

**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.  
August 10, 2021 9:00 a.m.**

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **PAUSE 4 PAWS**

**PRESENTATION/PROCLAMATION**

4. Presentation of a proclamation to Nicole Olvera, Community Outreach Coordinator, Division of Child Support Services, Arizona Department of Economic Security, proclaiming the month of August 2021 to be: "CHILD SUPPORT AWARENESS MONTH"  
approve

5. **PUBLIC COMMENTS (submit public comments to [COB\\_mail@pima.gov](mailto:COB_mail@pima.gov))**

**EXECUTIVE SESSION**

6. Pursuant to A.R.S. §38-431.03(A)(3), for discussion or consultation for legal advice regarding the legal issues and potential causes of action raised by the City of Tucson's adoption of differential water rates that are based on whether a Tucson Water customer receives service in the unincorporated area of Pima County.  
no Board action taken

**BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

**FLOOD CONTROL DISTRICT BOARD**

7. **Grant Acceptance**  
U.S. Department of Agriculture, Natural Resources Conservation Service, Amendment No. 1, to provide for the Brawley Wash Watershed Plan and extend grant term to 6/30/23, \$154,494.48 (GTAM 21-101)  
approve

## **SITTING AS THE BOARD OF SUPERVISORS**

### **BOARD OF SUPERVISORS**

- 9. Arizona State Budget**  
Discussion/Direction/Action regarding the Arizona State Budget adopted for FY2021/22 and its impacts on Pima County's general fund for the next five years. (District 3)  
**no Board action taken**
- 10. Building Safety Review**  
Discussion/Direction/Action regarding the recent collapse of the building in Florida suggests a review of Pima County's existing buildings for safety. (District 3)  
**no Board action taken**
- 11. Differential Water Rates**  
Discussion/Direction/Action regarding the differential water rates adopted by the Tucson City Council. (District 3)  
**no Board action taken**
- 12. PAG/RTA Weighted Voting**  
Discussion/Direction/Action regarding PAG/RTA weighted voting. (District 3)  
**motion failed**
- 13. PFAS/Ethylene Oxide**  
Discussion/Direction/Action regarding PFAS/Ethylene Oxide. (District 3)  
**approve**
- 14. Pima County Housing First Program**  
Discussion/Direction/Action regarding the Pima County Housing First Program sustainability and gap funding needs. (District 3)  
**approve as directed**
- 15. COVID Vaccination Policy**  
Discussion/Direction/Action regarding a County policy requiring COVID vaccinations for all County employees. (District 3)  
**deny**
- 16. Arizona Bowl Barstool Sports**  
Discussion/Direction/Action to cancel funding for the Arizona Bowl for Barstool Sports. (District 3)  
**approve as directed**

17. **Existence of Emergency - COVID-19 Pandemic**  
RESOLUTION NO. 2021 - 47, of the Board of Supervisors, proclaiming the existence of an emergency related to the COVID-19 Pandemic.  
(District 2)  
motion failed

## COUNTY ADMINISTRATOR

18. (Clerk's Note: All COVID-19 items and/or COVID-19 emergency items will be discussed under this agenda item.)  
**Updates and Action on COVID-19**  
staff direction
19. **Board of Supervisors Policy**  
Staff recommends approval of the new Board of Supervisors Policy No. D 22.13, General Fund Neutralization of State Legislature Cost Shifts and Disclosure of these Cost Shifts to Taxpayers.  
approve
20. **Historical Perspective Regarding Regional Water and Sewer Rates Established by Pima County and City of Tucson's Mayor and Council**  
Staff recommends the Board of Supervisors take the following actions:
1. Respectfully ask the City of Tucson Mayor and Council to rescind their actions of June 22, 2021 adopting a ~~discriminatory~~ differential water rate for only customers in the unincorporated area of Pima County.
  2. Request the City of Tucson Mayor and Council assume a leadership role in regional water resource management as envisioned by past Mayors and Councils of the City of Tucson, including substantial revision to their service area policy, reflecting the originally contemplated regional water entity.
  3. Allow Pima County to participate in a legitimate cost of service study to determine if differential water rates for unincorporated customers meet the "just and reasonable test" for establishing differential water rates for only unincorporated area customers.
  4. Commit to establishing a zone or cost of service rate structure where similarly situated users pay the same water rate for service regardless of jurisdictional boundary, including those customers within the City of Tucson. Otherwise, charge a uniform service rate for all customers regardless of their jurisdictional location.
  5. Request the City of Tucson establish a Water Sustainability Fund transferring the City of Tucson overhead and service cost paid by Tucson Water customers (subject to audit); said fund to be used to supplement the water supply for the region. If committed to do so by the City of Tucson, Pima County also commits to establish a Water Sustainability Fund for those same charges applied by Pima County to our wastewater utility.
  6. All funding from the City of Tucson and Pima County paid into the Water Sustainability Fund is to be used to purchase "drought

insurance” by acquiring Central Arizona Project surface water supplies and recharging same in Pima County regional aquifers, making said water available in the future if necessary.

**approve as amended**

- 21. Contingency Fund Allocation for Doses of Narcan**  
Staff recommends approval of the allocation of up to \$250,000.00 from the Contingency Fund for the continued purchase of Narcan, to be distributed to our law enforcement and health partners.  
**approve**

- 22. Friends of Robles Ranch Community Center and Food Bank Allocation**  
Staff recommends approval of an additional \$10,000.00 to Friends of Robles Ranch to continue their nonprofit services to the Three Points community. Contract No. CT-CR-21-34, Amendment No. 1, will be for a total contract amount of \$46,000.00. (\$36,000.00 was previously approved on June 22, 2021)  
**approve**

- 23. YWCA Teen Court Allocation**  
Staff recommends approval of an additional \$10,000.00 to YWCA of Southern Arizona's Teen Court program, to help alleviate additional operational demands due to COVID-19. Contract No. CT-CR-21-79, Amendment No. 1, will be for a total contract amount of \$39,368.00. (\$29,368.00 was previously approved on June 22, 2021)  
**approve**

#### **CLERK OF THE BOARD**

- 24. Petition for Relief of Taxes**  
Pursuant to A.R.S. §42-11109(E), Victory Outreach Tucson City Church, has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for the following: Parcel No. 119-41-250F for tax years 2016, 2017, 2018, 2019 and 2020; Personal Property No. 16011134315 for tax years 2016, 2017, 2018, 2019 and 2020.  
**approve**

- 25. Petition for Relief of Taxes**  
Pursuant to A.R.S. §42-11109(E), Oro Valley Church of the Nazarene, has petitioned the Board of Supervisors for relief of taxes and associated interest/penalty for the following: Parcel No. 225-11-269C for tax year 2020.  
**approve**

## GRANTS MANAGEMENT AND INNOVATION

26. **Tohono O'odham Nation State-Shared Revenue Program Funds**  
RESOLUTION NO. 2021 - **48**, of the Board of Supervisors, to approve acceptance of Tohono O'odham Nation State-Shared Revenue Program Funds and pass-through to the entities in Pima County selected by the Tohono O'odham Nation.  
approve

### \*\*\* HEARINGS \*\*\*

Individuals wishing to address the Board on a Public Hearing item will need to contact the Clerk of the Board's Office at 520-724-8449, to register their request and obtain remote access information.

## COUNTY ADMINISTRATOR

27. **Hearing - Justice Court Cost Recovery Fees for Marriage Ceremonies**  
ORDINANCE NO. 2021 - **21**, of the Board of Supervisors, relating to cost recovery in the Pima County Justice Court, amending Ordinance No. 1999-74, as previously amended by Ordinance Nos. 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23, by establishing an administrative cost-recovery fee for administrative costs associated with marriage ceremonies.  
approve as presented

## FRANCHISE/LICENSE/PERMIT

28. **Hearing - Agent Change/Acquisition of Control/Restructure**  
Job No.152695, Andrea Dahlman Lewkowitz, Speedway, Multi-License Acquisition of Control:
- Store No. 2983, 6777 N. Sandario Road, Tucson
  - Store No. 2980, 15841 W. El Tiro Road, Marana
  - Store No. 2959, 11200 S. Sierrita Mountain Road, Tucson
  - Store No. 2969, 6890 N. Sandario Road, Tucson
  - Store No. 2978, 6225 W. Ajo Highway, Tucson
  - Store No. 2943, 2075 W. Ruthrauff Road, Tucson
  - Store No. 2942, 6855 E. Sunrise Drive, Tucson
- approve

**29.**

**Hearing - Bingo License**

21-04-8040, Elaine Fansler, Trails West Resident Association, 8401 S.  
Kolb Road, Tucson, Class A - Small Game.  
approve

**30.**

**ADJOURNMENT**

## **ADDENDUM 1**

### **EXECUTIVE SESSION**

1. Pursuant to A.R.S. §38-431.03(A)(3), for legal advice only regarding waiver of Attorney-Client privilege regarding written communication from the County Attorney on the City of Tucson's adoption of differential water rates.  
**no Board action taken**
2. Pursuant to A.R.S. §38-431.03(A)(3), for legal advice only regarding waiver of Attorney-Client privilege regarding written communication from the County Attorney on mask and vaccine mandates to prevent the spread of COVID-19.  
**no Board action taken**

### **BOARD OF SUPERVISORS SITTING AS OTHER BOARDS**

#### **FLOOD CONTROL DISTRICT BOARD**

3. **Executive Session**  
Pursuant to A.R.S. §38-431.03(A)(3) and (4), for advice and direction regarding the sale of property forfeited to the State through civil asset forfeiture (3657 E. Alvord Road) to Pima County Flood Control District.  
**proceed as discussed**

## **SITTING AS THE BOARD OF SUPERVISORS**

### **BOARD OF SUPERVISORS**

- 4. Mandating Vaccinations for Healthcare Workers**  
Discussion/Action directing the County Administrator and County staff, utilizing the County's broad public health authority under state statute (A.R.S. §11-251(17), A.R.S. §11-251(31), A.R.S. §36-183.02(A), and A.R.S. §36-624), to mandate that all healthcare workers in Pima County licensed by the State of Arizona, and their direct support staff, be vaccinated against COVID-19; and to further mandate that all healthcare workers in Pima County licensed by the State of Arizona, and their direct support staff, have begun the vaccination process by September 1, 2021; that documentation of compliance be filed by the employers of the healthcare workers and their support staff with the Pima County Health Department in a timely manner; and finally, that the Pima County Health Department lay out clear compliance and accountability metrics, as well as consequences for non-compliance, by no later than 5:00 pm on Friday, August 20, 2021. Allowable exemptions shall be included in the County's mandate. (District 2)

Meeting date: 8/16/2021

**continue**
- 5. Eviction Moratorium**  
Discussion/Action affirming that because the Centers for Disease Control & Prevention has declared that Pima County is experiencing substantial community transmission of COVID-19, the extended Eviction Moratorium announced August 3, 2021, by the CDC is in full effect within Pima County. (District 2)

**no Board action taken**
- 6. K-12 Schools Within Pima County Mask Mandate**  
RESOLUTION NO. 2021 - **49**, of the Board of Supervisors, mandating the use of face coverings in all K-12 schools within the County, as an effective mitigation strategy to keep our children safe from COVID-19. (District 2)

**motion failed**



## JUSTICE COURTS

7. **Judge Pro Tempore Appointments**  
Appointments of Judges Pro Tempore of the Consolidated Justice Court for the period of August 10, 2021 through June 30, 2022:
- Hon. Kellie Johnson; Hon. Kyle Bryson; Hon. Michael Butler; Hon. Gary Cohen; Hon. Richard Gordon; Hon. D. Douglas Metcalf and Hon. Jeffrey Sklar  
**approve**

## CONTRACT AND AWARD

### COUNTY ATTORNEY

8. City of Tucson, to provide for the Pima County Attorney's Victim Services Program, contract amount \$24,900.00 revenue (CTN-PCA-21-101)  
**approve**

## GRANT APPLICATION/ACCEPTANCE

9. **Acceptance - Community and Workforce Development**  
Arizona Department of Economic Security, Amendment No. 5, to provide for the Social Services Block Grant, \$40,891.00 (GTAM 22-4)  
**approve**
10. **Acceptance - County Attorney**  
Arizona Automobile Theft Authority, to provide for the FY2022 Auto Theft Vertical Prosecution Program, \$216,056.00 (GTAW 22-4)  
**approve**
11. **Acceptance - Health**  
Arizona Department of Health Services, Amendment No. 6, to provide for immunization services, amend grant language and scope of work, \$9,559,161.00 (GTAM 22-11)  
**approve**
12. **Acceptance - Pima Animal Care Center**  
Petco Love (formerly Petco Foundation), to provide for the Love Stories Surprise Grant, \$1,000.00 (GTAW 22-5)  
**approve**

13.

**Acceptance - Sheriff**

Oversight Council on Driving or Operating Under the Influence Abatement, Amendment No. 2, to provide for DUI enforcement and extend grant term to 12/31/21, \$32,827.94 (GTAM 22-7)  
approve

**BOARD, COMMISSION AND/OR COMMITTEE**

14.

**Transportation Advisory Committee**

Appointment of Tom Berezny, to replace Don Weaver. Term expiration: 8/9/25. (District 4)  
approve

## CONSENT CALENDAR

### Approval of the Consent Calendar

see items below

## CONTRACT AND AWARD

### Community and Economic Development

1. Pima Council on Aging, Inc., to provide for the Home Sharing Program, General Fund, contract amount \$100,000.00 (CT-CED-22-41)  
**approve**

### Economic Development

2. Ajo District Chamber of Commerce, to provide for the Ajo Visitor Center: Gateway to the Sonoran Desert, General Fund, contract amount \$48,000.00 (CT-CA-22-46)  
**approve on the Consent Calendar**

### Procurement

3. **Award**  
Amendment of Award: Master Agreement No. MA-PO-17-84, Amendment No. 7, Portable Computer Systems, Inc., d.b.a. PCS Mobile and Mobile Concepts Technology, L.L.C., to provide for Panasonic computer equipment, peripherals and services. This Amendment extends the termination date to 10/17/22 and adds the shared annual award amount of \$700,000.00 for a cumulative not-to-exceed contract amount of \$3,498,100.00. Funding Source: General Fund. Administering Department: Information Technology.  
**approve on the Consent Calendar**

## GRANT APPLICATION/ACCEPTANCE

4. **Acceptance - Clerk of the Superior Court**  
U.S. Department of Health and Human Services, Amendment No. 1, to provide for the Title IV-D Child Support Enforcement, extend grant term to 6/30/22 and amend grant language, \$557,961.52/\$248,546.80 General Fund Match (GTAM 21-112)  
**approve on the Consent Calendar**

- 5. Acceptance - Community and Workforce Development**  
Arizona Department of Economic Security (AZDES), Amendment No. 1, to provide for the AZDES - Employment and Training Program Workforce Innovation and Opportunity Act and amend grant language, \$9,628,283.00 (GTAM 21-111)  
**approve on the Consent Calendar**
- 6. Acceptance - Community and Workforce Development**  
U.S. Department of Labor/Veterans Employment and Training Service, Amendment No. 3, to provide for the Homeless Veterans' Reintegration Project, \$190,848.00 (GTAM 22-1)  
**approve on the Consent Calendar**
- 7. Acceptance - County Attorney**  
U.S. Department of Justice, to provide for the Crime Victim Compensation Program, \$464,312.00 (GTAW 22-1)  
**approve on the Consent Calendar**
- 8. Acceptance - Environmental Quality**  
United States Environmental Protection Agency, to provide for the Clean Air Act Section 105, 66.001-Air Pollution Control Program Support for PPC FF2021, \$564,892.00/\$781,000.00 PDEQ AMS Unit 0301 Minor Stationary Source Revenue Fund Match (GTAW 21-187)  
**approve on the Consent Calendar**
- 9. Acceptance - Grants Management and Innovation**  
U.S. Department of Homeland Security, FEMA Emergency Food and Shelter Program (EFSP), to provide for EFSP Supplemental Appropriation for Humanitarian Assistance Round 3 Funding, \$25,119.37 (GTAW 22-2)  
**approve on the Consent Calendar**
- 10. Acceptance - Grants Management and Innovation**  
U.S. Department of Treasury, to provide for the American Rescue Plan Act of 2021-Coronavirus State & Local Fiscal Recovery Fund (SCLFRF), \$203,421,668.00/3 year term (GTAW 21-184)  
1. Acceptance of SCLFRF award  
2. Review and approval of draft framework for recovery spending plan  
**approve**
- 11. Acceptance - Health**  
Arizona Department of Health Services, Amendment No. 2, to provide for STD Control Services, \$167,851.00 (GTAM 22-2)  
**approve on the Consent Calendar**

- 12. Acceptance - Health**  
Association of Food and Drug Officials, to provide for the following:  
update of CHFS equipment, staff training - conference for food  
protection, verification of standards 3, 5 and 7, and completion of a  
comprehensive strategic plan to complete standards 6 and 8, \$9,398.00  
(GTAW 22-3)  
**approve on the Consent Calendar**

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

- 13. Cooperative Extension Board**
- Reappointments of Hector Campoy and Michaela K. McGibbon. Term expirations: 6/30/22. (Committee recommendations)
  - Reappointments of Kelly Cook, Rick Frey and Daniel Pacheco. Term expirations: 6/30/23. (Committee recommendations)
- approve on the Consent Calendar**
- 14. Pima County/Tucson Women's Commission**  
Appointment of Kimberly Fitch, to fill a vacancy created by Shirley G. Muney. Term expiration: 12/31/24. (District 3)  
**approve on the Consent Calendar**
- 15. Board of Adjustment, District 1**
- Appointment of Kelle Maslyn, to replace Alan Brass, effective August 20, 2021. Term expiration: 8/19/25.
  - Reappointment of Lynn Wildblood. Term expiration: 8/19/25.
- approve on the Consent Calendar**
- 16. Tucson-Pima County Bicycle Advisory Committee**
- Appointment of Kevin Greene, to fill a vacancy created by Heidi Costello. Term expiration: 9/30/21. (Commission recommendation)
  - Appointment of Sean Pantellere, to replace P. Wayne Cullop. Term expiration 8/9/23. (Commission recommendation)
  - Reappointment of Daphne Hope. Term expiration: 7/31/23. (Commission recommendation)
- approve on the Consent Calendar**
- 17. Planning and Zoning Commission**  
Reappointment of Bob Cook. Term expiration: 6/19/25. (District 5)  
**approve on the Consent Calendar**
- 18. Library Advisory Board**
- Appointment of Mary Ann O'Neil, to fill a vacancy created by Nubia Valentino. Term expiration: 6/30/23. (District 2)
  - Reappointment of Elizabeth Soltero. Term expiration: 6/30/25. (District 5)
- approve 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**

19. **Special Event**
- Kristin Marie Johnson, Hero Support, Cocoraque Ranch, 3199 N. Reservation Road, Marana, September 18, 2021.
  - James Daniel Sheehan, Friends of Western Art, Inc., 1451 N. Smokey Springs Road, Tucson, October 16, 2021.
- approve on the Consent Calendar
20. **Temporary Extension**
- 14101009, Kevin Arnold Kramber, American Legion No. 109, 15921 S. Houghton Road, Corona de Tucson, July 24, 25, 31, August 1, 21, 22 and October 2, 2021.
- approve on the Consent Calendar

**ELECTIONS**

21. **Precinct Committeemen**
- Pursuant to A.R.S. §16-821B, approval of Precinct Committeemen resignations and appointments:
- RESIGNATION-PRECINCT-PARTY  
Lewis Coppes-178-DEM; Nancy Oberg-099-REP; Linda K. McCurdy-226-REP; Mark L. McCurdy-226-REP
- APPOINTMENT-PRECINCT-PARTY  
Stephanie Oleary-009-DEM; David R. Ward-094-DEM; Linda Ray-107-DEM; Virginia M. West-118-DEM; Andrew J. Miller-122-DEM; Retta Kay Schriener-145-DEM; Edwin J. Fix-179-DEM; Catherine A. Nichols-238-DEM; Martha "Loretta" Sowers-238-DEM; Benjamin E. Brookhart-070-REP; Darrel L. Hochstettler-109-REP; Coleen C. Brutger-116-REP; Joann Mart- 127-REP; Robert N. Carter-131-REP; Bill J. Preble-132-REP; Elaine E. Beck-145-REP; Deborah "Debbie" N. Hayes-147-REP; Gary C. Frank-177-REP; Carol S. Clark-194-REP; Andrew F. Sparacia-195-REP; Geoffrey P. Greenwell-208-REP; Margaret B. Burkholder-218-REP; Anthony D. Coles-249-REP
- approve on the Consent Calendar

**JUSTICE COURT**

22. **Judge Pro Tempore Appointments**
- Appointments of Judge Pro Tempore of the Consolidated Justice Court for the period of August 10, 2021 through June 30, 2022:
- Blythe Edmonson and Judy Drickey Prohow
- deny

## **RECORDER**

23. Pursuant to Resolution No. 1993-200, ratification of the Document Storage and Retrieval Fund for the months of April, May and June, 2021.  
**approve on the Consent Calendar**

## **TREASURER**

24. **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 \$12,338.20.  
**approve on the Consent Calendar**

## **RATIFY AND/OR APPROVE**

25. Warrants: July, 2021  
**approve on the Consent Calendar**