

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED
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SUPERVISORS**

**Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
May 16, 2023 9:00 a.m.**

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **LAND ACKNOWLEDGEMENT STATEMENT**

To be offered by Natalie Moroyoqui, Case Management, Law Offices of Rachel Wilson, Immigration Attorney.

4. **PAUSE 4 PAWS**

5. **CALL TO THE PUBLIC**

Individuals wishing to participate telephonically at Call to the Public must contact the Clerk of the Board's Office at 520-724-8449, to register their request and obtain remote access information, by the deadline of Monday, May 15, 2023 at 5:00 p.m. Each speaker will be limited up to 3 minutes and the number of speakers may be limited due to a high volume of requests. Please be aware that you may not be called upon to speak. eComments can also be submitted to COB_mail@pima.gov.

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***** HEARINGS *****

Individuals wishing to address the Board on a Public Hearing item, but wish to participate remotely, can contact the Clerk of the Board's Office at 520-724-8449, to obtain remote access information.

6. **TENTATIVE BUDGET PRESENTATIONS**

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

7. **Hearing**
Review and adoption of the Flood Control District Tentative Budget for Fiscal Year 2023/2024.
Motion by Chair Grijalva, seconded by Supervisor Scott. Upon roll call, closed the public hearing and approved 5-0.

IMPROVEMENT DISTRICT BOARD

8. **Hearing**
Review and adoption of the following County Improvement District Tentative Budgets for Fiscal Year 2023/2024:

<u>IMPROVEMENT DISTRICT</u>	<u>FY 23-24 PROPERTY TAX LEVY</u>
<u>Other Improvement District</u>	
HAYHOOK RANCH	\$40,000
<u>Street Lighting Improvement District</u>	
CARDINAL ESTATES	\$13,251
CARRIAGE HILLS NO. 1	\$ 7,990
CARRIAGE HILLS NO. 3	\$ 2,737
DESERT STEPPES	\$ 4,789
HERMOSA HILLS ESTATES	\$ 4,110
LAKESIDE NO. 1	\$ 6,391
LITTLETOWN	\$23,966
LONGVIEW ESTATES NO. 1	\$ 8,672
LONGVIEW ESTATES NO. 2	\$10,043
MAÑANA GRANDE B	\$ 6,846
MAÑANA GRANDE C	\$11,183
MIDVALE PARK	\$14,329
MORTIMORE ADDITION	\$30,299
OAKTREE NO. 1	\$22,890
OAKTREE NO. 2	\$18,907
OAKTREE NO. 3	\$24,783
ORANGE GROVE VALLEY	\$ 6,667
PEACH VALLEY	\$ 3,747
PEPPERTREE	\$ 9,940
ROLLING HILLS	\$16,432
SALIDA DEL SOL	\$14,613

Motion by Supervisor Bronson, seconded by Supervisor Scott. Upon roll call, closed the public hearing and approved 5-0.

LIBRARY DISTRICT BOARD

9. **Hearing**
Review and adoption of the Library District Tentative Budget for Fiscal Year 2023/2024.
Motion by Chair Grijalva, seconded by Supervisor Scott. Upon roll call, closed the public hearing and approved 5-0.

ROCKING K SOUTH COMMUNITY FACILITIES DISTRICT BOARD

10. **Hearing**
Review and adoption of the Rocking K South Community Facilities District Tentative Budget for Fiscal Year 2023/2024.
- Motion by Chair Grijalva, seconded by Supervisor Christy. Upon roll call, closed the public hearing and approved 5-0.**

STADIUM DISTRICT BOARD

11. **Hearing**
Review and adoption of the Stadium District Tentative Budget for Fiscal Year 2023/2024.
- Motion by Chair Grijalva, seconded by Supervisor Scott. Upon roll call, closed the public hearing and approved 5-0.**

WILDFLOWER COMMUNITY FACILITIES DISTRICT

12. **Hearing**
Review and adoption of the Wildflower Community Facilities District Tentative Budget for Fiscal Year 2023/2024.
- Motion by Chair Grijalva, seconded by Supervisor Bronson. Upon roll call, closed the public hearing and approved 5-0.**

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

13. **Hearing**
Review and adoption of the Tentative County Budget for Fiscal Year 2023/2024.
- Motion by Chair Grijalva, seconded by Supervisor Scott. Upon roll call, closed the public hearing and approved 3-2, Supervisors Bronson and Christy voted nay.**
14. **Hearing**
Review and adoption of the Debt Service Tentative County Budget for Fiscal Year 2023/2024.
- Motion by Chair Grijalva, seconded by Supervisor Bronson. Upon roll call, closed the public hearing and approved 5-0.**

EXECUTIVE SESSION

15. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice and discussion regarding legal overview of the conditional use approval process.
remove from the agenda
16. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding proposed settlement with Torres Blancas Golf Course.
informational only

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

ROCKING K SOUTH COMMUNITY FACILITIES DISTRICT BOARD

17. **Feasibility Report Resolution**
RESOLUTION NO. 2023 - **RK1**, of the District Board of Rocking K South Community Facilities District, authorizing and ratifying the Giving of Notice of Hearing with Respect to a Feasibility Report for Public Infrastructure to be financed by the district; approving such report; authorizing the sale and issuance of not to exceed \$1,750,000.00 aggregate principal amount of general obligation bonds, Series 2023A, of the district; prescribing certain terms, conditions and provisions for such bonds; approving the execution and delivery of a bond registrar and paying agent agreement; approving the execution and delivery of other documents relating to such bonds; awarding such bonds to the purchaser thereof; appointing a bond registrar and paying agent for the bonds; authorizing the levy of an ad valorem property tax with respect to such bonds; and authorizing the taking of other actions securing the payment of and relating to the bonds.
Motion by Supervisor Christy, seconded by Supervisor Bronson, approved 5-0.

SITTING AS THE BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

19. **Mining Legislation Resolution**
RESOLUTION NO. 2023 - **12**, of the Board of Supervisors, opposing the permitting for Mining Needs Act and the Mining Regulatory Clarity Act, and supporting meaningful mining reform. (District 1)
Motion by Supervisor Scott, seconded by Chair Grijalva. Upon roll call, approved 4-1, Supervisor Christy voted nay.

COUNTY ADMINISTRATOR

20. (Clerk's Note: This item will be heard at a time certain of 10:30 a.m.)
Update on County Initiatives to Address Homelessness and Public Safety
board discussion

ATTRACTIONS AND TOURISM

21. **Attractions and Tourism Outside Agency Funding Recommendations for Fiscal Year 2022/2023**
- Agency/Approved Contract Amount/Program
Old Pueblo Trolley, Inc., Southern Arizona Transportation Museum/\$15,000.00/Mural Project
Tucson Symphony Orchestra/\$10,000.00/Star Wars: The Return of the Jedi, Live in Concert
Tucson Juneteenth Festival/\$10,000.00/Juneteenth Event
- Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.**

COUNTY ATTORNEY

22. **Anti-Racketeering Revolving Funds**
Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$5,000.00 to Homicide Survivors, Inc. under Board of Supervisors Policy No. C 6.3
Motion by Chair Grijalva, seconded by Supervisor Bronson, approved 5-0.
23. **Anti-Racketeering Revolving Funds**
Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$5,000.00 for 88-CRIME under Board of Supervisors Policy No. C 6.3.
Motion by Chair Grijalva, seconded by Supervisor Bronson, approved 5-0.
24. (Clerk's Note: This item will be heard following Executive Session.)
Proposed Settlement with Torres Blancas Golf Course
Discussion/Action regarding a proposed settlement with Torres Blancas Golf Course.
Motion by Chair Grijalva, seconded by Supervisor Bronson, approved 5-0.

DEVELOPMENT SERVICES

- 25. Final Plat With Assurances**
P22FP00013, Ocotillo Ridge Block 1 Lots 451-616, Block 2 Lots 241-450, Block 3 Lots 76-240, Block 4 Lots 1-75, and Common Area "A" and "B". (District 4)
Motion by Supervisor Christy, seconded by Supervisor Bronson, approved 5-0.

REAL PROPERTY

- 26. Abandonment by Vacation**
RESOLUTION NO. 2023 - 13, of the Board of Supervisors, for the vacation of a portion of Broken Spur Lane, a Named Easement and Right-of-Way Lease as Pima County Road Abandonment No. R-0141, within Section 32, T14S, R12E, G&SRM, Pima County, Arizona. (District 3)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.
- 27. Dedication of Right-of-Way**
Dedication of a Right-of-Way on the northeast corner of Cloud Road and Sabino Canyon Road. (District 1)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.
- 28. Treasurer's Deed**
Pursuant to A.R.S. §42-18261, application for a Treasurer's Deed for unredeemed properties totaling 2,400 parcels.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

CONTRACT AND AWARD

Community and Workforce Development

- 29.** City of South Tucson, Amendment No. 4, to provide for the John A. Valenzuela Youth Center, extend contract term to 6/30/24, amend contractual language and scope of services, General Fund, contract amount \$113,000.00 (CT-CR-20-454)
Motion by Chair Grijalva, seconded by Supervisor Heinz, approved 5-0.

Facilities Management

- 30.** De La Warr Investment Corporation, Amendment No. 9, to provide a lease for property located at 33 N. Stone Avenue, Suite 850, extend contract term to 5/31/24 and amend contractual language, contract amount \$28,162.20 revenue (CTN-FM-CMS139839)
Motion by Chair Grijalva, seconded by Supervisor Bronson, approved 5-0.

Procurement

- 31. Award**
Award: Master Agreement No. MA-PO-23-164, International Business Machines Corporation, d.b.a. IBM Corporation (Headquarters: Armonk, NY), to provide for Maximo subscription and hosting. This master agreement is effective May 16, 2023 to May 15, 2028 in the not-to-exceed contract amount of \$1,900,000.00 (including taxes). This contract is for the license subscription and hosting services for the upgraded Maximo system being integrated with the Workday Enterprise Resource Planning system. Funding Source: Non-Bond Projects Fund. Administering Department: Information Technology.
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 5-0.
- 32. Award**
Award: Master Agreement No. MA-PO-23-185, Can/Am Technologies, Inc. (Headquarters: Lakewood, CO), to provide for Teller implementation licensing and support. This master agreement is effective May 16, 2023 to May 15, 2033 in the not-to-exceed contract amount of \$1,300,000.00 (including taxes). This contract is for the implementation, license subscription and support services for the Teller system being integrated with the Workday Enterprise Resource Planning system. Funding Source: Non-Bond Projects Fund. Administering Department: Information Technology.
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 5-0.
- 33. Award**
Amendment of Award: Master Agreement No. MA-PO-19-135, Amendment No. 4, James, Cooke & Hobson, Inc., to provide for Flygt submersible pumps and parts. This amendment exercises the annual renewal option to extend the termination date to 5/25/24, approves an average 6.8% price increase, and appends the Forced Labor of Ethnic provision pursuant to A.R.S. §35-394 and Attachment B, Scope of Work to the contract. No additional funds are required at this time.
Administering Department: Regional Wastewater Reclamation.
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 5-0.
- 34.** Kiewit Infrastructure West, Co., to provide for Design-Build Services: Class A Biosolids Solar Drying Facility (3TRCAB), RWRD Obligations Fund, total contract amount \$6,989,384.44/3 year term (an average of \$2,329,794.81 per year) (CT-CPO-23-385) Administering Department: Capital Program Office.
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 5-0.

Real Property

35. Crown Castle Fiber, L.L.C., Amendment No. 4, to provide for a Non-Exclusive Right-of-Way Use License for Fiber Transport Facilities, extend contract term to 6/30/28 and amend contractual language, contract amount \$1,700.00 revenue (CTN-RPS-23-174)
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 5-0.
36. Serrano Solar, L.L.C., to provide for a license for Right-of-Way Encroachment (Lic-0336), for operating and maintaining 34.5kv underground electrical collection lines, total contract amount \$4,375.00 revenue/25 year term (\$175.00 per year) (CTN-RPS-23-175)
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 5-0.

GRANT APPLICATION/ACCEPTANCE

37. **Acceptance - County Attorney**
Arizona Criminal Justice Commission (ACJC), to provide for the ACJC Arizona Disposition Reporting System XML Automation Project, \$2,000.00 (GTAW 23-132)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.
38. **Acceptance - Environmental Quality**
Environmental Protection Agency, to provide for Expanding Localized Air Quality Monitoring at Pima County Schools to Address Environmental Justice Grant Award, total grant amount \$488,210.00/3 year term (\$162,736.67 per year) (GTAW 23-124)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-1, Supervisor Christy voted nay.
39. **Acceptance - Health**
National Association of County and City Health Officials, to provide for the Wastewater Surveillance for SARS-CoV-2 Mentorship Program, \$9,988.00 (GTAW 23-131)
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-1, Supervisor Christy voted nay.
40. **Acceptance - Pima Animal Care Center**
Friends of Pima Animal Care Center (PACC), to provide for PACC Mobile Medical Unit Animal Care Supervisor Funding Agreement, \$73,008.00 (GTAW 23-130)
Motion by Chair Grijalva, seconded by Supervisor Bronson, approved 5-0.

41. **Acceptance - Project Design and Construction**
Stratford Art Works, Inc., to provide for a joint development subaward for renovation of Teatro Carmen, total grant amount \$200,000.00/3 year term (\$66,666.66 per year) (GTAW 23-123)
Motion by Chair Grijalva, seconded by Supervisor Heinz, approved 3-2, Supervisors Bronson and Christy voted nay.

***** HEARINGS *****

Individuals wishing to address the Board on a Public Hearing item, but wish to participate remotely, can contact the Clerk of the Board's Office at 520-724-8449, to obtain remote access information.

FRANCHISE/LICENSE/PERMIT

42. (Clerk's Note: Property is not in compliance with applicable Zoning Regulations. No permits found for use.)
Hearing - Liquor License
Job No. 236186, Jon Kelvin Post, Marana Farm Festivals, L.L.C., 14950 N. Trico Road, Marana, Series 7, Beer and Wine Bar, New License.
Meeting date: 6/20/2023

continue

43. **Hearing - Bingo License**
23-01-8043, Erica Holbert, Rocking K South Master Homeowners Association, 12620 E. Old Spanish Trail, Tucson, Class A - Small Game.
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.

DEVELOPMENT SERVICES

44. **Hearing - Rezoning Ordinance**
ORDINANCE NO. 2023 - 7, P22RZ00009, Lopez Family TR, et al. - E. Colossal Cave Road Rezoning. Owner: Lopez Family TR, et al. (District 4)
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.
45. **Hearing - Rezoning Ordinance**
ORDINANCE NO. 2023 - 8, P22RZ00010, Edwin, L.L.C. - E. Drexel Road Rezoning. Owner: Edwin, L.L.C. (District 4)
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.

46. **Hearing - Rezoning Resolution**
RESOLUTION NO. 2023 - 14, Co9-70-40, Auldridge - Carol Avenue Rezoning. Owner: Victor Gonzalez. (District 3)
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.
47. **Hearing - Rezoning Resolution**
RESOLUTION NO. 2023 - 15, P16RZ00007, Andrada Wilmot 180, L.L.C. - S. Wilmot Road Rezoning. Owner: Andrada Wilmot 180, L.L.C. (District 4)
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.
48. **Hearing - Comprehensive Plan Amendment Resolution**
RESOLUTION NO. 2023 - 16, P22CA00003, Ideal Partners, L.L.C. - S. Headley Road Plan Amendment. Owner: Ideal Partners, L.L.C. - Attn: Jim Griffin. (District 5)
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.

REGIONAL WASTEWATER RECLAMATION

49. **Hearing - Code Text Amendment**
ORDINANCE NO. 2023 - 9, of the Board of Supervisors of Pima County, Arizona, relating to sanitary sewer construction, connections and fees; amending the Pima County Code by amending Title 13 Public Services, Chapter 13.20.100 (Acronyms and Definitions), Section B (Definitions) to add a definition for Seller and Chapter 13.20.500 (System Improvement Construction), Section A.4 (Warranty) to increase the seller's warranty period for the sanitary sewer from one (1) year to two (2) years from the date of transfer to the County and to provide additional detail of seller's warranty obligation to the County.
Motion by Chair Grijalva, seconded by Supervisor Bronson, closed the public hearing and approved 5-0.

50. **ADJOURNMENT**

ADDENDUM 1

PRESENTATION/PROCLAMATION

1. Presentation of a proclamation to Kathy Jensen, Co-Lead Tucson Chapter, Moms Demand Action for Gun Sense in America, proclaiming the day of Friday, June 2, 2023 to be: "GUN VIOLENCE AWARENESS DAY IN PIMA COUNTY"
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-1, Supervisor Christy voted nay.
2. Presentation of a proclamation to Shannon Roberts, CEO, Diaper Bank of Southern Arizona; Liane Hernandez, Director, Women's Wellness, Empowerment and Leadership Center, YWCA; and Monique Vallery, Director of Development, Southern Arizona AIDS Foundation, proclaiming the week of May 22 through 28, 2023 to be: "PERIOD POVERTY AWARENESS WEEK"
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 5-0.

BOARD OF SUPERVISORS

3. **Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument**
RESOLUTION NO. 2023 - 17, of the Board of Supervisors, in support of President Joe Biden creating Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument in Northern Arizona. (District 5)
Motion by Chair Grijalva, seconded by Supervisor Bronson. Upon roll call, approved 4-1, Supervisor Christy voted nay.
4. **Update on Title 42 and Title 8**
Discussion/Direction/ Action regarding the County Administration's response to and its addressing of the recent lifting of the Title 42 immigration restriction and the implementation of the Title 8 policy, including but not limited to, the impact on Pima County's staff and resources, as well as the County's related efforts, policies, and plans for public dissemination of updates and general information regarding the resulting migrant crisis. (District 4)
board discussion

5.

Pay As You Go (PAYGO) Road Repair Program

Discussion/Direction/ Action regarding scenarios from County Administration to provide adequate, continual, and/or replacement funding sources, ensuring that Pima County's PAYGO road repair program fulfills the promise made by unanimous vote of the Board of Supervisors in 2019 to repair and maintain every road in unincorporated Pima County to an 80% or better rating within ten years. (District 4)

Motion by Supervisor Christy, seconded by Supervisor Bronson, to approve a hybrid recommendation, including scenarios 1 and 2 as listed in the County Administrator's Memorandum dated May 12, 2023. Upon roll call, failed 2-3, Chair Grijalva and Supervisors Heinz and Scott voted nay.

6.

Actions Related to COVID-19 Vaccination Mandates for County Employees

Discussion/Direction/Action regarding former and current Pima County employment policies as they pertain to County imposed COVID-19 vaccination mandates for County employees, including but not limited to, the impact upon the following employment scenarios:

1. Rehiring of former County employees who were terminated due to their refusal to follow the County imposed COVID-19 vaccine mandates.
2. Payment of lost wages and back pay to rehired County employees who were terminated due to their refusal to follow the County imposed COVID-19 vaccine mandates.
3. The current pay-plan structure, benefit packages, and seniority placement of rehired County employees who were terminated due to their refusal to follow County imposed vaccine mandates, as compared to what they would be if the employee had never been terminated. (District 4)

board discussion

COUNTY ADMINISTRATOR

7.

(Clerk's Note: This item will be heard at a time certain of 11:00 a.m.)

Update on Ending of Title 42 in Pima County

Discussion regarding an update on the ending of Title 42 in Pima County.

board discussion

CONSENT CALENDAR

Approval of the Consent Calendar

Motion by Chair Grijalva, seconded by Supervisor Bronson, approved 5-0.

BOARD, COMMISSION AND/OR COMMITTEE

- 1. Environmental Quality Advisory Council**
Reappointment of Garth Bowers, representing Science or Engineering.
Term expiration: 3/31/26. (Staff recommendation)

This item was approved on the Consent Calendar.

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

- 2. Special Event**
Timothy Ryan Angelillo, Balanced & Consistency.org, 2905 E. Skyline
Drive, Suite 262, Tucson, April 28, 29, 30, May 12, 13, 14, 26, 27 and 28,
2023.

This item was approved on the Consent Calendar.

TREASURER

- 3. 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 \$382.31.

This item was approved on the Consent Calendar.
- 4. Duplicate Warrants - For Ratification**
Crawford, Dorothy \$30.00

This item was approved on the Consent Calendar.
- 5. Request to Waive Interest**
Pursuant to A.R.S. §42-18053, staff requests approval of the Submission
of Request to Waive Interest Due to Mortgage Satisfaction in the amount
of \$706.62.

This item was approved on the Consent Calendar.

REGIONAL WASTEWATER RECLAMATION

- 6. Public Announcement**
Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must
occur before any Pretreatment Consent Decree or Negotiated Settlement
Agreement is made final. The Public Information Enforcement File for the

following case will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Regional Wastewater Reclamation Department's reception desk, 201 North Stone Avenue, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 2955 W. Calle Agua Nueva, Tucson, Arizona 85745-9750. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreement:

Carlson - Fehser Corporation. The proposed settlement in which Carlson - Fehser Corporation, located at 8973 S. Eisenhower Road, agrees to enter into a Supplemental Environmental Project if it falls out of compliance in the twelve-month period after the execution of the Negotiated Settlement Agreement.

This item was approved on the Consent Calendar.

RATIFY AND/OR APPROVE

7. Minutes: March 21, 2023

This item was approved on the Consent Calendar.