

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Bruce Bracker, Chairman (arrived at 2:00 p.m.); Manuel Ruiz, Vice-Chairman; Rudy Molera, Member; Jennifer St. John, County Manager; Kim Hunley, Chief Deputy County Attorney; William Moran, Civil Deputy County Attorney III; Robert May, Civil Bureau Chief; and Alma Schultz, Clerk of the Board.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Vice-Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Erika, an 8th-grader of the Patagonia Public Schools.

ADOPTION OF AGENDA

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

CALL TO THE PUBLIC:

No Public Comment.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA: took part in the Fresh Produce Association of the Americas (FPAA) Advocacy trip in Phoenix, AZ, advocating for improvements to the Ruby Road Bridge and creating better accessibility for traffic; attended meetings with small counties and a County Supervisors Association (CSA) Board of Directors meeting.

VICE-CHAIRMAN RUIZ: engaged in an Arizona Association of Counties Board of Directors meeting; spoke in support of improvements to the Ruby Road Bridge to address traffic congestion in the area.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, attended a Santa Cruz County Local Workforce Development Board meeting; continued to work on updating the personnel policies and class and compensation study; took part in a County Manager's meeting in Phoenix and risk insurance monthly meeting; and met with the Governor's Southern Arizona office.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Administrative Services Director, reported \$19,539,366.84 in the General Fund, of which \$14,561,710.77 is invested; \$1,242,236.54 in the Road Fund, of which \$7,144.60 is invested; \$1,116,829.40 in the Flood Control District Fund, of which \$270,717.66 is invested; \$4,445,748.26 in the Jail District Fund, of which \$1,026,609.41 is invested; \$50,344,256.11 total for all funds, of which \$17,725,720.91 is invested; \$15,115,395.26 estimated end of month balance, compared to \$13,442,893.81 cash at March 2022, a difference of \$1,672,501.45.

2. WORKFORCE DEVELOPMENT UPDATE

Irasema Olvera, WIOA Director, presented a Workforce Development update.

ACTION ITEMS

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

A CHIEF DEPUTY RECORDER POSITION (REQ: RECORDER)

B COURT SYSTEMS ANALYST POSITION (REQ: SUPERIOR COURT)

C JUVENILE PROBATION SECRETARY POSITION (REQ: PROBATION)

D PATROL SERGEANT POSITION (REQ:SHERIFF)

E TWO (2) DEPUTY SHERIFF I POSITIONS (REQ: SHERIFF)

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

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF PRECINCT COMMITTEE PERSONS FOR THE SANTA CRUZ COUNTY DEMOCRATIC PARTY: (REQ: FRANCIS GLAD, SCC DEMOCRATIC PARTY CHAIRPERSON)

A BRIANA ORTEGA - TUBAC 11

B MARIA L. KORTRIGHT-VERDUGO - CALABASAS 17

C DALIA GLAD - POTRERO 22

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

3. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENTS WITH: (REQ: SCHOOL SUPERINTENDENT)

A NOGALES UNIFIED SCHOOL DISTRICT #1 FOR THE ESSER III INVEST IN OUR YOUTH PROGRAM THROUGH SEPTEMBER 30, 2024 IN THE AMOUNT OF \$3,500

B SONOITA ELEMENTARY SCHOOL DISTRICT FOR THE ESSER III INVEST IN OUR YOUTH ADE GRANT FOR EARLY CHILDHOOD INITIATIVES IN THE AMOUNT OF \$500,000

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

4. DISCUSSION/POSSIBLE ACTION TO CREATE AND FILL POSITIONS FOR THE ESSER III GRANT FOR: (REQ: SCHOOL SUPERINTENDENT)

A ASSISTANT COORDINATOR FOR ARTS

B ASSISTANT COORDINATOR FOR HISTORY & HUMANITIES

Supervisor Molera made a motion to approve 4a-b, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Molera, Ruiz)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RENEWAL CONTRACT WITH THE LOCAL WORKFORCE DEVELOPMENT BOARD FOR A ONE-STOP OPERATOR FROM AUGUST 31, 2022 THROUGH AUGUST 30, 2024 (REQ: WIOA)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Molera, Ruiz) Irasema Olvera spoke of the contract to the Board during the Workforce Development update.

6. DISCUSSION/POSSIBLE ACTION TO APPROVE THE LOCAL JUDICIAL COLLECTION ENHANCEMENT FUND (JCEF) GRANT TO FUND CIRCLES OF PEACE FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 IN THE AMOUNT OF \$25,000 (REQ: JUSTICE OF THE PEACE)

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

7. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT AND ADDENDUM

WITH SAUL'S CREEK ENGINEERING TO REDUCE SUBSCRIPTION FEES TO THE AMOUNT OF \$500 PER MONTH (REQ: RECORDER)

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

The Board thanked the County Recorder for the reduction of the subscription fees.

8. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 3 TO THE ARIZONA DEPARTMENT OF HEALTH SERVICES INTERGOVERNMENTAL AGREEMENT NO. CTR 058658 TO MODIFY THE PRICE SHEET (REQ: HEALTH SERVICES)

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

Jeff Terrel, Health Services Director, explained the price sheet to the Board.

9. DISCUSSION/POSSIBLE ACTION TO APPROVE MEDICAL RESERVE CORPS CONTRACT NO. MRC 23-1874 FROM EFFECTIVE DATE THROUGH SEPTEMBER 29, 2023 (REQ: HEALTH SERVICES)

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

Jeff Terrel, Health Services Director, briefed the Board on the item.

10. DISCUSSION/POSSIBLE ACTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR INCIDENT RESPONSE PLANNING/TESTING IN THE AMOUNT OF \$50,000 (REQ: INFORMATION TECHNOLOGY)

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

11. DISCUSSION/POSSIBLE ACTION TO APPROVE GRANT AGREEMENT NO. GRT-22-0008951-T WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE AIRPORT PAVEMENT MANAGEMENT SYSTEM PROGRAM AT THE NOGALES INTERNATIONAL AIRPORT FOR THE ESTIMATED AMOUNT OF \$245,286 OR UP TO 10% OF THE ACTUAL SHARED COST (REQ: SPECIAL PROJECTS)

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

Jennifer St. John, County Manager, thanked Mary Dahl, special project, for continuing to obtain these grants and stated that this was for an unbudgeted amount. Robert May, Civil Bureau Chief, advised the Board that the motion is to approve the grant and that if the budget is an issue, it can be brought back at a later time. Supervisor Molera thanked Mary Dahl and asked if the grant would be used to improve the runway and taxiway of the airport. Jennifer St. John, County Manager, agreed. Vice-chairman Ruiz thanked Mary Dahl for her hard work.

12. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE MARY DAHL, SPECIAL PROJECTS, TO SIGN A FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANT APPLICATION FOR A FUEL TANK REPLACEMENT (DESIGN) PROJECT IN THE AMOUNT OF \$166,570 OF WHICH THE COUNTY OBLIGATION, IF AWARDED, WOULD BE \$7,446 (REQ: SPECIAL PROJECTS)

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

Vice-Chairman Ruiz spoke of being fortunate for the improvements made to the airport by grants and thanked Mary Dahl.

13. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT WITH KIMLEY HORN PURSUANT TO S-21-09-C008 FOR THE PATAGONIA FLOOD CONTROL PROJECT FEASIBILITY STUDY AND ALTERNATIVES ANALYSIS – PHASE I (REQ: PUBLIC WORKS)

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

Jesus Valdez, Public Works Director/Deputy County Manager, explained the item to the Board.

14. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE REQUEST FOR PROPOSAL NO. B-04-23-C028 SOLICITATION FOR THE FURNISHING OF AND DELIVERY OF AGGREGATE COVER (CHIP) MATERIAL (REQ: PUBLIC WORKS)

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

Jesus Valdez, Public Works Director/Deputy County Manager, briefed the Board on the item.

15. DISCUSSION/POSSIBLE ACTION TO ADOPT RESOLUTION NO. 2023-03 ESTABLISHING A WEIGHT LIMIT FOR SANTA CRUZ RIVER BRIDGE NO. 08169 AND APPROVING PROPER SIGNAGE (REQ: PUBLIC WORKS)

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

Jesus Valdez, Public Works Director/Deputy County Manager spoke of the location of the bridge and spoke of the need for the item.

William Moran, Deputy County Attorney III, advised the Board that an ordinance on the item will be presented to the Board at a later time.

16. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATION DECLARING MARCH 29, 2023 AS NATIONAL VIETNAM WAR VETERANS DAY (REQ: COUNTY MANAGER)

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

Vice-Chairman Ruiz spoke of the honorable service of the Vietnam War Veterans.

17. DISCUSSION/POSSIBLE ACTION TO APPROVE APPLICATION FOR FIREWORKS DISPLAY AT THE TUBAC GOLF RESORT ON APRIL 28, 2023 (REQ: CLERK)

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

18. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE WARRANT #2-109136 IN THE AMOUNT OF \$150.00 DATED 11/22/2022 PAYABLE TO EVELYN SANDOVAL (REQ: CLERK)

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

19. TAX VALUATIONS ADJUSTMENTS: (REQ: ASSESSOR)

was approved as submitted by the County Assessor's Office. (Motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Molera, Ruiz)

A 112-44-307 - KEITH R. LAVERTY & SUSAN DANBERG LAVERTY, RESOLUTION NO. 56608

B 112-44-307 - KEITH R LAVERTY & SUSAN DANBERG LAVERTY, RESOLUTION NO. 56610

C 112-44-307 - KEITH R LAVERTY & SUSAN DANBERG LAVERTY, RESOLUTION NO. 56611

D 112-44-126 - DAVID KIRBY MCEWEN & SHIRLEY LUCILLE JUHI, RESOLUTION NO. 56612

E 112-44-126 - DAVID KIRBY MCEWEN & SHIRLEY LUCILLE JUHI, RESOLUTION NO. 56613

20. MONTHLY REPORTS were approved as submitted. (Motion: Supervisor Molera; second:

Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Molera, Ruiz)

21. APPROVAL OF MINUTES: 03/07/2023

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

22. DEMANDS were approved in the total amount of \$1,207,534.11, of which \$553,377.90 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 Ruiz; motion carried unanimously) (Ayes: Molera, Ruiz)

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

PUBLIC HEARING

1. REQUEST TO ADOPT ORDINANCE NO. 2023-02 TO SET, MODIFY AND INCREASE THE SOLID WASTE USER FEE AT THE RIO RICO LANDFILL, SONOITA ELGIN LANDFILL, AND THE TUBAC AMADO TRANSFER STATION (REQ: PUBLIC WORKS)

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

Steve McEwen asked if the fee would affect the residential dumping. Mr. Valdez answered that it would not and that it would affect commercial dumping only. William Moran, Civil Deputy County Attorney, added that if the residential dumping is over 500 pounds, the charge would be prorated to \$45 dollars a ton. Mr. Valdez stated that that is the current fee for residential. Vice-Chairman Ruiz asked if most residents do not go over the 500 pounds. Mr. Valdez agreed that most residents do not come close to 500 pounds. Vice-Chairman Ruiz thanked Mr. Valdez.

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

ACTION ITEMS CONT.

24. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-02 TO MODIFY AND INCREASE THE SOLID WASTE USER FEE AT THE RIO RICO LANDFILL, SONOITA ELGIN LANDFILL, AND THE TUBAC AMADO TRANSFER STATION (REQ: PUBLIC WORKS)

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

23. DISCUSSION/POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-02 TO SET, MODIFY AND INCREASE THE SOLID WASTE USER FEE AT THE RIO RICO LANDFILL, SONOITA ELGIN LANDFILL, AND THE TUBAC AMADO TRANSFER STATION (REQ: PUBLIC WORKS)

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

The Board recessed the meeting until 2:00 p.m.

Chairman Bracker called the meeting back to order at 2:00 p.m.

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

EXECUTIVE SESSIONS - WILL BE HELD AT 2:00 P.M.

1. PURSUANT TO A.R.S. 38-431.03 (A)(3) DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING THE CONTRACT FOR JESUS VALDEZ AS COUNTY MANAGER, TO BE EFFECTIVE JULY 15, 2023 (REQ: CHAIRMAN BRACKER)

2. PURSUANT TO A.R.S. 38-431.03 (A)(1) DISCUSSION AND NEGOTIATION REGARDING THE CONTRACT FOR JESUS VALDEZ AS COUNTY MANAGER, TO BE EFFECTIVE JULY 15, 2023 (REQ: CHAIRMAN BRACKER)

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

ACTION ITEMS CONT.

1. DISCUSSION/POSSIBLE ACTION TO APPOINT JESUS VALDEZ AS SANTA CRUZ COUNTY MANAGER EFFECTIVE JULY 15, 2023, AND APPROVE CONTRACT OR DIRECT STAFF TO MAKE CHANGES TO CONTRACT (REQ: CHAIRMAN BRACKER)

Vice Chairman Ruiz made a motion to open the discussion on the negotiations regarding a possible contract for County Manager, Jesus Valdez, seconded by Chairman Bracker and Supervisor Molera; the motion was carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Chairman Bracker announced that the Board has presented a proposed contract and offer with the prospective County Manager and we will continue the discussions on March 27, 2023, and table today's action item to March 27, 2023 at 9:00 a.m.

ADJOURNMENT

The meeting adjourned at 4:05 p.m. (motion: Vice-Chairman Ruiz; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)