

Board of Supervisors
December 6, 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 (Not Present); Jesus Valdez, Deputy County Manager; William Moran, Deputy County Attorney III; Lizbeth Tolano, Deputy 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 Carolyn Shafer.

ADOPTION OF AGENDA

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

CALL TO THE PUBLIC:

Jesus Jerez, a county resident, appeared distressed to learn that the sheriff's deputy communications system issue hadn't been resolved.

Carolyn Shafer, a county resident, asked the Board to vote no on the Arizona Minerals Inc (AMI) Agreement for use of the 1904 Courthouse office (Action Item I4).

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA: attended the NACo Fall Board of Directors Meeting.

VICE-CHAIRMAN RUIZ: sent his condolences to Bobby & David Lindstrom and Alicia & Chris Martin for the passing of Mrs. Barbara Wilson de Bon; reported he attended a meeting with the Switzerland ambassador at the port of entry, followed by a round table luncheon in the county complex.

CHAIRMAN BRACKER: thanked his board mates for all their outside work; he reported he attended a Title 42 meeting at the Port of Entry.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, attended the round table luncheon with the Switzerland ambassador; participated in a Port Authority meeting; stated that the Sheriff's Office is pending a final quote from Motorola for their communication system.

DEPARTMENT REPORTS AND ACTIVITIES

1. FINANCE: CASH & INVESTMENTS, EXPENDITURES & REVENUE REPORTS

Mayra Ochoa, Senior Accountant, reported \$18,915,665.96 in the General Fund, of which \$ 10,395,275.94 is invested; \$744,150.14 in the Road Fund, of which \$7,046.27 is invested; \$1,047,421.53 in the Flood Control District Fund, of which \$266,991.55 is invested; \$3,184,171.45 in the Jail District Fund, of which \$1,012,479.31 is invested; \$46,995,480.73 total for all funds, of which \$13,515,738.81 is invested; \$14,001,752.63 estimated end of month balance, compared to \$12,972,142.64 cash at October 2021, a difference of \$1,029,609.99.

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

FLOOD CONTROL

1. DIRECTOR'S/PROJECT REPORT

Presented by: Angie Pimienta

2. MONTHLY REPORT FROM CITY OF NOGALES

No report.

3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA

Presented by: Carolyn Shafer

4. PUBLIC COMMENT

No comment.

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

JAIL DISTRICT

1. DISCUSSION/POSSIBLE ACTION TO ACCEPT THE BJA FY2021 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) APPLICATION AWARD #15PBJA-21-RR-05074-SCAA IN THE AMOUNT OF \$32,963 FOR DETENTION/INMATE SERVICES

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

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

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION TO CREATE AND FILL: (REQ: HUMAN RESOURCES)

A) SECRETARY POSITION IN THE ADULT EDUCATION PROGRAM

B) HEALTH EQUITY COORDINATOR-VOLUNTEER POSITION IN ENVIRONMENTAL HEALTH DEPARTMENT TO FULFILL VACCINE EQUITY AND WORKFORCE DEVELOPMENT COVID-19 GRANTS PREVIOUSLY APPROVED: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Chairman Bracker asked if the positions were grant-funded.
Jennifer confirmed.

2. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL:

A) VACANT DETECTIVE POSITION (REQ: SHERIFF)

B) VACANT WORKFORCE DEVELOPMENT SPECIALIST POSITION (REQ: WIOA)

C) VACANT JUDICIAL ASSISTANT POSITION (REQ: SUPERIOR COURT)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)
Chairman Bracker asked if these positions were budgeted.
Jennifer confirmed.

3. DISCUSSION/POSSIBLE ACTION TO APPROVE IGA CONTRACT NO. CTR060280

REPLACES INTERGOVERNMENTAL AGREEMENT ADHS18-177689 AMENDMENT 6 WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR IMMUNIZATION SERVICES TO HELP FUND COVID VACCINATIONS/VACCINE EQUITY, WHICH WAS PREVIOUSLY APPROVED ON AUGUST 17, 2021, IN THE AMOUNT OF \$676,207 FOR THE PERIOD JULY 1, 2022 THROUGH JUNE 30, 2024: 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 INTERGOVERNMENTAL WITH THE ARIZONA BOARD OF REGENTS, UNIVERSITY OF ARIZONA FOR THE PURPOSE OF IMPLEMENTING THE INVEST IN OUR YOUTH PROJECT STARTING OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 IN THE AMOUNT OF \$110,861: Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

6. DISCUSSION/POSSIBLE ACTION TO AMEND PRIOR FISCAL YEAR INTERGOVERNMENTAL AGREEMENT WITH ARIZONA BOARD OF REGENTS, UNIVERSITY OF ARIZONA FOR ROLLING OVER CERTAIN UNUSED PRIOR FISCAL YEAR GRANT FUNDS TO FURTHER THE CHILD READINESS PROGRAM: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

7. DISCUSSION/POSSIBLE ACTION TO APPROVE ARIZONA STATE PARKS & TRAILS PROJECT SPONSOR AGREEMENT NO. 672302 FOR AN ARPA GRANT FOR THE 1904 COUNTY COURTHOUSE CENTRAL DOME ROOF REPAIR IN THE AMOUNT OF \$300,000: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE THE CITY OF TUCSON HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) PROGRAM GRANT AGREEMENT COT GRANT NUMBER: HT-22-2951 FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2023 IN THE AMOUNT OF \$282,463: Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

9. DISCUSSION/POSSIBLE ACTION TO APPROVE FIRST AMENDMENT TO LAND DEVELOPMENT AGREEMENT CONTRACT NO. 2010-01037 TO 18.02 ACRES OF REAL PROPERTY LOCATED NEAR EXIT 34 OF I-19 FOR TUBAC MARKETPLACE: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

10. DISCUSSION/POSSIBLE ACTION TO APPROVE SUBSTITUTION ASSURANCE AGREEMENT FOR THE CONSTRUCTION OF SUBDIVISION IMPROVEMENTS (THIRD PARTY TRUST) NO. 2014-002-T REGARDING 18.02 ACRES OF REAL PROPERTY NEAR EXIT 34 OF I-19: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

11. DISCUSSION/POSSIBLE ACTION TO ACCEPT RURAL COUNTY ALTERNATIVE PROSECUTION AND DIVERSION PROGRAM FY 2023 AWARD, ARIZONA CRIMINAL JUSTICE COMMISSION GRANT NUMBER RCPD-23-010 IN THE AMOUNT OF \$651,541.28: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

12. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATION HONORING 200 YEARS OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND MEXICO: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

13. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE WARRANT #2-47145 IN THE AMOUNT OF \$1,405.33 DATED 09/15/2022 PAYABLE TO NIDIA C INIGUEZ: Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

14. DISCUSSION/POSSIBLE ACTION: RECOMMENDATION OF APPROVAL OF APPLICATION FOR LIQUOR LICENSE FOR: (REQ: CLERK)

A) LOS MILICS VINEYARD IN ELGIN, AZ

B) ALOHA POKE IN TUBAC, AZ

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

15. TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR)

A 116-13-294 - STEPHEN J. & DEBORAH RENEE CURREN, RESOLUTION NO. 56474

B 108-06-055 - ANGEL R. PEREZ, RESOLUTION NO. 56484

C 115-10-350 - SELFHELP COMMUNITY SERVICES SUCC TR / KAINEN LIVING TRUST, RESOLUTION NO. 56485

D 115-10-350 - SELFHELP COMMUNITY SERVICES SUCC TR / KAINEN LIVING TRUST, RESOLUTION NO. 56486

E 115-10-350 - SELFHELP COMMUNITY SERVICES SUCC TR / KAINENLIVING TRUST, RESOLUTION NO. 56487

F 112-38-135-A - CHARLES J. BRADY, RESOLUTION NO. 56488

G 112-38-135-A - CHARLES J. BRADY, RESOLUTION NO. 56489

H 112-38-135-A - CHARLES J. BRADY, RESOLUTION NO. 56490

I 112-38-135-B - CHARLES J. BRADY, RESOLUTION NO. 56491

J 112-38-135-B - CHARLES J. BRADY, RESOLUTION NO. 56492

K 112-38-135-B - CHARLES J. BRADY, RESOLUTION NO. 56493

L 125-01-121 - ISRAEL & MARTHA E. RAMOS TR / THE ISRAEL & MARTHA E. RAMOS REVOCABLE TRUST, RESOLUTION NO. 56494

M 112-12-032 - CHARLOTTE J RICHARDS TRUSTEE /THE CHARLOTTE J. RICHARDS REVOCABLE TRUST, RESOLUTION NO. 56495

N 112-12-032 - CHARLOTTE J RICHARDS TRUSTEE / THE CHARLOTTE J. RICHARDS REVOCABLE TRUST, RESOLUTION NO. 56497

O 112-12-033 - CHARLOTTE J. RICHARDS TRUSTEE / THE CHARLOTTE J. RICHARDS REVOCABLE TRUST, RESOLUTION NO. 56498

P 112-12-033 - CHARLOTTE J. RICHARDS TRUSTEE / THE CHARLOTTE J. RICHARDS REVOCABLE TRUST, RESOLUTION NO. 56499

Q 116-13-101 - WILLIAM J. & VICKI BONNEY, RESOLUTION NO. 56500

R 108-06-055 - ANGEL R. PEREZ, RESOLUTION NO. 56501

S 109-31-035 - SHANNON & MARK VALENCIA, RESOLUTION NO. 56502

T 124-02-058 - MARRON 2 LLC, RESOLUTION NO. 56503

U 124-02-058 - MARRON 2 LLC, RESOLUTION NO. 56504

V P202000133 - MOBILE MINI INC, RESOLUTION NO. 56507

W P202000134 - MOBILE MINI INC, RESOLUTION NO. 56508

X P202000135 - MOBILE MINI INC, RESOLUTION NO. 56509

Y 115-08-316 - SANDRA RIVERA, RESOLUTION NO. 56510

Z 115-08-316 - SANDRA RIVERA, RESOLUTION NO. 56511

AA 115-08-316 - SANDRA RIVERA, RESOLUTION NO. 56512

BB 115-08-316 - ALFREDO RIVERA, RESOLUTION NO. 56513

were approved as submitted by the County Assessor's Office. (Motion: Vice-Chairman Ruiz to approve: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Ruiz)

16. APPROVAL OF MINUTES 10/18/2022 & 11/01/2022: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

17. DEMANDS: were approved in the total amount of \$2,800,661.15 of which \$611,949.96 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: Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE COMMERCIAL OFFICE LEASE AGREEMENT WITH ARIZONA MINERALS INC. TO ENTER A LEASE FOR AN OFFICE IN THE 1904 COURTHOUSE FOR \$1000 PER MONTH FOR A DURATION OF ONE YEAR WITH FOUR CONSECUTIVE RENEWAL OPTIONS: Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Comments by legal team on the publishing process and statue requirements were made.

18. DISCUSSION/POSSIBLE ACTION TO ACCEPT THE COUNTY RECORDER'S RESIGNATION, EFFECTIVE DECEMBER 31, 2022: Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

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

EXECUTIVE SESSION

1. PURSUANT TO A.R.S. 38-431.03(A)(1) AND (A)(3), DISCUSSION, AND CONSULTATION FOR LEGAL ADVICE, REGARDING THE SANTA CRUZ COUNTY RECORDER RESIGNATION, RECRUITMENT AND APPOINTMENT.

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

ACTION ITEMS (continued)

19. DISCUSSION/POSSIBLE ACTION TO APPROVE THE PROCESS TO BE USED IN THE RECRUITMENT AND APPOINTMENT OF THE COUNTY RECORDER, EFFECTIVE JANUARY 1, 2023: Chairman Bracker made a motion to open up the vacancy for letters of interest and follow the timeline established, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

ADJOURNMENT

The meeting adjourned at 10:58 a.m. (motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)