

Board of Supervisors
November 15, 2022
9:30 AM

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Bruce Bracker, Chairman; Manuel Ruiz, Vice-Chairman; Rudy Molera, Member; Jesus Valdez, Deputy County Manager; Laura Roubicek, Civil Deputy County Attorney; Alma Schultz, Clerk of the Board.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Bracker called the meeting to order, and the Pledge of Allegiance was recited, led by Frank Dillion.

ADOPTION OF AGENDA

Vice-Chairman Ruiz made a motion to adopt the Agenda and deviate from the Agenda sequence as necessary; seconded by Supervisor Molera; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

CALL TO THE PUBLIC:

Dan Dellinges, a resident of Tubac, spoke of concern over the Chavez Siding crossing and hopes to speak to Public Works to address the issue.

Mary Darling, former Democratic Party Chair, spoke on behalf of the Santa Cruz County Democratic Party by expressing gratitude for the transparency and collaborative work between the departments such as Elections, Records, County Attorney's Office, and other departments involved, for the planning of the 2022 elections, a reactive and proactive process to ensure professional elections.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA thanked Mary for her public comment and conquered with her statement of a transparent and professional election, thanks to all those involved, and expressed gratitude for the green lights to recognize veterans and congratulated Lizbeth and Jaime Huerta for their marriage.

VICE-CHAIRMAN RUIZ echoed the comments from Supervisor Molera on the professionalism of the election with the bipartisan participation and hopes all can continue to work together as a country to move forward; thanked Alma and Suzie and their staff, and those who participated in the elections; expressed gratitude to veterans.

CHAIRMAN BRACKER echoed the comments of both supervisors, expressing gratitude to all those involved for a very good election; thanked the City for the ceremony at City hall in honor of veterans, and took part in introducing secretary of state elect, Adrian Fontes at his press conference; and will be attending a meeting with the Mexico Ambassador.

2. MANAGER

JESUS VALDEZ, DEPUTY COUNTY MANAGER, nothing to report at the time.

DEPARTMENT REPORTS AND ACTIVITIES

1. FINANCE CASH & INVESTMENTS, EXPENDITURES & REVENUE REPORTS

Mauricio Chavez, Administrative Services Director, reported \$18,819,759.56 in the General Fund, of which \$10,395,275.94 is invested; \$445,897.53 in the Road Fund, of which \$7,046.27 is invested; \$961,212.42 in the Flood Control District Fund, of which \$266,991.55 is invested; \$3,068,543.88 in the Jail District Fund, of which \$1,012,479.31 is invested; \$45,338,414.70 total for all funds, of which \$13,515,738.81 is invested; \$15,320,818.16 estimated end of month balance, compared to \$14,748,002.81 cash at November 2021, a difference of \$572,815.35.

Vice-chairman Ruiz made a motion to recess the Regular Meeting to convene the Jail District Board seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

JAIL DISTRICT

1. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT TO THE FOOD SERVICE MANAGEMENT AGREEMENT WITH SUMMIT FOOD SERVICE, LLC. FOR A MONTH-TO-MONTH BASIS AND A CONSUMER PRICE INCREASE OF 10.8% EFFECTIVE OCTOBER 1, 2022 THROUGH OCTOBER 1, 2023 (REQ: SHERIFF)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

The Board adjourned as the Jail District Board and reconvened into Regular Session. (Motion: Vice-Chairman Ruiz; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION TO ACCEPT THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) AWARD FOR FY 2022-2023 FOR THE HAZARDOUS MATERIALS PREPAREDNESS GRANT PROGRAM (HMEP) IN THE AMOUNT OF \$64,000 (REQ: EMERGENCY MANAGEMENT)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE ARIZONA DEPARTMENT OF HEALTH SERVICES (ADHS) INTERGOVERNMENTAL AGREEMENT CONTRACT # CTR055219 AMENDMENT #2 FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM FROM JULY 1, 2022 THROUGH JUNE 30, 2023 IN THE AMOUNT OF \$201,438 (REQ: HEALTH SERVICES)

Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE A PROFESSIONAL SERVICES CONTRACT WITH PIERCE COLEMAN, PLLC, FOR LEGAL SERVICES ON THE S32 AMI-HERMOSA PROJECT, WHICH IS REIMBURSABLE TO THE COUNTY BY S32 AMI PURSUANT TO A CONTRIBUTION AGREEMENT (REQ: COUNTY ATTORNEY)

Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE FY 2023 VICTIMS RIGHTS PROGRAM AWARD AGREEMENT A.G.# 2023-13 WITH THE ARIZONA ATTORNEY GENERAL IN THE AMOUNT OF \$17,900 FROM JULY 1, 2022 TO JUNE 30, 2023 (REQ: COUNTY ATTORNEY)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

6. DISCUSSION/POSSIBLE ACTION: RECOMMENDATION OF APPROVAL OF APPLICATION FOR LIQUOR LICENSE FOR THE GATSBY IN TUBAC (REQ: CLERK)

Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

7. DISCUSSION/POSSIBLE ACTION RECOMMENDATION OF APPROVAL OF SPECIAL EVENT LIQUOR LICENSE APPLICATIONS FOR SACRED HEART OF JESUS PARISH IN RIO RICO ON: (REQ: CLERK)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A NOVEMBER 25 THROUGH NOVEMBER 27, 2022

B DECEMBER 2 THROUGH DECEMBER 4, 2022

C DECEMBER 8 THROUGH DECEMBER 11, 2022

8. DISCUSSION/POSSIBLE ACTION TO APPROVE BONDS FOR DUPLICATE WARRANT (REQ: CLERK)

Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A #4-038057 IN THE AMOUNT OF \$643.47 DATED 11/25/2020 PAYABLE TO PARTS TOWN

B #4-042652 IN THE AMOUNT OF \$25,640.00 DATED 10/28/2022 PAYABLE TO JC PLUMBING

9. TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR) were approved as submitted by the County Assessor's Office. (Motion: Vice-Chairman Ruiz; second Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

A 114-01-090 -RUBEN & JANETH OJEDA, RESOLUTION NO. 56466

B 114-01-090 - RUBEN & JANETH OJEDA, RESOLUTION NO. 56467

C 114-01-090 - RUBEN & JANETH OJEDA, RESOLUTION NO. 56468

D 112-37-017 - ANTHONY WAYNE DEXTER & DORA LUZ DEXTER TRUSTEES/ THE ANTHONY WAYNE & DORA LUZ DEXTER REV LIVING TRUST, RESOLUTION NO. 56469

E 112-37-017 - ANTHONY WAYNE & DORA LUZ DEXTER TRUSTEES/THE ANTHONY WAYNE & DORA LUZ DEXTER REV LIVING TRUST, RESOLUTION NO. 56470

F 112-43-105 - WILLIAM KEVIN ARCHIBALD, RESOLUTION NO. 56471

G 112-43-106 - WILLIAM KEVIN ARCHIBALD, RESOLUTION NO. 56472

H 116-13-293 - STEPHEN J. & DEBORAH RENEE CURREN, RESOLUTION NO. 56473
I P201800132 - RAYMOND LEASING CORPORATION C/O ADVANTAX, RESOLUTION NO. 56476

J 106-29-012-B - LOREN J. MASON GERE, RESOLUTION NO. 56479

K 115-10-224 - JAIME HUMBERTO RODRIGUEZ, RESOLUTION NO. 56480

L 115-10-224 - JAIME HUMBERTO RODRIGUEZ, RESOLUTION NO. 56481

M 115-10-224 - JAIME HUMBERTO RODRIGUEZ, RESOLUTION NO. 56482

10. MONTHLY REPORTS were approved as submitted. (Motion: Vice-Chairman Ruiz; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

11. DEMANDS were approved in the total amount of \$856,482.08 of which \$436,163.38 is from the General Fund. Details of these expenditures are available for inspection during working hours and are to be considered as part of these minutes. (motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

Vice-Chairman Ruiz made a motion to recess the Regular Meeting to convene the Board of Equalization Board seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

BOARD OF EQUALIZATION

1. PETITIONS FOR REVIEW OF NOTICE OF CHANGE (REQ: CLERK)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

The Board adjourned as the Board of Equalization Board and convened into Public Hearing. (Motion: Vice-Chairman Ruiz; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

PUBLIC HEARING

1. ORDINANCE NO. 2022-03 REZONING APPROXIMATELY 1.48 ACRES OF LAND FOR PARCEL NUMBERS 105-21-012 & 105-21-015 (PORTION OF SECTION 30, TOWNSHIP 23 SOUTH, RANGE 14 EAST) FROM MF (MULTI-FAMILY) TO M-1 (LIGHT INDUSTRY) (CASE NO. REZ-22-01) (REQ: COMMUNITY DEVELOPMENT)

Frank Dillion, Community Development Director, presented the Ordinance and Resolution. The Board read the legal requirement that the public hearing would be for the resolution and ordinance. No Public Comment.

The Board adjourned the public hearing and reconvened the Regular Meeting. (Motion: Vice-Chairman Ruiz; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

CONT. ACTION ITEMS

3. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2022-04 TO RECLASSIFY PARCEL NUMBERS 105-21-012 & 105-21-015 FROM MIXED USE TO REGIONAL SERVICES (REQ: COMMUNITY DEVELOPMENT)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

12. DISCUSSION/POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2022-03 REZONING APPROXIMATELY 1.48 ACRES OF LAND FOR PARCEL NUMBERS 105-21-012 & 105-21-015 (PORTION OF SECTION 30, TOWNSHIP 23 SOUTH, RANGE 14 EAST) FROM MF (MULTI-FAMILY) TO M-1 (LIGHT INDUSTRY) (CASE NO. REZ-22-01) (REQ: COMMUNITY DEVELOPMENT)

Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Vice-Chairman Ruiz made a motion to recess the Regular Meeting to convene the Executive Session seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

EXECUTIVE SESSION

1. DISCUSSION AND CONSULTATION PURSUANT TO A.R.S. 38-431.03(A)(7) REGARDING PROSPECTIVE COMMERCIAL LEASE OF COUNTY LAND; PROCEDURE FOR PUBLICATION, POSTING, NOTICE, AND REQUIREMENTS AS PRESCRIBED IN A.R.S. 11-256 (REQ: COUNTY ATTORNEY)

The Board met in Executive Session.

Vice-Chairman Ruiz made a motion to adjourn the Executive Session and reconvene the Regular meeting seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

ADJOURNMENT

The meeting adjourned at 11:57 a.m. (motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)