

Board of Supervisors
June 20, 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; Rudy Molera, Member; Jesus Valdez, Deputy County Manager; 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 Chief Deputy Gerardo Castillo.

ADOPTION OF AGENDA

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

CALL TO THE PUBLIC:

Mike Colvin, Senior Account Manager of Motorola Solutions spoke on behalf of the contracting projects with Santa Cruz County to improve communications.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

SUPERVISOR MOLERA: nothing to report at the time.

VICE-CHAIRMAN RUIZ: sent condolences to the Cripe family and attended the Nogales Main Post Office 100th Anniversary.

CHAIRMAN BRACKER: attended the International Boundary and Water Commission (IBWC) meeting held in Tubac; receiving calls on the I-19 corridor and cross creek connector on the east side of the county; working with Arizona Department of Transportation (ADOT) for SR83, Ruby Road and Rio Rico Drive projects; and border counties coalition working on the transportation of immigrants.

2. MANAGER

JESUS VALDEZ, DEPUTY COUNTY MANAGER, hosted and took part in a county managers meeting in Tubac and advised that County Supervisors Association (CSA) will be providing tools for counties who are struggling with their expenditure limits and met with the Consulate General of Mexico to contribute on a project that could impact the county.

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Administrative Services Director, reported \$20,849,435.15 in the General Fund, of which \$14,742,081.41 is invested; \$1,294,325.18 in the Road Fund, of which \$7,233.09 is invested; \$1,203,600.43 in the Flood Control District Fund, of which \$274,070.94 is invested; \$3,073,090.27 in the Jail District Fund, of which \$1,039,325.65 is invested; \$50,125,728.68 total for all funds, of which \$17,945,281.78 is invested; \$16,640,483.58 estimated end of month balance, compared to \$14,374,147.21 cash at June 2022, a difference of \$2,266,336.37.

2. WORKFORCE DEVELOPMENT UPDATE

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

ACTION ITEMS

21. DISCUSSION/POSSIBLE ACTION TO APPROVE SERVICES AGREEMENT WITH THE NOGALES-SANTA CRUZ COUNTY CHAMBER OF COMMERCE FROM JULY 1, 2023 THROUGH JUNE 30, 2024 IN THE AMOUNT OF \$50,000, WITH UP TO FOUR ONE-YEAR RENEWAL TERMS (REQ: COUNTY MANAGER)

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

Supervisor Molera requested the item be tabled for a special meeting in order to allow time for a copy of the budget to be submitted by the Chamber of Commerce. Ms. Kramer advised the Board that her accountant and herself are out of the office and would not be able to submit this week.

22. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH THE GREATER NOGALES SANTA CRUZ COUNTY PORT AUTHORITY FROM JULY 1, 2023, THROUGH JUNE 30, 2024, IN THE AMOUNT OF \$50,000 WITH UP TO FOUR ONE-YEAR RENEWAL TERMS (REQ: COUNTY MANAGER)

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

The Board thanked the Greater Nogales Santa Cruz County Port Authority for their hard work.

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

JAIL DISTRICT

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL TWO (2) DETENTION OFFICER POSITIONS (REQ: SHERIFF)

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 SECOND EXTENSION TO PROFESSIONAL SERVICES AGREEMENT WITH ADVANCED CORRECTIONAL HEALTHCARE, INC. FOR JAIL MEDICAL SERVICES AT AN ANNUAL ESTIMATED PRICE OF \$699,198.32 (REQ: SHERIFF)

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

The Board adjourned the Jail District Board 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 FOR AUTHORIZATION TO FILL VACANCIES:

A RECORDER CLERK POSITION (REQ: RECORDER)

B LEGAL ASSISTANT POSITION (REQ: COUNTY ATTORNEY)

C VICTIM COMPENSATION COORDINATOR POSITION (REQ: COUNTY ATTORNEY)

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

2. DISCUSSION/POSSIBLE ACTION TO APPROVE RE-APPOINTMENTS FOR JUSTICE OF THE PEACE PRO TEMPORE FROM JULY 1, 2023, THROUGH JUNE 30, 2024 FOR: (REQ: SUPERIOR COURT)

A CONCEPCION BRACAMONTE

B DEIRDRE ESHLEMAN

Supervisor Molera made a motion to approve 2a-b, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)
Chairman Bracker thanked both re-appointments.

3. DISCUSSION/POSSIBLE ACTION TO APPROVE A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NO. KR21-0029 WITH CONSTRUCTING CIRCLES OF PEACE, INC. FROM JULY 1, 2023 THROUGH JUNE 30, 2024 (REQ: SUPERIOR COURT)

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 RESOLUTION NO. 2023-05 FOR THE FAMILY COUNSELING PROGRAM FOR FISCAL YEAR 2024 MATCHING FUNDS IN THE AMOUNT OF \$2,037 (REQ: PROBATION)

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

5. DISCUSSION/POSSIBLE ACTION TO APPROVE MEMORANDUM OF UNDERSTANDING CONTRACT NO. 2023-094 WITH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY REGARDING A.R.S. 41-1724 FOR THE GANG, DRUG, AND IMMIGRATION ENFORCEMENT EFFORTS IN THE AMOUNT OF \$250,000 (REQ: SHERIFF)

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

6. DISCUSSION/POSSIBLE ACTION TO APPROVE AND AUTHORIZE SANTA CRUZ COUNTY SHERIFF'S OFFICE TO SIGN MEMORANDUM OF UNDERSTANDING GEOSPATIAL (GIS) SUPPORT SERVICES FOR NEXT GENERATION 9-1-1 WITH THE ARIZONA DEPARTMENT OF ADMINISTRATION FROM JULY 1, 2023, THROUGH JUNE 30, 2024 (REQ: SHERIFF)

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 CONTRACTS WITH MOTOROLA SOLUTIONS FOR PROJECT MANAGEMENT SERVICES FOR: (REQ: SHERIFF)

A QUOTE NO. 2079523 FOR DELL SERVER MIGRATION IN THE AMOUNT OF \$57,280.83

B QUOTE NO. 2067047 FOR THE AZ DPS FOXTALK COMPATIBILITY STATELINK 2.0 LICENSE AND INSTALLATION IN THE AMOUNT OF \$7,500

C QUOTE NO. 2107360 FOR THE HEWLETT PACKARD ENTERPRISE (HPE) SERVER MAINTENANCE IN THE AMOUNT OF \$3,620.38

Supervisor Molera made a motion to approve 7a-c, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE ARIZONA 9-1-1 PROGRAM GRANT AGREEMENT NO. ADOA-AZ911-24-15 WITH THE ARIZONA DEPARTMENT OF ADMINISTRATION (ADOA) IN AN AMOUNT UP TO \$176,674 (REQ: SHERIFF)

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

9. DISCUSSION/POSSIBLE ACTION TO APPROVE MAINTENANCE AGREEMENT WITH SAUL'S CREEK ENGINEERING FOR DOCUMENT RECORDING SERVICES FROM SEPTEMBER 1, 2023, THROUGH AUGUST 31, 2026 FOR A MONTHLY AMOUNT OF \$2,110 (REQ: RECORDER)

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

10. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENTS WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR: (REQ: HEALTH SERVICES)

A CONTRACT NO. CTR060280 AMENDMENT 1 FOR IMMUNIZATION SERVICES TO HELP FUND COVID-19 VACCINATIONS/VACCINE EQUITY, PREVIOUSLY APPROVED ON DECEMBER 6, 2022

B CONTRACT NO. CTR064805 FOR THE WORKFORCE DEVELOPMENT GRANT IN THE AMOUNT OF \$456,893

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

11. DISCUSSION/POSSIBLE ACTION TO APPROVE A PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) PENSION POLICY IN ACCORDANCE WITH ARIZONA REVISED STATUTE § 38-863.01 (REQ: ADMINISTRATIVE SERVICES)

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

Mauricio Chavez, Administrative Services Director provided insight to the Board of the item.

12. DISCUSSION/POSSIBLE ACTION TO APPROVE THE TRANSFER OF MONIES FROM THE GENERAL FUND TO COVER NEGATIVE CASH BALANCES AT JUNE 30, 2023 AND AUTHORIZE THE ADMINISTRATIVE SERVICES DIRECTOR TO TRANSFER ANY ADDITIONAL MONIES NEEDED TO COVER NEGATIVE CASH AT YEAR-END (REQ: ADMINISTRATIVE SERVICES)

Vice-Chairman Ruiz made a motion to approve, seconded by Supervisor Molera; the motion

carried unanimously. (Ayes: Bracker, Molera, Ruiz)

Mauricio Chavez, Administrative Services Director provided insight to the Board of the item.

13. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES CONTRACT WITH DR. RANDELL ALEXANDER FOR PEDIATRIC FORENSICS AND EXPERT WITNESS SERVICES RELATED TO PROSECUTING AN EXISTING CASE (REQ: COUNTY ATTORNEY)

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

14. DISCUSSION/POSSIBLE ACTION TO APPROVE PROFESSIONAL SERVICES CONTRACT WITH RJ LEE GROUP, INC. FOR FORENSIC TESTING AND EXPERT WITNESS SERVICES AT A RATE OF \$350 PER SAMPLE, \$175 PER CONTROL AND \$2400 PER DAY OF TESTIMONY (REQ: COUNTY ATTORNEY)

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 PROFESSIONAL SERVICES CONTRACT WITH WD FORENSIC INC. FOR SHOOTING RECONSTRUCTION AND RELATED SERVICES IN CR-23-026 (REQ: COUNTY ATTORNEY)

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 SERVICES CONTRACT WITH SNYDER BURNETT, EGERER, LLP FOR LEGAL ADVICE AND DIRECTION REGARDING REQUIREMENTS FOR CALIFORNIA-BASED EMPLOYEE(S) IN AN AMOUNT NOT TO EXCEED \$50,000 (REQ: COUNTY ATTORNEY)

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 AMENDMENT TO INTERGOVERNMENTAL AGREEMENT NO. 20-0008047-I FOR CHANGE ORDER NO. 2 WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE PENDLETON DRIVE DIP AT SONOITA CREEK PROJECT FOR AN ADDITIONAL AMOUNT OF \$3,927.64 (REQ: PUBLIC WORKS)

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

18. DISCUSSION/POSSIBLE ACTION TO APPROVE A REQUEST BY THE ANZA TRAIL COALITION OF ARIZONA TO PLACE A WASTE CONTAINER IN THEIR MAINTENANCE YARD TO DISPOSE OF WASTE FROM THE ANZA TRAIL (REQ: PUBLIC WORKS)

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

Jesus Valdez, Deputy County Manager provided insight to the Board of the item.

19. DISCUSSION/POSSIBLE ACTION TO APPROVE A REQUEST BY SAK CONSTRUCTION, LLC TO USE THE COUNTY'S LAND PARCEL NO. 105-20-240 TO STORE MATERIALS FOR THE NOGALES TRUNKLINE & IOI REHABILITATION PHASES 4 & 5 (REQ: PUBLIC WORKS)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Ruiz; the motion

carried unanimously. (Ayes: Bracker, Molera, Ruiz)
Chairman Bracker thanked them for their hard work.

20. DISCUSSION/POSSIBLE ACTION TO RATIFY THE ACCEPTANCE LETTER SENT TO THE USDA FOREST SERVICE AS A PARTICIPATING AGENCY IN THE HERMOSA PROJECT (REQ: COUNTY MANAGER)

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

Jesus Valdez, Deputy County Manager provided insight to the Board of the item.

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

A # 4-677724 IN THE AMOUNT OF \$71,634.58 DATED 5/16/2023 PAYABLE TO DRIVEN SECURITY

B # 4-674725 IN THE AMOUNT OF \$850.50 DATED 10/03/2022 PAYABLE TO DON JOHNSTON INC.

C # 4-674726 IN THE AMOUNT OF \$15.90 DATED 10/03/2022 PAYABLE TO EFOODHANDLERS INC.

Vice-Chairman Ruiz made a motion to approve 24a-c, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

25. DISCUSSION/POSSIBLE ACTION TO APPROVE CERTIFICATES OF REMOVAL AND ABATEMENT OF TAXES AND/OR PENALTY: (REQ: TREASURER) were approved as submitted by the Treasurer's Office. (Motion: Supervisor Molera; second: Vice-Chairman Ruiz ; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A TAX ID# 101-28-053-C- MANUEL M & ELENA BALDERRAMA - \$94.98

B TAX ID# 102-03-037-B- RAFAEL ROJAS - \$1,904.43

C TAX ID# 103-25-077- VISTA HERMOSA DEVELOPMENT CORP - \$10,856.13

D TAX ID# 105-35-014- DANITZA M GARCIA - \$1,374.41

E TAX ID# 105-32-026- ROBERT W HEILIG & EILEEN WHALEN - \$3,670.97

F TAX ID# 116-02-242- CARLOS CARRILLO - \$215.04

G TAX ID# 115-22-043- KARA ANN CONNORS - \$1,413.32

H TAX ID# 115-22-201- ERNEST & BEATRIZ BANUELOS - \$148.28

I TAX ID# 115-16-005- JIMMY AND MINERVA ALVAREZ - \$172.84

J TAX ID# 115-15-299- A B GENERAL CONTRACTING INC - \$822.12

K TAX ID# 115-10-376- TUBAC FIRE DISTRICT - \$456.36

L TAX ID# 115-10-375- TUBAC FIRE DISTRICT - \$427.36

M TAX ID# 115-10-413- VICTOR FONTES - \$463.93

N TAX ID# 115-10-158- ANDRE MAURICE & ELIZABETH BONORAND - \$257.77

O TAX ID# 115-11-063- RAMON VILLA - \$549.30

P TAX ID#115-05-244- 2479 N GRAND AVENUE LLC - \$608.63

Q TAX ID# 115-08-063- ERNESTO QUIHUIS - \$1,344.16

R TAX ID# 115-13-180- HERNAN HERNADEZ - \$41.44

S TAX ID# 115-13-248- RIO RICO PROPERTIES - \$336.46

T TAX ID# 115-13-257-B- CARLOS MANUEL BON ESCARREGA - \$236.75

U TAX ID#115-13-257-C- CARLOS MANUEL BON ESCARREGA - \$200.23

V TAX ID# 115-15-044-B- SCOTT MILLER - \$498.06

W TAX ID# 115-15-044-C- SCOTT MILLER - \$498.06

X TAX ID# 115-15-047- WAYNE H & VICKI JO ZUDE - \$213.02

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

A 105-08-014-C - ELIZABETH STOLLER AND BARBARA ESCALANTE, RESOLUTION NO.56646

B 105-08-014-D - JESUS MEDINA, RESOLUTION NO. 56647

27. MONTHLY REPORTS

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

28. APPROVAL OF MINUTES: 06/06/2023

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

29. DEMANDS were approved in the total amount of \$1,386,554.12 of which \$516,046.88 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)

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 SESSION

1. PURSUANT TO A.R.S. § 38-431.03 (A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING PERMIT AND REGULATION ENFORCEMENT UNDER A.R.S. §§ 36-101, 102, 136, ET. AL. (REQ: HEALTH SERVICES)

2. PURSUANT TO A.R.S. § 38-431.03(A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING CASE LAW ON GIFTS (REQ: COUNTY ATTORNEY)

ACTION ITEM #23

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

ACTION ITEMS CONT.

23. DISCUSSION/POSSIBLE ACTION TO AWARD BID NO. B-09-23-CO59 FOR 2023-2024 LEGAL PUBLICATIONS AND ADVERTISING (REQ: CLERK)

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

Alma Schultz, Clerk of the Board announced one bid was submitted by the Nogales International and read the proposal. Mr. Manuel Coppola, Nogales International Editor and Publisher thanked the Board.

ADJOURNMENT

The meeting adjourned at 10:40 a.m. (motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously. Ayes: Bracker, Molera, Ruiz)