

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, October 18, 2022. Upon roll call, those present and absent were as follows:

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

Also Present: Jan Leshner, County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Robert Krygier, Sergeant at Arms

Absent: Rex Scott, Member

*Supervisor Heinz participated remotely.

1. CONTRACT

Sonoran Institute, to provide for the Living River Project; consulting services, Flood Control Ops Fund, contract amount \$134,174.00/2 year term (CT-FC-23-75)

It was moved by Supervisor Christy and seconded by Chair Bronson to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:52 a.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, October 18, 2022. Upon roll call, those present and absent were as follows:

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Also Present: Jan Leshner, County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Robert Krygier, Sergeant at Arms

Absent: Rex Scott, Member

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1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by Dr. Teshia Solomon, Associate Professor, Family and Community Medicine at The University of Arizona.

3. POINT OF PERSONAL PRIVILEGE

Supervisor Christy commended the work of County Administration on their promptness with the installation of flagpoles at the Vail and Esmond Station Libraries.

4. PAUSE 4 PAWS

The Pima County Animal Care Center showcased animals available for adoption.

5. CALL TO THE PUBLIC

JoAnn di Filippo shared her concerns regarding Board meetings and open meeting laws, and the building of a homeless shelter.

Kevin Daly spoke regarding raising awareness of the crime levels in Tucson and the need for a regional approach to help stop crime between the City and the County.

Josh Jacobsen shared his experiences with lawless lifestyle people at businesses, and for this reason, some businesses were considering leaving Tucson. He shared how there were a low number of police officers who helped businesses deal with lawless people.

Monica Carlson spoke about her experience on the Crime Free Coalition and how the coalition helped businesses who struggled with crime in Tucson.

Christine Bauserman commented on the staffing at vote centers and her concerns with the voting process in the County.

Dr. Damond Holt shared information about his organization, the Fresh Start International, and their events.

Terra Radliff addressed the Board regarding elections and her desire to become a poll worker.

Laura addressed the Board regarding the COVID-19 vaccine.

Dan Wann spoke about crime that continued to hurt Tucson businesses and his concerns about using Tenex for the General Election.

Tim Laux shared his concerns with delta file transfer locks and censorship of the election.

Keith Van Heyningen shared comments on the Board's rules and the homeless issues in the County.

Gisela Aaron expressed her opposition to the County's contract with Tenex.

Stephanie Kirk expressed the need for safety at businesses with the homeless population and her concerns with the COVID-19 vaccine.

Ann Rose spoke in opposition to the CDC and her concerns with the Election.

COUNTY ADMINISTRATOR

6. County Administrator's Update

Jan Leshar, County Administrator, provided the following updates:

- She highlighted the job fair that would be held at the Tucson Convention Center on October 20th, in cooperation with the City of Tucson, which would give County departments the opportunity to network with people interested in employment in public service.

- She congratulated Loni Anderson, Director, Community Health Food Services, who received the Public Health Leadership Award for 2022 by the Arizona Public Health Association.

7. The Board of Supervisors on August 15, 2022, continued the following:

Housing Affordability

Based on the work of the Task Force, staff recommends that the Board consider taking the following actions:

1. Allow the current Housing Commission to expire or sunset.
2. In its place the Board establish the Pima County Commission on Housing Affordability that is appropriately chartered.
3. Such a Commission would be populated by members from a slate provided by staff or individually appointed by each Supervisor.
4. This new Commission be directed to work with County departments to further determine the development potential of County properties and to identify groups interested in working with the County, through partnership or development agreements, to develop these properties for affordable housing.

Supervisor Grijalva asked if 'workforce' could be added to the Bylaws, in Section 2.0.d. She commented that alternatives would need to be explored for developing and developers, if housing was to be created at market rate.

Jan Leshner, County Administrator, clarified that it was Section 2.02.d of the Bylaws, under the purpose of the Commission and that staff had no objection to the change.

Supervisor Christy stated that the name of the commission should include 'Pima County' in it.

Ms. Leshner recommended the commission be renamed, Pima County Regional Affordable Housing Commission.

It was moved by Supervisor Grijalva and seconded by Supervisor Christy to approve the revised recommendations listed in the County Administrator's memorandum dated October 11, 2022, as amended, to include 'workforce' in Section 2.02D of the Bylaws and to rename the commission the Pima County Regional Affordable Housing Commission. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

CLERK OF THE BOARD

8. Flowing Wells Irrigation District Annual Election Cancellation

Discussion/action regarding a request, pursuant to A.R.S. §16-410(A), to cancel the annual election of the Board of Directors of the Flowing Wells Irrigation District and

appoint Eric J. Myrmo as a Director of the Flowing Wells Irrigation District, to serve a three-year term, effective January 1, 2023.

It was moved by Chair Bronson and seconded by Supervisor Grijalva to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

9. **Petition for Relief of Taxes**

Pursuant to A.R.S. §42-11104(G), Arizona Center for Autism, d.b.a. The Abbie School, has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2021, for Tax Parcel No. 128-01-016E.

It was moved by Chair Bronson and seconded by Supervisor Grijalva to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

COUNTY ATTORNEY

10. **Anti-Racketeering Revolving Funds**

Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$5,000.00 for Fresh Start International under Board of Supervisors Policy No. C 6.3.

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

Supervisor Grijalva requested that the process to apply for these funds be more transparent and include the qualifications and criteria to access the funds.

Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

DEVELOPMENT SERVICES

11. **Final Plat With Assurances**

P22FP00010, Star Valley, Block 1, Lots 1-101 and Common Areas "A", "B", and "C". (District 5)

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

12. **Final Plat With Assurances**

P22FP00011, Star Valley, Block 3, Phase 1, Lots 1-126 and Common Areas "A" and "B". (District 5)

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

13. Block Plat Without Assurances

P22FP00015, Belnor Vista, Blocks I - V. (District 5)

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

14. Final Plat With Assurances

P22FP00018, 2525 North Lloyd Bush, Lots 1-4 and Common Area "A". (District 5)

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

ELECTIONS

15. Election Boards

Pursuant to A.R.S. §16-531(A), appointment of election boards workers and tally boards recruited and on file in the Elections Department for the November 8, 2022 General Election.

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

Supervisor Grijalva asked if election workers who commuted to voting centers that were located in the outlying areas of the County were paid for mileage or paid an hourly rate to commute to those locations.

Constance Hargrove, Director, Elections Department, responded that workers were paid for mileage, but not an hourly wage for their commute.

Supervisor Grijalva indicated that she would be willing to consider those incentives for election workers who commuted to outlying locations.

Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

16. Multi-Jurisdictional Hazard Mitigation Plan 2022

RESOLUTION NO. 2022 - 64, of the Board of Supervisors, adopting the Pima County Multi-Jurisdictional Hazard Mitigation Plan 2022.

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

Supervisor Christy asked why the City of South Tucson and the Nations had not signed onto the multi-jurisdictional plan.

Jan Leshner, County Administrator, responded that the Pascua Yaqui Nation had signed onto the plan. She explained that the Tohono O'odham Nation and the City of South Tucson each had their own plan, and had opted to move forward with their individual plans.

Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

FRANCHISE/LICENSE/PERMIT

17. **Hearing - Permanent Extension of Premises/Patio Permit**
12104451, Emma Vera, Guadalajara Original Grill North, 7360 N. Oracle Road, Tucson.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Bronson and seconded by Supervisor Christy to close the public hearing, approve the permit subject to the Zoning Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

DEVELOPMENT SERVICES

18. The Board of Supervisors on September 6, 2022, continued the following:

Hearing – Rezoning

P22RZ00001, TUCSON SCHOOL DISTRICT NO. 1 - S. CARDINAL AVENUE REZONING

Tucson School District No. 1, represented by Paradigm Land Design, L.L.C., requests a rezoning of approximately 60.9 acres (Parcel Codes 138-25-593L, 138-25-593M, 138-25-593N, 138-25-593P, and 138-25-593Q) from the GR-1 (Rural Residential) to the CR-4 (Mixed-Dwelling Type) zone. The site is located on the east side of S. Cardinal Avenue, approximately 300 feet south of the intersection of W. Valencia Road and S. Cardinal Avenue. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Low Intensity Urban. On motion, the Planning and Zoning Commission voted 4-3 (Commissioners Hook, Becker and Maese voted NAY, Commissioners Hanna, Membrilla and Truitt were absent) to recommend DENIAL. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 5)

At the request of the applicant and without objection, this item was continued to the Board of Supervisors' Meeting of November 1, 2022.

BOARD OF SUPERVISORS

19. Street Living Homeless Temporary Shelter

Update/Discussion/Action regarding the Availability of County Properties for Street Living Homeless Temporary Shelter. (District 3)

Chair Bronson requested an update from the County Administrator. She commented that during Call to the Public, Mr. Daly made reference in his remarks to the City of Tucson and Mayor on a commitment to a Regional Coordinator that would be paid by the City and County. She stated that she had spoken to the Mayor and there was not a meeting of the minds of what they would do or a prescribed remedy. She added that this would be an ongoing discussion.

Jan Leshner, County Administrator, stated that the commitment of a Regional Coordinator would be a joint position with the City and the County. She stated there had been discussion with the City Manager to ensure reallocation of an existing position within the County to be able to fund and staff at half position. She added that she had been working closely with Mr. Ortega regarding the development of the job description and how that individual could report to both entities. She stated that what they have heard from the community and groups working on the issue, was finding out how to navigate through the City and County, how to identify problems and how to receive assistance, et cetera. She stated that the joint position could in effect do triage through the governments to follow-up on the need and respond more quickly. She added that it was an important step to have collaboration and cooperation on the issue. She stated that the City had recently moved forward with the purchase of Hotels with staff allocated to the endeavor. She stated that the County was looking at what role the County played in it, if there were properties or land, and how the County could become involved and engaged. She stated they were not focusing on the overall issue of homelessness, but had been working on issues of the initial groups that caused problems to area businesses, families and individuals. She added they would look at how to make sure they worked with the City, Tucson Police and Sheriff's Departments to ensure those people got off the streets and to a safe location other than the jail. She stated that the Board could decide whether to continue to pursue options and look for Federal and State funding sources like grants or reallocation of COVID funds to go to the program.

Chair Bronson stated that sanctioned camping was the term used for this and it had worked in other jurisdictions. She stated that the majority of the challenge was that the incidents were happening in the boundaries of the City of Tucson, and that Pima County or other jurisdictions did not seem to have the same problems.

Supervisor Grijalva indicated that her concern with a large temporary or transitional center was that, statistically, they were not working. She stated that the bigger problem was that there was no housing available. She questioned how the County could compel some of the people receiving the largest amount of criticism from

community members and businesses; and questioned whether creating and investing in the resources was going to solve the problem. She stated that she did not think it would solve the problem, but that the more successful examples would be of smaller environments of subgroups with similar demographics, like facilities that housed older people or a dorm-like environment for young people who were pushed out of the foster care system. She added that if the County could do more workforce development, education and investment in smaller groups to help with opportunities for careers and long-term support, that made more sense than trying to address a very smaller group pegged with difficulty to house. She questioned if it made sense to have these groups at the places identified and whether they would choose to come in to get services, support or a safe place to sleep. She stated that she would not be in favor of moving towards a larger temporary shelter and that it had not worked in other cities.

Chair Bronson stated that it had worked in other cities.

Supervisor Grijalva stated that larger shelters in different cities that had camp environments did not work and questioned what other problems would be created later on.

Chair Bronson stated that it had been discussed at the meeting hosted at Ellie Towne Flowing Wells Community Center, that deflection did not work for these groups of people and it was their lifestyle choice. She stated that it was a small sector of the population, and they may not want rehabilitation.

Supervisor Grijalva asked if having the facility would solve the problem and whether people would get arrested or detained because they were homeless. She stated there was no way to compel somebody to participate in the program, unless different direction was given to the Sheriff's Department to do something different. She agreed that action needed to be taken regarding the people Chair Bronson described, but did not know if creating a temporary shelter would solve the problem.

Chair Bronson commented that she did not think there was an immediate solution, but there was an ability to give the neighborhoods and businesses some relief.

Supervisor Grijalva commented that her concern was for the solution and questioned how they would compel people to stay in a temporary shelter or transition center unless they were arrested or detained.

Ms. Leshar explained that the recommendation was for the Board to provide direction to staff on the options provided for temporary shelter and/or transition of the street living homeless to facilities. She stated that the County would look at large facilities that could be leased or an acquisition of short-term facilities. She hoped to get direction from the Board so that staff could look at any and all opportunities, and work with the City of Tucson to collaborate and address the need.

Supervisor Grijalva stated that she moved to direct staff to collaborate with County law enforcement and court systems and partners to develop a justice model to help reduce recidivism of the population. She stated that she did not know if investing \$1 million a month in rehabbing the location on Mission Road or temporary use of the County property on Miracle Mile would be a solution.

Supervisor Christy stated that homelessness was homelessness and crime was crime and it could be figured out on who was doing what after addressing the fact that people were creating havoc on businesses and the community. He added that action was needed from the County to address the issues. He stated that there was a need of a strong presence in the community that the County would not tolerate this type of behavior, activity or allow people to perpetrate bad issues on people, places or things. He added that the key was to start acting, communicating and engaging with all NCO's and homeless shelters. He stated that he could support any motion of direction to staff.

Chair Bronson commented that direction had been given and that a motion was not needed.

Ms. Leshar stated that she understood that staff could look at a variety of options, including law enforcement and the court systems, but that any specific recommendation or acquisitions would come back to the Board for approval. She stated that they could continue to collaborate with the City of Tucson to see what was available and see where they could identify ways to make sure to get individuals into safe and humane facilities quickly.

Supervisor Christy commented that the juvenile wing of the Pima County justice system was an institutional setting and it had been reimaged to provide for asylum seekers so that it did not appear intimidating and there was another juvenile building adjacent that could also be reimaged. He stated the County had facilities to accommodate many individuals.

Chair Bronson stated that direction had been provided to staff.

Melissa Manriquez, Clerk of the Board, asked if Supervisor Grijalva made a motion.

Supervisor Grijalva replied in the affirmative.

Ms. Manriquez questioned if there was a second to the motion.

Supervisor Grijalva replied in the negative.

The motion died for lack of a second.

20. **Constable, Justice Precinct 10**

- A. Acceptance of the resignation of the Honorable Michael Stevenson, effective October 22, 2022.

It was moved by Chair Bronson and seconded by Supervisor Christy to accept the resignation. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

- B. Discussion/direction/action regarding a selection process to fill the vacancy of Constable, Justice Precinct 10.

Supervisor Grijalva asked if it was required for the County to have Constables. She shared her concerns with the small number of Constables, the issues within the Constables Office and asked if a report could be provided to the Board regarding the current situation within their office.

Chair Bronson commented that she believed it was a statutory requirement to have Constables and provided an outline of the Constable selection process as follows:

1. Applicants for the position need to meet the following requirements:
 - 18 years of age or older at the time of appointment
 - Literate in English
 - Registered to vote in the precinct
 - Resident of the precinct
 - Same political party as the person vacating the office (Republican)
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, November 4, 2022.
4. The Clerk of the Board will advertise the selection process in the Territorial Newspaper on October 24 and 31, 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 public forum for the candidates will be scheduled for the week of November 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 10, at their meeting on Tuesday, November 15, 2022.
7. The individual appointed will serve through December 31, 2024.

Sam Brown, Chief Civil Deputy County Attorney, clarified that Constables were required by statute, but certain functions could be delegated to other agencies, such as the Sheriff's Department. He indicated that a more detailed report could be provided to the Board.

Supervisor Christy inquired about the expiration date of Constable Stevenson's term. He commented that Constables were elected officials and asked if there was a process that allowed for the elimination of Constables. He shared his concerns regarding the reduced number of Constables, the increased workload and the need for the Board to find a replacement for the vacancy as quickly as possible.

Chair Bronson stated that his term was set to expire on December 31, 2024.

Mr. Brown stated that the elimination of Constables could be further looked into, but it would have to be a statutory change by the legislature.

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

Supervisor Grijalva requested that staff meet with Constable Stevenson before he left so that he could provide any suggestions he had about the Constables Office or highlight some duties that could be delegated elsewhere. She commented that coordination between the Constables was difficult and that there had been an increase in law enforcement duties when that was not part of their job requirements.

Supervisor Christy agreed with Supervisor Grijalva's comments and commented that it would be helpful for a presiding Constable to share their insights, ideas, and suggestions on how the system could be addressed in a more positive manner.

Supervisor Grijalva indicated that a law enforcement background was not required to become a Constable, but if a Constable went through a process, they could be issued a weapon. She commented that there were different ideologies on how the Constable's position should be run, since some of them acted more as a social worker and others acted more as law enforcement.

Supervisor Christy suggested an exit interview for Constable Stevenson.

Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

21. **2022 General Election: Election Boards**

Discussion/Direction/Action regarding the Pima County Elections Department and Recorder's office General Election preparation efforts including, but not limited to, the staffing and operations of the Early and Emergency Voting Sites as well as the Election Day Vote Centers. (District 4)

Supervisory Christy stated that he had a number of questions for the Recorder, but she was unable to attend. He relayed the questions that he would have asked the Recorder if she were present:

1. Do you staff the early and emergency voting sights in the same manner as the Elections Department staffs its vote centers? If so, what are the differences?
2. Is your previously stated policy of not allowing political observers – trained and certified by their own political party – still in effect?
3. The Elections Manual that is generated by the Secretary of State from which you office, as you have stated, was to comply with State Law, was last updated, we believe, in 2019. Is the 2019 Secretary of State's Elections Manual current with all Election Laws that have been enacted since that time?

Supervisor Christy stated that he would not ask Director Hargrove to speak for the Recorder, but it would be illuminating to know if there were any differences in the manner of staffing. He stated that political observers were allowed in Maricopa and Cochise Counties. He requested that his questions be directed to the Recorder for her response through the Clerk of the Board.

Chair Bronson replied in the affirmative. She stated that she had questions for the Elections Director, which she appreciated her attendance and availability to answer questions. She stated that the Board previously discussed legal requirements to approve equally politically balanced elections boards. She inquired about the composition of an election board and their members' respective duties, and what made up an election board.

Constance Hargrove, Director, Elections Department, explained that the statutory requirement of the election board was one Inspector, one Marshal, two Judges, and as many Clerks deemed necessary. She stated that the Inspector was the Supervisor that oversaw the entire process. She stated the Marshal was like a Sheriff or police of the vote center, which made sure that order was maintained inside the vote center and outside the vote center within the 75-foot limit. She stated that Judges oversaw the process. She added that the makeup of Pima County's boards were different as they had more than two Judges. She stated that after discussion with an Inspector and staff, and the change to vote centers from precincts, she added additional Judges because they had more poll books. She stated they had more than one register of voters in each vote center, whereas typically in a precinct, there was only the one list and the Judge of the same party of the Inspector primarily oversaw the signature roster and the Judge of the opposite party of the Inspector oversaw distribution of ballots.

Supervisor Christy questioned whether they must be politically balanced.

Ms. Hargrove replied in the affirmative.

Supervisor Christy stated that Clerks did not have to be politically balanced and they could expand the number of Clerks based on the number of assumed volume of the particular voting center.

Ms. Hargrove confirmed that was correct. She stated that what she did was pressured herself and her staff to find an equal number of Judges to man the vote center and that having a minimum of 4 Judges in a vote center made the process more transparent and provided more oversight. She stated that she hoped it was the desire of the Board to maintain what she had in place, even though it was more difficult to staff. She added that they met the statutory requirements at most of the vote centers with having only two Judges and it was the addition of Judges that created the disparity among the vote centers.

Supervisor Christy asked how the new composition of the boards were constructed to be politically balanced and why poll workers would wear color coded lanyards or tags that indicated political party affiliation.

Ms. Hargrove stated that each Judge represented the opposite party and they sat together at the tables with the poll book. She stated the Inspector would be of the opposite party of one of the Judges and the Marshall was the opposite party of the Inspector. She stated that the color coded lanyards or tags was brought up at an Election Integrity Commission (EIC) meeting that they could not identify the party representation of the board workers. She added it was not a requirement and they did not have to do it if it was the will of the Board, however, the Recorder's Office did identify their board workers with colored lanyards in the early voting locations to indicate party designation.

Supervisor Christy stated he was concerned with identifying poll workers because of abuse that may occur during voting and it jeopardized the security of the poll worker and the system. He stated that it should be kept private for those reasons. He provided an example of what could happen if a poll worker's political affiliation was revealed and suggested that the Director could certify and post at the voting centers throughout the County that the center was fully balanced politically.

Ms. Hargrove stated that she did not disagree with Supervisor Christy and was not married to advertising poll workers' affiliation. She stated her main concern was for the poll workers and if it was going to endanger them in any way, then she did not want to do that. She stated she was okay with having name tags for them only, like normal.

Supervisor Christy asked if she could post a statement of certification, as suggested.

Ms. Hargrove replied in the affirmative.

Jan Leshar, County Administrator, stated that since this request came from the EIC, her office would communicate back to the EIC of the current discussions and why it would be done differently.

Supervisor Christy inquired about Tenex's accreditation issues.

Ms. Hargrove explained that the State did not certify electronic poll books, nor did the Federal government and as far as she was aware, there were voluntary standards to adhere to, but there was no criteria or mandate for them to be certified.

Supervisor Christy commented that there were a number of discussions regarding Republican poll workers on the Nations at voting sites, that had been pointed out repeatedly. He stated that in addition to poll works on the Nation, they were lacking poll workers and political balance in Avra Valley, Catalina, the Clements Center, the Donna Liggins Community Center, the Tucson Convention Center, the Mount Lemmon Community Center, at various faith-based centers, the Tucson Expo Center, the Tucson Fraternal Order of Police, four schools in Vail, Westward Look and the Miller Golf Links Library. He questioned if there had been any progress since that information was provided to the Elections Department.

Ms. Hargrove stated that the numbers changed daily and a lot of the vote centers where Republican workers were needed had been filled. She stated that they continuously worked daily to get poll workers willing to go to the outlying areas. She stated that she could provide an updated list of assignment of poll workers in different locations, which were now whole. She stated there were no Republicans or Democrats missing from any of the locations. She added that Christina Bauserman submitted a letter requesting an Inspector and two Judges at all vote centers, but they were unable to do that because of the large size of some of the vote centers. She stated there was an option to do that at a vote center with less than 100 voters. She stated that the information would be added to the updated list and would provide a recommendation to decrease the number of poll workers in those locations, which would allow those locations to be easily filled.

Supervisor Grijalva questioned whether they would have a table at the Pima County Job Fair.

Ms. Hargrove stated they would not have a table at the job fair, since they did not have available staff.

Supervisor Grijalva suggested that they could provide flyers to another department to hand out in case someone was interested. She stated that she would like to see the County consider a stipend for travel time and mileage for workers who commuted to some of the other outlying areas since gas was expensive.

Ms. Hargrove stated that she was compiling a list of specific locations that needed workers and that list would be published, so individuals would know where they were needed.

Supervisor Grijalva stated that the last memorandum provided to the Board showed that they statutorily met the requirement of political distribution at all but 15 vote centers. She questioned if that number had been updated since then.

Ms. Hargrove stated that the number fluctuated and depended on whether or not the poll workers left or signed up.

Chair Bronson commented that when you looked at the DS850 digital scanner and election were 6.0.4.0 and firmware 2400, the 2400 version was certified on June 17, 2013. She stated there had been questions about whether the machines were properly certified. She stated that A.R.S. §16-442 (B) was cited by the Elections Director, but made no reference to section F, which stated that the Secretary of State or the governing body may provide for the experimental use of a voting system or device without a final adoption of the voting system or device and its use at the election is valid, as if the machine had been permanently adopted. She stated that she did not need answer now, but asked if the County Attorney had any thoughts on this.

Supervisor Christy questioned if Judges were paid more than Clerks.

Ms. Hargrove responded no.

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

ELECTIONS

22. Location Change to Vote Center 044 for 2022 General Election

Staff recommends approval of the location change of Vote Center 044 for the November 8, 2022 General Election.

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

CONTRACT AND AWARD

FACILITIES MANAGEMENT

23. Tucson Airport Authority, Inc., to provide for a Sheriff's hangar lease located at 1901 E. Aero Park Blvd., General Fund, contract amount \$1,329,295.62/30 year term (CT-FM-23-165)

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

Supervisor Christy stated that he supported the Sheriff's Department and they needed to have the most up-to-date tools to keep the community safe. He questioned why the ground lease was with Facilities Management and not the Real Property Department.

Jan Leshner, County Administrator, responded that Facilities Management, who had designated lease management personnel, handled leases.

Carmine DeBonis, Jr., Deputy County Administrator, explained that both Facilities Management and Real Property Services had staff designated to handle leases who coordinated together. He stated that this was a ground lease that would have a hangar constructed for the Sheriff's Department that would be owned by Pima County, which was why Facilities Management was involved in the ground lease.

Supervisor Christy inquired about past discussions regarding the new hangar and its cost. He commented that it would be helpful to include a notation in the material that the project was a capital improvements project. He asked why the funds were from the General Fund.

Mr. DeBonis, Jr., explained that there had been actions over the past several years to build the new hangar. He stated that the Board approved the purchase of a new aircraft by the Sheriff's Department, which would not fit in the existing hangar. He commented that the project was included in the capital project portion of the Board approved annual budget and the cost would be provided to the Board. He explained that the ground lease was from the General Fund since it was a part of the Sheriff's Department budget that was in the General Fund.

Supervisor Grijlva asked if the estimated annual cost of the project was \$43,000.00. She suggested that it would be helpful if the material reflected the public benefit of the item and that there needed to be more explanation on the reason there was a need for the hangar.

Mr. DeBonis responded that the estimated annual cost seemed to be correct and that the suggestions would be noted.

Chair Bronson called the question. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

PROCUREMENT

24. Tenex Software Solutions, Inc., Amendment No. 2, to provide for Tenex election desk modules, amend contractual language and scope of services, no cost (MA-PO-22-80) Elections and Information Technology

Supervisor Christy inquired if the contract was for a project manager and if the individual worked for Tenex.

Constance Hargrove, Director, Elections Department, stated that the contract was not for a project manager, but for one individual from Tenex to provide additional help to staff to make sure the timeline for getting the system setup and tested was met for the Election.

Supervisor Christy asked if the individual was tech support, and if that was supposed to be included with the purchase of the system. He inquired if there was a plan to hire a project manager.

Ms. Hargrove responded that normally it would come with the system when purchased, but there were a variety of things not incorporated in the contract. She commented that there would still be support provided remotely, but this contract was for an individual to be on-site. She stated that there was not enough time before the Election to hire a project manager with the expertise that was needed.

Chair Bronson called the question.

It was moved by Supervisor Grijalva and seconded by Chair Bronson to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

BOARD, COMMISSION AND/OR COMMITTEE

25. **Election Integrity Commission**

Reappointment of Barbara Tellman. Term expiration: 9/30/24. (District 5)

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

26. **Animal Care Advisory Committee**

Reappointment of Kristen Pogreba-Brown. Term expiration: 6/30/26. (District 5)

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

27. **Merit System Commission and Law Enforcement Merit System Council**

Reappointment of Michael Hellon. Term expiration: 12/31/25. (District 4)

Supervisor Christy inquired if there were any issues regarding approval of these items.

Sam Brown, Chief Civil Deputy County Attorney, stated that there were no issues with approving this item, but Minute Item Nos. 28 through 30 were complicated due to the difference of the Board appointing a member versus appointing a Chair. He explained that the problem was that there was one statute that allowed the Board Chair to appoint and then the Board could approve, but another statute in the Pima County Code stated that the individual Board, Commission and/or Committee (BCCs) should appoint their own Chair.

Supervisor Christy asked if would be best to withdraw those items and let the BCCs elect their own Chair.

Mr. Brown clarified that by statute Chair Bronson was required to appoint a Chair to the Correction Officer's Retirement Board.

Melissa Manriquez, Clerk of the Board, explained that the coordinator for the Merit System Commission had confirmed that Mr. Hellon was their current Chair and a new Chair would be appointed in January 2023.

Chair Bronson stated that they would reappoint Mr. Hellon to the Merit System Commission and Law Enforcement Merit System Commission.

Ms. Manriquez stated that the other BCCs chose their own chair and Mr. Hellon did not serve as the Chair for the other BCCs.

Mr. Brown stated that Chair Bronson could appoint Mr. Hellon and the Board could vote to approve him.

Chair Bronson stated that, at this time, she did not want to vote on the appointment of Mr. Hellon to the other BCCs.

Supervisor Grijalva inquired if Mr. Hellon needed to be reappointed to the other BCCs if his term was ending on those BCCs. She asked if Chair Bronson could reappoint him for the term until the questions regarding chairmanship got resolved.

Supervisor Christy confirmed Mr. Hellon's term was expiring and clarified that Mr. Hellon needed to be reappointed to the Merit System Commission and Law Enforcement Merit System Commission to keep his position on the other Commissions.

Ms. Manriquez clarified that if Mr. Hellon was reappointed to the Merit System Commission, he would have to be reappointed to the other BCCs since they were coterminous with the term of the Merit System Commission.

Chair Bronson indicated that she was not willing to make a motion on the other commissions.

It was moved by Chair Bronson and seconded by Supervisor Christy to approve the item. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

28. **Corrections Officer Retirement Board**

Reappointment of Michael Hellon as the Chair of the Merit System Commission and Law Enforcement Merit System Council. Term expiration: Coterminous with Chairmanship.

(Clerk's Note: See Minute Item No. 27, for discussion related to this item.)

It was moved by Chair Bronson and seconded by Supervisor Christy to continue the item to the Board of Supervisors' Meeting of November 1, 2022. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

29. **Public Safety Personnel Retirement Board**

Reappointment of Michael Hellon as the Chair of the Merit System Commission and Law Enforcement Merit System Council. Term expiration: Coterminous with Chairmanship.

(Clerk's Note: See Minute Item No. 27, for discussion related to this item.)

It was moved by Chair Bronson and seconded by Supervisor Christy to continue the item to the Board of Supervisors' Meeting of November 1, 2022. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

30. **County Attorney Investigators Local Retirement Board**

Reappointment of Michael Hellon as the Chair of the Merit System Commission and Law Enforcement Merit System Council. Term expiration: Coterminous with Chairmanship.

(Clerk's Note: See Minute Item No. 27, for discussion related to this item.)

It was moved by Chair Bronson and seconded by Supervisor Christy to continue the item to the Board of Supervisors' Meeting of November 1, 2022. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

CONSENT CALENDAR

31. **Approval of the Consent Calendar**

Upon the request of Supervisor Christy to divide the question, Consent Calendar Item Nos. 2, 3, 6, 13 and 17 were set aside for separate discussion and vote.

It was then moved by Supervisor Grijalva and seconded by Chair Bronson to approve the remainder of the Consent Calendar. Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

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PULLED FOR SEPARATE ACTION BY SUPERVISOR CHRISTY

CONTRACT AND AWARD

Procurement

2. Award

Amendment of Award: Master Agreement No. MA-PO-18-180, Amendment No. 7, ASAVET Veterinary Services, L.L.C., d.b.a. Santa Cruz Veterinary Clinic and Amy and Heather Enterprises, L.L.C., d.b.a. Arizona Spay Neuter, to provide for spay and neuter services trap/neuter/return-cats. This amendment extends the termination date to 12/5/23 and adds a partial shared annual award amount of \$100,000.00 for a cumulative not-to-exceed contract amount of \$946,000.00. Funding Source: General Fund. Administering Department: Pima Animal Care Center.

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 if Pima Animal Care Center (PACC) had its own funding sources and why the funding was from the General Fund. He questioned whether PACC could fund itself through their own financial resources and asked if this was the first time this item had come to the Board.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, responded that PACC's budget was a combination of General, Grant, and Supplemental Funds. He stated that the program had historically been funded through outside grants, but was funded through General Fund resources for the last three years.

Upon roll call vote, the motion carried 3-1, Supervisor Christy voted "Nay," and Supervisor Scott was absent.

3. Durazo Construction Corporation, Kapp-con, Inc., Lloyd Construction Company, Inc., M. Anderson Construction Corp., and Sellers and Sons, Inc., Amendment No. 2, to provide a job order master agreement for park development services, Various Funds, contract amount \$2,000,000.00 (MA-PO-22-103) Capital Program Office

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 why the amendment was labeled as a job order master agreement for park development services when the funding was for projects, such as, Robles Ranch thrift store and food bank, and a flood control district project to provide landscaping and storm water harvesting at

the Overton and La Cañada properties. He commented that he thought the County was changing titles and investments in order for projects to qualify for the contract.

Carmine DeBonis, Jr., Deputy County Administrator, stated that the master agreement was used by multiple departments, primarily by Natural Resources Parks and Recreation. He explained that the Robles Ranch thrift store was located at a Pima County Community Center that was designated as a park, therefore, their new building would be constructed under the contract. He commented that there had been difficulty finding qualified bidders for multiple projects, which was why this master agreement was used. He stated that the flood control district project improvements were multi-use and designated as park facilities, which allowed them to be funded by this contract. He commented that there were multiple uses coexisting with areas of project development that provided the connection between this contract and the projects.

Upon roll call vote, the motion carried 4-0, Supervisor Scott was absent.

6. Jot Properties, L.L.C., Amendment No. 4, to provide for hotel shelter services, extend contract term to 6/18/23 and amend contractual language, FEMA EFSP Phase HR22, FEMA EFSP Phase CARES, and FEMA EFSP ARPA-R Funds, contract amount \$3,050,112.00 (MA-PO-22-30) Health Department and Community and Workforce Development

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

Supervisor Christy commented that this company was not based in Pima County or Tucson, and over \$10 million cumulatively had been given to this company to support asylum seekers. He stated that from October 6th - 12th there had been 1,780 legally processed asylum seeker releases and from April 22nd there had been 68,794 asylum seekers processed. He felt that the community was not aware of the number of people that were processed through Pima County or aware of the allocated funds.

Upon roll call vote, the motion carried 3-1, Supervisor Christy voted "Nay," and Supervisor Scott was absent.

GRANT APPLICATION/ACCEPTANCE

13. Acceptance - Health

Arizona Department of Health Services, to provide for Senate Bill 1847 Funding, \$724,000.00/2 year term (GTAW 22-101)

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

Supervisor Christy commented that he objected to the Board taking additional monies from the General Fund and channeling it to the Health Department. He explained that Senate Bill 1847 was the accumulated tax on medical marijuana and that the Health Department could seek other funding outside of the General Fund.

Upon roll call vote, the motion carried 3-1, Supervisor Christy voted "Nay," and Supervisor Scott was absent.

17. Acceptance - Public Defense Services

Department of Justice, Office of Juvenile Justice and Delinquency Prevention, to provide for the Pima County Victim Restitution Assistance Program, \$400,000.00/3 year term (GTAW 23-49)

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

Supervisor Christy provided background on the Pima County Victim Restitution Assistance Program and stated that there had been more crime issues in Pima County. He commented that money should not come from the taxpayers to pay restitution for an individual that committed the crime when that individual should be held accountable for their actions. He questioned where the personal responsibility was for the individual that committed the crime, where was the restitution they were supposed to pay, and stated that there had been no evidence to support the program.

Upon roll call vote, the motion carried 3-1, Supervisor Christy voted "Nay," and Supervisor Scott was absent.

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CONTRACT AND AWARD

County Attorney

1. Community Intervention Associates, Inc., d.b.a. Community Health Associates, Amendment No. 3, to provide for Pima County enhancing drug court services, coordination and treatment, extend contract term to 9/29/23, amend contractual language and scope of services, SAMHSA Fund, contract amount \$75,117.68 (CT-PCA-20-171)

Procurement

2. **Award**
Amendment of Award: Master Agreement No. MA-PO-18-180, Amendment No. 7, ASAVET Veterinary Services, L.L.C., d.b.a. Santa Cruz Veterinary

Clinic and Amy and Heather Enterprises, L.L.C., d.b.a. Arizona Spay Neuter, (PULLED FOR SEPARATE ACTION)

3. Durazo Construction Corporation, Kapp-con, Inc., Lloyd Construction Company, Inc., M. Anderson Construction Corp., and Sellers and Sons, Inc., Amendment No. 2, (PULLED FOR SEPARATE ACTION)
4. Tetra Tech BAS, Inc., Amendment No. 3, to provide for engineering services: Ina Road Landfill Final Closure Project and extend contract term to 10/20/23, no cost (CT-DE-18-330) Environmental Quality
5. Hunter Contracting Co., Amendment No. 1, to provide for Construction Manager at Risk Services for Northwest Outfall Siphon at the Santa Cruz River Structure Rehabilitation (3NW019), amend contractual language and scope of work, RWRD Obligations Fund, contract amount \$3,460,558.96 (CT-WW-22-146) Regional Wastewater Reclamation
6. Jot Properties, L.L.C., Amendment No. 4, (PULLED FOR SEPARATE ACTION)
7. Division II Construction Co., Inc., Amendment No. 8, to provide for the Ina Road Fueling Facility Refurbishment (XINAFI) and extend contract term to 1/26/23, no cost (CT-FM-21-459) Facilities Management

Real Property

8. Agave Ventures, L.L.C., to provide for Sales Agreement No. Sale-0094 for property located on the south side of Edwin Road between Forecastle Avenue and Parker Place, Tax Parcel No. 222-10-0430, contract amount \$51,000.00 revenue (CTN-RPS-23-52)
9. Avra Water Co-Op, Inc., Amendment No. 1, to provide for a public utility license agreement (Lic-0193) and extend contract term to 8/29/47, no cost (CTN-RPS-23-38)
10. Mount Lemmon Domestic Water Improvement District, to provide for a lease of Former Zimmerman Accommodation School, \$40,680.00 revenue/3 year term (CTN-RPS-23-50)
11. Rancho del Conejo Community Water Co-Op, Inc., Amendment No. 1, to provide for a public utility license agreement (Lic-0217) and extend contract term to 5/1/47, no cost (CTN-RPS-23-37)

GRANT APPLICATION/ACCEPTANCE

12. **Acceptance - Behavioral Health**
Department of Justice, Bureau of Justice Assistance, to provide for improving substance use disorder treatment and recovery outcomes for adults in reentry, \$900,000.00/3 year term (GTAW 23-48)
13. **Acceptance - Health**
Arizona Department of Health Services, (PULLED FOR SEPARATE ACTION)
14. **Acceptance - Health**
National Association of County and City Health Officials, Amendment No. 1, to provide for the Together We Rise, Community Partnerships to Reduce Overdose Project and extend grant term to 7/31/23, \$329,770.96 (GTAM 23-26)
15. **Acceptance - Information Technology**
State of Arizona Department of Homeland Security, to provide for the FY 2022 State Homeland Security Grant/Cyber Protection for Local and Tribal Governments Project, \$147,213.00 (GTAW 23-46)
16. **Acceptance - Office of Emergency Management**
State of Arizona Department of Homeland Security, to provide for the FFY2022 Southern Arizona Multi-Jurisdictional Training and Exercise Initiative, \$180,000.00 (GTAW 23-43)
17. **Acceptance - Public Defense Services**
Department of Justice, Office of Juvenile Justice and Delinquency Prevention, (PULLED FOR SEPARATE ACTION)

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

18. **Special Event**
Kirsten L. Polivchak, Foothills Service Club, The Urban Grove, 550 W. Orange Grove Road, Tucson, October 15, 2022.
19. **Temporary Extension**
07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, December 10 and 11, 2022.

FINANCE AND RISK MANAGEMENT

20. Duplicate Warrants - For Ratification

Amanda C. Sapp \$152.50; Dagostino Private Investigtns \$1,865.00; Anna Yoshino \$425.00; Advance Investing Group, Inc. \$10,079.25; R & S Babay I, L.L.C. \$3,440.00; Desiree D. Vialpando \$366.58; Sally X Le \$8,595.00; Starrview at Starr Pass Apartments \$3,600.00; ST Tucson Apartments, L.L.L.P. \$9,873.67; Matthew Martinez Pate \$374.18; Metropolitan Tucson Convention & Visitors Bureau \$103,337.31.

RECORDER

- 21. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of June, July and August, 2022.
- 22. Pursuant to A.R.S. §11-475.01, ratification of the Document Storage and Retrieval Fund FY 2021-2022 Year End Summary Report.

TREASURER

23. 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 \$21,772.06.

24. Request to Waive Interest

Pursuant to A.R.S. §42-18053, staff requests approval of the Submission of Request to Waive Interest Due to Mortgage Satisfaction in the amount of \$250.20.

RATIFY AND/OR APPROVE

- 25. Minutes: August 15, 2022

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32. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:52 a.m.

CHAIR

ATTEST:

CLERK

10-18-2022 (25)