

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met remotely in regular session through technological means at 9:00 a.m. on Tuesday, December 21, 2021. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Adelita S. Grijalva, Vice Chair
Rex Scott, Member
*Dr. Matt Heinz, Member
Steve Christy, Member

Also Present: Jan Leshar, Acting County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

*Supervisor Heinz joined the meeting at 9:16 a.m.

1. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in the amount of \$8,820.00 for steel tank rehabilitation and well repairs at 14366 South Jacobson Drive, located within Regulated Riparian Habitat classified as Xeroriparian Class C. (~~District 4~~ **District 3**)

Supervisor Grijalva requested information on Riparian Habitat Mitigation related to utility companies.

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

2. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in the amount of \$7,810.00 for placement of a single family residence at 2126 East Desert Garden Drive, located within Regulated Riparian Habitat classified as Important Riparian Area with underlying Xeroriparian Class B. (District 1)

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

3. **AWARD**

Amendment of Award: Master Agreement No. MA-PO-19-102, Amendment No. 3, JE Fuller Hydrology & Geomorphology, Inc., to provide for ALERT Base Station System Support. This amendment is for a one-time increase in the amount of \$310,000.00 for a cumulative not-to-exceed contract amount of \$851,000.00. This increase is required for the ALERT2 conversion and the Bighorn Fire PTZ Flood Cameras Project. Funding Source: DFFM Post-Fire Mitigation and General (\$140,000.00) Funds. Administering Department: Regional Flood Control District and Information Technology.

It was moved by Chair Bronson, seconded by Supervisor Grijalva 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 12:02 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met remotely in regular session through technological means, at 9:00 a.m. on Tuesday, December 21, 2021. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Adelita S. Grijalva, Vice Chair
Rex Scott, Member
*Dr. Matt Heinz, Member
Steve Christy, Member

Also Present: Jan Leshar, Acting County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

*Supervisor Heinz joined the meeting at 9:16 a.m.

1. **PLEDGE OF ALLEGIANCE**

All present joined in the Pledge of Allegiance.

2. **PAUSE 4 PAWS**

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

3. **CALL TO THE PUBLIC**

The following speakers addressed the Board in opposition to vaccine/mask mandates:

- Ben Philpott, Corrections Officer, Pima County Sheriff's Department
- Dru Heaton
- Robert Zuniga, Corrections Lieutenant, Pima County Sheriff's Department
- Matt Novak
- Stephanie Kirk
- Lisa Von Geldern

They offered the following comments:

- Vaccine mandates were unconstitutional and no other vaccine in the United States was mandated.
- Due to the vaccine mandate in the County, low staffing rates and inexperienced officers were the biggest threat to County inmates.
- Vaccines and masks do not stop the spread of the virus.
- Comments made by Sheriff Nanos at a previous Board meeting regarding the death of an inmate were inaccurate and created a false narrative that employees at the County jail were causing COVID-19 exposure to inmates.

- Florida did not have mask mandates and their COVID cases continued to decrease.
- Nevada had mask mandates and higher COVID cases than Arizona.
- Masks were being littered into the environment.
- Hospitals were overloaded because of tyrannical mandates.
- Nursing shortages were due to the vaccination mandates.
- It was not unusual for hospitals to be overflowed with patients during the flu season.
- Wearing a mask should be a choice.

The following speakers addressed the Board in support of vaccine/mask mandates:

- Alexa Lewis
- Julia Strange, Vice President, Tucson Medical Center
- Gordon Carr, Chief Medical Officer, Banner Hospital
- Dana Allmond

They offered the following comments:

- Pima County was a high transmission community of COVID-19.
- There have been 100 new COVID cases a week reported in seventeen schools.
- Asked the Board to enact a countywide mask mandate and to not leave it up to individual school districts.
- Intensive Care Units, Hospitals and Emergency Departments were at capacity and workers were strained.
- Arizona is a high transmission state with low vaccination rates.
- Banner Hospitals support mask mandates.
- Masking would help reduce the spread of COVID-19 until vaccination and transmission rates improved and hospital volumes become more manageable.
- 43 scientific studies demonstrated that masks prevented COVID-19.
- There are higher levels of compliance and benefits from mandates, particularly for indoor uses.
- Elective surgeries were being cancelled due to strain on hospitals.
- The pandemic has taken a significant toll on people's lives.
- Masks offer protection against all variants.

Joann di Filippo expressed concern regarding the Revised American Rescue Plan Act, Coronavirus Local Fiscal Recovery Funds Spending Plan/Budget. She opposed how the recovery budget funds were being allocated and encouraged the Board to reconsider where the money was being spent.

4. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Grijalva, seconded by Chair Bronson and unanimously carried by a 4-0 vote, Supervisor Heinz was not present for the vote, to convene to Executive Session at 9:40 a.m.

5. **RECONVENE**

The meeting reconvened at 9:57 a.m. Supervisor Scott was not present, due to technical difficulties. He rejoined the meeting at 10:01 a.m. All other members were present.

EXECUTIVE SESSION

6. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice, regarding discussion on waiving Attorney-Client privilege for the memorandum dated June 16, 2021 from the Pima County Attorney's Office referendum authority.

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

BOARD OF SUPERVISORS

7. **Attorney-Client Privilege Waiver**

Discussion/Action regarding release to the public the June 16, 2021, Attorney-Client Privileged Memorandum shared by C.H. Huckelberry, in Executive Session, written by Deputy County Attorney Daniel Jurkowitz regarding County referendum process. (District 1)

It was moved by Supervisor Scott, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to waive attorney-client privilege and release the memorandum.

8. **In-Person Board of Supervisors Meetings**

Discussion/Action regarding resuming in-person Board of Supervisors Meetings. (District 3)

Chair Bronson stated that she had hoped to resume in-person meetings in January and asked under which conditions that would be possible.

Jan Leshar, Acting County Administrator, responded that in her December 20, 2021 Memorandum to the Board, guidelines were provided to be considered for the resumption of in-person meetings. The guidelines included using Plexiglas barriers at the dais, providing sanitizer and spacing out the public audience.

Chair Bronson stated that the public would need to be masked and spaced appropriately and all Board members would need to be masked while entering the Board room. She commented that once inside, Board members could unmask depending on their preference. She asked if any other Board members had comments.

Supervisor Scott commented that he had been in favor of returning to in-person Board meetings during previous votes and that he continued to support it. He stated since the public and County employees were required to wear masks inside County buildings, Board members should follow the same protocols in order to resume in-person meetings. He thanked the Chair for putting together a proposal that he hoped would gain the majority support of the Board.

Ms. Leshar asked for clarification on whether Board members could remove their masks after being seated behind the Plexiglas at the dais.

Chair Bronson responded in the affirmative.

Supervisor Grijalva commented that she would rather have both the public and all Board members masked throughout the entirety of the meeting. She stated that if that was done she would support returning to in-person meetings. She inquired if the majority of the Board would be willing to return and remain masked.

Supervisor Christy stated that he would not wear a mask at the dais and that he would not attend if that was a requirement. He stated that wearing a mask at the dais would not make a difference in COVID-19 transmission.

Supervisor Heinz stated that if the public was required to be masked at all times then the Board should set an example and do the same. He explained that the Omicron variant of COVID-19 was more contagious than the Delta variant, which could make Plexiglas ineffective.

Chair Bronson asked Dr. Garcia for his opinion on returning to in-person meetings.

Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services, responded that Omicron was a more transmissible strain of COVID-19. He stated that removing a mask, once seated, and using Plexiglas would be a reasonable mitigation technique to decrease transmission risk.

Supervisor Grijalva inquired about transmission rates when the Board first entered into virtual meetings and the current transmission rates.

Dr. Garcia responded that the Board went virtual in November of 2020.

Chair Bronson stated that she had placed the item on the agenda prior to the Omicron variant, but felt the Board needed more information on this new variant before they could continue discussion on resuming in-person meetings.

Supervisor Grijalva requested data from the Health Department regarding the transmission rates at the time the Board first began virtual meetings to the current rates, and information on hospital capacities.

At the request of Chair Bronson and without objection, this item was continued to the Board of Supervisors' Meeting of January 4, 2022, with the meeting to be held virtual.

9. **Personnel Policies and the New Workplace**

Discussion/Direction/Action: Directing the Acting County Administrator and County staff to revise the County's personnel policies as needed to ensure that we remain an "Employer of Choice" in the post-pandemic world, and to bring back recommended policy adjustments by Feb/March, 2022 for BOS approval, so the new policies can be in place as the administration works with department directors and the Board to revise and finalize the FY23 budget.

Many county jobs can be accomplished successfully through telecommuting, flexible work schedules, and/or job-sharing. Furthermore, research shows that the pandemic has fundamentally changed attitudes among workers and employers alike, with workers demanding more flexibility, employers seeing greater returns than they had anticipated by providing it, and economists predicting we will see an increase across diverse industries and sectors in the percentage of workers who permanently telecommute at least part of the week. It is imperative that our personnel policies align with these new expectations in the labor market, so we can continue to hire and retain the best workforce across all departments. (District 2)

Supervisor Heinz stated that due to the pandemic the labor force had fundamentally changed and a lot was learned about telecommuting. He stated that it was important for Pima County to continue to be a workplace that attracted and retained quality employees, and to remain an Employer of Choice by implementing telecommuting, flexible work schedules and job sharing.

Chair Bronson agreed that the pandemic had changed the workplace and asked what the next steps would be for the County to move forward on this item.

Jan Leshar, Acting County Administrator, responded that key personnel policies and procedures, particularly those related to telecommuting and job flexing, were being reviewed to determine updates. She explained that at first the focus would be on providing training to employees who telecommuted to determine they were telecommuting effectively, and to properly train supervisors so that they would be able to effectively supervise employees that telecommuted. She added that the focus would also include job sharing and budget implications. She stated that staff planned to come back to the Board with the proposed policy amendments by the first meeting in February. She added that a summary of all County policies and procedures that were being reviewed and a plan that included how staff would work through them, would be provided to the Board by the spring of next year.

Supervisor Christy inquired if there was the possibility that there would be no changes, after review of the current policies was completed.

Ms. Leshner confirmed that was a possibility.

Supervisor Grijalva stated that the County needed innovation in order to be a competitive employer.

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

10. Sustainable Action Plan for County Operations

Discussion/Direction/Action: Requesting an update on the Sustainable Action Plan for County Operations, first adopted in 2014 and updated in 2018. (Sustainability Programs Division - Pima County) How are we doing in terms of implementing the goals and objectives outlined in the Plan? How are sustainable practices being incorporated across all departments? What have been the greatest challenges, and where do we need to go from here? (District 2)

At the request of Supervisor Heinz and without objection, this item was continued to the Board of Supervisors' Meeting of January 18, 2022.

11. PAYGO Policy, Full Funding by FY25

Discussion/Direction/Action: Directing the Acting County Administrator and County staff to revise the County's current PAYGO Policy from a 60/60 framework to 80/80, effective for the FY23 Budget cycle, in order to achieve full funding of the County's PAYGO program (defined as at least \$50M each year of recurring General Fund revenues for capital improvements) by FY25. Under this revision, 80% of the decrease in the secondary tax rate (which is decreasing as Pima County pays off its General Obligation Bond debt) combined with 80% of the growth in the primary tax base, will be allocated to funding capital improvements, as envisioned in the Pima County Integrated Infrastructure Plan (see executive summary attached). This revision to the PAYGO Policy will accelerate the ability of the County to undertake and execute much needed capital improvements, from streets and roads to parks, public health and public safety - including tackling deferred maintenance projects and saving the taxpayers tens of millions of dollars down the road.

Per the memorandum from the County Administrator's Office dated November 22, 2021 (attached), such a revision to the PAYGO Policy would still result in an overall decrease in the County's combined primary and secondary property tax rate each year going forward. (District 2)

At the request of Supervisor Heinz and without objection, this item was continued to the Board of Supervisors' Meeting of January 18, 2022.

COUNTY ADMINISTRATOR

12. Updates and Action on COVID-19

(Clerk's Note: See the attached verbatim for Minute Item No. 12, for discussion related to this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

DEVELOPMENT SERVICES

13. Final Plat Without Assurances

P21FP00022, Ocotillo Ridge, Blocks 1 - 3. (District 4)

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

FACILITIES MANAGEMENT

14. Contract

Portable Practical Educational Preparation, Inc., Amendment No. 1, to provide for a Ground Lease Agreement between Pima County and Portable Practical Educational Preparation, Inc. for Amado Youth Center and amend contractual language, no cost (CTN-FM-20-31)

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

HUMAN RESOURCES

15. Revisions to Personnel Policy

Staff requests approval of the proposed revisions to Personnel Policy No. 8-107, Special Leaves of Absence with Pay.

It was moved by Chair Bronson and seconded by Supervisor Grijalva to approve this item. No vote was taken at this time.

Supervisor Grijalva stated that she would like to increase the policy further than 6 weeks to 12 weeks of maternity leave with full pay to stay competitive with other organizations.

Supervisor Christy asked how long the current policy had been in place.

Supervisor Scott responded that the policy had been in place for at least 5 years and 723 employees had utilized parental leave. He stated that the cost for 100%

pay would be approximately \$250,000.00 per year. He commented that the increase would put Pima County on par with the City of Tucson's maternity leave.

Supervisor Christy stated that he could not support this item because he felt the current policy was adequate and the cost increase to the taxpayers was unfair.

Supervisor Scott stated that the current policy was inadequate compared to other nation's policies. He felt that the cost increase was not a large amount compared to the size of the County's budget. He commented that the well-being and benefit to County employees was important and should be considered.

Supervisor Grijalva expressed her support for this item and added that it was difficult to have a newborn and adjust to a decrease in income. She reiterated that the increase would make Pima County competitive with the City of Tucson and University of Arizona.

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

REAL PROPERTY

16. Contract

Portable Practical Educational Preparation, Inc., to provide for Sales Agreement No. Sale-102 and Quit Claim Deed, for a parcel of land totaling 4,125 square feet, in Section 36, T19S, R12E, G&SRM, Pima County, AZ, contract amount \$1,000.00 revenue (CTN-RPS-22-79)

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

SCHOOL SUPERINTENDENT

17. FY21 School Reserve Financial Statement Governance Transmittal

Staff recommends acceptance of the governance letter related to the Fiscal Year 2020-2021 audited financial statements of the Pima County School Reserve Fund.

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

FRANCHISE/LICENSE/PERMIT

18. Hearing - Agent Change/Acquisition of Control/Restructure

Job No. 169913, Kevin Arnold Kramber, El Charro Ventana, 6910 E. Sunrise Drive, Tucson, Agent Change and Acquisition of Control.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to close the public hearing, approve the license subject to the Sheriff's Report, and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

19. Hearing - Rezoning Comprehensive Plan Amendment Resolution

RESOLUTION NO. 2021 - 86, ~~P21CA00004~~ **P21CA00002**, Thalma, L.L.C. - W. Ina Road Plan Amendment. Owners: Thomas Boyle and Alma Cervantes (District 1)

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Supervisor Scott, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Resolution.

BOARD OF SUPERVISORS

20. Pima Animal Care Center Services for Incorporated Jurisdictions

Discussion/Direction/Action: Regarding the fiscal analysis/impact of providing Pima Animal Care Center services to incorporated jurisdictions in Pima County at no cost for FY 2022/2023 and a process to accomplish such. (District 3)

Chair Bronson directed staff to prepare a fiscal analysis that provided the fiscal impact to the budget.

Supervisor Grijalva asked whether incorporated jurisdictions paid for Pima Animal Care Center services and if so, what were those amounts.

Chair Bronson responded in the affirmative and stated the amounts paid by incorporated jurisdictions would be included in the fiscal impact analysis.

21. Land Acknowledgement Statement

Discussion/Action: Propose that the Board of Supervisors have a brief "Land Acknowledgement" statement at the beginning of each meeting, right after the Pledge of Allegiance. A Land Acknowledgment is a formal statement that recognizes and respects Indigenous Peoples as traditional stewards of this land and the enduring relationship that exists between Indigenous Peoples and their traditional territories.

Here are examples of such a land acknowledgment:

"We respectfully acknowledge that Pima County is the land and territories of Indigenous peoples. Today, Arizona is home to 22 federally recognized tribes, with Tucson being home to the O'odham and the Yaqui. Committed to diversity and inclusion, Pima County strives to build sustainable relationships with sovereign Native Nations and Indigenous communities through education offerings, partnerships, and community service."

"We would like to acknowledge the traditional, ancestral, unceded ancestral territory of the Tohono O'odham and Pascua Yaqui people, on which we are learning and working today." (District 5)

Supervisor Grijalva stated that she had provided two examples of land acknowledgement statements for Board consideration or the Board could create their own formal statement. She explained that similar land acknowledge statements were read at other City, County and TUSD meetings. She proposed a land acknowledgement statement to be read at the beginning of each Board meeting after the Pledge of Allegiance.

Supervisor Scott commented that his office had received an invitation from the University of Arizona that included a land acknowledgment statement. He stated that it was a respectful thing to do as a Board and was an acknowledgement to the shared history with the Tohono O'odham and Pascua Yaqui people.

Supervisor Christy inquired whether the item was legal.

Sam Brown, Chief Civil Deputy County Attorney, responded in the affirmative.

Supervisor Christy expressed concern with the item singling out certain communities over others.

Chair Bronson suggested that Supervisor Grijalva work with County Administration on the proposed language to be used in a land acknowledgement statement for Board consideration.

At the request of Chair Bronson and without objection, this item was continued to the Board of Supervisors' Meeting of January 4, 2022.

22. Countywide Mask Mandate - Indoor Public Places

RESOLUTION NO. 2021 - 87, of the Board of Supervisors, adopting regulations necessary for the public health and safety of Pima County's inhabitants, requiring persons to wear face coverings when they are in indoor public places and cannot easily maintain a continuous physical distance of at least 6 feet from all other persons.

Per the language of the Resolution, this requirement shall be in effect upon adoption of the Resolution and “will remain in effect at least through February 28, 2022, pending case counts and hospitalization rates in our community and any further action by the Board.”

In addition to all the public health reasons cited in the proposed Resolution for reinstating a countywide mask mandate at this critical moment in the pandemic, it is important to note that without such a mandate, we can assume that local businesses will suffer. Individuals who cannot be assured that their fellow Pima County residents are going to be masking up may simply choose to stop patronizing restaurants and other local businesses altogether in order to protect their health and that of their families. (District 2)

(Clerk’s Note: See the attached verbatim for Minute Item No. 22, for discussion and action related to this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

COUNTY ADMINISTRATOR

23. **Revised American Rescue Plan Act, Coronavirus Local Fiscal Recovery Funds (ARPA CLFRF) Spending Plan/Budget**

Staff recommends approval of the revised ARPA CLFRF project scopes and budgets detailed in Attachment 1, of the County Administrator’s Memorandum dated December 21, 2021, and authorize any necessary operating transfer(s). Based upon Board approval, staff will submit the revised ARPA CLFRF project scopes and budgets by the next UST reporting deadline of January 31, 2022.

It was moved by Chair Bronson, seconded by Supervisor Scott and carried by a 4-1 vote, Supervisor Christy voted “Nay,” to approve the item.

NATURAL RESOURCES, PARKS AND RECREATION

24. **Naming of Field 4 at Canoa Preserve Park in Honor of Jim Hill**

Staff recommends approval of the naming of Field 4 in Canoa Preserve Park, Jim Hill Field.

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

25. **Renaming of the Mockingbird Trail to the Max Shemwell Trail**

Staff recommends approval of the renaming of the Mocking Bird Trail in Tucson Mountain Park to the Max Shemwell Trail.

Supervisor Scott acknowledged Max Shemwell's accomplishments and the support from the community to rename Mocking Bird Trail in honor of Max Shemwell. He thanked the staff of Natural Resources, Parks and Recreation for their work on this item.

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

CONTRACT AND AWARD

COMMUNITY AND WORKFORCE DEVELOPMENT

26. To provide for work experience program administrator, USDOL, ADES and WIOA Funds, for the following:

Vendor/Contract Amount/Contract No.

Tucson Youth Development, Inc./\$402,565.23/CT-CR-22-147

SER - Jobs for Progress of Southern Arizona, Inc./\$343,965.00/CT-CR-22-148

Goodwill Industries of Southern Arizona, Inc./\$195,214.21/CT-CR-22-141

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

27. Compass Affordable Housing, Inc., to provide for the Emergency Rental Assistance Program, U.S. Department of Treasury, Emergency Rental Assistance 2 Fund, contract amount \$203,320.00 (CT-CR-22-134)

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

COUNTY ATTORNEY

28. Struck Love Bojanowski Acedo, P.L.C., Amendment No. 3, to provide for representation of Pima County in Taylor v. Pima County, et al. and amend contractual language, Risk Management Tort Fund, contract amount \$95,000.00 (CT-FN-21-151)

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

PROCUREMENT

29. **Award**

Amendment of Award: Master Agreement No. MA-PO-19-102, Amendment No. 3, JE Fuller Hydrology & Geomorphology, Inc., to provide for ALERT Base Station System Support. This amendment is for a one-time increase in the amount of \$310,000.00 for a cumulative not-to-exceed contract amount of \$851,000.00. This

increase is required for the ALERT2 conversion and the Bighorn Fire PTZ Flood Cameras Project. Funding Source: DFFM Post-Fire Mitigation and General (\$140,000.00) Funds. Administering Department: Regional Flood Control District and Information Technology.

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

30. **Award**

Amendment of Award: Master Agreement No. MA-PO-21-171, Amendment No. 2, Diamond Transportation Arizona, L.L.C., d.b.a. Diamond Transportation, Mountain View Tours, Inc., Citizen Tours, L.L.C., d.b.a. Gray Line Tours, and Bee Line Bus Transportation, L.L.C., to provide for transportation services for asylum-seekers. This amendment is for a one-time increase in the shared amount of \$300,000.00 for a cumulative not-to-exceed contract amount of \$550,000.00 effective December 21, 2021 and to extend the termination date to 10/11/22 effective April 12, 2022. Funding Source: American Rescue Plan Act Grant Fund. Administering Department: Fleet Services.

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

Supervisor Christy expressed concern with taxpayers paying for the transportation of asylum-seekers. He inquired about the transportation services.

Jan Leshar, Acting County Administrator, explained that transportation was provided to transport asylum-seekers from shelters to their next site, which included bus stations and airports.

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

31. **Award**

Amendment of Award: Multiple Master Agreements, Amendment No. 5, to provide for janitorial services. This amendment is for a one-time increase in the amount of \$5,500,000.00 for a total not-to-exceed award amount of \$20,358,000.00. Funding Source: General Fund. Administering Department: Facilities Management.

Master Agreement No./Contractor Name/Current Not-to-Exceed/Annual Award Amount/New Not-to-Exceed

MA-PO-18-92/ISS Facility Services, Inc./\$6,237,000.00/\$1,100,000.00/\$7,337,000.00
MA-PO-18-93/G&G Janco Enterprises, L.L.C., d.b.a. Janco Janitorial/\$2,756,000.00/
\$1,100,000.00/\$3,856,000.00
MA-PO-18-94/ISS Facility Services, Inc./\$2,255,000.00/\$1,100,000.00/\$3,355,000.00
MA-PO-18-95/ISS Facility Services, Inc./\$1,875,000.00/\$1,100,000.00/\$2,975,000.00
MA-PO-18-96/ISS Facility Services, Inc./\$1,735,000.00/\$1,100,000.00/\$2,835,000.00
Totals: \$14,858,000.00/\$5,500,000.00/\$20,358,000.00

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

32. **Award**

Amendment of Award: Master Agreement No. MA-PO-17-97, Amendment No. 8, Mobile Maintenance & Towing, L.L.C., to provide for vehicle towing and auction services. This amendment is to extend the termination date to 12/31/22 and adds a partial annual award amount of \$150,000.00 for a cumulative not-to-exceed contract amount of \$2,635,000.00. Funding Source: General Fund. Administering Department: Sheriff.

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

33. Jot Properties, L.L.C., Amendment No. 1, to provide for hotel shelter services, extend contract term to 6/18/22, amend contractual language and scope of services, Shelter National Board Program (EFSP) Fund, contract amount \$2,800,000.00 (MA-PO-22-30) Health and Community and Workforce Development

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

Supervisor Christy inquired how both positive and negative COVID-19 asylum-seekers and evicted homeless families were able to be housed in the same facility.

Jan Leshar, Acting County Administrator, responded that the facility was used specifically because of the physical design of their external hallways and passageways, which allowed for separation of individuals. She continued that there were guidelines in place regarding how to move positive COVID-19 individuals in and out of the facility and on the separation of individuals depending on their COVID status.

Supervisor Christy asked why negative COVID-19 asylum-seekers were being housed at the Red Roof Inn. He also asked why Pima County Eviction Services or federal grants were not being used to provide services to the evicted homeless individuals.

Ms. Leshar responded that asylum-seekers were housed at the Red Roof Inn when there was no capacity at Casa Alitas Welcoming Center or at any of the other volunteer facilities. She stated that it was more cost-effective and efficient for the County to block purchase rooms at the hotel and have individuals dealing with eviction stay in the unoccupied rooms.

Supervisor Christy asked if there were other hotel facilities being used to house asylum-seekers.

Ms. Leshar responded no.

Supervisor Christy asked how many evicted homeless families were using the service.

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

Supervisor Christy inquired whether the evicted homeless families were also asylum-seekers.

Ms. Leshar responded that the evicted individuals were not asylum-seekers.

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

34. Hunter Contracting Co., to provide for Construction Manager at Risk Services: Tucson Boulevard Diversion Structure Rehabilitation Project (3TDS20), RWRD Obligations Fund, contract amount \$136,037.18 (CT-WW-22-145) Regional Wastewater Reclamation

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

35. Hunter Contracting Co., to provide for Construction Manager at Risk Services: Northwest Outfall Siphon at the Santa Cruz River Structure Rehabilitation (3NW019), RWRD Obligations Fund, contract amount \$111,831.10/2 year term (CT-WW-22-146) Regional Wastewater Reclamation

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

GRANT APPLICATION/ACCEPTANCE

36. **Acceptance – Constables**

Arizona Constables Ethics Standards and Training Board (CESTB), Amendment No. 1, to provide for the FY21 CESTB Cycle VII Equipment Grant - firearms and ammunition, extend grant term to 6/30/22 and amend grant language, no cost (GTAM 22-38)

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

Supervisor Grijalva asked what training constables received in order to carry a firearm.

Jan Leshar, Acting County Administrator, responded that the training was provided by the Constables Ethics Board and information on the curriculum would be provided to the Board.

Supervisor Heinz expressed concern with constables using lethal force and objected to them being armed with firearms. He stated that he would not support this item.

Upon roll call vote, the motion carried 3-2, Supervisors Heinz and Grijalva voted "Nay."

37. Acceptance - Justice Services

U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to provide for the Pima County Housing First Program, \$1,100,000.00/5 year term (GTAW 22-64)

It was moved by Chair Bronson, seconded by Supervisor Christy to approve the item. No vote was taken at this time.

Supervisor Christy expressed concern with reducing the jail population and the timing of losing corrections officers due to the vaccine mandate. He asked for information regarding the reduction of the jail population.

Jan Leshar, Acting County Administrator, responded that the jail population reduction began in 2015 as part of the Criminal Justice Reform Unit using the MacArthur Grant and the plan was governed by a commission that included representatives from the County Attorney's Office, Public Defense Services, Pretrial, Probation and the courts. She stated the reduction effort had been in process for 6 years and this was a continuation of that effort. She added that there was no direct correlation between the reduction of the jail population and COVID-19.

Supervisor Christy asked where the reduced inmates would be housed.

Ms. Leshar clarified that not all of the individuals were inmates, there were a variety of individuals that came into the system during pretrial or before being placed in the jail and staff would provide the specific information to the Board.

Supervisor Christy asked if the individuals were housed at the Red Roof Inn.

Ms. Leshar responded the individuals were not housed at the Red Roof Inn.

Supervisor Christy reiterated his concern regarding the timing of the jail population reduction and how it was being administered, the loss of corrections officers in huge numbers, and spending \$1.1 million to reduce the jail population and then to house the individuals.

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

38. Acceptance - Office of Emergency Management

State of Arizona, Arizona Department of Homeland Security, Amendment No. 1, to provide for the FFY 2021 Southern Arizona Multi-Jurisdictional Training and Exercise Initiative, \$214,595.00 (GTAM 22-40)

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

39. Acceptance - Office of Emergency Management

Arizona Department of Environmental Quality, Amendment No. 2, to provide for the Hazardous Materials Emergency Preparedness Program, \$38,200.00 (GTAM 22-41)

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

40. Acceptance – Sheriff

State of Arizona - Department of Public Safety (AZDPS), to provide for the AZDPS Border Strike Force: prosecutorial and jail expenses, \$166,666.66 (GTAW 22-68)

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

BOARD, COMMISSION AND/OR COMMITTEE

41. Redistricting Advisory Committee

- Appointment of Frank Antenori. No term expiration. (District 4)
- Appointment of Steve Lynn. No term expiration. (District 1)
- Appointment of Augustine Romero. No term expiration. (District 5)

Supervisor Grijalva requested to vote on each appointment separately.

- Appointment of Frank Antenori. No term expiration. (District 4)

It was moved by Supervisor Christy and seconded by Chair Bronson to approve the appointment of Frank Antenori. No vote was taken at this time.

Chair Bronson stated that she understood Supervisor Grijalva's concern regarding appointees' place of residency, but when the committee was formed, it was not specified that an appointee had to live within the districts or in Pima County.

Supervisor Scott stated that since the Board had not discussed residency requirements of appointees beforehand, he had no issue with appointees living outside of their districts or Pima County.

Supervisor Heinz felt that it was inappropriate to appoint someone to the committee that did not live in any of the districts or in Pima County and asked that this item be continued so that the Board could review the committee guidelines to make any necessary revisions.

A substitute motion was made by Supervisor Heinz and seconded by Supervisor Grijalva to continue the item to the Board of Supervisors' Meeting of January 4, 2022. Upon roll call vote, the substitute motion failed 2-3, Chair Bronson and Supervisors Christy and Scott voted "Nay."

Chair Bronson indicated that the Board was back to the original motion to approve the appointment of Frank Antenori. No vote was taken at this time

Supervisor Grijalva expressed concern over Mr. Antenori's social media posts about Tucson.

Supervisor Christy indicated that Mr. Antenori was qualified for the position and would best represent District 4's interests.

Upon roll call vote of the original motion, the motion carried 3-2, Supervisors Grijalva and Heinz voted "Nay."

- Appointment of Steve Lynn. No term expiration. (District 1)

It was moved by Supervisor Scott, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to approve the appointment of Steve Lynn.

- Appointment of Augustine Romero. No term expiration. (District 5)

It was moved by Supervisor Grijalva, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the appointment of Augustine Romero.

CONSENT CALENDAR

42. Approval of the Consent Calendar

Upon the request of Supervisor Christy to divide the question, Consent Calendar Item No. 7 was set aside for separate discussion and vote.

Upon the request of Supervisor Grijalva to divide the question, Consent Calendar Item No. 13 was set aside for separate discussion and vote.

It was then moved by Chair Bronson, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to approve the remainder of the Consent Calendar.

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISOR CHRISTY

CONTRACT AND AWARD

Procurement

7. Maximus Health Services, Inc., Amendment No. 3, to provide for Contact Tracers, extend contract term to 7/5/22 and amend contractual language, Health Department Ops Fund, contract amount \$8,000,000.00 (MA-PO-20-226) Health

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

Supervisor Christy asked what the medical necessity for contact tracing was when many testing opportunities existed, 63% of the community was vaccinated and there were therapeutics to help the infected. He continued that \$15 million had been spent on contact tracing over 2 years and that it was a waste of taxpayers' money.

Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services, responded that contact tracing was a fundamental part of pandemic mitigation. He explained that it allowed people to go on with their everyday lives and was necessary to keep children in schools, and that federal funds were used to fund the contract.

Supervisor Grijalva commented on the importance of contact tracing in the community.

Supervisor Christy stated that he could not support the item since there was no evidence that showed contact tracing was effective.

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

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PULLED FOR SEPARATE ACTION BY SUPERVISOR GRIJALVA

BOARD, COMMISSION AND/OR COMMITTEE

13. Redistricting Advisory Committee

Appointment of Larry Hecker. No term expiration. (District 3)

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

Supervisor Grijalva asked if committee appointees were required to live in the districts they represented or in Pima County.

Chair Bronson explained that at the time of the committee's formation, it was not specified that the appointee had to live in the districts or in Pima County.

Sam Brown, Chief Civil Deputy County Attorney, confirmed Chair Bronson's statement.

Supervisor Grijalva commented that she believed it was important for appointees to have knowledge of the districts.

Supervisor Christy explained that he was advised that residential requirements did not apply to appointees of this committee and if he had been told otherwise, he would have followed those guidelines with his nomination.

Supervisor Grijalva responded that for future appointments, she felt it should be considered whether or not an appointee lived in the district they would be representing.

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

* * *

CONTRACT AND AWARD

Health

1. Marana Unified School District, to provide for childhood immunizations and other health services, no cost/4 year term (CTN-HD-22-68)
2. Tucson Unified School District, to provide for childhood immunizations and other health services, no cost/4 year term (CTN-HD-22-69)
3. Sunnyside Unified School District, to provide for childhood immunizations and other health services, no cost/4 year term (CTN-HD-22-70)

4. Marana Health Center, Inc., d.b.a. MHC Healthcare, to provide for facilitating patient and provider participation for Advancing Health Literacy Project, Advancing Health Literacy Grant from HHS Fund, contract amount \$751,000.00/2 year term (CT-HD-22-150)

Natural Resources, Parks and Recreation

5. Common Ground Farm Collective, L.L.C., to provide for a Farm Management Agreement for Buckelew Farm, contract amount \$34,300.00 revenue/10 year term (CTN-PR-22-62)

Procurement

6. The Ashton Company, Inc., Amendment No. 7, to provide for design-build services for TRWRF BioGas Cleaning and Utilization Project (3GAS18), extend contract term to 7/31/22 and amend contractual language, no cost (CT-WW-18-423) Regional Wastewater Reclamation
7. Maximus Health Services, Inc., Amendment No. 3, (PULLED FOR SEPARATE ACTION)

Public Works Administration

8. Green Valley Council, Inc., d.b.a. Green Valley Council, Amendment No. 1, to provide for Green Valley Council services, extend contract term to 12/31/22 and amend contractual language, Health (27.1%), DOT (25.7%), RWRD (17.1%), DSD (8.6%), RFCD Tax Levy (8.6%) and DEQ (12.9%) Funds, contract amount \$87,500.00 (CT-PW-21-202)

Real Property

9. Paxis Institute Corporation, to provide for a license for Right-of-Way Encroachment (Lic-0331), for an ingress/egress driveway and parking encroaching in the Pima County public rights-of-way, contract amount \$36,075.00 revenue/25 year term (CTN-RPS-22-80)
10. Skyline Encantada Investors, L.L.C., to provide for a license for Right-of-Way Encroachment (Lic-0328), for Skyline Encantada Investors monument signs, contract amount \$5,225.00 revenue/25 year term (CTN-RPS-22-81)

GRANT APPLICATION/ACCEPTANCE

11. **Acceptance – Health**
Arizona Department of Health Services, to provide for the Border Region Partnership, \$150,000.00 (GTAW 22-48)

BOARD, COMMISSION AND/OR COMMITTEE

12. **Tucson-Pima County Bicycle Advisory Committee**
Ratification of Town of Marana appointment: David Andrews, to replace Kay Wegner. Term expiration: 11/16/23. (Jurisdictional recommendation)
13. **Redistricting Advisory Committee**
Appointment of Larry Hecker. (PULLED FOR SEPARATE ACTION)
14. **Community Action Agency Board**
Reappointment of Judith Keagy. Term expiration: 12/31/22. (District 1)

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

15. **Special Event**
Al Lewis, Sonoran Desert Mountain Bicyclist, McKenzie Ranch Trail Park, 12725 S. Red Hill Ranch Road, Vail, December 4, 2021.
16. **Temporary Extension**
 - 06100239, Ruth Ann Dormanen, Northstar IV, L.L.C., d.b.a. Players Pub, 16024 N. Oracle Road, Tucson, December 4, 2021.
 - 03103030, Jeffrey A. Kaber, Copper Mine Brewing Company, 3455 S. Palo Verde Road, Suite 135, Tucson, December 11, 2021.
 - 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, January 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, February 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, March 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30, 31, April 1, 2 and 3, 2022.

ELECTIONS

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

RESIGNATION-PRECINCT-PARTY

John Yoakum-042-DEM; Curtis H. Freese-088-DEM; Kimberlee Holaway-164-DEM

APPOINTMENT-PRECINCT-PARTY

Michael D. Bryan-057-DEM; JoAnna H. Mendoza-058-DEM; Joseph M. Tully-088-DEM; John M. Yoakum-100-DEM; Daniel T. Wann-179-LBT

FINANCE AND RISK MANAGEMENT

18. Duplicate Warrants - For Ratification

Adriana Silva \$34.44; Lexicon Medical Supply Co. \$351.64; T-Mobile \$26,291.41; Chase Bank \$411.32; Town and Country Associates, L.L.C. \$2,174.00; OCTANE Forklifts, Inc. \$30,852.16.

SUPERIOR COURT

19. Fill the Gap Application

Staff requests approval to submit a Fill-the-Gap Application to the Arizona Supreme Court Administrative Office of Courts for Fiscal Year 2022.

20. Superior Court Commissioner Appointment

Appointment of Judge Pro Tempore/Hearing Officer:
M. June Harris

RATIFY AND/OR APPROVE

21. Minutes: November 2, 2021

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43. POINTS OF PERSONAL PRIVILEGE

Chair Bronson clarified that she voted in favor of the mask mandate based on the recommendations from County Administration, Tucson Medical Center and Banner Health.

Supervisor Grijalva congratulated Margo Cowan, Pima County Public Defender, for receiving the 2021 Arizona Public Defender Association's Robert J. Hooker Award.

44. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:02 p.m.

CHAIR

ATTEST:

CLERK

COUNTY ADMINISTRATOR

12. Updates and Action on COVID-19

Verbatim

SB: Chair Bronson
SC: Supervisor Christy
AG: Supervisor Grijalva
RS: Supervisor Scott
MH: Supervisor Heinz
JL: Jan Leshar, Acting County Administrator
FG: Francisco Garcia, MD, MPH, Chief Deputy County Administrator & Chief Medical Officer, Health and Community Services

SB: Let us move on to Item 14, COVID updates. Ms. Leshar?

JL: Yes, Chair Bronson, members of the Board, we did submit a report that showed the summaries we usually do of what is happening in the community related to COVID and we just, a few moments ago, received another update that we have had the first Omicron outbreak that has been identified at the University of Arizona. So, as we know the numbers continue to go up. Rather than going through the entire memo, I will cut to what the bottom line recommendation is and I know the point of much of the discussion for today is a recommendation that we do return to having a County wide mask mandate. We do not recommend that easily, at all. We believe that given the numbers and what has been happening in the community, the last time we had a mask mandate we were at, Dr. Garcia can correct me but, running around 200, a little over 200 cases per 100,000. We are now, this week, at 287 cases per 100,000. Since August we have been bouncing around 300 and now at 287, so it has been much higher. We are continuing the number one avenue to try to prevent the spread and that is people being vaccinated. We are working very hard with all of our community partners to insure people can be vaccinated and what we are looking at is following the CDC and the State's guidance that does recommend masks as a very effective way to decrease transmission of the disease. Our hope is that the requirement is seen as a tool that people can use to encourage people through education to wear a mask. Our hope is that it is not a weapon, but something that we can continue with the ongoing communication with this mandate through February, getting us through these winter months, as well as some of the holiday gatherings and people continuing to get together as we see through the university. A lot of people around the country coming home for the holidays and bringing some of the virus with them, as well. So again, lots of information in the report about updated numbers. I am sure that if the Board has questions Dr. Garcia can answer them, but our focus today really is on the recommendation regarding masks.

SB: Thank you very much. Any questions for either Ms. Leshner or Dr. Garcia?

SC: Madam Chair?

SB: I think that was Supervisor Christy?

SC: That is correct. Thank you, Madam Chair. This could be to Ms. Leshner or Dr. Garcia, how many vaccinated County employees have had breakthrough cases since October 14th?

JL: Chair Bronson, Supervisor Christy, I have seen those numbers, if you will give me just a moment I can pull them back up.

SC: Okay. In Pima County, as a whole, how many vaccinated people has the Health Department reported as having breakthrough cases?

FG: Chair Bronson, Supervisor Christy, we reported that to you relatively consistently as part of our update. We are following this on a month-by-month basis. Roughly what we are seeing both here locally and across the Country is that approximately 20% of the cases in the last month were COVID breakthrough cases. So the thing that is important to note is that for those, even for those COVID breakthrough cases, the outcomes for those folks were a lot better in terms of less hospitalizations and less death, but the State is reporting exactly the same numbers out of AZDHS so this is a consistent finding. We have a lot of vaccinated people, we also have a fairly transmissible virus and it is not surprising that we are having breakthrough cases at this significant level.

SC: Okay. Just for the record at this particular point, we brought it up earlier Dr. Garcia, how many people have died in Pima County from Omicron?

FG: The number of people who have died in Pima County from Omicron as of today, I will give you exactly, so as of this morning 3,094 individuals in Pima County have COVID-19 listed on their death certificate or are related to their hospitalizations who are now deceased. 3,094.

SB: He asked specifically of Omicron.

SC: Omicron, how many have died?

FG: Oh, I am sorry, I am sorry. I did not understand that. At this point no one in Pima County has died of Omicron. I do not believe that, I have not looked into this yet this morning. I do not believe, and no one in the State, I do not believe that that is the case.

SC: And in Pima County, how many have been hospitalized with Omicron?

FG: Supervisor Christy, we have no way of knowing that. So, because you know that not every single positive test is sent for variant testing for a variety of reasons. We have no way of ascertaining what percentage of our hospitalized individuals or dead individuals would have been Omicron positive at this time.

SC: Is there a way or methodology that that can be calculated or accounted for?

FG: We are increasing the amount of specimens that we are sending out for variant analysis so we will have increasingly better ways of being able to describe the fraction of morbidity that is associated with this variant. However, that should not be the end point that we are looking for. The end point that we are looking for is what our hospital resources are doing with regards to the onslaught of cases because last week it was Delta, this week it is Omicron and next week, we are not sure what it will be. Bottom line, it is about building a resilient and robust response to the patients that are coming in the door.

SC: Well, okay.

SB: Thank you Dr. Garcia.

SC: I have a couple more questions, Madam Chair. What is, just for everybody's sake, what is the Pima County vaccination rate?

FG: So, I am just going to look to me left. At this point, we have delivered in Pima County 1,000, I am sorry, 1,552,000 vaccines. At this point, 662,347 individuals are fully vaccinated and we have achieved a level of boosting that is about 150,000 in this population.

SC: Do you have a percentage breakdown on that?

FG: I am not sure, a percentage breakdown of what?

SC: Out of the total population of Pima County, what is the percentage of fully vaccinated people?

SB: Do we have the percentage or can you get that to us later?

FG: The percentage of fully vaccinated individuals is 53.2%.

SC: And what is the percentage of the at-risk population that has received booster shots?

FG: So, that is a tough question to answer. We do not know that precisely. We know that we have delivered, like I said, more than 100,000, about 150,000

boosters to date. We know that a lot of those boosters have gone to folks in the older age groups, but I do not have a precise estimate of exactly what percentage went to that population.

SC: Could that be provided?

FG: Absolutely.

SC: Okay, and finally one question back to Ms. Leshner, we have talked about this before. Has Pima County secured the cost of the increase in the insurance for employees that are dealing with COVID? Have we been able to secure the cost related to the insurance plan on that?

JL: Chair Bronson, Supervisor Christy, I do not have that, we can get that for you. We have known in the past what the cost was, the focus of the average cost of a person who had COVID. We are meeting tomorrow with our Risk Board to go through what the insurance costs will be and I will get you that update.

SC: And you and you are going to make an inquiry if that cost can be retrieved and secured from the various COVID plans out there, right?

JL: Chair Bronson and Supervisor Christy, yes sir.

SC: And Madam Chair, finally my last question is, is there any way to get an update on the corrections officers in the jail situation, how is that proceeding?

JL: Chair Bronson, Supervisor Christy, what we have been looking at, we saw the numbers yesterday, we now have 239 full-time employees. Our data right now is showing 186 within the jail who have, we have not confirmed their vaccine status. Sheriff Nanos has indicated he believes that number, by the time we get to the end of the month, will be 5 individuals. We were communicating this morning to make sure that our staff is crosswalking those numbers with the Sheriff so that we are sure we have the appropriate records and everything is up to date to show that people have been vaccinated. He does believe that at the end of the year, that there will only be five individuals working within the jail that have not been vaccinated.

SC: Okay. Thank you Madam Chair. Appreciate that.

SB: Alright, if there are no further questions we will move on to Item 15.

BOARD OF SUPERVISORS

22. Countywide Mask Mandate Indoor Public Places

RESOLUTION NO. 2021 - 87, of the Board of Supervisors, adopting regulations necessary for the public health and safety of Pima County's inhabitants, requiring persons to wear face coverings when they are in indoor public places and cannot easily maintain a continuous physical distance of at least 6 feet from all other persons.

Per the language of the Resolution, this requirement shall be in effect upon adoption of the Resolution and "will remain in effect at least through February 28, 2022, pending case counts and hospitalization rates in our community and any further action by the Board."

In addition to all the public health reasons cited in the proposed Resolution for reinstating a countywide mask mandate at this critical moment in the pandemic, it is important to note that without such a mandate, we can assume that local businesses will suffer. Individuals who cannot be assured that their fellow Pima County residents are going to be masking up may simply choose to stop patronizing restaurants and other local businesses altogether in order to protect their health and that of their families. (District 2)

Verbatim

SB: Chair Bronson
SC: Supervisor Christy
AG: Supervisor Grijalva
RS: Supervisor Scott
MH: Supervisor Heinz
JL: Jan Leshner, Acting County Administrator
MM: Melissa Manriquez, Clerk of the Board
SEB: Sam Brown, Chief Civil Deputy County Attorney

SB: Now we move on to the favorite one, I am sure, Countywide Mask Mandate, Indoor Public Places, Resolution 2021-87. Supervisor Heinz.

MH: Thank you, Chair Bronson and colleagues. As you recall, I joined with, I think, the entire Board or most of the Board to end the previous mask mandate because the prevailing conditions with regard to COVID at that time warranted that and that was what the recommendation was of our public health officials, Dr. Garcia, Dr. Cullen. This is now resumption of the Countywide mask requirement for indoor public places at the recommendation of Dr. Cullen, Dr. Garcia, and County Administration due to the increase in COVID cases and especially, as you heard from Tucson TMC Healthcare and the Banner system, the hospitals are really stretched to the

point of bursting, as well as just causing folks to have delay in elective surgeries, which are still medically necessary and making it very, very difficult for our healthcare workers to accommodate the needs of the community. Of course you can see the Resolution, we know that winter is here and is going to continue for a couple more months and it is the flu season. Other colds and flu season. So, and Omicron is on the horizon. It is already here and it is going to be increasing. So, I am putting this forward for consideration and hope that you will consider supporting it. I wanted to read, my office, I am sure like yours, has received hundreds, I think actually over 350 emails in support of this, specifically from County residents, which I certainly appreciate. We have heard folks in Call to the Public also support it, and some detractors. But I did want to use as one example, an email that is not very long, but that I received that really encapsulates what this means to this individual and what it could mean for others in the community. I will briefly read that then, of course, we can have or discussion. "Dear Supervisors, in the summer of 2018 I fainted rather unexpectedly after climbing the stairs at the Park Place movie theater. A week later I was meeting with a cardiac surgeon. A week after that I was undergoing open heart surgery for a congenital heart valve defect that had unexpectedly taken a rapid turn for the worst. My surgery was technically elective, but nonetheless urgent. When the surgeon operated he discovered my failing valve was in even worse shape than we thought. Bad enough shape that it pretty much fell apart as he was removing it. Had we delayed my surgery, delayed replacing my valve I might not be here to tell you about it. Yet, if I needed heart valve replacement surgery today, it almost certainly would be delayed. Thanks to COVID-19 our hospitals are near capacity. Procedures are getting put off and even emergency patients are waiting for beds. Non-emergency patients who nonetheless have urgent, even life-threatening needs like I did, who knows how long they are waiting? Who knows how many of them, after waiting too long, will not make it? It is only going to get worse. Experts agree that we are on the brink of a COVID-19 surge that will stress already near capacity hospitals past the breaking point. When that happens, people, many with ordinarily treatable, correctable medical conditions will die. We have both a moral and practical obligation to reduce the harm done by the coming surge. It is past time for the County to start taking COVID-19 mitigation seriously. We need a Countywide mask mandate now. Sincerely, Janni Simner." So I think that really conveys alot of why we need to do this and why Doctors Cullen, Garcia and our administration favor it, therefore I move the item.

SB: Thank you Supervisor Heinz. Any discussion by Board members regarding this Resolution?

SC: Madam Chair?

SB: Supervisor Christy and then Supervisor Grijalva.

SC: Oh, Supervisor Grijalva, please go ahead.

AG: I just wanted to state that I am in favor of it. I think that it makes sense. You know, Ms. Leshner acknowledged that, you know, we are in a very critical time and if this is something that the administration is requesting, if any of the supervisors are concerned about the length of time through February I would be willing to compromise and bring it up like, let us say in the last meeting in January or the first meeting in February, so we can look at the numbers. Because I do understand that there is resistance, while I feel, really am just completely baffled as, as to, you know, why this has become such a polarizing issue, I do think that, you know, it is important, and I know that all of us have gone out into our communities and see less and less people wearing masks and I do think that it, you know, especially during this time, where people are going to be getting together, and I do not think I can articulate it better than Ms. Leshner did. This Resolution makes sense and imposing a mandate right now makes a lot of sense and I hope that the City will join us.

SB: Thank you. Supervisor Christy.

SC: Thank you, Madam Chair. Mr. Brown, could you give us the 10 cent version, I guess of House Bill 2770? This is regarding businesses and face mask requirements.

SEB: We would have to look that up for you, Supervisor.

JL: Chair Bronson, I can respond to that, if that...

SC: Please.

JL: Okay, thank you. House Bill 2770, I am sorry, was passed last year and it asserts that a business is not required to enforce a mask mandate that is imposed by a county and so it simply deals with whether the businesses are required to enforce them. They are not. Actually even in the information provided under the Bill, it notes that the focus first must stay on educating and working to promote best practices. And that is what I hope we are doing with this. Obviously, all that Bill does say is that the business are not required to enforce it.

SC: Thank you. That is exactly my interpretation as well. A business is not required to enforce on its premises a mask mandate. Yet, this Resolution is decreeing that everybody in Pima County has to wear a mask. The idea behind 2770 was not to make employees of a business the mask police and to stop and prevent customers from entering without a mask. So, here we have business that are not required to enforce a mask mandate, yet customers are being forced to wear a mask and I guess the whole issue is, there is two issues that I have with this, obviously, in addition to the overall issue. But where is the enforcement? How is the enforcement? Who is going

to be enforcing this and what are the consequences if this should pass to those who do not wear a mask in public?

SB: Ms. Leshar, would you like to respond?

JL: Chair Bronson, Supervisor Christy, I think the focus of this and I am not going to speak for Supervisor Heinz and why he put on it, but the reason why we looked at recommending and supporting a mask mandate was to continue to use such as an educational tool. Our hope is that, for example, if a person at a business is uncomfortable that perhaps staff is required to be masked and if they are uncomfortable with someone coming into their facility without a mask, they could request that that individual wear a mask. We are not planning on using either the Health Department to do enforcement of this. This is very similar and we have always heard the references to other laws passed in the nation previously on seat belt enforcement, for example. People do not necessarily stop an individual to check on the seat belt, but we do know that having it be a law has gone considerably towards encouraging the use of seat belts. Our hope, again, is that this will encourage people to be masked during this very difficult time without the penalties.

SC: I do not find the connection how the mandate is an educational tool. I do not see that connection, but one, the other element that is very troubling with this Resolution, and I have to direct it to Supervisor Heinz, in his explanation and justification for this Resolution, the one thing that sticks out in this, that is very troubling, is, and I quote, "Individuals who cannot be assured that their fellow Pima County residents are going to be masking up may simply chose to stop patronizing restaurants and other local businesses altogether in order to protect their health and that of our families." That indicates to me that there is a movement here for a business boycott and that is troubling because now it has been, in this Resolution, a veiled threat to businesses that if they do not enforce a mask mandate to the costumers or that the business personnel are not wearing masks, this seems to be calling for people not to patronize them. Is that a fair characterization Dr. Heinz?

MH: Chair Bronson and Supervisor Christy, no. The point that was being made is that there could be a significant and negative effect on our local businesses, especially small family-owned establishments like we saw during the height of the initial pandemic, whereby, if people do not feel safe going out because the numbers continue to increase, and the hospitals are filled to bursting like they are now and they exceed half the people running around Safeway or 7-Eleven are not wearing masks, they may be less likely to go and patronize these establishments. So...

SC: Would you encourage them?

MH: Excuse me, I did not interrupt you.

SC: I beg your pardon.

MH: The idea is that this is a pro-business move to make sure that the businesses do not have to have the clerk at the front desk there be the enforcer. They can say, hey the County is requiring it. You see what the sign says, sorry. But this makes people feel safer when they do patronize the establishments and may prevent a huge drop off in business going forward during an increasing surge.

SB: Thank you Supervisor Heinz.

SC: May I follow-up with that by asking, are you encouraging the public not to patronize businesses that do not enforce a mask mandate?

SB: I believe Supervisor Heinz has already answered that question. Supervisor Heinz, would you like to reiterate your position?

MH: Sure. No, of course not. I am simply saying that businesses that are seen to be in compliance that will allow people to go in there and feel safer while they are there during a surge, will hopefully prevent a huge drop off in business. I am not at all advising, I want people to do what they feel safe doing and right now during this pandemic and during a surging part of the pandemic, people are going to feel safer if they know that everybody is wearing masks and abiding by the social contract and trying to help everyone stay safe. That is all.

SC: Then it would seem, by what you just said, that maybe the best course of action is to make face mask wearing optional for both businesses and the public and not in the form of a mandate. If people feel comfortable wearing a mask, let them wear a mask. If they do not, they do not have to. Same with employees of a business or business owners making mandates in that regard as well. Why can this not just be optional as maybe a health advisory from the Health Department as opposed to an official mandate that has no enforcement, no teeth? There is nothing here that is going to stop or make people wear a mask, as far as fines or jail time or anything like this. I think it takes away any kind of credibility when you pass a mandate and there is no enforcement. It really slaps in the face the legitimacy of mandates, the legitimacy of resolutions and it really is one of those issues that just does not make any sense. If you want people to wear a mask, say so. But do not make them with no enforcement behind them.

SB: Thank you Supervisor. I think the two of you are going to have to agree to disagree. Any other...

RS: Madam Chair?

SB: Is that Supervisor Scott?

RS: Yes. Madam Chair, as Supervisor Grijalva already alluded to earlier in our discussion, we received a thoughtfully written and factually detailed memorandum yesterday from Ms. Leshner that employed a term that really stood out for me, "universal indoor masking". If there were any certainty that a mask mandate imposed by this Board of Supervisors would achieve that result, I would vote for it in an instant. Unfortunately, ever since the pandemic began, there has been an ugly bevy of falsehood, fears and resentments about masks fed to our citizens by some in leadership positions who should be forever ashamed of their ignorance and selfishness. As a result, although I firmly believe that each of us should be wearing masks when we are in group settings, I am certain that a sizeable number of Pima County residents will defy or ignore any mandate we may enact today. The previous Board of Supervisors put a mask mandate in place in the summer of last year and it stayed in effect until this Board repealed it this spring. The responsibility for enforcement of that mandate fell on those who work in our restaurants, stores and other public accommodations. If a new mandate is put in place today, it will be their charge, not ours, to enforce it as well. The demonizing and politicizing of mask wearing has grown more angry and intense in the seven months since the last mandate was repealed. I have heard and read frank testimony from the people who will have to enforce any mask mandate about the abuse they suffered last time. They will likely deal with even worse behavior if we ask them to again take responsibility for enforcement of our decisions. I really wish, my colleagues, that I could be more hopeful. There have been numerous instances during the pandemic, when we have rallied together and done the right things to protect each other, especially the weakest and most vulnerable among us. Masks, however, have become a divisive symbol of how we have failed as Americans to unite behind a common set of facts about this virus and how to confront it. That failure attests to why we lead the world in the number of infections and deaths even though we are the richest nation in history and one of the most innovative. I am willing to ask, beg or pray, that all of you must wear masks when necessary to protect yourselves and each other. I am not willing to tell you that you must wear masks because I know that many of you will chose to ignore or defy that mandate. The people who will have to deal with your choices are not members of this Board, nor do they work for County government. I am absolutely unwilling to ask those workers to deal with the

consequences of any defiance or ignorance of a new mask mandate, so I will be sadly voting against this item. Thank you Madam Chair.

SB: Thank you Supervisor Scott. Is there any further discussion? I am going to call the question. Roll call.

MM: Excuse me, Madam Chair, I do not have a motion on this item.

SB: I thought we moved the item?

MM: I am sorry. I apologize for that. For clarification, can you please repeat the motion?

SB: I think that Supervisor Heinz moved the item and Supervisor Grijalva seconded it, but I could be wrong.

MH: That is right.

MM: Okay. Thank you. I apologize for that. This is to approve. Supervisor Christy?

SC: I am sorry?

MM: Supervisor Christy, this is roll call to approve-

SC: Oh, roll call, I am sorry. No.

MM: Supervisor Grijalva?

AG: Yes.

MM: Supervisor Heinz?

MH: Yes.

MM: Supervisor Scott?

RS: No.

MM: Chair Bronson?

SB: Yes. By your vote of 3-2, motion carries.