

FLOOD CONTROL DISTRICT BOARD MINUTES

The Pima County Flood Control District Board met remotely in regular session through technological means at 9:00 a.m. on Tuesday, September 21, 2021. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Adelita S. Grijalva, Vice Chair
Rex Scott, Member
Dr. Matt Heinz, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Lesley Lukach, Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

1. RIPARIAN HABITAT MITIGATION

Staff requests approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal in the amount of \$4,532.25 for placement of four single family residences at the Whetstone Shadows Subdivision Lots 40-43, located within regulated riparian habitat and classified as important riparian area with underlying Xeroriparian Class C and Xeroriparian Class C Habitats. (District 4)

It was moved by Chair Bronson, 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 12:45 p.m.

CHAIR

ATTEST:

CLERK

BOARD OF SUPERVISORS' MEETING MINUTES

The Pima County Board of Supervisors met remotely in regular session through technological means at 9:00 a.m. on Tuesday, September 21, 2021. Upon roll call, those present and absent were as follows:

Present: Sharon Bronson, Chair
Adelita S. Grijalva, Vice Chair
Rex Scott, Member
Dr. Matt Heinz, Member
Steve Christy, Member

Also Present: Chuck Huckelberry, County Administrator
Lesley Lukach, Civil Deputy County Attorney
Julie Castañeda, Clerk of the Board
Juan Carlos Navarro, Sergeant at Arms

1. PLEDGE OF ALLEGIANCE

All present joined in the Pledge of Allegiance.

2. PAUSE 4 PAWS

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

3. POINT OF PERSONAL PRIVILEGE

Supervisor Scott apologized for his tone at a previous meeting and pledged to elevate the level of discourse in the community rather than degrading it.

PRESENTATION

4. Presentation of a Certificate of Recognition to Andre Haymore, for his leadership and swift action during a life-threatening circumstance. (District 1)

Supervisor Scott read the certificate. No Board action was taken on this item.

PRESENTATION/PROCLAMATION

5. Presentation of a proclamation to Dr. Shannon Roberts, Chief Executive Officer, Diaper Bank of Southern Arizona, proclaiming the week of September 27 through October 3, 2021 to be: "NATIONAL DIAPER NEED AWARENESS WEEK"

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

6. Presentation of a proclamation to Maddy Bynes, Director of Public Policy & Special Projects, Pima Council on Aging, proclaiming the month of September 2021 to be: "FALLS FREE PIMA FALLS PREVENTION AWARENESS MONTH"

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

7. Presentation of a proclamation to Ed Sakwa, Chief Executive Officer, Emerge! Center Against Domestic Abuse, proclaiming the month of October 2021 to be: "DOMESTIC VIOLENCE AWARENESS MONTH"

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

8. **CALL TO THE PUBLIC**

Robert Moser addressed the Board in opposition to the approval of Agenda Item Nos. 15 and 22.

BOARD OF SUPERVISORS

9. The Board of Supervisors on September 7, 2021, continued the following:

Eviction Prevention Landlord Incentive Program

Discussion/Action. Directing the County Administrator and County staff to design and roll out, by the first week of October, 2021, an incentive program for landlords who have the legal right under state statute to evict their tenant(s) for non-payment of rent, to voluntarily hold off from proceeding with the eviction process in return for an "Eviction Prevention Landlord Incentive Program" payment from the County, for back-rent owed up to \$5,000 per unit in total. Further directing the County Administrator and County staff to immediately fund the initial phase of this "Eviction Prevention Landlord Incentive Program" with up to \$3.0 Million from the County's American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Contingency Funds, under the Treasury's expenditure category of "Responding to the Negative Economic Impacts of COVID-19." (District 2)

At the request of Supervisor Heinz and without objection, this item was withdrawn from the agenda.

(Clerk Note: See the attached verbatim for Minute Item No. 31 for additional discussion on this item.)

COUNTY ADMINISTRATOR

10. Updates and Action on COVID-19

(Clerk's Note: See the attached verbatim for Minute Item No. 10, for discussion and action on this item. Verbatim was necessary due to the nature and evolving circumstance related to COVID-19.)

CLERK OF THE BOARD

11. Avra Valley Irrigation and Drainage District Annual Election Cancellation

Discussion/action regarding a request, pursuant to A.R.S. §16-410(A), to cancel the annual election of the Board of Directors of the Avra Valley Irrigation and Drainage District and appoint Craig Bratton as Director of Division III of the Avra Valley Irrigation and Drainage District, to serve a three-year term, effective January 1, 2022.

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

DEVELOPMENT SERVICES

12. Final Plat With Assurances

P20FP00014, Coyote Creek II, Lots 396-412, Common Areas "A" and "B". A resubdivision of Coyote Creek, Lots 250 and 251. (District 4)

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

13. Final Plat With Assurances

P21FP00002, Star Valley, Block 7, Phase III, Lots 508-608. (District 3)

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

ECONOMIC DEVELOPMENT

14. The Board of Supervisors on September 7, 2021, continued the following:

Contract

Sun Corridor, Inc., to provide for Economic Development for Pima County and Southern Arizona, General Fund, contract amount \$650,000.00 (CT-CA-22-25)
Chair Bronson indicated that this item would be discussed in conjunction with Minute Item No. 33, Economic Development Office.

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

Supervisor Christy indicated that with the impending retirement of the Economic Development Director it was appropriate to discuss costs and the transitioning/reshaping of the Economic Development Office. He stated that the combined cost for maintaining the Economic Development Office, and the Sun Corridor contract was approximately \$1 million. He indicated that the County should support only one of those offices. He commented about redundancy and duplications possibility occurring between the offices that resulted in unsatisfactory returns on investment. He proposed that the County Administrator select an employee from within the appropriate County department to act as the liaison for Sun Corridor and also that no additional expenses be incurred.

A substitute motion was made by Supervisor Christy to eliminate the Economic Development Office, that an existing employee be selected as a liaison for Sun Corridor by the County Administrator and that no additional costs be incurred by the County.

Chair Bronson restated the motion for clarification: To approve Sun Corridor's contract, with the caveat that the Economic Development Office be eliminated and that the County Administrator be directed to appoint an individual from within the County as the liaison for Sun Corridor and that no additional costs be incurred by the County.

Supervisor Christy responded in the affirmative.

The substitute motion was seconded by Chair Bronson. No vote was taken at this time.

Chuck Huckelberry, County Administrator, indicated that this would impact how the County addressed economic development. He stated that eliminating the Economic Development Office would signal a passive approach to economic development, and Sun Corridor would be responsible for presenting opportunities to the County. He indicated that the current model was proactive and allowed for robust participation and collaboration from the County in managing Sun Corridor's contracts for economic development. He stated that the Board's direction would convey either a passive or proactive approach.

Supervisor Grijalva expressed concern with the businesses being drawn to the County. She indicated that since the County provided Sun Corridor with one-fourth of their funding, the County should expand the services provided through the Economic Development Office. She expressed comfort with the direction being provided by the County which ensured the application of the Sonoran Desert Conservation Plan and that businesses, drawn to the County, were contributing to economic development while preserving the environment. She inquired whether efforts were being duplicated and asked how they differed.

Supervisor Christy restated that since the County was contributing a quarter of the operating budget for Sun Corridor, that should allow the County to have a robust contribution into the economic development activities of Sun Corridor. He indicated that the County Administrator and the Board Chair had a significant voice with regards to the activities of Sun Corridor. He recommended the relationship be maintained by providing funding to Sun Corridor. He added that the Economic Development Office was duplicating Sun Corridor's efforts at a cost of \$422,000.00. He stated that Board members had expressed concern with the types of companies being drawn to the County and added that he was concerned with how the County might influence Sun Corridor's mission. He expressed particular concern with the County's stance against mining and the fact that Sun Corridor had declined to take a stand because they were influenced by the funding provided by the County.

Supervisor Scott expressed opposition to the substitute motion since approval of the Sun Corridor contract was tied to the elimination of the Economic Development Office. He recommended that a review by the County Administrator be conducted with the possibility of incorporating functions of the Economic Development Office into other departments.

Supervisor Christy agreed that a review should be conducted, with the understanding that realignment take place within the County and no additional costs be incurred. He indicated that he would support those efforts if existing administrators and staffing were utilized.

Supervisor Heinz indicated that \$1 million was a small fraction of the County's budget and the County should not be concerned with investing that amount. He indicated that the County should significantly invest in economic development and reimagining the Economic Development Office. He expressed interest in participating in that process.

Upon the vote of the substitute motion, the motion failed 4-1, Chair Bronson and Supervisors Grijalva, Heinz and Scott voted "Nay."

Chair Bronson indicated that the Board would consider the original motion which was to approve Sun Corridor's contract. She added that discussion should include the realignment or elimination of the Economic Development Office, once Sun Corridor's contract had been dealt with.

Supervisor Grijalva asked staff to address the role that the County had with Sun Corridor and to explain how the County was helping to target businesses through Sun Corridor.

Mr. Huckelberry responded that the County had a regional governmental role with significant financial participation, and it had taken a while for Sun Corridor to evolve to where they were today. He indicated that the City had equal participation, with other jurisdictions also providing funding. He stated that at one time jurisdictions were competing amongst themselves for locations in the County. He indicated that

was not productive. He stated that with a regional the County was not concerned with which location were selected. He indicated that the Sun Corridor's structure was heavily orientated towards private sector corporate managers and influencers. He stated that because of the County participation level there was access to corporate leaders through Sun Corridor. He indicated that the County shared their concerns about locatees and new expansions especially with regard to County resources. He indicated that the County have failed in competing for high resource consumption activities, such as water or energy, because those were the things the County looked out for. He stated that the County's was to influence jobs and opportunities for advancement. He added that the advantage to participating with Sun Corridor was access to corporate communities and understanding regional competitiveness. He added that the County altered their process in order to be competitive.

Supervisor Grijalva inquired about the role of the Economic Development Office, how it complimented Sun Corridor and whether there were duplicated efforts.

Mr. Huckelberry indicated that prior to the 2007 recession, the County's role was passive. He stated that as a result of losing a significant amount of the tax base the County became proactive and developed an Economic Development plan. He indicated that the Economic Development Office responded to questions, collaborated with resources, identified locations and infrastructure needs and learned how to be competitive. He indicated that the Economic Development Office had 3 Full-Time Equivalents with a \$422,000.00 budget. He added that the office was active, competitive and remained proactive. He stated that the County had to be direct with their management and interaction with Sun Corridor because it benefited the region. He stated that the County has effectively eliminated municipal competitiveness.

Chair Bronson commented about the term "shovel ready" and how the County's Economic Development Office had been able to utilize shovel ready properties to move forward with economic development.

Mr. Huckelberry indicated that everybody had shovel ready property, whether it was in the middle of nowhere or in the middle of the city. He commented on a lesson learned when the County was unable to compete with Huntsville Alabama on a Raytheon contract. He indicated that had Sun Corridor not briefed the County on shortfalls, other opportunities might have been lost as well. He added that this was an interactive process and it taught the County that lessons were learned from mistakes by figuring out how to make corrections and move forward.

Supervisor Scott inquired about the work performed by Sun Corridor as site selectors.

Mr. Huckelberry responded that site selectors were the catalysts for relocations. He indicated that they were hired by corporations wishing to relocate or expand. He stated that their responsibilities included review of various sites, determining the competitiveness or the lack of competitiveness, and making a recommendation. He

indicated that it was in the County's interest to have site selectors familiar with the County's strengths and weaknesses, that could represent corporate clients, and that could recommend specific regions for expansions or relocations.

Upon roll call vote of the original motion, the motion carried 3-2, Supervisors Grijalva and Heinz voting "Nay."

ELECTIONS

15. Precinct Consolidation

Staff requests approval of the proposed precinct consolidations and precinct line changes.

Chair Bronson expressed opposition to consolidating and changing precinct lines. She added that this was not an appropriate time to consolidate precincts.

Supervisor Scott also expressed opposition. He indicated that based on the Arizona Legislature's assault on early voting this was not the time to consider eliminating precincts.

Supervisor Christy indicated his opposition to consolidating precincts. He indicated that precinct consolidation would delay the Recorder's verification of signatures and would reduce the level of confidence that voters had on the system. He conveyed concerns with the proposed consolidation of Precinct 10, in Green Valley, and Precinct 84, in the Town of Sahuarita, because those precincts had different jurisdictional boundaries.

Chair Bronson expressed concern with overlapping jurisdictional boundaries and was concerned with the impact it would have on rural communities.

Supervisor Grijalva commented that voting should be easily accessible. She added that voter suppression should be eliminated.

Chair Bronson indicated that voters needed to be assured of accessibility and preference.

It was moved by Chair Bronson and seconded Supervisor Scott to deny the proposed precinct consolidations and precinct line changes. No vote was taken at this time.

Chuck Huckelberry, County Administrator, asked that staff be allowed to make minor boundary changes on subdivided parcels currently divided between two precincts. He stated that those changes would be brought back for Board approval.

Chair Bronson indicated that the motion does not preclude staff from presenting subdivided parcel boundary changes for Board approval.

Supervisor Scott commented on the October 1st deadline for recommendations. He noted that the Pima County Republican Chair and the Pima County Democratic Chair were both opposed to consolidating precincts.

Chair Bronson inquired whether there was a procedure issue based on the October 1st deadline.

Mr. Huckelberry responded that there were no concerns. He stated that the line changes were minor.

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

FINANCE AND RISK MANAGEMENT

16. Certificates of Participation

RESOLUTION NO. 2021 - 62, of the Board of Supervisors, authorizing the lease and lease-purchase back of certain real property, including buildings and structures, in order to finance and refinance projects for the County; authorizing the execution and delivery of amendments and supplements to a Lease-Purchase Agreement and a Trust Agreement and other necessary agreements, instruments and documents; approving the execution and delivery of Certificates of Participation and refunding Certificates of Participation to provide the necessary financing and refinancing therefor; and authorizing other actions and matters in connection therewith.

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

Supervisor Grijalva restated her opposition, as previously voted on April 5, 2021.

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

17. Sewer System Revenue Obligations

RESOLUTION NO. 2021 - 63, of the Board of Supervisors, providing for the execution, delivery and sale of (a) Sewer System Revenue Obligations in an aggregate principal amount sufficient to provide up to \$45,000,000.00 to purchase property constituting additions and improvements to the sewer system of the County, to fund a debt service reserve account and to pay costs of delivery, and (b) sewer system revenue refunding obligations in an aggregate principal amount sufficient to accomplish the refinancing of outstanding sewer revenue obligations being refunded thereby, to fund a debt service account and to pay costs of delivery; authorizing the execution and delivery of one or more obligation indentures in connection therewith and the execution and delivery of one or more purchase agreements providing for installment payments by the County for the purchase or refinancing of said property to be made from revenues of the sewer system of the County; and authorizing the completion, execution and delivery of all necessary or

appropriate agreements or documents and the taking of all actions and matters in connection therewith.

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

GRANT APPLICATION/ACCEPTANCE

18. The Board of Supervisors on September 7, 2021, continued the following:

Acceptance - Elections

U.S. Election Assistance Commission, to provide for the 2020 Help America Vote Act Election Security Sub-grant, \$694,438.40/5 year term (GTAW 22-15)

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

Supervisor Christy inquired about the Election Integrity Commission's (EIC) report and deliberations regarding this matter.

Chuck Huckelberry, County Administrator, responded that the EIC had unanimously recommended approval.

Supervisor Christy indicated that he was unaware of the decision being unanimous. He requested that the Election Director provide a synopsis of the discussion and inquired how grant funding would be expended.

Mr. Huckelberry responded that the grant would be divided between the Division of Elections and the Recorder's Office. He indicated that spending plans would be provided for Board approval.

Supervisor Christy inquired whether the Board was able to provide input.

Mr. Huckelberry responded that the plans would be brought back for review and approval.

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

REAL PROPERTY

19. **Sale of Real Property - Lot 399**

RESOLUTION NO. 2021 - 64, of the Board of Supervisors, authorizing sale of land held by State under a Treasurer's Deed as Pima County Tax Sale No. TS-0033, Tax Parcel No. 301-69-3990. (District 3)

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

20. Sale of Real Property - Lot 401

RESOLUTION NO. 2021 - 65, of the Board of Supervisors, authorizing sale of land held by State under a Treasurer's Deed as Pima County Tax Sale No. TS-0033, Tax Parcel No. 301-69-4010. (District 3)

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

21. Sale of Real Property - Lot 402

RESOLUTION NO. 2021 - 66, of the Board of Supervisors, authorizing sale of land held by State under a Treasurer's Deed as Pima County Tax Sale No. TS-0033, Tax Parcel No. 301-69-4020. (District 3)

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

COUNTY ADMINISTRATOR

22. Hearing - Justice Court and Constable Reprecincting

Staff recommends eliminating Justice Precinct 5 and approving the proposed Justice Precinct boundaries as shown in Option 1 or Option 2 (attached). Both are valid options. Option 1 was developed by a former Justice of the Peace. Option 2 is simply a modified version of Option 1 to address minor modifications suggested by the Constables.

The following speakers addressed the Board regarding the Justice Court and Constable Reprecincting:

- Brian Bickel, Chair, Pima County Elections Integrity Commission (EIC)
- Nathan Davis, Arizona House of Representatives Candidate, Casas Adobes Neighborhood
- Alfred Urbina, Pascue Yaqui Nation
- Michael Stevenson, Presiding Constable
- Paula Aboud

They offered the following comments:

- EIC members indicated that this was not an appropriate time to consolidate justice courts by eliminating a Constable and a Justice of the Peace.
- Once the County recovered from the eviction and pandemic crisis this issue could be revisited.
- The EIC recommended that no action be taken to eliminate a Justice Precinct.

- Advocate for the adoption of Option 1.
- Option 1 adhered to the principles of redistricting including equal representation, compactness and respecting the community's interests.
- Option 1 combined the Casas Adobes neighborhood, with similar communities, especially the Catalina Foothills, Tanque Verde and the neighborhood along the Rillito River. These communities should not be in districts that span to Vail or any other communities in the southeast.
- Reprecincting the Justice Precinct boundaries, dependent on the map selected, would have an impact on a Constable's ability to effectively and efficiently carry out daily service in the community.
- Key items for map one:
 - Would break up the progress made in Justice Precinct 8 with regards to providing assistance in the inner city.
 - Created unusual boundaries that caused confusion for the public and Constables assignments.
 - Increased the political makeup in Justice Precinct 1 from a 3.3 Democrat versus Republican, to a 6.8% Democrat versus Republican.
 - Would add 4,100 Democratic voters to Precinct 1.
 - Created the need to purchase a 4x4 vehicle to serve the outlying areas.
 - A 4x4 sized vehicle would be used in the city, which would be contradictory to the County's desire to minimize the carbon footprint of vehicle usage.
- Key items for map two:
 - Maintained workflow continuity for Precinct 1 through the Houghton Road corridor.
 - Maintained a minimal 2.2 margin of Democrat versus Republican voters in Justice Precinct 1.
 - Eliminated the cost associated with outfitting the Constable with an additional 4x4 vehicle, since the Constable already has that vehicle assignment.
 - Simplified the boundaries of the precinct borders and mapping process for Constable office staff.
 - A majority of the Constables preferred the selection of map two.
- Acknowledged the retirement of Constable Margaret Cummings, her 41 years of service, her expertise in civil law of law enforcement and development of the Constable's manual for the State of Arizona.
- Consider Justice Precinct 5 representation and move forward with the application process to fill the vacancy.
- Support was expressed for the elimination of Justice Precinct 5 being due to the decline in caseload.
- The Courts could absorb losing one district.
- Support fair processing and the redistricting.
- The maps created adhere to the top four redistricting principles.
- The Board should approve a map that can withstand legal challenges.
- Option 2 was not a viable option, vulnerable to the principal geographic compactness and to legal challenges.

- Components or principles of redistricting included respecting community interest.
- Both maps adhere and respect the Voting Rights Act.
- The Democratic representation in Justice Precinct 1 increased with Option 1, Option 2 decreased democratic representation.
- Justice Precinct 10's population increased 11,000 over other districts, possibly to protect it from future elimination. Equal representation and equal population does not exist.
- \$500 million would be saved eliminating one district.
- Support the selection of Option 1

It was moved by Supervisor Scott, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to close the public hearing.

It was then moved by Supervisor Scott and seconded by Supervisor Grijalva to adopt the Option 1 map. No vote was taken at this time.

Supervisor Scott pointed out that the precincts had not been reviewed in 17 years. He also pointed out that all cases for the Consolidated Justice Court were filed in Justice Precinct 1 and theoretically distributed equally amongst the precincts. He stated that County staff had reviewed data, from the past 11 years, and there had been a decline in filings and a decline in judicial productivity credits which were statutory measures for determining the need for additional precincts. He indicated that during the current year, 20% of the judicial productivity credits had been handled by pro tem judges or hearing officers. He stated that there was evidence from the Consolidated Justice Court Administrator that there were no backlogs of cases due to the pandemic. He added that there was clear data that supported the elimination. He requested additional information on the Constable's workload. He indicated that his preference was Option 1, because it adhered to the four redistricting principles. He added that the Board needed to demonstrate its belief in those principles, not just by action taken today, but the actions that would subsequently take place while redrawing supervisorial boundaries.

Supervisor Christy commented that the EIC had voted for a third option which was to do nothing. He stated that Board appointees on the EIC had voted against the options. He pointed out that unlike the voter precinct matter discussed earlier, which by statute must be addressed by a certain date, this action was unnecessary and arbitrary. He stated that the County Administrator had highlighted in his July 30, 2021 memorandum, "While the Board of Supervisors is authorized it is not required to do so to abolish any Justice Precincts." He stated that this was not a pressing matter and disagreed with the premise that eliminating a Justice Precinct was necessary. He added that the precinct being considered for elimination was the worst one to eliminate and was selected based on the term expirations of the Justice of the Peace and the Constable. He indicated that recent analysis showed District 4 and Justice Precinct 5 had the largest population growth and furthered the need for law enforcement services as evident by the installation of a Sheriff Department's substation in Vail. He stated that by suggesting that Vail and

southeast residents travel to Green Valley to address court matters was unrealistic and burdensome. He added that a Justice of the Peace Court was needed in Vail due to predicted growth. He indicated that keeping the current system in place was justified, and the Board should not take action. He added that the current calculations did not convey the whole story and the Board should wait for post-pandemic data.

A substitute motion was made by Supervisor Christy that the Board take no action. The motion died for a lack of a second.

Supervisor Grijalva commented about receiving a letter from Peter Yucupicio, Chairman, Pascua Yaqui Tribe and a letter of support for Option 1. She indicated that Option 1 protected voting rights.

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

FRANCHISE/LICENSE/PERMIT

23. Hearing - Fireworks Permit

Anne Connell, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, September 25, 2021 at 9:00 p.m.

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

24. Hearing - Fireworks Permit

Anne Connell, Skyline Country Club, 5200 E. Saint Andrew Drive, Tucson, October 30, 2021 at 9:15 p.m.

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

25. Hearing - Fireworks Permit

Bobby Retz, Westin La Paloma Resort, 3660 E. Sunrise Drive, Tucson, October 6, 2021 at 8:30 p.m.

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

26. Hearing - Fireworks Permit

Bobby Retz, Westin La Paloma Resort, 3660 E. Sunrise Drive, Tucson, November 4, 2021 at 8:30 p.m.

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

27. Hearing - Fireworks Permit

Bobby Retz, Westin La Paloma Resort, 3660 E. Sunrise Drive, Tucson, November 16, 2021 at 8:30 p.m.

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

28. Hearing - Fireworks Permit

Bobby Retz, Westin La Paloma Resort, 3660 E. Sunrise Drive, Tucson, December 6, 2021 at 8:30 p.m.

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

DEVELOPMENT SERVICES

29. Hearing - Rezoning Resolution

RESOLUTION NO. 2021 - 67, Co9-99-22, McGarry/Baum/Eidal, et al. - Valencia Road Rezoning. Owners: Jacqueline Eidal Trust 40/96, et al. (District 2)

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

BOARD OF SUPERVISORS

30. Constable, Justice Precinct 5

- A. Acceptance of the resignation of the Honorable Margaret Cummings, effective September 25, 2021.

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

- B. Discussion/direction/action regarding a selection process to fill the vacancy of Constable, Justice Precinct 5.

It was moved by Supervisor Christy and seconded by Supervisor Scott that the customary selection process and precedent to fill the vacancy of Constable Justice Precinct 5 be utilized. No vote was taken at this time.

Chair Bronson provided clarification that should the Board proceed with the selection process, the Board's action on Minute Item No. 22 would have an impact on the selection to fill the vacancy of Constable Justice Precinct 5.

Chuck Huckelberry, County Administrator, explained that the vacancy would be filled until the term's expiration and at that time the position would cease to exist.

Supervisor Christy indicated that several speakers had provided justification for filling the vacancy until the end of the term. He indicated the need for enforcement in that region because of growth. He stated that there was a historical precedent for replacing Constables in an expeditious manner.

Supervisor Bronson expressed concurrence, but had requested clarification since previous action by the Board would essentially eliminate the Precinct in 2022.

Mr. Huckelberry commented on a previous Board inquiry with regards to work being performed by an Assistant County Administrator with regards to the Constables. He indicated that efforts had been made to consolidate the workload. He stated that this was a unique position having a Consolidated Justice Court and unconsolidated Constables. He indicated that some Constables were significantly overworked while others were not. He stated that the process and review entailed sharing the workload in a more cooperative manner. He indicated that the Board had the authority to set salaries if Constables chose not to cooperate. He indicated that staff was hoping for a voluntarily consolidation before Board action to fill the vacancy was taken.

Chair Bronson inquired whether this review could be accomplished within 90 days.

Mr. Huckelberry responded that the Assistant County Administrator was awaiting a response.

Supervisor Scott inquired about the work being conducted by the Assistant Administrator. He indicated that the Justice Precinct should have a Constable serving until that position was eliminated. He stated that due to the absence of two Constables it was reasonable to consider filling the vacancy.

Supervisor Christy pointed out that statistics cited were not accurate. He stated that the Constable's workload was not a matter of the number of papers served, but also involved time and travel and that needed to be taken into consideration. He concurred that this type of protection was needed and it was paramount for the residents that the vacancy be filled.

Supervisor Heinz expressed uncertainty as to the role of a Constable and did not understand the justification for Constables. He indicated that their duties could be performed by law enforcement. He indicated that one of the most important functions performed were evictions and in light of recent circumstances Constables were not particularly fond of performing evictions in ways that were beneficial for the tenants facing eviction. He stated that Constables were issued guns and questioned whether they were adequately trained. He added that this was a significant liability. He indicated that the County should decouple Constables because there were several counties that did not have Constables. He stated that professional staff should be hired in order to fulfill County directives that cannot be accomplished with elected Constables. He added that he did not see the need for Constables and recommended eliminating that role entirely. He stated that this would save the County \$2 million.

Chair Bronson expressed concurrence.

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

31. **Comprehensive Updates**

Discussion to provide comprehensive updates on:

1. Emergency Eviction Legal Services Program
2. Rental Assistance Program. (District 5)

(Clerk's Note: See the attached verbatim for Minute Item No. 31 for discussion on this item.)

32. **Differential Water Rates**

Discussion/Direction/Action regarding Pima County's response to the water rate increases recently adopted by the City of Tucson which take effect on December 1, 2021. (District 4)

Supervisor Christy asked for an update on which approach the County would be taking with the City.

Chuck Huckelberry, County Administrator, responded that staff voiced their concerns on the Cost of Service Study and they were waiting for the City to respond to Chair Bronson's letter. He added that staff would provide a follow-up report.

Supervisor Christy asked when the update would be received.

Mr. Huckelberry responded that it would be provided by the end of the week.

Supervisor Christy commented that the Board's one recommendation was to respectfully ask the City of Tucson Mayor and Council to rescind their actions on adopting discriminatory differential water rates for customers in unincorporated Pima County and indicated that approach had not received much attention.

Chair Bronson stated that a letter was sent but no response had been received.

Mr. Huckelberry responded that the word "discriminatory" had been stricken from the request.

Supervisor Scott directed the County Administrator to include any legal development updates in his report.

Mr. Huckelberry responded in the affirmative.

No Board action was taken.

33. **Economic Development Office**

Discussion/Direction/Action regarding the justification and necessity of continuing the current structure and mission of the County's Economic Development Office, including its possible realignment and/or elimination. (District 4)

Supervisor Christy recommended that the Economic Development Office be eliminated, that a liaison from County Administration be assigned, at no extra cost, to coordinate efforts between Sun Corridor and the County and that the structure housed in the Economic Development Office be discontinued.

Supervisor Scott inquired whether this could be accomplished by way of direction that the County Administrator present options for incorporating various functions of the Economic Development Office into other County departments. He indicated that he was not certain whether the Economic Development Office needed to be eliminated or whether activities could be incorporated into other departments.

Chuck Huckelberry, County Administrator, accepted the direction.

Supervisor Christy indicated that he was willing to review options and asked that those options include utilizing existing staff and that no additional costs be incurred. He inquired whether this item would be continued.

Chair Bronson responded that this was by way of direction to the County Administrator to prepare a report.

Supervisor Christy inquired whether direction included the options outlined by Supervisor Scott and that the realignment incurs no additional costs.

Chair Bronson responded in the affirmative.

Supervisor Scott reiterated that if functions of the Economic Development Office could be incorporated into other departments, there would be no additional costs. He questioned the possibility of elimination as set forth by Supervisor Christy, but agreed that with the Director's retirement this was a discussion worth having. He added that the Board should be presented with all options for consideration.

Supervisor Christy reiterated that the goal was to reduce the \$422,000.00 currently being spent annually for the Economic Development Office.

Supervisor Scott provided staff direction that the County Administrator prepare a report with options for the Board's consideration.

COUNTY ADMINISTRATOR

34. **First Phase County Comprehensive Salary Study through a Proposed General Increase in Employee Compensation by Five Percent**

Staff recommends the authorization of a general salary increase for all eligible County employees, effective October 9, 2021. The increase shall be five percent of the employee's existing salary with the following exceptions:

- a) Those employees in classifications that have received a general market adjustment since July 1, 2021;
- b) For those classifications who received a market adjustment of less than five percent, incumbents in those classifications will receive an increase to bring them to five percent; and
- c) All Court probation officers (probation officers, surveillance officers and juvenile detention officers) are excluded from this salary adjustment due to State Legislation transferring the entire burden of the salary adjustment to the County taxpayers.
- d) **All salary adjustments for Court employees (Superior and Juvenile) are to be deferred until there is specific clarification regarding Item C above as well as how the recent salary adjustments (for the Pay Period Ending September 11, 2021) implemented by the Courts interact with this proposal.**

Chuck Huckelberry, County Administrator, indicated that a recent memorandum included the addition of Item d) Superior Court and Juvenile Court raises. He stated that it was discovered that during the last pay period, 309 raises were issued and they questioned whether these raises were market adjustments. He indicated that

he had spoken with the Presiding Judge and the Court Administrator and explained that funding would be reserved until a plan/explanation could be provided and the item would be brought to the Board for allocation. He indicated that they were working on comprehensive competitiveness proposals which would result in increases. He indicated that these same conclusions were expected to occur with Public Defense Services and the County Attorney's Office.

A motion was made by Chair Bronson and seconded by Supervisor Grijalva to approve Items a, b, c and d, as presented in the September 17, 2021 County Administrator's memorandum. No vote was taken at this time.

Supervisor Grijalva inquired whether the increases were a result of salary comparisons being conducted. She asked that the comparisons be reviewed and that any increases be brought back to the Board.

Mr. Huckelberry responded in the affirmative. He indicated that the raises ranged from 2.5% to 17%. He indicated that he was recommending that those individuals receiving an 2.5% increase, be given an additional 2.5% so that everybody received a 5% minimum. He indicated that they were working with difficult classifications to ensure that everyone received 5%.

Supervisor Grijalva commented about salaries being an area of concern for several departments and the need for salary studies. She indicated that she did not favor percentage increases since they were not equitable. She expressed her support for increases especially due to COVID.

Supervisor Christy indicated that he had historically voted against automatic pay raises, preferring merit-based pay plans. He stated that these were unusual and confrontational times because his colleagues and the County Administrator were working to pressure, penalize and invoke punitive measures to force vaccines upon County employees. He indicated that the Board needed to show appreciation to County employees. He stated that COVID and vaccination issues had created a hostile work environment and Board mandates against employees needed to be remedied. He commented that employee unions had been absent in protecting the rights of employees choosing not to be vaccinated. He indicated that he would support increases based on those reasons. He stated an analysis was needed on deputy pay raises in order to remediate any damaged relationships that occurred over the last few months with County employees. He indicated that District 4 staff members had elected to not participate in automatic pay raises, which had been their customary practice in the past. He conveyed the following comment by a constituent: There was no science or even logic to the Board decisions. This was punishment for those who would not comply with the Board's tyrannical decrees.

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

CONTRACT AND AWARD

COMMUNITY AND WORKFORCE DEVELOPMENT

35. Tucson Center for Women and Children, Inc., d.b.a. Emerge! Center Against Domestic Abuse, Amendment No. 2, to provide for safe, green and health energy-efficient facility improvements, extend contract term to 9/30/22 and amend contractual language, no cost (CT-CR-21-167)

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

36. City of South Tucson, Amendment No. 2, to provide for management and implementation of the Community Development Block Grant Program, extend contract term to 9/30/22 and amend contractual language, no cost (CT-CR-21-231)

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

37. Amendment No. 6, to provide for the Emergency Services Network Program, extend contract term to 6/30/22, amend contractual language, scope of services and scope of work, ADES, USHHS, STCS/TANF, CSBG and LIHEAP Funds, for the following:

Vendor/Contract Amount/Contract No.

Chicanos Por La Causa/\$115,200.00/CT-CR-20-472

Interfaith Community Services/\$349,700.25/CT-CR-20-473

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

The Primavera Foundation, Inc./\$52,800.00/CT-CR-21-53

Salvation Army/\$86,900.00/CT-CR-21-54

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

38. International Sonoran Desert Alliance, Amendment No. 3, to provide for the Emergency Services Network Program, extend contract term to 6/30/22, amend contractual language, scope of services and scope of work, ADES, USHHS and LIHEAP Funds, contract amount \$29,000.00 (CT-CR-21-135)

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

39. Sister Jose Women's Center, Amendment No. 1, to provide for emergency shelter renovation activity, extend contract term to 3/31/22 and amend contractual language, USHUD and CDBG Funds, contract amount \$10,000.00 (CT-CR-21-344)

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

FACILITIES MANAGEMENT

40. Southern New Hampshire University, Amendment No. 3, to provide for a lease agreement for property located at 97 E. Congress Street and amend contractual language, contract amount \$730,160.00 revenue (CTN-FM-20-32)

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

PROCUREMENT

41. Tristar Risk Management, to provide for workers compensation claims administration, Self-Insurance Trust Fund, contract amount \$400,000.00 (MA-PO-22-23) Human Resources

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

42. Literacy Connects, to provide for literacy services, Grant and General (10%) Funds, contract amount \$97,000.00 (MA-PO-22-28) Community and Workforce Development

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

GRANT APPLICATION/ACCEPTANCE

43. **Acceptance - County Attorney**

Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Amendment No. 4, to provide for the Pima County Problem Solving Courts Initiative, \$400,000.00 (GTAM 22-16)

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

BOARD, COMMISSION AND/OR COMMITTEE

44. **Flood Control District Advisory Committee**

Appointment of Valerie Lane, to fill a vacancy created by Eric Ponce. No term expiration. (District 2)

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

45. **Flood Control District Board of Hearing Review**

Appointment of Valerie Lane, to fill a vacancy created by Eric Ponce. No term expiration. (District 2)

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

FRANCHISE/LICENSE/PERMIT

46. **Hearing - Fireworks Permit**

Erin Kallish, Caterpillar, Inc., 5000 W. Caterpillar Trail, Green Valley, October 5, 2021 at 8:00 p.m.

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

CONSENT CALENDAR

47. **Approval of the Consent Calendar**

Upon the request of Supervisor Christy to divide the question, Consent Calendar Item No. 2 was set aside for separate discussion and vote.

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

* * *

PULLED FOR SEPARATE ACTION BY SUPERVISOR CHRISTY

CONTRACT AND AWARD

Procurement

2. Axon Enterprise, Inc., to provide for tasers, body cameras and data services, General Fund, contract amount \$26,578,000.00/10 year term (MA-PO-22-22) Sheriff

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

Supervisor Christy commented on the General Fund allocation and asked for clarification on how \$26.5 million would be spent. He was particularly

interested in the data services portion and inquired whether grant funding was an option.

Chuck Huckelberry, County Administrator, gave an overview and explained that funding would allow for the replacement of tasers carried by law enforcement personnel. He indicated that the older ones were reaching end of life and looked very similar to firearms. He explained that the new tasers were identified with yellow casings making it difficult to mistake them for firearms. He added that tasers had also been purchased for the detention center. He stated that law enforcement officers would be equipped with body-worn cameras along with a number of individuals in the detention facility. He indicated that this was an expansion from what was previously done, but was necessary for safety purposes. He indicated that the Sheriff had provided the Board with protocols for usage and had explained that the collected data required redaction which was a large part of the cost.

Supervisor Christy asked whether the data element cost was specifically directed to the body cameras.

Mr. Huckelberry responded in the affirmative.

Supervisor Christy inquired whether grants were available for those camera purchases.

Mr. Huckelberry responded that the Sheriff had not indicated whether grants had been considered, but explained that the Sheriff had requested expediting the purchase. He indicated that it was a sole source procurement and explained that this particular type of camera was used by other law enforcement agencies and allowed for exchanging information and transmitting information to the County Attorney for prosecution purposes.

Chair Bronson stated that she shared Supervisor Christy's concerns and expressed her disappointment in the lack of pursuing grant funding.

Supervisor Christy commented about the Sheriff's need to accelerate the purchase, but favored securing grant funding.

Chair Bronson commented about the Sheriff pursuing grant funding for departmental priority projects.

Supervisor Scott thanked Sheriff Nanos for allowing the Board the opportunity to review the body-camera policy. He indicated that it was comprehensive and well-drafted.

Supervisor Christy indicated that he had just been advised that grants were indeed researched but none were available.

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

* * *

CONTRACT AND AWARD

Procurement

1. Achen-Gardner Construction, L.L.C., Borderland Construction Company, Inc., Ellison-Mills Construction, L.L.C. and Hunter Contracting Company, to provide for a Job Order Master Agreement for wastewater conveyance system and related facilities repair, rehabilitation and construction services, RWRD Obligations Fund, contract amount \$18,000,000.00 (MA-PO-22-35) Regional Wastewater Reclamation
2. Axon Enterprise, Inc., (PULLED FOR SEPARATE ACTION)

Sheriff

3. City of Tucson, to provide for incarceration of municipal prisoners, contract amount \$6,555,000.00 revenue (CTN-SD-21-138)

GRANT APPLICATION/ACCEPTANCE

4. **Acceptance - Sheriff**
State of Arizona - Office of the Attorney General, to provide for the FY22 Victims' Rights Program, \$30,522.00 (GTAW 22-14)

BOARD, COMMISSION AND/OR COMMITTEE

5. **Tucson-Pima County Bicycle Advisory Committee**
 - Appointment of Yolanda Sotelo, to replace Cyndi Tuell. Term expiration 9/30/23. (Commission recommendation)
 - Reappointment of Douglas Horn. Term expiration: 9/30/23. (Commission recommendation)

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

6. **Special Event**
 - Teresa Shami, American Heart Association, Westin La Paloma Resort, 3800 E. Sunrise Drive, Tucson, September 24, 2021.
 - Daniel Roger Cady, American Legion Post 131, 249 W. Esperanza Boulevard, Green Valley, October 9, 2021.

ELECTIONS

7. Precinct Committeemen

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

RESIGNATION-PRECINCT-PARTY

Tony Zinman-056-DEM

APPOINTMENT-PRECINCT-PARTY

Shirley A. Gosnell-127-DEM; Christopher H. Mathis-237-DEM

FINANCE AND RISK MANAGEMENT

8. Duplicate Warrants - For Ratification

Lilia A. Roost \$195.62; Helena Seymour \$336.42; Richard C. Bock \$2,400.00.

TREASURER

9. Certificate of Removal and Abatement - Certificate of Clearance

Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$24,872.44.

RATIFY AND/OR APPROVE

10. Minutes: August 16, 2021

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48. ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned at 12:45 p.m.

CHAIR

ATTEST:

CLERK

COUNTY ADMINISTRATOR

10. Updates and Action on COVID-19

Verbatim

SB: Chair Bronson
MH: Supervisor Heinz
AG: Supervisor Grijalva
SC: Supervisor Christy
RS: Supervisor Scott
CH: Chuck Huckelberry, County Administrator
FG: Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services

SB: Okay, all Board members are back. So we will reconvene our regular Board meeting and we go back to the regular agenda and we are now on Item 10, which is the COVID update. Mr. Huckelberry.

CH: Chair Bronson, Members of the Board, I have sent you recently four memos all related to COVID issues. I going to hit them very, very briefly. The first one, I am actually then going to at the end of my discussion, turn it over to Dr. Garcia to show four or five of the slides in the slide deck that was attached to the first memo. Summary of the first memo basically says that 98% of the deaths are occurring among the unvaccinated. Almost all of the I.C.U. use for COVID patients is of the unvaccinated and hospitalizations are among the unvaccinated. That is primarily the message of the first item. With regard to vaccine coverage, there are two numbers to pay attention to and I know that Supervisor Heinz wants me to always concentrate on one, but they are coupled. One is that, of those eligible, and that means 12 and up, it looks like about 75% vaccinated, but then when I think you look at the total population, that drops to 56.7%. I believe that is the number that Supervisor Heinz would like to concentrate on. I sent you a memo that really we debated and have gone back and forth on vaccine disincentives. What that memo that I sent yesterday talks about is that what we would like to do with the Board's permission, is amend the disincentive and continue to have the healthy discounts so that employees who earn the healthy discounts still get the healthy discounts. We are allowed to increase in some of the, we will say differential, what we call incentives or disincentives by Federal law. So, if you work out the math, what that allows is that we can apply a \$45.51 as opposed to \$60.51 disincentive. I would recommend that we do that. I would like the Board's concurrence. We also then, I think Supervisor Scott asked that we survey those who are not vaccinated to try to determine if they are movable. What we did is, and that is our employees, we sent out a survey compiled by the Health Department, to those who had not received a "I am vaccinated" card. That went out to 1,878 employees. As of, I believe, when I wrote this memorandum to you yesterday, we received 371 responses. The responses as you can see in it, the question on movability looks like it is not

movable. In other words, of those 371, about 82% said there was probably nothing that we could do to convince them to get vaccinated. They cited the reasons, 75% of the cite was side effects of the vaccine and the odd response was that given these are government employees, 39% said they do not trust the government. That is a little odd, but it is what it is. The last thing I put in there is we finally got a good way to, I think, convey the number of employees in each organization that has been vaccinated. The good news is, is that our employee vaccinated amount has now increased to 73% and then what I did is I put in descending order, the departments that were the worst at either getting their vaccination card or vaccinated, to the best. You can see there are some at I think it was 47%, called the Sheriff, and a whole bunch of departments and the smaller ones usually at 100%. What I am going to do is start concentrating on all of those departments below the average of 73% and reinforcing the message that if they do not have an application for an "I am vaccinated" card in by October 1, they miss out on the incentives. That is the end of my summary of the communications that you have. I would like to have Dr. Garcia hit a few of the highlights on his slide presentation. Dr. Garcia?

FG: Thank you Chair Bronson, thank you Mr. Huckelberry. I am going to be sharing some of the, a subset of those slides. We provided a fairly comprehensive set of data that I think would be of interest to you. Can you see my screen?

SB: Yes.

FG: Okay. Thank you, Chair Bronson. So just to very, very quickly recap, this is the number of cases that we have experienced in Pima County since this whole mess began back in March of 2020, hard to believe it was that long. This is, has been how the trajectory of the pandemic has sort of played out. You know, as of this morning, we have a very, 132,958 cases total that have been reported for Pima County in the State and by the State Health Department. What you can see is the four separate surges that we have had. The initial surge, the back when the U of A came back to school. Our second surge, the big holiday surge over the holidays and the New Year specifically. Then really this Delta surge, which we initially called it the back-to-school surge because it was all these vulnerable children coming back into community environments and which is really been what we have been seeing. What I want you to pay attention to the fact is that unlike, that we are making good progress that the number of cases is falling. However, the declination, the decrease in the number of cases is certainly, the slope of that is slower than what we would like to see and we are not out of the woods yet. For instance, in July 4th when you, not July 4th, the week of July 4th when you lifted your emergency, original emergency declaration, the number of cases that we were experiencing that week, I will put my cursor over it, was about 28. A big difference from where we were then to where we are now. Are we moving in the right direction? We certainly are. Are we there yet? No we are not. Really important for us to share that most of these deaths have occurred in the City of Tucson, as well as in unincorporated Pima County. Just by virtue of the fact that that is where the population, the vast majority of the population resides. The other piece that I am going to sort of share with you is, is that in terms of the number of deaths, this latest surge has not had the same ugly impact that we had during the holiday period. It has been more modest in terms of

the impact on that population. The big reason has been that, that remember that most decedents, most people who end up dying of COVID or COVID-related complications tend to be in the older age group. The older age group is the, and this is what is represented in this graph, is the age group of the decedents. Remember that the older age group is actually our best vaccinated age group. In fact, right now, 95.5% of all individuals over the age of 65 have had at least one vaccine and a full 86.1% have received the full vaccine coverage. That is part of the reason why older folks have not died at the rate that they have previously and that is part of the reason why overall our mortality is so much better. Just a quick slide that shows cumulatively how are, the variants have been playing out. The Alpha variant, or initially called the U.K. variant, or the B11 variant really has tapered off and what has really skyrocketed in the last 4, I am sorry, last 2 months, has been the Delta variant. School reported cases, which I have shared with you as of last Thursday, no as of last Friday, where schools were reporting 2,013 cases. Again, the breakdown between staff and students is an 88 to 12 breakdown, right? The vast majority being kids. All our school districts are now, previously we had said almost all our school districts, but all our school districts are now impacted and the combination of the charter and privates now becomes the 2nd highest, has now the 2nd highest number of cases in terms of that. We have really been tracking the infection rate at our various school districts trying to understand the impact of masking policies. You will be seeing our Health Department talk more about that in the not too distant future as we complete that analysis. But we are seeing some very positive trends for those schools that have been able to implement robust mitigation strategies. The final piece that I always have to sort of go back to is that especially among school related cases, but certainly the truism is that we have experienced a very tremendous increase in the number of small children, not vaccine aged eligible children, who are impacted by this. I am going to make one final statement and then I will and then I will figure out how to close this out. The final statement is that one of the things that we are trying to, one of the really important messages that we want to try to make sure that we convey is that for families, for individuals, it is so critical right now, for pregnant women and for those families that are bringing in new children into their families to be vaccinated. Because there is, that is a residual pool of unvaccinated individuals who we are, that we need to make sure understand that vaccine is safe in pregnancy, vaccine is safe during lactation and in the pre-pregnancy period. Really here is an opportunity, here is a population that we have not heretofore targeted robustly and that we want to make sure is aware of this. I am going to shut up there and take your questions if you have any.

SB: Thank you, Dr. Garcia and I do have several questions that we have been getting from constituents and County employees related to testing. Are we testing our employees? If so, who is paying for it? How is it being paid for? Then the second question is, given some of Biden's executive orders, how does that impact what Pima County is doing in terms of COVID?

FG: I will take the...

SB: Testing and then Biden.

FG: Sure. I will take the second one and I believe that Mr. Huckelberry would, I believe, is probably wants to address the first one.

SB: The testing?

CH: Yes.

SB: Okay. You want to address the Biden executive order?

FG: The mandates or, sorry, the executive order that was issued by the President, it specifically, I believe the one that you are referring to, is the one that deals with employers of 100 or more employees, private sector employees. That essentially says, you know, thou shalt come up with a way of making sure your workforce is vaccinated unless there is a medical or religious reason for them not to be vaccinated. The truth is that at this point, the entity that is doing the rulemaking from the Federal level, is the Department of Labor and we will not see specific guidance from the Department of Labor in terms of how these things should be played out. What we have started doing though and what we have been doing consistently since we rolled out our vaccination program, is making sure that our community of employers, whether it be big employers or small employers, have access to vaccine. So, for instance, we are coordinating with a variety of retailers, with a variety of restaurants to be able to make sure that if they have groups of employees that are interested in being vaccinated, that we can take those vaccination resources to them. I believe that that, unfortunately there is not greater Federal guidance yet in terms of the specific rulemaking, but I believe that will be forthcoming in the next couple of weeks.

SB: I appreciate that, but are we going to be the enforcers or who enforces it?

FG: Under the current, Chair Bronson, under the current scheme, the Occupational Safety and Health Administration.

SB: OSHA, okay.

FG: Would be the enforcing entity and that is part of the reason why the Department of Labor has taken the lead on the rulemaking.

SB: Alright, thank you. Appreciate that. Then Mr. Huckelberry, testing?

CH: Chair Bronson, Members of the Board, we are looking at testing and how frequent we would test and who would we test and it depends largely on the final number that we find are unvaccinated. I have also indicated in the one update to you with regard to the workforce that has been vaccinated. We are just now starting to begin to get some exemptions. I believe we got 24 and so that is a fairly small number at this point in time. I expect that to increase. I think in, with regard to testing, is we will start making some decisions towards the end of October after all of these numbers settle out and we can actually confirm who is not vaccinated. Then come back to

the Board with regard to testing, frequency of testing, if not tested, what occurs with regard to the employee, mask-wearing requirements, other items dealing with protecting the health of the balance of the employee base.

SB: Okay. I appreciate that. Then you need a motion for (inaudible) action on the change in the disincentive amount, is that correct?

CH: Yes.

SB: Okay, and then just real quick, whether it is you or Dr. Garcia, with the Biden, again, the executive order that only applies to private employees not government entities? I just need a clarification because we are getting that question.

FG: Chair Bronson, Supervisor, Members of the Board, yes, our interpretation is that this is meant to broadly apply to private sector employees, employers. There is obviously a bully pulpit element here that hopefully will encourage all other employers to also be engaged in looking at the vaccine coverage of their workforce.

SB: Okay. Thank you. Then I know the Board, other Board members will have questions but I am going to move, just so we get the action item out of the way, move on the disincentive, the change to the disincentive package. I will make a motion to support the recommendation from County Administrator on the disincentive amount.

RS: Second.

SB: Motion and a second. Any discussion of this item? Hearing none, are there any objections?

SC: Madam Chair, I object.

SB: Supervisor Christy objects. Any further objections? Hearing none, by your vote of 4-1, motion carries. Alright, any further discussion from Board members or questions? Supervisor Grijalva.

AG: Thank you Chair Bronson. Thank you for the summary Dr. Garcia and Mr. Huckelberry, I am wondering how the contract tracing is doing? I know that it is, it is like a herculean task, and I know and I want to thank my...

SB: I just thought my Supervisor, former Supervisor from District 2. That was his favorite word, herculean.

AG: Oh Hercu...was it? Oh, nice! I did not know. Well good. I have heard that it is, especially with our larger districts and so thank you to the Health Department for working with Tucson Unified to create a contact tracing position just for TUSD. Because I think that hopefully, that will help our system overall as far as responsiveness, but I am wondering how that is going? Because there is some concern from parents that I have heard from, where they do not really understand how the quarantine process is. Like they do not really have a clear understanding of

it. For example, there is a fifth grade positive at a certain school and half the class that was near that child is recommended to be quarantined. But that child, the children in that class also have siblings that are attending the school, but the siblings are not asked to quarantine. There is sort of some disconnect as to, you know, what that process looks like. I am wondering if the Health Department would be able to quantify that with, like, something on paper that we would be able to distribute or have posted on the website, so our community could better understand that?

FG: Chair Bronson, Supervisor Grijalva, a very, very good question. Unfortunately, every single quarantine situation is actually slightly different from each. That is part of the reason that makes it so challenging and that is part of the reason why our partnership with the school districts and with the schools is so vital. The, we will endeavor to put together something that you can share with your constituents that broadly speaks toward the issue of how we make these recommendations, but, again, it is really unique, right? The kind of exposures, for instance, that have occurred in association with one of our athletic teams, of our high school, or in a classroom, or in a cafeteria, they end up being very, very different, and it really defies us sort of making general statements. I can tell you, though that our priority has been to make sure that children are not kept out of school unnecessarily. One the things that you will see in terms of our effort, compared to efforts in other counties and across the country, where entire schools have been shut down. Our effort has been to be relatively surgical in our approach to quarantine. That does cause these communication issues that you very well sort of identified, and it does make it a little bit more challenging for parents. I will make sure that we put together something that we are able to share with the supervisors' offices, that they are able to share with parents and constituents who are calling on this issue.

AG: Yes, and I just want to say we had a very successful pop up site at Pueblo. We had 85 people that came and whole families that were getting vaccinated together. Which I think is great. I asked them, while I am standing there, like welcoming them, like why did it take so long for you to decide because everyone there was obviously eligible, and except for I think one 12-year-old, I mean, we had people that were in their 60s, and people that were in you know, fifteens. They have had a long time that they could get vaccinated and it was still surprising to hear how often people said, well, I just did not know where to go. Once it was advertised at our school, or we had some students, a student from Desert View saying, you know, when this was around at my school, we did not hear about it until it was over. I think just kind of as much as we think we are really reaching out to communities, for the most part if they do not hear it from you know, a trusted source, they just will not come. But I was really happy to see so many people came and that I do think that we could really promote the boosters, because a lot of people that are eligible can get the booster. I confirmed that with Dr. Cullen, but my dad actually, my mom and dad came to get their boosters and the woman who was in charge said, I do not think you can get it yet. I pulled up the email from Dr. Cullen and I asked if I could include that stuff. I just think it is good, you know, to get especially our community that is over the age of 65 and that has had their second vaccine over 8 months ago. It is

great for us to see more of those people utilize that opportunity to get their booster. I thought it was a good event. I was happy to be a part of it.

SB: Thank you Supervisor.

MH: Chair Bronson?

SB: Supervisor Heinz.

MH: Thank you and Dr. Garcia, I just wanted to comment on two things. One, I am, like obsessed with focusing on, like, the number of actually fully vaccinated people using the denominator of everyone in the County, because unless the rules have changed, 5-year-olds are allowed to roam freely and also breathe. It does not make sense to talk about 18-year-olds and up, or 12-year-olds and up, though I understand why the administration would want to make the numbers look a bit better than maybe they actually are. But we are still 13 plus percent away from the absolute minimum threshold that we need to be at and we need to keep reinforcing that every chance we get. Hearing numbers like 75 and 76 and 67, these are just grossly inflated and, frankly, I think really misleading. That is why I keep pushing back on that. Thank you for indulging me. The other things is and I do not think we talked about the other part of the administration's efforts with regard to CMS. I know that requirements for skilled nursing facilities and I believe acute in-patient rehab, I may be wrong there. Those, I think those rules are, have been promulgated? Are those out now? Also the other side, aside from the Department of Labor, I think CMS is supposed to also then incorporate all hospitals and healthcare centers systems as well. Where are we on those situations in terms of staff employed at those facilities and where do you anticipate, like how to you anticipate that affecting Pima County?

FG: Chair Bronson, Supervisor Heinz, you are absolutely right. CMS has a great role to play, a tremendous role to play in terms of ensuring the safety of the healthcare workforce. And that, and you are also correct, that that rulemaking and that dissemination piece is a lot further along, in part because some of it was actually done in response to what happened in long-term care facilities. It is not complete as it pertains to hospitals and some other sort of places where care is delivered. But there is already that expectation, and many of those employers have actually taken it upon themselves to really start down that road. I really think we need to congratulate our healthcare partners that have really sort of taken the leadership in that space, because I think that that will make a tremendous difference. The one final thing that I will sort of, comment that I will make, apropos of your comment, that the kids are freely roaming and indeed, you are correct that that 13% that we still need to achieve in terms of full population, I am sorry, full vaccination of the entirety of the population, really continues to be kind of our goal in terms of where we need to be. That is part of the reason I made the comment about young families and pregnant women because we know that there is this opportunity there that may not have been taken up yet.

RS: Madam Chair?

SB: Supervisor Scott.

RS: Thank you. I have three questions, two for Dr. Garcia and one for Mr. Huckelberry. Dr. Garcia, first question for you, is it still the case at least with middle and high school students that most of our school-based infections are coming out of extracurricular activities? If that is the case, how are we following up with our partners in the school districts in terms of guidance and advice?

FG: Even though we certainly are seeing more and sort of in-classroom-type of transmission, the bulk of infections, amongst the children that are sort of reporting, that we are getting as reported from schools, really are happening in community settings, as well as extracurricular, as well as the variety of settings. The school districts have been very and the schools have been very open to receiving that sort of feedback and have frequently modified what they are doing, either incorporation of testing, trying to make those activities safer. Clearly, our children need all the other activities that happen in school, not just in the classroom, and we want to make that those things are safe and positive. Again, our effort has been to be relatively surgical, relatively precise in terms of how we communicate quarantine recommendations so that the least number of children are restricted from those activities. But I can tell you affirmatively that school districts, principals, superintendents have been terrific partners in terms of us being able to get to those clubs or those athletic groups, in order to make sure that we are keeping everyone safe.

RS: Thank you. Then my second question, Dr. Garcia, now that the FDA has said that vaccines for children 5 to 11, are going to be rolled out pretty soon. Will the Health Department have any school-based role in helping parents to get their youngest children vaccinated?

FG: Chair Bronson, Supervisor Scott, you can imagine that part of what we have been doing is developing a plan on, for the broader rollout of the third dose, that Supervisor Grijalva was referencing, but then now a specific plan for the 5 to 11. We really see schools as being key partners in terms of how we identify, how we identify that population and schools are a trusted resource for our community on so many different levels. We have also seen that the relative uptake, not the relative uptake, but rather that the relative number of vaccines being delivered in pediatrician's offices is very modest and that what we need to do is have a situation where children can receive that vaccination. Now it is going to be logistically more difficult to deliver vaccines to the 5 to 11-year age group, because they are going to be receiving a different dose and although that seems like it would be a very straightforward thing to do from an operational and throughput kind of standpoint, you can imagine that it would be hard to vaccinate Supervisor Grijalva's parents as well as a 5-year-old with the same staff at the same event. We may need to exercise some creativity. That is still evolving and we will return and report to you where we are on that plan.

- RS: I appreciate that. Then Mr. Huckelberry, I wanted to say I really am very grateful to you for the reflection that you did on disincentives and the motion that we passed today based on your reflection. Once we get to a point where our employees are being required to be tested, our unvaccinated employees are being required to be tested, I would like the Board to be able to revisit the issue of who pays for those tests. Whether it be the employee or the County and I wonder if that is something that we can have shared with us as we get closer to that time, please?
- CH: Chair Bronson and Supervisor Scott that is precisely the question we are asking ourselves right now.
- RS: Alright.
- CH: I can tell you which way we are leaning but I do not know if it is legal.
- RS: Okay. Alright. Thank you, Mr. Huckelberry. Thank you, Madam Chair.
- SC: Madam Chair?
- SB: Supervisor Christy.
- SC: Good morning Dr. Garcia, I have several questions that I would like to ask. I would talk about, talk about, begin with, immunity as result of natural infection by COVID. In Pima County, there are as of today I think you just mentioned, roughly 133,000 COVID cases with unfortunately, my understanding is, approximately 2,500 deaths. This means that there have been a tremendous amount of COVID survivors. Why, well first of all, is not natural immunity of COVID survivors much more effective than vaccines? Why are they not, why isn't natural immunity being considered at all in the Pima County Health Department's data presented?
- FG: Chair Bronson, Supervisor Christy, so a couple of things to sort of be aware of. Yes, indeed, there are probably 130,000 of our folks who have received a natural vaccine on the part of having experienced COVID infections some time during the last [No audio] Sorry. There is also something else that you need to consider and that is that we do not understand fully how that, the length of that protection. We do not actually have a really good way of understanding for how long you are protected. This is the case, this is not unique to coronavirus, by the way, this is unique to, this is, applies to any viral infection. Given a natural exposure, we call it a wild type exposure to a virus, does if you are immune competent, if your immune system is working, you will mount an antibody response. Antibodies are the things that our immune system makes to fend off these kinds of infections, however, vaccination acts as a booster to that because quite honestly, we do not know how long that natural immunity lasts. We know it probably lasts three months. It probably lasts, it starts to taper off. It is not something that is turned on and is turned on for the rest of your life. It is something that peaks probably within about three months and starts to decline and that decline, the steepness of that decline really changes. That is part of the reason why actually, we see really, really good response on the part of people who have had a previous infection when they get an immunization. It really seems to create

this group of folks who have a lot of protection on board. The truth is that today we do not have a good way of being able to differentiate those naturally immune individuals and the CDC has not, you know the CDC's recommendations and therefore our recommendations sort of have to be consistent with the science as it exists today.

SC: Well, it is important to note that you point out that you do not have a full understanding of natural immunity. It is obvious that we do not have a full understanding or knowledge of the vaccine efficacy either. That takes that into consideration. I want to move on to another topic about herd immunity. We initially heard that in order to achieve herd immunity, we needed to be at 70 to 75%. Now we hear it is more towards 90%. Is this another broken goal line, like President Biden promising us that if you are completely vaccinated, you will never have to wear a mask again? Is this another setting the levels higher and higher?

FG: Chair Bronson, Supervisor Christy, the threshold for what constitutes herd immunity, you are absolutely right to a certain extent is subjective and to a certain extent has been evolving. But I think that most people still are lined up on the idea that somewhere in the 75% range is where we achieve meaningful herd immunity, community immunity as I would sort of characterize it. Despite that, despite that, we need to continue to really stimulate vaccination in unvaccinated populations. Why? Because we have children that are continuously coming into this world that are going to be the subject of exposure. Because we have people whose immune systems because of aging, because of disease, because of infirmity, because of a variety of reasons, their immune systems may not be where they need to be. That is part of the reason why absolutely, we should continue to do our best to make sure that every single resident in Pima County has access and availability to vaccination, and has the resources that they need to in order to protect themselves and their family. I do not think that this is a moving goal post. I think that this is an aspirational goal. Our aspirational goal should be that just like in measles, where we have approximately in Pima County about 95% of our school-aged population was vaccinated against the measles, we should have a very high aspirational goal in terms of COVID vaccinations. That is how I would sort of characterize it.

SC: But we do have an erosion of confidence when our goals and our levels of attainment are kept moving in a constant manner that are inconsistent with what was first relayed to us. I would like to move on also to therapeutics. We hear abundantly from the Pima County Health Department about COVID cases, hospitalizations, ICU beds and especially on how important it is to be vaccinated. But we never hear from the Pima County Health Department their protocols and directions for treating COVID if hospitalization is not required. What are the Pima County Health Department's therapeutics for COVID-infected persons that do not require hospitalizations?

FG: Chair Bronson, Supervisor Christy, very simply put, the only available, I am sorry, the only CDC recognized and federally approved therapeutic for folks who are positive for COVID, but may be early on in their infection for the purposes of avoiding hospitalization, is monoclonal antibody therapy. All of which is still under

EUA, very much like the vaccines were early on. We are actually working with hospital partners to make sure that that monoclonal antibody therapy is available in Pima County. I have to tell you, though, Supervisor Christy that, this is very much still a work in progress. We believe that, we believe that we are very close to making this much more widely available. We do not want to generate demand when there is not a hospital or a healthcare group that is ready to take significant numbers of folks who potentially require this therapy. But you are correct, this is a really important part of the armamentarium that we have. It is not a substitute for vaccination and it has a whole set of complications and side effects that are, you know, in a bucket of their own. But it certainly is a tool that we are working on very hard and we should have some progress for the Board in the next two to four weeks in terms of making sure that we have sufficient capacity in Pima County to serve that need.

SC: That information should be conveyed just as robustly as all of the other data that is being conveyed to the community. I would hope that you would take a look at some of these other medications that are being touted out there as very successful in curing COVID. They have had a number of reports on how successful they have been, but moving on to the Biden Administration's executive order that states that large employers require their employees to be vaccinated, the City of Tucson and Pima County are exerting pressure in one form or another with vaccine mandates for the employees. For the record, Dr. Garcia, is it of your opinion that unvaccinated asylum seekers are presenting a community spread health risk in Pima County?

FG: Chair Bronson, Supervisor Christy, we are concerned with every single person would walk into Pima County. Whether they are here as asylee's, whether they are here as native born or immigrant resident. We are concerned about the health and well-being of every single one of these folks and that is why...

SC: Let me just carry that further for the record, should vaccines be mandatory for all asylum seekers entering Pima County and especially the Casas Alitas welcoming center?

FG: Chair Bronson, Supervisor Christy, I can tell you that as part of the process that we have developed with Casas Alitas and Catholic Community Services, every single asylee that is touched by that facility or that is served by that facility is being offered vaccination.

SC: Offered and mandatory are two different things. Should they be mandatory?

FG: Supervisor Bronson, Chair I am sorry, Chair Bronson, Supervisor Christy, mandatory vaccinations in general are a challenge to enforce.

SC: But it is not a difficult challenge to enforce when we are talking about communities that live here in Pima County, like Pima County employees, or the former discussion about healthcare workers in Pima County being mandatory vaccinated recipients. Now we are having the executive orders from the Biden Administration, mandating that their employees be vaccinated. Why is it not such a challenge for those

communities to be mandatorily vaccinated but folks that are coming through the asylum process, they are being offered?

FG: Chair Bronson, Supervisor Christy, the short answer is because the uptake in vaccines in that group is so high that it probably is in the 90% range. When you are getting most of the people who you are offering this to, to say yes to vaccination, it is hard to make an argument that you need to mandate it.

SC: Why is that a hard argument to make? Why is that such an issue that cannot be discussed? We are mandating it for every other community practically in Pima County, yet the folks that come in here, from outside Pima County, many seeking asylum, that is a tough one to mandate, I do not understand.

SB: Supervisor Christy just, and then I will get to you. We are not mandating; Pima County is not mandating. Just for the record, we are not mandating. We are not mandating that our employees get vaccinated. We are not mandating that anybody gets vaccinated.

SC: I was not...

SB: At the state level, we are not mandating and then I think that was Supervisor Heinz, was it not?

MH: Oh yes. Yes. Thank you, Chair. And Dr. Garcia, just in listening to this, I want to remind everyone that we are still seeing COVID patients. Not the numbers that we have before but I have yet to see a hospitalized, seriously ill COVID patient that is vaccinated. I know that a teeny, teeny tiny number of them that exist. I have not seen one. If you remember that some of the data, we heard 98% of the folks that are succumbing to COVID now are unvaccinated. If you do the math, approximately 43% of un or under vaccinated Pima County, sorry kids under 12, like so, minus them, but that is about 450,000 people. That is the risk for, that is the spreading of the virus right there. Not the few hundred people that are at Casas Alitas okay.

SC: A few hundred, I would disagree with a few hundred. But thank you Dr. Heinz, for that information, but I am not done with my questioning of Dr. Garcia. If I may be permitted to continue, I listened to everybody else's questions. I am almost done. I would like very much not to be interrupted with my questions. Basically, you do not want to go on to the record, Dr. Garcia of saying that the vaccines should be mandatory for all those who enter Pima County seeking asylum at Pima County owned facilities?

FG: Supervisor Christy, I want to be on the record saying that we are able to serve folks who are coming into that program and we are able to efficiently deliver vaccines to them with the current system that we have.

SC: [Overlapping speakers]

FG: I do not see an added benefit for making it compulsory. If the Board wishes to do that, that is the, you know, that is the Board's determination to make.

SC: That is my next step that I would like to have the opportunity to present. But one last question to Mr. Huckelberry if I could. Mr. Huckelberry what is the average daily occupancy at the Red Roof Inn now?

SB: Mr. Huckelberry?

CH: Yes.

SB: I believe you had your hand raised.

CH: Yes, I did. I was trying to put an end to that discussion, because I do believe the Federal Government on October 1 is going to require all immigrants to be vaccinated. We are trying to follow-up on that right now. That may put the discussion previously moot. With regard to the number of individuals, I would guess it is probably in the 50 to 60 range, maybe less.

SC: You would guess? 50 to 60?

CH: It is a guess. We get a daily report. I can get the daily report to the Board.

SC: That would be very helpful, I would appreciate it. Based on the questions and the answers I received, Madam Chair, this is an action item. I would like to make a motion and the motion states that I move that effective immediately, the Pima County Health Department oversee, facilitate, and otherwise manage a comprehensive program of mandatory vaccines of all types such as those required for school children upon entering school and including COVID-19 vaccinations to be administered to all asylum seekers who enter Pima County and any Pima County facilities such as Casas Alitas Welcoming Center.

SB: Is there a second? Motion dies for lack of a second.

SC: Madam Chair, and one last question? When are we going to go back to in-person Board of Supervisors meetings?

SB: That is out of order.

SC: No it is not. Because of COVID, is it not?

SB: It is not an item for the discussion on this. I am sorry. It is not appropriate. You are welcome to put that item on our next Board agenda.

SC: (inaudible) When are we going to go back to in-person meetings?

SB: Again, that is not an item for discussion on this agenda, this agenda item.

SC: I think the public would like to see us back at in-person meetings. The sooner the better, and this is COVID related and it is apropos.

SB: I have already ruled; it is out of order. Let us move on.

MH: Chair Bronson?

SB: Supervisor Heinz.

MH: I really the last time I tried to speak, I actually wanted to compliment the Health Department for doing an amazing, amazing job summarizing the history of vaccines and how they have been successful. Like this is great. I do not, I mean, I am hopefully going to make this available on my site. I think we should, it is a lot actually. It was a refresher for me in some cases because some of the stuff, you know, medical school was 20 years ago. But like, it really does a great job demonstrating where we have done really, really well throughout history, polio whatever. It tells us a lot of really scary things about how Pima County is not actually at herd immunity for a lot of things. DTAP, Hepatitis B, Hepatitis A, there is a bunch of stuff I did not even know that we were not at herd immunity for those other things outside of the COVID realm. I think it is a great time for people to be reminded about how successful vaccines have been throughout frankly the past 100 years. That is all.

SB: Thank you, Dr. Supervisor Heinz. Are there any further questions on this item? Alright then let us move on to Clerk of the Board, Item 11.

BOARD OF SUPERVISORS

9. The Board of Supervisors on September 7, 2021, continued the following:

Eviction Prevention Landlord Incentive Program

Discussion/Action. Directing the County Administrator and County staff to design and roll out, by the first week of October, 2021, an incentive program for landlords who have the legal right under state statute to evict their tenant(s) for non-payment of rent, to voluntarily hold off from proceeding with the eviction process in return for an "Eviction Prevention Landlord Incentive Program" payment from the County, for back-rent owed up to \$5,000 per unit in total. Further directing the County Administrator and County staff to immediately fund the initial phase of this "Eviction Prevention Landlord Incentive Program" with up to \$3.0 Million from the County's American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Contingency Funds, under the Treasury's expenditure category of "Responding to the Negative Economic Impacts of COVID-19." (District 2)

31. Comprehensive Updates

Discussion to provide comprehensive updates on:

1. Emergency Eviction Legal Services Program
2. Rental Assistance Program. (District 5)

Verbatim

SB: Chair Bronson
MH: Supervisor Heinz
AG: Supervisor Grijalva
SC: Supervisor Christy
RS: Supervisor Scott
CH: Chuck Huckelberry, County Administrator
FG: Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services
DS: Daniel Sullivan, Director, Community and Workforce Development
AF: Andrew Flagg, Deputy Director, Community and Workforce Development

SB: Moving on to Item 9, Unfinished Business, Eviction Prevention Landlord Incentive Program and Item 4 on the Addendum Agenda. Could we move to Item 4 first? With that I will turn it over to Mr. Huckelberry. That is on Emergency Eviction Legal Services Program and Rental Assistance Program.

CH: Yes.

SB: Mr. Huckelberry, do you have an update?

CH: Madam Chair, Members of the Board, I provided the Board with a copy of a cover memo which then also attached an outline and update from Dan Sullivan, our Director of Community and Workforce Development. In addition, I included in that memorandum an electronic link to a study by the and story by the Arizona Republic Media that basically indicated that the Eviction Program being executed in Pima County was a leading program throughout the country, with regard to the amount of relief that had been provided. I think the core issue of Item 4 is really an update, but it relates a little bit to Item 9 on the regular agenda and that was the issue of whether or not we needed a separate program or pipeline for landlords to access for funding-related to emergency rental assistance. The answer came from the analysis of all of the particular programs and relief that we probably already provided and we indicated and found that 15% of those came from landlords. The issue is that the landlords are using the program. The issue that we need to accentuate is, how do you get more landlords to use the program? Particularly landlords who may not be entirely aware of the program and typically they might be landlords that are smaller or medium sized. We know the large landlords obviously are making access and making use of the program, so we are crafting a communication strategy to try and get that message out to all the smaller landlords who could also take advantage of being an applicant on behalf of one of their clients or their tenants who would qualify under the program. In addition, I think, if you look, there is a discussion with regard to emergency eviction legal services and what we are seeing in eviction proceedings is actually a number that is less today than it was pre-pandemic and probably about 40%. What that tells us is there is not a huge rush by landlords to evict tenants occurring at least at this point in time. We reduced the time frame from application to referral from 58 days to 31. We converted 11 temporary employees to permanent employees authorized by the additional, authorized all of the employees in this particular program and we have renamed it instead of CAA Community, it is the Community Assistance Division of CWD, which makes a lot more sense, because a lot of people were getting CAA confused with independent nonprofit. What that has done is and we have authorized those 11 employees, plus the 4 that actually obtained ten hours a week of overtime, working on this per employee. If that turns out to be fruitful, that could be extended or expanded beyond 10 hours but we want to be careful about burning out our employees having them work too much overtime. In addition, we have engaged three nonprofit outside agencies, Compass Affordable Housing, Chicanos Por La Causa, and Interfaith Community Services for increasing our capacity to process emergency rental relief. That is really kind of a summary of the program. Dan Sullivan has a lot more detail in his memorandum and I ask both he and Andrew Flagg to be on this meeting so they can provide an update as well. Let me turn it over, if we have Dan Sullivan on the event.

SB: Mr. Sullivan?

DS: Good morning, Chair Bronson and Members of the Board, can you all hear us and see us?

SB: I can. Yes, now we can.

DS: Well thank you so much. I am proud to be here this morning to talk about the wonderful work that Community and Workforce Development and our Community Assistance Division have done to get really critical and in demand resources out to the community urgently. Since this program began in mid-March, our internal team at the Community Assistance Division has helped more than 2,400 households with more than \$10 million in rent utility assistance. Moreover system-wide, the system that we built by bringing the City of Tucson, us and the Community Investment Corporation into one program has resulted in a total of 4,800 households throughout the community being served and more than \$29 million in rent utility assistance either paid or obligated today and still going. We are making tremendous strides towards being done with our ERAP-1 Program. At this point in time, we are supposed to be around 50% expended. We are about 75% expended and just to sort of give a picture of what everything is looking like nationally, these programs have been very sluggish. You see programs in Los Angeles, New York and Cook County in Chicago that have not even gotten their programs really off the ground yet. Where you see states or counties that have half a billion dollars or even \$1 billion in some instances and have just now begun to get their program running. That has resulted in a lot of praise for our program. The National Low Income Housing Coalition, on a National level, has said that our program is the most innovative, efficient and effective program, one of them nationally and locally here in Arizona, the Arizona Multi-Housing Association said that we are the most expedient program in State. Furthermore, since we are making significant headway towards finishing our ERAP-1 Program, we have made an app to the Department of Economic Security for \$11 million of their ERAP-1 Program because they are under-expended and we are getting close so we made an offer to them and they are taking us up on that and working on some contracts right now. The City of Tucson is also making and asked for \$11 million as well. You know, the reason why we have been successful, I am really thankful for the support that we received from Mr. Huckelberry, Dr. Garcia and from the Board of Supervisors. You know, one the biggest challenges that we have seen has been staffing and retention. So making our temporary staff permanent has really led to a stability, allowing folks to work overtime is going to allow us to meet participants and landlords on their time. Not in the 9 to 5 timeframe. People who are, especially working people, need to talk to us, being able to work on the weekends is going to help our productivity and continue the level of service that we are very proud to offer, which is very client centric. I think most importantly, what I am most proud and humbled of is the efforts that our Community Assistance Division has done since March and even before that. Since the beginning of the pandemic and before, to put these resources out with dedication, with heart and determination. Really they have shown just tremendous grit and real dedication to the community and I am just so grateful for the work that they have done. We cannot rest on our laurels where we are at. Mr. Huckelberry has mentioned some of the things that we are doing. We are continuously looking at our program to see what we can do better. One of the things in the beginning we were doing 100% quality assurance. Now that we have a little bit more seasoned staff, we have been doing this for a long time, we are just doing about 10% quality assurance, because we have the staff that we know can handle this level of work and the detail that goes into closing each one of these applications. I would like to

turn it over to Andy Flagg, our Deputy Director, to give an update on the Office of Emergency Eviction Legal Services.

AF: Thanks Dan and good morning Madam Chair, Members of the Board, Mr. Huckelberry. The Office of Emergency Eviction Legal Services was formed to implement the Boards' directive to provide access to counsel to tenants who are facing eviction. As the Board knows, this is a program that is funded by the American Rescue Plan Act money that was made available to Pima County in May. In terms of what we have done so far, we have first worked with the Presiding Judge in the Superior Court and Consolidated Justice Court Administration, as well as Mr. Huckelberry, to fund and implement essentially consolidate the eviction court. One judge pro tem is hearing all the eviction cases in the Consolidated Justice Court. That started in June. We contracted with Step Up to Justice to fund one year's worth of eviction prevention clinics that also started in June. That was the subject of a successful pilot project that Step Up to Justice did last winter. They will hold at least 60 clinics over the course of the contract and help at least 250 households. In July, and starting in August, we have developed an initial roster of six contractors, two nonprofits and four contract counsel to provide either brief legal assistance, or if appropriate, full representation to eligible tenants in eviction cases. We have a lawyer on call every day, to respond to inquiries from our eligible tenants they will provide them at least with a brief consultation and can take cases that are appropriate for representation to full representation. Through August, we had, we provided 99 legal consultations, 12 full representation cases that is through the month of August. Additionally, for the first time in Arizona, we have made trained court navigators available to any litigant in an eviction case. Our navigators are available to provide services in either English or Spanish. They can do intake on tenants to determine whether they qualify for counsel. They can also help litigants with an array of other resources including primarily helping litigants through our ERAP Program and since this program began, we have assisted with 222 applications for rental assistance who have come in through our Emergency Eviction Legal Services Program. We also have embedded the social worker who previously was assigned to work with the Constable into our program. She is now serving as one of our navigators and she can focus on finding housing and other resources for tenants for whom eviction is imminent. We have recently brought on board a new navigator who will focus on connecting tenants seeking work with available job and job training opportunities. Again, through September 17th, we have referred 302 eligible tenants to counsel and as I said, helped with 222 applications for rent assistance. Additionally, what our navigators are doing for the first time I am aware of in Pima County, is were collecting in-depth demographics and other data on everybody who comes in through our programs. This will help us develop a picture for the first time of who is actually facing eviction in Pima County, and will help us ensure that we are serving the community in a way that is equitable. Our next steps, our current contracts with counsel go through the end of the year, so we are finalizing an RFP package to develop a roster going forward starting January of next year. We anticipate bringing that to the Board in December and we will continue to build on our relationship with the Consolidated Justice Court to see what other programs or services could be provided to make sure that we are avoiding as many preventable evictions as possible. We will be begin to analyze the

data that we are collecting again, to monitor the effectiveness of our interventions, make sure that we are doing things in an equitable way. I am grateful to the Board, Mr. Huckelberry, Dr. Garcia, Dan Sullivan, for the support in implementing this program within CWD, which I think has allowed us to build on a lot of the resources and excellent staff, team members here at CWD to implement this program. I think either one of us would be happy to answer any of questions.

SB: Any questions for Mr. Flagg or Mr. Sullivan?

SC: Madam Chair? Supervisor Grijalva, go ahead if you would like.

SB: Okay, Supervisor Grijalva.

AG: Thank you, Supervisor Christy. What ideas do you have for outreach? What we are hearing you know, the 15% from landlords and that Mr. Huckelberry mentioned, really getting the word out to let people know about the program. Do you have any ideas on how we are going to do that?

DS: Absolutely. Chair Bronson, Supervisor Grijalva, it is a partnership. Not only are we going to be reaching out through social media, through the Communications Office but we are lucky to have partners at CIC who have dedicated communication resources as well. Another thing that we are doing is instead of the just digital outreach, in-person outreach where we planning on visiting some large or even smaller complexes where we can talk to landlords and tenants at the same time. With that comprehensive approach, we are hoping that that goes from 15% to higher because we have seen that the applications that are started with landlords tend to be a little quicker because you already had everybody's buy-in essentially. So it is a win/win situation for everybody to have landlords involved.

AG: Okay. Thank you.

SC: Madam Chair?

SB: Supervisor Christy.

SC: Thank you for the presentation. I reached out to the rental property owners' community and to industry stake holders and they seem to feel comfortable with this program. However, they did illuminate a couple of concerns that I want to have addressed and some assurances on. First of all, this is a Pima County administered program. Is Pima County going to bear the costs of this program or will the costs be applied to the fund source cited for the program?

DS: Chair Bronson, Supervisor Christy, yes, this will be assigned to the Emergency Rental Assistance Program which is directly from the Treasury. We received \$50 million in the first round and approximately \$15 million in the second round and as I mentioned earlier too, we have made a supplemental request to the Department of Economic Security for some of their unspent funds as well. It will all be Federal funds.

- SC: To clarify your statement, Madam Chair, Mr. Sullivan, Pima County will not bear the cost of administering this program?
- DS: Chair Bronson, Supervisor Christy that is correct. They are very generous funds. Even when it comes to staffing costs, Treasury has allowed 10% of those funds to be set aside and to pay for case managers and overhead.
- SC: Thank you, Mr. Sullivan. Madam Chair, just for my own sense of clarity, this program, landlords can opt out on this program, there is no hidden mandates that they have to participate, is that correct?
- DS: Chair Bronson, Supervisor Christy that is correct. They do not have to participate in this program.
- SC: Thank you. Madam Chair? There is another item though that is troubling. That is the ambiguity issue, pertaining to the landlord's legally binding contract. We see no details and no definition about what those legally binding contract items consist of. I do not think it is very good policy to pass anything that is not explicit or at least clear in any kind of contractual form that is part of an agenda item. But having said that, my concern is that, and the concern expressed to me by the stakeholders and the rental property owners community, is they would like to have assurances if not guarantees that County staff will work with the rental industry to include their input and that this program will be beneficial to both landlords and tenants and not just one party. If I could hear your plans to ensure that these guarantees that the County staff will include input from the industry, I think I would have no problems supporting this agenda item. Is that in the works as far as an ingredient in this legally binding contract? If you could also give some idea of what this legally binding contract might look like?
- SB: Supervisor Christy, just for purposes of clarification, this is an item for discussion, and not for action. The action item is Item 9 on the regular agenda. With that was that Mr. Sullivan or Mr. Flagg that was going to respond? No, Mr. Huckelberry.
- CH: I think Supervisor Christy has transitioned to Item 9.
- SB: That is just what I, yeah.
- CH: If you look at just the program itself, it comes with the standard guidelines and requirements and I do not believe any of that is in there and I think Mr. Sullivan can confirm that. I think the issue of some combining contract if they receive funds from it, I think that is embedded in Item 9.
- SB: Just what I said and we do not have, we have not started discussing Item 9 yet, and there is not motion on the floor. We are just, it is information on Item 4 on the Addendum Agenda.

- SC: I apologize. I thought that by putting them together that would kind of give a wrap-around that you could discuss both of them at the same time. But if that is not the procedure then I will wait until you indicate that we are on Item 9.
- SB: At this point I want to make sure every Board member, we are discussing Item 4 at this point, has asked and had their questions answered for Item 4 on the Addendum Agenda. Any further questions on that item? Alright, hearing none.
- SC: I knew there would be no further questions that is why I transitioned to Item 9.
- SB: Okay. You are a mind reader, I am not. With that, let us move to Item 9. Supervisor, District 2 put this on. So Supervisor Heinz, what is your pleasure? Are you with us still? You are muted. Okay Supervisor Heinz.
- MH: My apologies. This in light of discussion with the County Administrator, I think I can actually withdraw due to the improved amount of times that we are seeing in the additional case workers and that we are seeing in the program. I am happy to do that.
- SB: So you are asking that the item just be withdrawn?
- MH: Yeah, please.
- SB: I support that. Any other Board Member wish to comment on it? If not, we are going to consider the item withdrawn. Supervisor Heinz, I want to thank you for bringing this to our attention and clearly our staff is doing yeoman's work here and I am sure if there are difficulties, bumps in the road, they will get back to us and it sounds like your staff is on top of this. Again, thank you for bringing it our attention. We are now, Item 9 has been withdrawn.