

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, March 5, 2024. Upon roll call, those present and absent were as follows:

Present: Adelita S. Grijalva, Chair
 Rex Scott, Vice Chair
 *Dr. Matt Heinz, Member
 Dr. Sylvia M. Lee, Member
 **Steve Christy, Member

Also Present: Jan Leshar, County Administrator
 Daniel Jurkowitz, Assistant Chief Civil Deputy County Attorney
 Melissa Manriquez, Clerk of the Board
 Lt. Ryan O'Connor, Sergeant at Arms

*Supervisor Heinz joined the meeting at 9:42 a.m.

**Supervisor Christy left the meeting at 12:30 p.m.

1. EXPANSION OF THE PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S ALERT SYSTEM

RESOLUTION NO. 2024 - FC¹, of the Pima County Board of Directors, to support the expansion of the Pima County Regional Flood Control District's ALERT Flood Threat Recognition System onto the San Xavier District of the Tohono O'odham Nation.

It was moved by Supervisor Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to adopt the Resolution.

2. APPOINTMENT OF HEARING ADMINISTRATORS AND HEARING OFFICERS

RESOLUTION NO. 2024 - FC², of the Board of Supervisors, appointing Hearing Officers and Hearing Administrators and the Pima County Regional Flood Control District Board of Directors appointing District Hearing Officers.

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:19 p.m.

CHAIR

ATTEST:

CLERK

DRAFT

BOARD OF SUPERVISOR' MEETING MINUTES

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Dr. Sylvia M. Lee, Member
**Steve Christy, Member

Also Present: Jan Leshar, County Administrator
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1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement was delivered by Diana Centeno, Reach Out and Read Coordinator, Literacy Connects.

3. PAUSE 4 PAWS

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

4. POINT OF PERSONAL PRIVILEGE

Sharon O'Brien, Executive Director, Literacy Connects, addressed the Board and explained that the volunteer-based program focused on teaching children how to read and helped with English learning adults. She stated the program supported the Digital Equity and Pima Early Education Program Scholarships (PEEPS).

Supervisor Scott acknowledged the late Kay Simpson White, who was a community leader and advocate for some of the community's most vulnerable members. He stated that Ms. White founded the Administration of Resource and Choices, and the Elder Shelter Project.

Supervisor Christy acknowledged Kim Farr as the High School Teacher of the Year for 2023/24 in the Vail School District, by Arizona Athletics. He explained that four of

the nine nominees were from the Vail School District and congratulated them for their great work and efforts.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Terri Spencer, Director, Procurement, proclaiming the month of March 2024 to be: "PROCUREMENT MONTH" and proclaiming the day of Wednesday, March 13, 2024 to be: "PROCUREMENT PROFESSIONAL'S DAY"

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item. Supervisor Scott made the presentation.

6. Presentation of a proclamation to the Invasive Species Volunteers, proclaiming the day of Tuesday, March 5, 2024 to be: "INVASIVE SPECIES VOLUNTEER APPRECIATION DAY"

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to approve the item. Supervisor Lee made the presentation.

7. Presentation of a proclamation to Eva Carrillo-Dong and Anakarina Rodriguez, Co-Chairs, Arizona César Chávez and Dolores Huerta Holiday Coalition, proclaiming the month of March 2024 to be: "CÉSAR CHÁVEZ AND DOLORES HUERTA MONTH"

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 3-0 vote, Supervisor Christy abstained and Supervisor Heinz was not present for the vote, to approve the item. Chair Grijalva made the presentation.

8. **CALL TO THE PUBLIC**

Julia Strange, Tucson Medical Center (TMC), addressed the Board in support of the Mosaic Quarter Development (MQD) Project and stated that TMC was proud to partner with the Tucson Orthopedic Institute and the developers of MQD as the official sports medicine partners.

Brie Seward, Vice President of the Strategic Relationships for Social Venture Partners (SVP), expressed support for the Mosaic Quarter Development Project and stated that it would positively impact the community and aligned with SVP's principals.

Troy Vaughn, Senior Director, Campus Recreation, University of Arizona (UA), spoke in support of the Mosaic Quarter Development (MQD). He commented that the UA planned to create several hockey teams, including a woman's team and the MQD enhanced that opportunity for the university. He added that the location was beneficial for the university and community.

Rob Elias, President and CEO, Tucson Hispanic Chamber, expressed support for the Mosaic Quarter Development and explained how the project would positively impact the economy.

Danny Plattner, Co-Founder and Operator, Tucson Adult Hockey League and member of the Junior Roadrunners, spoke in support of the Mosaic Quarter Development.

Felipe Garcia, President, Visit Tucson, expressed support for the Mosaic Quarter Development. He explained that MQD would offer youth sports, which would be great economically for the County.

Edgar Soto addressed the Board in support of the Mosaic Quarter Development and that the project would create pathways for future talent.

Sharon Greene spoke about the plan for destruction of the U.S. She stated that there was an illegal alien invasion in Pima County.

Anastasia Tsatsakis addressed the Board regarding illegal voting by non-citizens and suggested an audit of Casas Alitas and all Catholic charities.

Allen Kinnison, Vice President, Southern Arizona Leadership Counsel (SALC), expressed support for the Mosaic Quarter Development. He stated that SALC's vision was to advance the world class community and MQD would allow that to happen.

Dave Smith spoke about illegal immigration and that the County was falling apart and the Board needed solutions to fix the problems.

Blake Eager spoke in support for the Mosaic Quarter Development because it would create economic growth and extensive job growth. He stated that the project would provide a chance for youth sports in Southern Arizona.

Don Hayles expressed opposition to Minute Item Nos. 7, 14, 15 and 41, and that the Board needed to stop being irresponsible with how they spent money.

Tom Moulton, Executive Director, Southern Arizona Attractions Alliance, expressed support for the Mosaic Quarter Development. He stated that sports would not be able to take place without the facilities or the infrastructure, and the MQD project would provide the facilities to take on more sporting activities.

Laurie Moore addressed the Board regarding how the government provided illegal immigrants with welfare and other government benefits. She commented that first responders dealt with deadly situations and that they should not respond to democrat affiliated emergency phone calls.

Gisela Aaron spoke about the growing China cyber threat and that the threats were going to take down the internet and cause issues for the election.

Mike Aaron spoke about the money spent on illegal immigrants and nothing was done for the veterans.

Raf Polo expressed his opposition to the time limits on Call to the Public.

Brent Davis, Southwest Nonprofit Housing, expressed support for Minute Item No. 14. He stated that increasing the GAP Funding would allow for three more housing projects for the community.

Oliver Swan, Tucson Crime Free Coalition, expressed appreciation for the efforts made towards the Transition Center at the County Jail. He stated that the center was essential for reducing crime and providing a continuum of care services to those that were afflicted by drugs or mental illness.

Brad Anderson, President and CEO, Vail Chamber of Commerce, expressed his support for the Mosaic Quarter Development and the economic development that the project would bring to the community.

Robert Reus addressed the Board regarding his plan to run for the District 1 Supervisor seat and the tax reform plan he would bring to the County if he was elected to the position.

Steve Wilcox spoke about the punishment of crime and that men had an impulse to test themselves and if there was no consequences then there was no test.

Angie Anderson addressed the Board regarding non-governmental organizations and the illegal immigrant invasion. She listed the crimes committed by illegal immigrants throughout the country.

Tiera Rainey spoke about the diversification of the Blue Ribbon Commission. She stated that the former commission was primarily law enforcement and construction companies, and she believed that it would be ethically immoral to create a commission that was filled with stakeholders who were committed and paid to keep a jail full.

Keith Van Heyningen expressed opposition to the Mosaic Quarter Development and spoke about the Board's irresponsible spending of taxpayers' money.

Cory Stephens addressed the Board regarding illegal immigrants who received pre-paid credit cards that were loaded with taxpayers' money and crimes committed by illegal immigrants.

Linda Welter, Chair, Tucson Metro Chamber of Commerce, expressed support for the Mosaic Quarter Development and that the project would benefit the community.

EXECUTIVE SESSION

9. Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding an update on the Louis Taylor civil case with outside counsel.

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

BOARD OF SUPERVISORS

10. The Board of Supervisors on January 23 and February 20, 2024, continued the following:

Intergovernmental Agreement (IGA) with City of South Tucson to Support Provision of Fire and Emergency Medical Services

Discussion/Direction/Action: Directing the County to enter into an IGA with the City of South Tucson to support the provision of Fire and Emergency Medical Services to the businesses and residents of South Tucson, through which the County shall provide the City of South Tucson with \$400,000.00 this fiscal year for this purpose, from the County's FY24 Contingency Funds; and declaring an emergency. (District 2)

At the request of Supervisor Heinz and without objection, this item was continued to the Board of Supervisors' Meeting of March 19, 2024.

11. **Board of Supervisors Representative Updates on Boards, Committees and Commissions and Any Other Municipalities**

Supervisor Scott stated that the Regional Transportation Authority (RTA) had met in a special meeting on February 22, 2024, and the agenda had focused only on the RTA Next Plan development. He stated they discussed revenues that were to be set aside for economic or inflationary contingencies, debt services, whether or not there should be named projects in the safety and active transportation elements and how much within those elements should be uncommitted, whether or not other regional transportation funds should be used for certain elements of the RTA Next Plan and if there were any suggested changes to the two draft plans that were under consideration by the Board. He clarified that no action was taken, but plenty of discussion had taken place, and some matters were referred to the Technical Management Committee (TMC) to provide additional guidance to the Board. He stated that their next regular meeting was scheduled for April 4, 2024.

Chair Grijalva stated that there had been much attention and news articles about the City of Tucson's continued participation in the RTA and asked if there had been discussion about that at their meeting.

Supervisor Scott responded that every member of the Board, including Mayor Romero engaged vigorously in the discussion of those items and there was an

indication that they would continue to engage in those items such as getting the RTA Next Plan through the Board of Supervisors so that it could proceed to the next phase of the public review process.

Supervisor Lee stated that she met with Chairman Jose of the Tohono O'odham Nation, who had attended the RTA meeting and he was very impressed with the discussions. She informed him that he had the ability to connect remotely and also to assign his staff to attend the TMC. She stated that she was unsure of the outcome, but could reach out to their public relations person and her Chief of Staff for an update. She added that she spoke with County Administrator Leshner about lending expertise to the Tohono O'odham Nation in the area of parks, flood control and other areas and Chairman Jose was very interested in it because he knew there was a lot of work to be done with parks. She stated that they had a park, but he desired to expand it and the County had expertise in that area. She also urged Chairman Jose to submit his projects to the RTA for the Next Plan that would benefit the nation. She stated that the Ajo area had a commission comprised of leaders called the Western Pima County Commission, a group of individuals that was closest to local governance as they came. She stated that they discussed issues in their community and one clear issue was that there were a number of homes in disrepair and the County's ability to condemn properties. She explained that the area's Sheriff Deputy informed her that those properties were frequently used for unlawful activities, were a hazard and had been there for a long period of time or had a tax lien. She stated that she requested the Board's legal counsel to get more information on the ability to condemn properties.

Chair Grijalva provided a brief presentation on updates for the Board of Health from their February 28, 2024 meeting. She stated that there was a quarterly update on the Prosperity Initiative from Bonnie Bazata, and it was received well by the Board of Health members. She explained that Dr. Cullen gave an update on Syphilis in Pima County and in 2023, Pima County reported 916 Syphilis cases with a 429% increase in cases since 2010, which was significant. She added that the treatment for it was easy, but part of the problem was getting people there to access treatment. She stated that their next meeting was scheduled for March 27, 2024.

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

12. **Board of Supervisors Policy**

Proposed adoption of Board of Supervisors Policy No. 22.16, Vacant Positions. (District 1)

Supervisor Scott stated that there were three important attributes of leadership and management when discussing this policy, which were accountability, fiscal responsibility and transparency. He read an excerpt under the General Fund Expenditures section from the County Administrator's Memorandum dated February 14, 2024, regarding the financial forecast for the County. He stated that he had discussed it with the County Administrator and went back to October 2022 when the policy was passed to ensure an adequate General Fund balance and vacancy

savings implementation as part of the policy. He stated that this item was a policy that spoke to the fact that the previous efforts had not made a difference in the vacancies, which resulted in 900 to 1,000 vacancies for several years and predated the current members of the Board. He read from the proposed policy and stated that the “with exceptions” verbiage had been suggested by Deputy County Attorney Brown, which gave Administration flexibility in their ongoing dialog with elected officials and department heads. He stated that it needed to be approached with a scalpel and not a meat ax and hoped that exceptions would be exceptions. He then referred to the draft Administrative Procedure attached to the item provided by County Administrator Leshner and read from Procedure, Section 4.,A.,1. He stated that at this point it would be when discussions would ensue with department heads and elected officials. He stated that it was also important to point out Section 4.,C. and read it aloud. He felt that in the interest of what was owed to the public in terms of accountability, fiscal responsibility and transparency the Board should adopt the policy.

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

Chair Grijalva stated that she appreciated the area for exceptions, but was concerned about positions that were hard to fill, which included plumbers, HVAC, other trade workers and attorneys. She stated that those kinds of positions were hard to fill and went vacant for a long period of time, but wanted to ensure if there was an applicant for those positions that the County would be able to capture them. She wanted to ensure that with exceptions certain positions would not be eliminated and felt that they should be protected and exempted from being swept because the need would not change. She asked for feedback from the County Administrator.

Jan Leshner, County Administrator, agreed and stated that when the process began to review positions that were open for a year it included positions such as Medical Examiners, Pathologists, Veterinarians, and trade workers. She explained that they thought of developing a list of exceptions, but it became difficult to do because each department would state that the position was critical at that time. She stated that during discussions with Supervisor Scott, they recommended “with exceptions.” She added that they began discussions with the County Attorney’s Office and their concern was that during this time of year, they started talking to individuals that would graduate in May, but would not take the Bar Exam until July and would not receive the results until October. She stated that led to discussing exceptions to accommodate that office to align with those schedules. She stated that General Fund positions that remained vacant for 240 days resulted in \$5 million and were positions that needed to be reviewed closely and was a reason why they would be able to grant exceptions for necessary positions, but some that had not been advertised could be closed out and modify the base budget.

Chair Grijalva agreed and stated that positions such as Veterinarians and Medical Examiners were hard to fill positions. She stated that they might hire individuals, but if they did not work out, the position would need to be re-opened. She hoped that Ms. Leshner and her team could work on a resolution. She stated that while she

appreciated vacancy savings, her goal was to keep those certain positions vacant until some of the training programs bore more fruit. She stated that some of those positions received better pay and better benefits outside of the County and wanted to ensure that the County remained competitive.

Supervisor Heinz inquired about the reasoning behind the change in 240 days versus 365.

Supervisor Scott explained that in the excerpt he read earlier, those efforts were made in the past. He stated the County already tried to sweep items that had remained vacant for more than 365 days. He added that during his discussions with the County Administrator and specifically reviewing positions that had been vacant for 240 days or more seemed like a better benchmark in terms of what the County had already attempted and the area where there might be reasonable exceptions. He stated reviewing them in four different intervals would allow the County Administrator to engage in dialogue with department heads and elected officials at four distinct points throughout the fiscal year.

Supervisor Heinz asked if there was any discussion about implementing this policy after the Classification and Compensation Study was fully implemented. He suggested a starting point of 12 months after full implementation to allow for hard to fill positions to be advertised under the new pay structure.

Chair Grijalva appreciated Supervisor Heinz's point because not all compression issues had been addressed and were still being worked on to allocate dollars to ensure the County was fully able to address those concerns. She stated that she believed the County had done better with making salaries more competitive, but there were still compression concerns within departments and if they could resolve those issues, it would encourage current employees to advocate for employment with the County.

Ms. Leshner explained that a significant change had occurred over the last year and was the reason for vacancy savings. She stated there was difficulty in returning a position once it had been swept and that some departments held onto vacant positions because they would never get them back. She stated that to alleviate the issue, they created a process, a one-page form that went through the Finance and Human Resources Departments to recreate a previously eliminated position. She stated that they had been closely watching the issue of vacancy savings and the elimination or recreation of positions. She stated that the policy would go into effect on April 1, 2024, but the Board could extend that date to look further into compression issues, if needed, but the County would still work with each department and that 43% of the funding was General Fund, which equated to \$5 million. She stated that the County would still work with the departments to accommodate the special positions that took longer to fill to ensure positions that were needed and not having people creating their own savings account through vacancies.

Supervisor Lee indicated that when she worked for Pima Community College, there were many times that the search for hard to fill positions was halted and restarted and it would take longer than 240 days to complete, which was an issue for her. She asked if the County had looked at other Arizona counties to see how long it took for them to fill their vacant positions. She felt this was important because Pima County could determine whether something else needed to be changed internally or whether the County was not competitive enough. She stated that she heard the County did not pay relocation fees, which would cause someone not being able to be hired for a high-level position.

Ms. Leshar responded that the County recently began offering relocation reimbursements and only had anecdotal information from the other County Administrators around the State in regards to filling vacant positions. She stated that once it was known what the other counties had done, she could provide more information to the Board.

Supervisor Lee expressed concern with the departments that had vacant positions open for 365 days, such as the Sheriff's Department, County Attorney, Public Defense, Juvenile Court, Health Department, Facilities Management and Community and Workforce Development, which had the most vacant positions. She recommended that the County Administrator's Office conduct their own investigation into the vacant positions without it going through Human Resources.

Ms. Leshar responded that she would provide that information to the Board.

Supervisor Scott stated that having exceptions gave the County Administrator and her team a lot of latitude in terms of how the administrative procedures were finalized. He explained that the elected official most affected by the policy was the County Attorney. He stated that discussions were already taking place with the County Administrator and also with the department heads appointed by the County Administrator. He asked if this information was correct.

Ms. Leshar responded in the affirmative.

Supervisor Scott reiterated that the verbiage "with exceptions" in terms of how it would be addressed by department and position provided latitude to the County Administrator, but ultimately the County needed to resolve the 900 to 1,000 vacant positions which had been endemic to the County for several years.

Chair Grijalva stated that the County knew about the hiring windows for each department position and felt there should be exemptions for those positions. She stated that it was not good fiscal management to have the position and then eliminate the funding due to it not being filled and that there should be exemptions, not exceptions, to certain positions like Medical Examiners, Veterinarians, Plumbers and other positions. She stated that not every position would need to come back to the County Administrator and would provide her with more flexibility.

Ms. Lesher stated that there had been lengthy discussions regarding exceptions. She stated that one of the concerns, for example with Facilities Management, which had the largest number of vacancies because it was difficult hiring Trade workers and some of the same positions existed in other departments, but had been filled, was that creating a list of exemptions became very difficult to draw the line on defining which positions were critical and to develop a policy that allowed for those exemptions.

Chair Grijalva expressed her concern and stated that for example, if the County had an opening but the funding was swept and the position was a critical need, how the department would be able to find a candidate for that position if the funding was no longer available. She inquired about the request to return a position to a department and the timeline.

Ms. Lesher responded that was the reason why the County had set up a new system that allowed departments to go online and fill out a form to request that a position be reinstated, which would be reviewed and approved by the Finance and Risk Management and Human Resources Departments and that there would be enough time.

Supervisor Heinz asked if exemptions could start with positions that required a State license, for example Pathology or Juris Doctor, it did not cover all positions, but candidates may have multiple offers and if they did not receive an immediate answer, would be lost, which was not good governance. He explained that it could start with those exemptions and any others that the County Administrator believed to be exempted.

Supervisor Scott stated that he felt that the way the policy and administrative procedure was crafted and after long discussions and careful considerations, that the discussions with the elected officials and department heads for exceptions were needed and would be able to occur and he did not anticipate that those discussions would not happen before a decision was made.

Supervisor Lee asked if the other elected officials had time to review the proposed policy and provide feedback and had recalled that Sheriff Nanos mentioned new recruits were graduating from the academy. She explained that she was hesitant to vote on the item until the systems and timeframes were sound. She requested more time be given to the other elected officials to review and stated that she agreed with Ms. Lesher on department head positions appointed that she appointed to move forward.

Chair Grijalva stated that she would be willing to wait and implement the policy at a later time because it was important to get feedback. She expressed her concern and provided another example for a position in the Medical Examiner's Office that had been eliminated, but there was a potential candidate, would require a memo for every position that was eliminated. She added that the County Administrator was extremely busy and did not want to inundate issues by creating more problems to solve one problem. She appreciated the effort being made, but that the Finance and

Risk Management Department had been following a policy similar to the proposed policy.

Supervisor Scott stated that to Supervisor Lee's point, he and the County Administrator reviewed all elected officials other than County Attorney, which had single digit vacant positions that had been vacant for 240 days or more. He stated that was the reason why it was important to have conversations with the County Attorney because the other elected officials would not be greatly impacted by it. He added that since April 1st was fast approaching, the County Administrator's determinations for exceptions may not be as significant as what they may be at the start of the following quarter. He explained that he did not believe the other elected officials, besides the County Attorney, were going to be affected by the policy, especially with its division into four benchmarks.

Supervisor Heinz stated that given the fact that elected officials were not going to have a big impact, he suggested the proposed policy be delayed to July 1, and exempt the elected officials.

Chair Grijalva stated that she was not sure if it would affect all elected officials, but she understood there was a difference in the way the County was hiring attorneys and its timing. She stated that she would be comfortable with exceptions for licensed positions, but some of the attorney positions were not yet licensed due to them having to pass the Bar Exam.

Supervisor Heinz clarified that the position could not be offered or taken without the license.

Chair Grijalva asked for clarification if Supervisor Heinz meant if the position required a license, it would be exempt from elimination.

Supervisor Heinz answered in the affirmative.

Chair Grijalva stated that she would be comfortable with that, but was concerned about the timing of the proposed policy because it was effective on this day.

Ms. Leshar responded in the affirmative and stated that by requiring a license may resolve some elimination issues, but may require an amendment. She stated that the verbiage "with exceptions" might result in all departments and offices requesting an exception. She stated that if July 1, 2024, was the effective date then it would allow for the policy to be reviewed and accommodated into the next budget.

Chair Grijalva asked if the item should be brought back to the Board or if the County Administrator had enough direction to move forward. She stated that she understood the direction and where the Board wanted to go, but reiterated her concerns.

Ms. Leshar stated that if the Board was comfortable with the July 1 implementation date, it would allow staff the opportunity to have more in-depth conversations to

review positions with licensing and on which positions should be exempted, by the May 19, 2024 Board meeting.

Chair Grijalva stated that vacant positions that were licensed positions or hard to fill positions could be reviewed first and continue to advertise those positions. She asked if members were okay with postponing the vote until March 19th.

Melissa Manriquez, Clerk of the Board, clarified there was a motion on the floor to approve the item and asked if Chair Grijalva wanted to make a substitute motion.

A substitute motion was made by Chair Grijalva and seconded by Supervisor Scott to continue the item to the Board of Supervisors' Meeting of March 19, 2024. Upon the vote, the substitute motion carried 4-0, Supervisor Christy was not present for the vote.

Chair Grijalva encouraged staff to reach out to her office about their thoughts or concerns regarding the proposed policy.

Ms. Leshar stated that she would provide information about vacant positions in other counties to the Board.

COUNTY ADMINISTRATOR

13. Update on County Initiatives to Address Homelessness and Public Safety

Steve Holmes, Deputy County Administrator, introduced staff from the Transition Center that were in attendance to provide a presentation.

Doyle R. Morrison, Program Manager, Justice Services, provided a brief presentation and six-month update on the Transition Center. He stated that the purpose for the project was to engage with individuals that were leaving custody from the jail and connecting them with existing resources and services in the community. He explained that their goal was not to duplicate any services that were already available, but to be a conduit or warm handoff to these services. He stated that they offered direct support through court reminders, follow-up, outreach, transportation, cell phones and being alongside them because they themselves were individuals with lived experience and the program wanted to remove obstacles and help individuals be successful. He referred to the slide and showed the Board a photo of the Transition Center's location that was right outside the jail, which made it convenient for released individuals to connect with resources and services. He explained that the facility was open to the public and anyone could go in and ask questions. He stated that they had encountered individuals from the Department of Corrections and others who heard about their open house on the news and wanted to volunteer. He explained that the initial target population served was people that were released on their own recognizance by Pretrial Services. He explained that when Pretrial Services called the Transition Center about an individual being released, a Justice Navigator would meet the individual outside and start engaging with the individual to voluntarily accept services at the Transition Center. He stated

that once inside, staff would gather more information and data on the person and offer the services and resources needed to help them be successful. He explained that as the program and the staff continued to move forward their next goal was to work with people inside the jail and support them during booking or in the assessment area and inform them of the support they offered. He explained that they were also working towards supporting individuals that were released after their time served. He stated that the program had a “no wrong door” policy, meaning that they were willing and able to help and support anyone that entered the Transition Center. He stated that from August 2023 to February 2024 the Transition Center modular had almost 500 encounters and out of the 500 there were 416 unique individuals, which meant it was their first time going through the Transition Center. He explained that 97% of the people that entered the Transition Center accepted some form of assistance, 57% were identified as homeless and the average age was 39 years old. He stated that the Transition Center helped individuals get cell phones, transportation to safe homes, treatment or other resources and this was all in an effort to ensure the person was not spending the night unsheltered and possibly reverting back to their past habits and behaviors. He stated that a great feat was that 90% of individuals served through the center were not rebooked in the jail for 30 days and was done with their base line of 73% were not rebooked. He stated that when discussing the expansion of the program and assisting more individuals, staff found different ways to approach the expansion by playing a video in the holding area and the assessment area that showed how to get to the center. He explained that they were also going to be offering an envelope type handout that provided information on where that individual could find the Transition Center and it would also allow the individual to have a place to put their legal documents in. He stated that staff were trying to do more to open and broaden their efforts so all individuals who went to them could receive resources and services. He stated that the individuals that they helped and supported was the biggest part of their program.

Erika Godinez, Justice Navigator, Justice Services, stated that she wanted to speak about two success stories from the Transition Center. She stated that the first gentleman had been released from the Pima County Jail after serving 19 months, had multiple arrests in his history and had behavioral health issues. She explained that staff was able to get the gentleman involved with a cross collaboration with the Pima County Superintendent of Schools Program, Cycle Breakers, which was a three level tier program that focused on education, behavioral health services and employment. She stated that because of this he was immediately placed in employment and engaged with local behavioral health practices to get him involved in domestic violence classes, which was a requirement for his probation. She explained that the individual was placed in a transitional housing program for 90 days based on his employment and engagement in school and was about to take his last test for his General Equivalency Degree (GED) and was able to take three GED courses while incarcerated and was able to secure and sign a one-year lease for an apartment. She stated that he had continued his road to recovery and working on issues that stemmed from his teenage years that resulted in multiple arrests throughout his life. She explained that the center continued to see progress in his life and he remained engaged in his programs. She explained that Adult

Probation would be reducing him from Intensive Probation Supervision (IPS) to Standard Supervision. She stated that the second individual came from the Department of Corrections (DOC) and had been in custody most of his life starting from the age of 15 and when he came out of DOC custody he went back to a broken home, which resulted in Adult Probation placing him in transitional housing that was paid for three weeks. She stated at that time the Transition Center stepped in and found transitional housing for him and got him involved with the Cycle Breakers Program and got him in touch with Pima County's One-Stop Workforce Development Program. She stated he was given a list of places that were looking to hire immediately, and he got a position at a restaurant, and the restaurant manager reached out to her and expressed appreciation for the individual and his work ethic. She explained that he had continued employment and was housed in his own apartment and got his two dogs back from Pima Animal Care Center after they were placed there during his stay in transitional housing. She stated that he had continued his education journey and had completed his third test for his GED and continued his work on his recovery.

Chair Grijalva thanked them for their work and that sharing success stories with the community helped the services and resources they offered become a reality. She stated that the second participant spent most of his adult life incarcerated and because of the services and resources provided to him through the Transition Center was amazing and would be able to continue to encourage him to seek services versus reverting back to past habits. She stated that she was aware of two positions that the City of Tucson (COT) was funding and that one of the positions was filled and asked if that information was correct.

Kate Vesely, Director, Justice Services, responded in the affirmative and stated that COT had hired someone the previous day and they were in the process of hiring the second person.

Chair Grijalva stated that she believed the partnership with the COT was important to what the County was trying to achieve and understood that there was always hiring delays, but once the center had reached staffing capacity it would be amazing for the community and for the work that was being done.

Ms. Vesely clarified that the Transition Center was fully staffed at the County level.

Supervisor Lee thanked the team for their continued work and stated that this was an example of a best practice in the nation. She stated that the County Administrator's memorandum dated February 29, 2024, indicated that the Transition Center was looking to extend their operating hours due to individuals being released at all hours of the day and asked if that was correct.

Mr. Holmes responded in the affirmative and stated that once the second COT position was filled it would provide the bandwidth to extend their hours so that the center was open longer on weekdays and opened on the weekends.

Chair Grijalva inquired about the current operating hours.

Ms. Vesely responded they were open Monday through Friday from 8:00 a.m. to midnight and with the two extra staff they hoped to expand as much as possible with partial weekends.

Supervisor Heinz echoed sentiments from other Board members and stated that what they had done was exactly what needed to be done, it was supposed to be rehabilitative and meaningful work instead of relying on jails and prisons, which caused more criminal networking and knowledge and it would help people complete the steps needed to get to a place where they would never have to face again.

Supervisor Scott thanked staff and stated that the Justice Navigators served a valuable purpose because they informed individuals of the services available to them and he was fan of the navigator model and appreciated how it was applied to this unique population. He requested the County Administrator provide future follow-ups regarding Board discussion from 10 months ago where Mr. Holmes talked about a concept of a consolidated warrant resolution center. He stated it had been discussed in other contexts, including when Judge Bergin addressed the Board in December 2023, which he indicated in the response to Supervisor Scott's questions that he would follow up with Mr. Holmes to request a presentation be made to the working group. He asked for a status report that included where the County was with planning a consolidated warrant resolution center that was described in May 2023 and also an update on the Justice Court program that was discussed with Judge Pesqueira and the other Justices of the Peace.

Supervisor Christy congratulated the team for their response to the Tucson Crimefree Coalition's concerns about the issues that were important to the business community and neighborhood community and it seemed that everyone was collaborating well with each other, and the Tucson Crimefree Coalition had also shared their appreciation for this work. He stated that this topic could be very troubling and potentially divisive in the community and it seemed to be bringing people together in a unified way, hoped it continued in that way and would be thankful if it did.

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

14. **Additional FY 23/24 Pima County GAP Funding for Affordable Housing Development and Preservation**

Discussion/Direction/Action: Consideration of additional FY 23/24 Pima County GAP Funding for Affordable Housing Development and Preservation.

Jan Leshner, County Administrator, reminded the Board that at its last meeting this item was a continuation of discussion regarding a request for additional funding for one other project and as noted in her memorandum dated February 29, 2024, she supported the progress of the awards that had occurred to date. She stated that should the Board wish to add the additional property as discussed, she would recommend the Board make whole the previous partially funded project, which

would bring the total to \$1,484,316.00, and if approved, recommended the Board determine whether the additional funds should come out of this year's Contingency Fund or if it should be taken out of next year's \$5 million allocation for GAP housing.

It was moved by Chair Grijalva and seconded by Supervisor Scott to move forward with the \$1,484,316.00 for the additional projects and deduct it from next year's allocation and look to the Contingency Fund moving forward, and if there was enough capacity, make the \$5 million whole at that time. No vote was taken at this time.

Chair Grijalva stated this project was important to everyone in Pima County and she wanted to ensure that they were asking departments to consolidate and take cost saving measures in order to understand what the County's fiscal outlook was before committing to additional dollars without making other contingencies.

Supervisor Lee agreed that the County needed more affordable housing, but from her point of view, she believed there was always a process to allocate from the prior year and allow other individuals to come forward with their other proposals and then being hindered if the funding was swept from the following year and saw it as unfair and she hoped her colleagues agreed with her.

Chair Grijalva agreed, but was optimistic that next year the County would have an abundant contingency as with the previous fiscal year and hoped that would be the case. She made public the fact that the County continued to add safeguards, but did not think anything was done wrong with the evaluation process and staff had done everything required of them. She stated that some of the suggestions made by Supervisor Scott to have more conversations within projects would aid in creating a greater consensus so that this issue would not recur in the future. She felt that every time the process was completed the County got stronger and this feedback would help solidify it. She thanked staff and evaluators for their hard work and did not want it to be portrayed as a negative comment on how the process was conducted. She added that the need for housing was as critical as when the County had dedicated additional funds for road repairs, which had been fronted and was consistent in what the County had done in times of critical need and felt this was another opportunity for that.

Supervisor Heinz echoed Chair Grijalva's comments, but in his opinion, there was not a critical need to drive, but there was a critical need to shelter and hoped that the County could maintain at least \$5 million for the following year. He clarified that the Board had a Contingency Fund and inquired about the balance and how many months the County had before the balance was gone or until there was another reset. He added that there was a separate fund for inflation and asked what that entailed.

Ms. Leshar responded that there was about \$4 million left in the Contingency Fund and had until June 30, 2024, for another reset and that the Inflation Contingency Fund had about \$2 million left until June 30, 2024.

Chair Grijalva requested the item be brought back by staff with the possibility to infuse the almost \$1.5 million back into the \$5 million contingency and discuss it at the end of June or beginning of July.

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

15. **Pima County Adult Detention Center Blue Ribbon Commission**

Discussion/Direction/Action: Establish a new charter for a new commission.

At the request of the County Administrator and without objection, this item was continued to the Board of Supervisors' Meeting of April 2, 2024.

DEVELOPMENT SERVICES

16. **Appointment of Hearing Administrators and Hearing Officers**

RESOLUTION NO. 2024 - 9, of the Board of Supervisors, appointing Hearing Officers and Hearing Administrators and the Pima County Regional Flood Control District Board of Directors appointing District Hearing Officers.

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

17. **Amended Final Plat With Assurances**

P23FP00017, Yvon Heights, Lots 1-12 and Common Area "A". (District 1)

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

ELECTIONS

18. **Election Board Worker Appointments**

Pursuant to A.R.S. §16-531(A), appointment of election board workers recruited and on file in the Elections Department for the March 19, 2024 Presidential Preference Election.

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

FLEET SERVICES

19. **Annual Vehicle Exemptions**

In accordance with A.R.S. §38-538.03, staff requests the Board of Supervisors authorize the annual vehicle exemptions for 2024.

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

CONTRACT AND AWARD

Community and Workforce Development

20. To provide for an Internal Data Sharing Agreement, no cost/3 year term, for the following:

Vendor/Data Sharing Agreement No./Contract No.

Catholic Community Services of SO AZ, Inc./235551/CTN-CR-24-104

Dorothy Kret and Associates, Inc./235552/CTN-CR-24-101

Goodwill Industries of Southern Arizona, Inc./235553/CTN-CR-24-102

Ser-Jobs for Progress of Southern Arizona, Inc./235554/CTN-CR-24-100

Tucson Youth Development, Inc./235555/CTN-CR-24-103

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

County Attorney

21. Struck Love Bojanowski & Acedo, P.L.C., Amendment No. 7, to provide for legal representation of Pima County in Taylor v. Pima County, et al. and amend contractual language, Risk Management Tort Fund, contract amount \$250,000.00 (CT-FN-21-151)

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

22. Community Intervention Associates, Inc., d.b.a. Community Health Associates, Amendment No. 4, to provide for Pima County enhancing drug court services, coordination and treatment, extend contract term to 9/29/24 and amend contractual language, SAMHSA Fund, contract amount \$58,000.00 (CT-PCA-20-171)

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

Finance and Risk Management

23. Diligence Systems, Inc., to provide for report development services, General Fund, total contract amount \$320,000.00/2 year term (\$160,000.00 per year) (CT-FN-24-339)

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

Health

24. Helping Ourselves Pursue Enrichment, Inc., to provide for crisis cooperative for opioid misuse/abuse and prevention, SAMHSA Fund, contract amount \$275,000.00 (CT-HD-24-240)

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

Procurement

25. **Award**

Award: Master Agreement No. MA-PO-24-116, Janc Excavation and Construction, L.L.C. (Headquarters: Cortaro, AZ), to provide for septic system services. This master agreement is for an initial term of one (1) year in the annual award amount of \$403,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: CDBG Fund. Administering Department: Community & Workforce Development.

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

26. **Award**

Award: Master Agreement No. MA-PO-24-127, Power Motive Corporation (Headquarters: Denver, CO), to provide for bomag rollers. This master agreement is for an initial term of one (1) year in the annual award amount of \$300,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Fleet Services Ops Fund. Administering Department: Fleet Services.

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

27. **Award**

Award: Master Agreement No. MA-PO-24-119, Shamrock Foods Company (Headquarters: Phoenix, AZ) and Master Agreement No. MA-PO-24-120, US Foods, Inc. (Headquarters: Chicago, IL) to provide food products for the Pima County Adult Detention Complex. These master agreements are for an initial term of one (1) year in the annual award amount of \$1,650,000.00 each, for a total award amount of \$3,300,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: General Fund. Administering Department: Sheriff's Department.

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

28. DH Pace Company, Inc., to provide for WPS Upgrade & Hosted Solution, Parking Garage Enterprise Fund, contract amount \$300,000.00 (MA-PO-24-91) Administering Department: Information Technology, on behalf of Facilities Management

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

Real Property

29. Mosaic Quarter Development, L.L.C., to provide for the Mosaic Quarter Master Ground Lease, contract amount \$25,513,540.00 revenue/42 year term (CTN-RPS-24-136)

Jan Leshner, County Administrator, explained that the project started in 2014 with over 167 acres of property that the Board acquired and the County had a vision for what that property would look like and what it would do for the community. She stated in 2016, a consultant was hired to look at what the best option for the County was and adjacent to a sports facility and from there in 2018, Pickleball courts were added and lighted Soccer fields. She stated that after having the consultant the County put in the requests for statements of interest in 2019 and they reviewed those to gauge the community's interest to determine what direction the County wanted to go and it then led to statement of qualifications in 2020, which was the identification of the most innovative solutions. She stated that they received responses from two companies and the next step was a Request for Proposals (RFP) in late 2020, and in October 2020, the County selected the master development partner, Knott Development. She explained that the project was brought back to the Board in July 2021, with the predevelopment agreement and the Board had received regular updates since. She explained that the project was a complicated issue and reminded the Board of the history because it went through consultants, statements of interests, statements of qualifications and RFPs to ensure they selected the right partner for the project. She explained that from July 2021 to now, the process seemed slow, but the County worked with outside legal counsel, outside financial advisors and a variety of consultants to ensure that what they believed to be an extraordinary opportunity for the community had little to no risk for the County. She stated that the County spent time ensuring the project would not negatively impact the County's bond rating. She explained that the County built a facility near the Mosaic Quarter project area with the Kino development that had faced some negative outcomes, such as losing the White Sox, Major League Baseball and then the COVID-19 Pandemic, but had made it through all of that. She stated that the Board would hear more from the developer and their team and from Mr. DeBonis, Jr., which was the result of a decade of work to reimagine and reinvent this part of the community and believed what was being presented was the right partner at the right time to move forward.

Frank Knott, Senior Managing Director, Mosaic Quarter Development, stated the lease documents were for consideration by the Board, but it boiled down to two core aspects of the project transaction, which was for leasing County land at market rate

and receiving a 55% share of project cash flow in return for taking the limited risk of potentially assuming the project's debt obligations. He stated that he sought approval of a project that would positively impact all County residents and transform the local, regional and national profile of the County. He stated that he was humbled to be able to represent the work of over 100 team members, two dozen community organization partners and the input of thousands of community members and was proud and honored to present the work that had been done. He provided a slideshow presentation on the Mosaic Quarter Development, which showed what the aesthetic would be, however it did not show why it would be so impactful to the community. He referred to a rendering on the second slide and pointed out No. 10 as being the most impactful and was physically sprawling across its 90 acres with impact opportunities emanating from its sheer size. He stated that although it involved an array of amenities, he would focus on Phase 1, which was highlighted in blue on the slide, which included all the required infrastructure and seminal anchor elements. He stated that No. 4 on the slide was the Central Utility Plant, which was the foundation for their sustainability efforts that included cogeneration and solar parking arrays to produce campus power and chilled water and other advanced technologies that used stormwater and available reclaimed water sources to ensure they were not tapping into the aquifer to make ice for skating. He stated that there would be an Iceplex and a Field House and the purpose for those buildings was to offer an assortment of sports and recreation programs for all levels of athletes. He explained that Mosaic Quarter was a community asset that started with the collaboration of people and organizations across the County. He stated that the relationships between the two dozen partnerships and collaborations were essential to the community focus and each relationship expanded Mosaic Quarter's impact from athletics and entertainment to workforce development, support of small businesses, tourism, education, adaptive programming, healthcare and more. He stated Mosaic Quarter's goal was to find ways in which the site and its facilities could foster the expansion of services by local organizations. He stated that Mosaic Quarter's socio-economic impact was not only external and explained that the Mosaic Foundation was created based on the knowledge that underserved children in the community required additional support mechanisms, which would provide opportunities for families to access athletics, performing and visual arts, education, workforce development, fitness, health and wellness programs across the County. He explained that every year, 8,600 children would find sports, recreation and entertainment programming within reach and stated that \$1.5 million annual grants would ensure that all children, regardless of economic circumstance, could play.

Supervisor Heinz asked how the \$1.5 million in annual grants and the amount of 8,600 children being assisted were determined.

Mr. Knott responded that they performed local research and within discussions with various organizations, such as athletic organizations, clubs and recreation leagues that helped children, had discovered what they considered to be the parameters of how much support was needed in the community. He stated that while he would love to help 100% of those children, they had to figure out how they were going to best support those children, as well as continue everything that was happening at the site. He explained that at first, they did not attach a dollar amount, but decided

to figure out what the maximum level of support they thought they could provide and next figured out the dollar amount. He stated that the Mosaic Quarter had a profound economic community impact that resulted in \$8.3 billion in new local spending from regional and national sports events. He explained that this was possible by working with tournament and event sponsors that had national profiles and demonstrated their ability to deliver events that parents and sports directors sought out. He stated that their belief was that travel sports created community impact, but could not be the primary support of the business. He stated that when the business was managed in a targeted way, travel sports events had an outsized impact on hotels, restaurants, retailers, attractions, transportation and casual miscellaneous spending which would result in over 98 million guests visiting Mosaic Quarter during their stewardship of the site. He stated that from substantial new spending Mosaic Quarter would drive new tax revenues for all taxing jurisdictions, from property, to sales, to hotel surcharge taxes and its events would continue the local community impact with a result of \$917 million. He stated that \$383 million of it would go to the City of Tucson, \$45 million to the Regional Transportation Authority and \$481 million would be for state sales tax. He explained that along with new tax revenues, increased local spending created a substantial impact on local jobs and that over 92,000 jobs would be supported, maintained and created from Mosaic Quarter event driven spending. He stated he was intentional with stating job support and not only jobs creation. He explained that with a metric of predictive spending or tournament spending job creation as a solution became opaque so Knott Development would utilize industry leading software and customized consulting solutions to measure the overall impact and environment created by consistent and significant spending. He gave an example, for the AC Marriott with a full staff of people that worked there and 10 tournament events a year that utilized that hotel, the hotel would have every position filled and employees could possibly receive a raise or additional new hires, but the already filled jobs mattered most. He explained that there was four types of jobs that they tracked in their analysis and initial jobs were those supported by the direct focus of the Mosaic Quarter spending and an example would be a guest hotel or restaurant bill. He stated that direct jobs were those supported in businesses reliant on the industry focus of the Mosaic Quarter spending and an example of that would be suppliers to hotels and restaurants. He explained that indirect jobs were those jobs supported in industries reliant on businesses creating direct jobs, an example would be a supplier of truck parts to a supplier of hotel supplies. He stated the last was induced jobs created from the other three categories which spent their money in the local economy and an example would be an employee going to the grocery store, picking up their cleaning or having their car repaired. He stated that the combination of significant and consistent local spending with job support meant that local earnings were also supported. He stated that during their time of managing Mosaic Quarter there would be \$3.7 billion of supported earnings and those numbers were derived from the number and type of jobs supported by Mosaic Quarter driven spending. He explained that the largest support came from the number of jobs held by employees of businesses directly receiving Mosaic Quarter dollars such as hotels, restaurants and retailers. He explained that earning support would filter its way through direct jobs, indirect jobs and induced job support. He stated that through local spending, new tax revenues and community earning support, the Mosaic Quarter represented

a \$12.5 billion impact to the community. He stated that jobs supported from the development and construction of Mosaic Quarter was an additional facet of the Mosaic Quarter impact. He explained it had a dual impact by creating and supporting jobs while heavily concentrating on local development and construction professionals. He added that for Phase 1, the Mosaic Quarter development and construction jobs were on average 70% local and although the community impact from spending and jobs was significant, there was also a return for the County in the amount of \$673.8 million. He stated that the question then became how Mosaic Quarter generated these multi-faceted returns. He stated that because of the array of recreational, athletic and entertainment options their business was comprised of 183 lines of revenue which were equally split into contractual and non-contractual revenue business lines. He stated that diversification was extremely important for fiscal performance and each line of business only constituted 0.55% of their gross revenue and the diversity and programming generated opportunities to make activities affordable and on average each activity session within a program at Mosaic Quarter would cost a family \$16.00. He stated that diversity also ensured that travel sports did not remove financial performance of the site and unlike other sites, travel sports represented less than 12% of their gross revenue, yet it had the ability to provide outstripped economic and community development. He explained that contractual revenue was generally more reliable and customarily evidenced by multiyear contracts with organizations committed to their facilities. He added that non-contractual revenue was the riskiest form of revenue because it involved the dependence of the community being interested in programming and signing up for activities or leagues. He reiterated that the two goals were leasing the land from Pima County to develop and operate the project and the County receiving 55% of the project's cash flow in return for taking what should be a limited risk to help with debt service. He stated that the Board and County staff had been provided with complex, overly technical legal documents regarding the Mosaic Quarter, but internally they had a method of describing and explaining all the leases and agreements they had with Pima County that he hoped would help further explain the technical language. He stated the method of nesting dolls was the easiest analogy for the four leases that comprised the Mosaic Quarter. He explained that the first, blue nesting doll presented the Mosaic Quarter development agreement, and it formed the basis for the relationship between the County and Mosaic Quarter. He added that everything from the public/private partnership emanated from that document, but it already existed. He stated that the second orange doll represented the master ground lease being considered by the Board. He explained that its single purpose was to lease the County's land to the Mosaic Quarter. He stated that the third green doll represented the Phase 1 ground lease also being considered by the Board and its purpose was to segregate the Phase 1 portion of the land and use that acquired lease to build the buildings for Phase 1. He explained that the fourth purple doll represented the Phase 1 lease also being considered by the Board and its purpose was to create the mechanism to provide the County with the 55% of the Phase 1 cashflow and was the document where the County assumed the limited risk of stepping in to make debt services payments should revenue be insufficient from the project. He stated the last teal doll represented the Phase 1 operating lease that was also being considered and its purpose was to lease the Phase 1 buildings, Mosaic Quarter Iceplex, Fieldhouse and Central Utility Plant and to have

those buildings operated by their own operating company and remove the County from any liability of operations. He stated that legally they moved from the first larger blue doll to the last smallest teal doll, but financially they moved in the opposite direction. He further explained that purpose of the leases and how they treated cash flow was to have cash flow move from operations through each of the leases and along the way have debt service paid, property taxes paid, ground rent paid and not have any liability for the County. He added it would distribute to the County the 55% of the project cash flow with the last recipient being the Mosaic Quarter with its 45%. He stated that the operating lease covered the operations of Phase 1 and Mosaic Quarter's management team from Edge Sports would operate the buildings and the programming. He referred to the slide show and stated that the top set of numbers were the revenues generated, the second set of numbers were the paid management and operations expenses, and the highlighted numbers were the four levels of rent that would get paid from the cash flow generated by operations. He stated the first level was basic rent which was equal to debt services, second level rent was equal to property taxes and third level rent was equal to ground rent and lastly, cash flow rent was every other aspect of cash flow and explained that every month that the rent was paid they were taking net of operations and pushing it to the County, it was all money that was paid to the County under the operating lease, which would complete the lease. He explained that the next lease was the building lease and in this lease the County would take the revenue received and it was agreeing to pay the basic debt service rent, second level rent of property taxes and the third level rent of ground rent. He stated that in this case the cash flow would be reduced because the cashflow that got paid for out of that lease was Mosaic Quarter's 45% and the County retained its 55% cashflow at this point. He stated that once the building lease was completed, they would move on to the Phase 1 ground lease and stated that the money paid in rent under the building lease was being used for the sub-ground lease to pay for upstream rent which was rent collected and included Mosaic Quarter's share of cash flow, debt service, property taxes and ground rent. He stated that at that point, debt service and property taxes were paid and the ground rent and cash flow rent could move forward. He explained that the cash flow transactions ended with the master ground lease and the rent that was paid under the ground lease went to the Mosaic Quarter development and it paid the ground lease obligation to the County and retained its 45% cash flow from the project. He stated that to accomplish the goal of a 55%/45% split between leases and segregating pieces of property legally necessitated the end result being reviewed by County's staff, economic consultants, attorneys and the credit rating agencies that covered the County's debt to ensure the County had not entered into something disastrous. He stated that the County was protected from financial risk by the prioritization of cash flow and that debt service was paid first, then property taxes, ground rent, the County's cash flow share and lastly the Mosaic Quarter's cash flow share. He stated that there were three reserves that were established exclusively for the payment of debt service, the first being Knott Development's cash flow reserve and they would take 100% of their cash flow for the first two years, 2026 through 2027, and have that reserved in defense of any situation where the revenue was insufficient to eventually cover debt service. He stated that as required by the master development agreement, Knott Development would establish a debt service reserve and it started with their deposit of \$36.7

million that would increase to \$99.5 million between the years of 2027 through 2056, which would grow by either a return on Double-A and Triple-A credit rated assets and future contributions should they be required to make them, to keep the reserve at a level where it always equaled at least three times the debt service payment throughout the course of the project. He stated the County had proposed in the lease agreement to reserve 100% of its cash flow from the project as a debt service reserve with the principal focus to avoid an appropriations event of having to come back to the Board for additional appropriation of funds. He stated that his team looked at three primary risks to the project, one being if the buildings were not completed on time and revenue not starting on time. He stated that there were four firms guarding against that risk; Hensel Phelps Construction, the design builder, had experience in constructing dozens of buildings similar to Mosaic Quarter, JLG Architects had designed over 100 community centers analogous to the Iceplex, Fieldhouse and Central Utility Plants, Edge Sports Group who was the facilities management group currently owned, managed, built and financed 12 exact replicas of the Mosaic Quarter from a facility standpoint and Knott Development's executive team had developed and operated dozens of facilities both similar to or more complex than the Mosaic Quarter. He stated the collective experience of each firm resulted in a team that was knowledgeable in solving construction schedule problems and was skilled in ensuring that Phase 1 buildings were completed on time and that they intentionally build structural solutions into their financing to address completion issues. He explained that the first solution would be that debt service would not start until 12.5 months after they were scheduled to open, the second solution was that there was \$60.9 million built into their financing to address a late completion that caused them not to have enough revenue to cover debt service, which meant they could survive a 36-month delay in completion without causing a County financial event. He stated that the next risk was related to the riskiest form of their non-contractual revenue, walk up revenue not subject to long term contracts with established organizations. He stated that they sought to determine what percentage of non-contractual revenue could be lost without causing them to miss any payment obligations, which had been tested across the entire debt service period from 2027 through 2056, and the assumption being made that non-contractual revenue would never recover, it would always be at a loss. He stated that the results were confidence building and that they could suffer on average 44.23% decline in non-contractual revenue without impairing their ability to meet every single payment obligation over a 30-year period. He explained that this was a substantial drop in any form of revenue, especially one that was consistent for 30 years with no missed payments and with none of the reserves being touched. He stated that they looked at a different financial stress test with a 40% drop in every single form of revenue regardless of the type and that would be catastrophic. He explained that they assumed in the model that the contractual and non-contractual drops would ever recover. He provided an example of it being 2026 and the Mosaic Quarter opened and did very well, but the first of January 2027 there was a significant drop of 40% in revenue and continued for 30 years and designed to test the extent of the County's exposure under the leases. He stated that the results were less impactful than expected and referred to the slide show and stated there would be 17.5 years of Mosaic Quarter cash flow reserve, Mosaic Quarter debt service reserve and County cash flow reserve in existence from the initial

deposit of reserves and first two years of cash flow. He stated that the ultimate liability for the County in this scenario was \$76 million spread over 13 years when compared to the \$1 billion in debt service that would be paid over the 30 years from the project. He stated that the County's liability in that scenario was 7.6%, which was the risk that was being taken in return for the potential to have a \$673.8 million return. He explained this was the reason why rating agencies, Fitch and S&P, had teams of analysts scrub through everything and ensured them and the County there was no financial risk for the County and would not make a change to their credit ratings.

Supervisor Lee thanked Mr. Knott for his presentation and innovation and acknowledged Deputy County Administrator DeBonis, Jr., and County Administrator Leshner for creating such an incredible opportunity for the County and she appreciated knowing that there was very little risk and so much to gain from the Mosaic Quarter Development.

Chair Grijalva thanked Mr. Knott for the presentation and stated that what was really important for her was listening to all the community members they had spoken to about the project and were being represented at the table with the kind of services she hoped the Mosaic Quarter would attract. She stated that the most telling was during public comments, there were numerous speakers who supported the project and the emphasis on youth sports and access for the youth in the community, which would be critically important. She stated that encouraging families to be a part of the community and providing access to community members was really important. She stated that it was a risk for the County and knew there was an amount for reserve, but requested that if the County had to tap into that reserve, the County Administrator would provide an update to the Board.

It was moved by Chair Grijalva, seconded by Supervisor Heinz and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

30. MQD Phase I, L.L.C., to provide for the Mosaic Quarter Phase I Lease Agreement, General Fund, contract amount \$1,628,037,732.00/32 year term (CT-RPS-24-368)

(Clerk's Note: See Minute Item No. 29, for discussion and action on this item.)

31. MQD Phase I Operations, L.L.C., to provide for the Mosaic Quarter Phase I Sublease Agreement, contract amount \$2,301,845,664.00 revenue/32 year term (CTN-RPS-24-135)

(Clerk's Note: See Minute Item No. 29, for discussion and action on this item.)

Transportation

32. Chevo Studios, Inc., Amendment No. 1, to provide for South Houghton Road widening artist services, extend contract term to 3/1/25 and amend contractual language, no cost (CT-TR-22-288)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

GRANT APPLICATION/ACCEPTANCE

33. Acceptance - Community and Workforce Development

U.S. Department of Labor, Employment and Training Administration, Amendment No. 2, to provide for the H-1B One Workforce Grant Program, amend grant language and scope of work, no cost (GTAM 24-50)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

34. Acceptance - Health

Arizona Department of Health Services, Amendment No. 4, to provide for the Well Woman Health Check Program, extend grant term to 2/14/24 and amend grant language, \$32,000.00 (GTAM 24-55)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

35. Acceptance - Health

Arizona Department of Health Services, to provide for CAVITY FREE AZ Preventive Dental Services, \$270,000.00 **annually**/4 year term (GTAW 24-113)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item, as amended.

36. Acceptance - Health

Arizona Department of Health Services, to provide for the Nurse Family Partnership, \$99,426.00 **annually**/2 year term (GTAW 24-114)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item, as amended.

37. Acceptance - Health

Arizona Department of Health Services, to provide for the sexually transmitted infection investigations, \$380,541.00/4 year term (GTAW 24-115)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

38. Acceptance - Office of Sustainability and Conservation

Arizona State Parks & Trails, Amendment No. 1, to provide for the Juan Santa Cruz Campground rehabilitation, extend grant term to 6/30/25 and amend grant language, \$110,000.00/\$66,000.00 General Fund match/\$44,000.00 NRPR Special Revenue Funds match (GTAM 24-53)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

39. Acceptance - Pima Animal Care Center

Petco Love, to provide for the Petco Love Vaccine Campaign 2023, \$6,108.00 (GTAW 24-85)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

40. Acceptance - Regional Wastewater Reclamation

Arizona Department of Emergency and Military Affairs, to provide for the Hazard Mitigation Grant Program, HMGP DR-4524-009-015R, \$4,729,811.66/\$522,183.34 RWRD Enterprise Funds match (GTAW 24-116)

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the item.

BOARD OF SUPERVISORS

41. Hearing - Code Text Amendment

ORDINANCE NO. 2024 - 2, of the Board of Supervisors, relating to Law Enforcement; amending the Pima County Code, Title 9. (District 1)

Lisa Von Geldern addressed the Board in opposition and stated that she abhorred gun violence, gun violence was a rare occurrence, and the mentally unstable committed gun violence. She stated that a market reduction in gun violence would require increased mental health services and strengthening of the community's resources for treatment. She felt that a local ordinance was unnecessary because the State already had a similar statute that addressed this issue.

Terra Radliff spoke to the Board in opposition and questioned how it was known whether prohibited possessors committed gun-related crimes in the County, how was it known that prohibited possessors routinely obtained guns and that it did not prevent or deter from claiming that a gun was lost or stolen, it could lead to false convictions of law-abiding residents, and it violated State statute. She added that it

terrified her that this would be removing her rights, felt troubled with the attempts to influence legislators and the authorization of spending taxpayer dollars for this goal.

Pam Simon addressed the Board in support and thanked Supervisor Scott for introducing the ordinance because it was a tool that would make the community safer. She stated that she was a survivor of the January 8th shooting that involved Gabrielle Giffords and knew what it was like for a firearm to be in the hands of someone that should not have access to a firearm, and felt that this was a step in the right direction. She added that this would encourage guns owners to immediately report the loss or theft of their weapon and it would help law enforcement.

Patricia Maisch stated that she was also a survivor of the January 8th shooting and she supported the proposed ordinance. She stated that mentally ill people were usually victims and not perpetrators of gun violence, and it was a public health issue that costed the State of Arizona over \$2 billion a year. She added that the fines from this would be a very small consequence for a very serious action and any small step was encouraging to change the trajectory of gun violence and mitigate it in a small way.

It was moved by Chair Grijalva and seconded by Supervisor Scott to close the public hearing and adopt the Ordinance. No vote was taken at this time.

Supervisor Scott commented that the Board had received a letter from County Attorney Laura Conover and thanked her and her staff, Chief Civil Deputy County Attorney Sam Brown who was instrumental in drafting the Ordinance after consulting with County Attorney Conover and the Arizona Attorney General's Office. He read from the last paragraph of the letter dated March 4, 2024, which urged the Board to consider revising the penalty amount from \$300.00 to up to \$1,000.00 for each violation, which would allow the County Attorney's Office to apply different fines depending on the circumstances and to mitigate the chance of revictimizing an ordinary citizen and allowing stiffer fines for individuals involved in straw purchases. He offered a friendly amendment to revise the Ordinance as outlined by the County Attorney.

Chair Grijalva accepted the friendly amendment and clarified that this would be to revise the language in the ordinance to be, "up to \$1,000.00 for each violation" instead of the \$300.00 listed.

Supervisor Scott concurred and stated that the amendment suggested by the County Attorney spoke to the prosecutorial discretion that their office was going to employ when enforcing the Ordinance, which was designed to combat straw purchases and ensured prohibited possessors from obtaining weapons. He clarified that it was not designed to revictimize innocent people of theft or loss of their weapons and added there was no risk or threat to the Second Amendment or law-abiding citizens. He stated that in consideration of the toll that was exacted on society with gun crimes and violence this was a small incremental step, however the

Board should do all it could, and the people being represented wanted the Board to take action against crime and violence and to protect public health and safety.

Chair Grijalva stated that in the County Attorney's letter, it indicated there was more than 100 cases of crime involving firearms that had been committed by prohibited possessors and the goal was to reduce that number.

Supervisor Christy commented that this was a flagship type ordinance during election time that caught attention. He stated that he had rhetorical observations and provided an example of a situation that could happen. He questioned how there would be any compulsion for anyone that lost their firearm to report it lost, but then be fined for reporting it. He felt that the County Attorney sought the flexibility of this Ordinance to hold individuals liable if they reported the gun missing and it was found at a later date and had been involved in a crime. He asked if this was the flexibility that the County Attorney had referred to, if this would open up the County to numerous lawsuits with other entities including with the State Legislature. He stated that he believed the purpose of this was to divert the public from illegal immigration in the County. He expressed his opposition and asked what his colleagues intended to do to address guns being brought across the border.

Daniel Jurkowitz, Assistant Chief Civil Deputy County Attorney, clarified that the Ordinance made it unlawful to fail to report to a law enforcement agency if there was a loss or theft of a firearm, but it only made it unlawful to report to law enforcement if it was a known false report, which was also currently legal under Arizona law. He stated that if a person made a good faith report of a lost or stolen gun to law enforcement, there would be no liability.

Supervisor Heinz expressed his support and stated that he was once a part of the State Legislature for four years and knew of the frustrations and struggles regarding gun safety and gun violence. He stated that it was important to know that while the Board could make small steps at this level, the most impact needed to happen at a state level and that it had been clear to him that the only way there would be impactful, meaningful reform that affected gun safety was if there was a Democratic Governor, Senate and House in the State of Arizona. He believed that Mexico was suing multiple gun manufacturers in the United States because of the large amount of weapons that were being brought into Mexico and they were not coming in with individuals through the border that were seeking asylum.

Supervisor Christy asked if he had missed something because what Mr. Jurkowitz had referenced was not mentioned in the Ordinance.

Mr. Jurkowitz explained that the proposed Ordinance made it unlawful to any person to fail to report to a local law enforcement agency the knowing lost or theft of a firearm, and there was an exception for false reporting, that it was unlawful for any person to report to a local law enforcement agency that a firearm has been lost or stolen knowing the report to be false, which meant it was only false reporting to law enforcement that would incur liability.

Supervisor Christy asked if he reported a lost firearm, would he be absolved of a fine.

Mr. Jurkowitz answered in the affirmative.

Supervisor Christy asked where it explicitly stated that in the ordinance.

Mr. Jurkowitz responded that it did not state it explicitly, but only made it unlawful to fail to report.

Supervisor Christy stated that he did not believe the issues and questions he raised were addressed by Mr. Jurkowitz.

Supervisor Lee indicated that she agreed with Supervisor Heinz and that if the House and the Senate changed to be Democratic, she would vote in Pima County to ban sale and use of AK-47's because she believed those types of weapons were only used to hunt humans, not animals. She hoped that happened while she was still on the Board.

Supervisor Christy asked Mr. Jurkowitz to address the issue that if he reported his gun lost or stolen and the gun was later found to be involved in a criminal or violent act, were there any safeguards, if he had duly reported it stolen, that he would be immune from being charged for allowing a gun to be used in a crime that was stolen from him.

Mr. Jurkowitz responded there was not.

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

DEVELOPMENT SERVICES

42. Hearing - Rezoning

P23RZ00007, PASCUA YAQUI TRIBE - W. VALENCIA ROAD REZONING

Pascua Yaqui Tribe, represented by The Planning Center, request a rezoning of approximately 1.46 acres (Parcel Code 138-33-1160) from the GR-1 (Rural Residential) to the CB-2 (General Business) zone, located at the southeast corner of W. Valencia Road and S. Camino De Oeste, addressed as 4555 W. Valencia Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Community Activity Center. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Becker was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 5)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the submittal of the development plan. Offsite improvements determined necessary as a result of the traffic impact study shall be provided by the property owner.
 - B. The property owner shall dedicate 25 feet of right-of-way for Valencia Road.
 - C. Access points shall be located as shown in the preliminary development plan. The driveway on Camino de Oeste shall be aligned to the existing driveway on the west side of the road and shall be restricted to right-in and right-out movements, unless full driveway movements are demonstrated by the applicant at time of permitting and as approved by the Department of Transportation.
 - D. The existing driveways on Valencia Road that will no longer be utilized shall be removed. Sidewalk and header shall be constructed along the driveway removal to Pima County standards.
 - E. Corner spandrel right-of-way dedication shall be provided by the property owner(s) at the ~~southeast~~ northwest corner of the project boundary adjacent to the Valencia Road and Camino de Oeste intersection prior to development plan approval. A curve radius of twenty-five (25) feet is required.
3. Regional Flood Control District conditions:
 - A. Drainage infrastructure and open space for drainage shall be maintained by the property owner.
 - B. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
 - C. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.

- F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.
6. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
7. Adherence to the preliminary development plan as approved at public hearing.
- ~~7-8.~~ Tucson Airport Authority conditions:
- A. "According to the Federal Aviation Administration (FAA) Notice Criteria Tool, no Notice Criteria are exceeded. Applicants are therefore not required to file FAA Form 7460. However, if the use of cranes is anticipated during development and construction activities, the applicant must file FAA Form 7460 at least 45 days in advance of such use, to provide the applicant with sufficient time to respond to any concerns identified by the FAA. Please file Form 7460 at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>."
- B. "An Avigation Easement must be executed and recorded with the Pima County Recorder's Office, by the property owner/developer/applicant or other person authorized to sign on behalf of the current property owner, to cover the entire project area and in accordance with the requirement of the Tucson Airport Authority. The Avigation Easement must run with the property and will serve to educate future purchasers and tenants of the property of potential aviation impacts." Once the Avigation Easement is recorded, please send a complete copy of the recorded easement document to Tucson Airport Authority either electronically (email: srobidouxflytucson.com) or to the mailing address provided below.
- C. Applicable to residential uses only: The property owner/developer/applicant must provide the Airport Disclosure Statement form, at time of sale, to the new property owners with all new unit purchases. In the event the development of any residential uses does not involve the sale of new units, but is instead offering rental residential units to the public, the new tenant of the rental unit must be provided a copy of the Airport Disclosure Statement form. The intent of the Airport Disclosure Statement form is to educate and notify the new residents that they are living near an airport. The content of such documents shall be according to the form and instructions provided. The property owner (for itself or its tenants) must forward a signed copy of the Airport Disclosure Statement form to the Tucson Airport Authority within ten (10) days of signature, using the mailing address provided below.
- Scott Robidoux, Manager of Planning
Tucson Airport Authority
7250 South Tucson Boulevard, Suite 300
Tucson, AZ 85756
- ~~8-9.~~ In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which

require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

- ~~9-10.~~ The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

David Myers addressed the Board in opposition of this item. He stated that placement of an outside bar in a residential area was irresponsible and would create excessive noise for the surrounding residents.

Joshua Rees, Attorney, Pascua Yaqui Tribe, clarified that this was for an outside area to allow vendors a place to set up food carts and it did not include a bar.

Chair Grijalva inquired if people were currently parked in that area.

Mr. Rees responded not in that area, but in the area across from the Circle K.

It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to close the public hearing and approve P23RZ00007, subject to standard and special conditions.

43. **Hearing - Type II Conditional Use Permit**

P23CU00016, AREVALO - W. AJO HIGHWAY

Rene and Maribel Arevalo, requests a Type II Conditional Use Permit for a tire shop and brake/tire repair shop (Parcel Code 208-66-0090) in accordance with Section 18.14.030B.5 of the Pima County Zoning Code in the GR-1 (GZ-1) (Rural Residential Gateway Overlay) zone, located approximately 120 feet northwest of the intersection of W. Ajo Highway and S. Sasabe Highway, addressed as 16200 W. Ajo Highway. Staff and the Hearing Administrator recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

Standard Conditions & Requirements pre the Pima County Zoning Code

1. A tire shop and brake/tire repair shop is allowed in the GR-1 zone as a conditional use per Section 18.14.030.B.5.

Special Conditions – Hearing Administrator

1. A floodplain use permit is required at the time of permitting.
2. Proof of coordination with the Arizona Department of Transportation (ADOT) is required prior to building permit and/or certificate of occupancy approval.
3. Hours of operation shall generally conform with that presented in the applicant's materials, i.e. 9:00 AM to 5:00 PM, Monday through Friday, and 9:00 AM to 2:00 PM on Saturdays.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to close the public hearing and approve P23CU00016, subject to standard and special conditions.

RECORDER

44. **2024 Presidential Preference Election - Revised Early Ballot Drop-Off Sites and Emergency Voting Locations**

RESOLUTION NO. 2024 - 10, of the Board of Supervisors, relating to Elections; approving the early ballot drop-off sites and authorizing emergency voting locations for the 2024 Presidential Preference Election.

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to adopt the Resolution.

CONSENT CALENDAR

45. **Approval of the Consent Calendar**

It was moved by Chair Grijalva, seconded by Supervisor Scott and carried by a 4-0 vote, Supervisor Christy was not present for the vote, to approve the Consent Calendar in its entirety.

* * *

BOARD, COMMISSION AND/OR COMMITTEE

1. **Election Integrity Commission**
Appointment of Matt Smith. Term expiration: 3/4/26. (Green Party recommendation)
2. **Building Code Committee/Board of Appeals**
 - Reappointments of Brent Woods and Rick Bright. Term expirations: 1/19/28. (Staff recommendations)
 - Reappointments of Jeff Hamstra and Dennis Coon. Term expirations: 2/7/28. (Staff recommendations)
 - Appointment of Thomas Hayes, to replace Dante Archangeli. Term expiration: 3/4/28. (Staff recommendation)
3. **Tucson-Pima County Bicycle Advisory Committee**
Ratification of University of Arizona appointment: Anona Miller, to fill a vacancy created by Javier Montenegro. Term expiration: 3/7/26. (Jurisdictional recommendation)

4. **Regional Wastewater Reclamation Advisory Committee**
Reappointment of Claire Zucker. Term expiration: 3/1/28. (District 3)

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

5. **Special Event**
Francisco R. Maldonado, Our Lady of the Valley Parish, Our Lady of the Valley Holy Family Center Hall, 505 N. La Cañada Drive, Green Valley, May 3 and October 18, 2024.

ELECTIONS

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

RESIGNATION-PRECINCT-PARTY:

Jacqueline Bauer-082-DEM, Steven Early-091-DEM, Donald Kret-168-DEM, Suzanne Newton-181-DEM, Nelly Holst-012-REP, Nancy Morrow-067-REP, Daniel Duke-080-REP, Kerry Torgerson-187-REP, Sadie Carpenter-197-REP, Justine Wadsack-218-REP, Richard Valenzuela-275-REP

APPOINTMENT-PRECINCT-PARTY:

Pamela Hopkins-164-DEM, Hannah Walker-218-DEM, Onda Jenks-014-REP, Maria Diaz-104-REP, Justine Wadsack-184-REP, Tanya Morrison-187-REP, Kristen Pruet-197-REP, Breanna Lesson-237-REP

SUPERIOR COURT

7. **Court Commissioner Appointments**
Appointments of Court Commissioners:

Superior Court and Juvenile Court Commissioners

Sandra M. Bensley; Derek J. Koltunovich

8. **Judge Pro Tempore Appointment**
Appointment of Interim Judge Pro Tempore of the Superior Court for the period of March 31, 2024 through June 30, 2024: Hon. Susan A. Kettlewell (Ret.)

RATIFY AND/OR APPROVE

9. Minutes: December 19, 2023
Warrants: February, 2024

* * *

46. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:19 p.m.

CHAIR

ATTEST:

CLERK

DRAFT