

Board of Supervisors
January 18, 2022
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: Manuel Ruiz, Chairman; Bruce Bracker, Vice-Chairman; Rudy Molera, Member; Jennifer St. John, County Manager; Kim Hunley, Chief Deputy County Attorney; Jim Dantonio, Deputy County Attorney; Alma Schultz, Clerk of the Board.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Jennifer St. John.

ADOPTION OF AGENDA

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

CALL TO THE PUBLIC:

No Response.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

VICE-CHAIRMAN BRACKER continues to be informed regarding the South32 project and reminded everyone to resume safety measures against the Covid virus.

SUPERVISOR MOLERA attended a Legislative Policy Committee (LPC) and reminded the public to continue practicing safety.

CHAIRMAN RUIZ was present for Governor Doug Ducey's 8th and final State of the State.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, attended meetings involving the rollout of the American Rescue Plan Act monies and participated in the CSA (County Supervisor Association) Legislative Policy Committee for the County Supervisors and County managers.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Administrative Services Department Director, reported \$17,859,414.11 in the General Fund, of which \$10,287,594.77 is invested; \$2,472,155.12 in the Road Fund, of which \$815,356.41 is invested; \$1,870,987.67 in the Flood Control District Fund, of which \$1,862,441.69 is invested; \$2,404,450.77 in the Jail District Fund, of which \$1,001,973.16 is invested; \$41,772,883.37 total for all funds, of which \$15,782,040.59 is invested; \$14,741,459.30 estimated end of month balance, compared to \$7,746,888.07 cash at January 2021, a difference of \$6,994,571.23

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION TO APPROVE GRANT AGREEMENTS WITH ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) AERONAUTICS DIVISION FOR THE IMPROVEMENT OF THE NOGALES INTERNATIONAL AIRPORT: (REQ: SPECIAL PROJECTS)

Vice-Chairman Bracker made a motion to approve items 1a-1c, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A E2S3O 01C – RUNWAY VERTICAL/VISUAL GUIDANCE SYSTEM (PAPI'S), ELECTRICAL UPGRADE (PHASE I) IN THE AMOUNT OF \$200,000

B E2S3P 01C – RUNWAY MIRL/HIRL INSTALL, ELECTRICAL UPGRADE (PHASE I) IN THE AMOUNT OF \$1,500,000

C E2S3Q 01C – VERTICAL/VISUAL GUIDANCE SYSTEM, ELECTRICAL UPGRADE (PHASE I) GUIDANCE SIGNS IN THE AMOUNT OF \$120,000

2. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENTS TO GRANT AGREEMENTS WITH ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) AERONAUTICS DIVISION FOR THE IMPROVEMENT OF THE NOGALES INTERNATIONAL AIRPORT: (REQ: SPECIAL PROJECTS)

Supervisor Molera made a motion to approve 2a & 2b, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A E2S1H 01C – REILS ELECTRICAL UPGRADE PHASE I DATED 10/06/2021, AMENDMENT NO. ONE, IN THE AMOUNT OF \$75,000

B E2S1I 01C – ELECTRICAL UPGRADES FOR ROTATING BEACON (PHASE I) EXECUTED 10/06/2021, AMENDMENT NO. ONE, IN THE AMOUNT OF \$100,000

3. DISCUSSION/POSSIBLE ACTION ON THE RECOMMENDATION OF APPROVAL/DISAPPROVAL OF APPLICATION FOR SPECIAL EVENT LICENSE FOR TUBAC ROTARY CLUB, INC., 04/10/22, TUBAC (REQ: CLERK)

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

4. TAX VALUATION ADJUSTMENT(S): (REQ: ASSESSOR)

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 112-26-026 - NICKELS RANDALL D., RESOLUTION NO. 56281

B 112-26-027 - NICKELS RANDALL D., RESOLUTION NO. 56282

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

6. APPROVAL OF MINUTES: 01/04/2022 were approved as submitted. (Motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

7. DEMANDS were approved in the total amount of \$902,496.21, of which \$252,567.76 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)

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

EXECUTIVE SESSION

1. PURSUANT TO A.R.S. SECTION 38-431.03(A)(3) & (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING TWO LAWSUITS INVOLVING OROZCO INVESTMENT COMPANY AND ROBERTO & BILHA SANCHEZ, CV-21-0291 (INTERPLEADER) & CV-21-0296 (DAMAGE CLAIM) AND PROPOSED RESPONSES (REQ: COUNTY ATTORNEY)

2. PURSUANT TO A.R.S. SECTION 38-431.03(A)(3) & (4), DISCUSSION/CONSULTATION FOR LEGAL ADVICE REGARDING NOTICE OF CLAIM MADE BY SHOW BASEBALL, INC. ON NOVEMBER 22, 2021, AND PROPOSED RESPONSE BY OUTSIDE LEGAL COUNSEL (REQ: COUNTY ATTORNEY)

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

ACTION ITEMS CONT.

8. DISCUSSION/ POSSIBLE ACTION TO DIRECT LEGAL STAFF WITH REGARD TO NEXT STEPS IN TWO LAWSUITS INVOLVING OROZCO INVESTMENT COMPANY AND ROBERTO & BILHA SANCHEZ, CV-21-0291 (INTERPLEADER) & CV-21-0296 (DAMAGE CLAIM) (REQ: COUNTY ATTORNEY)

Vice-Chairman Bracker made a motion to direct legal staff to proceed with regards to the next steps in the two lawsuits involving Orozco Investment Company and Roberto & Bilha Sanchez, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

9. DISCUSSION/POSSIBLE ACTION TO DIRECT LEGAL STAFF REGARDING NOTICE OF CLAIM MADE BY SHOW BASEBALL, INC. ON NOVEMBER 22, 2021, AND PROPOSED RESPONSE BY OUTSIDE LEGAL COUNSEL (REQ: COUNTY ATTORNEY)

Vice-Chairman Bracker made a motion to direct legal staff to proceed regarding notice of claim made by Show Baseball Inc. on November 22, 2021, and proposed response by outside legal counsel, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

ADJOURNMENT

The meeting adjourned at 10:18 a.m. (motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)