

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; Christopher Young, 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 Maya Donnelly.

ADOPTION OF AGENDA

Vice-Chairman Fanning made a motion to adopt the Agenda as submitted with number 7 under Consent Agenda, moving up to Action Items and allowing the Chair to deviate as necessary; seconded by Supervisor Davis. The motion carried unanimously. (Ayes: Davis, Fanning, Molera)

CALL TO THE PUBLIC:

Susan Faubion, a resident of Rio Rico, spoke regarding an issue involving the absence of a septic line at her residence. She requested reimbursement from the County in the amount of approximately 10,500 dollars and reported that she had been offered half of that amount. She stated she was informed that any additional reimbursement would need to be submitted to the County's insurance, and that the County had been advised not to issue further payment. She also stated that the County indicated the matter should be resolved between her and her neighbor, and that she felt unsafe as a result of the situation.

Chris Werkhoven, a resident of Arizona, spoke regarding omissions he identified in the EPA's review of ADEQ's water and air permits issued to S32. He stated that the Coronado National Forest (CNF), acting as the EPA's lead agency, added certain environmental impacts but did not include S32's ongoing mining activities in Alaska. He noted concerns including the potential mobilization of antimony and other toxic metals, which he said contradicts ADEQ's Aquifer Protection Permit, and higher-than-previously-used lead emission estimates that he believes warrant reopening the air permit. He stated that only the EPA can require the reopening of these permits and that public comments are due within four days. He also expressed concern that the EPA had been excluded from environmental review under the FAST-41 program and questioned the independence of the CPBA, noting potential conflicts of interest. He urged further examination of the protections ADEQ is providing.

Wendy Islas, Rio Rico resident, thanked the County for the monthly South32 early-actions updates, acknowledged the GOV101 series, and commented on the Comprehensive Plan update. She requested additional avenues for public input and emphasized the need for sustained community engagement. She asked for continued updates, urged the County to oppose a battery-grade manganese facility, and requested inclusion of independent water and air-quality testing in related correspondence.

DEPARTMENT REPORTS AND ACTIVITIES

1. AWARDS, RECOGNITIONS & ACCOMPLISHMENTS:

A RECOGNITION OF JESSENCE OCTAVIO-CALLEJO, 2026 AIA GIRLS DIVISION II STATE WRESTLING CHAMPION, CELEBRATING HER REMARKABLE ACHIEVEMENT AND COMMITMENT TO EXCELLENCE IN ATHLETICS (REQ: CHAIRMAN MOLERA)

The Board recognized Jessence Octavio-Callejo, 2026 AIA Girls Division II State Wrestling Champion, for her outstanding achievement and dedication to athletic excellence. The recognition was presented by Chairman Rudy Molera.

ACTION ITEMS

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

A APRIL 19, 2026 THROUGH APRIL 25, 2026, AS ADMINISTRATIVE PROFESSIONAL WEEK

Vice-Chairman Fanning read the proclamation.

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

B MAY 3, 2026 THROUGH MAY 9, 2026, AS NATIONAL CORRECTIONAL OFFICER WEEK

Chairman Molera read the proclamation.

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

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR DAVIS: reported attending Senator Ruben Gallego's housing town hall in Phoenix and meeting with him beforehand to discuss housing issues and the possibility of hosting a similar event in Santa Cruz County. She attended the Vista Village Community Empowerment Center ribbon-cutting hosted by CPLC and noted ongoing collaboration with CPLC on local housing projects. She met with Pima County leadership, City of Nogales representatives, and the Mexican Consulate to discuss regional issues including border dynamics, trade, and passenger rail. She also met with Arizona@Work, CPLC, and SER Jobs for Progress to explore two potential workforce projects. She and the County Manager met with Representative Stephanie Stahl Hamilton to provide county updates and plan for continued discussions. She toured South32 with Colin Bishop, noting project progress and employees' comments about being able to work and stay in the county.

VICE-CHAIRMAN FANNING: reported meeting with Ben Lomeli and John Combo regarding water issues and meeting with Representative Grijalva to discuss matters affecting the eastern portion of the county. He noted discussions with Supervisor Derby Forest of Tucson and a meeting with Valley Leadership to receive updates on topics important to the community. He observed proceedings before Judge Olaiz and Judge Fink, noting their fairness and firm judicial approach. He also held a follow-up meeting on the Growing Smart Water presentation with Shannon and Chris Young. He reminded the public that Community Day will take place on Saturday, with County support, thanked Howdy and his team for their work, and highlighted the free pancake breakfast at 8 a.m. and the many informational booths available.

CHAIRMAN MOLERA: reported attending the funeral service of former County employee Benjamin Coronado and offered condolences to his family. He thanked Gabriel Badillo and the church group that conducted a community trash-cleanup effort last week. He noted that Chris Young participated in a Small Counties meeting and a Board of Directors meeting earlier today. He reminded the public that the Peña Blanca Family Outdoor Event will be held on April 25, in coordination with Game and Fish and the Forest Service, and will include hiking and other outdoor activities.

2. MANAGER

JESUS VALDEZ, COUNTY MANAGER, announced that the budget season will begin next week, with meetings scheduled with all County offices. He noted that Mauricio and the Finance team would

organize the budget information. He reported meeting with the Interim City Manager regarding the renewal of intergovernmental agreements (IGAs) for animal control and library services, with flood control to be addressed next. He stated that CSA (County Supervisors Association) compiled data from all counties on tax rates and levy limits and recommended holding a study session to review the information for the county.

Supervisor Davis asked about whether the City Manager received all necessary information for the animal control and library services, and Mr. Valdez confirmed that he had, noting that Mr. Young sent it to the City Manager.

DEPARTMENT REPORTS AND ACTIVITIES CONT.

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

Maria Martinez, Assistant Finance Director, reported \$21,699,591.49 in the General Fund, of which \$16,767,308.53 is invested; \$5,529,454.49 in the Road Fund, of which \$5,186,189.09 is invested; \$3,054,717.82 in the Flood Control District Fund, of which \$312,557.60 is invested; \$7,950,274.35 in the Jail District Fund, of which \$4,454,733.72 is invested; \$62,394,385.43 total for all funds, of which \$28,868,075.45 is invested; \$11,445,748.95 estimated end of month balance, compared to \$16,136,510.00 cash at April 2026, a difference of \$(4,690,761.05).

2. DEPARTMENT(S) UPDATE

Zaida Bustamante, WIOA Director, reported on a recent hiring event, highlighted a successful job placement, and described a developing partnership with Chicano Por La Causa to support job opportunities and a high school Construction Trade internship program. She recognized WIOA Board Chair Dina Sanchez, longtime staff member Mary Castillo, and Karen Velasco, who shared how Arizona@Work's support helped her become a registered nurse and continue her education. Deputy County Manager Mauricio Chavez noted that Arizona@Work programs are federally funded through the Department of Labor and emphasized that Board support enables the County to provide these community benefits.

Colin Bishop, Community Development Director, addressed a public comment regarding the Comprehensive Plan and public engagement. He stated that the County has a corrected contract with the facilitators, who are enthusiastic about broad public involvement. He noted that workshops, surveys, and other engagement opportunities will occur prior to the committee phase, providing multiple avenues for public participation. He added that on April 28 at 6:00 PM in Sonoita, staff will present the final report on the cuisine tourism grant.

Supervisor Davis requested an update on the Animal Control donation button. County Manager Valdez noted that Chief Information Officer Juan Balderas was attending virtually to provide the update. Mr. Balderas reported that the process for enabling credit card payments is underway and that a website link is already available. He added that a dedicated online donation button will be active within the next few weeks.

Supervisor Davis asked County Manager Valdez for an update on the antiracketeering case and whether any new information was available. County Manager Valdez reported that there were no new developments but noted the item could be placed on an upcoming agenda. Supervisor Davis requested future updates and County Manager Valdez stated he would follow up with the legal team.

A UPDATE ON EARLY ACTIONS COMMUNITY INVESTMENT AGREEMENT BY COUNTY MANAGEMENT

Chris Young provided an update, noting that CPBA will hold an important community engagement event in Patagonia on May 20 to explain the Early Actions. He reported that the draft

scope of work has been completed and should be ready for approval soon. He also noted that the Patagonia flood control study has advanced in the approval process, the First Things First child-care study by the University of Arizona is underway, and the major base-economy project remains in phase one, with a less intensive scope of work at this stage.

ACTION ITEMS CONT.

2. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH GREG HITT TO PROVIDE HEARING OFFICER SERVICES FOR BUILDING CODE VIOLATIONS, HEALTH SERVICES VIOLATIONS, AND OTHER CIVIL ADMINISTRATIVE LAW MATTERS AS AGREED, EFFECTIVE THROUGH APRIL 15, 2027, AT A RATE OF \$75 PER HOUR, NOT TO EXCEED \$450 PER ASSIGNED HEARING (REQ: COMMUNITY DEVELOPMENT)

Colin Bishop provided an overview of the item, explaining the violations process and noting that handling these matters through civil procedures helps reduce pressure on department heads. He stated that more serious cases will continue to require formal hearings and that the contracted provider has extensive experience. He added that the County is shifting from a reactive approach to a more proactive one to support a cleaner and more attractive community. Supervisor Davis asked how often hearings would occur, and Mr. Bishop responded that increased hearings would help demonstrate that the County is taking these violations more seriously. Mr. Bishop further noted that he is convening multiple department heads, along with Mr. May, to review countywide enforcement efforts and determine how to use existing resources to become more proactive rather than reactive and that everyone is responsible for keeping the community safe and beautiful.

Bonnie Titre, a resident of Rio Rico, stated that at 3:45 a.m. she was awakened by noise from a contractor pouring concrete from Tucson. She also noted that she continues to pick up construction-related trash left by major contractors in the area.

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

4. DISCUSSION/POSSIBLE ACTION TO APPROVE RESPONSE TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) FOR THE SOUTH32 HERMOSA CRITICAL MINERALS PROJECT (REQ: COUNTY MANAGER)

Chris Young, Deputy County Manager, briefed the Board on the input provided in the FEIS letter input meeting and asked the Board to approve the letter with the ability to adjust the letter as needed that is needs to be submitted by Friday the 20th of April.

Vice-Chairman Fanning moved to submit the FEIS letter based on the County's existing comments and incorporating the input provided by local citizens earlier in the meeting. Supervisor Davis seconded the motion, and it carried unanimously (Ayes: Davis, Fanning, Molera).

The Board thanked Mr. Young, Mr. Bishop and the community for their engagement on the item.

CONSENT AGENDA

Vice-Chairman Fanning made a motion to approve Consent Agenda with minus number seven (7), seconded by Supervisor Davis; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

1. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RESCHEDULING OF THE REGULAR MEETING ORIGINALLY SCHEDULED FOR 9:30 AM ON WEDNESDAY, MAY 6, 2026, TO 9:30 AM ON WEDNESDAY, MAY 13, 2026 (REQ: CLERK)

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

A ADULT PROBATION OFFICER POSITION (REQ: PROBATION)

B DEPUTY CORPORAL POSITION (REQ: SHERIFF)

C PUBLIC SAFETY TELECOMMUNICATOR POSITION (REQ: SHERIFF)

D ROADS FOREMAN POSITION (REQ: PUBLIC WORKS)

E ADMINISTRATIVE ASSISTANT (REQ: CLERK)

F COURT CLERK, SENIOR/ASSISTANT JURY COMMISSIONER POSITION (REQ: CLERK OF THE SUPERIOR COURT)

G COURT CLERK POSITION (REQ: CLERK OF THE SUPERIOR COURT)

H RECORDER/VOTER CLERK POSITION (REQ: RECORDER)

3. DISCUSSION/POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF OMAR VILLA AS A PAID TEMPORARY PART-TIME JUDGE PRO TEMPORE TO SERVE IN JUSTICE OF THE PEACE FROM APRIL 15, 2026 THROUGH APRIL 15, 2027 (REQ: SUPERIOR COURT)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE AUTHORIZATION TO ADVERTISE FOR THE JOB ORDER CONTRACTING FOR PUBLIC WORKS PROJECTS (REQ: COUNTY MANAGER)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH WORKED CONSULTING TO DEVELOP THE PHASE I RECOMPETE AI AND GREEN JOBS WORKFORCE DEVELOPMENT INITIATIVE, EFFECTIVE THROUGH JUNE 30, 2026, IN THE AMOUNT NOT TO EXCEED \$87,300 (REQ: DEPUTY COUNTY MANAGER)

6. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT WITH SOUTHWEST DECISION RESOURCES FOR CONSULTING SERVICES ON THE COMPREHENSIVE PLAN AMENDMENTS PREVIOUSLY APPROVED APRIL 1, 2026 TO INCORPORATE SCOPE OF WORK, EXHIBIT A IN THE AMOUNT OF \$88,500 (REQ: COMMUNITY DEVELOPMENT)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 2 TO AGREEMENT NO. CTR077322 WITH ARIZONA DEPARTMENT OF EDUCATION FOR FAMILY ENGAGEMENT EARLY LITERACY HUBS EFFECTIVE THROUGH DECEMBER 31, 2026, IN THE AMOUNT OF \$100,000 (REQ: SCHOOL SUPERINTENDENT)

9. DISCUSSION/POSSIBLE ACTION TO APPROVE GRANT FEDERAL AWARD ID NO. 1945404-51-26 WITH NATIONAL ENDOWMENT FOR THE ARTS TO SUPPORT MULTIDISCIPLINARY ARTS EDUCATION PROGRAMS FOR MIDDLE AND HIGH SCHOOL STUDENTS EFFECTIVE THROUGH DECEMBER 31, 2026 IN THE AMOUNT OF \$40,000 (REQ: SCHOOL SUPERINTENDENT)

10. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 2025-077 WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY TO

**ENHANCE LAW ENFORCEMENT SERVICES FOR LOCAL BORDER SUPPORT
EFFECTIVE UNTIL DECEMBER 31, 2026, REALLOCATING FUNDING PREVIOUSLY
DESIGNATED FOR LICENSE PLATE READERS TO THE PURCHASE AND UPFITTING
OF A MOBILE COMMAND POST UNIT IN THE AMOUNT OF \$125,000 WITHIN THE
TOTAL AGREEMENT AMOUNT OF \$540,434.20 (REQ: SHERIFF)**

**11. DISCUSSION/POSSIBLE ACTION TO APPROVE MEMORANDUM OF
UNDERSTANDING WITH NOGALES UNIFIED SCHOOL DISTRICT FOR
IMPLEMENTATION AND SUBSEQUENT MAINTENANCE OF THE PLAYGROUND
STRUCTURE FOR PIERSON FIELD TO BE FUNDED THROUGH A COMMUNITY
DEVELOPMENT BLOCK GRANT (REQ: SPECIAL PROJECTS)**

**12. DISCUSSION/POSSIBLE ACTION TO APPROVE EMERGENCY VOTING
PROCEDURE ACCORDING TO A.R.S. § 16-542(H) (REQ: RECORDER)**

**13. DISCUSSION/POSSIBLE ACTION TO APPROVE EARLY BALLOT DROP BOX
LOCATIONS AND EARLY VOTING SITES FOR THE JULY 21, 2026, PRIMARY
ELECTION (REQ: RECORDER)**

**14. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2026-05
CANCELING PRECINCT COMMITTEEPERSONS ELECTIONS ON JULY 21, 2026, AND
APPOINTING CANDIDATES THAT FILED AS DEEMED ELECTED (REQ: ELECTIONS)**

**15. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE
WARRANT #4-052849 IN THE AMOUNT OF \$1,750.00 DATED 02/27/2026 PAYABLE TO
UNEARTH SONORAN DESERT LOCATING LLC (REQ: CLERK)**

**16. DISCUSSION/POSSIBLE ACTION TO APPROVE APPLICATION FOR
FIREWORKS DISPLAY AT THE RIO RICO HIGH SCHOOL ON MAY 21, 2026 (REQ:
CLERK)**

**17. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RECOMMENDATION OF
APPROVAL FOR A SPECIAL EVENT LICENSE APPLICATION FOR: (REQ: CLERK)**

**A ARIZONA CRAFT PRODUCERS ASSOCIATION FOR AN EVENT ON MAY 16, 2026
AT PATAGONIA LAKE STATE PARK**

B WISDOM SPORTS AND SCHOLARS FOR AN EVENT ON JULY 3, 2026 IN TUBAC

**C ARIZONA CRAFT PRODUCERS ASSOCIATION FOR AN EVENT ON JULY 27,
2026 IN ELGIN**

18. APPROVAL OF MONTHLY REPORTS

19. APPROVAL OF MINUTES: 04/01/2026

20. APPROVAL OF DEMANDS were approved in the total amount of \$1,440,513.13, of which \$767,511.53 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.

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

ACTION ITEMS CONT.

7. DISCUSSION/POSSIBLE ACTION TO APPROVE COMMUNITY INVESTMENT AGREEMENT WITH SOUTH32 HERMOSA INC. TO RECEIVE FUNDING TO SUPPORT THE 2026 AND 2027 SUMMER CAMPS IN THE AMOUNT OF \$99,550 (REQ: SCHOOL SUPERINTENDENT)

Maya Donnelly, School Superintendent, provided an overview of the grant application, noting that it will fund two years of summer camp programming and adding that not all grants are willing to cover summer camps. Supervisor Davis asked how students may apply, and Ms. Donnelly explained that applications are available on the website, at schools, and other locations, and that the program is free of charge.

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

Vice-Chairman Fanning then moved to recess Regular Session to convene as the Jail District, seconded by Supervisor Davis; the motion carried unanimously. (Ayes: Davis, Fanning, Molera)

JAIL DISTRICT

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

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

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

STUDY SESSION

1. GOVERNMENT 101: ROLES AND RESPONSIBILITIES OF PUBLIC WORKS DEPARTMENT BY STAFF

Chairman Molera called for a four-minute recess. Before restarting the meeting, Chairman Molera introduced Alessandra Dezubeldia with the Nogales International. Vice-Chairman Fanning stated that he will need to leave at 11:00 a.m. for an appointment in Tucson that he couldn't miss.

Deputy County Manager Chris Young as interim Public Works Director, presented an overview of the Public Works Department, summarizing its statutory authority under A.R.S. provisions related to roads, solid waste, and flood control. He reviewed the department's organizational structure and its major operational divisions, including Roads, Floodplain, Solid Waste, and Buildings and Parks, along with key functions such as road maintenance, engineering support, right-of-way permitting, drainage management, and landfill operations. 1

Deputy County Manager Young also highlighted the department's use of SeeClickFix, a tool that allows the public to report potholes and other road issues directly. The informational materials encourage residents to download the app, include instructions on submitting reports, and provide a contact number for additional assistance.

Chairman Molera asked for an update on the Ruby Road project. County Manager Valdez reported that

the project is being designed by an ADOT-contracted consultant and that ADOT is administering the project.

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

EXECUTIVE SESSION

1. PURSUANT TO A.R.S. § 38-431.03(A)(3) & (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE AND/ OR DIRECTION REGARDING POTENTIAL SETTLEMENT WITH RIO RICO MEDICAL AND FIRE DISTRICT, NOGALES SUBURBAN FIRE DISTRICTS AND POTENTIAL OTHER FIRE DISTRICTS COVERING ALL LITIGATION MATTERS RELATED TO THE EMBEZZLEMENT BY THE FORMER COUNTY TREASURER ELIZABETH GUTFAHR (REQ: COUNTY MANAGER)

The Board adjourned the Executive Session and reconvened into the Regular Meeting. (Motion: Supervisors Davis; second: Chairman Molera; motion carried) (Ayes: Davis, Molera)

ACTION ITEMS CONT.

3. DISCUSSION/POSSIBLE ACTION REGARDING THE SETTLEMENT WITH RIO RICO MEDICAL AND FIRE DISTRICT, NOGALES SUBURBAN FIRE DISTRICTS AND POTENTIAL OTHER FIRE DISTRICTS COVERING ALL LITIGATION MATTERS RELATED TO THE EMBEZZLEMENT BY THE FORMER COUNTY TREASURER ELIZABETH GUTFAHR (REQ: COUNTY MANAGER)

Chairman Molera made a motion to direct our attorneys to negotiate settlement with the fire districts consistent with the direction from Executive Session seconded by Supervisor Davis; the motion carried. (Ayes: Davis, Molera)

ADJOURNMENT

Chairman Molera announced that this would be his final meeting serving as Chairman and noted that Vice-Chairman Fanning will assume the role next month. He wished him the best in the position.

The meeting adjourned at 11:56 a.m. (motion: Supervisor Davis; second: Chairman Molera; motion carried unanimously) (Ayes: Davis, Molera)