

LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met remotely in regular session through technological means at 9:00 a.m. on Tuesday, November 16, 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 Leshner, Chief Deputy County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

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

1 GRANT ACCEPTANCE

Institute of Museum and Library Services, to provide for Library Call 2022, no cost (GTAW 22-51)

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

2 GRANT ACCEPTANCE

Institute of Museum and Library Services, Amendment No 1, to provide for 101Space Valencia Library and extend grant term to 12/17/21, no cost (GTAM 22-37)

It was moved by Chair Bronson, seconded by Supervisor Grijalva 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 12:38 p.m.

CHAIR

ATTEST:

CLERK

WILDFLOWER COMMUNITY FACILITIES DISTRICT BOARD MINUTES

The Pima County Wildflower Community Facilities District Board met remotely in regular session through technological means at 9:00 a.m. on Tuesday, November 16, 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 Leshner, Chief Deputy County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

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

1. WILDFLOWER COMMUNITY FACILITIES DISTRICT DEVELOPMENT

RESOLUTION NO. 2021 - WCFD¹, of the District Board of Wildflower Community Facilities District taking certain actions with regard to organization of the district; approving and authorizing the execution and delivery of a Development and Intergovernmental Agreement for Wildflower Community Facilities District; and ordering and calling an election with respect to issuance of bonds by the district and the levy of an ad valorem property tax therefor and the levy of a separate ad valorem property tax attributable to the operation and maintenance expenses of the district.

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

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:38 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met remotely in regular session through technological means at 9:00 a.m. on Tuesday, November 16, 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 Leshner, Chief Deputy County Administrator
Sam Brown, Chief Civil Deputy County Attorney
Melissa Manriquez, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

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

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. PAUSE 4 PAWS

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

3. POINT OF PERSONAL PRIVILEGE

Supervisor Heinz encouraged attendance at an upcoming presentation by Charles Marohn, founder of the Strong Towns movement.

Supervisor Grijalva announced a donation drive to support Casa Alitas - Aid for Migrant Families through November 19, 2021.

PRESENTATION

4. Presentation from Pima County Chief Probation Officer David Sanders on protocols for how the County approaches adult probation and addresses probation violations (including extradition of individuals in violation of terms of probation, the number of individuals in the Pima County jail for probation violations, and common offenses for individuals jailed for probation violations), where the probation system fits into the County's push for criminal justice reform and efforts to keep nonviolent offenders out of jail, and an overview of Adult Probation's authority, reporting structure and funding. (District 2)

A presentation was given by Chief Probation Officer David Sanders on the achievements of the Adult Probation Department and recent events associated with it. No Board action was taken.

5. **CALL TO THE PUBLIC**

Terry Cichos addressed the Board about permitting issues on his property.

Sandra Bolduc spoke in opposition to disincentives for unvaccinated employees.

6. **CONVENE TO EXECUTIVE SESSION**

It was moved by Supervisor Scott, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:36 a.m.

7. **RECONVENE**

The meeting reconvened at 10:17 a.m. All members were present.

EXECUTIVE SESSION

8. Pursuant to A.R.S. §38-431.03(A) (3), for legal advice regarding the City of Tucson's adoption of differential water rates and potential legal options for the County.

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

COUNTY ADMINISTRATOR

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

(Clerk's Note: See the attached verbatim for Minute Item No. 9, for discussion related to this item. Verbatim was necessary due to the nature and evolving circumstances related to COVID-19.)

BOARD, COMMISSION AND/OR COMMITTEE

10. **Metropolitan Education Commission**

RESOLUTION NO. 2021 - 77, of the Board of Supervisors, changing the membership appointment process of the Metropolitan Education Commission and amending Resolution No. 1990-178.

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

Supervisor Grijalva expressed concern about increasing the number of members on a commission which had difficulty reaching a quorum with its current members.

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

DEVELOPMENT SERVICES

11. Final Plat With Assurances

P21FP00016, Diablo Village Estates, Lots 512-842 and Common Area "A". (District 3)

It was moved by Chair Bronson, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to approve P21FP00016.

ELECTIONS

12. Canvass

Pursuant to A.R.S. §16-642(A), canvass of the election results for the November 2, 2021, Special Election.

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

FINANCE AND RISK MANAGEMENT

13. Formation of the Wildflower Community Facilities District

RESOLUTION NO. 2021 - 78, of the Board of Supervisors, declaring its intent and ordering and declaring formation of the Wildflower Community Facilities District and approving and authorizing the execution and delivery of a Development and Intergovernmental Agreement (Wildflower Community Facilities District).

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

INDUSTRIAL DEVELOPMENT AUTHORITY

14. Goodwill Industries of Southern Arizona, Inc.

RESOLUTION NO. 2021 - 79, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the issuance of its revenue bonds (Goodwill Industries of Southern Arizona, Inc. Project, 1703 W. Valencia Road, Tucson, AZ), Series 2021 in an aggregate principal amount not-to-exceed \$10,600,000.00 and declaring an emergency.

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

FRANCHISE/LICENSE/PERMIT

15. Hearing - Liquor License

Job No. 160762, Steve Hashemi, Mona's Danish Bakery, 4777 E. Sunrise Drive, No. 113, 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 Scott and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

16. Hearing - Comprehensive Plan Amendment

P21CA00006, HOYTE - S. KOLB ROAD PLAN AMENDMENT

Seth Hoyte, represented by Kale Investment Company, L.L.C., requests a Comprehensive Plan Amendment to repeal Rezoning Policy RP-87 S. Kolb Road/E. Sahuarita Road, on approximately 20.01 acres (Parcel Nos. 305-22-1000, 305-22-1030, 305-22-1050 and 305-22-1060) located on the west side of S. Kolb Road, approximately 3000 feet north of E. Sahuarita Road, in Section 7, T17S, R15E, in the Southeast Planning Area. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Cook and Truitt were absent) to recommend MODIFIED APPROVAL SUBJECT TO AN AMENDED REZONING POLICY. Staff recommends MODIFIED APPROVAL SUBJECT TO AN AMENDED REZONING POLICY. (District 4)

- A. A Traffic Memorandum (TM) shall be submitted with the first submittal of a subdivision plat or development plan if finalized GR-1 (Rural Residential – Restricted) rezoning for Ordinance 2010-53 is sought. The TM shall be prepared in conformance with Pima County Subdivision and Development Street Standards.

Craig Courtney, owner representative, explained the reasoning behind the Comprehensive Plan Amendment request and noted the additional request to reference the original rezoning case was for clarification purposes only.

Carmine DeBonis, Jr., Deputy County Administrator, reported that the modified language suggested by the applicant was acceptable to staff.

It was moved by Supervisor Christy, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve staff's recommendation of modified approval of P21CA00006, subject to an amended rezoning policy containing language changes requested by the applicant.

17. Hearing - Specific Plan and Comprehensive Plan Amendment

P21SP00001, CORTARO FARMS 15, L.L.C., ET AL. - W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT

Cortaro Farms 15, L.L.C., et al., represented by Projects International, Inc., request a Comprehensive Plan Amendment and specific plan for approximately 57.6 acres (Parcel Nos. 221-16-029D, 221-16-029E, 225-33-059M and 225-33-059R) from the Low Intensity Urban 0.3 (LIU-0.3) and the Medium Intensity Urban (MIU) to the Planned Development Community (PDC) land use designation, and from the SR (Suburban Ranch) to the SP (Specific Plan) zone, located on the south side of W. Cortaro Farms Road, approximately one-quarter mile east of N. Sandy Desert Trail, in Section 25, T12S, R12E and Section 30, T12S, R13E, in the Tortolita Planning Area. On motion, the Planning and Zoning Commission voted 5-4, (Commissioners Hood, Becker, Maese and Membrilla voted NAY, Commissioner Cook was absent) to recommend DENIAL. Staff recommends APPROVAL. (District 1)

At the request of the applicant and without objection, this item was continued to the Board of Supervisors' Meeting of December 7, 2021.

18. Hearing - Rezoning

P21RZ00010, HOGE/OLIVER - E. CLOUD ROAD REZONING

Bradley Reid Hoge and Sara Oliver request a rezoning for approximately 4.0 acres from the SR (Suburban Ranch) to the CR-1 (Single Residence) zone on property located on the southwest corner of E. Cloud Road and N. Webster Road, addressed as 7960 E. Cloud Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Cook was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. The existing access at the northeast corner of Lot 1 shall be closed and no longer utilized.
 - B. Each lot shall be limited to one access point as follows: Lot 1 shall have access off of N. Webster Road at least 150 feet south of the intersection of Cloud Road and Webster Road. Lot 2 shall have access off of E. Cloud Road aligned with Paseo del Torito to the north. The design of said access point(s) shall be determined at the time of building permitting.
 - C. A right-of-way use permit is required for any work within Pima County right-of-way.
 - D. A one-foot no access easement shall be provided along the south property boundary adjacent to E. Hardy Street and along the northern property boundary adjacent to E. Cloud Road with the exclusion of lot 2 access point.
3. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima

- County executes an agreement with the owner(s) to that effect.
- B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
4. Cultural Resources condition: A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
5. Adherence to the sketch plan as approved at public hearing.
6. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
7. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Sara Hoge, applicant, presented the rezoning proposal and questioned the condition prohibiting access to Hardy Road.

Supervisor Scott asked staff to address the applicant's concern.

Chris Poirier, Deputy Director, Development Services, stated that the lot had functioned for decades without access to Hardy Road. He explained the property was not included as part of the subdivision plan and access would have a negative impact to the neighbors in the subdivision. He additionally noted that per the zoning code, a guest house was prohibited from having its own separate driveway.

Ms. Hoge stated that the property had not previously needed the access to Hardy Road due to a utility access to Cloud Road, which was included in the sale of the second lot. She also stated that the structure referenced was an uninhabitable building used as a storage shed and should not be considered a guest house.

Mr. Poirier responded that it was the choice of the applicant to include the utility access in the property sale and the condition was not severing access but maintaining the status quo by prohibiting the addition of an access point on to Hardy Road.

It was moved by Supervisor Scott, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve P21RZ00010, subject to standard and special conditions.

19. **Hearing - Rezoning**

P21RZ00011, DIXON FAMILY REVOC TR - N. ORACLE ROAD REZONING

David and Maria Dixon Family Revocable Trust represented by The WLB Group, Inc., request a rezoning of approximately 8.68 acres (Parcel Nos. 222-22-002B and 222-22-0040) from the GR-1 (GZ-1) (Rural Residential - Urban Gateway Overlay) to the CMH-2 (GZ-1) (County Manufactured and Mobile Home - 2 - Urban Gateway Overlay) zone located at the northwest corner of the T-intersection of E. Golder Ranch Drive and N. Oracle Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Community Activity Center. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Cook was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: Prior to development permitting approval, proof of coordination with Arizona Department of Transportation (ADOT) shall be provided to Pima County Development Services.
3. Regional Flood Control District conditions:
 - A. Revised hydrology and hydraulic report shall be submitted at the time of development. The report shall include analysis determining if the regulatory flow is contained within the channel, that the channel's construction and current condition sufficiently prevents the wash from migrating laterally, and stability of the golf cart access during storm events.
 - B. District approval for a Detention Waiver shall occur prior to submittal of a Site Construction Plan.

- C. First flush retention shall be provided in LID practices distributed throughout the site.
 - D. At the time of development the developer shall be required to implement the selected combination of Water Conservation Measures from Table B Water Conservation Measures that exceeds the required 15 points.
4. Regional Wastewater Reclamation conditions:
- A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Parks and Recreation condition: A 30-foot wide easement shall be dedicated to Pima County for the Twenty Seven Wash Single-Track Trail #168 prior to development plan approval.
8. Adherence to the preliminary development plan as approved at public hearing.
9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require

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

10. The property owner shall execute the following disclaimer regarding the Arizona 2006 Private Property Rights Protection Act: Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning, or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Supervisor Scott inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Supervisor Scott, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve P21RZ00011, subject to standard and special conditions.

20. Hearing - Type II Conditional Use Permit

P21CU00005, TITLE SECURITY AGENCY OF AZ TR 201509 - E. SUCCESS DRIVE
Request of Title Security Agency of AZ TR 201509, on property identified as Parcel No. 305-13-0700 thru 305-13-0810 in the Vail-Success Drive Commercial Lots 1-10 Subdivision (Sequence No. 20152360510), in the RH (Rural Homestead) zone, for a Type II Conditional Use Permit for RV and Boat storage, in accordance with Section 18.13.030B39 of the Pima County Zoning Code. Staff and the Hearing Administrator recommend APPROVAL. (District 4)

Supervisor Christy inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Supervisor Christy, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve P21CU00005.

21. Hearing - Rezoning Ordinance

ORDINANCE NO. 2021 - 23, P20RZ00008, SB Ventures I, L.L.C. - E. Benson Highway Rezoning. Owner: Steven Blair. (District 2)

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 Scott and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

22. Hearing - Rezoning Ordinance

ORDINANCE NO. 2021 - 24, P21RZ00003, Pannell - E. Pinto Lane Rezoning (Lago Del Oro Zoning Plan). Owner: Terry Pannell (District 1)

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

23. Hearing - Rezoning Ordinance

ORDINANCE NO. 2021 - 25, P21RZ00004, Westfall - N. Sanders Road Rezoning. Owners: Roger H. and Susan M. Westfall. (District 3)

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 Scott and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

24. Hearing - Rezoning Ordinance

ORDINANCE NO. 2021 - 26, P21RZ00005, Pinetree Properties - W. River Road Rezoning No. 2. Owners: Pinetree Properties. (District 3)

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 Scott and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

25. Hearing - Rezoning Resolution

RESOLUTION NO. 2021 - 80, Co9-88-80, Landon - Oracle Road Rezoning. Owners: Nanberry Investments Profit Sharing Plan 37.5%, et al. (District 1)

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

26. Hearing - Rezoning Resolution

RESOLUTION NO. 2021 - 81, P21CA00001, Pena - W. Bucking Horse Road Plan Amendment. Owner: Richard Pena. (District 3)

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 Scott and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Resolution.

BOARD OF SUPERVISORS

27. Decreasing the Membership of the Pima County Fair Commission

RESOLUTION NO. 2021 - 82, of the Board of Supervisors, decreasing the membership of the Pima County Fair Commission from seven to five members, providing for the naming of five new commission members and their subsequent replacement upon expiration of their terms on the commission, and providing that the appointments of all commission members are subject to approval by the Board of Supervisors, amending Resolution No. 1974-124 as amended by Resolution Nos. 1986-179, 1991-90, and 2014-56. (District 5)

(Clerk's Note: See the attached verbatim for Minute Item No. 27, for discussion and action related to this item.)

28. Raising the Minimum Wage

Study/Discussion/Action. It is time for the Pima County Board of Supervisors to create regional uniformity in the minimum wage and direct staff to develop a plan to arrive at that goal. In the recent City of Tucson elections on November 2, 2021, City of Tucson voters decided to pass the initiative to raise the wage, in increments, to \$15.00 an hour on January 1, 2025, then peg it to inflation. (District 5)

(Clerk's Note: See the attached verbatim for Minute Item No. 28, for discussion related to this item.)

FLEET SERVICES

29. Donation of Surplus Property

Staff recommends approval of the donation of a surplus vehicle to Marana Domestic Water Improvement District to safely haul sanitizing chemicals and other materials needed to support the water services provided to their customers.

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

COMMUNITY AND WORKFORCE DEVELOPMENT

30. Our Family Services, Inc., Amendment No. 2, to provide for USHUD - ESG-CV CARES Act Rapid Rehousing Individuals, extend contract term to 9/30/22 and amend contractual language, no cost (CT-CR-20-459)

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

31. Catholic Community Services of Southern Arizona, Inc., d.b.a. Pio Decimo Center, Amendment No. 1, to provide for the Children's Safety Program, extend contract term to 9/30/22 and amend contractual language, no cost (CT-CR-21-227)

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

32. Habitat for Humanity Tucson, Inc., Amendment No. 2, to provide for the Habitat Home Repair Program, extend contract term to 9/30/22 and amend contractual language, no cost (CT-CR-21-282)

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

33. Express Services, Inc. of Colorado, d.b.a. EXPRESS Employment Professionals, Amendment No. 4, to provide for substitute teachers for core and elective studies, extend contract term to 6/30/22 and amend contractual language, State Equalization Fund, contract amount \$40,000.00 (CT-CR-21-424)

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

34. Compass Affordable Housing, Inc., Amendment No. 6, to provide for United States Housing and Urban Development (USHUD) Continuum of Care (CoC) Program - One Stop Rapid Rehousing, extend contract term to 11/30/22, amend contractual language and scope of work, USHUD-CoC Fund, contract amount \$186,811.00 (CT-CR-20-467)

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

35. Community Bridges, Inc., Amendment No. 2, to provide for USHUD - ESG-CV CARES Act Rapid Rehousing Individuals, extend contract term to 9/30/22 and amend contractual language, no cost (CT-CR-20-455)

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

COUNTY ATTORNEY

36. Epidaurus, d.b.a. Amity Foundation, Amendment No. 4, to provide for the Specialty Courts Initiative - Residential Treatment, extend contract term to 4/14/22 and amend contractual language, DTAP-SAMHSA/Drug Court (\$59,600.00) and DOJ BJA (\$5,000.00) Funds, contract amount \$64,600.00 (CT-PCA-19-407)

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

HEALTH

37. Literacy Connects, to provide for the Adult Education and Literacy Experts for Advancing Health Literacy Project, U.S. Department of Health and Human Services Fund, contract amount \$300,080.00/2 year term (CT-HD-22-125)

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

OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

38. Mount Lemmon Fire District, to provide for the provision of equipment, materials and operating supplies for emergency management operations, General Fund, contract amount \$150,000.00/5 year term (CT-OEM-22-140)

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

Supervisor Grijalva questioned whether the expenditure was an indefinite annual expense and why this particular fire district was subsidized but not others.

Jan Leshner, Chief Deputy County Administrator, explained that the Mount Lemmon Fire District encompassed countywide assets such as the Girl Scout and Boy Scout Camps, multiple recreation areas and search and rescue activities.

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

PROCUREMENT

39. Kimbrell Electric, Inc., Mountain Power Electrical Contractor, Inc. and Sellers & Sons, Inc., Amendment No. 1, to provide for park lighting installation and repairs and amend contractual language, Various Funds, contract amount \$1,000,000.00 (MA-PO-21-83) Capital Program Office

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

40. A-O Painting, Inc. and Nelson J. Greer Painting Contractor, Inc., Amendment No. 6, to provide for painting services and amend contractual language, Various Funds, contract amount \$400,000.00 (MA-PO-17-316) Facilities Management

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

41. Burns Wald-Hopkins Shambach Architects, Inc., Amendment No. 3, to provide for architectural and engineering design services: Defense Services Building - Juvenile Courts (XDSBJC), amend contractual language and scope of work, FM-Capital Projects Non-Bond Fund, contract amount \$24,235.00 (CT-FM-19-124) Facilities Management

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

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

Connie Hillman Family Foundation, to provide for workforce development for Veterans, \$10,000.00/10 year term (GTAW 22-53)

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

43. **Acceptance - Health**

National Association of County and City Health Officials, Amendment No. 1, to provide for supporting local health departments in increasing vaccine uptake, extend grant term to 7/31/22, amend grant language and scope of work, \$10,000.00 (GTAM 22-35)

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

Supervisor Christy questioned the necessity of the program and indicated that he could not support the grant due to its vague language.

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

44. **Acceptance - Sheriff**

State of Arizona, Department of Public Safety, to provide for the Arizona Vehicle Theft Task Force, \$102,251.00/\$16,223.00 General Fund Match (GTAW 22-52)

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

Supervisor Grijalva asked whether the match funds would be appropriated from the portion of the General Fund allocated to the Sheriff's budget.

Jan Leshar, Chief Deputy County Administrator, confirmed that the required contribution would be borne by the Sheriff's General Fund budget.

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

BOARD, COMMISSION AND/OR COMMITTEE

45. Natural Resources, Parks and Recreation Advisory Commission

Appointment of Helen Gardner, to fill a vacancy created by Jan Johnson. Term expiration: 6/30/25. (District 3)

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

46. Trial Court Appointments - Nominating Committee District 1

- Appointment of Carole Siegler, Republican, to replace Bart Pemberton. No term expiration.
- Appointments of Laura Penny, Bridget Riceci and Sue Sherrick, Democrats, to replace Ginger Hambly, Randy Hannon and Lynn Wildblood. No term expirations.

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

CONSENT CALENDAR

47. Approval of the Consent Calendar

Upon the request of Supervisors Grijalva and Christy to divide the question, Consent Calendar Item No. 5 was set aside for separate discussion and vote.

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

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISORS GRIJALVA AND CHRISTY

GRANT APPLICATION/ACCEPTANCE

5. Acceptance - Health

Arizona Department of Health Services, to provide for the COVID-19 ELC Funding for K-12 School Reopening, \$6,839,460.00 (GTAW 22-44)

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

Jan Leshar, Chief Deputy County Administrator, clarified that the period of the grant began on May 1, 2021, and it was possible to request funds retroactively to that date.

Supervisor Grijalva asked whether the grant provided for additional staff to conduct contact tracing.

Dr. Francisco Garcia, MD, MPH, Deputy County Administrator and Chief Medical Officer, Health and Community Services, stated that the funds were earmarked exclusively for the population indicated and for the purposes of case investigation and contract tracing.

Supervisor Christy indicated he could not support this item, since it was age group specific and had a lack of transparency and accountability.

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

* * *

CONTRACT AND AWARD

County Attorney

1. Avertest, L.L.C., d.b.a. Averhealth, Amendment No. 2, to provide for the Tucson/Pima County Problem Solving Court Initiative Project, extend contract term to 10/31/22 and amend contractual language, SAMHSA (\$65,000.00) and DOJ BJA (\$2,800.00) Funds, contract amount \$67,800.00 (CT-PCA-20-155)
2. McEvoy, Daniels & Darcy, P.C., Amendment No. 4, to provide for legal representation of Local Boards, extend contract term to 11/30/22 and amend contractual language, no cost (CT-FN-15-284)

Development Services

3. Town of Oro Valley, to provide for an Intergovernmental Agreement for reciprocal government services, Development Services Enterprise Fund, contract amount \$5,000.00/\$5,000.00 revenue/5 year term (CT-DSD-22-127)

Procurement

4. Award

Award: Master Agreement No. MA-PO-22-56, Inflow Communications, L.L.C., (Headquarters: Beaverton, OR), to provide for Mitel VoIP system maintenance. This Master Agreement is for an initial term of one (1) year in the annual award amount of \$280,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Telecom Services Fund. Administering Department: Information Technology.

GRANT APPLICATION/ACCEPTANCE

5. Acceptance - Health

Arizona Department of Health Services, (PULLED FOR SEPARATE ACTION)

BOARD, COMMISSION AND/OR COMMITTEE

6. Tucson-Pima County Bicycle Advisory Committee

Appointment of Ingmar Riedel-Kruse, to replace Dale Hinman. Term expiration: 11/30/23. (Commission recommendation)

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

7. Special Event

Donald Weaver, GVC Foundation/Friends of the Canoa Parks, Historic Canoa Ranch, 5375 S. I-19 Frontage Road, Green Valley, November 13, 2021.

8. Temporary Extension

07100326, Thomas Robert Aguilera, Tucson Hop Shop, 3230 N. Dodge Boulevard, Tucson, November 13 and December 11, 2021.

ELECTIONS

9. Precinct Committeemen

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

RESIGNATION-PRECINCT-PARTY

Evan Ingold-227-DEM; Bonnie Kampa-228-REP

APPOINTMENT-PRECINCT-PARTY

Jeffrey L. McCormick-013-REP; Aaron G. Klink-083-REP; Crystal L. Klink-083-REP; Elijah M. Escalante-086-REP; Amalia C. Halikias-086-REP; John P. Kelsey-096-REP; Christopher H. Frederick-127-REP; Linda K. Osburn-127-REP; Gary A. Kasper-141-REP; Pamela J. Richards-Yeager-141-REP; John A. Yeager-141-REP; Patrick K. Anthony-145-REP; Julie-Anne M. MacDonald

Anthony-145-REP; David F. Fortin-169-REP; Anne E. Dornberg-Lloyd-173-REP; Kyle A. Morrison-200-REP; Stacey L. Thomas-012-LBT; Karmina Murillo-053-LBT; Ann R. Dichov-068-LBT; Maritza V. Barajas Downing-111-LBT; Angela M. Dybas-218-LBT; Derbe Dike-225-LBT; Anne F. Lofffield-228-LBT

FINANCE AND RISK MANAGEMENT

10. Duplicate Warrants - For Ratification

Pima Medical Institute \$4,500.00; Wick Communications, Co. \$12.70; Wick Communications, Co. \$197.36; Wick Communications, Co. \$73.94; Tucson Electric Power, Co. \$480.00; Jot Properties, L.L.C. \$212,940.00; Michael Weippert \$411.23; BSREP II MH JV, L.L.C. \$950.00; BSREP II MH JV, L.L.C. \$3,119.91; BSREP II MH JV, L.L.C. \$5,518.28.

SUPERIOR COURT

11. Superior Court Commissioner Appointment

Appointment of Criminal Judge Pro Tempore:
Renee Hampson

TREASURER

12. Certificate of Removal and Abatement - Certificate of Clearance

Staff requests approval of the Certificates of Removal and Abatement/ Certificates of Clearance in the amount of \$6,716.49.

* * *

48. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:38 p.m.

CHAIR

ATTEST:

CLERK

COUNTY ADMINISTRATOR

9. 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, Deputy County Administrator and Chief Medical Officer, Health and Community Services

SB: Let us continue with the regular Agenda, and regular Agenda session, Item No. 7, which is COVID Update. Ms. Leshar.

JL: Chair Bronson, members of the Board, we did provide, actually two updates this week. One went out on Friday to provide updated information on vaccine and schools, as well as some of the information about testing. The reality has been, over the last several days, that we are seeing a significant increase in cases and for that reason, chose to wait until Monday, until yesterday, to include and add the public health advisory so that we could reflect in that report and into the information we provide to you, the most updated data possible. You have both of those reports, again focusing on vaccination, testing, schools, but I will now turn it over to Dr. Garcia to explain more about those reports and to answer any questions you might have.

SB: Dr. Garcia.

FG: Chair Bronson, members of the Board, as Chief Deputy Leshar outlined, we have a very fluid situation, not just in Arizona but really in many parts of the Intermountain West, where we are seeing very significant case growth as a result of this last surge that did not seem to be subsiding. We have, for the last four weeks, been experiencing very, very significant numbers of additional cases. So much so that, you know, even the information that we reported as of yesterday now needs to be revised up, so that for last week, for instance, ADHS is reporting for Pima County 3,190 cases. The reason for this is really complicated and multifactorial and I am not sure that we really deeply understand this yet. One of the things that is clear is that there is a waning of immunity that is happening about six months after the second dose of the vaccination. That coincides very much with kind of the timing that we are seeing in our epi curve here. If you will recall, six months ago, where we were at was really right in the midst of our most aggressive vaccination. What concerns me continues to be that we have a residual proportion of the

population that remains unvaccinated. As of yesterday, the Centers for Disease Control was reporting that a full 60%, 60.5% of the population of Pima County, that is all of Pima County residents, were fully vaccinated. That does mean that there is 40% of folks who are unvaccinated and that remains a source of vulnerability, and a potential threat. In response to this, and due in large measure to the ability to offer now vaccination to children as young as 5 years of age and older, we have really expanded those offerings. Kids are getting vaccinated to date, and in a variety of settings, whether it is at retail pharmacies or whether it is at our Health Department. Increasingly, we will see activities occurring in our schools in conjunction with that, but even that is probably insufficient to really, kind of, move the needle. At this point, for instance, we have vaccinated approximately 62, 62,000 children less than 19 years of age, which is tremendous, but again, that represents only about 32% of that particular demographic. I will sort of ask for your forbearance because, if you will recall, it is only been two weeks that we have had pediatric vaccination available for the 5 to 11-year-old age group. That is really something that is in the process of ramping up and that we hope to continue to make some substantial gains. The other piece that I will tell you is that in the testing front, we are testing right now at levels, at the same level, or at the same volumes that we were last holiday season, in about November. We have administered, the State website notes that we have administered over 32,327 diagnostic tests. That is both PCR NAATs and rapid antigen. In addition to that, the Health Department, through resources that we have obtained from the State Health Department and the CDC, have disseminated 92,000 additional Binax rapid antigen tests for self-administration. In fact, we are, have a process for being able to collect the results for, of those tests and are able to quickly move people into case investigation, into the case investigation process. That is where we stand to date. That is the reason why the health advisory that we shared with you as Attachment 3 really emphasizes two things. It emphasizes that parents need to, parents and guardians really need to consider getting all their age-eligible children vaccinated from 5 to 18. That is an absolute must and we need to continue to make, we need to continue to make progress in that area. Additionally, we are stating that, that and in anticipation of expansion of booster eligibility, we are saying that everybody really needs to get their boosters as soon as possible. All adults need to obtain their boosters. Please recall that already the federal government has said that anybody who got a J & J needs to be boosted two months after. Please recall that the federal government, the CDC, has said that anybody who is 65 years of age or older, who had an immunocompromising or underlining chronic medical condition or who works or lives in a setting that puts them at risk for COVID infection, all of those individuals are currently eligible. What we are simply suggesting is that, in anticipation of forthcoming FDA approval, that we be ready to make booster vaccinations available to absolutely every single adult. So I am going to conclude my remarks there and take your questions.

SB: Any questions for Dr. Garcia?

SC: Madam Chair?

SB: Supervisor Christy.

SC: Thank you, Madam Chair. Good morning, Dr. Garcia.

FG: Good morning.

SC: I have got a number of questions. Just to make it perfectly clear, the five years and up vaccine, that is not required for attendance in any school setting, is it?

FG: Chair Bronson, Supervisor Christy, it is not.

SC: The second question is, the CDC just released a couple days ago, and I could be off on the actual numbers but in the same area that I am stating here, that approximately 146 million Americans have recovered from COVID and now have natural immunity. How many in Pima County have natural immunity?

FG: Supervisor Christy, Chair Bronson, Supervisor Christy, so the, it is impossible to say with certainty how many people in Pima County have natural immunity for two simple reasons. Number one, we are simply, the State, nor the CDC is collecting that, those data here locally. We can estimate that the group of individuals who have been infected since the beginning of this pandemic in Pima County. We know that number for certain and based on that, based on that, we can develop a rough estimate of how many people, for instance, have had infection in Pima County. That would be 152,075. From those you would subtract everybody who has died and from those, you would need to figure out who had this infection in the last three months because what is clear about natural immunity is that, like vaccine mediated immunity, it also wanes. We have a rough understanding of how many people may be impacted. There is not a precise way of being able to quantitate that at this time.

SC: It just seems odd that the CDC is able to come up with this huge number, of 146 million dollars, 146 million residents of the Country, that they have determined have natural immunity. Seeing that it would be something relatively simple on our little level here in Pima County to make that determination as well.

FG: Chair Bronson, Supervisor Christy, it is actually not a simple process for the reasons that I mentioned.

SC: When you look at this immunity situation that is developing, according to the CDC, do you take that into consideration with any kind of a herd/community immunity issue that might give you pause, as far as how we are recovering through this? Maybe it is more important that we deal with not just prevention and vaccines but to have the ability to treat those with COVID because obviously, they are not going into the hospital or dying. What is the Health Department's stance on providing treatment and information on how to treat COVID once you contract it?

- FG: Chair Bronson, Supervisor Christy, we have been working with the state and the federal government to expand the availability of monoclonal antibody treatment. Additionally, there are, to date, antivirals that are FDA approved for the indication and are approved for use among individuals who are impacted by COVID and who have severe respiratory compromise. We have actually been working very hard to assess whether there are any supply chain issues that are impacting the care of those individuals who are in hospital settings who need these medications.
- SC: How about those that do not require hospitalization, yet have contracted COVID? I do not see any notification or any alerts from the Pima County Health Department on, for those individuals on how to deal with that.
- FG: Chair Bronson, Supervisor Christy, what you are referencing, I believe, is monoclonal antibody therapy. Monoclonal antibody therapy is the only therapy that has been approved by the CDC and the FDA for the use in that sort of out-patient pre-, post-emergency room kind of setting. Yes, that is something that we are trying to build greater and greater capacity for because the capacity is relatively limited across Pima County. That is a medication that requires administration, either as an infusion or as a subcutaneous treatment that requires several hours of observation. For that reason, we have been in conversation with our hospital partners to see if we can stand up that kind of resource to be able to accommodate larger volumes of patients. Those patients that are eligible for monoclonal antibody therapy have to meet fairly strict criteria in order to qualify for that under the EUA and need to be referred by their provider.
- SC: Okay, but you are telling me that you are in the process of addressing that very issue?
- FG: We are.
- SC: Do you have any E.T.A. on when you might develop a program or a pathway to achieve that?
- FG: Chair Bronson, Supervisor Christy, those resources already exist. The idea, what we are working on, is trying to scale those up.
- SC: Thank you, Dr. Garcia. I have several questions for Ms. Leshner. How many applications by Pima County employees, exceptions for the vaccine mandate, how many have been denied?
- JL: Chair Bronson, Supervisor Christy, I do not know the answer to that and I will get it out to the Board immediately following this meeting.
- SC: You know how many have been granted, correct?

- JL: I do not have a recent number. The last numbers I saw are several, about a week old and I would be hesitant to give you data that is incorrect. So I, let me please follow-up immediately following the Board.
- SC: So you have data a week ago of how many were granted, correct?
- JL: I had at that time. We were getting some updates and it was showing me the different numbers. I do not have the robust picture of how many have come in. There is both religious and medical accommodation requests. I can get those for you along with how many have been approved for each and how many, if any, have been denied and share that immediately.
- SC: Okay. I appreciate that. Thank you. In your memorandum of November 8th entitled Clarity Regarding COVID-19 Vaccination of Employees Who Work With Vulnerable Populations, I, maybe it is my fault, I am not reading this as clearly as I need to apparently, but have we actually defined what vulnerable populations are and what Pima County employees work with them?
- JL: Chair Bronson, Supervisor Christy, each of the departments that indicated, I believe there were 11 departments, that indicated they had employees who work with vulnerable populations, following the receipt of the potential classification, which was a larger universe, each of those departments has been providing the Human Resources Department specific, the names and the contact information, for the specific number of individuals, so that we are able to determine what the exact number is, which we know is significantly less than the broader possibility in, for the reason that people, the question is how many of them have been vaccinated. That is the information that we are providing. We know how many. We are looking at the classifications based on the, how we determined vulnerable populations is those who work in confined space, with the elderly and with children. Of those, we needed a universe that needed to be vaccinated and that is the group that we are now making sure that we have identified.
- SC: Very simply, what Pima County employees interact with vulnerable communities?
- JL: We have, Supervisor Christy, we have people within the jail setting, that are in a confined space in the jail setting. We have people in the libraries who are sometimes working in a close contact within, in a library environment. Our Behavioral Health Unit has a variety of employees who work in the jail because they are the staff directly for court-ordered evaluations and services within the jail, so they work there. We have individuals within Public Defense Services or the Pima County Attorney's Office, who also work with those populations within the jail. Those that we are seeing in the jail populations are those most likely to be involved with the confined space vulnerable populations. It is the library and our parks that may have communication or continued exposure to children. Those are the numbers that we are reviewing.

SC: You are reviewing them, but you have not established them?

JL: We, Supervisor Christy, we have established what the categories are. The question then becomes, of those individuals, how many of them are already vaccinated? For example, in the Behavioral Health Unit we have identified employees who we believe, because they work with vulnerable populations, vulnerable populations, should be vaccinated. Of that group, 100% is vaccinated. So there is no possible need to, you know, to continue to work with them to encourage vaccination, at this point. We are looking at the other departments in the same way to see, of those who have identified by the directors or by the elected officials who run those departments, as those individuals who do work with those populations, how many of them have been vaccinated?

SC: How would you characterize the attention of the County Administration as far as the mandates are concerned? What Pima County employees are being targeted for termination as we progress towards the deadline?

JL: Supervisor Christy, I do not believe anyone is being targeted for termination. I think what we are looking at, is to target individuals who have the greatest exposure or contact with vulnerable populations and our hope is to encourage those individuals to become vaccinated. As you know, we have developed a variety of incentives that are both financial and days off, et cetera so that we are building towards an encouragement for vaccination. It is our hope that, that is our target and our focus is on that vaccination. As we get closer to a January deadline, we are going to have to really review what action needs to be taken with those who maintain contact with those populations but are not vaccinated.

SC: That has not been determined yet. I was under the assumption that they face automatic termination?

JL: Supervisor Christy, again there is going to be termination. We do not know what the number of individuals is. You have asked me, I believe your question was how many people have we targeted for termination. My suggestion is we have not targeted anyone for termination at this point. We are targeting an educational process over a period of weeks so that we hope that by the time we have the implementation of a requirement, of mandate, a requirement for vaccination with those individuals, that we have a fully vaccinated population. That would be our hope.

SC: Those who do not wish to be under the mandate of vaccination at the end of this time frame, they will become a target?

JL: Supervisor Christy, those who wish not to be vaccinated who continue to work with vulnerable populations, potentially exposing either themselves, their families or the individual, may be subject to termination.

SC: May be. Correct?

JL: If they are not vaccinated. Yes.

SC: Alright. Well, I think we covered that one pretty good. I just received this email from a constituent. I would have probably, if it, if I had gotten it sooner, I would have talked to staff directly, but I want to share it with the Health Department and with the County Administration and my colleagues. "Dear Supervisor Christy, my children are students at the Tanque Verde School District. As I am sure you are aware, one of our elementary schools, Agua Caliente Elementary was recently closed by the Pima County Health Department due to a reported COVID-19 outbreak. This outbreak led our School Board to call an emergency meeting regarding mitigation strategies. Prior to that meeting, which took place on November 9th, Tanque Verde School District had no existing mandates in place related to COVID-19. They chose to focus on education, not mitigation. Here is my concern. During the emergency meeting, the Tucson Unified School, Tanque Verde Unified School District Governing Board voted 3-2 in favor of a Pre, Pre-K to 6th grade mask mandate, which took effect yesterday and lasts until December 17th, which is the last day of our semester. The Board took this action because they said that the Pima County Health Department had not provided any solutions or less invasive mitigation, nor had they responded to district requests for guidance on keeping campuses open. The Board President went so far as to say that our district might have to rely on Maricopa County Health because Pima County Health Department is not helping. In summary, I cannot comprehend why our own Health Department would abandon schools at this time when Governing Boards are being forced to make impossible choices, which go against the very reasons schools exist: to educate students. I have tried contacting Pima County Health Department to ask why they have opted to enforce regulations without providing adequate assistance and guidance, but, of course, they have not responded. I also reached out to the education reporter at our local newspaper who did not think it was relevant to report on Pima County Health Department's negligence when it comes to our schools." How can we respond to that?

JL: Let me begin. If I, Chair Bronson, Supervisor Christy, I believe the Health Department provides recommendations and does not provide mandates, but provides simply those recommendations. To provide the specifics of the communication with Tanque Verde School District, which I know has been extensive, I would like to ask Dr. Garcia to respond.

FG: Chair Bronson, Supervisor Christy, Deputy County Administrator Leshner, that simply is factually incorrect. So the, we, and I would challenge anyone to have a conversation with the superintendent of that public school district to talk about what the relationship is between that school district and Pima County in general, as well as the Health Department in particular. The Health Department, in consultation with the superintendent and in consultation with the principal of that school, assessed the situation that was very complicated, where more than half of the children were not showing up for school, either because they were impacted by this or because their parents were holding

them back because they knew of preexisting infections that were ongoing in that, in that setting. For that reason, we made a recommendation that they consider closing classrooms, et cetera. That was substantial enough that the principal and the superintendent decided that it was wiser to close the entire facility. Again, we make recommendations as Health Department and the superintendent and the school Board implements those that they think, that they deem appropriate. We have a great partnership with Tanque Verde School District. I am not sure what the, what the person who wrote the letter was referring to with regards to Marana, but I will close my remarks there.

SC: Just to follow-up and state that the comment in the email that the Board took this action because they said, the Board said that the Pima County Health Department had not provided any solutions for less invasive mitigation. Do you say, are you saying that that is a wrong characterization?

FG: Chair Bronson, Supervisor Christy, that is factually incorrect.

SC: Thank you very much, Dr. Garcia, Ms. Lesher and Madam Chair. Thank you.

AG: Chair Bronson?

SB: Supervisor Grijalva.

AG: I would like to say because, you know, Supervisor Christy took some time in reading a comment from an individual, that in my experience as the Board President in Tucson Unified and as a parent, you know, we had really good communication with the Pima County Health Department. They have made recommendations and it is the responsibility of the boards to take, regard, what, whatever action we are going to take, to take the responsibility ourselves. If that was a comment that was made at a Board meeting, it is unfortunate because ultimately, it is the 5 elected people on those boards that are making that decision. The Health Department, really, especially if what the request is, is to put a mask on, I do not consider that to be a very invasive prospect and we have had some really good success, and statistically have really good success in our schools. I would just like to do everything we can as a Board of Supervisors to encourage the Health Department's continued cooperation and collaboration with our schools because ultimately, all we are trying to do is keep our kids safe and keep them in school. Ultimately that is what we are trying to do.

RS: Madam Chair?

SB: Supervisor Heinz.

RS: No.

SB: Supervisor Scott. Go ahead, Supervisor Scott.

- RS: Dr. Garcia, at our last meeting, I asked what was the status of senior care facilities within Pima County that earlier in the pandemic had been left out of the federal program with Walgreens and CVS administered by the State. Do we know at this point if all of the senior care facilities in Pima County are under that program? You are muted, sir.
- FG: Chair Bronson, Supervisor Scott, you would think I would get the hang of this by now. There is not absolute transparency from the State in terms of which facilities are on the list and which are not, however, I can tell you that the process of boosting in those facilities has already started. We will endeavor to specifically inquire about those facilities that were not part of the previous vaccine push and that we have to, that we had to supplement. I do not have that information for you today. I am happy to develop that information for you in the near future.
- RS: Thank you. I am glad to hear that the boosting program is moving forward. I only had one other question, which is that based on data that we saw in the two memoranda from Ms. Leshner prior to this meeting, breakthrough cases, people becoming infected who are vaccinated, are still relatively small in terms of the percentage of total patients and people who are being hospitalized or who are dying, who are breakthrough cases, those numbers are even smaller. So this still is a pandemic of the unvaccinated. Given that reality, we talked earlier in the pandemic about reaching the stage of herd immunity, but given that there is a substantial percentage of our population, not just across the Country but in Pima County, who are apparently not going to get this vaccine, no matter what, is it pointless for us to discuss anymore the concept of herd immunity or is that still a concept that we can discuss?
- FG: Chair Bronson, Supervisor Scott, the question you pose is a very complicated and very important one, which is, how much of an impact can we have through the vaccination program and whether, short of vaccinating everybody in Pima County, whether we will achieve a level of community immunity that protects us all? I happen to still believe that, that perhaps 70, 75 was not the right number in terms of where we need to be in order to achieve that level of community immunity. Clearly, given the breakthrough cases and given the fact that immunity wanes at six months, that probably, that estimate was woefully, was an underestimate under the best of circumstances, under the most charitable representation of it. We however, I think the key piece that remains is, if the goal of vaccination is to keep people from dying and to keep people from being hospitalized for severe disease, vaccination still is the absolutely best strategy that we have in order to achieve those two goals. Clearly now we understand, and again, the science is evolving and we have learned so much in the last year and a half to two years, but clearly, vaccination is not sufficient necessarily to prevent transmission. Clearly, vaccination does not last forever, as we should not be surprised. It does not work that way for the flu either. Clearly, the data are consistent in terms of the protective effect, in terms of both mortality, that is people dying, and morbidity, that is people ending up in

the hospital for severe stuff. That remains our principal strategy as we continue to manage what will likely be kind of a longer-term pandemic response.

SC: Madam Chair?

RS: Thank you very much. Those were my only two questions, Madam Chair.

SC: Madam Chair?

SB: Supervisor Christy.

SC: Dr. Garcia, that kind of triggered me a little bit when you said that the science is still evolving, where it seemed to me over the last 20 months, it was made clear and conveyed to the populous that science was settled on this. Now it seems that you are changing gears, changing goal posts and saying that the science was never settled, even though we said it was, and now the science is evolving. Can you grasp why the public has lost faith and is losing faith more every day because of this quote/unquote science is evolving, rather than taking the stands that were made with great conviction and alacrity over the months that, "By God, this science is settled. This is truth. The science and data show it." Now after all of these months, "Oh, no, no, no. Science is evolving. It was never settled." Can you see why people are frustrated?

FG: Chair Bronson, Supervisor Christy. You know, I have no substantial and substantive way to respond to you other than to say that the science is settled with regards to mortality and with regards to the severe complications. That is what we know and that is based on now the experience of millions and millions and millions and millions of doses delivered across this Country and across this State and we know that that is how we keep people from dying of this disease.

SC: Is the science settled on masks?

FG: Chair Bronson, Supervisor Christy, I believe that it is.

SC: Okay. Thank you, Madam Chair.

SB: Alright. Are there any other, any other discussion?

MH: Chair Bronson?

SB: Supervisor Heinz.

MH: Thank you, Chair Bronson, and my colleagues, I have several issues I would like to bring forward as well. I think I will start with a correction or, I guess maybe a clarification following the, one of the speakers during Call to the Public, which I would just say I like, you know, I would like to say, I appreciate that everyone in Call to the Public was very respectful. I thank you for that.

Something that I heard in Call to the Public was that a perfectly healthy adult woman was advised by her primary care provider to not get vaccinated. This is inappropriate advice. That is not, unless there is a documented case where this individual has had some kind of adverse reaction to this particular vaccine or others, that is not appropriate in terms of recommendation from a medical provider. I was going to say, you know, she could actually look to get a medical excuse, I think from the issue that she was bringing forward in terms of being penalized financially from the County, but, no, that is not appropriate advice to, for any medical provider to be saying, "Do not get vaccinated," in the light of this pandemic. Moving on to what we are seeing in hospitals. I think it is important that we do not minimize what is going on right now. Over the past three to four months, in my own hospital, we have gone from one COVID unit plus part of an ICU, to an entire, an entire one of the ICUs plus now one, two, three, three or possibly four, full or partial COVID units. It is not like we were looking at back in, say, seven, eight, nine months ago, where we had, you know, multiple hundreds of COVID patients in individual hospitals. That is not where we are at, but having a near doubling of COVID patients over the past three to four weeks in my hospital, as well as all the others in the County, is a serious problem that should not be minimized. It should also not be minimized when this is your relative that is drowning and dying in front of staff in a hospital. This is something that we need to take very seriously and we need to do everything possible to make sure that they do not suffer. I would also like to mention that I cannot think of a less invasive way of preventing this than to have K-12 staff members, teachers and of course students, wear masks. That is not invasive. What is invasive is coming into our hospital and getting intubated and having a tube shoved down into your lungs and having to be, having, frankly have us breathe for you for a number of days to weeks until you pass away. That is pretty invasive. I think that we also, as a County, need to do a better job on boosters because we are seeing, whereas I was seeing literally almost actually one or two out of numbers of months of vaccine breakthrough cases, I have seen, gosh, now half a dozen in the past, just in the past couple of weeks in my own practice, which I know, of course, is amplified beyond just me. Just anecdotally and based on the numbers we are seeing, there is a significant waning of immunity that we are actually watching this happen in hospitals. That is an important issue and we did really well getting the vaccine rolled out to those who were willing to take it, but I think we need to work to really push on this booster issue because there are older members of the County who are 65, 75, 85, they have underlying chronic medical conditions that may make their immunity perhaps not as robust initially to the vaccinations. They are the ones coming in with breakthrough cases that if they have not yet gotten a booster, third dose. So I just want to reinforce that boosters are incredibly important and we should be doing whatever we can, pop up booster clinics, whatever, to make sure that everybody who has been vaccinated fully, gets that booster shot as soon as they are eligible because it is going to definitely save lives. I think that we could get above 70% fully vaccinated in the County, maybe even 75%, especially once we get the 5 to 11-year-olds on board. I do think we have some leeway there, but we really have to do this because this is, we are, we will, we are ramping up kind of like

we were about this time 12 months ago, except some differences are that you have kids in school. Right? Kids in school, big difference. Twelve months ago, as we were heading into a terrible surge in the winter, we had kids out of school, right? That probably helped that surge to be less, well, I mean, it was a huge surge, but it was probably going to be a lot worse had the kids been in school. Now we have a situation where they are in school and we have waning immunity. I think all these are really important factors that we have to look at, as well as testing. We are not testing the way we were back 12 months ago. I think we need to expand that. I think we need to get back to doing some additional testing, especially PCR testing. I know the State is not paying for what they were paying for before. I do not really care, we can actually use the ARPA funding, like other counties are, to augment that in terms of the testing, what we are doing for testing and we can expand that a lot. We really need to with our positivity rate near 15% and climbing. That is just over the past couple weeks. That is showing us that things are going in the wrong direction. Lots of things that I think we should be concerned about and talk about. I just would love to hear Dr. Garcia respond, if you want to, to anything I have mentioned.

SB: Before he does, I want to say that I concur with you on testing and whether I, we are entering into the holiday season. People are traveling. We are going to see another surge. It is inevitable. I think testing is something we need to be much more cognizant of and much more aggressive with than we have been recently. Yes, Dr. Garcia or Ms. Leshner, if you would like to respond.

JL: Dr. Garcia.

FG: Happy to do so. Just to make sure that we are sort of stating things correctly, when you look at the State website, when you look at our own reports, in terms of the level of testing that we are currently doing, it is very much at the level that we were doing November of last year. So right before the spike. I believe that we are doing a lot of testing. Should we be doing more? Absolutely. We need to be doing the kind of testing that provides results that are rapidly actionable, so that when you go to a holiday party with your grandparents, before you walk in the door, be able to do a rapid antigen test and figure out whether you really should be putting them at risk or not. That is absolutely critical. That is part of the reason why we invested so much in terms of the distribution of the rapid antigen test. Clearly there is a role for the PCR testing and it affords us some other information that we cannot possibly get with a rapid antigen testing. For instance, that is how we know which variants are circulating in Pima County, is by looking at the results of the PCR because that is what the specimen says, that that type of analysis is run on. Clearly we do not get that from rapid antigen testing. The downside is that even, even on, in the hands of our best contractors, the resulting of PCR is approximately 24 hours to as much as 36 hours, and therefore, it is not rapidly actionable, but it does still have a very, very important role. You know, as Supervisor Heinz points out, you know, the level of, the rate of positivity in this community is such that we need to sort of continue to expand and, as Chair Bronson says, the availability of this especially as we move into our holidays.

SB: Just a follow-up with the rapid antigen, how effective is it? The data that I have looked at suggests that it is less, its effectiveness is certainly not 100% and it is, you know, it is of concern.

FG: Chair Bronson?

SB: Your response?

FG: Chair Bronson, Supervisor, sorry. Chair Bronson, I think what you are referring to is the accuracy of rapid antigen.

SB: Correct.

FG: The accuracy of rapid antigen testing among symptomatic individuals is greater than 85%. So it is very good. Even PCR is not perfect and so our, all our testing platforms have deficiencies. That is part of the reason why we need to not just test once, but we need to test multiple times. Yes, absolutely, the rapid antigen has a slightly lower accuracy rate than PCR and the tradeoff is the rapidness with which you get the response.

SB: Got it. Thank you.

SC: Madam Chair?

MH: Chair Bronson, if I could continue.

SB: Go ahead, Supervisor.

MH: Thank you. Three, I think I have just three more things that will be a little bit more brief. I want to also reiterate that women who are pregnant, at any stage, women who are seeking to become pregnant or who are postpartum have, I mean, there is a clear recommendation and I say this because there current, well, very recently, we have been seeing some additional young women who are pregnant, suffering from COVID. Pregnancy is a significant risk factor for a bad outcome in COVID and it is heart breaking to see 20-year-olds getting intubated, having emergency c-sections, having a 28, 29, 30-week neonate immediately intubated, itself transferred to the ICU, NICU. Okay. This is the kind of stuff we are seeing when pregnant women get COVID and do poorly. I just really feel that we need to make sure everyone knows that the American College of Obstetricians and Gynecologists clearly, for a year now, has stated at any stage of pregnancy, trying to get pregnant, undergoing fertility, everything, whatever, get vaccinated fully. If you are pregnant, trying to get pregnant. It is so incredibly important because these young women, in some cases are dying. It is just, it is horrible. It is horrible to see that. Two other issues. One, maybe just one other issue. Something I have talked about a little bit with Dr. Garcia and trying to figure this out. In the cases where we do have hospitalized COVID patients, unlike a year ago, we do have some additional

agents that can help to mitigate that hyper immune response and can actually really, in some cases very quickly, help patients to, basically kind of shut down that immune response and the escalating need for oxygenation, intubation, transfers to ICU, all of that. You can really kind of stop it in its tracks if you get early enough in that downward spiral there, if you can get some of these medications. Sometimes they are an IV infusion, there is a pill form, you know, that is available and there is a few others, but hospitals, my own and others, are not able to consistently keep this in stock with our pharmacies because there is a serious national shortage, a limitation of supply. I have asked, I guess by way of direction, Dr. Garcia and Dr. Cullen to help us investigate what kind of the root cause is of that and if we can help our facilities in Pima County to make sure that they have a consistent supply of that so when it is indicated, in particular patients who are getting, you know, not yet invasive, not intubated folks but folks that are kind of going toward, rapidly toward needing intubation, there are some interventions we can do but that often we do not have available to us. I would like to just help, try to help from the County to maybe figure out, through the State, the federal, through our connections how we can make sure that those medications are consistently available to intervene in these cases.

SC: Madam Chair?

SB: I, Supervisor Christy. We are going to have to wrap this up. We have been at it for 45 minutes and we have a full agenda ahead of us.

SC: I understand. I will try and be brief with my questions. First one is to Dr. Garcia. Dr. Garcia, staffing of the hospitals is probably the biggest, if not the most paramount issue and challenge that we face in Pima County, as well as in the Country, particularly in Pima County. Do you have any numbers of hospital staff who have quit or have been terminated as a result of their refusal to follow the vaccine mandates set forth by the hospital administrators?

FG: Chair Bronson, Supervisor Christy, labor shortages are something that we are all experiencing across every single sector and the hospital healthcare sector is no exception. I would tell you, I would refer you to the specific hospital. I do not have any knowledge of the number of individuals who have not been allowed to continue with their employer because of a mandate in the healthcare setting.

SC: Thank you. Very quickly, Dr., Supervisor Heinz, I have heard you speak to the fact that we are losing hospital staff because of the stress and because of the emotional draining of what they have to deal with as a result of their professions and dealing with COVID patients and that is certainly understandable and justifiable. Do you have any feeling or a characterization, Supervisor Heinz, since you cite your experiences at the hospital, your hospital, how many of your colleagues have either been terminated or have willfully quit employment at your hospital because they refused to take the vaccine?

MH: Sorry, my camera, okay, there it is. Chair Bronson and Supervisor Christy, according to the latest information I have, out of 4,500 total employees, not all are clinical, but of 4,500 total employees at my hospital, 120 total decided to not take the vaccine and therefore were not able to continue. About 12 or 13 of those were clinical staff or nurses, in specific. The others were not directly clinical staff so are involved in other, other areas, whether it was custodial services or other administrative roles, that chose not to continue. So 120 total out of 4,500.

SC: It is a substantial amount.

SB: Actually, it is not, out of 4,500.

MH: I was actually impressed at how low it was, frankly.

SB: Yeah.

SC: 125 employees at a hospital really will make no difference?

MH: Oh no, but out of 4,500, it was a much lower, I was worried it would be, you know, 400 or 500. So, I thought that they did pretty well.

SC: Thank you very much.

SB: Alright. Let us then get back to our regular Agenda.

BOARD OF SUPERVISORS

27. Decreasing the Membership of the Pima County Fair Commission

RESOLUTION NO. 2021 - 82, of the Board of Supervisors, decreasing the membership of the Pima County Fair Commission from seven to five members, providing for the naming of five new commission members and their subsequent replacement upon expiration of their terms on the commission, and providing that the appointments of all commission members are subject to approval by the Board of Supervisors, amending Resolution No. 1974-124 as amended by Resolution Nos. 1986-179, 1991-90, and 2014-56. (District 5)

Verbatim

SB: Chair Bronson
SC: Supervisor Christy
AG: Supervisor Grijalva
RS: Supervisor Scott
MH: Supervisor Heinz
JL: Jan Leshner, Chief Deputy County Administrator
MM: Melissa Manriquez, Clerk of the Board
GH: Garrett Ham, President, Southwestern Fair Commission

SB: Moving on to Item No. 5, Decreasing the Membership of the Pima County Fair Commission and Resolution No. 2021 - 82. Supervisor Grijalva.

AG: Thank you. I brought this item forward for consideration, because the Pima County Fair Commission is the only commission that I am aware of that the Board of Supervisors has no role in the ongoing appointment of any of the Committee members. This Commission has never come to the Board, since it changed in 2014, that I am aware of, and obviously not since I have been here, regarding any events, any things that the Board is interested in. I do not necessarily have a big issue with what the current Commission is doing. My issue really is the fact that I would like us, as the Board of, as individual Supervisors, to be able to appoint people to be a part of that Fair Commission. I did have a conversation about this early on when I first joined the Board with Mr. Huckelberry and I just was inquiring as to why the makeup of the Commission changed in 2014. I think some of it had to do with, logistically, it might be easier to run a commission when it is not a Supervisor's commission versus an Administrator kind of commission. I just wanted to bring this to, out to get some feedback from the other Supervisors as to possible interest in moving in this direction.

SB: Okay. We do have a speaker. Garrett Ham is the President of the Southwestern Fair Commission. Is he on the line, Madam Clerk?

MM: Madam Chair, he is available to speak.

SB: Mr. Ham, would you like to present now, if you are available?

GH: Yes, thank you. Can you hear me?

SB: We can hear you. Yes.

GH: Well, thank you. My name is Garrett Ham. I am the President of the Southwestern Fair Commission. Just six days ago, our office received a copy of District 5 Supervisor's Grijalva memo adding to the Agenda for today's Board of Supervisors meeting, a resolution related to the Pima County Fair Commission. This is the first we have heard of any proposal to remove current members of the Commission, or change the nomination and appointment process. We have not been made aware of any issues with any of the Commissioners that would be cause for their removal. The Southwestern Fair Commission has appreciated its long and successful relationship with Pima County and the management of the fairgrounds. In the last 15 years Pima County Fair attendance has tripled. Until the pandemic, profits grew exponentially. An economic impact study was conducted by FMR Associates showing that the fair alone had an economic impact of over \$37 million. In 2019, our budget was over \$7.4 million. We have made significant capital improvements to the fairground's property to attract new business and events. These events have made it possible to generate a full calendar of events for 2022 and into 2023. Through volunteer Board stewardship, the Southwestern Fair Commission survived two years without the benefit of the Pima County Fair. Furthermore, this was accomplished without any financial assistance from Pima County. The oversight and dedication of our current Southwestern Fair Commission Board has been critical in enabling management and staff to make these successes possible. Moving the Board from five to seven members was an important benefit to the Pima County Fair Commission and the Southwestern Fair Commission, as we gained diverse experience and expertise from more members. We have not been made aware of any issues or reasons behind the proposed Resolution. We urge you to not approve the Resolution. At the very least, please consider our request to have the opportunity to work cooperatively on any issues, as we have for many years. We ask that the Board delay the discussion and decision on the proposed Resolution until we have time to meet with the Pima County Board of Supervisors and Pima County staff to discuss and work to resolve any concerns or issues. Before I wrap up, I would like to introduce our Board: myself, Garrett Ham, I am a retired business owner, I am a past 4-H leader and member of the 4-H Sales Committee; Mark Cowley, our Treasurer, is a certified CPA; Judy Patrick, former Pima County Director of Land and Planning Developmental Service; Jim Murphy, former Pima County Board of Supervisor and Tucson City Council member; Alan Levin is a business owner, owner of Port of Tucson; Dr. Ron Allen, Emeritus Professor and University of Arizona Director of Agricultural Experimental Station and Dr. Marvin Selke, Emeritus Professor, University of Arizona Animal Science Department. I want to thank

you for your consideration and I am certainly open for any questions and if, you know, Supervisor Grijalva has a concern about communication, she mentioned that she has not heard much from us, I would be glad to set up some kind of communication structure with the Supervisors on a regular basis. Just to keep you more informed and I think it would be good for everybody just to know what we are doing and, you know, what your needs are, as well.

SB: Alright. I am going to ask Ms. Leshner if she wanted to respond at all to Supervisor Grijalva's question about why was the, why did the change occur in 2014.

JL: Certainly. Chair Bronson, the Commission and the composition began in, I believe, 1974. My recollection of what occurred a few years ago when there were some changes is there was, as new Board members came on, there was some conversation or discussion about the possibility of changing members of the Commission. At that time, it led to conversations about could members be removed for cause. Because of the current format by which the Commission makes recommendations and the Board then votes up or down those recommendations, rather than individual Board members making recommendations. I, the Board, the Fair Commission does provide monthly financial reports, I believe through the Clerk of the Board, to the Board. I think that the reason there has been little communication potentially in the last year or so is because of the pandemic. Throughout the days in which the Fair was operating there was frequently communication, at least during the times of the Fair, with the Board members and there was a lot of activity and participation between the Fair Commission and the Board at that time. That is my recollection of the history, as brief as it is.

SB: Alright. Any questions from Board members?

SC: Madam Chair?

SB: Supervisor Christy, I think.

SC: Yes. I think Mr. Ham's letter that the, all the Board received, very eloquently and comprehensively characterizes how successful the current process has been and the current membership of the Fair Commission has been. They have done a terrific job of dealing with issues during a COVID pandemic. They are obviously a board that is made up of very highly educated and experienced individuals who feel very deeply about the fair and its commission. This seems to be some sort of a solution looking for a problem. I do not see any problem at all with the way things have been going. As a matter of fact, I think this model is not only fair, but it is an accurate way to conduct the fairground business. Once again, just by the sheer numbers of the impact of what this Commission does, it attests to the fact that the, this system is working and this model has worked and should continue to be in the same method that it is. I would say that there is really no need or any necessity to change something. I guess the old adage is "If it ain't broke, don't fix it." As a matter of fact, I would like to see

the Board be more supportive of the Commission and certainly more dialogue between the two groups is a good idea and should be extenuated and shepherded. I would ask my Board members to vote this Resolution down. I just do, because it is so troubling about my assertion that this is a solution looking for a problem. Supervisor Grijalva, I just have to ask, is there a reasoning behind this? Maybe a second agenda that is being forwarded here that we do not know about? Or what is the purpose behind this?

AG: Thank you, Mr., thank you, Supervisor Christy. I think I was pretty clear when I introduced the item, that this is one of the only commissions that the Board has no role in appointment. Thank you, Mr. Ham for joining us and I appreciate your willingness to meet. I actually did respond to your request to have a meeting to just discuss, in general. I did want to ask you, really quickly, if there is an appointment that needs to happen on the Commission, then the current Commissioners are the ones who vote that individual in? Is that what the process is now?

GH: Well, that is correct, except for two. We have, we have a total of seven. So five of the members we vote amongst ourselves, that who to add. The other two, the County Administrator appoints.

AG: Okay.

GH: We make a recommendation and then they, then, he, that person, you know, works on that and then you guys obviously approve it and then you approve, also you approve all of our appointments, even the five of us. Even the five positions are ultimately approved by you.

AG: Right, but the initial recommendation comes from the Committee, the Commission members that are already present and then it sort of comes to the Board as like a final...

GH: That is it. That is correct. Yes.

AG: Alright. If you could send us some information about, I believe it might have been in what you already sent us, regarding the terms of the different Commissioners and how long they have been serving.

GH: Sure. I can certainly get you that.

AG: Okay, that would be helpful. I have not seen any monthly reports. I, maybe, like, quarterly or semi-annually, but I have not, I do not, just so I am aware, are you sending monthly reports in or are they more quarterly or semi-annual?

GH: Well, I think, I think we do send monthly, but then also we do an audit at the end of the year and that gets sent on.

AG: Okay.

GH: You know, it sounds like that we are just lacking in communication here and myself, as President, I need to do a better job, I think, of trying to meet with each of you and get in front of you and answer some of these questions.

AG: I just, we went through the process when we first were elected to fill vacancies of, you know, different Commissions and I know that myself, Supervisor Scott, and Supervisor Heinz, like one of the first days we got here, we received a big email from the Clerk saying, "Hey, all of these committees, you need to reappointment or you need, you know, terms are expiring. It was notable to me that this was one of the only ones where there was no role for Supervisors. So that is where the item came up. I also think it is important for there to be diversity as far as, you know, interests and the kinds of events that are coming to the fairgrounds, you know, I know this last two years has been a little bit of an anomaly, but if I could get some information about the kinds of events that have been coming to the fairgrounds, you know, different concerts and, you know, those things, that would be helpful as well, in preparation for our meeting. That would be great.

GH: Okay. We do produce a monthly calendar that I can certainly arrange to get sent to each of you, so, just so you know what is going on.

SC: Madam Chair?

AG: Thank you.

SB: Supervisor Christy.

SC: May I respectfully ask that the presenter of this Resolution withdraw it?

AG: Actually, I am willing to, thank you, Supervisor Christy. I am willing to postpone the item to give Supervisors an opportunity to meet with Mr. Ham or any other member of the Committee. In addition to that, I would like to get a recommendation from Ms. Leshner about, you know, what it would look like, would they still, this one actually reduces the number to five. If I can get, you know, a really, a reason, a cogent reason why it is important to continue to have two representatives from the County Administrator's Office appointed, I am happy to explore that. If there is an interest in postponing this item, I am absolutely willing to do that, but I would not want to withdraw it at this time.

RS: Madam Chair?

SC: Madam Chair?

SB: I am not, Supervisor Christy and Supervisor Heinz, I think.

SC: I would be willing to continue this item, along with the suggestions that Supervisor Grijalva suggested, but I would ask for a much more

comprehensive staff report to accompany the next discussion of this Resolution that gives the background and the history and why the Commission was structured in this manner and what prompted that construction and the benefits of what that Commission has done over the years, a very comprehensive, detailed historical analysis for our consideration and consumption. I think once that is done and once the members of the Commission, led by Mr. Ham, meet with all of the Supervisors, I think that would definitely be very helpful in clearing up any issues or questions that Supervisors may, might have on this issue. I do not know, I, help me Madam Chair. Is a substitute motion to continue appropriate?

SB: I think a continuance is problematic because we need a time certain and rather than that, I think it would be, it, perhaps a more appropriate response, since there is still obviously discussions we are having, is for Supervisor Grijalva to withdraw the item at this time and then she is able to bring it back for discussion after we have gotten the information we have requested. I think a withdrawal at this point is a more appropriate response, rather than a continuation.

SC: But, will that ensure that we will, will that ensure that we get the reports from staff?

SB: Yes, I mean, there has been direction to staff and this was listed as discussion and direction/action. We, yeah, we would. Then Supervisor Grijalva, once she has the information she has requested, for all of us to read, and once the individual Supervisors have had the opportunity to meet with the members of the Pima County Fair Commission, we can continue this discussion at that time. Supervisor Heinz, I think you were trying to weigh in.

MH: Thank you. I appreciate that. So generally, I would, I would just say on this and other boards, commissions, I think fewer, fewer is better. There is, you know, 50 or 51 boards and commissions associated with the County and I think that there should not be. I do not think that they are all necessary. I think reducing the number of boards and commissions and possibly even membership on individual boards and commissions, if they are not necessary, makes a lot of sense. I am interested in hearing more. Thank you.

SB: Alright. Any other comments on this? So then what is the pleasure of the Board? Supervisor Grijalva, what do you want to do?

AG: Can we postpone this item until December 7th.

SB: I think we are going to need more time than that.

AG: Ms. Leshner would, did you want to weigh in on how much time we might need?

JL: Chair Bronson...

AG: I appreciate that because it also requires, you know, Supervisors to coordinate something with the members, so that might take a little longer. I appreciate that. The next Board meeting after...

JL: December.

MH: 21st.

JL: 21st.

AG: The 21st. I think.

JL: Staff can be prepared by then.

SB: I think then your motion, Supervisor Grijalva, is to continue this item until, for a time certain December 21st.

AG: Yes. Yes, I would like to do that.

GH: If I may add in one thing. I am out of town on the 21st. Would it be possible to do the following meeting?

AG: We do not have a calendar for the next one.

SC: That might be a difficult time.

AG: I appreciate that. For our first meeting.

SB: Madam Clerk, when is the first meeting in January? January 2nd?

MM: Madam Chair, it is January, it is actually January 4, 2022.

SB: January 4th. Continue it to January 4th?

AG: I can do that.

JL: Okay.

SB: Okay.

AG: If it is okay.

SB: The motion is to continue until January 4th. Is there a second?

SC: Second.

MH: Second.

SB: There is two seconds. I think Supervisor Christy was first to second. So, motion and a second. Is there any further discussion? Any objections? Hearing none, the motion carries.

DRAFT

BOARD OF SUPERVISORS

28. Raising the Minimum Wage

Study/Discussion/Action. It is time for the Pima County Board of Supervisors to create regional uniformity in the minimum wage and direct staff to develop a plan to arrive at that goal. In the recent City of Tucson elections on November 2, 2021, City of Tucson voters decided to pass the initiative to raise the wage, in increments, to \$15.00 an hour on January 1, 2025, then peg it to inflation. (District 5)

Verbatim

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

SB: Moving on to Item 6, Minimum, Raising the Minimum Wage. Supervisor Grijalva.

AG: I brought this item, a similar item forward for discussion, I believe it was a month and half ago, but since then we have had an election in the City where the City is now going to be implementing Prop 206, which would incrementally increase the minimum wage to \$15.00 an hour January 1, 2025. I do think that we really should come up with a regional approach on how to accomplish this for our County. We can get some feedback legally, as far as if this is something that we can move forward to. I believe it is, but I would like confirmation from our County Attorney. That is why I brought the item forward.

SB: Alright. Any, this is basically a discussion item at this point.

AG: Well, it is discussion/action if we are going to be asking our Administration to bring forward a plan.

MH: Chair Bronson?

AG: Like, if there is an interest in doing that.

SB: Supervisor Heinz.

MH: Thank you, Chair Bronson and colleagues. I believe that we do have pretty definitive, now, opinion from the County Attorney that reinforces the fact that we have the, like the State voted back in 2006, you know, to specifically grant the authority to establish and regulate minimum wage to towns, cities and counties. This is something that we absolutely do have the authority to do, as

the City Council of Tucson could have done. Ourselves, if we want to extend this to the County line, in light of the overwhelming vote in the City of Tucson, I think we can move ahead, as long as the three of us agree, we can, we could develop a plan to do that. I think it is important to involve all stakeholders. I recently had a meeting with SALC leadership and I think it is incredibly important to bring together, not only SALC, but other business leaders in the community, the Chamber of Commerce and, you know, multiple shareholders to develop a plan to move forward. I think that would be a process we can start working on right now.

SB: Would any other Supervisor like to weigh in?

SC: Madam Chair?

RS: Madam Chair?

SC: Go ahead, Supervisor Scott.

SB: Supervisor Scott and then Supervisor Christy.

RS: Madam Chair, I want to reiterate something I said the last time Supervisor Grijalva put this on the Agenda, which is that I support the minimum wage being increased. It is ridiculous that the United States Congress has not increased it since 2009. I voted for the State ballot measures to increase the minimum wage and I endorsed the recent Tucson ballot measure. Clearly, there are members of the public, representatives of city government and obviously members of this Board, who would like a majority of this Board to put a countywide \$15.00 minimum wage in place. As Supervisor Grijalva, I am sorry, Supervisor Heinz, just alluded to, the Mayor and Council in Tucson were asked to do the same thing several months ago. They declined to do so in favor of having a public vote instead and we should do the same. Three people should not be making a decision that would affect a million people. It is both democratic and reasonable that a decision of such magnitude is made by all of us, not three of us and there should also be a great deal of public discussion and debate before such a decision is made. My staff has contacted staff in the Elections Division regarding the signature requirements for a countywide ballot initiative. I had the Clerk forward that information to all of your offices and it is also attached to this item. It would require the proponents of such an initiative to collect twice, slightly less than twice as many signatures as they collected for the Tucson ballot measure. Again, it is the more democratic and reasonable course to take if we are going to be one of only 15 counties to enact a \$15.00 minimum wage. I am not going to vote for that as a member of the Board, but I am happy to take part in a robust countywide debate. Obviously it can be done. They have until July of 2022 if they want to put it on the next General Election ballot. There is already an organization in place that can do that, as they have demonstrated by the signatures that they collected for the City initiative, but it would be completely inappropriate for us to take that action, instead of moving it towards a public debate. Again, that is the same action

that the Tucson Mayor and Council took when they were asked to enact it. Instead they went to a public vote. That is what we should do.

SB: Thank you, Supervisor Scott. Supervisor Christy.

SC: I would just like to point out that we have said a lot of this and it has been covered ground, but as an example, the business community really needs to be taken into consideration here. The Chairman of the Pima County Small Business Commission, which is made up of appointees of all Supervisors, came out emphatically against any kind of a, of a countywide minimum wage ordinance. That was their very comprehensive recommendation as of July 19th. We have had the same response from Arizona Multi-housing Association and numerous other organizations. I think the biggest issue that needs to be discussed is not necessarily the amount of the minimum wage and when we reach that threshold. Certainly that is a major consideration, but my biggest concern is the bureaucracy that we have seen with the City of Tucson and the Mayor of Council, Mayor and Council as far as how they are going to administrate this minimum wage issue. It is very troubling and very concerning to businesses that there is an organization or a bureaucracy created that can investigate and open up the business' personal information, private information, such as payroll, such as employee handbooks, things of this nature. There is also an element in the City's bureaucracy that is going to include what would be called a snitch line to basically allow people to tattletale on businesses and then to incentivize them if anything is found on it. I think that is a very dangerous and unjust approach to this issue. It is not so much the dollar amount that is involved but the intrusion of a governmental agency into businesses and their operations, into their private matters dealing with their private employees, I think is wrong and misguided and I would, at very least, suggest to Supervisor Scott that he has probably the most reasonable recommendation to put it to a vote countywide, but barring that, I would say that it would be detrimental to the business community, to private enterprise and to the well-being and the autonomy of Pima County to enact any such type of legislation. It has been proven that the detrimental effects of this type of enactment is far reaching and certainly the intrusion on the business community has not been taken into consideration at all by the Mayor and Council. I would say that if we went any further with this we would be replicating that same lack of sensitivity to the economic engines in our community that provide jobs, goods and services that would be negatively impacted by this Resolution.

AG: Chair?

SB: Supervisor Grijalva.

SC: Thank you.

AG: I am not suggesting that we implement the same program that was passed in the City. I think that would actually address some of the concerns that

Supervisor Christy brought up and that I have heard from business owners who have reached out to me directly in regards to the City proposal. Some of the same concerns that Supervisor Christy brought up, were brought up by different members and owners of businesses throughout Pima County. My concern is that we have a situation where you have some people on one side of the road that are going to get paid a certain amount and people right across the street that are not. We have businesses that are going to have, businesses that are, we have some that have some in the City and some, you know, different sites throughout the County and some of those are going to have, we would have the federal minimum wage and then we would have the City minimum wage, depending on where you are. I am just trying to come up with a regional approach that is, makes sense. I do think getting buy-in from different community groups makes complete sense to me and I do think hindsight, the City should have gone that route, versus waiting for a voter initiative. Respectfully, we have a few hundred at the federal level making decisions for millions of us, and so for the five of us to do a comprehensive, with the administration, a comprehensive process, I think makes a lot of sense. I would rather have some, some ability to bring together differing perspectives in a plan, a County comprehensive, countywide comprehensive plan, versus, you know, having to deal with whatever positives or negatives comes from a proposition and voter initiative. That was really the crux of this, because I do think that having the opportunity to bring in people that, especially some of our business owners that did not have an opportunity to weigh in, some of our community members that are dealing with the real situation of poverty. We are not going to be able to bring people back to take some of these jobs that we desperately need if we cannot pay them a livable wage. Right now they are not making a livable wage. That is where this, the, that is where the motivation for Proposition 206 came from. I think that we need to really look to what we think is a livable wage in our community and what we are paying is not.

MH: Chair Bronson?

SB: Supervisor Heinz.

MH: Thank you. I would like to echo a lot of that. One thing that came up in the discussion that I had with the SALC leadership was that the, this could be a, an opportunity to sort of look at some things that this particular ballot measure maybe did not do, a way that makes the most sense or has the agreement of a lot of the business community necessarily and one of those could be the fact that perhaps, you know, the City Court is not really the place, it seems like, to adjudicate issues regarding wage theft, for example. That is probably something that the JPs should be doing, which is great because that justifies their existence a little bit more and it would give them something to do countywide. So that is cool. This really could be an opportunity, since what we as a Board say kind of goes for the whole County and it would be throughout all jurisdictions here. I think it makes a lot of sense. Also, remember, like, that it is important that local states and local jurisdictions have this ability, because states like Texas, unfortunately still have a minimum wage of \$7.25 an hour.

Without states and then individual towns or counties or cities doing this, when other, you know, when the federal government or state governments fail to, we would have truly, I mean, even worse sort of poverty, you know, wages in place. A couple of things I just want to correct a little bit, that this, the Mayor and Council, my understanding from speaking with the Mayor and multiple members of the City Council, their concerns were largely around the fact that this would only affect Tucson, the City of Tucson, and would not apply to, for example, businesses operating north of River Road because that is, of course, unincorporated Pima County. They wanted it to be countywide. I do not, I just wanted to clarify that because I did hear Supervisor Scott make a comment that maybe they, that they chose to have the people vote. They did not really choose either because this was a ballot measure brought, I think, like, 16,000 signatures or something were submitted by an outside group to then require that this move forward on the municipal ballot for this past election on November 2nd. That was a voter initiative. It was not, it was not like the, the City Council or the Mayor made a choice to do this. They cannot refer to that. Fortunately, we cannot refer to the ballot. They cannot either, at least for this type of a measure. I think we need to look at this, this and it is, it is a representative democracy. The five of us were elected to do this job and we were specifically given this authority by, I believe, nearly a 2-1 vote of the State back in 2006. We have this authority. The County Attorney makes it very clear. I, it is not inappropriate for us to consider this, I do not think.

RS: Madam Chair?

SB: I think that was, who was that? Supervisor Scott or Supervisor Christy?

RS: It was me. The same ballot measure that Supervisors Grijalva and Heinz are referring to today, would have allowed the City of Tucson to not move forward with the initiative vote but enact a \$15.00 minimum wage in the City, and forgo the public vote. They were asked to do that. They chose not to do that. Now, you have some representatives of City government, including the Mayor, in several radio interviews, calling on us to do what she and her colleagues would not do. There is a Fight for 15 organization that has been in place for many years. They could have put a countywide initiative on the ballot. They chose not to and put one on the City ballot. It passed, but I would remind everybody that that was with a 26% voter turnout. I do not think that that is a great indication of how such a measure would do countywide when you have 26% turnout in a City election and this ballot measure passes. If we are going to be the only one of 15 Arizona counties to take this step, there needs to be a robust public debate. There needs to be a lot of discussion and there needs to be a public vote. I would offer as a model, something that all of us have recently experienced, which was when the Strong Start Tucson measure was defeated overwhelmingly on the City of Tucson ballot. You saw the people who were interested in reducing barriers to access to quality early childhood education join forces with the business community, many of whom in that business community opposed Strong Start Tucson. Then they started to lobby this Board of Supervisors, the previous one and this one, and the outcome we are

all able to celebrate because those two groups came together. What I would recommend, is that the Fight for 15 people talk with Chambers of Commerce and the SALC and other entities that might have opposed the City ballot initiative and come up with some kind of a plan for a countywide ballot initiative or some kind of countywide agreement amongst employers, rather than asking this five-person Board to make a decision by a simple majority that is going to affect a million residents. I do not think it is appropriate. I think they could have taken that step. Clearly, the information that I got from the Elections Division shows they could have taken that step. They chose to take it just within the City. Now they are asking us to fill the void, if you will, by taking a majority vote of this Board. It is not the way to go about this. It is not the way to generate the kind of public support for a countywide minimum wage that, that needs to be generated. Again, it is not, it is not increasing the wage that I oppose. It is doing it this way. I think there is other ways to move this dialogue forward and I would be happy to take part in that, but this, this is not the way to do it.

SB: Thank you, Supervisor Scott. I agree with you. I think one of the, there is some unintended consequences as a result of the minimum wage in Tucson. One of, several organizations that are being affected by this are nonprofits like Goodwill, who hire developmentally disabled folks and they cannot, having to pay a minimum wage would have a negative impact on their ability to help, or to keep these people hired and gainfully employed. So it is, and I, we just need a conversation. We need a meeting of minds of the business community and the nonprofits, all the stakeholders. You know, at this point in time, I, it is early days. Let us see how the City's measure plays out, but frankly, given inflation and given, we are already there, past the minimum wage in many, in many businesses. It is already there.

AG: Chair Bronson?

SB: I think, go ahead. I am not quite finished.

AG: Okay.

SB: Again, I think we need to have the conversation with all the stakeholders. I agree with Supervisor Grijalva, but I could not support us putting, well, we cannot put it on the ballot. I could not, I agree with Supervisor Scott. I, we need to have a dialogue and one with all the stakeholders. Supervisor Grijalva.

AG: I, the concern that I have is the initiative process is incredibly costly and takes a lot of work from people most impacted that need the support of a higher wage now. If we are really concerned about it, I think we should get ahead of this, and have staff come up with options where we can get support and buy-in. I do not think that it necessarily needs a voter initiative. I mean, based on the example that, Supervisor Scott, you just brought up with preschool. The preschool initiative did not, was not successful as an initiative, but I think that we have incredibly successful model. Based on being able to get feedback and input from everyone involved, I do think we have a better plan. I think we

have an opportunity in the County to do, my understanding from the objection from the City was the fact that they wanted it to be a regional and not just addressing the City. That is the biggest concern and I think that we still have that concern. There is still that concern. For us to try to come up with a plan where we can get input from all of these stakeholder groups that we need to hear from, makes the most sense to me and I do not think that that has to be done through a voter initiative.

SB: Thank you, Supervisor. Any other discussion? At this point, I do not think we are acting. We do not have a motion on the floor. I think we concluded our discussion.

DRAFT

OFFICIAL CANVASS

VAIL UNIFIED SCHOOL DISTRICT
SPECIAL ELECTION
NOVEMBER 2, 2021

PIMA COUNTY ELECTIONS DEPARTMENT
6550 S. COUNTRY CLUB ROAD
TUCSON, AZ 85756
TEL. 520-724-6830



ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT

6550 S. COUNTRY CLUB ROAD, TUCSON, AZ 85756

(520) 724-6830 FAX (520) 724-6870

November 8, 2021

In accordance with Arizona Revised Statutes, Title 16, I hereby certify the enclosed tabulation is a full, true and correct copy of the Returns of the Special Election held pursuant to Arizona Constitution, Article 7 and Arizona Revised Statutes Title 9, 15 and 16 in and for Pima County, Arizona on November 2, 2021. This tabulation includes all valid ballots cast at said election.

A handwritten signature in black ink that reads "Brad R. Nelson". The signature is written in a cursive style.

Brad R. Nelson, Director
Pima County Elections

**CANVASS INFORMATION
ALL MAIL BALLOT ELECTION
VAIL UNIFIED SCHOOL DISTRICT #20
NOVEMBER 2, 2021**

MAIL BALLOTS PROCESSED

16711 Ballots Processed
16710 Counted
1 Rejected



ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT

6550 S. COUNTRY CLUB ROAD, TUCSON, AZ 85756
(520) 724-6830 FAX (520) 724-6870

October 13, 2021

The Honorable Katie Hobbs
Secretary of State
State Capitol - West Wing
1700 W. Washington
Phoenix, AZ 85007

Dear Secretary Hobbs:

Pursuant to A.R.S. 16-445, the Pima County Department of Elections is filing a backup of the EMS Software and Database that is going to be used on the November 2, 2021 General Election.

If you have any questions, feel free to contact me at (520) 724-6830.

Sincerely,

A handwritten signature in black ink that reads "Brad R. Nelson". The signature is stylized, with the first letters of the first and last names being capitalized and prominent.

Brad R. Nelson, Director
Pima County Division of Elections

ADDITIONAL REPORTING FORMS

Equipment, Software, Firmware, and Hash Code Certification Statement

I, _____ certify by affixing my signature to this document that all election equipment and firmware, as well as all election management system software to be used in the _____ Election to be held on _____ IN _____ County has been certified for use by the Arizona Secretary of State and that I have compared the hash code on file with the National Institute of Science and Technology (NIST) or the Arizona Secretary of State's Office to the hash code of the election management system software to be used in this election and certify that the numbers are identical. The following is a list of the equipment, firmware, and election management system software to be used in the aforementioned election:

VOTING UNITS

Manufacturer	Model	Firmware Version
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CENTRAL COUNT UNITS

Manufacturer	Model	Firmware Version
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ELECTION MANAGEMENT SOFTWARE

Manufacturer	Product Name	Version
_____	_____	_____
_____	_____	_____
_____	_____	_____



Officer in Charge of Elections Signature

Date

CERTIFICATION BY THE PIMA COUNTY ACCURACY CERTIFICATION BOARD

We, the undersigned members of the Accuracy Certification Board, having been duly appointed for the November 2, 2021 Special Election held in the County of Pima, State of Arizona, on the 5th day of October, 2021 at 9:00am verify the Logic and Accuracy Test ballots as required by A.R.S. § 16-449 for use on the central count systems, adopted pursuant to the Secretary of State's Procedures Manual, do hereby certify to the Secretary of State:

1. THAT the pre-audited group of ballots, prepared pursuant to A.R.S. § 16-449, have been used to ascertain that the equipment and programs, being used in this election, correctly counted the votes cast for all offices and measures;
2. THAT the pre-vote counting test results have been compared with the predetermined correct totals for each office and ballot measure;
3. THAT the cause of any discrepancy was found and corrected; and
4. THAT the Logic and Accuracy Test programs, the Logic and Accuracy test ballots, and the Logic and Accuracy test printed output which were certified as correct by the Accuracy Certification Board were delivered into the custody of the Elections Director or the Office of the Secretary of State.

We declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct.

David A. Hardy ^{PCE} 10-5-21
Member's Signature Date

Jessica Coronado Oct 5, 2021
Member's Signature Date

ifigueroa 10/5/21
Member's Signature Date

C. [Signature] 10/5/21
Member's Signature Date

Member's Signature Date

Member's Signature Date

CERTIFICATION BY THE PIMA COUNTY ACCURACY CERTIFICATION BOARD

We, the undersigned members of the Accuracy Certification Board, having been duly appointed for the November 2, 2021 Special Election held in the County of Pima, State of Arizona, on the 8th day of November, 2021 at 1:45pm verify the POST Logic and Accuracy Test ballots as required by A.R.S. § 16-449 for use on the central count systems, adopted pursuant to the Secretary of State's Procedures Manual, do hereby certify to the Secretary of State:

1. THAT the pre-audited group of ballots, prepared pursuant to A.R.S. § 16-449, have been used to ascertain that the equipment and programs, being used in this election, correctly counted the votes cast for all offices and measures;
2. THAT the pre-vote counting test results have been compared with the predetermined correct totals for each office and ballot measure;
3. THAT the cause of any discrepancy was found and corrected; and
4. THAT the Logic and Accuracy Test programs, the Logic and Accuracy test ballots, and the Logic and Accuracy test printed output which were certified as correct by the Accuracy Certification Board were delivered into the custody of the Elections Director or the Office of the Secretary of State.

We declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct.

Gerardo Nov 8, 2021
Member's Signature Date

efigueroa 11/8/21
Member's Signature Date

David Medez 11-8-21
Member's Signature Date

Member's Signature Date

Member's Signature Date

Member's Signature Date

THERE WERE NO
POLLING PLACES
USED FOR THE
NOVEMBER 2, 2021
SPECIAL ELECTION

PROPOSITION

TEXT

PROPOSITION 487

Shall the Governing Board of Vail Unified School District No. 20 of Pima County, Arizona (the "School District"), adopt Maintenance and Operations budgets which allow the School District to continue to exceed the revenue control limit specified by law in the amount of not more than twelve and one-half percent (12.5%) per fiscal year for fiscal year 2022/2023 and the next subsequent six (6) fiscal years thereafter?

The 2022/2023 proposed continuation of the budget increase of the School District budget will exceed the alternate proposed School District budget by approximately \$3,645,446. The amount of the proposed increase will be based on a percentage of the School District's revenue control limit in future years as provided in Section 15-481(P), Arizona Revised Statutes. Any budget increase continuation authorized by this election shall be entirely funded by a levy of taxes on the taxable property in this School District for the year for which adopted and for six subsequent years, shall not be realized from monies furnished by the state and shall not be subject to the limitation on taxes specified in Article IX, Section 18, Constitution of Arizona. Based on the current net assessed valuation used for secondary property tax purposes, to fund the proposed continuation of the increase in the School District's budget would require an estimated continuation of a tax rate of \$1.68 per one hundred dollars of assessed valuation used for secondary property tax purposes and is in addition to the School District's tax rate that will be levied to fund the School District's revenue control limit allowed by law.

A "yes" vote shall authorize the Vail Unified School District Governing Board to continue/extend the existing maintenance and operation budget override authority and the resulting tax.

A "no" vote shall not authorize the Vail Unified School District Governing Board to continue/extend the existing maintenance and operation budget override authority and the resulting tax.

BUDGET OVERRIDE CONTINUATION, YES
BUDGET OVERRIDE CONTINUATION, NO

PROPOSICIÓN 487

¿Debe la Junta Directiva del Distrito Escolar Unificado Núm. 20 de Vail del Condado de Pima, Arizona, (el “Distrito Escolar”) adoptar Presupuestos de Mantenimiento y Operaciones que permitirán que el Distrito Escolar siga excediendo el límite de control de ingresos especificado por estatuto en un monto no superior a un doce punto cinco por ciento (12.5%) por año fiscal para el año fiscal 2022/2023 y por los seis (6) años fiscales subsiguientes de allí en adelante?

La continuación propuesta del aumento al presupuesto para el año 2022/2023 al presupuesto del Distrito Escolar excederá el presupuesto alterno propuesto del Distrito Escolar en aproximadamente \$3,645,446. El monto del aumento propuesto se basará en un porcentaje del límite de control de ingresos del Distrito Escolar en años futuros, como está dispuesto en la sección 15-481(P) de los Estatutos Revisados de Arizona. Cualquiera continuación del aumento al presupuesto autorizado por esta elección deberá ser totalmente financiada por una recaudación de impuestos sobre la propiedad gravada de este Distrito Escolar en el año en que se aprueba y por los seis años subsiguientes, no deberá realizarse con dinero proporcionado por el estado, y no deberá estar sujeta a las limitaciones de impuestos especificadas en la sección 18 del artículo IX de la Constitución de Arizona. Con base en la actual valoración tasada neta que se utiliza para propósitos de impuestos secundarios sobre la propiedad, para financiar la continuación propuesta del aumento al presupuesto del Distrito Escolar se requerirá una continuación estimada de una tasa de impuesto de \$1.68 por cada cien dólares de la valoración tasada que se utiliza para propósitos de impuestos secundarios sobre la propiedad y es en adición a la tasa de impuestos del Distrito Escolar que se impondrá para financiar el límite del control de ingresos del Distrito Escolar permitido por la ley.

Un voto “sí” autorizará a la Junta Directiva del Distrito Escolar Unificado de Vail a que continúe o extienda la autorización del aumento al presupuesto de mantenimiento y operación existente y el impuesto resultante.

Un voto “no” no autorizará a la Junta Directiva del Distrito Escolar Unificado de Vail a que continúe o extienda la autorización del aumento al presupuesto de mantenimiento y operación existente y el impuesto resultante.

CONTINUACIÓN DEL AUMENTO AL PRESUPUESTO, SÍ
CONTINUACIÓN DEL AUMENTO AL PRESUPUESTO, NO

ELECTION SUMMARY

Summary Results Report
SPECIAL ELECTION
November 2, 2021

RESULTS
VAIL UNIFIED SCHOOL DISTRICT
Pima County

Statistics

TOTAL

Absentee/ Early Precincts Reporting	14 of 15
Registered Voters - Total	44,139
Ballots Cast - Total	16,710
Voter Turnout - Total	37.86%

TOTAL

BUDGET OVERRIDE CONTINUATION, YES	10,841
BUDGET OVERRIDE CONTINUATION, NO	5,843
Total Votes Cast	16,684
Overvotes	2
Undervotes	24
Contest Totals	16,710

STATEMENT OF VOTES CAST

011

Statistics

	TOTAL
Registered Voters - Total	3,365
Ballots Cast - Total	1,146
Ballots Cast - Blank	1
Voter Turnout - Total	34.06%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	627
BUDGET OVERRIDE CONTINUATION, NO	518
Total Votes Cast	1,145
Overvotes	0
Undervotes	1

049

Statistics

	TOTAL
Registered Voters - Total	1,633
Ballots Cast - Total	596
Ballots Cast - Blank	2
Voter Turnout - Total	36.50%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	392
BUDGET OVERRIDE CONTINUATION, NO	202
Total Votes Cast	594
Overvotes	0
Undervotes	2

090

Statistics

	TOTAL
Registered Voters - Total	1,710
Ballots Cast - Total	610
Ballots Cast - Blank	1
Voter Turnout - Total	35.67%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	407
BUDGET OVERRIDE CONTINUATION, NO	202
Total Votes Cast	609
Overvotes	0
Undervotes	1

095

Statistics

	TOTAL
Registered Voters - Total	1,431
Ballots Cast - Total	532
Ballots Cast - Blank	1
Voter Turnout - Total	37.18%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	323
BUDGET OVERRIDE CONTINUATION, NO	207
Total Votes Cast	530
Overvotes	1
Undervotes	1

109

Statistics	TOTAL
Registered Voters - Total	5,591
Ballots Cast - Total	2,305
Ballots Cast - Blank	0
Voter Turnout - Total	41.23%

Vail Unified School District #20	
Vote For 1	
	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	1,640
BUDGET OVERRIDE CONTINUATION, NO	665
Total Votes Cast	2,305
Overvotes	0
Undervotes	0

114

Statistics

TOTAL

Registered Voters - Total	0
Ballots Cast - Total	0
Ballots Cast - Blank	0
Voter Turnout - Total	0.00%

Vail Unified School District #20

Vote For 1

TOTAL

BUDGET OVERRIDE CONTINUATION, YES	0
BUDGET OVERRIDE CONTINUATION, NO	0
Total Votes Cast	0
Overvotes	0
Undervotes	0

176

Statistics

	TOTAL
Registered Voters - Total	1,805
Ballots Cast - Total	632
Ballots Cast - Blank	1
Voter Turnout - Total	35.01%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	402
BUDGET OVERRIDE CONTINUATION, NO	229
Total Votes Cast	631
Overvotes	0
Undervotes	1

195

Statistics

	TOTAL
Registered Voters - Total	2,120
Ballots Cast - Total	1,142
Ballots Cast - Blank	2
Voter Turnout - Total	53.87%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	725
BUDGET OVERRIDE CONTINUATION, NO	414
Total Votes Cast	1,139
Overvotes	1
Undervotes	2

198

Statistics

TOTAL

Registered Voters - Total	2,156
Ballots Cast - Total	948
Ballots Cast - Blank	0
Voter Turnout - Total	43.97%

Vail Unified School District #20

Vote For 1

TOTAL

BUDGET OVERRIDE CONTINUATION, YES	580
BUDGET OVERRIDE CONTINUATION, NO	368
Total Votes Cast	948
Overvotes	0
Undervotes	0

217

Statistics

	TOTAL
Registered Voters - Total	4,877
Ballots Cast - Total	1,672
Ballots Cast - Blank	5
Voter Turnout - Total	34.28%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	1,076
BUDGET OVERRIDE CONTINUATION, NO	591
Total Votes Cast	1,667
Overvotes	0
Undervotes	5

218

Statistics	TOTAL
Registered Voters - Total	4,774
Ballots Cast - Total	1,990
Ballots Cast - Blank	3
Voter Turnout - Total	41.68%

Vail Unified School District #20	
Vote For 1	
	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	1,420
BUDGET OVERRIDE CONTINUATION, NO	567
Total Votes Cast	1,987
Overvotes	0
Undervotes	3

221

Statistics

	TOTAL
Registered Voters - Total	2,460
Ballots Cast - Total	864
Ballots Cast - Blank	0
Voter Turnout - Total	35.12%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	418
BUDGET OVERRIDE CONTINUATION, NO	446
Total Votes Cast	864
Overvotes	0
Undervotes	0

224

Statistics

	TOTAL
Registered Voters - Total	4,826
Ballots Cast - Total	1,661
Ballots Cast - Blank	3
Voter Turnout - Total	34.42%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	1,153
BUDGET OVERRIDE CONTINUATION, NO	505
Total Votes Cast	1,658
Overvotes	0
Undervotes	3

229

Statistics	TOTAL
Registered Voters - Total	4,720
Ballots Cast - Total	1,642
Ballots Cast - Blank	3
Voter Turnout - Total	34.79%

Vail Unified School District #20	
Vote For 1	
	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	1,012
BUDGET OVERRIDE CONTINUATION, NO	627
Total Votes Cast	1,639
Overvotes	0
Undervotes	3

249

Statistics

	TOTAL
Registered Voters - Total	2,671
Ballots Cast - Total	970
Ballots Cast - Blank	2
Voter Turnout - Total	36.32%

Vail Unified School District #20

Vote For 1

	TOTAL
BUDGET OVERRIDE CONTINUATION, YES	666
BUDGET OVERRIDE CONTINUATION, NO	302
Total Votes Cast	968
Overvotes	0
Undervotes	2