

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, February 3, 2026. Upon roll call, those present and absent were as follows:

Present: Jennifer Allen, Chair
Dr. Matt Heinz, Vice Chair
Rex Scott, Member
Steve Christy, Member
Andrés Cano, Member

Also Present: Jan Leshar, County Administrator
Sam E. Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
John Stuckey, Sergeant at Arms

1. RIPARIAN HABITAT MITIGATION

Pursuant to Pima County Code, Section 16.30.050(B), quarterly report of District approved Riparian Habitat Mitigation Plans.

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

2. CONTRACT

Insight Hydrology, L.L.C., Amendment No. 2, to provide for rating curve development for Pima County Flood Warning Gauges, extend contract term to 11/6/26 and amend contractual language, Regional Flood Control District Fund, contract amount \$45,000.00 (CT_24-143)

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

3. CONTRACT

Manuel Juan Kin-Bayze, to provide an acquisition agreement for property located off West Marana Road in Section 24, T11S, R10E, FCD-Floodprone Land Acquisition Program Fund, contract amount \$267,500.00 (PO2600001809)

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

4. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:27 p.m.

CHAIR

ATTEST:

CLERK

DRAFT

**VAIL CROSSINGS/DESERT VISTAS COMMUNITY FACILITIES DISTRICT BOARD
MINUTES**

The Vail Crossings/Desert Vistas Community Facilities 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, February 3, 2026. Upon roll call, those present and absent were as follows:

Present: Jennifer Allen, Chair
Dr. Matt Heinz, Vice Chair
Rex Scott, Member
Steve Christy, Member
Andrés Cano, Member

Also Present: Jan Leshar, County Administrator
Sam E. Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
John Stuckey, Sergeant at Arms

1. **VAIL CROSSINGS/DESERT VISTAS COMMUNITY FACILITIES DISTRICT**

RESOLUTION NO. 2026 - VCDVCFD¹, of the District Board of the Vail Crossings/Desert Vistas Community Facilities District taking certain actions with regard to organization of the District; approving and authorizing the execution and delivery of a development and intergovernmental agreement for Vail Crossings/Desert Vistas Community Facilities District and ordering and calling an election with respect to issuance of bonds by the District and the levy of an ad valorem property tax therefor and to the levy of a separate ad valorem property tax attributable to the operation and maintenance expenses of the District.

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:27 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Tuesday, February 3, 2026. Upon roll call, those present and absent were as follows:

Present: Jennifer Allen, Chair
Dr. Matt Heinz, Vice Chair
Rex Scott, Member
Steve Christy, Member
Andrés Cano, Member

Also Present: Jan Leshar, County Administrator
Sam E. Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
John Stuckey, Sergeant at Arms

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance

2. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement was delivered by Alejandra Ruiz, Grants Coordinator, Grants Management and Innovation.

3. PAUSE 4 PAWS

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

4. CURRENT EVENTS/PUBLIC ACKNOWLEDGEMENTS

Supervisor Scott acknowledged Joey Rodgers and Soleste Lupu-Rodgers from the Dancing in the Streets Organization who were in attendance for a proclamation. He apologized for miscommunication between his office staff and the organization and stated that he would rectify the situation and the proclamation would be placed on the next meeting agenda. He stated that he attended a dedication ceremony at the Jewish Community Center along with Sheriff Nanos, Representative Consuelo Hernandez, and former Mayor Jonathan Rothschild, which was sponsored by the Tucson Torah Center, the Jewish Philanthropies of Southern Arizona and a number of other organizations and they dedicated a new Torah in memory of a young man who was killed on October 7th in Israel and his father, who was the Israeli Ambassador to the United States, had been in attendance to oversee the Torah dedication ceremony. He stated that he was proud to be there on behalf of the Board.

Chair Allen indicated that her district office would be holding their Three Points office hours on Wednesday, February 4, 2026, from 3:00 p.m. to 6:00 p.m. at the Hub and their Arivaca office hours would be held on Saturday, February 7, 2026, from 9:00 a.m. to 12:00 p.m. at Marion's Farmers Market. She stated that her office would be celebrating the 87th Annual Tohono O'odham Nation Rodeo and Fair on Saturday, February 7, 2026, and she was honored to be joining the Chairman's float. She stated that her office released an annual report that summarized activities and progress that was made in their first year in office.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Claudia Jasso, President and CEO, Usiel Barrios, Director, Strategic Development, and Isabel Bosivert, Associate Director, Risk Management, Amistades, Inc., proclaiming the day of Monday, February 2, 2026 to be: "MEXICAN AMERICAN HERITAGE DAY"

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

6. CALL TO THE PUBLIC

Kristin Downing addressed the Board and thanked them for the Resolution that opposed ICE Detention Centers. She noted that more than 1,400 people had signed a petition opposing the center and that the facility would harm the community's safety, economy, and overall well-being.

Rolande Baker spoke about Minute Item Nos. 18, 19, and 20. She supported law enforcement identification, opposed the proposed Marana detention center, and described her experience working with Rapid Response.

Savannah Hughes voiced her support for Minute Item Nos. 18, 19, and 20, urged restrictions on ICE operations and requested that agents show clear identification. She indicated that such measures were necessary to protect the community and ensure accountability.

Laurie Moore spoke about local immigration and public safety policies, proposed a 9:00 p.m. curfew, and opposed a tax measure related to free bus service. She requested the names, locations, and enrollment numbers of 144 funded preschools in Tucson.

Sherry Ruther encouraged the Board to highlight both conservation and economic achievements of the STCP, emphasizing its success in balancing environmental protection with economic viability.

Caroline Isaacs, Executive Director, Just Communities Arizona, thanked the Board for opposing ICE detention in Marana and advocating for accountability,

transparency, and community protection. She praised their courage in standing against harmful federal policies.

Debbie Fricke spoke in opposition of an ICE detention center in Marana and supported banning masks for law enforcement. She asked the Board to take a stand against detention facilities and masked ICE agents.

J.P. Salvatierra addressed the Board in urging Americans to come together in a bipartisan effort to support human rights, integrity, and transparency. He stated that he wanted to see greater independence and interdependence at the state, city, and county levels.

Robert Reus spoke about his plan that was similar to the Arkansas style countywide sales tax that would create a fair revenue structure.

Faith Elwess expressed her opposition to the proposed detention center and stated that it would harm the community and create fear.

Laura Silva addressed the Board regarding Minute Item Nos. 18, 19, and 20. She voiced her opposition to expanding detention space and called for federal legislative reform.

Adam Levison urged the Board to enforce the Marana facility resolution through coordinated county actions rather than treating it as symbolic.

Karen MacDonald voiced her opposition to a federal detention center in Marana. She spoke about her moral and religious principles, emphasized the protection of immigrants and opposition to ICE's unlawful and harmful actions.

Charles Russell expressed his support of the resolution against ICE and asked that local law enforcement be given tools to ensure ICE agents were held responsible for unlawful actions.

Omar Fernandez criticized CBP and ICE as sources of lawlessness rather than defenders of the law. He stated that the fatal shooting of Alex Pretti was an example and urged the County to avoid complicity in such federal actions.

Audrey Perryman voiced her opposition to the Marana Detention Center, emphasized that most detainees had no criminal convictions and deserved due process. She called to hold federal agents accountable and protect constitutional rights on County property.

Simone Holladay stated that masked officers and detention practices, including the Marana facility, risked human rights abuse. She urged the County to set clear limits to ensure accountability and avoid complicity.

Mitchell Anderson urged the Board to oppose the Marana ICE detention center, as it was inhumane and profit driven. She warned that building it would endanger residents, target innocent people, and undermine the community's safety and character.

Roma Lamor stated that ICE needed to be kept out of Pima County and supported Minute Item Nos. 18, 19, and 20. She supported banning the use of NDA's to ensure transparency.

Dave Smith voiced his concern with the Board's stance on immigration, that past federal policies created the current situation with undocumented residents and that due process without proper enforcement was ineffective. He urged the Board to prioritize public safety, uphold the Constitution, and protect U.S. citizens.

Vivek Bharathan thanked the Board for Minute Item Nos. 18, 19, and 20, and urged them to vote in favor of those items. He encouraged developing community-driven projects to avoid profiting from cruelty and prevent harmful initiatives.

Laurie Cantillo spoke about the current unlawful ICE operations, called for the unmasking of ICE agents, stopping the Marana detention center, and upholding community safety and constitutional rights.

Florence Johnson voiced her support for Minute Item Nos. 18, 19, and 20. She stated that federal immigration enforcement disrupted Pima County communities and violated Fourth Amendment rights. She highlighted the negative impacts on families, businesses, and cultural heritage.

Betts Putnam-Hidalgo urged the Board to vote in favor of Minute Item Nos. 18, 19, and 20, that limited ICE and Border Patrol abuses in Pima County. She praised the County for standing up to ICE and called on elected officials to actively protect residents.

Viutur Dozier asked the Board to hold ICE and MTC accountable and ban them from County property, condemning detention centers as violent and oppressive. He called for an end to ICE operations in Pima County.

April Putney expressed support for Minute Item Nos. 18, 19, and 20, that would protect County property, ban masked law enforcement, and opposed the Marana ICE detention center. She emphasized community safety and questioned how the ordinances would be enforced.

Brandon Olander criticized the Management and Training Corporation for prioritizing profit over safety and noted that undocumented workers contribute positively to the community. He framed the issue as a choice between elite interests and the well-being of everyday residents.

J.J. Lamb, President, Vail Preservation Society, expressed support of Minute Item No. 11, and requested protections for historic sites along Colossal Cave Road. She requested measures to safeguard buildings and community investments.

Jenalyn Lazana, urged the Board to block the Marana detention center, stated that it would harm community safety and property values. She emphasized the Board still had the power to act.

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Chair Allen indicated that Call to the Public had reached the one-hour limit.

It was moved by Chair Allen, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to extend Call to the Public.

* * *

Mara Short expressed support for Minute Item Nos. 18, 19, and 20. She stated that she opposed the Marana ICE detention center, cited recent ICE abuses, and urged the Board to protect human rights and community safety.

Jen Dehon expressed her fear that freedom was being stripped and thanked the Board for opposing the ICE facility. She urged the Board to hold ICE agents accountable, including through identification requirements, and stressed the importance of protecting constitutional rights.

Isabel Garcia addressed the Board in support of Minute Item Nos. 18, 19, and 20. She criticized ICE and MTC for targeting vulnerable people and emphasized protecting constitutional rights.

Hazel Heinzer voiced her support for banning ICE use of County property, prohibiting masked law enforcement, and opposed the Marana detention center. She stated federal immigration enforcement harmed communities and wasted local resources.

Raine Ikagawa expressed support for Minute Item Nos. 18, 19, and 20, that would hold ICE accountable and opposed the Marana detention center. She warned against repeating past injustices and urged the County to reject detention practices that harmed human dignity.

Marisol Winfrey Herrera urged the Board to support Minute Item Nos. 18, 19, and 20, and stated that deportation and incarceration were rooted in profit and systemic injustice.

Majid Kabiri urged the Board to oppose the proposed Marana detention center, comparing it to a concentration camp and expressed concern about its impact on

the community. He referenced historical treaty promises regarding Mexican land rights, and that many residents ultimately lost their land.

* * *

Chair Allen closed Call to the Public.

Supervisor Christy directed staff to address the issues Ms. Lamb had spoken about and to address the points she had made.

7. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chair Allen, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to convene to Executive Session at 12:13 p.m.

8. **RECONVENE**

The meeting reconvened at 1:09 p.m. All members were present.

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 quarterly report for the period October 1, 2025 through December 31, 2025, per Board of Supervisors Policy D 31.3, Use of Non-Disclosure Agreements (NDAs) in Economic Development Projects.

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

10. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding the Rules of Executive Session.

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

FINANCE AND RISK MANAGEMENT

11. **Formation of the Vail Crossings/Desert Vistas Community Facilities District**

RESOLUTION NO. 2026 - 2, of the Board of Supervisors, declaring its intent and ordering and declaring formation of the Vail Crossings/Desert Vistas Community Facilities District and approving and authorizing the execution and delivery of a development and intergovernmental agreement (Vail Crossings/Desert Vistas Community Facilities District).

Supervisor Christy asked if staff could address the comments made by Ms. Lamb from the Vail Historical Society during Call to the Public. He asked if this Item and the item from the Vail Crossings/Desert Vistas Community Facility District had to be

addressed together, for staff to explain what was happening and to provide examples of other Community Facilities Districts around the state and town.

Carmine DeBonis, Jr., Deputy County Administrator, stated that before there was the formation of a Community Facilities District (CFD). He stated that it was a structure that enabled financing of infrastructure and public infrastructure for projects, which in this case was the Vail Crossings/Desert Vistas Community Facilities District. He stated that it was approximately 610 acres and was located at I-10 and Highway 83, leaving the geographic location south and east of the area that Ms. Lamb spoke about. He stated that they understood the concerns around Old Vail and the Historic Post Office and had previously worked with the Society and would continue to do so. He stated that staff could follow up with Ms. Lamb after the meeting, and he felt that the concerns she pointed out, as part of the project even geographically, were not in the immediate vicinity of the post office, and there were intended improvements for the project along the Frontage Road. He stated that the I-10 Frontage Road going up to the Colossal Cave traffic interchange and down the Highway 83 and I-10 location where the property was. He stated that the improvements would require Arizona Department of Transportation (ADOT) review and approval and would require Pima County's Department of Transportation (PCDOT) to coordinate. He stated that as the private property entered the Frontage Road, the PCDOT would be involved. He stated that they were keenly aware of the concerns with the historic preservation there and would have staff participate in discussions, along with the Development Services Department, PCDOT and ADOT, to ensure the concerns were met. He stated that it was one of several community facility districts that had been formed in unincorporated Pima County and noted that the Board had approved several other CFDs like the Rocking K CFD, Wildflower CFD and most recently, the Verano CFD. He stated that this required similar action like the others that had been taken by the Board using the CFD tool. He stated that there were two items on the agenda that should be taken in tandem. He explained that this item was related to the development agreement and that the item listed under the Vail Crossings/Desert Vistas Community Facility District called for setting the election for the formation of the CFD.

Supervisor Christy requested clarification that the item did not negatively impact any of the historical elements that were the concerns raised by Ms. Lamb and that any future progress on this development the County's historical team would work hand in hand with the Historical Society to make sure it was to everybody's satisfaction. He reiterated that the CFD was normal, had happened several times, and was part of the community paying for the infrastructure improvements rather than the general taxpayers.

Mr. DeBonis, Jr., responded with a collective yes and would follow up with Ms. Lamb to understand her concerns in greater detail, but he believed that there was a physical, geographical separation between the project itself and the area of concern to the Vail Preservation Society that it would not have an immediate impact. He stated that they were going to have plenty of opportunity for discussion and to make sure that the Society was involved in the review process, or at least was made

aware of what was being proposed and could make sure that they avoided negative impacts and was done to their satisfaction.

It was moved by Supervisor Christy and seconded by Chair Allen to adopt the Resolution. No vote was taken at this time.

Chair Allen indicated that it was the fourth CFD that the Board had approved in the last year. She stated that it could help with reducing barriers to expanding the housing supply to reducing barriers to build. She stated that she was concerned about it being put on the backs of the home buyers. She stated that typically developers would shoulder the costs of neighborhood infrastructure themselves and then recoup those costs through home sales, and CFDs gave them the option to shift those costs completely onto homeowners. She stated that it was a lower sale price and higher tax rate in exchange and while she had no changes for this particular CFD, she requested that for future CFD's staff look into integrating affordability and mixed housing. She stated that the lessons they had learned through the housing studies that they had commissioned and knew that they needed to be integrating into their housing supply throughout the community. She stated that these were unique CFD opportunities to negotiate the needs of the community as they tackled the housing crisis.

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

FRANCHISE/LICENSE/PERMIT

12. Hearing - Liquor License

Job No. 368949, Prem Hari Khatri, 7-Eleven No. 46300A, 15841 W. El Tiro Road, Marana, Series 9, Liquor Store, Person Transfer.

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

DEVELOPMENT SERVICES

13. Hearing - Comprehensive Plan Amendment

P25CA00004, POPOVIC - W. DESERT OASIS TRAIL PLAN AMENDMENT

Philip and Somaye Popovic, request a comprehensive plan amendment on approximately 4.2 acres (Parcel Code 211-17-005E) from the Low Intensity Rural (LIR) to the Medium Intensity Rural (MIR) land use designation. The site is located on the south side of W. Desert Oasis Trail, approximately 1,200 feet west of the intersection of W. Desert Oasis Trail and N. Sandario Road, in Section 9, T14S, R11E, in the Avra Valley Planning Area. On motion, the Planning and Zoning

Commission voted 10 - 0 to recommend APPROVAL. Staff recommends APPROVAL. (District 3)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Allen, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to close the public hearing and approve P25CA00004.

14. A. **Hearing - Rezoning Closure**

Co9-01-39, HARDIN ET AL. - ORACLE ROAD REZONING

Oracle Road Auto Plaza, L.L.C., represented by the Planning Center, request a closure of a 1.06-acre rezoning from the CB-1 (GZ-1) (Local Business - Urban Gateway Overlay) to the CB-2 (GZ-1) © (General Business - Urban Gateway Overlay - Conditional) zone located on the west side of the T-intersection of N. Oracle Road and E. Pinal Street, addressed as 16407 N. Oracle Road. The rezoning was conditionally approved in 2002 and expired on February 5, 2012. Staff recommends DENIAL OF THE CLOSURE OF THE REZONING. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Scott, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation for denial of the closure of the rezoning.

B. **Hearing - Rezoning Time Extension**

Co9-01-39, HARDIN ET AL. - ORACLE ROAD REZONING

Oracle Road Auto Plaza, L.L.C., represented by the Planning Center, request three five-year time extensions. The 1.06-acre rezoning from the CB-1 (GZ-1) (Local Business - Urban Gateway Overlay) to the CB-2 (GZ-1) © (General Business - Urban Gateway Overlay - Conditional) zone expired February 5, 2012. The property is located on the west side of the T-intersection of N. Oracle Road and E. Pinal Street, addressed as 16407 N. Oracle Road. Staff recommends APPROVAL OF FIVE-YEAR TIME EXTENSIONS SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 1)

- ~~1. Submittal of a development plan if determined necessary by the appropriate County agencies.~~
- ~~2. Recording of a covenant holding Pima County harmless in the event of flooding.~~
- ~~3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.~~
- ~~4. Provision of development related assurances as required by the appropriate agencies.~~
- ~~5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Public Works Department, Real Property Services.~~
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.

- ~~72.~~ Transportation conditions:
- ~~A.~~ Written certification from Arizona Department of Transportation (ADOT) stating satisfactory compliance with all its requirements regarding access to the subject property shall be submitted to the Pima County Development Review Section prior to the final inspection ~~of any development.~~
 - ~~B.~~ The location of the access point ~~onto~~ Oracle Road requires shall need the approval of Arizona Department of Transportation ADOT approval along with. Provision of all any necessary access improvements ~~shall need the approval of Arizona Department of Transportation~~ prior to the approval of Development Plans or Subdivision Plats approval. for any portion of the property.
 - ~~C.~~ ~~Only one (1) access point is allowed onto Oracle Road.~~ The Access shall be shared with the adjacent property owners to the north and south and shall be located approved by ADOT. on the south property boundary opposite Pinal Street. The property owner(s) shall provide cross-access with for internal access to the adjacent properties to the north and south. ~~(future).~~
 - ~~D.~~ Joint access must be provided by the property owner for the parcels to the north and south.
 - ~~E.~~ The property owner shall provide pedestrian access within this rezoning site and to the north and south.
- ~~83.~~ Flood Control conditions:
- ~~A.~~ Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - ~~B.~~ The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the property. The location, design and construction of said improvements are subject to the approval of the Flood Control District.
 - ~~C.~~ A drainage study shall be submitted for review and approval that addresses the impacts of development to the Big Wash floodplain and local area drainage. The study shall address erosion hazard setbacks, detention, maintenance, and outflow to Big Wash.
 - ~~A.~~ First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
 - ~~B.~~ In lieu of providing on-site detention, a Detention Waiver with supporting analysis may be submitted for approval prior to the submittal of the Site Construction Plan set.
 - ~~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.
- ~~94.~~ Wastewater Reclamation conditions:
- The property owner shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
- ~~A.~~ The owner(s) shall construe no action by Pima County as a commitment of capacity to serve 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) stating 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(s) 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 is permanently committed for any new development within the rezoning area.
405. Cultural Resources condition: Prior to ground ~~modifications~~ modifying activities, an on-the-ground archaeological and historic sites survey and ~~appropriate mitigation measures~~ 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 plat 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 grading permit The mitigation plan shall will be prepared and reviewed for compliance with the Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code. Site Analysis Requirements.
446. Adherence to the revised Preliminary Development Plan as approved at public hearing.
427. The proposed project shall be reviewed and approved by the Pima County Design Review Committee for compliance to section 18.78. Gateway Overlay Zone.
438. In the event the subject property is annexed ~~into the City of Tucson~~, 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.
449. The property owner shall execute and record the following disclaimer regarding ~~Prop 207 rights~~. 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 to 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)."
4510. A minimum 10-foot wide bufferyard is required on the south property line and on the west property line. A minimum ~~20~~ 15-foot bufferyard on the east property line is required.
4611. Building height shall not exceed 24 feet.
4712. The project shall share signage with properties to the north and south unless otherwise specified by the Pima County Design Review Committee.
4813. Water System Plan will need to be reviewed and approved by the Golder Ranch Fire District's Fire Marshall prior to the issuance of the certificate of compliance

14. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(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.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Scott, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-01-39, Five Year Time Extensions, subject to original and modified standard and special conditions.

C. **Hearing - Modification (Substantial Change) of Rezoning Conditions**

Co9-01-39, HARDIN ET AL. - ORACLE ROAD REZONING

Oracle Road Auto Plaza, L.L.C., represented by the Planning Center, request a modification (substantial change) of Rezoning Conditions No. 11 and No. 15. Condition No. 11 which states, "Adherence to the preliminary development plan as approved at public hearing." The applicant requests to amend the preliminary development plan from a carwash to allow for an auto parts store and to revise the location of building due to the Erosion Hazard Setback. Condition No. 15 which states, "A minimum 10-foot wide bufferyard is required on the south property line and on the west property line. A minimum 20-foot bufferyard on the east property line is required." The applicant requests a minimum 15-foot bufferyard on the east property line. The subject site is approximately 1.06 acres zoned CB-2 (GZ-1) © (General Business - Urban Gateway Overlay - Conditional), located on the west side of the T-intersection of N. Oracle Road and E. Pinal Street, addressed as 16407 N. Oracle Road. On motion, the Planning and Zoning Commission voted 10 - 0 to recommend APPROVAL SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 1)

- ~~1. Submittal of a development plan if determined necessary by the appropriate County agencies.~~
- ~~2. Recording of a covenant holding Pima County harmless in the event of flooding.~~
- ~~3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.~~
- ~~4. Provision of development related assurances as required by the appropriate agencies.~~
- ~~5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Public Works Department, Real Property Services.~~
61. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
72. Transportation conditions:
 - A. Written certification from Arizona Department of Transportation (ADOT) stating satisfactory compliance with all its requirements regarding access to the subject property shall be submitted to the Pima County Development Review

~~Section prior to the final inspection of any development.~~

- ~~B. The location of the access point onto Oracle Road requires shall need the approval of Arizona Department of Transportation ADOT approval along with. Provision of all any necessary access improvements shall need the approval of Arizona Department of Transportation prior to the approval of Development Plans or Subdivision Plats approval. for any portion of the property.~~
 - ~~C. Only one (1) access point is allowed onto Oracle Road. The Access shall be shared with the adjacent property owners to the north and south and shall be located approved by ADOT. on the south property boundary opposite Pinal Street. The property owner(s) shall provide cross-access with for internal access to the adjacent properties to the north and south. (future).~~
 - ~~D. Joint access must be provided by the property owner for the parcels to the north and south.~~
 - ~~E. The property owner shall provide pedestrian access within this rezoning site and to the north and south.~~
83. Flood Control conditions:
- ~~A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.~~
 - ~~B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the property. The location, design and construction of said improvements are subject to the approval of the Flood Control District.~~
 - ~~C. A drainage study shall be submitted for review and approval that addresses the impacts of development to the Big Wash floodplain and local area drainage. The study shall address erosion hazard setbacks, detention, maintenance, and outflow to Big Wash.~~
- A. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
 - B. In lieu of providing on-site detention, a Detention Waiver with supporting analysis may be submitted for approval prior to the submittal of the Site Construction Plan set.
 - 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.
94. Wastewater Reclamation conditions:
- ~~The property owner shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.~~
- A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve 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) stating 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(s) 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 is permanently committed for any new development within the rezoning area.
- ~~405.~~ Cultural Resources condition: Prior to ground modifications modifying activities, an on-the-ground archaeological and historic sites survey and appropriate mitigation measures 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 plat 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 grading permit The mitigation plan shall will be prepared and reviewed for compliance with the Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code. Site Analysis Requirements.
- ~~446.~~ Adherence to the revised Preliminary Development Plan as approved at public hearing.
- ~~427.~~ The proposed project shall be reviewed and approved by the Pima County Design Review Committee for compliance to section 18.78. Gateway Overlay Zone.
- ~~438.~~ In the event the subject property is annexed ~~into the City of Tucson~~, 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.
- ~~449.~~ The property owner shall execute and record the following disclaimer regarding ~~Prop 207 rights. 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 to 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(I)."
- ~~4510.~~ A minimum 10-foot wide bufferyard is required on the south property line and on the west property line. A minimum ~~20~~ 15-foot bufferyard on the east property line is required.
- ~~4611.~~ Building height shall not exceed 24 feet.
- ~~4712.~~ The project shall share signage with properties to the north and south unless otherwise specified by the Pima County Design Review Committee.
- ~~4813.~~ Water System Plan will need to be reviewed and approved by the Golder Ranch Fire District's Fire Marshall prior to the issuance of the certificate of compliance
14. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(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.

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Scott, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-01-39, subject to original and modified standard and special conditions.

15. **Hearing - Plat Note Waiver**

P1200 - 160, FAIRFIELD'S RIVER ESTATES SUBDIVISION (LOT 24) PLAT NOTE WAIVER

Tim Rhine, requests a plat note waiver of Keynote No. 4 to reallocate 790 square feet of natural undisturbed open space on Lot 24 (0.38 acres) of the Fairfield's River Estates (Bk. 56, Pg. 12). The subject property is zoned CR-1 (Single Residence) and is located at the T-intersection of E. Camino Rio De Luz and N. Placita Rio Luna, addressed as 5362 E. Camino Rio De Luz. Staff recommends APPROVAL SUBJECT TO A CONDITION. (District 1)

Condition

1. Revegetate land added to Natural Undisturbed Open Space easement.

Abdolmajid Kabiri Khalajzadeh addressed the Board and stated that there were 40 houses in the subdivision that were subject to the same constraints. He asked why Mr. Rhine had requested this waiver amongst the 40 residents and if there was anything specific about that property. He stated that most of the residents would have the same issue and it did not appear anyone else was requesting a waiver. He asked why this case was unique to Mr. Rhine and not shared by the neighbors.

Thomas Drzazgowski, Deputy Director, Development Services Department (DSD), responded that the property owner requested this change. He explained that when the subdivision was plated 25 years ago, there were areas dedicated to natural open space, and in this case, the owner wished to transition and take 790 square feet of area that was flatter and allow them to develop. He stated that it also added area that was steeper and slope making it more valuable for conservation. He stated that the important part for them was the tradeoff of the exact amount of square footage so that they maintained the same amount of natural open space. He explained that on page 6 of the map it showed the areas that were being added and removed. He stated that the flatter area was being taken out of the natural open space that provided less value from a more vegetative perspective and the area they were proposing to include was a more steep and more vegetative content, which DSD saw as an overall benefit.

Mr. Khalajzadeh stated that other residents had also expressed their opinions and that his impression was not to close the case and seek input from the other residents. He stated that if the case was beneficial for all the residents, then they should have input about the case rather than from only one person.

Mr. Drzazgowski explained that this request was unique to one lot and the property owner had gone through the process. He stated DSD only looked at this property and that there was no impact to other residents in the subdivision, nor would it change the layout of their natural open space. He added that each resident was notified of the process and had an opportunity to speak at the public hearing. He stated that notices were sent to the neighboring property owners to participate and address any concerns. He reiterated that there were no changes to any of the other properties.

Mr. Khalajzadeh pointed out that many residents shared the same area and indicated that perhaps others did not participate due to laziness or lack of information about the case because of the technical jargon in the notice, which most people did not understand. He stated they should be asked to participate at this level for further explanation to understand the benefits, and if agreed, move forward with approval.

Mr. Drzazgowski stated that he could not speak for the residents that did not appear and assume it was multi-pronged. He stated that his assumption was that the property owner worked with the immediate neighbors in the area to portray and lay out what they were proposing and worked within their Homeowner's Association (HOA). He stated that they would require architectural review and approvals throughout the process if they built anything in the area.

Supervisor Scott stated that to Mr. Drzazgowski's point, a memorandum dated January 13, 2026, that was provided to the Board, noted the applicant provided a letter from the River Estates Homeowners Association which had granted approval, subject to Pima County's approval of the change in boundary for the natural open space easement, so it appeared the applicant had worked in partnership with their HOA.

Mr. Khalajzadeh stated that from his experience with HOA's, anytime he received a letter from them, it was mostly regarding a fine. He asked how that argument could be made based upon a letter from an HOA.

Supervisor Scott clarified that it was not a letter from the HOA, it was from the DSD Director to the Board that affirmed the department had received that letter from the HOA.

Mr. Khalajzadeh asked what the role and function was of the HOA in the case.

Supervisor Scott stated that it was from the River Estates HOA and their role was determined under state law in terms of the roles and responsibilities of HOA's. He reiterated that the applicant had affirmed to County staff that he had worked with the HOA.

Mr. Khalajzadeh asked if there was a possibility to send out an additional notice to the residents describing the benefits of the case since, he was ignorant, most of it was technical and he did not understand most of it.

Supervisor Scott requested that the County Administrator have staff follow up with the constituent to provide him with responses to his specific questions.

Chair Allen advised Mr. Khalajzadeh that Administration was available to work with him to answer his specific questions and that it was her understanding that if other property owners wished to do the same, they could also request this of DSD for a similar exchange and go through a similar process that the current owner had.

Mr. Drzazgowski responded in the affirmative and that staff would look at each case specific to the site-specific conditions, so where there was value and trade off, they could explore those options. He stated that the key for them was a vigorous notice process in which they had sent 89 notices to everyone in the subdivision and also 300 feet from the boundary of the site to ensure that there was proper notice and that anyone that would or could potentially be adversely impacted would have an opportunity to reach out to staff or appear to speak.

Mr. Khalajzadeh asked if they could postpone the final decision until his questions were formally addressed.

Supervisor Scott stated that the Board could make that determination as the hearing proceeded but there was another speaker that the Chair would call on before the Board took any action on this item.

Tim Rhine, applicant, explained that he requested the land swap allocation, was a native Tucsonan and a licensed professional engineer for 15 years. He stated that through his career experience he learned the proper ways to work with DSD for processes like this. He explained that this was a unique case and simple request. He stated that one area of his backyard was flat and one area was on a cliff, and that the flat developable area was in the Natural Undisturbed Open Space Area (NUOS) and they wanted to move it to the cliffy area that was a hillside development zone which was hard to develop. He stated that he requested a land swap of the same square footage so they could develop in that flat area and would maintain the overall original NUOS area.

Supervisor Scott referred the Board to the Agenda Item Report under the section labeled, Conclusion, that read, "*The reallocation of the 790 square feet of natural undisturbed open space will be an even exchange that will maintain the requirements designated by the plat,*" and also referred them to the DSD memorandum that had one condition, to revegetate land added to the natural undisturbed open space easement.

It was moved by Supervisor Scott, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to close the public hearing, and approve P1200-160, subject to a condition.

16. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2026 - 1, Co9-70-11, Investmentor - Valencia Road Rezoning, located on the southeast corner of S. Westover Avenue and W. Valencia Road. Owner: Gilberto Garcia. (District 5)

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

17. **Hearing - Comprehensive Plan Amendment Resolution**

RESOLUTION NO. 2026 - 3, P25CA00003, Stewart Title and Trust TR 1580 - W. Irvington Road Plan Amendment, located on the northwest corner of the intersection of S. Camino De Oeste and W. Irvington Road. Owner: Stewart Title and Trust TR 1580. (District 3)

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

BOARD OF SUPERVISORS

18. **Protecting County-Owned Properties**

Discussion/Direction/Action: Directing Administration to look into an ordinance protecting Pima County-owned properties from being used for federal immigration enforcement, including posting signs at all relevant properties prohibiting federal agents from using said properties for the purposes of immigration enforcement. (District 3)

(Clerk's Note: See the attached verbatim related to this item.)

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

A substitute motion was made by Supervisor Christy that Pima County enter into an intergovernmental agreement with the federal government to lease the Drexel Road facility and other Pima County properties, to facilitate federal immigration enforcement per the current administration policies, in an attempt to recoup \$8 million on behalf of Pima County taxpayers. The substitute motion died for lack of a second.

Chair Allen amended her original motion to include that on February 16, 2026, the Pima County Attorney's Office post a draft ordinance, that a policy be brought back on February 17, 2026, and the ordinance be brought back to the Board on March 3, 2026. Upon the vote, the motion carried 4-1, Supervisor Christy voted "Nay."

19. **Banning the Use of Masks by Law Enforcement**

Discussion/Direction/Action: Directing Administration to look into an ordinance that bans law enforcement officers at city, county, state, and federal levels from wearing masks while on the job, and requires all law enforcement officers to wear visible identification. (District 3)

Chair Allen stated that her office put this item on the agenda as heard extensively from community members during Call to the Public and they did everything they could to protect their loved ones in the community. She stated that the Trump Administration had been sending out masked secret police to militarize communities and kidnap immigrant neighbors, families, and friends from job sites, churches, courthouses, schools, and hospitals, which incited terror and forced people to live in the shadows. She stated that the secret police did not display their names or their badge numbers, and they wore face coverings to hide their identities. She stated that in the State of Arizona, with a history of rogue vigilante groups and where people openly carried visible and concealed guns, having masked, unidentified agents was a powder keg waiting to explode. She stated for clarity that this sort of behavior was textbook authoritarianism and should terrify everyone, so together, they had to fight for a community where no one feared that they would be ripped away from their family. She stated that it meant they had to demand accountability by requiring Trump's secret police to self-identify, stop using unmarked vehicles, to show their faces to the world and no longer be allowed to hide while they wreaked havoc on communities. She stated that this item was to direct the County Administration, working with the Pima County Attorney's Office to draft an ordinance that prohibited the use of masks and required law enforcement to display their agency and badge numbers. She stated that this was an essential step to putting a stop to lawless kidnapping and to keep families together.

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

A substitute motion was made by Supervisor Christy to direct the Administration to research and craft an ordinance that banned the public revealing of law enforcement officers' private and personal information at the city, county, state and federal levels, known as doxing, and require all law enforcement officers to wear visible identification. The substitute motion died for lack of a second.

Supervisor Cano stated that he also shared concerns about the masks being worn by federal agents, and as part of the motion, which he supported, asked for the Board to do its due diligence with their law enforcement teams, particularly the Sheriff's Department. He stated that he had not been able to have a conversation

with the Sheriff about the impact of this particular proposal. He stated that he had hoped they could return with a countywide law enforcement identification and public transparency standard requiring visible agency affiliation and defining narrow exceptions for legitimate personal protective equipment and safety needs, including ways to ensure legal compliance. He stated that this was where he was and that the Board needed to explore what authority the County had, and for the public's information, the only County entity managed and supported by this Board from a financial perspective was the Sheriff's Department and for County employees, an administrative procedure. He stated that he had more questions about what the Sheriff did for training, and internal policies and guidance that were given to deputies. He stated that motion was worded that the Administration return with that investigation and recommendations, but they needed to tread carefully on this particular proposal, because he did not know what their legal authority was at the County level.

Supervisor Heinz stated that he appreciated the item and that it was interesting because four or five years ago, when a couple of the current Board members were first brought onto this Board, they were in a pandemic. He stated that he remembered the Board voted for masking requirements and they were back with masks again. He stated he never thought it would be discussed but recalled some of the groups that were most vocally opposed and sometimes were members of law enforcement on vaccination and other things. He stated it had come full circle, but to the point expressed by his colleague from District 5, the Arizona Revised Statutes conferred upon counties a significant authority to address public health threats, illegal or questionably legal seizing of people and, of course, in certain situations, harming these people. He stated that the amount of anxiety created among members of the community in this tremendously welcoming community that he had come to 22 years ago, and he believed that this represented a significant public health threat and that it could possibly be framed as an ordinance in such a way, relying on that public health authority to eliminate that public health threat by requiring full transparency and no masking of law enforcement agencies, with the exception for a legitimate need for a health issue if someone was sick. He stated that it was something that could be explored and hoped that the County Attorney and staff could do that.

Supervisor Scott stated that he appreciated Supervisor Cano's comments because they were in an area that none of them knew well since they had not served in law enforcement. He stated that it was important to consult with local law enforcement agencies as to the scope of this ordinance and that it was an issue that would be taken up by the legislature as well. He stated that he had heard on the news that Representative Sandoval introduced legislation before the Arizona House that would accomplish statewide what the Board was talking about today. He stated that the Board needed to pursue this carefully and judiciously, especially consultation with local law enforcement authorities. He acknowledged and honored what Supervisor Christy alluded to in his substitute motion because doxing was happening and they should never paint with too broad a brush. He stated that nobody, because of their public role, deserved to have people showing up at their

home, threatening their families, or endangering their children. He stated that this was a failure of leadership when it came to the actions of some of the Department of Homeland Security agencies. He stated that they were not talking about the actions of rank-and-file people, some of whom had devoted their careers to law enforcement, many of whom were the Board's constituents. He asked that Board members keep their tactics and intentions in mind when responding to what was a failure of leadership from the Trump Administration, not a failure of the actions of rank-and-file officers.

Supervisor Christy stated that in one broader sense that needed to be addressed, specifically to the law enforcement community unions such as, Tucson Police Officers Association, Arizona Probation Officers Association, Pima County Probation Officers Association, Sheriffs Labor Association of Pima County, Tucson Police Captains, Lieutenants and Associates Association, Pima County Sheriff Commanders Association, and Pima County Sheriff Deputies Association, that his colleagues on the Board that voted for this item were the same folks that told union members and law enforcement union members they were with them and supported them. He stated that what they did would make their life and family's lives in danger because of doxing. He stated that what needed to be clear as far as unions and the support his colleagues gave them until push came to shove, the same applied here. He urged his law enforcement union, brothers and sisters and the people defending them to keep the streets safe, that relied on Democratic support for decades to remember their votes for this session. He stated that the vast majority of his colleagues were not their friends, and when it came to reelection, which was around the corner, and his colleagues called them and knocked on their doors, walked neighborhoods, to write checks, to make phone calls, that they be turned down and point out to them that they were abandoned by allowing doxing and to threaten their lives and made their jobs that much more dangerous and much more difficult. He asked them to turn down their requests and vote for whoever would run against them.

Chair Allen stated that she had worked with law enforcement agencies for years around policy issues and had learned the strong commitment and the essentialness of having trust, transparency, and accountability between law enforcement and the community. She stated that her experience had been that the Sheriff's Department, the City Police Department, and other law enforcement agencies in Southern Arizona committed to the communities, knew their communities, that trust, transparency, accountability, and integrity were things that they strived for every day. She stated that the item was being taken as behaviors that were far outside of that and would like a similar amendment as the previous item. She stated that an ordinance required 15 days' notice and requested if they could have a similar timetable in which they posted an ordinance on February 16, 2026. She stated they had a policy for consideration before the Board on February 17, 2026, and a vote for an ordinance on March 3, 2026.

Sam E. Brown, Chief Civil Deputy County Attorney, stated that it would be on or before February 16, 2026.

Chair Allen reiterated it would be on or before February 16th.

Supervisor Heinz accepted the amendment to the motion.

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

Upon the vote of the original motion, as amended, it carried 4-1, Supervisor Christy voted "Nay."

20. **Opposing ICE Detention Center in Marana**

RESOLUTION NO. 2026 - 4, of the Board of Supervisors, opposing an ICE Detention Center in Marana. (District 3)

Chair Allen stated that this resolution opposed the opening of an Immigrant Detention Center at the old Marana prison, which had been purchased by Management & Training Corporation (MTC) from the State of Arizona. She stated that her understanding was that MTC responded to a Request for Proposal (RFP) for a contract from the Department of Homeland Security to open this facility. She thanked the leadership of Pima Resists ICE (PRICE) and others in the Marana area for stepping up and leading this fight against a detention center in the community. She stated that the Board heard from constituents and the community, that detention centers were warehousing community members. She stated that deaths had been seen in detention centers for lack of medical care. She stated that MTC facilities across the country were riddled with lawsuits for both the treatment of people for the conditions inside those facilities, and by employees in those facilities for bad working conditions for those that showed up day in and day out. She stated that this resolution was essential for the Board of Supervisors as the County, to take a stand for the community, that warehousing their loved ones, neighbors, patients, students, and employees was not the solution. She stated that there was much the Board could do to try to stop this detention center and communities across the United States fighting this push from the administration to warehouse more and more people to the profit of private companies, had stood up and defeated them. She stated that this was exactly what members of PRICE and other community organizations had done and she felt that they, as a Board, needed to do everything they could to stop this warehousing, inhumanity, and denigration of their friends and family members.

It was moved by Chair Allen and seconded by Supervisor Heinz to adopt the Resolution. No vote was taken at this time.

Supervisor Christy stated that as someone who had been on the Board the longest, he could remember very clearly that there was a Federal Emergency Management Agency (FEMA) center that was designed in the opposite way. He stated that it was designed to bring immigrants into this country and then set them on their course to

their final destination. He stated that it was a FEMA facility on Los Reales and it was there for a couple of years and it was very busy with hundreds of arrivals daily. He stated that they were never allowed to go in and see what was going on in that facility and did not know how many people were kept there or warehoused there.

Chair Allen stated that was a shelter called Casa Alitas and they knew exactly how many people were there and who was there.

Supervisor Christy stated that it was not Casa Alitas, it was a detention center on Los Reales, and it was a FEMA subsidized facility that was there to hold people and to bring them into the United States. He stated that every time he asked about it and why that facility was on County property and what was taking place there, the consistent and constant answer from Pima County Administration was that it was the federal government's project and they had nothing to do with it. He stated that this Marana ICE detention center was also a federal government project and all of a sudden, there was interest in it. He wondered what happened to the interest of that holding pen on Los Reales that was run by the federal government then, but there had not been any interest in it. He stated that it showed on this particular issue that the County had no jurisdiction, no authority or no say over a government purchase of a facility for its use. He stated that this was a superfluous, unnecessary action but they were more than welcome to take it and it was certainly a lot like many of the Board's resolutions that did not mean a thing.

Supervisor Scott stated that he supported the resolution because he did not want an ICE detention center in Marana, but that was within the boundaries of another jurisdiction. He asked the County Administrator and the Deputy County Attorney if Pima County had any regulatory or legal authority that could be brought to bear that would prevent an ICE detention facility from opening in the Town of Marana.

Supervisor Cano asked if Supervisor Scott sought an answer at this time.

Supervisor Scott answered in the affirmative.

Jan Leshner, County Administrator, stated that the County had no jurisdiction over the zoning within an incorporated jurisdiction, but deferred to the County Attorney about what they had in terms of making a statement regarding the policies.

Sam E. Brown, Chief Civil Deputy County Attorney, responded that there may be some legal authority under public nuisance that they were exploring and that there may be other legal authority. He stated that depending on the result of the vote on this item, they could certainly explore those options.

Supervisor Scott requested that if the resolution passed, that the Board hear back from the County Attorney's Office as to the County's legal authority. He stated that Ms. Leshner pointed out that because the Town of Marana had its own zoning laws, the County had no regulatory authority with regard to zoning and he had heard representatives of Marana government state that the zoning was in place, and so

they felt that their hands were tied. He stated that he was intrigued by what Mr. Brown said and looked forward to hearing back from the County Attorney's Office.

Supervisor Cano stated that as part of the due diligence with County Administration, he requested the County Administrator to prepare a summary from the Health Department about when this facility began operating in Pima County, how they would ensure that the health within it was taken care of. He stated that there were already reports of measles outbreaks in Pinal County and asked what would happen with infectious diseases in confined environments. He stated that would mean more cases were coming and one of the constitutional duties as a County was to protect public health. He stated that he did not care if it was someone in a jail cell or in a detention center, or down the street walking as an everyday citizen, public health had to be protected. He stated that this was going to be one of the things that they needed to pay close attention to and did not believe in the private prison industry's assertion that medical services were being provided in a timely manner, and with visitation taking place in these centers, as well as families impacted by the separation of families. He stated they had to also pay close attention to this as well.

Supervisor Christy stated that Supervisor Cano brought up a good point. He asked the County Administrator if the Pima County Health Department officials had been sent into the FEMA camp on Los Reales during COVID.

Ms. Leshar clarified that she believed the facility was a U.S. Customs and Border Protection (CBP) facility that was at Los Reales. She stated that she and Dr. Garcia had visited the facility, but she did not know exactly what the Health Department had done in communication with them. She stated that she would provide that information to the Board.

Supervisor Christy asked if they had the authority to be there.

Ms. Leshar explained that there were cooperative agreements and spoke with them frequently as people came from that facility to the Drexel facility. She stated the County had other facilities, like the one on Miracle Mile, that was leased by the federal government. She stated that she was unsure of what the full authority was, but they used authority within the swimming pool and other facilities within the complex to cooperate with the owners and the operators to ensure that they had people within the facility.

Supervisor Christy asked if there was a swimming pool in a FEMA holding.

Ms. Leshar stated not in the tent, but at the facility on Miracle Mile, which was another example of a federal contract with a local operator, and that they were able to work with the organization in a cooperative way, to look at a variety of health instances within the facility which had occurred over the last 5 to 6 years. She asked for the opportunity to provide a more accurate, detailed report.

Supervisor Christy stated he would appreciate that and looked forward to seeing it.

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

COUNTY ADMINISTRATOR

21. The Board of Supervisors on December 16, 2025 and January 6, 2026, continued the following:

Contract

City of South Tucson, to provide for an intergovernmental agreement for fire and emergency medical services, **Other Special Revenue Contingency Fund**, total contract amount \$1,200,000.00/4 year term (\$300,000.00 per year) (PO2500038417)

Jan Leshar, County Administrator, stated that this contract was with the City of South Tucson for fire and medical emergency services. She stated that staff had been working to make it a three-way contract with the City of Tucson (COT), which had caused it to take more time. She asked that the item be continued to the Board of Supervisors' Meeting of March 3, 2026.

Supervisor Heinz indicated that the COT was concerned about the term of the contract and asked if they would be amendable to approve it for a year so they could move forward with this contract.

Ms. Leshar stated that part of their conversation was regarding how many years the contract needed to be and how many were needed to renew it.

Sam E. Brown, Chief Civil Deputy County Attorney, stated that since the terms would likely be different than originally proposed, it would be better if the item was removed from the agenda and brought back on a future agenda.

Supervisor Heinz expressed concern that the COT would be waiting on the County and the County would be waiting on the COT and the City of South Tucson.

Ms. Leshar responded that the COT and the City of South Tucson were not waiting on the County.

Supervisor Heinz indicated that he wanted to be sure it happened.

It was moved by Supervisor Heinz, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to remove the item from the agenda, as recommended by staff.

COUNTY ATTORNEY

22. The Board of Supervisors on December 2, 2025, continued the following:

Proposed Memorandum of Understanding (MOU) between Pima County and Pima County Deputies' Organization

Discussion/Direction/Action regarding a proposed MOU between Pima County and the Pima County Deputies' Organization.

Chair Allen asked the County Administrator and Legal Counsel if there were any circumstances around the item that needed to be discussed.

Sam E. Brown, Chief Civil Deputy County Attorney, responded that currently there had not been a successful negotiation that all of the parties agreed on so there was nothing to vote on since there was no agreement on the MOU.

It was moved by Supervisor Cano to continue the item to the first meeting in April, pending any conversations with the Sheriffs and with the Deputies' Organization. He asked if that would be a good timetable.

Mr. Brown stated that at this time negotiations had not only stalled but had failed and that he was not sure if another two months would be productive. He stated that there was really no further movement expected, even if given additional time.

Supervisor Cano withdrew his motion.

Supervisor Scott sensed that given what the Deputy County Attorney had stated he felt the item might be an executive session discussion in terms of where they were with the negotiations.

Mr. Brown responded in the affirmative. He stated that if the Board wished they could add this item to Executive Session and he would be able to share what was beyond shareable at the dais before proceeding with the item.

Chair Allen asked if the Board needed to make a motion to include this item in Executive Session.

Mr. Brown responded in the affirmative.

It was moved by Chair Allen, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to add the item to Executive Session.

(Clerk's Note: This item was added to Executive Session and the Board returned to the item after reconvening from Executive Session.)

Chair Allen asked the County Administrator to provide a report on the item.

Jan Leshar, County Administrator, stated that at this point with the current agreement they had been unable to get unanimous consent from both parties on the MOU and recommended that the item be removed from the agenda. She stated that staff would continue to work with the Pima County Deputies' Organization and Sheriff's Department. She stated that if they were able to reach a consensus then they would come back to the Board with an agreement in the future.

It was moved by Chair Allen, seconded by Supervisor Heinz and unanimously carried by a 5-0 vote, to remove the item from the agenda.

DEVELOPMENT SERVICES

23. Board of Supervisors Policy

Staff recommends adoption of Board of Supervisors Policy No. F 53.5, Delegation of Final Plat and Assurances Approval to the Development Services Director.

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

FINANCE AND RISK MANAGEMENT

24. Monthly Financial Update

Discussion/Direction/Action regarding a monthly financial update on the County's financial performance.

Art Cuaron, Director, Finance and Risk Management, provided a slide show presentation and stated that the County continued fiscal stability for '25/26. He stated there was an impressive increase in revenues from the forecast in November. He stated revenues were expected to exceed budget by about \$9 million for a couple of reasons, one, they had about a \$2.9 million increase in State Shared Sales Tax. He stated they received a one-time refund from the Arizona Long Term Care System (ALTCs) of \$5.6 million that was received in December, and they also forecasted a \$1.3 million increase in Vehicle License Tax as a result of updated forecasts from the State on that revenue stream, creating that \$9.8 million increase in revenues seen in the materials that had been sent last week. He stated they had positive news, as reported in prior months, expenditures were trending lower than budgeted by \$5.4 million. He stated there was a slight reduction from prior years, but departments overall continued doing a good job in monitoring their spending. He stated that there was one department that was projected to be over budget at the end of the year, which was the Treasurer's office. He stated that the Treasurer would be coming forward with a remediation plan for the Board at their February 17th meeting. He stated that those two items combined led to a projected Fund Balance increase of about \$20.8 million and that was really positive news for them in FY '25/26, especially as they moved into budget discussions that would begin in

earnest at the retreat and then again on February 17, 2026. He noted that the forecast did not include Project Blue proceeds and there would be a separate item on the March 3, 2026 agenda that would include recommendations as to how those dollars would be appropriated moving forward. He stated that with the Fund Balance reconciliation, the \$19.9 million differed slightly from the \$20.9 million, only to account for the short-term crisis funding the Board approved at the later part of 2025. He stated that as they looked forward to '26/27, at this point, they were more than covering their '26/27 reserve estimate, which had been placed back at 17% by about \$8.6 million as they moved into the later part of the fiscal year for '25/26. He stated that with the General Fund Contingency, they had a slight movement in December with the Sonoran Desert Conservation Plan's 25th Anniversary of \$200,000.00, which left them less than \$700,000.00 for the remainder of this fiscal year to use for unintended emergencies or unplanned expenditures.

Supervisor Heinz asked if the Sheriff's Department was truly not over budget. He stated that the Pima County Attorney's Office tended to be a little bit spendy but those two departments were not over budget because the Board would have been told.

Mr. Cuaron responded that at this point in the forecast for Period 6, neither of those departments was projected to be over budget and his best explanation was that those departments were monitoring their budget this year in line with what they were allocated during the '25/26 budget process. He stated that as they monitored those forecasts in future periods, if that changed, the Board would be notified.

Supervisor Heinz stated that he was impressed.

Supervisor Cano stated that he was pleased that the County's financial forecast was healthy for the time being. He asked for a reminder of the percentage for the General Fund Reserve. He stated they went from 17% to 15%, and then back to 17%. He wanted a description from the County Administrator and the Finance Director on what had been heard from their ratings agencies of what amount was appropriate.

Mr. Cuaron stated that during the '25/26 budget process, the Board voted to move that established 17% reserve down to 15%, which provided additional resources for their consideration during the process. He stated they came back in August or September with a recommendation to move that back to 17% during the '26/27. He stated that during the '25/26 process, they talked with rating agencies and their financial advisor, and at that time, they saw no issue with them moving down to 15% as a one-time measure to alleviate the budget pressures they faced at that time. He stated that the policy, as established with 17%, was a widely known benchmark as far as the number of days, cash on hand, as a benchmark for what they used in that General Fund Reserve Policy. He stated that they were recommending that be moved back to 17% for the '26/27 budget discussions.

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

HUMAN RESOURCES

25. Meet and Confer Memorandum of Understanding

Staff recommends approval to extend the Memorandum of Understanding with American Federation of State, County and Municipal Employees (AFSCME) Arizona Local 449 through June 30, 2026.

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

Supervisor Cano thanked County Administration for working with AFSCME Local 449, on the Memorandum of Understanding. He knew it took more time, as requested by the parties, and he looked forward to supporting the union and the chapter ahead.

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

COUNTY ATTORNEY

26. Authorization for Future Legal Actions related to SB1500/A.R.S. §13-4296

Discussion/Direction/Action regarding authorization for future legal actions by Struck Love Acedo, PLC, related to SB1500/A.R.S. §13-4296.

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

BOARD, COMMISSION AND/OR COMMITTEE

27. Board of Adjustment, District 1

Appointment of John Buette, to fill a vacancy created by Lynn Wildblood. Term expiration: 8/19/29.

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

28. CONSENT CALENDAR

Approval of the Consent Calendar

At the request of Supervisor Christy to divide the question, Consent Calendar Item No. 6 was set aside for separate discussion and vote.

It was then moved by Supervisor Heinz, seconded by Supervisor Christy and carried by a 5-0, to approve the remainder of the Consent Calendar, as amended.

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISOR CHRISTY

GRANT APPLICATION/ACCEPTANCE

6. Acceptance - Community and Workforce Development

Arizona Department of Economic Security, Amendment No. 1, to provide for the Community Action Services Program and amend scope of work, for the following:

Project/Grant Amount/Grant No.

LIHEAP/ - /GA-CWD-82532

STCS/TANF/\$405,424.25/GA-CWD-82533

CSBG FY2025 Carryover/\$93,755.34/GA-CWD-82534

NHN/\$4,657.50/GA-CWD-93453

Eviction Prevention Program/\$537,000.00/GA-CWD-103987

It was moved by Chair Allen, seconded by Supervisor Heinz and carried by a 4-1 vote, Supervisor Christy voted "Nay," to approve the item.

* * *

CONTRACT AND AWARD

Community and Workforce Development

1. Arts Foundation for Tucson and Southern Arizona, Amendment No. 1, to provide for Public Art Program - Operational Support and Services, extend contract term to 6/30/26, amend contractual language and scope of work, General Fund, contract amount \$125,000.00 (PO2500039463)

Detainee and Crisis Systems

2. HLGL, L.L.C., d.b.a. Recovery in Motion Treatment Center, to provide for Inmate Navigation Enrollment Support and Treatment (INVEST), General Fund, contract amount \$200,000.00 (PO2500037604)

Information Technology

3. City of Tucson, to provide an intergovernmental agreement for the inter-connection of data networks, no cost/20 year term (SC2600000007)

Procurement

4. Line and Space, L.L.C., Amendment No. 5, to provide for Architectural and Engineering Design Services: Northwest County Service Center (XNWHLC) and extend contract term to 8/31/26, no cost (PO2400016471) Administering Department: Project Design and Construction
5. Carahsoft Technology Corp., Amendment No. 12, to provide for computer software and related items, extend contract term to 9/15/26 and amend contractual language, General (50%) and Internal Service - IT Enterprise Software Licensing (50%) Funds, contract amount \$50,000.00 (SC2400001726) Administering Department: Information Technology

GRANT APPLICATION/ACCEPTANCE

6. **Acceptance - Community and Workforce Development**
Arizona Department of Economic Security, Amendment No. 1. (PULLED FOR SEPARATE ACTION)

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

7. **Special Event**
 - Julie P. Ciruli, The Continental School District Educational Foundation, Historic Canoa Ranch, 5375 S. I-19 Frontage Road, Green Valley, February 7, 2026.
 - Christopher White, Apache Leap Media, Ajo Plaza Recreation Hall, 38 W. Plaza Street, Ajo, January 24, 2026.
 - Edward Lucero, The Roman Catholic Church of Saint Elizabeth Ann Seton - Tucson, St. Elizabeth Ann Seton Church Gym & Parish Hall, 8650 N. Shannon Road, Tucson, February 14, 2026.
 - Amy S. Ramm-Merkel, Friends of Western Art, Inc., The Casitas of Smokey Springs, 1451 N. Smokey Springs Road, Tucson, April 11, 2026.
8. **Temporary Extension**
07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, March 7 and June 6, 2026.
9. **Wine Fair/Wine Festival**
 - Thomas Messier, Omphalos Winery, Voyager RV Resort, 8701 S. Kolb Road, Tucson, February 10 and March 24, 2026, from 12:30 p.m. to 5:00 p.m.
 - James Hill Graham, Golden Rule Vineyards, Voyager RV Resort, 8701 S. Kolb Road, Tucson, March 3, 2026, from 12:30 p.m. to 5:30 p.m.

ELECTIONS

10. **Precinct Committeemen**

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

RESIGNATION-PRECINCT-PARTY:

Janine Baxter-084-DEM, Kya Teskey-245-DEM, Zamia Mosman-092-REP, David Vanderscoff-127-REP, Timothy Servati-224-REP, Toni Servati-224-REP.

APPOINTMENT-PRECINCT-PARTY:

Morgan Miholich-185-DEM, Raoul Davion-193-DEM, Fernanda Quintanilla-079-REP, Deborah Huffman-145-REP, John Workman-173-REP, Karl Roe-176-REP, Heather Roe-176-REP, Darin Gregg-198-REP.

FINANCE AND RISK MANAGEMENT

11. **Duplicate Warrants - For Ratification**

Delfina Kerdels \$230.00; Delfina Kerdels \$185.00; Cornelia Co., L.L.C. \$850.00; Houseopoly, L.L.C. \$23,072.04; Overlook at Pantano Apartments \$1,998.00; West-Watt Law, P.L.C. \$933.50; National Food Group \$3,816.96; Copper State Bolt & Nut Co. \$608.73; Runbeck Election Services, L.L.C. \$1,165.93; The American Bottling Company \$1,273.74; Sandra Acedo Lopez \$4,000.00; Tucson Asphalt Contractors, Inc. \$15,492.73; Colonial Estates MHP Tucson AZ, L.L.C. \$3,607.20; Parts Authority, L.L.C. \$140.65; International Corp Apparel, Inc. \$326.89; Federal Express Corporation \$122.08; Chef Units \$312,945.71; DM50 \$60,000.00; Elontec, L.L.C. \$1,444.50; Harrah Law, L.L.C. \$58.40; Arizona Department of Public Safety \$4,500.00; Ferguson Enterprises, L.L.C. \$474.05.

RATIFY AND/OR APPROVE

12. Minutes: November 18, 2025
Warrants: January, 2026

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29. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:27 p.m.

CHAIR

ATTEST:

CLERK

DRAFT

BOARD OF SUPERVISORS

18. Protecting County-Owned Properties

Discussion/Direction/Action: Directing Administration to look into an ordinance protecting Pima County-owned properties from being used for federal immigration enforcement, including posting signs at all relevant properties prohibiting federal agents from using said properties for the purposes of immigration enforcement. (District 3)

Verbatim

JA: Chair Allen
RS: Supervisor Scott
MH: Supervisor Heinz
SC: Supervisor Christy
AC: Supervisor Cano
SB: Sam E. Brown, Chief Civil Deputy County Attorney

JA: So the next item on the agenda that we are going to hear is Item 21, Protecting County Owned Properties. This was an item that I put on the agenda. I wanted to provide a little bit of context behind it and then move it forward for discussion. You know, as speakers have said today, very clearly, and as we have seen on the streets of our community, both in terms of people standing up through protests and through monitoring and documenting activities of immigration enforcement agents. We need to well, maybe to zoom out just a tad bit. You know, we all, I think all of us on the Board work really hard to protect the people around us, be it our families, people in health care, students, neighbors, employees and what we have been witnessing is such an assault on people's safety and people's dignity that it, I think like other folks in our community, I have been struggling to figure out what it is that we can do to stand up, because we have to stand up. I have in the last two months had close family, friends who have been detained and are sitting in Florence, one of whom was denied, ICE says that within 24 hours everybody sees a doctor. This was not true for seven days and he was denied access to necessary heart medication. This is not unusual, this is not atypical. Right now our community is struggling whether to go to school, whether to go to church, to go get medical care. These are things that I think are the antithesis of what it is that we as a body seeks to create within our community. We need people to feel safe and so in thinking about County property, we have libraries, we have health clinics, we have things like parking garages and other open spaces and conservation lands. Places of the County should be places that are safe, safe for people to escape from, find some ounce of respite against the terror that we are seeing out on our streets and in streets across this country. So this is an effort for the County to look to, and give direction to the County Administrator, Pima County Attorney's Office, to develop an ordinance that will be returned to us at our next meeting on February 17th because of the urgency

of the moment. That can lay out how our property can be safe from federal immigration enforcement. So with that, I would like to move the item.

MH: Second.

JA: Seconded by Supervisor Heinz. Discussion?

SC: Madam Chair?

JA: Supervisor Christy?

SC: I would like to offer a substitute motion. That reads as follows, "Pima County purchased the Drexel Road property with \$8 million of taxpayer ARPA funds to facilitate federal immigration enforcement by operating a welcoming center for what was then called Asylum seekers per the previous administration's policies. Accordingly, I move that Pima County enter into an intergovernmental agreement with the federal government to lease the Drexel Road facility and other Pima County properties, to facilitate federal immigration enforcement per the current administration policies, in an attempt to recoup the \$8 million on behalf of Pima County taxpayers."

JA: Is there a second to that? Hearing none, I will resume opening it up for discussion for the original motion. Supervisor Scott?

RS: Thank you, Chair Allen, and thank you for putting this item on the agenda. To correct something that Supervisor Christy alluded to a couple of minutes ago, the County began taking, under the first Trump administration, federal funds that we use to shelter and otherwise care for legally processed Asylum seekers in the United States and we did that for a period of six years. Beginning under the first Trump administration and continuing through the Biden administration. I always supported accepting those funds and making use of them for one simple reason. It was a way of protecting public health and safety, not just the health and safety of legally processed Asylum seekers and they are called that because they are given that status by Customs and Border Patrol at the border, but also to protect the general public health and safety. We were able to prevent street releases of legally processed Asylum seekers in Pima County like you saw in other southwestern Cities, including San Antonio, San Diego, El Paso. We were also able to afford assistance and support to our two rural neighbors, Cochise and Santa Cruz Counties, that had no way of taking care of what they were also experiencing when legally processed Asylum seekers were released in their Counties. Protecting public health and safety is one of our most solemn and necessary duties as County government, and that is why I am going to vote for this item. Because when we take a look at what has been happening around the country, perhaps especially, as all of us know in Minneapolis, but that is not the only place. We are dealing with, not just ICE officials, but Customs and Border Patrol officials. Let us remember that Mr. Pretti was shot by a Customs and Border Patrol official. Those are folks who are not supposed to be working within the interior of the country, they are Customs and

Border Patrol and yet this administration is sending them into the interior of the country, where they are not trained to operate. With regard to ICE, it is documented that they have scaled back their training standards. They have scaled back their hiring standards. They are operating under numeric quotas set up by an adviser to the President of the United States, Stephen Miller, that essentially calls for 3,000 deportations a day. And we know, to go back to something that was said during Call of the Public, these are not the worst of the worst. People are finding that their neighbors, their friends, as Chair Allen just said, are being detained. This is not what was promised and beyond all of those things that I just mentioned, we have the tragic fates of Reese Good and Alex Pretti, who died at the hands of their government. And so going back to that solemn and necessary charge of protecting public health and safety that we are obliged to take on as Supervisors, I cannot countenance the idea of federal immigration officials operating, staging, any of their activities on County property. So, I will proudly support this item. And I thank you, Chair Allen, for bringing it forward.

JA: Supervisor Cano?

AC: Thank you, Madam Chair and colleagues. I want to thank members of the public for coming today because your voice matters and what you are doing by coming to your local government, pleading for action is not only inspiring, but it is a moment that we need you to stand up, to use your voices and to ask for protections at the local level. I support this motion because fear is spreading in our community. It is changing how people live. It is changing where people go and changing whether people seek help. We have seen ICE enforcement operations in front of schools, in front of churches, in churches, near the places where families should feel protected. We have seen people detained on the way to work. We have seen chaos and panic, and we have seen enforcement carried out in ways that are cruel, disruptive and destabilizing. When masked, federal agents show up at public spaces, it does not just intimidate the person they came for. It scares everyone watching. It scares the employees who have to respond, the families who came for services and that fear spreads and it makes our community less safe. It means victims do not report crimes. People do not go to the hospital. Our kids do not go to school. Pima County is a property owner. We have the legal authority to set rules on County property. We have the authority to protect access to services, to protect our County employees, and the authority to keep public spaces calm and functional. Our buildings are not traps. Our parks are not ambush sites, our health clinics are not places of fear, and our libraries are not places people should avoid. They are public spaces. They belong to the public and to everyone. This motion says we will use the tools that we have to keep families safe and all of our neighbors protected. We will defend order in our community, and we will not let fear take over the places people rely on to live, learn, heal and work. I look forward to receiving the County Administrator's recommendations on how to maintain order and safety throughout Pima County. Thank you.

JA: Supervisor Heinz.

MH: Thank you and thank you again for bringing forward this item. It is really great to see everyone here. It is unfortunate that the circumstances for your presence is where we find ourselves. This has happened various times throughout our history and our government, especially our federal government, should not should not be a public health and safety threat. And unfortunately, that is what we are seeing with ICE, with CBP, they do have a legitimate role to play, but things have gone far, far beyond they are being weaponized. As you have heard from my colleagues. I am not going to echo everything they have said, but I am also supportive of this item and would look forward to voting for the ordinance when it comes back before us in its final form. And just remember that the government, your County government, your city government, your state government and your federal government, all of these governments require the consent of you, that govern. And I would say that the federal government has lost that consent. So keep doing what you are doing. All right.

SC: Madam Chair?

JA: Supervisor Christy.

SC: One element that has been ignored, and I am sure it is been done so purposely is the very intense subject of enforcement. Let us take a scenario where an ICE group is deployed in numerous spots in Pima County, on Pima County property, at parks or a library, or a parking lot, to enforce their programs of deportation. They are on County property. An ordinance against allowing ICE has been passed by this Board. What are we going to do send in Tucson Police Department to draw their guns and fight? Is that what we are going to do? Is that what we are asking for? Are we asking for the Sheriff's Department to arm themselves up and go in and fight ICE with guns and all types of violence? This is really a highly volatile issue that is being perpetrated by this Board without thinking it thoroughly through and if there is any violence after this ordinance is passed, it will be on the hands of my colleagues to my left. And if you are asking for some sort of a civil insurrection, a violent one, you are treading on very dangerous territory and I think you know that. This is a lot of show, but it also has a lot of danger to it, because now you are going to be instructing other law enforcement agencies to physically battle with ICE. Think about that. Thank you.

MH: Chair Allen? May I?

JA: Supervisor Heinz.

MH: Thank you. Listen, I have spoken to our law enforcement. I have faith and confidence in our local law enforcement. I spoke, and they are not immigration enforcement agents, they know that. I was in the legislature when Senate Bill 1070 was passed forever ago, 2010, I think it was. That was a terrible law that attempted to weaponize and force local police departments and Sheriff's Departments to become effectively immigration enforcement officers and just pull anyone over that kind of might suspect. So, this is something that we have been through before, and I

have every confidence in our local, and the Sheriff's Department, and our deputies and our TPD, and all of our other jurisdictional law enforcement agents that they are here to deescalate these kinds of situations. And that is what they have done. They literally had to rescue ICE from Taco Giro because they got themselves into a walled parking lot and they had to literally call Tucson Police Department to help deescalate to get them extracted. So, our local law enforcement is there to protect us and to make sure that that violence is something that does not happen.

JA: Supervisor Scott.

RS: Chair Allen, it is certainly correct that nobody has the right or ability to impede a federal operation, but we have the right, the ability, and the duty, to safeguard County property. And that is all that this item is calling for. That is all that the ordinance that will come before us is calling for. Local governments around the country have taken this kind of action. This is nothing novel or new, but it is something that is abundantly necessary because of what we are seeing coming out of the federal government. And I have been proud to hear our Attorney General and our County Attorney say more than once, that if you violate local or state law in Arizona or Pima County, they will hold you to account. And that will include this ordinance.

JA: Supervisor Christy.

SC: I just leave you with my final comment, and I think it is the underlying score of the whole issue here. Who will enforce this ordinance and how?

JA: So, it has been brought to my attention that ordinances, the little County 101 here, I guess maybe 201, we will call it. Ordinances require 15 days. This agenda item calls for a follow-up because of the urgency on February 17th, which is our next meeting, which does not allow 15 days. So, the amendment is going to be that, at the next meeting on February 17th, that we have a policy that is brought back to the Board from the administration, and then the ordinance will follow at our meeting on March 3rd.

MH: Do I need to re-second that?

SB: Chair, if I may?

JA: Is that stated correctly?

SB: I would also ask, Chair Allen, Supervisors, for authorization to publish a draft ordinance and notice, prior to the February 17th meeting. So that would be on February 16th or before, to meet the 15 days before March 3rd. If there is an amendment to the motion to do that as well.

JA: Okay.

MH: I am agreeable to that. If you want to amend the motion.

JA: Okay. So, the motion is amended that at the February 17th meeting we will receive a policy. Well, we will put this back chronologically. On February 16th, the County Attorney's office will post the draft ordinance. On February 17th, this Board will have a policy on our agenda and discuss then, and then the subsequent meeting on March 3rd, we will have the ordinance on our agenda. That is my motion.

MH: Second.

JA: Seconded by Supervisor Heinz. Going back now to the amended item in full. It was seconded already by Supervisor Heinz. All those in favor? Aye.

RS: Aye.

MH: Aye.

AC: Aye.

JA: All those opposed?

SC: Opposed.

JA: Item passes 4-1.