



PINAL COUNTY

WIDE OPEN OPPORTUNITY

**PINAL COUNTY BOARD OF SUPERVISORS
SPECIAL SESSION
MINUTES
Wednesday, June 10, 2020
9:30 AM**

BOARD OF SUPERVISORS

Chairman Anthony Smith
Supervisor, District 4

Vice-Chairman Pete Rios
Supervisor, District 1

Mike Goodman
Supervisor, District 2

Stephen Q Miller
Supervisor, District 3

Todd House
Supervisor, District 5

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

All Presentations are attached to the Agenda at:

<https://pinal.novusagenda.com/AgendaPublic/MeetingView.aspx?MeetingID=1332&MinutesMeetingID=529&doctype=Agenda>

and a Video Recording of this meeting can be viewed at:

<https://pinalcountyaz.swagit.com/play/06102020-1204>

The Pinal County Board of Supervisors convened at 9:30 a.m. this date. The meeting was called to order by Chairman Smith.

Members Present: Chairman Anthony Smith; Vice-Chairman Pete Rios; Supervisor Mike Goodman; Supervisor Stephen Q. Miller; Supervisor Todd House

Staff Present: County Manager, Louis Andersen; Deputy County Manager, Himanshu Patel; Chief Civil Deputy County Attorney, Chris Keller; Clerk of the Board, Natasha Kennedy and Deputy Clerk of the Board, Kelsey Pickard

- (1) Meeting of the Desert Vista Sanitary District Board of Directors. (Natasha Kennedy)

Chairman Smith recessed the Pinal County Board of Supervisors Meeting and convened as the Pinal County Desert Vista Sanitary District Board of Directors.

Item Action: Convened into Pinal County Desert Vista Sanitary District

Chairman Smith adjourned the Pinal County Desert Vista Sanitary District Board of Directors Meeting and reconvened the Pinal County Board of Supervisors Meeting.

Point of Personal Privilege

Supervisor Goodman commended Sheriff Lamb for hosting an open discussion in a safe environment, which allowed all members of the community to attend and discuss the issues we are facing as a nation, to get ahead of potential problems. He requested the County Attorney host a Work Session, open forums, or something of that nature; involving the community to have further open discussions and confront the issues before us. Finally, that a Public Statement supporting the dignity and respect of all members of our community be issued.

Point of Personal Privilege

Vice Chairman Rios commended Sheriff Lamb for undertaking and controlling a meeting involving all members of our community and recommended to accomplish a streamlined meeting that a facilitator be present at the next meeting.

- (2) **Work Session** to discuss the revised fee schedule for Pinal County Elections Department as per A.R.S. 11-251.08, A.R.S. 16-503 and County Policy, to be set for Public Hearing on July 1, 2020. (Michele Forney/Himanshu Patel)

Michele Forney, Elections Director, appeared before the Board and presented.

Chris Keller, Chief Civil Deputy County Attorney, advised regarding the Adoption of Fee Schedules.

Michele Forney further presented.

Chris Keller provided information on the yearly increase of minimum wage and advised legal will assist staff in attributing the increase into the fee schedule.

Chairman Smith directed Michele Forney to provide additional background on the proposed cancellation fee.

Michele Forney further presented.

Chairman Smith further directed Michele Forney to work with the County Attorney's Office on verbiage to update the Fee Schedule to include the yearly minimum wage increases, and provide an additional fee schedule which encompasses the costs of polling place elections verse mail in ballot only.

Item Action: Information Only

- (3) **Work Session** to discuss the revised fee schedule for Pinal County Medical Examiner's Office as per A.R.S. 11-251.08, A.R.S. 11-251.13, and County policy. (Andre Davis/John Hu)

Micah Powell, Medical Examiner's Office, appeared before the Board and presented.

Item Action: Information Only

- (4) Discussion/approval/disapproval of ratification of the Lease Agreement between Pinal County and Horizon Health and Wellness, Inc., Pinal County requires additional warehouse space to store materials and supplies required for its response to the COVID-19 pandemic. (Charles Kmet/Scott Bender)

Charles Kmet, Public Works Emergency Manager, appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve the ratification of the Lease Agreement between Pinal County and Horizon Health and Wellness, Inc.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (5) Presentation and discussion of plans of the owner of Johnson Utilities to address existing issues at Johnson Utilities facilities. (Louis Andersen)

Supervisor Miller requested legal advice regarding Item 5.

10:45 a.m. – Chairman Smith recessed the Board of Supervisors Meeting and requested a motion to convene into Executive Session for Item 5.

Item Action: Convened into Executive Session

Motion Made By: Supervisor Miller

Seconded By: Supervisor Goodman

To convene into Executive Session for Item 5.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

Item Action: Adjourned Executive Session

Motion Made By: Supervisor House

Seconded By: Supervisor Miller

To adjourn Executive Session for Item 5.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

10:51 a.m. – Chairman Smith reconvened the Board of Supervisors Meeting.

Supervisor Miller asked if any Public Comments had been received by the Clerk of the Board Office.

Natasha Kennedy, Clerk of the Board advised that the Clerk of the Board Office has received one (1) comment. The Clerk read into Record the following comment:

Robin R. Mitchel, Chief Counsel and Legal Division Director of the Arizona Corporation Commission (ACC), wrote regarding the current interim manager, EPCOR Water Arizona, Inc. (EPCOR), in place having operational control of the utility and that Johnson ownership is not the proper entity to design solutions to any compliance issues. EPCOR is responsible for fulfilling the requirements in ADEQ's compliance schedule and constructing the previously approved projects within the capital improvement plan issued by the ACC.

George Johnson, Johnson Utilities Owner, appeared before the Board and introduced the Item.

David Kimball, legal counsel on behalf of Johnson Utilities, appeared before the Board and presented Johnson ownership Proposed Solution to Expedite Compliance.

James Matthews, Principal Engineer with Pace on behalf of Johnson Utilities, appeared before the Board and presented.

David Kimball further presented.

Kevin Costello, Deputy County Attorney, appeared before the Board and presented.

Supervisor Miller requested to see the Invoices in regards to the \$60 million spent by EPCOR thus far.

11:50 a.m. – County Manager, Louis Andersen, left the dais and Deputy County Manager, Himanshu Patel, joined the meeting.

David Kimball further presented.

12:10 p.m. – Deputy County Manager, Himanshu Patel, left the dais and County Manager, Louis Andersen returned to the dais.

Supervisor Goodman expressed his uncertainties in Johnson ownership, and spoke regarding the ACC and ADEQ whom should be working together to bring this utility into compliance.

Vice-Chairman Rios spoke regarding the multiple entities involved, and agreed they all must work together.

David Kimball further presented.

Supervisor Miller expressed his concerns with Johnson ownership proposal and lacking authority. Further, the tax payers have already paid into this utility therefore, this proposal has no justification for any rate increase.

Supervisor House expressed his contentment with the proposed solution to expedite compliance by Johnson ownership and guarantees.

David Kimball further presented.

Chairman Smith announced we have three (3) public attendees present who have submitted Public Speaker Cards to address the Board regarding Item #5.

The following people appeared before the Board and presented statements in support of Item #5: Bret Marchant, Nancy Roberts, and Larry Quick.

Chairman Smith directed the County Manager to determine if there is a position or action the County should take based upon today's presentation.

Louis Andersen, County Manager, advised this is not an action item however a few things can be taken away that the Board can consider; choose to write a letter to ACC and ADEQ in regards to the proposed plan presented today, invite EPCOR to share their plan to come into compliance, or the County could contact the state ombudsman as suggested by Vice-Chairman Rios. Lastly, ADEQ was unable to attend however might address the Board at a future date.

Item Action: Information Only

1:00 p.m. – Chairman Smith recessed the Board of Supervisors Meeting.

1:39 p.m. – Chairman Smith reconvened the Board of Supervisors Meeting.

- (6) Discussion/approval/disapproval of FY 2020/2021 Board of Supervisors & Economic Development memberships, associations, and non-profit contributions. (Continued from May 27, 2020, Board Meeting) (Angeline Woods/Louis Andersen)

Himanshu Patel, Deputy County Manager, appeared before the Board and presented.

Tim Kanaval, Economic Development Director, appeared before the Board and presented.

Himanshu Patel further presented.

Chairman Smith spoke regarding Arizona Forward and based upon Board feedback recommended zero funding.

Louis Andersen, County Manager, spoke regarding QuadState Local Government Authority a conservation group, and is not recommending funding.

Supervisor Miller spoke regarding the Pinal County Water Augmentation Authority and requested to attribute funding, any amount entertained.

Item Action: Approved by the following four (4) separate Motions:

#1 Memberships:

To approve FY 2020/2021 Board of Supervisors & Economic Development Memberships as presented minus Arizona Forward and QuadState Local Government Authority.

Motion Made By: Supervisor Rios

Seconded By: Supervisor Goodman

To approve FY 2020/2021 Board of Supervisors & Economic Development Memberships as presented minus Arizona Forward and QuadState Local Government Authority.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

Himanshu Patel further presented.

Supervisor Goodman requested Pinal County coordinate and take into consideration other municipalities receiving food assistance from other sources to ensure we are providing food assistance to all areas in need.

Supervisor House spoke regarding the Superstition Food Bank who services citizens in surrounding cities not just Apache Junction.

#2 CDBG Funding \$660,000:

To approve the CDBG Funding amount as set forth in the Additional Recommendations from Pinal County Coalition to End Homelessness Survey.

Motion Made By: Supervisor Miller

Seconded By: Supervisor Goodman

To approve the CDBG Funding amount as set forth in the Additional Recommendations from Pinal County Coalition to End Homelessness Survey.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

Chairman Smith announced we have representatives from organizations present who have submitted Public Speaker Cards and wish to address the Board regarding Item #6.

The following associations and non-profits appeared before the Board and presented statements in support of funding their organizations for Item #6: Patti King, Pinal Alliance for Economic Growth Manager; Kim Vandenberg, HOHP of Pinal; Erica Ballesteros, The Development of Altering Futures, Inc.; and Liz Harris Tuck, Creative Community Solutions.

Melina Lopez, Veteran and Pinal County Employee, appeared before the Board and commended the Board for their support to the veterans of Pinal County and veteran programs, and suggested the County identify veteran employees within so they can provide support to the County in additional ways.

Himanshu Patel advised the Board regarding Empowerment Systems, post application they have advised they currently do not have the staff to provide services for the requested amount.

Chairman Smith advised the yearly event for Pinal County Town Hall was cancelled therefore, recommended to provide funding this year for next year's event or provide zero funding this year.

Himanshu Patel spoke regarding the requested funding of United Way of Pinal County, and recommended reducing their funding to \$30,000.

#3 Remaining Applicants:

To approve all those remaining that can be funded out of the CDBG Fund on the list will be, and those that do not qualify will be funded out of the General Fund, Minus Pinal County Town Hall and Empowerment Systems, and reducing United Way of Pinal County to \$30,000.

Motion Made By: Supervisor Rios

Seconded By: Supervisor House

To approve all those remaining that can be funded out of the CDBG Fund on the list will be, and those that do not qualify will be funded out of the General Fund, Minus Pinal County Town Hall and Empowerment Systems, and reducing United Way of Pinal County to \$30,000.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

Louis Andersen spoke regarding late entries received by non-profit organizations and the request of the Grants Coordinator to have the Board reopen the opportunity for non-profit organizations to apply for funding.

Chairman Smith noted an example of one of those non-profits whom did not take advantage and apply was the Boys and Girls Club of Casa Grande, they are COVID eligible however, did not apply during the agency funding request timeframe.

Chris Keller, Chief Civil Deputy County Attorney, clarified regarding reopening the agency funding request, and regarding COVID funding.

Supervisor House requested if we reopen the agency funding request it only be applicable to those fitting the COVID-19 criteria.

#4 Additional Non-Profit Applicants:

To approve moving forward with excess money left over from the COVID related funds whether CDBG or CARES Act, to allow an opportunity for non-profits fitting the COVID-19 criteria to apply within the County's two (2) week application timeframe.

Motion Made By: Supervisor House

Seconded By: Supervisor Goodman

Friendly Amendment Offered By: Supervisor Smith to include, whether CDBG or CARES Act.

Friendly Amendment Accepted By: Supervisor House

To approve moving forward with excess money left over from the COVID related funds whether CDBG or CARES Act, to allow an opportunity for non-profits fitting the COVID-19 criteria to apply within the County's two (2) week application timeframe.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (7) Presentation and discussion/approval/disapproval of the Pinal County tentative budget for Fiscal Year 2020-2021, beginning July 1, 2020, ending June 30, 2021, in the amount of \$570,355,462 in accordance with A.R.S. 42-17103. This budget proposes reducing the primary property tax rate from \$3.7900 to \$3.7500. Approval of this budget also approves the creation of any newly requested positions, which have existing job classifications, that were included in the budget development process. The Public Hearing and final budget adoption is scheduled for July 1, 2020. (Angeline Woods/Louis Andersen)

Angeline Woods, Budget Director, appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor House

Seconded By: Supervisor Miller

To approve the Pinal County tentative budget for Fiscal Year 2020-2021, beginning July 1, 2020, ending June 30, 2021, in the amount of \$570,355,462 in accordance with A.R.S. 42-17103. This budget proposes reducing the primary property tax rate from \$3.7900 to \$3.7500.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (8) **Work Session** to discuss the Pinal County Workforce Development Board strategic planning and ARIZONA @ WORK required four (4) year plan. (Joel Millman/Tim Kanaval)

Tim Kanaval, Economic Development Director, introduced the Item.

Liz Harris Tuck, Pinal County Workforce Development Board Chair, appeared before the Board and presented.

Joel Millman, Workforce Development Director, appeared before the Board and presented.

Chairman Smith commended the Pinal County Workforce Development Board for their work.

Item Action: Information Only

- (9) **Work Session** on case PZ-PA-004-20, A County Initiated Major Comprehensive Plan Amendment to Chapter 7 Environmental Stewardship, Water Resources Element, of the 2019 Pinal County Comprehensive Plan. The proposed text amendment will modify the Water Resources Element by proposing updates to the background information on the purpose of the Water Resources element, update certain goals, objectives, and policies regarding water conservation and identification of water service providers. (Steve Abraham/Lester Chow)

Steve Abraham, Public Works Planning Manager, appeared before the Board and presented.

Lonnie Frost, Public Works, appeared before the Board and presented.

Item Action: Information Only

- (10) **Work Session** on case PZ-PA-005-20, A County Initiated Major Comprehensive Plan Text Amendment to Chapter 3 Land use, Chapter 6 Open Spaces and Places and Chapter 7 Environmental Stewardship, of the 2019 Pinal County Comprehensive Plan. The proposed text amendment will modify the referenced Chapters by adding goals, objectives and policies relating to riparian areas, wildlife corridors and the Pinal County Birding Trail. (Steve Abraham/Lester Chow)

Steve Abraham, Public Works Planning Manager, appeared before the Board and presented.

Item Action: Information Only

4:11 p.m. – Chairman Smith adjourned the June 10, 2020, Special Session Meeting of the Board of Supervisors.

PINAL COUNTY BOARD OF SUPERVISORS

Anthony Smith, Chairman of the Board

ATTEST:

Natasha Kennedy, Clerk of the Board

Minutes Prepared By: Kelsey Pickard, Deputy Clerk of the Board

Approval of Minutes: July 1, 2020