The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: John Fanning, Chairman; Luis Carlos Davis, Vice-Chairman; Rudy Molera, Member; Jesus Valdez, County Manager; Mauricio Chavez, Deputy County Manager; Chris Young, Deputy County Manager; Robert May, Civil Bureau Chief; Alma Schultz, Clerk of the Board.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Fanning called the meeting to order, and the Pledge of Allegiance was recited, led by Rodrick Garcia.

ADOPTION OF AGENDA

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

CALL TO THE PUBLIC:

Dr. Lisa Redpath, a resident of Rio Rico, addressed the Board and requested that the Board relay the word “karma” to Mr. Pat Risner of South32 and his associates.

Gary Levine, a resident of Rio Rico, addressed the Board. He described his professional background in auditing, internal controls, and fraud prevention, and expressed concern regarding the possible use of county funds to provide outside legal counsel for individuals named in the Auditor General’s lawsuit. Mr. Levine stated that such action would be inappropriate for employees not involved, for those who may have been aware of the theft, and for former supervisors with oversight responsibilities. He concluded that using taxpayer funds for this purpose would damage public trust and urged the Board not to proceed.

Anna Darian, speaking on behalf of the Patagonia Area Resource Alliance and as a resident of Patagonia, addressed the Board. She summarized concerns regarding the U.S. Forest Service’s July 7 record of decision approving the Hermosa mine, noting unresolved legal questions, numerous project-specific exemptions to Forest Plan standards, and potential impacts to wildlife, water resources, and forest lands. Ms. Darian also commented on shifting public narratives surrounding the project and requested that South32 President Pat Risner address questions related to the project’s supply chain and updated timeline. She encouraged the Board to look beyond promotional statements and examine the legitimacy of the project.

Chris Gardner, a resident of the Patagonia area, addressed the Board and reported increasing arsenic concentrations in wells in and near Patagonia. He stated that recent discharge meeting permit standards may be mobilizing existing contamination from the Harshaw Creek watershed, impacting local drinking water. Mr. Gardner shared data collected in coordination with the Arizona Department of Environmental Quality and noted that prior concerns regarding mobilization of contamination had been dismissed in the Forest Service’s environmental impact statement. He requested that South32 provide water quality data from its wells along Harshaw Creek and expand monitoring to additional private wells. He concluded by urging that the Community Protection and Benefits Agreement ensure the highest level of water quality protections for affected well owners.

Ernie Edwards, a resident of Lake Patagonia, addressed the Board and expressed concern about rising arsenic levels in local wells. He asked the Board to request that South32 disclose water quality data from its wells, stating that transparency should not be an issue if results are favorable. Mr. Edwards also commented on South32’s financial and operational challenges, including project delays, increased costs, and questions regarding the viability of certain minerals. He further requested that the Board verify with UniSource that South32 is paying for the construction of the power line to ensure ratepayers are not left responsible for the cost. He concluded by thanking the Board.

Robin Lucky, president of the Calabasas Alliance and a resident of Rio Rico, addressed the Board regarding health concerns related to increasing arsenic levels in local groundwater. She summarized timelines and symptoms associated with arsenic exposure and noted that naturally occurring arsenic is an ongoing issue in the region. She stated that her organization has joined the Arizona Department of Environmental Quality's Community Science Alliance to assist with monitoring efforts and thanked the Board.

Chris Workhoven, a resident of Marana, addressed the Board regarding concerns with the Environmental Impact Statement. He stated that the statement relies on permits from the Arizona Department of Environmental Quality that he believes contain omissions and misrepresentations. He discussed issues related to aquifer protection, air emission modeling, metal deposition, and tailings safety, and stated that these matters should be reviewed by an independent community science council. He concluded that significant work remains to ensure adequate public protection.

Dan Dellinges, a resident of Tubac, addressed the Board regarding the agenda item concerning potential retention of outside legal counsel for current or former employees named in the Auditor General's lawsuit. He shared his experience in law enforcement and stated that individuals typically carry their own professional insurance. Mr. Dellinges expressed concern about accountability related to past cases and stated that providing counsel could create negative public perceptions. He encouraged the Board to carefully consider both legal and ethical implications as they move into executive session on the matter. He thanked the Board.

Elizabeth Meek, a resident of Rio Rico, addressed the Board regarding multiple community concerns, including widespread litter, abandoned vehicles, unregulated auto repair activities in residential areas, construction debris, zoning issues, and deteriorating road conditions. She stated these problems affect neighborhood safety, property values, and homeowner insurance costs. Ms. Meek urged stronger enforcement of regulations, improved planning and zoning oversight, and greater investment in Rio Rico's infrastructure. She noted that many residents share these concerns and asked the Board to prioritize Rio Rico's needs.

Bruce Bracker, a resident of Tubac, addressed the Board regarding the expenditure override proposal. He suggested pursuing a six-year request at a reduced level to build public trust and recommended evaluating separate taxing districts for services such as health, recreation, and libraries to increase transparency and free funds in the general budget. Mr. Bracker also encouraged consideration of an enterprise fund for information technology to reduce general fund costs. He asked the Board to discuss property tax reduction more directly, noting concerns about high tax rates and rising appraisals. He thanked the Board for its consideration.

Susan Faubion, a resident of Rio Rico, addressed the Board regarding the lack of written job descriptions for elected officials. She stated that she was advised such descriptions do not exist when she requested one while reviewing her ballot and expressed concern that the absence of defined responsibilities could contribute to accountability issues. She urged the Board to consider creating clear job descriptions and noted the importance of a sound ordinance.

Wendy Islas, a resident of Rio Rico, addressed the Board regarding public input for the Community Protections and Benefits Agreement. She requested revisions to the current online form, stating that the required number of detailed questions makes participation difficult for the average resident. Ms. Islas also asked how the planned multimodal facility fits into updated project timelines and expressed concern that taxpayer-funded legal representation would further erode public trust. She thanked the Board for the day's presentations.

Mario Rodriguez, a resident of Rio Rico, addressed the Board and commended recent county initiatives, including the new county identity and the ClickFix mobile app. He requested improvements to the app, so residents can submit photos and precise locations of potholes to help Public Works prioritize repairs. Mr. Rodriguez also raised concerns about litter blowing from the landfill on Camino Arvizu during storms and suggested long-term solutions such as improved fencing or barriers. He thanked the Board for its attention.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA: offered condolences to the Frank Chino Calixtro family on their recent loss. He reported meeting with staff and residents to review concerns regarding trash accumulation and unpermitted commercial activity in residential areas and noted that a study session is being planned to address these issues. He also acknowledged suggestions to improve the county's reporting application. Supervisor Molera highlighted several community events, including a student internship program, a back-to-school supply event, and a local cultural celebration, commending organizers and participants. He concluded his report.

VICE-CHAIRMAN DAVIS: reported attending the closing ceremony for children's summer programs offered by a local community center and highlighted the county's newly established heat-relief station. He provided updates on recent back-to-school events and the completion of the county's summer leaders-in-training program, expressing appreciation to staff, students, and community partners.
He described meetings with regional tourism representatives to explore collaborative opportunities and discussed attending a community cultural event focused on strengthening connections between generations. Vice-Chairman Davis also reported that county staff provided a tour of the county jail to film industry representatives as a potential filming location, noting that additional tours are planned to showcase other sites in the county. He stated that promoting the community to film producers may create new economic opportunities. He concluded by noting attendance at a local historical celebration commemorating early regional history. Vice-Chairman Davis further thanked elections staff, specifically Anita Moreno and Alma Schultz, for their hard work during the current election season. He concluded his report.

CHAIRMAN FANNING: reported on a recent District Advisory Committee meeting and thanked county staff and participants for their presentations. He described meetings with community representatives to discuss local concerns and noted ongoing work on water planning efforts. Chairman Fanning also shared updates from his participation in a regional resiliency and infrastructure meeting. He highlighted the county's leaders-in-training program and the back-to-school supply event, expressing appreciation to organizers and volunteers. Chairman Fanning encouraged the community to visit a local historical museum and noted a meeting with representatives of a conservation organization to discuss potential collaboration with federal partners. He thanked elections staff for their ongoing work and concluded by offering birthday wishes to the county manager and his spouse.

2. MANAGER

JESUS VALDEZ, COUNTY MANAGER, reported meeting with a neighboring county to discuss possible collaboration on animal control services and a potential evaluation of local operations to improve future planning. He noted that a pre-bid meeting was held for playground equipment funded through a community development grant and that the project aims to enhance a designated area with equipment and shade structures. Mr. Valdez also announced that repairs to the exterior of the county building will begin next week and advised the public that temporary changes to building entrances may occur during construction. Mr. Valdez reminded District One residents that Vice-Chairman Davis will hold his first advisory committee meeting on that day at 5 p.m. He noted that the meeting is open to all District No. 1 residents, and others are welcome to attend.

DEPARTMENT REPORTS AND ACTIVITIES

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

Maria Martinez, Assistant Finance Director, reported $25,335,629.07 in the General Fund, of which $16,970,364.13 is invested; $6,913,015.63 in the Road Fund, of which $5,250,031.90 is invested; $3,139,678.25 in the Flood Control District Fund, of which $316,414.45 is invested; $6,560,101.48 in the Jail District Fund, of which $4,509,581.82 is invested; $66,392,762.00 total for all funds, of which $29,220,772.59 is invested; $14,003,954.19 estimated end of month balance, compared to $9,803,590.45 cash at July 2025, a difference of $4,200,363.74.

2. DEPARTMENT(S) UPDATE

County Recorder Anita Moreno informed the Board and the public that her office has been receiving calls from voters who have not yet received their ballots for the primary election. She reminded the community that a postcard with voting information was mailed to all households last month and noted that a public statement was issued yesterday outlining voting options. She reported that early voting remains available, with extended hours through the end of the week, and that emergency voting will be offered on Monday. Recorder Moreno emphasized that her office is assisting voters daily to ensure they are able to participate in the election.

Clerk of the Board/Elections Director Alma Schultz reminded voters who have not yet received their early ballot to continue checking their mail, as ballots may still arrive. She noted that any early ballot received can be returned to any ballot drop box by 7 p.m. on election day, or handed in at a voting location by 7 p.m. She thanked the public and encouraged voters to utilize these options.

School Superintendent Maya Donnelly reported that her office is concluding its summer programs, highlighting several camps, including a writers' institute, youth and parent empowerment programs, 4-H activities, a cybersecurity camp, and the completion of a new mural created through the summer arts program. She stated that her office supports back-to-school events countywide by providing backpacks and supplies funded through forest fees. Superintendent Donnelly also announced that the annual Teacher of the Year event will be held on August 7. She reported ongoing collaboration with the treasurer's office and district business managers on implementing new banking and treasury systems and on finalizing tax rates for school districts, noting that detailed reviews were completed with all district superintendents to ensure accuracy before certification. She concluded her update.

County Treasurer Alejandro Paz provided an update on departmental activities, noting ongoing collaboration with the school districts and the School Superintendent's Office on the transition to a new banking institution and treasury data system. He reported that work is progressing on preparing and confirming tax rates for the upcoming fiscal year. Treasurer Paz stated that his office is focused on ensuring accuracy and smooth coordination throughout these processes.

Director of Communications and Public Relations Shannon Hall provided a legislative and budget update based on recent information from the County Supervisors Association. She noted that the state's fiscal year 2027 budget includes direct appropriations for the county, including funding for sheriff's operations, reimbursement for detention and corrections retirement contributions, and an established rate for the long-term health care fund. She reported that several statewide programs, such as border support funding, county fair grants, environmental grants, and rural water study grants, may present opportunities for the county to pursue. Ms. Hall also shared comparative information on expenditure limit adjustments being sought by other counties and stated that her office will continue monitoring legislative measures and updating the Board as needed.

3. AWARDS, RECOGNITIONS & ACCOMPLISHMENTS:

A RECOGNITION OF RODRIK GARCIA, FOR HIS OUTSTANDING PERFORMANCE SINGING THE NATIONAL ANTHEM AT THE SANTA CRUZ COUNTY PEACE OFFICER MEMORIAL CEREMONY ON MAY 15, 2026 (REQ: SUPERVISOR MOLERA)

The Board recognized Roderick Garcia for his outstanding performance singing the national anthem at the Peace Officer Memorial Ceremony. Supervisor Molera noted the exceptional quality of Mr. Garcia's rendition and presented him with a certificate of recognition and a challenge coin in appreciation of his contribution. Mr. Garcia was invited to the podium and thanked for sharing his talent with the community where he thanked the Board for the recognition.

STUDY SESSION

1. SOUTH32 HERMOSA QUARTERLY UPDATE BY PAT RISNER, PRESIDENT OF SOUTH32 HERMOSA (REQ: COUNTY MANAGER)

Mr. Pat Risner, President of South32 provided the Board with the quarterly update on the Hermosa Project. He began by addressing questions and comments raised during Call to the Public, offering clarifications regarding the Environmental Impact Statement, supply-chain considerations for zinc and manganese, water quality concerns, and the Community Protections and Benefits Agreement timeline.

Mr. Risner reported that the Hermosa Project is approximately halfway through construction, with major progress on the zinc processing facility, shaft development, power infrastructure, and the Centro operations facility. He noted updated cost and schedule projections, explaining global supply-chain pressures, material cost increases, and extended timelines, while reaffirming South32's continued commitment to completing the project and fulfilling all previously announced community commitments. He reviewed water-quality monitoring efforts, shared updates on treatment system improvements, and addressed concerns regarding antimony and arsenic levels, stating that internal data shows stable or declining trends and that independent verification opportunities will continue. Mr. Risner highlighted workforce development efforts, including local training programs and partnerships with education institutions, as well as local procurement initiatives that have increased business participation and economic activity within Santa Cruz County. He also described new conservation and community partnership efforts, including a pollinator and restoration project developed with a regional environmental organization.

Board members thanked Mr. Risner for his detailed presentation, acknowledged ongoing collaboration with the community, and encouraged continued dialogue outside the quarterly update format.

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION TO ADOPT THE FISCAL YEAR 2026-2027 TENTATIVE BUDGET (REQ: FINANCE DEPARTMENT)

Deputy County Manager Mauricio Chavez presented the Fiscal Year 2026–2027 Tentative Budget and described the annual budget development process, which begins each February with receipt of assessed property values and includes extensive meetings with departments and elected officials. He thanked staff and county leadership for their contributions throughout the process. Mr. Chavez reported that the proposed total county budget is approximately $156 million, supporting 417 full-time employees. He noted the continued emphasis on conservative financial practices, essential service delivery, and the Board's property tax reduction plan. He reviewed major revenue sources, general fund allocations, mandated transfers, and statewide tax distribution requirements. He highlighted public safety as a significant portion of the general fund, explained the composition of the Board of Supervisors' budget, and provided an overview of property tax impacts, including the proposed reduction in the primary and secondary tax rates and the effects of increasing assessed valuations. He also discussed revenue diversification, departmental funding responsibilities, and required support for the jail district and grant matches. Mr. Chavez outlined compensation and workforce considerations, noting a proposed 3 percent cost-of-living adjustment and increases in healthcare and retirement costs. He also confirmed ongoing work on facility needs and animal control operations. He concluded by reviewing levy authority and thanking the Board and staff for their cooperation. Board members expressed appreciation for the thorough presentation and staff's efforts in preparing the budget.

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

2. DISCUSSION/POSSIBLE ACTION TO AWARD BID NO. B-05-26-CO79 FOR FISCAL YEAR 2026-2027 LEGAL PUBLICATIONS AND ADVERTISING, FOLLOWING THE OPENING OF PROPERLY SUBMITTED SEALED BIDS PURSUANT TO A.R.S. §§ 39-201, 39-202, AND 39-221 (REQ: CLERK)

Clerk of the Board/Elections Director Alma Schultz reported that one sealed bid was received, submitted by Nogales International. She opened the bid and stated that the proposal reflects no increase, remaining at $6.62 per column inch plus a 10 percent processing fee, for a total of $7.29 per column inch. She noted that this represents an 8 percent discount from the standard open rate. Following the report, the Board proceeded to consider action on the bid.

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

CONSENT AGENDA

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

1. DISCUSSION/POSSIBLE ACTION TO APPROVE AND ADOPT PROCLAMATION DESIGNATING AUGUST 2026 AS CHILD SUPPORT AWARENESS MONTH (REQ: CHAIRMAN FANNING)

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

A DEPUTY SHERIFF I POSITION (REQ: SHERIFF)

B GIS TECHNICIAN POSITION (REQ: ASSESSOR)

C EQUIPMENT OPERATOR POSITION (REQ: PUBLIC WORKS)

D HEAVY EQUIPMENT OPERATOR POSITION (REQ: PUBLIC WORKS)

3. DISCUSSION/POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF CHRISTINA C. ORTECHO, ESQ., AS PART-TIME JUDGE PRO TEMPORE TO SERVE IN THE SUPERIOR COURT FROM JULY 1, 2026 THROUGH JUNE 30, 2027 (REQ: SUPERIOR COURT)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE FUNDING AGREEMENT NO. 117-26 AND RELATED FORMS WITH THE ARIZONA DEPARTMENT OF HOUSING FOR ROBERT DAMON RECREATION COMPLEX IMPROVEMENTS AS A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT EFFECTIVE FROM JULY 15, 2026 THROUGH DECEMBER 1, 2027 IN THE FUNDING AMOUNT OF $592,756 (REQ: SPECIAL PROJECTS)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT TO AGREEMENT WITH FI SERVICES LLC, PREVIOUSLY APPROVED ON JANUARY 21, 2026, TO UPDATE THE SERVICE PROVISIONS FOR FORENSIC INTERVIEW SERVICES, WITH THE EXISTING TERM EFFECTIVE THROUGH JANUARY 13, 2027 (REQ: COUNTY ATTORNEY)

6. DISCUSSION/POSSIBLE ACTION TO APPROVE GOLD EXTENDED PLAN (EWP) QUOTE NO. CN013747 WITH GOSERCO, INC. FOR THE RENEWAL OF RADIO RECORDING SYSTEM MAINTENANCE AND SUPPORT SERVICES, EFFECTIVE AUGUST 1, 2026 THROUGH JULY 31, 2027, IN THE AMOUNT OF $14,202.50 (REQ: SHERIFF)

7. DISCUSSION/POSSIBLE ACTION TO APPROVE 9-1-1 PROGRAM FUNDING ASSISTANCE AGREEMENT NO. ADOA-AZ911-27-13 WITH THE ARIZONA DEPARTMENT OF ADMINISTRATION TO ASSIST PUBLIC SAFETY ANSWERING POINTS IN THE IMPLEMENTATION AND OPERATION OF THE RESPECTIVE 911 EMERGENCY TELECOMMUNICATION SYSTEMS, EFFECTIVE THROUGH JUNE 30, 2027, IN THE AMOUNT OF $135,000 (REQ: SHERIFF)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT WITH APIC SOLUTIONS FOR THE PURCHASE AND INSTALLATION OF SECURITY CAMERAS FOR THE ADULT DETENTION DIVISION IN THE AMOUNT OF $22,672.51, FUNDED BY THE JAIL ENHANCEMENT FUND (REQ: SHERIFF)

9. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT CONTRACT NO. CTR082503 WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR THE RURAL HEALTH TRANSFORMATION PROGRAM EFFECTIVE THROUGH MAY 31, 2031, IN THE YEARLY FUNDING AMOUNT OF $397,692.20 (REQ: HEALTH SERVICES)

10. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 1 TO INTERGOVERNMENTAL AGREEMENT CONTRACT NO. CTR063293 WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PROPOSITION 21 SMOKE FREE ARIZONA TO REVISE AND REPLACE THE PRICE SHEET, IN THE REDUCED YEARLY AMOUNT OF $25,341 (REQ: HEALTH SERVICES)

11. DISCUSSION/POSSIBLE ACTION TO APPROVE JOB ORDER MASTER AGREEMENT NO. PW-FY2027, SOLICITATION NO. RFQ-01-26-CO29, WITH 9 GENERAL CONTRACTORS AND 3 LANDSCAPE CONTRACTORS IN ACCORDANCE WITH A.R.S. § 34-604 (REQ: PUBLIC WORKS)

12. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT WITH HDR ENGINEERING, INC. FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE PREPARATION OF THE I-19 RIO RICO FRONTAGE ROAD BUILD GRANT APPLICATION UNDER THE ARIZONA COOPERATIVE CONTRACT, AND TO RATIFY PUBLIC WORKS SIGNATURE OF ACCEPTANCE IN THE AMOUNT OF $74,050 (REQ: PUBLIC WORKS)

13. DISCUSSION/POSSIBLE ACTION TO APPROVE QUOTE WITH BROWN AND WHITE, INC. TO COMPLETE THE HARSHAW ROAD GUARDRAIL REPLACEMENT PROJECT IN THE AMOUNT OF $19,232.50 (REQ: PUBLIC WORKS)

14. DISCUSSION/POSSIBLE ACTION TO APPROVE WIOA PY 2026 AND PY 2027 NEGOTIATED LOCAL PERFORMANCE LEVELS AS REQUIRED BY SECTION 116 OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (REQ: WIOA)

15. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE WARRANT #4-052416 IN THE AMOUNT OF $1,539.41 DATED 01/09/2026 PAYABLE TO SAFEGUARD BUSINESS SYSTEMS INC. (REQ: CLERK)

16. APPROVAL OF MINUTES: 07/01/2026 AND 07/08/2026 SPECIAL MEETING

17. APPROVAL OF MONTHLY REPORTS

18. APPROVAL OF DEMANDS were approved in the total amount of $1,376,705.85, of which $315,621.54 is from the General Fund for FY2026 and total amount of $434,383.63, of which $118,075.89 is from the General Fund for FY2027. Total for all funds $1,811,089.48, of which $433,697.43 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.

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

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 THE POTENTIAL RETENTION OF OUTSIDE COUNSEL FOR CURRENT OR FORMER EMPLOYEES, AND ANY SPOUSES, NAMED AS DEFENDANTS IN AUDITOR GENERAL V. ACUNA, ET AL., MARICOPA COUNTY SUPERIOR COURT, CASE NO. CV2026-014270 (REQ: COUNTY ATTORNEY)

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

ACTION ITEMS CONT.

3. DISCUSSION/POSSIBLE ACTION TO APPROVE THE POSSIBLE RETENTION OF OUTSIDE COUNSEL FOR CURRENT OR FORMER EMPLOYEES, AND ANY SPOUSES, NAMED AS DEFENDANTS IN AUDITOR GENERAL V. ACUNA, ET AL., MARICOPA COUNTY SUPERIOR COURT, CASE NO. CV2026-014270 (REQ: COUNTY ATTORNEY)

Supervisor Molera moved to approve the possible retention of outside counsel based on County Attorney recommendation for current or former employees and any spouses named as defendants in the Auditor General v. Acuna, et al., Maricopa County Superior Court Case Number CV2026-014270, seconded by Vice-Chairman Davis.

Under Discussion:

Following the motion and second on Item H3, Civil Bureau Chief Robert May explained that the employees named in the Auditor General's lawsuit are being sued in their official capacities. He stated

that although federal authorities previously cleared them of wrongdoing, the litigation poses potential risks to the county. Mr. May described a pattern of frivolous filings by the Auditor General and noted that not providing outside counsel could result in negative implications for the county and increased future litigation costs.
Supervisors discussed experiences with similar complaints, noting that previous actions had been dismissed and emphasizing the importance of clarifying these outcomes for the public. Mr. May further explained ongoing legal efforts to protect the county, including refiling earlier actions and seeking consolidation for judicial efficiency.
Chairman Fanning acknowledged public concerns expressed earlier but stated that, based on the analysis presented in the executive session, taking no action would create greater risk for the county.

The Board then voted on the motion made by Supervisor Molera and seconded by Vice-Chairman Davis. The motion to approve Item H3 carried unanimously.

ADJOURNMENT

The meeting adjourned at 2:02 p.m. (motion: Supervisor Molera; second: Vice-Chairman Davis; motion carried unanimously) (Ayes: Davis, Fanning, Molera)