

BOARD OF DEPOSIT MINUTES

The Pima County Board of Deposit met in regular 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 Tuesday, April 21, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
*Sharon Bronson, Vice Chair
Ally Miller, Member
Steve Christy, Member
*Betty Villegas, Member

Also Present: Chuck Huckelberry, County Administrator
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Ryan Roher, Sergeant at Arms

*Supervisors Bronson and Villegas participated remotely.

1. **CONTRACT**

Bank of America National Association, to provide for banking services, no cost/3 year term (MA-PO-20-161)

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

2. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

CHAIRMAN

ATTEST:

CLERK

LIBRARY DISTRICT BOARD MINUTES

The Pima County Library District Board met in regular 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 Tuesday, April 21, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
*Sharon Bronson, Vice Chair
Ally Miller, Member
Steve Christy, Member
*Betty Villegas, Member

Also Present: Chuck Huckelberry, County Administrator
Andrew Flagg, Chief Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Ryan Roher, Sergeant at Arms

*Supervisors Bronson and Villegas participated remotely.

1. AWARD

Amendment of Award: Multiple Master Agreements; Nos. MA-PO-15-266, MA-PO-15-268 and MA-PO-16-292, Amendment No. 3, Cox Arizona Telecom, L.L.C. and Pacific Office Automation, to provide for Cox WAN Library Internet Service - E-Rate Category One. This amendment exercises the three-year renewal option to extend the termination date to 6/30/23. No additional funds required at this time. Two (2) one-year renewal options remain. Funding Source: Library District Ops Fund. Administering Department: Information Technology.

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

2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

CHAIRMAN

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met in regular 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 Tuesday, April 21, 2020. Upon roll call, those present and absent were as follows:

Present: Ramón Valadez, Chairman
 *Sharon Bronson, Vice Chair
 Ally Miller, Member
 Steve Christy, Member
 *Betty Villegas, Member

Also Present: Chuck Huckelberry, County Administrator
 Andrew Flagg, Chief Civil Deputy County Attorney
 Julie Castañeda, Clerk of the Board
 Ryan Roher, Sergeant at Arms

*Supervisors Bronson and Villegas participated remotely.

1. MOMENT OF SILENCE

A Moment of Silence was observed by those in attendance.

2. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

3. POINT OF PERSONAL PRIVILEGE

Supervisor Christy indicated that it was fire season and he urged the community to exhibit caution while recreating during dry conditions.

PRESENTATION/PROCLAMATION

4. Presentation of a proclamation to Lieutenant James Smead, Pima County Sheriff, Correctional Officers Division, proclaiming the week of May 3 through 9, 2020 to be: "CORRECTIONAL OFFICERS WEEK"

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

5. Presentation of a proclamation to Lieutenant James Smead, Pima County Sheriff, Correctional Officers Division, proclaiming the week of May 3 through 9, 2020 to be: "NURSES WEEK"

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

6. Presentation of a proclamation to Sheriff Mark Napier, proclaiming the day of Thursday, April 30, 2020 to be: "NATIONAL THERAPY ANIMAL DAY"

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

7. PUBLIC COMMENTS

Due to COVID-19 public comments were collected via email and provided to the Board. All comments were posted on the County's online agenda.

8. CONVENE TO EXECUTIVE SESSION

It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:18 a.m.

9. RECONVENE

The meeting reconvened at 10:13 a.m. All members were present.

EXECUTIVE SESSION

10. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in FC Tucson AZ Landlord, L.L.C., et al. v. Pima County, Arizona Tax Court Case No. TX2019-001738.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that under the terms of the proposed settlement, the full cash value for Tax Parcel No. 141-07-026A, would be set at \$63.65 million for tax year 2020 and the value would roll to tax year 2021. He indicated that the Finance and Risk Management Department recommended approval. He stated that the County Attorney's Office sought direction on whether to proceed with the proposed settlement.

It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to accept the recommendation and proceed with the settlement.

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to join an amicus brief on behalf of local governments in support of intervening states defending the Affordable Care Act in California v. Texas, United States Supreme Court Case Nos. 19-840 and 19-1019.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to join an amicus brief on behalf of Pima County.

It was moved by Supervisor Christy and seconded by Supervisor Miller to not file an amicus brief.

Chairman Valadez made a substitute motion to file an amicus brief and participate in the process. Supervisor Bronson seconded the motion. Upon the vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

12. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a proposed settlement in SCVRH Holdings, L.L.C., et al. v. Pima County, Arizona Tax Court Case No. TX2019-0001745.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that under the terms of the proposed settlement, the full cash value for Tax Parcel No. 304-69-047S, would be set at a total of \$22.5 million for tax years 2020 and 2021. He further stated that the full cash value for Tax Parcel No. 304-69-047R, would be set at \$2.5 million for tax years 2020 and 2021 and these values would roll to 2022. He indicated that the Finance and Risk Management Department recommended approval. He stated that the County Attorney's Office sought direction on whether to proceed with the proposed settlement.

It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to accept the recommendation and approve the settlement.

13. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding global settlement negotiations potentially impacting Pima County's claims in consolidated multi-district litigation styled In re National Prescription Opiate Litigation, United States District Court Case Nos. AZ/4:19-cv-00166; 1:17-md-02804-DAP.

Andrew Flagg, Chief Civil Deputy County Attorney, stated this item was for information only. No Board action was taken.

COUNTY ADMINISTRATOR

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

- **Revisions to Board of Supervisors Policy**

Discussion/Direction/Action regarding approval of the revisions to Board of Supervisors Policy D 23.20 Attendance Policy During Influenza or Other Viral Pandemic Outbreak.

- **COVID-19 Pandemic Data**

Discussion related to all Pima County COVID-19 pandemic data. (District 1)

- **COVID-19 Budget Implications**

Discussion/Action regarding FY 2020/21 Budget Hearing cancellations for May 5, 2020 and May 12, 2020.

(Clerk's Note: Please see the attached verbatim related to this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

CLERK OF THE BOARD

15. Petitions for Redemption of Property Tax Exemption Waiver

Staff recommends approval of the petitions for redemption of property tax exemption waivers.

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

INDUSTRIAL DEVELOPMENT AUTHORITY

16. Academy of Tucson Project

RESOLUTION NO. 2020 - 26, of the Board of Supervisors, approving the proceedings of the Industrial Development Authority of the County of Pima regarding the re-issuance of its Education Revenue and Refunding Bonds (Academy of Tucson Project, 9209 E. Wrightstown Road, 10720 E. 22nd Street, and 7302/7310 E. 22nd Street, Tucson, Arizona), Series 2010 in an aggregate principal amount not-to-exceed \$9,385,000.00 and declaring an emergency.

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

REAL PROPERTY

17. Conveyance of Property

Staff recommends approval of conveyance to Tucson Unified School District for 50 feet of Tetakusim Right-of-Way and 75 feet of Camino De Oeste Right-of-Way, a portion of Tax Parcel No. 138-28-010A. (District 5)

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

RECORDER

18. Drop off and Emergency Voting Locations

RESOLUTION NO. 2020 - 27, of the Board of Supervisors, approving ballot drop off locations and authorizing emergency voting locations for the 2020 Primary Election.

(Clerk's Note: Please see the attached verbatim related to this item.)

19. Drop off and Emergency Voting Locations

RESOLUTION NO. 2020 - 28, of the Board of Supervisors, approving ballot drop off locations and authorizing emergency voting locations for the 2020 General Election.

(Clerk's Note: Please see Minute Item No. 18 for further discussion regarding this item.)

It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to adopt the Resolution, with the additional Emergency Voting sites included in Resolution No. 2020-27.

FRANCHISE/LICENSE/PERMIT

20. Hearing - Liquor License

Job No. 97484, Michael Eugene Arino, Barnfire Mesquite Grill, 8310 N. Thornydale Road, No. 180, Tucson, Series 12, Restaurant, New License.

Supervisor Miller inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

PIMA ANIMAL CARE CENTER

21. Hearing - Pima County Code Text Amendment

ORDINANCE NO. 2020 - 13, of the Board of Supervisors, relating to animals; amending the Pima County Code, Title 6, Pima County Animal Code.

(Clerk's Note: Please see the attached verbatim related to this item.)

22. The Board of Supervisors on April 7, 2020, continued the following:

Hearing - Fee Schedule

ORDINANCE NO. 2020 - 12, of the Board of Supervisors, relating to animals; to adopt a fee schedule for licensing, shelter, veterinary care, and related services provided by the animal services department under Title 6 of the Pima County Code.

Chairman Valadez inquired whether this item was related to Minute Item No. 21 and asked if it should be continued in accordance with that item.

Ms. Hassen responded in the affirmative.

It was moved by Supervisor Bronson and seconded by Chairman Valadez to close the public hearing and continue the item to the first Board meeting in September, 2020. Upon the vote, the motion carried 3-2, Supervisors Christy and Miller voted "Nay."

COUNTY ADMINISTRATOR

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

- Discussion/Action related to the Small Business Commission meeting regarding federal assistance to help small businesses deal with the COVID-19 pandemic. (District 5)
- Discussion/Action of COVID-19 illnesses' geographic distribution and how to effectively address the public outreach effort on COVID-19 issues in the Spanish language. (District 5)
- **Revisions to Board of Supervisors Policy**
Discussion/Direction/Action regarding approval of the revisions to Board of Supervisors Policy C 2.9 Temporary Policy - Novel Coronavirus (COVID-19).

(Clerk's Note: Please see Minute Item No. 14 for discussion and action regarding this item.)

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

24. **City of Tucson and Pima County Consortium FY 2014-2019 HUD Consolidated Plan Amendment**

RESOLUTION NO. 2020 - 29, of the Board of Supervisors, to amend the City of Tucson and Pima County Consortium FY 2014-2019 HUD Consolidated Plan and authorize submission to the U.S. Department of Housing and Urban Development.

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

25. **2019-2020 Annual Action Plan Amendment**

RESOLUTION NO. 2020 - 30, of the Board of Supervisors, to amend the Pima County 2019-2020 Annual Action Plan and authorize submission to the U.S. Department of Housing and Urban Development.

FY 2019/2020 Pima County Community Development Block Grant (CDBG) Re-Program

Location-Applicant/Program/Activity/Recommendation

Sahuarita Food Bank-Good Shepherd United Church of Christ/Sahuarita Food Bank Facility Improvement/pf/\$50,000
Pima County CDNC/Brownfields/bf/\$30,000
Pima County CDNC/Commercial Façade/pf/\$50,000
Pima County CDNC/Emergency Demolition/demo/\$25,000
Pima County CDNC/Project Delivery/pf/\$25,000
Pima County CDNC/Rural Food Pantry Improvement Program/pf/\$40,000
Flowing Wells Neighborhood Association and Community Coalition/Operating Funds/ps/\$15,000
Interfaith Community Services/Temporary Housing for Lead Removal and Repair/hsg/\$10,000
Community Investment Corporation Brownfields Façade Improvement/ed/\$70,000
TOTAL REPROGRAMED IN 2019 CDBG ANNUAL ACTION PLAN \$315,000.00

Additional FY 2019/2020 Pima County Community Development Block Grant (CDBG) Re-Program Activities to Support COVID-19 Food Security Program

Location-Applicant/Program/Activity/Reprogrammed Funds

Ajo Center for Sustainable Agriculture/Ajo - C19 Food Security Program/ps/\$50,000
Altar Valley School District No. 51/Altar Valley - C19 Food Security Program/ps/\$20,000
Arivaca Coordinating Council, Human Resources Group, Inc./Arivaca - C19 Food Security Program/ps/\$20,000
Interfaith Community Resources/Northwest - C19 Food Security Program/ps/\$20,000
Impact of Southern Arizona/Catalina - C19 Food Security Program/ps/\$5,000
Catholic Community Services, d.b.a. John Valenzuela Youth Center/South Tucson - C19 Food Security Program/ps/\$30,000
Flowing Wells School District, Flowing Wells Resource Center/Flowing Wells - C19 Food Security Program/ps/\$30,000
Sahuarita Food Bank/Sahuarita - C19 Food Security Program/ps/\$50,000
ReSources Vail Food Bank/Vail - C19 Food Security Program/ps/\$10,000
Community Food Bank of Southern Arizona/Amado, Green Valley, Marana & Countywide - C19 Food Security Program/ps/\$80,000
TOTAL 2019 CDBG ANNUAL ACTION PLAN, NEW PUBLIC SERVICES ACTIVITIES \$315,000.00

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

PROCUREMENT

26. **Award**

Amendment of Award: Master Agreement No. MA-PO-17-143, Amendment No. 9, BlackPoint IT Services, Inc., to provide for ShoreTel VoIP system maintenance. This amendment is for a one-time increase in the amount of \$100,000.00 for a cumulative not-to-exceed contract amount of \$1,687,000.00. This increase is required due to the high requests for support, hardware, and licensing for the County Mitel phone system. Funding Source: Budget Reserve Fund. Administering Department: Information Technology.

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

27. Cox Arizona Telcom, L.L.C., Amendment No. 2, to provide for data fiber link between data centers, extend contract term to 6/30/20 and amend contractual language, Teledata Fund, contract amount \$46,000.00 (MA-PO-15-262) Information Technology

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

CONTRACT AND AWARD

COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION

28. Kuehl Enterprises, L.L.C., Amendment No. 1, to provide for consulting services for planning, technical/training assistance and report planning, extend contract term to 3/31/21 and amend contractual language, HUD, CDBG and HOME Investment Partnership Program Funds, contract amount \$50,000.00 (CT-CD-19-427)

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

29. City of Tucson, Amendment No. 1, to provide for the preparation and submission of the Joint analysis of Impediments of Fair Housing Choice, the July 1, 2020 to June 30, 2025 Consolidated Plan Update and the Annual Action Plans, extend contract term to 12/31/21 and amend contractual language, contract amount \$25,000.00 revenue (CTN-CD-19-123)

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

COMMUNITY SERVICES, EMPLOYMENT AND TRAINING

30. Amendment No. 2, to provide for youth - workforce development services, amend contractual language and scope of work, no cost, for the following:

Vendor/Contract No.

Tucson Youth Development, Inc./CT-CS-19-221

Portable Practical Educational Preparation, Inc./CT-CS-19-231

Goodwill Industries of Southern Arizona, Inc./CT-CS-19-232

SER - Jobs for Progress of Southern Arizona, Inc./CT-CS-19-254

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

31. Compass Affordable Housing, Inc., Amendment No. 6, to provide for the HUD Continuum of Care Program - CASA, extend contract term to 4/30/21, amend contractual language and scope of work, HUD Fund, contract amount \$190,332.04 (CT-CS-16-268)

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

32. Salvation Army, Amendment No. 5, to provide for the HUD Continuum of Care Program - CASA, extend contract term to 4/30/21, amend contractual language and scope of work, HUD Fund, contract amount \$106,520.96 (CT-CS-16-264)

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

GRANT APPLICATION/ACCEPTANCE

33. **Acceptance - Community Services, Employment and Training**

Arizona Community Action Association, d.b.a. Wildfire, Amendment No. 1, to provide for the 2019-20 Utility Assistance Programs, \$20,000.00 (GTAM 20-37)

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

34. **Acceptance - Community Services, Employment and Training**

Arizona Community Action Association, d.b.a. Wildfire, Amendment No. 2, to provide for the 2019-20 Utility Assistance Programs, \$78,000.00 (GTAM 20-39)

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

35. **Acceptance - Health**

Arizona Family Health Partnership, Amendment No. 1, to provide for the Family Planning Program (Title X), \$215,000.00 (GTAM 20-36)

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

36. **Acceptance - Health**

Arizona Department of Health Services, Amendment No. 3, to provide for the Emergency Preparedness Program, \$655,986.00/\$65,598.60 Health Special Revenue Fund Match (GTAM 20-41)

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

BOARD, COMMISSION AND/OR COMMITTEE

37. Small Business Commission

- Appointment of Guillermo Gallegos, to fill a vacancy created by Rhonda Pina. No term expiration. (District 2)
- Appointment of Raúl Aguirre, to fill a vacancy created by Michael Mallozzi. No term expiration. (District 5)

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

38. Corrections Officer Retirement Board

- Ratification of reappointment: Leo Duffner. Term expiration: 12/31/23. (Chairman recommendation)
- Appointment of Benny Gomez, to replace Keith Bagwell. No term expiration. (Chairman recommendation)

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

39. County Attorney Investigators Local Retirement Board

- Ratification of reappointment: Leo Duffner. Term expiration: 12/2/21. (Chairman recommendation)
- Appointment of Benny Gomez, to replace Keith Bagwell. No term expiration. (Chairman recommendation)

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

40. Public Safety Personnel Retirement Board

- Ratification of reappointment: Leo Duffner. Term expiration: 12/31/23. (Chairman recommendation)
- Appointment of Benny Gomez, to replace Keith Bagwell. No term expiration. (Chairman recommendation)

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

41. **Metropolitan Education Commission**

- Ratification of appointments/reappointments: George Favela, Public Sector (Non-School) Parent, James Wiltbank, Religious Community, Nicole Pargas, R.N. and Paul Lovelis, Social Service Agencies Serving Children/Youth. Term expirations: 12/31/20. (Chairman recommendations)
- Appointment of Betty Villegas, to replace Richard Elías. Term expiration 12/31/20. (Chairman recommendation)

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

42. **Election Integrity Commission**

Reappointment of Levoy Hurley. Term expiration: 4/2/22. (District 4)

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

43. **Board of Health**

- Appointment of Betty Villegas, to replace Richard Elías. No term expiration. (Chairman recommendation)
- Reappointment of Rene Gastelum. Term expiration 4/30/24. (District 2)

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

CONSENT CALENDAR

44. **Approval of the Consent Calendar**

It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to approve the Consent Calendar in its entirety.

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CONTRACT AND AWARD

County Attorney

1. Community Bridges, Inc., Amendment No. 1, to provide for the Tucson/Pima County Consolidated Misdemeanor Problem Solving Courts Initiative, extend contract term to 2/28/21 and amend contractual language, DTAP-JMHCP (\$76,132.00) and PCA-DTAP SAMHSA/CSAT (\$23,868.00) Funds, contract amount \$100,000.00 (CT-PCA-19-506)

Natural Resources, Parks and Recreation

2. Aztlan Youth Program, Inc., to provide for the operation of Centro Del Sur Community Center and Boxing Gym, no cost (CTN-PR-20-111)

Pima Animal Care Center

3. Pascua Yaqui Tribe, to provide for animal care and enforcement services, contract amount \$186,422.00 revenue/3 year term (CTN-PAC-20-137)

Pima County Wireless Integrated Network

4. Tucson Unified School District, to provide for subscriber services, contract amount \$9,424.00 revenue/2 year term (CTN-WIN-20-102)
5. Tucson Unified School District, to provide for PCWIN Public Safety Service Participant Membership, contract amount \$32,572.00 revenue/2 year term (CTN-WIN-20-110)

Procurement

6. Psomas, Inc., to provide for design engineering services for South Houghton Road Widening (4SHRWD), Transportation Non-Bond Project (Southeast Area Impact Fees - 100%) Fund, contract amount \$2,901,174.81 (CT-TR-20-292) Transportation
7. Hoffman Southwest Corporation, d.b.a. Professional Pipe Services, Amendment No. 5, to provide for conveyance system closed circuit television inspection services, extend contract term to 4/30/21 and amend contractual language, RWRD Obligations Fund, contract amount \$1,500,000.00 (CT-WW-15-416) Regional Wastewater Reclamation
8. Line and Space, L.L.C., Amendment No. 1, to provide for architectural and engineering design services: Sahuarita Library (XSBLIB) and amend contractual language, FM-Capital Projects Non-Bond Fund, contract amount \$34,698.52 (CT-FM-19-89) Facilities Management
9. Line and Space, L.L.C., to provide for architectural and engineering design services: Martha Cooper Library Expansion (XMLBEX), FM-Capital Projects Non-Bond Fund, contract amount \$584,934.23 (CT-FM-20-293) Facilities Management

Recorder

10. Town of Marana, to provide for 2020 election services, contract amount \$5,000.00 estimated revenue (CTN-RE-20-98)
11. Town of Sahuarita, to provide for 2020 election services, contract amount \$3,300.00 estimated revenue (CTN-RE-20-99)
12. Town of Oro Valley, to provide for 2020 election services, contract amount \$5,200.00 estimated revenue (CTN-RE-20-100)
13. City of South Tucson, to provide for 2020 election services, contract amount \$400.00 estimated revenue (CTN-RE-20-101)

Transportation

14. Rincon Valley Fire District, to provide for Emergency Vehicle Preemption access at signalized intersections, no cost/10 year term (CTN-TR-20-96)

GRANT APPLICATION/ACCEPTANCE

15. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 1, to provide for STD Control Services, \$134,281.40 (GTAM 20-40)

BOARD, COMMISSION AND/OR COMMITTEE

16. **Tucson-Pima County Bicycle Advisory Committee**
Appointment of Courtnee DeBoer, to fill a vacancy created by Kenny E. Shelor. Term expiration: 4/20/22. (Commission recommendation)

ELECTIONS

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

RESIGNATION-PRECINCT-PARTY

Carol J. Borges-192-DEM; Nancy Lee Dippold-192-DEM; Sara M. Williams-076-GRN; Kristina E. Sonderegger-098-GRN

APPOINTMENT-PRECINCT-PARTY

James Riggs Orr-116-DEM; Stephen M. Kelsey-192-DEM; Pat A. Struck-192-DEM

FINANCE AND RISK MANAGEMENT

18. Duplicate Warrants - For Ratification

Southern AZ Aids Foundation \$1,238.60; Kristin Robinson-Lund \$198.41; AT&T Mobility II, L.L.C. \$2,466.70; Vanessa C. Moss \$4,788.00; Manufacturers & Traders Trust Company \$534.30; Trajen Flight Support, L.P. \$1,800.25; Brian David McHugh \$89.40; Tucson Electric Power Co. \$135.50.

SUPERIOR COURT

19. Judge Pro Tempore Appointments

Appointments of Judges Pro Tempore of the Superior Court for the period of July 1, 2020 through June 30, 2021:

Judges Pro Tempore (Voluntary)

Michael Aaron; John Aboud; Michael Aboud; Ronald Allen; Rebecca Assini; Susan Bacal; J. Barker; Richard Beck; Laura Belleau; Elizabeth Benavidez; Mark Bockel; John Bolt; John Brady; Lindsay Brew; Caleb Brown; Luke Brown; Randi Burnett; Justin Castillo; Dan Cavett; Nikki Chayet; Douglas Clark; Gary Cohen; Peter Collins, Jr.; Danielle Constant; Roger Contreras; Katrina Conway; Erica Cornejo; T. Cranshaw; Suzanne Diaz; Neal Eckel; Peter Economidis; James Egbert; Melissa Errico; Joseph Ezzo; Erin Fox; Abbe Goncharsky; Gregory Good; Ann Haralambie; Michelle Harris; Phoebe Harris; Megan Hill; Daniel Huff; Gary (Todd) Jackson; Jane Jacobs; Michael Johnson; Daniel Jurkowitz; Leonard Karp; Shaun Kenney; Brian Kimminau; Kevin Kinghorn; Silvan Korn; Reagen Kulseth; Mark Lammers; Thomas Laue; Lisa Lewis; Robert Lewis; Barry Mac Ban; Gerald Maltz; Jennifer Manzi; Analisa Masunas; Peter Matiatos; Kathleen McCarthy; Lisa McNorton; Timothy Medcoff; Wendy Million; Kathryn Nelson; Karen Nygaard; Nancy O'Neill; Jill Owen; J.C. Patrascioiu; Carl Piccarreta; Michael Pollard; Karen Pollins; Terri Pones; Carrie Rednour; Jonathan Reich; Antonio Riojas, Jr.; Annie Rolfe; Michael Rusing; James Sakrison; Dee-Dee Samet; Ted Schmidt; Anne Segal; Dev Sethi; Susan Shetter; Keith Singer; Jeffrey Sklar; Marissa Sites; Christopher Smith; Ronald Sommer; Russell Stowers; Edina Strum; Douglas Taylor; Sandra Tedlock; Merle Turchik; Erika Volpiano; Adam Watters; James Whitehill; Paul Willman; Sarah Wright; Jeffrey Wohlford; Dawn Wyland; Kaytlyn Yrun-Duffy; Ronald Zack; Raymond Zirkle

Court Commissioners to serve as Judges Pro Tempore (With Pay)

Lisa Abrams; John Assini; Lisa Bibbens; Jane Butler; Dean Christoffel; Julia Connors; Geoffrey Ferlan; Patricia Green; Lori Jones; Susan Kettlewell; Jennifer Langford; Cathleen Linn; Alyce Pennington; Deborah Pratte; Gilbert Rosales; Laurie San Angelo; Thomas (Ken) Sanders; Helena Seymour

Judges Pro Tempore/Hearing Officer (With Pay)

Howard Fell; Teresa Godoy; Kimberly Ortiz; Lee Ann Roads

PROCLAMATION

20. Proclaiming the week of May 1 through 7, 2020 to be:
"YOUTH WEEK IN PIMA COUNTY"

RATIFY AND/OR APPROVE

21. Minutes: March 19, 2020

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45. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 1:15 p.m.

CHAIRMAN

ATTEST:

CLERK

COUNTY ADMINISTRATOR

14. Updates and Action on COVID-19

- **Revisions to Board of Supervisors Policy**

Discussion/Direction/Action regarding approval of the revisions to Board of Supervisors Policy D 23.20 Attendance Policy During Influenza or Other Viral Pandemic Outbreak.

- **COVID-19 Pandemic Data**

Discussion related to all Pima County COVID-19 pandemic data. (District 1)

- **COVID-19 Budget Implications**

Discussion/Action regarding FY 2020/21 Budget Hearing cancellations for May 5, 2020 and May 12, 2020.

Verbatim

RV: Chairman Valadez

SB: Supervisor Bronson

SC: Supervisor Christy

AM: Supervisor Miller

CH: Chuck Huckelberry

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

RV: Moving on to Item No. 10, Updates and Actions on COVID-19. We have a number of items there as well as I believe on the Addendum, related to this. Mr. Huckelberry?

CH: Mr. Chairman, a couple of things that we probably need to do, but I am having a piece of paper brought down to me, with regard to the Attendance Policy, and it is really basically, we had received further guidance from the Federal Agency Department of Labor and we are trying then to conform our rules to the new guidance out of the Department of Labor. Then we made a last-minute change simply because in the State of Arizona, the initiative with regard to sick leave, changed the Department of Labor guidance, as soon as we get that down, I will go through it in a minute. Let me give you a brief overview and I do not intend to go over it in any detail because I think you can all read the material that we sent out yesterday. The important part is simply the cover memorandum that then ties in a number of attachments that basically is the current thinking and the current issues associated with our response to the COVID-19 Pandemic. To just kind of hit the highlights, cases continue to rise, I have not been able to get into the State's website this morning to see what they changed but I know they probably did and perhaps Dr. Garcia can report on those. What we have done here is simply report the population ratios and the number of cases and the number of deaths. The

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new State website actually talks of this in another way. They talk about cases per 100,000 population which is a way of looking at frequency and probability, so that is obviously there to be examined. With regard to viral testing, we have made some progress there and I will ask Dr. Garcia to kind of fill that in a minute, after I go through these all fairly quickly. There is a lot of material and I think it is important just to hit the highlights and then come back and get some details if you want. The viral testing, we have now had a more reliable supply of test kits, we mentioned providing as much as 1,000 a week. We know that with the contracting that we have with the existing labs, we can basically test up to 2,500 per week. We also know that, this Saturday, the public health agency received two of the Abbott testing machines which really provide test results in 15 to 30 minutes. Again, our staff is gathering the information, gathering the materials that actually use those test kits. I think that some of testing, at least in the viral side, is better than it was but we are still having the public agency prioritize testing in the manner in which they have prioritized testing in the past. We are not to the point where anybody who wants a test can get a test and so that is really the summary of viral testing. To show you, one of the discussion points that always comes up, is how many tests are out there and what are we doing? If you think of the State of Arizona has basically performed 54,500 tests and if you compare that the State's population is 0.7%, so it is still a pretty small number. We hope that significantly increases in the future. The one announcement that we have been looking at is that antibody testing. That is the next discussion, the University of Arizona with the Governor, announced antibody testing, I think last week. Our public health agency and Dr. Garcia are in the middle of basically operationalizing that particular action, and they are going to start with, I think it was announced at statewide level, 250,000 tests for essentially healthcare workers and first responders. We are looking at piloting with the University the first rollout of that is about 2,500 tests. It will start more than likely within the week in a couple of locations that are the County's but we will let the University announce that. In addition, we know that we tend to still have issues with critical supplies and I think I have given you a few examples of supply items that, you know, have basically been requested but not delivered. I think the most important is the N95 masks. We have been able to distribute about 25,000 masks but we have demands for 230,000 requested. The Major General of the Arizona Guard was at our facility last week, and the discussion was about the procurement of major P.P.E. supplies out of California. We will see if that helps, but it is an issue that continues to be potentially problematic. Food accessibility and food security, we have obviously, with the help of Supervisor Bracker and Supervisor Bronson. We have been able to secure excess food supplies out of the produce warehousing in Nogales and a lot of that is being distributed. Some of our staff is helping at least the Community Food Bank locally here with simply the warehousing processes that are associated with that. The National Guard has taken over a lot of the duties associated with distributing that food from the point of the warehouse to various points throughout Arizona and Pima

County. I list a few of those that have gone out and so far, they have delivered about 53 pallets of food and each pallet is about 2,000 pounds, so that is tons. The one area that we continue to be positive in, is in the hospital capacity and you can see that we have significant hospital capacity, both in the area of I.C.U. beds, as well as emergency beds, as well as ventilators. So, that continues to be positive. There has been a great discussion recently with regard to first responders and making addresses of those who have tested positive available to first responders, or through what we call the 911 call centers, so that the additional information can be given to first responders for their use. The State is in the process of probably releasing that. We prefer that they release it at a statewide level so we have again, consistency and it is not done sporadically from County to County. Our concern with releasing this information to first responders is that they somehow believe that it is completely accurate and they get a false sense of security in responding to locations. Since we know that for every positive test we have, we probably have a group of individuals out there who are positive but not showing symptoms or not being symptomatic. In addition, one of the problems with this is, two counties are doing it, Yuma and Pinal and in those two counties one of the key elements of, we will say preventing a disease from spreading that is infectious, is this thing called contact tracing. That is where our public health staff follows up with individuals who have been infected and try and isolate them and try and determine where they have been to help prevent the further spread. We have some examples of individuals in those two counties where when we do contact tracing, we will now have to disclose to the individual that their address may be or will be released to law enforcement and that has led to a few false addresses, which then makes it much more difficult to do contact tracing. There is the good and the bad of that issue of releasing the information. I have given you and again, you can look at this at your leisure. The Operation Center, it has been kind of this black hole that you have a lot of people in and everybody wonders what they do. We have basically the names of all the people who run the specific units within the Emergency Operations Center, their responsibilities and, you know, how they are interacting in the COVID-19 Pandemic. For example, we have a hospital and ambulatory care group, we have a long-term care group, we have volunteer groups, we have again a number of groups in that, that all interact to look at trying to provide support to the community during the pandemic. We have instituted, as of last Wednesday, a Wellness Check Program and a Pilot in this building, the Administration Building. They have probably taken the temperatures of 500 to 1,000 people. If you have a little green sticker on you, you have been through the test and that is really to try and provide a little bit of security for the folks who are essential workers in these buildings and continue to have to report to work and perform their duties. So far, we have not had anyone refuse a wellness check and I think we have had at least one or maybe two elevated temperatures from probably 1,000 checks, and those were members of the public who were coming in. They were given the standard card and advised to see their physician. So far

that is working. It is now being expanded, because about noon on Friday we received 50 thermometers, the infrared thermometers. Basically now all the larger buildings where we have staff reporting, will now also go through wellness checks. The staff that are basically staffing the wellness check locations are library employees who have gone through some training and the program is really centered out of our Human Resources Department. We have a long discussion on vulnerable populations and I will not go into any detail because there are two attached memorandums that deal with it and we divide them into two categories. One Medically Vulnerable and the other is Socioeconomic Vulnerable. They somewhat overlap but they are distinctly different in how they are treated and you can see one memorandum from Dr. Garcia deals with the medical vulnerable population and the second memorandum from Nicole Fyffe, deals with the socioeconomic vulnerability that deals with just generally poorer health outcomes in certain populations. We have given you the information with regard to the Cares Act and that is again federal reimbursement and that reimbursement is coming. We applied through the portal, got the appropriate notification that it is accepted. We should receive some type of payment within probably the next five to ten days from the federal government. It is important to understand that the Cares Act is an expense reimbursement program. It is not a revenue replacement and so there is a big difference between the two. The difference is as I will tell you when we talk about budgets. What revenue replacement means, these are ordinary expenses that we would not normally have occurred or been budgeted and I have given you the material there that talks about, you know, what can be eligible. It is unclear in the Cares Act and we will have to clarify with the State. For jurisdictions that are below 500,000, that means a county that is below 500,000 in population or cities or towns that are below that threshold. The State is going to be the vehicle which the money flows through to these entities. In cases of counties or cities or towns that are over 500,000, the Cares Act funds flows directly to them. We are eligible, Maricopa is eligible, City of Tucson is eligible, Phoenix and Mesa. Then the question then becomes well, who then provides the funding for the smaller jurisdictions within a county that has a population greater than 500,000? In that particular case, that is Oro Valley, Marana, Sahuarita and South Tucson. What we have indicated is that we are going to track that down through the State and obviously if the State does not, we will. They will in fact be somehow held whole in their additional expenses associated with COVID-19. We talked a little bit about relaxing standards, again, the stay at home orders have been in place now for some time. We really talk about four specific areas that need to be in place before we think about relaxing standards. When you look at those that I outlined, we really do not meet any of them, except the sufficient hospital and medical capacity. We do not have wide spread testing, we do not have, you know, sufficient personal protective equipment and we do not have the ability to do contact tracing in a timely manner. Timely manner is important because what we have been saying is that from the time a person is tested to the time that they are notified that

they are positive, can be anywhere from 2 to 14 days. Two days, that is better because we can basically contact them more quickly and find out where they have been. Contacting someone 15 days or 14 days after they have been infected and asking them where they have been for the last 14 days is a pretty difficult task. We need to strengthen that and I have been talking with Dr. Garcia and the public health agency about how we, and I think for the foreseeable future, are going to see a very significant strengthening of our public health agency response to this pandemic. What may continue to emerge until we have a truly appropriate vaccine for this particular area. We have added some pretty long discussions about the economic impacts on businesses and I know that was requested by the Board. What we can say is that it tends to be a mystery still. The only thing that we have been able to track down is basically some information that we did not even include in the packet because we just printed it this morning. It talks about the Pay Check Protection Program and how it has been used throughout the United States. We can tell you how many businesses applied and were accepted and how much money was spent in Arizona and all the rest of the states and I will make this available to the Board as soon as we are done here. Again, a lot of information. Things are changing, almost I would say, not by the day, but by the hour and so we will continue to try to keep up with it. I have a couple of calls I have to make already back to the University with regard to antibody testing, we are in that process. Let me hit one final item, and that one final item, I think is really not much to talk about, but I will then give you, I am going to still send you the recommended budget at the end of this month. That recommended budget is going to look dramatically different because it was prepared pre-COVID-19. All we know is I did send you a notice last week about drops in state-shared revenues and those drops are becoming more into focus and more forecasted into the next year. While I think I said it may be \$14 million, \$11 million in state shared and a few others and a few others as we add them all together. I think we are in the fact, in the process of revising that to be about \$25 million dollars. So those are very significant changes. I will recommend some options to the Board about how you basically keep the County operating. Obviously, there is not going to be any supplemental packages approved in next year's budget, but I do not expect at this point, any significant, what I call reductions in staffing. We are able to, one of the things we did last year, if you recall, we took excess fund balance and reallocated it to capital projects. One of them is \$15 million to repair these major downtown buildings. What I have already done with our Finance staff is to basically put a hold on that, so that the Board has the option of pulling that back and increasing the fund balance. Because as we see, if you drop revenues \$25 million dollars, that is a significant hit and so we need to be able to move blocks of money around to accept that, those changes. So far, I think we have been able to probably do that, and still retain a fairly good fund balance. I think as we move forward, if we see this be prolonged, when we talk about prolonged, I think they are still forecasting things not really opening back up for a while and the fiscal impact

of this particular event will not only last into next fiscal year but probably into the following fiscal year. We need to basically be conservative in how we budget and have fairly large contingencies or fairly large fund balances that we can move money around, as needed, in order to basically keep County operations moving. I see no threat at this point to any major layoffs, but you do not know. That is why when we talk about this budget process, pre-COVID-19 we had set up some public meetings and public hearings on the budget. I think what I am going to recommend is that, at this point, those are probably fairly meaningless and that it is up to you if you want to hold those or not. It will depend on largely whether we are out of the stay in place order by the first time we have those hearings and that is mid-May, and that could be doubtful. So, perhaps all we should do is hold a statutory hearing with regard to budget adoption. Then as we set those budgets, we need, the Board needs to, I think, indicate that we will, monitor the budget on a pretty regular basis, particularly as it relates to state shared revenues and then come back mid-year. The only one area that is not going to change dramatically is the property tax base. That base has already been set, we always basically create levies in the property taxes on a base that has already been established so it is not going to change much, but it may change next year. It probably will not change dramatically for the good. It probably will be a contracting base again sometime and we will not know that until about January or February of 2021. So with that, let me go back and the one area that we do need the Board to act on is to basically, and I have given you in a memorandum just yesterday, the changes that we needed to make with regard to the personnel policies. The only real change is that previously in the federal guidance, they had not allowed sick leave to be used to backfill the two-thirds pay or the one-third pay gap that is created by we will say the folks who have minor children. In the case of Arizona's constitutional amendment, I think we are required to allow sick leave to be used for that purpose, so that is the only change.

RV: Mr. Huckelberry, we need action on that today?

CH: Yes.

RV: Are there any questions from the Board or should we just go ahead and act on this then do Q and A?

AM: I have some questions.

SB: Let us act on this.

RV: Pardon? I did not make that out, I am sorry, Sharon.

SB: I said why not act on this and then a question quickly, on cancellation of the budget hearings, does that need action also?

CH: Yes.

RV: Yes, both of those items. We can hold off a little bit and do Q and A first if the Board wishes or we can act on those items and do more Q and A. Why don't we go ahead and get that off our table at this point. The Chair would make a motion then to make the change to the Use of Sick Leave Policy as described by the County Administrator in his testimony.

AM: Second.

RV: Motion and a second. All those in favor, please signify by saying Aye.

ALL: {Chorus of Ayes}

RV: All those opposed, please signify by saying Nay. Ayes have it. Now on the budget hearing meetings what is the will of the Board?

SC: Mr. Chairman?

RV: Supervisor Christy.

SC: I understand the implications of the situation, but I do feel that a budget hearing or a budget hearing process is in the best interest of the community. Even though we are under certain restrictions with the virus, and things of this nature, I still feel that from a transparency and accountability standpoint that we should still hold the budget hearings that might even give us some more insight into what reductions might be coming. I feel it is important that we do continue to hold those budget hearings and that I would make such a motion.

RV: Is there a second?

AM: Mr. Chairman, I will second for discussion. Is it possible, would the maker of the motion accept canceling the budget hearings with the individual departments but us having a budget hearing discussion together? Because basically what Mr. Huckelberry just said was that these are going to be kind of meaningless. It also takes out the possibility that we are still under that restriction and have to cancel them later so we can still hold a hearing discussion without the individual members present, would you accept that?

SC: I would accept that.

RV: Okay, is there any further discussion?

SB: Mr. Chairman, I would like to make a substitute motion to cancel the budget hearings.

RV: The substitute motion is to cancel the budget hearings all together; is that correct?

SB: Except for the mandatory.

RV: Except for the mandatory three.

BV: I will second.

RV: There is a motion and a second. Any discussion? Hearing no discussion, all those in favor, please signify by saying Aye.

SB: Aye.

BV: Aye.

RV: Aye.

RV: All those opposed, please signify by saying Nay.

SC: Nay.

AM: Nay.

RV: Ayes have it. Now let us go to the Q and A now that we have taken care of those two items. Mr. Huckelberry.

CH: Mr. Chairman and Members of Board, we are willing to answer any questions you might have. I think maybe let us let Dr. Garcia lead off on the medical side first and then I think at that point, we can open it up to any questions you might have.

RV: Dr. Garcia, and also if you could cover in your points the issue of the validity of the antibody test right now in terms of the error rate, or the potential error rate as well, please. Dr. Garcia.

SC: Mr. Chairman, excuse me, just a point of information. Dr. Garcia will be talking or addressing his talk to the second bullet point on number 10? Or still on the first one?

RV: Actually, what we are going to do, we will let him do the presentation and if he has not addressed the issues, we will go ahead and do the Q and A from the Board. Not to worry, it will be addressed. Dr. Garcia.

FG: Mr. Chairman and Members of the Board, really important for you to understand that we continue to be on a very concerned and active footing regardless of what the broader conversation is. To date in Pima County, we have had 963 cases that have resulted in about 65 deaths. That is a very significant number of cases. Currently, we represent probably 19% of cases overall for the state and 31% of deaths, actually a little bit higher today. We continue to follow this very closely. I know that questions have emerged in terms of under what conditions we would talk about sort of reopening or how do we move into what has been described as phase one by the White House Coronavirus Task Force as outlined in Mr. Huckelberry's memo. We put some thought into how we move from where we are at now to where we need to be. Although there are certain indicators that are very positive, we note there are other indicators that are very concerning and continue to be very worried. One of the questions that you asked overall is about testing. Testing availability in Pima County has improved tremendously, but to date, we still, you know, tested under 7,000 people for a County of a million. The fact that we are testing the most symptomatic, the most vulnerable, I think is a good thing, and is attested to when you look at the positivity rate. We have a very high positivity rate among the folks who are being tested because these are folks who are in long-term care facilities, these are folks who are ill, these are symptomatic first responders, or symptomatic healthcare workers. I think that we are trying to be judicious with the relatively small resource of a small number of tests. I will tell you that also that as Mr. Huckelberry said, we have had some bright spots in the testing arena and that is that now we are being able to distribute tests, test kits that have been assembled for us by the Biorepository lab, at the University of Arizona. We are sharing those with our partners, with El Rio, with Marana, with our other federally qualified community health centers. We are also using those to do our investigations and contact testing that emerge as we are dealing with clusters of cases that occur in facilities where people live in a congregate setting. So again, lots of positives but still some emerging concerns. On Saturday, we received shipment of those two Abbott I.D. Now machines, they however, do not come with any of the supplies that are necessary to actually run the tests. So our staff is actually procuring that right now, nor do they come with a staffing that is ready to go. We are preparing our staff to assume those responsibilities. The last question that you asked, Mr. Chairman, had to do with antibody testing and what cautions we should have. We are in uncharted territory from a regulatory perspective. In the usual order, the FDA requires companies to undergo fairly extensive clearance and to publish their results as part of their package insert with any of the tests that you go to your doctor for, for your strep test, for everything. That is not happening today for really

good reasons because these are emergency use authorizations. What happens is that it is harder to assess whether the flood of products that are in the marketplace today, how comparable they are to each other. One of the questions that you asked specifically is about test performance characteristics. The test performance characteristics for these antibody tests are all over the map and so we need to be cautious. The County Administrator and Dr. Robbins have had really good communications and collaboration on potentially studying one of these products that is emerging from the University of Arizona. I think that is a very hopeful and positive step that we need to take. I think it will give us more information than we have now, but we still need to view these antibody tests with a great deal of caution.

RV: Dr. Garcia, and just so that it becomes very, very clear, both to people listening on the broadcast, as well as people here in the audience. What that basically means is that we cannot be certain that when the result is positive, that the person has the antibodies as well as the result that is negative that they do not have the antibodies; is that correct?

FG: Mr. Chairman, you are correct and you can see that is a double-edged sword. If you test healthcare workers and you find them to be immune, you put them back in the workforce, the implications of that test being incorrect are tremendous for that individual as well for the patients that they are caring for. Again, this is still a rapidly evolving thing. The collaboration that the County Administrator has embarked in with the President of the University, I think, is a very positive one and we need to let that conversation play out and see how those data inform our practice.

RV: Okay, other questions on that? If not, I am going to move to Supervisor Miller on her item, on Item No. 10.

AM: Mr. Chairman, the data that we have, it was in Mr. Huckelberry's memorandum attachment No. 2. He provided data that showed the COVID report by zip code and then another report that showed it by census tract. I guess you were talking about how this jumbles the data and it is not real good. Why would we not at least use the zip code data for informing people?

RV: Mr. Huckelberry.

CH: Mr. Chairman and Supervisor Miller, it sometimes makes a zip code look very bad. Zip codes are very large areas and they do not necessarily represent population densities, whereas census tracts do. For example, if you have and I think the State's data was looking at if you have more than 40 cases, then they show this whole zip code bright red. Well, those 40 cases are in one single pinpoint facility and so that is why it is misleading. We are going to continue to use the State's zip code data, but it just needs to be

understood that it may not represent the extent of the infection in that zip code, and the same thing with census tracts. I mean, I have also pointed out in the census tract data, there was one census tract that was very dark red, again that census tract, that dark red comes from one single facility. So it does not represent the entire population in that census tract.

AM: They are probably not broken up equally, right? Each zip code probably does not have an equal number of residents or certain area or anything like that. Okay, that explains that, that was kind of confusing. That was basically my question, it appeared that there were, if you looked at it by zip code, two different areas that should be our focus, but if it is specific facilities.., but we do have that information so that we can or the Health Department can be following up and tracking back with that. The other question I had was regarding the antibodies that you just talked about, Dr. Garcia. Do we even know how long the antibodies are in effect or how long they are good for or anything like that? Or are they good for any time frame at all?

RV: Dr. Garcia.

FG: Mr. Chairman. Supervisor Miller, again in areas still of a lot of inquiry. So typically, what we believe is that there is some degree of immunity that is built up when you acquire this infection naturally and that immunity sticks with you for a period of time. The caveats being in people whose immune system is not working well either because they have an autoimmune disease or because they are taking medication that suppresses their immune function, whether the same assumptions hold true. Again, this continues to be an area of a lot of debate and inquiry. I can tell you that the data we are seeing out of China suggests that there may be a subset of folks who continue to be vulnerable to infection and so that is obviously worrisome. I think that the best way to think about this immune antibody data is it gives us, it will give us for a population, not for individuals, but for a population, it will give us a sense of how widespread the infection is or was. It will give us a sense of how many people have already encountered that. It has been really useful, the data that is emerging both from Santa Clara County most recently, as well as New York City, seems to suggest that many more people have already been infected and have already gotten over their infection than we first surmised. This may indeed be a much more infectious entity than we previously supposed. However, if and this is good, if that is indeed the case, then there are an awful lot of people who have overcome that, who never actually went to the doctor who never might have known that they were exposed. So, even though the deaths are dramatic and certainly every one of those losses is a real loss, it kind of puts it in perspective that the actual case fatality may be smaller than had initially been estimated.

AM: What are we doing, Chuck was talking about the testing results coming back anywhere from 2 to 14 days. What are we doing to compress that time frame

or try to get those results sooner so we can actually do that tracing because based on what I have been seeing at the National level, that seems to be an integral part of their reopening process.

RV: Dr. Garcia.

FG: Mr. Chairman, Supervisor Miller, you focus in on a really critical piece, which is a part that is not working particularly well in the state. Understand that the labs have a duty to report these results and they have that duty to report to the State Health Department. The Health Department, the A.D.H.S., then notices us that we have positive tests that we need to take action on, so this is entirely in the hands of the State. Now having said that, with the flood of so many new laboratories entering into this space, into this marketplace, Sonora Quest and LabCorp they know they need to do this. They have a methodology by which they do data dumps on a regular basis to the state. Some of these companies now that are providing testing are out of State and may not necessarily be aware of all of these regulatory requirements. We believe that is actually part of the reason why we are seeing such big ranges in terms of the delay in reporting. That is the part that needs to be working, because sometimes, quite honestly, we get test results for people who have already recovered. They are that far out and it is impossible for us to take any action at that point.

AM: This will be an ongoing issue that we will be discussing with the State and they will have to do that before they can get the state reopened. Actually out-of-state labs are getting our tests and testing and then reporting back to the State, up at the state level. Thank you, that explains a lot. Mr. Huckelberry or I guess this may be for the County Attorney, you talked about providing data on individuals who have tested positive to law enforcement. How are we getting around the HIPAA laws?

RV: Mr. Huckelberry.

CH: Let me give you a very one sentence answer and let Andy take the rest. Governor's Executive Order.

AF: Mr. Chairman and Supervisor Miller, that is correct. There has been kind of a patch work up to the Governor's Order in terms of how other counties are handling it. There is guidance from the Federal Government on HIPAA and how you can in compliance with this data, can be shared in compliance with HIPAA. There is also maybe even more of a concern in this context, our state restrictions on disclosing infectious disease data, but my understanding is under the Governor's Order, this can all come through the State Department of Health Services and I think that is resolving some of the potential legal concerns that we dealt with.

AM: The one question, Mr. Huckelberry, you talked about in your memorandum that came out yesterday, the WiFi being set up so that individuals can park outside the library and use their computers. The issue that I am hearing about and I am sure you have heard it too, are individuals who do not have computers who are unable to access, who depended upon the libraries. Is there anything coming forward to assist those individuals with having access to the internet?

RV: Mr. Huckelberry.

CH: Mr. Chairman and Supervisor Miller, I think one of the things that we said early on with our libraries was do we have libraries that are capable of isolating the computer rooms, such that they can be accessed and measured in volume. Meaning that we can, from a perspective of controlling the computer room, only let so many people in, which means taking computers out of service but allowing some people in. That is in the process of looking at right now and hopefully I will have better answers on that in the next week. My guess is that we have also been looking at some very limited openings with libraries from the point of view just like the restaurants, where you call up and you order your books and we will have a place where we can deliver them to you, in like a restaurant pickup. That is in the works as well. I think the key here is we felt the least we could do is get the WiFi operating and operating it during a consistent time, making sure that everybody knows the password which is pretty simple. It is pclibrary, all one word.

AM: So we are doing that and then as far as the socioeconomic issue. I mean, we are seeing that this is where the largest impact is. What are we doing to address that moving forward?

RV: Mr. Huckelberry.

CH: Mr. Chairman and Supervisor Miller, it happens to coincide with an activity that we had actually embarked on with the University of Arizona and the City of Tucson to talk about vulnerability issues related to housing and shelter. I think what we are finding is that the same factors that deal with identifying of the populations that are vulnerable in those areas are the same populations that are vulnerable in health situations. Those two are coinciding and so, I think we will begin to see some data and information out of that joint effort within probably three weeks, so you are going to start to see that. I think it is a much longer, long-term issue because the same factors that when we deal with income and distribution, we deal with food accessibility, we deal with issues of quality of housing, quality of education. They are all basically stacking up and those who are in those categories are more vulnerable, not only to simply, we will say housing issues, but to public health issues. I think you will see a lot of overlap and it is a long-term solution to the problem.

- AM: Final question. You discussed possibly some limited opening of libraries in the way that the restaurants are opening up. Have we got any other possible loosening of restrictions or potential openings of various functions that were under consideration or are we waiting upon the Governor?
- CH: Mr. Chairman and Supervisor Miller, I think we are waiting mostly for the Governor. Again, I think if you listen to our public health officials, they are very cautious about opening up too soon. There is an attachment eight, which is pretty simple piece of paper and we tried to make it as understandable as possible. You know, it looks like this and it has some red boxes on it and some green boxes and yellow boxes, so it is a little bit like a traffic signal. So when all of those boxes turn green, you can pretty much go, but until then, you better be very cautious about moving forward in any particular area. As you can see from this current status about where we are today, there is a lot of red boxes on that graphic and that was a way in which for us to try and make it as simple as possible for people to understand when it is going to be possibly okay, to start relaxing rules.
- AM: It is hard to look at that chart. The copy that we have is black and white. I think that is the only chart. If we could get that in color that would be helpful.
- CH: Sorry about that. We will get you some colored.
- AM: Are these the criteria defined by the State or these are our criteria?
- CH: Mr. Chairman and Supervisor Miller, there are criteria that is based primarily on public health standards. They coincide and we are going to try and mesh them with what has been released from the CDC and the White House. They are similar, but I think some of ours are a little more prescriptive in numbers, where we talk about staffing and beds to two times the current COVID cases, they just talk generically about hospital capacity.
- AM: Thank you.
- SC: Mr. Chairman?
- RV: Supervisor Christy.
- SC: I have three or four questions. One, going back to the zip codes Mr. Huckelberry, when we have those clusters of testing and shows like an outbreak. They do not really reflect where the individual that tested positive lives because many times we do not have an address so it goes back to where the testing took place as the source of it?

- CH Mr. Chairman and Supervisor Christy, there are, we have a lot of address, but we do not, there is a number of addresses that you will see on even our charts that say 50 or 60 addresses not assigned. Typically because of no address being given or a P.O. Box in most cases, an address as a P.O. Box as opposed to a home address, so we will have those kinds of, we will say glitches in the data no matter what we do. But at the last count, when we were looking at the last week, we were looking at the map that had 622 cases and I think we had 60 unassigned addresses.
- SC: Dr. Garcia, just as an observation and just as your comment. The feedback I get from a lot of people as well as my own feeling, is that individuals want to know the following: Do I have the virus? Have I had the virus? And if I had the virus, will I get it again? Is there any kind of answer to those questions in the form of testing on the horizon?
- RV: Dr. Garcia.
- FG: Mr. Chairman, Supervisor Christy, so the recommendations from the Centers for Disease Control, again because of the limitations in testing, are not that you do on demand testing. Quite honestly, the recommendations from the Center for Disease Control and as disseminated through the White House Coronavirus Task Force, continue to be that the focus of testing be on symptomatic individuals. What you are seeing though is that in the past, we have been saying, you have got to be really sick in order to get tested. What you are seeing is that we are loosening up that definition of symptomatic individuals to encompass a broader segment of the population. You said three things: Do I have the virus? If I do, am I already protected? That is the antibody question. I think that, again, there is a lot of good work trying to really clarify what those antibody levels mean. I think this initial foray in collaboration with the University of Arizona will be very informative. Their intent is to look at both healthcare workers, first responders and kind of general population, as a way of kind of estimating what the antibody levels are. This continues to be a very concerning kind of situation and I wish I could tell you whether you personally are walking around and having had COVID-19 and are all fine and you should not worry about anything. We cannot do that today with any high degree of confidence.
- SC: Okay. Those that have recovered, where do we find that information?
- FG: That is an excellent question, Mr. Chairman and Supervisor Christy. That continues to be, the reason that information is not easily available on the State's website and the reason that we always hesitate with responding to that question is because at this time the CDC has not promulgated a definition of recovered. However, what we have been thinking about is how do we operationalize that? Because it is clear to us that some people end up

dying, that most people do not and that we need to sort of be able to do that. What we are doing is we are calling people at 15 and 30 days post their test and checking to see how they are doing. We are starting to gather that information and are starting to get that.

SC: Is that information going to be made public along with your daily tabulations?

FG: Eventually, Mr. Chairman and Supervisor Christy, the intent is that we will, that when we start having that information for a large enough set of the population, that we will be able to do that.

SC: My last question is regarding economic recovery. We kind of been tiptoeing around the issues of what it is doing to the business community, the small business community and the suffering that is going on there. I really feel there are going to be many businesses that are not going to be in a position where they can ever reopen. This is really concerning because of the rippling effect of these closures, all of their suppliers, all of their vendors, as well as their employees. So at some point, I think where the County needs to be is in a position to have a reopening plan in place and hopefully we will be seeing some of that with the Small Business Commission coming up with some guidelines. I am just throwing out some ideas that would give, I think, some sense of hope and some sense of security to health matters, as well as to the small business community. For instance, there could be possibly some type of proactive situation with County health officials who could go to currently closed businesses that fall under the prohibitions, restaurants, bars, gyms, hair and nail salons and meet with the owners, if they are still even considering opening up again, and guide them through a process of reopening and saying, now, look, it is not going to happen tomorrow, but we are anticipating at some point sooner rather than later, that we will relax these prohibitions, that we will allow for these openings and if we want to keep that ability to reopen, you are going to have to follow certain steps pretty much the way it is being managed in the big box stores, Walmart, Costco, the grocery stores. Where they are able to manage how many people are in a room or a building at any given time, how far apart they are, and how far apart the employees are from the customers, these types of things and use those models to the businesses that are now prohibited from operating. For instance, calling a restaurant owner or a bar owner, or a gym owner and saying at some point we are going to be reopening and in order to make sure that you can stay open, you are going to have to have these protocols in place. I do not see that kind of proactivity on the County's part making attempts to try to get a pivot here where we can reopen. Many of these businesses to reopen again is even more difficult than starting from ground up. To restock inventory, to purchase perishable goods for restaurants and things of this nature. That is a huge expensive effort and in order to maintain that momentum of opening up, they are going to need guidelines by which they can be allowed to open up. Somewhere along the

line, either through the Health Department or the Economic Development Department, or somewhere in the County there has to be an effort and a concerted effort that the business community can look to and see and feel and touch that the County is being proactive in trying to find ways to step by step, baby steps as they may be to say look, we are going to open. We are going to allow you to open, and to assure that you stay open, here is what you need to do, to make sure that we are minding the health of our community, but at the same time, giving some direction and some hope that businesses will be able to open up again someday soon. I think the feeling of the business community, I get letters that are just heart wrenching, my stomach is in knots. It is difficult to sleep after reading these letters from these folks that are just losing everything that they got, everything that they have had and put into their business, and then suddenly the business is shut down like a light switch and now they are expected to stay down and there is a lot more of their cash going out that is coming in, and these government aids and things, that is just a little bandage on a bleeding artery. Because a business needs consistent, sustainable cash flow on a constant level. It just cannot be a shot like five or ten grand here and expect that the business is going to be just fine. That is not how businesses work and the County needs to as diligent as it has been in protecting the health of our residents, which is imperative and important and of the highest priority, we need to protect the health of our small businesses. They do not feel, and they do not see that kind of effort being put into it and we need to change that direction to have a reopening plan and be ready to pivot when that day comes and hopefully if they can be guided in these directions and protocols, they can certainly open in a much sooner and more expeditious way.

RV: Alright, thank you Supervisor Christy.

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: Just to follow up on the comments that Supervisor Christy made, we had discussed the Small Business Commission meeting and being a part of that process. Have they met yet?

RV: That is Item No. 6, the next item. We were just about to go there.

AM: Alright, sorry.

RV: That was Supervisor Villegas that put that on the Addendum.

BV: Yes, I am here.

RV: Supervisor Villegas, let me ask Mr. Huckelberry to comment and then we will go to you directly after that okay?

BV: Okay.

RV: Mr. Huckelberry, Addendum Item No. 6.

CH: Mr. Chairman and Members of the Board, I believe the Small Business Commission has been reconstituted. I believe they met or are in the process of meeting, and the staff is essentially John Moffatt and Mr. Cavanaugh and the process is one which we are going to basically listen to them and let them tell us a little bit of what they want. We are also providing them as much information as we can, plus the two reports that have been done by Mr. Moffatt and Mr. Cavanaugh to that commission. I think one of the key points, we cannot get any information on any businesses so far in Pima County. We know there have been obviously, with the number in Arizona that have actually received any benefit from the Payroll Protection Program or other programs for small business.

SC: Mr. Chairman?

RV: Supervisor Christy.

SC: One note, I meant to say earlier regarding restaurants, and it was brought up to me by a member on the Board of the Arizona Restaurant Association, who also is a restaurant owner himself. Is there a possibility that through our Communications Department or our Health Department, that can make a public service announcement that speaks to the safety of takeout foods? A number of these restaurants find that there is some resistance to customers about is it really helpful and safe to take out food and by all indications it is. But there needs to be, I think, a communication countywide to encourage people, not only to make orders to take out, but that those orders that they take out are safe and healthy. If that was something that could be put out there and disseminated either through the Small Business Commission or through our Communications Department or the Health Department. I think it would assuage a lot of fears and possibly help some of these takeout order businesses/restaurants, have a little bit better way to go.

CH: Mr. Chairman, we have placed that information on our web page, our COVID web page, our restaurant people basically make that message available all the time. We will continue to do that through our Communications but you know all the food that is prepared in that restaurant, they are prepared by the same exact standards as if you were eating in that restaurant. All the other requirements are in the handling of those products or those foods between

the time when they are prepared and then delivered. They have to meet very strict preparation guidelines and temperature guidelines. Yes, we will continue to work on it, but it will be, you know, something that we have to remind everyone all the time about.

SC: One last comment regarding the Health Department, with all of these restaurants and bars being closed, there is no requirement or as much inspections being done because there is not much to inspect anymore. What is the system of the Health Department inspections and could the reduction in the number of restaurants and bars that have to be inspected because they are closed, if those inspectors could be in that situation where they could be proactive with the restaurants and the bar owners, to guide them through health protocols that could position them to be ready to reopen again?

RV: Dr. Garcia.

FG: Mr. Chairman and Supervisor Christy, so all of our establishments that are providing takeout service, they are continuing to be inspected on a regular basis. I can tell you that our operators out there have been really doing a terrific job under some very stressful circumstances. They have been very cooperative and that continues to be a really good story to tell. You are absolutely right, we have quite a few operators that are either entirely shut down, but for the ones that are not, which is a surprising number, we continue to inspect those on a regular basis. Remember that the executive order that expanded the sale of food items as well as other stock also is one of the things that we are now having to inquire about when we are going into restaurants. Before this whole thing happened, when we were thinking through a strategy of how we might accomplish social distancing in restaurants, we actually started down the path at the guidance of the Administrator for coming up with some broad guidelines in terms of how we might, for instance, encourage spacing between tables, encourage certain maximum sizes for parties, etcetera. The Consumer Health and Food Safety Team is actually well on its way to having that. Now, it is for when we open up, but at the time it was about how we start scaling down the activities. I think that on both counts, we are doing well and our inspectors are out there doing that.

SC: Just as a suggestion, I would encourage that team to report to the Small Business Commission and to the Restaurant Associations, collaborate and communicate that message with them because that is very, very important. It also gives the public a sense of security that as I said earlier, that the takeout food that they are getting is inspected and healthy for them, and that the Health Department is on top of those types of situations. But that collaboration with the Small Business Commission, I think would be essential.

RV: Supervisor Villegas.

BV: Thank you, Mr. Chair. I want to address some of the issues that Supervisor Christy brought up in regards to the small business. I think that when I look at what is happening with the small businesses, I can relate it to what happened in 2008 to foreclosures. The rapid response teams that were put together and the information and the resources that were put out there and it really took the County working with the City to make sure that everyone was getting the same information. I would ask if there was a way for the County to work with the City on the small business issue because my understanding is that they already have a task force in place, a small business task force that is going out and working with community on some of these issues. Then the Health Department has been very willing to do training for any business that needs any prevention or safety, face-to-face, I should say, even though it is assumed that their....I do not know if Dr. Garcia can talk more about that but I know that we have had really good, you know, luck with working with the Health Department in that area as well. I think that another issue is obviously the disparities that happened when the funding came through and by the time the small businesses were able to get their paperwork together, or even figure out how to apply for a loan, the funding was gone. We are going to be hopefully getting another infusion of funding for small businesses and I would ask that the Small Business Commission and whoever is working on this to really consider doing what we did in the foreclosure crisis, where we went directly with the lenders and said, you know, we need your help. We need your help in helping our community and they have a responsibility of reaching out under the C.R.A. Act to communities. I would ask that we consider that, going directly to some of these lenders and asking them to participate with us in this as we go through this pandemic, this recovery, you know, hopefully. On the small business part of it, you know, I think that the disparities are highlighted in the memos that were put out and I appreciate that but now we have to find solutions to those issues that were raised in the memos.

SC: Mr. Chairman, I think what Supervisor Villegas is saying is all hands on deck, basically. Let us get everybody together on the same page, doing the same thing, working together. I agree.

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: On that same issue, I would like to expand that to include the cities and towns, Marana, Oro Valley, Sahuarita, South Tucson, everyone should be working on this together. If we are going to include the City of Tucson, we should include all of them together and I agree that they should all be working together to get these businesses up and running.

- RV: I was talking to a friend of mine who owns a small business, who basically got on, on the day it was supposed to open, the portal was not up. He gets on, he applied and before he even got off the funding was gone. So, part of the issue and I think Supervisor Villegas actually touched on it a little bit. Is part of the issue is some of the funds are going directly to the lending institutions. What are the lending institutions doing in order to take care of businesses in our district, in our community. We do not know the answer to that, but we know a large portion of it went through the lending institutions. Who are they taking care of?
- AM: We saw on the national level, there were some very large small businesses being taken care of. What was it the one business, they gave back \$10 million dollars.
- SC: Mr. Chairman, to your point, granted, these lending policies and programs are great and helpful, but there is nothing like being able to open up and run your business like it should be and that will solve all of these problems of the banks, of the lending institutions. We need to get a plan in place, where we can pivot and pivot quickly to reopening these businesses.
- RV: And Supervisor Christy..
- SC: A lot of problems will be solved by that.
- RV: I completely agree with you. We do not live in that world right now. That is unfortunate, but we do not live in that world right now. Supervisor Villegas, did you need someone to respond to your points?
- BV: Right. I also wanted to respond to the report on vulnerable populations. I want to say that it was very well put together and I really appreciate the work that staff did on these reports for both the medical vulnerabilities and then the social vulnerabilities. I did note that on the social vulnerabilities, that there was, the essential workers were missing, and I think that we all know who the essential workers are. They are the lower wage earners that are working out there and they cannot afford to stay home. They need to be considered as we are going through this and we are looking at the areas that are red. Yes some of those are clusters and some of those are definitely the nursing homes and the hospitals and the homeless, but we also have our regular, essential workers that live in both areas as well. I would ask that when we do get to the point where we have testing available, more widely, that we look at those areas as priorities for testing and that we consider prioritizing them. I know obviously that the medically vulnerable, the ones that are sick, they definitely are first and then as we go down the priority list, so I would ask that you make these areas a priority as well. I also want to bring to life the suicide part of it. You know, the fact that our suicide rates are so high and one of the

reasons is the isolation and just the anguish of no work. Those are really important issues for us to be addressing and I thank the Health Department for doing that. I guess those are the main issues that I want to get out, as far as the vulnerability and the small businesses. Thank you.

RV: Mr. Huckelberry, did you have a comment?

CH: Mr. Chairman, I think we can incorporate all of those comments directly and we are going to be continuously reporting on these activities. One of the suggestions I think I would make and it may make the Small Business Commission a little bit larger but I think the point is that as we integrate into the City of Tucson, we also integrate into the Chambers of Commerce. We have a number of Chambers of Commerce that represent areas such as Marana, Oro Valley and Green Valley, is that we ask the President or the Executive of that Chamber of Commerce also to participate jointly with the Small Business Commission and those efforts.

RV: Okay, great. Anything else?

BV: Mr. Chairman?

RV: Supervisor Villegas.

BV: I just remembered I wanted to talk about the outreach because it is a really important one and that was actually what I put in my agenda item. I think it is really important that we do better messaging and outreach to all areas and make sure that we are addressing the Spanish language areas as well. I know that there is a lot of English media going out there, but I do not really hear the Spanish language media. It is not just about the media itself, but it is about the messaging. I think that is important that we get the messaging correct in everything that we are doing and that we are making sure that we are letting our public know what we are doing. As an example, even with the libraries, how many people know that they can use the parking lots for WiFi if it is not out there in other media's other than the website. Obviously, they do not have internet, so they cannot see it on the website. We need to make sure that those things are getting out there. You know, I think the County Health Department and all of the departments that are on the response team are doing a really good job and we need to make sure that the public knows that we are there and have the resources that they need. I would definitely encourage that for our elderly population and another vulnerable population are immigrants, of course.

RV: Supervisor Villegas, I am going to ask Mr. Huckelberry to respond to that, but also over the last several days I have recorded a number of radio Spanish ads as well to get out to the market. Mr. Huckelberry.

CH: Mr. Chairman, I think we heard that discussion last week. As of Monday, that was the number one topic in the E.O.C., the Emergency Operations Center, is how to basically get the message out to those populations in the native languages. That should be, it is underway this week and so hopefully we will be getting those messages out quickly.

RV: Anyone else?

BV: Great. If we could get a list...

RV: Go ahead Supervisor Villegas.

BV: I am sorry Chairman Valadez. Could we get a list of the times and messaging that is going out, because obviously I cannot listen to all those radio stations and I would just like to have a look at exactly what is going out?

RV: Mr. Huckelberry.

CH: Mr. Chairman, we will provide that list to the Board, absolutely.

RV: Alright, anyone else?

BV: Thank you.

RV: If not then I am going to go ahead and move to the Clerk of the Board, Item No. 11.

RECORDER

18. Drop off and Emergency Voting Locations

RESOLUTION NO. 2020 - 27, of the Board of Supervisors, approving ballot drop off locations and authorizing emergency voting locations for the 2020 Primary Election.

Verbatim

RV: Chairman Valadez
SB: Supervisor Bronson
BV: Supervisor Villegas
SC: Supervisor Christy
AM: Supervisor Miller
AR: F. Ann Rodriguez, Pima County Recorder

RV: We are now moving on to the Recorder, Item Nos. 14 and 15 and with us today is our Recorder, F. Ann Rodriguez. Ms. Rodriguez.

AR: Thank you and thank you Members of the Board for allowing me to do this presentation. This is kind of different and unusual for me as the way it is set up because this is the first time we have ever done that but it is for our health. Before you, you have a Resolution to approve our emergency voting locations for the upcoming Primary and General Election. You also have an item in there showing where early voting sites are located. What I wanted to talk to you, because we all know there is dialogue going on regarding: Should we do all ballot by mail? Should we not do it? Things of that nature. I will address that a little bit further on here. Right before you, in your material, you see the list of where our early voting site locations are. We are using all public libraries and I have got to thank the Library for working with us so diligently on this one because these are County facilities. We also think that we can manage the safety issue out there between, because these are big community rooms and things of that nature. It is different, it is a learning curve for all of us. You will also notice that early voting in the State actually begins for the Primary on Wednesday, July 8th. We will have the three Records Offices, which is the downtown, the election center on Country Club and Valencia and our east side office will open up on that particular day. The rest of the facilities will open up on Monday, July 27th. The reason we do that is because we are still mailing ballots out, if we are doing our traditional elections, but that week before election is where we are dealing, where we cannot mail any more ballots out. We are dealing with the voters that either made an error, cannot find it, voted for the wrong thing. I can give you a list but I will not go into that one, or they did not update their address. We send them to this location so they can update their address and then they will be issued a ballot right on the spot by their address for the issues and the

candidates that they are eligible to vote for. These are the issues that we deal with right before Election Day. Then before you to be approving is the emergency voting locations which are identified for Saturday and on Monday. This is something not new. The part of new is me coming to the Board and allowing me to do what I have been doing for years. That is some of the issues I wanted to address. The other thing, let us say that for whatever reason, the State Legislature decides to do all ballot by mail. I am ready to go. My material has been already ordered in print because I use the same material almost identically, except for the ballot, when we mail out so I can use them for the General Election. There is no problem in there, we would be ready. Also when you do an all ballot by mail election, you also have to have facilities which are called then replacement sites. I would still have my early voting sites open that week and then on election day, our plan, if you all agree because we would have to have a separate dialogue, is use the same facilities we have now opened as early voting sites. I have broken them down by Supervisor Districts and then I started doing simple things, I better start breaking them down by Legislative Districts too and Congressional Districts. There is no definite statute that says we must have a replacement, one single replacement site, in every district. So, in a city or town, like the City of Tucson, they have them by the wards. If it is a fire district, we have something in the fire district. But this would be a countywide, so we have to look at it a little bit more broadly as to how many replacement sites we would have. Pima County is ready to go either way. If the Board decides they would want some additional sites, we have about four more B.O.D. Printers available. We would then have to go back and look to say, okay, where do we go? Now, as far as on the T.O. Nation, that is going to be a full site, just like we have in the City. We have already hooked up, we have already tested it for security, because security is the main thing and the T.O. Nation has been wonderful. We already working in conjunction with them to set up an early voting site the day, but it would be a full early voting site. That means their employees, because a lot of people live here but commute there, so they could use that facility too. When we talk about an early voting site, you do not have to go where your location is or replacement site, it will take any voter within Pima County because it will print it right then and then. It is secured, it is attached to our database which is secured. I do not want to get too much technical on this, but rest assured that we have been working with Dan and his group and with the library on how we can do that and secure our data. Where I will need help from the Board and I already spoke to Mr. Huckelberry, is that obviously, a lot of the people we hire to help us are 65 and older. I have also identified all of the employees that used to work for me and moved to other departments in the County and that are already trained in signature tracking and are already trained. I will be reaching out saying, hey, can we utilize these employees? But we may also have to utilize other County employees to help us maintain the quality control out on making sure they are doing safe distances and doing that one and also receiving the ballots dropped off at our early voting site. The citizens do not have to get out

of the car and come into the facility, that is where I would need other additional County employees. It is not hard. That is where we would need to work collaboratively to make that good and successful for Pima County.

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: I just had a couple of questions. These are early and emergency voting locations?

AR: Yes.

AM: What constitutes an emergency in this case?

AR: If a voter is coming in to do an emergency voting, they now have to declare, sign a form. They do not have to give us a reason. It is not subject to the public records request, but it is whatever the state of the mind of the voter, whatever they say that the emergency is.

AM: Okay, so you have a form that is not public record. The individual can come in, I read these statutes, they can come in up to that Monday and change and actually register to vote as well? Is that correct?

AR: That is incorrect.

AM: Okay, so I read that wrong. Good, that makes me feel better. They have to be registered within that, what is that twenty-nine days?

AR: Twenty-nine days. Registration cutoff for the primary is...

RV: July 6th.

AR: Thank you, my Lasik is not doing very good today.

AM: The question I have is why would there not be an early voting location at like the Oro Valley Library? Is there a reason that you did not pick that as one of the sites to open, because that is where my most vulnerable population is, is the seniors up in that area? Also, I do not know if there is a place in Green Valley? If there is one down in there yeah, the Good Shepherd? Number 11 and?

AR: Supervisor Miller, are you talking about why we did not have Oro Valley as an emergency voting site?

AM: As an early or emergency?

RV: It is.

AR: It is.

RV: Item No. 4.

AM: Number 4, and it says emergency? Okay, that is just for emergency. So it is an early but not an emergency?

AR: Correct.

AM: Okay. What if an elderly person in Oro Valley had the situation where they could not, I guess that is where I am getting at. They might have more emergencies than the rest of the population and that they are more confined or they should be more confined and distancing. I was wondering why we did not have those available for the more at risk population?

AR: Supervisor Miller, what we did on the map and that is why we are having the discussion, it would be at the Parks and Rec location, would be No. 5 and these facilities are already opened. If the Board would want me to consider Oro Valley, I could consider Oro Valley as an emergency voting site. As regards to the Green Valley location, that is the only site besides the T.O. Nation that is not a County facility and that is a church, so we did not pick that one. They would then have to come into Tucson for that location.

AM: I just think that the distance that the elderly population would have to travel in that case might be an issue for them and I was just wondering if there was any way that we could get them included?

AR: Supervise Miller, we would have to go back to that facility because we do a contractual arrangement with them, to see if they would be amenable for us to be open on that Saturday and Monday.

AM: What about the Oro Valley Library?

AR: The Oro Valley Library would probably be pretty easy because we are already there.

AM: Okay. If we could include that? I think that would be good for that and I would imagine you would want your Green Valley folks to have a location because that is an extremely long drive for them.

AR: Is that the pleasure of the Board?

RV: Well, we need to do it in the form of a motion as well, just to codify that as well. Let me ask, is there any comment from either Supervisor Bronson or Supervisor Villegas? Okay.

BV: Just to be clear, I am sorry. Chairman Valadez and Ms. Rodriguez, just to be clear on the details. Ones that do not have a district, Mission Road Library, as an example, that is only for early voting and not for emergency, right? Or it is not even on here at all? Or we can add it? I am confused.

RV: Ms. Rodriguez, I think what Supervisor Villegas is referring to, like Oro Valley itself does not have District 1 on it, the Mission Road Library does not have District 5 on it. Several of them do not have districts, at least on the document that we have in front of us.

AR: I will provide an updated document, where we break down all the districts. I have it on mine, but Mission Road Library is actually in Supervisor District 5. Oro Valley, obviously is in Supervisor District 1, but I can provide you that whole breakdown by Supervisor District and by Legislative District.

RV: Supervisor Villegas, did that answer your question?

BV: Yes.

RV: Supervisor Bronson, do you have any comment or question?

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: I was going to ask that on behalf of Supervisor Bronson, the only one open there is Woods Library, which is on north First Avenue and I would think that she might be interested in having at least the Wheeler Taft Library opened up for emergency? I do not know, but...

SB: This is Sharon. Hello, can you hear me?

RV: Yes. Now we can hear you.

SB: We could add the Wheeler Taft but, frankly, F. Ann Rodriguez does a good job of understanding this, I will defer to her expertise. Clearly, you know, some of the remote areas, like Ajo and Arivaca, those needs should be addressed, but again, F. Ann has been our Recorder for a number of years and she has done it with incredible confidence. Thanks Ms. Rodriguez.

AM: Mr. Chairman, I would like to clarify that this is not a criticism. It is just under these circumstances we are under, is the folks in Oro Valley are the older population, and so that is why I was concerned about Oro Valley.

SC: Do we need a motion too Supervisor Miller?

RV: We do.

AM: I will make the motion to approve the 2020 Primary Election proposed early and emergency voting locations to be as reflected by the Recorder, but also to add the Oro Valley Library as well as the Good Shepherd Church in Green Valley.

SC: I will second.

RV: Just for the record, the Good Shepherd also serves Sahuarita.

AM: Okay. Yes, it does. It does say it right there.

RV: Is there any discussion on the item? Ms. Rodriguez?

AR: The only thing, I am sure of the Oro Valley Library because it is a County facility. But, I will have to go back to the Church and see if they are amenable to that and I will try to do my best.

SC: If there is any issues that I can help with on that issue, let me know.

AR: I will do that, thank you.

RV: Obviously, the other place that we may be able to do there is the Conrad Joiner Library as well. Which is not too far, if we need to. Okay, the motion before us is to approve Item No. 14 and Resolution No. 2020-27 and adding Oro Valley Library as well as the Good Shepherd Church as emergency voting sites as well. If there is no further discussion, all those in favor, please signify by saying Aye.

ALL: [Chorus of Ayes]

RV: All those opposed, please signify by saying Nay. Ayes have it.

PIMA ANIMAL CARE CENTER

21. Hearing - Pima County Code Text Amendment

ORDINANCE NO. 2020 - 13, of the Board of Supervisors, relating to animals; amending the Pima County Code, Title 6, Pima County Animal Code.

Verbatim

RV: Chairman Valadez
SB: Supervisor Bronson
BV: Supervisor Villegas
SC: Supervisor Christy
AM: Supervisor Miller
CH: Chuck Huckelberry
AF: Andrew Flagg
KH: Kristen Hassen, Director, Pima Animal Care Center (PACC)
JP: Jonathan Pinkney, Deputy County Attorney
JS: Jane Schwerin
RP Rhonda Piña

RV: I will call this meeting to the Board of Supervisors back together. We are on Agenda Item No. 17. This is a public hearing for Ordinance No. 2020-13. Staff report, please.

KH: Good afternoon, Chairman, and Members of the Board, my name is Kristen Hassen, Director of Pima Animal Care Center. We began the process of reviewing the ordinances in 2017, shortly after my arrival in becoming the Director at P.A.C.C. As a request from the Pima County Attorney, it was Deputy County Attorney Paula Perrera, came to Dr. Garcia and I because the ordinances as written were at times legally contradictory and confusing and reflected animal sheltering and animal welfare in our community at a time when 15,000 or more pets were being euthanized in the shelter. The community nor the Nation had the same value on homeless pet lives as it does today. So, originally, in 2017, we discussed the possibility of amending the existing ordinances. But because they had been put together piecemeal and had been amended several times, the County Attorney suggested that we undertake a total rewrite of the ordinances to try to simplify them and offer absolute legal clarity to both the public and to judges and lawyers and law enforcement officials who would need to interpret them. That began a process, which I have shared with Mr. Huckelberry and the Board, of two and a half years of looking at more than 40 sets of ordinances from around the nation, speaking to hundreds of stakeholders in our community and around the country, and getting input from as many people as we could, as many

possible stakeholders as we could. All the while, working with the P.A.C.C. Advisory Committee, the Animal Welfare Stakeholder Courts, that is a group of local judges and attorneys who argue on both sides of the animal welfare cases in Pima County, as well as our jurisdictional partners. Through that process, we have made significant modifications to the original drafts. We have created a draft that not only reflects the current status of animals in our community, but it also reflects the best that we could find from those 40 sets of ordinances, the input of hundreds of stakeholders and it also increases transparency, it adds a reporting requirement so that the public knows more about the municipal shelter than it has in the past. What you see before you today is a result of that two and a half years of work, and the input of hundreds of community stakeholders, including our rescue partners, the P.A.C.C. Advisory Committee and the Animal Welfare Stakeholder Court.

RV: Thank you for that staff report. I will ask Supervisor Bronson, she indicated she had some comments on this issue. Supervisor Bronson

SB: Thank you. Am I on now?

RV: You are.

SB: Hello? Okay. Yeah, I have a few thoughts. Number one, the process is flawed and this product is flawed. I do not think there has been significant community input. I think if you look at the comments we have received, we got some issues with heavy chains, tethering, with the effective date of the ordinance and the definition of a dangerous dog, with dog tie outs. Then my appointee to P.A.C.C., Ms. Cavanaugh, has significant issues, as does Jane Schwerin, in terms of what a suitable home means. I think the process is flawed. I think the product is flawed and I again, applaud the efforts but I think we got issues here. There has not been sufficient input and at this point, I am prepared to make a recommendation that we continue this item at least until September, involve the P.A.C.C. Committee more and I am sure we have several people on the phone who want to comment, I will let them comment. I think we should continue this ordinance, adopting this ordinance, until we have cured the issues regarding process and product.

RV: Thank you, Supervisor Bronson. We do have two speakers. Let us go ahead and hear from them before we take any action or have any discussion, just because obviously, they spent a good amount of time to be on the phone with us. I am going to tell the speakers right now that there is a three-minute timer. I had the Clerk actually turn on the beep so we actually know when those three minutes are up, as both of you will be on phone and can only hear. Once it goes off and beeps, I will ask you to please summarize, and I ask you to please summarize as quickly as possible within 10 to 15 seconds at the most. First, I will ask Jane Schwerin to please come on the phone and identify yourself and you will have three minutes. Ms. Schwerin.

JS: My name is Jane Schwerin, I urge you to vote no on the proposed new law, because it repeals, omits, eliminates, most of the excellent animal protection laws that are currently in the Pima County Code. Here is one example, by the current suitable home law, you the Board of Supervisors authorized and ordered the County Enforcement Agent. You ordered them to refuse someone who tries to adopt an animal if, for instance, that person is on P.A.C.C.'s do not adopt list. This is a list of people who have been convicted of animal abuse, of cruelty, of neglect. They have been convicted, and this suitable home provision by the suitable home provision, you have ordered that person be refused to be allowed to adopt. This provision is deleted, omitted in the new law and this is extremely important, the current suitable home provision is based on the fact that Pima County has the legal right to refuse. The legal right to refuse is terribly important. You would be given up this terribly important right or not using it if you passed the new law because the new law repeals the current suitable home provision. Your right to refuse comes from Arizona Revised Statute 11-1018b., that is A.R.S. 11-1018b. Another example, torture of horses and other livestock, yes torture of horses and other livestock is prohibited by the current Pima County Code. The new law deletes that ban. It must be noted, that the current law's protections of livestock was approved by the County Attorney when these laws were passed. She approved these laws that include protection of livestock and now this very same County Attorney is trying to attack these laws. One more example, the new law deletes some spray/neuter man...What?

RV: Ms. Schwerin, I am going to ask you to please summarize. Your three minutes are up. Could you please summarize and conclude?

JS: The new law deletes some spay/neuter mandates that are in the current law for dogs and cats and one for wolf hybrids. I really thought that all you Supervisors were sold on spayed/neuter and indeed you were when you passed all these spay/neuter mandates. Please keep them but you would be voting against them if you vote for the new law. Please vote against the new law. If I had more time, I could give you many more examples of how the new law eliminates protections that all the animals have right now in the current code.

RV: Thank you, Mrs. Schwerin. Next we have Rhonda Piña on the phone. Ms. Piña, please identify yourself. You will have three minutes.

RP: Hi. Thank you, my name is Rhonda Piña, thank you Chair Valadez. I just wanted to make a comment regarding this topic. I was on a work group as part of the Animal Care Center Advisory Committee, where we worked on this in 2018. It was actually started at a request of the County Attorney, wanting to interpret or have a better interpretation of what was deemed to be confusing laws. This work group spent well over a year and there were

extensive revisions that were done as part of the feedback that took place while these ordinances were being modified. There was quite a bit of feedback that was received and so it was approved based on the concurrence of the P.A.C.C. Act Committee in addition to many community stakeholders that had provided input. My take on this, really is that it did simplify a set of ordinances and it was really done to provide legal clarity and it also was a way to have clarity not only among lawyers, judges, the enforcement of the ordinances but also for the public. One of the things that this ordinance does, or these ordinances do, is they include reporting requirements from P.A.C.C. What that does is it increases the transparency for not only Pima County Administration, but it also does for the public. So the public will be able to know exactly what is extracted from these ordinances when they are put in place. The other item that I think is important to mention is strengthening the ordinances, it not only protects the animals, but it also it reinforces the value that I believe our community places on pet ownership in the community. That is the relationship that owners are supposed to have with their pets and then ongoing with how those are enforced should they not take care of those pets. The ordinances are easily understood by the community unlike before, where there was some confusion, which was the reason that the County Attorney's Office brought it forth to P.A.C.C. to consider. I believe that approving these ordinances and even giving consideration to Supervisor Bronson's comments, that approving these ordinances, I believe, provides much needed certainty going forward. It has been, it was an ongoing issue and so I think there is going to be certainty there and I believe that P.A.C.C. has made great strides. They have been commended for many of the improved services. This would be one of them and so, I would hope that this is a part of the process that continues. I appreciate the opportunity to make this comment. Thank you.

RV: Thank you, Ms. Piña. Alright. Discussion?

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: I would like to hear from staff regarding the lady who spoke earlier, I do not remember her name.

RV: Ms. Schwerin.

AM: Ms. Schwerin, she discussed the requirement where Pima County could refuse to allow a convicted animal abuser to adopt.

RV: Suitable home. Suitable home provision, I am sorry.

AM: Yeah. Pima County could refuse a convicted animal abuser that right or to have the ability to adopt an animal. Is that really struck from the ordinance or is it covered somewhere else in the statutes?

RV: Kristen.

KH: Thank you Supervisor Miller, thank you Chairman. No. P.A.C.C. still has a do not adopt list and still does refuse to adopt a pet in a case where it believes that will put the pet in danger, none of that will change. The word "suitable" and perhaps Deputy County Attorney Pinkney can speak to this, but the word "suitable" was not a legally enforceable term. Rather than use that word "suitable" we actually just clarified the definition of what a non-suitable home is or what cruelty and neglect to animals is and he can speak to that further.

RV: Please identify yourself.

JP: Thank you, this is Jonathan Pinkney, I am a Deputy Pima County Attorney. Mr. Chairman, Supervisor Miller, currently, we do have that language that adoption has to be to a "suitable" home, however, there is no way to enforce that. P.A.C.C. does not have the resources and does not do home inspections. Plus, it is a very subjective standard if someone walks in off the street, are you supposed to, is P.A.C.C. supposed to say, that looks like a suitable person? That does not look like a suitable person. P.A.C.C. retains the right to deny adoption to anyone and presumably they would deny adoption to anyone who is on their do not adopt list. We took that vague "suitable" home language out of there to take out that subjectivity. In addition, we did include an additional section which requires that anyone wishing to adopt an animal has to go through one of the P.A.C.C.'s Adoption Education programs. Really, it is removing the vague and uncertain language and putting something in there that is much more defined.

AM: So that Education Program is a new provision?

JP: That is correct. Yes.

AM: Okay. The other question was regarding torture of horses and other livestock being eliminated in the new law. Could you explain that and clarify please?

JP: Yes, Mr. Chairman and Supervisor Miller, the County Enforcement Agent P.A.C.C., does not have jurisdiction to deal with livestock issues. State statute gives that jurisdiction to the Arizona Department of Agriculture. Similarly, it gives jurisdiction over wild animals to the Game and Fish Department. Those are not areas where P.A.C.C. is legally able to get involved, regardless of what the ordinances say. I mean, the ordinances can make up anything you like, but if there is not a legal authority behind that or the constitutional authority, the ordinance is meaningless. I can give

examples of other things in the current ordinances that are, for example, unconstitutional. There is a provision in there that says if P.A.C.C. Offices see a violation of an ordinance in plain view, they can go on someone's property and remove the animal which is clearly contrary to the fourth amendment. Our ordinances do not trump the 4th Amendments and they do not trump the State statutes either.

AM: The other one was, and I find this hard to believe, that you would be deleting spay/neuter mandates and I understand the wolf hybrids would come under the game and fish. Could you address that, please?

JP: Mr. Chairman, Supervisor Miller. The spay/neuter requirements are still in there. It still states that any animal that is adopted out by P.A.C.C. has to be spayed or neutered unless there is a medical reason not to do that. That actually is also state statute, that any animals that are adopted out have to be spayed or neutered.

AM: Okay. I did note the reporting requirements and as identified by Ms. Piña and I think that is great. I also had a question, I know it goes to the advisory committee whenever they meet and then I just wondered if we could get that report to the Board of Supervisors as well? You probably will have it up on the website, right? And so we can access it there?

KH: Mr. Chairman and Supervisor Miller, yes, we will.

AM: Okay. The final question I have is when, it was on page 5 of 14 of the policy. When an animal is sold the new owner has to notify the County. Should the current owner that sells the animal or transfers the animal should they be required to notify the County as well? I just see that as that person still having liability because they are still the registered owner, even though you have sold the pet to someone else. I just had a question about that?

JP: Is that under the dangerous dog section?

AM: It is on page 5 of 14, Item G. It said if there is a change in ownership of a registered dog, the new owner must have the registration transferred to the new owner's name within 30 days. I just wondered if maybe we might add that the previous owner might notify the County, so that their ownership, that information is transferred? You might have two avenues to get that information done quickly.

JP: Mr. Chairman, Supervisor Miller, I do not see any reason why we would not be able to do that.

AM: I think it makes it a more robust process so we guarantee that you will get that information, at least from two different sources.

RV: Supervisor Christy.

SC: The Board was provided in its background material late yesterday, a before and after column for the fee structure, what they were and what they are proposed to be. The proposals were incomplete, and had gaps in them and really were kind of confusing. I am wondering would it be possible to get a refreshed, more finite version of them, than what we were given?

AM: Is it this?

SC: Yes.

AM: This one was handed out {inaudible}

SC: I did not get one. Okay. Alright, that is the quickest service I have ever gotten.

RV: Thank you Supervisor Miller.

AM: I had the same question.

SC: Thank you Supervisor Miller. My other question, just for clarity, there are like two commissions or boards that oversee P.A.C.C. activities, there is the P.A.C.C. Commission, correct, or what is the term? P.A.C.C. Advisory, and there is another one too that has interaction with P.A.C.C. that is also in an advisorial capacity?

RV: Kristen.

KH: Mr. Chairman, Supervisor Christy, there are two groups that P.A.C.C. engages with regularly, and that do, that were consulted for this process. First is the P.A.C.C. Advisory Committee, and second is the P.A.C.C. Jurisdictional Partners. The ordinances were brought to the P.A.C.C. Jurisdictional Partners on November 7th for review, and this includes Oro Valley, the City of Tucson and the City of South Tucson, and they were brought to them at that time for review and input. They are also notably the jurisdictional partners are all governed by their own sets of animal ordinances and so P.A.C.C. officers, actually they implement all of those and carry out all of those ordinances depending on the jurisdiction that we are working in.

SC: Were there votes taken by both of those organizations as to approving or denying the new fee structure?

KH: Mr. Chairman, Supervisor Christy, there were. There was a vote taken by the P.A.C.C. Advisory Committee, which Rhonda Piña who spoke, sat on at the time. They did vote to move the ordinances forward for consideration by the Board. The jurisdictional partners do not vote on items. They discuss them and then bring up any concerns and there were no concerns brought forth by the jurisdictional partners at the time of discussion.

SC: The P.A.C.C. Advisory vote, how did that shake out?

KH: The P.A.C.C. Advisory group met for over a year. The P.A.C.C. Advisory Committee formed a subcommittee and that subcommittee met for over a year between 2018 and 2019 and regularly reported at the monthly P.A.C.C. Advisory Committee meetings. At several of the P.A.C.C. Advisory Committee meetings there was discussion by the entire advisory committee and at the conclusion of that discussion, they did vote to bring these ordinances forward to the Board.

SC: I guess my overarching question I am looking for was, that both of those groups approved and supported the new fee structure? And the new wordage verbiage or whatever?

KH: That is accurate.

SC: Ordinance, that is correct?

KH: That is correct.

SC: Thank you.

AM: Mr. Chairman?

RV: Hang on. Do either Supervisor Bronson or Supervisor Villegas have any comments or questions?

SB: Yes. Go ahead Betty.

RV: Supervisor Villegas.

BV: I was just going to say, thank you, Chair Valadez, I am a little bit, you know, trying to understand the process here coming in late on this. We have an advisory committee, do we have appointments on that advisory committee as Supervisors?

RV: Kristen.

- KH: Supervisor Villegas, yes we do, P.A.C.C., the Board do all have representatives on the P.A.C.C. Advisory Committee that are selected by the Board members.
- BV: Okay. It is my understanding from staff that we have not spoken with our appointee and we were not even sure we have one. I would like to have a little more time to really look at this and see what the discrepancies are according to Ms. Schwerin. Also, I had a real issue with the livestock portion because my understanding from staff as well, is that the Department of Agriculture does little if nothing to work with abused animals, livestock animals and so I am sure that was one of the reasons that we took this on initially. If we do not take this on, and the Department of Agriculture does not do anything, do we have any way of making them? You know, or do we have, can we enforce anything on here for abused horses and animals? Or livestock? That is really concerning.
- RV: Let me ask our County Attorney to please supine on that. Mr. Flagg.
- AF: Thank you, Mr. Chairman. We cannot make the State departments do anything. One thing that we did confirm in this process is there are obviously criminal provisions involving animal neglect that do extend to livestock and that is enforced by law enforcement and can be brought as criminal charges. The Sheriff's Department confirmed they have folks who are assigned to investigate these cases and bring them when it is appropriate to do so. Even if it is true I mean, I do not know the details about what the State does, but even if there is limited action being taken at that level, there are other avenues of dealing with that kind of situation.
- BV: Okay. Thank you.
- RV: Did that answer your question, Supervisor Villegas?
- BV: Yes, with the livestock portion. I still like to have a little more time, I know it has been two and a half years and I appreciate all the work that has gone into this but another, you know, few months. Obviously, the committee the advisory committees are not meeting or maybe they can meet with zoom. If we re-enact their commission, or advisory group, if we have to do that. I think that I would like a little more time just to be able to talk with our appointee and get a better feel for the provisions that were deleted and the ones that were added to make sure that everything that Ms. Schwerin, her concerns are actually still, they are valid concerns and I would just like an opportunity to review them.
- RV: Thank you. Supervisor Bronson.

SB: Yes. I have some very real problems with the ordinance because I believe that removing from the ordinance the term "suitable homes" it does not give the Board of Supervisors any control over this and transferring it to an internal department leaves this vulnerable to changes every time a new director comes in. I think that is a huge issue. I appreciate as Supervisor Villegas has said, the time and the energy that was put into this but then again, I look to the information we have gotten, looking at heavy chains, and, you know, as a new ordinance does, I think an eighth of the dog's body weight. How would any of us depending on our body weight like to have a 5-pound chain around our neck? I think that is a problem. The tethering and the tie-outs are a problem, the effective date is a problem. The definition of a dangerous dog is a problem, the section is ambiguous. It lacks standards of proof beyond a reasonable doubt and does not specify whether the State or the defendant has the burden of proof. So again, I agree with Supervisor Villegas, I think this does not have to happen today. If we could continue this until at least September, given the COVID, we do not know when stakeholders can meet, when the advisory committee can meet, but I think this needs serious further discussion. That is my view.

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: I read through this ordinance, and I think a tremendous amount of effort, I know I communicated with the individual who I have appointed to this commission and I know they spent a tremendous amount of time clarifying, making sure and the three concerns that were brought up today, I thought you did an excellent job of addressing them. I think that two and a half years of effort has gone into this and I commend you for all the hard work. I know how much you have done on this and so in that, I think I would like to make a substitute motion to approve this item.

RV: There is no motion on the floor.

AM: Oh, I thought Sharon made a motion to continue?

RV: She said she was going to make a motion. She has not made it yet.

AM: Oh, okay. Then I would like to make a motion to approve the ordinance.

SC: I will second it.

RV: Alright. Supervisor Bronson or Villegas? There is a motion before us to approve the item. Supervisor Bronson?

SB: Can you hear me now?

RV: Now we can.

SB: Okay. I would like to make a substitute motion to continue until at least September, the first meeting in September.

BV: I will second that.

RV: There is a substitute motion before us to continue the item until the first meeting in September; is that correct? Supervisor Bronson?

BV: Yes, that is what I heard.

RV: Okay.

SB: Yes.

RV: Let me ask staff, is there a reason or would there be an issue or hardship that would be created by continuing this item until September?

KH: Thank you, Chairman, yes. It would be after the two and a half years of work that have gone into this, the officers, the attorneys and the judges that argue cases continue to struggle with the current ordinances. We are coming into the season of hot weather and we have added in an ordinance specifically about pets left in hot cars. There are reasons that this, it is more urgent to consider passing these now, but, of course, we have operated under the existing ordinances for many years and so that is, of course, we will continue to do so as directed. Thank you.

RV: Alright, any further discussion on the substitute motion to continue until the first meeting in September? If there is no further discussion, those in favor, signify by saying Aye.

BV: Aye.

SB: Aye.

RV: Aye. All those opposed please signify by saying Nay.

SC: Nay.

AM: Nay.

RV: By your vote of 3-2, the motion carries. The item has been continued.