

Southwestern Fair Commission, Inc.
Special Meeting Minutes
March 20, 2020
Draft

The Meeting of the Board of Directors of the Southwestern Fair Commission, Inc., a nonprofit corporation, was duly called and held at the Pima County Fairground's La Cantina Meeting Room on Friday, March 20, 2020.

1. Opening Matters

Directors Present: Marvin Selke, President; Judy Patrick, Secretary; Mark Cowley, Treasurer; Jim Murphy, Director; Alan Levin, Director; Ron Allen, Director and Garrett Ham, Director.

Staff Present: Jon Baker, Executive Director; Bryon Lopez, CFO; Bert Rodriguez, Maintenance; Phyllis Ellis, Concessions and Launa Rabago, Marketing.

- a. **Call to Order:** Marvin Selke called the meeting to order at 2:09 p.m.
- b. **Roll Call:** All Present
Directors Ron Allen, Jim Murphy and Alan Levin were present on a telephone conference call.

2. Staff Reports:

- a. None

3. Consent Agenda:

- a. None

4. Old Business:

b. Review discussion and possible action on planning the annual Pima County Fair, including the short and long term financial, legal and operating matters. This agenda item relates to legal advice, contracts and/or lease of real property, and may be discussed in executive session pursuant to A.R.S. sec. 38-431.03 (A) (3), (4) and/or 7.

Marvin Selke stated there would be only one topic during the meeting and, due to some Board members present thru a phone conference call, there could be no Executive Session.

Judy Patrick made the motion to cancel the Pima County Fair, April 16 – 26, 2020 due to efforts to mitigate the spread of COVID-19 virus and recommendations of the CDC, Governor, Arizona Dept. of Health, Tucson Mayor and the Board of Supervisor's Proclamation. The motion was seconded by Garrett Ham.

There was discussion by Commissioners regarding the memo from Jon Baker, Executive Director of the SWFC, the fact that our traffic control permit was denied and the guidelines set out by the various government entities over this virus which makes it impossible for us to even continue to plan for a Fair, let alone conduct one.

The motion to cancel the Fair was passed by a unanimous vote.

5. New Business:

a. None.

6. Closing Matters:

a. Announcements: None.

b. Adjournment: Judy Patrick made a motion to adjourn the meeting at 2:20 p.m. Jim Murphy seconded the motion. The motion carried.

Respectfully Submitted,

Judy Patrick
SWFC Secretary

Attachments:

Board of Supervisor's Proclamation
Memo to Directors from Executive Director

**PROCLAMATION OF THE PIMA COUNTY BOARD OF
SUPERVISORS REGARDING A STATE OF EMERGENCY
RELATED TO THE COVID-19 OUTBREAK**

The Board of Supervisors of Pima County, Arizona finds:

1. A.R.S. § 26-311(A) provides that, whenever the chairman of the board of supervisors for the unincorporated portion of a county deems that an emergency exists due to natural or man-made calamity or disaster or by reason of threats or occurrences of riots, routs, affrays or other acts of civil disobedience which endanger life or property within the unincorporated areas of the county, the chairman of the board of supervisors, if authorized by ordinance or resolution, may by proclamation declare an emergency or a local emergency to exist and thereafter govern by proclamation.
2. The Pima County Board of Supervisors has, contemporaneously with this Proclamation, as authorized by A.R.S. § 26-311, declared an emergency or local emergency to exist in unincorporated Pima County related to the COVID-19 outbreak and adopted the orders included in this Proclamation.

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED, EFFECTIVE IMMEDIATELY, AS FOLLOWS:

SECTION 1. The Board, having determined that the following orders are necessary to preserve the peace and order of Pima County, and to protect life and/or property and to promote and preserve public safety and welfare, and in particular to mitigate the spread of COVID-19 and provide essential protections to Pima County residents, including those who are most vulnerable to infection, order the following regulations:

The Board orders that effective March 19, 2020, at 8:00 p.m. and continuing until March 31, 2020 at 11:59 p.m.:

a. All restaurants, food courts, cafes, coffeehouses, retail food facilities, and other similar businesses and establishments located in unincorporated Pima County, including those housed within or on the same properties as hotels and similar establishments, are prohibited from serving food and beverages for consumption on premises.

Members of the public are prohibited from entering premises subject to this section and remaining on site to consume food and/or beverages.

Businesses and establishments subject to this section that offer food and beverages for on-premises consumption are encouraged to offer food and beverages using delivery service, window service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission

of COVID-19, including social distancing. In offering food or beverages, a business or establishment subject to this section that does not have the ability to offer window, drive-through or drive-up service may permit members of the public on its premises for the purpose of picking up their food or beverage orders. "Delivery service," for purposes of this section, includes room service at hotels and similar establishments.

b. The following businesses and establishments located in unincorporated Pima County are hereby closed to use and occupancy by members of the public:

i. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and other similar businesses and establishments offering alcoholic beverages or spirituous liquor for consumption on-premises.

ii. Theaters, cinemas, and indoor and outdoor performance venues.

iii. Museums.

iv. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, yoga and barre studios, and other similar facilities.

v. Bingo halls, bowling alleys, indoor climbing or jumping/bouncing facilities, skating rinks, and other similar recreational or entertainment facilities.

This section does not prohibit a proprietor, employee, contractor, vendor, or supplier of a local business from entering, using or occupying that place of business in their professional capacity.

SECTION 2. The restrictions imposed by Section 1 of this Proclamation do not apply to any of the following:

a. Grocery stores, markets, convenience stores, and other similar businesses and establishments that offer food and/or beverage that is not for on-premises consumption;

b. Pharmacies and drug stores;

c. Food banks and food pantries;

d. Cafeterias, commissaries, and restaurants located within health care facilities, nursing homes, shelters, group homes, places of worship, or similar facilities;

e. Cafeterias, commissaries, and restaurants located within or on the premises of institutions of higher learning;

f. Vendors and concessionaires located within the Tucson International Airport;

g. Banks and financial institutions;

h. Other establishments not listed in Section 1.

SECTION 3. Pursuant to A.R.S. § 26-317, a person who violates any of the above prohibitions shall be guilty of a Class 1 misdemeanor. Any violation that is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.

SECTION 4. In addition, the Board strongly urges the leaders of the County's houses of worship to limit gatherings on their premises and to observe social distancing practices.

SECTION 5. The Board also urges all business owners and employers to establish social distancing practices for their patrons and employees and avoid social gatherings of more than 10 people.

SECTION 6. In addition to the prohibitions and regulations ordered under Section 1 above, the Chairman is authorized and empowered to, in consultation with the County Administrator and Chief Medical Officer, implement the provisions of the Proclamation and Declaration as otherwise provided under the powers as prescribed by federal, state and local law, and to take those measures that are necessary and appropriate to protect and promote public health and safety. Those measures include taking all actions reasonable and appropriate to limit face-to-face interactions between County staff and members of the public; limiting public access to public buildings and facilities, including limiting public access to service counters and lobbies within County buildings; and limiting public attendance at Board of Supervisors meetings or the meetings of other Pima County boards, committees and commissions as authorized under Arizona law.

SECTION 7. The Pima County Board of Supervisors requests immediate assistance from other public agencies and jurisdictions, to include any federal or state funding that might be made available in connection with the COVID-19 response. The Chairman is authorized and empowered to accept any such assistance and, in consultation with the County Administrator and Chief Medical Officer, to implement any such assistance.

SECTION 8. The orders included in Section 1 and otherwise in this Proclamation are effective immediately and shall remain in effect until the Board, or the Chairman, in consultation with the County Administrator and Chief Medical Officer, issues a proclamation determining that an emergency no longer exists or terminates or modifies the orders included in the Proclamation accompanying this Resolution, whichever occurs first.

PROCLAIMED at _____ this _____ day of _____, 2020.

Richard Elías
Chairman, Pima County Board of Supervisors

ATTEST:

Julie Castañeda
Clerk of the Board

APPROVED AS TO FORM:



Andrew L. Flagg
Chief Civil Deputy County Attorney

To: Southwestern Fair Commission (SWFC) Board Members
From: Jon Baker, Executive Director, Southwestern Fair Commission
Date: March 19, 2020
Re: Pima County Fair 2020

As you know, the COVID-19 (Coronavirus) has created much confusion with numerous and everchanging guidelines resulting in the closing of events and event venues. With Governor Ducey's recommendation last week of eliminating mass gatherings of 50 people or more for an 8 week period, which includes the Pima County Fair dates of April 16-26, and ending the middle of May 2020, many new governmental restrictions have resulted that will impact our fair and fair visitors.

Earlier this week the Pima County Department of Transportation contacted our staff to inform us that our Pima County Fair traffic special event permit was denied by Pima County. Obtaining this permit is a requirement by Pima County in order to conduct the Fair. The Pima County Health Department has indicated that they are working with the CDC recommendations and are enforcing strict guidelines. With these enforced stated guidelines, the denial of our permit and the actions taken by the Pima County Board of Supervisors today, including new restrictions outlined in the State of Emergency Proclamation, it is impossible for us to conduct the Pima County Fair April 16-26, 2020.

For these reasons I recommend that the SWFC Board make the motion to cancel the Pima County Fair scheduled for April 16-26, 2020.