

Board of Supervisors  
April 5, 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; and 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 Maritza Cervantes.

**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; the motion was carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**CALL TO THE PUBLIC:**

Louis Chaboya, a resident of Rio Rico, spoke on behalf of the first responders about the need for the county to hire an Emergency Manager.

Residents of Patagonia or nearby residents within the area provided questions and or comments regarding the proposed land donation from Arizona Minerals Inc. to Santa Cruz County to provide a public park over zoom and in person.

Documents to include emails from the public received by the Clerk of the Board regarding the April 5th, 2022 Regular Board of Supervisors Meeting Agenda are available for inspection during working hours and are to be considered as part of these minutes.

**CURRENT EVENTS**

**1. BOARD OF SUPERVISORS**

**VICE-CHAIRMAN BRACKER** congratulated the wineries of the county that won recognition and awards for their hard work; spoke about meetings with Counsel General Laura Biedebach and Nogales, Sonora government to address the railroad and water issues, and mentioned Glenn Williamson with Canada Invest in Arizona.

**SUPERVISOR MOLERA** thanked staff for the previous and current study sessions, voiced concerns about legislation involving property taxes and judicial salary increases affecting small counties, and stated CSA (County Supervisors Association) would send a mitigating letter to the legislators.

**CHAIRMAN RUIZ** echoed Supervisor Molera's concerns about the legislature with continued support to advocate for the Santa Cruz County residents and met with the City of Nogales regarding flood areas.

## **2. MANAGER**

**JENNIFER ST. JOHN, COUNTY MANAGER**, attended meetings with CSA (County Supervisor Association), small counties, and the board of directors, met with the Friends of the Presidio regarding state parks, and a virtual meeting with Senator Mark Kelly about the congressional direct spending request that will make an impact to the county's budget.

### **DEPARTMENT REPORTS AND ACTIVITIES**

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

Mauricio Chavez, Administrative Services Department Director, reported \$16,830,259.16 in the General Fund, of which \$10,290,195.84 is invested; \$2,781,243.10 in the Road Fund, of which \$815,562.56 is invested; \$969,025.18 in the Flood Control District Fund, of which \$512,815.46 is invested; \$2,793,036.15 in the Jail District Fund, of which \$1,002,226.49 is invested; \$41,314,245.58 total for all funds, of which \$14,435,933.13 is invested; \$12,907,083.24 estimated end of month balance, compared to \$9,543,221.63 cash at April 2021, a difference of \$3,363,861.61.

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

### **FLOOD CONTROL**

#### **1. DIRECTOR'S/PROJECT REPORT**

Submitted in writing.

#### **2. MONTHLY REPORT FROM CITY OF NOGALES**

No report.

#### **3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA**

No report.

#### **4. PUBLIC COMMENT**

No public comment.

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

### **ACTION ITEMS**

#### **1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL:**

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

#### **A BUILDING INSPECTOR POSITION (REQ: COMMUNITY DEVELOPMENT)**

#### **B VACANT APPRAISER I POSITION (REQ: ASSESSOR)**

**C APPRAISER ASSISTANT POSITION (REQ: ASSESSOR)**

**2. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO RECLASSIFY AND FILL THE VACANT ANIMAL SHELTER ATTENDANT POSITION TO ANIMAL CARE & CONTROL OFFICER IN THE ANIMAL CONTROL DEPARTMENT (REQ: HUMAN RESOURCES)**

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

**3. DISCUSSION/POSSIBLE ACTION TO APPROVE FFY18 OPERATION STONE GARDEN (OPSG) GRANT PROGRAM AWARD-REALLOCATION WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR SUB-RECIPIENT AGREEMENT NO. 180432-04 OPSG EQUIPMENT IN THE AMOUNT OF \$8,000 (REQ: SHERIFF)**

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

**4. DISCUSSION/POSSIBLE ACTION TO APPROVE THE CORRECTED FILL THE GAP GRANT APPLICATION FOR FY2022 APPROVED ON 03/15/2022 (REQ: SUPERIOR COURT)**

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

**5. DISCUSSION/POSSIBLE ACTION TO APPROVE GRANT AGREEMENT RENEWALS WITH FIRST THINGS FIRST FOR STATE FISCAL YEAR 2023 (SFY23) AND ALLOW SCHOOL SUPERINTENDENT TO EXECUTE: (REQ: SCHOOL SUPERINTENDENT)**

Vice-Chairman Bracker made a motion to approve 5a-5b, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**A GRANT NO. GRA-RC020-21-1080-01-Y3 FOR CAPACITY BUILDING IN THE AMOUNT OF \$10,000**

**B GRANT NO. FTF-RC020-19-0640-02-Y5 FOR HOME VISITATION IN THE AMOUNT OF \$186,000**

**6. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT WITH PINAL COUNTY SCHOOL SUPERINTENDENT FOR THE JUVENILE DETENTION CENTER EDUCATIONAL PROGRAM, HOPE SCHOOL FROM JULY 1, 2021 TO JUNE 30, 2022 (REQ: SCHOOL SUPERINTENDENT)**

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

**7. DISCUSSION/POSSIBLE ACTION TO APPROVE THE JUVENILE AND ADULT DETENTION RAY OF LIGHT ACADEMY SECURE CARE SPECIAL EDUCATION POLICIES AND PROCEDURES 2021 FOR THE BOARD APPROVAL CERTIFICATION OF SCHOOL YEAR 2021-2022 (REQ: SCHOOL SUPERINTENDENT)**

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

**8. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT CONTRACT NO. CTR059269 WITH THE ARIZONA DEPARTMENT OF**

**HEALTH SERVICES FOR COVID-19 ELC FUNDING FOR K-12 SCHOOL REOPENING FROM MAY 1, 2021 THROUGH MAY 31, 2022 IN THE AMOUNT OF \$789,442 (REQ: HEALTH SERVICES)**

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

**9. DISCUSSION/POSSIBLE ACTION TO APPROVE JOB ORDER MASTER AGREEMENT NO. PW-FY2022 RENEWAL FOR ROADWAY, TRAFFIC SIGNALS, DRAINAGE & DRAINAGE STRUCTURES, SOLID WASTE & RELATED FACILITIES MAINTENANCE SERVICES WITH QUALIFIED CONTRACTORS: THE ASHTON COMPANY, INC., INNOVA ENGINEERING, LLC, KE&G, RUMMEL CONSTRUCTION, INC., SIERRITA MINING & RANCHING COMPANY (REQ: PUBLIC WORKS)**

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

Jesus Valdez, Deputy County Manager, provided insight to the Board on the contract renewal.

**10. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATIONS DECLARING:**

Vice-Chairman Bracker made a motion to approve 10a-10b, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**A APRIL 2022 AS NATIONAL COUNTY GOVERNMENT MONTH (REQ: COUNTY MANAGER)**

**B APRIL 10 -16, 2022 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATOR WEEK (REQ: SHERIFF)**

**11. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION # 2022-02 TO DEFINE ELECTION PRECINCT BOUNDARIES WITHIN SANTA CRUZ COUNTY AND RE-ADOPTING SUPERVISORIAL AND COMMUNITY COLLEGE DISTRICT BOUNDARIES (REQ: CLERK/ELECTIONS)**

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

**12. DISCUSSION/POSSIBLE ACTION: RECOMMENDATION OF APPROVAL OF APPLICATIONS FOR LIQUOR LICENSES FOR: (REQ: CLERK)**

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

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

**A RANCH HOUSE TAVERN, SONOITA**

**B THE ITALIAN PEASANT, TUBAC**

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

Vice-Chairman Bracker made a motion to approve 13a-d, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**A #4-671034 IN THE AMOUNT OF \$108.49 DATED 12/15/2021 PAYABLE TO JESSICA GOMEZ**

**B #4-671054 IN THE AMOUNT OF \$117.92 DATED 12/15/2021 PAYABLE TO JESSICA GOMEZ**

**C #4-671506 IN THE AMOUNT OF \$52.00 DATED 02/02/2022 PAYABLE TO IVAN INZUNZA**

**D #4-671795 IN THE AMOUNT OF \$52.00 DATED 02/17/2022 PAYABLE TO IVAN INZUNZA**

**14. TAX VALUATION ADJUSTMENTS: (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 120-02-292 - GENERAL DIVERSIFIED RESOURCES INC, AN ARIZONA CORPORATION, RESOLUTION NO. 56338**

**B 115-09-043 - NORIEGA RACHEL, RESOLUTION NO. 56340**

**C 103-14-024 - RAHIER WENDY & RAHIER JIMMY, RESOLUTION NO. 56341**

**D 102-03-012 - MASTICK ANNETTE S // ANNETTE SUZY MASTICK REVOCABLE LIVING TR, RESOLUTION NO. 56342**

**E 102-03-025 - PFEILER DAVID R FAMILY TRUST // CARL S JR (DBA), RESOLUTION NO. 56343**

**F 102-03-026 - CIRCLE K STORES INC, RESOLUTION NO. 56344**

**G 102-03-131 - SUNRISE OIL INC, RESOLUTION NO. 56345**

**H 102-03-131 - SUNRISE OIL INC, RESOLUTION NO. 56346**

**I 102-03-131 - SUNRISE OIL INC, RESOLUTION NO. 56347**

**J 102-03-131 - SUNRISE OIL INC, RESOLUTION NO. 56348**

**K 112-07-087 - SWIGGETT JAMES H & LISA L, RESOLUTION NO. 56350**

**15. APPROVAL OF MINUTES: 03/15/2022** 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 \$1,403,847.38, of which \$506,515.78 is from the General Fund. Details of these expenditures are available for inspection during working hours and are to be 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 Regular Session to convene the Public Hearing; second by Supervisor Molera; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

### **PUBLIC HEARING**

**1. ADOPTION OF ORDINANCE #2022-01, REGULATING CONTACT BETWEEN WILDLIFE AND HUMANS WITHIN SANTA CRUZ COUNTY IN AN EFFORT TO PROTECT THE WELFARE AND SAFETY OF THE PUBLIC (REQ: ANIMAL CARE & CONTROL)**

Adoption Ordinance # 2022-01 relates to the establishment of regulations involving contact between wildlife and humans within Santa Cruz County to protect the welfare and safety of the public. Presented by Jose Pena, Animal Care and Control. The Board thanked Jose for the information. No public comment.

Supervisor Molera made a motion to convene the Public Hearing to reconvene to Regular Session; second by Vice-Chairman Bracker; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

### **ACTION ITEMS CONT.**

#### **17. DISCUSSION/POSSIBLE ACTION TO APPROVE ORDINANCE #2022-01 REGULATING CONTACT BETWEEN WILDLIFE AND HUMANS WITHIN SANTA CRUZ COUNTY IN AN EFFORT TO PROTECT THE WELFARE AND SAFETY OF THE PUBLIC (REQ: ANIMAL CARE & CONTROL)**

Vice-Chairman Bracker moved to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)  
Vice-Chairman Bracker stated this is an important ordinance for the safety of the residents and thanked those involved with the ordinance creation.

A fifteen-minute break before the study session.

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 - 10:30 AM**

#### **1. PRESENTATION AND DISCUSSION REGARDING A PROPOSED LAND DONATION FROM ARIZONA MINERALS INC. TO SANTA CRUZ COUNTY FOR THE PURPOSE OF PROVIDING A PUBLIC PARK (REQ: COUNTY MANAGER)**

Presented by: Melanie Lawson, South32, and Rob Lane, Consultant  
Comments: Chairman Ruiz, Vice-Chairman Bracker, Supervisor Molera, and Jennifer St. John, County Manager, and Patagonia residents.

The Board adjourned the Study Session and convened into Regular Session. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; 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 was 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 PROPOSED DEED AND COOPERATIVE AGREEMENT WITH ARIZONA MINERALS, INC (AMI), TO ACCEPT A LAND DONATION FROM AMI FOR THE PURPOSE OF PROVIDING A PUBLIC PARK (REQ: COUNTY MANAGER).**

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

## **ADJOURNMENT**

The meeting adjourned at 1:21 p.m. (motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)