

## **FLOOD CONTROL DISTRICT BOARD MINUTES**

The Pima County Flood Control 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, September 1, 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

\*Supervisor Christy participated remotely.

### **1. CONVENE TO EXECUTIVE SESSION**

It was moved by Chairman Valadez, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:24 a.m.

### **2. RECONVENE**

The meeting reconvened at 9:57 a.m. All members were present.

### **EXECUTIVE SESSION**

3. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding a potential lawsuit against William Kellis, owner of property located at 5247 N. Mt. Lemmon Short Road, for violations of the floodplain ordinance.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to file a lawsuit for injunctive relief and cost recovery, as discussed in Executive Session.

It was moved by Supervisor Bronson, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to file the lawsuit and proceed as discussed in Executive Session.

### **4. CONTRACT**

JE Fuller / Hydrology and Geomorphology, Inc., to provide for Brawley and Black Wash detailed risk analysis and mapping, FEMA Grant Fund, contract amount \$599,885.00/2 year term (CT-FC-21-117)

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

5. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:16 a.m.

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CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK

## ROCKING K SOUTH COMMUNITY FACILITIES DISTRICT BOARD MINUTES

The Rocking K South Community Facilities 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, September 1, 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

\*Supervisor Christy participated remotely.

### 1. ORDER AND CALL FOR ELECTION

RESOLUTION NO. 2020 - RK3, of the District Board of Rocking K South Community Facilities District, ordering and calling an election with respect to increasing the rate of levy of an *ad valorem* property tax attributable to the operation and maintenance expenses of the district.

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

### 2. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 11:16 a.m.

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CHAIRMAN

ATTEST:

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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, September 1, 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

\*Supervisor Christy 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.

### **PRESENTATION/PROCLAMATION**

3.        Presentation of a proclamation to Shannon Roberts, Chief Executive Officer, Diaper Bank of Southern Arizona, proclaiming the week of September 21 through 27, 2020 to be: "DIAPER NEED AWARENESS WEEK"

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

4.        Presentation of a proclamation to Matthew McGlone, Community Outreach Coordinator, Pima County Office of Emergency Management and Courtney Slanaker, Executive Director, American Red Cross, proclaiming the month of September 2020 to be: "PREPAREDNESS MONTH"

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

5. Presentation of a proclamation to Thomas G. Boyle, CEO and Founder, American Patriot Memorial and Dave "Grumpy" Hardy, President, American Legion Riders, Post 36, District 2, proclaiming the week of September 6 through 12, 2020 to be: "AMERICAN PATRIOT MEMORIAL WEEK"

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

6. **CALL TO THE PUBLIC**

Peter S. Yucupicio, Chairman, and Herminia Frias, Councilmember, Pascua Yaqui Tribe Council addressed the Board regarding the removal of the early voting sites on the reservation. They indicated that their request to bring back the voting sites had been denied by F. Ann Rodriguez. They urged the Board to reconsider early voting sites on the Pascua Yaqui reservation.

John O'Neill spoke to the Board regarding reopening schools for the mental health of children and to eliminate the economic impact.

7. **POINT OF PERSONAL PRIVILEGE**

Supervisor Villegas commented that Chairman Yucupicio had presented a petition in support of early voting sites on the reservation.

8. **CONVENE TO EXECUTIVE SESSION**

It was moved by Chairman Valadez, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to convene to Executive Session at 9:24 a.m.

9. **RECONVENE**

The meeting reconvened at 9:57 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 Montaser Shaheen and Manal Bsaili v. Pima County and Pima County Board of Adjustment, District 1, Pima County Superior Court Case No. C20203327.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to appeal, as discussed in Executive Session, which included the position that the Board of Adjustment be a nominal party.

It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to proceed as discussed in Executive Session.

11. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding whether to participate as amicus curiae in litigation challenging the legality of recent decisions regarding the 2020 Census process made by the United States Department of Commerce and Census Bureau, including National Urban League, et al. v. Wilbur L. Ross, Jr., et al., United States District Court, San Jose Division, Case No. 20-cv-5799.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the County Attorney's Office sought direction on whether to participate on behalf of Pima County as amicus curiae in support of the plaintiffs and proceed as discussed in Executive Session.

It was moved by Supervisor Villegas, seconded by Supervisor Bronson and carried by a 3-2 vote, Supervisors Christy and Miller voted "Nay," to move forward with the amicus brief and proceed as discussed in Executive Session.

#### **COUNTY ADMINISTRATOR**

12. **Proposed Disciplinary Action**

Discussion/action, pursuant to A.R.S. §22-137(A)(5)(f), the Constable Ethics, Standards and Training Board recommend Constable Oscar Vasquez, Justice Precinct 4, be placed on suspension without pay for a minimum of 30 days and that the suspension remain in place until the required training requirements have been completed, or his term in office ends, whichever comes first.

Chuck Huckelberry, County Administrator, explained that this item was a recommendation from the Constable Ethics, Standards and Training Board (CESTB). He indicated that the CESTB recommended a 30-day suspension for Constable Vasquez.

Andrew Flagg, Chief Civil Deputy County Attorney, stated that the report was forwarded by the CESTB for Board consideration. He indicated, as authorized by statute, the CESTB recommended that the Board suspend Constable Vasquez. He stated that the Board had the authority to impose a suspension. He added that the Board had the authority to suspend Constable Vasquez for a definite term up to the end of his term. He stated that the CESTB's recommendation was that Constable Vasquez be suspended for 30 days and/or until he completed the requirements of his probation.

Supervisor Bronson questioned whether the Board had the authority to impose a more stringent course of action, the ability to extend the suspension beyond the 30 days and require that specific courses be completed.

Mr. Flagg responded that the Board had the authority to set a definite time that did not exceed beyond the remainder of the constable's term.

It was moved by Supervisor Bronson and seconded by Supervisor Villegas to approve the suspension of Constable Vasquez without pay until the end of his term. No vote was taken at this time.

Chairman Valadez asked when the Constable's term expired.

Mr. Flagg indicated that he did not have confirmation, but believed it was December 31, 2020.

Chairman Valadez confirmed that the Constable's term expired on December 31, 2020.

Supervisor Bronson confirmed that her motion including extending Constable Vasquez' suspension to the end of his term, which was December 31, 2020.

Chairman Valadez clarified whether the motion was to suspend Constable Vasquez until December 31, 2020.

Supervisor Bronson concurred and included in her motion the completion of training courses.

Supervisor Miller inquired whether Constable Vasquez was on the ballot for the next election.

Supervisor Villegas responded that Constable Vasquez was running for reelection.

Supervisor Miller expressed concerned with the number of discipline actions taken by the CESTB, especially the inappropriate use of a county vehicle.

Supervisor Villegas indicated that Constable Vasquez had completed the training requirements, however, based on the number of disciplinary actions presented, a longer suspension was warranted.

Supervisor Bronson commented that the recommended courses had been paid for by Constable Vasquez, but they were never completed.

Supervisor Miller indicated that the courses were completed, but the courses were not completed within the designated time allowed. She stated that she favored imposing multiple trainings courses in addition to the ones that had been completed. She asked what additional training requirements were available for the Constables.

Kristen Randall, Presiding Constable, stated that the Constable's Office was recommending additional bereavement counseling. She stated that the CESTB required post certified training every year. She indicated that Constable Vasquez' use of a county vehicle was permanently removed. She stated that Constable Vasquez did not complete the required trainings in the time allotted, but had since completed the anger management and defensive driving courses. She added that the Constable's Office would like him to complete a 50-hour weapons training and participate in ride-alongs with other Constables. She stated that they were willing to accept any other recommendations for trainings.

Supervisor Miller questioned whether there were any other issues with Constable Vasquez after he was reprimanded.

Ms. Randall responded that the road rage incident was the most aggressive incident. She stated that other incidents included speeding, vehicle damage and public urination.

Supervisor Miller commented that the public urination was a real concern and inquired whether there were trainings to address that concern.

Ms. Randall stated that this issue was challenging and they were open to any training recommendations to curb the behavior. She stated that suspending him until the end of his term was a strong message.

Supervisor Miller asked if there were any training recommendations.

Ms. Randall responded that an ethics training could be recommended.

Supervisor Christy questioned whether the trainings could be imposed by the CESTB or would it require Board approval.

Ms. Randall responded that Constable Vasquez was willing to voluntarily take training courses. She stated, however, at the County level they did not have the authority to independently direct an elected constable and it would have to go back to the CESTB.

Supervisor Christy indicated that the training should be done in a timely fashion and imposed as soon as possible without having to seek authority from other entities.

Supervisor Miller offered a friendly amendment to the motion. She asked that specified training be added to the motion. No vote was taken at this time.

Chairman Valadez commented that the intent and discussion of the Board was for Constable Vasquez to receive additional training and the time allotted was until the end of the year. He questioned whether the Board could delegate the authority to develop a training program to the Chief Constable, and whether she had the authority to mandate the training of Constable Vasquez.



Mr. Flagg explained that the Board's authority, under the statute, was limited to the ability to suspend the Constable without pay. He indicated that the suspension could include conditions associated with recommendations of the CESTB and the suspension would be imposed until he completed training. He stated that the Board could impose additional trainings as a condition of his suspension and that it would be clearer knowing what the requirements were, rather than the specifics being delegated to the Chief Constable.

Chairman Valadez inquired whether the Board could direct the Chief Constable to develop a training plan and bring it back to the Board for approval.

Mr. Flagg responded that it would be appropriate for the suspension, without pay, to be imposed through the end of the term, with a training program to be developed later for Board approval.

Supervisors Miller requested that the maker of the motion amend the motion to include trainings as identified by the Chief Constable and that it be brought back to the Board for approval.

Chairman Valadez questioned if the maker of the motion accepted the friendly amendment.

Supervisor Bronson concurred.

Chairman Valadez questioned if the seconder of the motion accepted the friendly amendment.

Supervisor Villegas concurred. No vote was taken at this time.

Supervisor Christy asked when the training schedule would be brought back before the Board.

Ms. Randall responded that she would provide the training scheduled by the next Board meeting.

Chairman Valadez restated the motion that the suspension of Constable Vasquez be until December 31, 2020, and that he be required to the training programs previously stated by the CESTB, and in addition, require that the Chief Constable submit a training plan for approval by the next Board of Supervisors' Meeting of September 15, 2020.

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

### 13. **Updates and Action on COVID-19**

(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**

### **14. 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 Bronson, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to approve the item.

## **ELECTIONS**

### **15. Green Valley Domestic Water Improvement District Election**

RESOLUTION NO. 2020 - 67, of the Board of Supervisors, canceling the election for District Board Members of the Green Valley Domestic Water Improvement District and appointing Robert Hedden, Darlene Hollingsworth, and Patricia Carlstad to the Green Valley Domestic Water Improvement District Board of Directors.

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

### **16. Metropolitan Domestic Water Improvement District Election**

RESOLUTION NO. 2020 - 68, of the Board of Supervisors, canceling the election for District Board Members of the Metropolitan Domestic Water Improvement District and appointing Bryan Foulk and Dan M. Offret to the Metropolitan Domestic Water Improvement District Board of Directors.

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

### **17. Mount Lemmon Domestic Water Improvement District Election**

RESOLUTION NO. 2020 - 69, of the Board of Supervisors, canceling the election for District Board Members of the Mount Lemmon Domestic Water Improvement District and appointing Pat Klein, Douglas Mance, and Stuart Shacter to the Mount Lemmon Domestic Water Improvement District Board of Directors.

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

## PROCUREMENT

### 18. Sheriff Patrol Aircraft and Components

#### A. Award

Award: Purchase Order No. PO-PO-21-8, Textron Aviation, Inc. (Headquarters: Wichita, KS) to provide for two (2) Cessna Caravan 208 aircraft. This contract is for a one-time award in the discrete amount of \$4,546,454.94 (including vehicle use tax). Funding Source: Certificates of Participation Fund. Administering Department: Sheriff.

#### B. Purchase of Aircraft Resolution

RESOLUTION NO. 2020 - 70, of the Board of Supervisors, authorizing agents to sign documents required to complete the purchase of aircraft under Contract No. PO-PO-21-8.

#### C. Award

Award: Purchase Order No. PO-PO-21-7, FLIR Surveillance, Inc. (Headquarters: Wilsonville, OR) to provide for FLIR Star SAFIRE 380HD camera systems and accessories. This contract is for a one-time award in the discrete amount of \$2,264,535.00 (including use tax). Two (2) used FLIR Star SAFIRE systems will be traded in for a credit value of \$300,000.00. Funding Source: Certificates of Participation Fund. Administering Department: Sheriff.

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

Supervisor Miller inquired whether the Sheriff's Department's memorandum was provided to the constituent who expressed concerns with the sole source contract.

Chuck Huckelberry, County Administrator, indicated that a copy of the Sheriff's August 28, 2020, response would be provided to the constituent. He added that the logic detailed by the Sheriff and staff was appropriate and justified the sole source acquisition.

Supervisor Villegas questioned the extent of the plane's utilization.

Byron Gwaltney, Chief Deputy, Sheriff's Department, responded that the aircrafts were utilized nightly for tactical surveillance in support of patrol operations. He stated that the planes were equipped with detailed infrared cameras that allowed air support to see what was going on in the field. He added that they also allowed deputies to locate missing suspects, persons and vehicles.

Supervisor Villegas inquired whether significant arrests were made by utilizing the planes.

Gary Anderson, Captain, Sheriff's Department, responded that the aircrafts were used for all aspects which included locating lost persons and migrants in the desert regions. He stated that it provided real time information, video and photographs for people on the ground.

Supervisor Villegas questioned the lifespan of an aircraft.

Christopher Janes, Deputy, Sheriff's Department, responded that the life span could be 20 to 25 years, especially with the new technology.

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

## **FRANCHISE/LICENSE/PERMIT**

### **19. Hearing - Liquor License**

Job No. 113358, Kevin Arnold Kramber, Three Canyon Beer and Wine Garden, 4999 N. Sabino Canyon Road, Tucson, Series 12, Restaurant, New License.

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

## **DEVELOPMENT SERVICES**

### **20. The Board of Supervisors on July 7, 2020, continued the following:**

#### **Hearing - Rezoning**

##### **P19RZ00010, YATES IRA JON - N. COMO DRIVE REZONING**

Request of Ira Yates represented by the Planning Center, for a rezoning of approximately 12.49 acres from SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone, parcel code 225-43-0030, located approximately 300 feet north of E. Magee Road and 10 feet east of N. Como Drive addressed as 7801 N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 5-4 (Commissioners Bain, Membrilla, Becker and Johns voted NAY; Commissioner Hook was absent) to recommend DENIAL. Staff recommends APPROVAL SUBJECT TO STANDARD AND MODIFIED CONDITIONS. (District 1)

At the request of the applicant and without objection, this item was continued to the Board of Supervisors' Meeting of September 15, 2020.

21. The Board of Supervisors on July 7, 2020, continued the following:

**Hearing - Comprehensive Plan Amendment**

P20CA00001, CHACON - S. MARIO RANCH LANE PLAN AMENDMENT

Request of Norma Chacon, represented by the Planning Center, for a comprehensive plan amendment of approximately 1.11 acres from Low Intensity Urban 1.2 (LIU-1.2) to Medium Intensity Urban (MIU) land use designation, on the parcel addressed as 2655 S. Mario Ranch Lane, located on the east side of S. Mario Ranch Lane, about 250 feet south of the intersection of S. Mario Ranch Lane and E. Golf Links Road, in Section 25, T14S, R15E, in the Catalina Foothills Planning Area. On motion, the Planning and Zoning Commission voted 7-2 (Commissioners Bain and Becker voted NAY; Commissioner Gungl was absent) to recommend DENIAL. Staff recommends MODIFIED APPROVAL SUBJECT TO A REZONING POLICY. (District 4)

At the request of the applicant and without objection, this item was continued to the Board of Supervisors' Meeting of September 15, 2020.

22. **Hearing - Rezoning Time Extension**

Co9-98-28, HOWELL - SANDARIO ROAD NO. 2 REZONING

Request of Mark and Mary Lou Wright, represented by Lane Engineering, L.L.C., for two consecutive five-year time extensions, one of which is retroactive to the December 15, 2013 expiration date, for the above-referenced rezoning from GR-1 (BZ) (Rural Residential - Buffer Overlay) to CB-1 (BZ) (Local Business - Buffer Overlay) zone. The rezoning was approved in 1998. The site is approximately 1.07 acres located on the west side of N. Sandario Road, approximately one-half mile south of W. Picture Rocks Road and is addressed as 6501 N. Sandario Road. Staff recommends APPROVAL OF TWO CONSECUTIVE FIVE-YEAR TIME EXTENSIONS SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 3)

Staff recommends APPROVAL of two consecutive five-year time extensions to December 15, 2023 as per the applicant's request for the original 1.07-acre rezoning from GR-1 (BZ) (Rural Residential - Buffer Overlay) to CB-1 (BZ) (Local Business - Buffer Overlay) zone for a self-storage facility use, subject to original and modified standard and special conditions as follows:

- ~~1. Submittal of a development plan if determined necessary by the appropriate County agencies.~~
- ~~2. Recording of a covenant holding Pima County harmless in the event of flooding.~~
- ~~3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.~~
- ~~4. Provision of development related assurances as required by the appropriate agencies.~~
- ~~5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department, Document Services.~~
61. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
- ~~72.~~ Transportation conditions:

- A. ~~Provision of improvements on Sandario Road as determined necessary by the Department of Transportation.~~
  - B. ~~Property owner(s) shall dedicate 25 feet of additional right-of-way for Sandario Road adjacent to the subject property.~~
  - C. One access shall be allowed and shall be located at the north property boundary.
  - D. ~~Internal access shall be provided both to the north and south.~~
83. Flood Control conditions:
- A. ~~Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.~~
  - B. ~~All internal drainage improvements and any external drainage improvements required to mitigate drainage impacts caused by the proposed development shall be constructed at no cost to the Flood Control District.~~  
At the time of development, engineering analysis is required to not only design on-site improvements to protect the new development but also ensure the new development does not cause and adverse impact to neighboring properties.
94. Environmental Quality condition:  
 As a condition of rezoning the applicant shall demonstrate that the site is suitable for the placement of an on-site wastewater disposal system, including primary and reserve disposal areas, to serve the proposed development while meeting all minimum design criteria. The size of the primary and reserve areas shall be determined in accordance with Arizona Administrative Code, Title 18, Chapter 9. This demonstration shall be made during review of the Development Plan.
105. ~~The proposed project shall be subject reviewed by the Pima County Subdivision Review Committee pursuant to Comprehensive Plan Special Area Policy S-6, Picture Rocks Rural Activity Center. The focus of the review shall be on architectural issues related to Policies "B" and "C".~~
146. Adherence to the preliminary development plan as approved at the February 15, 2011 public hearing.
427. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. ~~Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~
8. The property owner(s) shall execute the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-98-28, with two consecutive five-year time extensions, subject to original and modified standard and special conditions.

23. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2020 - 28, P19RZ00012, Harbour Trust 1/3, et al. - N. La Cholla Boulevard Rezoning. Owner: Harbour Trust 1/3, et al. (District 1)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

24. **Hearing - Rezoning Ordinance**

ORDINANCE NO. 2020 - 29, P20RZ00002, Bohlmann - E. Becker Drive Rezoning. Owner: Scott and Cynthia Bohlmann. (District 4)

Supervisor Bronson inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

**PIMA ANIMAL CARE CENTER**

25. The Board of Supervisors on April 21, 2020, continued the following:

**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.

At the request of staff and without objection, this item was continued to the Board of Supervisors' Meeting of November 17, 2020.

26. The Board of Supervisors on April 7, 2020 and April 21, 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.

At the request of staff and without objection, this item was continued to the Board of Supervisors' Meeting of November 17, 2020.

## **PUBLIC WORKS ADMINISTRATION**

### **27. Renaming of Veterans Memorial Plaza**

RESOLUTION NO. 2020 - 72, of the Board of Supervisors, renaming Veterans Memorial Plaza to Veterans Gold Star Family Park.

Chairman Valadez stated that the park was originally a Park & Ride lot at the foot of the Palo Verde Overpass and that the American Legion had been taking care of the area for a while. He added that they came up with the development of the Veterans Gold Star Family Park as a tribute to the Gold Star families in the community.

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

## **CONTRACT AND AWARD**

### **COMMUNITY AND WORKFORCE DEVELOPMENT**

28. Dorothy Kret and Associates, Inc., Amendment No. 7, to provide for workforce development services, amend contractual language and scope of services, no cost (CT-CR-20-417)

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

29. Tucson Youth Development, Inc., Amendment No. 6, to provide for workforce development services, amend contractual language and scope of work, USDOL-WIOA Fund, contract amount \$103,213.68 (CT-CR-20-421)

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

30. Amendment No. 5, to provide for the Emergency Services Network Program, extend contract term to 6/30/21, amend contractual language and scope of work, ADES, STCS/TANF, CSBG and LIHEAP Funds, for the following:

#### **Vendor/Contract Amount/Contract No.**

Chicanos Por La Causa/\$116,925.00/CT-CR-20-472

Portable Practical Educational Preparation, Inc./\$144,886.75/CT-CR-21-52

The Primavera Foundation, Inc./\$91,351.00/CT-CR-21-53

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



31. International Sonoran Desert Alliance, Amendment No. 2, to provide for the Emergency Services Network Program, extend contract term to 6/30/21, amend contractual language and scope of work, ADES and LIHEAP Funds, contract amount \$29,000.00 (CT-CR-21-135)

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

### **ECONOMIC DEVELOPMENT**

32. JobPath, Inc., Amendment No. 3, to provide for workforce development services, extend contract term to 6/30/21, amend contractual language and scope of services, General Fund, contract amount \$750,000.00 (CT-ED-18-4)

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

### **GRANTS MANAGEMENT AND INNOVATION**

33. JobPath, Inc., to provide for COVID-19 educational support grants, U.S. Department of Treasury - Coronavirus Relief Fund, contract amount \$500,000.00 (CT-GMI-21-144)

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

### **HEALTH**

34. International Rescue Committee, to provide for the Mitigating the Impact of COVID-19 in Communities of Color (MC3) Project, CDC Fund, contract amount \$400,000.00/2 year term (CT-HD-21-123)

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

### **PROCUREMENT**

35. Office Depot, L.L.C., to provide for janitorial supplies, General Fund, contract amount \$3,000,000.00 (MA-PO-21-32) Sheriff

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

36. Network Services Company, to provide for janitorial services, General Fund, contract amount \$3,000,000.00 (MA-PO-21-33) Sheriff

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

37. Infrastructure Management Services, L.L.C., Amendment No. 1, to provide for pavement data collection services, extend contract term to 8/22/21, amend contractual language and scope of services, HURF Fund, contract amount \$41,940.00 (PO-PO-20-3) Transportation

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

#### **GRANT APPLICATION/ACCEPTANCE**

38. **Acceptance - County Attorney**

Arizona Criminal Justice Commission, to provide for the Drug, Gang and Violent Crime Control Grant, \$317,438.00/\$105,812.00 General Fund match (GTAW 21-30)

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

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

Connie Hillman Family Foundation, to provide for workforce development for Veterans, \$10,000.00 (GTAW 21-27)

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

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

U.S. Department of Housing and Urban Development, Amendment No. 1, to provide for the HUD Continuum of Care Program - La Casita and amend grant language, no cost (GTAM 21-21)

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

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

Our Family Services, Inc., Amendment No. 1, to provide for the Employment for Homeless Youth Program, extend grant term to 6/30/21 and amend grant language, \$31,987.00/\$7,996.75 General Fund match (GTAM 21-8)

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

42. **Acceptance - Health**

Arizona Department of Health Services, to provide for the Title V Maternal and Child Health Healthy Arizona Families Program, \$230,738.00/5 year term (GTAW 21-24)

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

43. **Acceptance - Health**

Arizona Department of Health Services, to provide for the Mitigating the Impact of COVID-19 in Communities of Color (MC3) Project, \$936,483.00/2 year term (GTAW 21-25)

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

44. **Acceptance - Pima Animal Care Center**

Maddie's Fund, Amendment No. 1, to provide for the Maddie's Fund Application "A Foster Home for Every Pet" and amend grant term to 11/30/21, no cost (GTAM 21-13)

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

45. **Acceptance - Public Defense Services**

U.S. Department of Health and Human Services, Administration for Children and Families, Amendment No. 1, to provide for the Title IV-E Federal Foster Care, \$418,291.95/\$1,440,576.86 General Fund match (GTAM 21-23)

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

46. **Acceptance - Recorder**

U.S. Department of Treasury, to provide for the AZVote Safe Program, \$617,551.00 (GTAW 21-29)

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

## **BOARD, COMMISSION AND/OR COMMITTEE**

### **47. Planning and Zoning Commission**

Reappointments of Barbara Becker and Armando Membrila. Term expirations: 6/19/24. (District 2)

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

## **CONSENT CALENDAR**

### **48. Approval of the Consent Calendar**

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

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## **CONTRACT AND AWARD**

### **Behavioral Health**

1. Sonora Behavioral Health, Amendment No. 6, to provide for court ordered evaluation services, pursuant to A.R.S. Title 36, Chapter 5 and amend contractual language, General Fund, contract amount \$425,000.00 (CT-BH-20-34)

### **Community and Workforce Development**

2. SER-Jobs for Progress of Southern Arizona, Inc., Amendment No. 7, to provide for workforce assistance for the homeless, extend contract term to 6/30/21 and amend contractual language, HUD, ADES, ADOH, DOL/ADES WIOA, City of Tucson, and General (\$61,049.00) Funds, contract amount \$574,075.25 (CT-CR-20-425)
3. Vocational Research Institute, L.L.C., f.k.a. JEVHS Human Services, d.b.a. Vocational Research Institute, Amendment No. 3, to provide for workforce development services - Work Readiness Project, extend contract term to 6/30/21, amend contractual language and scope of services, USDOL-WIOA Fund, contract amount \$3,599.00 (CT-CR-21-2)

### **County Attorney**

4. Squire Patton Boggs, L.L.P., Amendment No. 3, to provide for bond counsel services and amend contractual language, GO, HURF and COPS Funds, contract amount \$50,000.00 (CT-FN-18-187)

## **Elections**

5. Green Valley Fire District, to provide for election services, contract amount \$20,575.00 estimated revenue (CTN-EL-21-8)

## **Health**

6. Arizona Department of Health Services, to provide for the COVID-19 Testing Blitz, contract amount \$30,000.00 revenue (CTN-HD-21-23)

## **Procurement**

### **7. Award**

Award: Master Agreement No. MA-PO-21-35, Green Valley-Marana Auto Parts, d.b.a. Napa Marana (Headquarters: Marana, AZ) - Primary and Elliot Auto Supply Co., Inc., d.b.a. Factory Motor Parts (Headquarters: Eagan, MN) - Secondary, to provide for aftermarket automotive, truck and equipment parts. This Master Agreement is for an initial term of one (1) year in the shared annual award amount of \$401,500.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Fleet Services Operations Fund. Administering Department: Fleet Services.

8. International Business Machines Corporation, d.b.a. IBM Corporation, Amendment No. 5, to provide for computer hardware, peripherals and associated services, extend contract term to 7/31/21 and amend contractual language, no cost (MA-PO-16-102) Information Technology

## **Sheriff**

9. Sheriff's Auxiliary Volunteers of Pima County, Inc., Amendment No. 5, to provide for property loss protection - Sheriff Auxiliary Volunteer vehicles, amend contractual language and scope of services, no cost (CT-SD-18-40)

## **GRANT APPLICATION/ACCEPTANCE**

### **10. Acceptance - Community and Workforce Development**

RESOLUTION NO. 2020 - 71, of the Board of Supervisors, authorizing the approval of the Housing Opportunities for Persons with AIDS Cares Act Grant Agreement for Fiscal Year 2020-2023 from the U.S. Department of Housing and Urban Development, \$150,925.00 (GTAW 20-111)

### **11. Acceptance - Health**

Arizona Department of Health Services, Amendment No. 1, to provide for the Prop 201 Smoke-Free Arizona Program and amend grant language, \$256,317.00 (GTAM 21-18)

12. **Acceptance - Pima Animal Care Center**  
Petsmart Charities, to provide for the Preserving Families COVID Grant, \$30,000.00 (GTAW 21-23)
13. **Acceptance - Sheriff**  
State of Arizona, Department of Public Safety, Amendment No. 1, to provide for the Arizona Vehicle Theft Task Force, \$96,380.00 (GTAM 21-5)

#### **BOARD, COMMISSION AND/OR COMMITTEE**

14. **Building Code Committee/Board of Appeals**
  - Reappointments of Fred Knapp and Kenneth Cawthorne. Term expirations: 11/7/21. (Staff recommendations)
  - Reappointments of Brent Woods and Rick Bright. Term expirations: 1/19/24. (Staff recommendations)
  - Reappointments of Dennis Coon and Jeff Hamstra. Term expirations: 2/7/24. (Staff recommendations)
  - Appointment of Dante Archangeli, to fill a vacancy created by Brad Yant. Term expiration: 2/18/24. (Staff recommendation)
15. **Industrial Development Authority**  
Reappointment of Frank Y. Valenzuela. Term expiration: 9/5/26. (Authority recommendation)

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

16. **Temporary Extension**
  - 06100203, Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson:  
September 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, and 30, 2020.  
October 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, and 31, 2020.  
November 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28 and 29, 2020.  
December 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30 and 31, 2020.  
January 1, 2 and 3, 2021.
  - 12104529, Kevin Arnold Kramber, Wild Garlic Grill, 2870 E. Skyline Drive, Tucson, August 20, 2020 through February 1, 2021.
  - 12104011, Thomas Robert Aguilera, Tavolino, 2890 E. Skyline Drive, No. 100, Tucson, August 20, 2020 through February 1, 2021.

## **ELECTIONS**

17. **Cancellation of Uncontested Fire and Health District Elections**

Staff requests approval of the resignations and appointments put forth by the County and cancellation of the uncontested Fire and Health District elections for the November 3, 2020 General Election.

18. **Precinct Committeemen**

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

APPOINTMENT-PRECINCT-PARTY

Dianne T. Smith-011-REP

## **FINANCE AND RISK MANAGEMENT**

19. **Duplicate Warrants - For Ratification**

Western Refining Wholesale, Inc. \$7,241.82; Gloria Proo \$1,800.00; Richard C. Bock \$198.00; Dan Dutton \$32.50.

## **SUPERIOR COURT**

20. **Judge Pro Tempore Appointment**

Appointment of Frederick S. Klein, Judge Pro Tempore (with pay), of the Pima County Consolidated Green Valley and Ajo Justice Courts, for the period of August 10, 2020 through June 30, 2021.

21. **Fill the Gap Application**

Staff requests approval to submit a Fill-the-Gap Application to the Arizona Supreme Court Administrative Office of Courts for Fiscal Year 2021.

## **RATIFY AND/OR APPROVE**

22. Minutes: July 7 and August 14, 2020  
Warrants: August, 2020

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49. **ADJOURNMENT**

As there was no further business to come before the Board, the meeting was adjourned at 11:16 a.m.

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
CLERK



## COUNTY ADMINISTRATOR

### 13. Updates and Action on COVID-19

Verbatim

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RV: Chairman Valadez  
SB: Supervisor Bronson  
SC: Supervisor Christy  
AM: Supervisor Miller  
BV: Supervisor Villegas  
CH: Chuck Huckelberry, County Administrator  
FG: Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services

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RV: Moving on to Item No. 11, Mr. Huckelberry.

CH: Mr. Chairman, Members of the Board, I am going to be fairly brief and then ask Dr. Garcia to give you an update as well. I transmitted to the Board on the 24th, a fairly lengthy update and status as to where we are in the pandemic. In summary, we are seeing the infections below in August what they were in July. The peak at about 7,800. They did not break 5,000 for August, that 4,746 was the total. I think everyone says, well, we are doing much better but I think then you need to go back and compare it with March, April and May, of this year and the pandemic where we were running in the 1,000 infections per month. It is better, but it is not so great that we can do a lot of things differently at this point in time. We also have received a request as of last, I believe it was Friday, from the Arizona Department of Health Services to enter into an intergovernmental agreement to begin to enforce the Governor's Executive Orders. We are in conversation back and forth with the department now, with regard to which orders and reimbursement and how that enforcement would differ than what we are already doing with regard to follow-up on enforcing the provisions of the Board's proclamation, as well as the mask resolution. Finally, and we will hopefully get that resolved in the next few days and provide the information to the Board. I have copied the Board with our response to the County Supervisors Association since the Arizona Department of Health Services asked all counties to enforce the executive orders. In addition, this last weekend, our staff, including Dr. Garcia and others were involved in additional testing and additional testing for what we would call immediately off-site student housing. That process employed a contractor that had been awarded a contract by the City of Tucson. We agreed to pay for the testing since they are having some difficulty tracking and providing COVID testing for students who were

returning to the university, but were off campus. That occurred Friday night, Saturday night and I believe Sunday and perhaps even yesterday. I would like, in my report, I talk about our three permanent sites, the Kino Event Center, the Udall Center and the Flowing Wells Ellie Towne Center. If you look at the aggregate testing that has occurred at those sites, it is well over 15,000. I would like to have Dr. Garcia talk about the positivity rates between those centers and the potential positivity rates of what we are seeing today with regard to returning students. Dr. Garcia.

RV: Dr. Garcia.

FG: Mr. Chairman, Members of the Board, one of the things that we have been talking about throughout this pandemic has been the importance of the availability of timely and accessible testing. To that end, the County has invested substantially in developing an infrastructure to achieve that, both through our contributions in terms of the three sites that the administrator mentioned, as well as in coordination with our private sector and the not-for-profit sector that are operating now in excess of 80 different sites across Pima County. One of the things, that allowing, that us doing our own testing with our own contractor allows us to understand is how the positivity is different across the different areas where we are testing. We are increasingly learning more and more and certainly all of this information is relatively fluid. Our positivity rates in the area of the Morris K. Udall testing site run from about 2 to 5, 6%. At Ellie Towne also in the 5 to 6%. A little bit higher at our site down in Kino, being as high as the high teens in many uncertain days. Again, it is critical not to focus on the day-to-day changes in positivity but the overall trends and the overall trend has been generally in the right direction, especially since the Board took its action on June 19th to encourage mandatory mask wearing. Since that time, we have seen a slow and steady flattening of the curve and indeed a down-going trend. There are a couple of things to keep in mind as we consider these data. One of them is the impact of the return of the University of Arizona students. We have been very vigilant and very engaged in terms of our level of awareness of the testing that is going on and the kind of testing that the university is doing. Certainly they have a really great scheme for their on campus students with rapid antigen testing up front, diagnostic testing for those that are positive and then containment strategies for those. What is less clear has been the strategy that is available to the off-campus, the many off-campus students. The reality is that the University of Arizona likely, not likely, has most of its students in that kind of off-campus environment. In the immediate off-campus environment, one of the concerns has been, you know, the kind of congregation, social activity that leads to increased infection. We are tracking that very closely. We are concerned. We are worried that even though our positivity has been trending in the right direction, we will start seeing a bump up as those cases are identified. An additional wrinkle in that story is that

previously you have seen very significant bumps in the numbers. Those are associated with the fact that some of the laboratories that are doing this testing are not reporting electronically into the State's system. We know that the laboratory that is doing some of the testing, on behalf of the university, that they may be having some of the same issues. Expect a correction here in the next week to next couple of weeks. This is really important because remember that, per the Governor's guidance, the restrictions have been loosened based on what the epidemiology is. I believe those numbers are going to get a little bit worse here in the near future, and so we may need to backtrack a little bit.

RV: Any questions?

SB: Mr. Chairman, Mr. Huckelberry, and Dr. Garcia, in your memo, Mr. Huckelberry, of August 24th, you make a rather, you make a statement that money needs to be diverted from the criminal justice system to our healthcare system. Specifically, could you, would you elaborate on what that means and where that is headed.

CH: Mr. Chairman and Members of Board, it is really discussed in my dissertation with regard to the update in something called Health 2.0. Health 2.0 is really looking at how to revision our Health Department and our health organization for public health purposes. The pandemic and COVID-19 has accentuated the fact that it is an essential service and that it has been historically, we will say bumping along in the competitive process, competing for County resources. The COVID-19 has pointed out just how important that function is and the fact that we need to reinvest in it. Many that reinvestments is occurring now and, again, those re-investments are funded largely from the CARES Act Funding from the federal government. Yet that CARES Act Funding essentially expires December 31st. We are going to need to keep up this level of activity and vigilance with regard to our public health agency throughout the balance of the fiscal year and into next year. When I talk about the investments, historically and I think if you look back over the years, year after year with regard to budget adoptions of the County, the greatest increases have always gone to the criminal justice system and we cannot afford to do that any longer. What we are going to need to do is divert those increases that have historically occurred in the criminal justice back into public health. That whole diversion then allows us to set up a public health agency. It is really talking about how to eliminate health disparities within the community for a variety of reasons that they occur. They have occurred because of housing income, race, a whole variety of factors, and it is those same factors that we are seeing reflected in the cases and the hospitalizations and the mortality associated with COVID-19. Now is an appropriate time to really talk about how to start attacking those health

disparities. So all citizens basically have the same capabilities or they are on the same level with regard to being healthy.

SB: Thank you.

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: I have a few questions. When I look at a lot of these charts, if I look at the cases by gender and month that were included. There is no page numbering on this, so I cannot tell you what the page number is. But it is COVID-19 cases by gender and month. If I look at August, and I understand this was updated August 21st. For, by gender, you are showing 2,069 cases as of August 21st, and then when I look at the August 24th, on page two of Mr. Huckelberry's August 24th, 2020, memorandum, it says cases through August 24th, 4,060. I assume you did not get over 2,000 cases in three days. I am not sure what is going on there.

CH: Mr. Chairman and Supervisor Miller, it is through the 24th and through now the 31st, is where you have the differential. That differential, and I do not know what the other document is you are looking at.

AM: This memorandum you have says August, through August 24th.

CH: Correct.

AM: 4,060 and then the chart that was included shows COVID-19 cases by gender and month and let me see who sent this out. It is Pima County. It is some of the data that was pulled up Pima County. It shows that this is through, updated, it says it at the bottom, August 21st. That is where I am looking at, male and female, there is 1,010 cases for males, 992 for female, and unknown 57. I am trying to reconcile that huge difference and a lot of these charts, they do not tie back. Then I look at the CDC data which does not tie back and I look at the State data, which does not tie back. I mean, I get it, there is a lag in some of the reporting has been explained before. But sometimes there is huge differences just like in this case and this is data provided by Pima County and this came through in a memo from the Pima County Health Department and it says right at the bottom, updated August 21st. I am confused, why we show 2,069 through the 21st and then we show 4,060 through the 24th. I would appreciate if someone could reconcile this data because it came from the Health Department.

CH: Mr. Chairman, the only chart that I use is basically the one that is attached to my...

SB: Memo

CH: ..24th Memorandum. We have sent you a whole raft of other charts and graphs that deal with ethnicity, deal with male/female, as well as..

AM: Yeah.

CH: ...location, and so we can certainly reconcile those.

AM: Yeah, this is a Pima County document, right off the Health Department website. That is why you get a lot of people questioning this stuff, because nothing tracks back. There is a whole lot of confusion out there, and one of the things that I looked at last night was the CDC website. Of course, we have all heard about the 6%. The CDC has documentation up on their website that in fact, of the deaths that they had recorded, 6% of the total deaths are attributable to COVID-19 only. The others had comorbidity rates of, I believe they said each of them had, at least 2.6 other health conditions that contributed to their death. People are getting very concerned that this data is not tracking and that the information coming out, as we all know, there is all kinds of information coming out that says that the masks do not work. I think most concerning to me is the gentleman that was in here early speaking about the schools. There has been discussion about the fact that seven of the nine conditions that were imposed to go back to school have been met. I would like to ask, is that the case Dr. Garcia?

RV: Dr. Garcia.

FG: Mr. Chairman, Supervisor Miller, yes we are making progress on the school front and using the governor's metrics. We are currently yellow, yellow and red. For us to move to the next level in terms of opening schools, per the Governor's recommendation, all three indicators would have to be yellow. As I mentioned, one of the concerns that we have is that with the opening of the University of Arizona, and with some of the increased activity that we are seeing in terms of cases, I am afraid that some of those markers are going to backtrack. We will remain very vigilant on that.

AM: What are we red on?

FG: We are red in terms of the positivity of our cases. (inaudible)

AM: The number of new cases that are testing?

FG: No.

AM: Or the percentage that are testing positive?

FG: Sorry. We are red, we are still red on the percentage that are testing positive. We are not in the zone where we need to be. That number, like I said, is actually gotten a little bit worse this week compared to last week.

AM: My concern is we have kids out of school, and there are parents, I hear from them all the time. These are younger children and if you look at the cases and that age group, and again, looking at those charts, it is very, very insignificant. I mean, I understand when you go back to school, when you bring people back to the university, we have been cooped up, of course we are going to see spikes. I mean that is common sense that we are going to see this happen. Until we start doing that, and get brave and continue doing that, we are not going to experience, we are not going to have that hump. Where obviously when people start getting back together, we are going to have a period of time where things go up, but then you will go back down. But the concern I have is that if we keep holding people hostage in their homes and telling them not to send their children to school, we are going to have that, we are just pushing out the inevitable, it is going to happen at some point. I am looking at the children in this community that are hurting. I do not know about the rest of the Supervisors but I hear about it all time and the parents that want to get back to normal. They are having to teach their own children and the parents are at their wit's end because they are not trained as teachers. Are we going to let this go on for much longer? I understand the Governor imposed these restrictions, but I think at some point, we need to look at that and start pushing back and saying we have to get these kids back to school. Teenagers, high school kids, I am hearing about suicides, I am hearing about suicidal children. I heard another case this morning, 15-year-old kids that are cooped up at home. Are we, have we, I guess a question would be, what has happened with the suicide rates in Pima County? Over this last few months?

FG: Mr. Chairman, Supervisor Miller, I can tell you that we have been tracking both suicides, suicides and other forms of accidental death and car accidents. Although, during the month of March, there appear to be a blip in the number of self-harm-related deaths that were being seen, that has not continued to be the case. I tell you that as a parent of a 10 and a 13-year-old, I am extremely sensitive to the need to get children back into school. I will also remind you that per the CDC data and ADHS data, that the rate of positivity among children in the State of Arizona is actually among the highest in the country. We are still trying figure out why that is. You are absolutely right. Very few if any deaths or hospitalizations are occurring in that group. But the actual sheer number of children under the age of 18 who are positive in the State of Arizona and in Pima County is substantially higher than comparable communities across the country.

AM: Have we been tracking any, and I know this is probably not something were able to track, but the people getting their children in for mental health counseling, are we as part of our program, are we offering any kind of additional services? Because I have heard from so many parents that their children are suicidal.

FG: Chairman Valadez, Supervisor Miller, we are not able to track how many individuals are looking for services. We have as part of, and you can find it on the COVID-19 website. We have as part of what the County has been pushing out and what the Health Department, in particular, has been pushing out. Are the issues and resources associated with mental health and behavioral health and you are absolutely right, those are incredibly important, especially during a time of social isolation. I think we need to sort of thread the needle here and that is engage in sufficient mitigation measures that are going to protect our community but to not do so in a way that will adversely impact these youngsters.

AM: Have we seen increased usages of these services?

FG: I can tell you, Supervisor Miller, Chairman Valadez, I can tell you that we have heard from the behavioral health services providers that, who are delivering these services via telemedicine, telebehavioral health. We can tell you that there has been an uptick in the number of folks who are using these kinds of services, yes.

AM: Is it significant?

FG: I cannot give you a statistical significance, but it is more so than before we started.

AM: I am just looking, when I look at these charts, and I understand you are saying that the children are testing, you are talking about when you say children, you are talking about under the age of 18? I am looking in August on these charts that were updated on August 21st. By age group we had the hospitalizations, we showed nine in that age group, 0 to 19. Nine hospitalizations. I do not know how many, I do not see the cases, I do not see any deaths in that age group.

FG: Chairman Valadez, Supervisor Miller, you are absolutely right. There are zero deaths in the less than 21. Our youngest decedent was in their late 20's. The, and hospitalizations are fortunately low for that group. However, the infection rate which is in the first chart of that set, that you are referencing, that has cases by month shows how many cases we had at that point. Please understand that we are updating these on a twice weekly basis. Please understand that the numbers, that these are based on the ADHS numbers. These tie back to the ADHS numbers and as the ADHS numbers are being corrected, these are also being corrected. I can tell you that for the month of August, we had 396 hospitalizations that occurred in 0 to 19-year-olds. That is a relatively modest number of hospitalizations. I am sorry, not hospitalizations, cases. That is a relatively modest number of cases, but for instance, that is compared to 20 to 44-year-olds who had 1,140 and 45 to 50-year-olds who had 350 cases. So very similar to the number of hospitalizations that occur for 45 to 54-year-olds.

AM: Okay. I guess I am just looking at this and thinking we have got to get these kids back in school. I guess I just think it is inevitable that we are going to see an uptick when we do start poking our heads back out again, coming back out, getting together and I think that is something. Unfortunately, the Governor is not changing his position on this, and I think we need to do it sooner rather than later, because the people are really frustrated. The one thing I also noticed from the CDC website, the highest death rate is among white Americans. 50.9% of the deaths are white. They said 22% are Black, and 16.9% are Hispanic, the deaths. The cases, white has 40.4%. It appears that more white people are dying as a percentage of that group. It does not appear it is, that is a fact. When you calculate, of the cases, this came from the CDC, the white patients are, 6.33% die of those white patients who get the coronavirus. 5.74% of the Black population who gets the coronavirus dies, and 2.75% of the Hispanic population, who are tracked on this CDC website die from the cases. Unfortunately, I did not get to go through and look at all of the various age groups there last night. I do hope we can get children back to school. I know we are starting to reopen and I think as we start to reopen, we can surely expect there will be a little bit of an uptick, but at some point we have to get to normalcy and live through that. It is real unfortunate but either that or we isolate ourselves the rest of our lives. I really hope that we get a little more guidance from the Governor that will allow these schools to open, because we have a lot of extremely frustrated parents out there. Thank you.

RV: Mr. Huckelberry and then Supervisor Villegas.

CH: Mr. Chairman, I think the issue, and I think Dr. Garcia and we have kind of demonstrated. It is not that those who are under 18 who are infected suffer severe say consequences with regard to the infection. It is the fact that they pass it along to others who have comorbidity that basically leads to their either their hospitalization or death.

RV: Supervisor Villegas.

BV: Thank you, Chair Valadez and Mr. Huckelberry, that is exactly was going to be one of my comments. The calls that I get are thanking us for making sure that the schools are not opening yet. Parents are, yes, it is not convenient for them, but it is a matter of life or death for them. I think that we need to be very careful with our planning when we do reopen. We need to make sure that those cases, positive cases have come down significantly. I have a lot of friends on Facebook and I am at that high-risk age and I constantly see my friends posting about their relatives and even my friends that have contracted the disease and have died. Recently, a family who were taking precautions and invited someone into their home, thinking that, you know, they were safe. Then they get a call that they tested positive and they may have exposed this family, a young family with two children. Sure enough, they have all tested



positive, except for one child, but even though a young, I do not know, a 4-year-old tested positive. Because they were in contact with their parents, the grandparents, the two grandparents tested positive. They did not get symptoms for a long time, and then on the 14th, 15th day, they got symptoms and since then, recently the grandmother has passed away, and her only son is in I.C.U. right now. In the hospital, on a ventilator. So, it is still happening. We have to face that reality. For those that have survived, the after effects that I am hearing about, can be very significant and we are going to have to address those after effects as well. Especially with the hardest hit. The same areas that have underlying issues and essential workers that have to go to work every day. Now they do not have, they cannot because of the underlying issues of the after effects. Aside from that, I want to talk about the student housing. While I understand that we have to be, we have to do what we have to do, in order to keep those cases down and we have to test. I am disappointed that the University of Arizona has not taken better care of their off-campus housing students. They are here because the University of Arizona opened and I believe it is their responsibility to help testing the off-campus housing. I would hope that the County and the City would ask them to reimburse any of the funding that is being used from our CARES Act and that they reimburse us with their CARES Act if that is doable, which I would assume it is. The fact that these students are paying \$1,000 to \$1,500 a bed in these luxury student housing complexes and they are irresponsible in, you know, not taking this serious enough, I think the University of Arizona has to step up. They have to do what other college towns are doing, suspend them or send them home. We cannot afford to have the spread anymore than we already have. That is my response to the student housing. While I understand that the County and the City have to do what they have to do to protect the rest of us, I honestly think that the University of Arizona needs to be involved in this as well, and I did not hear that they were in the statements. The positivity rate at Kino, I do not think Dr. Garcia mentioned it is about 12 to 13% compared to Udall and Flowing Wells which is at 3 to 5%. I think that is significant, and I am glad to hear that we are moving forward with testing the hotspots and the clusters that we have been seeing all along. I hope that we can continue to move in that direction. The other, the question I had, was I noticed that we have the AZ Vote Safe on the budget, we received funding for that. I am wondering is this mostly for PPE? Or is it available to pay for any other, you know, for hard to reach areas under these circumstances with COVID?

RV: Mr. Huckelberry.

CH: Mr. Chairman and Supervisor Villegas, I am under the impression in talking to the Recorder that it is flexible. That it is for anything that is necessary in order to conduct the election in a safe manner.

BV: Okay. Thank you.

RV: Any other discussion?

AM: Mr. Chairman?

RV: Supervisor Miller.

AM: I would like to just make sure I am clear on Supervisor Villegas was talking about the University of Arizona off-campus housing. You are talking about suspending students. Could you explain that? Why would you suspend students?

BV: If they are not following the rules. If they are not, if they are congregating and contributing to the spread of the virus, and there are rules in place for them, and they are not following them. Then there should be repercussions for that.

AM: So has it been reported or documented that they are not following?

BV: We had an uptick in cases around the university. At a neighborhood meeting that one of my staff attended, it was noted that there were a lot of parties going on with a lot of people converging into small spaces. I am sure this is part of the reason why we have this uptick in cases right now.

AM: Has that been communicated to the University of Arizona? Are they aware of that?

BV: I do not know if it has or not.

RV: If I may, Mr. Huckelberry?

CH: Mr. Chairman, it has been. I talked Friday evening to Jon Dudas who is the Chief of Staff of the President. We had a discussion with regard to assistance that the County may need as a public health agency by the University of Arizona Police Department. Particularly as it relates to large parties or parties that were not complying with any of the standard requirements; in excess of 50, no physical distancing, no mask. They do have a Code of Conduct. In my conversation with Mr. Dudas, he indicated they would be enforcing the Code of Conduct which includes up to expelling students.

AM: Thank you.

BV: Thank you.

RV: Any other questions or comments? Alright.

SC: Mr. Chairman?

RV: Supervisor Christy.

- SC: Just a thought, because the phone calls I have been getting and the emails is that the community is really frustrated with the situation. They want to have better ability to return to an open society, where we conduct business, go to school, our kids are educated properly. All of the items that have been discussed previously. What would happen, and it was brought up about pushback. What would happen if we decided as a County that we were going to implement a less restrictive set of standards regarding opening schools and businesses and the pushback would be against Governor Ducey's Executive Orders? I am curious, what would be the penalties? Is it merely, I should not say merely, but is it a fear that we would be withheld from any funding from the State for our COVID activities? Or what would actually happen if we said, "Governor Ducey, we are not going to follow your restrictive orders here. We are going to open up our schools based on this set of data and this is why and we will go ahead and do it." What would be the consequences of that?
- RV: Mr. Huckelberry.
- CH: Mr. Chairman, other than abdicating our public health obligations, we would probably not face any consequences because it would then be up to the Governor to actually impose the requirements, the standards and the penalties.
- AM: Mr. Chairman?
- SC: Mr. Chairman, Mr. Huckelberry, that would then, the fallout from doing that would be some sort of sanctions by the Governor?
- RV: Mr. Huckelberry.
- CH: Mr. Chairman and Supervisor Christy, I think if you look at all the Governor's Executive Orders, at the very end of those, he spells out the penalties, and the actions that we will be taking in violations, violating state statutes and probably other issues. Those would all be penalties that I would assume would be enforced or could be enforced by the Governor and by State agencies such as the Attorney General.
- SC: Thank you.
- RV: Supervisor Miller.
- AM: My question was answered, thanks.
- RV: Anybody else on this issue. We have been at it for a while, let us take a five-minute break and we will return at the sound of the gavel.