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# MEMORANDUM

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Date: July 13, 2020

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

From: C.H. Huckelberry  
County Administrator

Re: **COVID-19 Mask and Safety Measure Complaints July 1, 2020 through July 9, 2020**

## Background

This report covers COVID-19 mask and safety measure complaints received by the Pima County Health Department for the period of July 1, 2020 through July 9, 2020. It is broken out by (1) complaints regarding compliance with the Board's June 19, 2020 mask Resolution; and (2) complaints regarding the Board's May 21, 2020 Proclamation establishing safety measures for restaurants, gyms and fitness centers, hotel and resorts, and other attractions. As a reminder, anyone can submit a complaint and can do so by completing the form posted at <https://web1.pima.gov/applications/covid19/businessreporting/>. While all complaints receive a response and the establishments are contacted directly, only complaints validated by a site visit will be assessed for future enforcement action with continued non-compliance.

## Mask Complaints

For the period of July 1, 2020 through July 9, 2020:

- 158 mask related complaints received
- 2 require a site visit because of multiple complaints
- 0 were determined to be valid complaints during a site visit and posted to website.

Complaints were about customers and/or employees not wearing masks, or lack of social distancing. When complaints are about customers not wearing masks, the email to the complainant states that while it is up to the establishment whether or not they refuse entrance, the establishment will be contacted. During calls to the establishments they are asked to encourage mask wearing via signage, etc. Many establishments are now posting signs saying masks are required to enter. Overall, most establishments appeared receptive and appreciative of the information.

### Complaints Regarding Proclamation Safety Measures

For the period of July 1, 2020 through July 9, 2020:

- 74 Proclamation complaints received
- 56 resolved through phone calls and emails
- 11 required a site visit, and 5 of the 11 will require a virtual follow-up visit as there were issues that could not be corrected during the site visit.
- 0 second visits with validation, and therefore none have been posted to website.

### Proclamation Assessments

125 onsite assessments completed.

On-site Proclamation assessments include those occurring as part of routine inspections, those occurring in response to complaints and those occurring in response to requests under the Ready to Serve program.

### Intake and Response Process

As a reminder, this is the intake and response process for these complaints. The complaint is received by the Consumer Health and Food Safety Division of Health Department. An email response is provided to complainant letting them know that the business or establishment will be contacted and educated about the requirements. A phone call is made to the establishment to notify the person in charge about the complaint, and a copy of the applicable resolution or proclamation is then emailed or mailed to the establishment along with a link to the County's COVID-19 webpage. If a second complaint is received 48 hours after contact was made with the establishment, then a site visit is made to verify the complaint and provide additional education. If it is a mask complaint, and the complaint is verified during the site visit, then it is posted to the County website at [www.pima.gov/facecoverings](http://www.pima.gov/facecoverings). If it is a Proclamation complaint, during the site visit a full Proclamation assessment is conducted. If a third complaint is made regarding the Proclamation and is determined to be valid during the next site visit, then it is posted to the website at this address [www.pimaready.com](http://www.pimaready.com).

Repeat offenders will be referred to the Board of Supervisors for enforcement. Repeat offenders located in Marana and Sahuarita will first be referred to the Town Managers prior to forwarding to the Board for enforcement. The Board can direct the County Attorney's Office to pursue civil or criminal actions against the establishment. All information is tracked and can be made available to the Board upon request.

### Gyms and Fitness Centers

While the Board's Proclamation included safety measures for gyms and fitness centers, these types of establishments were ordered closed ("paused") by Executive Order of the Governor, for the period of June 29, 2020 through July 27, 2020. We did receive several complaints of gyms, fitness centers and related establishments remaining open after the closure. Certain gyms in Arizona are pursuing legal action, and requested a temporary restraining order to allow

them to remain open while the case proceeds. However, on Tuesday July 7, the request was denied. Since the denial, we have received two complaints related to a gymnastics center and a martial arts studio remaining open. The County Attorney's office has been seeking guidance from the State with regard to whether or not these types of facilities are supposed to be closed per the Executive Order, or whether they should simply fall under the County's Proclamation safety measures for such facilities.

CHH/dr

- c: Jan Leshar, Chief Deputy County Administrator
- Dr. Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services
- Carmine DeBonis, Deputy County Administrator for Public Works
- Dr. Terry Cullen, Public Health Director, Pima County Health Department
- Loni Anderson, Consumer Health and Food Safety Division Manager, Pima County  
Health Department
- Nicole Fyffe, Executive Assistant to the County Administrator
- Diana Durazo, Special Projects Manager, County Administrator's Office