

Board of Supervisors
June 7, 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: Bruce Bracker, Chairman; Rudy Molera, Vice-Chairman; Manuel Ruiz, Member; Jesus Valdez, Deputy County Manager; Kim Hunley, Chief Deputy County Attorney; Lizbeth Tolano, 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 Mo, from Los Milics Vineyards.

ADOPTION OF AGENDA

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

CALL TO THE PUBLIC:

William Schock, Elgin Resident, spoke in opposition to adopting Ordinance No. 2022-02 Final Plan for Los Milics Vineyards Planned Area Development for Parcel No. 109-47-041M (Case No. PAD-22-01).

Raymond Sayre, Tumacacori Resident, reported a newly formed non-profit LLC called Santa Cruz County Arizona Shinning. Their goal is to reduce trash throughout the county.

Bruno Hazen, Sonoita Resident, spoke regarding the Building Department's Section 1005 on pre-engineering walls.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

VICE-CHAIRMAN MOLERA - remembered D-Day and thanked all the WWII veterans and all veterans.

SUPERVISOR RUIZ - expressed his gratitude for the service of all soldiers; reported he attended a Santa Cruz Chambers Government Affairs Meetings in Mexico with the Governor of Sonora;

CHAIRMAN BRACKER - also expressed his gratitude to all the D-Day veterans and reported he participated in Memorial Day Service at the Nogales Cemetery and thanked the VFW for putting those services together; he also attended a Port Authority meeting; met with the Santa Cruz County Board of Realtors; he also participated in a Santa Cruz County Democratic Forum.

2. MANAGER

JESUS VALDEZ, DEPUTY COUNTY MANAGER - Nothing to report.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Administrative Services Director, reported \$17,908,800.90 in the General Fund, of which \$10,295,459.81 is invested; \$1,266,922.20 in the Road Fund, of which \$450,942.44 is invested; \$1,411,842.28 in the Flood Control District Fund, of which \$513,180.68 is invested; \$3,707,765.10 in the Jail District Fund, of which \$1,002,739.18 is invested; \$41,942,070.08 total for all funds, of which \$14,443,420.02 is invested; \$13,299,246.13 estimated end of month balance, compared to \$11,165,235.95 cash at June 2021, a difference of \$2,134,010.18.

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

FLOOD CONTROL

Submitted in writing.

1. DIRECTOR'S/PROJECT REPORT

No report.

2. MONTHLY REPORT FROM CITY OF NOGALES

No report.

3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA

No report.

4. PUBLIC COMMENT

No comment.

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

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

PUBLIC HEARING

1. REQUEST TO ADOPT ORDINANCE NO. 2022-02 FINAL PLAN FOR LOS MILICS VINEYARDS PLANNED AREA DEVELOPMENT FOR PARCEL NO. 109-47-041M (CASE NO. PAD-22-01) (REQ: COMMUNITY DEVELOPMENT)- Presented by Frank Dillon, Community Development Director. Vice-Chairman Molera commended the project and all those involved.

No public comment.

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

ACTION ITEMS

16. DISCUSSION/POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2022-02 FINAL PLAN FOR LOS MILICS VINEYARDS PLANNED AREA DEVELOPMENT FOR PARCEL NO. 109-47-041M (CASE NO. PAD-22-01) (REQ: COMMUNITY DEVELOPMENT)

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

Chairman Bracker thanked the owners of Los Milics.

1. ROTATION OF CHAIRMAN AND VICE-CHAIRMAN (REQ: SUPERVISOR RUIZ)

Supervisor Ruiz asked Chairman Bracker if he wanted to change his rotation as Chairman to the last term as he had previously desired.

Chairman Bracker stated he was happy being the Chairman for the current term.

Supervisor Ruiz made a motion to change the Vice-Chairman until August 31, 2023, then the Chairmanship and Vice-Chairmanship from September 1, 2023, through December 31, 2024. Nominated Chairman Bracker to be Vice-Chairman from September 1, 2023, through December 31, 2024, and nominated himself as Chairman from September 1, 2023, through December 31, 2024, and requested to be the Vice-Chairman under the current leadership effective June 8, 2022, seconded by Chairman Bracker

Vice-Chairman Molera stated that the Board had agreed to make it an equal 16-month rotation for Chairman & Vice-Chairman. He added that the election for CSA President didn't go down very well with Supervisor Ruiz because he (Supervisor Molera) prevailed against him. He added that the route both of them are taking is very unfortunate because they are big boys and professionals.

Supervisor Ruiz said it was nothing personal.

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

2. CREATE AND FILL FOUR (4) COMMUNICABLE DISEASE INVESTIGATOR POSITIONS IN ENVIRONMENTAL HEALTH TO FULFILL MULTIPLE PREVIOUSLY APPROVED COVID-19 GRANT WORK PLANS (REQ: HUMAN RESOURCES)

Jeff Terrell, Health Services Director, explained these positions were to continue with the COVID response.

Chairman Bracker asked Jeff if he started reporting COVID cases to the Board and if there were any severe COVID cases,

Jeff Terrell confirmed he started the reporting and said there is more testing but nothing severe as far as hospitalizations or fatalities.

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

3. SECURE RURAL SCHOOLS AND COMMUNITIES ACT (FOREST FEES) AWARD DISTRIBUTION FOR SCHOOL YEAR 22-23 (REQ: SCHOOL SUPERINTENDENT)

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

4. 9-1-1 GRANT AGREEMENT NO. ADOA-AZ911-23-09 WITH THE ARIZONA DEPARTMENT OF ADMINISTRATION FOR FY2023 IN THE AMOUNT OF \$519,268 (REQ: SHERIFF)

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

5. MEMORANDUM OF UNDERSTANDING WITH RED CROSS TO ASSIST INDIVIDUALS, FAMILIES, AND COMMUNITIES WHO HAVE BEEN OR CAN BE AFFECTED BY A DISASTER OR AN EMERGENCY (REQ: HEALTH SERVICES)

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

Jeff Terrell stated that the memorandum was to allow the Red Cross to assist and set up shelters in case of a disaster or emergency.

Chairman Bracker thanked Jeff for setting up the MOU and thanked Red Cross for their service in our community when it has been needed.

6. INTERGOVERNMENTAL AGREEMENT CONTRACT NO. CTR060047 WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR IMMUNIZATION SERVICES FROM JULY 1, 2022 THROUGH JUNE 30, 2027 IN THE AMOUNT OF \$50,000 (REQ: HEALTH SERVICES)

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

Jeff Terrell explained that the 5-year contract was for children's immunizations.

7. RENEWAL OF SOA CARRIER SERVICES AGREEMENT NO. AZIA-00078 WITH CENTURYLINK FOR BROADBAND SERVICES FOR AN ANNUAL AMOUNT OF \$12,000 (REQ: INFORMATION TECHNOLOGY)

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

8. ENTERPRISE AGREEMENT RENEWAL WITH ESRI FOR THE MAINTENANCE OF THE GIS SOFTWARE MODULES FOR AN ANNUAL AMOUNT OF \$41,041 (REQ: INFORMATION TECHNOLOGY)

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

9. AUCTION ON JUNE 11, 2022 OF OBSOLETE COUNTY VEHICLES AND FURNITURE/EQUIPMENT (REQ: ADMINISTRATIVE SERVICES)

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

Mauricio Chavez explained that the auction is conducted by the County Attorney's Office and allows the county to auction any vehicles or equipment that no longer has value or use for the county.

10. CONTRACT WITH PALO VERDE BEHAVIORAL HEALTH FOR TITLE 36 MENTAL HEALTH EVALUATION SERVICES FROM APRIL 1, 2022 THROUGH MARCH 31, 2023 (REQ: COUNTY ATTORNEY)

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

Kim Hunley, Deputy County Attorney, stated that the contract relates to the duty that is under Title 36 statute.

11. PROCLAMATION DECLARING JUNE 14, 2022 TO BE THE UNITED STATES ARMY'S 247TH BIRTHDAY (REQ: VICE-CHAIRMAN MOLERA)

Proclamation read by Vice-Chairman Molera.

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

12. RESOLUTION NO. 2022-08 DESIGNATING THE VOTE CENTERS FOR THE AUGUST 2, 2022, PRIMARY ELECTION (REQ: ELECTIONS)

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

13. TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR): *A 102-01-035-N - Theta Properties Llp / Arizona Limited Liability Partnership, Resolution No. 56380; B 102-01-012-A - Delta Properties Llp / Arizona Limited Liability Partnership, Resolution No. 56382; C 113-49-027-A - 7659 Property Llc, Resolution No. 56383; D 113-49-027-A - 7659 Property Llc, Resolution No. 56384; E 113-49-027-A - 7659 Property Llc, Resolution No. 56385; F 113-49-027-B - The Harvey Family Limited Partnership, Resolution No. 56386; G 113-49-027-B - The Harvey Family Limited Partnership, Resolution No. 56387; H 113-49-027-B - The Harvey Family Limited Partnership, Resolution No. 56388; I 102-01-036-A - Delta Properties Llp / Arizona Limited Liability Partnership, Resolution No. 56389* were approved as submitted by the County Assessor's Office. (Motion: Supervisor Ruiz; second: Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Ruiz - Nays: Molera)

Vice-Chairman Molera stated he had a problem with item G13B&I because the owner of those two properties is "Person A", who is under investigation. He asked Pablo Ramos, County Assessor, if any of the submitted tax adjustments were part of the properties mentioned in the investigation under Felipe Fuentes (former Assessor).

Pablo Ramos stated that he believed that part of it was, but that the deed had been recorded in 2020 by ADOT as part of the eminent domain acquisition of the land. ADOT provided the recoded survey until the beginning of this year. All the recordings have been done through ADOT.

Supervisor Ruiz asked if the state decided to proceed with the eminent domain regardless of the investigation.

Pablo Ramos confirmed and said that the particular parcels (G13B&I) don't belong to "Person A" and belong to the Arizona Department of Transportation and the tax adjustment was to make an adjustment to the square footage of the land.

14. APPROVAL OF MINUTES: 05/24/2022: Supervisor Ruiz made a motion to approve, seconded by Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

15. DEMANDS: were approved in the total amount of \$4,685,060.44, of which \$1,311,064.15 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: Vice-Chairman Molera; second: Supervisor Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

ADJOURNMENT

The meeting adjourned at 10:11 a.m. (motion: Supervisor Ruiz; second: Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)