

Board of Supervisors  
September 5, 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: Manuel Ruiz, Chairman; Bruce Bracker, Vice-Chairman; Rudy Molera, Member; Jesus Valdez, County Manager; Robert May, Civil Bureau Chief; and Alma Schultz, Clerk of the Board.

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

A moment of silence took place for the passing away of Glenda Meek, mother of former Clerk of the Board, Melinda Bachelier.

Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Irasema Olvera, WIOA Director.

### **ADOPTION OF AGENDA**

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

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

Adrian Chamberlain on behalf of Arizona at Work spoke of the annual county job fair and community expo scheduled for October 11, 2023, at the Nogales High School from 9:00 a.m. - 2:00 p.m.

Susan Faubion, a resident of Rio Rico, spoke of the possible roundabout on Camino Ramanote not being necessary or any other expenditure for this matter and requested more transparency about county plans.

Ray Sayre, former Emergency Management Director and resident of Rio Rico, spoke of the walking and bike path being well taken care of, thanked the Board, and asked for more paths.

Cathi Kampana, a resident of Rio Rico, thanked the Board for the cleaning done to the walking path.

Cynthia Colbert, a Rio Rico resident, spoke of action item I4b, West Frontage Rd. and Peck Canyon Traffic Interchange roundabout, and stated her opposition to the item.

### **CURRENT EVENTS**

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

**VICE-CHAIRMAN BRACKER:** met with the Stiletto group who are doing an economic development plan for the county; attended the South32 Open House; had several phone calls with the Arizona Department of Transportation (ADOT) regarding the AZ Smart Grants; attended the final meeting for the ARPA (American Rescue Plan Act) grants to non-profits and small businesses within the community; attended an ADOT meeting regarding the FMCSA (Federal Motor Carrier Safety Administration) about a new bus inspection facility at the port of entry; will meet with Congressman Grijalva that afternoon; and continue to work with Pima County on migrants and moving them through our community.

**SUPERVISOR MOLERA:** expressed his deepest condolences to Melinda Meek and her family on the passing of her mom; met with the City of Nogales Mayor Jorge Maldonado in reference to reviving the

golf course for the community; thanked Santa Cruz Valley Unified School District #35 for inviting him to the Hall of Fame and congratulated them.

**CHAIRMAN RUIZ:** congratulated Alfredo Velasquez, County School Superintendent, for being inducted to the Hall of Fame; met with residents of Rio Rico regarding the mine, which was very pleasant and well received; and will be meeting with Congressman Grijalva that afternoon as well.

## **2. MANAGER**

**JESUS VALDEZ, DEPUTY COUNTY MANAGER,** attended the Hall of Fame for Santa Cruz Valley Unified School District #35; took part in the ARPA (American Rescue Plan Act) meeting for non-profits; met with the City of Nogales regarding a possible intergovernmental agreement for parks.

## **DEPARTMENT REPORTS AND ACTIVITIES**

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

Mauricio Chavez, Administrative Services Department Director, reported \$16,533,822.77 in the General Fund, of which \$14,869,113.32 is invested; \$1,728,852.13 in the Road Fund, of which \$7,299.93 is invested; \$1,021,335.90 in the Flood Control District Fund, of which \$276,435.72 is invested; \$3,595,707.10 in the Jail District Fund, of which \$1,048,286.81 is invested; \$57,557,816.45 total for all funds, of which \$18,099,998.87 is invested; \$11,296,090.27 estimated end of month balance, compared to \$11,583,631.33 cash at September 2022, a difference of \$(287,541.06).

Vice-Chairman Bracker 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**

Allan Sanchez, Floodplain Coordinator, presented the report.

#### **1. DIRECTOR'S/PROJECT REPORT**

Allan Sanchez, Floodplain Coordinator, presented the report.

#### **2. MONTHLY REPORT FROM CITY OF NOGALES**

No report was submitted.

#### **3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA**

Presented by Ronald Robinson, Town Manager/Clerk, Town of Patagonia, presented a report.

#### **4. PUBLIC COMMENT**

Ray Sayer, former Emergency Management Director and resident of Rio Rico, spoke of the tabletop for emergency management involving hazardous materials that was held three weeks ago and recommended coordinating with the flood control district in Patagonia for impacts.

**5. DISCUSSION/POSSIBLE ACTION TO APPROVE AND RATIFY OPEN-END LEASE AGREEMENT AND RELATED DOCUMENTS WITH ENTERPRISE FLEET MANAGEMENT FOR (1) VEHICLE LEASE FOR THE FLOOD CONTROL DISTRICT SIGNED BY THE ADMINISTRATIVE SERVICES DIRECTOR, AND AUTHORIZE THE ADMINISTRATIVE SERVICES DIRECTOR TO SIGN (1) ADDITIONAL VEHICLE LEASE**

**FOR THE FLOOD CONTROL DISTRICT (REQ: ADMINISTRATIVE SERVICES)**

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

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

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

**STUDY SESSION**

**1. PRESENTATION ON COUNTY ROADWAY IMPROVEMENT PROJECTS THROUGH THE ARIZONA DEPARTMENT OF TRANSPORTATION - AZ STATE MATCH ADVANTAGE FOR RURAL TRANSPORTATION (AZ SMART) FUND PROGRAM (REQ: COUNTY MANAGER)**

Presented by: Jesus Valdez, County Manager

Comments: Board of Supervisors, Cynthia Colbert, Rio Rico resident, Gerard Navarro, Rio Rico resident and Susan Faubion, Rio Rico resident.

**2. PRESENTATION ON COUNTY PARKS IMPROVEMENTS (REQ: COUNTY MANAGER)**

Presented by: Jesus Valdez, County Manager

Comments: Board of Supervisors, Kathi Campana, Rio Rico resident, Gerard Navarro, Rio Rico resident, and Ray Sayre, former Emergency Management Director and county resident.

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

**ACTION ITEMS**

**1. COUNTY SUPERVISORS ASSOCIATION REPORT TO THE BOARD OF SUPERVISORS (BY CRAIG SULLIVAN, EXECUTIVE DIRECTOR, COUNTY SUPERVISORS ASSOCIATION OF ARIZONA)**

Presented by: Craig Sullivan, Executive Director, County Supervisors Association.

The Board thanked Mr. Sullivan.

**2. DISCUSSION/POSSIBLE ACTION TO APPROVE PROCLAMATION IN SUPPORT OF MEXICO'S INDEPENDENCE DAY ON SEPTEMBER 16TH (REQ: CHAIRMAN RUIZ)**

Chairman Ruiz read the proclamation.

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

**3. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE STAFF TO ADVERTISE AND**

**REQUEST BIDS FOR: (REQ: COUNTY MANAGER)**

**A THE TUBAC ENTRANCE PARK CONSTRUCTION**

**B THE DAMON PARK COURTS**

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

**4. DISCUSSION/POSSIBLE ACTION TO DIRECT STAFF TO SUBMIT APPLICATIONS TO THE ARIZONA DEPARTMENT OF TRANSPORTATION - AZ STATE MATCH ADVANTAGE FOR RURAL TRANSPORTATION FUND FOR: (REQ: COUNTY MANAGER)**

**A \$3.2 MILLION FOR THE DESIGN OF EAST FRONTAGE ROAD, RUBY ROAD – RIO RICO DRIVE TI (TRAFFIC INTERCHANGE), ADOT PROJECT NO. 019 SC 007 H8401 02L**

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

**B \$400,000 FOR THE DESIGN OF THE WEST FRONTAGE ROAD AND PECK CANYON TRAFFIC INTERCHANGE ROUNDABOUT**

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

**C \$350,000 FOR THE DESIGN OF THE WEST FRONTAGE ROAD AND CAMINO RAMANOTE ROUNDABOUT**

Chairman Ruiz made a motion to bring back the item for the next regular meeting with a different funding source, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

**CONSENT AGENDA**

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

**1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL VACANT DEPUTY CLERK OF THE BOARD (REQ: CLERK)**

**2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF MELINDA MADDOCK AS JUSTICE OF THE PEACE PRO TEMPORE JUDGE FROM JULY 1, 2023 THROUGH JUNE 30, 2024 (REQ: SUPERIOR COURT)**

**3. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT AMENDMENT WITH MARIPOSA COMMUNITY HEALTH CENTER FOR THE HEALTH RESOURCES AND SERVICES ADMINISTRATION'S RURAL COMMUNITIES OPIOID RESPONSE PROGRAM EXTENDING THE TERM FROM SEPTEMBER 1, 2023 TO AUGUST 31, 2024 IN THE AMOUNT OF \$25,000 (REQ: JUSTICE OF THE PEACE)**

**4. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT WITH NOGALES UNIFIED SCHOOL DISTRICT NO.1 FOR PLACEMENT OF A SCHOOL RESOURCE OFFICER AT DESERT SHADOWS MIDDLE SCHOOL FROM AUGUST 9, 2023 THROUGH MAY 24, 2024 FOR AN AMOUNT OF \$75,000 BASED ON PER**

**DIEM SALARY/BENEFITS (REQ: SHERIFF)**

**5. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDED INFRASTRUCTURE FUNDING AGREEMENT IN ACCORDANCE WITH WORKFORCE INNOVATION AND OPPORTUNITY ACT LOCAL GOVERNANCE POLICY (20 CFR 678.700) FROM JULY 1, 2023 TO JUNE 30, 2026 (REQ: WIOA)**

**6. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDED MEMORANDUM OF UNDERSTANDING IN ACCORDANCE WITH THE WORKFORCE INNOVATION AND OPPORTUNITY ACT LOCAL GOVERNANCE POLICY (20 CFR 678.500) FROM JULY 1, 2023 TO JUNE 30, 2026 (REQ: WIOA)**

**7. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENT NO.1 TO INTERGOVERNMENTAL AGREEMENT CONTRACT NO. CTR059190 FOR SENATE BILL 1847 FUNDING TO EXTEND THE EXPIRATION DATE UNTIL JUNE 30, 2027 (REQ: HEALTH SERVICES)**

**8. DISCUSSION/POSSIBLE ACTION TO AUTHORIZE THE ADMINISTRATIVE SERVICES DIRECTOR TO SIGN ANY FUTURE ENTERPRISE FLEET MANAGEMENT LEASE AGREEMENTS AND RELATED DOCUMENTS (REQ: ADMINISTRATIVE SERVICES)**

**9. DISCUSSION/POSSIBLE ACTION TO APPROVE FEDERAL FINANCIAL ASSISTANCE CONTRACT AMENDMENT WITH PRESTAMOS CDFI LLC, A DIVISION OF CHICANOS POR LA CAUSA, INC. TO COMPLETE SERVICES AND USE OF FUNDS UNDER ARPA/CLFRF TO EXTEND THE TERM THROUGH JANUARY 1, 2024 (REQ: ADMINISTRATIVE SERVICES)**

**10. TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR)**

**A 109-37-004 - JEAN-MICHEL VARLET, RESOLUTION NO. 56688**

**B 109-40-014 - DANIEL S & JAIME A SPAULDING, RESOLUTION NO. 56690**

**C 109-40-014 - DANIEL S & JAIME A SPAULDING, RESOLUTION NO. 56691**

**D 132-01-286 - JOSEPH C ACCARDO & PAULA J ACCARDO, RESOLUTION NO. 56692**

**E 132-01-286 - JOSEPH C ACCARDO & PAULA J ACCARDO, RESOLUTION NO. 56693**

**F 112-35-013-B - RAFAEL & AMANDA MONTEJANO, RESOLUTION NO. 56694**

**G 112-35-013-B - RAFAEL MONTEJANO & AMANDA MONTEJANO, RESOLUTION NO. 56695**

**H 120-01-188 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56696**

- I 120-01-209 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56697**
- J 120-02-210 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56698**
- K 120-02-111- GLENN JOHN MCCAIN IV, RESOLUTION NO. 56699**
- L 120-02-112 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56700**
- M 120-02-290 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56701**
- N 120-02-368 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56702**
- O 120-02-369 - GLENN JOHN MCCAIN IV, RESOLUTION NO. 56703**

**11. APPROVAL OF MINUTES: 08/15/2023 & 08/21/2023 SPECIAL MEETING**

**12. DEMANDS** were approved in the total amount of \$1,225,839.82, of which \$500,915.84 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.

The Board adjourned the meeting ahead of time (Motion: Vice-Chairman Bracker; Second: Supervisor Molera) motion carries (Ayes: Bracker, Molera, Ruiz). Chairman Ruiz made a motion to reconvene the Regular Meeting for the Executive Session seconded by Vice-Chairman Bracker and Supervisor Molera; the motion carried (Ayes: Bracker, Molera, Ruiz)

Supervisor Molera made a motion to recess the Regular Meeting to convene into Executive Session seconded by Chairman Ruiz; 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 A LETTER FROM KRIS MAYES, ATTORNEY GENERAL TO THE COUNTY ATTORNEY'S OFFICE CONCERNING FORMER LEGISLATORS ADVOCATING FOR THE COUNTING OF BALLOTS MANUALLY INSTEAD OF BY AUTOMATIC TABULATING EQUIPMENT (REQ: COUNTY ATTORNEY)**

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

**ADJOURNMENT**

The meeting adjourned at 11:29 a.m. (motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)