



**AGENDA MATERIAL**  
DATE 8-17-20 ITEM NO. RA. 13

# MEMORANDUM

Date: August 11, 2020

To: The Honorable Chairman and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator *CHH*

Re: **Board of Supervisors August 17, 2020 Meeting Agenda – Item 13 Off Track Pari-Mutuel Wagering Locations Union Public House, Reforma Modern Mexican, and Proof Artisanal Pizza and Pasta – 4340 N. Campbell Avenue**

Please see the attached letter I directed to the Arizona State Department of Liquor Licenses and Control highlighting a series of violations of the County's public health proclamation related to the spread of COVID-19 at Union Public House. (Attachment 1) This inspection occurred as a result of public complaints.

On Monday August 10, 2020, we received a media inquiry related to the number of complaints at the above mentioned establishments that may have violated the Governor's Executive Orders, the County's mask resolution or the County's proclamation for restaurant opening. The inquiry from the media provided a recent photograph (Attachment 2) and indicated they "received a number of photos and videos" regarding complaints at 4340 N. Campbell for lack of physical distancing or face mask use at these establishments.

Therefore, I recommend Item 13 on the Board's August 17, 2020 Agenda regarding the consideration of an off-track pari-mutuel wagering location be continued for 60 days to determine the degree of compliance by these establishments with County adopted and approved public health rules, policies, proclamations and resolutions.

CHH/anc

#### Attachments

c: Jan Leshar, Chief Deputy County Administrator  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services  
Terry Cullen, MD, MS, Public Health Director, Pima County Health Department  
Julie Castañeda, Clerk of the Board of Supervisors

AUG 17 2020 4:11 PM  
*CHH*

# ATTACHMENT 1



## COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER  
130 W. CONGRESS, FLOOR 10, TUCSON, AZ 85701-1317  
(520) 724-8661 FAX (520) 724-8171

C.H. HUCKELBERRY  
County Administrator

July 21, 2020

John Cocca, Director  
Arizona State Department of Liquor Licenses and Control  
800 W. Washington Street, 5<sup>th</sup> Floor  
Phoenix, Arizona 85007

Re: **Union Public House -4340 N. Campbell Avenue, Tucson, Arizona**

Dear Mr. Cocca:

Please see the enclosed Pima County inspection documents related to the Union Public House. This inspection occurred as a result of citizen complaints.

The report indicates several out of compliance requirements. More importantly, the observations describing the conditions are somewhat of concern. I suggest your agency review this facility. Recently, this facility applied for off-track betting license approval from the Pima County Board of Supervisors. It will likely be on our Board's Agenda on August 17, 2020.

Based on this inspection report and other known complaints, I will not be recommending the Board approve this site as an off-track betting location in Pima County.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Huckelberry", is written over the typed name and title.

C.H. Huckelberry  
County Administrator

Enclosures

c: Jan Leshner, Chief Deputy County Administrator  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services  
Terry Cullen, MD, MS, Public Health Director, Pima County Health Department  
Diane Frisch, Director, Attractions and Tourism



## Pima County Proclamation

## Complaint

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<b>As Governed by Pima County Code 8.08</b> <b>3950 S. Country Club Rd, Ste 2301</b> <b>Tucson AZ 85714</b> <b>Phone 520-724-7908, Fax 520-724-9597</b>		<b>Purpose of Inspection</b> Pima County Proclamation - Complaint	<b>Est. Type and Risk Category</b> Class 3 Food Service Operations 2500 to 7500sqft (3000B)	<b>Date</b> 07/18/2020 <b>Time in</b> 09:32 PM <b>Time out</b> 01:14 PM
<b>Establishment</b> UNION PUBLIC HOUSE	<b>Address</b> #103-4340 N CAMPBELL AVE TUCSON AZ 85718	<b>Permit Number</b> 3110545	<b>Assessment</b> Complaint Open	
		<b>Permit Holder</b> GRANT KRUEGER		

IN = In compliance N = No N/A = Not applicable N/O = Not observed Y = Yes OUT = Out of compliance

### A. Minimum employee, vendor, delivery service and patron health and wellness measures:

- Wellness/symptom checks, including temperature checks for all restaurant personnel, and when possible for vendors, contractors, third party delivery service workers, etc. as they arrive on premises and before opening of a restaurant. **IN**  
**Observations: PIC stated that employee temperatures were taken at the beginning of their shift and that the computer which they use to clock in on has populated wellness questions which must be answered.**
- Cloth masks and gloves and/or frequent handwashing is required for all servers and restaurant personnel. Develop or follow handwashing policy for servers as it exists in the Pima County Food Code.  
**Observations: All staff wearing face masks. One waitress would pull her mask down when leaning in to talk to patrons seated at table. Another waiter observed with mask below nose two times, but pulled it back up.**
- Pima County Health Notice - Posting of the "STOP Please do not enter if you have COVID-19 symptoms" at the entrance of the facility **IN**  
**Observations: Signage posted at front entrance.**

### B. Minimum restaurant operation measures:

- Physical and/or electronic signage posting at the restaurant entrance of public health advisories prohibiting individuals who are symptomatic from entering the premises and requiring all persons entering to wear masks unless exempt under Pima County Resolution 2020-49 **IN**  
**Observations: Signage posted at front entrance.**
- Indoor occupancy limited to less than 50 percent. **IN**  
**Observations: PIC stated occupancy is 342.**
- Physical distancing of 6 feet minimum between tables. Bar top or counter seating is not allowed, unless each party is spaced at least 6 feet apart unless separated by glass or plexiglass. **OUT**  
**Observations: Tables spaced on patio, dining room and at extended patio seating (out where band plays) at 6' spacing. Bar had light spots, possibly fashioned of tape, on floor around bar, but no chairs were observed according to this spacing. Patrons were observed entering and standing at bar, or taking previously occupied seating, with individuals and multiple parties standing immediately adjacent to each other. Bar population continued to increase, until persons were observed standing 2 and 3 persons deep. Walk around bar at 10:10 pm counted 41 persons standing and seating around bar, this number is actually larger, part of the bar could not be counted accurately as patrons were blocking access. Multiple booths were observed with back to back furnishings, all occupied (5 booths). Two booths had approx 12" booth back separation, two other booths approx 3" back spacing, two other booths had approx 5" patron spacing on shared booth bench seating.**
- Clearly marked 6-foot spacing marks and/or signage along entrances, hallways, restrooms and any other location within a restaurant where queues may form or patrons may congregate and indoor standing areas shall be eliminated. **OUT**  
**Observations: Bar seating not clearly marked. No customer spacing observed at entrance.**
- Parties no larger than 10 allowed per table. **OUT**



## Pima County Proclamation

## Complaint

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**Observations: One booth observed with 11 patrons.**

- |  |            |
|--|------------|
| 9. Menus must be in a format that does not promote potential virus transmission e.g. menu boards, single use menus.  | <b>IN</b>  |
| 10. Elimination of self-service food bars, including salad bars, buffets, and cafeteria style service.   | <b>N/A</b> |
| 11. Expansion of outdoor service areas to increase physical distancing standards.  | <b>IN</b>  |
| <b>Observations: Court yard has expansion seating.</b>   |            |
| 12. Hand sanitizers available at or adjacent to entrances to the facility, restrooms and in employee work areas, or soap and running water readily accessible to staff and customers and marked locations. | <b>N/O</b> |
| 13. Sanitize customer areas after each sitting with EPA-registered disinfectant, including but not limited to: tables, tablecloths, chairs/booth seats, table-top condiments and condiment holders.        | <b>OUT</b> |
| <b>Observations: Patrons observed reoccupying seating and bar space repeatedly with no sanitizing of bar and chair surfaces between customers.</b>   |            |

### C. Additional measures restaurants and other dine-in establishments should also consider:

- |   |            |
|---|------------|
| 14. Implement touchless payment methods IF POSSIBLE. (Not a requirement for compliance)   | <b>N/O</b> |
| 15. Restaurant personnel to have a national certification in food safety and handling, as well as specific training in the prevention of COVID-19. (Not a requirement for compliance) | <b>N/O</b> |

### D. The measures in this Section also apply to event spaces and catered functions

- |   |          |
|---|----------|
| 16. Does the facility host events or catered functions? | <b>N</b> |
|---|----------|

**E. Compliance with the measures in this Section is to be validated during regular operator inspections. All establishments that document adherence to the minimum best practice standards in this Section will earn a Pima County Best Practice Pledge badge that can be displayed electronically or physically to provide a visible symbol of the commitment to the community's health and well-being.**

- |  |                                |
|--|--------------------------------|
| 17. Is facility in compliance with items 1 - 13 and eligible to receive a Pima County Ready to Serve Emblem? | <b>Correct by 07/25/2020 N</b> |
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### Contacts Present During Inspection

GRANT KRUEGER

### Action(s) Taken

Photos Taken for File, Complaint Open

### Closing Comments:

Original complaint: I visited this restaurant the evening of Friday, July 10th. There was indoor and outdoor seating available. The inside of the restaurant was completely PACKED. People were sitting right next to each other at the bar and the tables were NOT spaced out. There had to be 75+ people inside.

PIC Grant Krueger interviewed. Stated he has ordered signage to aid in facilities compliance which should arrive next week. Interviewed in quiet room and explained the violations of standing and crowding, lack of personal spacing, lack of spacing at booths, lack of sanitizing between customers at bar and lack of crowd control. Discussed Governor Executive Order 47 as it pertains to his facility. PIC asked to go to floor so specifics could be pointed out. Booth crowding and bar crowding were collectively observed as well as patrons standing up to 3 persons deep at bar.. Lack of sanitizing observed. PIC made no efforts to correct any violation. PICS questions include "can one person walk up to the bar and order? How many persons can walk up to the bar and order? What is the spacing for the bar orders when they are standing in line?" PIC told how other facilities are operating, host seating, no bar service.

PIC stated hosts were only staffed sometimes.

PIC told that Health Department would return on the following day for reassessment.

**Pima County Proclamation****Complaint**

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Facility is excepted to comply with all aspects of the revised Pima County Proclamation effective July 15, 2020. Document will be provided to facility via email.

Failure to comply may result in enforcement action up to and including closure.

**I have read and understood this report:**

NA

Covid 19

PMH

Patti Henderson



















# ATTACHMENT 2



