

Board of Supervisors
April 27, 2004
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: John Maynard, Chairman; Manuel Ruiz, Member; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Vice-Chairman Damon, not present. Also present: Mayra Ochoa, Victor Gabilondo, Sheriff Estrada, Joe Barr, Cynthia Matus Morriss, Ron Morriss, Ramon Romo, Rudy Molera, Jim Mummert, Felipe Fuentes Jr., Jim Barr.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Cynthia Matus Morriss.

ADOPTION OF AGENDA: Due to the absence of Vice-Chairman Damon, County Manager, Greg Lucero, suggested that Action item H-2 (Discussion re: delinquent property taxes) be tabled for 1 week.

Supervisor Ruiz made a motion to adopt the Agenda, tabling Action item H-2 (Discussion re: delinquent property taxes) for 1 week; second by Chairman Maynard; motion carried.

CALL TO THE PUBLIC: None

Supervisor Ruiz made a motion to deviate from Agenda sequence as necessary; second by Chairman Maynard; motion carried.

REPORTS:

BOARD OF SUPERVISORS: Chairman Maynard reported that he met with ADEQ representatives, Susan Keith and Representative Graf regarding water issues.

MANAGER: County Manager, Greg Lucero, reported that the Provisional Community College tax election will be held on 5/18/04; the Provisional Governing Board members have been making public presentations at different civic and social groups throughout the County; he and Pete Gonzalez have also been attending the presentations to provide factual information.

FINANCE: Senior Accountant, Mayra Ochoa, reported \$5,759,954 in the General Fund; \$1,637,543 in the Road Fund; \$563,531 in the Flood Control District Fund; \$9,229,441 total for all funds; \$5,822,954 estimated end of month balance, compared to \$2,964,909 cash at April 2003, a difference of \$2,858,045.

SHERIFF: Sheriff Estrada informed the Board that the current jail population is 77, 72 males and 5 females; 9 have been sentenced to the County jail and 3 to the AZ Department of Corrections; 74 have been charged with felonies and 3 with misdemeanors; 12 (16%) are undocumented aliens; 2 have been committed to the County jail on a daily basis and 3 on a weekly basis.

56 persons were booked in during the past week; 203 total calls for services were received, of which 9 were 911 calls.

Sheriff Estrada reported that the Sonoita Horse Races were held last Saturday/Sunday and the DUI Detail was in force in the area; DARE Graduations will be held during the month of May; 3 individuals from Santa Cruz County will be graduating from CARLOTA on 5/7.

ACTION ITEMS:

QWEST CONTRACT FOR TELEPHONE SERVICE: County Manager, Greg Lucero, explained that the recent reorganization placed the telephone system under the Administrative Services Department; a phone inventory and cost analysis was performed and a Request for Proposals was issued; Qwest submitted a proposal which estimates an annual savings of \$90,000 to the General Fund.

Supervisor Ruiz made a motion to approve the Contract between Santa Cruz County and Qwest and to allow Jennifer St. John to sign on behalf of the County; second by Chairman Maynard; motion carried.

INCREASE RIO RICO LANDFILL CASH DRAWER BEGINNING BALANCE: Public Works Director, Victor Gabilondo, requested that the Board authorize the Rio Rico Landfill to increase its cash drawer beginning balance by \$50, from \$77.60 to \$127.60 to allow them to provide better customer service and prevent customers from having to wait until change can be made for higher denomination bills.

Supervisor Ruiz made a motion to authorize Management to increase the beginning balance of the Rio Rico Landfill cash drawer by \$50, from \$77.60 to \$127.60 as requested; second by Chairman Maynard; motion carried.

REFUSE HAULING SERVICE CONTRACT RENEWAL WITH KACHINA ENTERPRISES: Public Works Director, Victor Gabilondo, explained that the Board awarded the Refuse

Hauling Service Contract to Kachina Enterprises 2 years ago with the option to renew for an additional 2 years; Kachina Enterprises is requesting renewal at no cost increase.

Supervisor Ruiz made a motion to approve and extend the Refuse Hauling Contract with Kachina Enterprises as presented in the packet and by staff for an additional 2 years; second by Chairman Maynard; motion carried.

BID AWARD: B-01-04-CO01: Public Works Director, Victor Gabilondo, informed the Board that this Bid is for the procurement of emulsified asphalt for the County's annual chip seal project; 3 bids were received; Western Emulsions, Inc., was the overall low bidder.

Mr. Gabilondo recommended that the Board award the bid to Western Emulsions, Inc., as submitted.

Supervisor Ruiz made a motion to award the emulsified asphalt (CRS-2) to Western Emulsions, Inc. in the amounts shown in the packet; second by Chairman Maynard; motion carried.

BID AWARD: B-02-04-CO02: Public Works Director, Victor Gabilondo, informed the Board that this Bid is for the procurement of road maintenance materials for aggregate cover (chips) materials; 4 bids were received; the overall low bid for production and delivery of chips was submitted by AGE Contracting, Inc., and the second lowest bidder was Rinker Materials.

Mr. Gabilondo explained that testing of the chips will be performed to ensure the material meets specified standards; in the event that the low bidder's product does not meet standards, the next lowest bidder whose material passes the testing standard will be used.

Supervisor Ruiz made a motion to award the bid to AGE Contracting, Inc., and that if the chips do not meet specifications, the Public Works Department is authorized to use the next lowest bidder whose material passes the testing standard; second by Chairman Maynard; motion carried.

BID AWARD: B-03-04-CO03: Public Works Director, Victor Gabilondo, informed the Board that this Bid is for the procurement of road maintenance materials for aggregate base (ABC) materials and cold plant mix material; 1 bid was received for the cold plant mix and 1 for the ABC; the overall low bid for the ABC material was submitted by DM Excavating and the low bid for the cold plant mix was submitted by Granite Construction.

Mr. Gabilondo recommended that the Board award the bid for ABC to DM Excavating and to Granite Construction for the cold plant mix.

Supervisor Ruiz made a motion to follow staff's recommendation and award the bid for ABC to DM Excavating and to Granite Construction for the cold plant mix as presented in the Board's packet; second by Chairman Maynard; motion carried.

BID AWARD: B-05-04-CO05: Public Works Director, Victor Gabilondo, informed the Board that this Bid is for the procurement of recycling equipment (cardboard baler, roll off truck roll off containers and a forklift); all bids received were much higher than anticipated.

Staff recommends that the Board reject all bids and authorize the re-bid for a cardboard compactor.

Supervisor Ruiz made a motion to reject all bids received for the lack of qualified bidders; second by Chairman Maynard; motion carried.

BOND FOR DUPLICATE WARRANT #4-555153 payable to Ber Bureau of Education, in the amount of \$169 dated 12/11/03 was approved as submitted. (MR/JM; carried)

TAX VALUATION ADJUSTMENT #114-01-053-3 – Babnew, Lester H., Resolution No: S20030000083 was approved as submitted by the County Assessors' Office. (MR/JM; carried)

MINUTES of 4/13/04 were approved as submitted. (MR/JM; carried)

The Board recessed the Regular Meeting to convene as the **Flood Control District Board;** convened in Executive Session (Chula Vista Channel Flood Control Project) at 10:15 a.m. and reconvened as the Flood Control District Board. (MR/JM; carried)

FLOOD CONTROL DISTRICT:

RESOLUTION NO. FCD 2004-01: Attorney Hawn explained that the County is in the process of trying to acquire land to get the Chula Vista Flood Control Project underway; Resolution No. FCD 2004-01 is authorization to proceed with the necessary condemnation to acquire land needed for the project.

Supervisor Ruiz made a motion to approve Resolution No. FCD 2004-01; second by Chairman Maynard; motion carried.

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

The Board recessed the Regular Meeting to convene in Executive Session (Santa Cruz County v. Lawyers Title Trust of Arizona, Inc., et al CV02-182) and reconvened the Regular Meeting. (MR/JM; carried)

ACTION ITEMS CONTINUED:

SANTA CRUZ COUNTY V. LAWYERS TITLE TRUST OF ARIZONA INC., ET AL. CV02-182: Special Counsel, Ron Lehman, explained that this litigation is the slope problem North of the County Complex property; after considerable negotiations with propertyowners, represented by Mr. Barr and legal counsel, a form of Agreement has been developed which is acceptable to the County and may or may not be acceptable to the propertyowners; 1 item in contention is whether or not stamped plans are going to be required on this project.

Mr. Lehman stated whenever work is done on public property, the law requires that the work be done by a plan, which is prepared and stamped by a registered engineer. The question is who is going to pay for the stamped plan. The proposed agreement offers that the County would pay \$1,250 towards the cost of having the plans stamped.

Mr. Lehman also stated that Mr. Lucero has spoken to the City of Nogales and they have indicated that a permit will not be issued without stamped plans.

Staff and Counsel recommend that the Board approve the Settlement Agreement.

Supervisor Ruiz made a motion to approve the Settlement Agreement in Santa Cruz County v. Lawyers Title Trust of Arizona Inc., et al. CV02-182 as presented by Attorney Lehman; second by Chairman Maynard; motion carried.

Meeting adjourned at 11:10 a.m. (MR/JM; carried)

Melinda Meek
Clerk of the Board

John Maynard
John Maynard, Chairman