

Board of Supervisors
June 6, 2023
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: Bruce Bracker, Chairman; Manuel Ruiz, Vice-Chairman (present via Zoom); Rudy Molera, Member; Jennifer St. John, County Manager; Jesus Valdez, Deputy County Manager; Kim Hunley, Chief Deputy County Attorney; William Moran, Civil Deputy County Attorney III; Robert May, Civil Bureau Chief; and Lizbeth Tolano Huerta, Deputy 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 Matt Pirilli.

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: Bracker, Molera, Ruiz)

CALL TO THE PUBLIC:

John Fanning, a county resident, thanked the Board for all the county walking paths and also thanked Jesus Valdez, Tracy Huffstetler, and staff for erecting the benches for the Rio Rico Rotary.

Jesus Jerez, a county resident, zoom, informed the Board about a gunshot incident that happened on April 26, 2023, at the Josephine wash.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA: attended the NACo WIR Conference in Utah, participated in the funeral services for Ricardo Calixtro, and expressed condolences to the family.

VICE-CHAIRMAN RUIZ: participated in the NACo Economic Development Leadership Conference in Page, AZ; expressed condolences to the Calixtro family; attended a greet & meet with Secretary of State Adrian Fontes.

CHAIRMAN BRACKER: attended the Nogales High School scholarship evening, the ADEQ 2025 Water Border Planning session, the Port Authority Board meeting, and Memorial Services at the Veterans Section at the Nogales Cemetery; provided an I19 update; thanked everyone that put out the fire on the Soltero Ranch; and thanked Pima County and Dema for their assistance with the transportation of migrants.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, attended continuing education training and the CSA Board of Directors meeting; sent a big shoutout to Emergency Management and Health Department for their excellent work with Title 42; participated in the meet and greet with Secretary of State Adrian Fontes; continued to work on the personnel policy.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mayra Ochoa, Senior Accountant, reported \$20,128,979.49 in the General Fund, of which \$14,679,406.14 is invested; \$1,236,208.50 in the Road Fund, of which \$7,202.34 is invested; \$1,225,178.38 in the Flood Control District Fund, of which \$272,905.74 is invested; \$5,029,540.60 in the Jail District Fund, of which \$1,034,907.01 is invested; \$52,695,276.87 total for all funds, of which \$17,868,988.45 is invested; \$13,903,449.81 estimated end of month balance, compared to \$13,299,246.13 cash at June 2022, a difference of \$604,203.68.

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

FLOOD CONTROL

1. DIRECTOR'S/PROJECT REPORT

Presented by Angie Pimienta, Public Works

Allan Sanchez was presented as the new Floodplain Coordinator.

2. MONTHLY REPORT FROM CITY OF NOGALES

Presented by Juan Guerra, City of Nogales

3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA

The Town of Patagonia provided a written report, which Bill O'Brien also presented via Zoom.

4. PUBLIC COMMENT

Steven McEwen, a Rio Rico resident, suggested the county seek a second quote on the mentioned project.

5. DISCUSSION/POSSIBLE ACTION TO APPROVE A VARIANCE FOR FLOODPLAIN USE PERMIT NO. 22-150 FOR 441 N. GRAND AVENUE IN NOGALES (REQ: PUBLIC WORKS)

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

6. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE THE SOLICITATION OF STATEMENT OF QUALIFICATIONS NO. S-07-23-CO38 FOR ENGINEERING DESIGN SERVICES FOR THE EPHRAIM CANYON FLOOD PROJECT UNDER THE PRE-DISASTER MITIGATION GRANT PREVIOUSLY APPROVED ON MAY 24, 2022 (REQ: PUBLIC WORKS)

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

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

ACTION ITEMS

1. PRESENTATION ON THE AMERICAN RESCUE PLAN ACT OF 2021 DIRECT ASSISTANCE FOR LOCAL GOVERNMENTS FORGIVABLE LOAN PROGRAM BY CHICANOS POR LA CAUSA AND SCHOOL SUPERINTENDENT'S OFFICE (REQ: ADMINISTRATIVE SERVICES)

Presented by: Angie Donelson, Mark McKenna from Chicanos por la Causa, Kerri Muñoz from the School Superintendent's Office, Esteban Rodriguez from Lourdes High School, and Bella Mercado from Rio Rico High School

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF PRECINCT COMMITTEEPERSON FOR THE SANTA CRUZ COUNTY REPUBLICAN PARTY: MARY JEAN SEVERSON, TUBAC 11 (REQ: STEVE MCEWEN, CHAIRPERSON, SCC REPUBLICAN PARTY)

Vice-Chairman Ruiz 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 VACANCIES:
(REQ: SCHOOL SUPERINTENDENT)**

A ADULT EDUCATION PROGRAM MANAGER POSITION

B C-CREO GEAR UP COLLEGE CENTER LIAISON POSITION

C FIRST THINGS FIRST LOS PADRES PARENT EDUCATOR POSITION

D ESSER III ASSISTANT COORDINATOR FOR HISTORY & HUMANITIES POSITION

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

Chairman Bracker asked if the positions were grant funded.

County Manager, Jennifer St. John, confirmed

4. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT WITH YAVAPAI COUNTY SCHOOL SUPERINTENDENT'S OFFICE FOR E-RATE SERVICES FROM JULY 1, 2023 THROUGH JUNE 30, 2024 IN THE AMOUNT OF \$1,500 (REQ: SCHOOL SUPERINTENDENT)

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 APPROVE THE SECURE RURAL SCHOOLS AND COMMUNITIES ACT (FOREST FEES) AWARD DISTRIBUTION FOR SCHOOL YEAR 2023-2024 (REQ: SCHOOL SUPERINTENDENT)

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 GRANT NO. GRA-RC020-24-1248-01 WITH FIRST THINGS FIRST TO PROVIDE PROFESSIONAL DEVELOPMENT AND INSTRUCTION TO LOCAL EARLY CHILDHOOD EDUCATORS IN THE AMOUNT OF \$22,000 FROM JULY 1, 2023 THROUGH JUNE 30, 2024 AND MAY RENEW FOR UP TO THREE (3) YEARS (REQ: SCHOOL SUPERINTENDENT)

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

**7. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACTS FOR EDUCATIONAL SERVICES FOR THE IMPLEMENTATION OF THE INVEST IN OUR YOUTH 2023 SUMMER PROGRAM IN THE AMOUNT OF \$2,500 WITH:
(REQ: SCHOOL SUPERINTENDENT)**

A NOGALES FIRE DISTRICT

B TUBAC FIRE DISTRICT

C SONOITA-ELGIN FIRE DISTRICT

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 INTERGOVERNMENTAL AGREEMENT NO. D123-002391 WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR THE RENEWAL OF WORKFORCE INNOVATION & OPPORTUNITY ACT TITLE I SERVICES FOR JULY 1, 2023 THROUGH JUNE 30, 2028 (REQ: WIOA)

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

9. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO. 3 TO INTERGOVERNMENTAL AGREEMENT NO. DI21-002288 WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY TO ACCEPT AN ADDITIONAL \$1,476 TO THE INITIAL AMOUNT OF \$1,021,036 FOR A TOTAL OF \$1,022,512 FOR WIOA TITLE I SERVICES (REQ: WIOA)

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

10. DISCUSSION/POSSIBLE ACTION TO APPROVE MEMORANDUM OF UNDERSTANDING WITH FRED G. ACOSTA JOB CORPS IN COLLABORATION WITH THE SANTA CRUZ COUNTY WORKFORCE DEVELOPMENT BOARD (DBA ARIZONA@WORK) FOR THE USE OF PREMISES FOR THE PURPOSE OF WORKING AND MEETING WITH PROGRAM PARTICIPANTS FOR A PERIOD OF ONE (1) YEAR AND MAY RENEW FOR UP TO FOUR (4) YEARS (REQ: WIOA)

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

11. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENTS NO.1 TO EXTEND SUB-RECIPIENT GRANT AGREEMENTS (OPERATION STONE GARDEN) WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR: (REQ: SHERIFF)

A CONTRACT NO. 210440-01 UNTIL JULY 31, 2023 FOR OVERTIME AND MILEAGE

B CONTRACT NO. 210440-02 UNTIL JUNE 30, 2023 FOR EQUIPMENT PURCHASES

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

12. DISCUSSION/POSSIBLE ACTION TO APPROVE BANKING SERVICES CONTRACT EXTENSION AND AMENDMENT WITH JPMORGAN CHASE BANK, N.A. FOR ONE (1) ADDITIONAL YEAR EXPIRING ON JUNE 30, 2024 (REQ: TREASURER)

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

13. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT #1 OF ADOT AERONAUTICS GROUP GRANT NO. E3S2F 01D FOR AIRPORT DRAINAGE IMPROVE, EROSION CONTROL (DESIGN ONLY) PROJECT (REQ: SPECIAL PROJECTS)

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

Supervisor Molera thanked Mary Dahl for her work and dedication.

14. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE SOLICITATION FOR BID NO. B-10-23-CO60 FOR THE SONOITA LIBRARY AND COMMUNITY ROOM IMPROVEMENTS (REQ: SPECIAL PROJECTS)

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

15. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENTS WITH CIVICPLUS INC. FOR: (REQ: INFORMATION TECHNOLOGY)

A CIVICENGAGE IDP FOR MULTI FACTOR AUTHENTICATION (MFA) MIGRATION AND INTEGRATION SERVICES IN THE AMOUNT OF \$2,806.79

B CIVICOPTIMIZE AGREEMENT FOR FORM PROCESS AUTOMATION SERVICES IN THE AMOUNT OF \$9,999.68

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

16. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC. FOR THE RIO RICO LANDFILL AND SONOITA LANDFILL AIR SPACE ANALYSIS, LIFE EXPECTANCY, AND CLOSURE/POST CLOSURE CARE FINANCIAL ASSURANCE FOR FY 2023 IN THE AMOUNT OF \$19,900 (REQ: PUBLIC WORKS)

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

17. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES CONTRACT WITH CMG DRAINAGE ENGINEERING, INC. FOR AS-NEEDED DRAINAGE ENGINEERING SERVICES FOR UP TO \$60,000 PER SIX (6) MONTH TERM, SUBJECT TO RENEWALS NOT TO EXCEED FIVE (5) YEARS IN TOTAL (REQ: PUBLIC WORKS)

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

18. DISCUSSION/POSSIBLE ACTION TO APPROVE LETTER OF SUPPORT TO RENAME THE PATAGONIA POST OFFICE IN HONOR OF FORMER CONGRESSMAN JAMES T. KOLBE (REQ: CHAIRMAN BRACKER)

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

19. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATION DECLARING JUNE 14, 2023 TO BE THE UNITED STATES ARMY'S 248TH BIRTHDAY (REQ: SUPERVISOR MOLERA)

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

Supervisor Molera read the Proclamation.

20. DISCUSSION/POSSIBLE ACTION TO APPROVE BONDS FOR DUPLICATE WARRANTS: (REQ: CLERK)

A # 4-675403 IN THE AMOUNT OF \$731.25 DATED 11/16/2022 PAYABLE TO RACHEL LYMAN

B # 4-675421 IN THE AMOUNT OF \$162.50 DATED 11/16/2022 PAYABLE TO RACHEL LYMAN

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

21. DISCUSSION/POSSIBLE ACTION ON THE RECOMMENDATION OF APPROVAL OF LIQUOR LICENSE APPLICATION LA BOCANITA RESTAURANT IN RIO RICO, AZ (REQ: CLERK)

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

22. DISCUSSION/POSSIBLE ACTION TO APPROVE AN APPLICATION FOR A FIREWORKS DISPLAY AT 18 CLL BACA, FOR HERB WISDOM'S BIRTHDAY ON 07/03/2023 (REQ: CLERK)

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

23. DISCUSSION/POSSIBLE ACTION TO APPROVE CERTIFICATES OF REMOVAL AND ABATEMENT OF TAXES AND/OR PENALTY: (REQ: TREASURER)

- A TAX ID# 113-10-003- JEANNETTE L ELLIOT- \$1,039.23**
- B TAX ID# 113-10-004- JEANNETTE L ELLIOT- \$1,039.23**
- C TAX ID# 113-38-003- GRANT TR KHEEN- \$1,954.80**
- D TAX ID# 113-45-164- FRESH- CO INVESTMENTS LLC- \$24,002.67**
- E TAX ID# 114-02-222- MICHAEL M & LUCIA A FOSTER- \$839.18**
- F TAX ID# 110-23-013- WILLIAM & BERNAD HAGENDORF- \$1,231.75**
- G TAX ID# 110-32-001-A- UNITED STATES OF AMERICA- \$104.68**
- H TAX ID# 110-45-015-A- JOHN J AND GAIL L ARANDA- \$2,751.59**
- I TAX ID# 110-33-004-A- UNITED STATES OF AMERICA- \$178.60**
- J TAX ID# 114-51-105- RIO RICO PROPERTIES- \$8,068.45**
- K TAX ID# 114-50-106- LUIS F DEL RASSO JR- \$4,430.31**
- L TAX ID# 114-50-107- LUIS F DEL RASSO JR- \$4,605.87**
- M TAX ID# 114-04-028- LAWYERS TITLE OF ARIZONA #7773-T- \$1,438.75**
- N TAX ID# 106-00-921 VERONICA & COLLINS GIFFITH GEIGER- \$3,381.30**
- O TAX ID# 105-63-113- JAMES D & IRENE OWENS- \$90.58**
- P TAX ID# 115-03-016- MARTIN GARCIA- \$156.40**
- Q TAX ID# 115-01-471- RICHARD S FAUBION- \$907.69**
- R TAX ID# 115-01-306- RONNIE D & CLAUDIA L ST CLAIRE- \$286.01**
- S TAX ID# 115-01-253- MICHAEL & JAYNE E DIETRICH- \$641.74**
- T TAX ID# 114-04-014- LAWYERS TITLE OF ARIZONA #77- \$1,323.99**
- U TAX ID# 115-03-254- RUBEN A & MARGARET C ESTRELLA- \$156.40**
- V TAX ID# 115-03-255- RUBEN A & MARGARET C ESTRELLA- \$156.40**
- W TAX ID# 105-06-016- MARIO R & ANA L MORENO- \$3,474.27**
- X TAX ID# 108-06-003- ETHEL ELLIS ANDERSON- \$702.34**

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

24. TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR)

- A 105-20-188 - JOSE CARLOS RIOS & EDUARDA RIOS, RESOLUTION NO. 56642**
- B 114-02-056 - JOSEPH D. BARNARD, RESOLUTION NO. 56643**
- C 114-02-056 - JOSEPH D. BARNARD, RESOLUTION NO. 56644**
- D 114-02-056 - JOSEPH D. BARNARD, RESOLUTION NO. 56645**

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

25. APPROVAL OF MINUTES: 05/16/2023

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

26. DEMANDS: were approved in the total amount of \$6,044,993.52, of which \$1,032,984.28 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 Ruiz made a motion to recess the Regular Meeting to convene the Public Hearing seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

PUBLIC HEARING

1. REQUEST TO ADOPT ORDINANCE NO. 2023-01 TO ADD ARTICLE 31 TO THE SANTA CRUZ COUNTY ZONING AND DEVELOPMENT CODE TO ESTABLISH UNIFORM CRITERIA AND PROCEDURES FOR THE REVIEW, ADOPTION, AND IMPLEMENTATION OF SPECIFIC ZONING PLANS WITHIN THE UNINCORPORATED AREAS IN THE COUNTY (REQ: COMMUNITY DEVELOPMENT)

Presented by: Frank Dillon, Community Development Director

Comments made by: Mike Pirrilli, Gerard Navarro, and the Board of Supervisors

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

ACTION ITEMS (continued)

27. DISCUSSION/POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2023-01 TO ADD ARTICLE 31 TO THE SANTA CRUZ COUNTY ZONING AND DEVELOPMENT CODE TO ESTABLISH UNIFORM CRITERIA AND PROCEDURES FOR THE REVIEW, ADOPTION, AND IMPLEMENTATION OF SPECIFIC ZONING PLANS WITHIN THE UNINCORPORATED AREAS IN THE COUNTY (REQ: COMMUNITY DEVELOPMENT)

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

ADJOURNMENT

The meeting adjourned at 10:42 a.m. (motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)