

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, November 2, 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, Chief Deputy County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

*Supervisor Heinz joined the meeting at 9:03 a.m.

1. GRANT ACCEPTANCE

State of Arizona Department of Forestry and Fire Management (DFFM), to provide for the DFFM Mitigation Big Horn Fire Project: Flood Mitigation Camera, \$165,241.00 (GTAW 22-32)

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

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:48 a.m.

CHAIR

ATTEST:

CLERK

LIBRARY 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, November 2, 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, Chief Deputy County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

*Supervisor Heinz joined the meeting at 9:03 a.m.

1. GRANT ACCEPTANCE

Arizona State Library, Archives and Public Records, to provide for the State Grants-In-Aid 2022 Award, \$25,000.00/\$25,000.00 Library District Fund match (GTAW 22-35)

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

2. CONTRACT

Tamarix Development, L.L.C., Pima County and Pima County Library District, to provide for Acquisition Agreement No. ACQ-1050 for approximately 7.19 acres of vacant land in the 4700 block of west Valencia; 5.19 is proposed to be used for a new library site, 2.0 acres is proposed to be used for a new Sheriff's Substation. Library District PayGo (\$654,500.00) Funds and General (\$281,500.00) Fund (CT-RPS-22-119)

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

3. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:48 a.m.

CHAIR

ATTEST:

CLERK

DRAFT

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, November 2, 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, Chief Deputy County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

*Supervisor Heinz joined the meeting at 9:03 a.m.

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. POINT OF PERSONAL PRIVILEGE

Chair Bronson provided an update on Mr. Huckelberry. She offered prayers for his continued progress. She thanked Jan Leshar, Chief Deputy County Administrator, and the County Administration staff for providing updates and for their professionalism.

Supervisor Grijalva thanked everyone for giving Mr. Huckelberry and his family privacy. She thanked the County Administration staff for continuing to work in his absence.

Supervisor Scott reiterated Supervisor Grijalva's comments regarding the County Administration staff and expressed his gratitude to the Chair for her leadership and to the community for allowing Mr. Huckelberry his privacy.

3. PAUSE 4 PAWS

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

PRESENTATION/PROCLAMATION

4. Presentation of a proclamation to ~~Ken~~ **Kent** Blumenthal, Chair, Pima County Small Business Commission, Women Impacting Public Policy, proclaiming the day of Saturday, November 27, 2021 to be: "SMALL BUSINESS SATURDAY"

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

5. **CALL TO THE PUBLIC**

Dr. JoAnn di Filippo addressed the Board regarding the grant for the comprehensive and accessible reemployment through equitable employment recovery. She stated that the grant was incomplete and should not be approved. She voiced her concerns with County staff using politically charged terms in the contract with the City of Tucson, which would provide emergency food and shelter for families and individuals encountered by the Department of Homeland Security. She also commented that the funds should be used on County constituents and not on asylum-seekers.

BOARD OF SUPERVISORS

6. **Allocation of Funds to Homicide Survivors, Inc.**

Discussion/Action: Allocation of \$500,000.00 in one-time funding from Pima County to Homicide Survivors to fill gaps left from the loss of grant funding from the State of Arizona and a drop in federal Victims of Crimes Act funds, both of which have resulted in a 40% drop in Homicide Survivor's budget even as homicide rates have spiked 50% this year, rendering the organization's services more crucial to our community than ever before. (District 2)

Supervisor Heinz explained that funds for Homicide Survivors had been cut and requested that COVID funding be used to help cover those costs.

It was moved by Supervisor Heinz to approve the item. The motion died for lack of a second.

COUNTY ADMINISTRATOR

7. **Updates and Action on COVID-19**

(Clerk's Note: See the attached verbatim for Minute Item No. 7, for discussion on this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

REAL PROPERTY

8. Abandonment by Vacation

RESOLUTION NO. 2021 - 75, of the Board of Supervisors, for the vacation of public right-of-way, planned development roadway, as Pima County Road Abandonment No. A-0052 located within Section 9, T11S, R14E, G&SRM, Pima County, Arizona. (District 1)

Supervisor Scott commended the Department of Transportation staff for their follow up with the concerns from constituents of District 1.

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

9. Abandonment by Vacation

RESOLUTION NO. 2021 - 76, of the Board of Supervisors, for the vacation of public rights-of-way and release of platted easements, planned development roadways, as Pima County Road Abandonment No. A-0058 located within Section 26, T17S, R15E, G&SRM, Pima County, Arizona. (District 4)

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

FRANCHISE/LICENSE/PERMIT

10. Hearing - Fireworks Permit

Anne Connell, Skyline Country Club, 5200 E. Saint Andrews Drive, Tucson, November 13, 2021 at 9:15 p.m.

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 Christy and unanimously carried by a 5-0 vote, to close the public hearing and approve the permit.

11. Hearing - Liquor License

Job No. 159245, Gilbert Dillon Villa, Jr., Villa Mexican Food, 2840 W. Ina Road, No. 104, Tucson, Series 12, Restaurant, New License.

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 Christy and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

12. **Hearing - Permanent Extension of Premises/Patio Permit**

07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson.

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 Christy and unanimously carried by a 5-0 vote, to close the public hearing, approve the permit subject to the Zoning Report and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

BOARD OF SUPERVISORS

13. **Board of Supervisors Procedural Organization**

Appointment of the Clerk of the Board

Chair Bronson expressed her appreciation to Julie Castañeda, Clerk of the Board and thanked her for her professionalism and exemplary work as the Clerk, and wished her well in her retirement. Supervisors Scott, Grijalva, and Christy also thanked Ms. Castañeda for her service and congratulated her on her retirement.

It was moved by Chair Bronson and seconded by Supervisor Grijalva to appoint Melissa Manriquez as the Clerk of the Board of Supervisors. No vote was taken at this time.

Chair Bronson and Supervisor Grijalva commented on Ms. Manriquez's qualifications and expressed their faith in her abilities.

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

14. **PAG/RTA Updates**

Discussion only on updates for the Board of Supervisors about recent discussions on the Pima Association of Governments Regional Council and the Regional Transportation Authority Board regarding governance structures for each body and also for the Citizen's Advisory Committee. (District 1)

(Clerk's Note: See the attached verbatim for Minute Item No. 14, for discussion on this item.)

COUNTY ADMINISTRATOR

15. COVID-19 Vaccination of Employees who Work with Vulnerable Populations

Staff recommends approval of the following:

1. All employees who work with vulnerable populations as identified in Attachment A (see memo) must be fully vaccinated no later than January 1, 2022.
2. A recommendation regarding a requirement that employees of the Courts be fully vaccinated will come to the Board following a ruling by the Supreme Court on current mandates and requirements.

(Clerk's Note: See the attached verbatim for Minute Item No. 15, for discussion and action on this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

ASSESSOR

16. Request for Redemption of Waiver of Exemption

Pursuant to A.R.S. §42-11153(B), the Pima County Assessor has determined that the applications for Redemptions of the Waivers of Tax Exemptions for Tax Year 2021 qualify for exemption under the applicable statutes and requests the Board of Supervisors redeem the waivers.

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

CONTRACT AND AWARD

BEHAVIORAL HEALTH

17. Graham County, to provide for an Intergovernmental Agreement between Pima County, Graham County and the Arizona Superior Court in Graham County for restoration to competency services, contract amount \$390,000.00 revenue/5 year term (CTN-BH-22-11)

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

COMMUNITY AND WORKFORCE DEVELOPMENT

18. Our Family Services, Inc., to provide for the Emergency Solutions Grant Homeless Prevention Program, USHUD Fund, contract amount \$451,063.00 (CT-CR-22-126)

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

Supervisor Christy requested a breakdown of where the federal funds for homeless prevention programs had been utilized and the metrics of success for said programs.

Jan Leshar, Chief Deputy County Administrator, responded the County had created a website, PimaRecovers.gov, which would provide transparency of the funds. She stated the website would include funding amounts, where and how the funds were used and the metrics of success in all of the County's programs. She added that it would soon be live and all Board members would be able to access the website.

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

GRANTS MANAGEMENT AND INNOVATION

19. City of Tucson, Amendment No. 1, to provide for emergency food and shelter to families and individuals encountered by the Department of Homeland Security, extend contract term to 12/31/21 and amend contractual language, Emergency Food and Shelter National Board Program Fund, contract amount \$1,315,405.00 (CT-GMI-21-484)

(Clerk's Note: See the attached verbatim for Minute Item No. 19, for discussion and action on this item.)

PROCUREMENT

20. **Award**

Amendment of Award: Master Agreement No. MA-PO-20-110, Tucson Winsupply Company, Amendment No. 4, to provide for plumbing fixtures, pipe and fittings, equipment and supplies. This Amendment increases the annual award amount by \$510,000.00 from \$710,000.00 to \$1,220,000.00 for a cumulative not-to-exceed contract amount of \$2,140,000.00. Funding Source: Wastewater Ops, Transportation Ops and General (88%) Funds, and Grants. Administering Department: Facilities Management.

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

Supervisor Grijalva stated that this item had previously been brought back to the Board three times to increase the award amount and inquired as to why the item continued to be brought back for additional funds.

Jan Leshar, Chief Deputy County Administrator, responded that COVID had increased expenses for plumbing related devices in the jails.

Supervisor Grijalva asked if the County would be reimbursed for the expenses since they were related to COVID.

Ms. Leshar responded that reimbursement for County expenses would be explored.

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

21. Falcone Bros and Associates, Inc., Amendment No. 1, to provide for Sahuarita Road and Wilmot Road intersection improvements (4SAHWI), extend contract term to 12/30/22 and amend contractual language, Transportation Non-Bond Projects (RTA-100%) Fund, contract amount \$281,000.00 (CT-TR-21-479) Transportation

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

22. Arizona Board of Regents, University of Arizona, Sponsored Projects and Contracting Services, to provide for Applied Academic Public Health Partnership, Grant from HHS, CDC Fund, contract amount \$108,064.00/2 year term (CT-HD-22-59) Health

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

23. Portable Practical Educational Preparation, Inc., to provide for Community Relations Service for Advancing Health Literacy Project, HHS Fund, contract amount \$300,000.00/2 year term (CT-HD-22-106) Health

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

24. Global Tel*Link Corporation, Amendment No. 1, to provide for Inmate Communication Systems and amend contractual language, contract amount \$600,000.00 decrease (MA-PO-21-16) Sheriff

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

25. **Acceptance - Community and Workforce Development**

Arizona Department of Economic Security, Amendment No. 4, to provide for the Community Action Services Program and amend grant language, \$3,210,795.00 (GTAM 22-34)

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

CONSENT CALENDAR

26. Approval of the Consent Calendar

Upon the request of Supervisor Grijalva to divide the question, Consent Calendar Item Nos. 3 and 8 were set aside for separate discussion and vote.

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

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

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PULLED FOR SEPARATE ACTION BY SUPERVISOR GRIJALVA

CONTRACT AND AWARD

Procurement

3. AT&T Corporation, to provide for AT&T Wireless Services, Equipment & Accessories, General Fund, contract amount \$4,500,000.00/3 year term (MA-PO-22-34) Information Technology

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 for clarification on the item and inquired about the \$4.5 million that was being added to the award.

Jan Leshner, Chief Deputy County Administrator, responded that the award was replacing two master agreements that were used for cell phone services for the Sheriff's Department and the Information Technology Department. She added that part of the funds were for the purchase of modems and antennas that were used on Sheriff and Search and Rescue vehicles, which would allow for the downloading of information and the ITD functions related to body cameras.

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

GRANT APPLICATION/ACCEPTANCE

8. Acceptance - Sheriff

State of Arizona - Department of Public Safety, to provide for the Gang Intelligence Immigration Team Enforcement Mission, \$350,000.00/\$120,000.00 General Fund match (GTAW 22-40)

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

Supervisor Grijalva explained that she would be voting against the item because the grant language was too vague.

Jan Leshar, Chief Deputy County Administrator, explained that the grant was to suppress gang national and transnational crime.

Supervisor Christy recommended that the grant be accepted since historically, it had been accepted by the Board for many years.

Supervisor Grijalva stated that it was important to review historically approved items since there were three new Board members. She reiterated that sections of the scope of funding were too broad, including unauthorized entrance.

Chair Bronson explained that she shared some of Supervisor Grijalva's concerns, but ultimately the grant had been accepted for many years. She directed staff to provide a report from Sheriff Nanos, addressing Supervisor Grijalva's concerns.

Supervisor Grijalva requested that the report include all funds involved in the grant.

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

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PULLED FOR SEPARATE ACTION BY SUPERVISOR CHRISTY

GRANT APPLICATION/ACCEPTANCE

7. Acceptance - Public Defense Services

U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Amendment No. 6, to provide for the Title IV-E Federal Foster Care Matching Funds Project, \$182,851.93/\$931,057.49 General Fund match (GTAM 22-27)

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

Supervisor Christy expressed concern with the reimbursement plan included in the grant and asked for clarification on the disbursement of the funds.

Jan Leshar, Chief Deputy County Administrator, responded that this was a reimbursement from the Arizona Office of the Courts for administrative costs.

Supervisor Christy asked if the grant was to recover costs that had been spent to conduct the program.

Ms. Leshar responded that the total scope of work conducted in the program included administrative costs, caseworkers, attorneys and things of that nature. She explained that this allowed for the receipt of funds from the State and Federal government in order to offset those administrative costs.

Supervisor Christy commented that to be clear, this grant was part of the entire program.

Ms. Leshar responded in the affirmative.

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

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CONTRACT AND AWARD

County Attorney

1. Community Health Associates, Amendment No. 2, to provide for enhancing Drug Court Services, Coordination and Treatment, extend contract term to 9/29/22, amend contractual language and scope of services, no cost (CT-PCA-20-171)

Procurement

2. Ennis-Flint, Inc., to provide for pavement marking material and traffic paint, Transportation Ops Fund, contract amount \$400,000.00 (MA-PO-22-47) Transportation
3. AT&T Corporation, (PULLED FOR SEPARATE ACTION)

Real Property

4. Tamarix Development, L.L.C., Pima County and Pima County Library District, to provide for Acquisition Agreement No. ACQ-1050 for approximately 7.19 acres of vacant land in the 4700 block of west Valencia; 5.19 is proposed to be used for a new library site, 2.0 acres is proposed to be used for a new Sheriff's Substation. Library District PayGo (\$654,500.00) Funds and General (\$281,500.00) Fund (CT-RPS-22-119)

GRANT APPLICATION/ACCEPTANCE

5. **Acceptance - Community and Workforce Development**
U.S. Department of Labor, Employment and Training Administration, to provide for the Comprehensive and Accessible Reemployment through Equitable Employment Recovery, \$363,535.00/2 year term (GTAW 22-37)
6. **Acceptance - Grants Management and Innovation**
U.S. Department of Homeland Security, Federal Emergency Management System, Emergency Food and Shelter Program (EFSP) National Board, Amendment No. 1, to provide for the American Rescue Plan Act FY21 EFSP Supplemental Humanitarian Relief and amend grant language, \$2,500,000.00/4 year term (GTAM 22-31)
7. **Acceptance - Public Defense Services**
U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Amendment No. 6, (PULLED FOR SEPARATE ACTION)
8. **Acceptance - Sheriff**
State of Arizona - Department of Public Safety, (PULLED FOR SEPARATE ACTION)

BOARD, COMMISSION AND/OR COMMITTEE

9. **Pima County Health Care Benefits Trust Board**
Appointment of Thomas Burke, to replace Ellen Wheeler, effective January 1, 2022. Term expiration: 12/31/24. (County Administrator recommendation)
10. **Arizona Municipal Property Corporation**
Reappointments of Stanley Lehman, John H. Payne, Diane Quihuis, Kenneth M. Silverman and Frank Y. Valenzuela. Term expirations: 11/19/22. (Corporation recommendations)
11. **County Attorney Investigators Local Retirement Board**
Correction to term expirations for the following:
 - Jennifer Patton. Term expiration: 10/1/25.
 - Leo Duffner. Term expiration: 12/2/25.

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

12. Special Event

- Deborah Kenyon, GVC Foundation/Friends of the Canoa Parks, Historic Canoa Ranch, 5375 S. I-19 Frontage Road, Green Valley, October 23, 2021.
- Jan Elizabeth Kearney, TRAK - Therapeutic Ranch for Animals and Kids, 3250 E. Allen Road, Tucson, November 14, 2021.

13. Temporary Extension

03103030, Jeffrey Kaber, Copper Mine Brewing Company, 3445 S. Palo Verde Road, Suite 135, Tucson, October 23, 24, 31 and November 1, 2021.

ELECTIONS

14. Precinct Committeemen

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

RESIGNATION-PRECINCT-PARTY

Sanda Clark-010-DEM; Mary Evangeliste-075-DEM; Elizabeth M. Packard-080-DEM; Wendy Reed-171-DEM

APPOINTMENT-PRECINCT-PARTY

Akanni O. Oyegbola-047-DEM; Corinne Cooper-057-DEM; Eric F. Robbins-064-DEM; Anakarina Rodriguez-167-DEM; Judy J. Gillies-194-DEM; Molly A. Brannon-033-LBT; Shawn A. Risher-069-LBT; Dillon J. Spoon-175-LBT

FINANCE AND RISK MANAGEMENT

15. Duplicate Warrants - For Ratification

Anna Chavez \$2,250.00; Caroline Silva \$44.00; Resistance Labs, L.L.C. \$8,961.12; Resistance Labs, L.L.C. \$6,007.68; Resistance Labs, L.L.C. \$13,197.90; Resistance Labs, L.L.C. \$11,499.96; Resistance Labs, L.L.C. \$6,052.68; Mountain Valley Counseling Associates, Inc. \$2,172.50; BSREP II MH HV, L.L.C. \$4,050.94; Wick Communications Co. \$1,420.54; Hector Martinez \$3,026.57; Northland Hilands I & II \$1,153.00; Esther P. Ramirez \$3,850.00; The University of Arizona \$2,156.00; Wick Communications Co. \$129.22.

TREASURER

16. Fill the Gap

Staff requests approval of the annual certification, as directed by A.R.S. §41-2421, that the five percent set-aside "Fill-the-Gap" funds in the amount of \$1,183,472.54 be transferred to the Local Courts Assistance Fund for supplemental aid to Superior and Justice Courts for processing of criminal cases.

RATIFY AND/OR APPROVE

17. Minutes: September 21, 2021
Warrants: October, 2021

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27. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:48 a.m.

CHAIR

ATTEST:

CLERK

COUNTY ADMINISTRATOR

7. 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, Chief Deputy County Administrator
FG: Francisco Garcia, MD, MPH, Chief Deputy County Administrator & Chief Medical Officer, Health and Community Services

SB: Moving on, we go to Item 10, this is COVID Updates and Actions on COVID-19 and I do not believe that there was anything on the Addendum Agenda that addressed any COVID related items. So with that, Ms. Leshar.

JL: Thank you, Chair Bronson. You did receive our, the regular COVID-19 update, I would just highlight that, we seem to have plateaued a bit, but we plateaued at a rather high number. We had about 2,000 cases last week, which puts us at about a rate of 212 cases per 100,000. We have had testing up as a result of that surge. We are looking about a 10% positivity rate, so that you can compare that in May, which was really our low point. We had about 243 cases a week with a 2% positivity rate. So the good news is that it seems to have plateaued. The bad news is that it has plateaued at a slightly higher rate than we would hope. I think the highlights for today's meeting deal with the availability of vaccine and the roll out of the vaccine availability for 5 to 11 year olds. And for that, I would like to turn this over to Dr. Garcia who is with us and will update us.

SB: Dr. Garcia.

FG: Good morning. Thank you, Chair Bronson. Thank you, Chief Deputy County Administrator Jan Leshar. I just want to touch on a couple of things that are relevant and important to the roll out of pediatric vaccines. One of the items that we shared with you as part of the COVID update was not beyond where we were in terms of school recorded cases and the thing that, the point that we tried to make in that memo and that paragraph, was that the bulk of the children that are impacted by COVID are in that up to 11 year age group. In fact, 49% of cases reported out of our schools, the school districts are in that age group and the second largest age group being, obviously children between 12 and 18, but one of the things that is really important for us to sort of be on the same page as, is will be the roll out of the pediatric vaccine. This week, we expect as early as tomorrow, the Centers for Disease Control will issue guidance that in affect allows us to put into clinical use the vaccine, the pediatric vaccine that is currently being prepositioned in different

parts of the Country. In fact, what I can tell you is at this time we have prequalified approximately 14 different sites in Pima County and we have put requests for about 11,400 doses of vaccine that should start flowing as soon as the Centers for Disease Control gives its word. The strategy with regards to the 88,000 or so folks who, children who are part of that 5 to 11 age group will be to rely very much on the existing infrastructure for the vaccine. That is the Federal contractors largely and the retail pharmacy sector are going to largely be able to meet a lot of the emerging needs. However, we do know that that is not necessarily uniform, that is not a uniformly available access point for all of our children. And so we are in the process of identifying and qualifying of writing pediatric and community practices mostly with pediatric providers, but also with the federally qualified health centers and others across the County that will be able to meet that need that is unmet. Additionally, all three of our sites, all three of our Pima County clinical sites, will be offering pediatric vaccine and eventually also at Abrams. The goal is to be able to vaccinate this fairly large number of children in a relatively short period of time. Realistically, we know that there will be substantial uptake by about a third of these families fairly early on in the first two, three months and we are entirely prepared to meet that need. We know where these children are located. I, we have done the analysis to be able to geo-locate where the densest populations are for this 5 to 11 age group. We are in conversations and cooperation with our school districts as well as a variety of other charter and private schools identifying opportunities for the delivery of vaccine. Logistically, this will be a slightly different task than we have undertaken heretofore. This is a different dosing, different syringes, these are different needles and therefore it will require more attention and more care in the way we are delivering this vaccine. I believe that we have all of the elements assembled. That is why we shared with you our plan, even despite the fact that the CDC has not yet approved it, to let you know that we are prepared, as soon as that Federal authorization comes down, to be able to deploy that. With that I will conclude my remarks and take your questions.

RS: Madam Chair?

SB: Supervisor Scott, I think.

RS: Yes, thank you very much. Dr. Garcia, two questions for you. First of all, near the end of my tenure as a school administrator I thought I had heard that there was a collaborative that was made up of school nurses, school health assistants and directors of health services. I think it was led up at the time by Ms. Pargas, the head of health services at MUSD. My first question is does that collaborative still exist and have we been able to tap into their expertise, in terms of this vaccination plan, for children aged five to eleven?

FG: Chair Bronson, Supervisor Scott, indeed there is a very good and very strong, robust collaboration across school nurses and school public health aides and other folks and that has indeed been tapped into by the Health Department. In fact, that is part of, those are some of the key players as we are doing this roll out. It has been

used for a variety of reasons and now it is being used for the purposes of deploying vaccine.

RS: Thank you, and then my second and final question was something I was very intrigued by in the Problems Statement in the Vaccination Plan for Children Aged 5 to 11. It made a reference to historical health disparities in our community and I am just looking forward to hearing how you and Dr. Cullen and the team at the Pima County Health Department plan to address those historical health disparities moving forward in the long term plans for the Health Department and just eager to hear how those issues are addressed moving forward.

SB: Dr. Garcia?

FG: So, one of the things that we well recognize is that there are a lot of things that impact the health and well-being of communities. Part of it has to do with access to care, part of it has to do with access to social and economic capital and all of it together is what constitutes health. The Health Department under Dr. Cullen's leadership has taken a very proactive approach, micro targeting our census tracts that have the greatest social vulnerability, in an effort to make sure that there is not one single resident in Pima County who encounters significant barriers to vaccination. The only barriers that we are now have to vaccinations have to do with personal resistance, but there are no other reasons that are keeping people from becoming vaccinated and we have invested a lot of resources in these mobile and pop up events. We have conducted over 900 since the beginning of the pandemic. I am sorry, since the beginning of the vaccine distribution in February and through those efforts have vaccinated more than 130,000 individuals. So I think our efforts are yielding important results.

SB: Thank you, Dr. Garcia. Any other, Supervisor Grijalva, did you want?

AG: Yes, thank you. Regarding the consent for parents, the last few pop-ups that I attended where we were working with anyone that was a minor, it was a paper copy. Do we have any other system when people are going through our Pima County pop-ups or are they all going to be the paper copy? Because I know schools were also distributing those, like when I was at Pueblo, they were distributing those to parents and they could sign that information so that if they physically could not be there with their child, you know a 17 year old, that they could come with the paperwork already done.

FG: Chair Bronson, Supervisor Grijalva, the Health Department has undertaken variety of strategies to facilitate consent. To be clear, we will not vaccinate a child without the consent of a parent or guardian. Absolutely not, under any circumstances. So it is always incumbent upon us to document that consent. That consent is documented most easily and most conveniently through that paper consent that Supervisor Grijalva referred to. However, we have accepted other forms of consent and in fact we have accepted screenshots of that consent form from parents. We have accepted phone calls. We have accepted a variety of different consent

modalities because we do not want that to be the issue that keeps a kid and a willing parent from getting their kid vaccinated. I have kids, I take them to the pediatrician to be vaccinated. I rarely read the consent, but I have a good conversation with the pediatrician and I trust what they are doing. In this case, I think more than ever, it is really important that parents be aware that we are delivering this vaccine to children and that we have their consent.

AG: And then one other question regarding the boosters. So right now it is still limited to over 65 or immunocompromised or people who are working in high risk jobs. So, teachers, grocery, law enforcement, is that still the case?

FG: So, Chair Bronson, Supervisor Grijalva, that is still the federal position. Honestly, the other group, for instance, that can universally ask for a booster, if they are over the age of 18, is anybody who received a Johnson and Johnson. Just to be clear, anybody who received a Johnson and Johnson may request a booster once they are at least 2 months out. For the rest of the group, you are indeed correct. Specific age groups, those over the age of 65, people with preexisting medical conditions, individuals who are immunocompromised, those living or working in congregate settings or other high risk settings all are eligible for a booster vaccination. The determination of whether you fit into one of those categories is based on your attestation. This is, you are asked whether you have condition X, Y or Z and on that basis we deliver the vaccine. And that is not just us. That is the Federal standard across all vaccinators.

AG: Okay, thank you.

SC: Madam Chair?

MH: Chair Bronson?

SB: Just a minute. I was going to speak and then I will recognize you, Mr. Heinz, Supervisor Heinz. Just to follow up with Supervisor Grijalva's concern in terms of consent, parental consent. I am curious, and this is not applying, probably does not apply to the younger age group, but what happens with homeless youth in terms of parental consent?

FG: Chair Bronson, a very good question. Emancipated youth, that is those who have been granted legal emancipation from their guardians or parents, are able to sign a consent on their own behalf. That, thankfully, is a relatively small population.

SB: Thank you and Supervisor Heinz and then I think Supervisor Christy also had some questions.

MH: Yes, thank you, Chair Bronson. Just real quickly Dr. Garcia, could we, and I think we do get some of this data, but getting the more granular data in terms of the school district numbers on outbreaks, especially in the per capita sense so we can account for, you know, the size of the school? Can we start getting that information

just given that we are kind of embarking on this, you know, embarking on this now? I think that would be really helpful for everyone on the Board.

FG: Absolutely, we will make that available.

MH: Great, thank you.

SB: Supervisor Christy.

SC: Thank you, Madam Chair, I have several questions. Most of them centering on the vaccinations for kids. I think we are all aware that this particular enterprise of the vaccination of children is going to probably be the most controversial element of any of our pandemic policies that the Board has enacted and that the Health Department has enacted. And I would venture to say that this would supersede anything to do with masks or social distancing or outbreaks. This is a huge issue to parents regarding vaccinating their children. So my first question, Dr. Garcia, is what is the Pima County Health Department's policy about kids vaccinated or unvaccinated? Is vaccination for kids going to be mandatory for attendance of school?

FG: Chair Bronson, Supervisor Christy, we are not, we do not have the capacity to issue such a mandate. That would be the domain of the State.

SC: Okay, but we can mandate that Pima County employees get vaccinated, why can we not mandate that children can only enter school if they are vaccinated?

FG: Chair Bronson, Supervisor Christy, I will let Chief Deputy Leshner answer that, but I would say that the big differentiator is our position as an employer in the latter case and the statutory limitations that are imposed by the Legislature in the former case.

JL: Chair Bronson, Supervisor Christy, I think for clarity, as Dr. Garcia has said and I think our Attorney is on as well, we can make rules regarding our own employees. We leave it, we are out of the business of making those individual rules for kids going into schools. It is part of the State and part of the State's coordination, collaboration with school districts. We have simply said as Dr. Garcia notes, we have jurisdiction over our employees, not over those kids going into schools.

SC: But my question goes back again to the authority. Why is it that we were mandating kids had to wear masks in order to attend school? Where is the differentiation in the authority there?

FG: Chair Bronson, Supervisor Christy, if you will recall, at the time, we had been given some flexibility with regards to that. Ultimately the actual enforcement of such mandates end up being the province of schools and school districts, so we made suggestions. We made recommendations, but those decisions about masking or not masking, in school property are strictly within the province of a school district or a school board for those schools that are not district affiliated.

SC: Well that leads to another question and I am going to come back to the kids being vaccinated issue. For instance, the Pima County Health Department guidelines to school districts, if there is an outbreak certain procedures jump into place. Quarantining, removal of kids that are exposed, having them stay out of school for a certain amount of days. These are along those same lines that we just alluded to a few moments ago, that the Health Department does not have the authority to. So my question is if there are outbreaks in schools and there are guidelines that the Pima County Health Department has inserted for that event, and the issue is what if a school district does not go by the guidelines of the quarantining of an outbreak and the other elements involved in an outbreak? What kind of enforcement is there? Can the Pima County Health Department come in and shut down the school if they do not comply? Or what is the actual protocol of the Health Department if the School Board says "No, we are not going to quarantine our kids, we are not going to send them home for two weeks and we are not going to comply with whatever edicts the Health Department is instituting."

FG: Chair Bronson, Supervisor Christy, first to sort of correct a misunderstanding, in the situation of an outbreak, we actually do have statutory authority to be able to exclude children from a classroom. That is actually part of the Arizona Revised Statutes that is authority that we have been delegated by the State Legislature and which we will continue to exercise.

SC: And what would you do?

FG: So this is typically how these situations proceed. And by the way, this is not unique to COVID. We have done this for pertussis, we have done this for measles and we will do it for other infectious disease. In the instance where there is an outbreak and in the instance where there is children who are exposed and who require isolation we take certain steps. We work very closely with the schools and school districts to first of all identify those children. Realize Supervisor Christy that we are not in the classroom and so it is the schools that are telling us when cases occur and it is schools that are telling us who the children are who have the greatest risk. In those instances and specifically with regards to COVID, what we are then able to do is we are able to cross walk that against whether those children are vaccinated, say against pertussis if we are talking about pertussis in the Vail School District, as we did about five years ago. We are able to say those children who are vaccinated are fine to continue to be in school and those children who are unvaccinated should be excluded from classrooms, as well as extracurricular activities.

SC: And what if they are not?

FG: That conversation happens with the school district and the school district administrator in 99% of cases, 99.5% of cases there is really good cooperation on the part of parents or guardians. Very rarely do we have to issue a public health order and even more rarely would we have to go to the court in order to enforce that order.

- SC: So that is the end of my question basically, is that the courts are the ones that you would seek the formal enforcement from?
- FC: Chair Bronson, Supervisor Christy, you are correct.
- SC: You are not going to call the Pima County Sherriff's Department and close down the school if they do not comply with those guidelines you just outlined?
- FG: Chair Bronson, Supervisor Christy, we have never closed down a school.
- SC: Okay, so your remedy from the Health Department's position if there is noncompliance with a school, about an outbreak, you will seek remedy through the courts?
- FG: Chair Bronson, Supervisor Christy, the adherence or no adherence, compliance or noncompliance, is on the part of the parent and the guardian not typically on the part of the school. And yes, the remedy, the legal remedy would be to go before a judge for an enforceable order.
- SC: Okay, thank you. Now going back to kids being vaccinated. Just to reiterate and clarify, the Pima County Health Department's position on kids being vaccinated is if the parents do not wish their kids to be vaccinated, those unvaccinated kids will still be allowed to attend school. Is that correct?
- FG: Chair Bronson, Supervisor Christy, in the setting of normal school activities, absolutely those children would not be precluded from a classroom.
- SC: Okay, thank you. And just to shift gears a little bit, we are talking about vaccinating certain communities be they school kids, be they seniors. What is the Pima County Health Department plan to make sure that the most at-risk, and I think we all agree the most at-risk community are those seniors 65 and older. What is the Pima County Health Departments position on making sure that that community, the most at-risk community, gets and receives the delivery of booster?
- FG: Chair Bronson, Supervisor Christy, you correctly identified that in terms of the risk for mortality, the older you are, the higher your risk of dying of COVID. Our first and most important strategy with regards to the delivery of boosters is to make sure that people who are in long term care facilities and skilled nursing facilities receive boosters. We are in coordination both with the Federal contractors that are delivering vaccines to those settings. The second component has to do with those seniors who are homebound and we have created a process by which seniors who are homebound can access vaccination fairly easily through one of our contractors. The third element to that component has been coordination, deep coordination and integration with our federally qualified community health centers that serve very large Medicare eligible populations. They are delivering boosters and then the final component has to do with the availability of those boosters through our own sites as

well as through retail pharmacies. Please be aware that every time we do our mobile or pop-up efforts they tend to have a slightly different flavor. So we may go to a place that is mostly senior housing. We went to Tucson Estates very early on which is an older community, a community of older folks that are living here. We have been doing that throughout and we will continue to do so as on an as needed basis.

SC: Well you may find this hard to believe and I am sure you are going to be shocked to know, but I am of that age group that is in the senior element. I know it is tough to grasp, but it is true, but I do not live in assisted living. I am not in a senior home or a nursing home situation. A lot of my friends are contemporaries of mine, they are in the same status, all healthy, all mobile, all walking. How am I going to be able to access a booster shot? I did both the Moderna shots. How is someone like me going to be able to take advantage of the boosters when it seems that those that are healthy and upright in this age category do not seem to be part of the process.

FG: Chair Bronson, Supervisor Christy, you can walk into any one of our sites, either mobile or fixed sites and ask for a vaccine. Any individual can walk into any one of our sites, mobile or fixed, walk into one of our sites and ask for a booster. There is absolutely no barrier. More importantly if it is more convenient for you, we have the retail pharmacies that have online scheduling that is relatively easy to do so that when you are at Safeway or Basha's or whatever your favorite retailer is, that you are able to stop by there and get your vaccine booster. Lastly, I will say that if you want a vaccine booster I will be happy to go and deliver it myself.

SC: Oh brother, that would give you a hell of an opportunity would it not?

AG: Oh, but you would let him.

SC: Very, very generous of you Dr. Garcia. Moving on to just another issue, has the Health Department monitored how many breakthrough cases Pima County has seen as far as those that are fully vax, yet they still contract the COVID virus?

FG: We have, Supervisor Christy and that historically has been, on occasion we have touched on that is with regards to your COVID update. I am happy to tell you, I can tell you how many breakthrough cases we have had. Since the beginning of the, so first of all, from the perspective of understanding that, at this point, we have delivered in Pima County 1.324 million doses of vaccine, right, and at this point we know that 771,000 individuals have received at least one dose and 625,579 have received the full compliment. Either one dose of J and J or both doses of Moderna or Pfizer. So the denominator is that 625,000. Of those 625,000 we have had 5,945 vaccine breakthroughs.

SC: How many?

FG 5,945.

SC 5,945.

FG: So if you put it in perspective this ends up being less than 3%.

SC: So in your perspective this is not an issue that is of concern to the Health Department or how should we approach this?

FG: I am always concerned about any breakthrough. I am always concerned about any time that people get sick. One of the things that we are seeing is that the risk that in terms of whether you end up being hospitalized, of those 5,945 folks, a very relative minority have been hospitalized. In fact the CDC, just last week, published really good data that said that all things being equal, that is COVID patients in the hospital, people who are unvaccinated are five times more likely to be hospitalized than individuals who are not. So yes, some people breakthrough and some of those breakthroughs lead to hospitalization, but overwhelmingly the individuals who are ending up in hospitals are unvaccinated individuals.

SB: And just to follow up with Steve, Supervisor Christy's question. In terms of the breakthroughs, do we have that data available by age group and comorbidity?

FG: We have a lot of that data available by age group and comorbidity. What is harder for us to quantify is the hospitalization status, right? So sometimes when you go into the hospital you will have a label of COVID, pneumonia, for instance. Sometimes you will not. Sometimes COVID will be a complicating factor so the issue of teasing out which of those are truly COVID related hospitalizations is a little bit tougher to do, but we actually have the data. I will make sure, if that is your direction, that we include that on the next COVID report.

SB: Please do, thank you so much. Supervisor Christy.

SC: Thank you, Madam Chair, and thank my colleagues for being so patient with my questioning. I have just got two quick ones left. What is the Pima County Health Department's plans or operations or directions about all of the mental health issues that we are seeing with the young people, with the masking, with the social distancing and with all the extraneous, unintended consequences of the protocols that we have been imposing on them? What is the Health Department's approach and policy and procedure to address these issues?

FG: Chair Bronson, Supervisor Christy, I will start off by saying that the pandemic has been rough on all of us. All of our families, on elders, on youngsters, on everyone. I will also start out by saying that masking per say, has not been the source of psychological distress for the vast majority of individuals who are masked, whether they are children or not. Having said that, we are well aware that there are a lot of behavioral needs in our community and that was baseline even before we started with a pandemic. The most common need that was brought to us by school district superintendents when we said what do you want us to do? What do you need from us? Before the pandemic was behavioral health support. That continues to be the

case and you are absolutely right, social isolation, especially during the period of the lockdown really exacerbated that. We are working with the schools and we are working with the school districts and with the Superintendent of Public Schools to make sure that we are putting those resources into those things. In fact, that was one of the federal contracts that you approved a little while back which allows us to put resources on the ground for those families who are having these emerging behavioral health needs that may or may not be related to their COVID diagnosis. So yes, it is a complicated thing and yes, we are putting resources into those communities.

SC: Well if I could get, I could make some direction to the Health Department for my benefit, for our offices' benefit. If you could kind of outline the procedures you are doing on the mental health issues and show me the data that you just made a statement that masking does not have an effect on children's mental health, if you could back that up with the data that proves that, I would appreciate that. In addition to that, my constituency is heavily the most at-risk. If you could provide a, let us say an at-risk analysis of how we are going to deliver, particularly in the Green Valley area, that would be very helpful from my standpoint. And finally, I would be glad to let you give me the booster shot if Sheriff Nanos was present. On the other hand, that might not be so beneficial for me either so we will have to work on that one. My final question is directed to Ms. Leshner. One of the issues that has been raised consistently about mandating vaccines to Pima County employees is that those unvaccinated employees are contributing to high costs, additional high costs in the Pima County health insurance plan. If I remember it was somewhere around \$3.7 million additional that unvaccinated employees allegedly had been causing an uptick in the costs of our health plan. This 3.7 million, or if I am off maybe by a million here or a million there, but the amount that is the increase for the health plan, can we not recover that from the federal government? Where we seem to be able to collect all kinds of other COVID related things that maybe are not so COVID related, but this one certainly is. Is there not an opportunity to recover that 3.7 million in costs incurred for COVID for unvaccinated County employees?

JL: Chair Bronson, Supervisor Christy, there has not been to date. There continues to be regular updates and guidance issued. I am happy to look into that and see if anything has changed and if there is an opportunity to get any of that federal reimbursement, I will report that back out to the Board.

SC: So has there been an attempt to look into that or is that not...

JL: Supervisor Christy, we have in the past and we have not been able to use the dollars for those health benefits, but as I say there was the initial CARES Act, now there is ARPA and there is ongoing guidance and refinement of questions regularly. So let me, I will, we will be happy to check and see if anything has changed and modify that and get back with you.

SC: And one final question Ms. Leshner. At a meeting ago, I asked Mr. Huckelberry to provide our office with numbers of those since August 1st. Number of people, not

families, not distinct groups, but people that have passed through Casa Alitas Welcome Center. The total number of people. As well as the total number of people who have taken up residence at the County funded Red Roof Inn. I would like to see those numbers from that same time period. To know exactly how many people have utilized these taxpayers' services. So, if I could get those, I know, I am sure there have been delays for obvious reasons, but I would appreciate any update on those that could show the total amounts of people. I am looking for more questions to ask, but gosh I do not see anymore. Thank you colleagues for allowing me to ask those questions and thank you Madam Chair for your indulgence.

SB: Alright, are there any further questions of staff?

AG: Chair Bronson?

SB: Supervisor Grijalva.

AG: I just wanted to highlight that I think one of the best pages that I visit, almost on a daily basis, is of the Pima County Health Department, is their COVID vaccine information and so really, you just google Pima County COVID vaccine and you have a list of all the locations and options. I think the closest one to you, Supervisor Christy, is downtown campus tomorrow. Pima Community College Downtown Campus, at 6:00 p.m. You can get whatever one you want.

SC: I am going to have to have some guards with me I am sure because...

AG: I do not think so, I do not.

SC: Thank you Supervisor Grijalva. Maybe I will have you as my guard?

AG: You know, I could do that.

SB: She could just be your secretary, correct?

SC: Is that like in a duel she could be my second? If I fall over she can take the shot for me?

AG: A lieutenant? Okay.

MH: Chair Bronson?

SB: Supervisor Heinz

MH: Thank you. Just in listening to those questions, I think that it is really important that we do not forget that the, at least for healthcare workers, the most significant cause of emotional distress is not having to wear masks, it is having to deal with unvaccinated people. Whether they are our patients or whether in the community. That is what is causing the most emotional distress among our nurses, respiratory

therapists, I myself, experienced this and all of our doctors in hospitals and clinics throughout the community. So, the reason that we are losing healthcare workers permanently is because people will not do the right thing. So I hope people will seriously look at this and do what they need to do to protect themselves and their families. Because, I mean, I would leave medicine. I would absolutely leave medicine if I could. Most of the nurses in hospitals that I work with would do the same thing and I cannot blame them. It is not the masks, it is the virus and the unvaccinated people. Thank you.

SB: Thank you. If there is no further questions...

RS: Madam Chair?

SB: Supervisor Scott.

RS: Thank you. Dr. Garcia, I have a follow-up question. When Supervisor Christy was asking you about booster shots you said that the highest priority was getting boosters administered to people in senior care facilities and that we were in contact with the state officials who are overseeing the federal program in partnership, I believe with Walgreens and CVS, to administer vaccines in those senior care facilities. If memory serves back when we administering the first round of vaccines there were, I think, 30 plus of those facilities in Pima County that were somehow left out of that program and so vaccines were administered in those facilities by Health Department staff. I am wondering if that is still the case or if all of those facilities are now operating under the auspices of the federal program?

FG: Chair Bronson, Supervisor Scott, good question. I do not have that operational detail, but I will find it.

RS: I appreciate that. Thank you very much.

SB: Alright, any further questions of staff? Alright, then let us proceed with our regular agenda to the next item.

BOARD OF SUPERVISORS

PAG/RTA Updates

14. Discussion only on updates for the Board of Supervisors about recent discussions on the Pima Association of Governments Regional Council and the Regional Transportation Authority Board regarding governance structures for each body and also for the Citizen's Advisory Committee. (District 1)

Verbatim

SB: Chair Bronson
SC: Supervisor Christy
AG: Supervisor Grijalva
RS: Supervisor Scott
MH: Supervisor Heinz

SB: Item No. 3, PAG/RTA Updates. Supervisor Scott.

RS: Thank you Madam Chair and the purpose of this item in to update you and my other colleagues on discussions that have taken place in both, September and October, regarding voting rights on the PAG Regional Council, RTA Board, and also the Citizens Advisory Committee. That is the group that will draft an RTA Next plan to replace the current plan that as we all know will expire in 2026. Since I have been appointed to be our representative to the PAG Regional Council and the RTA Board, one overarching goal has been to get the development of an RTA Next plan moving forward again. We have been at a standstill as far as the development of an RTA Next plan for well over a year and if we fail to get an RTA Next plan developed that all jurisdictions can enthusiastically ask their voters to support, the effects on our region will be substantial and highly negative. The first document that I would like to review with you is the one that lays out the motion that was passed unanimously by the Tucson Mayor and Council on September 14. Again, it is attached to this item and it mostly said the following, "To direct City Attorney to report to Mayor and Council within 60 days with information on the legal applicability of pursuing the MAG model including proportional voting and veto power for PAG, the RTA and RTA Next." MAG by the way refers to the Maricopa Association of Governments. "We direct staff to report back within 60 days with an update on funding for the remaining City of Tucson projects and the governance concerns raised today. And finally, we move that unless otherwise directed by subsequent Mayor and Council action that the City of Tucson withdraw its participation in RTA Next on February 1, 2022." Now, I found this motion to be very discouraging when it was passed by Mayor and Council because we had been discussing on the PAG Regional Council and the RTA Board that we were going to keep all of our options open and that we were going to continue having dialog with each other. In fact, when Supervisor Christy asked us to adopt one position as the County's position with regard to voting rights on the PAG Regional Council, I asked that we not

support that because those discussions were still going on with my colleagues. I made a similar recommendation when Supervisor Heinz asked us to take a different position as the official County's position. So it was discouraging to me to see the Mayor and Council and City of Tucson not only issue this ultimatum, but also set a deadline and that led to a very positive and frank exchange between myself and Mayor Romero, the representative of the City of Tucson during the September meetings of the PAG Regional Council and the RTA Board. And what I really felt very strongly was that if the largest jurisdiction in the County, and the City of Tucson is right around 54% or 55% of the County's population if you look at the last Census, if they walked away from the development of RTA Next, that would have dangerous effects on a plan being developed and approved by voters. And as the County's representative, given that everyone who serves on the PAG, RTA Council and Board and indeed everybody who is effected by our decisions as a County resident, I felt it was necessary to find a way to restart the dialogue and move toward compromise. So, with that in mind, the second document that I attached to this item is a compromised proposal that I put together. You can see the main talking points are that there would be weighted voting on the Pima Association of Governments Regional Council, that there would be proportional representation based on population on the Citizens Advisory Committee. There would be no changes to RTA governance and no veto power. I quote in the next section underneath those four bullets from the motion that the Mayor and Council passed and note that this proposal offers proportional voting in two of the three areas, but does not include veto power, and asks all jurisdictions to commit to purposeful compromise and, most importantly, offers a path forward for the development of an RTA Next plan. So when we had our last meeting which was last Friday the 29th of October, there was a lot of discussion about the first 2 items. There were a great number of objections that were raised by Marana, Oro Valley, Sahuarita, South Tucson, about there being weighted representation on the PAG Regional Council. The City of Tucson representative, Mayor Romero, said that she would take this proposal back to her colleagues and discuss it with them. I would be surprised if that particular part of the proposal moved forward because of the objections from all of the other jurisdictions and I certainly understand the basis for their objections. I think there was broader agreement on the need to not make any changes to the RTA Board because of the potential for mischief, if you will, by the Legislature if the statutes that set up the RTA, which is a special taxing authority by the state, trying to avoid that potential for mischief, I think there was more unanimity. There certainly was very little discussion about my proposal that we not make any changes to voting structures on the RTA Board, but where I feel that there was a tremendous amount of progress and reason to be hopeful was when we convened as the RTA Board. There was a lot of discussion about how to move the Citizens Advisory Committee forward and there were four unanimous, yes, unanimous votes that were taken last Friday. The first one set up a selection committee for picking the 13 new Citizens Advisory Committee members. And just to refresh your memory. We reappointed the 22 people from the original CAC, that sunsetted last summer, we reappointed 22 of those 35 people because they wanted to continue in their roles and we all agreed that we wanted to preserve their experience and institutional knowledge, and we need to appoint 13 new CAC members to get up to a full

complement of 35. A proposal was made that the selection committee for these new 13 members be the Chair of the RTA Board, who is Mayor Teso from South Tucson, the Vice Chair of the RTA Board, who is Chairman Yucupicio from the Pascua Yaqui Tribe, and then the Chair of the CAC, Tom McGovern, and the two Co-Chairs Carolyn Campbell and Mary Baris. That was the first motion that was passed unanimously. The second one is that the review of the 91 applications that we have received for people interested in being one of the 13 new CAC members be done and that there be a recommendation for the 13 new appointees to the RTA Board by January. That would enable them to get working again right after the first of the year. The third vote that was made unanimously on Friday is that the numeric breakdown by jurisdiction that you see in my proposal be a guideline that we follow, but that those not be guidelines that we follow absolutely. One thing that everybody was very strongly in support of is that the three jurisdictions that currently are not represented on the CAC have members and that would be the Pascua Yaqui Tribe, the City of South Tucson and the Tohono O'odham Nation. And then fourth vote that was made unanimously is that the selection committee will consider demographic factors, geographic balance and varied experiences with transportation when we get to the selections for the 13 new members. So to sum up, I feel more optimistic about the development of an RTA Next plan happening than at any time since taking office 10 months ago. I am really proud of and grateful to all the other members of the PAG Regional Council and the RTA Board for their commitment to regional collaboration. We can do so much more together than any of us can do alone. And I think the actions last Friday as we were discussing the CAC and how it can move forward with its important work, is an indication that all members of the RTA Board and the Regional Council share that belief. So I appreciate all of you listening to this review and Madam Chair, I am happy to respond to any questions or hear any input from you and my colleagues.

SB: Thank you, Supervisor Scott. Any questions for Supervisor, well thank you for the update. Appreciate it. Clearly we need to move forward both with mobility and sustainability as we look at bringing, or hopefully bringing to the voters the continuation of RTA and RTA Next and I appreciate, again, your updates. Would any Board members have questions for Supervisor Scott?

SC: Madam Chair?

SB: Supervisor Christy.

SC: Thank you, Madam Chair. Last week the Pima County CTAC, Transportation Advisory Committee, had a meeting and one of its newest members is Supervisor Heinz's predecessor, Ramon Valadez, who brought to that meeting a great depth of history and continuity of the RTA and its formation and during his description and discussion of how the RTA was formed and its basic principals were established, he made it very clear that one of the guiding elements was the collaboration between the City of Tucson and Pima County in making sure and ensuring that each jurisdiction had a single vote and he expressed quite thoroughly the need for this and the justification for this and I think that his point of view, because he was

probably one of the longest if not the longest individual who has that history and that legacy with the RTA. He made that very strong and defined point to ensure that everything is done fairly and on an equitable basis and that there is no quote on quote bullying or pushing of any kind of an agenda or projects on other jurisdictions that to make sure that does not happen needs to be installed and enshrined in this single jurisdiction, single vote. Secondly, I am going to ask you to comment on that issue if you would Supervisor Scott. Then the follow-up to that, in your prior discussions of the RTA and the future of the RTA, you very well and very eloquently, I think, discussed and described your concern with the City of Tucson who has been pushing forward this weighted voting issue for a number of reasons, one of which is that their position is that they have received unfair and unjust treatment by the RTA in terms of monies allocated, projects allocated, and a general feeling of the City of Tucson that the jurisdictions were getting more than their fair share as opposed to what the City of Tucson was getting and you made the comment, forgive me if I am not getting it as accurate as possible, but you said something to the affect that you would like to see, in other words, please show me where damage has been done to the City of Tucson and where unfairness has been perpetrated against the City of Tucson in this whole process. So if you could comment on former Supervisor Valadez's depiction of the history of the RTA, as well as your analysis of what this alleged damage the City of Tucson is incurring with its current status on the PAG and RTA?

RS: Supervisor Christy, I really appreciate your comments and the opportunity to respond to them. I agree with everything Supervisor, former Supervisor Valadez said in the meeting that you observed last week and I think that there has been a long history for the PAG Regional Council, dating back to the 1970's when it was first formed and for the RTA Board, dating back to the early 2000's, where the one vote per jurisdiction structure has served the entire region well. And I also feel that the current RTA plan has served all jurisdictions well, including the City of Tucson. I believe that we have gotten reports from Mr. Huckelberry in the past that indicate that right around 54%, 55% of all of the RTA funding has been spent within the City of Tucson. I would point out that 62% of all of the funds devoted to transit in the current RTA Plan have been spent within the City of Tucson. One of the really positive developments, another one of the really positive developments at the last meeting on Friday was a dialogue between Mayor Romero and Mr. DeGrood, Jim DeGrood, one of the key staffer with the Pima Association of Governments, because Mr. DeGrood has been having an ongoing dialogue, he and his staff, with Ms. Alarcon, the Director of the City's Department of Transportation and Mobility, on how the remaining city projects are going to be completed and the shortfall in funds for those projects and how they are going to be made up. There has been a disagreement between PAG staff and the City on what the amounts of those shortfalls are, and Mr. DeGrood and Ms. Alarcon have been working to resolve those differences and both Mr. DeGrood and Mayor Romero were happy about the progress that was being made to the point that Mayor Romero asked that an agenda item dealing with that issue be continued until our December 9 meeting, so that Ms. Alarcon and Mr. DeGrood can continue their discussions. What I said to my colleagues and what I will repeat to you all today is that the proposal that I put

together was designed cheaply to get the dialogue going again and to jumpstart the work towards development of an RTA Next plan. I am not wedded to any single word on that document, nor would I have the right to be, but I wanted the dialogue between all jurisdictions to start up again and recognize that the message that we would be sending to the public if the City of Tucson walked away from the development of an RTA Next plan. In a matter of just 3 months would have disastrous effect on the potential of finishing that plan and putting it before the voters. So it is looking to get the dialogue started again and I am grateful at least with regard to the CAC that there was a lot of common ground found last Friday. So thank you Supervisor Christy. I hope that I hope I responded to your questions substantially enough.

SC: Well, except for one follow-up on that whole subject, Madam Chair, if I may. Based on what you said, what you have been attending to and what you have been seeing as our representative, the County's representative on PAG, RTA. What is your position regarding the City of Tucson's assertion that they have been putting forward about weighted voting and other issues that the City of Tucson has come forward with. Where do you stand on that?

RS: Well, as you may recall, I wrote an opinion column in the Arizona Daily Star several months ago, that spoke to how the current structures have been serving all the jurisdictions within the region and the entire region well, but I think that we also need to recognize that if the jurisdiction that makes up 54% to 55% of the population walks away from the development of a RTA Next plan, that that is not going to serve any of us well. And so I was looking for a way, as I said, to move the dialogue forward that does not by any means infer that I agree with every assertion that the City has made.

SC: I am going to have to lean by myself where your position is I think. I would just hope that you would take into consideration what former Supervisor Valadez has stated and the others on the RTA and in PAG and on the CAC who have that history and legacy of the uniqueness, as well as success of how the RTA was formed and that you would certainly consider very strongly that the position that the County should take on this is to continue with one vote, one jurisdiction and I would hope that that would be the defining result of all of this discussion so that we could proceed with a new RTA Next. I think it is important to note that RTA Next is being held up by the City of Tucson. It is not by too many other entities, particularly the Board of Supervisors. So thank you for your discussion and for your explanation and thank you, Madam Chair for allowing me to ask the questions.

SB: Thank you Supervisor Christy. Any further discussion? Any questions for...

AG: Chair Bronson?

SB: Supervisor Grijalva.

AG: Thank you. I appreciate your summary and giving us the information. As I have stated before, I am in favor of weighted votes. I do think that it would provide some more equity through the process and I am really glad to hear that there were unanimous votes in support of giving representation to our Pascua Yaqui, Tohono O'odham and South Tucson. I think that is real positive steps because that was one of the things that I had heard, initially, when I first started listening to the meetings. I apologize, somebody is calling me. I do not even know that extension. Anyway, I do think that is important because I think what I heard very clearly from representation specifically of the tribes is that we do not have a voice and we do not feel like we are being heard. So I think that, I do appreciate that.

SB: Thank you, Supervisor Grijalva. Any other comments by Board members?

RS: Madam Chair?

SB: Supervisor Scott.

RS: I appreciate the comments from both Supervisor Christy and Supervisor Grijalva, and feel really strongly that the current RTA plan which was approved by the voters in 2006 and will be in place until 2026, has benefited the entire region, including the City of Tucson. I also feel the development of an RTA Next plan, that would be in place from 2026 to 2046, is going to benefit the entire region, including the City of Tucson. And as the County's representative, what I am always going to be committed to is insuring, not only that the County's interests are advanced on the PAG Regional Council and the RTA Board, but that every jurisdiction has their voice heard as we are moving towards development of an RTA Next plan. If we do not achieve that, if we do not achieve the development of that plan and its approval by the voters, the impact on the region is going to be catastrophic. So I am always going to be looking for opportunities for bridge building and compromise and I was grateful, again, to all of my colleagues for the consensus that we achieved with regard to the work of the CAC in 4 separate votes. I hope that all four of my colleagues on this Board will continue to share their views and opinions with me moving forward. I want to thank Supervisor Heinz, by the way, for a presentation that he made to the PAG Regional Council and the RTA Board during the September meeting, because his ideas, that he shared with everybody, were important to hear, especially since he had to make them while he was calling from an airport someplace else in the Country. So thank you for doing that.

SB: Alright, any further comments by Board members?

MH: Chair Bronson?

SB: Supervisor Heinz.

MH: Thank you and yeah, that was very interesting. I had a very, very tight window to do that in and I am glad that they were able to accommodate that restriction. So, I appreciate that. And I think it is important that we move forward as a region. I said

that in my presentation that Supervisor Scott referred to and I have said, I believe in meetings here with my colleagues on the Board, it is incredibly important for the region to do this as a whole together and not separated as city, town, county all that. I think that is incredibly, that would be a huge, huge detriment and would impact us negatively in an economic sense and our ability to attract additional industry and companies or their willingness to expand in our area, if we abandon it. I appreciate, Supervisor Scott, that a lot of the ideas that I brought forth were clearly incorporated into this proposal. I think that that is great. I would just advocate that you do what you can to achieve some of the proportional voting. I know the City of Tucson was asking for proportional voting or weighted voting at PAG, as well as RTA or RTA Next, and I know that due to, we do not really want to open the statutory situation. Changes to the statute, which would of course involve the Legislature. So doing that on the PAG, just PAG, I think may very well be a compromise they are willing to do. I also agree with having no veto at all for any one particular jurisdiction, but I do worry that if the proportional or weighted voting structure that you proposed at PAG does not go forward, then I do not know if really any of the major concerns from the City of Tucson would be really addressed. So I just think that Tucson is, it is reasonable for them to be requesting, you know, this proportional voting. I think that it makes a lot of sense. They have, you know, voted as a Council and a Mayor to leave the RTA Next process in three months and we have to take that seriously and I just want to know as a Board, what can we do to empower you? Do we, should we be voting, I know this was not an action item, but would it be helpful to you if the Board were to vote in favor of you and this proposal that you put forward, just to back you fully with the backing of the Board, all of us to advocate for this going forward or what can we do to help you?

RS: Madam Chair if I could respond? I appreciate the offer, Supervisor Heinz, but I do not think that that would be either necessary or helpful because as I said to my colleagues on Friday on the PAG Regional Council and the RTA Board and as I repeated a few minutes ago, I am not wedded to any particular part of that proposal. Really put it forth just to get the dialogue started and I am glad that we found a lot of common ground with regard to the CAC, and I think also with regard to the RTA Board. But the PAG Regional Council issue is one where there will continue to be a great deal of discussion and there is also a great deal of concern that is expressed, not just by the cities, but also by the representatives of the Pascua Yaqui Tribe, the Tohono O'odham Nation really did not weigh in on that, but that issue with the PAG Regional Council is the one where there is still going to be a great deal of discussion and debate and undoubtedly disagreement. I think where we need to build is where we found so much common ground, which was in the work of the CAC and the concerns that the City has raised, have had mostly to do with the current RTA plan and how the City's remaining projects will be finalized. And as I said, there was some good dialogue between Mayor Romero and Mr. DeGrood about that and they are interested in having a substantial stake in the development of RTA Next. So I think those two areas, especially the later one, are where we are going to be able to find common ground and also address some of the concerns that have been raised by Mayor and Council.

MH: Great and Chair Bronson, one more thing.

SB: Proceed.

MH: Thank you and Supervisor Scott, thank you for that. How confident in terms of the, do applaud the composition changes of the CAC I think that is excellent. How confident are you though that the CAC and what they decide will make it to, you know, will make it into I guess the business of the PAG/RTA for this whole process? I mean, you are our expert on the Board at that and I do not know real well how that goes. Are you confident, I guess that what they are going to be recommending or that the process they undergo is going to make it intact to you at PAG/RTA?

RS: I am very confident in that, Supervisor Heinz, because back in January of 2020 the CAC adopted a framework to guide all of their deliberations and all of their work, and that framework is supported by all of the jurisdictions. We referred to it many times during our discussions about the work of the CAC, you will see that framework attached to the last Board meeting packet, and we feel that that jurisdiction not only helps to guide the work of the CAC, but it ensures that no one jurisdiction is going to be dominate over the others and it also ensures that no jurisdiction will be slighted. So I would encourage all of my colleagues to take a look at that January 2020 framework because it really is a well-crafted document and the CAC adopted it a long time ago.

MH: Okay, thank you.

SC: Madam Chair, one quick comment.

SB: Supervisor Christy.

SC: Yeah, a lot of this, Supervisor Scott, hinges on the Legislature allowing changes to be made, particularly in the RTA. I think that is going to be a huge stumbling block for any kind of initiative on any jurisdictions' part, particularly the City of Tucson. Where does that come into play in your proposal and in what your analysis is and all of the issues that you have raised? Is that not all nullified basically because nothing of those things that you just presented to us can ever occur or even be considered unless the Legislature takes some sort of an action that probably is very highly unlikely?

RS: You are absolutely correct with regard to the RTA Board because it is a regional taxing authority that was set up by the Legislature and that is why my proposal says that we make no changes to its governing structures. With regard to the PAG Regional Council, PAG is a Metropolitan Planning Organization. And under U.S. law, if we make any changes to the MPO, those changes have to be approved, not by the Legislature, but by the Governor. And the Governor would very likely act on any recommendations that are made to him by the Arizona Department of Transportation, and we would work with all the jurisdictions and with PAG staff and certainly PAG's Attorney to make sure that any recommendations that the Arizona

Department of Transportation might make to the Governor were air tight. However, I will go back and say that that is the area where there is a tremendous amount of debate and disagreement and I think we should be more focused on what the positive things about the current RTA plan and the development of the next RTA plan and not get into areas where there is not as much consensus as there was on those two points, but I appreciate you raising those issues.

SB: Yeah, and just to, Madam Chair, underscore that whole issue, my colleagues on the Board and members of the County Administration, as well as our friends over on the City Council are very quick to point out that the Governor and the Legislature are not, shall we say, given to a big ear to the needs and desires of Pima County. So I think that is going to be a big issue and a big hurdle and something that should be taken into consideration in these deliberations and I am glad to hear that you are doing just that. Thank you.

RS: Thank you, sir.

SB: Thank you, colleagues. Any further discussion on this item? Again, Supervisor Scott, thank you for bringing us the update and we certainly have some interesting times ahead.

DRAFT

COUNTY ADMINISTRATOR

15. COVID-19 Vaccination of Employees who Work with Vulnerable Populations

Staff recommends approval of the following:

1. All employees who work with vulnerable populations as identified in Attachment A (see memo) must be fully vaccinated no later than January 1, 2022.
2. A recommendation regarding a requirement that employees of the Courts be fully vaccinated will come to the Board following a ruling by the Supreme Court on current mandates and requirements.

Verbatim

SB: Chair Bronson
SC: Supervisor Christy
AG: Supervisor Grijalva
RS: Supervisor Scott
MH: Supervisor Heinz
JC: Julie Castañeda, Clerk of the Board
JL: Jan Leshar, Chief Deputy County Administrator

SB: Let us move on to Item 4 then, COVID 19 Vaccination of Employees who Work with Vulnerable Populations. Staff has made several recommendations. What is the pleasure of the Board on this item?

RS: Madam Chair?

SB: Supervisor Scott.

RS: I would move that, I would move that we approve the two recommendations in the memo that is attached to this item, written by Ms. Leshar. The recommendations are number one, all employees who work with vulnerable populations as identified in Attachment A of the memo, must be fully vaccinated no later than January 1, 2022, and the second recommendation, a recommendation regarding a requirement that employees of the Courts be fully vaccinated will come to the Board following a ruling by the Supreme Court on current mandates and requirements.

SB: I will second that item. Is there any discussion?

RS: Madam Chair?

SC: Madam Chair?

SB: Okay, who is first?

SC: Supervisor Scott.

RS: Thank you, Supervisor Christy. You know, our Board has not acted to support a vaccine mandate for all of its employees. We have also not acted to tie salary raises or adjustments to vaccination status. I think the measures that we have supported are effective, reasonable and not unnecessarily punitive. I think that approving these recommendations from Ms. Lesher today would continue in that vein. Vulnerable populations deserve to be protected, as do employees who work with them. Serving those in vulnerable populations exposes those populations' exposes those employees to greater risk themselves. And it remains the case that the vast majority of people who are hospitalized or dying from COVID-19 are unvaccinated. So I hope that we will approve these recommendations and at some point during the dialogue, I would appreciate it if Ms. Lesher could speak to some specifics about the groups that are identified in Attachment A of the memorandum.

SB: Thank you, Supervisor Scott. Supervisor Christy.

SC: Thank you, Madam Chair. Thank you, Supervisor Scott. I have some real issues with this proposal. First of all, it talks about vulnerable populations and in the Chief Deputy County Administrator's memorandum of November 2nd, entitled COVID-19 Vaccination of Employees who Work with Vulnerable Populations, even in her own analysis and in her own memorandum addressing this, she very clearly states and I quote, a review of the responses indicates that the identifications of those who work vulnerable, I am assuming it says who work with vulnerable populations, cannot be determined simply by job classification. Within each classification some employees regularly work directly with vulnerable populations and others do not, and here is the clincher, a more in depth analysis is required. That is number one and then on Item 4, Number 2 it says a recommendation regarding a requirement that employees of the Courts be fully vaccinated will come to the Board following a ruling by the Supreme Court on current mandates and requirements. If we have to wait for a ruling from the Supreme Court why are we even discussing this issue? And third, I have issues too with an October 22nd memorandum from County Administrator Huckelberry describing the incentives that start on November 1st at \$300 and three days of additional leave, after that \$200 in additional compensation and two days of additional leave, and then after that in December, \$100 in additional compensation and one day of additional leave. I am confused about this additional leave. Somewhere along the line I remember this additional leave was supposed to accommodate employees who took the vaccine and had a bad reaction to it. So this was to give them those days of additional leave to recover from any kind of ill effects of the vaccine, but then that additional leave goes from three days, down to two days, down to one day. Is the closer it gets to the deadline is the reaction of the vaccine going to be less detrimental and is that why we have less leave? And is not there different categories of leave? Is this in fact a separate leave of absence that employees are getting based on a bad reaction from the COVID vaccine? Is it going to be COVID related or personal time off related or health, sick leave? It is very nebulous. I really think this needs to be sent back. I would personally like to see it voted down, but at the very least there are so many issues here that are very

nebulous and very unclear and especially when we cannot even identify by our own memorandum what vulnerable populations really mean. So I would encourage that this be either voted down or tabled until more definitive elements can be resolved on this. Thank you, Madam Chair.

SB: Thank you, Supervisor Christy. Any other comments by Board members? Okay, if there are no further comments, I am going to call the vote.

AG: Chair Bronson?

SB: Supervisor Grijalva.

AG: I do want to say, I would have been in favor of moving towards broadening vulnerable populations. I do think that we work in Pima County with people, our co-workers that could be part of the vulnerable populations. So I appreciate that this is a compromise which is why I was willing to support it. I do think that looking at incentives and adjusting those depending on when people decide to hopefully, finally, become vaccinated, makes sense. I do think that these incentives helped move the pendulum quite a bit and now, it comes a time where we have to protect our community. I am glad to take this first step that I hope will really encourage County staff to be vaccinated.

SB: Thank you, Supervisor Grijalva.

MH: Chair Bronson?

SB: Supervisor Heinz and then Supervisor Christy.

MH: Thank you and I just want to be clear and maybe Leshner can comment on this, that after January 1st, if there are any County employees serving vulnerable populations who have just resisted vaccinations at that point, they will no longer be working for that County. I would like that clarified.

SC: Madam Chair?

SB: Ms. Leshner? Hold on, let Ms. Leshner respond and then Mr. Christy.

JL: Thank you, Chair Bronson and Supervisor Heinz, if you have approved this policy, yes, individuals who work with vulnerable populations will be, and then we would look for additional Board direction, but the question is simply do you, would they be automatically terminated or would there be a suspension for a period of time? We can get clarity on that as we go closer because at this point, they would simply be terminated. Chair Bronson, if I may respond to just a couple other points that have come up?

SB: Proceed.

JL: Very Quickly? Thank you. What we were attempting to clarify in this memorandum is that what Mr. Huckelberry had said previously, he asked the County departments to provide a list of job classifications. What we have indicated in this is that you cannot just look at a job classification because it can be too broad. Therefore, we reached out and did the follow-up work with each of the departments to identify those individuals in detail. So that is what this has provided and we have gone through. So it might not be the full classification, but it is just those individuals within the classifications that work with the vulnerable populations. We have a total of 11 departments out of our 41 who identified individuals who work within that group. It is small subsection and we have done the homework and that is what is reflected in this to provide real specifics regarding which employees work with those populations rather than simply the broad brush of a classification.

SB: Thank you, Ms. Lesher.

JL: Thank you.

SB: Supervisor Christy, I believe you had another comment? Supervisor Christy your mic is off.

SC: I am getting my vaccination. I just want to remind my colleagues of my statements that I am compelled to reiterate over this whole issue. That we are going to incur many unintended consequences over this. First and foremost, in many of these classifications and in many of these functions by Pima County employees, these are essential workers that already are experiencing in their departments a very serious understaffing situation and now as Supervisor Heinz pointed out, they will be terminated. This is a very serious public safety issue and it reflects the fact that most people in the County and most people in these positions have already been vaccinated. So the percentage of those that could create a risk is minimal at best, if at all and that when we have law enforcement officials who are going to quit and go elsewhere, in an already understaffed situation, that is a perilous journey for the residents of Pima County that this Board is imposing on employees that are there to protect the public and public safety. It also reflects upon the fact that it is not a matter of being anti-vax, it is a matter of being anti-mandate and that longstanding, career-minded, professional employees who have many, many years of experience, knowledge and culture working for Pima County are going to be terminated and let loose from employment in Pima County and that is going to have severe repercussions. Finally, it is going to open up a whole can of worms of legal liability, of Pima County and this Board, creating a hostile work environment and these employees are not going to quit. They are going to be terminated and when they are terminated, they will have the opportunity, and I know this from my own business, of making charges of wrongful termination and this whole process is going to have severe repercussions, not only from a public safety standpoint but from a financial standpoint and I urge my colleagues to consider these issues before voting in this policy. Thank you, Madam Chair.

RS: Madam Chair?

SB: Supervisor Scott.

RS: Thank you. I just wanted to ask Ms. Leshner, I believe that we got a memorandum from Mr. Huckelberry shortly after our last meeting that indicated that the language says, up to and including termination. But there were different steps that were going to be followed depending on whether or not the employee was part of the merit system. So I wonder if you could recount what was shared with us about the steps that would be taken for different classes of employees.

JL: Chair Bronson, Supervisor Scott, there are a variety of issues that can take place during our progressive discipline process. Again, it is up to the direction of the Board. We can start with the various letters. What the City of Tucson has done, for example, I believe, is look at a time of suspension and then finally termination. So between now and January, we can work with the Board to establish what kind of steps there would be, whether they would continue through the month of December and whether we would then have the suspension or termination come in with January 1, but this does allow quite legally a process for the Board to follow as we move towards that action with the employees. If I might add that we also have some of these individuals work in the Corrections area who are within the Sheriff's Department come under a different set of rules slightly, but the upshot is they remain pretty much the same in terms of how we notify individuals and how we work through the process up to the suspension or termination.

SC: Madam Chair?

SB: I think Supervisor Scott had a follow up. Did you?

RS: No, I did not have any follow up I just remembered that we were briefed by the County Administrator on the fact that up to and including termination involves one or more different processes depending on the classification of the employee and I think it is important for us to state that in public and I will look back at the memos so that I can site the particular one that I am referring to. I do not have it in front of me right now.

SB: Thank you, Supervisor Christy.

SC: Yes, just to be perfectly clear on this, if an employee does not get vaccinated, the bottom line, the end result and the entire goal of these types of resolutions and policies is termination of that employee.

SB: Thank you, Supervisor Christy. Any further discussion? Then let us do a roll call vote. Roll call please.

JC: Supervisor Christy?

SC: No.

JC: Supervisor Grijalva?

AG: Yes.

JC: Supervisor Heinz?

MH: Yes.

JC: Supervisor Scott?

RS: Yes.

JC: Chair Bronson?

SB: Yes. By your vote of 4-1, motion carries.

DRAFT

CONTRACT AND AWARD

GRANTS MANAGEMENT AND INNOVATION

19. City of Tucson, Amendment No. 1, to provide for emergency food and shelter to families and individuals encountered by the Department of Homeland Security, extend contract term to 12/31/21 and amend contractual language, Emergency Food and Shelter National Board Program Fund, contract amount \$1,315,405.00 (CT-GMI-21-484)

Verbatim

SB: Chair Bronson
SC: Supervisor Christy
AG: Supervisor Grijalva
RS: Supervisor Scott
MH: Supervisor Heinz
JL: Jan Leshar, Chief Deputy County Administrator

SB: Item No. 8 City of Tucson Amendment 1. I will move the item.

SC: Second.

SB: Motion and a second. Supervisor Christy.

SC: Yeah, here is another example of this kind of nebulous design to what does not look like a very transparent methodology of allocating funds, regardless of where those funds come from. I have a couple of questions on this. Is this County money that is going to the City for funding for emergency food and hotel shelter, as well as to include reimbursement for transportations services provided by the City's Sun Tran bus service, specifically Sun Tran supports logistics in shuttling asylum-seekers between shelter sites and Tucson International Airport? Is this a pass through from the County or is the County providing the City of Tucson funds? And why cannot the City of Tucson, if this is what the program is involved with, why can they not get their own funds and where are they getting those funds from?

Sb: Ms. Leshar?

JL: Chair Bronson, Supervisor Christy, these funds are provided by the Emergency Food and Shelter Program. It is a national grant program that we receive as part of the American Rescue Plan Act, part of the ARPA Fund. So it is a division of funding under COVID relief. We have a variety of programs with which we partner with the City. Some we lead, some we are in a supportive position and provide support funding for those services. Whether they be housing, transportation, different kinds of services provided under different funding sources. This is a federal pass-through

to provide the services that assist with the transportation of folks that are in Pima County and they are funded in part by the City.

SC: And that leads me to my next question. What folks that are within Pima County are actually the recipients of this funding? For instance, if you read in the background it says Fiscal Agent is Pima County/Emergency Food and Shelter to Families and Individuals encountered by the Department of Homeland Security. What does families and individuals encountered by the Department of Homeland Security reflect and actually mean?

JL: Chair Bronson, Supervisor Christy, these are individuals who have been, they are within the Department of Homeland Security, they are asylum seekers who are legally in the United States through the process of seeking asylum. The relationship that we have had with DHS through either ICE or CVP is to bring those individuals first into the Casa Alitas Welcoming Center and then they use the transportation services to go to another site for a very short period of time. These individuals are generally within Pima County for anywhere from no more than 72 hours max, and some are here for less than a day. And they are part of that program, it is Federal funding that we receive in large part to help a Federal program.

SC: Madam Chair, Ms. Leshner. So at one point, the description talks about families and individuals encountered by the department. Then it goes on to describe the purpose which is to increase the City's funding for emergency food and hotel shelter. As well as to include reimbursement for transportation services provided by the City's Sun Tran bus service. Specifically Sun Tran supports logistics in shuttling asylum seekers between shelter sites and Tucson International Airport. Can you describe what this funding is going to be covering?

JL: Chair Bronson, Supervisor Christy, when individuals are released at the Casa Alitas Welcoming Center by CVP or ICE they then need transport to the airport in order to go on to their final destination and that is what the transportation is for.

SC: And this is provided by the City's bus service, Sun Tran, is that correct?

JL: In part.

SC: In part. And what are the other parts?

JL: This contract with the City of Tucson is for that shuttle service through Sun Tran. There is additional transportation that is sometimes provided through other contractors.

SC: Like?

JL: For this program, you are dealing with Sun Tran and the City of Tucson. It is for the transport between Casa Alitas Welcoming Center and the airport.

SC: What would the other, an example of the other contactors other than Sun Tran?

JL: Supervisor Christy, the County if you recall, previously has entered into a couple of contracts with private entities who transport from Casa Alitas, for example, to one of the hotels or to a congregate shelter of some sort.

SC: When you say one of the hotels, the only hotel that I am aware of at this point is the Red Roof Inn and that is for COVID infected asylum-seekers. Are you saying that there are other hotels that are being utilized by asylum-seekers other than Casa Alitas?

JL: Supervisor Christy, Casa Alitas is not a hotel. Red Roof Inn and the Hyatt are two locations that we have been using historically for COVID positive and COVID non positive populations.

SC: If they are not positive are they housed in other areas other than Casa Alitas?

JL: Supervisor Christy, they may be in one of the two hotels.

SC: So it is only those two hotels that are being utilized? But one is for specifically COVID infected asylum-seekers or are both of them being utilized for COVID infected asylum-seekers?

JL: Supervisor Christy, they are being used, unfortunately I am not recalling which hotel is which. One is for positive and one is non-positive.

SC: That would probably be the Hyatt. I was unaware, is the County paying for the Hyatt or is the City of Tucson?

JL: The City of Tucson.

SC: And who is paying for Red Roof Inn?

JL: It has been a County contract.

SC: And then it goes on to talk about these services, before that under the program goal, reimbursement of eligible expenditures in providing food, shelter, and transportation to asylum-seekers. So this would include Casa Alitas, Red Roof Inn, The Hyatt, and the Sun Tran and the contractors? All of those are designated as recipients of this funding?

JL: Supervisor Christy, yes. It is all part of what is required as we are keeping the asylum-seekers for that minimal period of time after they have been dropped off by the Federal Government in our community.

SC: And then Madam Chair, Ms. Leshner, it goes on to describe the public benefit. These services keep the quote-unquote legally-present homeless and immigrant families

off the streets. What are legally present homeless? Who are legally present homeless?

JL: Supervisor Christy, those are legally present asylum-seekers who have been dropped off in the community. Homeless in that they are staying at Casa Alitas or one of our facilities, they are not on the streets.

SC: Okay and daily logs of migrants served, daily logs of meals served, and spreadsheets reflecting actual expenses incurred. These will all be provided and at what point?

JL: Supervisor Christy, they are provided regularly and that is part of what Grants Management and Innovation, as well as the Finance Department use to review as they pay the City through this contract.

SC: And just to reiterate, there are actually two facilities that the County and the City are paying for to shelter asylum-seekers, the Red Roof Inn and the Hyatt.

JL: Supervisor Christy, again for clarity, the Federal Government is providing funds that come into Pima County or the City that is designated specifically for the purpose of paying for those services in this community. They are not Pima County General Fund. But I think if the Federal Government drops people in the community, and leaves them under the responsibility of Pima County, they then provide federal dollars to assist with the provision of those services.

SC: So to sum it all up, and you have been very patient and I appreciate it, but to sum it all up, the taxpayers of this community, of our community and basically the Country are paying for the shelter, lodging, health, support, food, clothing, transportation for those who are here purely for Asylum seeking purposes? Is that correct?

JL: Supervisor Christy, legal asylum-seekers in this community are being provided services that are paid for by the Federal Government for the assistance of that Federal program in this community.

SC: Thank you very much for your answers and thank you, Madam Chair.

SB: Thank you. Is there any further discussion? I will call the question. Are there any objections? Supervisor, okay. Supervisor Christy objects. Any further objections? Seeing no further objections, motion carries 4-1.