

Board of Supervisors  
February 22, 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; Laura Roubicek, Deputy County Attorney; Jim Dantonio, Deputy County Attorney; Alma Schultz, Clerk of the Board.

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

A moment of silence was observed for Deputy Guillermo Vasquez Jr. Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Jeff Terrell.

**ADOPTION OF AGENDA**

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

**CALL TO THE PUBLIC:**

Jeff Terrell, Health Department Director, provided a COVID update of cases and vaccinations.

**CURRENT EVENTS**

**1. BOARD OF SUPERVISORS**

**VICE-CHAIRMAN BRACKER** thanked all those involved in the distribution of produce in Sonoita since the start of the pandemic; expressed gratitude to ADOT (Arizona Department of Transportation) for their service; participated in meetings with Senator Sinema and constituents.

**SUPERVISOR MOLERA** attended the 2022 NACo Legislative Conference; met with Representative Kirkpatrick; met with Senator Kelly; CSA meeting; congratulated Jesse James Octavio-Callejo for winning the state championship in wrestling, and attended the services of Deputy Vasquez.

**CHAIRMAN RUIZ** took part in the 2022 NACo Legislative Conference; met with Senator Kelly; spoke with different federal agencies; participated in a CSA meeting, and attended the services of Deputy Vasquez.

**2. MANAGER**

**JENNIFER ST. JOHN, COUNTY MANAGER**, attended the NACo Legislative Conference where a variety of information was gathered involving infrastructure and information on ARPA (American Rescue Plan Act) money and participated in a CSA meeting.

**DEPARTMENT REPORTS AND ACTIVITIES**

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

Mauricio Chavez, Administrative Services Department Director, reported \$17,500,957.35 in the General Fund, of which \$10,289,142.52 is invested; \$2,726,989.38 in the Road Fund, of which \$815,479.08 is invested; \$1,324,872.85 in the Flood Control District Fund, of which \$1,012,711.79 is invested; \$2,598,911.63 in the Jail District Fund, of which \$1,002,123.90 is invested; \$42,039,423.84 total for all funds, of which \$14,934,404.49 is invested; \$14,754,422.20 estimated end of month balance, compared to \$9,436,172.71 cash at February 2021, a difference of \$5,318,249.49. The Quarterly General Fund Revenue Performance Report and Expenditure Report showed 8,323,174 collected to date; Auto Lieu Tax: 960,083 collected to date; County 1/2 Cent Tax Revenue: 1,109,625 collected to date; State Shared

Sales Tax: 2,161,432 collected to date; Expenditures General Fund Total: 14,252,593 expenses to date.

**ACTION ITEMS**

**1. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RE-APPOINTMENTS TO SERVE IN THE SUPERIOR COURT FROM JULY 1, 2022 THROUGH JUNE 30, 2023: (REQ: SUPERIOR COURT)**

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

**A VANESSA CARTWRIGHT AS FULL-TIME JUDGE PRO TEMPORE**

**B SHEILA DAGUCON AS TEMPORARY PART-TIME JUDGE PRO TEMPORE**

**C DEE-DEE SAMET AS VOLUNTEER JUDGE PRO TEMPORE**

**2. DISCUSSION/POSSIBLE AUTHORIZATION TO CREATE AND FILL A JAIL LIAISON POSITION IN JUSTICE OF THE PEACE FOR THE ADULT DRUG COURT AND VETERANS TREATMENT COURT DISCRETIONARY GRANT PROGRAM PREVIOUSLY APPROVED ON JANUARY 04, 2022 (REQ: HUMAN RESOURCES)**

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

**3. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL:**

Supervisor Molera made a motion to approve 3a-b, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**A ANIMAL CARE AND CONTROL OFFICER POSITION (REQ BY: ANIMAL CONTROL)**

**B TWO (2) VACANT DEPUTY COUNTY ATTORNEY V POSITIONS (REQ: COUNTY ATTORNEY)**

**4. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT NO. 1766 WITH AV INNOVATIONS, INC. FOR A VIDEO REFRESH OF COURTROOM NO. 4 IN THE AMOUNT OF \$33,470 (REQ: SUPERIOR COURT)**

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

**5. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT WITH CIRCLES OF PEACE TO IMPLEMENT THE SANTA CRUZ COUNTY ADULT DRUG COURT PROGRAM FUNDED BY THE U.S. DEPARTMENT OF JUSTICE EFFECTIVE JANUARY 1, 2022, TO SEPTEMBER 30, 2022 (REQ: JUSTICE OF THE PEACE)**

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz) Jennifer St. John stated the first segment would at a cost of \$67,000, which is grant-funded.

**6. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT WITH EARN TO LEARN FOR THE PLACEMENT OF A COLLEGE ACCESS ADVISOR AT C-CREO HUB EFFECTIVE JANUARY 18, 2022 THROUGH JUNE 15, 2022 IN THE AMOUNT OF \$1,875 (REQ: SCHOOL SUPERINTENDENT)**

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

**7. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATION DECLARING FEBRUARY 28, 2022 THROUGH MARCH 4, 2022 AS READ ACROSS AMERICA/READ ON SANTA CRUZ COUNTY WEEK (REQ: SCHOOL SUPERINTENDENT)**

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

**8. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE THE COUNTY TO EXCHANGE PARCEL NUMBERS 103-06-028 & 103-06-182 FOR PARCEL NUMBER 103-06-002D WITH THE CITY OF NOGALES (REQ: PUBLIC WORKS)**

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

**9. DISCUSSION/POSSIBLE ACTION TO MAKE THE SETTLEMENT AGREEMENT WITH CENTURYLINK SALES SOLUTIONS, INC. FOR ACCOUNT #89678187 AND INTERGOVERNMENTAL AGREEMENT WITH SANTA CRUZ ELEMENTARY SCHOOL DISTRICT #28 EXECUTED ON 2/1/2022 PUBLICLY AVAILABLE (REQ: COUNTY ATTORNEY)**

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

**10. DISCUSSION/POSSIBLE ACTION TO APPROVE APPLICATION FOR FAIR/FESTIVAL LICENSE FOR SAND-RECKONER VINEYARD IN ELGIN, AZ ON 04/04/2022 (REQ: CLERK)**

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

**11. DISCUSSION/POSSIBLE ACTION TO APPROVE APPLICATION FOR SPECIAL EVENT LICENSE: BOYS & GIRLS CLUB OF SANTA CRUZ COUNTY, INC., 04/29/22, NOGALES (REQ: CLERK)**

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

**12. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE WARRANTS: (REQ: CLERK)**

Supervisor Molera made a motion to approve 12a-b, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**A #2-099767 IN THE AMOUNT OF \$34.64 DATED 07/06/2021 PAYABLE TO NOGALES PAINT**

**B #3-245208 IN THE AMOUNT OF \$1,302.09 DATED 11/25/2021 PAYABLE TO AEA MEMBERSHIP DEPT**

**13. TAX VALUATION ADJUSTMENT(S): (REQ: ASSESSOR)** were approved as submitted by the County Assessor's Office. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

**A 112-09-011 - RANDLE ALINE E., RESOLUTION NO. 56294**

**B 133-02-175 - EVANS ADAM ROBERT, RESOLUTION NO. 56295**

**C 114-52-010 - ROMERO FRANCISCO J. & TANNIA, RESOLUTION NO. 56296**

**D 113-45-281 - ROMERO FRANCISCO J., RESOLUTION NO. 56297**

**E 101-30-057 - ARMOR INVESTMENTS CO. INC., RESOLUTION NO. 56298**

**F 115-15-092 - FIGUEROA LUIS, RESOLUTION NO. 56305**

**G 115-15-092 - FIGUEROA LUIS, RESOLUTION NO. 56306**

**H 115-15-092 FIGUEROA LUIS, RESOLUTION NO. 56307**

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

**15. APPROVAL OF MINUTES: 02/01/2022** were approved as submitted. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

**16. DEMANDS** were approved in the total amount of \$1,184,940.56, of which \$474,832.25 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 to convene the Executive Session seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

### **EXECUTIVE SESSION**

**1. PURSUANT TO A.R.S. §38-431.03(A)(3) AND (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE AND DIRECTION REGARDING THE RESPONSE TO THE NOTICE OF CLAIM MADE BY SHOW BASEBALL INC. (REQ: COUNTY ATTORNEY)**

**2. PURSUANT TO A.R.S. §38-431.03(A)(3) AND (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING RESPONSE TO MODERN DEPOT, LLC'S NOTICE OF CLAIM (REQ: COUNTY ATTORNEY)**

**3. PURSUANT TO A.R.S. § 38-431.03(A)(3) AND (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE AND DIRECTION REGARDING THE NOTICE OF CLAIM MADE ON BEHALF OF KIMBERLY CORSARO AND DENNEEN L. PETERSON (REQ: COUNTY ATTORNEY)**

The Board adjourned the Executive Session and reconvened the Regular Meeting. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

**17. DISCUSSION/POSSIBLE ACTION TO APPROVE RESPONSE TO SHOW BASEBALL, INC.'S NOTICE OF CLAIM (REQ: COUNTY ATTORNEY)**

Vice-Chairman made a motion to approve and send the response to the Notice of Claim as prepared by council, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera,

Ruiz)

**18. DISCUSSION/POSSIBLE ACTION TO APPROVE RESPONSE TO MODERN DEPOT, LLC'S NOTICE OF CLAIM (REQ: COUNTY ATTORNEY)**

Vice-Chairman made a motion to approve and send the response to the Notice of Claim as prepared by council, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**19. DISCUSSION/POSSIBLE ACTION TO APPROVE A POSSIBLE RESPONSE TO A NOTICE OF CLAIM MADE ON BEHALF OF KIMBERLY CORSARO AND DENNEEN L. PETERSON (REQ: COUNTY ATTORNEY)**

Vice-Chairman made a motion to approve and send the response to the Notice of Claim as prepared by council, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

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

**STUDY SESSION**

**1. PRESENTATION ON THE HERITAGE LOCAL REGIONAL AND STATE PARK FUNDING (LRSP) AND LAND AND WATER CONSERVATION FUNDING (LWCF) GRANTS FOR A PARK PROJECT (REQ: PUBLIC WORKS)**

Presentation by Jesus Valdez, Public Works Director/Deputy County Manager.

Comments and questions made by Vice-Chairman Bracker, Supervisor Molera, Chairman Ruiz, Jennifer St. John, John Fanning, Brian Hernandez, and Scott Vandervoet.

The Board adjourned the Study Session and convened into the Regular Meeting. (Motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

**20. DISCUSSION/POSSIBLE ACTION TO DIRECT STAFF TO APPLY FOR THE HERITAGE LOCAL REGIONAL AND STATE PARK FUNDING (LRSP) AND THE LAND AND WATER CONSERVATION FUNDING (LWCF) GRANTS FOR A PARK PROJECT (REQ: PUBLIC WORKS)**

Supervisor Molera made a motion to direct staff to set forth an application for two soccer fields at Damon Park, seconded by Chairman Ruiz; Discussion: Chairman Ruiz directed staff to look into ARPA funds to build soccer fields at Calabasas Park (Ayes: Molera, Ruiz; Nays: Bracker)

**ADJOURNMENT**

The meeting adjourned at 11:08 a.m. (motion: Supervisor Molera; second: Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)