisor Grijalva noted that 11 of the 15 counties in Arizona employed voting centers and 14 used e-poll books.

A substitute motion was made by Supervisor Grijalva and seconded by Supervisor Heinz to approve the item. Upon roll call vote, the substitute motion carried 3-2, Chair Bronson and Supervisor Christy voted "Nay."

Chair Bronson stated that at a time when the County was without an Elections Director and the Recorder was new to the position, it was a mistake to move in this direction.

Supervisor Scott reported that the Election Integrity Commission voted to endorse the use of voting centers and he felt this should not be a partisan issue. He also noted that a detailed list of the proposed number and locations of vote centers required Board approval in April and he would vote to reject the list if the accompanying written analysis did not contain appropriate justification for those recommendations.

Supervisor Christy voiced concern regarding the lack of discussion and felt that submitting questions in writing was ineffectual since the decision to move forward had been approved. He urged colleagues to reconsider the decision.

Supervisor Scott made a motion for reconsideration and it was seconded by Supervisor Christy. Upon roll call vote, the motion unanimously carried 5-0.

Upon the request of Supervisor Heinz, a presentation was provided by Gabriella Cazares-Kelly, Recorder and Mary Martinson, Interim Director, Elections Department, regarding the use of e-poll books and vote centers. They explained that vote centers were faster, more accessible, more accurate and the process created continuity and transparency. They stated that in regards to the safety of the technology, Pima County already used the vote center model for early voting and a ballot was only printed when a voter was verified as eligible to vote. They indicated that the poll book company had been thoroughly vetted and the provider was the leader in government Cloud services. They maintained that although the number of polling locations would be reduced, the remaining locations would be more accessible to a larger variety of voters, votes could be cast at any of the locations and geographically remote rural areas would utilize the same locations used in 2020.

Supervisor Scott asked that between precincts and vote centers, which model offered more opportunity for fraud and which had more potential for human error.

Ms. Martinson responded that the polling place system offered more opportunity for fraud because voters could potentially vote at the correct polling place, then go to a different location, say they had changed their address and vote a provisional ballot. She also stated that e-poll books made it faster and easier for poll workers to check voters in, thereby reducing the potential for human error.

Supervisor Scott inquired how the increasing number of early mail-in ballots affected the number and locations of vote centers.

Ms. Martinson replied that vote center locations were planned in every district with additional centers in districts predicted to have a larger number of Election Day voters.

Chair Bronson inquired about the lead project managers and their experience.

Ms. Cazares-Kelly and Ms. Martinson introduced their team members and provided an overview of their background and experience.

Supervisor Christy outlined his concerns regarding staffing, logistics and the firewall between the Recorder's Office and the Elections Department. He stated that it was the wrong time to introduce a fundamental change to the Pima County voting system with an inexperienced Recorder, no Elections Director and only five months until Election Day. He noted that the proposal had no back-up plan and did not address the bottleneck issues seen in the 2020 elections.

Supervisor Grijalva recommended creation of a policy that would ensure the equitable distribution of vote centers. She stated that a move to vote centers and e-poll books would make voting more accessible, reduce provisional ballots and aid in election transparency.

Chair Bronson expressed concerns with chain of custody related to voter registration information, security protections offered by the vendor, and how potential changes to Arizona election laws would be implemented along with the implementation of vote centers. She requested written responses be provided to her questions regarding these concerns. She noted that although she was in favor of vote centers, she did not feel it was the proper time to move in that direction. She added that a majority of comment letters that were received on this issue were in opposition, regardless of party affiliation.

Supervisor Scott maintained that the issue of vote centers should not be a partisan matter, but an attempt to increase access to voting and encourage the greatest number of people to vote in a safe and secure setting.

Supervisor Heinz stated that the implementation of vote centers would increase security, save voters time and eliminate voters being turned away from the polls.

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

## 17. **Contract**

Tenex Software Solutions, Inc., to provide for Tenex election desk modules, HAVA Grant 2020 and General (50%) Funds, contract amount \$1,500,000.00 (MA-PO-22-80) Elections and Information Technology

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

Supervisor Scott explained that it was important for voters to understand that e-poll books were used to check in voters and verify their identities but ballots would continue to be submitted in paper form. He asked the Recorder's Office and Elections Department to address the issues of security and connectivity.

Gabriella Cazares-Kelly, Recorder, stated that Tenex software contained multiple layers of encryption; there was encryption in the Cloud and encryption in the cellular carriers. She explained that the IT Departments within the Recorder's Office, Elections Department and Pima County collaborated to ensure the safety and security of data. She stated that staff worked with Verizon and AT&T to secure strong connections on Election Day. She indicated that Tenex was reliable and had sufficient capacities to support all Pima County voters. She also noted that the statewide voter registration database was hosted in the Cloud.

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

## **REAL PROPERTY**

### **18. Access Easement**

Staff recommends approval of an access easement to Pima Canyon Estates Homeowner's Association, for property located adjacent to the Pima Canyon Trailhead Parking Lot on East Magee Road, lying within Section 30, T12S, R14E, G&SRM, Pima County, Arizona, \$100.00 revenue. (District 1)

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

## **FRANCHISE/LICENSE/PERMIT**

### **19. Hearing - Liquor License**

Job No. 176132, Joseph David Taylor, Simon Hazel Cellars, 6890 E. Sunrise Drive, No. 140, Tucson, Series 10, Beer and Wine Store, New License.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

### **20. Hearing - Liquor License**

Job No. 169184, Michael Joseph Basha, Bashas No. 52, 15310 N. Oracle Road, Tucson, Series 9, Liquor Store, Person Transfer.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**21. Hearing - Liquor License**

Job No. 169567, Michael Joseph Basha, Bashas No. 71, 6900 E. Sunrise Drive, Tucson, Series 9, Liquor Store, Person Transfer.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**22. Hearing - Liquor License**

Job No. 169619, Michael Joseph Basha, Bashas No. 160, 2000 W. River Road, Tucson, Series 9, Liquor Store, Person Transfer.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**23. Hearing - Liquor License**

Job No. 169175, Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Series 9, Liquor Store, Person Transfer.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**24. Hearing - Liquor License**

Job No. 169143, Michael Joseph Basha, AJ's No. 122, 2805 E. Skyline Drive, Tucson, Series 7, Beer and Wine Bar, Person Transfer.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**25. Hearing - Liquor License**

Job No. 165547, Travis Quint Kingsley, Family Dollar No. 27499, 4530 W. Valencia Road, Tucson, Series 10, Beer and Wine Store, New License.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**26. Hearing - Liquor License**

Job No. 172316, Andrea Dahlman Lewkowitz, La Posada Lodge & Casitas, 5900 N. Oracle Road, Tucson, Series 6, Bar, Person Transfer.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**27. Hearing - Liquor License**

Job No. 174548, Jared Michael Repinski, LPT Quik Mart No. 1315, 4280 E. Benson Highway, Tucson, Series 10, Beer and Wine Store, New License.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

**28. Hearing - Liquor License**

Job No. 174645, Jared Michael Repinski, LPT Quik Mart No. 1304, 900 W. Roger Road, Tucson, Series 10, Beer and Wine Store, New License.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott 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.

## **REGIONAL WASTEWATER RECLAMATION**

29. The Board of Supervisors on January 18, 2022, continued the following:

### **Hearing - Proposed Revisions to RWRD Engineering Design Standards 2022 and RWRD Standard Specifications and Details for Construction 2022**

Staff recommends approval and adoption of the proposed revisions to the "Engineering Design Standards 2022" and "Standard Specifications and Details for Construction 2022" as the minimum standards acceptable for the design and construction of all sanitary sewer facilities, which, are to be incorporated into the County sewerage system. (All Districts)

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to close the public hearing and approve the item.

## **BOARD OF SUPERVISORS**

30. **Pima County Health Department Role in Schools**

Discussion/Direction/Action regarding the authority and process by which the Pima County Health Department issues quarantine orders to students enrolled in school districts in Pima County. (District 4)

Supervisor Christy requested a review of the quarantine order process.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, noted that the State of Emergency declared by the Governor allowed local health authorities to require isolation or quarantine of individuals when it was in the best interest of protecting the health of the public. He explained that quarantine orders were issued in very specific circumstances and few had been necessary. He stated that orders were issued only after the school district notified the Health Department that the parents of the student did not intend to comply with quarantine recommendations.

Supervisor Christy directed staff to provide the Board with a written summary of the information reviewed, that included the Arizona Revised Statutes and policies referenced.

31. **Pima County Library Protocol for Mask Mandate Medical Exemptions**

Discussion/Direction/Action regarding the protocol for honoring medical exemptions from the current mask mandate when presented by Pima County Library patrons. (District 4)



Supervisor Christy requested Library staff be directed to follow Pima County Resolution No. 2021-87 and allow patrons with medical exemptions from mask requirements, to have full access to the libraries.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, explained that Pima County Public Library locations were county-owned buildings and were subject to Pima County Administrative Procedure 3-35, which required all employees, vendors and members of the public who access County buildings to wear a mask.

Supervisor Christy directed Dr. Garcia and the County Attorney's Office to examine Resolution No. 2021-87 and Administrative Procedure 3-35 and provide opinions regarding their applicability to Library buildings.

Supervisor Grijalva expressed her support of the current accommodations libraries provided to patrons in order to protect library staff.

## **COUNTY ADMINISTRATOR**

### **32. Extension of Masking Resolution**

RESOLUTION NO. 2022 - 8, of the Board of Supervisors, extending regulations necessary for the public health and safety of Pima County's inhabitants, requiring persons to wear face coverings when they are in indoor public places and cannot easily maintain a continuous physical distance of at least 6 feet from all other persons.

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

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, provided an overview of the County's masking resolutions and the data behind staff's recommendation to extend mask requirements.

Supervisor Grijalva amended her motion to clarify that the Resolution would remain in effect through March 28, 2022, and that the Board would revisit the issue prior to that date.

Supervisor Heinz accepted the amendment as the seconder to the motion.

Supervisor Christy maintained that the community had complied with recommendations and protocols and the mask mandate should be allowed to expire.

Supervisor Scott stated that he could not support the Resolution because people who agreed masks should be worn in public wore them and those who did not

would be no more likely to wear them when faced with a Resolution that was not enforced.

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

Chair Bronson noted that a number of school superintendents contacted her in opposition to the Resolution.

Supervisor Grijalva inquired whether failure to adopt Resolution No. 2022-8 had an effect on the mask mandates for County buildings.

Jan Leshner, Acting County Administrator, responded that the administrative procedure requiring masks be worn in County facilities remained in place.

### **NATURAL RESOURCES, PARKS AND RECREATION**

#### **33. County Fair Horse Racing Meet 2022**

Staff recommends approval of the Pima County Fair Horse Racing Commission's request of the revised County Fair Horse Racing Days: March 19, March 20, April 2 and April 3, 2022.

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

### **CONTRACT AND AWARD**

### **COMMUNITY AND WORKFORCE DEVELOPMENT**

#### **34. Amendment No. 7, to provide for the Emergency Services Network Program, amend contractual language, scope of services and scope of work, ADES/USHHS ARPA LIHEAP Fund, for the following:**

##### **Vendor/Contract Amount/Contract No.**

Chicanos Por La Causa/\$31,764.00/CT-CR-20-472

Interfaith Community Services/\$51,465.00/CT-CR-20-473

Portable Practical Educational Preparation, Inc./\$44,684.00/CT-CR-21-52

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

### **GRANTS MANAGEMENT AND INNOVATION**

#### **35. Arizona Food Bank Network, to provide for the Food Bank Assistance Program, U.S. Department of Treasury, American Rescue Plan Act - Coronavirus State and Local Fiscal Recovery Funds, contract amount \$600,000.00 (CT-GMI-22-250)**

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

Supervisor Christy asked if the Community Food Bank of Southern Arizona would receive any of these funds.

Jan Leshner, Acting County Administrator, stated that the Arizona Food Bank provided services primarily in rural areas and did not include the Community Food Bank of Southern Arizona.

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

## **PROCUREMENT**

36. Securian Life Insurance Company, to provide for supplemental benefits, Employee Contributions Fund, contract amount \$1,000,000.00/5 year term (MA-PO-22-82) Human Resources

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

## **GRANT APPLICATION/ACCEPTANCE**

37. **Acceptance - County Attorney**

City of Tucson, to provide for the FY 2021 Edward Byrne Memorial Justice Assistance Grant Program Award, \$88,452.00/4 year term (GTAW 22-84)

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

38. **Acceptance - Grants Management and Innovation**

Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Amendment No. 2, to provide for the FY2020 Coronavirus Emergency Supplemental Funding Program and extend grant term to 1/31/23, no cost (GTAM 22-39)

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

39. **Acceptance - Grants Management and Innovation**

U.S. Department of Homeland Security, Federal Emergency Management System, Emergency Food and Shelter Program (EFSP) National Board, to provide for the American Rescue Plan Act FY21 EFSP Supplemental Humanitarian Relief, \$3,333,333.34/4 year term (~~GTAM 22-54~~ **GTAW 22-87**)

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

Supervisor Christy inquired whether these grant funds would be distributed to the Red Roof Inn and other facilities that provided services to asylum seekers and homeless individuals. He also questioned the dollar amounts listed in the material provided.

Jan Leshner, Acting County Administrator, stated that these grant funds focused solely on reimbursement to the County and its partners for services provided to asylum seekers and were not designated for eviction or homeless assistance programs. She explained that the dollar amounts listed in the materials also included disbursements for the two previous quarters and that the amounts varied based on the invoices and receipts submitted to FEMA. She stated that a detailed report of the documentation given to FEMA would be provided to the Board.

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

40. **Acceptance - Sheriff**

U.S. Department of Agriculture - U.S. Forest Service, Amendment No. 4, to provide for the Cooperative Law Enforcement Agreement FY2022 Annual Operating and Financial Plan and amend grant language, \$38,000.00 (GTAM 22-53)

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

**BOARD, COMMISSION AND/OR COMMITTEE**

41. **Fair Horse Racing Commission**

- Reappointment of James Collins. Term expiration: 1/15/24. (District 1)
- Appointment of Robert Hartman, to fill a vacancy created by John Ochoa. Term expiration: 4/15/24 **1/16/23**. (District 4)

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

42. **Natural Resources, Parks and Recreation Advisory Commission**

Appointment of Doug Kenyon, to fill a vacancy created by Damion Alexander. Term expiration: 2/14/28. (District 4)

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

## **CONSENT CALENDAR**

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

Upon the request of Supervisor Grijalva to divide the question, Consent Calendar Item Nos. 2 and 8 were set aside for separate discussion and vote.

Upon the request of Supervisor Christy to divide the question, Consent Calendar Item No. 14 was set aside for separate discussion and vote.

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

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## **PULLED FOR SEPARATE ACTION BY SUPERVISOR GRIJALVA**

### **CONTRACT AND AWARD**

#### **Finance and Risk Management**

2. Diligence Systems, Inc., Amendment No. 2, to provide for report development services, extend contract term to 3/31/24 and amend contractual language, General Fund, contract amount \$313,600.00 (CT-FN-18-269)

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

Supervisor Grijalva inquired whether these services could be performed in-house by County personnel.

Jan Leshner, Acting County Administrator, explained that the contract was for unique processes and technical expertise used to coordinate the Information Technology, Human Resources and Finance departments.

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

#### **Transportation**

8. The University of Arizona, to provide for transportation engineering project services and related education and employment, HURF Fund, contract amount \$1,000,000.00/5 year term (CT-TR-22-229)

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

Supervisor Grijalva inquired about the goal of the contract and how many employees were hired as a result of the contract.

Carmine DeBonis, Jr., Deputy County Administrator, explained that in addition to an internship component, the contract included the ability to utilize the University of Arizona faculty and graduate student technical and intellectual capacities for critical analysis of transportation issues. He stated that only one intern had transitioned to County staff.

Supervisor Grijalva questioned if the work performed could be conducted internally.

Mr. DeBonis, Jr., stated that the contract cooperatively supplemented and enhanced rather than replaced or displaced the skills of County staff.

Supervisor Grijalva encouraged greater utilization of the internship opportunities to help with staffing issues.

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

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#### **PULLED FOR SEPARATE ACTION BY SUPERVISOR CHRISTY**

#### **SUPERIOR COURT**

14. **Judge Pro Tempore Appointment**

Appointment of Frederick S. Klein, Justice of the Peace Pro Tempore for the Consolidated, Green Valley and Ajo Justice Courts, for the period of July 1, 2021 through June 30, 2022.

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

Supervisor Christy requested additional information on the appointment and questioned why it was retroactive.

Jan Leshner, Acting County Administrator, explained that the appointment had been requested by the Courts and indicated she would contact them for additional information.

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

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## **CONTRACT AND AWARD**

### **Behavioral Health**

1. Arizona Health Care Cost Containment System, Amendment No. 4, to provide for detainee hospitalization and amend contractual language, no cost (CT-BH-20-6)

### **Finance and Risk Management**

2. Diligence Systems, Inc., Amendment No. 2, (PULLED FOR SEPARATE ACTION)

### **Health**

3. Rincon Valley Fire District, Amendment No. 1, to provide for administration of immunizations and testing, extend contract term to 2/18/24 and amend contractual language, no cost (CT-HD-21-304)
4. Golder Ranch Fire District, Amendment No. 1, to provide for administration of immunizations and testing, extend contract term to 2/16/24 and amend contractual language, no cost (CT-HD-21-309)
5. Drexel Heights Fire District, Amendment No. 1, to provide for administration of immunizations and testing, extend contract term to 2/28/24 and amend contractual language, no cost (CT-HD-21-334)

### **Real Property**

6. JPMorgan Chase Bank, National Association, to provide for Sales Agreement No. Sale-0091 and Special Warranty Deed for a portion of Tax Parcel No. 304-26-9670, located on the west side of the I-19 Frontage Road, Section 22, T18S, R13E, G&SRM, contract amount \$146,300.00 revenue (CTN-RPS-22-104)

### **Recorder**

7. Town of Marana, to provide for election services (2022-2024 election cycles), contract amount \$11,200.00 revenue/2 year term (CTN-RE-22-91)

### **Transportation**

8. The University of Arizona, (PULLED FOR SEPARATE ACTION)

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

### **9. Metropolitan Education Commission**

- Appointment of Dr. Karen Tam, representing Minority Group (Asian American Community), to fill a vacancy created by Daisy Rodriguez Pitel. Term expiration: 3/19/22. (Commission recommendation)
- Appointment of Dr. Treya Allen, representing African American Community, to fill a vacancy created by Sascha Quartey. Term expiration: 5/16/22. (Commission recommendation)

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

### **10. Special Event**

Chuck Wunder, Green Valley Firefighters Foundation, 5375 S. I-19 Frontage Road, Green Valley, March 5, 2022.

### **11. Temporary Extension**

03103032, Michael Aaron Figueira, Harbottle Brewing Company, L.L.C., 3820 S. Palo Verde Road, No.102, Tucson, February 5, 2022.

## **ELECTIONS**

### **12. Precinct Committeemen**

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

#### **RESIGNATION-PRECINCT-PARTY**

Nita (Kelly) Goodrich-061-DEM; Andra Karnofsky-088-DEM; Steve Dudick-089-DEM; Kristel Ann Foster-093-DEM

## **FINANCE AND RISK MANAGEMENT**

### **13. Duplicate Warrants - For Ratification**

City of Tucson \$21,385.41; Sharp Electronics Corporation \$59.25; Town and Country Associates, L.L.C. \$2,174.00; Community Water Company of GV \$243.00; Environmental Consulting Services, Inc. \$675.00.

## **SUPERIOR COURT**

### **14. Judge Pro Tempore Appointment**

Appointment of Frederick S. Klein, (PULLED FOR SEPARATE ACTION)



**RATIFY AND/OR APPROVE**

15. Minutes: December 7 and 21, 2021

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44. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:35 p.m.

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CHAIR

ATTEST:

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CLERK