

Pima County Board of Health Emergency Meeting Minutes  
July 6, 2020

**Teleconference Meeting**  
Abrams Building, Room 1108  
3950 S. Country Club Road  
Tucson, Arizona 85714

**1. CALL TO ORDER:**

Dr. Horwitz called the meeting to order at 2:03 P.M.

Attendance was as follows:

Board Members:

Mr. Bin An – Absent  
Ms. Betty Villegas  
Mr. Rene Gastelum  
Mr. Charles Geoffrion, Vice President  
Ms. Mary Lou Gonzales  
Dr. Paul Horwitz, President  
Mr. Mike Humphrey  
Dr. Kathryn Kohler  
Mr. Miguel Rojas  
Dr. Gail Smith – Absent  
Ms. Carolyn Trowbridge

**A quorum was established (9)**

Non-Board Members:

Dr. Theresa Cullen, Pima County Health Department Director  
Ms. Paula Mandel, Pima County Health Department, Deputy Director

**2. PIMA COUNTY RESPONSE TO COVID-19 CRISES:**

- Dr. Horwitz called an emergency meeting of the Pima County Board of Health (BOH) to discuss Supervisor Sharon Bronson's June 30, 2020 Addendum Item Request regarding discussion and possible further actions on the Standards and Guidelines to Reduce the Spread of COVID-19 in the community, which will be discussed on July 7, 2020 at the Pima County Board of Supervisors (BOS) meeting. Of particular concern is the adoption and implementation of the Arizona Crisis Standards of Care Plan which is now in play.
- Dr. Cullen advised the BOH that the State of Arizona is considered to be in an accelerated transmission stage of the SARS-COV2 (COVID-19). The counties most hit right now are Yuma, Maricopa and Pima; the northern counties seem to have stabilized.

Dr. Cullen addressed where Pima County is in regards to the number of cases, hospitalization, and the public health response perspective. There have been over 2

thousand cases in the last MMWR week, which is the highest number of cases Pima County has ever reported. In the early stages of the epidemic we were getting about 30 cases per day; right now the average is 300 cases per day, or a ten-fold increase. Hospitalization in Pima County, as well as the utilization of ICU beds, is at the highest level it has ever been. Over the weekend (July 3-July 5) there were times when the surge line had no beds available in the state. Beds were eventually found for everyone, but overall beds are very limited. The Pima County Health Department (PCHD) is currently not able to meet the goal of 80% of cases getting investigated in 48 hours because cases are so high. At this time probably less than 50% of cases are contacted within 48 hours of knowing that they are infected, and contact tracing is very limited right now.

- Dr. Cullen noted that because we are in an accelerated transmission stage with limited resources, the State did put in place the option to use the Arizona Crisis Standards of Care Plan, which allows physician and hospitals to run a triage protocol on patients to decide what kind of access to care they have. Dr. Cullen wants to very clear that, while the Governor's order does allow the Plan to be used, we are not aware of any facility that is currently using it. It has never been activated before now, and the fact that it is now on the books is telling.
- Dr. Horwitz said that Supervisor Bronson specifically wanted to know if the County, the PCHD, is getting a lot of complaints about how compliance is going based on what they've passed, and our ability to enforce it. Dr. Horwitz feels it is critical that the BOH decides how they feel about enforcement – if there are problems and it's because people are not complying, it is going to affect who gets care and who doesn't. He asked: is the public abiding by it?
- Dr. Cullen reminded the BOH that what the BOS has passed is the mask regulation requiring all individuals over the age of 5 years old to wear a mask if social distancing cannot be maintained, whether inside or outside. She advised that PCHD is getting complaints about business compliance via the website, and that there is a 3-step process in place to respond: educate at first complaint; onsite visit to verify after second complaint; and posting non-compliance to the public website after a third substantiated complaint. Continued noncompliance is referred to the BOS.
- Mr. Geoffrion asked if the BOH can take a different approach and set up a press conference or otherwise try to educate the public as to the extreme nature of our situation right now, and that the BOH, PCHD and BOS are urging people to take action? Can we get headline statements on the nightly news or in the newspapers? Dr. Horwitz said that yes, the BOH can do that but inquired of Supervisor Villegas as to her opinion of the best way to proceed. Supervisor Villegas noted that the most powerful ways to educate the public is to do a press conference, or a Zoom conference call with one of the television stations, and that it is not a bad idea to consider doing that with representatives from the BOS, BOH and PCHD making a strong statement. Dr. Kohler is very concerned about the mixed messaging around COVID-19, and feel that people are not taking this pandemic seriously.

- Dr. Horwitz inquired if Supervisor Villegas found Administrator Huckelberry's memorandum regarding civil and criminal penalties in response to Supervisor Bronson's Addendum to be a reasonable avenue for enforcement actions. Supervisor Villegas noted that the civil enforcement seems to be focused on businesses, but also said that PCHD does not have staffing capacity to do all the enforcement. Supervisor Villegas wondered why the City of Tucson can't be asked to provide some of their CARES Act money to hire more enforcement personnel.
- Mr. Geoffrion noted that the only way to deal with mixed messaging is to get out in front of it, and urged the members to return to the discussion regarding the BOH calling a press conference to educate the public. Mr. Geoffrion also moved to support Mr. Huckelberry's memorandum with the steps to be used to enforce the regulations.
- Supervisor Villegas led the discussion on the necessity of a daily update, or press conference, noting that social media is not reaching enough people, and that messaging should be spread on various mediums by a spokesperson or spokespersons who are trusted by the community. Supervisor Villegas believes that it should be a joint decision between the BOS, BOH and PCHD as to who the spokesperson(s) would be. Mr. Geoffrion suggested a team approach. Mr. Humphrey believes an elected official from the BOS should head the panel, with additional panel members who are doctors providing support and answering medical questions. Ms. Gonzales pointed out that the messaging needs to reach the non-English speaking community, and there are many groups that need to be reached out to. Supervisor Villegas indicated the need to have a sign language translator, as well as other language translators available.
- The motion was made and seconded (Mr. Geoffrion /Ms. Trowbridge) that the BOH take all steps necessary to educate the public against misinformation, and in order to do that, we call for a daily press conference given by individuals as assigned by the Pima County Board of Supervisors – elected officials and experts – to reach out to all aspects of the Pima County community, including the appropriate languages. The motion passed unanimously.
- The motion was made and seconded (Mr. Geoffrion /Ms. Trowbridge) that Pima County Board of Health supports the recommendations made by Mr. Huckelberry in an effort for the county to enforce the needed regulations. The motion passed unanimously.
- Mr. Humphrey recommended that to be fair to all the bars that have been closed, Pima County should also close all the bars in all the restaurants until the number of cases goes down. Supervisor Villegas noted that this seemed an extreme measure, and inquired whether closing the bars in restaurants but allowing restaurant patrons to have drinks with dinner would be an acceptable alternative. After further consideration, Mr. Humphrey agreed to revise his motion.

- The motion was made and seconded (Mr. Humphrey/Mr. Gastelum) to recommend to the Pima County Board of Supervisors that they consider closing the bar portion of a restaurant that incorporates a bar and limit alcohol to only dine-in patrons.
- Dr. Horwitz asked Supervisor Villegas how motions passed by the BOH are conveyed to the BOS. Supervisor Villegas advised that for these motions to be presented to the BOS, the BOH would submit a written statement to her that indicates that the BOH had an emergency meeting to address the concerns that were being presented under COVID-19 at the BOS meeting on Tuesday, July 7, 2020, stating that the following motions were discussed and recommended. Then Supervisor Villegas will read the motions at the BOS meeting during the discussion of COVID-19 items on the agenda.
- Mr. Humphrey returned to the earlier discussion in the emergency meeting regarding the hospitals making life and death decision about who gets care and who doesn't. Mr. Humphrey asked to make a recommendation to the BOS that this would be the last thing that would happen. Mr. Humphrey also wanted to look at making sure other facilities are opened up to allow overflow of patients so that life and death decision don't have to be made.
- The motion was made and seconded (Mr. Humphrey/Mr. Rojas) to recommend to the Pima County Board of Supervisors that the County take every available action to avoid implementation of the Arizona Crisis Standards of Care Plan as outlined. The motion passed unanimously.
- Dr. Horwitz asked if there was any additional discussion on the agenda item. Supervisor Villegas requested that the BOH recommend that the public health department provide pop-up or mobile testing in areas that are considered hotspots, and to also consider adding better messaging and outreach to those areas.
- The motion was made and seconded (Supervisor Villegas/Mr. Rojas) recommending that the Public Health Department provide pop-up testing or mobile testing in District areas that are considered clusters of hotspots, along with better messaging and outreach to those areas as well. The motion passed unanimously.
- A member of the Pima County community asked if there would be any time in the meeting for open questions. Dr. Horwitz advised that he would do a Call to Audience, but that the BOH could not answer any questions. Mr. Rojas confirmed that the information or concerns could be heard, but the BOH could not respond.

### **3. CALL TO AUDIENCE**

- Dr. Horwitz made a Call to Public, requesting that each speaker state their name and address for the record. Each speaker would then have 3 minutes to comment on anything. Dr. Horwitz noted that the BOH welcomes all participation and comments but could not respond to any questions.

- Mr. Mike McWilliams, 781 E Blue Rock Way, Vail, AZ, requested that, after he makes his comments, the secretary would read back the five motions that were made and voted upon. Mr. McWilliams' first question, which he made as a comment, was that there's been a lot of discussion about enforcement. Is the enforcement for the businesses or the individual? Mr. McWilliams said that looking at the resolution that was written by Pima County, section 2-B, there are individuals here with health conditions that cannot facilitate wearing a mask. Will they be held personally accountable by law enforcement or County enforcement?
- Dr. Horwitz reminded Mr. McWilliams that the BOH cannot answer any of his questions or comment on anything which he said The Board of Health can listen and take his comments under advisement.
- Mr. McWilliams noted that that is correct, and stated that if it can be addressed in the next meeting, he would greatly appreciate it. Mr. McWilliams made one final comment that, as a previously elected official but the Board has been playing loose and fast with Robert's Rules. Mr. McWilliams then yielded back any time left, and again requested that the secretary reads back the five motions as they were voted upon, please.
- Dr. Horwitz thanked Mr. McWilliams for his comments. Dr. Horwitz and Mr. Rojas both noted that the motions would be prepared publically for the BOS meeting, and would be part of the public record in the BOH minutes. Mr. McWilliams thanked the Honorable Chairman and the Board for their time. Dr. Horwitz then made a final Call to Audience with no response.

4. **ADJOURNMENT**

The motion was made and seconded (Ms. Gonzales/ Supervisor Villegas) that the July 6, 2020 emergency meeting adjourn. The motion carried 9-0.

The meeting adjourned at 3:19 P.M.