

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, January 24, 2023. Upon roll call, those present and absent were as follows:

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

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

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by Olga Valenzuela, Office Support Level III, Pima County Department of Transportation.

3. PAUSE 4 PAWS

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

4. POINT OF PERSONAL PRIVILEGE

Supervisor Heinz addressed the January 10th video incident and assured his constituents of his commitment to the community and was honored to be serving on the Board.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Mel Etherton, member, Arizona Falun Dafa Association, proclaiming the day of Tuesday, January 24, 2023 to be: "16TH YEAR OF SHEN YUN PERFORMING ARTS IN ARIZONA"

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

6. Presentation of a proclamation to Dr. Cheree Meeks, President, NAACP Tucson Branch, proclaiming the month of February 2023 to be: "BLACK HISTORY MONTH IN PIMA COUNTY"

It was moved by Supervisor Bronson, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the item. Sam Brown, Chief Civil Deputy County Attorney, made the presentation.

7. **CALL TO THE PUBLIC**

Josh Jacobsen addressed the Board regarding the community's fentanyl crisis and spoke about a woman who had recovered from addiction by utilizing drug court, enforcement and treatment. He indicated that it demonstrated the importance and need for the establishment of a transition center.

Amelia Cramer thanked the Board on behalf of the National Association for the Advancement of Colored People (NAACP) - Tucson Branch, for their consideration of the Process to Review Initial Appearances and indicated that the NAACP supported the County Administrator's recommendations.

Laura Hiniyup expressed her opposition to COVID-19 mask mandates, forced vaccinations and emergency protocols.

Stephanie Kirk expressed her displeasure with being interrupted during Call to the Public and her opposition to COVID-19 vaccinations and mandates.

Melissa Conroy spoke about the censorship and corruption of the CIA and FBI and her opposition to COVID-19 vaccines and mandates.

Shirley Requard spoke in opposition to COVID-19 vaccinations.

Anastasia Tsksakis addressed the Board regarding mutual respect for everyone, clean energy movements, land and water conservation efforts and asked about the justification for the \$11 million dollars the County received from the Centers for Disease Control.

Tom Litwicki, CEO, Old Pueblo Community Services, thanked the Board for their support of the Pima County Housing First Program and indicated that it had provided permanent housing for over 200 households during the past two years. He stated an independent evaluation conducted by RAND had shown a \$1.2 million reduction in justice system costs, 50% reduction in criminal justice related costs, and a 45% reduction in health costs based on this work.

Ann Rose spoke in opposition to COVID-19 vaccines and mandates.

Keith Van Heyningen spoke in opposition to COVID-19 vaccines and indicated that the Board destroyed their credibility when they prohibited freedom of speech during Call to the Public.

Terra Radliff expressed her displeasure with the County's irresponsible governing by wasting taxpayer dollars with the continued housing, feeding and transporting of illegal asylum seekers and voiced her opposition to the Worldview contract and COVID-19 mandates.

JoAnn di Filippo asked the Board to adopt a formal policy regarding Supervisor participation during Executive Session and expressed her opposition of the reappointment of Allen True to the Fair Horse Racing Commission.

Kevin Daily, Steering Leader, Tucson Crime Free Coalition, recognized the extraordinary leadership of Supervisors Bronson, Christy and Scott for knowing that the number one concern of the citizens of Pima County was maintaining their personal safety and addressing crime. He stressed the need for the development of a regional solution regarding the fentanyl crisis.

Brook Doty congratulated Chair Grijalva on her new leadership role and thanked the Board for making the conduct standards of BOS Policy D 21.2, applicable to all employees, including members of the public.

Dru Heaton addressed the Board in opposition to COVID-19 vaccinations and asked the Board to listen and be open to the information that was shared with them by members of the public.

8. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Bronson, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to convene to Executive Session at 10:44 a.m.

9. **RECONVENE**

The meeting reconvened at 11:37 a.m. All members were present.

EXECUTIVE SESSION

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the Tort Litigation at PCADC.

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

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding TX2021000305, TNR & S Acquisition, Inc. v. Pima County.

It was moved by Chair Grijalva, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to approve the settlement offer for tax years 2022 and 2023.

BOARD OF SUPERVISORS

12. The Board of Supervisors on January 10, 2023, continued the following:

Contribution to National Association of Counties National Center for Public Lands Counties

Discussion/Direction/Action regarding approval of a contribution of \$79,240.00 from the General Fund to capitalize a new National Center for Public Lands Counties proposed by the National Association of Counties and the Western Interstate Region Board of Directors. (District 1)

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

Supervisor Scott highlighted some of the points from the email provided by the Executive Director of the County Supervisors Association of Arizona and wanted the Board to be aware of the table that had been included in the email, which showed what actions had been taken and what actions were anticipated to be taken by other counties. He noted that Cochise, Gila, Graham, Greenlee and Yuma counties had approved the item and that Pima and Mojave counties had tabled it until additional information had been received. He stated that staff from the Supervisors Association had indicated that Apache, Pinal and Santa Cruz counties were likely to recommend approval to their Boards, La Paz County had declined for financial reasons and Yavapai County staff had indicated the possibility of reconsideration of the item after it was initially declined. He stated costs would be nominal and spread out over two years and felt that the contents of Mr. Sullivan's email had addressed all of the concerns raised by this Board at the last meeting. He stated that the Center for Public Lands Counties was not only a priority for the National Association of Counties and the County Supervisors Association of Arizona, but its emphasis was also supported by Pima County Administration and staff. He added that it was an opportunity for the County to demonstrate leadership and combine forces with peers and other counties on a matter of significant concern and urged the Board's approval of the item.

Supervisor Christy appreciated Supervisor Scott's comments, but indicated he would be voting against the item because he felt the County Supervisors Association had the facility and capacity of addressing this issue within its own structure. He added that the contribution from the County was unnecessary.

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

Chair Grijalva commented that she looked forward to updates on the work that would be done and felt that the County had a strong record of rendering resources and efforts to land conservation. She added that she would like to see the County have a larger impact at the State level.

COUNTY ADMINISTRATOR

13. County Administrator's Update

Jan Leshar, County Administrator, provided the following updates:

- She recognized Shane Clark, Director, Office of Emergency Management, for being identified as a 2023 Father of the Year Honoree.
- She thanked the Economic Development Department for their recognition by the Business Facilities Magazine for a 2022 Impact Award, for their partnership and leadership that helped bring American Battery Factory to Pima County.
- She highlighted the Regional Wastewater and Reclamation Department's annual grease collection event, which collected 765 gallons of grease that amounted to approximately 5,800 lbs.
- She welcomed Ursula Nelson back from retirement as Interim Director for the Department of Environmental Quality due to Barbara Escobar's retirement and wished Ms. Escobar and her family all the best.
- She thanked the partners and staff at Old Tucson for hosting approximately 2,500 students during their annual Ted Walker Youth Day Event.

14. Request to Rename the Military Electronic Test Range at Fort Huachuca to the Buffalo Soldier Electronic Testing and Training Range

Discussion/Direction/Action: Direct staff to transmit a letter to Major General Hale supporting the renaming of the Buffalo Soldier Electronic Testing and Training Range, so it can be included in the application to the Arizona State Board on Geographic and Historic Names.

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

15. Formation of a Blue Ribbon Commission

Discussion/Direction/Action: Direct the County Administrator to return to the Board on February 21, 2023, a plan to develop a Blue Ribbon Commission to review the needs of the Pima County Jail.

Jan Leshar, County Administrator, explained that in the past there had been requests from Sheriff Nanos and others to review the jail to see if it met community need. She explained that this item was a request to create a commission that would help with several different areas. She stated that the first area would be to bring in experts to evaluate the jail and determine if deferred maintenance would need to be done or on a concept for a new jail. She stated the second area was to form a group of individuals to provide recommendations to the Board on whether to move forward with the construction of a jail and its funding. She stated that this could be in the form of a jail district, a tax, General Funds or bonds. She added that she would return with a list of recommended commissioners for approval by the Board and

over the next 150 to 180 days, the commission would work on a recommendation to the Board.

It was moved by Chair Grijalva and seconded by Supervisor Scott to direct the County Administrator to return to the Board on February 21, 2023, a plan to develop a Blue Ribbon Commission to review the needs of the Pima County Jail. No vote was taken at this time.

Supervisor Christy stated that the County had the capacity within the Facilities Management Department to procure and attract local construction companies for assistance. He stated that a bid request could be done for an analysis that could provide direction, indication or an idea of the condition of the jail and the capacity for remediation and correction or a complete rebuild. He stated it was premature to provide it to a blue ribbon panel and suggested that the County facilitate finding one or several construction companies to present their findings to the Board before creation of a panel. He stated he would vote against the formation of a blue ribbon panel at this time.

Supervisor Scott requested a brief overview of the areas of focus of the commission's three committees for Facilities, Operations and Finances.

Ms. Leshar stated that they identified three areas with the first being to look at the facility as described by Supervisor Christy. She stated the hope was to get structural engineers within the community that worked in the industry to help understand what was occurring at the jail. She stated a second element was to explore national experts that could opine on operation of the jail and whether there were new methods for maintenance and operation of a detention facility, how to deal with the incarcerated, the capacity and oversight. She stated the third element was to get a sense of what the financial opportunities would be. She added the desire was to get all three areas to work simultaneously and to look at them concurrently. She assured that staff would report to the Board on a regular basis with the approval of the representation of the members of the commission, the mission statement and what the goals for the group would be, along with a timeline of when updates would be provided to the Board.

Supervisor Scott asked if the commission would make recommendations to the Board or offer other options for consideration. He inquired about the other County employees who would join representatives from the Sheriff's Department as commissioned staff.

Ms. Leshar responded that the commission would make recommendations to the Board that would include several options. She stated that without the mission statement or structure, she did not know what type of recommendation it would be. She welcomed direction from the Board on what recommendations they would like to see. She stated that employees from the Finance Department, Facilities Management and other County folk would help staff the organization and hoped to bring in community and national experts to inform the recommendations.

Supervisor Christy stated that the County needed to think about what the status of the Certificates of Participation that were issued on the current jail would be, what would happen to them and how it would be affected. He stated that this should be undertaken after finding out the exact condition of the jail and what the costs would be before creation of the blue ribbon panel.

Supervisor Heinz questioned that if during the evaluation they would look at who was incarcerated in the jail and whether they should be in there. He commented that two thirds of the jail population were non-violent offenders that could be safely tracked in the community. He asked if representatives from the County Attorney's Office and Adult Probation would be on the commission.

Ms. Leshner responded at this time, that was not the focus of the commission. She indicated that there had been discussion with the Sheriff and others involved, as they dealt with all of the issues related to crime in the community and homelessness, was to have a conversation with representatives of the behavioral health community, as well as Public Defense Services and the County Attorney's Office.

Chair Grijalva commented that the commission would look at the structural needs of the facility, whether there needed to be deferred maintenance, or whether there was prior faulty construction. She stated that it was important for the commission to look at the size and capacity of the jail and whether it was important to factor in the jail's population at some point and whether they needed to look at something larger or smaller, or if there needed to be a different design for the jail. She stated that she had toured the jail and that some of the individuals currently incarcerated could be better served in a rehabilitation center or some other facility. She stated that those were also important factors.

Supervisor Christy reiterated that the Board was getting ahead of themselves by going into policy and that the Sheriff was duly elected to run his operations. He stated that it did not require a blue ribbon panel, but required experts to analyze and evaluate the current condition of the jail, its ability for rehabilitation or remediation, or its need to be rebuilt completely. He stated the operation was far ahead of what was needed.

Chair Grijalva indicated her support for the item. She added that the Sheriff did not have control over some of the things that were happening in the jail and it was important for the Board to look at the umbrella of how the Courts and the County Administrator worked together. She stated that the Blue Ribbon Commission's recommendation needed to be comprehensive.

Chris Nanos, Pima County Sheriff, addressed the Board and stated that he could support the proposal made by the County Administrator. He stated that the concern of who was in the jail was a separate issue that was ongoing.

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

REAL PROPERTY

16. Dedication of Right of Way

RESOLUTION NO. 2023 - 2, of the Board of Supervisors, for the conveyance of Pima County property to Arizona Department of Transportation for Right of Way purposes, situated within Section 35, T13S, R13E, G&SRM, Pima County, Arizona. (District 3)

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

SCHOOL SUPERINTENDENT

17. Canvass

Pursuant to A.R.S. §15-426 and §15-493, canvass of the special school district election results of November 8, 2022 for the Catalina Foothills Unified School District No. 16; Marana Unified School District No. 6; Sahuarita Unified School District No. 30 and Tanque Verde Unified School District No. 13.

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

CONTRACT AND AWARD

Community and Workforce Development

18. Step Up to Justice, Amendment No. 1, to provide for emergency eviction legal services, extend contract term to 1/31/24 and amend contractual language, CSLFRF Funds, contract amount \$60,000.00 (CT-GMI-22-265)

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

Supervisor Christy asked why these services were being outsourced when the County had attorney representation readily available and administrative staff had already been tasked with handling this process. He questioned why COVID monies were being used since it did not seem to be the cause of the problem and indicated that he would be voting against the item.

Jan Leshner, County Administrator, responded that this was a continuation of one of the programs related to eviction services that was initially funded with COVID dollars.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, explained that the Board had authorized

the creation of the Emergency Eviction Legal Services Program over a year ago with the identified funding as Coronavirus related through the American Rescue Plan Act. He stated that staff had ensured that funds were being used in the manner in which they were intended to from a federal standpoint and no conflicts existed with the Department of Treasury with its use for the program. He stated that the Board had approved a series of contracts with outside legal counsel and indicated that this was the fifth contract and was out of sequence. He stated there were real procedural and legal reasons why a Pima County Attorney could not be assigned to represent or participate in these cases and that was a question for the lawyers to answer. He added that this program allowed for resource services for landlords and tenants for the purpose of trying to adjudicate or resolve conflicts as they occurred.

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

Facilities Management

19. Arizona Aviation Associates, L.L.C., Amendment No. 2, to provide for the Sheriff's Hangar Lease located at 1840 E. Valencia Road, extend contract term to 7/31/23 and amend contractual language, Sheriff's Fund, contract amount \$42,957.56 (CT-SD-12-74)

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

Information Technology

20. City of Tucson, to provide an intergovernmental agreement for implementation of a regional 311 System that will provide a central source of management of all 311 calls within the County, no cost/5 year term (CTN-IT-23-86)

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

Supervisor Christy questioned why the City of Tucson (COT) was the lead agency and not the County since it was a county-wide program and asked whether other municipalities would be involved.

Steve Holmes, Deputy County Administrator, responded that the IGA allowed for other municipalities to participate, but the reason it started with only the COT and the County was because the COT owned the 311 cellular line and the County owned the landline. He explained that the conversation to transfer had started in 2017 and continued into 2020, and indicated that since the 311 line was already in temporary operation and the hub would be housed at the COT's 911 Center, which was fully staffed; it made sense for the COT to be the lead. He added that it also provided the latitude to make decisions in conjunction with them and would give the County the option of withdrawing from the agreement if it was not working with the COT.

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

Procurement

21. Award

Award: Master Agreement No. MA-PO-23-111, Tucson Winsupply (Headquarters: Tucson, AZ), to provide for hand tools non-powered, accessories and supplies. This master agreement is for an initial term of one (1) year in the annual award amount of \$308,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: General **(63%) and Wastewater Ops (37%)** Funds. Administering Department: Regional Wastewater Reclamation.

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

22. Award

Amendment of Award: Master Agreement No. MA-PO-18-344, Amendment No. 9, Hennesy Mechanical Sales, L.L.C., to provide for Fairbanks Morse and Moyno Pumps and Parts. This amendment is for a one-time increase in the amount of \$147,000.00 for a cumulative not-to-exceed contract amount of \$1,167,000.00. Funding Source: WW Ops Fund. Administering Department: Regional Wastewater Reclamation.

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

23. Award

Award: Master Agreement No. MA-PO-23-114, P.T. Automotive, L.L.C., d.b.a. Penske Toyota (Headquarters: Downey, CA), to provide for Toyota vehicles. This master agreement is for an initial term of one (1) year in the annual award amount of \$1,168,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Fleet Services Ops Fund. Administering Department: Fleet Services.

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

Supervisor Christy commented that he found it odd that only one brand of vehicle was being bid upon and that only one out-of-state bid was received. He commented about the County being competitive with their bidding process.

Steve Holmes, Deputy County Administrator, responded that the purpose of the agreement was to add Toyota as another purchasable option and was not exclusive to the Toyota brand. He explained that currently Toyota was not an option and given the lack of vehicle inventory, this provided an additional resource to the County.

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

24. Award

Amendment of Award: Master Agreement No. MA-PO-21-188, Amendment No. 4, Tucson Audubon Society, RECON Environmental, Inc., and EnviroSystems Management, Inc., to provide for backcountry invasive plant inventory and treatment. This amendment increases the shared annual award amount by \$100,000.00 from \$250,000.00 to \$350,000.00 for a cumulative not-to-exceed contract amount of \$600,000.00. Funding Source: Grants and General (20%) Fund. Administering Department: Natural Resources, Parks and Recreation.

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

25. Hunter Contracting, Co., Amendment No. 2, to provide for Construction Manager at Risk Services: Northwest Outfall Siphon at the Santa Cruz River Structure Rehabilitation (3NW019), extend contract term to 9/30/23, amend contractual language and scope of work, no cost (CT-WW-22-146) Regional Wastewater Reclamation

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

Real Property

26. Thomas L. Tuck, Daniel C. Tuck, Christina M. Clifford and Paul Clifford, to provide for Acquisition Agreement - Acq-1160 and Warranty Deed, for 19.93 acres of open space land in Section 19, T11S, R18E, G&SRM, Tax Parcel No. 205-17-004C, NRPR Non-Bond Projects Fund, contract amount \$36,850.00 (CT-RPS-23-292)

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

27. Gail Dent, Amendment No. 4, to provide a license agreement for use of a portion of the Children's Memorial Park located at 4875 N. 15th Place and extend contract term to 1/31/24, no cost (CTN-PR-17-151)

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

FRANCHISE/LICENSE/PERMIT

28. Hearing - Liquor License

Job No. 220421, Brian Eric Crump, The Outlaw Saloon, 1302 W. Roger Road, Tucson, Series 6, Bar, Person Transfer.

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

BOARD OF SUPERVISORS

29. Amended Meeting Schedule for March 2023

Discussion/Direction/Action: Propose to amend the Board of Supervisors' Meeting Schedule to move the Tuesday, March 21, 2023 meeting date to Tuesday, March 28, 2023. (District 5)

No Board action was taken on this item.

30. Meeting Schedule

Approval of the Board of Supervisors' Meeting Schedule for the period June through December, 2023.

It was moved by Chair Grijalva and seconded by Supervisor Heinz to approve the schedule, as presented. No vote was taken at this time.

Supervisor Christy asked why there were two meetings included on the schedule for July when in previous years, the Board had only one meeting during that month.

Chair Grijalva stated that she felt it was important to continue to have two meetings each month and indicated that the schedule could be altered, dependent upon the demand of items submitted for the additional meeting.

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

31. Tucson Crime Free Coalition

Discussion/Direction/Action regarding an update from the County Administrator on Pima County's regional plan to reduce crime on the streets of our community, in support of the Tucson Crime Free Coalition's efforts. (District 4)

Chair Grijalva stated that she had a legal concern when the item was posted and the information provided regarding transparency for Board agendas. She stated the County Administrator had provided additional information for the item, but before that there was no indication of what the Tucson Crime Free Coalition was, what their efforts were or what would be discussed.

Sam Brown, Chief Civil Deputy County Attorney, responded that the description listed on the agenda was regarding Pima County's original plan to reduce crime on the streets, which may have been the intent of the item. He stated that the issue being raised was the title of the item. He indicated that in the future, there could be explanations for names of organizations or phrases and/or to have items more specifically titled in a way that reflected the intent of the item.

Supervisor Bronson asked for clarification and asked how the item should have been listed on the agenda.

Mr. Brown responded that the title of the item was Tucson Crime Free Coalition, but to those that did not know what that organization was, it was just the name of an organization. He added that the title could be Pima County's Regional Plan to Reduce Crime, or something to that effect, rather than the name of the specific organization.

Supervisor Bronson questioned if it was placed like that on the agenda, would the Board be able to talk about the Tucson Crime Free Coalition during discussion.

Mr. Brown replied in the affirmative.

Chair Grijalva commented that the County Administrator had not been given direction on what she should provide in a report, but had provided a report. She added that it was important for Board members to be clear on the intent of their submission.

Supervisor Scott asked if the Board could get direction on how to address issues so that all Board members could put items on the agenda or addendum and know that they were cleared for the topic that the member wanted to discuss, when it dealt with the item that was continued regarding preparation of the agenda and addendum.

Chair Grijalva replied in the affirmative and stated that since the County Administrator had provided a memorandum, they could base the conversation around the memorandum.

Supervisor Christy explained that his intent was for the County Administrator to provide an update based on her memorandum and any questions or prompting of further discussion that would happen. He commented that the memorandum covered some questions, but he was concerned with the lack of media coverage regarding this issue. He indicated that it was important to provide transparency to

the public regarding the status of this issue, if plans had changed, and what developments were made between the coalition and County Administration.

Steve Holmes, Deputy County Administrator, explained that the memo outlined an update specifically on the Pretrial Annex on Mission Road. He stated staff previously discussed converting the Mission Annex into a place to move Pretrial Services and add wraparound service providers and that a detox center could be added over time. He stated that plan continued, but that a major concern developed over conversations of putting a plan together for an idea of custodial ship. He stated that part of the design of the plan was for all municipalities that participated in pretrial service functions was to be able to drop off or take folks through pretrial or to booking. He stated that half the folks that went through pretrial support services were actually booked back into the jail. He explained how the system currently worked and stated that there was a safety and security concern. He stated that staff had found out that they could not have civilian security. He added that the complexity of the design forced them to look at other options because there was good intent in the plan. He stated that providing services to folks quickly as they were being released was of critical importance and would reduce recidivism. He stated that Plan B outlined in the memorandum was to place a modular adjacent to the current existing structure of Pretrial Services and not move them to Plan B as outlined. He stated it would mitigate any safety and security concerns with not having a post certified officer present and place the modular that would allow to provide wraparound services at the jail or adjacent to the jail. He stated that on average, there was 400 individuals that were served through pretrial services per month. He added that 50% were released over the course of the month and there was an average of 7 individuals released through the current desired design at the annex through service providers. He indicated that by having service providers adjacent to the jail, they would benefit those 7 that went through pretrial and get denied, but also a potential of allowing folks being release from jail, which was roughly 80, could be released to pretrial in the module they planned to place adjacent to Pretrial Services. He stated they were looking at the advantage of that now versus what they have done at the annex. He stated staff was not abandoning the annex and it was a good plan to redesign the center with the needs of the Sheriff. He stated there were custodial ship issues associated with trying to develop the kind of facility that would meet the needs of the community and reduce crime. He stated that in the interim with the staffing concerns, it made sense to explore a modular adjacent to the jail and to try to capitalize on the folks leaving the jail to provide the services necessary. He added the need to coordinate with the Sheriff and Pretrial Services to make it a reality. He stated that staff was working on a timeline specific to when they could get a modular up and would report back to the Board with that information. He stated that concurrently as they had conversations with the Tucson Crime Free Coalition, there were three areas being discussed that were outlined in the memorandum. He stated that conversation had happened in collaboration with the City of Tucson, which were looking at panhandling signs across the community and in medians. He stated there was an ordinance issue specific with the City of Tucson that would further be explored to see if the County could move in that direction. He stated the Sheriff would need to be involved because there was some enforcement parts, but that exploring signs would not only

discourage, but could potentially help agencies get money that contributed to the needs of the homeless community.

Supervisor Christy questioned if the new signs would discourage money given directly to panhandlers and instead encourage donations to social service agencies.

Mr. Holmes replied in the affirmative and stated that those were signs seen across other municipalities that were being explored. He added that the second part of the collaboration was to discuss the potential to streamline efforts for businesses that wished to place lighting at their businesses, which required permitting. He stated that there was frustration over permitting specific to the City, but that County Development Services was a model for it and could possibly help them. He stated there were concerns with folks using washes for encampments and the need to explore ordinances to help increase safety there. He added that it was important for the public to know that they were looking for another plan to address the issues surrounding wraparound services and locating it adjacent to the jail versus the annex to continue exploring long term.

Supervisor Scott questioned if an additional modular structure placed next to the existing pretrial service structure would allow pretrial services to address more people in both pre-booking and the release from jail.

Mr. Holmes responded that he did not believe pretrial services would address more people because of the amount of people committing crimes, but the hope was that they could address more people through social services by being adjacent to the jail.

Supervisor Scott asked what would be the likely uses for the Mission Annex if the second option of the additional modular was adopted.

Mr. Holmes replied that additional detox spaces were important, but it had to be properly managed. He stated staff had been in conversations with Community Bridges that currently had the capacity to take more folks if the County could coordinate those efforts. He stated that there was an increase in fentanyl use and crisis around the community and across the United States and that it was important to think about how the County could make best use of facilities. He stated that detox seemed to be one of the areas that would be a good investment at the annex and provided an example of a model in Bear County, San Antonio that the annex could function by. He stated that it would look like a one stop center with availability of 24-hour support services, public defenders, prosecuting office and transportation. He stated there were discussions around potential residential treatment and the issue regarding custodial-ship that needed to be answered. He added that if it was voluntary as a condition of release it would be more palatable from a security standpoint.

Chair Grijalva commented that the Mayor's Office was also going through a process of gathering input and providing services, and that as the County looked toward solutions and working together, it was more important to focus on the work that

each was doing collectively with different community partners, as opposed to framing it around one organization. She added that this work entailed many different municipalities and organizations.

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

32. **Review and Update of Administrative Procedure 4-1 and Board of Supervisors Policy C 2.5**

Discussion/Direction/Action: Direct staff to review and update Administrative Procedure 4-1, Board of Supervisors Agenda/Addendum Procedure and BOS Policy C 2.5, Board of Supervisors Agenda/Addendum Policy, in order to provide consistency and transparency for agenda and addendum submissions. (District 5)

Sam Brown, Chief Civil Deputy County Attorney, explained that the purpose of the review committee was to identify potential legal issues as they appeared so that staff had the appropriate amount of time to perform legal research and analysis prior to the Board meetings.

It was moved by Supervisor Christy and seconded by Supervisor Bronson, to continue the item to the Board of Supervisors' Meeting of February 7, 2023. No vote was taken at this time.

Supervisor Christy stated that the background materials were unclear and asked to see the policy in a redlined format, which showed the proposed revisions to the current policy.

Chair Grijalva stated that the revisions would provide consistency and ensure legal review of all agenda submissions. She indicated that she had no issue with continuing the item.

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

33. **Differential Water Rate Lawsuit**

Discussion/Direction/Action regarding an update from the County Administrator and appropriate staff on the status of the differential water rate lawsuit brought by Pima County against the City of Tucson. (District 4)

Supervisor Christy indicated that this was an important issue for his District especially with the increased water rates recently instituted by the City of Tucson (COT). He stated that the issue had not received much media attention and asked the County Administrator to provide a synopsis of the memorandum she had provided for the item.

Jan Leshner, County Administrator, responded that there was nothing new to report other than depositions for three of the final experts, which would occur on February

21st and indicated that a list of those experts had been provided to the Board. She hoped that the court would set a trial date for some time during the spring.

Supervisor Christy asked if the County Administrator, any administrative staff or the County Attorney's Office would move to settle the case without approval from the Board.

Ms. Leshar responded that any decisions regarding this litigation was at the discretion of the Board and stated that no one had the authority to move forward without their approval.

Supervisor Heinz inquired about the amount the County and the COT had spent on this effort.

Ms. Leshar responded that the County had spent roughly \$226,000.00 in outside legal fees, but was unaware of the amount spent by the COT. She indicated that the information would be provided to the Board.

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

SUPERIOR COURT

34. Process to Review Initial Appearances

Discussion/Direction/Action: Discuss the recommendation of the Presiding Judge of the Superior Court to continue current practices for Initial Appearances while the three work groups review and make recommendations for future processes.

Jan Leshar, County Administrator, stated that the recommendations were for the addition of the County Attorney's Office, Public Defense Services and the Tucson City Court to the groups identified in the work plan presented to the Board by Presiding Judge Bergin in December 2022, along with the request to add representatives from the County Sheriff's Department and the Tucson Police Department particularly when discussions were about the development of electronic or location monitoring devices. She indicated that because of its critical nature, staff recommended that the data and reporting work group consider the inclusion of daily data collection in the IGA requirements, with monthly or quarterly reporting to the County Administrator and the Board of Supervisors that would include bail information and specific individual related data. She asked that the court and workgroups be directed to come back with a plan in April and hoped that a finalized agreement would be approved by the Board in May, so that any financial considerations could be included in next year's budget. She stated that due to the large amount of information being requested and its potential budget impacts, she recommended that the Board direct staff to work with both Superior Court and the Sheriff's Department to review whether or not supplementary data or budget requests would be needed for reporting capabilities and data collection. She stated that since the IGA had expired, a question had been raised about whether the County was currently able to pay the City of Tucson (COT) for its operations and

indicated that staff was working with the County Attorney's Office to determine whether an interim IGA was needed strictly for the purpose of ensuring timely payments were made to the COT. She indicated that since the COT had signed off on the previously presented document, she asked that the Board direct staff to continue working with the COT regarding this IGA to ensure that they agreed with the amendments being proposed by the County.

Supervisor Bronson suggested that a representative from a rural court should be included in one of the working groups since no staff from the Ajo or Sahuarita Justice Courts had been invited to participate.

Supervisor Christy commented that the recommendations seemed fairly comprehensive and questioned whether working group discussions would be limited or restricted to the outlined recommendations or if there would be opportunities to include other elements as the plan developed.

Ms. Leshar responded she felt that the description of the three working groups was quite robust and staff's request for inclusion of data was not meant to limit the discussion.

Supervisor Bronson noted that none of the fifty-three judges, pro tems, commissioners and hearing officers from Superior Court had been given the opportunity to provide comments or evaluations regarding the program. She recommended that Judge Bergin reach out to the courts for their input and satisfaction with the agreement.

It was moved by Supervisor Scott and seconded by Supervisor Heinz, to approve the five recommendations, as outlined in the County Administrator's Memorandum dated January 24, 2023, with the addition by Supervisor Bronson to include a representative from one of the rural courts in the working groups. No vote was taken at this time.

The five recommendations are as followed:

1. Approve the work plan as presented in Presiding Judge Bergin's letter of December 21, 2022 to include the following:
 - a. In addition to those of the Pima County Attorney's Office, Public Defense Services, Tucson City Court and Pima County Government, the work groups shall add representatives of the Pima County Sheriff's Department and Tucson Police Department, particularly if the development of an electronic/location monitoring is discussed;
 - b. The Data and Reporting work group shall consider for inclusion in the IA IGA a requirement for daily data collection and monthly or quarterly reporting of this data to the County Administrator and the Board of Supervisors regarding bail including the number of individuals
 - i. detained preventively and/or are unable to secure release due to a financial condition of bail;
 - ii. arrested for misdemeanors who are detained on bail;

- iii. arrested for one or more violent felony charges;
- iv. arrested for one or more violent felony charges who have been released with the condition they be monitored by Pretrial Services and are re-arrested for new felony charges which occurred during the time they are supervised by Pretrial Services;
- v. arrested for misdemeanors who have financial bail imposed but are unable to post their bond within 24 hours, 72 hours and within 7 days

Data required in the IA IGA shall include information regarding the racial and ethnic breakdown for each of the five elements delineated above.

2. Direct the Superior Court to complete the deliberations of the work groups no later than April 7, 2023 and to provide the County Administrator a proposed Intergovernmental Agreement for consideration by the Board at its meeting of May 2, 2023.
3. Direct the County Administrator to review with the Pima County Sheriff and the Superior Court Supplemental Budget Requests for data collection and reporting capabilities and a robust evaluation and possible implementation of pretrial electronic monitoring systems, to include Supplemental Budget Requests for defendants currently released or to be released in the future who would be required to be placed on electronic monitoring per ARS 13-3967 E (1).
4. Direct the County Administrator to work with the County Attorney's Office to determine if an interim Intergovernmental Agreement is necessary to ensure the ability of the County to pay for services rendered and, if so, return a proposed Intergovernmental Agreement to the Board of Supervisors at its meeting of February 21, 2023.
5. Direct the County Administrator to work with the City of Tucson City Manager as the City of Tucson is the partner in the Intergovernmental Agreement, which approved the version considered by the Board of Supervisors in 2022, to ensure that amendments to the document meet with their approval.

Supervisor Bronson asked that the motion include encouragement to Judge Bergin to solicit comments or evaluations from the courts.

Supervisor Scott amended his motion to include the addition made by Supervisor Bronson. Supervisor Heinz seconded the amendment to the motion.

Supervisor Scott thanked Ms. Leshar who had brought the different organizations together and presented recommendations that were supported by every participant. He felt that it was extraordinarily important to have representation from the Sheriff and Tucson Police Departments in the working groups and was appreciative of that recommendation. He commented that he hoped the new IGA would address the concerns raised throughout this discussion, as well as the fundamental question of who should be jailed and for how long. He stated how grateful he was to Sheriff Nanos for stating on more than one occasion that he had the capacity to oversee a robust electronic monitoring program and hoped his statement would be taken into consideration by the working groups.

Chair Grijalva stated that she appreciated the letters of support received from the County Attorney, Sheriff, Tucson Police Chief and the National Association for the Advancement of Colored People and indicated that they had made her feel comfortable about moving forward with this agreement.

Supervisor Bronson stated that there would be common issues with the speeding up of the initial appearance process and indicated that it was important for the County to ensure that the defendant's rights were protected.

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

CONTRACT AND AWARD

PROCUREMENT

35. Award

Award: Multiple Master Agreements, to provide for a Enterprise Resource Planning (ERP) System. These master agreements are effective January 24, 2023 in the not-to-exceed award amount of \$63,000,000.00 (including sales tax), which consists of \$17,500,000.00 for implementation services, \$45,000,000.00 for five years of support services and fifteen years of software licensing, and \$500,000.00 for Contingency. Payments for implementation will occur on a milestone schedule, and payments for support and licensing will occur on an annual basis. The Board of Supervisors further authorize the Procurement Director to allocate the use of County contingency funds up to the amount of \$500,000.00 for as required software implementation to mitigate delays to the project implementation timeline, without further action by the Board of Supervisors. Funding Source: Non-Bond Projects Fund. Administering Department: Analytics & Data Governance.

MA Number/Contractor (Headquarters)/Award Amount/Contract Expiration Date

MA-PO-23-125/International Business Machines Corporation, d.b.a. IBM Corporation (Armonk, NY)/\$17,500,000.00/April 1, 2025

MA-PO-23-126/Workday, Inc. (Pleasanton, CA)/\$45,000,000.00/January 23, 2038

Contingency/\$500,000.00

At the request of staff and without objection, this item was continued to the Board of Supervisors' Meeting of February 7, 2023.

36. AT&T Corp., to provide for the 911 Managed Services Program, General Fund, contract amount \$1,500,000.00/3 year term (MA-PO-23-96) Information Technology and Sheriff

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

37. QlikTech, Inc., via SHI International Corp., to provide for Qlik Software Suite, General (\$442,000.00) and Non-Bond Projects Funds, contract amount \$1,700,000.00 (DO-IT-23-18269) Information Technology

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

Supervisor Christy asked for a non-technical description of this purchase and the reason for the purchase.

Steve Holmes, Deputy County Administrator, responded that Qlik was a data transfer reporting product that was currently in use and set to expire and he explained that it had been delayed due to its relation to the Enterprise Resource Planning process, which had been continued to another meeting.

Supervisor Christy asked for further clarification regarding its purpose.

Scott Zufelt, Director, Analytics and Data Governance, explained that it was a reporting software suite that was used for data acquisition for copying data from a source system into a data warehouse so that questions could be answered with information.

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

REAL PROPERTY

38. World View Enterprises, Inc., to provide an Operating Agreement for the operation and administration of Spaceport Tucson, no cost/20 year term (CTN-RPS-23-111)

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

Chair Grijalva questioned why the operating agreement had not been included with the World View item at the last Board meeting.

Carmine DeBonis, Jr., Deputy County Administrator, explained that this agreement was previously in place with the prior lease purchase, which was now being replaced and this agreement was unable to be completed in time for the last Board meeting.

Supervisor Christy commented that the lease agreement presented at the last Board meeting was very controversial and felt it had been rushed and the Board was given very little time for review. He questioned whether this item had been overlooked in that rush.

Mr. DeBonis, Jr., responded that it had not been overlooked and prior communication from the County Administrator had indicated that this particular agreement would follow. He explained that both agreements required legal review,

but this agreement contained lengthy documents that required review by all involved parties, which included outside legal counsel and indicated the reason for its delay was due to the volume of materials that needed to be organized and brought forward to the Board.

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

SHERIFF

39. Drug Enforcement Administration, to provide for a High Intensity Drug Trafficking Area State and Local Task Force Agreement, no cost (CTN-SD-23-99)

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

BOARD, COMMISSION AND/OR COMMITTEE

40. **Election Integrity Commission**

Appointment of Cheryl Caswell, to replace Levoy Hurley. Term expiration: 1/23/25. (District 4)

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

CONSENT CALENDAR

41. **Approval of the Consent Calendar**

It was moved by Supervisor Bronson, seconded by Supervisor Christy, and unanimously carried by a 5-0 vote, to approve the Consent Calendar, as amended.

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PULLED FOR SEPARATE ACTION

BOARD, COMMISSION AND/OR COMMITTEE

2. **Fair Horse Racing Commission**

Reappointment of Allen "Russell" True. Term expiration: 1/20/25. (District 3)

At the request of Supervisor Bronson and without objection, this item was continued to the Board of Supervisors' Meeting of February 7, 2023.

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BOARD, COMMISSION AND/OR COMMITTEE

1. **Community Action Agency Board**
Reappointment of John Vasquez Bedoy. Term expiration: 12/31/23. (District 5)
2. **Fair Horse Racing Commission**
Reappointment of Allen "Russell" True (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

3. **Special Event**
 - Edward Lucero, Roman Catholic Church of St. Elizabeth Ann Seton - Tucson, St. Elizabeth Ann Seton Church - Parish Hall, 8650 N. Shannon Road, Tucson, January 28 and February 13, 2023.
 - Edward Lucero, Roman Catholic Church of St. Elizabeth Ann Seton - Tucson, St. Elizabeth Ann Seton Church - Gym & Parish Hall, 8650 N. Shannon Road, Tucson, March 4, 2023.
 - William Dean Woodruff, Corpus Christi Roman Catholic Parish - Tucson, 300 N. Tanque Verde Loop Road, Tucson, January 28, 2023.
4. **Temporary Extension**
 - 12101118, Jeffrey Craig Miller, Ajo Community Golf Course, 77 W. Mead Road, Ajo, January 21, 2023.
 - 12104140, Steven Alex Dunn, The Parish, 6453 N. Oracle Road, Tucson, February 21, 2023.
 - 06100203, Jeffrey Craig Miller, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, January 18, 19, 20, 21, 22, 25, 26, 27, 28 and 29, 2023.

TREASURER

5. **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 \$4,329,033.28.

RATIFY AND/OR APPROVE

6. Minutes: November 15, 2022

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42. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 12:44 p.m.

CHAIR

ATTEST:

CLERK