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# MEMORANDUM

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Date: November 16, 2018

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

From: C.H. Huckelberry  
County Administrator 

Re: **Election of Pima County Deputy Sheriff Association as Authorized Employee Representative**

Pursuant to Pima County Code § 2.20.020, the County held an Election for the employee representative of the Deputy Sheriffs. On October 12, 2018, the Pima County Deputy Sheriff Association ("PCDSA") made a valid showing of interest in representation by an employee organization as required by Pima County Code § 2.20.020(A)(2). An Election was held from November 5, 2018, through November 9, 2018. PCDSA and the County agreed that Keith Dommer would serve as the Election Official and report findings and conclusions regarding the Election. Please see attached Election Report authored by Mr. Dommer.

Per the Code, the Board has the final authority to review such findings and conclusions and to resolve any disputes regarding the operation or outcome of any such Election. (2.20.020(G)) Per the Election Report, no disputes regarding the operation or outcome of the Election were noted.

Pursuant to § 2.20.030 (A) of the Code, where an employee organization receives a majority of the valid votes case, the County Administrator shall certify and recognize the organization as the authorized representative for all eligible employees. As such, I am certifying that the PCDSA is the authorized representative for Sheriff Deputy employees for a minimum of five years. (2.20.030 (B))

The next steps to be taken is for PCDSA and the County to establish a meet and confer process under § 20.20.050. The process established for the employee organization representing other County employees, AFSCME, involves a committee of ten employees, five of whom are appointed annually by AFSCME and five of whom I appoint. I have asked Human Resources Director Cathy Bohland to meet with representatives of PCDSA to propose a meet and confer process. I would expect the process to be similar to the one the County uses with AFSCME. As such, I plan to appoint the Human Resources Director, an upper management employee within Finance and Risk Management, and three members of Sheriff Napier's management team after consultation with the Sheriff.

The Honorable Chairman and Members, Pima County Board of Supervisors  
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The Code calls for County management to meet and confer with the authorized employee representative, in this case, PCDSA, upon the request of PCDSA with the intent of creating a proposed memorandum of understanding ("MOU") for consideration by the Board of Supervisors. I understand that the attorney for PCDSA has already submitted a proposed MOU modeled after the MOU between Pima County and AFSCME and has requested action by the Board of Supervisors. Until County management, including management staff of the Pima County Sheriff's Department, has had the opportunity to review the terms of the MOU and discuss it with representatives of PCDSA, taking action on the MOU would be premature.

I will keep the Board apprised of the progress toward establishing the meet and confer process in compliance with the Pima County Code and will present a recommended memorandum of understanding at the conclusion of that process.

CHH/mp

Attachment

c: The Honorable Mark Napier, Pima County Sheriff  
Tom Burke, Deputy County Administrator for Administration  
Cathy Bohland, Director, Human Resources  
Robert W. Johnson, Deputy Director, Finance and Risk Management

# ELECTION REPORT

Date: November 14, 2018

To: Pima County Board of Supervisors  
C.H. Huckelberry, County Administrator

From: Keith Dommer, Election Official

Pursuant to Pima County Code § 2.20.020, Pima County held an election for the employee representative of the Pima County Deputy Sheriffs. On October 12, 2018, the Pima County Deputy Sheriff's Association ("PCDSA") made a valid showing of interest in representation by an employee organization as required by Pima County Code § 2.20.020(A)(2).

As a result, an election was held, within 30 calendar days, as mandated by the Code, at the following locations and times:

## ALL WEEK AT COUNTY HUMAN RESOURCES

**DATE/TIME:** November 5, 2018 through November 9, 2018 7:00 a.m. to 5:00 p.m.

Pima County Human Resources  
150 W. Congress Street, 4<sup>th</sup> Floor  
Tucson, Arizona 85701

**DATES:** Monday, November 5, 2018 9:00 a.m. to 3:00 p.m.  
Thursday, November 8, 2018 9:00 a.m. to 3:00 p.m.

**LOCATIONS:** **AJO** **FOOTHILLS/CATALINA/**  
Salaza- Ajo Branch Library **TUCSON MOUNTAIN**  
15 W. Plaza Street #179 Nanini Library  
Ajo, AZ 85321 7300 N Shannon Road  
Tucson, AZ 85741

**VAIL/RINCON** **GREEN VALLEY**  
George Miller-Golf Links Library Branch Justice Court  
9640 E. Golf Links Road 601 N. La Canada Drive  
Tucson, AZ 85730 Green Valley, AZ 85614

## ELECTION PROCESS

As the Election Official, I understand that the following precautions were taken:

- Official ballot boxes were used and appropriately sealed for the Election Official to cut
- Each seal number was documented as to the poll worker and location

- Each poll worker took 100 ballots to their location and returned unused ballots in a separate, dated envelope which was returned to Human Resources and retained
- Only Sheriff Deputies were allowed to vote
- Sheriff Deputies were required to present a picture ID at the time of voting
- The Sheriff Deputy's name was compared to the Master List<sup>1</sup> of eligible voters (current Sheriff Deputies)
- A contemporaneous voter list (Voter List #2) was created that identified the voter name, badge number, poll worker initials and voter's initials
- A pre-selected confidential space (booth) was identified for Sheriff Deputies to cast their vote
- Sheriff Deputies provided their **folded ballot** to poll worker to submit in the ballot box
- At the end of the shift, the poll worker placed the Voter List #2 in the ballot box
- Boxes were not left unattended at any time at polling locations
- Ballot boxes are kept in a locked office at Human Resources

Provisions were made for the following scenarios:

1. Provisional Ballots

- If an individual showed up to vote and they were not on the Master List, the individual was permitted to vote
- The individual's information was documented on Voter List #2
- The folded ballot was returned, and the poll worker wrote "Provisional" and the individual's badge number on the outside of the ballot
- The provisional ballot was placed in the ballot box

2. Destroyed Ballots

- If a Sheriff Deputy made a mistake on their ballot, the poll worker was instructed to take the ballot, fold it, and write "Destroy" on the outside of the ballot
- The destroyed ballot was placed in the ballot box
- The poll worker provided the Sheriff Deputy with another ballot

On November 14, 2018, I cut tags on 9 ballot boxes, at the Human Resources Department. Stephen Portell, attorney for PCDSA, Andy Flagg, Deputy County Attorney, Cathy Bohland, Human Resources Director, and Marchelle Pappas, Human Resources Special Staff Assistant, were present. All ballot boxes were kept in a locked office of Human Resources. I reviewed all ballots, Voter List #2's, and paperwork in the ballot boxes, as well as the Master List, and made comparisons to the documents I reviewed. Below are my Findings.

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<sup>1</sup> Each poll worker had a hard copy Master List. An electronic Master List was kept for tracking and updated daily.

## FINDINGS AND CONCLUSIONS

Total Sheriff Deputies as of November 5, 2018	410
Total Ballots Cast	177
Total of Provisional Ballots	0
Total of Destroyed Ballots	0

### Noted Discrepancies:

3. On Monday, November 5, 2018, the Ajo ballot box seal broke prior to the polling time of 9:00 a.m. The poll worker went to a local store and was able to locate zip ties to secure the box. I found that the alternate procedure was reasonable and the ballots in the box conformed to Voter List #2. No Discrepancy Found.
4. A discrepancy was noted on the address for the Vail/Rincon location. Posted on the Notice of Election was 9460 E. Golf Links Road and the correct location is 9640 E. Golf Links Road. I found that the library was correctly identified and the street was correctly identified. The address was within two blocks of the correct address. A voter should have been able to easily find the voting location. I determined this discrepancy would have an insignificant effect on the election.

<b>Total of PCDSA Votes</b>	<b>166</b>
<b>Total of "None" Votes</b>	<b>11</b>

These Findings and Conclusions were made by Keith Dommer and submitted this 14<sup>th</sup> day of November, 2018.

Submitted:

  
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Keith Dommer, Election Official

c: Stephen Portell, Attorney for PCDSA  
Cathy Bohland, Pima County Human Resources Director