

Board of Supervisors May 29, 2002

8:00 a.m.

Board met in Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Board of Supervisors' Conference Room, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk of the Board. Also present: Mayra Ochoa, Victor Gabilondo, Karl Moyers, Sheriff Estrada, Major Romo, Aida Rodriguez.

BUDGET REVIEW: The Board met with a representative(s) from the following departments and reviewed past expenditures, proposed budgets, budget performance data forms, requests for additional personnel (if any), supporting details for contractual or other professional services, requests for memberships and publications, requests for travel and training, requests for capital outlay (if any), and County Manager's and Finance Director's comments: Security, Landfill, Grounds & Maintenance, Sheriff.

The Board encouraged all Departments to cut all but absolutely necessary expenditures. Study Session adjourned at 11:00 a.m.

TOP

Board of Supervisors

May 29, 2002

6:00 p.m.

The Board met in a Joint Meeting with the Mayor and City Council of the City of Nogales at the City Hall Complex Council Chambers, 777 N. Grand Avenue, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Present from the City of Nogales: Marco A. Lopez, Mayor; Council Members Jose De La Ossa, Jeff Gudenkauf, Danny Rodriguez, Olga Valdez, Rosa Padilla, Albert Kramer; H. Sue Neilsen, City Manager; Jose Luis Machado, Attorney.

Also present: Ken Zehentner, John Hays, Jerry Calza, John Kissinger, Rudy Castro, Joyce Hubbard, Jose Pena, Lt. Fuentes, Sonia Guerrero, G. Gutierrez, Kathleen Vandervoet, Beth Daley, Lee Ann Ayers, Mr. & Mrs. Raymond Hoff, Joan White.

The Joint Session was called to order by both entities and the Pledge of Allegiance was recited, led by Chairman Ruiz.

CALL TO THE PUBLIC: Mayor Lopez welcomed Supervisor Damon back to the City Council Chambers; Supervisor Damon was previously a City Council Member.

Rudy Castro, Monte Carlo resident, expressed concern regarding Sue Neilsen not meeting the minimum qualifications to hold the office of City Manager and flooding in the Monte Carlo subdivision.

Lee Ann Ayers commended the Board of Supervisors for holding an evening meeting; expressed concern regarding animal welfare and the lack of "shade" being included in the City/County Ordinance; spoke in opposition of the proposed Smoking Ordinance as being too restrictive.

Jim Lagatuta, Tubac restaurant and bar owner, believes that most businesses in the County currently have smoking/non-smoking areas designated in their establishments; cautioned both entities in adopting an Ordinance that would be detrimental to all business owners in the County; believes that such an Ordinance could potentially create economic hardship for responsible business owners.

Beth Daley, Nogales/Santa Cruz County Chamber of Commerce, expressed concern in the lack of public notice of this meeting; requested that a decision on the Smoking Ordinance not be made at today's meeting and suggested scheduling a Study Session to allow input from restaurant/bar owners.

Lillian Hoff, Nadia Ibarra and Yolie Carrillo spoke in favor of a Smoking Ordinance for medical reasons.

PRESENTATION OF SECOND HAND SMOKE: Karla Baldenegro and Sonia Guerrero, Mariposa

Community Health Center, provided a presentation on second hand smoke and the Santa Cruz County Community Survey preliminary results.

CITY OF NOGALES/SANTA CRUZ COUNTY SMOKING ORDINANCE: Chairman Ruiz stated that this item is on today's Agenda for discussion only and to possibly direct staff on how to proceed; suggested that a small working group be commissioned to discuss pros and cons and make recommendations/suggestions to the Mayor and City Council and the Board of Supervisors. Mayor Lopez concurred with Chairman Ruiz' suggestion for a working group and added that he would like the group to be made up of individuals both in favor of and against the issue and to have the group research facts.

Vice-Chairman Maynard suggested a 9-member group made up as follows: the Board will appoint 3 members, 1 from Each District; the City of Nogales will appoint 4 members; and the City and County Manager. Vice-Chairman Maynard suggested getting feedback from other cities and counties who have already implemented a similar ordinance.

Mayor Lopez suggested that the working group hold study sessions, public meetings/hearings and notify and invite the entire public to present comments.

Mayor Lopez and Chairman Ruiz invited anyone interested in serving on the working group to give their name, telephone number and address to the County or City Manager. Mayor Lopez suggested that the County's appointments be residents of the County and the City's appointment be residents from within the City limits.

LIBRARY IGA: Chairman Ruiz asked for clarification of the changes made to the IGA included in the Agenda packets compared to the one distributed at the meeting. Attorney Hawn stated that the signature page was corrected to reflect the Board of Supervisors' titles and the CPI indicator was changed at the suggestion of Ms. Neilsen to be more specific.

The City of Nogales voted unanimously to approve the IGA as presented for library services.

Supervisor Damon made a motion to approve the IGA for library services between the City of Nogales and Santa Cruz County; second by Vice-Chairman Maynard.

Under discussion, Vice-Chairman Maynard expressed concern regarding the IGA not including a specific dollar amount; Attorney Hawn responded that it would be impossible to know the exact expenditure in advance because of the various services offered and that's why the IGA contains a cap.

Motion carried unanimously.

JAIL IGA: Council Member Rodriguez made a motion to approve the Intergovernmental Agreement for incarceration and/or housing in the Santa Cruz County Jail of prisoners of the City of Nogales; second by Council Member Kramer.

Vice-Chairman Maynard made a motion to approve the Intergovernmental Agreement for incarceration and/or housing in the Santa Cruz County Jail of prisoners of the City of Nogales; second by Supervisor Damon.

Under discussion, Council Member Rodriguez asked for clarification of the changes made to the IGA included in the Agenda packets compared to the one distributed at the meeting. Attorney Hawn responded that the draft IGA contained an 8-hour increment charge; the County proposed a booking and a daily rate; the compromise was a 12-hour increment for City prisoners. City Attorney, Jose Luis Machado, stated that the CPI in this IGA is the same as the Library IGA; the signature page has been corrected to reflect the Board of Supervisors' titles; provisions were added making the City financially responsible for all medical care and services for City prisoners, for transportation and security of City prisoners to and from the Detention Center and medical facilities or offices; a provision was added requiring City personnel to comply with and complete all booking procedures required by Santa Cruz County.

Attorney Hawn stated that most of the changes reflect current practice but were not included in the previous IGA.

Motions carried unanimously.

ANIMAL CONTROL IGA: Council Member Gudenkauf made a motion to approve the Intergovernmental Agreement on Animal Control; second by Council Member Valdez.

Supervisor Damon made a motion to approve the Intergovernmental Agreement relating to Animal Control; second by Vice-Chairman Maynard.

Under discussion, Supervisor Damon asked for clarification of the changes made to the IGA

included in the Agenda packets compared to the one distributed at the meeting. Attorney Hawn stated that the CPI indicator was changed as it was for all the other IGAs and the signature page was corrected to reflect the Board of Supervisors' titles.

Mayor Lopez stated that the IGA commits the City to 60% and expressed concern regarding the pick up and disposal of dead animals found on City streets. Currently Animal Control only picks up and disposes of dead animals in the County and not dead animals found on City streets. Mayor Lopez believes that they are paying for the service and that it should be equitable between both entities. Mayor Lopez requested that the service be added to the IGA.

Currently, City of Nogales Public Works crews dispose of animals found on City streets by transporting it to the Landfill where they are charged for the landfill service. The City receives approximately 5 calls per week requesting the pick up of dead animals found on City streets. Mr. Lucero stated that the original IGA only addressed code enforcement; Santa Cruz County only receives 2.5 calls per month requesting the pick up of dead animals found in the County. The financial impact of such a request is unknown at this time; Mr. Lucero briefly explained the process involved in the transportation/disposal of dead animals.

Council Member Rodriguez made a motion to table this item until the additional costs/hardship for the County is determined and incorporated in the IGA; second by Council Member Padilla; motion carried unanimously.

Supervisor Damon withdrew his original motion to approve and made a motion to table this item for further review; Vice-Chairman Maynard withdrew his second to the original motion to approve and seconded the motion to table; motion carried unanimously.

The Board of Supervisors convened as the Flood Control District Board. (JM/RD; c.u.)

MONTE CARLO FLOOD CONTROL PROJECT IGA: Chairman Ruiz stated that Santa Cruz County has \$120,000 budgeted in the Flood Control Budget to assist the City of Nogales with the drainage issue in the Monte Carlo area.

Supervisor Damon made a motion to approve the Intergovernmental Agreement relating to the disbursement of Santa Cruz County Flood Control District funds to the City of Nogales in the amount of \$120,000; second by Vice-Chairman Maynard.

Council Member De La Ossa made a motion to approve the Intergovernmental Agreement regarding the Flood Control District fund to the City of Nogales; second by Council Member Rodriguez.

The Flood Control District motion carried unanimously.

Under discussion, Rudy Jacobson, City of Nogales Engineer, stated that an engineering company has conducted an analysis of the Monte Carlo storm water problem and it was requested that the engineering company separate the analysis in different phases. The first phase would be 3 retention areas (Monte Carlo Wash, Chihuahua Wash and Challenger Wash); the second phase would cut through an embankment and direct the water flow to the Nogales Wash more quickly; the third phase would be a clean-up of the channels that go between the houses and the fourth phase would be acquirement of easements in the Canyon View area of Vista del Cielo.

The total cost of this project was originally estimated at \$960,000; however, the true total cost is \$1.4 million. Mayor Valdez asked how the City of Nogales could request additional funding from the Flood Control District. City Manager, Sue Neilsen, stated that the City of Nogales is required to provide a 25% match, which would be \$350,000; ½ of which would be \$175,000 an increase of \$55,000 that is needed from the Flood Control District.

The City of Nogales requested that the Flood Control District contribute \$175,000 towards the project.

City Attorney, Jose Luis Machado, asked what procedures are followed in determining how Flood Control District funds are allocated each budget year so that the City of Nogales can submit its application for use of funds within the City of Nogales limits; County Manager, Greg Lucero, responded that requests should be submitted during the budget process and now would be the appropriate time; a special district tax has been set aside and budget line items can be shifted to accommodate the City's request for \$55,000 in additional funding.

Future funding requests should be submitted to the County Manager or the Public Works Director to be incorporated in the budget process.

Chairman Damon made a motion to reconsider the Agreement that was passed; second by Vice-Chairman Maynard; motion carried unanimously.

Supervisor Damon made a

[TOP](#)

Board of Supervisors May 30, 2002

8:00 a.m.

Board met in Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Board of Supervisors' Conference Room, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk of the Board. Also present: Mayra Ochoa, Louis Chaboya, Maru Duarte, Judge Fuller, Caesar Ramirez, Wanda Valdez, Robert Canchola, Mary Dahl.

BUDGET REVIEW: The Board met with a representative(s) from the following departments and reviewed past expenditures, proposed budgets, budget performance data forms, requests for additional personnel (if any), supporting details for contractual or other professional services, requests for memberships and publications, requests for travel and training, requests for capital outlay (if any), and County Manager's and Finance Director's comments: Finance, Information Technology, Emergency Services, Justice of the Peace #2, Treasurer, School Superintendent, Building Codes, Planning & Zoning, Airport, and Parks.

The Board encouraged all Departments to cut all but absolutely necessary expenditures. Study Session adjourned at 10:30 a.m.

motion to amend the Agreement to increase funding from \$120,000 to \$175,000; second by Vice-Chairman Maynard.

Council Member Rodriguez made a motion to amend the Flood Intergovernmental Agreement to change funding from \$120,000 to \$175,000; second by Council Member Gudenkauf.

Motions carried unanimously.

The Board of Supervisors adjourned as the Flood Control District Board and reconvened the Joint Meeting. (JM/RD; c.u.)

Both entities extended appreciation to the other.

Joint Meeting adjourned at 8:10 p.m. (JM/RD; c.u.)

[TOP](#)

Board of Supervisors

June 4, 2002

9:30 a.m.

Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, Dennis Miller, Ken Zehentner, Victor Gabilondo, Mike Masee, Juan Barrajas, Sheriff Estrada, Carol Defazio, Paulita Nowak, Karl Moyers, John Hays, Jim Lamb, Leonard Fontes, G. Gutierrez, Louis Chaboya, Rudy Castro, Richard Yisgerecht, Pablo Ramos.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Jim Lamb.

ADOPTION OF AGENDA: The Agenda was adopted as presented with no changes. (RD/JM; c.u.)

CALL TO THE PUBLIC: None

REPORTS:

SHERIFF: Sheriff Estrada introduced newly hired Deputy Joseph Charles Bunting and welcomed him to the Sheriff's Department.

Sheriff Estrada reported that the current jail population is 71, 62 males and 9 females; 19 inmates have been sentenced to the County jail and 3 to the Arizona Department of

Corrections; 67 have been charged with felonies and 4 with misdemeanors; 8 are undocumented aliens; 8 have been committed to the County jail on a daily basis and 4 on a weekly basis.

62 persons were booked during the past week; 206 calls for service were received, 49 of which were 911 calls.

ACTION ITEMS:

RECORDS IMPROVEMENT GRANT AGREEMENT NO. CRI-03-063 - ARIZONA CRIMINAL JUSTICE COMMISSION: Sheriff Estrada stated that the Sheriff's Office previously received grant funds from the Arizona Criminal Justice Commission for the automation and improvement of their Records System; to date, the Sheriff's Office has received a total of \$147,893 in grants; the current grant is in the amount of \$49,650 and requires a 25% match which is paid from jail enhancement funds; no general fund money is involved.

Vice-Chairman Maynard made a motion to accept the Records Improvement Grant Agreement No. CRI-03-063 from the Arizona Criminal Justice Commission; second by Supervisor Damon; motion carried unanimously.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Detention Officer Position at the Sheriff's Department at a Range 39. (RD/JM; c.u.)

REPORTS:

BOARD OF SUPERVISORS: Vice-Chairman Maynard reported that the Board is in receipt of correspondence from Governor Hull regarding reimbursement for wildland fires; he attended a SEAGO Meeting on Saturday in Thatcher, the ADOT 5-year plan was discussed but no decision was made and the item was tabled until the October meeting.

Chairman Ruiz reported on the Border Counties Coalition Conference that he, Mr. Lucero and Mr. Miller attended this past weekend in El Paso, Texas.

MANAGER: County Manager, Greg Lucero, reported that the Arizona Counties Insurance Pool (ACIP) Meeting is Thursday; the County Managers Meeting is Friday; the Arizona Association of Counties (AACo) Conference is next week; outside agencies are calling to find out when the Board will meet with them to discuss funding.

FINANCE: Finance Director, Jennifer St. John, reported \$3,527,476 in the General Fund; \$1,255,408 in the Road Fund; \$14,532 in the Flood Control District Fund; \$6,360,859 total for all funds; \$2,544,366 estimated end of month balance, compared to \$2,585,788 cash at June 2001, a difference of \$(41,422).

TAX COLLECTION: Deputy Barrajas reported that for the month of May, 2002, \$22,987.05 in delinquent taxes was collected; the total paid including delinquent was \$100,152.50; total outstanding delinquent taxes in the County is \$179,518.78.

LEGISLATIVE: Director of Governmental Relations, Dennis Miller, provided the Board with an update on the following legislation: the Nogales Wash project, Customs at the Nogales International Airport, redistricting lawsuit, Building Codes, Probation Fees increase, Community College Bill.

The Board recessed the Regular Meeting to convene as the Flood Control District Board.

(RD/JM; c.u.)

FLOOD CONTROL:

DIRECTOR'S/PROJECT REPORT: Submitted in writing.

PUBLIC COMMENT: None

The Board adjourned as the Flood Control District Board and reconvened the Regular Meeting.

(JM/RD; c.u.)

ACTION ITEMS:

EXTENSION OF INSTRUCTIONAL SERVICES AGREEMENT WITH PIMA COMMUNITY COLLEGE

DISTRICT: Vice-Chairman Maynard made a motion to approve the extension of the Instructional Services Agreement between Pima County Community College District and Santa Cruz County for an education program for the period of 7/1/02 - 6/30/03 and to authorize the Chairman to sign on behalf of Santa Cruz County; second by Supervisor Damon; motion carried unanimously.

APPOINTMENTS TO THE JOINT SANTA CRUZ COUNTY/CITY OF NOGALES SMOKING ORDINANCE COMMITTEE: Chairman Ruiz stated that at the Joint City/County Meeting, it was agreed that the Board and Council would make appointments to a Smoking Ordinance Committee; the

Board is to appoint 1 member from each District.

Vice-Chairman Maynard made a motion to appoint Jaime Moraila Jr. from District #2 as requested by Supervisor Damon; second by Supervisor Damon; motion carried unanimously. Chairman Ruiz and Vice-Chairman Maynard requested that this item be placed on next week's Agenda in order to make their appointments.

ENGINEERING SERVICE CONTRACT FOR CORRIDOR STUDY FOR AN ALL WEATHER CONNECTOR FROM PENDLETON DRIVE IN RIO RICO TO INTERSTATE 19: Public Works Director, Victor Gabilondo, stated that numerous public hearings and study sessions held by the Board of Supervisors have yielded a demand by residents of Rio Rico living in the northern most area of Pendleton Drive to construct an all weather connector from Pendleton Drive to Interstate 19. Staff recommends that the Board enter into an engineering contract with Tetra Tech Inc., in the amount of \$58,915.

Vice-Chairman Maynard made a motion to enter into a contract with Tetra Tech Inc., for engineering services for a corridor study for an all weather connector from Pendleton Drive in Rio Rico to Interstate 19; second by Supervisor Damon; motion carried unanimously.

BID AWARD: B-05-02-CO05 REFUSE HAULING SERVICES: Solid Waste Department Manager, Karl Moyers, stated that this is a bid for refuse hauling services from the Tubac/Amado Transfer Station (TATS) and the Rio Rico Landfill(RRLF); 8 vendors were notified, 5 responses were received; the Contract has been revised from past years from an annual contract to a 2-year contract with an option to renew for 2 additional years.

Currently the County is paying \$124 for each haul from the TATS and \$50 per haul from within the RRLF with Canyon Disposal; Kachina Enterprises bid \$100 per haul from the TATS and \$50 for the RRLF haul; as an overall package this is the lowest bidder. A.G.E. Contracting bid \$122.50 for the TATS haul and \$48.50 for the RRLF haul.

Mr. Moyers recommends that the Board award the 2-year Contract to Kachina Enterprises for consistency purposes and to avoid additional financial paperwork involved in splitting up the bid.

Chairman Ruiz believes that the bid should be opened up to the public at the end of the 2-year contract.

Supervisor Damon made a motion to award Bid#B-05-02-CO05 to Kachina Enterprises for a 2-year contract for refuse hauling services in the amount of \$100 from the Tubac/Amado Transfer Station and \$50 from the Rio Rico Landfill; second by Vice-Chairman Maynard; motion carried unanimously.

W.I.A. IGA AMENDMENT WITH PIMA COUNTY: Finance Director, Jennifer St. John, explained that the County currently has an IGA with Pima County; this Amendment would enable Santa Cruz County Workforce Development to implement the Healthcare Career Ladder Initiative for incumbent workers by extending the IGA from 6/30/02 to 3/30/03 and increasing the amount from \$31,500 to \$104,872.

Vice-Chairman Maynard made a motion to approve the amendment of the IGA with Pima County, through the Pima County Community Services Department; second by Supervisor Damon; motion carried unanimously.

BONDS FOR DUPLICATE WARRANTS #4-538949 payable to Law Advisory Group in the amount of \$175 dated 4/25/02 and #4-536899 payable to Isaac Rodriguez in the amount of \$100 dated 2/12/02 were approved as submitted. (RD/JM; c.u.)

MINUTES of 5/2/02 and 5/7/02 were approved as submitted. (JM/RD; c.u.)

DEMANDS for the County were approved as follows: (RD/JM; c.u.) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$344,122.99; Clerk Superior Court Retrieval: \$1,038.00; Taxpayers' Information Fund: \$2,334.46; Law Library: \$1,424.01; Road: \$167,029.75; Waste Tire Grant (ADEQ): \$8,699.74; Animal Control: \$6,164.49; H.I.D.T.A. Grant 12: \$2,316.72; Juvenile Probation Fees: \$1,183.60; PIC-ACT: \$5,372.53; Community Punishment Program: \$1,159.42; Jail Enhancement: \$3,569.08; Health Services Fund: \$20,263.73; Emergency Border Funding: \$13,200.75; DOJ Bullet Proof Vest Fund: \$2,546.60; H.I.V. Program: \$4,367.92; Juv.Det. Special SCVS (Schools): \$1,480.87; Flood Recovery 2000-24: \$4,975.27; Flood District: \$30,975.78; Fire Districts Secondary: \$72,597.50; W.I.A. Youth Program: \$4,195.17; W.I.A. Welfare To Work:

\$2,164.36; W.I.A. Adult: \$42,714.69; W.I.A. Administration: \$15,658.61; Airport Master Plan Update: \$1,343.00

To review these demands for this date, refer to Binder #3 which accompanies this book.

The Regular Meeting recessed into Executive Session (Westrust Southwest Retail Partners, LLC) at 10:10 a.m. and reconvened at 10:20 a.m. (JM/RD; c.u.)

The Regular Meeting recessed into Executive Session (County Complex Land/Slope Encroachment) at 10:30 a.m. and reconvened at 11:15 a.m. (RD/JM; c.u.)

ACTION ITEM:

APPROVAL TO FILE LAWSUIT REGARDING COUNTY COMPLEX LAND/SLOPE ENCROACHMENT:

Special Counsel, Ronald Lehman, explained that his firm was retained approximately 1 year ago to investigate a problem occurring adjacent to County property located off of I-19 which involves steep slopes between neighboring property and the County's property; an expert was hired to investigate the geotechnical structural features of the slopes. The 3 properties in question are owned by 3 different adjacent propertyowners: Barrs - 70 foot slope, Gamas, and Olmos.

The engineers report, issued on 6/26/01, indicated significant public safety hazard concerns and recommended short and long-term solutions. Immediately upon receipt of the report, letters and a copy of the report were mailed to each propertyowner requesting that they take necessary actions to protect the public.

The County placed a fence on the County's property to keep the public away from the area of concern and posted warning signs in English and Spanish advising of the danger; several follow-up letters have been sent to the propertyowners advising of the danger and the necessity to correct the problems.

Each of the propertyowners have hired legal counsel and sent letters to the County advising that they would hire geotechnical engineers to investigate the situation and recommend a solution. Mr. Barr indicated that they would pay for the fix; the other propertyowners have hired an engineer but no copy has been received by the County.

The Board of Supervisors met in Executive Session on 9/24/01 to discuss potential litigation at which point, propertyowners were encouraged to take necessary actions to correct the situation in order to avoid litigation. In accordance with the Board's instructions, letters were immediately sent to propertyowners requesting that they expedite the engineering and provide the County with settlement proposals as soon as possible, to no avail.

On 11/8/01 additional correspondence was sent and again in 2/02; a response was received indicating that engineers were being hired; on 4/11/02, letters were sent again and 1 response was received indicating that the County could expect something in a few days, to no avail.

Mr. Lehman spoke of the significant public safety hazard concerns caused by the actions of the propertyowners.

At this point, Mr. Lehman feels that the County has no choice but to file a lawsuit in this matter and as a public body, he strongly recommends that the County, under the circumstances, file a lawsuit.

Attorney Lehman stated that the proposed lawsuit is based on 3 theories: removal of lateral support, legal counts of negligence and trespass and a request for an injunction.

Vice-Chairman Maynard made a motion to authorize the law firm of Gabroy, Rollman & Bosse to file a lawsuit against the individuals known to have caused this problem, as well as anyone else who could be liable for creating the problem; to take all steps necessary to aggressively prosecute that action including naming additional parties that may be liable and to work to get the situation resolved as expeditiously as possible, as recommended by Attorney Lehman; second by Supervisor Damon.

Chairman Ruiz stated that since the Board is aware of the problem, the County could be liable if nothing is done; Attorney Lehman responded no, that from a legal liability point of view, the County can only do what is humanly possible to do to ensure the safety of the public and can't force others to take responsible actions.

Motion carried unanimously.

Meeting adjourned at 11:25 a.m. (RD/JM; c.u.)

2:00 p.m.
STUDY SESSION

Board met in a Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Mike Masee, Attorney; Melinda Meek, Clerk of the Board; Ken Zehentner, Victor Gabilondo, G. Gutierrez, Ken Allen, Fred S. Baker.

ABANDONMENT OF A PORTION OF EVERHART-COLLIE ROAD (APPROXIMATELY 1 MILE): Public Works Director, Victor Gabilondo, explained that on or about 4/2/02, he received a call from Fred Baker indicating that he had some property that was in escrow; prior to closing the deal, the buyers discovered a recorded drawing showing that the Everhart-Collie county right-of-way bisected the property. Mr. Baker has requested that the County abandon approximately 1 mile of a 60-foot right-of-way on Everhart Collie Road.

Mr. Gabilondo stated that such a request would not impact the County negatively because the road only exists legally, not physically.

During the course of investigation, the Public Works Department commissioned G. H. Garcia Consulting Inc., to appraise the property; the appraised value of this property that is proposed for abandonment is \$36,000.

Attorney Masee and Ken Allen stated that the Board of Supervisors must act in the form of a Resolution to abandon the property. Attorney Masee will present a Resolution to the Board for its consideration at next week's meeting requesting authorization to quit claim title to the property for no consideration.

Study Session adjourned at 2:15 p.m.

3:00 p.m.
STUDY SESSION

Board met in a Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, G. Gutierrez.

BUDGET REVIEW: The Board discussed the Board of Supervisors' Budget and reviewed past expenditures, proposed budgets, budget performance data forms, requests for additional personnel (if any), supporting details for contractual or other professional services, requests for memberships and publications, requests for travel and training, requests for capital outlay (if any), and County Manager's and Finance Director's comments.

County Manager, Greg Lucero, stated that the Board's budget decreased due to the creation of Administrative Services Division, which includes Finance, Grants Management, MIS, GIS and Emergency Management. Finance has budgeted a GIS line item of \$80,000 that was not previously budgeted for and raises were increased by \$150,000 for a total of \$350,000.

Mr. Lucero proposed that staff go back to the Departments that have exceeded their current fiscal year budget and request that they decrease their operating budget to the current fiscal year; requests for additional personnel only be considered if grant funded and that outside agency funding be addressed.

Study Session adjourned at 4:00 p.m.

[TOP](#)

Board of Supervisors

[June 11, 2002](#)

9:30 a.m.

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; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, Mary Dahl, Debbie Gonzales, Sigrid

Maitrejean, James Clark, Oscar Lizardi, Carol DeFazio, Lou M. Jeong, Ray Klein, Bill Spater, Anita Lichter, Jim Lamb, Lt. M.A. Cota, Mike Masee, Lt. Ruben F. Fuentes, G. Gutierrez, Marcela Chavez, Ernesto Ojeda, Fred S. Baker.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Oscar Lizardi.

ADOPTION OF AGENDA: The Agenda was adopted as presented with no changes. (RD/JM; c.u.)

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: None

MANAGER: County Manager, Greg Lucero, reported that the Arizona Association of Counties (AACo) Conference is this week in Mesa; the Small Counties Forum will be held on Thursday morning.

FINANCE: Finance Director, Jennifer St. John, reported \$3,289,657 in the General Fund; \$1,123,692 in the Road Fund; \$(14,107) in the Flood Control District Fund; \$5,793,670 total for all funds; \$2,827,757 estimated end of month balance, compared to \$2,915,625 cash at June 2001, a difference of \$(87,868).

SHERIFF: Lt. Ruben F. Fuentes reported that the current jail population is 72, 63 males and 9 females; 19 inmates have been sentenced to the County jail and 4 to the Arizona Department of Corrections; 62 have been charged with felonies and 10 with misdemeanors; 9 are undocumented aliens; 6 have been committed to the County jail on a daily basis and 3 on a weekly basis.

57 persons were booked during the past week and 51- 911 calls were received.

NOGALES/SANTA CRUZ COUNTY CHAMBER OF COMMERCE: Beth Daley, President/CEO, provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

SANTA CRUZ COUNTY ASSOCIATION FOR THE BLIND: William Spater, Treasurer, provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

CHRISTMAS IN APRIL: Marcela Chavez, Program Coordinator, provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

ACTION ITEMS:

RESOLUTION #2002-17 SANTA CRUZ COLLEGE: Oscar Lizardi, College Board President, on behalf of the Santa Cruz College Board, expressed support of the proposed Resolution and encouraged the Board to approve.

Vice-Chairman Maynard made a motion to approve Resolution #2002-17 relating to the Santa Cruz College as presented by staff; second by Supervisor Damon; motion carried unanimously.

RESOLUTION #2002-17

RESOLUTION OF THE BOARD OF SUPERVISORS RELATING TO
THE SANTA CRUZ COLLEGE PRIMARY TAX LEVY AND
SUBSEQUENT REDUCTION IN THE SANTA CRUZ COUNTY
PRIMARY PROPERTY TAX LEVY FOR FISCAL YEAR 2003-2004

WHEREAS, the voters of Santa Cruz County approved the formation of a Provisional Community College District at the primary election on September 12, 2000; and

WHEREAS, the Santa Cruz College Board of Directors has requested that the Santa Cruz County Board of Supervisors reduce the County's primary tax levy by the amount it currently spends for out of county tuition and other college related expenses to help offset the property tax impact of the Provisional Community College District, and

WHEREAS, Santa Cruz County will spend approximately nine hundred thousand dollars on college related expenses during the current fiscal year and these expenditures are equal to

approximately forty-three cents of the primary tax rate; and WHEREAS, next year's budget has not been prepared and the final assessed valuations are unknown at this time; therefore, it is not possible to predict the amount of primary property tax levy necessary for the normal operation of the county.

NOW, THEREFORE, BE IT RESOLVED, that the 2003-2004 fiscal year primary property tax levy necessary for the normal operation of the County be reduced by the amount of educational expenses no longer required due to the formation of the Santa Cruz Provisional Community College District, provided that the voters in Santa Cruz County have approved a primary property tax levy for the Provisional Community College District.

PASSED, ADOPTED AND APPROVED this 11th day of June, 2002.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Evidence Custodian position and a vacant Public Safety Telecommunicator position at the Sheriff's Department at a Range 38, minimum salary of \$21,385. (JM/RD; c.u.)

QUIT CLAIM DEED FOR EVERHART-COLLIE ROAD (1 MILE): Deputy County Attorney, Mike Masee, explained that the Fred and Virginia Baker Revacable Trust has presented the Board with a Quit Claim Deed whereby the County would relinquish any right, title or interest in a 1-mile right-of-way, approximately 60 feet wide, that runs along a section border line near the Everhart-Collie Road. Attorney Masee stated that the road was never built and any rights the County may have had were extinguished with the passage of the Federal Lands Policy and Management Act of 1976.

Supervisor Damon made a motion to approve a quit claim deed for a portion of Everhart-Collie Road (approximately 1 mile) and to authorize the Chairman to sign the deed; second by Vice-Chairman Maynard; motion carried unanimously.

SETTLEMENT AGREEMENT-WESTRUST SOUTHWEST-RETAIL PARTNERS, LLC: Deputy County Attorney, Mike Masee, explained that this is a proposed settlement with Westrust Southwest Retail Partners, LLC that authorizes the County Attorney's Office to resolve current litigation in tax court by stipulating that the assessed valuation of the Loma Linda shopping center will be \$8.6 million for the 2002 tax year.

Vice-Chairman Maynard made a motion to approve the Settlement Agreement with Westrust Southwest Retail Partners, LLC as presented by staff; second by Supervisor Damon; motion carried unanimously.

CONTRACT WITH ARIZONA DEPARTMENT OF WATER RESOURCES-COUNTY COMPREHENSIVE PLAN: Director of Community Development, Mary Dahl, informed the Board that this is an Agreement between the Arizona Department of Water Resources and Santa Cruz County in order to formalize their grant of \$5,000 to the County for assistance in preparing the water resources element of the County Comprehensive Plan.

Supervisor Damon made a motion to approve Contract No. 2002-24561GA with the Arizona Department of Water Resources; second by Vice-Chairman Maynard; motion carried unanimously.

MINUTES of 5/13/02 and 5/14/02 were approved as submitted. (RD/JM; c.u.)

BOND FOR DUPLICATE WARRANT #3-92603 payable to Socorro Ortiz in the amount of \$248.59 dated 5/25/02 was approved as submitted. (RD/JM; c.u.)

RESOLUTION #2002-16 FAMILY COUNSELING PROGRAM: Vice-Chairman Maynard made a motion to approve Resolution #2002-16 relating to the participation in the Family Counseling Program and matching funds; second by Supervisor Damon; motion carried unanimously.

ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
JUVENILE JUSTICE SERVICES DIVISION

FAMILY COUNSELING

FISCAL YEAR 2002-03

Board Resolution

Resolution No. 2002-16

The Santa Cruz County Board of Supervisors hereby elects to have the county participate in the Family Counseling Program as provided for in A.R.S. Section §8-261 through §8-265 for fiscal year 2002-03.

The Board of Supervisors resolves that \$2,685 in matching funds will be provided by this county.

INSTALLATION OF FIRE HYDRANT ON SOUTH RIVER ROAD: Chairman Ruiz stated that he has received calls from the residents of South River Road requesting a fire hydrant; the residents also contacted Mayor Lopez with the same request. The City of Nogales indicated that they would provide labor if the County would provide the materials to install a fire hydrant in the Beyerleville area of South River Road. The proposal obligates Santa Cruz County to \$4,996 for materials and the City to \$5,000 for labor.

County Manager, Greg Lucero, stated that this type of request is generally handled by the Fire Department or District and suggested that staff be authorized to contact the Fire District with the request.

Vice-Chairman Maynard made a motion to table the item for 1 week to allow staff to meet with the Fire District; second by Supervisor Damon; motion carried unanimously.

APPOINTMENTS TO JOINT SANTA CRUZ COUNTY/CITY OF NOGALES SMOKING ORDINANCE COMMITTEE: Vice-Chairman Maynard made a motion to table the item for 1 week; second by Supervisor Damon; motion carried unanimously.

Meeting adjourned at 10:05 a.m. (RD/JM; c.u.)

[TOP](#)

Board of Supervisors

June 17, 2002

2:30 p.m.

Board met in a Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Room 120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, Mayra Ochoa, Jim Lamb, Beth Daley, Frank Corrales, Sheriff Estrada, Ivette Gastelum, Dan Doyle, M. A. Cota, Victor Gabilondo, G. Gutierrez, Susan C. Morales, Joni Clarke, Ernesto Ojeda, Raul Rodriguez, Rita Ashford, C. Ramirez, Lillian B. Hoff, Bill Swoger.

BUDGET REVIEW: Greg Lucero, County Manager, stated that the Board has held 3 Study Sessions to discuss the proposed FY2002-2003 Budget; the draft budget was \$3.5 million above anticipated revenues; during the Study Session, the Board met with County Departments to review their proposed budgets and identify areas that could be cut to bring the Budget into balance; unfortunately, the cuts that were identified were not substantial enough to bring the budget into balance; the Board requested that budget hearings be suspended until a balanced budget was brought forth.

Mr. Lucero further stated that funding for all outside agencies (except Libraries), capital outlay, salary adjustments (raises) and new positions was eliminated, and all operating budgets were cut to FY2001-002 funding levels; the second draft budget cut almost \$2.3 million off the first draft budget. However, our revenue projections were reduced \$500K due to yearend adjustments; instead of being \$1.2 million over budget, the net result ended up being \$1.7 million over budget.

The Finance Department was then directed to eliminate funding for all new positions that would be funded out of the General Fund and cut all departmental budgets by 10%, with the exception of the Elections Department and the Recorder's Office (election year). The third

draft budget cut almost \$1.4 million off the second draft budget leaving a difference of \$355K. Staff is recommending that this remaining balance be absorbed by the cash carry forward in the unreserved fund balance. These measures, if implemented in their entirety, will result in a balanced budget.

Mr. Lucero provided the Board with a spreadsheet listing each department's actual expenditures for FY99-00 and 00-01, FY 01-02 budgeted amount, year-to-date spent through 5/31/02, FY02-03 original proposed budget (\$3,517,799), the FY02-03 second draft proposed budget (\$1,751,220) and the FY02-03 third draft proposed budget (\$355,270).

Mr. Lucero stated that the Board has to either increase revenue or make additional cuts. He recommended the following budget cutting measures: cut an additional 10% of each departments' FY01-02 budget, eliminate funding for all new positions, eliminate funding for raises, eliminate funding for capital outlay and eliminate funding to outside agencies. Chairman Ruiz asked if the County experiences an increase in expected revenues at the end of the year, can the Board readdress the issue at that time? Mr. Lucero responded that the Board can identify funding levels that it would like to set as a goal and make it contingent upon an increase in projected revenues; Mr. Lucero recommended that if the Board decides to do this, that the allocation(s) be placed in the Board's budget to maintain control of the funding. Supervisor Damon asked if the Building fees could be increased; Bob Banzhof, Building Codes Department, responded that the County is currently only charging a 10% plan check fee and stated that the County could increase that to reflect what the City of Nogales is charging, which is 65%.

Vice-Chairman Maynard asked for clarification of the proposed \$363,074 funding for outside agencies; Mr. Lucero responded that this figure only includes mandated funding (Libraries, De Anza Trail, Pima Community College, Home Health).

Lillian Hoff requested a written lobbyist report; requested that the Board not cut funding to outside agencies in order to balance its budget and suggested that airport users should be funding airport development, not taxpayers.

Jim Lamb, Green Valley News, asked how much the county spent last year on outside agencies; Finance Director, Jennifer St. John, responded approximately \$400,000.

Dan Doyle, Chamber of Commerce, suggested that the County foreclose against Avatar Properties for \$1.6 million in delinquent property taxes; County Treasurer, Caesar Ramirez, responded that the foreclosure/collection process is quite costly.

Sheriff Estrada asked if the Board is considering a tax increase; Ms. St. John responded that the maximum increase allowed by law is 17¢, which would only generate an additional \$387,000.

Mr. Lucero stated that he was directed by the Board to present them with a balanced budget, and that is what he's done. Mr. Lucero requested direction from the Board if they would like to proceed as he has recommended and if the Board wishes to prioritize funding if revenues come in greater than projected.

Vice-Chairman Maynard asked how many building permits are issued on an average basis per year for the past 3 years; Mr. Banzhof responded approximately 300. Vice-Chairman Maynard asked how long it takes to put a new home or a home with substantial improvements on the taxrolls; Mr. Banzhof responded that copies of Certificates of Occupancy issued by the Building Department are forwarded to the Assessor's Office every Friday on a weekly basis; he is not aware of the process after that.

Beth Daley, Chamber of Commerce, requested building statistical information over the past 3-4 years during which time the Chamber of Commerce has been promoting relocation packages; individuals have relocated to this County because of promotion provided by the Chamber and if the County eliminates funding to the Chamber and highway tourism signs are removed, the County will lose a substantial amount of revenue.

Susan C. Morales, Economic Development Foundation, thanked the Board for its past support and expressed support in the Board's decisions during this difficult financial situation.

Ms. St. John stated that the Tentative Budget will be adopted on 7/2/02.

Staff was directed to schedule a meeting with the Board and outside agencies on Wednesday. Study Session adjourned at 3:30 p.m.

TOP

Board of Supervisors

June 18, 2002

9:30 a.m.

Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room 120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Also present: Carlos Rivera, Jennifer St. John, Dennis Miller, Jim Lagattuta, John DeStefano, Ray Klein, Carol DeFazio, G. Gutierrez, Sheriff Estrada, Beth Daley, Jim Lamb and Carlos Parra, Jr.

The meeting was called to order and the Pledge of Allegiance was recited, led by John DeStefano.

ADOPTION OF AGENDA: Supervisor Damon made a motion to adopt the Agenda with no changes; second by Vice-Chairman Maynard; motion carried unanimously.

CALL TO THE PUBLIC: Jim Lagattuta, Tubac business owner, addressed the Board concerning the proposed smoking/non-smoking ordinance and encouraged the Board to make their appointments to the Committee based on the individual's ability to be a competent thinker and not the individual's stance on the position. Mr. Lagattuta requested that he be appointed to the Committee and, if not, that Abe Trujillo be considered.

Beth Daley, Chamber of Commerce, requested that the Board adopt a Resolution requesting that the Tubac Presidio State Park remain open. A decision will be made on Thursday at 10:00 a.m. regarding the closure of the park.

Vice-Chairman Maynard stated that the Board previously approved a letter to the Director of Arizona State Parks, a copy of which was forwarded to the Chair of the Arizona State Parks Board, opposing the proposed closure of the Park. Vice-Chairman Maynard will be attending the meeting on Thursday in Phoenix, and if the County's insurance allows, he invited Ms. Daley and Mr. Lagattuta to travel with him.

Staff was instructed to post a Special Meeting on Wednesday prior to the Study Session to adopt the Resolution as requested and to also request that the County's lobbyist contact the State Parks Board to voice the County's concerns.

REPORTS:

BOARD OF SUPERVISORS: Chairman Ruiz recognized Maru Duarte, Emergency Management, who introduced Rich Kvale, Incident Commander on the Ryan and Walker fires and Keith Race, Nogales District Ranger - Coronado National Forest.

The Board commended the efforts of all involved in fighting both the Ryan and Walker fires. Vice-Chairman Maynard again expressed concern regarding the proposed closure of the Tubac Presidio State Park and stated that he will be attending a meeting on Thursday at 10:00 a.m. at the Maricopa County Supervisors' Auditorium where this issue will be discussed. Vice-Chairman Maynard encouraged anyone interested to attend and offered transportation, if the county's insurance allows. Interested parties may contact AZ State Parks at (602)542-7104 for Jay Zeeman, and at (602)542-1996 for Ellen Bilbry.

MANAGER: County Manager, Greg Lucero, stated that staff will have a vehicle available for Vice-Chairman Maynard to travel to Phoenix to the proposed park closure meeting and anyone else interested in attending and Dennis Miller, Director of Governmental Relations, has offered assistance in the matter. The Board will be holding a Study Session on Wednesday at 2:00 p.m. to meet with outside agencies to discuss funding. Staff will complete the budget process by next week; the Tentative Budget is scheduled to be adopted on 7/2/02, the Final Budget on 7/23/02 and the Tax Rates on 7/30/02.

FINANCE: Finance Director, Jennifer St. John, reported \$3,074,036 in the General Fund; \$1,083,649 in the Road Fund; \$567 in the Flood Control District Fund; \$6,049,028 total for all funds; \$2,926,441 estimated end of month balance, compared to \$2,958,006 cash at June 2001,

a difference of \$(31,565).

Ms. St. John also reported that at 98.08% into the fiscal year, 91.72% has been collected and 88.24% spent.

SHERIFF: Sheriff Estrada reported that the current jail population is 66, 59 males and 7 females; 16 inmates have been sentenced to the County jail and 5 to the AZ Department of Corrections; 59 inmates have been charged with felonies and 7 with misdemeanors; 8 (12%) are undocumented aliens; 6 have been committed to the County jail on a daily basis and 4 on a weekly basis.

42 persons were booked during the past week; 188 calls for service were received, 48 of which were 911 calls.

ACTION ITEMS:

INSTALLATION OF A FIRE HYDRANT-SOUTH RIVER ROAD: Chairman Ruiz stated that this item was tabled from last week to allow staff to contact the Nogales Suburban Fire District for assistance.

Chief Carlos Parra, Jr., Nogales Suburban Fire District, informed the Board that the District can provide funding in the amount of \$3,000 for the installation of a fire hydrant on South River Road and requested that it be placed in a central location for all residents in the area to access.

Chairman Ruiz stated that the City of Nogales has committed to provide labor and equipment for the installation in the estimated amount of \$5,000 and asked the County Manager if the County could come up with the balance. Mr. Lucero responded that it would be necessary to enter into an Intergovernmental Agreement with the City of Nogales; the County could agree to assist in the project, track the costs and enter into an Intergovernmental Agreement if more than \$3,000 (Fire District's contribution) is required.

Supervisor Damon made a motion to approve the installation of a fire hydrant on South River Road at the Beyerlyville Trailer Park using \$3,000 to be provided by the Nogales Suburban Fire District; to track the charges and if needed, develop an Intergovernmental Agreement with the City of Nogales for the balance of funding not to exceed the City's contribution; second by Vice-Chairman Maynard; motion carried unanimously.

JOINT SANTA CRUZ COUNTY/CITY OF NOGALES SMOKING ORDINANCE COMMITTEE

APPOINTMENTS: Chairman Ruiz stated that in order to appoint alternates to the Committee, he believes that the makeup would have to be readdressed by both the City and County.

Attorney Hawn concurred with Chairman Ruiz and stated that the Committee was defined as 7 members plus the 2 Managers and alternates were never addressed; she suggested that each Board member appoint 1 member to serve and if the Board would like to appoint alternates, it will be necessary for the Board of Supervisors and the City of Nogales to redefine the makeup of the Committee in a formal meeting to include alternates.

Chairman Ruiz requested that the County Manager contact the City Manager to determine if the City of Nogales would be interested in increasing the membership of the Committee.

Chairman Ruiz nominated Manuel Coppola; Vice-Chairman Maynard nominated Joyce Hubbard.

Attorney Hawn understood that appointments to the Committee were to be made up of community members and not county employees, other than the City and County Managers.

Vice-Chairman Maynard made a motion to appoint Manuel Coppola and Joyce Hubbard to the Santa Cruz County/City of Nogales Smoking Ordinance Committee; second by Supervisor Damon; motion carried unanimously.

ARIZONA AUTOMOBILE THEFT AUTHORITY GRANT AGREEMENT: Finance Director, Jennifer St. John, stated that this Grant Agreement provides for the reimbursement of 25% of an Attorney's salary.

Vice-Chairman Maynard made a motion to approve the Arizona Automobile Theft Authority Grant Agreement; second by Supervisor Damon; motion carried unanimously.

FUNDING AGREEMENT FOR SALARY FOR THE VICTIM NOTIFICATION SECRETARY: Deputy County Attorney, Holly Hawn, stated that this Agreement provides funding assistance for a staff member in the County Attorney's Office responsible for victim notification.

Supervisor Damon made a motion to approve the funding Agreement for the salary of the Victim Notification Secretary in the County Attorney's Office; second by Vice-Chairman

Maynard; motion carried unanimously.

FUNDING AWARD AGREEMENT NO. 2002-059 WITH ARIZONA ATTORNEY GENERAL'S OFFICE: Sheriff Estrada explained that this Agreement provides funding to support the direct costs of implementing victim rights laws by partially funding the Victims' Bill of Rights Coordinator at the Sheriff's Department. To date, the Sheriff's Department has received a total of \$48,044 in funding for these services.

Vice-Chairman Maynard made a motion to approve the acceptance of Funding Award Agreement No. 2002-059 between the Arizona Attorney General's Office and the Sheriff's Office; second by Supervisor Damon; motion carried unanimously.

BOND FOR DUPLICATE WARRANT #3-92372 payable to Janet Johnson in the amount of \$876.92 dated 5/31/02 was approved as submitted. (JM/RD; c.u.)

CONSTABLE SALARIES: Personnel Director/Deputy County Manager, Carlos Rivera, reported that State statute requires the Board to set the Constable salaries in the month of June preceding a general election which is based on voter registration figures; currently the Constables are receiving annual salaries of \$28,880 in Precinct #1 and \$4,800 in Precinct #2. Mr. Rivera recommended that the salaries remain the same.

Vice-Chairman Maynard made a motion that the annual salary of Constable, Precinct #1 remain at \$28,880 and Constable, Precinct #2 remain at \$4,800 for those officers to be elected for the term commencing on the 1st day of January, 2003; second by Supervisor Damon; motion carried unanimously.

KIMLEY HORN AUTHORIZATION OF SERVICES #3: Chief Deputy County Manager, Ken Zehentner, stated that Authorization of Services #3 provides for the necessary design, plans and bid documents and construction contract management assistance for reconstruction of Taxiway "E" pavement at the Nogales International Airport. Mr. Zehentner reminded the Board that the County has accepted an emergency grant from the Arizona Department of Transportation - Aeronautics Division for these services.

Supervisor Damon made a motion to approve the Authorization of Services Number 3 to the Agreement between Santa Cruz County and Kimley Horn and Associates, Inc., and to authorize Mr. Zehentner to sign; second by Vice-Chairman Maynard; motion carried unanimously.

MINUTES of 5/21/02 were approved as submitted. (JM/RD; c.u.)

MONTHLY REPORTS were approved as submitted. (RD/JM; c.u.)

DEMANDS in the total amount of \$909,784.12 of which \$239,594.86 is from the General Fund, were approved as submitted. (JM/RD; c.u.) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$239,594.86; Prosecution HIDTA (PIMA): \$7,850.00; Bad Check Collection: \$1,661.10; Records Improvement Grant: \$12,916.00; Retrieval Conversion Fund: \$4,575.31; Road: \$30,708.97; Animal Control: \$6,946.42; Atty's Victims Comp. Fund: \$2,259.00; Sheriff A.C.J.C. Grant: \$2,033.19; Attorney's Enhancement Fund: \$3,433.76; Jail Enhancement: \$15,434.87; D.U.I. Grant: \$6,260.18; Health Services Fund: \$6,064.90; Maternal & Child Health Grant: \$4,258.66; Emergency Border Funding: \$5,535.82; Gear Up: \$6,162.55; Drug Treatment & Education: \$1,248.60; Flood Recovery 2000-24: \$3,074.02; Flood District: \$1,616.70; W.I.A. Youth Program: \$2,646.40; W.I.A. Adult: \$36,216.29; W.I.A. Administration: \$4,737.78; Building Debt Service: \$499,530.00

To review these demands for this date, refer to Binder #13 which accompanies this book.

The Regular Meeting recessed to convene in Executive Session at 10:20 a.m. and reconvened at 11:20 a.m. (RD/JM; c.u.)

Meeting adjourned at 11:20 a.m. (RD/MR; carried)

TOP

Board of Supervisors

June 19, 2002

1:45 p.m.

Board met in a Special Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, Arizona. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Gloria S. Gonzalez, Deputy Clerk. ADOPTION OF RESOLUTION #2002-18 OPPOSING THE CLOSURE OF THE TUBAC PRESIDIO STATE PARK: Vice-Chairman Maynard made a motion to adopt Resolution #2002-18 supporting the Tubac Presidio State Park and urging the Arizona State Parks Board to keep the park open; second by Supervisor Damon; motion carried unanimously.

RESOLUTION #2002-18

A RESOLUTION OF THE SANTA CRUZ COUNTY BOARD OF SUPERVISORS SUPPORTING THE TUBAC PRESIDIO STATE PARK AND URGING THE ARIZONA STATE PARKS BOARD TO KEEP THE PARK OPEN

WHEREAS, the Tubac Presidio State Park is recognized as Arizona's first State Park and is celebrating its 250-year anniversary;

WHEREAS, the Tubac Presidio State Park serves as the only state park to provide on-site history and education of the Spanish culture, serving as a Spanish "presidio" or fort, during the 1700s; and

WHEREAS, the Tubac Presidio State Park is recognized as historic landmark and imparts untold benefits to the local and regional economy through tourism; and

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Board of Supervisors hereby supports and calls upon the Arizona State Parks Board to support the Tubac Presidio State Park.

DATED this 19th day of June, 2002.

The Special Meeting adjourned at 1:47 p.m. (RD/JM;c.u.)

Board of Supervisors
June 19, 2002
2:00 p.m.

The Board met in Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, Arizona. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Gloria S. Gonzalez, Deputy Clerk. Also present: Jennifer St. John, Hector M. Zuniga, Susan Morales, Felipe Fuentes, Jr., Ray Klein, G. Gutierrez, R. Villarreal, William Spater, Frank Corrales, Mike Foster, Kevin Hale, Beth Daley, Amy Popadak, Joni Clark, Carolina Rendon, Ron De Cosmo, Marilyn Johnson, Dan Doyle, Debbie Gonzales, Denis Cournoyer, Nils Urman, Paul Hathaway, Chuck Thomas and Vicki Barden.

DISCUSSION REGARDING FUNDING FOR OUTSIDE AGENCIES: Chairman Ruiz stated that the County is not in a favorable financial situation for this coming fiscal year; departments were asked to cut 10% of last year's operating budget and funds will not be available for outside agencies at the present time. He stated that raising property taxes would only bring \$350,000; insurance premium and salary increases were not included in the budget.

The following agencies were present to request funding from the County; 1. Paul Hathaway, Director of the Nogales Santa Cruz County Economic Development Foundation, presented a summary of their top priority projects for 2002 and stated that their main goal is to help generate more business in the community. Mr. Hathaway is requesting the County to fund \$25,016 for this coming fiscal year; 2. Bill Spater, Director of the Santa Cruz County Association for the Blind, requested the Board to allocate \$9,600 for this organization since the County is their primary source of funding. Supervisor Damon asked Mr. Spater if the City provided in-kind funding and how many persons are being assisted; Mr. Spater replied that the City is covering the in-kind expenses and this program assists between seven and twelve persons a month; 3. Amy Popadak, Director of the Patagonia Public Library requested to be considered for funding in the amount of \$9,375; 4. Chuck Thomas, spoke on behalf of the Rio Rico Little League,

presented the Board with an itemized statement to get the fields ready and is requesting \$19,000 in funding. Vice-Chairman Maynard asked how many children are registered this year; Mr. Thomas replied that about 300 children and more are going to be registered, with more expenses to initiate the program. Chairman Ruiz asked if he has approached the Diamond Backs Administration; Mr. Thomas replied yes, but the area Utility Company is in charge of the project. Chairman Ruiz told Mr. Thomas to approach Citizens Utilities; Mr. Thomas replied that he would. 5. Hector Zuniga, President of the National Little League, requested \$4,000 in funding, which will be used for the traveling expenses of four teams (60 kids); 6. Carolina Rendon, spoke on behalf of Young Audiences and stated that since 1971 they have provided education in the arts to all the schools in Santa Cruz County and Nogales. She quoted from the "Champions of Change Study" demonstrating the impact of the arts in learning by providing the opportunity to work with artists. She is requesting \$5,000 in funding, which will help to continue with this program. Supervisor Damon asked how much she previously received from the County; Mrs. Rendon replied \$2,000; 7. Joni Clark, Manager of the Nogales Alliance Port of the Future, stated that they are a non-profit community organization committed to enhance the local infrastructure and improve the movement of goods, services and technology across the Mexican border. She is currently working with the University of Arizona, local and organizations from Mexico and is requesting \$10,000 in funding. Supervisor Damon asked if the organization receives grant money; Ms. Clark replied that presently they are working on a USDA grant; 8. Ray Klein, Task Force Chairman for the East Santa Cruz County Swimming Program is requesting \$10,000 in funding. He stated that 58% of the children that use the facility that take swimming lessons come from the unincorporated areas of Santa Cruz County. He is projecting to have a 50% increase this year, costing \$60 to \$65 an hour to operate the pool. 9. Nils Urman, President of the Nogales Main Street Association, thanked the Board for their support and requested the same amount that was funded last fiscal year; 10. Kevin Hale, spoke on behalf of the Arizona Council for Economic Development. He stated that their mission is to create jobs in communities and is requesting \$5,000 in funding to support the program; 11. Beth Daley, Director of the Santa Cruz County-Nogales Chamber of Commerce, spoke on behalf of all local non-profit organizations that are supported by Santa Cruz County. Ms. Daley suggested the Board hire an outside agency to collect the delinquent property tax-roll, which is in excess of \$1.6 million dollars, and outstanding warrants in both Superior Court and Justice Courts 1 and 2, which are in excess of \$500,000. Ms. Daley requested \$57,000 in funding; 12. Ronald DeCosmo, spoke on behalf of Sonoita-Elgin Emergency Services, Inc., stated that they work very closely with the Sheriff Dept. and is requesting \$1,877.28 in funding to continue operating; 13. Marilyn Johnson and Debbie Gonzales, spoke on behalf of Santa Cruz County 4-H Program stating that about 140 youths, ages 5-19 years old are involved in thirty different projects through the 4-H Program. Vice-Chairman Maynard stated that the concept of the 4-H Program is far greater than for kids that live in ranches, it reaches out to all kids. They are asking \$5,000 in funding from the County; 14. Denis Cournoyer, spoke on behalf of the American Cancer Society, stated that the funds provided by the County help provide a better quality of life for women that are diagnosed with cancer and requested \$2,000 in funding; 15. Vicki Barden, Director of the Boys and Girls Club, reviewed the different programs they have for the 1,580 members that visit their facility. She requested \$25,000 in funding. Chairman Ruiz asked Ms. Barden if the Club has expanded to Rio Rico; Ms. Barden replied no, but it is their goal to do so. Supervisor Damon asked how much money was made at their annual carne asada event; Ms. Barden replied that \$200,000 was made but only \$150,000 has been collected. Vice-Chairman Maynard asked if the club received any State funding for summer programs; Ms. Barden replied that no money was received from the State because the schools are doing the summer program.

Chairman Ruiz stated that the following agencies were invited but did not send a representative: Borderland Food Bank - \$25,000; Christmas in April - \$2,000; Tubac Chamber of Commerce - \$10,000; SCC Fair and Rodeo Association - \$15,000.

Chairman Ruiz thanked all present and stated that the purpose of the meeting is to give all the non-profit organizations an opportunity to present their requests to the Board.

Meeting adjourned at 3:40 p.m.

TOP

Board of Supervisors

June 25, 2002

9:30 a.m.

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room 120, Nogales, Arizona. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Holly Hawn, Attorney and Gloria S. Gonzalez, Deputy Clerk of the Board. Also present: Jennifer St. John, Ken Zehentner, Lillian B. Hoff, Donna Matthews, Jim Mummert, Susan C. Morales, Norberto Valenzuela, Sheriff Estrada, Leonard Fontes, Paul Hathaway, Ray Klein, Beth Daley, Carol DeFazio, Ruth Barry, Jim Lamb, Louis Chaboya, Lt. Ruben F. Fuentes, Major Ramon Romo, Genivive Gutierrez, George Bell and Mary Jo Allen.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Ken Zehentner.

ADOPTION OF AGENDA: Chairman Ruiz requested that item #11, Approval of Minutes be tabled for one week.

Supervisor Robert Damon made a motion to adopt the Agenda as revised; second by Vice-Chairman John Maynard; motion carried unanimously.

CALL TO THE PUBLIC: Donna Matthews, representing Coronado RC & D, presented a plaque of appreciation to Chief Deputy County Manager, Ken Zehentner, on behalf of the Coronado Resource Conservation and Development for his many years of support.

Ms. Matthews thanked the Board for their continuous support.

General Session recessed to convene as the Flood Control District Board.
(JM/RD;c.u.)

FLOOD CONTROL:

APPOINTMENT OF INTERIM GENERAL MANAGER FOR SANTA CRUZ COUNTY FLOOD CONTROL DISTRICT: County Manager, Greg Lucero, stated that the current General Manager, Ken Zehentner, is retiring from Santa Cruz County on June 27, 2002, after several distinguished years of service thus creating a void in the position. Staff is recommending the Public Works Director, Victor Gabilondo, to serve in that capacity on an interim basis until a Deputy Public Works Director/County Engineer is hired.

Motion by Supervisor Damon to appoint Victor Gabilondo as Interim General Manager for Santa Cruz County Flood Control District; second by Vice-Chairman Maynard; motion carried unanimously.

Flood Control District adjourned; General Session reconvened. (JM/RD;c.u.)

REPORTS:

BOARD OF SUPERVISORS: Chairman Ruiz stated that he had the opportunity of working with Mr. Zehentner when Chairman Ruiz worked at the City of Nogales, as Public Works Director and now as County Supervisor; he stated that it is a pleasure to work with a person that is so knowledgeable and professional who will be leaving a big void within the department.

The Board presented Mr. Zehentner with a plaque in appreciation for his outstanding dedication and service to all the citizens of Santa Cruz County, from October 1986 to June 2002.

Supervisor Damon reported Suzanne Pfister informed him that the Tubac Presidio Park is going to remain open on weekends.

Vice-Chairman Maynard stated that the folks in Tubac will appreciate this support.

MANAGER: County Manager, Greg Lucero, reported that he is presently working on the budget; he received most of the packets from the departments with the 10% cut and expects to present the tentative budget adoption at Tuesday's Board Meeting and the last Tuesday in July will be the final budget adoption.

FINANCE: Finance Director, Jennifer St. John, reported \$3,050,804 in the General Fund; \$1,290,577 in the Road Fund; \$79,198 in the Flood Control District Fund; \$5,821,024 total for all funds; \$2,494,305 estimated end of the month balance, compared to \$1,686,013 cash at June 2001, a difference of \$808,292.

SHERIFF'S REPORT: Sheriff Estrada introduced "Hatto", a full breed German Shepard born in Czechoslovakia in October 29, 2000. Hatto was trained for obedience in Chezco, he was obtained by the Sheriff's Dept. in April 18, 2002 from the Adlerhorst International Incorporated in Riverside, California. Hatto was trained by the Department of Public Safety for narcotics detection in Tucson, Arizona and will be attending the Department of Corrections Canine Academy in Tucson, Arizona to become certified in the patrol aspect, narcotics detection, obedience, and cell extractions, building searches in the Santa Cruz County Detention Center, retrieving evidence and subjects and for Deputy backup. Deputy Fernando Ayon has been with the Santa Cruz County Sheriff's Dept. since 1997. He graduated from C.A.R.L.O.T.A. in Coolidge, Arizona in 1998 and in April 2002 was chosen to become the second Canine Deputy for the Sheriff's Dept. and is in charge of Hatto.

Chairman Ruiz asked Sheriff Estrada if Hatto is currently working at the Sheriff's Dept.; Sheriff Estrada replied yes and he is the second canine that is working for the Sheriff's Dept.

Sheriff Estrada stated that County Attorney, Martha Chase, generously purchased Hatto for the Sheriff's Dept.

Sheriff Estrada reported that the current jail population is 66, 63 males and 3 females; 15 inmates have been sentenced to the County jail; 3 inmates have been sentenced to the Arizona Department of Corrections; 62 inmates were charged with felonies, 4 with misdemeanors; 9 (14%) are undocumented Aliens; 7 have been committed to the County jail on a daily basis and 3 on a weekly basis; 44 persons were booked during the past week; 175 calls for service were received, 54 of which were 911 calls.

NOGALES-SANTA CRUZ COUNTY ECONOMIC DEVELOPMENT FOUNDATION: Executive Director, Susan Clarke Morales, thanked the Board for their support and provided the Board with the Nogales-Santa Cruz County Economic Development Foundation Quarterly Report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

The Board thanked Ms. Morales for a job well done.

SANTA CRUZ COUNCIL ON AGING: Program Director, Norberto R. Valenzuela provided the Board with the Santa Cruz Council On Aging Yearly Report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

Mr. Valenzuela informed the Board that funding is needed to provide service in Patagonia and the rural areas.

Finance Director, Jennifer St. John, reported that \$16,000 is budgeted but Mr. Valenzuela prefers to get funded once a year, contrary to other non-profit organizations that submit quarterly reports to the County.

Supervisor Damon asked Mr. Valenzuela if he is using the van; Mr. Valenzuela replied that he has received several calls for service in the rural areas, but needs the funds to cover the expenses. Ms. St. John informed Mr. Valenzuela that he will receive the funds by the middle of July or by next Tuesday.

General Session recessed to convene the Public Hearing scheduled at 10:00 a.m.

PUBLIC HEARING

ADOPTION OF AIRPORT MASTERPLAN UPDATE: Chief Deputy County Manager, Ken Zehentner, informed the Board that ten or eleven years ago the County adopted a Master Plan; two years ago the County accepted a grant from the Arizona Department of Transportation Aeronautics and initiated a Master Plan Study on the airport; the revised Master Plan Update, which includes the Airport Layout Plan (ALP), will supersede the July 1992 Master Plan once it is adopted by the Board. Mr. Zehentner stated that through the efforts of County Staff, the County's Planning Advisory Committee (PAC) and the project consultant (Stantec Consulting, Inc), presented the Board with the Master Plan Update. The purpose, preliminary goals and objectives were reviewed providing guidelines for the twenty-year master future planning that will satisfy aviation demand, support land use, compatibility planning with community development plans and minimize environmental impacts. Mr. Zehentner presented aerial photos of the airport, explaining the different stages of this project. The Airport Layout Plan condenses all proposed development for the next ten years.

Chairman Ruiz asked the Board for comments; Vice-Chairman Maynard and Supervisor Damon, replied no comment.

Lillian Hoff stated that she has seen how the Nogales International Airport has been upgraded over the years and is a beautiful place to take visitors to, but she is very concerned because the airport's continued operation relies only on taxpayers support. Mrs. Hoff stated that she worked in the airline industry for seventeen years and having a private pilot license is knowledgeable in aviation in general. Mrs. Hoff stated that she is unable to find information on who were the producers, names and listing of the consultants, commission, local people who were involved in the formulation of the document; she cited different parts of the document where she found inconsistencies; stated that the airport is not expected to operate on its own and is projected to the year 2005 that the taxpayers will be paying to keep it in operation and recommended that the airport be leased to an investing group, different fees be implemented or raise property taxes.

Jim Mummert informed the Board that he submitted two letters to the Public Works Dept. concerning the Airport Master Plan. Mr. Mummert stated that he operated two airports and from his experience the County should maintain full control.

Vice-Chairman Maynard asked if he operated the same size airports; Mr. Mummert replied yes and also the same type of operation; Vice-Chairman Maynard asked if fees were charged for landing; Mr. Mummert replied that fees were charged for landing and taking off; Vice-Chairman Maynard asked the dollar amount of fees that were charged; Mr. Mummert replied that it has been too many years, but different fees were charged relating to the type of aircraft if commercial or private.

Mr. Zehentner read the two letters submitted by Mr. Mummert.

SWINGIN JM RANCH

P.O.B. 626

Patagonia, AZ 85624

May 14, 20002

RE: Airport Master Plan Update 2000-2020

Ken R. Zehentner, Chief Deputy County Manager

Ken,

As I indicated to you, I did a quick review of the final draft and the following are my comments.

Chapters 1, 2 & 3 deal with the primary information to provide the basis for the recommended plans and improvements thru the planning period. Chapter 4 relates the improvements needed to meet the demands as they occur. Chapters 5, 6 & 7 present different alternatives to meet those demands and recommend the preferred alternative. Chapter 8 contains plans relating to various operational requirements. Chapter 9 is the meat of the Airport Master Plan.

IT SHOULD BE NOTED THAT THE IMPROVEMENTS PROPOSED ARE NOT ONLY BASED ON DEMANDS BUT ALSO ON FUNDING BEING AVAILABLE.

One last comment...The use of private funds for buildings no related to Hangars in valid i.e. Warehouses, Offices & R&D type uses. The County should retain control of hangars that are use to store privately owned aircraft.

Thanks for giving me the opportunity to review and comment on the Master Plan Update.

James G. Mummert

June 9, 2002

RE: Airport Master Plan Update 2000-2020

Ken R. Zehentner, Chief Deputy County Manager

Ken,

This will be a follow up to my memo of 5/14/02 which was presented at the study session held the same date.

While I believe in providing a safe environment at the airport, I question the expenditure of \$400,000 for ARFF equipment. THE FAA DOES NOT REQUIRE AN ARFF Unit to be at the airport. A first Response Vehicle, "Power Wagon" or similar vehicle or a "skid mounted unit" would be appropriate. Further, Nogales Suburban Fire Dept. has indicated their willingness to provide that type of service.

The rest of my comments relate to the Capital Improvement Program.....

Section 9.2, first paragraph, says it all... NOT only are the Improvements “Demand Driven” but, “will be developed according to available funding”.

Sec 9.3.2 Is the manpower and equipment furnished by the County included in Section 9.3.3 entitled Cash Flow?

Section 9.3.4.5 The use of private funds for certain types of improvements are normal i.e. Offices, Cargo Buildings, FBO buildings, etc... Corporate Hangars for the storage of their own aircraft would be allowed provided certain restrictions are in place. Construction of hangars for storage of individually owned aircraft should be strictly controlled by the County. If a unit of hangars, “T” or “BOX”, was proposed to be constructed with private funds, an agreement should be entered into with the County. This agreement should include, at a minimum, Site Plan, Ground Rent, Number of units, a List of current Tenants and a percentage of receipts. Ownership to become the County’s upon termination of the agreement. The owner will be able to get the depreciation of the buildings over life of the agreement.

My main concern is that the County retain control over the Airport.

Sincerely,

James G. Mummert

Mr. Zehentner introduced Paul Hathaway and George Bell, who served on the Committee

The Public Hearing adjourned and the General Session reconvened at 10:35 a.m.

ACTION ITEMS:

ADOPTION OF AIRPORT MASTERPLAN UPDATE: Chief Deputy County Manager, Ken Zehentner, recommended that the Board approve and adopt the Nogales International Airport Master Plan Update final draft and authorize the Chairman to sign for submission to the Federal Aviation Administration and Arizona Department of Transportation-Aeronautics Division.

Motion by Vice-Chairman Maynard to approve and adopt the Nogales International Airport Master Plan Final Draft with the following conditions: Phase I, which describes in Part 9 on the report, the \$330,000 investment for new hangars for general aviation use be made only after the airport superintendent presents signed leases for all 11 projected spaces; Phase II and III of the Airport Master Plan be pursued only after airport operations components meet or exceed the projected increase and demand described in chapter three and the \$570,000 investment for the nineteen new hangars are also pre-leased.

Motion died for lack of a second.

Motion by Supervisor Damon to approve and adopt the Nogales International Airport Update Final Draft and authorize Chairman Ruiz to sign; second by Chairman Ruiz.

Under discussion, Vice-Chairman Maynard stated that there is about \$900,000 that the taxpayers are being asked to come up with to develop the airport. He is in favor

Board of Supervisors
2002 1:45 p.m.

June 19,

Board met in a Special Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, Arizona. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Gloria S. Gonzalez, Deputy Clerk.

ADOPTION OF RESOLUTION #2002-18 OPPOSING THE CLOSURE OF THE TUBAC PRESIDIO STATE PARK: Vice-Chairman Maynard made a motion to adopt Resolution #2002-18 supporting the Tubac Presidio State Park and urging the Arizona State Parks Board to keep the park open; second by Supervisor Damon; motion carried unanimously.

RESOLUTION #2002-18

A RESOLUTION OF THE SANTA CRUZ COUNTY BOARD OF SUPERVISORS SUPPORTING THE TUBAC PRESIDIO STATE PARK AND URGING THE ARIZONA STATE PARKS BOARD TO KEEP THE PARK OPEN

WHEREAS, the Tubac Presidio State Park is recognized as Arizona's first State Park and is celebrating its 250-year anniversary;

WHEREAS, the Tubac Presidio State Park serves as the only state park to provide on-site history and education of the Spanish culture, serving as a Spanish "presidio" or fort, during the 1700s; and

WHEREAS, the Tubac Presidio State Park is recognized as historic landmark and imparts untold benefits to the local and regional economy through tourism; and

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Board of Supervisors hereby supports and calls upon the Arizona State Parks Board to support the Tubac Presidio State Park.

DATED this 19th day of **June, 2002**.

The Special Meeting adjourned at 1:47 p.m. (RD/JM;c.u.)

Board of Supervisors

June 19, 2002

2:00 p.m.

The Board met in Study Session at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, Arizona. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Gloria S. Gonzalez; Deputy Clerk. Also present: Jennifer St. John, Hector M. Zuniga, Susan Morales, Felipe Fuentes, Jr., Ray Klein, G. Gutierrez, R. Villarreal, William Spater, Frank Corrales, Mike Foster, Kevin Hale, Beth Daley, Amy Popadak, Joni Clark, Carolina Rendon, Ron De Cosmo, Marilyn Johnson, Dan Doyle, Debbie Gonzales, Denis Cournoyer, Nils Urman, Paul Hathaway, Chuck Thomas and Vicki Barden.

DISCUSSION REGARDING FUNDING FOR OUTSIDE AGENCIES:

Chairman Ruiz stated that the County is not in a favorable financial situation for this coming fiscal year; departments were asked to cut 10% of last year's operating budget and funds will not be available for outside agencies at the present time. He stated that raising property taxes would only bring \$350,000; insurance premium and salary increases were not included in the budget.

The following agencies were present to request funding from the County; 1. Paul Hathaway, Director of the Nogales Santa Cruz County Economic Development Foundation, presented a summary of their top priority projects for 2002 and stated that their main goal is to help generate more business in the community. Mr. Hathaway is requesting the County to fund \$25,016 for this coming fiscal year; 2. Bill Spater, Director of the Santa Cruz County Association for the Blind, requested the Board to allocate \$9,600 for this organization since the County is their primary source of funding. Supervisor Damon asked Mr. Spater if the City provided in-kind funding and how many persons are being assisted; Mr. Spater replied that the City is covering the in-kind expenses and this program assists between seven and twelve persons a month; 3. Amy Popadak, Director of the Patagonia Public Library requested to be considered for funding in the amount of \$9,375; 4. Chuck Thomas, spoke on behalf of the Rio Rico Little League, presented the Board with an itemized statement to get the fields ready and is requesting \$19,000 in funding. Vice-Chairman Maynard asked how many children are registered this year; Mr. Thomas replied that about 300 children and more are going to be registered, with more expenses to initiate the program. Chairman Ruiz asked if he has approached the Diamond Backs Administration; Mr. Thomas replied yes, but the area Utility Company is in charge of the project. Chairman Ruiz told Mr. Thomas to approach Citizens Utilities; Mr. Thomas replied that he would. 5. Hector Zuniga, President of the National Little League, requested \$4,000 in funding, which will be used for the traveling expenses of four teams (60 kids); 6. Carolina Rendon, spoke on behalf of Young Audiences and stated that since 1971 they have provided education in the arts to all the schools in Santa Cruz County and Nogales. She quoted from the "Champions of Change Study" demonstrating the impact of the arts in learning by providing the opportunity to work with artists. She is requesting \$5,000 in funding, which will help to continue with this program. Supervisor Damon asked how much she previously received from the County; Mrs. Rendon replied \$2,000; 7. Joni Clark, Manager of the Nogales Alliance Port of the Future, stated that they are a non-profit community organization committed to enhance the local infrastructure and improve the movement of goods, services and technology across the Mexican border. She is currently working with the University of Arizona, local and organizations from Mexico and is requesting \$10,000 in funding. Supervisor Damon asked if the organization receives grant money; Ms. Clark replied that presently they are working on a USDA grant; 8. Ray Klein, Task Force Chairman for the East Santa Cruz County Swimming Program is requesting \$10,000 in funding. He stated that 58% of the children that use the facility that take swimming lessons come from the unincorporated areas of Santa Cruz County. He is projecting to have a 50% increase this year, costing \$60 to \$65 an hour to operate the pool. 9. Nils Urman, President of the Nogales Main Street Association, thanked the Board for their support and requested the same amount that was funded last fiscal year; 10. Kevin Hale, spoke on behalf of the Arizona Council for Economic Development. He stated that their mission is to create jobs in communities and is requesting \$5,000 in funding to support the program; 11. Beth Daley, Director of the Santa Cruz County-Nogales Chamber of Commerce, spoke on behalf of all local non-profit organizations that are supported by Santa Cruz County. Ms. Daley suggested the Board hire an outside agency to collect the delinquent property tax-roll, which is in excess of \$1.6 million dollars, and outstanding warrants in both Superior Court and Justice Courts 1 and 2, which are in excess of \$500,000. Ms. Daley

requested \$57,000 in funding; 12. Ronald DeCosmo, spoke on behalf of Sonoita-Elgin Emergency Services, Inc., stated that they work very closely with the Sheriff Dept. and is requesting \$1,877.28 in funding to continue operating; 13. Marilyn Johnson and Debbie Gonzales, spoke on behalf of Santa Cruz County 4-H Program stating that about 140 youths, ages 5-19 years old are involved in thirty different projects through the 4-H Program. Vice-Chairman Maynard stated that the concept of the 4-H Program is far greater than for kids that live in ranches, it reaches out to all kids. They are asking \$5,000 in funding from the County; 14. Denis Cournoyer, spoke on behalf of the American Cancer Society, stated that the funds provided by the County help provide a better quality of life for women that are diagnosed with cancer and requested \$2,000 in funding; 15. Vicki Barden, Director of the Boys and Girls Club, reviewed the different programs they have for the 1,580 members that visit their facility. She requested \$25,000 in funding. Chairman Ruiz asked Ms. Barden if the Club has expanded to Rio Rico; Ms. Barden replied no, but it is their goal to do so. Supervisor Damon asked how much money was made at their annual carne asada event; Ms. Barden replied that \$200,000 was made but only \$150,000 has been collected. Vice-Chairman Maynard asked if the club received any State funding for summer programs; Ms. Barden replied that no money was received from the State because the schools are doing the summer program.

Chairman Ruiz stated that the following agencies were invited but did not send a representative: Borderland Food Bank – \$25,000; Christmas in April - \$2,000; Tubac Chamber of Commerce - \$10,000; SCC Fair and Rodeo Association - \$15,000.

Chairman Ruiz thanked all present and stated that the purpose of the meeting is to give all the non-profit organizations an opportunity to present their requests to the Board.

Meeting adjourned at 3:40 p.m.

of developing the airport, but not in favor of using the \$900,000 in private funds, unless the Board knows the hangars are pre-leased. He discussed this matter with Mr. Zehentner and knows that hangars are needed, but feels that they should not build them until the leases are in place and a commitment that the hangars are going to be used and the leases pay off the loan.

Chairman Ruiz stated that the Airport Master Plan provides the ground work of where the County wants to go; the Board is not approving any expenditure of money other than recommendations; once the Board accepts or rejects any offers, the financing will come before the Board to take the actions necessary at that time and will give the Board a vision of possibilities. Chairman Ruiz thanked Mr. Zehentner, Larry Tiffin, the County's Planning Advisory Committee, Paul Hathaway, George Bell, Mr. Graham and Stantec Consultants for developing a very comprehensive plan. He reiterated Mr. Mummert's concerns, that it is the County's responsibility to review and make changes before any money is spent in order that the Board have the opportunity to take recommendations under advisement. The Board has shown fiscal responsibility in the

past and in the future will not make frivolous expenses that will benefit only a few and the Master Plan Adoption is just a tool that is needed to continue in the right path.

Chairman Ruiz asked for roll call: Damon-aye, Maynard-aye, Ruiz-aye.

Motion carried unanimously.

AUTHORIZE THE CHAIRMAN TO SIGN A LETTER TO THE PRESIDENT OPPOSING CUTS IN THE FEDERAL PAYMENT IN LIEU OF TAXES (“PILT”) PROGRAM: County Manager, Greg Lucero, informed the Board that he attended the CSA meeting held in Phoenix in April and CSA held a meeting in conjunction with Small Counties Meeting. Mr. Lucero stated that at the Small Counties Association Meeting it was agreed to write a letter to President Bush urging him to reconsider the proposed cuts in payment in lieu of the taxes program, which basically is the federal government’s payment to local governments for federal land within their jurisdiction which cannot be taxed.

Vice-Chairman Maynard made a motion to authorize the Chairman to sign a letter to the President opposing cuts in the Federal Payment in lieu of taxes; second by Supervisor Damon; motion carried unanimously.

June 25, 2002

Honorable George W. Bush
President of the United States
White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

I write to you on behalf of the Santa Cruz County Board of Supervisors and the citizens within our County to urge you to reconsider the proposed cut in the Payment in Lieu of Taxes (“PILT”) Program as presented in your Fiscal-Year 2002-2003 budget request.

We in Santa Cruz County, which on the Arizona/Mexico border, have suffered great economic losses due to the terrorist acts of September 11th, and our problems are compounded with increases in costs for medical and property insurance, state mandated programs, law enforcement, health, education and other basic services. The proposed cut in “PILT” funds will further deplete our revenues and will force an increase in taxes or layoffs to keep our budget balanced.

We are currently in the middle of our budget process and we have had to implement a twenty percent cut in expenditures to balance our budget. “PILT” funds account for three percent of our anticipated revenues for Fiscal-year 2002-2003 and any reduction would be devastating to our County.

Mr. President, please don’t pass the buck and burden our local government with more than we can bear. We ask that you direct the Office of Management and Budget to reassess its position on “PILT” and help us get back on our feet.

Sincerely,

Manuel Ruiz,
Chairman
Santa Cruz County Board of Supervisors

APPOINTMENT TO US/MEXICO BORDER COUNTIES COALITION GOVERNING BOARD: County Manager, Greg Lucero, informed the Board that at the Border Counties Coalition meeting held in May of this year, the Board voted to become a 501(C) 3 non-profit organization, which allows the Coalition to lobby. This action requires the creation of an Executive and a Governing Board; each State will have a representative on the Executive Board and each County will have a representative on the Governing Board. Mr. Lucero stated that the County is requested to appoint one Supervisor to serve on the Governing Board.

Supervisor Damon made a motion to appoint Chairman Manuel Ruiz to the US/Mexico Border Counties Coalition Governing Board; second by Vice-Chairman Maynard; motion carried unanimously.

APPROVAL OF A BANK ONE ESCROW ACCOUNT FOR THE SANTA CRUZ COUNTY GEAR-UP SCHOLARSHIP FUND: Finance Director, Jennifer St. John, informed the Board that the County School Superintendents Office will continue to receive the GEAR-UP grant in the amount of \$87,200 per year for five years, which will be used to educate our youth and provide them with different types of job opportunities. Ms. St. John stated that part of the stipulation of the grant is to create a trust fund that will set aside a certain dollar amount for scholarships, once the students graduate from High School. She will set aside two years of the grant money, which will be placed in the Bank One Trust Fund, the County's servicing bank, allowing the Board of Supervisors to authorize the disbursement of these funds at the end of five years.

Supervisor Damon made a motion to approve a Bank One Escrow account for the Santa Cruz County Gear-Up Scholarship Fund; second by Vice-Chairman Maynard; motion carried unanimously.

AWARD PRESENTATION: This award was presented to Mr. Zehentner under the Board of Supervisors' Reports.

BID OPENING AND POSSIBLE AWARD: B-10-02-C010 LEGAL PUBLICATION AND ADVERTISING: This item was tabled for one week. (JM/RD;c.u.)

APPROVAL OF OPERATING TRANSFERS OUT OF THE GENERAL FUND TO COVER NEGATIVE CASH BALANCES AT JUNE 30, 2002: Finance Director, Jennifer St. John, recommended that the Board review and approve the transfers, as per the list of funds submitted, to cover all negative cash balances at June 30, 2002 and until this fiscal year is closed.

Supervisor Damon made a motion approving the operating transfers, as presented by Staff; second by Vice-Chairman Maynard; motion carried unanimously.

REQUEST APPROVAL TO ENTER INTO AN AGREEMENT WITH JUSTICE BENEFITS, INC: Sheriff Estrada informed the Board that Deputy County Attorney Hawn has some issues with the language in the agreement and is requesting the Board's approval to move forward with the negotiations.

County Manager Lucero suggested the Board allow him and Attorney Hawn to work on the terms and conditions of the contract and bring back to the Board for action.

Chairman Ruiz reiterated Mr. Lucero's request.

Vice-Chairman Maynard made a motion to approve staff recommendation, allow staff to work with consultant and bring back to the Board for any action; second by Supervisor Damon; motion carried unanimously.

REQUEST APPROVAL TO PURCHASE A 2000 FORD E-350 XLT 15 PASSENGER ECONOLINE VAN FROM SALT LAKE COUNTY, UTAH FOR THE SHERIFF'S OFFICE ADULT DETENTION CENTER: Sheriff Estrada requested the Board's approval to purchase a 2000 Ford E-350 XLT 15 passenger Econoline Van from Salt Lake County, Utah for the Adult Detention Center. Sheriff Estrada stated that 24 vehicles have been purchased from them since 1998.

Vice-Chairman Maynard made a motion to approve Sheriff Estrada's request; second by Supervisor Damon; motion carried unanimously.

PERSONNEL: The Board waived the hiring freeze to fill two vacant Public Safety Telecommunicator positions. (JM/RD;c.u.) The Board waived the hiring freeze to fill a vacant Deputy Sheriff position. (JM/RD;c.u.) The Board waived the hiring freeze to fill a vacant Receptionist position. (JM/RD;c.u.) The Board waived the hiring freeze to fill a vacant Probation Officer position. (RD/JM;c.u.)

MINUTES of May 28, 2002 were tabled for one week.

Meeting adjourned at 11:40 a.m. (RD/JM;c.u.)

Study Session
June 25,2002 2:30 p.m.

Board met in a Study Session. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Holly Hawn, Attorney; Gloria S. Gonzalez, Deputy Clerk. Also present: Doug Lane, Dean Fish, George Bell, Jeff Becker, Dan Bell, Nancy McCuiston, Sonny McCuiston, Bob Hudson, Ron Fish, Jim Pyeatt and Susie Morales.

**CENTER FOR BIOLOGICAL DIVERSITY'S LAWSUIT REGARDING
GRAZING PERMITS ON NATIONAL FOREST SERVICE LANDS IN SANTA
CRUZ COUNTY:**

Vice-Chairman Maynard stated that the Board received correspondence two weeks ago from ranchers that live in Santa Cruz County and this Study Session was scheduled to listen to the rancher's point of view and how the Board can assist.

Dan Bell, ZZ Cattle Corp. and Bear Valley Ranch, introduced the following ranch owners: Doug Lane, Cattle Growers Association; George Bell, ZZ Cattle Corp. and Bear Valley Ranch; Susie Morales, Clark Ranch; Jeff Becker, Pine Line Ranch; Bob Hudson, Vaca Ranch; Jim Pyeatt, Pyeatt Ranch; Ron Fish and Dean Fish, U of A Cooperative Extension.

Dan Bell stated that last November he received a call from Doug Lane, informing him that another lawsuit was filed by the Center for Biological Diversity against the U. S. Forest Service; a consortium of ranchers was formed and set up a strategy to intervene in the lawsuit against the Forest Service with the help of the cattle growers. This lawsuit is based on Incidental Take Statements issues with endangered species, because the Forest Service did not follow proper procedure with the permits they issued. Mr. Bell reviewed the information submitted to the Board in reference to their lawsuit.

Doug Lane stated that the essence of the problem is that the Incidental Take Statements were issued prior to the decision of the 9th Circuit Court of Appeals Ruling regarding Incidental Take Statements with respect to endangered species. The ecological condition of the resource, the monitoring of an allotment and procedural violations were not followed.

George Bell stated that he is speaking on behalf of all present, that it takes years to put the herd and breed together and if the cattle growers are forced to sell all the cattle, they will not go back to the same business because they cannot afford it and this is what happened to the loggers in northern Arizona.

Susie Morales stated that she is the 5th generation of a family that has been in the ranching business for twenty-five years. She stated that they are only allowed to have the cows graze 50% of the plant natural growth, therefore there is a lot of dry grass; the forest fire came within 30 feet of her house and because of the actions taken by the environmentalists, they end up destroying what they are trying to protect, including the ranchers that are providing byproducts, beef, including insulin for our local and federal economy. The environmentalists have the audacity to come to our community and tell them that they need to change how to run their business and yet they leave behind in their cities the problems they create. She stated that she feels for the people that lost their homes and livelihood and asked the Board for their support on behalf of our community and our country.

All the ranchers present voiced the same concerns and frustrations on what the environmentalists are doing to their way of life.

George Bell stated that most of the ranchers have deeded land, but if they cannot run their cattle out in the national forest, the ranchers are going to be out of the cattle business and will sell their cattle. The Endangered Species Act specifies that if someone sues on behalf of endangered specie, you get the legal fees paid. The environmentalists do not hire lawyers, they are their own lawyers, they have money to file one or two lawsuits a day from here to California, Colorado and all over and drop the suit when they know they are not going to win.

Ms. Morales stated that ranching is not a lucrative business, is not a lifestyle, it is a way of life.

Dan Bell stated that last year the cattle growers spent over \$600,000 fighting lawsuits that were brought against them by environmentalist groups. Last month the environmentalists received \$300,000 from the Fish & Game Wildlife for a lawsuit they partially won, but the cattle growers have never received any money. Half of the grazing fees that are collected go back to the County and for every \$1.00 that is spent by a rancher in the community has a multiplier effect of \$5.00, creating new money that is good for the County's economy. Mr. Bell asked the Board for their support, both monetarily and in the form of a resolution to help keep this industry in Santa Cruz County. He stated that in 1989-1990, cattle sales for Santa Cruz County alone were six million dollars, local ranchers produced 7.5 million pounds of beef, which fed over 78,000 people year long, contributed to \$1.4 million to the local economy, \$175,000 annual economic impact from improvements of public land. Santa Cruz County has already felt the impact due to the environmental lawsuits.

Martin Taylor, Ph. D., Conservation Biologist, spoke on behalf of the Center for Biological Diversity, and stated that all the lawyers that represent them work for free and no fees are paid. He stated that the situation has been blown out of proportion, they do not want to end ranching in Santa Cruz County, the suit was filed against the Forest Service, and referred to 26 grazing allotments issued in Santa Cruz County, not against the ranching community or cattle growers. The lawsuit is founded on the fact that Coronado National Forest has failed to meet the terms and conditions of grazing management that are required of the Forest Service by the Fish and Wildlife Service. The terms and conditions were imposed to protect threatened and endangered species and the ranchers have a privilege given to them to use the resources subject to be rationed by the Forest Service, the responsible body. The Forest Service is not monitoring or regulating the grazing and are exceeding the capacity allowed of the forest resources up to 30% to 40% and follow their own guidelines to protect our public resources. Mr. Taylor stated that they are requesting the Forest Service to consult with the Fish and Wildlife Service, which is the responsible agency behind the Species Act. He states that if the Forest Service can prove that they are monitoring and controlling the level of fire hazard, the environmentalists would not contemplate filing any injunctions against them.

Vice-Chairman Maynard asked Dan Bell to clarify the two or three issues that a judge has been hearing in the 9th Circuit Court of Appeals, he understands that one issue is to prove that the specie is there and prove it was harmed by the grazing allotment; Mr.

Bell replied that what the 9th Circuit Court stated is that the specie is to be present in the habitat in that particular area specified by the Secretary of Interior. You have to show that grazing harms that particular specie or the habitat that in turn is harming the specie. In other words you have to show the cause of connection that actually killed or injured a member of that particular specie.

Vice-Chairman Maynard asked Mr. Taylor if cattle are to be removed from the leases until this issue is resolved in Court; Mr. Taylor replied that they are not leases but permits issued by the Federal Government and are revocable any time by the Forest Service to protect the resources, secondly all livestock is to be removed until all resource issues are resolved and notification from the Forest Service is received. The environmentalists will not bring an injunction to court unless they have substantial evidence and are able to demonstrate to the judge that the resources are not being protected; Vice-Chairman Maynard asked Mr. Taylor if he knew how long it will take to resolve these cases and to project the length of time for resolution; Mr. Taylor replied that he did not know, but judging by other cases it can take several months and up to one year. Mr. Taylor stated that the main thing he wants to get across to the Board is that this not an alarmist situation, drought is affecting the ranching business in Santa Cruz County not them and is normal for permits to be cut and that this is a temporary situation until the Forest Service presents results.

Suzie Morales addressed Mr. Taylor and with due respect stated that fourteen years as a Biologist did not qualify him as an expert, but what really occurs in natural conditions in the lives of those families and people that live and watch daily, year after year and generation after generation what is considered normal or not; second, ranchers would cut their own numbers and monitor themselves; in the past the Forest Service did not routinely cut numbers, resulting in environmentalist groups spending a lot of money trying to convince the public that their Federal lands were in danger. She continued reiterating the ranchers' position and challenged the environmentalist on how well they would do in preserving the land, providing for their families, their communities and whether or not they would be abusing the land. She stated that ranchers, the producers of this country, have never been asked for information on what is best for our land.

Mr. Taylor stated that government agencies are the ultimate authority to make the best decisions on environmental issues.

George Bell stated that lawsuits and tampering with federal property take about 40% of the U. S. Fish & Wildlife and Forest Service time and in case of death the I.R.S. collects state tax on land that is granted to ranchers by the Forest Service.

Ms. Morales stated that the ranchers live under Forest Service regulations and state or gift tax are paid when the owner of the permit dies or the permit is transferred, because the use of federal land is a vested interest.

Overall the ranchers every year obtain a list of operating instructions from the Forest Service and follow the instructions.

Mr. Taylor reiterated that nothing is going to change until they receive a reply from the Forest Service.

George Bell stated that Mother Nature has its way, you use it or you loose it, graze the land down to a reasonable level or will loose it by fire.

Chairman Ruiz thanked everyone present and asked Vice-Chairman Maynard, since he requested the Study Session, what is being asked of the Board; Vice-Chairman Maynard replied that one month ago the Santa Cruz County Board of Supervisors voted to intervene and hire an attorney and join other counties in Arizona in a suit involving the independent redistricting commission and encouraged the Board to consider the economic impact the removal of cattle from the forest service allotment will have upon Santa Cruz County's economy and as Ms. Morales pointed out it is not just the sale of beef, buying tires, dealing with ranch stores and money that gets recirculated in Arizona. He stated that he moved to Arizona 17 years ago because he loved the land, the climate and people and believes that Santa Cruz County is an example of very good ranchers who have done a very good job. He encouraged his fellow Supervisors to find a way to help them out; Supervisor Damon asked Mr. Maynard if he is proposing funding or a resolution; Vice-Chairman Maynard replied hopefully both; Supervisor Damon asked Attorney Hawn for guidance; Attorney Hawn replied that she will review if the County can contribute funds since this is a federal issue.

Vice-Chairman Maynard stated that Mohave and Coconino Counties are considering or made some form of commitment to support the cattle growers and where there is a will there is a way; Attorney Hawn replied that sometimes is not legal.

Chairman Ruiz stated that the Board cannot commit to anything but will take it under advisement. He invited the center and the cattle growers association to become partners and make sure that things are being done to everybody's satisfaction, both sides will learn from each other from generations, years of experience and the expertise of other colleagues.

Chairman Ruiz thanked the cattle growers and Mr. Taylor for sharing and giving background information to consider this matter.

Board of Supervisors

June 26, 2002

10:00 a.m.

Board met in a Special Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; Robert Damon, Member; John Maynard, not present; Greg Lucero, County Manager; Gloria S. Gonzalez, Deputy Clerk of the Board. Also present: Jennifer St. John and Caesar Ramirez.

ACTION ITEM:

DEMANDS in the total amount of \$588,161.89 of which \$205,013.62 were from the General Fund were approved as submitted. (RD/MR; motion carried) Details of these expenditures are available for inspection during working hours and are to be considered

part of these minutes. General Fund: \$205,013.62; Cost of Prosecution: \$5,954.24; Retrieval Conversion Fund: \$5,767.58; Fill the Gap (Attorney): \$3,536.68; School Forest Fees Fund: \$1,727.94; Road: \$112,241.36; Animal Control: \$1,574.45; H.I.D.T.A. Grant 12: \$3,556.92; Sheriff A.C.J.C. Grant: \$14,220.53; Gear Up: \$174,681.79; H.I.V. Program: \$2,183.96; Flood Recovery 2000-24: \$15,031.78; Flood District: \$1,183.16; W.I.A. Youth Program: \$5,261.13; W.I.A. Adult: \$29,946.62
To review these demands for this date, refer to Binder #13 which accompanies this book.
Meeting adjourned at 10:05 a.m. (RD/MR; motion carried)

Clerk of the Board Manuel Ruiz, Chairman

July 2, 2002
Board of Supervisors
6:00 p.m.

Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Mayra Ochoa, Sheriff Estrada, Dean Fish, Beth Daley, G. Gutierrez, Joyce Hubbard, Jim Mummert, Marilyn Johnson, Juan Barajas, Gerardo Castillo, Gary Shadrick, Manuel A. Cota, Pablo Ramos, Ruben Fuentes, Emily Wilson, Raul Rodriguez, Jim Lamb, Suzie Sainz, Mary Helen Maley and John Hays.

The meeting was called to order and the Pledge of Allegiance was recited, led by Jim Lamb.

ADOPTION OF AGENDA: The Agenda was adopted as presented, with no changes. (RD/JM; c.u.)

CALL TO THE PUBLIC: No response

The Regular Meeting recessed to convene as the Flood Control District Board. (JM/RD; c.u.)

FLOOD CONTROL: DIRECTOR'S/PROJECT REPORT: Submitted in writing. Floodplain Coordinator, John Hays, stated that he has been in contact with ADEM staff who faxed him the audit report, which contains a few discrepancies that are in the process of being identified and resolved.

PUBLIC COMMENT: none

The Flood Control District adjourned and the Regular Meeting reconvened. (RD/JM; c.u.)

REPORTS:

BOARD OF SUPERVISORS: None

MANAGER: County Manager, Greg Lucero, stated that the Board of Supervisors is scheduled to adopt the Tentative Budget at today's meeting; the Final Budget will be adopted on 7/23 and the tax rates on 7/30.

FINANCE: Finance Director, Jennifer St. John, reported \$3,019,161 in the General Fund; \$1,167,084 in the Road Fund; \$3,975 in the Flood Control District Fund; \$5,322,780 total for all funds; \$2,319,356 estimated end of month balance, compared to \$2,478,451 cash at July 2001, a difference of \$(159,095).

TAX COLLECTION: Deputy Barajas reported \$8,484.26 delinquent taxes collected during the month of June 2002.

SHERIFF: Sheriff Estrada introduced and welcomed Deputy Ray De La Ossa to the Santa Cruz County Sheriff's Department; Deputy De La Ossa retired from the Nogales Police Department on 6/22/02 and joined the Sheriff's Department of 6/26/02.

Sheriff Estrada reported that the current jail population is 74, 71 males and 3 females; 16 inmates have been sentenced to the County jail and 3 to the AZ Department of Corrections; 65 have been charged with felonies and 9 with misdemeanors; 9 (12.2%) are undocumented aliens; 4 have been committed to the County jail on a daily basis and 4 on a weekly basis.

225 persons were booked during the month of June; 795 calls for service were received during the month of June, of which 205 were 911 calls.

U OF A COOPERATIVE EXTENSION: Dean Fish, County Extension Director, provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

HISTORIC NOGALES MAIN STREET: Nils Urman provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

ACTION ITEMS:

ADOPTION OF FY 2002-2003 TENTATIVE BUDGET: County Manager, Greg Lucero, presented the Board with the FY 2002-2003 Tentative Budget. Mr. Lucero stated that the Board has held 4 Study Sessions to discuss the proposed FY 2002-2003 Budget; the Tentative draft Budget, if adopted, will set a cap on County expenditures at \$38,349,921; the General Fund budget will be set at \$18,872,136 which is 1.3 above projected revenues.

Mr. Lucero read aloud his letter to the Board, which is included in the Tentative Budget. Vice-Chairman Maynard stated that he had hoped to see a 2.5% salary increase for employees and that the County could absorb the cost for health insurance premium increases; however, during the budget process, it became obvious that those items would not be possible. He also expressed concern regarding a tax increase and expressed hope that the economy will improve in the very near future.

Chairman Ruiz stated that if the County's taxes increase, the economy improves and Santa Cruz County experiences an increase in revenues, perhaps at that point, the Board can re-address and reconsider the issue.

Supervisor Damon made a motion to adopt the FY 2002-2003 Tentative Budget as presented; second by Vice-Chairman Maynard; motion carried unanimously.

Jim Lamb, Green Valley News, asked if the Board is legally allowed to increase the budget after it is adopted; Supervisor Damon stated that once the Board adopts the tentative budget, it can only be decreased and not increased; Mr. Lucero explained that the County is using its cash carryforward fund balance to offset increases in expenditures, and hopefully, with an increase in revenues, the unreserved fund balance can be put back into savings and those revenues can be used to cover costs and if revenues come in above projections, the revenue stream will be able to cover eliminated items.

Beth Daley, Nogales/Santa Cruz County Chamber of Commerce, requested clarification on which outside agencies will continue to be funded; Mr. Lucero responded that the outside agencies that remain funded in the Tentative Budget are the libraries and those items that the County is contractually obligated to fund.

PINKERTON PRIVATE SECURITY CONTRACT: County Manager, Greg Lucero, stated that in line with other cost cutting measures, staff recommends that the security Contract with Pinkerton be terminated. The existing contract contains a 30-day termination clause.

Supervisor Damon made a motion to terminate the Pinkerton Security Contract; second by Chairman Ruiz.

Under discussion, Vice-Chairman Maynard expressed the desire to provide a minimal amount of security for the second floor (Courts, County Attorney, etc.), particularly on trial dates; Mr. Lucero has met with Judge Soto and Frank Corrales regarding this issue and stated that security will not be eliminated. The action that is before the Board at this meeting is only to terminate the contract with Pinkerton; the security equip

ment will be relocated to the rear of the complex and in-house staff will be used to provide security for the Courts.

Motion carried unanimously.

SEAGO BASIC SERVICE CONTRACT FOR SFY 2002-2003: Vice-Chairman Maynard made a motion to approve the SEAGO Basic Service Contract for SFY 2002-2003; second by Supervisor Damon; motion carried unanimously.

LEASE PURCHASE OF 2 CAT 963 TL FOR RIO RICO & SONOITA/ELGIN

LANDFILLS: Public Works Director, Victor Gabilondo, explained that in December 2001, the Solid Waste Department suffered the total failure of both tracked loaders at the Rio Rico and Sonoita/Elgin Landfills which need to be replaced; since then, it has been necessary to rent 2 pieces of backup equipment at \$18,000 per month.

Staff recommends that the Board approve the Lease Purchase of 2, fully guarded, new 963 tracked loaders from Empire Machinery.

Supervisor Damon made a motion to approve the lease purchase of 2 Cat 963 tracked loaders from Empire Machinery for the Rio Rico & Sonoita/Elgin Landfills; second by Vice-Chairman Maynard; motion carried unanimously.

BID AWARD B-09-02-CO09: Public Works Director, Victor Gabilondo, explained that the Sonoita County Facility roof has been experiencing severe leaking over the past several years; the Public Works Department contracted with Jim Fields, a local architect to evaluate the building and provide plans and specifications for a new roof for the facility; the project went out to bid on 6/1/02 and bids were received and opened on 6/25/02; only one bid was received and the base bid amount was \$112,895; when deductive alternates were exercised, the low bid was \$85,269 and is significantly over the projected cost of the project as developed by the architect as well as the budgeted amount for the project.

Mr. Gabilondo recommended that the Board reject the bid and authorize his department to rebid the project.

Vice-Chairman Maynard made a motion to reject the bid and authorize the Public Works Department to rebid the project; second by Supervisor Damon; motion carried unanimously.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Appraiser I position and a vacant Juvenile Detention Officer position. (JM/RD; c.u.)

AMENDMENT TO CONTRACT WITH GREATER AZ DEVELOPMENT

AUTHORITY FOR TECHNICAL ASSISTANCE: Community Development Department Director, Mary Dahl, explained that in May, the Board of Supervisors acted to extend the contract with GADA for technical assistance for the Capital Improvement Plan and Development Impact Fees project through December 31, 2002 by authorizing a letter to be sent requesting a contract amendment; the GADA Board met in late May and approved the requested extension; the contract amendment has been prepared and is ready for final execution by the Chairman of the Board.

Supervisor Damon made a motion to approve Amendment to the Contract between Santa Cruz County and the Greater Arizona Development Authority (GADA) for Technical Assistance (Capital Improvement Plan) to extend the contract date of termination to 12/31/02; second by Vice-Chairman Maynard.

Motion carried unanimously.

DRUG CONTROL AND SYSTEM IMPROVEMENT ACJC GRANT: Deputy County Attorney, Holly Hawn, stated that this grant provides funding for an attorney's salary and requires a match, which is paid from anti-racketeering funds.

Vice-Chairman Maynard made a motion to approve the Drug Control and System Improvement ACJC Grant; second by Supervisor Damon; motion carried unanimously.

BID OPENING AND POSSIBLE AWARD: B-10-02-CO10 LEGAL PUBLICATION AND ADVERTISING: The Clerk of the Board stated that only 1 bid was received; the Nogales International submitted a bid in the amount of \$3.60 per column inch plus tax.

Supervisor Damon made a motion to award B-10-02-CO10 for legal publications and advertising to the Nogales International; second by Vice-Chairman Maynard; motion carried unanimously.

BONDS FOR DUPLICATE WARRANTS #3-92847 payable to Dianne G. Martinez in the amount of \$8,202.83 dated 5/25/02 and #4-539282 payable to AZ FBLA National Travel in the amount of \$12,156 dated 5/9/02 were approved as submitted. (RD/JM; c.u.) TAX VALUATION ADJUSTMENTS #103-25-086-9 – USA Thru Rural Dev (USDA), Resolution No: S20010000144 and 113-07-034-9 – Bon, Alicia, Resolution No: S20010000143 were approved as submitted. (RD/JM; c.u.)

DEMANDS in the total amount of \$310,384.96 of which \$156,805.54 are from the General Fund, were approved as submitted. (JM/RD; c.u.) Details for these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$156,805.54; Clerk of Superior Court Retrieval: \$1,981.00; Bad Check Collection: \$1,608.69; School Forest Fees Fund: \$4,839.50; Road: \$43,627.18; Waste Tire Grant (ADEQ): 5,662.44; ADOT House Bill 2565: \$21,853.52; Atty's Victims Comp. Fund: \$2,887.03; H.I.D.T.A. Grant 12: \$10,979.32; Gear Up: \$15,593.77; Flood Recovery 2000-24: \$6,567.33; Flood District: \$1,646.52; W.I.A. Youth Program: \$1,154.40; W.I.A. Toll Free: \$2,278.55; W.I.A. Adult: \$25,276.87; W.I.A. Administration: \$1,651.20

To review demands for this date, refer to Binder #3 which accompanies this book.
Meeting adjourned at 7:00 p.m.

Clerk of the Board Manuel Ruiz, Chairman

Board of Supervisors
July 9, 2002
9:30 a.m.

Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Mike Masee, Mayra Ochoa, Dennis Miller, Jim Mummert, Carol DeFazio, Leonard Fontes, G. Gutierrez, Amy Popadak, Ramon Romo.

The meeting was called to order and the Pledge of Allegiance was recited, led by Mike Masee.

ADOPTION OF AGENDA: The Agenda was adopted as presented, with no changes. (RD/JM; c.u.)

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Chairman Ruiz advised that due to conflicting schedules, the Board of Supervisors' Meeting regularly scheduled for Tuesday, July 16, 2002 has

been changed to Friday, July 19, 2002 at 9:30 a.m.

MANAGER: County Manager, Greg Lucero, reported that the County's lobbyists have submitted a written report outlining legislation that they were involved in at the State and Federal level; the report addresses 84 pieces of legislation, most importantly were the increase in expenditure limitation, over \$8 million in federal funds for the Nogales Wash Project and \$1.4 million for the 1904 Courthouse.

Mr. Lucero reminded the Board that they are scheduled to adopt the final budget on 7/23/02 and tax rates on 7/30/02. A presentation on the delinquent tax process will be scheduled soon.

FINANCE: Sr. Accountant, Mayra Ochoa, reported \$2,925,305 in the General Fund; \$1,123,457 in the Road Fund; \$5,932 in the Flood Control District Fund; \$5,100,490 total for all funds; \$2,382,305 estimated end of month balance, compared to \$2,478,451 cash at July 2001, a difference of \$(96,146).

SHERIFF: Major Ramon Romo reported that the current jail population is 71, 69 males and 2 females; 16 inmates have been sentenced to the County jail and 4 to the AZ Department of Corrections; 65 have been charged with felonies and 6 with misdemeanors; 12 are undocumented aliens; 5 have been committed to the County jail on a daily basis and 4 on a weekly basis.

209 calls for service were received during the past week, 54 of which were 911 calls.

PATAGONIA PUBLIC LIBRARY: Amy Popadak provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

Ms. Popadak announced that she has resigned from her position as Head Librarian, effective next Thursday.

ACTION ITEMS:

PLANNING & ZONING COMMISSION REAPPOINTMENT: Supervisor Damon made a motion to reappoint George Bell to the Planning & Zoning Commission from District #2; second by Vice-Chairman Maynard; motion carried unanimously.

PIMA COUNTY IGA FOR INCUMBENT WORKERS: WIA Director, Nils Urman, informed the Board that Pima County received a grant from the Arizona Department of Commerce, of which \$75,000 was to fund an incumbent worker health care training program in Santa Cruz County; 20 incumbent workers with limited English skills, currently employed at below \$6.00 per hour, are to be recruited and trained.

Supervisor Damon made a motion to approve the Intergovernmental Agreement with Pima County for employment and training services for incumbent workers; second by Vice-Chairman Maynard; motion carried unanimously.

FINAL PLAT FOR BELLA VISTA UNIT 7: Community Development Director, Mary Dahl, informed the Board that this is a request for approval of the Final Plat for Bella Vista Unit 7, Lots 61 – 65, 78, 79, 80 & 105 – 111 and Tracts "A", "B", "C" and "H".

Ms. Dahl explained that on 2/13/01, a Final Plat was recorded in the Santa Cruz County Recorder's Office for Rio Rico Properties, Bella Vista Unit 7 consisting of 104 lots and Tracts A – H; on 9/27/01, Rio Rico Properties Inc., and their engineer, WLB Engineering, came before the Planning & Zoning Commission with a Tentative Plat which amended the recorded Final Plat by making minor adjustments in the lot layout and drainage system configuration; the Committee approved the Tentative Plat.

On 11/13/01, Rio Rico Properties Inc. and WLB Engineering came before the Board of

Supervisors and received approval of their amended Final Plat; that Final Plat was never recorded.

During the course of construction, field revisions were made to the grading and drainage improvement plans; the revisions were required by applicable Flood Control & Building Department regulations. As a result of the revisions and the subsequent offset of Avenida Sevilla through the subdivision, the Final Plat required additional revisions. These revisions were made by the developer's engineer and the Final Plat is now ready for signature and recordation. The Final Plat is in substantial compliance with the Tentative Plat approved by the Commission in 9/01.

County staff members from Public Works, Building, Environmental Health, Engineering, Flood Control and Planning have reviewed the Final Plant and recommend that it be approved.

Supervisor Damon made a motion to approve the Final Plat for Bella Vista Unit 7 for Lots 61 – 65, 78, 79, 80 and 105 – 111 and Tracts "A", "B", "C" and "H"; second by Vice-Chairman Maynard; motion carried unanimously.

BOND FOR DUPLICATE WARRANT #2-157512 payable to C & D Rental-All, Inc., in the amount of \$132.10 dated 1/8/02 was approved as submitted. (JM/RD; c.u.)

MINUTES of 5/28/02 were approved as presented. (RD/JM; c.u.)

The Meeting adjourned at 9:45 a.m.

STUDY SESSION

2:00 p.m.

The Board met in a Study Session. Present: Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Mary Dahl, Samuel Jones, David Munger, Dave Vernys, Posy Piper, Pam Patton, Michael Johnson, Anita Lichter, Lillian Hoff, Louis Howard Morris, Beth Daley, Sheriff Estrada, George Post, Jim Lamb, G. Gutierrez, Jim & Ruth Goebel, Dan Doyle, Luis Leyva.

REVIEW & CONSIDERATION OF ADDITIONAL BUDGET CUTTING MEASURES, FEES AND OTHER REVENUE GENERATING ALTERNATIVES:

County Manager, Greg Lucero, reminded the Board that it has held 4 Study Sessions to discuss the proposed FY 2002-2003 budget. The tentative budget was adopted by the Board last Tuesday and it set a cap on expenditures at \$38,349,921. The General Fund Budget is set at \$18,872,136 which is \$1.3 million above projected revenues. The only funds available to cover this shortfall are those in the unreserved fund balance. Use of such funds should be the County's last resort and all possible alternatives should be considered before the County's savings account is depleted.

Mr. Lucero has met with staff to develop a list of options and their financial impact for the Board's consideration. Mr. Lucero is also working with staff to prepare a plan for a reduction in force, which may include eliminating positions and consolidating services, use of private contractors or a reduction in work hours.

Mr. Lucero stated that if the Board doesn't act now to address the revenue shortfall, next fiscal year's option will be extremely limited.

The items are listed as follows:

ITEM FINANCIAL IMPACT

Transportation Sales Tax @ 5¢ \$600,000
Requires vote of the public and can only
be implemented 1/1 or 7/1

Fee increases:

Sheriff \$ 522
Planning \$108,873
Animal Control \$ 46,000
Environmental Health \$ 54,897
Building Codes \$ 55,000
Airport \$ 15,700
Treasurer \$ 3,000
Public Health \$ 2,250
Subtotal \$286,242 \$286,000

Cut Lobbying costs 50% \$ 75,000
Cut cell phone costs 50% \$ 36,000
\$120 Shift of health insurance cost to employees \$ 39,000
\$240 Shift of dependent health insurance cost to employees \$ 36,000
Close Tubac restrooms \$ 65,832
Close Sonoita restrooms \$ 25,095
Put off or eliminate Airport grants & loans \$ 27,000
Put off or eliminate 1904 Courthouse grant \$ 92,000

TOTAL \$1,281,927

Chairman Ruiz suggested possibly donating the Tubac Restroom facility to the Tubac Chamber of Commerce and providing them with a \$10,000 per year stipend to maintain the facility.

Supervisor Damon asked how many businesses are in the area of the restroom facility; Dave Vernys, Executive Director of the Tubac Chamber of Commerce, responded that there are 90 members, 65-70 of which are in the area of the facility.

Beth Daley, Nogales/Santa Cruz County Chamber of Commerce, stated that the Tourism Center will have public restrooms and La Entrada has public restrooms.

Michael Johnson, President of Sonoita/Elgin Chamber of Commerce, expressed appreciation to the County for the restroom facility in Sonoita, which is a tourist oriented facility and encouraged the County to look at the Sewage System in Huachuca City.

Attorney Hawn explained that small counties don't have the statutory authority to have a sewage system without forming an improvement district.

Supervisor Damon asked for clarification on the 1904 Courthouse as a CDBG project; Community Development Director, Mary Dahl, explained that there is a historical preservation component in the CDBG program; however, 51% of the facility has to be used for programs that benefit low to moderate income individuals and evidence of actual signed agreements with those programs must be available, which do not currently exist.

Therefore, the 1904 Courthouse is not eligible under the historical preservation component at this time. It also is not eligible under the ADA component because the 1904 Courthouse is already somewhat ADA accessible.

Pam Patton, Courthouse Preservation Commission, reminded the Board of the severe and extreme deterioration that is occurring at the 1904 Courthouse; she believes that the 1904 Courthouse could potentially qualify under the community blight component of CDBG; she requested that the Board not delay action on the \$92,000 1904 Courthouse funding and that the Board further provide a 15% increase. Ms. Patton stated that all available space in the 1904 Courthouse is currently being occupied and can't meet the 51% requirement due to the County's failure to fund needed repairs.

Mr. Lucero stated that if all suggested budget cutting measures were implemented in their entirety, the county would be very close in meeting its shortfall and depending on the Board's action, a subsequent plan involving a reduction in force will be submitted to the Board for review and consideration.

Vice-Chairman Maynard stated that at the beginning of this fiscal year's budget process, he had hoped for the implementation of a 2.5% salary increase for employees and that the outside agencies would continue to be funded. However, as a result of the impact of state funding cuts, budget-cutting measures must be implemented.

Ms. Patton stated that the most critical matter at the 1904 Courthouse is the roof; the grant is for the roof and the windows; the roof component is not as large as the window and she suggested that if no other option is available, that the Board at least proceed with the roof repair.

Lois Morris reminded the Board that the birthday of the 1904 Courthouse will be celebrated in 2004 and encouraged the Board to repair the roof.

Lillian Hoff stated that she is still waiting for a written report from the County's lobbyists; she believes that taxpayers are supporting the airport for the pleasure of only a handful of people who actually utilize its services; she encouraged the Board to support the restoration of the 1904 Courthouse, as it exists for everyone in Santa Cruz County.

Anita Lichter expressed appreciation to the Board for its support and understands the pressures that the Board is under; she encouraged the Board to repair the roof at the 1904 Courthouse.

As stated in this morning's Board of Supervisors' meeting, Mr. Lucero mentioned that the county's lobbyists have submitted a written report identifying 84 pieces of legislation that were tracked last legislative session. Most importantly were the increase in expenditure limitation, over \$8 million in federal funds for the Nogales Wash Project and \$1.4 million for the 1904 Courthouse.

Chairman Ruiz thanked all for being present at this meeting and staff for exploring means to increase revenues and for the open budget process that has taken place.

The Study Session adjourned at 3:50 p.m.

Board of Supervisors

July 19, 2002

9:30 a.m.

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; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Caesar Ramirez, Carol DeFazio, Mike Foster, G. Gutierrez, Anita Lichter, Mary Darling, Ruben F. Fuentes.

The Meeting was called to order and the Pledge of Allegiance was recited, let by Caesar Ramirez.

ADOPTION OF AGENDA: The Agenda was adopted as presented, with no changes.

(JM/RD; c.u.)

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Supervisor Damon and Chairman Ruiz stated that they along with County Manager-Greg Lucero, County Recorder-Suzie Sainz, County Assessor-Felipe Fuentes and Chief Deputy County Assessor-Pablo Ramos recently attended the National Association of Counties (NACo) Conference in New Orleans. Chairman Ruiz stated that the conference was a successful one offering many beneficial workshops.

MANAGER: County Manager, Greg Lucero, reported that Chairman Ruiz was elected as Secretary of the National Hispanic Officials Association. The State of Arizona held the first County meetings to vote on the Second Vice-President of NACo; Arizona voted for Bill Hansell, which set a trend and led to Mr. Hansell being elected as Second Vice-President and will eventually become the NACo President; Mr. Hansell is very grateful for Arizona leading the way to his election to the position. The NACo Conference will be held in Maricopa County in 2004.

FINANCE: Finance Director, Jennifer St. John, reported \$2,822,188 in the General Fund; \$1,086,224 in the Road Fund; \$65,729 in the Flood Control District Fund; \$4,864,003 total for all funds; 2,349,096 estimated end of month balance, compared to \$2,569,016 cash at July 2001, a difference of \$(219,920).

SHERIFF: Lt. Fuentes informed the Board that the Sheriff is attending meetings in Flagstaff.

Lt. Fuentes reported that the current jail population is 68, 63 males and 5 females; 14 inmates have been sentenced to the County jail and 1 to the Arizona Department of Corrections; 64 have been charged with felonies and 4 with misdemeanors; 23 (33.8%) are undocumented aliens; 5 have been committed to the County jail on a daily basis and 4 on a weekly basis.

190 calls for service were received during the past week, of which 52 were 911 calls.

ACTION ITEMS:

AUTHORIZATION TO DISPOSE OF COUNTY EQUIPMENT: Public Works Director, Victor Gabilondo, reminded the Board that on 7/2/02, he was authorized by the Board to lease/purchase 2 caterpillar tracked loaders for use at the Rio Rico Landfill; the

equipment purchase was to replace 2 existing track loaders, which had served their useful life and had been incurring significant repair costs far exceeding the trade in value of the equipment.

As part of the lease-purchase, the vendor valued each machine at \$15,000 and would apply the value of the machines to the purchase price of the new ones. In order to take advantage of this credit, the Board must authorize the disposal of the 2 machines.

Supervisor Damon made a motion to authorize the disposal of county equipment as requested; second by Vice-Chairman Maynard; motion carried unanimously.

ACJC GANG PROSECUTION GRANT AGREEMENT: Attorney Hawn explained that this grant provides \$5,000 in matching funds for another grant.

Supervisor Damon made a motion to approve the ACJC Gang Prosecution Grant Agreement; second by Vice-Chairman Maynard; motion carried unanimously.

CREATION OF, WAIVE OF HIRING FREEZE AND AUTHORIZATION TO FILL CHIEF PARK RANGER POSITION: Deputy County Manager, Carlos Rivera, informed the Board that as a result of the recent reorganization, the Facilities and Parks Maintenance Department has been separated and the Parks Department was left without a Supervisor; funding for the position is budgeted and staff recommends approval.

Vice-Chairman Maynard made a motion to create the position of Chief Park Ranger and to waive the hiring freeze to fill same; second by Supervisor Damon; motion carried unanimously.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Assistant Road Foreman position. (RD/JM; c.u.) The Board waived the hiring freeze to fill 2 vacant Maintenance Worker positions. (JM/RD; c.u.) The Board waived the hiring freeze to fill a vacant Probation Officer position. (RD/JM; c.u.)

HEALTH INSURANCE CONTRIBUTION RATES FOR EMPLOYEES FOR FY2002-2003: Deputy County Manager, Carlos Rivera, stated that this item is being recommended as a potential cost saving measure; this year, the County experienced an increase of approximately 23% in health insurance costs. Currently employees are receiving individual coverage at no cost and contribute \$140 per month towards dependent coverage. A charge of \$10 per month for employee coverage and an additional charge of \$20 per month (total of \$160 per month) for dependent coverage would generate additional costs savings of \$39,480 in employee coverage costs and \$37,200 in dependent insurance contributions. The total savings to the County would be \$76,680.

Under discussion, Vice-Chairman Maynard asked how these contribution rates compare to other entities; Mr. Rivera responded that compared to other Counties in the Arizona Counties Insurance Pool, Santa Cruz County's contribution rate is the most generous. Mr. Rivera stated that the premium for an employee with dependent coverage is approximately \$750 per month - \$9,000 per year.

Vice-Chairman Maynard made a motion to approve the amount of \$10 per month for employee coverage and \$160 per month for dependent coverage designated as the employee share of the monthly health insurance premium for fiscal year 2002-2003; second by Supervisor Damon; motion carried unanimously.

BONDS FOR DUPLICATE WARRANTS #2-156292 payable to the U of A Extended University in the amount of \$49.00 dated 11/20/01, #3-9382 payable to Hortencia Montejano in the amount of \$313.69 dated 6/27/02, #4-537062 payable to Jonathon's Ed. Resources in the amount of \$498.72 dated 2/14/02, #1-185860 payable to Manuel

Stimans in the amount of \$617.68 dated 6/28/02 and #4-538466 payable to Border Print Shop, Inc. in the amount of \$2,278.71 dated 4/11/02 were approved as submitted. (RD/JM; c.u.)

TAX VALUATION ADJUSTMENTS #9250076-01-2-PUC – S L Waber Inc., Resolution No: M20010900017 and #115-04-224-9 – Tyberg, Peggy S/Paver, Keith A, Resolution No: S20010000145 were approved as submitted by the County Assessors' Office. (JM/RD; c.u.)

DELINQUENT PROPERTY TAX COLLECTION PROCESS: County Treasurer, Caesar Ramirez, explained that property taxes only account for 24% of the County's total funding and 38% of the General Fund. Taxes are comprised of personal and property and timely payment of those taxes is crucial. Mr. Ramirez believes that elected officials should not be delinquent in the payment of their taxes.

Mr. Ramirez explained the delinquent property tax collection process.

Chairman Ruiz asked for the County's current delinquent tax rate; Mr. Ramirez responded approximately 15% – 18%.

Attorney Hawn explained that the County is required to follow the auction process in the collection of delinquent real property taxes; the County cannot hire someone to collect real property taxes; real property taxes follow the property not the person; a foreclosure sale involves up front costs.

Chairman Ruiz asked Attorney Hawn if the County could deny conducting business with vendors who are delinquent in their taxes; Attorney Hawn will research the matter.

Supervisor Damon asked if the Treasurer's office accepts partial payments; Mr. Ramirez responded yes.

Jeffeny Burges, Loan Officer-Classic Residential Lending Rio Rico, asked if there are several property holders that hold the majority of properties that are in delinquency; Mr. Ramirez responded yes, Rio Rico Properties/Avatar and (sp)Bortary, LLC.

Mary Darling asked how successful the County is in collecting delinquent taxes; Mr. Ramirez responded, "not too good"; Ms. Darling asked how to change the delinquent collection process; Attorney Hawn responded that it would take an act of the state legislature.

Beth Daley expressed concern regarding Santa Cruz County elected official(s) names appearing on the delinquency list and property not being assessed at its true value.

Chairman Ruiz suggested that a Study Session be scheduled with the County Assessor, Treasurer and the Building Department.

MINUTES of 5/29/02 and 5/30/02 were approved as submitted. (RD/JM; c.u.)

MONTHLY REPORTS were approved as submitted. (JM/RD; c .u.)

DEMANDS in the total amount of \$1,205,439.47 of which \$445,091.99 are from the General Fund were approved as submitted. (RD/JM; c.u.) Details for these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$445,091.99; Prosecution HIDTA (PIMA): \$11,309.75; Retrieval Conversion Fund: \$80,342.37; School Forest Fees Fund: \$1,901.03; Road: \$258,610.19; Animal Control: \$9,705.11; Anti-Racketeering #2: \$2,674.40; Atty's Victims Comp. Fund: \$2,822.97; H.I.D.T.A. Grant 12: \$3,581.85; Jail Enhancement: \$6,773.37; Juvenile Education Fund: \$2,195.23; Health Services Fund: \$10,725.08; Maternal & Child Health Grant: \$1,720.09; T.B. Grant Fund: \$2,306.86; Drug Treatment & Education: \$2,582.10; Flood Recovery 2000-24: \$4,939.19; Flood District: \$33,224.48; W.I.A. Youth Program:

\$16,014.18; W.I.A. Toll Free: \$2,601.91; W.I.A. Adult: \$35,557.91; W.I.A. Administration: \$19,400.84; R/W Safety Zone Haz. Elim.: \$120,000.00; Phase 1-Runway Overlay Design: 50,000.00; Phase 1-Apron Design: \$72,000.00
To review demands for this date, refer to Binder #3 which accompanies this book.
Meeting adjourned at 10:55 a.m. (RD/JM; c.u.)

Clerk of the Board Manuel Ruiz, Chairman

Board of Supervisors
August 6, 2002

53 projects were submitted and prioritized and are included in the CIP for the Board's review.
The CIP will be presented to the Board for possible approval in approximately 2 weeks.
Study Session adjourned at 3:00 p.m.

Clerk of the Board Manuel Ruiz, Chairman

Board of Supervisors
August 6, 2002
9:30 a.m.

The Board met in a Regular Meeting. Present: John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Mike Masee, Attorney; Melinda Meek, Clerk of the Board. Chairman Manuel Ruiz, not present. Also present: Mayra Ochoa, Steve Boyle, Juan Barajas, Carol DeFazio, Osvaldo Fierro, Cynthia Fierro, Alvero Fierro, Javier Fierro, Marilynn Johnson, Ray Klein, Louie Chaboya, John Hays, Bill Brinks, John Viviano, G. Gutierrez, Ruben Fuentes, Ramon Romo.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Ray Klein.

ADOPTION OF AGENDA: Supervisor Damon made a motion to approve the Agenda as presented; second by Vice-Chairman Maynard; motion carried.

CALL TO THE PUBLIC: Steve Boyle, Justice Benefits, Inc., informed the Board that contract negotiations with the County and his firm have been completed and delivered the Contract to the Clerk for the Board's consideration at a future meeting.

Supervisor Damon made a motion to convene as the Flood Control District Board; second by Vice-Chairman Maynard; motion carried.

FLOOD CONTROL: DIRECTOR'S/PROJECT REPORT: Submitted in writing.

PUBLIC COMMENT: None

The Board adjourned as the Flood Control District Board and reconvened the Regular Meeting. (RD/JM; carried)

REPORTS:

BOARD OF SUPERVISORS: Vice-Chairman Maynard reported that the Tubac Presidio State Park reopening ceremony will be held on Friday at 1:00 p.m.; Vice-Chairman Maynard thanked Representative Randy Graf for encouraging the State Legislature to hold a special session and approve funding from enhancement funds to keep the park open.

MANAGER: County Manager, Greg Lucero, reported that he distributed CSA Legislation proposal forms to the Board yesterday and requested they review the forms, complete them and return to him.

FINANCE: Sr. Accountant, Mayra Ochoa, reported \$2,587,612 in the General Fund; \$1,040,191 in the Road Fund; \$22,216 in the Flood Control District Fund; \$4,513,954 total for all funds; \$1,637,070 estimated end of month balance, compared to \$1,643,177 cash at August 2001, a difference of \$(6,107).

TAX COLLECTION: Deputy Barajas reported \$30,123.31 total taxes collected during the month of July.

SHERIFF: Lt. Fuentes stated that Sheriff Estrada is attending a presentation at the Rio Rico High School.

Lt. Fuentes reported that the current jail population is 64, 59 males and 5 females; 16 inmates have been sentenced to the County jail and 1 to the Arizona Department of Corrections; 62 have been charged with felonies and 2 with misdemeanors; 13 (20%) are undocumented aliens; 3 have been committed to the County jail on a daily basis and 4 on a weekly basis.

10 persons were booked during the past 24 hours and 218 during the month of July; 190 calls for service were received during the past week, of which 50 were 911 calls.

ACTION ITEMS:

4-H PHOTOGRAPHY CONTEST PRESENTATION: Mirella Majalca, 4-H, stated that the Board of Supervisors sponsored a 4-H photography contest award; the winners were: Mirella Majalca – 1st place, Jeffrey Pavlikowski – 2nd place and Osvaldo Fierro – 3rd place; the winners thanked the Board for their sponsorship and presented the framed pictures to be displayed in the County Complex.

APPLICATION FOR LIQUOR LICENSE: SONOITA WINE COUNTRY CAFFÉ, SONOITA, AZ: This Application was tabled from last week's Agenda due to noncompliance with Building Department regulations.

Bill Brinks, applicant and one of the owners of the Sonoita Wine Country Caffé, informed the Board that he was unaware of the requirement to apply for a building permit prior to constructing a hood covering for an outside bar-b-que; he has since applied for and been issued a building permit for the hood covering.

Clerk of the Board, Melinda Meek, stated that she has been informed by the Building Department that the issue has been resolved and recommended approval at this time. The License having been duly posted and no objections received, Supervisor Damon made a motion to approve the Application for Liquor License for the Sonoita Wine Country Caffé, Sonoita, AZ; second by Vice-Chairman Maynard; motion carried.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Deputy Sheriff

position. (RD/JM; carried) The Board waived the hiring freeze to fill a vacant Probation Officer position. (RD/JM; carried)

PROMOTION OF DEPUTY POSITION TO FILL VACANT SERGEANT POSITION: Major Romo requested authorization to promote a Deputy Sheriff to the office of Sergeant due to the resignation of a Sergeant.

Supervisor Damon made a motion to authorize the promotion of a Deputy to fill a vacant Sergeant position; second by Vice-Chairman Maynard; motion carried.

BONDS FOR DUPLICATE WARRANT #3-87558 payable to Patricia I. Rayces in the amount of \$1,076.07 dated 3/8/02 and #1-186758 payable to Steve Maken in the amount of \$282.98 dated 7/26/02 were approved as submitted. (RD/JM; carried)

TAX VALUATION ADJUSTMENTS #0150047-01-4 PUC – Lexington Capital Corporation, Resolution No: M20010900018; 0000035-01-7 PUC – Virgen, Benito, Resolution No: T20010900017; 0100001-01-5 PUC – Valencia, Eva R., Resolution No: T20010900018; 0000036-01-0 PUC – Watkins, Bob B. and Janet E., Resolution No: T20010900019; 8500199019 – Figueroa, Ramon E., Resolution No: 10; 8500199019 – Figueroa, Ramon E., Resolution No: 11; 8500199-01-9 PUC – Figueroa, Ramon E., Resolution No: T20000500034; 8500199-01-9 PUC – Figueroa, Ramon E., Resolution No: T20010900020; 9800012-01-3 – Willard, David or Dollie, Resolution No: 12; 9800012-01-3 – Willard, David or Dollie, Resolution No: 13; 9800012-01-3 PUC – Willard, David or Dollie, Resolution No: T20000500033; 9800012-01-3 PUC – Willard, David or Dollie, Resolution No: T20010900016 were approved as submitted by the County Assessor's Office. (RD/JM; carried)

MINUTES of 6/17/02 & 6/18/02 were approved as submitted. (RD/JM; carried)

DEMANDS were approved in the total amount of \$716,579.79 of which \$399,542.44 are from the General Fund. (RD/JM; carried) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$399,542.44; Bad Check Collection: \$2,112.66; School Forest Fees Fund: \$7,158.82; Law Library: \$1,407.30; Old Courthouse Fund: \$7,882.05; Road: \$124,567.67; Animal Control: \$5,754.05; Anti-Racketeering #2: 13,359.43; H.I.D.T.A. Grant 12: \$1,330.94; Sheriff A.C.J.C. Grant: \$11,075.00; PIC-ACT: \$1,565.37; Adult Intensive Probation: \$1,144.20; Jail Enhancement: \$30,269.00; Health Services Fund: \$1,277.94; Maternal & Child Health Grant: \$3,425.33; Gear Up: \$2,700.17; DOJ Bullet Proof Vest Fund: \$1,487.85; T.B. Grant Fund: \$1,395.64; H.I.V. Program: \$6,551.88; Juvenile Treatment Service: \$1,857.80; Juvenile Community Advisory BD: \$2,983.49; Community Service: \$1,208.84; Flood Recovery 2000-24: \$18,150.52; Flood District: \$1,734.42; W.I.A. Youth Program: \$10,632.83; W.I.A. Adult: \$48,933.50

To review these demands for this date, refer to Binder #3 which accompanies this book. Meeting adjourned at 9:55 a.m.

Clerk of the Board Manuel Ruiz, Chairman

Board of Supervisors
August 9, 2002

9:30 a.m.

Board met in a Special Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk. Vice-Chairman, John Maynard, not present. Also present: Carlos Rivera, Joyce Hubbard, Steve Boyle, Kelly Grekin, John Hubbard, Sheriff Estrada, Jean Rogers, Hugh Duncan, Vera Duncan, Hope Ann Amado, Frank Corrales, Ben Stepleton, G. Gutierrez, Beth Daley, Toni Partington. PROFESSIONAL SERVICES AGREEMENT WITH JUSTICE BENEFITS, INC.:

Sheriff Estrada explained that Santa Cruz County began receiving State Criminal Alien Assistance Program (SCAAP) funding in 1996 and has received over \$700,000 to date; Justice Benefits, Inc., contacted the Sheriff's Department with a proposal to provide professional services to explore opportunities for new federal financial participation, to review prospects for expansion of existing federal financial participation and to secure additional participation as appropriate.

Sheriff Estrada recommended that the Board approve the Agreement.

Supervisor Damon made a motion to approve the Agreement for Professional Services between Justice Benefits, Inc., and Santa Cruz County and to authorize Justice Benefits, Inc. to proceed with Alien Assistance Program and Southwest Border Prosecution Initiatives; second by Chairman Ruiz; motion carried.

CONTRACTING WITH MARIPOSA COMMUNITY HEALTH CENTER FOR HEALTH SERVICES: County Manager, Greg Lucero, explained that the recommendation before the Board is strictly a financial decision; the General Fund budget has been balanced by using approximately \$1.2 million from the County's savings account; in order to offset the impact on the savings account, the Board has directed staff to move forward with various budget cuts and fee increases. Contracting with Mariposa Community Health Center (MCHC) for health services will generate approximately \$400,000 in net revenue; the current impact on the savings account stands at approximately \$800,000. Last week, Mr. Lucero met with County elected officials and department heads to review the County's budget situation; he explained in great detail the reasons why the County is in such bad financial condition and they were informed that the only options now available to reduce the impact on the County's savings account would be items that would effect personnel.

The measures that would be implemented first would be those services that could be contracted out or privatized and services that could be consolidated within the organization. These actions would result in the elimination of positions. The final option would be lay-offs or reductions in the workweek for County personnel.

Staff was directed to begin discussions with the MCHC to determine their level of interest in managing the remainder of the County's mandated health care services; staff was also directed to contact the Arizona Department of Health Services (ADHS) to determine if privatizing or contracting health services would be acceptable.

Last week, Mr. Lucero was informed that the MCHC is interested in managing the County's health services; he was also contacted by the Chief for the Bureau of Epidemiology and Disease Control for the ADHS who advised him that the Department will support it once the Agreement is submitted for their review.

This proposal is a seamless transition of services from the County to the MCHC; all

health care services that the County is currently providing will continue, but will now be managed by the MCHC. This action will result in the elimination of 4 positions and would reduce the impact on the County's savings account by approximately 10%. MCHC has indicated that it will absorb 1 county employee, possibly 2 and the remaining employees will be assisted with the possibility of placing them in other positions within the County that are not funded or supported by the general fund; if there is no interest in that direction, they will be assisted in transitioning to other employment.

The County Attorney's office has been involved in these discussions from the onset and will be drafting the Agreement for Mr. Lucero's signature.

Chairman Ruiz stated that due to the emotional impact of this proposal and possible decision, he is not going to open the issue for public comment in order to avoid personal attacks on individuals. The Board of Supervisors was elected and charged with the duty of running a financially well-managed County government and due to unavoidable mandated circumstances, the Board has been placed in a difficult situation.

Chairman Ruiz requested that any questions, comments and/or concerns regarding this issue, be submitted in writing to the County Manager and the Board of Supervisors will address them.

Joyce Hubbard requested the opportunity to present a bid to the Board of Supervisors for the privatization of health services currently being provided by Santa Cruz County; Chairman Ruiz suggested that the bid be submitted to the County Manager; Mrs. Hubbard requested the same information that was provided to the MCHC in order to prepare her bid.

Supervisor Damon made a motion to authorize the County Manager to negotiate and sign an Agreement with Mariposa Community Health Center to administer and provide all County health services at a cost not to exceed authorized grant amounts provided by the Arizona Department of Health Services (ADHS), to name Dr. Perreira of Mariposa Community Health Center as the interim County Health Officer to provide a seamless transition, effective immediately upon ADHS approval; second by Chairman Ruiz; motion carried.

The Special Meeting adjourned at 9:45 a.m.

Clerk of the Board Manuel Ruiz, Chairman

[TOP](#)

Board of Supervisors

[August 20, 2002](#)

9:30 a.m.

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; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Martha Chase, County Attorney; Melinda Meek, Clerk of the Board. Also present: Mike Massee, Jennifer St. John, Sheriff Estrada, John Hays, Louis Chaboya, Thomas

Whittingslow, Carol DeFazio, Ray Klein, Gary Brasher, David Anderson, Bud Brown, George Paco, Nellie Guevara, David Molina, Neil Guftafson, Jim Lamb, Rolando Figueroa, Susan Aceves, John R. Clarke.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Carol DeFazio.

ADOPTION OF AGENDA: Supervisor Damon made a motion to adopt the Agenda as presented; second by Vice-Chairman Maynard; motion carried unanimously.

CALL TO THE PUBLIC: Nellie Guevara and George Paco, Rio Rico Little League, requested funding from Santa Cruz County for the Rio Rico Little League. Avatar is leasing the ballfields to the Rio Rico Little League on an annual basis for \$1 per year but because the ballfields are on private property, the City of Nogales and Santa Cruz County cannot provide field maintenance. Rio Rico Little League does not have funding available for field maintenance.

Rio Rico Little League requested that the County provide funding for field maintenance 2 days per week, 9 months out of the year or arrange for individuals to perform community service hours at the ballfields on a regular basis.

Chairman Ruiz stated that, due to budget constraints, the Board of Supervisors eliminated funding for outside agencies for the current budget cycle; however, he encouraged League representatives to meet with the County Manager and the Community Development Director to study the possibility of community service.

Rolando Figueroa, Communications Workers of America Local #7026, stated that he is representing certain Santa Cruz County employees who wish to form a worker organization/union for Santa Cruz County employees. Mr. Figueroa stated that he has placed several calls to Mr. Rivera to schedule a meeting, to no avail. Mr. Figueroa requested that the Board instruct Mr. Rivera to meet with them.

Chairman Ruiz suggested that Mr. Figueroa meet with the County Manager.

The Board moved to convene as the Flood Control District Board. (JM/RD; c.u.)

FLOOD CONTROL:

APPROVAL OF APPLICANT AGENT & SUBMITTAL OF HAZARDOUS

MITIGATION GRANT: Floodplain Coordinator, John Hays, explained that because the Rodeo/Chatisky fire in the White Mountains was declared a presidential emergency, the federal government has established a program called the Hazardous Mitigation Grant Program; the program provides funds to communities within a state where there has been a federally declared disaster for projects designed to reduce future damages from future disasters.

Staff has identified 4 sites to apply for: Old Tucson Road Channel realignment, bank protection and habitat restoration; Rio Rico Drive drainage improvements; Harshaw Creek and road embankment protection and Calle Azulejo study and drainage improvements.

Total estimated costs for all 4 projects is \$800,000 with a required match of \$200,000; the Flood Control District and Road Department have budgeted approximately \$145,000 for the Rio Rico Drive and Calle Azulejo projects for this fiscal year; the Flood Control District staff is confident that the additional \$60,000 can be found within the budget by reducing some budgeted equipment purchases; it is proposed that County crews be used to perform the construction of the Old Tucson Road and Harshaw Creek Projects; the salaries of County personnel and use of County equipment during construction will count

against matching funds required under the program, thereby considerably reducing the cash portion of the required match.

Vice-Chairman Maynard made a motion to approve Resolution #2002-24 as presented by staff and to designate John Hays, the Santa Cruz County Floodplain Coordinator, as the Applicant's Agent; second by Supervisor Damon; motion carried unanimously.

Resolution No. 2002-24

Resolution of the Santa Cruz County Arizona Board of Supervisors
Approving the Application for Hazard Mitigation Programs
from the State of Arizona Division of Emergency Management

WHEREAS the Arizona Division of Emergency Management of the State of Arizona has funds available to assist communities and counties reduce damages in the future through the Hazard Mitigation Grant Program; and

WHEREAS the Hazard Mitigation Grant Program under this grant process requires twenty-five percent (25%) matching funds from the applicant; and

WHEREAS Santa Cruz County desires to apply for funding under this grant program and is requesting up to eight hundred thousand dollars (\$800,000); and

WHEREAS Santa Cruz County is required to match twenty-five percent (25%) of the grant request or two hundred thousand dollars (\$200,000.00);

NOW THEREFORE BE IT RESOLVED that the Santa Cruz County Board of Supervisors hereby:

1. Approves the submittal of application to the Arizona Division of Emergency Management for the Hazard Mitigation Grant Program, and;
2. Certifies that Santa Cruz County will comply with all appropriate state and federal Regulations, policies, guidelines and requirements as they relate to the application, and
3. Certifies that Santa Cruz County has matching funds in the amount of two hundred Thousand dollars (\$200,000.00) from Flood Control and Road Funds that is set aside for these projects, and;
4. Appoints John E. Hays, the Floodplain Coordinator as the agent of Santa Cruz County to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements for the aforementioned projects.

PASSED AND ADOPTED by the Santa Cruz County Board of Supervisors this 20th day of August, 2002

The Board moved to adjourn as the Flood Control District Board and reconvene the Regular Meeting. (JM/RD; c.u.)

REPORTS:

BOARD OF SUPERVISORS: Vice-Chairman Maynard reported that he had lunch with Representative Randy Graf and thanked him for his efforts in getting the Tubac Presidio State Park and other state parks reopened.

Supervisor Damon reported that he and Mr. Lucero will be meeting with John Drake, Corps of Engineers, on Thursday to discuss the Chula Vista project.

Chairman Ruiz asked how the County is addressing the West Nile Virus; Mr. Stepleton responded that the AZ Department of Health Services is releasing a press release regarding the State establishing a hotline with a toll-free number with information in English and Spanish; the Health Department is monitoring known standing water sites and checking for mosquito larva; they have conducted adult mosquito trapping and testing; the West Nile Virus has not been identified in Arizona.

Mr. Stepleton encouraged the public to assist by taking actions to minimize/eliminate breeding sites.

MANAGER: None

FINANCE: Finance Director, Jennifer St. John, reported \$2,149,797 in the General Fund; \$901,447 in the Road Fund; \$207,034 in the Flood Control District Fund; \$4,560,045 total for all funds; \$1,876,094 estimated end of month balance, compared to \$1,856,476 cash at August 2001, a difference of \$19,618.

SHERIFF: Sheriff Estrada reported that the current jail population is 65, 59 males and 6 females; 7 inmates have been committed to the County jail and 3 to the AZ Department of Corrections; 60 have been charged with felonies and 5 with misdemeanors; 10 are undocumented aliens; 5 have been committed to the County jail on a daily basis and 4 on a weekly basis.

53 persons were booked during the past week; 212 calls for service were received during the past week, 61 of which were 911 calls.

The Board moved to recess the Regular Meeting to convene the Public Hearings scheduled for 10:00 a.m. (JM/RD; c.u.)

PUBLIC HEARINGS

FINAL PLAT FOR SAN MIGUEL PATIO HOMES SUBDIVISION, LOTS 1-20, BLOCK 9, BARRIO DE TUBAC (REF. CASE #02-04): Community Development Director, Mary Dahl, stated that this is a Public Hearing that has been noticed and posted for a new residential subdivision in Tubac; the Planning & Zoning Commission held a Public Hearing and voted unanimously to approve the tentative plat; the final plat is in substantial compliance with the approval of the Commission on the tentative plat.

PUBLIC COMMENT: None

REVISED FINAL PLAT FOR CIELITO LINDO DE TUBAC SUBDIVISION, LOTS 32-35 AND 37-41 & COMMON AREA "A", BLOCK 10, BARRIO DE TUBAC (REF. CASE #02-05): Community Development Director, Mary Dahl, explained that this is a revised Final Plat for Cielito Lindo de Tubac Subdivision. During the course of obtaining building permits and construction, the developers realized that the required perimeter setback line on the west side of the subdivision was encroaching dramatically into lots platted on the west side; they also realized that during the course of marketing, the demand was for single-story townhomes rather than two-story townhomes.

The developers are requesting that the final plat be amended to move the setback line to 10 feet. The Planning & Zoning Commission held a Public Hearing and voted unanimously to approve the revised tentative plat. The revised Final Plat is in conformance with the tentative plat approval.

PUBLIC COMMENT: None.

The Board moved to adjourn the Public Hearings and reconvene the Regular Meeting.
(RD/JM; c.u.)

ACTION ITEMS:

APPROVAL OF REVISED FINAL PLAT FOR CIELITO LINDO DE TUBAC SUBDIVISION, LOTS 32-35 AND 37-41 & COMMON AREA "A", BLOCK 10, BARRIO DE TUBAC (REF. CASE #02-05): Vice-Chairman Maynard made a motion to approve the Revised Final Plat for lots 32-35 & 37-41 inclusive and Common Area "A" Cielito Lindo de Tubac Subdivision, as presented by staff; second by Supervisor Damon; motion carried unanimously.

APPROVAL OF FINAL PLAT FOR SAN MIGUEL PATIO HOMES SUBDIVISION, LOTS 1-20, BLOCK 9, BARRIO DE TUBAC/LAND DEVELOPMENT

AGREEMENT/THIRD PARTY TRUST AGREEMENT: Supervisor Damon made a motion to approve the Final Plat for San Miguel Patio Homes, Lots 1-20 (Case No. 02-04) and to authorize the Chairman to sign the Land Development Agreement and Third Party Trust Agreement subject to the 7 conditions presented by staff; second by Vice-Chairman Maynard; motion carried unanimously.

RESOLUTION #2002-23 ENERGY MANAGER: County Manager, Greg Lucero, stated that the Public Works Department is working with Utility Management Inc., a utility consulting firm, to participate in the State of Arizona's Energy Office's Municipal Energy Management Program; the program offers grants to municipalities and/or counties with populations under 70,000.

The Public Works Department, through Utility Management Inc., is intending to apply for \$20,000 in grant funds; it is necessary for Santa Cruz County to adopt a resolution committing the County to reduce energy consumption and to appoint an Energy Manager; the Resolution before the Board, appoints the Public Works Director as Energy Manager for Santa Cruz County.

Vice-Chairman Maynard made a motion to adopt Resolution #2002-23 appointing Victor Gabilondo as County Energy Manager; second by Supervisor Damon; motion carried unanimously.

RESOLUTION #2002-23

A RESOLUTION OF THE BOARD OF SUPERVISORS, SANTA CRUZ COUNTY,
ARIZONA
PERTAINING TO ENERGY CONSERVATION

WHEREAS, the State of Arizona Energy Office is assisting local governments with Energy Reduction Projects; and

WHEREAS, Santa Cruz County has previously adopted by reference the 1997 edition of the Uniform Building Code and the 1999 edition of the National Electric Code; and

WHEREAS, Santa Cruz County is desirous of applying the National Energy Code provisions contained in the above publications to County facilities; and

WHEREAS, the purpose of implementing the National Energy Code to County facilities is to reduce overall energy use by the County and thereby save taxpayer dollars, as well as qualifying the County for energy reduction grants through the State of Arizona's

Department of Commerce.

NOW, THEREFORE, THE BOARD OF SUPERVISORS, SANTA CRUZ COUNTY, ARIZONA RESOLVES AS FOLLOWS:

1. The National Energy Code is hereby adopted as a guideline for the operation and Maintenance of all buildings, plants and facilities owned or operated by Santa Cruz County.
2. Victor Gabilondo is hereby appointed to be County Energy Manager, with Principal responsibilities of implementing the above Code within the County's facilities; keeping abreast of current innovations in the field of energy conservation; working closely with the County's Grants Administrator to identify funding sources for viable energy-reduction projects; acting as the County's contact person for community members interested in energy conservation; and periodically advising the Board of Supervisors and the County Manager on energy-reduction strategies and possible funding sources for implementing same.

PASSED AND APPROVED by majority vote of the Board of Supervisors at their regular meeting of August 20, 2002.

PRESENTATION BY BEYOND BORDERS: Tom & Micayla Whittingslow, Beyond Borders, provided the Board with a presentation of border artwork.

APPROVAL OF APPLICATION FOR LIQUOR LICENSE - TUBAC GOLF RESORT: The License having been duly posted and no objections received, Supervisor Damon made a motion to approve the Application for Liquor License for the Tubac Golf Resort, Tubac, AZ; second by Vice-Chairman Maynard; motion carried.

PLANNING & ZONING COMMISSION REAPPOINTMENT: Supervisor Damon made a motion to reappoint Jerry Wagner to a 4-year term on the Planning & Zoning Commission from District #2 effective 9/8/02; second by Vice-Chairman Maynard; motion carried unanimously.

TRANSWORLD SYSTEMS, INC., PRESENTATION: Bud Brown and Robin Miller, Transworld Systems, Inc., addressed the Board regarding services offered through their firm. Transworld Systems is a nationwide company that currently offers collection services to more than 300 government agencies around the United States.

Mr. Brown requested permission from the Board to meet with the County Manager and finance staff in order to determine potential areas of non-tax revenues.

Chairman Ruiz encouraged Mr. Brown to meet with the County Manager, Finance Director, Treasurer and Sheriff.

County Manager, Greg Lucero, asked what Tr

Resolution #14 was approved as presented by the County Assessor's Office. (RD/JM; c.u.)

MONTHLY REPORTS were approved as submitted. (JM/RD; c.u.)

MINUTES of 7/2/02 were approved as submitted. (JM/RD; c.u.)

DEMANDS were approved in the total amount of \$267,703.67 of which \$463,353.38 is from the General Fund. (JM/RD; c.u.) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$267,703.67; Clerk of Superior Court Retrieval: \$1,732.00; Bad Check Collection: \$1,253.62; School Forest Fees Fund: \$1,803.24; Road: \$81,975.55; Waste Tire Grant (ADEQ): \$5,621.28; Animal Control: \$3,608.94; H.I.D.T.A. Grant 12: \$4,097.89; Folic Acid Program: \$1,950.20; F.B.I. Seizure Grant: \$1,551.46; Drug Treatment & Education: \$1,696.90; Flood Recovery 2000-24: \$23,149.97; Flood District: \$7,694.46; W.I.A. Youth Program: \$1,905.30; W.I.A. Adult: \$41,145.59; W.I.A. Administration: \$11,050.45

To review these demands for this date, refer to Binder #13 which accompanies this book. Meeting adjourned at 11:00 a.m.

STUDY SESSION

2:00 p.m.

The Board met in a Study Session. Present: John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk of the Board. Chairman Ruiz not present. Also present: Carlos Rivera, Emily Wilson, Dean Fish, Marilynn Johnson, Dan Bell.

AGRICULTURAL EXTENSION SERVICE: REVIEW OF COMMUNITY SERVICES & FUNDING ALTERNATIVES: Dean Fish, Santa Cruz County Cooperative Extension Agent, described the services offered through the University of Arizona Agricultural Extension Service in Santa Cruz County. Mr. Fish provided the Board with a spreadsheet indicating Extension Service funding history in all Arizona counties and noted that Santa Cruz is the only County that does not house its Extension Service Office in a County facility.

Mr. Fish requested that the County authorize himself and Marilynn Johnson to use a vehicle from the County's carpool.

County Manager, Greg Lucero, stated that the County contributes \$10,800 per year from the General Fund to the Cooperative Extension Program; they also receive \$10,000 in funding through the County School Superintendent's Office and are currently renting office space at a reduced rate.

Mr. Fish was encouraged to continue discussions with Mr. Lucero and Mr. Rivera.

Study Session adjourned at 2:35 p.m.

TOP

Board of Supervisors

August 27, 2002

9:30 a.m.

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; John Maynard, Vice-Chairman; Robert Damon, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, Carlos Rivera, Caesar Ramirez, Louis Chaboya, Mary Dahl, Carol DeFazio, Jim Lamb, Ray Klein, Ruben F. Fuentes, Ramon Romo, G. Gutierrez, Felipe Fuentes Jr., John DeStefano.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Mary Dahl.

ADOPTION OF AGENDA: Supervisor Damon made a motion to adopt the Agenda as presented; second by Vice-Chairman Maynard; motion carried unanimously.

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Supervisor Damon reported that he, the County Manager and Dennis Miller, recently met with the U.S. Corps of Engineers in an attempt to expedite construction on the Chula Vista project.

MANAGER: County Manager, Greg Lucero, reported that the problem with the Chula Vista project was that the Corps of Engineers did not budget for it; Senior Staff members of the Corps of Engineers realize that they are at fault and are scrambling to fund the appropriation; he and Community Development Director, Mary Dahl, met recently with FAA Officials regarding the \$850,000 airport grant; information on the West Nile Virus is available on the County's website.

FINANCE: Finance Director, Jennifer St. John, reported \$1,849,246 in the General Fund; \$1,009,771 in the Road Fund; \$190,343 in the Flood Control District Fund; \$4,109,351 total for all funds; \$1,981,246 estimated end of month, compared to \$2,007,437 cash at August 2001, a difference of \$(26,191).

Ms. St. John also reported that at 13.46% into the fiscal year, 6.54% has been collected and 11% has spent.

SHERIFF: Lt. Fuentes reported that the Sheriff is on vacation this week.

Lt. Fuentes reported that the current jail population is 55, 53 males and 2 females; 10 inmates have been sentenced to the County jail and 3 to the AZ Department of Corrections; 47 have been charged with felonies and 8 with misdemeanors; 7 are undocumented aliens; 5 have been committed to the County jail on a daily basis and 4 on a weekly basis.

Lt. Fuentes also reported that 53 persons were booked during the past week; 215 calls for services were received, of which 53 were 911 calls.

ACTION ITEMS:

BOARD OF ADJUSTMENT APPOINTMENTS: Supervisor Damon made a motion to appoint Carlos Bravo, District #2, and reappoint Art Grimm and Robert Kellogg, District #1, to the Board of Adjustment; second by Vice-Chairman Maynard; motion carried unanimously.

COURTHOUSE PRESERVATION COMMISSION APPOINTMENTS: Chairman Ruiz made a motion to reappoint Pam Patton and Anita Lichter, District #1, to the Courthouse Preservation Commission; second by Vice-Chairman Maynard; motion carried unanimously.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Office Assistant position in the County Assessor's Office. (RD/JM; c.u.) The Board waived the hiring freeze to fill a vacant Surveillance Office position. (JM/RD; c.u.)

BOND FOR DUPLICATE WARRANT #2-162790 payable to Robert Banzhof in the amount of \$90.68 dated 6/18/02 was approved as submitted. (RD/JM; c.u.)

PARTIAL RELEASE OF ASSURANCES: Community Development Director, Mary Dahl, explained that this Partial Release of Assurances is for Rio Rico Villas 16-Las Casas del Fuerte Mason, Block 754, Lot 9 as recorded in Book 3, page 42 in the Santa Cruz County Recorder's Office.

In April 2002, the Board released 21 of the 30 allowable lots; this request is for the release of only 1 lot; chip sealing of the roads will be completed on 9/9/02.

Supervisor Damon made a motion to authorize the partial release of assurances for Rio Rico Villas 16-La Casas del Fuerte Mason, Block 754, Lot 9 recorded in Book 3, page 42 in the Santa Cruz County Recorder's Office; second by Vice-Chairman Maynard; motion carried unanimously.

TREASURER'S MOTION FOR ABATEMENT AND PENALTIES DUE: Vice-Chairman Maynard made a motion for abatement and penalties due for RMH & S Land Co., Inc., #946-80-100 in the amount of \$704.45 pursuant to A.R.S. 42-18351, as requested by the County Treasurer; second by Supervisor Damon; motion carried unanimously.

TREASURER'S DECLARATION OF TAX AS UNCOLLECTABLE: Supervisor Damon made a motion to declare the following taxes as uncollectable pursuant to A.R.S. 42-19118, as requested by the County Treasurer: Buy Fresh Dist., #9250052017, \$604.34; Celia Aguilar, #9000046016, \$34.63; Amado Institute, #8700060012, \$23,779.49; Continental Dist., #9350577017, \$1,079.15; Arimex Auto, #0189918017, \$9,940; Christina's #0334, #8700058017, \$1,626.87; Builders Design, #9350768015, \$620.64; second by Vice-Chairman Maynard; motion carried unanimously.

AFFIDAVITS FOR TAX EXEMPTION for Custodio Macias (disabled), Victor A. Martinez (disabled), Carlos Quihuis (widower), Dolores F. Figueroa (widow), Esteban Longoria (disabled), Maria L. Hernandez (widow), Betty Gonzales (widow), Delia A. Garcia (widow), Rosa Maria Varela (widow), Francisca Chavarria (widow), Guadalupe Viuda de Corona (widow), Gloria Cota (disabled), Armida V. Diaz (disabled), Virginia M. Dickison (widow), Graciela Marisacal (widow), Mary E. Howell (widow), Concepcion Hernandez (disabled), Carmen Alvarez (widow), Yldefonso Morales (widower), Alvaro M. Alvarez (disabled), Magdalena Soto (widow), Amanda Garcia (widow), Cristina Dominguez (disabled), Fortino N. Dominguez (disabled), Gustavo Salmon (disabled), Alicia Nuno (disabled), Antonio A. Vidal (disabled), Jack H. Scholnick (disabled), Julie Gallas (disabled), Graciela Cruz (disabled), Julieta De Perez Ortiz (widow), Alma G. Vinson (widow), Cecilia M. Karls (widow) and Guadalupe Flores (widow) were approved as submitted. (JM/RD/ c.u.)

TAX VALUATION ADJUSTMENT #9650111-01-8 PUC- Newcourt Linc Financial, Inc., Resolution #M20010900020; #0050032-01-3 PUC-Old Kent Leasing Services, Resolution #M20010900021; #9250084-01-5 PUC-Peacock Inc., Resolution #M20010900022; #0050070-01-3 PUC-Marcap Vendor Finance Corp., Resolution #M20010900023; #12-1173507-01-3-Ciardulli, Thomas J. or Joan W., Resolution #15; #12-1173507-01-3-Ciardulli, Bill, Resolution #16 were approved as submitted. (JM/RD; c.u.)

APPOINT OF ELECTION BOARD FOR 9/10/02 PRIMARY ELECTION: Chairman Ruiz made a motion to appoint Election Boards as presented for the 9/10/02 Primary

Election and to authorize the Elections Director to fill vacancies as necessary; second by Vice-Chairman Maynard; motion carried unanimously. Supervisor Damon requested that an increase in pollworker stipend be implemented for the next election cycle.

DESIGNATION OF POLLING PLACES: Vice-Chairman Maynard made a motion to designate the following as polling places in Santa Cruz County for the 9/10/02 Primary Election; second by Supervisor Damon; motion carried unanimously.

COPY POLLING PLACE LIST

MONTHLY REPORTS were approved as submitted. (JM/RD; c.u.)

MINUTES OF 7/9/02 were approved as submitted. (RD/JM; c.u.)

Meeting adjourned at 9:58 a.m. (RD/JM; c.u.)

TOP

Board of Supervisors

September 3, 2002

9:30 a.m.

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; Robert Damon, Member; Carlos Rivera, Deputy County Manager, Holly Hawn, Attorney; Gloria S. Gonzalez, Deputy Clerk. Vice-Chairman Maynard not present. Also present: Jennifer St. John, Carol DeFazio, Sheriff Estrada, Deputy Juan Barajas, John Hays, Genevieve Gutierrez, Louis Chaboya, Rudy Castro, William Keymolent and Ruben F. Fuentes. The Meeting was called to order and the Pledge of Allegiance was recited, led by Genevieve Gutierrez.

ADOPTION OF AGENDA: The Agenda was adopted as presented, with no changes.

(MR/RD; carried)

CALL TO THE PUBLIC: None

The Board recessed the Regular Meeting to convene as the Flood Control District Board.

(RD/MR; carried)

FLOOD CONTROL:

DIRECTOR'S/PROJECT REPORT: Submitted in writing.

PUBLIC COMMENT: None

The Board adjourned as the Flood Control District Board and reconvened the Regular Meeting. (RD/MR; carried)

REPORTS:

BOARD OF SUPERVISORS: none

MANAGER: Deputy County Manager, Carlos Rivera, reported that Vice-Chairman Maynard was not present because he had to attend a family funeral.

FINANCE: Finance Director, Jennifer St. John, reported \$2,038,883 in the General Fund; \$1,016,653 in the Road Fund; \$192,758 in the Flood Control District Fund; \$4,367,093 total for all funds; \$1,219,460 estimated end of the month balance; compared to \$1,373,809 cash at August 2001, a difference of (\$154,349).

TAX COLLECTION: Deputy Barajas reported that for the month of August 2002, \$9,639.90 in delinquent taxes was collected; the total paid including delinquent taxes was \$12,237.37.

SHERIFF: Sheriff Estrada reported that the current jail population is 57, 54 males and 3

females; 11 inmates have been sentenced to the County jail and none to the AZ Department of Corrections; 51 inmates have been charged with felonies and 6 with misdemeanors; 10 (17%) are undocumented aliens; 6 have been committed to the County jail on a daily basis and 5 on a weekly basis.

57 persons were booked during the past week; 214 calls for service were received, 49 of which were 911 calls; 19 DUI arrests were made over the past weekend.

ACTION ITEMS:

RESOLUTION #2002-25 DECLARING SEPTEMBER 11TH A SANTA CRUZ COUNTY PATRIOT DAY: Supervisor Damon made a motion to adopt Resolution #2002-25 declaring September 11th a Santa Cruz County Patriot Day; second by Chairman Ruiz; motion carried.

Resolution #2002-25

A RESOLUTION OF THE SANTA CRUZ COUNTY
BOARD OF SUPERVISORS
DECLARING SEPTEMBER 11th AS PATRIOT DAY

WHEREAS, on September 11, 2001, America was suddenly and brutally attacked by terrorists, and;

WHEREAS, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders; and

WHEREAS, these cowardly acts that targeted symbols of American strength and success, clearly were intended to intimidate the nation and weaken our resolve, and;

WHEREAS, these horrific events affected all Americans. With courage, America carried on with the regular activities of our lives and terrorism was not allowed to break the spirit of the American people.

NOW, THEREFORE BE IT RESOLVED, that the Santa Cruz County Board of Supervisors declares September 11, 2002 as Patriot Day in honor of the individuals who lost their lives as a result of the terrorist attacks against the United States that occurred on September 11, 2001.

BE IT FURTHER RESOLVED, that the Santa Cruz County Board of Supervisors will display the flag of the United States at half-staff on Patriot Day in honor of the individuals who lost their lives as a result of the terrorist attacks.

BE IT STILL FURTHER RESOLVED, that the Santa Cruz County Board of Supervisors encourages its citizens to observe a moment of silence on Patriot Day in honor of the individuals who lost their lives as a result of the terrorist attacks against the United States that occurred on September 11, 2001.

PASSED AND ADOPTED by the Santa Cruz County Board of Supervisors this 3rd day of September 2002.

Director of Emergency Services, Louis Chaboya, invited the Board and everyone present to the ceremony that is going to be held at Fletcher Park on Wednesday, September 11, 2002 beginning at 8:00 a.m.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Juvenile Detention Officer position in the Probation Department. (RD/MR; carried)

REQUEST FROM NOGALES UNIFIED SCHOOL DISTRICT #1 FOR APPROVAL TO INVEST AND REINVEST EXCESS FUNDS PURSUANT TO A.R.S. 15-1025 (A), 15-1105, 15-1154 AND 15-1143: Deputy County Manager, Carlos Rivera, recommended the Board approve the Nogales Unified School District #1 request to invest and reinvest excess funds as authorized by law for FY 2002-2003.

Supervisor Damon made a motion to authorize the Santa Cruz County Treasurer to invest and reinvest excess funds as requested; second by Chairman Ruiz; motion carried.

For the record, Chairman Ruiz, stated that there is no conflict of interest.

APPROVAL OF IGA FOR PLACEMENT OF SCHOOL RESOURCE OFFICER AT DESERT SHADOWS MIDDLE SCHOOL: Sheriff Estrada asked the Board to approve the IGA for a second year to place a School Resource Officer at Desert Shadows Middle School.

Supervisor Damon made a motion to approve the IGA for placement of a School Resource Officer at Desert Shadows Middle School; second by Chairman Ruiz; motion carried.

Under discussion; Chairman Ruiz stated that he did not participate in the discussion or action regarding this item, when addressed by the NUSD #1 Governing Board.

MINUTES of July 19, 2002 were approved as presented. (RD/MR; carried)

DEMANDS in the total amount of \$470,997.00 of which \$256,422.98 were from the General Fund were approved as submitted. (RD/MR; carried) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$256,422.98; Bad Check Collection: \$1,747.52; Records Improvement Grant: \$24,660.00; School Forest Fees Fund: \$2,597.74; Law Library: \$2,092.50; Old Courthouse Fund: \$1,036.60; Road: \$49,518.13; Waste Tire Grant (ADEQ): \$1,597.40; Animal Control: \$1,136.72; Anti-Racketeering #2: \$1,537.18; Atty's Victims Comp. Fund: \$2,985.08; H.I.D.T.A. Grant 12: \$6,817.97; PIC-ACT: \$2,136.43; Jail Enhancement: \$13,620.00; D.U.I. Grant: \$1,917.86; T.B. Grant Fund: \$1,230.90; Juvenile Det. Special Svcs (Schools): \$4,199.00; Flood Recovery 2000-24: \$7,801.57; Flood District: \$1,364.35; W.I.A. Youth Program: \$19,469.14; W.I.A. Toll Free: \$3,922.17; W.I.A. Adult: \$47,136.95; W.I.A. Administration: 8,544.21; Airport Master Plan Update: \$1,079.84

To review these demands for this date, refer to Binder #13 which accompanies this book. Meeting adjourned at 9:45 a.m. (RD/MR; motion carried)

TOP

Board of Supervisors

September 10, 2002

9:30 a.m.

Board met in Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Holly Hawn, Attorney; Gloria S. Gonzalez, Deputy Clerk. Also present: Mary Dahl, Jennifer St. John, Sheriff Estrada, Leonard Fontes, Jim Lamb, G. Gutierrez, Marshall Magruder.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Greg Lucero.

ADOPTION OF AGENDA: Supervisor Damon made a motion to adopt the Agenda with no changes; second by Vice-Chairman Maynard; motion carried unanimously.

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: None

MANAGER: County Manager, Greg Lucero, reported he will be attending a Health Insurance Pool Meeting in Flagstaff, the following day he will attend the County Managers' Meeting, Wednesday of next week he will attend, along with Vice-Chairman Maynard, the Small Counties Forum in Phoenix.

FINANCE: Finance Director, Jennifer St. John, reported \$1,541,311 in the General Fund; \$957,691 in the Road Fund; \$181,258 in the Flood Control District Fund; \$3,609,959 total for all funds; \$1,318,311 estimated end of the month balance, compared to \$1,207,121 cash at September 2001, a difference of \$111,190.

SHERIFF: Sheriff Estrada reported that the current jail population is 51, 47 males and 4 females; 14 inmates have been sentenced to the County jail and none to the Arizona Department of Corrections; 47 have been charged with felonies and 4 with misdemeanors; 7 (14%) are undocumented aliens.

46 persons were booked during the past week.

ACTION ITEMS:

REQUEST FOR APPROVAL TO ACCEPT THE 2003 ANNUAL OPERATING AND FINANCIAL PLAN BETWEEN THE SHERIFF'S OFFICE AND THE U.S. FOREST SERVICE: Sheriff Estrada reported that since 1999 the County has received over \$20,000 from the Forest Service. This year the County will receive \$6,000, which will provide law enforcement assistance and special patrol when requested by the U. S. Forest Service. Sheriff Estrada stated that in the past the money has been used for training and to purchase all terrain vehicles.

Vice-Chairman Maynard made a motion to accept the 2003 Annual Operating and Financial Plan between the Sheriff's Office and the U. S. Forest Service; second by Supervisor Damon; motion carried unanimously.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SANTA CRUZ COUNTY COMPREHENSIVE PLAN PUBLIC PARTICIPATION STRATEGY PURSUANT TO ARIZONA REVISED STATUTE §11-806(D): Community Development Director, Mary Dahl, stated that part of the Growing Smarter legislative legacy is a provision that requires the Board to adopt written procedures on public participation for purposes of developing and amending the Comprehensive Plan. The procedures need to provide for broad dissemination of proposals and alternatives, an opportunity for written comment on proposals, public hearings, open discussions, communication programs and information services and consideration of public comments. This document includes various strategies for encouraging public participation in our Comprehensive Plan update process and future amendment to the Plan. This will enable the County to reach out to solicit public input, work with various media that is available within the County, federal agencies, other cities, adjacent counties, Community Colleges, Realtors, Chambers of Commerce, utilizing E-mail, faxes, etc. Ms. Dahl requested the Board approve this strategy.

Supervisor Damon made a motion to approve the Santa Cruz County Comprehensive Plan Public Participation Strategy; second by Vice-Chairman Maynard; motion carried

unanimously.

Under discussion, Vice-Chairman Maynard, thanked Ms. Dahl and stated that she did a thorough job.

Chairman Ruiz thanked Ms. Dahl for a job well done.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SANTA CRUZ COUNTY CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEAR 2002-2003 THROUGH FISCAL YEAR 2007-2008: Community Development Director, Mary Dahl, informed the Board that the County was awarded a grant from the Greater Arizona Development Authority to assist in preparation of the first-ever Santa Cruz County Capital Improvement Plan (CIP). A CIP is required as a precursor to the development and eventual implementation of development impact fees within the unincorporated area of the County. A Technical Advisory Committee assisted in preparing this plan, which consisted of representation from the County Attorney's Office, Jennifer St. John, Victor Gabilondo, members of the public, Mary Jo Allen, Planning Commission; George Bell, EDF; Gary Brasher, Tubac area; Michael Johnson, Sonoita-Elgin Chamber of Commerce; Guy Tobin, Rio Rico Properties and Sheriff Estrada. The CIP is a wish list of projects that have been rated based on established criteria that the Board adopted early this year and represents millions of dollars of capital improvements needs that the County has and in 2003 the Board will reevaluate these projects. The Board reviewed and discussed the draft CIP document in a Study Session held July 16 and is now ready for the Board's final consideration.

Vice-Chairman Maynard stated that he realizes that next year will be a tighter year and in reviewing the wish list does not mean that the projects are not worth noting and pursuing and at some point in time implementing them as the County grows, but funding sources for these projects becomes the critical issue. He understands that if a project is listed for 2003-2004, it will be reviewed based on priority. He asked what other proposals are being considered, other than raising property and sales taxes; Ms. Dahl replied that in the annual review, the projects will be reviewed based on priorities, the criteria used to evaluate might change and the projects might also change. Flood Control projects might go forward and projects that have dedicated funding will see implementation earlier than projects funded out of the General Fund; Vice-Chairman Maynard asked Ms. Dahl what would development impact fees claim in implementing these projects; Ms. Dahl replied that the projects would be reviewed and prioritized; Vice-Chairman Maynard asked Ms. Dahl if impact fees are implemented, can the County take money from building permits in Tubac and use it to repair the roof of the Sonoita maintenance facility or this facility; Ms. Dahl replied that development fees cannot be used for operational maintenance.

Chairman Ruiz stated that there are certain projects that will be completed and some projects that will be evaluated every year and based on the possibilities and financial hardships the County might be going through at that time or another possibility is to go after grant opportunities where any match can be done in-kind rather than cash. This is an important step forward and some of the concerns that Mr. Maynard has mentioned, are things that the Board will review as we start to move forward. It is important that the County has a living, breathing document that is going to be reviewed yearly and as Ms. Dahl has mentioned, if there is a need to change the criteria on how the projects are evaluated, it will be done and assess the possibilities of going forward on those projects. Supervisor Damon made a motion to approve the Santa Cruz County Capital

Improvements Plan for Fiscal Year 2002-2003 through Fiscal Year 2007-2008; second by Vice-Chairman Maynard; motion carried unanimously.

TAX VALUATION ADJUSTMENT #111-30-012-7 – Young, Dorothy D. & Stephen Co., Resolution No. S20000000135 was approved as submitted by the Assessor's Office. (JM/RD;c.u.)

Meeting adjourned at 9:50 a.m. (RD/JM;c.u.)

TOP

Board of Supervisors

September 17, 2002

9:30 a.m.

Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: John Maynard, Vice-Chairman; Robert Damon, Member; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Chairman Manuel Ruiz, absent, due to a medical appointment. Also present: Jennifer St. John, Louis Chaboya, Ruben F. Fuentes, Jim Mummert, Lillian Hoff, Mark South, Rudy Castro, Mike Foster, Gene Schafer, Adam Amezaga.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Jim Mummert.

ADOPTION OF AGENDA: County Manager, Greg Lucero, requested that item #1 re: the FAA grant for improvements at the Nogales International Airport, be tabled for 1 week.

Supervisor Damon made a motion to adopt the Agenda and table item #1 (FAA grant for improvements at the Nogales International Airport) for 1 week; second by Vice-Chairman Maynard; motion carried.

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Vice-Chairman Maynard reported on 9-11 ceremonies held throughout the County last week.

MANAGER: County Manager, Greg Lucero, reported that the Small Counties Forum Meeting will be held this Wednesday evening; the Legislative Policy Committee and CSA will hold meetings on Thursday; a dinner with the Arizona State Transportation Board will be held on Thursday evening at Palo Duro in Nogales and the ADOT meeting will be held on Friday morning at City Hall; a hazardous materials workshop will be held on Friday at the Bank One building next to the City Hall.

FINANCE: Finance Director, Jennifer St. John, reported \$1,636,065 in the General Fund; \$984,645 in the Road Fund; \$183,255 in the Flood Control District Fund; \$3,770,264 total for all funds; \$1,395,837 estimated end of month balance, compared to \$1,234,073 cash at September 2001, a difference of \$161,764.

SHERIFF: Lt. Fuentes stated that Sheriff Estrada is in Tucson today attending the Governor's DUI Conference.

Lt. Fuentes reported that the current jail population is 55, 53 males and 2 females; 17 inmates have been sentenced to the County jail; 50 have been charged with felonies and 5 with misdemeanors; 11 are undocumented aliens; 6 have been committed to the County jail on a daily basis and 5 on a weekly basis. 51 persons were booked during the past

week.

ACTION ITEMS:

BOND FOR DUPLICATE WARRANT #4-541675 payable to Hertz Equipment in the amount of \$88.89 dated 6/28/02 was approved as submitted. (RD/JM; carried)

RESOLUTION #2002-26: Supervisor Damon made a motion to approve Resolution #2002-26 as presented; second by Vice-Chairman Maynard; motion carried.

Resolution #2002-26

A RESOLUTION OF THE SANTA CRUZ COUNTY BOARD OF SUPERVISORS CANCELLING THE RIO RICO FIRE DISTRICT CHIEF AND SECRETARY/TREASURER ELECTION AND APPOINTING CANDIDATES

WHEREAS, an election was to be held on November 5, 2002 for the Rio Rico Fire District Chief and Secretary/Treasurer; and

WHEREAS, the deadline for filing nomination papers to run for said offices was August 7, 2002 and on that date only one candidate had filed to run for the office of Fire Chief and one for the office of Secretary/Treasurer; and

WHEREAS, pursuant to A.R.S. §48-802{D4}, in the event that only one person files a nomination petition for an election to a position of elected fire chief or secretary/treasurer of a fire district, the Board of Supervisors is authorized to cancel the election and appoint that person to the position.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Santa Cruz County that the Rio Rico Fire District Chief and Secretary/Treasurer Election scheduled for November 5, 2002 is hereby cancelled.

BE IT FURTHER RESOLVED by the Board of Supervisors of Santa Cruz County that MIKE FOSTER is hereby appointed Fire Chief and MARK SOUTH is hereby appointed Secretary/Treasurer for the Rio Rico Fire District.

PASSED AND ADOPTED by the Santa Cruz County Board of Supervisors this 17th day of September, 2002.

RESOLUTION #2002-27: Supervisor Damon made a motion to approve Resolution #2002-27 as presented; second by Vice-Chairman Maynard; motion carried.

Resolution #2002-27

A RESOLUTION OF THE SANTA CRUZ COUNTY BOARD OF SUPERVISORS CANCELLING THE TUBAC FIRE DISTRICT BOARD ELECTION AND APPOINTING CANDIDATES

WHEREAS, an election was to be held on November 5, 2002 for two seats to the Tubac Fire District Board of Directors; and

WHEREAS, the deadline for filing nomination papers to run for said offices was August 7, 2002 and on that date only one candidate had filed to run for each of the two seats up for election for the Tubac Fire District Board of Directors; and

WHEREAS, pursuant to A.R.S. §48-802{D4}, in the event that only one person files a nomination petition for an election to a position on the board of directors of a fire district, the Board of Supervisors is authorized to cancel the election and appoint that person to the position.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Santa Cruz County that the Tubac Fire District Board Election scheduled for November 5, 2002 is hereby cancelled.

BE IT FURTHER RESOLVED by the Board of Supervisors of Santa Cruz County that PAUL JORDAN and MICHAEL WILLIAMS are hereby each appointed to fill the two seats for the Tubac Fire District Board of Directors.

PASSED AND ADOPTED by the Santa Cruz County Board of Supervisors this 17th day of September, 2002.

SEPTEMBER 10, 2002 PRIMARY ELECTION CANVASS: Supervisor Damon made a motion to canvass the results of the September 10, 2002 Primary Election as presented; second by Vice-Chairman Maynard; motion carried

TAX VALUATION ADJUSTMENT #8600042-01-3 PUC – Puchi’s Pant Center, Resolution #M20010900019 was approved as submitted by the County Assessor’s Office. (RD/JM; carried)

MONTHLY REPORTS were approved as submitted. (RD/JM; carried)

MINUTES of 7/23/02 were approved as submitted. (RD/JM; carried)

DEMANDS were approved in the total amount of \$313,064.74 of which \$192,227.51 is from the General Fund. (RD/JM; carried) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. General Fund: \$192,227.51; Retrieval Conversion Fund: \$1,668.52; Road: \$59,163.48; Animal Control: \$2,027.57; Anti-Racketeering #2: \$32,049.30; H.I.D.T.A. Grant 12: \$1,518.48; Sheriff A.C.J.C. Grant: \$3,562.84; Jail Enhancement: \$1,896.60; Health Services Fund: \$1,116.88; T.B. Grant Fund: \$6,231.48; Flood District: \$2,655.32; W.I.A. Adult: \$2,246.09

Meeting adjourned at 9:47 a.m.