

## **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 Monday, August 17, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman  
\*Sharon Bronson, Vice Chair  
\*Ally Miller, Member  
\*Steve Christy, Member  
Betty Villegas, Member

Also Present: Chuck Huckelberry, County Administrator  
Andrew Flagg, Chief Civil Deputy County Attorney  
Julie Castañeda, Clerk of the Board  
Ryan Roher, Sergeant at Arms

\*Supervisors Bronson, Christy and Miller participated remotely.

### **1. Contract Ratification**

The Ashton Company, Inc., Contractors and Engineers; Borderland Construction Company, Inc.; Hunter Contracting Co.; KE&G Construction, Inc. and Rummel Construction, Inc., Amendment No. 5, to provide for a Job Order Master Agreement for Flood Control and Drainage Improvement Services and amend contractual language, Various Funds, contract amount \$5,000,000.00 (MA-PO-18-98) Regional Flood Control District.

It was moved by Chairman Valadez to approve Flood Control District Minute Item Nos. 1 and 2.

Supervisor Miller requested that the question be divided.

Chairman Valadez withdrew his motion.

It was then moved by Chairman Valadez and seconded by Supervisor Villegas to approve the item. No vote was taken at the time.

Supervisor Miller indicated that this contract would reach its \$30 million not to exceed limit with this \$10 million amendment and expressed concern that the remaining amendments would surpass the approved allocation. She inquired why the Procurement Director was authorized to approve additional amendments for \$5 million and asked why those amendments were not presented to the Board for approval.

Chuck Huckelberry, County Administrator, responded that the initial contract allowed the Procurement Director authorization to increase the Flood Control District contract. He stated that these contracts had been in place since 2017, and previous funding had been utilized to secure the flood capacity of the major river system. He indicated that this amendment provided flexibility to respond rapidly to major flood events due to the Bighorn Fire. He added that this was a job order contractor concept which allowed for a series of qualified contractors to bid and the award was made to the lowest bidder.

Supervisor Miller indicated that her concern related to the existing two renewals and the \$30 million award for a contract that had a \$25 million not-to-exceed total. She added that the Procurement Director should not be allowed to authorize \$5 million amendments and per the policy the Procurement Director's authorization was \$250,000.00.

Mr. Huckelberry indicated that the Procurement Director's authority would be researched. He stated that the authority provided for the rapid execution of contracts with contractors that could respond immediately to flood conditions.

Supervisor Miller stated, for the record, that the Procurement Director's memorandum identified the approvals to date in excess of \$25 million, and that two renewals remained.

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

## 2. **Grant Acceptance**

U.S. Department of Agriculture, to provide for the Brawley Wash Watershed Plan, \$590,000.00/2 year term (GTAW 21-1)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:23 a.m.

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CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK

## LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Monday, August 17, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman  
\*Sharon Bronson, Vice Chair  
\*Ally Miller, Member  
\*Steve Christy, Member  
Betty Villegas, Member

Also Present: Chuck Huckelberry, County Administrator  
Andrew Flagg, Chief Civil Deputy County Attorney  
Julie Castañeda, Clerk of the Board  
Ryan Roher, Sergeant at Arms

\*Supervisors Bronson, Christy and Miller participated remotely.

### 1. **Contract**

Friends of the Oro Valley Public Library, Amendment No. 3, to provide for co-location of services at the Oro Valley Public Library, extend contract term to 2/28/21 and amend contractual language, contract amount \$65,000.00 revenue (CTN-LIB-17-160)

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

### 2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:23 a.m.

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CHAIRMAN

ATTEST:

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CLERK

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

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Monday, August 17, 2020. Upon roll call, those present and absent were as follows:

Present:                Ramón Valadez, Chairman  
                             \*Sharon Bronson, Vice Chair  
                             \*Ally Miller, Member  
                             \*Steve Christy, Member  
                             Betty Villegas, Member

Also Present:        Chuck Huckelberry, County Administrator  
                             Andrew Flagg, Chief Civil Deputy County Attorney  
                             Julie Castañeda, Clerk of the Board  
                             Ryan Roher, Sergeant at Arms

\*Supervisors Bronson, Christy and Miller participated remotely.

### **1.        MOMENT OF SILENCE**

A Moment of Silence was observed by those in attendance.

### **2.        PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

### **PRESENTATION/PROCLAMATION**

3.        Presentation of a proclamation to Nicole Olvera, Outreach & Community Relations, Arizona Department of Economic Security, proclaiming the month of August 2020 to be: "CHILD SUPPORT AWARENESS MONTH"

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

4.        Presentation of a proclamation to Debbie Adams, Chief Operations Officer, Pima Council on Aging, proclaiming the day of Monday, August 17, 2020 to be: "DEBBIE ADAMS RECOGNITION DAY"

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

5. **CALL TO THE PUBLIC**

Hank Rowe addressed the Board regarding the county residents impacted by the closure of Edwin Road at Columbus Boulevard in Catalina. He asked for support and assistance through an intergovernmental agreement between Pinal County and Pima County.

Clinton Horner spoke to the Board regarding the closure of Edwin Road in Catalina and requested support for reopening Edwin Road.

6. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Villegas, seconded by Chairman Valadez and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:18 a.m.

7. **RECONVENE**

The meeting reconvened at 9:39 a.m. All members were present.

**EXECUTIVE SESSION**

8. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in Pima County v. Union Pacific Railroad Co., et al., Maricopa County Superior Court Case No. CV2019-0101841.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to proceed as discussed in Executive Session.

It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to proceed as discussed in Executive Session.

**BOARD OF SUPERVISORS**

9. **Condemning Law Enforcement's Use of Rubber Bullets**

RESOLUTION NO. 2020 - 55, of the Board of Supervisors, condemning law enforcement's use of rubber bullets in Pima County because they injure innocent people's eyes. (District 5)

Supervisor Villegas read a statement by Dr. Horwitz, President, Board of Health, and the statement was added to the record.

It was moved by Supervisor Villegas and seconded by Chairman Valadez to adopt the Resolution. No vote was taken at the time.

Supervisor Miller inquired about the number of incidents in which the Sheriff's Department utilized rubber bullets.

Supervisor Villegas responded that the request was made to the Sheriff's Department and a response had not been received.

Supervisor Miller indicated that she was not aware of any incidents where the Sheriff's Department used rubber bullets. She expressed concern over the assumption that the Sheriff's Department automatically used rubber bullets and over the elimination of a less lethal means of law enforcement.

Supervisor Villegas responded that there were no specific examples of usage by the Sheriff's Department. She stated that the Tucson Police Department and other departments had used rubber bullets which have inflicted blindness. She added that she understood the County's responsibility but the Resolution was to condemn all law enforcement within the County.

Supervisor Miller commented that the Resolution was misguided and inappropriate. She added that the Sheriff's Department was capable of formulating, reviewing, and complying with policies.

Supervisor Villegas commented that the Resolution addressed the abuse of power moving forward.

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

10. **Off Track Pari-Mutuel Wagering Location**

Pursuant to Arizona Administrative Code R19-2-415, approval of an Off Track Pari-Mutuel Wagering Location for Pick 6 (P6): Union Public House, 4340 N. Campbell Avenue, Suite 100; Reforma Modern Mexican, 4340 N. Campbell Avenue, Suite 101; and Proof Artisanal Pizza & Pasta, 4340 N. Campbell Avenue, Tucson, Arizona (in unincorporated Pima County, located in District 1)

At the request of the County Administrator and without objection, this item was removed from the agenda.

**COUNTY ADMINISTRATOR**

11. **Updates and Action on COVID-19**

(Clerk's Note: See the attached verbatim Minute Item Nos. 11 and 69 related to this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

## **CLERK OF THE BOARD**

### **12. Petitions for Redemption of Property Tax Exemption Waiver**

Staff recommends approval of the petitions for redemption of property tax exemption waivers.

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

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

Pursuant to A.R.S. §42-11109(E), Mount Olive Church of God in Christ, Inc., has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for tax year 2019, for Parcel Nos. 115-02-479U, 115-02-4030, and 115-02-4040.

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

## **COMMUNITY AND WORKFORCE DEVELOPMENT**

### **14. Annual Action Plan Amendment**

RESOLUTION NO. 2020 - 56, of the Board of Supervisors, to amend the Pima County 2019-2020 Annual Action Plan and Authorize Submission to the U.S. Department of Housing and Urban Development.

#### **Pima County Community Development Block Grant Coronavirus Funds(CDBG-CV)** **Location/Applicant/Activity/District/CDBG-CV Request/CDBG-CV Recommendation**

Administration of Resources and Choices/ps/All/\$125,000/\$0  
Ajo Center for Sustainable Agriculture/ps/3/\$175,670/\$0  
Ajo Community Health Center, d.b.a. Desert Senita/pf/3/\$68,690/\$0  
Ajo International Sonoran Desert Alliance/ps/3/\$50,000/\$0  
Arivaca Helping Hearts/pf/3/\$50,000/\$0  
AZ Board of Regents, UA/pf/All/\$215,756/\$0  
AZ Board of Regents, UA/pf/All/\$156,730/\$0  
Catholic Community Services, d.b.a. Pio Decimo Center/ps/All/\$159,019/\$159,019  
Chicanos Por La Causa/ed/All/\$400,000/\$0  
Chicanos Por La Causa/ps/All/\$100,000/\$0  
City of South Tucson/ps/2/\$64,364/\$0  
Community Food Bank/pf/All/\$85,000/\$0  
Community Home Repair of Southern/ps/All/\$50,000/\$0  
Community Investment Corporation/ed/All/\$1,000,000/\$250,000  
Greater Vail Community Resources/ps/4/\$60,000/\$0  
Flowing Wells School District/ps/3/\$50,000/\$0  
Higher Ground a Resource Center/ps/2/\$180,000/\$0  
IMPACT of Southern Arizona/ps/1/\$50,000/\$0  
Interfaith Community Services/ps/1/\$92,743/\$0  
Jewish Family & Children's Services/ps/5/\$61,177/\$0



Mobile Meals of Southern Arizona/ps/All/\$105,493/\$0  
 Old Pueblo Community Services/pf/All/\$517,125/\$0  
 Old Pueblo Community Services/pf/All/\$702,000/\$0  
 Pima County CWD/Friends of Robles Ranch Food Pantry & My Sisters Closet/ps/3/\$25,000/\$25,000  
 Pima County CWD Administration/admin/All/\$349,619/\$314,658  
 Pima County CWD CAA Rental Assistance/ps/All/\$500,000/\$472,002  
 Pima County CWD Indirect Cost Recovery Policy/other/All/\$49,962/\$0  
 Pima County CWD Project Delivery/pf/All/\$400,000/\$0  
 Portable Practical Educational Preparation/pf/3/\$75,000/\$0  
 Sahuarita Food Bank/pf/4/\$940,000/\$502,420  
 Sister Jose Women's Shelter/pf/2/\$153,138/\$0  
 St. Luke's Home/pf/5/\$56,384/\$25,000  
 Sunnyside Foundation/ps/2/\$200,000/\$0  
 Three Points Fire District/pf/3/\$15,000/\$0  
 YWCA of Southern Arizona/ed/All/\$60,000/\$0  
**TOTAL REQUESTED \$7,342,870/TOTAL RECOMMENDED \$1,748,099**

HUD CDBG-CV Eligible Activity Abbreviations: admin = Administration; ps = Public Service; pf = Public Facility Improvement; ed = Economic Development

**Pima County Emergency Solutions Grant Coronavirus Funds(ESG-CV I/II)**  
**Agency/ESG Component/District/ESG-CV Request/ESG-CV I Recommendation/ESG-CV II Recommendation**

Catholic Community Services, d.b.a. Pio Decimo Center/Emergency Shelter/All/\$125,848/\$0/\$0  
 Chicanos Por La Causa/Emergency Shelter/All/\$77,636/\$0/\$0  
 Family Housing Resources/Emergency Shelter/All/\$300,000/\$0/\$0  
 Family Housing Resources/Emergency Shelter/All/\$382,100/\$0/\$0  
 Green Valley Assistance Services, d.b.a. Valley Assistance Services/Emergency Shelter/4/\$80,000/\$0/\$0  
 Interfaith Community Services/Emergency Shelter/1,4/\$129,580/\$0/\$0  
 International Rescue Committee/Emergency Shelter/All/\$200,000/\$0/\$0  
 Old Pueblo Community Services/Emergency Shelter/All/\$768,545/\$0/\$0  
 Our Family Services/Emergency Shelter/ All/\$158,924/\$0/\$0  
 Pima County Community Land Trust/Emergency Shelter/All/\$75,900/\$0/\$0  
 Sister Jose Women's Center (ESG Renovation)/Emergency Shelter/2/\$153,138/\$137,152/\$0  
 Sister Jose Women's Center/Emergency Shelter/2/\$161,520/\$0/\$0  
 Sunnyside Foundation/Emergency Shelter/2/\$50,000/\$0/\$0  
 Administration of Resources & Choices/Homeless Prevention/All/\$140,000/\$0/\$0  
 Catholic Community Services, d.b.a. Pio Decimo Center/Homeless Prevention/All/\$80,296/\$0/\$0  
 Pima County Community Action Agency/Homeless Prevention/All/\$2,200,000/\$0/\$1,079,061  
 Community Bridges, Inc./Rapid Rehousing/All/\$791,525/\$350,000/\$0  
 Old Family Services/Rapid Rehousing/All/\$80,913/\$325,000/\$0  
 Old Pueblo Community Services/Rapid Rehousing/All/\$196,484/\$0/\$0  
 The Salvation Army/Rapid Rehousing/All/\$73,305/\$0/\$0  
 Community Investment Corporation/Homeless Prevention/Rapid Rehousing/All/\$1,287,000/\$0/\$1,000,000  
 Pima County CWD Administration/Admin/All/\$89,000/\$80,324/\$205,621  
 Pima County CWD Project Deliver/Other/All/\$120,976/\$0/\$0  
 Pima County Indirect Cost Recovery Policy/Other/All/\$15,532/\$0/\$0  
**TOTAL ESG-CV REQUESTED - \$7,738,222/TOTAL ESG-CV I RECOMMENDATION - \$892,476/TOTAL ESG-CV II RECOMMENDATION - \$2,284,682**

It was moved by Supervisor Villegas and seconded by Chairman Valadez to adopt the Resolution. No vote was taken at this time.

Supervisor Miller inquired whether COVID block grant funding had been previously approved and received by the County.

Chuck Huckelberry, County Administrator, responded that this was additional COVID-19 funding from the Federal Government. He stated that this was supplemental funding, through the Community Development Block Grant program, that prioritized food security, eviction relief, and housing.

Supervisor Miller inquired about the \$1,923,455.00 in allocations.

Mr. Huckelberry responded that \$87 million was allocated to CRF and the additional funds that included a priority on food security, housing eviction relief and homelessness were supplemented.

Supervisor Miller inquired whether the County would be receiving additional funding.

Mr. Huckelberry responded that no additional funding would be allocated.

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

#### **DEVELOPMENT SERVICES**

**15. Final Plat With Assurances**

P19FP00006, The Villas at Santa Rita, Lots 1-31 and Common Areas "A" and "B". (District 4)

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

**16. Final Plat With Assurances**

P18FP00003, Rocking K South Neighborhood 1 Parcel A-1, Lots 1-84 and Common Areas "A" and "B". (District 4)

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

**17. Final Plat With Assurances**

P18FP00021, Rocking K South Neighborhood 1 Parcel A-2, Lots 1-29 and Common Areas "A" and "B". (District 4)

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

18. **Final Plat With Assurances**

P18FP00010, Rocking K South Neighborhood 1 Parcel B-1, Lots 1-82 and Common Areas "A" and "B". (District 4)

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

19. **Final Plat With Assurances**

P18FP00011, Rocking K South Neighborhood 1 Parcel B-2, Lots 1-58 and Common Areas "A" and "B". (District 4)

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

20. **Final Plat With Assurances**

P19FP00007, Vail Vista II, Lots 1-5 and Common Area "A". (District 4)

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

21. **Final Plat Without Assurances**

P20FP00004, The Canyons Phase II, Lots 62-65. (District 1)

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

**HUMAN RESOURCES**

22. **Classification/Compensation**

The Pima County Wireless Integrated Network Department requests approval to create the following new classifications, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/Grade Code (Range)/EEO Code/FLSA Code

4010/ Land Mobile Radio Systems Analyst/56 (\$54,600-\$81,931)/2/E\*

4012/ Land Mobile Radio Systems Analyst-Senior/58 (\$57,241-\$85,176)/2/E\*

4014/ Land Mobile Radio Systems Analyst-Supervisor/62 (\$63,003-\$93,704)/2/E\*

4016/ Wireless Services Manager/66 (\$69,326-\$103,126)/2/E\*

\*E = Exempt (not paid overtime)

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

**23. Classification/Compensation**

The Human Resources Department requests approval to create the following new classification, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code  
7105/Deputy Director/U4 (\$68,972-\$152,984)/1/E\*  
\*E = Exempt (not paid overtime)

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

**PROCUREMENT**

**24. Contract Ratification**

Pictometry International Corp., Amendment No. 4, to provide for aerial photography services, amend contractual language and scope of services, General Fund, contract amount \$145,210.50 (MA-PO-16-266) Informational Technology

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

**REAL PROPERTY**

**25. Quit Claim Deed**

RESOLUTION NO. 2020 - 57, of the Board of Supervisors, authorizing sale of land held by State under a Treasurer's Deed as Pima County Tax Sale No. TS-0039. (District 2)

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

**TRANSPORTATION**

**26. Acceptance of Project/Roadway for Maintenance**

P18SC00038, Linda Vista Boulevard and Thornydale Road, Mountain Vista Offsite, Public Roadway Improvements Phases 1-3. Owner/Developer: Lennar Homes. (District 1)

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

27. **Acceptance of Project/Roadway for Maintenance**

P18SC00057, Paseo at Linda Vista Phase II, Lots 1-64 and Common Areas "A" and "B". Owner/Developer: Meritage Homes. (District 4)

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

28. **Acceptance of Project/Roadway for Maintenance**

P18SC00046, Paseo at Linda Vista Phase I, Lots 65-94 and Common Areas "A" and "B". Owner/Developer: Meritage Homes. (District 4)

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

29. **Acceptance of Project/Roadway for Maintenance**

P18SC00039, Mountain Vista Ridge, Lots 1-128. Owner/Developer: Lennar Homes. (District 1)

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

30. **Acceptance of Project/Roadway for Maintenance**

P18SC00055, Linda Vista Extension Phase I, Lots (STA. 56+50.00 to 63+25.00) Owner/Developer: Meritage Homes. (District 4)

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

**BOARD OF SUPERVISORS**

31. **Hearing - Tax Levy Resolution**

RESOLUTION NO. 2020 - 58, of the Board of Supervisors, for the levy of taxes for Fiscal Year 2020/2021.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez and seconded by Supervisor Villegas to close the public hearing and adopt the Resolution. Upon roll call vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

32. **Hearing - Tax Collection Resolution**

RESOLUTION NO. 2020 - 59, of the Board of Supervisors, authorizing the delivery of tax statements and the collection of the 2020 taxes.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez and seconded by Supervisor Bronson to close the public hearing and adopt the Resolution. Upon roll call vote, the motion carried 4-1, Supervisor Miller voted "Nay."

**FRANCHISE/LICENSE/PERMIT**

33. **Hearing - Liquor License**

Job No. 112014, Suresh Kumar Thathi, Speedy Mart 2, 2760 W. Curtis Road, Tucson, Series 10, Beer and Wine Store, New License.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Villegas 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.

34. **Hearing - Liquor License**

Job No. 112137, Kevin Arnold Kramber, Pizza Hut No. 036998, 7665 N. La Cholla Boulevard, Tucson, Series 7, Beer and Wine Bar, Person Transfer.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

**DEVELOPMENT SERVICES**

35. **Hearing - Rezoning Closure**

Co9-07-24, ARBER L.L.C. - TWIN LAKES DRIVE REZONING

Request of Vistoso Catalina Limited Partnership, represented by Alberto Moore, for closure of the 7.5-acre CR-3 (Single Residence) (Cluster Development Option) portion of Co9-07-24, an original 15-acre rezoning from the GR-1 (Rural Residential) (7.50 acres) and GR-1 (GZ) (Rural Residential - Gateway Overlay) (7.50 acres) zones to the CR-3 (Single Residence) (Cluster Development Option) (7.50 acres) and CR-4 (GZ) (Mixed-Dwelling Type - Gateway Overlay) (7.50 acres) zones located on the west side of Twin Lakes Drive, approximately one-half mile

north of Golder Ranch Drive and addressed as 15425 N. Twin Lakes Drive. The rezoning was conditionally approved in 2012, received a five-year time extension in 2017, and expires on April 17, 2022. Staff recommends CLOSURE. (District 1)

Chris Poirier, Deputy Director, Development Services Department, indicated that this request was for the closure of 7.5 acres which was previously rezoned in 2012. He indicated that approval would cause the property to revert from CR-3 with conditions back to the original GR-1 Zone. He stated that staff and the property owner were recommended approval of the closure.

Alberto Moore, General Partner, Vistoso Catalina Limited Partnership, addressed the Board and requested that the GR-1 be restored.

It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-07-24, as recommended by staff for closure.

### 36. **Hearing - Type II Conditional Use Permit**

#### P20CU00003, CLARK - W. AJO HIGHWAY

Request of Brenda Clark, represented by Daniel Flores, located at 16550 W. Ajo Highway, in the GR-1 (Rural Residential) zone for a Type II Conditional Use Permit for a Feed Store, in accordance with Section 18.14.030 of the Pima County Zoning Code. Staff and the Hearing Administrator recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

#### Standard Conditions & Requirements per the Pima County Zoning Code

1. A feed store is allowed in the GR-1 Zone as a conditional use per Section 18.14.030.

#### Special Conditions Recommended by the Hearing Administrator

1. Transportation conditions: This conditional use permit is for the operation of feed store, together with its normal and customary ancillary activities. A new hay barn is specifically authorized as part of this approval.
2. Any desired expansion of the feed store operation (inclusive of the future hay barn), by more than twenty-five percent (25%) of the total under-roof building area, shall require a new CUP, public notice, and public hearing process.
3. No other non-residential or commercial uses are implied or approved for the property other than those specific ones described above.
4. No formal Development Plan or Site Construction Permit shall be required. The applicant shall submit a more formal site plan, drawn to scale and indicating all existing and proposed structures, to the Pima County Chief Zoning Inspector, who is then tasked with reviewing it, coordinating as needed with other County reviewing departments, and for determining any related permits necessary to ensure compliance with all applicable codes.
5. Prior to the construction of the proposed hay barn, the stacking of hay products shall not exceed twenty-four feet (24') in height.
6. The use of alternative materials, such as gravel, are permitted for the vehicular circulation and parking areas on the property.
7. Any proposed outdoor lighting shall be in compliance with the Pima County Outdoor Lighting Code.
8. The applicant/owner shall obtain a Floodplain Use Permit (FUP) from the Pima County Regional Flood Control District.

9. The applicant/property owner accepts responsibility for the maintenance, safety, and liability of all privately owned roads on the site.
10. The applicant shall duly coordinate with the Arizona Department of Transportation (ADOT) and shall adhere to any separate requirements established by same. Some form of written evidence of this coordination (e.g. email) shall be furnished to Pima County during the above site plan review and permitting process.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Villegas, seconded by Chairman Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve P20CU00003, subject to standard and special conditions.

**37. Hearing - Zoning Code Text Amendment**

**P20TA00003, ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 - TRAIL-ORIENTED DEVELOPMENT**

A proposal to amend by ordinance the Pima County Zoning Code, Chapter 18.07 (General Regulations and Exceptions), Section 18.07.030 (Land Use Regulations), to provide guidelines, locations, conditional and permitted uses and development requirements for Trail-Oriented Development; Chapter 18.13 (RH Rural Homestead Zone), Section 18.13.030 (Conditional Uses), Chapter 18.14 (GR-1 Rural Residential Zone), Section 18.14.030 (Conditional Uses), and Chapter 18.17 (SR Suburban Ranch Zone), Section 18.17.030 (Conditional Uses), to add Trail-Oriented Development as a conditional use; and Chapter 18.37 (MU Multiple Use Zone), Section 18.37.010 (Permitted Uses), and Chapter 18.51 (CI-1 Light Industrial/Warehousing Zone), Section 18.51.030 (Permitted Uses), to permit trail-oriented development. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Hook was absent) to recommend APPROVAL. Staff recommends APPROVAL. (Districts 1, 2, 3 and 4)

If approved, pass and adopt: ORDINANCE NO. 2020 - 24

Chris Poirier, Deputy Director, Development Services Department, indicated that this request was for a Zoning Code Text Amendment that would provide an incentive for compatible uses along the Chuck Huckelberry Loop Trail. He stated that the request resulted from the Planning and Zoning Commission's desire to expose rezoning, promote the trail and add amenities along the trail. He also indicated that a study was conducted which resulted in the desire for more amenities along the trail. He explained that this proposal would allow for some zoning rules to be relaxed with regards to setbacks, parking, signage and would allow compatible uses along the trail such as; restaurants, beverage services, retail, and personal services which would be classified as type 1 conditional use permits in rural zones. He stated that the rural zones had a list of conditional use permits and this would be an additional series of uses that would require public hearings. He added that within the MU zones and other industrial zones these would be permitted uses. He emphasized that no Environmental Codes were being waived to accomplish this task; Native Plant Preservation, Riparian Rules, Flood Control and Flood District rules would remain in effect. He stated that this proposal would



reduce regulatory barriers in terms of the process. He indicated that the Tucson Mountains Association (TMA) had submitted a letter of opposition expressing their concerns and concerns with another upcoming text amendment. He stated that staff had withdrawn its request in order to work with all stakeholders and to ensure everyone was comfortable before proceeding. He indicated that staff was very sensitive to the TMA's concerns, but reiterated that the areas near the Santa Cruz River would benefit and Conditional Use Permit Hearings would be required in the future. He stated that the Planning and Zoning Commission recommended approval.

Dawn Starr-Crowther, Resident and Board Member, TMA, addressed the Board regarding the lack of transparency and communication on zoning and development issues and Zoning Code Text changes. She expressed the public's desire for involvement and input regarding building along the sensitive riparian areas and along the scenic Chuck Huckelberry Loop. She indicated that she was opposed to the Text Amendment, because there was inadequate community consultation and input from stakeholders. She asked that the Planning and Zoning Commissioners and the Development Services Department develop policies and procedures that engaged and informed the public and the stakeholders in advance of substantive changes to Zoning and other Code Regulations that affect the quality of life and the ecosystem. She indicated that it was the County's responsibility to safeguard the lands in which development occurred.

Steve Dolan, TMA, addressed the Board in opposition of the zoning code text amendment that allowed trail-oriented development along the Chuck Huckelberry Loop. He requested a delay so that TMA Board could review the amendment. He expressed opposition to adaptive reviews or commercial businesses along the TMA and the Santa Cruz River.

Daziel Wilson, Board Member, TMA, addressed the Board in opposition of the code amendment. He indicated that his opposition was due to environmental impacts and inadequate community consultation.

Supervisor Miller inquired why the zoning code text amendment did not apply to District 5.

Mr. Poirier responded that it was a technical error and the amendment should be applied to any areas along the Loop.

Supervisor Miller asked whether any implications could result from not identifying District 5 as being impacted.

Chuck Huckelberry, County Administrator, interjected that the Code Amendment applied to land use decisions along the loop in the unincorporated area of Pima County. He added that a major portion of the loop was within the incorporated areas of the City of Tucson and Marana.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that the notifications on impacted districts was an internal process not a statutory requirement, therefore there would be no legal implication.

It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to continue this item to the Board of Supervisors' Meeting of September 15, 2020.

**38. Hearing - Plat Note Modification**

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 3)

Request of Kieckhefer Revocable Trust, represented by Chris Evans, Architect, for a plat note modification of Restrictive Administrative control Note No. 20(B) to increase the area of the development envelope (grading) from a maximum of 9,200 square feet to a maximum of 11,000 square feet on Lot 3 of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07). The subject property is approximately 0.68 acres, zoned SP (BZ) (Specific Plan - Buffer Overlay Zone) and is located on the east side of E. Sabino Estates Drive, approximately 1,000 feet northeast of the intersection of N. Bowes Road and E. Sabino Estates Drive and is addressed as 9650 E. Sabino Estates Drive. Staff recommends APPROVAL. (District 1)

Chris Poirier, Deputy Director, Development Services Department, indicated that this was a request for a modification of a plat note. He stated that this request would allow for the expansion of the allowable building envelope. He added that the main spine road for the subdivision was built at a shorter length. He indicated that staff recommended approval.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chairman Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11, as recommended by staff.

**39. Hearing - Rezoning Ordinance**

ORDINANCE NO. 2020 - 25, Co9-62-84, Valley View Acres Subdivision Rezoning (Lot 100). Owner: Gerard Gilbert. (District 3)

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

40. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2020 - 26, P20RZ00001, Wright - N. Sandario Road Rezoning. Owner: Mark and Mary Lou Wright. (District 3)

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

41. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2020 - 60, Co9-99-46, Hastings - River Road Rezoning. Owner: E & S Irving, L.L.C. (District 1)

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

42. **Hearing - Rezoning Resolution**

RESOLUTION NO. 2020 - 61, Co9-07-26, Lawyers Title of AZ TR 7992-T - Magee Road No. 2 Rezoning. Owner: Suki Investment Group, L.L.C. (District 1)

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

**TRANSPORTATION**

43. **Hearing - Code Text Amendment Impact Fee Ordinance**

ORDINANCE NO. 2020 - 27, of the Board of Supervisors, relating to Capital Improvements Funding and Development Impact Fees; repealing and replacing Title 19 of the Pima County Code in its entirety; adopting a new Impact Fee Ordinance. (All Districts)

Carmine DeBonis, Jr., Deputy County Administrator for Public Works, indicated that Ordinance No. 2020-27 and Minute Item No. 68 were related. He stated that in 2016, state laws were updated by the legislature requiring counties to implement new ordinances for the collection of impact fees and the deadline for implementation was January 1, 2021. He indicated that staff worked with several stakeholders in order to update the Roadway Development Impact Fees. He added that if the ordinance was not updated staff would not be able to collect impact fees

under the existing ordinance. He indicated that the proposed rate would be set for a ten-year period and no annual adjustments would occur. He stated that there would be a phase-in period for the new fees due to the impacts of COVID-19, and the increases would occur over a three-year period starting in June 2021. He indicated that commercial fees would be reduced starting January 2021. He added that the bulk of the fees being collected were from residential which accounted for about 90% of the total fees collected. He stated that the impact fee ordinance lists would be condensed which would simplify the application.

Supervisor Miller inquired about the Regional Transportation Authority's (RTA) credit.

Mr. DeBonis responded that was to account for the RTA's collection of fees for Regional Roadway improvements, which eliminated double charging residents for improvements.

Supervisor Christy commented that industry leaders were supportive, but they had asked that a statement be included for the record: "If economic circumstances warrant delaying one of the phase increases, they would ask that the Board of Supervisors would support a further delay of the phased increases that depending on economic circumstances at the time."

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to close the public hearing, adopt the Ordinance, and approve Minute Item No. 68.

## **FACILITIES MANAGEMENT**

### **44. Board of Supervisors Policy**

Staff recommends approval of the new Board of Supervisors Policy No. F 51.1, Pima County Public Facilities - Visitor Code of Conduct.

It was moved by Chairman Valadez and seconded by Supervisor Villegas to approve the item. No vote was taken at this time.

Supervisor Miller indicated that individuals, under State Statute 38-431.01, attending a public hearing or in a public meeting could be filmed and/or photographed. She indicated that should be included in the policy.

Chuck Huckelberry, County Administrator, responded that the language would be added to the Policy.

Supervisor Christy questioned the definition of "expressive activity" and how it related to Pima County and Pima County property.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that “expressive activity” is that conduct that falls under the First Amendment, and is associated with speech. He indicated that public forums for first amendment activity were excluded from this policy.

Upon the vote, the motion unanimously carried 5-0, to approve the item, as amended.

## **HUMAN RESOURCES**

### **45. Revisions to Board of Supervisors Policy**

Staff recommends approval of the proposed revisions to Board of Supervisors Policy No. C 2.9, Temporary Policy - Novel Coronavirus (COVID-19).

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

## **CONTRACT AND AWARD**

### **ATTRACTIONS AND TOURISM**

### **46. La Frontera Mariachi Conference, Inc., to provide for the Tucson International Mariachi Conference, General Fund, contract amount \$15,000.00 (CT-ED-21-120)**

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

## **ECONOMIC DEVELOPMENT**

### **47. Sun Corridor, Inc., to provide for Economic Development for Pima County and Southern Arizona, General Fund, contract amount \$617,500.00 (CT-CA-21-122)**

It was moved by Chairman Valadez, seconded by Supervisor Villegas and carried by a 4-1 vote, Supervisor Miller voted “Nay,” to approve the item.

## **GRANTS MANAGEMENT AND INNOVATION**

### **48. Community Investment Corporation, to provide for Eviction Prevention Agency Partnership, U.S. Department of Treasury, Coronavirus Relief Fund, contract amount \$3,625,000.00 (CT-GMI-21-118)**

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

## PROCUREMENT

49. **Award**

Award: Master Agreement No. MA-PO-21-24, Elliot Auto Supply Co. Inc., d.b.a. Factory Motor Parts (Headquarters: Eagan, MN) - Primary and Green Valley - Marana Auto Parts, d.b.a. Napa Marana (Headquarters: Marana, AZ) - Secondary, to provide for aftermarket automotive, truck and equipment parts. This Master Agreement is for an initial term of one (1) year in the shared annual award amount of \$401,500.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Fleet Services Ops Fund. Administering Department: Fleet Services.

At the request of staff and without objection, this item was removed from the agenda.

50. Lloyd Construction Company, Inc., to provide for Public Defense Services New Building and Addition (XDSBJC), FM Capital Non-Bond Projects Fund, contract amount \$5,343,176.00/2 year term (CT-FM-21-101) Facilities Management

It was moved by Chairman Valadez and seconded by Supervisor Villegas to approve the item. No vote was taken at this time.

Supervisor Miller inquired about the funding sources for this project.

Chuck Huckelberry, County Administrator, responded that the capital costs were from the general funds which were included in the capital improvements program previously approved by the Board. He indicated that no costs were allocated from individual entities that were not operating costs. He added that grants were available, under Title 4E, which allowed for reimbursements to the County for costs associated with juvenile court transactions and court cases.

Supervisor Miller questioned whether the \$4,350,796.00 was for the Defense Services Building-Juvenile Courts.

Mr. Huckelberry confirmed that the allocation was for the building.

Supervisor Miller asked what additional allocation would be provided and what were the sources of those allocations.

Mr. Huckelberry responded that \$1.4 million in grant funding was allocated for processes associated with children's council representation in severances and dependency cases.

Supervisor Miller asked why an additional legal services building was necessary.

Mr. Huckelberry responded that this would provide a central location for attorneys currently scattered in various locations and would allow for related services to be housed in this facility.

Supervisor Christy indicated that he would be voting no on this item, because there were other facilities, owned by the County, that could be remodeled, reutilized, or repurposed.

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

51. Global Tel\*Link Corporation, to provide for Inmate Communication Systems, \$6,000,000.00 estimated revenue/5 year term (MA-PO-21-16) Sheriff

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

### **REAL PROPERTY**

52. Gallery ROW Group, L.L.C., Amendment No. 1, to provide for a License for Right-of-Way Encroachment for an additional freestanding sign, Tax Parcel No. 108-11-056F and amend contractual language, contract amount \$4,200.00 revenue (CTN-PW-20-21)

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

### **GRANT APPLICATION/ACCEPTANCE**

53. **Acceptance - Community and Workforce Development**

RESOLUTION NO. 2020 - 64, of the Board of Supervisors, authorizing the approval of grant agreement between U.S. Department of Labor and Pima County for Homeless Veterans Reintegration Project during Fiscal Year 2020-2023, \$195,607.00/3 year term (GTAW 21-14)

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

54. **Acceptance - Community and Workforce Development**

RESOLUTION NO. 2020 - 65, of the Board of Supervisors, authorizing the approval of Amendment No. Three (3) of the agreement between the Arizona Department of Economic Security and Pima County for Housing Support Services during Fiscal Year 2020-2021, no cost (GTAM 20-48)

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

**55. Acceptance - Community and Workforce Development**

RESOLUTION NO. 2020 - 66, of the Board of Supervisors, authorizing the approval of Amendment No. Three (3) of the agreement between the Arizona Department of Economic Security and Pima County for Housing Support Services during Fiscal Year 2020-2021, \$380,621.00 (GTAM 21-12)

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

**56. Acceptance - Community and Workforce Development**

Arizona Department of Housing, Amendment No. 1, to provide for the Housing Trust Fund - Rental-Eviction Prevention Assistance, \$65,000.00 (GTAM 21-14)

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

**57. Acceptance - County Attorney**

Arizona Criminal Justice Commission, to provide for the Crime Victim Compensation Program, \$456,354.00 (GTAW 21-18)

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

**58. Acceptance - County Attorney**

Department of Health and Human Services - SAMHSA Treatment Drug Courts Substance Abuse and Mental Health Services Administration, to provide for Drug Court (Pima County Problem Solving Courts Initiative), \$400,000.00 (GTAM 21-7)

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

**59. Acceptance – Health**

Arizona Department of Health Services, to provide for the Perinatal Caseworker Project for Syphilis Control, \$103,000.00/4 year term (GTAW 21-20)

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



60. **Acceptance - Pima Animal Care Center**

Humane Society of the United States, in partnership with Mars Petcare, to provide for the Better Cities for Pets COVID-19 Emergency Relief, \$10,000.00 (GTAW 21-19)

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

61. **Acceptance – Sheriff**

Department of Justice, to provide for the Organized Crime Drug Enforcement Task Force De-Unification, \$5,000.00 (GTAM 21-15)

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

62. **Acceptance – Sheriff**

Department of Justice, to provide for the Organized Crime Drug Enforcement Task Force Organized Chaos, \$5,000.00 (GTAM 21-16)

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

**BOARD, COMMISSION AND/OR COMMITTEE**

63. **Board of Adjustment, District 3**

Reappointments of Hope Green and Carol Klamerus. Term expirations: 3/31/24.

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

64. **Conservation Acquisition Commission**

Reappointment of William G. Roe. Term expiration: 4/30/28. (District 3)

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

65. **Planning and Zoning Commission**

Reappointment of Ryan Maese. Term expiration: 6/19/24. (District 3)

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

**66. Animal Care Advisory Committee**

Reappointment of Jodi M. Cavanaugh. Term expiration: 6/30/24. (District 3)

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

**67. Workforce Investment Board**

- Appointment of Michele Bettini, representing Workforce; CBO, to replace Frank Velásquez, Jr. Term expiration: 9/30/21. (Staff recommendation)
- Appointment of Heath Vescovi-Chiordi, representing GECD, to replace Clarence Boykins. Term expiration: 9/30/23. (Staff recommendation)

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

**TRANSPORTATION**

**68. Hearing - Roadway Development Impact Fee**

Pursuant to A.R.S. §11-1102, staff recommends approval of the following:

- A. Final Fee Study
- B. Phase-In Schedule

(See Minute Item No. 43 for further discussion on this item.)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to close the public hearing and approve the item.

**COUNTY ADMINISTRATOR**

**69. Updates and Action on COVID-19**

**Consumer Health and Food Safety Fee Schedule**

Authorizing the County Administrator to temporarily waive the current (January 1, 2020) increase in the operating permit fees associated with food establishments and allow for a credit to be provided to those that have paid during the current Calendar Year.

(Clerk's Note: See the attached verbatim Minute Item Nos. 11 and 69 related to this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

70. **CONSENT CALENDAR**

**Approval of the Consent Calendar**

Upon the request of Supervisors Christy and Miller to divide the question, Consent Calendar Item No. 31 was set aside for separate discussion and vote.

Upon the request of Supervisor Miller to divide the question, Consent Calendar Item Nos. 14, 32 and 33 were set aside for separate discussion and vote.

It was then moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to approve the remainder of the Consent Calendar, as amended.

\* \* \*

**PULLED FOR SEPARATE ACTION**

**GRANT APPLICATION/ACCEPTANCE**

56. **Acceptance – Sheriff**

Arizona Department of Homeland Security, to provide for the FFY2019 Operation Stonegarden, 190402-04 OPSG Overtime - Mileage, \$1,218,986.00 (GTAW 21-15)

At the request of the County Administrator and without objection, this item was removed from the agenda.

\* \* \*

**PULLED FOR SEPARATE ACTION BY SUPERVISORS CHRISTY AND MILLER**

**CONTRACT AND AWARD**

**Real Property**

31. Levin Family, L.L.C., to provide for an Acquisition Agreement, Special Warranty Deed and Declaration of Cross Access and Parking - 350 South Toole Avenue; Acq-1007, General Fund (GMI-C19 US Treasury CRF, reimbursement for County paid leave), contract amount \$3,365,000.00 (CT-PW-21-111)

Supervisor Christy inquired whether the property was being leased by another entity.

Chuck Huckelberry, County Administrator, responded that the property was being leased by Vector Space.

Supervisor Christy asked for the status of the lease with regards to payments.

Mr. Huckelberry responded that Vector Space had a lease with the current owners. He stated that should the County acquire the property Vector Space requested that the lease be modified and that the leased space be reduced. He indicated that Vector Space has agreed to pay the market rent for a period of one to two years, while they contemplated building a facility. He added that at the present time, there was no agreement between Vector Space and the County for their continued use of the facility.

Supervisor Christy commented that other County owned facilities could provide adequate accommodations, such as the Juvenile Detention Center, and purchasing additional property was not necessary. He indicated that he would not be voting in favor of this item.

Mr. Huckelberry indicated that staff had conducted a review of all the available County properties that could accommodate the warehousing needs of the Health Department given the COVID-19 pandemic. He stated that none of the existing properties had the capacity to provide the space needed. He indicated vacant properties were also examined and none had the required capacity or the ability to provide refrigeration for vaccines. He stated that this particular site met all of the requirements. He indicated that they also looked at the possibility of constructing a warehouse, but the cost was in excess of \$9 million. He added that this was an appropriate acquisition and recommended approval.

Supervisor Miller commented about Vector Space's current month to month lease and their impending bankruptcy filing. She inquired whether Vector Space was currently leasing the property from the respective owners.

Mr. Huckelberry responded that Vector Space's lease was with the current property owner and it was on a month-to-month basis because Vector Space did not want to continue leasing the entire property. He indicated that Vector Space was in bankruptcy and that the individuals purchasing the bankruptcy assets were repositioning Vector Space in order to reduced their footprint. He stated that if the County were to acquire the property lease, negotiations would occur with the individuals who purchased Vector Space out of bankruptcy. He added that the only discussion that had occurred with those

individuals was that their space utilization would be approximately one third of the entire facility and their rental rate would be at the market rental rate.

Supervisor Miller inquired whether there was a lease agreement with the current owners of the property.

Andrew Flagg, Chief Civil Deputy County Attorney, responded that another attorney had reviewed the underlying documentation, however, he understood that there were no legal issues. He added that he could not answer the question in detail because he had not reviewed the documents.

Supervisor Miller asked that the County Attorney responsible for reviewing the document be present to answer her questions. She commented about the varied statuses of the lease in the documentation and inquired whether they were required to report that information to the bankruptcy trustee.

Mr. Flagg responded that if there was a lease in place it would be dealt with in the context of the bankruptcy. He indicated he would attempt to contact the attorney that handled the review.

Supervisor Miller expressed concern with the lease's conflicting language, the use of COVID funds to purchase the property and leasing to Vector Space after the acquisition. She inquired whether it was legal to use COVID funding.

Mr. Huckelberry responded that Vector Space's lease was in place until December and was allowed to expire. He stated that Vector Space had negotiated with the current owners for a month-to-month extension pending the acquisition. He stated that the facility was not being purchased with COVID-19 funding. He indicated that the facility would be purchased utilizing the general fund balance which was increased through reimbursements for expenditures from the General Fund for COVID-19 related expenditures.

Supervisor Miller inquired why the County was considering a lease agreement with Vector Space when they had defaulted on a previous lease agreement.

Mr. Huckelberry responded that the combined space from the Apache Business Park location and this additional space would accommodate our needs in the short term. He stated that when Vector Space was purchased out of bankruptcy, the purchasers were contemplating moving the operation to Pennsylvania. He indicated that when they looked at the various advantages to retaining Vector Space in Tucson they decided to maintain Vector Space here. He added that Vector Space could be accommodated for a short period of time, 1 to 2 years, while they planned their exit from bankruptcy, and build another facility. He stated that this made sense from

an economic development perspective and it seemed appropriate to have them in Pima County.

Supervisor Miller commented that the County should not be competing with private sector commercial developers by acquiring buildings for lease. She indicated that if the property was being purchased for the storage of protective equipment, the County should not be allowing Vector Space to lease a portion of the facility. She stated that it was inappropriate that the funds were being co-mingled into the general fund. She inquired why the seller was not obligated to remove Vector Space prior to the County taking possession of the property. She requested that the County Attorney respond to her inquiry regarding the lease agreement. She inquired about the plat note which required that the seller obtain all government approvals prior to closing the sale. She inquired about the plat note's reference to a community association that was required to run the sewer and asked what was the County's legal perspective.

Mr. Flagg responded that any plat notes that were applicable to the property would continue to govern or would have to be modified. He added that the City of Tucson could provide an interpretation of the plat note.

Supervisor Miller expressed concern with the community association reference and the plat note that was in place. She inquired whether the City of Tucson released the County from the obligation of the plat note.

Mr. Huckelberry responded that the County Wastewater Department operated the regional public sewer system and private systems were connected to the public system. He indicated that the note was not applicable or enforceable on the County since the City of Tucson did not operate the sewer system.

Supervisor Miller inquired whether Pima County had added the plat note to the agreement.

Mr. Huckelberry responded that the plat note was part of the original subdivided property and was created under the applicable standards, at that time, by the City of Tucson. He added that since the County operated the sewer system it was applicable to the County and private sewers were regulated by local departments such as Environmental Quality and/or Arizona Department of Environmental Quality.

Supervisor Miller commented that the County should not be purchasing another building with all the associated costs and leasing a portion to Vector Space.

It was moved by Chairman Valadez, seconded by Supervisor Villegas and carried by a 3-2 vote, Supervisors Christy and Miller voted "Nay," to approve the item.

\* \* \*

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

### **CONTRACT AND AWARD**

#### **Economic Development**

14. DM50, Amendment No. 1, to provide for Davis Monthan Air Force Base Advocate; economic development activities, extend contract term to 6/30/21 and amend contractual language, General Fund, contract amount \$57,000.00 (CT-CA-20-189)

Supervisor Miller indicated that this item had been previously approved and provided funding for Davis-Monthan to conduct their own economic development. She stated that staff and funding should be utilized from within the County's existing Economic Development Department. She stated her objection to this item.

It was moved by Chairman Valadez, seconded by Supervisor Villegas and carried by a 4-1 vote, Supervisor Miller voted "Nay," to approve the item.

#### **Regional Wastewater Reclamation**

32. Arizona Board of Regents on behalf of the University of Arizona, Amendment No. 2, to provide for membership in the Water and Energy Sustainable Technology Center, extend contract term to 6/30/21 and amend contractual language, RWRD Enterprise Fund, contract amount \$50,000.00 (CT-WW-18-385)

Supervisor Miller indicated that the Pima County taxpayers should not be funding the University of Arizona's membership.

Carmine DeBonis, Jr., Deputy County Administrator for Public Works, responded that Pima County was paying for its participation not for the University of Arizona. He stated that this was a consortium made up of academia, public government and private sector. He added that the \$50,000 was for Pima County's membership.

Supervisor Miller indicated that the item details specified that it was for the Arizona Board of Regents University of Arizona's membership in the Water and Energy Sustainable Technology Center.

Mr. DeBonis responded that there were multiple entities that made up the combined membership and Pima County was one of those entities. He stated that the County's paid membership allowed for access to research results and the County was a voting member of the consortium

Supervisor Villegas commented that the background material listed the purpose as Pima County's membership in the Water and Environmental Technology Center.

It was moved by Chairman Valadez, seconded by Supervisor Villegas and carried by a 4-1 vote, Supervisor Miller voted "Nay," to approve the item.

33. RMG Vail II, L.L.C., to provide for a Master Wastewater Service Agreement, no cost/13 year term (CTN-WW-21-16)

Supervisor Miller inquired about the outcome if Vail Crossings failed to meet the terms of the construction agreement for capacity within the two-year period.

Carmine DeBonis, Jr., Deputy County Administrator for Public Works, responded that the agreement was a master sewer service agreement with several milestones. He stated that the County was not imposing the requirement to construct an off-site sewer that was an obligation of the development. He indicated that the agreement set terms that the County would manage availability of capacity within the sewer system and once the developer was ready to connect, no further augmentations of the system would occur. He added that if Vail Crossings did not meet the terms under their agreement the County would not be required to maintain the obligations of the Wastewater Department.

Supervisor Miller mentioned the 386,100 gallons per day sewer capacity and asked how much was required by the development for both Vail Crossings South and Vail Crossing North.

Mr. DeBonis responded that Vail Crossings had land entitlements and was a mixed-use type of development that had residential, commercial, and industrial uses. He stated that the flows of sewage from the development would depend on the percentage of flows for the different elements and the sequencing of the various types of uses. He added that there was flexibility to accommodate full capacity. He stated that Vail Crossings consulted with an engineer to estimate the flows based on mixed uses and those would be refined as the development took place.

Supervisor Miller commented about Pima County's ability to require the improvements and asked who would be paying for that additional cost.



Mr. DeBonis responded that the existing Wastewater Ordinance allowed for oversizing and the developer would be eligible for credits and discounts on sewer connection fees for having oversized capacity to serve adjacent development.

Supervisor Miller expressed concern with the agreement relating to the Procurement Director's ability to authorize an extension for an additional five-year period. She recommended that either the County Administrator or the Wastewater Director's authorization be included in the approval process.

Mr. DeBonis responded that the approval and/or extension by the Procurement Director would be done in consultation with the Wastewater Director and would be based on an assessment of the construction and adherence to the terms of the agreement. He indicated that there was no concern with adding additional authorizations.

Supervisor Miller indicated that she would approve the item with the inclusion that the Wastewater Director or the County Administrator be consulted.

Mr. DeBonis indicated that he would work with the County Attorney's Office to ensure the agreement language reflected the Procurement Director's consultation with the Wastewater Director.

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

\* \* \*

## **CONTRACT AND AWARD**

### **Community and Workforce Development**

1. Compass Affordable Housing, Inc., Amendment No. 5, to provide for Arizona Department of Housing - Pima County Links Rapid Rehousing Program, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, State of Arizona Housing Program Fund, contract amount \$310,921.00 (CT-CR-20-475)
2. Salvation Army, Amendment No. 6, to provide for the U.S. Housing and Urban Development (USHUD) Continuum of Care (CoC) Program - CASA, amend contractual language, scope of services and scope of work, USHUD-CoC Fund, contract amount \$4,590.00 (CT-CS-16-264)

3. Compass Affordable Housing, Inc., Amendment No. 7, to provide for the USHUD Continuum of Care Program - CASA, amend contractual language, scope of services and scope of work, USHUD - CoC Fund, contract amount \$4,590.00 (CT-CS-16-268)
4. International Sonoran Desert Alliance, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs - Youth, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$25,000.00 (CT-CR-21-49)
5. International Sonoran Desert Alliance, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs - Housing, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$25,000.00 (CT-CR-21-50)
6. Arivaca Coordinating Council, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$30,000.00 (CT-CR-21-1)
7. Community Food Bank, Inc., d.b.a. Community Food Bank of Southern Arizona, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs - Ajo, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$14,947.00 (CT-CR-21-3)
8. Southern Arizona AIDS Foundation, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$29,967.00 (CT-CR-21-48)
9. Sahuarita Food Bank, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$30,000.00 (CT-CR-21-11)
10. Green Valley Assistance Services, Inc., d.b.a. Valley Assistance Services, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$26,950.00 (CT-CR-21-9)

11. Greater Littletown Area Human Resources Group, Inc., Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$30,000.00 (CT-CR-21-8)
12. El Rio Santa Cruz Neighborhood Health Center, Inc., Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$30,000.00 (CT-CR-21-7)
13. Community Food Bank, Inc., d.b.a. Community Food Bank of Southern Arizona, Amendment No. 1, to provide for Community Services Block Grant - Emergency Needs - Amado, extend contract term to 6/30/21, amend contractual language, scope of services and scope of work, Department of Health and Human Services/ADES Fund, contract amount \$30,000.00 (CT-CR-21-4)

#### **Economic Development**

14. DM50, Amendment No. 1, (PULLED FOR SEPARATE ACTION)

#### **Facilities Management**

15. Health Net Access, Inc., d.b.a. Arizona Complete Health - Complete Care Plan, Amendment No. 2, to provide for an Operating Agreement - Crisis Response Center, extend contract term to 9/30/22 and amend contractual language, no cost (CTN-FM-19-25)

#### **Forensic Science Center**

16. La Paz County, to provide for medical examiner services, contract amount \$80,000.00 annual revenue/5 year term (CTN-FSC-21-10)

#### **Natural Resources, Parks and Recreation**

17. Brandi Michelle Fenton Foundation, Amendment No. 2, to provide for contributions and alterations to Brandi Fenton Memorial Park, extend contract term to 9/19/25 and amend contractual language, no cost (CTN-PR-12-368)

## **Office of Emergency Management and Homeland Security**

18. Southern Arizona Rescue Association, Amendment No. 2, to provide for provision of equipment, supplies, and training for search and rescue operations, extend contract term to 6/30/21, amend contractual language and scope of services, General Fund, contract amount \$79,682.00 (CT-OEM-19-227)

## **Pima County Wireless Integrated Network**

19. United States Marshal Service, to provide for PCWIN Public Safety Service Participant Membership, United States Marshal Service Fund, contract amount \$144,300.00 revenue/5 year term (CTN-WIN-20-165)

## **Procurement**

20. **Award**  
Amendment of Award: Master Agreement No. MA-PO-16-139, Amendment No. 5, Hewlett Packard Enterprise Company, to provide for HP computer hardware, peripherals, and related services. This amendment extends the termination date to 7/31/21. No additional funds required at this time. Administering Department: Information Technology.
21. **Award**  
Amendment of Award: Master Agreement No. MA-PO-16-85, Amendment No. 6, HP Inc., to provide for HP computer hardware, peripherals, and related services. This amendment extends the termination date to 7/31/21. No additional funds required at this time. Administering Department: Information Technology.
22. **Award**  
Amendment of Award: Master Agreement No. MA-PO-16-101, Amendment No. 6, Dell Marketing LP, to provide for Dell hardware, software, peripherals, and related services. This amendment extends the termination date to 7/31/21 and increases the contract amount by \$6,620,000.00 for a cumulative not-to-exceed contract amount of \$22,474,000.00. Funding Source: Internal Service Fund. Administering Department: Information Technology.

23. **Award**

Amendment of Award: Master Agreement No. MA-PO-17-147, Amendment No. 6, Hangar One Avionics, Inc., to provide for aircraft avionics and airframe services. This amendment is for a one-time increase in the amount of \$1,400,000.00 for a cumulative not-to-exceed contract amount of \$2,250,100.00. This increase is required to complete installation of new FLIR cameras and avionics on two (2) new Cessna aircraft. Funding Source: Certificates of Participation Fund. Administering Department: Sheriff.

24. Security Design Consulting, L.L.C., to provide for Pima County Adult Detention Complex-Security Electronics Replacement Design, FM Capital Non-Bond Projects Fund, contract amount \$500,000.00/2 year term (CT-FM-21-91) Facilities Management
25. Desert Earth and Wood, L.L.C. and Arizona Style Construction, L.L.C., Amendment No. 3, to provide for Pima County Conventional Home Weatherization, Various Funds, contract amount \$250,000.00 (MA-PO-18-167) Community and Workforce Development
26. International Towers, L.L.C., to provide for a Job Order Master Agreement for communication tower site maintenance services, Various Funds, contract amount \$750,000.00 (MA-PO-21-13) Information Technology
27. KE&G Construction, Inc., to provide for Kolb Road: Sabino Canyon Road to Sunrise Drive (4KSCSD), Transportation CIP Projects, (Federal (FHWA) - 68%, Development Impact Fees - 23%, Tucson Water - 8% and RWRD Obligations - 1%) Funds, contract amount \$15,361,163.00/3 year term (CT-TR-21-95) Transportation
28. Staples Contract & Commercial, L.L.C., to provide for office supplies, Various Funds, contract amount \$4,000,000.00/4 year term (MA-PO-21-12) Procurement
29. Election Systems & Software, L.L.C., Amendment No. 3, to provide for an elections voting system and related services, extend contract term to 9/1/26 and amend contractual language, Help America Vote Act Grant and General (80%) Funds, contract amount \$1,500,000.00 (MA-PO-15-51) Elections

**Real Property**

30. Cyprus Climax Metals Company, to provide for an Acquisition Agreement and Special Warranty Deed for a future Sahuarita Farms Regional Sewer Facility, Tax Parcel No. 303-09-0160, WW Operations Fund, contract amount \$414,000.00 (CT-PW-21-107)
31. Levin Family, L.L.C., (PULLED FOR SEPARATE ACTION)

## **Regional Wastewater Reclamation**

- 32. Arizona Board of Regents on behalf of the University of Arizona, Amendment No. 2 (PULLED FOR SEPARATE ACTION)
- 33. RMG Vail II, L.L.C., (PULLED FOR SEPARATE ACTION)

## **Sheriff**

- 34. Town of Oro Valley, to provide for incarceration of municipal prisoners, contract amount \$118,200.00 estimated revenue (CTN-SD-20-177)
- 35. Town of Oro Valley, to provide for video court hearings of municipal prisoners, contract amount \$5,000.00 estimated revenue (CTN-SD-21-2)
- 36. Town of Marana, to provide for video court hearings of municipal prisoners, contract amount \$5,000.00 estimated revenue (CTN-SD-20-178)
- 37. Town of Marana, to provide for incarceration of municipal prisoners, contract amount \$219,700.00 estimated revenue (CTN-SD-20-180)
- 38. Town of Sahuarita, to provide for incarceration of municipal prisoners, contract amount \$225,300.00 estimated revenue (CTN-SD-21-1)
- 39. Town of Sahuarita, to provide for video court hearings of municipal prisoners, contract amount \$5,000.00 estimated revenue (CTN-SD-20-179)
- 40. Pinal County, to provide for incarceration of prisoners, contract amount \$198,000.00 estimated revenue (CTN-SD-21-12)

## **GRANT APPLICATION/ACCEPTANCE**

- 41. **Acceptance - Community and Workforce Development**  
Arizona Department of Housing, Amendment No. 3, to provide for the Pima County Links Rapid Re-Housing, \$335,000.00 (GTAM 21-3)
- 42. **Acceptance - Community and Workforce Development**  
Arizona Department of Economic Security, Amendment No. 4, to provide for the Social Services Block Grant, \$40,891.00 (GTAM 21-4)
- 43. **Acceptance - Community and Workforce Development**  
RESOLUTION NO. 2020 - 62, of the Board of Supervisors, authorizing the approval of the Housing Opportunities for Persons with AIDS Renewal Grant Agreement for Fiscal Year 2020-2023 from the U.S. Department of Housing and Urban Development, \$1,355,770.00/3 year term (GTAW 20-126)

44. **Acceptance - Community and Workforce Development**  
Arizona Department of Economic Security, to provide for the Community Action Services Program, \$4,973,198.00 (GTAW 21-11)
45. **Acceptance - Community and Workforce Development**  
RESOLUTION NO. 2020 - 63, of the Board of Supervisors, authorizing the approval of the Continuum of Care "Scope of Work for Fiscal Year 2020 Renewal Grant Agreement" from the U.S. Department of Housing and Urban Development, \$421,492.00/\$105,373.00 General Fund Match (GTAW 21-4)
46. **Acceptance - County Administrator**  
U.S. Department of Health and Human Services, SAMHSA, Center for Substance Abuse Treatment, Amendment No. 3, to provide for the Unified Medication Assisted Treatment Targeted Engagement Response, \$519,317.00 (GTAM 21-1)
47. **Acceptance - County Attorney**  
Arizona Automobile Theft Authority, to provide for the FY2021 Auto Theft Vertical Prosecution Program, \$216,056.00 (GTAW 21-3)
48. **Acceptance - Health**  
Governor's Office of Youth, Faith and Family, Amendment No. 1, to provide for the Arizona Parents' Commission on Drug Education and Prevention, \$167,923.00 (GTAM 21-2)
49. **Acceptance - Health**  
Arizona Department of Health Services, to provide for the Health Start Program, \$201,860.00 (GTAW 21-5)
50. **Acceptance - Health**  
Food and Drug Administration (FDA), Department of Health and Human Services, to provide for the achieving conformance with FDA Standards 2 and 4, \$65,192.00 (GTAW 21-6)
51. **Acceptance - Health**  
Food and Drug Administration (FDA), Department of Health and Human Services, to provide for the achieving conformance with FDA Standards 3 and 5, \$69,875.00 (GTAW 21-7)
52. **Acceptance - Natural Resources, Parks and Recreation**  
Bert W. Martin Foundation, to provide for the restoration of Manning Senior House (Bldg. 101) in Historic Canoa Ranch, \$150,000.00 (GTAW 21-13)

53. **Acceptance - Public Defense Services**  
U.S. Department of Health and Human Services, Administration for Children & Families, Children's Bureau, to provide for the Title IV-E Federal Foster Care, \$1,372,435.30/\$4,663,934.68 General Fund Match (GTAW 20-142)
54. **Acceptance - Sheriff**  
State of Arizona Department of Public Safety, Amendment No. 1, to provide for the State Gang Task Force Detention Liaison Officer Units, \$100,000.00 (GTAM 20-57)
55. **Acceptance - Sheriff**  
State of Arizona Department of Public Safety, to provide for the Gang and Immigration Intelligence Team Enforcement Mission State Gang Task Force Street Gangs, \$100,000.00 (GTAW 20-140)
56. **Acceptance - Sheriff**  
Arizona Department of Homeland Security, (PULLED FOR SEPARATE ACTION)
57. **Acceptance - Sheriff**  
Arizona Criminal Justice Commission, to provide for the Arizona Coronavirus Emergency Supplemental Funding Program, \$587,630.00/2 year term (GTAW 21-8)
58. **Acceptance - Superior Court**  
Arizona Department of Economic Security, to provide for the Title IV-D Child Support Enforcement, \$442,169.06/\$192,647.49 General Fund Match (GTAW 21-10)
59. **Acceptance - Superior Court**  
Arizona Department of Economic Security, to provide for the Title IV-D Child Support Enforcement, \$370,487.93/\$176,250.29 General Fund Match (GTAW 20-146)
60. **Acceptance - Transportation**  
Central Federal Lands Highway Division - Arizona Federal Lands Access Program, to provide for the Sabino Canyon Park Road: Carter Canyon Road to USFS Gate (4SCPRD), \$10,000.00/\$10,000.00 HURF Match (GTAW 21-9)

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

61. **Transportation Advisory Committee**  
Appointment of Frank Santa Cruz, Sr., to replace Dan Castro. Term expiration: 12/31/22. (District 5)



## **ELECTIONS**

### **62. Precinct Committeemen**

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

#### RESIGNATION-PRECINCT-PARTY

Emily Verdugo-017-DEM; Patsy Stewart-056-DEM; Marion Lee Pickens-183-DEM; John Wiles-126-REP; Marilyn Wiles-126-REP; Bobby Wilson-147-REP; Eileen Wilson-147-REP; Janis Miller-207-REP

#### APPOINTMENT-PRECINCT-PARTY

Terra "Karma" Miller-069-DEM; Alexis K. Walker-069-DEM; Jonathan Rothschild-078-DEM; Matthew Scarber-080-DEM; Jacqui Bauer-082-DEM; Jennifer L. James-093-DEM; Owen Watson-093-DEM; Marion Lee Pickens-099-DEM; Ronna Biesecker-108-DEM; Marla A. Wallace-123-DEM; Kenneth Freed-128-DEM; Marilyn Freed-128-DEM; Robert Cable-156-DEM; Emily Verdugo-156-DEM; Odessa N. Mangosing-183-DEM; Nubert Boubeka-197-DEM; Carrie M. Liebich-011-REP; William R. Liebich-011-REP; Linda S. Nelson-046-REP; Joanne Moothart-077-REP; James R. McPherson-174-REP; Eileen M. Wilson-209-REP; Robert "Bobby" J. Wilson-209-REP; Julie A. Buell-229-REP

## **FINANCE AND RISK MANAGEMENT**

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

Idexx Distribution, Inc. \$12,356.81; John Thomas Peck \$638.36; Madeline Wiener Sculptor, Inc. \$38,483.00; Carl C. Sheets \$150.00; Dental Assisting National Board, Inc. \$270.00; Stantec Consulting Services, Inc. \$20,238.43; Jaime C. Tapia \$94.94; CBIZ Brinig Taylor Zimmer \$3,770.00; Oxford House Del Sol \$300.00; Comcapp Verde, L.L.C. \$710.00; Michelle Rene Simon \$412.99.

## **RATIFY AND/OR APPROVE**

64. Minutes: June 19, 23 and July 15, 2020  
Warrants: July 2020

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71. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:23 a.m.

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK

**COUNTY ADMINISTRATOR**

**11. Updates and Action on COVID-19**

**COUNTY ADMINISTRATOR**

**69. Updates and Action on COVID-19**

**Consumer Health and Food Safety Fee Schedule**

Authorizing the County Administrator to temporarily waive the current (January 1, 2020) increase in the operating permit fees associated with food establishments and allow for a credit to be provided to those that have paid during the current Calendar Year.

Verbatim

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RV: Chairman Valadez  
SB: Supervisor Bronson  
SC: Supervisor Christy  
AM: Supervisor Miller  
BV: Supervisor Villegas  
CH: Chuck Huckelberry, County Administrator  
AF: Andrew Flagg, Chief Civil Deputy County Attorney

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RV: Moving on to Item No. 14, because Item No. 13 was removed from the agenda. It is in collaboration with Addendum Item No. 2, Item No. 1. Mr. Huckleberry.

CH Mr. Chairman, due to the length, anticipated length of this meeting today, we are preparing a fairly comprehensive written report on the status of the COVID-19 response and should provide it to the Board by the end of the week and I think that would be the best use of your time at this point in time.

SC: Mr. Chairman?

RV: Supervisor Christy.

SC: I appreciate the effort to minimize the time involved in this, but I do want to bring up one item that is relevant to this Agenda item. It has been made clear to me from some restaurant owners that there are some situations that are probably the unanticipated results of not fully or thoroughly analyzing the proclamations the County has made regarding how restaurants must operate. Have a situation where the Health Department has issued warnings and sanctions on restaurants on a particular restaurant because its employees were not wearing masks. The individual employees involved had legitimate and significant reasons for not wearing masks. Either religious, or physical or mental or otherwise, yet they were still penalized by

the Health Department for these infractions according to the proclamations. The situation is if the employer or the restaurant owner insists that the employees conform to the regulations and the employees object to wearing a mask for those reasons they are open, the restaurant owner is being open for obvious litigation. If the employees do not wear the masks then the restaurant is subject to more violation reports from the Health Department. It has been my understanding that the Small Business Commission is analyzing this situation and is requesting for legal opinion this very matter. I want to make it as a form of the record that this is a significant issue that needs to be analyzed and there needs to be some sort of a definition about who and what situations allow or disallow the use of masks by employees. What the liability is for the restaurant owner to either enforce it or be subject to lawsuits from the employees. It is very troubling at this particular point, which happens so often under these types of circumstances, that the legal field inundates employees of various industries and suggests to them that they have been mistreated or have been forced to do something against their will that the legal entities are there willing and able to represent them. Where it is basically a situation that you are damned if you do or damned if you do not if you own the restaurant. I just like to make it a point of record that the Small Business Commission is requesting a legal opinion on this and this is something that really needs to be clarified as we move forward particularly in the restaurant industry.

RV: Mr. Huckelberry.

CH: Mr. Chairman and Members of the Board, I do not know there is much we can do about ambulance chasers, they exist. I do know that the only complaints that we have really gotten from restaurants is over the issue of 50% occupancy not greater than. We cannot do anything about that particular item because it is the Governor's Executive Order. We have had at least two locations where in mass the employees have all claimed to have a medical exemption with no documentation and that is problematic. But I think to remember the only penalty is that they then at the third violation become a public notice to the public. Which I think is appropriate since if there is that type of violation it continues the public ought to be aware of their possible exposure by visiting that particular establishment. We can address that as well on in our release on this later in the week.

AM: Mr. Chairman?

SC: Let me just finish up please if I could Mr. Chairman. We have addressed the issues with the public, we just addressed the issues with the employee, but we still have not addressed the liability of the business owner. Hopefully that the request for the legal opinion and you are providing the Board with a document later will include the legal liability an exposure of the business owner themselves.

RV: Supervisor Miller.

AM: Mr. Chairman, my question on this is do we not have in our own policy that there are exceptions in the policy for folks who cannot wear a mask for whatever reason, medical, emotional, otherwise? We have that in our own policy that we cannot force someone to wear a mask.

RV: Mr. Flagg.

AM: I am wondering why our policy is different than the policy that applies to restaurants.

AF: Mr. Chairman and Supervisor Miller, I think you have to make a distinction between ordinary members of the public and employees at a restaurant. Supervisor Miller you are correct that our mask resolution that applies generally to the public has a medical exemption and other exemptions. The requirements that apply to restaurants, by the way, not just Pima County's but the State's requirements that applies to restaurant that do dine-in service require without exception that all employees who serve the public wear masks.

AM: Okay, I was not aware that the State had that exception but thank you.

RV: Any other questions? Alright, Mr. Huckelberry, I think you wanted to discuss Addendum 2, Item No. 1.

CH: Mr. Chairman, the Board approved previously a multi-year increase in fees and what we are suggesting is that the Board grant the County Administrator the authority to have the last increase deferred for a year. For those who have already made a contribution or paid their fees because they are staggered over the calendar year that we can then provide them some degree of credit for that payment. It is really under the theory that we have done this previously when we have dealt with rental agreements and other items to postpone fee increases similar to typically what we are recommending to the Board today on Impact Fees. It is simply give the authority to the County Administrator to waive those fees and to provide those who have paid a credit. That is the increment that was scheduled to go in place with regard to Ordinance amendments that was automatic increase, so, we are basically deferring the automatic increase and giving credit to those who may have already paid.

RV: Any questions?

BV: I will move the item.

RV: Second. A motion and second to approve Item No. 1 on Addendum No. 2 Agenda. Any discussion? Hearing none all those in favor please signify by saying Aye.

ALL: [Chorus of Ayes]

RV: All opposed signify by saying Nay. Ayes have it.