

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 Melissa Gallegos.

ADOPTION OF AGENDA

Supervisor Davis made a motion to adopt the agenda, with the modification of moving Consent Agenda item H6 to Action Items, and allowing for deviations from the agenda sequence as necessary; seconded by Vice-Chairman Fanning; motion carried unanimously. (Ayes: Davis, Fanning, Molera)

CALL TO THE PUBLIC:

Carlos Luis Aponte, a resident of Tucson and owner of El Campo Cantina in Sonoita, stated he was present to address any concerns about his liquor license application.

Mary Darling, a resident of Nogales, spoke about the upcoming Special Primary Election for Congressional District 7, noting that early voting begins on June 18 and the election is scheduled for July 15, 2025. She also mentioned that many people are not aware of this election.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR DAVIS: spoke about the Nogales 1/4 Marathon & Health Fair held on April 26 in Downtown Nogales, which saw participation from nearly 900 people. He expressed optimism for next year's event, aiming to attract over 1,000 participants, including visitors from outside the community, to help promote tourism. Supervisor Davis also recognized Edgardo Muñoz and his team of volunteers for their hard work in making the event successful. Additionally, Supervisor Davis reported attending the Choir performance at Challenger, the international film festival at Oasis Cinema, the Robotics program, and the Most Influential Teacher event at Rio Rico High School. He also noted hosting his quarterly "Cafecito" community outreach sessions, with the next scheduled for the second quarter, during which he plans to visit various locations across District 1 to engage with constituents.

VICE-CHAIRMAN FANNING: reiterated Mary Darling's remarks regarding the Special Election. Announced an open house scheduled for tomorrow at 5:30 p.m. Reported meeting with Senator Kelly as part of the Port Authority meeting and having a direct conversation with Representative Ciscomani. Participated in the South32 groundbreaking ceremony, STEAM Night in Rio Rico, and the Early Childhood Education awards, expressing gratitude to Christopher Young for his contributions to children's programs. Mentioned involvement with the East County neighbor initiative, including visits to local wineries, discussions with owners, and efforts to better connect Tubac with the winery community, with more meetings planned. Thanked Mauricio for his efforts and participation in budget meetings. Expressed gratitude to Alejandro Paz for serving as the main presenter during the previous advisory committee. Also, he is looking forward to the Senior Exhibitions at Nogales High School on Friday. He was reviewing candidates for Teacher of the Year, and he concluded by thanking Leonard and his staff for road repairs in Rio Rico.

CHAIRMAN MOLERA: reported being active in the community, emphasizing the Board's commitment to ensuring information is effectively communicated to the public. Expressed gratitude to staff for their efforts in supporting this goal. Participated in the Small Counties meeting, met with Senator Kelly, and thanked the Port Authority for their meeting. Attended the South32 groundbreaking ceremony, an award event with Christopher Young, the Boys and Girls Club Carne Asada, and a Santa Cruz Valley Unified School District No.35 event, where students selected their most influential teacher from high school. Acknowledged Mary Dahl for her work in securing Community Development Block Grant (CDBG) funding and thanked everyone involved in conducting surveys to support funding for Damon Park. Finally, he thanked Mauricio and his staff for their work on the budget meetings and requested Mauricio develop a four-year plan aimed at providing community relief equivalent to at least a 3-cent reduction per year.

2. MANAGER

JESUS VALDEZ, COUNTY MANAGER, explained that the County received additional funding through the Community Development Block Grant (CDBG) program from the Town of Patagonia to support community projects. He met with all departments during budget meetings, and Mauricio Chavez, Deputy County Manager, will prepare a tentative budget and tax rate plan for the Board's review and consideration.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Deputy County Manager, reported \$24,109,083.18 in the General Fund, of which \$16,157,325.60 is invested; \$6,934,421.14 in the Road Fund, of which \$5,007,965.52 is invested; \$3,315,953.28 in the Flood Control District Fund, of which \$301,025.52 is invested; \$6,906,498.88 in the Jail District Fund, of which \$5,285,692.12 is invested; \$71,010,869.21 total for all funds, of which \$28,820,591.34 is invested; \$15,303,123.22 estimated end of month balance, compared to \$17,408,998.02 cash at May 2024, a difference of \$(2,105,874.80).

Following the report, Supervisor Davis asked the County Manager to address the public regarding the steps being taken to prevent a recurrence of the treasurer's embezzlement. County Manager Valdez stated that preventive measures are currently being implemented and clarified that the Finance Department was not involved in the incident.

2. DEPARTMENT(S) UPDATE

Vice-Chairman Fanning made a motion to recess the Regular Meeting and convene the Flood Control District Board, seconded by Supervisor Davis; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

FLOOD CONTROL

1. DIRECTOR'S/PROJECT REPORT

Allan Sanchez, Floodplain Coordinator, presented the report, which was also submitted in writing.

2. MONTHLY REPORT FROM CITY OF NOGALES

A report was not submitted.

3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA

A report was submitted in writing.

4. PUBLIC COMMENT

None.

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

STUDY SESSION

1. PRESENTATION BY THE UNIVERSITY OF ARIZONA COOPERATIVE EXTENSION OF SANTA CRUZ COUNTY SNAP-ED PROGRAM AND MOUNTAIN VIEW ELEMENTARY SCHOOL (REQ: CHAIRMAN MOLERA)

Presented by Roxanna Leyva with the University of Arizona Cooperative Extension of Santa Cruz County SNAP-Ed program with students from Mountain View Elementary School Principal Dominic Armijo and Honors Society students.

The Board thanked the students and Mr. Dominic Armijo and Roxanna Leyva for being great leaders.

2. UPDATE BY THE GREATER NOGALES SANTA CRUZ COUNTY PORT AUTHORITY BY JOSH RUBIN, CHAIRMAN OF THE GREATER NOGALES SANTA CRUZ COUNTY PORT AUTHORITY (REQ: COUNTY MANAGER)

Josh Rubin, Chairman of the Greater Nogales Santa Cruz County Port Authority, provided an update to the Board.

Supervisor Davis thanked Mr. Rubin for the update and inquired about any additional projects beyond the Deconcini Port of Entry where the County, City of Nogales, and Port Authority might collaborate. Mr. Rubin responded that while there are other projects previously discussed with Supervisor Davis, the primary focus remains the Downtown Revitalization project. Vice-Chairman Fanning expressed appreciation to Mr. Rubin and all involved, particularly for their engagement with legislators on behalf of Santa Cruz County. Mr. Rubin emphasized that a unified community voice before legislators is powerful and thanked the Board for their support. Chairman Molera concurred and thanked Mr. Rubin for his presentation.

Supervisor Davis made a motion to adjourn the Study Session and reconvene the Regular Meeting seconded by Vice-Chairman Fanning; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATION DECLARING: (REQ: SHERIFF)

The Board expressed gratitude to Sheriff Hathaway for presenting the proclamations to the Board and commended the Sheriff's Department for their service. Vice-Chairman Fanning read Proclamation 1a, followed by Chairman Molera reading Proclamation 1b, in the order listed on the agenda. Vice-Chairman Fanning made a motion to approve, seconded by Supervisor Davis; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

A MAY 4, 2025 THROUGH MAY 10, 2025, AS NATIONAL CORRECTIONAL OFFICER WEEK

B MAY 11, 2025 THROUGH MAY 17, 2025, AS PEACE OFFICERS MEMORIAL DAY AND NATIONAL POLICE WEEK

2. DISCUSSION/POSSIBLE ACTION TO APPROVE A REVISED AIRCRAFT HANGAR STORAGE AGREEMENT FOR USE AT THE NOGALES INTERNATIONAL AIRPORT (REQ: SPECIAL PROJECTS)

Mary Dahl explained that the item aims to modernize the Aircraft Hangar Storage Agreement,

updating it from its original version dating back to the 1990s to ensure it includes current safeguards for both parties. Robert May, Bureau Chief - Civil Division, concurred with Ms. Dahl said that this is something that can be done after discussion in the Executive Session or to move forward with it now, and differed to Ms. Dahl. Ms. Dahl agreed to move forward with the item before the Executive Session. The Board thanked Ms. Dahl.

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

6. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT NO. 25-009-54 WITH THE ARIZONA STATE PARKS BOARD FOR COOPERATIVE OPERATION AND MAINTENANCE OF THE TUBAC PRESIDIO STATE HISTORIC PARK EFFECTIVE THROUGH 2028 WITH RENEWAL FOR UP TO (4) FOUR (3) THREE-YEAR TERMS FOR A MAXIMUM TERM OF (15) FIFTEEN YEARS IN THE ANNUAL AMOUNT OF \$15,000 AND UTILITIES EXCEEDING \$12,000 (REQ: COUNTY MANAGER)

County Manager Valdez stated that the agreement began during the Great Recession when the County took over operations to prevent the Presidio's closure. The County provides \$15,000 in funding and helps pay for utilities that are over \$12,000. The agreement includes renewal terms and remains vital to Tubac and its visitors. Supervisor Davis asked for clarification on the utilities cost. Chairman Molera spoke of the amazing work done to keep the park open. County Manager Valdez suggested a presentation on a visitation of the park. Deputy County Manager Chavez stated that the funds are provided by the General Fund. Vice-Chairman stated that it is a dual win for both the community and visitors.

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

CONSENT AGENDA

Vice-Chairman Fanning made a motion to approve Consent Agenda with item 6 moved to Action Items, seconded by Supervisor Davis; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL VACANT:

~~A OFFICE ASSISTANT POSITION~~ PUBLIC SAFETY RECORDS CLERK (REQ: SHERIFF)

B ADMINISTRATIVE ASSISTANT POSITION (REQ: PROBATION)

C LEGAL ASSISTANT POSITION (REQ: COUNTY ATTORNEY)

D CHIEF BUILDING OFFICIAL POSITION (REQ: COMMUNITY DEVELOPMENT)

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE AMENDMENT TO THE RE-APPOINTMENT OF SHEILA DAGUCON AS A PAID PART-TIME JUDGE PRO-TEMPORE TO SERVE IN THE SUPERIOR COURT FROM JULY 1, 2025 THROUGH JUNE 30, 2026 (REQ: SUPERIOR COURT)

3. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RE-APPOINTMENT OF DEIRDRE ESHLEMAN AS A PAID PART-TIME JUDGE PRO TEMPORE TO SERVE IN JUSTICE OF THE PEACE FROM JULY 1, 2025 THROUGH JUNE 30, 2026 (REQ: SUPERIOR COURT)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE REVISION NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT APPROVED ON SEPTEMBER 24, 2024 WITH DAVID E. SHAMBACH, ARCHITECT, INC. FOR THE COUNTY ANIMAL SHELTER PROJECT IN THE AMOUNT OF \$40,033.49 (REQ: SPECIAL PROJECTS)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE FACILITIES USE AGREEMENT, SPECIAL EVENT AGREEMENT, AND WAIVER/RELEASE OF LIABILITY FOR PUBLIC USE OF COUNTY-OWNED PROPERTIES OR FACILITIES (REQ: COUNTY MANAGER)

7. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH THE FRIENDS OF THE TUBAC PRESIDIO AND MUSEUM TO PROVIDE STAFFING AND PROFESSIONAL CURATION SERVICES FOR THE OPERATION OF THE PARK FOR A TERM OF (5) FIVE YEARS WITH A TERM RENEWAL IN ACCORDANCE WITH INTERGOVERNMENTAL AGREEMENT NO. 25-009-54 WITH THE ARIZONA STATE PARKS BOARD (REQ: COUNTY MANAGER)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT WITH HEINFELD MEECH & CO., P.C. TO PERFORM CASH HANDLING REVIEWS OF COUNTY DEPARTMENTS IN THE AMOUNT OF \$34,340 (REQ: DEPUTY COUNTY MANAGER)

9. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 1 TO INTERGOVERNMENTAL AGREEMENT NO. 24-0009820-I WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) TO AUTHORIZE ADOT TO MANAGE AND OVERSEE THE RUBY ROAD BRIDGE OVER THE POTRERO CREEK AND THE UNION PACIFIC RAILROAD PROJECT (REQ: PUBLIC WORKS)

10. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO.1 TO ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY AGREEMENT NO. EV25-0016 IN CONNECTION WITH HAZARDOUS MATERIALS PREPAREDNESS GRANT NO. 693JK32240018HMEP TO PROVIDE ADDITIONAL TRAINING OPPORTUNITIES, EMERGENCY PLANS, AND RESOURCES WITHIN THE COUNTY (REQ: EMERGENCY MANAGEMENT)

11. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE WARRANT #4-049275 IN THE AMOUNT OF \$210.70 DATED 12/20/2024 PAYABLE TO APPERSON EDUCATION PRODUCTS (REQ: CLERK)

12. DISCUSSION/POSSIBLE ACTION FOR RECOMMENDATION OF APPROVAL OF THE APPLICATIONS FOR LIQUOR LICENSES FOR: (REQ: CLERK)

A EL CAMPO CANTINA IN SONOITA

B BRIGAND WINES LLC IN ELGIN

13. APPROVAL OF TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR)

A 117-02-091 - JOAQUIN VALENZUELA & MEYBEL ACOSTA, RESOLUTION NO. 57055

B 112-11-011 - GEORGE W. BORMAN & MARGARET M. BORMAN, RESOLUTION NO. 57115

C 108-07-032 - ADAM K. MCFEE & SAMANTHA A. MCFEE, RESOLUTION NO. 57152

D 108-07-032 - ADAM K. MCFEE & SAMANTHA A. MCFEE, RESOLUTION NO. 57153

E 108-07-032 - ADAM K. MCFEE & SAMANTHA A. MCFEE, RESOLUTION NO. 57154

F 109-29-044 - ADAM D. SNELL & RENATA FABIANE, RESOLUTION NO. 57157

G 101-36-084 - MARIA GUTIERREZ AND LUDIVINA GUTIERREZ CORRAL, RESOLUTION NO. 57158

H 116-12-051 - CAAS LLC, RESOLUTION NO. 57159

14. APPROVAL OF MINUTES: 04/15/2025

15. APPROVAL OF DEMANDS were approved in the total amount of \$1,691,126.61, of which \$922,386.09 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.

Supervisor Davis asked Bureau Chief - Civil Division, Robert May, to explain the significance of the Board of Supervisors holding Executive Sessions. Mr. May clarified that these sessions are important for preserving attorney-client privilege. He further explained that Executive Sessions have specific exemptions and offer an opportunity for in-depth discussions and legal counsel to advise the County Board of Supervisors. Supervisor Davis thanked Mr. May for his response.

Supervisor Davis made a motion to recess the Regular Meeting to convene into Executive Session seconded by Vice-Chairman Fanning; 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 AUDITOR GENERAL'S CROSS-COMPLAINT AGAINST THIRD PARTIES (REQ: COUNTY MANAGER)

2. PURSUANT TO A.R.S. § 38-431.03(A)(3) & (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE FROM LEGAL COUNSEL AND PROVIDE DIRECTION REGARDING TENNANT OBLIGATIONS AND POTENTIAL LITIGATION INVOLVING AN AIRPORT TENNANT (REQ: COUNTY MANAGER)

The Board adjourned the Executive Session and reconvened into the Regular Meeting for adjournment. (Motion: Supervisor Davis; second: Vice-Chairman Fanning; motion carried unanimously) (Ayes: Davis, Fanning, Molera)

ADJOURNMENT

The meeting adjourned at 12:12 p.m. (motion: Vice-Chairman Fanning; second: Supervisor Davis; motion carried unanimously) (Ayes: Davis, Fanning, Molera)

