

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; 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

Chairman Bracker called the meeting to order, and the Pledge of Allegiance was recited, led by Kathi Campana.

ADOPTION OF AGENDA

Vice-Chairman Ruiz made a motion to adopt the Agenda tabling Action Item I4a for the May 2nd, 2023 Regular meeting, and allow deviation from the Agenda sequence as necessary; seconded by Supervisor Molera, the motion carried unanimously. (Ayes: Molera, Bracker, Ruiz)

CALL TO THE PUBLIC:

Alfredo Velasquez, School Superintendent, spoke of a scheduled choir performance outside of the 1904 Courthouse on April 25th at 9:00 AM by Challenger Elementary School; thanked Jennifer St. John, for all her support and guidance through the years of her service, thanked the incoming County Manager Jesus Valdez, County Attorney's office and Board of Supervisors for their support.

Kathi Campana, a resident of the county, requested maintenance of the Rio Rico trails.

Beth Outtrim, a resident of the county, zoom, asked for the date of the Challenger Elementary choir performance.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA: expressed condolences to the family of Daniel Torres; spoke of House Bill 2543 appropriations for the construction of the intersection of West Frontage Road and Camino Ramanote and Ruby Road Bridge replacement and improvements at Potrero Creek and the current standing of the bill at the legislature.

VICE-CHAIRMAN RUIZ: requested a moment of silence for the passing of Daniel Torres, a Nogales High School student and Employee of Zulas restaurant; participated in the Government Affairs Committee Meeting, spoke about the Santa Cruz Valley Unified School District #35 improvements, projects with local contractors, and programs for the preparation of students to be successful with the override that recently passed.

CHAIRMAN BRACKER: took part in the ribbon cutting ceremony of the two inspection bays at the Mariposa port of entry turned into cold storage rooms; engaged in an Arizona Border Counties Coalition meeting; participated in a meeting with the City of Nogales to meet the new director of Arizona Department of Environmental Quality (ADEQ); met with Port Authorities from Yuma, Cochise, and Santa Cruz counties for a hosted Congregational Border Update; attended a Santa Cruz National Heritage Area designation ribbon cutting ceremony with Adelita Grijalva, Pima County Chair.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, met with the Arizona Department of Environmental Quality (ADEQ); continued to work on the class and compensation study and on the personnel policy; participated in an Arizona Counties Insurance Pool meeting with Jesus Valdez, Deputy County Manager/Public Works Director; attended the Santa Cruz Valley National Heritage Area ribbon cutting ceremony; and hosted the Fletcher Group from the Recovery Kentucky Program.

ACTION ITEMS

10. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATIONS DESIGNATING:

A THE CELEBRATION OF THE 100TH ANNIVERSARY OF THE NOGALES PUBLIC LIBRARY (REQ: VICE-CHAIRMAN RUIZ)

Vice-Chairman Ruiz read the proclamation.

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

B ADMINISTRATIVE PROFESSIONAL WEEK APRIL 23-29, 2023 (REQ: SHERIFF)

Chairman Bracker read the proclamation.

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

STUDY SESSION

1. PRESENTATION ON THE RECOVERY KENTUCKY PROGRAM PRESENTED BY THE FLETCHER GROUP INC. (REQ: JUSTICE OF THE PEACE)

Vice-Chairman Ruiz made a motion to recess the regular session and move into the study session, seconded by Supervisor Molera; the motion was carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Introduction by the Honorable Emilio Velasquez, Justice of the Peace

Presentation by Jennifer White and Tony White from the Fletcher Group Inc.

The Board thanked the presenters and all others involved in bringing the program.

Chairman Bracker exercised a recess.

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

EXECUTIVE SESSION

1. 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 item was not discussed in the Executive Session.

2. 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)

The item was not discussed in the Executive Session.

3. PURSUANT TO A.R.S. § 38-431.03(A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING SANTA CRUZ COUNTY V. AUDIT USA, CASE NO. C20223426 (REQ: COUNTY ATTORNEY)

4. PURSUANT TO A.R.S. § 38-431.03(A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING SHOW BASEBALL V. SANTA CRUZ COUNTY, PIMA COUNTY SUPERIOR COURT CASE No. C20221976, AND RELATED (JOINED) CASE, MODERN DEPOT V. SANTA CRUZ COUNTY, PIMA COUNTY SUPERIOR COURT CASE NO. C20230737 (REQ: OUTSIDE COUNSEL/COUNTY MANAGER)

5. PURSUANT TO A.R.S. § 38-431.03(A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING FUENTES V. COUNTY OF SANTA CRUZ, CASE NO. CV-21-00220-TUC-DCB (REQ: COUNTY MANAGER)

6. PURSUANT TO A.R.S. § 38-431.03(A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING THE SANTA CRUZ COUNTY PRESIDING JUDGE'S REQUEST TO CREATE AN INDEPENDENT PERSONNEL DEPARTMENT (REQ: OUTSIDE COUNSEL, ANDREW PETERSEN)

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

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

FLOOD CONTROL

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL VACANT FLOODPLAIN COORDINATOR POSITION (REQ: PUBLIC WORKS)

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

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

JAIL DISTRICT

1. DISCUSSION/POSSIBLE ACTION TO APPROVE FIRST AMENDMENT TO THE INMATE HOUSING INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF ORO VALLEY TO INCREASE PER INMATE RATE PER-DIEM FROM \$65/DAY TO \$78.18/DAY (REQ: COUNTY ATTORNEY)

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

2. DISCUSSION/POSSIBLE ACTION TO APPROVE MODIFICATION NO. 3 OF INTERGOVERNMENTAL AGREEMENT NO. 08-10-0042 WITH THE US MARSHALS SERVICE TO INCLUDE HOMELAND SECURITY INVESTIGATIONS (HSI) FOR HOUSING OF INMATES (REQ: COUNTY ATTORNEY)

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

Chairman Bracker asked if the price for this agreement had been negotiated. Mr. Moran advised the Board this is a piggyback agreement but the negotiation of a price is in progress.

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

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Administrative Services Director, reported \$18,829,308.52 in the General Fund, of which \$14,620,047.53 is invested; \$1,454,135.91 in the Road Fund, of which \$7,173.22 is invested; \$1,121,761.06 in the Flood Control District Fund, of which \$271,802.20 is invested; \$4,898,141.36 in the Jail District Fund, of which \$1,030,722.19 is invested; \$50,191,517.55 total for all funds, of which \$17,796,732.94 is invested; \$16,313,540.29 estimated end of month balance, compared to \$15,934,839.86 cash at April 2022, a difference of \$378,700.43.

The Quarterly General Fund Revenue Performance Report and Expenditure Report showed \$23,324,180 total collected to date; Real Estate Taxes: \$10,406,490 collected to date; Auto Lieu Tax: \$1,380,604 collected to date; County 1/2 Cent Tax Revenue: \$2,568,984 collected to date; State Shared Sales Tax: \$4,554,461 collected to date; Expenditures General Fund Total: \$23,581,069 expenses to date.

ACTION ITEMS CONT.

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

A HUMAN RESOURCES DIRECTOR POSITION (REQ: COUNTY MANAGER)

B PUBLIC TELE-COMMUNICATOR POSITION (REQ: SHERIFF)

C DEVELOPMENT SERVICES MANAGER POSITION (REQ: COMMUNITY DEVELOPMENT)

D WORKFORCE DEVELOPMENT SPECIALIST POSITION (REQ: WIOA)

E SENIOR ACCOUNTANT POSITION (REQ: ADMINISTRATIVE SERVICES)

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

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF BRIANA RODRIGUEZ TO THE NOGALES/SANTA CRUZ COUNTY LIBRARY BOARD FOR DISTRICT NO. 2 (REQ: SUPERVISOR MOLERA)

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

3. DISCUSSION/POSSIBLE ACTION TO APPROVE GRANT AWARD CONTRACT NO. CNA23-408 WITH THE CONSTABLE ETHICS, STANDARDS & TRAINING BOARD FOR THE AMOUNT OF \$14,765.08 THROUGH JUNE 30, 2023 (REQ: CONSTABLE)

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

4. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES CONTRACTS WITH DONELSON CONSULTING LLC FOR: (REQ: COMMUNITY DEVELOPMENT)

A COMMUNITY PLANNING AND REVENUE DEVELOPMENT SERVICES EFFECTIVE APRIL 18, 2023 IN AN AMOUNT NOT TO EXCEED \$25,000

Tabled to May 2, 2023, during the Adoption of the Agenda.

B ARPA SMALL BUSINESS AND NON-PROFIT PROGRAM EVALUATION AND SOCIAL RETURN ON INVESTMENT REPORT EFFECTIVE DECEMBER 1, 2022 IN AN AMOUNT NOT TO EXCEED \$30,000

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

5. DISCUSSION/POSSIBLE ACTION TO AWARD CONTRACT PURSUANT TO B-02-23-CO10 TO URBAN SCENARIOS LLC FOR SERVICES RELATED TO THE SOUTHERN ARIZONA CULINARY TOURISM INITIATIVE IN AN AMOUNT NOT TO EXCEED \$226,000 (REQ: COMMUNITY DEVELOPMENT)

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

6. DISCUSSION/POSSIBLE ACTION TO APPROVE AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT NO. 20-0008047-I FOR CHANGE ORDER #1 WITH THE STATE OF ARIZONA FOR THE PENDLETON DRIVE DIP AT SONOITA CREEK PROJECT IN THE AMOUNT OF AN ADDITIONAL \$47,500 (REQ: PUBLIC WORKS)

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

7. DISCUSSION/POSSIBLE ACTION TO APPROVE COOPERATIVE PURCHASE AGREEMENT WITH WESTERN EMULSIONS INC, FOR THE PROCUREMENT OF BITUMINOUS MATERIAL UNDER THE ARIZONA DEPARTMENT OF TRANSPORTATION SOLICITATION NO. BPM001254 (REQ: PUBLIC WORKS)

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

8. DISCUSSION/POSSIBLE ACTION TO APPROVE CHIP SEALING FOR CAMINO CARALAMPI, PASEO VENADO, CIRCULO GOLONDRINA, AND CALLE ROBALO (REQ: PUBLIC WORKS)

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

9. DISCUSSION/POSSIBLE ACTION: (REQ: VICE-CHAIRMAN RUIZ)

A DISCUSSION ON SANTA CRUZ COUNTY WORKFORCE DEVELOPMENT

The Vice-Chairman provided a summary of the workforce development program to gain preparedness, skills, and educational programs for the community to be ready for job opportunities, including job opportunities with the mine, named the Greater Ambos Nogales Workforce; spoke of participants for a luncheon scheduled on May 11th, 2023. Chairman Bracker and Supervisor Molera advised Chairman Ruiz to reach out to other entities such as South 32 and the Port Authority. Vice-Chairman Ruiz thanked the City of Nogales and Mayor Maldonado for their support.

B APPROVE SANTA CRUZ COUNTY WORKFORCE DEVELOPMENT LUNCHEON SPONSORSHIP

Vice-Chairman Ruiz withdrew this item.

11. DISCUSSION/POSSIBLE ACTION ON THE RECOMMENDATION OF APPROVAL/DISAPPROVAL OF A SPECIAL EVENT LICENSE APPLICATION FOR THE ARIZONA CRAFT DISTILLERS GUILD ON 05/20/23 IN PATAGONIA (REQ: CLERK)

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

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

A 114-02-098-B - GRANT PROPERTIES GROUP INC., RESOLUTION NO. 56615

B 133-01-217 - MARVIN LEE BRADSHER, RESOLUTION NO. 56617

C 133-01-217 - MARVIN LEE BRADSHER, RESOLUTION NO. 56618

D 133-01-217 - MARVIN LEE BRADSHER, RESOLUTION NO. 56619

E 109-24-013-B - GUY NIX, RESOLUTION NO. 56620

F 109-24-013-B - GUY NIX, RESOLUTION NO. 56621

G 109-24-013-B - GUY NIX, RESOLUTION NO. 56622

H 109-47-020-E - ANDREW G MIRITELLO & JULIET R JIMENEZ, RESOLUTION NO. 56624

I 116-12-260-A - MICHAEL J WISE & JANE LATZKA WISE, RESOLUTION NO. 56625

J 116-12-260-A - MICHAEL J WISE & JANE LATZKA WISE, RESOLUTION NO. 56626

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

14. APPROVAL OF MINUTES: 04/04/2023

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

15. DEMANDS were approved in the total amount of \$967,881.48, of which \$550,278.60 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 Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

16. 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)

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

Vice-Chairman Ruiz thanked Jennifer St. John for doing an outstanding job; looking forward to a different style of management from Jesus Valdez for his leadership moving forward; thankful for a great transition; thanked Ms. St. John once again and congratulated Mr. Valdez.

Supervisor Molera thanked Ms. St. John for her exemplary leadership; thanked Mr. Valdez and Ms. St. John for their collaboration and for both working together and expressed hope for Ms. St. John to continue being available as a consultant and wished Mr. Valdez luck and looks forward to working as a team.

Chairman Bracker, congratulated Ms. St. John for her tenure and for a great job done as a Finance Director and as County Manager, and appreciated the hard work; congratulated Mr. Valdez and advised him of any support he may need to advise the Board.

ADJOURNMENT

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