Board of Supervisors
February 4, 2025
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: Rudy Molera, Chairman; John Fanning, Vice-Chairman; Luis Carlos Davis, Member; Jesus Valdez, County Manager; Mauricio Chavez, Deputy County Manager; Robert May, Civil Bureau Chief; Alma Schultz, Clerk of the Board.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Molera called the meeting to order, and the Pledge of Allegiance was recited, led by Dr. Marcelino Varona.

ADOPTION OF AGENDA

Supervisor Davis motioned to adopt the Agenda and deviate from the Agenda sequence as necessary; seconded by Vice-Chairman Fanning; the motion was carried unanimously. (Ayes: Davis, Fanning, Molera)

CALL TO THE PUBLIC:

Mary Darling, a resident of Nogales, spoke on behalf of the Democratic Party, requesting transparency about the Stone Garden grant and other grant aid provided to the Sheriff's office, along with expressing support to the community members about the ongoing deportation.

Larry Frederick, a resident of Rio Rico, spoke in opposition to Action Item J2, specifically about the pay increase for Ms. Smith.

Bonnie Titre, a resident of Rio Rico, spoke in opposition to Action Item J2 and requested that the agreement be placed on hold before accepting an increase when the taxpayers of this county have already lost funds.

Pam Lemke, a resident of Tubac, spoke in opposition to Action Item J2 with a request for a status report on what Stephanie Smith Consulting LLC has done for the county to show transparency and fiscal responsibility and the decision to move forward with the services.

Robin Lucky, a resident of Rio Rico, on behalf of the Calabasas Alliance, spoke in opposition to Action Item J2 which will cost a third of a million dollars in three years.

J. Thompson, a resident of Rio Rico, on behalf of Calabasas Alliance, spoke of Action Item J2 and asked why the agreement was being amended.

Caroline Shaffer, a resident of Patagonia, on behalf of Patagonia Area Resource Alliance, spoke in opposition to Action Item J2 by stating that her recommendation of Stephanie Smith is misinformation and strongly suggested the item be on hold for 6 months.

Sky Leone, a resident of Tubac, spoke in opposition to Action Item J2.

Arnold Travis, a resident of Rio Rico, spoke about the recent withdrawal of Stone Garden grants, expressing concern about local law enforcement and public safety, and urged the Board to do something about this matter.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR DAVIS: continues to meet with community leaders and members, and has something planned, but would like to refrain from speaking about it at this time and has donated books to the local library for film production.

VICE-CHAIRMAN FANNING: thanked Santa Cruz County Shinning for their cleanup this past weekend, attended the Santa Cruz County School Superintendent Education Leadership Consortium, attended Governor Hobbs' Rural Groundwater Management Act water working group, visited the

Sonoita Fairgrounds; attended a Patagonia basketball game; took part in First things First meeting, thanked Pancho Padilla for what he does and announced the first advisory committee for District 3 that will be happening on March 19 at the County Complex and thereafter the location will be throughout the county; and shared his condolences for the passing of Sally Robling.

CHAIRMAN MOLERA: expressed his condolences to Sally Robling's family; attended Paul Bachilier's services and expressed his thoughts and prayers to his family; sent his thoughts and prayers to Omar Caberar's family for the passing of his son; spoke of the executive orders signed by the President and how the tariffs could impact our community and commended the Mexican President for pushing it back and thanked Santa Cruz County Shining clean up event that he would have attended, but needed to attend Paul Bachlier's funeral.

2. MANAGER

JESUS VALDEZ, COUNTY MANAGER, nothing to report at this time.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Deputy County Manager, reported $20,835,976.12 in the General Fund, of which $15,984,133.92 is invested; $6,227,340.55 in the Road Fund, of which $7,880.13 is invested; $2,834,266.57 in the Flood Control District Fund, of which $297,798.80 is invested; $4,719,949.15 in the Jail District Fund, of which $3,250,472.52 is invested; $62,188,130.53 total for all funds, of which $21,586,695.26 is invested; $12,319,821.00 estimated end of month balance, compared to $15,494,261.34 cash at February 2024, a difference of $(3,174,440.34).

2. DEPARTMENT(S) UPDATE

Alejandro Paz, County Treasurer, provided an update on his department for the upcoming auction that will be taking place online and gave a quick tutorial on the following link: https://santacruz.arizonataxsale.com/index.cfm?folder=home

Leonard Fontes, Public Works Director, provided an update on the Rudy Road Project by stating that the design is expected to take 18 months and construction is set for January 2027; I-19 Interchange Improvements (Rio Rico Drive to Rudy Road) design is expected by Fall of 2026 and the cost of the project is estimated at $45-50 million and funding sources still being explored; Babocomari Creek Bridge replacement design expected fall of 2026 and construction starting in 2027; Efrem Canyon Retention Basin meetings are taking place to finalize the design with state and federal departments; spoke of Nogales Wash and Downtown Nogales Floodplain feasibility study to make possible amendments to the ordinance and spoke of road maintenance with the chip seal program covering 20 miles in Rio Rico.

The Board thanked Mr. Fontes.

DISCUSSSION ITEM

1. PUBLIC EDUCATION (REQ: SUPERVISOR DAVIS)

Supervisor Davis spoke of the idea of holding educational segments every month, to have different department heads talk about what they do. These segments would be recorded to be later cut into shorter clips that can be shared with the public via social media and podcasts.

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

EXECUTIVE SESSION

1. PURSUANT TO A.R.S. § 38-431.03(A)(3) & (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE FROM LEGAL COUNSEL AND DIRECTION REGARDING THE GOVNET, INC. LITIGATION (REQ: COUNTY MANAGER)

The Board adjourned the Executive Session and convened into Flood Control District. (Motion: Vice-Chairman Fanning; second: Supervisor Davis; motion carried unanimously) (Ayes: Davis, Fanning, Molera)

FLOOD CONTROL

1. DIRECTOR'S/PROJECT REPORT

Presented by Allan Sanchez, Floodplain Coordinator.

2. MONTHLY REPORT FROM CITY OF NOGALES

No report was submitted.

3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA

The report was submitted in writing.

4. PUBLIC COMMENT

No Public Comment.

The Board adjourned as the Flood Control District Board and convened into the Jail District. (Motion: Vice-Chairman Fanning; second: Supervisor Davis; motion carried unanimously) (Ayes: Davis, Fanning, Molera)

JAIL DISTRICT

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL VACANT JUVENILE DETENTION/TRANSPORT OFFICER POSITION (REQ: PROBATION)

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

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

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION TO APPROVE A LETTER TO SUPPORT COX COMMUNICATIONS' APPLICATION FOR FUNDING THROUGH THE BROADBAND EQUITY, ACCESS AND DEPLOYMENT (BEAD) PROGRAM (REQ: CHAIRMAN MOLERA)

Supervisor Davis made a motion to approve, seconded by Vice-Chairman Fanning; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)
Chairman Molera thanked Juan Balderas, Chief Information Officer.

2. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDED PROFESSIONAL SERVICES CONTRACT WITH STEPHANIE SMITH CONSULTING LLC FOR THE DEVELOPMENT OF THE COMMUNITY PROTECTION AND BENEFITS AGREEMENT, A HERMOSA MINE FAST-41 NEPA RESPONSE AND RELATED SERVICES THROUGH 02/15/2026 IN THE AMOUNT OF $8,333 PER MONTH (REQ: COUNTY MANAGER)

Supervisor Davis made a motion to approve, seconded by Vice-Chairman Fanning; the motion

carried unanimously. (Ayes: Davis, Fanning, Molera)
Vice-Chairman Fanning stated that he understands the concerns, but also knows that the agreement can be revisited if the dialogue does not continue and will continue to make sure voices are heard.
Supervisor Davis asked if the agreement could be revisited or terminated.
Robert May, Civil Chief Bureau responded with concern about the terms of the agreement.
Chairman Molera asked for an update and transparency on the item's progress.

CONSENT AGENDA

Supervisor Davis made a motion to approve the Consent Agenda as presented, seconded by Vice-Chairman Fanning; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

1. DISCUSSION/POSSIBLE ACTION TO APPROVE WAIVER OF SOLID WASTE USER FEE FOR PATRICIA SCARBORO THE LANDFILL AS PART OF DISASTER RELIEF (REQ: VICE-CHAIRMAN FANNING)

2. DISCUSSION/POSSIBLE ACTION TO APPROVE APPOINTMENTS TO THE DISTRICT 1 BOARD OF ADJUSTMENTS EFFECTIVE IMMEDIATELY OF: (REQ: SUPERVISOR DAVIS)

A MOREY FERNANDEZ TO SERVE AN INITIAL TWO (2) YEAR TERM

B CLIFFORD ROBERTS TO SERVE AN INITIAL TWO (2) YEAR TERM

C VERONICA HUDITA TO SERVE AN INITIAL FOUR (4) YEAR TERM

D JUDITH JOHNSON TO SERVE AN INITIAL FOUR (4) YEAR TERM

3. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL:

A VACANT COURT CLERK POSITION (REQ: CLERK OF SUPERIOR COURT)

B TWO (2) VACANT COURT CLERK POSITIONS (REQ: JUSTICE COURT)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RESCHEDULING OF THE MARCH 4, 2025, REGULAR MEETING TO TUESDAY, MARCH 11, 2025 AT 9:30 AM (REQ: CLERK)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDED AND RESTATED SUBCONTRACT WITH THE ARIZONA BOARD OF REGENTS, UNIVERSITY OF ARIZONA, FOR SENIOR HEALTH PROMOTION AND SERVICES PREVIOUSLY APPROVED 01/07/2025 TO REMAIN EFFECTIVE THROUGH 06/30/2025 (REQ: HEALTH SERVICES)

6. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 3 TO SUBRECIPIENT AGREEMENT 21-AZDOHS-OPSG-210440-01 WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE REPORTING REQUIREMENT DEADLINE (REQ: SHERIFF)

7. DISCUSSION/POSSIBLE ACTION TO APPROVE PY24/FY25 WIOA TITLE FUNDING ALLOCATIONS UNDER INTERGOVERNMENTAL AGREEMENT NO. D123-002391 FOR WIOA TITLE 1 ADULT, DISLOCATED WORKER, YOUTH AND RAPID RESPONSE PROGRAM IN THE TOTAL AMOUNT OF $1,522,034 (REQ: WIOA)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE APPLICATION FOR FIREWORKS DISPLAY IN TUBAC AT TUBAC GOLF RESORT ON MARCH 8, 2025 (REQ: CLERK)

9. APPROVAL OF MINUTES: 01/21/2025

10. APPROVAL OF DEMANDS were approved in the total amount of $1,022,137.17, of which $585,318.46 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.

ADJOURNMENT

The meeting adjourned at 11:16 a.m. (motion: Vice-Chairman Fanning; second: Supervisor Davis; motion carried unanimously) (Ayes: Davis, Fanning, Molera)