

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE

A moment of silence for the passing of Nil Urman was observed prior to the start of the meeting. Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Dr. Marcelino Varona.

ADOPTION OF AGENDA

Supervisor Molera made a motion to adopt the Agenda as amended removing Action Item No. H9 as requested by the Tubac Chamber of Commerce and deviating from the Agenda sequence as necessary; seconded by Vice-Chairman Bracker; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

CALL TO THE PUBLIC:

Dr. Marcelino Varona, Nogales/Santa Cruz County Library Board Chairman, spoke to the Board in support of the re-appointment of Veronica Sainz by stating she is a very active participant and highly recommended the re-appointment of Ms. Sainz. Also advised the Board of the Library Board, now meeting at the City of Nogales Council chambers and is now live streaming.

ACTION ITEMS:

3. APPROVE THE RE-APPOINTMENT OF VERONICA SAINZ TO THE NOGALES/SANTA CRUZ COUNTY LIBRARY BOARD FOR DISTRICT NO. 2: Supervisor Molera made a motion to approve; seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

CONT. CALL TO THE PUBLIC:

Jesus Valdez, Public Works Director, spoke of the Congestion Mitigation and Air Quality Improvement (CMAQ) program and would pursue further discussion with the Board and County Manager before the due date of November to discuss possible projects.

CURRENT EVENT

1. BOARD OF SUPERVISORS:

VICE-CHAIRMAN BRACKER participated in a meeting with Sonoita residents with the County Manager in support of repurposing the Sonoita County building and extending the library in Sonoita. Participated in the Arizona Rural Transportation Summit in support of a 50 million dollar allocation to rural projects; attended the U.S. IBWC (International Boundary and Water Commission) meeting with new U.S. Commissioner, Maria Elena Giner, and a dinner event with the Mexican Ambassador, Esteban Moctezuma Barragan.

SUPERVISOR MOLERA sent out condolences on behalf of his family to Nil and Bruce's family. Attended the WIR (Western Interstate Region) Conference; took part in the amending Title 19 regulation discussions on the opening of the border on November 8th; participated in the Nogales Bike Ride race of 50 miles, thanked all the organizers for an amazing job; and announced the 2021 Summit Award in Health to Santa Cruz County and Mariposa Community Health Center for Innovative Collaboration.

CHAIRMAN RUIZ congratulated the staff for earning the 2021 Summit Award and for all their hard work. Attended the NACO (National Association of Counties) Board of Director's meeting, and the WIR Conference where discussion involved grant funding, community investment, and energy needs.

2. MANAGER:

JENNIFER ST. JOHN, COUNTY MANAGER, expressed gratitude for the AZ 2021 Summit Award nomination and stated she was truly honored for the opportunity to participate for the community; advised the Recreational Center is open again today from 8 am to 4 pm for booster vaccines, expecting vaccine approval for 5 to 11 years of age on around November 5th; continues discussion of broadband with Chief Information Officer, Juan Balderas; met with Sonoita residents involving repurposing a building in Sonoita; spoke to the Alliance club; meetings with Mauricio Chavez involving the pension obligation debt issuance for the unfunded PSPR liability; and hosted county manager's meeting.

DEPARTMENT REPORTS AND ACTIVITIES

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

Administrative Services Department Director, Mauricio Chavez reported \$12,860,764.06 in the General Fund, of which \$10,286,574.37 is invested; \$1,971,532.50 in the Road Fund, of which \$815,275.53 is invested; \$2,044,327.86 in the Flood Control District Fund, of which \$1,862,256.96 is invested; \$2,247,118.39 in the Jail District Fund, of which \$1,001,873.78 is invested; \$36,214,253.50 total for all funds, of which \$15,780,475.43 is invested; \$11,358,847.47 estimated end of month balance.

The Quarterly General Fund Revenue Performance Report and Expenditure Report showed 107,947 collected to date; Auto Lieu Tax: 368,548 collected to date; County 1/2 Cent Tax Revenue: 278,848 collected to date; State Shared Sales Tax: 463,925 collected to date; Expenditures General Fund Total: 6,812,059 expenses to date a slight increase from last year.

CONT. ACTION ITEMS:

7. APPROVE THE COOPERATIVE FOREST ROAD AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, CORONADO FOREST FOR COOPERATIVE PLANNING, SURVEY, DESIGN, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, AND MAINTENANCE OF CERTAIN FOREST DEVELOPMENT ROADS IN THE COUNTY: Supervisor Molera made a motion to approve; seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Jesus Valdez, Public Works Director, advised the Board of the agreement for the County to maintain the roads within the forest service, something that has been done through the years.

1. AUTHORIZATION TO FILL A FULL-TIME PARENT EDUCATOR POSITION FOR THE FIRST THINGS FIRST LOS PADRES GRANT PROGRAM: Vice-Chairman Bracker made a motion to approve; seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

2. AUTHORIZATION TO RECLASSIFY AND FILL VACANT CHIEF DEPUTY COUNTY ATTORNEY'S POSITION WITH DEPUTY COUNTY ATTORNEY I IN THE COUNTY ATTORNEY'S OFFICE: Supervisor Molera made a motion to approve; seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

4. APPROVE THE VICTIMS' RIGHTS PROGRAM AWARD AGREEMENT FROM JULY 1, 2021 THROUGH JUNE 30, 2022 IN THE AMOUNT OF \$5,422: Vice-Chairman Bracker made a motion to approve; seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

5. APPROVE THE FY2022 GOVERNOR'S OFFICE OF HIGHWAY SAFETY AWARD AGREEMENTS: Supervisor Molera made a motion to approve 5a through 5c; seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A) CONTRACT NO. 2022-AL-031 FOR DUI/IMPAIRED DRIVING ENFORCEMENT OVERTIME, MATERIAL AND SUPPLIES IN THE AMOUNT OF \$15,000

B) CONTRACT NO. 2022-405B-007 - OCCUPANT PROTECTION ENFORCEMENT OVERTIME IN THE AMOUNT OF \$2,500

C) CONTRACT NO. 2022-PTS-059 - SELECTIVE TRAFFIC ENFORCEMENT PROJECT OVERTIME IN THE AMOUNT OF \$5,000

6. APPROVE AND CERTIFY THE TOTAL REVENUES RECEIVED BY JUSTICE COURT, SUPERIOR COURT, AND CLERK OF THE SUPERIOR COURT, EXCEED THE AMOUNT RECEIVED IN FISCAL YEAR 1997/1998: Vice-Chairman Bracker made a motion to approve; seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)
Administrative Services Director, Mauricio Chavez, stated this is the annual certificate to re-certify the distribution to the courts.

8. APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR THE BORDER STRIKE TASK FORCE IN THE AMOUNT OF \$166,666.68: Supervisor Molera made a motion to approve; seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

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

PUBLIC HEARING - 10:00 A.M.

1. PURSUANT TO A.R.S. § 11-391 REGARDING INCURRING A LONG-TERM OBLIGATION TO FUND ALL OR A PORTION OF THE COUNTY'S UNFUNDED LIABILITIES WITH RESPECT TO ITS PENSION PLANS IN THE ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM:

Presented by Michael Vasquez, Senior Vice President for Piper Sandler Phoenix Public Finance.

The Board thanked Michael for the presentation.

No public comment.

The Board adjourned the Public Hearing and convened in the Jail District. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

JAIL DISTRICT

1. APPROVE PORTABLE SERVICES AGREEMENT WITH TRIDENT CARE TO PROVIDE DIAGNOSTIC SCREENING SERVICES AT THE JAIL: Supervisor Molera made a motion to approve; seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz).

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

CONT. ACTION ITEMS:

9. RECOMMENDATION OF APPROVAL/DISAPPROVAL OF APPLICATION FOR SPECIAL EVENT LICENSE FOR TUBAC CHAMBER OF COMMERCE ON NOVEMBER 26TH THROUGH NOVEMBER 28TH, 2021, TUBAC: Removed at the request of the Tubac Chamber of Commerce

10. RECOMMENDATION OF APPROVAL/DISAPPROVAL OF APPLICATION FOR SPECIAL EVENT LICENSE FOR SANTA CRUZ VALLEY ART ASSOCIATION ON DECEMBER 11, 2021, TUBAC: Vice-Chairman Bracker made a motion to approve; seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

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

- A) 101-35-025 - MENDEZ ROBERT J. & CECILIA V., RESOLUTION NO. 56176*
- B) 101-26-030 – ARROYO MOTEL LLC AN ARIZONA LIMITED LIABILITY COMPANY RESOLUTION NO. 56177*
- C) 105-22-077 - OZUNA JUSTINA E., RESOLUTION NO. 56178*
- D) 115-12-142 - CORONADO JOSE L & RAMIREZ BIBIANA, RESOLUTION NO. 56179*
- E) 110-10-021 – WANDS RICHARD C. & PATRICIA A., RESOLUTION NO. 56180*
- F) 110-10-008 – WANDS RICHARD C. & PATRICIA A., RESOLUTION NO. 56181*
- G) 103-23-140 - ORTIZ SOCORRO, RESOLUTION NO. 56183*
- H) 115-13-462 - MIRANDA SALVADOR, RESOLUTION NO. 56186*
- I) 115-13-462 - MIRANDA, SALVADOR, RESOLUTION NO. 56187*
- J) 115-13-462 - MIRANDA SALVADOR, RESOLUTION. 56188*
- K) 106-35-021 – KRIKORIAN JARED M., RESOLUTION NO. 56189*
- L) 106-35-0210 – KRIKORIAN JARED M., RESOLUTION NO. 56190*
- M) P201600108 - BANC OF AMERICA LEASING AND CAPITAL LLC, RESOLUTION NO. 56191*
- N) P201900103 - SBA TOWERS IX LLC, RESOLUTION NO. 56192*
- O) 102-01-099-D - NOGALES COMMUNITY DEVELOPMENT CORPORATION, RESOLUTION NO. 56193*
- P) P201500119 - SHARP LEASING USA CORP. C/O RYAN LLC, RESOLUTION NO. 56194*

12. APPROVAL OF MINUTES: 10/05/2021 were approved as submitted. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

14. DEMANDS were approved in the total amount of \$807,694.23, of which \$382,555.06 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 Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

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

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

EXECUTIVE SESSION

1. PURSUANT TO A.R.S. § 38-431.03(A)(3) AND (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE AND/OR DIRECTION REGARDING RESOLUTION NO. 2021-13 AND SETTLEMENT ON NOTICE OF CLAIM MADE BY SHOW BASEBALL, INC.

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

CONT. ACTION ITEMS:

15. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2021-13, TO ESTABLISH A BINDING WAIVER OF ENFORCEMENT PURSUANT TO A.R.S. § 12-1134(E) ON PARCEL NO. 111-07-012: Vice-Chairman Bracker made a motion to approve Resolution No. 2021-13 contingent on receipt of the release of all claims from the property owner; seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

The Board recessed the Regular Meeting until the study session at 2:00 pm.

STUDY SESSION - 2:00 P.M.

1. PRESENTATION ON THE DEVELOPMENT OF A SPONGE COUNTY INITIATIVE FOR SANTA CRUZ COUNTY:

Presentation by John E. Hays, Floodplain Coordinator.

Vice-Chairman Bracker asked if this would be for commercial and residential facilities and asked for a cost analysis.

Chairman Ruiz stated he would like the City of Nogales and Town of Patagonia to become familiar with this presentation.

Mr. Hays recommended a draft Resolution put together by Community Development and Public Works for the Board to codify the direction we want to take as a county with this project.

The Board thanked John for his presentation.

ADJOURNMENT

The meeting adjourned at 2:27 p.m. (Motion: Vice-Chairman Bracker; second: Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)