

## **FLOOD CONTROL DISTRICT BOARD MINUTES**

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, March 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  
Eric Thompson, Sergeant at Arms

\*Supervisor Heinz joined the meeting at 9:14 a.m., and participated remotely.

### **1. REQUEST FOR ELECTRIC EASEMENT**

Staff recommends approval of an electric easement to Tucson Electric Power Company, for property located along the alignment of an existing access road easement of East Cloud Nine Drive, lying within Section 11, T11S, R14E, G&SRM, Pima County, Arizona, \$1,000.00 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.

### **2. CONTRACT**

City of Tucson, to provide an intergovernmental agreement for development and maintenance responsibilities of Green Stormwater Infrastructure, no cost/25 year term (CT-FC-22-264)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:56 a.m.

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CHAIR

ATTEST:

\_\_\_\_\_  
CLERK

## LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, March 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  
Eric Thompson, Sergeant at Arms

\*Supervisor Heinz joined the meeting at 9:14 a.m., and participated remotely.

### 1. **AWARD**

Award: Master Agreement No. MA-PO-22-109, Cox Arizona Telcom, L.L.C., d.b.a. COX Business (Headquarters: Atlanta, GA), to provide for hotspots around town. This Master Agreement is for an initial term of three (3) years in the award amount of \$800,000.00 (including sales tax) and includes two (2) one-year renewal options in the annual award amount of \$260,000.00 (including sales tax). Funding Source: Library District Operations Fund. Administering Department: Library and Information Technology.

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

Supervisor Christy questioned the amount of proposed locations of hotspots and how they correlated with the program goals to focus on underserved rural communities when 119 of them were in Tucson Metro.

Supervisor Bronson noted that a large portion of District 3 was rural and she was also interested in additional information.

Jan Leshar, Acting County Administrator, explained that the intent was to serve rural communities, as well as areas that lacked connectivity and/or affordable access. She stated that the list provided was a preliminary list identifying only some of the specific sites and additional locations were yet to be determined. She stated that additional information would be provided to the Board.

A substitute motion was made by Chair Bronson and seconded by Supervisor Christy to continue the item to the Board of Supervisors' Meeting of April 5, 2022. No vote was taken at this time.

Supervisor Grijalva explained that in areas where connectivity existed, the broadband could be expended, requiring new customers to pay for higher priced internet. She asked if there would be an issue with delaying this item.

Ms. Leshar stated that continuing the item would delay activation of the contract by two weeks.

Supervisor Grijalva noted that this would result in people not having internet access for an additional two weeks.

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

## 2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:56 a.m.

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CHAIR

ATTEST:

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CLERK

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

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, March 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  
Eric Thompson, Sergeant at Arms

\*Supervisor Heinz joined the meeting at 9:14 a.m., and participated remotely.

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

All present joined in the Pledge of Allegiance.

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

The Land Acknowledgement Statement was delivered by Roxanne Begay-James, Director of Native American Student Services, Tucson Unified School District.

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

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

### **4. POINT OF PERSONAL PRIVILEGE**

Supervisor Grijalva noted that the application deadline for the Pima County Summer Youth Employment Program for youths ages 14 to 21, was March 18, 2022 at 5:00 p.m.

### **PRESENTATION**

### **5. The Board of Supervisors on February 1, 2022, continued the following:**

Presentation by Lea Márquez Peterson, Chairwoman, Arizona Corporation Commission. The Chairwoman will provide an update on Arizona Corporation Commission activities and their impact on Pima County residents. (District 3)

At the request of Chairwoman Márquez Peterson and without objection, this item was continued to the Board of Supervisors' Meeting of April 5, 2022.

## **PRESENTATION/PROCLAMATION**

6. Presentation of a proclamation to Brie Seward, Executive Director, Autism Society of Southern Arizona, and Dustin J. Williams, Superintendent of Schools, proclaiming the month of April 2022 to be: "AUTISM ACCEPTANCE MONTH IN PIMA COUNTY"

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

7. Presentation of a proclamation to Courtney Slanakar, Executive Director, Ed Alexander, Public Information Officer, Estela Marin, Service to the Armed Forces Manager, and Michael Allen, Disaster Program Manager, American Red Cross, proclaiming the month of March 2022 to be: "AMERICAN RED CROSS MONTH"

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

8. **CALL TO THE PUBLIC**

Keith Van Heyningen addressed the Board regarding racism, COVID-19 and the Democratic Party.

Paul Parisi, 4Tucson, provided an update on 4Tucson's efforts in the community.

Rick Forrest and Jack Woolridge spoke regarding code enforcement issues in their neighborhood.

Stephanie Kirk and Ann Rose expressed their opposition to COVID vaccines.

Michael Guymon, Tucson Metro Chamber, addressed the Board on the Coalition Against Retail Theft and other Tucson Metro Chamber projects.

9. **CONVENE TO EXECUTIVE SESSION**

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

10. **RECONVENE**

The meeting reconvened at 10:21 a.m. All members were present.

## **EXECUTIVE SESSION**

11. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding discussion on the proposed revised fee schedule for the Pima County Recorder's Office.

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

## **BOARD OF SUPERVISORS**

12. **Constable**

Appointment of Constable, Justice Precinct 8.

Chair Bronson read the names of the eligible candidates for Constable, Justice Precinct 8, for the record: Francisco Lopez, Deborah Martinez-Garibay, Christopher T. Toth and Caitlin Rieker.

It was moved by Supervisor Grijalva, seconded by Chair Bronson and carried by a 4-0 vote, Supervisor Christy abstained, to appoint Deborah Martinez-Garibay as Constable, Justice Precinct 8.

## **COUNTY ADMINISTRATOR**

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

### **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 Supervisor Grijalva and seconded by Supervisor Christy to approve Option B as outlined in the Acting County Administrator's memorandum dated February 25, 2022, as follows:

This option provides that the current process remains in effect and that no option be available for payout of the leave while employed with the County. The 2023 expiration date for usage would be eliminated and the hours would not convert to sick leave but remain in the employee's current Pandemic-Vacation leave bank. Employees who leave the County would receive any remaining leave paid at their wage rate at the time of separation.

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

Supervisor Grijalva directed staff to publish a clear explanation of what the implementation of Option B meant for County employees.

## **CLERK OF THE BOARD**

### **14. Petition for Relief of Taxes**

Pursuant to A.R.S. §42-11109(E), Light the Way Lutheran Church, has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2021, for Tax Parcel Nos. 221-21-9310 and 221-21-9320.

It was moved by Supervisor Christy, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to approve the petition for Tax Parcel No. 221-21-9310, for tax year 2021, based on the Assessor's statement that had the affidavit been filed in a timely manner, the exemption would have been granted.

It was then moved by Supervisor Christy, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to deny the petition for Tax Parcel No. 221-21-9320, for tax year 2021, based on the Assessor's statement that had the affidavit been filed in a timely manner, the exemption would have been denied.

## **FLEET SERVICES**

### **15. Annual Vehicle Exemptions**

In accordance with A.R.S. §38-538.03, staff requests the Board of Supervisors authorize the annual vehicle exemptions for 2022.

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

## **HUMAN RESOURCES**

### **16. Revisions to Merit System Rules**

Staff requests approval of the revisions to the following Merit System Rules:

- Merit System Rule 1 - Definitions
- Merit System Rule 12 - Disciplinary and Other Personnel Actions

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



## **REAL PROPERTY**

### **17. Sale of Real Property - Lot 407**

RESOLUTION NO. 2022 - 10, of the Board of Supervisors, authorizing sale of land held by State under a Treasurer's Deed as Pima County Tax Sale No. TS-0059, Tax Parcel No. 301-69-4070. (District 3)

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

### **18. Sale of Real Property - Lot 36**

RESOLUTION NO. 2022 - 11, of the Board of Supervisors, authorizing sale of land held by State under a Treasurer's Deed as Pima County Tax Sale No. TS-0054, Tax Parcel No. 205-81-0490. (District 4)

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

### **19. Abandonment by Vacation**

RESOLUTION NO. 2022 - 12, of the Board of Supervisors, for the vacation of dedicated public right-of-way situated within Section 3, T15S, R12E, G&SRM, Pima County, Arizona. (District 5)

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

## **SUPERIOR COURT**

### **20. Initial Court Appearances**

Staff requests approval of a ten (10) year extension for the Intergovernmental Agreement between Superior Court, Justice Court, and the City of Tucson Court, to provide for joint participation and pro-rata cost sharing for initial appearances and/or misdemeanor arraignments.

Supervisor Grijalva stated that the current system was not working, based upon the concerns raised by the County Attorney's Office and the Sheriff. She explained that additional information was needed before she could support a ten-year extension.

It was moved by Supervisor Grijalva, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to continue the item to the Board of Supervisors' Meeting of April 5, 2022.

## **FRANCHISE/LICENSE/PERMIT**

### **21. Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, March 31, 2022 at 8:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. 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 permit.

### **22. Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, April 19 and 21, 2022 at 8:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. 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 permit.

### **23. Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, May 13, 2022 at 8:00 p.m.

The Chair inquired whether anyone wished to address the Board. No one appeared. 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 permit.

### **24. Hearing - Liquor License**

Job No. 175969, Kevin Arnold Kramber, Arizona Family Restaurants, 80 W. Esperanza Boulevard, Green Valley, Series 12, Restaurant, New License.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair 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.

## **DEVELOPMENT SERVICES**

### **25. Hearing - Conditional Use Permit**

P21CU00007, CITY OF TUCSON - S. SANDARIO ROAD

Request of City of Tucson, represented by Coal Creek on property identified as Parcel No. 209-17-0060 in the RH (Rural Homestead) zone, for a Type III Conditional Use Permit for a communication tower, in accordance with Section 18.07.030H of the

Pima County Zoning Code. The Hearing Administrator and the Planning and Zoning Commission recommend APPROVAL. (District 3)

The Chair inquired whether anyone wished to address the Board. No one appeared. 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 P21CU00007.

## 26. Hearing - Rezoning Time Extension

P16RZ00011, AJO CAMINO DE OESTE, L.L.C. - W. AJO HIGHWAY REZONING  
Ajo Camino de Oeste, L.L.C., represented by Baker & Associates Engineering, Inc.,  
requests a five-year time extension for a 10.88-acre portion of a rezoning (Parcel Code 119-45-013C) from the SR (BZ) (GZ-1)(TDR-RA) (Suburban Ranch - Buffer Overlay - Gateway Overlay - Transfer of Development Rights-Receiving Area) zone to the CB-1 (BZ) (GZ-1)(TDR-RA) (Local Business - Buffer Overlay - Gateway Overlay - Transfer of Development Rights-Receiving Area) (9.02 acres) and TR (BZ)(GZ-1)(TDR-RA) (Transitional - Buffer Overlay - Gateway Overlay - Transfer of Development Rights-Receiving Area) (1.86 acres) zones, located at the southeast corner of S. Camino de Oeste and W. Ajo Highway, addressed as 4545 W. Ajo Highway. The subject site was rezoned in 2017 and the rezoning expires on March 21, 2022. Staff recommends APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 5)

1. The owner shall:
  - ~~A. Submit a development plan and subdivision as determined necessary by the appropriate County agencies.~~
  - ~~B. Record the necessary development related covenants as determined appropriate by the various County agencies.~~
  - ~~C. Provide development related assurances as required by the appropriate agencies~~
  - ~~D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.~~
- 2 1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
- 3 2. Transportation conditions:
  - A. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat Traffic Impact Study.
  - B. The property shall be limited to 5 access points, two serving the commercial site on SR-86, two access points serving the commercial site on Camino de Oeste, and one access point serving the residential site on Camino de Oeste. The number, location and design of access point(s) on Ajo Highway shall be subject to approval by the Arizona Department of Transportation.
  - C. A Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation. Offsite improvements determined by the TIS shall be provided by the property owner/developer.
- 4 3. Regional Flood Control District conditions:
  - ~~A. Water conservation measures that provide 15 points per the Preliminary Integrated Water Management Plan methodology in place at the time of development shall be~~

~~submitted by the applicant with the Site Construction Permit for approval by the Pima County Regional Flood Control District.~~

- A. First Flush retention will be distributed throughout the site to supplement landscaping irrigation and to reduce stormwater runoff volumes, instead of being directed and located within a detention basin.
  - B. If the improvements are proposed within the effective FEMA Special Flood Hazard Area, both a CLOMR and LOMR are required. The CLOMR shall be approved by FEMA prior to District approval of the site construction permit. If improvements impact only Zone Shaded X, then only a LOMR will be needed.
  - C. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B depending on the type of development found in Attachment A Preliminary Integrated Water Management Plan Requirements in the Site Analysis Rezoning Packet. The point total shall equal or exceeds 15 points and includes a combination of indoor and outdoor measures.
- 5 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(s) 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.
- 6 5. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. 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. ~~Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~
- 7 6. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject

property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

8 7. Natural Resources, Parks and Recreation conditions:

- A. Construct Ajo Way Greenway G003 with a 30-foot buffer along Ajo Way for the multi-use path, a decomposed path being 15-foot width on the east property line to the wash and 20-foot width along Camino de Oeste to the wash, and a 20-foot path from the eastern boundary to western boundary between the commercial development and residential subdivision, using the Pima County Greenway cross-section details.
- B. Construct a pedestrian link from the residential subdivision to the commercial development.

9 8. Adherence to the preliminary development plan as approved at public hearing (Exhibit B).

40 9. The property is subject to both Gateway Overlay Zone and Buffer Overlay Zone.

44-10. No access is permitted from Avenida Paisano to the residential or commercial development.

42 11. The area rezoned to SR-© shall remain natural as depicted on the Preliminary Development Plan (exclusive of the bank protection along the commercial and residential edges as well as the equestrian trail). The applicant shall provide adequate signage and barriers to restrict access to the natural area from the west and east. In addition, barriers are required, where necessary to prevent access to the natural area, along the subdivision lots to the south and commercial areas to the north that abut the natural area.

13 ~~If any retail store in excess of 40,000 square foot is proposed to be developed on the property, the owner must enter into a development agreement that applies the same Operating Constraints and Enhancement Contribution described in Articles 4 and 7 of the Development Agreement recorded in the Office of the Pima County Recorder at Book 12939, Page 7309-7376. This condition will not apply to the property if the Enhancement Contribution is terminated as provided in Article 8 of that Development Agreement.~~

44 12. During the development plan process, the applicant shall contact Tucson Unified School District concerning the provision of adequate space for safe bus stops, bus turnarounds and pedestrian access to the appropriate schools.

45 13. Neighbor/Owner conditions:

- A. The owner shall install a barrier, where necessary, along both the Avenida Paisano and the Camino de Oeste frontages for the purposes of preventing vehicles, including automobiles and ATVs, from entering the open space. The barrier shall consist of boulders and/or of post & cable, or other such similar & equally effective forms. The barrier shall be installed at strategic locations, identified as the most likely entrance points into the open space. The Regional Flood Control District shall review these locations prior to installation to insure that there will be no negative drainage impacts. This condition shall be satisfied by the time of release of assurances for the residential subdivision, or prior to the final inspection for the first commercial building.
- B. The owner shall install signage along both the Avenida Paisano and the Camino de Oeste frontages to indicate that the open space property is privately owned, that there should be no trespassing, and specifically that no vehicles or ATVs are allowed. This condition shall be satisfied by the time of release of assurances for the residential subdivision, or prior to the final inspection for the first commercial building.
- C. The owner shall plant at least 5 trees, similar in type as those which already exist on the subject property, within the residential development 50 foot bufferyard, along Avenida Paisano. This condition shall be satisfied by the time of release of assurances for the residential subdivision.
- D. Where there is a driveway or parking spaces adjacent to the south boundary of the commercial development the owner shall build a barrier to prevent vehicles from driving directly into the open space. The barrier shall be a sufficient curb or some other form to accomplish the goal stated above. This condition shall be satisfied prior to the final inspection for the first commercial building.

- E. The agreement between the owner and neighboring property owners, as represented by the document dated March 10, 2017, shall be recorded with the Pima County Recorder's Office.
- 46 14. 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.
- 47 15. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act ~~Proposition 207~~ rights: "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(l)."

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Grijalva, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve P16RZ00011, subject to original and modified standard and special conditions.

**27. Hearing - Rezoning Ordinance**

ORDINANCE NO. 2022 - 4, P20RZ00007, Rage, et al. - N. Juniper Road Rezoning. Owner: Gerald Rage, et al. (District 1)

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

**28. Hearing - Rezoning Ordinance**

ORDINANCE NO. 2022 - 5, P21RZ00007, De Santiago - W. Yedra Road Rezoning. Owner: Tony and Carmen De Santiago. (District 3)

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

**29. Hearing - Rezoning Resolution**

RESOLUTION NO. 2022 - 13, Co9-06-37, Ravitz Trustees - Alvernon Way Rezoning. Owner: Alvernon & 1-10 Partners, L.L.C. (District 2)

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

30. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2022 - 14, P15RZ00009, Magee Como Development Assoc., L.L.C. - N. La Cholla Boulevard Rezoning. Owner: Magee Como Development Assoc., L.L.C. (District 1)

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

31. **Hearing - Comprehensive Plan Amendment Resolution**

RESOLUTION NO. 2022 - 15, P21CA00005, Foothills Lot 2, L.L.C. - N. Calle Ceniza Plan Amendment. Owner: Foothills Lot 2, L.L.C. (District 1)

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

32. **Hearing - Comprehensive Plan Amendment and Specific Plan Rezoning Resolution and Ordinance**

P20SP00001, Fidelity National Title TR 60405, et al. - W. Valencia Road Specific Plan and Comprehensive Plan Amendment. Owner: Fidelity National Title TR 60405, et al. (District 5)

If approved, adopt RESOLUTION NO. 2022 - 16 and adopt ORDINANCE NO. 2022 - 6

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

33. **Hearing - Comprehensive Plan Amendment and Rezoning Resolution and Ordinance**

P21CR00001, American Dream Epsilon, L.L.C. - W. Ina Road Plan Amendment and Rezoning. Owner: American Dream Epsilon, L.L.C. (District 1)

If approved, adopt RESOLUTION NO. 2022 - 17 and ORDINANCE NO. 2022 - 7

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

## **RECORDER**

34. The Board of Supervisors on March 1, 2022, continued the following:

### **Hearing - Proposed Revised Fee Schedule**

ORDINANCE NO. 2022 - 3, of the Board of Supervisors, establishing fees for election-related services, voter registration data and recorded document services provided by the Pima County Recorder.

It was moved by Supervisor Grijalva and seconded by Supervisor Scott to close the public hearing and adopt the Ordinance. No vote was taken at this time.

Supervisor Christy requested clarification regarding the Revenue versus Expense Comparison provided by the Recorder's Office. He questioned the substantial General Fund revenue increase between FY18-19 and FY19-20.

Hilary Hiser, Assistant Chief Deputy Recorder, explained that the chart provided was simplified and did not include details of all sources of revenue or expense. She stated that in FY19-20 the State enacted a flat fee for every document recorded, increasing the Recorder's revenue by 65%.

Supervisor Christy asked that the Recorder's Office respond in writing to Roger Harrison of Data Services, Inc., regarding the concerns expressed at the Board of Supervisors' Meeting of March 1, 2022. He requested the Board be copied on both the Recorder's communication, as well as any response by Mr. Harrison. In addition, Supervisor Christy requested assurances that the \$500,000.00 loss in revenue projected by the proposed fee schedule would not impede the Recorder's ability to provide services and that the Recorder would not be requesting a supplemental subsidy from the Board to counter any shortfall.

Supervisor Scott asked the Recorder to expand on a statement made in an earlier presentation that the revised fee schedule was streamlined to reflect the true costs and changes made to state law and provided the public greater access without being cost prohibitive.

Gabriella Cázares-Kelly, Pima County Recorder, explained that the method used prior to the flat fee was confusing and resulted in overpayments or documents being rejected. She stated that the increased revenue generated by the flat fee was greater than the losses resulting from the proposed fees. She also noted that it addressed the growing trends in the digital age.

Supervisor Christy questioned whether the decrease in revenue would affect the implementation of voting centers and e-poll books.



Ms. Cázares-Kelly explained that the Recorder's Office was comprised of two distinct areas, voter registration/early voting and document recordation, each with its own independent portion of the budget. She stated that the proposed changes would have no impact on the voting segment of the budget.

Supervisor Grijalva asked for verification that the totals listed on the chart provided were accurate and that line items had been excluded from the chart, but not from the calculations.

Ms. Hiser confirmed that the chart listed only the line items for General Fund revenue and Special Revenue.

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

## **BOARD OF SUPERVISORS**

### **35. Employee COVID-19 Vaccination and Administrative Policies**

Discussion/Direction/Action regarding Pima County employee COVID-19 vaccination percentages and current COVID-related administrative policies. (District 4)

Supervisor Christy requested updated statistics regarding how many employee vaccination exemption requests were received, how many were denied and how many were pending.

Jan Leshar, Acting County Administrator, responded that the requested information would be provided to the Board.

Supervisor Christy requested verification that, under the current policies, one could not be hired, in any County Department, unless proof of vaccination was provided, employees could not be promoted or receive a raise if unvaccinated, and unvaccinated employees were charged additional health insurance premiums.

Ms. Leshar responded in the affirmative.

Supervisor Christy asked if any of the current COVID-related administrative policies would be reviewed, changed or updated.

Ms. Leshar stated that staff gathered the various policies, statements and recommendations and were actively reviewing them. She expected those relating to vaccination would be next to undergo evaluation.

Supervisor Christy inquired if consideration had been given to rehiring unvaccinated former employees.

Ms. Leshar stated that was not a current County or Board policy and it had not been reviewed.

It was moved by Supervisor Christy and seconded by Supervisor Scott to direct staff to review COVID-related administrative policies, including those regarding employee disincentives, additional health insurance premiums for unvaccinated employees and the rehiring of former unvaccinated employees, and to present the compiled information, reviews and proposals at the Board of Supervisors' Meeting of April 19, 2022. No vote was taken at this time.

Supervisor Grijalva offered a friendly amendment that the review include information regarding employee vaccine boosters.

Supervisors Christy and Scott accepted the friendly amendment to the motion.

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

## **ASSESSOR**

### **36. 2023 Notices and Annual Report**

Discussion regarding the tax year 2023 notices and annual report of the Assessor.

Suzanne Droubie, Pima County Assessor, provided a presentation on the Assessor's annual report and reviewed 2022 property data and the new programs implemented by the Assessor's Office.

Chair Bronson inquired whether the Assessor would continue to provide the Board with the tax rates needed to balance changes in assessed value.

Ms. Droubie stated that the Assessor's Office valued properties and she would be available for consultation but it was the Board who would determine the rates.

Supervisor Christy asked what the Assessor's approach was regarding assessment appeals and litigation.

Ms. Droubie indicated that it was every taxpayer's right to appeal the value of their property, but it was her intent to work with taxpayers to find solutions or make adjustments before the case progressed to the State Board of Equalization or beyond that to litigation.

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

## **PROCUREMENT**

### **37. Cancellation of Award**

Cancellation of Award of Master Agreement No. MA-PO-22-102 made on March 1, 2022 to Chalmers Ford, Inc., d.b.a. MHQ of Arizona under Solicitation No. IFB-PO-2200051 for Emergency Code Equipment Parts and Service. The cancellation is due to vendor's failure to meet the minimum qualification required for a local Tucson

facility to perform the services and the omission of critical specifications in the Scope of Service for Sheriff Department vehicles requiring re-solicitation of the services. Administering Department: Fleet Services and Sheriff.

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 how the vendor was not a local business and went undiscovered until after the contract had been awarded.

Jan Leshner, Acting County Administrator, stated that an error had been made.

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

## **CONSENT CALENDAR**

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

Upon the request of Supervisor Scott to divide the question, Consent Calendar Item Nos. 8 and 16 were set aside for separate discussion and vote.

Upon the request of Supervisor Christy to divide the question, Consent Calendar Item Nos. 4, 7, 8 and 16 were 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.

\* \* \*

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

## **CONTRACT AND AWARD**

### **Health**

4. Paradigm Laboratories, L.L.C., Amendment No. 2, to provide for COVID-19 vaccination services, extend contract term to 4/6/23 and amend contractual language, no cost (CT-HD-21-362)

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

Supervisor Christy asked how many vaccinators were contracted with the County and if additional mobile events were necessary given the increased availability of both the supply of vaccines and the locations to dispense them. He also noted that \$900,000.00 of the contract remained unused.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, explained that the contract was a no cost extension to an existing agreement and the County was not obligated to pay the remaining not-to-exceed amount if the contractor's services were not required. He stated that the County contracted with Paradigm Laboratories and one additional vaccinator and it was important to maintain current contracts with both vendors should there be a need to utilize their services quickly. Dr. Garcia noted that the contracts were structured in such a way that the County was able to fund them using existing federal monies.

Supervisor Christy stated that over 80% of Pima County's population received at least one vaccine and 68% were fully vaccinated. He questioned how the contract would address vaccine hesitancy.

Dr. Garcia explained that the unvaccinated percentage of the County's population remained an important source of vulnerability for the community and since vaccinations were not permanently effective, the infrastructure provided by these contracts was necessary.

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

## **Procurement**

7. Durazo Construction Corporation, Kapp-con, Inc., and Lloyd Construction Company, Inc., to provide a job order master agreement for park development services, Various Funds, contract amount \$3,000,000.00 (MA-PO-22-103) Capital Program Office

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 which departments, other than Natural Resources, Parks and Recreation, would utilize a contract for park development services and what funds would be used.

Carmine DeBonis, Jr., Deputy County Administrator, stated that the contract could be used by various departments for any project that contained a park or recreation component, such as Facilities Management for pool re-plastering, the Flood Control District for Loop adjacent amenities and Kino Sports Complex for field design. He explained that the contract would be funded from within the department responsible for the project.

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

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## **PULLED FOR SEPARATE ACTION BY SUPERVISORS SCOTT AND CHRISTY**

### **CONTRACT AND AWARD**

#### **Procurement**

8. Barker Contracting, Inc., Chasse Building Team, Inc., Core Construction, Inc., Durazo Construction Corporation, Kapp-Con Incorporated, Kittle Design and Construction, L.L.C., Lloyd Construction Company, Inc., and SD Crane Builders, Inc., Amendment No. 4, to provide for remodel and construction services and amend contractual language, Various Funds, contract amount \$2,000,000.00 (MA-PO-20-154) Facilities Management

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

Supervisor Scott questioned how the contract went from \$2.5 million to \$11.5 million in two years and what were the unforeseen construction and remodeling needs.

Jan Leshar, Acting County Administrator, explained that there were a number of projects that affected the contract. She stated that she would compile the information, including the individual projects and costs, and come back to the Board with the requested information.

A substitute motion was made by Supervisor Christy, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to continue the item to the Board of Supervisors' Meeting of April 5, 2022.

### **GRANT APPLICATION/ACCEPTANCE**

16. **Acceptance - Health**  
National Environmental Health Association and U.S. Food and Drug Administration, to provide for a retail program standards coordinator position, \$224,359.00/~~2-year term~~ **3 year term** (GTAW 22-89)

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

Supervisor Christy questioned the grant term and asked if the position would be eliminated at the end of its term.

Jan Leshar, Acting County Administrator, stated that should additional grant funds be found, the position may be extended but there was no guarantee that the position would continue. She added that the position was for a three year term.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, explained that the grant provided three years of funding for approximately two and a half years of work. He stated that the grant provided for the staffing required for enforcement of the Voluntary National Retail Food Regulatory Program Standards and support of operators in meeting those standards. He expected that the Health Department had the capacity to absorb that function within its existing Consumer Health and Food Safety Office if further funding was unavailable.

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

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## **CONTRACT AND AWARD**

### **Community and Workforce Development**

1. Green Valley Assistance Services, Inc., d.b.a. Valley Assistance Services, to provide for Emergency Solutions Grant - CV Cares Homeless Prevention Program, USHUD Fund, contract amount \$106,000.00 (CT-CR-22-253)
2. Salvation Army, 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, contract amount \$28,939.25 (CT-CR-21-54)
3. Habitat for Humanity Tucson, to provide for Habitat for Humanity Tucson Marana Infill 2022 Down Payment Assistance Project, USHUD HOME Investment Partnerships Program Fund, contract amount \$275,000.00 (CT-CR-22-270)

### **Health**

4. Paradigm Laboratories, L.L.C., Amendment No. 2, (PULLED FOR SEPARATE ACTION)

### **Human Resources**

5. YMCA of Southern Arizona, Amendment No. 3, to provide for YMCA Membership Fee, extend contract term to 12/31/22 and amend contractual language, Health Benefit Self Insurance Trust Fund, contract amount \$60,000.00 (CT-HR-19-279)

### **Procurement**

6. **Award**  
Amendment of Award: Master Agreement No. MA-PO-21-54, Amendment No. 1, Enterprise Networks Solutions, Inc., d.b.a. ENS, to provide for desktop

phone replacement. This amendment is for a one-time increase in the amount of \$15,000.00 for a cumulative not-to-exceed contract amount of \$1,280,000.00. Funding Source: TeleData Fund. Administering Department: Information Technology.

7. Durazo Construction Corporation, Kapp-con, Inc., and Lloyd Construction Company, Inc., (PULLED FOR SEPARATE ACTION)
8. Barker Contracting, Inc., Chasse Building Team, Inc., Core Construction, Inc., Durazo Construction Corporation, Kapp-Con Incorporated, Kittle Design and Construction, L.L.C., Lloyd Construction Company, Inc., and SD Crane Builders, Inc., Amendment No. 4, (PULLED FOR SEPARATE ACTION)
9. Hunter Contracting Co., Amendment No. 2, to provide for Construction Manager at Risk Services - Tres Rios Headworks Biofilter Odor Control (3THBOC), extend contract term to 8/31/23, amend contractual language and scope of work, RWRD Obligations Fund, contract amount \$5,872,410.47 (CT-WW-21-463) Regional Wastewater Reclamation

#### **Real Property**

10. Green Valley Recreation, Inc., to provide for a license for Right-of-Way Encroachment (Lic-0335), for placement of a monument sign, contract amount \$4,375.00 revenue/25 year term (CTN-RPS-22-117)

#### **Recorder**

11. City of South Tucson, to provide for election services (2022 - 2024 Election Cycles), contract amount \$800.00 revenue/2 year term (CTN-RE-22-94)

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

12. **Acceptance - Community and Workforce Development**  
Arizona Community Action Association, d.b.a. Wildfire, Amendment No. 1, to provide for 2021-2022 utility assistance programs and amend grant language, \$20,000.00 (GTAM 22-55)
13. **Acceptance - Community and Workforce Development**  
Arizona Department of Education/United States Department of Treasury, to provide for elementary and secondary school emergency relief grant, \$204,794.22/4 year term (GTAW 22-91)
14. **Acceptance - Community and Workforce Development**  
Arizona Department of Housing, to provide for the Pima County Home Repair Weatherization Assistance Program - Southwest Gas Corporation, \$23,083.00 (GTAW 22-92)

15. **Acceptance - Health**  
National Environmental Health Association and U.S. Food and Drug Administration, to maintain standards 1 and 7, continuously improve standards 6 and 8, achieve conformance with standards 2 - 5, and complete a risk factor study, in the Consumer Health and Food Safety Division at Pima County Health Department, \$165,173.00/2 year term (GTAW 22-88)
16. **Acceptance - Health**  
National Environmental Health Association and U.S. Food and Drug Administration, (PULLED FOR SEPARATE ACTION)
17. **Acceptance - Health**  
National Environmental Health Association and U.S. Food and Drug Administration, to provide for the attendance of the NEHA Annual Education Conference (AEC) and Exhibition for Professional Development, Program Standards Engagement, and to present NEHA Leadership Academy Final Projects, \$7,500.00 (GTAW 22-93)
18. **Acceptance - Health**  
Arizona Department of Health Services, to provide for the Home Visiting Services for Maternal, Infant and Early Childhood Home Visiting Program, \$366,788.92 (GTAW 22-94)
19. **Acceptance - Office of Emergency Management**  
Arizona Department of Emergency & Military Affairs, to provide for the FFY 2021 Emergency Management Performance Grant, \$586,651.51/\$586,651.51 General Fund Match (GTAW 22-85)

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

20. **Board of Adjustment, District 1**  
Reappointment of Bruce Call. Term expiration: 3/31/26.
21. **Metropolitan Education Commission**  
Reappointment of Mark Hanna, representing At-Large Commission Appointee. Term expiration: 3/19/24. (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**

22. **Special Event**
  - Robin A. McArdle, Sculpture Tucson, Brandi Fenton Park, 3420 E. River Road, Tucson, March 18, 2022.
  - Andrew Heideman, Rotary Club of Green Valley, Green Valley Recreation West Center, 1111 S. GVR Drive, Green Valley, March 25, 2022.



23. **Temporary Extension**

07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, March 27, 2022.

**ELECTIONS**

24. **Precinct Committeemen**

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

RESIGNATION-PRECINCT-PARTY:

Andrew J. Miller-122-DEM; Panagiotis Lembessis-205-REP; Ann Taylor-113-REP; Margaretta Sharp-121-REP; Mark Lillmars-174-REP; Olivia Lillmars-174-REP

APPOINTMENT-PRECINCT-PARTY:

Eldon M. Settlemyer-006-REP; Rafael A. Bayze-029-REP; Malinda S. Sherwyn-042-REP; Donald T. Smith-057-REP; Christine Bricely-091-REP; Heidi Bradley-109-REP; Anna Marie Peto-121-REP; Donna L. Hale-134-REP; Linda K. Shields-141-REP; Laurie R. McCain-145-REP; Catherine E. Swazey-145-REP; Kerry G. Torgerson-187-REP; Christine M. Torgerson-187-REP; Richard G. Harrison-215-REP; Marianna S. Harrison-215-REP; Angela N. Livernois-225-REP

**FINANCE AND RISK MANAGEMENT**

25. **Duplicate Warrants - For Ratification**

Desert Springs Apartments \$4,849.00; Raymond V. Panzarella \$9,308.00; Picture Rocks Fire District \$8,650.44; Service Corps of Retired Executives Association \$540.00; Hector Salinas, Jr. \$127.50; Hector Salinas, Jr. \$127.50; El Molino Mobile Home Community, L.L.C. \$6,876.18; Pioneer Title Agency, Inc. \$50,555.42; Jefferson Carter \$36.00.

**SUPERIOR COURT**

26. **Superior Court Commissioner Appointment**

Appointment of Superior Court Commissioner, effective March 30, 2022: Nicholas Knauer

**TREASURER**

27. **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 \$18,598.04.

**RATIFY AND/OR APPROVE**

28. Minutes: January 18 and February 1, 2022  
Warrants: February, 2022

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39. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:56 a.m.

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CHAIR

ATTEST:

\_\_\_\_\_  
CLERK