

BOARD OF SUPERVISORS' SPECIAL MEETING MINUTES

The Pima County Board of Supervisors met in special session at their regular meeting place in the Pima County Administration Building (Hearing Room), 130 West Congress Street, Tucson, Arizona, at 9:00 a.m. on Monday, July 22, 2019. Upon roll call, those present and absent were as follows:

Present: Richard Elías, Chairman
Ramón Valadez, Vice Chair
*Sharon Bronson, Acting Chair
*Ally Miller, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Regina Nassen, Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Eric Thompson, Sergeant at Arms

*Supervisors Bronson and Miller participated telephonically.

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. POINT OF PERSONAL PRIVILEGE

Chairman Elías acknowledged the passing of Christopher Cole and asked for a moment of silence in his honor.

3. CALL TO THE PUBLIC

The following speakers addressed the Board in support of the Cooperative Agreement:

- Janet Marcotte
- Stephen Thompson
- Valarie James
- Peg Harmon, CEO, Catholic Community Services
- Margie King
- Laura Fairbanks
- Laurie Melrood
- Blake Gentry
- Reverend Michael Lonergan
- Sebastian Quinac

They offered the following comments:

- The facility could be transformed into a welcoming and safe environment through caring and compassionate volunteers.
- It would facilitate in helping migrants locate sponsors and secure transportation.
- Volunteers provided the care needed.
- Supplies and equipment costs were donated and there would be no cost to the County.
- It would provide an incredible opportunity for transforming the juvenile facility.
- The immediate need for the facility was evident.
- Since April 21st, twenty-five different locations were evaluated, none were adequate.
- No one would be forced to stay in a place they felt was uncomfortable.
- Catholic Community Services (CCS) and faith-based communities needed to continue to work together for the benefit of the migrants.
- This was not a permanent solution but a transitional one, until other options were available.
- The shelters' capacity to immediately house migrants and provide services during their journey, outweighed the legitimate concerns of traumatization.

The following speakers addressed the Board in opposition to the Cooperative Agreement:

- Joe Boogaart
- Ryan Kelly
- Lola Rainey
- Gretchen Lopez
- Chris King
- Geri Ottoboni
- John Backer
- Cora Cole
- Dion Heimink, Sr.
- Gwyn Roske
- Randy Gaines
- Rachael Sedgwick
- Tiera Rainey
- Reverend Hannah Adair Bonner
- Summer Aguilera
- Billie Fidlin
- Marianna Coles Curtis
- Reverend Efrain Zavala
- Jessica Rodriguez
- Reverend Beth Rambikur
- Marla Pacheco
- Reverend Paul Cho
- Isabel Garcia

They offered the following comments:

- Taxpayers should not be responsible for costs associated with asylum seekers.
- Federal funding should be secured prior to approving the agreement.
- Healthcare costs were underestimated.
- Stonegarden funds were linked to the continued collaboration of law enforcement to oppress people of color and the undocumented community.
- The Stonegarden grant was met with resistance and considered “dirty money” that should never be used for humanitarian aid.
- Housing migrant families in an active detention center for children would cause trauma.
- Earmarked money could be used to help the homeless and poverty stricken communities.
- Humanitarian aid should be the responsibility of the faith-based community and not the county.
- All associated costs should be made available to the public.
- The federal government was responsible for granting asylum and should be responsible for providing funding.
- Migrants and surrounding businesses would not feel safe causing asylum seekers to avoid the shelter.
- The facility currently housed incarcerated youths.
- The home-like atmosphere would be lost in a detention facility.
- Migrant families would be traumatized for life.
- The vote should be tabled until further information could be obtained and the community and the Board could make an informed decision.
- A humanitarian shelter next door to caged children is contradictory and should be closed.
- It was a misconception that CCS was the only religious based organization providing aid to migrants. A majority of the religious community was helping and willing to provide solutions.
- It would contribute to the continued racist behavior of law enforcement.
- A state institution could never become a welcoming or humane facility for anyone and freedom would still elude them.
- It was wrong to make a decision without involving the faith-based communities.
- Asked the Board whose responsibility it would be if a child died at the facility and suggested using a closed school.
- Due to the closure of CCS’ current facility, this decision was rushed and the current plan was propelled into place.

Amy Johnson addressed the Board regarding the economic fallacy that migration costs money, transactional value of money and people who were worried about their taxes going up.

COUNTY ADMINISTRATOR

4. Cooperative Agreement for the Provision of Humanitarian Services with Catholic Community Services

Staff recommends approval of a Cooperative Agreement for the Provision of Humanitarian Services with Catholic Community Services to Provide Respite, Shelter and to Arrange Final Transportation for Legal Asylum Seekers Turned Over to Catholic Community Services by US Immigration and Customs Enforcement and the US Border Patrol at Units 700, 800 and 900 of the Juvenile Justice Complex.

Chuck Huckelberry, County Administrator, addressed the Board regarding the Cooperative Agreement. He stated that initially the agreement was developed as a lease but it was better defined as an operating agreement because of the systems utilized and its location. He indicated that the agreement would allow Catholic Community Services (CCS) to utilize the facility for humanitarian aid purposes. He explained that the County would continue to operate the building with respect to the utilities, maintenance, and janitorial services and there would be an option, if desired, for food and laundry services. He stated that the facility needed routine maintenance and minor modifications because it was underutilized, but could be up and running fairly quickly. He indicated that the agreement included a 30-day termination clause that could be terminated by either party. He also indicated that three federal grant applications were executed for the purpose of recovering costs associated with the operation of the facility. He added that two of the grant requests were for \$530,000.00 and one was for \$1.5 million. He stated that he was confident that one or more of the grants would be approved and that it would offset the costs associated with utilizing the facility.

Supervisor Miller indicated that the County Administrator had previously provided answers to several of her questions but a few remained unanswered. She stated that her concerns related to the true costs associated with this agreement and the liability that could be placed on the taxpayers. She also stated that the fair market value of the facility needed to be reimbursed. She expressed the following concerns: Who would be responsible for medical payments if medical costs exceeded the estimated \$35,000.00 a year allocation; What were the security costs; Concerned over the reallocation of the Stonegarden funds and the impact it would have on the grant and the County's ability to recover true costs; Concerned over the juveniles still housed at the facility and how they would be impacted along with other activities at the facility; What would be the impact if the City of Tucson became a sanctuary city and how would that impact the cost of the facility; What are other jurisdictions contributing to this effort; and why was use of the facility only being provided to CCS and not all faith based communities. She concluded by inquiring why the decision was being rushed and asked that the decision be tabled in order to secure the needed funding from the federal government, because this was a direct result of their failure to address this issue. She stated that her main concern was

public safety for the asylum seekers and the residents and that she was concerned with the potential for criminal activity and health issues.

Supervisor Christy indicated that he would not support the agreement for the following reasons: Sheltering migrants was not the responsibility of Pima County Government or County taxpayers; Faith-based, non-profit and nongovernmental organizations should be leading the humanitarian crisis. Those organizations should collaborate and it should not be the predominant task of one social service agency and county taxpayers should not have to absorb the costs; Concerned over the manipulation of the Stonegarden Grant's conditions of acceptance and the effect it would have on funding law enforcement. The federal government had not approved Stonegarden grant funding for humanitarian aid and lawsuits could ensue; and the potential exposure to legal claims resulting from illness, theft, injury, assault or even death of asylum seekers housed on taxpayer property. He requested that the County Attorney's Office provide a legal opinion on this matter.

Chairman Elías apologized for not involving the community with regards to this issue. He indicated that this was a difficult decision. He asked that it be viewed in the long-term and that differences be put aside in order to work together to make a hospitable, caring environment for the asylum seekers. He stated that over the past several months 25-30 different options were evaluated and it had been difficult to find another location that would work. He asked that the County and the community work together to find alternate places that would meet the needs and ease the anger and frustration caused by this location.

Supervisor Valadez indicated that Pima County was an incredible community because of its ability to be compassionate and supportive towards individuals in crisis. He explained differences needed to be put aside in order to move forward and work towards a desired outcome. He reiterated that this was a difficult decision and at this time was the decision that needed to be made. He added that this did not need to remain the only option and asked the community to work together to find other solutions.

It was moved by Supervisor Valadez and seconded by Chairman Elías to approve the item. No vote was taken at this time.

Chairman Elías commented that all entities should work together in an organized manner to transform the facility into a successful place and it was not a final decision but merely a bridge for moving forward.

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

5. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:37 a.m.

CHAIRMAN

ATTEST:

CLERK