

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

Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Robert May, Civil Bureau Chief.

ADOPTION OF AGENDA

Vice-Chairman Bracker made a motion to remove the words Contract Addendum from Item K10, 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:

Wendy Islas, a resident of Rio Rico, asked for further information about the ESSER III program funding; inquired about the bond for a duplicate warrant for TK Elevators; requested an update on the 5-year study by Stiletto Consulting from South32; requested South32 presentations to be posted with the agenda materials; looked forward to the UA Cooperative presentation; and asked for supporting documentation for the street releases of migrants agenda item.

Carolyn Shaffer, a resident of Patagonia on behalf of the Patagonia Area Resource Alliance (PARA), spoke in support of discussion item G2.

Dr. Anita Conner, a resident of Rio Rico, spoke of concerns about a possible manganese processing plant in Santa Cruz County and the possible hazards to workers and community members.

Augustin Huerta, on behalf of the Sheriff's Office, provided an update to the Board on their communication project.

Celinas Ruth, a resident of Rio Rico, spoke about discussion item G1 and suggested that the community as a resource can be of aid to help migrants.

Jesus Jerez, a resident of Rio Rico, spoke of future development, and community improvements, and asked for the Board to listen to those residents who are permanent in this county and supported Mr. Augustin Huerta's update and the dire need for the communication project.

After Action Item J2, Montie McGovern, a resident of Tubac, spoke of the public hearing items and did not receive any materials regarding the items, is not speaking against the item, but would like to obtain further information since he has eighteen acres alongside of the rezoning.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

VICE-CHAIRMAN BRACKER: was informed of a possible reconstruction project by Mexico and closure of the Morley gate; spoke of the recent change of withholdings by Border Patrol that have caused street releases of migrants within the community; talked about the efforts made by Port Authorities, and elected officials across the state for help with the Department of Homeland Security decision on wanting to send U.S. Customs and Border Protection officers to Border Patrol to process migrants that could have resulted in crossing delays and negatively impact the local economies, thanked

Senator Kelly, Senator Sinema and everyone for all their work to amend that policy; took part in a port authority meeting with Douglas and San Luis port authority to accept a memorandum of understanding to work as a group; worked on support letters for grant applications; and announced SEAGO's new director, Keith Dennis.

SUPERVISOR MOLERA: attended the 3rd annual golf tournament in honor of Jesus Cordova; took part in judging at the Santa Cruz County Fair and commended the school superintendent's office for organizing it well and all the districts for great projects; commended Sobeira Castro, the Emergency Management Director for keeping the Board informed with the asylum seekers situation; stated that he would be attending upcoming small caucus meeting and upcoming County Supervisors Association Board of Directors meeting.

VICE-CHAIRMAN RUIZ: spoke of the possibility of a government shutdown and unplanned drawing from the general fund to address the migrant situation; attended a few meetings with the county manager and other staff members in addressing the communication project and the need for 4.2 million to fund the project and the efforts made to find funding for the project.

2. MANAGER

JESUS VALDEZ, COUNTY MANAGER, attended an Arizona Counties Insurance Pool meeting with Mauricio Chavez, Deputy County Manager, where a decision was made for a new Executive Director, Cynthia Maaloufew, during the meeting; and attended a County Managers meeting where they spoke about the possible consequences if a recount is prompted which is highly likely and topics included the upcoming County Supervisors Association Summit.

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

PUBLIC HEARING

1. RESOLUTION NO. 2023-15 TO RECLASSIFY PARCELS NUMBER 112-23-027D; 112-23-027E; 112-23-048; AND 112-23-049 FROM RANCH USE TO LOW-DENSITY RESIDENTIAL AND HIGH-DENSITY RESIDENTIAL (REQ: COMMUNITY DEVELOPMENT)

2. ORDINANCE NO. 2023-03 REZONING APPROXIMATELY 13.6 ACRES FROM B-2 (GENERAL BUSINESS) TO MULTI-FAMILY (MF), 13.64 ACRES OF LAND FROM B-2 (GENERAL BUSINESS) TO R-1 (SINGLE-FAMILY RESIDENTIAL), 4.72 ACRES OF LAND FROM B-2 (GENERAL BUSINESS) TO GR (GENERAL RURAL), AND 12.7 ACRES OF LAND FROM GR (GENERAL RURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL) (CASE NO. REZ-23-01) (REQ: COMMUNITY DEVELOPMENT)

Presented by Frank Dillon, Director of Community Development

Comments: None

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

ACTION ITEMS

3. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-15 TO RECLASSIFY PARCELS NUMBER 112-23-027D; 112-23-027E; 112-23-048; 112-23-049 FROM RANCH USE TO LOW-DENSITY RESIDENTIAL AND HIGH-DENSITY RESIDENTIAL (REQ: COMMUNITY DEVELOPMENT)

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

4. DISCUSSION/POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2023-03 REZONING APPROXIMATELY 13.6 ACRES FROM B-2 (GENERAL BUSINESS) TO MULTI-FAMILY (MF), 13.64 ACRES OF LAND FROM B-2 (GENERAL BUSINESS) TO R-1 (SINGLE-FAMILY RESIDENTIAL), 4.72 ACRES OF LAND FROM B-2 (GENERAL BUSINESS) TO GR (GENERAL RURAL), AND 12.7 ACRES OF LAND FROM GR (GENERAL RURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL) (CASE NO. REZ-23-01) (REQ: COMMUNITY DEVELOPMENT)

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

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE REVISED SANTA CRUZ COUNTY PURCHASING AND CONTRACT POLICY (REQ: ADMINISTRATIVE SERVICES)

Vice-Chairman Bracker made a motion to approve, 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 VACANCIES:
A DEPUTY SHERIFF I POSITION (REQ: SHERIFF)**

B MAINTENANCE WORKER POSITION IN THE ROAD DEPARTMENT (REQ: HUMAN RESOURCES)

2. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL THE SOON TO BE VACANT SUPERIOR COURT SENIOR SECRETARY POSITION (REQ: SUPERIOR COURT)

3. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO CREATE AND FILL AN OFFICE ASSISTANT POSITION IN THE COUNTY ATTORNEY'S OFFICE (REQ: HUMAN RESOURCES)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTIONS NO. 2023-14 REAFFIRMING THE APPOINTMENT OF JESUS VALDEZ, COUNTY MANAGER, AS THE DESIGNATED AUTHORIZED REPRESENTATIVE AND APPOINTING MAURICIO CHAVEZ, DEPUTY COUNTY MANAGER, AS THE ALTERNATE AUTHORIZED REPRESENTATIVE FOR THE DEPARTMENT OF EMERGENCY & MILITARY AFFAIRS (REQ: EMERGENCY MANAGEMENT)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE THE EMERGENCY VOTING PROCEDURE PURSUANT TO A.R.S. § 16-542(H) FOR THE NOVEMBER 7, 2023 SPECIAL ELECTION (REQ: RECORDER)

6. DISCUSSION/POSSIBLE ACTION TO APPROVE FY2024 VICTIMS' RIGHTS PROGRAM AWARD AGREEMENT A.G. #: 2024-053 WITH THE OFFICE OF THE ATTORNEY GENERAL IN THE AMOUNT OF \$6,500 (REQ: SHERIFF)

7. DISCUSSION/POSSIBLE ACTION TO APPROVE COOPERATIVE PURCHASING AGREEMENT WITH RAPID RELIABLE TESTING, LLC FOR IMMUNIZATION SERVICES AND ADMINISTRATION FROM 09/25/2023 THROUGH 06/30/2024 FUNDING PROVIDED BY CONTRACT NO. CTR060047 PREVIOUSLY APPROVED ON 06/07/2022 (REQ: HEALTH SERVICES)

8. DISCUSSION/POSSIBLE ACTION TO APPROVE AMENDMENTS TO INTERGOVERNMENTAL AGREEMENTS FOR THE COLLEGE - CAREER READINESS AND EDUCATIONAL OPPORTUNITIES (C-CREO) PROJECT EFFECTIVE 10/01/2023 THROUGH 09/30/2024: (REQ: SCHOOL SUPERINTENDENT)

A AMENDMENT NO. 3 WITH NOGALES UNIFIED SCHOOL DISTRICT #1

B AMENDMENT NO. 2 WITH SANTA CRUZ VALLEY UNIFIED SCHOOL DISTRICT #35

C AMENDMENT NO. 2 WITH SANTA CRUZ COUNTY PROVISIONAL COMMUNITY COLLEGE DISTRICT

9. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT ADDENDUM AND ESTIMATE WITH TARPOMATIC, INC. FOR THE PURCHASE OF AN AUTOMATIC TARPING MACHINE FOR THE RIO RICO LANDFILL IN THE AMOUNT OF \$81,437 (REQ: PUBLIC WORKS)

10. DISCUSSION/POSSIBLE ACTION TO APPROVE ~~CONTRACT ADDENDUM AND~~ PROPOSAL WITH T&T MAINTENANCE FOR THE ENGINE REPAIR OF THE CATERPILLAR 936K TRACK LOADER FOR THE RIO RICO LANDFILL IN THE AMOUNT OF \$36,514 (REQ: PUBLIC WORKS)

11. DISCUSSION/POSSIBLE ACTION TO APPROVE BOND FOR DUPLICATE WARRANT #4-044562 IN THE AMOUNT OF \$44,188.46 DATED 05/26/2023 PAYABLE TO TK ELEVATOR (REQ: CLERK)

12. DISCUSSION/POSSIBLE ACTION TO APPROVE APPLICATION FOR FAIR/FESTIVAL LICENSE FOR BESHERT LLC D/B/A LOS MILICS VINEYARDS IN TUBAC, AZ ON 11/25/2023 (REQ: CLERK)

13. DISCUSSION/POSSIBLE ACTION TO APPROVE CERTIFICATE OF REMOVAL AND ABATEMENT OF TAXES AND/OR PENALTY FOR TAX ID# 101-34-072 - HUMBERTO MURILLO - \$1,266.31 (REQ: TREASURER)

14. APPROVAL OF MINUTES: 09/05/2023 & 09/11/2023 SPECIAL MEETING

15. MONTHLY REPORTS

16. DEMANDS were approved in the total amount of \$744,508.28, of which \$432,717.36 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.

Vice-Chairman Bracker 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 - CONSENT AGENDA

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

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL VACANCIES:

A BOOKING CLERK POSITION (REQ: SHERIFF)

B SIX (6) DETENTION OFFICER POSITIONS (REQ: SHERIFF)

C JUVENILE DETENTION OFFICER POSITION (REQ: PROBATION DEPARTMENT)

2. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT ADDENDUM AND QUOTE WITH MARATHON ENGINEERING CORPORATION FOR SAFETY PADDING REPAIR AT THE ADULT DETENTION CENTER IN THE AMOUNT OF \$14,373 (REQ: SHERIFF)

3. DISCUSSION/POSSIBLE ACTION TO APPROVE CONTRACT ADDENDUM AND PROPOSAL WITH TRUE MECHANICAL SOLUTION, LLC TO PROVIDE AND INSTALL A DEMAND FLOW WATER SOFTENER FOR THE ADULT DETENTION CENTER IN THE AMOUNT OF \$48,680 (REQ: ADMINISTRATIVE SERVICES)

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

FLOOD CONTROL

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL VACANT MAINTENANCE WORKER POSITION (REQ: HUMAN RESOURCES)

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

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

ACTION ITEMS CONT.

1. DISCUSSION/POSSIBLE ACTION TO APPROVE AND ADOPT PROCLAMATIONS DECLARING:

A OCTOBER 2023 AS DOMESTIC VIOLENCE AWARENESS MONTH (REQ: COUNTY ATTORNEY)

B SEPTEMBER 25TH THROUGH SEPTEMBER 29TH, 2023 AS NATIONAL GEAR UP WEEK (REQ: SCHOOL SUPERINTENDENT)

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

DEPARTMENT REPORTS AND ACTIVITIES

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

Mauricio Chavez, Administrative Services Department Director, reported \$16,182,900.55 in the General Fund, of which \$11,936,436.44 is invested; \$1,981,018.72 in the Road Fund, of which \$7,332.98 is invested; \$982,288.60 in the Flood Control District Fund, of which \$277,687.34 is invested; \$4,103,569.86 in the Jail District Fund, of which \$1,053,033.15 is invested; \$57,707,429.07 total for all funds, of which \$15,181,950.31 is invested; \$11,935,433.54 estimated end of month balance, compared to \$12,186,367.94 cash at month year, a difference of \$(250,934.40).

2. WORKFORCE DEVELOPMENT UPDATE

Presented by Irasema Olvera, WIOA Office Manager.

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

STUDY SESSION

1. THE UNIVERSITY OF ARIZONA COOPERATIVE EXTENSION OF SANTA CRUZ COUNTY PROGRAMS PRESENTATION BY DR. RODOLFO MARTINEZ MORALES, EXTENSION DIRECTOR OF THE UNIVERSITY OF ARIZONA COOPERATIVE EXTENSION OF SANTA CRUZ COUNTY AND PROGRAM COORDINATORS (REQ: CHAIRMAN RUIZ)

Presented by Dr. Rodolfo Martinez Morales, Extension Director of the University of Arizona Cooperative Extension of Santa Cruz County and staff.
The Board thanked the presenters for the presentation.

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

Vice-Chairman Bracker 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)

The Board met in the conference room located between the Public Works and IT for the Executive Session on Discussion Item G1.

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

DISCUSSION ITEMS

1. DISCUSSION/POSSIBLE DIRECTION REGARDING THE U.S. BORDER PATROL STREET RELEASES OF MIGRANTS (REQ: COUNTY MANAGER)

Discussion led by Jeff Terrell, Health Services Director

Comments: Gerard Navarro, a resident of Rio Rico, and Brenda Sanchez, Program manager of SEAHEC (Southeast Arizona Health Education Center). The Board provided directions to staff members for a possible meeting or study session with the City of Nogales; a special meeting set for the following Tuesday at 1:30 p.m. with agenda items relating to the matter; and requested a draft proposed letter to the President, DHS, US. Senators/federal delegation on the item.

2. DISCUSSION/POSSIBLE DIRECTION REGARDING A LETTER TO THE ENVIRONMENTAL PROTECTION AGENCY (EPA) TO EXERCISE ITS AUTHORITY OVER THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) TO ENSURE THAT ADEQ FULLY COMPLIES WITH ITS OBLIGATIONS UNDER THE CLEAN WATER ACT (REQ: COUNTY MANAGER)

Supervisor Molera made a motion to discuss, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz) by Bruce and 2nd by Molera.

Discussion led by Jesus Valdez, County Manager for direction of the Board.

The Board provided direction to the County Manager to have the Director of ADEQ (Arizona Department of Environmental Quality) provide an overview status to the Board of the item and letter to the Governor.

Carolyn Shaffer, a resident of Patagonia on behalf of PARA, asked for clarification from the Director. Cynthia Colbert, a resident of Rio Rico, stated that there is no problem with sending a letter to the EPA and having the ADEQ Director speak about the item so that the EPA is informed of the concerns made about the item.

Wendy Islas, a resident of Rio Rico, asked how critical time is of the essence and requested the letter be sent immediately.

ADJOURNMENT

The meeting adjourned at 12:26 p.m. (motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)