

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, 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 Matt Perili.

### **ADOPTION OF AGENDA**

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

### **CALL TO THE PUBLIC:**

The following speakers spoke in favor of agenda item H14, to void the appointment of a Precinct Committee Person - Secured Voter:

Cheryl Caswell, Chairperson of the Arizona Legislative District 19, Republican Committee

Patricia Newell, Sonoita 15 Precinct Committee Person

Matt Perili, a Resident of the County

Suzanne Jenkins, Sonoita 15 Precinct Committee Person, further explained the benefits and importance of being a Precinct Committee Person and their duties and abilities.

Sheriff David Hathaway spoke in favor of H15, to approve Resolution 2023-10 for the use of the Consent Agenda and briefly explained the item.

Residents of the County, most of Rio Rico, and others, spoke against agenda item H2 and against the Rio Rico/I-19 Economic Development Corridor Proposed Amendment and provided questions/comments regarding the proposal. Documents to include emails from the public received by the Clerk of the Board regarding the July 18, 2023, Regular Board of Supervisors Meeting Agenda are available for inspection during working hours and are considered to be part of these minutes.

### **CURRENT EVENTS**

#### **1. BOARD OF SUPERVISORS**

**SUPERVISOR MOLERA:** expressed condolences to the Young family for the loss of David Young; congratulated Jesus Valdez as the new County Manager; and thanked everyone present for their comments and emails.

**VICE-CHAIRMAN RUIZ:** echoed condolences to the Young family for their loss of David Young and spoke of the comments/emails from constituents and responded to criticism made by the public during the call to the public.

**CHAIRMAN BRACKER:** expressed condolences to David Young's family and Earl Wilson's family for their loss; attended Arizona Commerce Authority (ACA) Broadband meetings and a Tubac Wastewater Meeting; provided a counter report update to the Town of Patagonia Council; congratulated Nogales Community Development for their commercial kitchen; welcomed Jesus Valdez as the new County Manager; thanked everyone for their courtesy and decorum.

## **2. MANAGER**

**JESUS VALDEZ, COUNTY MANAGER**, has nothing to report at this time.

### **DEPARTMENT REPORTS AND ACTIVITIES**

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

Mauricio Chavez, Administrative Services Department Director, reported \$19,300,434.06 in the General Fund, of which \$14,803,897.65 is invested; \$ 1,629,628.72 in the Road Fund, of which \$7,267.91 is invested; \$1,150,203.72 in the Flood Control District Fund, of which \$275,223.28 is invested; \$3,073,046.30 in the Jail District Fund, of which \$1,043,689.04 is invested; \$49,507,774.21 total for all funds, of which \$18,020,612.81 is invested; \$15,644,572.67 estimated end of month balance, compared to \$13,937,474.13 cash at July 2022, a difference of \$1,707,098.54.

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

### **JAIL DISTRICT**

#### **1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL: (REQ: SHERIFF)**

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

##### **A RECEPTIONIST POSITION**

##### **B SECRETARY POSITION**

#### **2. DISCUSSION/POSSIBLE ACTION TO APPROVE AGREEMENT WITH TRINITY SERVICES GROUP, INC. FOR FOOD SERVICES AT THE SANTA CRUZ COUNTY DETENTION CENTER PURSUANT TO RFP NO. B-08-23-CO42, EFFECTIVE OCTOBER 1, 2023, FOR ONE (1) YEAR WITH UP TO FOUR (4) RENEWAL TERMS (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 as 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**

#### **1. PRESENTATION ON GREATER NOGALES SANTA CRUZ COUNTY PORT AUTHORITY BY JAIME S. CHAMBERLAIN, CHAIRMAN OF THE GREATER NOGALES SANTA CRUZ COUNTY PORT AUTHORITY**

Presented by Jaime S. Chamberlain, Chairman of the Greater Nogales Santa Cruz County Port Authority.

The Board thanked Mr. Chamberlain for the presentation.

#### **2. PRESENTATION ON SOUTH32 HERMOSA PROJECT UPDATE - INFORMATION ON OFF-SITE FACILITIES AND LOCATION STUDIES BY PAT RISNER, SOUTH32**

Presented by Pat Risner, South32.

The Board thanked Mr. Risner for the presentation and stated he looks forward to a public meeting where constituents can address Mr. Risner directly.

#### **3. DISCUSSION/POSSIBLE ACTION TO APPROVE THE AZTEC FIELD TRAINER**

**GRANT APPLICATION FOR FY 2024, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024, IN THE AMOUNT OF \$25,000 (REQ: CLERK OF THE SUPERIOR COURT)**

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

**4. DISCUSSION/POSSIBLE ACTION TO APPROVE THE SANTA CRUZ COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) EMERGENCY RESPONSE AND RECOVERY PLAN (REQ: EMERGENCY MANAGEMENT)**

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 DIRECT THE SANTA CRUZ COUNTY ATTORNEY'S OFFICE (SCCAO) TO EXERCISE THE LICENSE FEE PROVISION WITHIN THE AGREEMENTS WITH GOVNET, INC., SPECIFICALLY PROVIDED UNDER SECTION 2 (PAGE 2) OF THE RECIPROCAL NON-EXCLUSIVE LICENSE AGREEMENT, EXECUTED ON OR ABOUT 03/08/2012, AND CHARGE GOVNET AN APPROPRIATE LICENSE FEE FOR USE OF THE COUNTY'S COMMUNICATION TOWER AND THE RED MOUNTAIN SITE (REQ: COUNTY MANAGER)**

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 DIRECT THE SANTA CRUZ COUNTY ATTORNEY'S OFFICE (SCCAO) TO EXERCISE THE NOTICE PROVISION WITHIN THE AGREEMENTS WITH GOVNET, INC., SPECIFICALLY PROVIDED UNDER SECTION 5 OF THE RECIPROCAL NON-EXCLUSIVE LICENSE AGREEMENT, EXECUTED ON OR ABOUT 03/08/2012, AND GIVE GOVNET THE ONE (1) YEAR NOTICE TO TERMINATE THE SITE SHARING AGREEMENTS INVOLVING THE COUNTY'S COMMUNICATION TOWER AND THE RED MOUNTAIN SITE (REQ: COUNTY MANAGER)**

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 ADOPT RESOLUTION NO. 2023-08 DESIGNATING THE TUBAC CHAMBER OF COMMERCE AS THE DESTINATION MARKETING ORGANIZATION FOR THE TUBAC AREA FROM JULY 1, 2023, THROUGH JULY 31, 2028 (REQ: CLERK)**

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

**8. DISCUSSION/POSSIBLE ACTION ON THE RECOMMENDATION OF APPROVAL/DISAPPROVAL OF APPLICATION FOR A SPECIAL EVENT LICENSE FOR GREATER GREEN VALLEY COMMUNITY FOUNDATION ON 11/25/2023 IN TUBAC (REQ: CLERK)**

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 CERTIFICATE OF REMOVAL AND ABATEMENT OF TAXES AND/OR PENALTY: (REQ: TREASURER) approved as submitted by the Treasurer's Office. (Motion: Vice-Chairman Ruiz; second: Supervisor Molera; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)**

**A TAX ID# 113-50-050 CITY OF NOGALES - \$833.04**

**B TAX ID# 112-45-012- UNITED STATES OF AMERICA - \$11,823.27**

**C TAX ID# 101-34-046- AXEL C F HOLM - \$1,936.50**

**D TAX ID# 101-34-111-D- MARIA JESUS FIGUEROA - \$281.68**

**E TAX ID# 115-08-225- SANTA CRUZ VALLEY DISTRICT #35 - \$33,790.74**

**F TAX ID# 113-45-172- CITY OF NOGALES - \$339.25**

**G TAX ID# 113-50-047- CITY OF NOGALES - \$1,008.77**

**H TAX ID# 113-50-048- CITY OF NOGALES - \$1,051.94**

**I TAX ID# 113-50-049 - CITY OF NOGALES- \$789.93**

**J TAX ID# 116-02-145- RICOH DANIELSON - \$1,223.39**

**K TAX ID# 104-07-083 - UNITED STATES OF AMERICA - \$77.68**

**10. 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 105-63-109 - RICHARD J PITRONE & JILL C GARROOD, RESOLUTION NO. 56659**

**B 105-63-109 - RICHARD J PITRONE & JILL C GARROOD, RESOLUTION NO. 56660**

**C 105-63-109 - RICHARD J PITRONE & JILL C GARROOD, RESOLUTION NO. 56661**

### **11. MONTHLY REPORTS**

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

### **12. APPROVAL OF MINUTES: 07/11/2023**

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

**13. DEMANDS** were approved in the total amount of \$1,047,379.65 of which \$308,383.03 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 AUTHORITY TO VOID THE APPOINTMENT OF A PRECINCT COMMITTEE PERSON FOR A POLITICAL PARTY RECOGNIZED BY THE COUNTY (REQ: ELECTIONS)**

**2. PURSUANT TO A.R.S. § 38-431.03(A)(3), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING RESOLUTION NO. 2023-10 FOR THE BOARD OF SUPERVISORS TO SET THE USE OF CONSENT AGENDAS (REQ: CLERK)**

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

### **ACTION ITEMS CONT.**

**14. DISCUSSION/POSSIBLE ACTION TO VOID THE APPOINTMENT OF A PRECINCT COMMITTEE PERSON FOR THE SANTA CRUZ COUNTY REPUBLICAN PARTY: SECURED VOTER - SONOITA 15 (REQ: ELECTIONS)**

Chairman Bracker made a motion for approval and in favor of acknowledgment of the appointment of Precinct Committee Person for the Santa Cruz County Republican Party Secured Voter - Sonoita 15 made on February 7, 2023, as void on the grounds that there was no vacancy, seconded by Vice-Chairman Ruiz; the motion carried unanimously. (Ayes: Bracker, Ruiz)

Steve McEwen, Chairman of the Santa Cruz County Republican Committee spoke of the basis of the intent to dismiss Ms. Newell as a Precinct Committee Person for Sonoita 15 and spoke of the recommendation of appointment made to the Board.

Robert May, Civil Bureau Chief, advised the Board there was confusion from the Elections Department and Chairman of the Santa Cruz County Republican Committee because there was no vacancy in Sonoita 15 during the February 7, 2023 appointment and that the dismissal was not in the county's purview.

Cheryl Caswell, Chairperson of the Arizona Legislative District 19, Republican Committee corrected comments made by the County Chairman of the Santa Cruz County Republican Committee.

Patricia Newell, Sonoita 15 Precinct Committee Person requested affirmation of her role as a precinct committee person. The Board affirmed Ms. Newell's role as Precinct Committee Person for Sonoita 15.

**15. DISCUSSION/POSSIBLE ACTION TO ADOPT RESOLUTION NO. 2023-10 FOR THE BOARD OF SUPERVISORS TO SET THE USE OF CONSENT AGENDAS (REQ: CLERK)**

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

Chairman Bracker read the Resolution.

**ADJOURNMENT**

The meeting adjourned at 1:12 p.m. (motion: Supervisor Molera; second: Vice-Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)