

Board of Supervisors  
June 29, 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; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor; Greg Lucero, County Manager; Martha Chase, County Attorney; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Mary Dahl, Victor Gabilondo, Ben Stepleton, Nils Urman, Ron Morriss, Sheriff Estrada, Jim Sloan, Dean Fish, Sheila Vasquez, Carol DeFazio, Bill Branan, John Hays, J. diFilippo, Gary Brasher, Beth Daley, Pam Patton, David Gutfahr, Jean Rogers, Morris Farr, Bill Eifrig, Jim Notestine, George Bell, Marshall Magruder, Felipe Fuentes, Jr., Nathan Hannah, Greg Keller, Carol Cullen, Bruce Pheneger, Kevin T. Keeley, Dennis Parker, Kim Etherinton, Bill Kurtz.

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

**ADOPTION OF AGENDA:** County Manager, Greg Lucero, requested that the Board table Action item E-1 (Joint Project Agreement-SR 82 Santa Cruz bridge replacement) for 1 week so that legal revisions can be made to the document.

Supervisor Ruiz made a motion to adopt the Agenda tabling Action item E-1 (Joint Project Agreement-SR82 Santa Cruz bridge replacement) for 1 week and to deviate from Agenda sequence as necessary; second by Vice-Chairman Damon; motion carried unanimously.

**CALL TO THE PUBLIC:** None

**REPORTS:**

**BOARD OF SUPERVISORS:** Supervisor Ruiz reported that he, Vice-Chairman Damon, Mr. Lucero and other elected officials attended the Grand Opening of the Democratic Party Headquarters; he and Chairman Maynard attended a Santa Cruz Natural Resource Conservation District meeting on Saturday at the Santa Fe Ranch.

Chairman Maynard reported that he attended a Citizens Corps Meeting last week.

Supervisor Ruiz announced that Santa Cruz County will be receiving official notification of the County's Official Weed and Seed designation and congratulated Nils Urman, Liz Collier, Joann diFilippo, Martha Chase, Hector Simon, Sheriff Estrada and City of Nogales officials for their work involved in obtaining the designation.

**MANAGER:** County Manager, Greg Lucero, reported that he and staff have been busy finalizing the proposed Tentative Budget, which is scheduled to be considered by the Board at a Special Meeting on Friday.

**FINANCE:** Administrative Services Director, Jennifer St. John, reported \$7,133,630 in the General Fund; \$1,518,847 in the Road Fund; \$626,474 in the Flood Control District Fund; \$10,535,863 total for all funds; \$6,886,260 estimated end of month balance, compared to \$4,224,224 cash at June 2003, a difference of \$2,662,036.

**HEALTH & ENVIRONMENT:** Health Department Director, Ben Stepleton, provided the Board with an update on the Nogales Wash and the West Nile Virus.

**SHERIFF:** Sheriff Estrada reported that the current jail population is 88, 79 males and 9 females; 32 inmates have been sentenced to the County jail and 2 to the AZ Dept. of Corrections; 81 have been charged with felonies and 7 with misdemeanors; 16 (18%) are undocumented aliens; 7 have been committed on a daily basis and 11 on a weekly basis. 112 persons were booked in during the past week; 172 total calls for service were received, of which 57 were 911 calls.

Sheriff Estrada informed the Board that Officers will be stationed at the fireworks display at the Tubac Golf Resort and additional Officers will be on duty for the 4<sup>th</sup> of July weekend.

**UNIVERSITY OF AZ COOPERATIVE EXTENSION QUARTERLY REPORTS:** County Extension Director, Dean Fish, provided the Board with 3<sup>rd</sup> and 4<sup>th</sup> quarter reports as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

**ACTION ITEMS:**

**CRIME VICTIM COMPENSATION GRANT:** County Attorney Martha Chase explained that this Grant is used for compensating victims of crime.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

**GANG PROSECUTION GRANT:** County Attorney Martha Chase explained that this Grant is used as a match for another grant.

Supervisor Ruiz made a motion to approve; second by Vice-Chairman Damon; motion carried unanimously.

**APPROVAL FOR THE ADMINISTRATIVE SERVICES DIRECTOR TO TRANSFER MONIES FROM THE GENERAL FUND TO COVER ALL NEGATIVE CASH BALANCES AT 6/30:** Administrative Services Director, Jennifer St. John, requested approval from the Board to transfer monies as listed to cover all negative cash at 6/30 and authorization for her to transfer any other amounts necessary due to negative cash at 6/30.

Supervisor Ruiz made a motion to approve the request to allow the Administrative Services Director to transfer monies from the General Fund to cover all negative cash balances at 6/30/04 and any other funds necessary; second by Vice-Chairman Damon; motion carried unanimously.

**DEMANDS:** Supervisor Ruiz made a motion to approve Demands in the total amount of \$1,271,491.49 of which \$247,370.54 is from the General Fund; second by Vice-Chairman Damon; motion carried unanimously. Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. **General Fund:** \$247,370.54; **Cost of Prosecution:** \$4,548.85; **Retrieval Conversion Fund:** \$3,219.65; **Exercises:** \$13,383.15; **Assessor's Ret & Conversion:** \$6,390.08; **School Forest Fees Fund:** \$11,771.88; **Early Learn-Learning Together:** \$11,403.02; **Community Technology CTR Program:** \$10,861.49; **Law Library:** \$1,657.40; **Road:** \$406,458.29; **Waste Tire Grant (ADEQ):** \$3,590.72; **Animal Control:** \$1,546.75; **Anti-Racketeering #2:** \$5,827.01; **Atty's Victims Comp. Fund:** \$1,066.89; **HIDTA 14:** \$3,562.06; **Jail Enhancement:** \$2,372.73;

**Domestic Violence Education:** \$12,135.43; **B.J.A. Bullet Proof Vest:** \$1,450.44; **Gear Up:** \$13,625.00; **DOJ Bullet Proof Vest Fund:** \$1,450.44; **Drug Treatment and Education:** \$13,950.00; **Juvenile Community Advisory BD:** \$3,074.13; **Model Court:** \$7,500.00; **Flood District:** \$65,898.49; **W.I.A. Adult:** \$1,050.37; **W.I.A. Administration:** \$6,297.19; **R/W Safety Zone Haz. Elim.:** \$30,925.00; **De Anza Pedestrian Pathway:** \$3,039.00; **Phase 1-Runway Overlay Design:** \$84,450.41; **FY 2002 RA CDBG Project:** \$22,688.46; **FAA Grant for Security Fencing:** \$5,851.49; **ADOT E2S53 Emerg. Taxiway Rep.:** \$80,273.61; **Robert Damon Park:** \$22,688.45; **Landfill:** \$145,869.22; **Landfill Reserve:** \$5,840.30

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

**MINUTES** of 4/27/04 were approved as submitted. (RD/MR; c.u.)

**BID OPENING AND POSSIBLE AWARD: B-10-04-CO10:** Clerk of the Board, Melinda Meek, informed the Board that Bid #B-10-04-CO10 is for Legal Publications and Advertising. Ms. Meek stated that 1 bid was received; the Bid was opened at this time. The bid was from the Nogales International Newspaper in the amount of \$3.79 per column inch which is a 3% increase from last year.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

The Board recessed the Regular Meeting to convene the Public Hearing scheduled for 10:00 a.m. (MR/RD; c.u.)

## PUBLIC HEARING

**2004 COMPREHENSIVE PLAN (CASE NO. CP2004-15):** Community Development Department Director, Mary Dahl, informed the Board that Arizona Revised Statutes requires that the Comprehensive Plan be adopted by a Resolution of the Board of Supervisors after the Commission has made a recommendation on the Plan and after holding at least 1 public hearing; the Commission has held numerous public meetings over the past 2 years and its members have put in countless hours to formulate and bring forward to the Board a plan that has widespread support throughout the County; the process culminated on 5/26 when the Commission held their required public hearing; after the hearing, Commission members reviewed the comments received and made some revisions to the plan based on public input; then by unanimous vote, the Commission recommended the final draft to the Board of Supervisor for adoption.

Ms. Dahl stated that consultants were hired in 2002 and gathered information on various aspects of the County including current land use, demographics, economic stats and environmental data; 3 focus group meetings were held in September 2002 in Rio Rico, Tubac and Kino Springs; the Consultant produced a series of documents and maps and presented them to the Comprehensive Plan Advisory Committee (CPAC) in 01/03.

Ms. Dahl further stated that another public meeting was held in Sonoita at the end of January and the idea of a character area element was presented; the CPAC then began to hold weekly meetings to go through the various sections of the plan and to take additional public input on the components of the document; 50 goals were originally submitted and the group narrowed them down to the 20 that are being presented; Character Area Teams were formed by members of the public and wrote descriptions on their respective areas and laid out challenges they faced in maintaining or achieving their goals.

Ms. Dahl informed the Board that the Plan does not change the underlying zoning, but looks toward the future and depicts how Santa Cruz County citizens and elected officials would like the County to develop over the next 10 years; it provides the Commission and the Board with guidance and direction when making land use decisions.

The Plan spells out several policies that, if implemented, will further the goals and objectives of the Plan, among which are an assortment of revisions to the County Zoning and Development Code.

Ms. Dahl recommended that the County take the first year to sort through the various implementation steps and develop a work plan in order to determine implementation costs.

The Board thanked the CPAC and Ms. Dahl for their hard work on the plan.

### PUBLIC COMMENT:

Bill Kurtz, Amado resident, informed the Board that he believes that there is a severe inconsistency in the text of the Comprehensive Plan and Land Use Map in one area of Amado; approximately 466 acres in the Arivaca Junction/Amado area included in the proposed Land Use Map have an Urban designation of Mixed Use and a Rural Designation as Local Services. Mr. Kurtz stated that he believes that the entire 466 acres should have a Rural Designation as Local Services. Ms. Dahl stated that initially, the entire intersection was designated as Regional Services, which is also an Urban designation; when the Commission addressed the issue on 5/26, they voted to change it from Regional Services to Local Services on the East and Mixed Use on the West based on Mr. Kurtz' concerns.

Marshall Magruder stated that he does not want Santa Cruz County to look like Pima County; he believes that the proposed plan is an excellent one that will require annual review and staff reports.

Gary Brasher expressed appreciation to the Planning & Zoning Commissioners for their time and effort spent on the Plan.

Ron Morriss expressed support for the proposed Comprehensive Plan, congratulated Mary Dahl, the CPAC and the Planning & Zoning Commission for developing the Plan and urged the Board to act in favor of the Plan.

Morris Farr, President of the Sonoita Crossroads Community Forum, expressed support for the proposed Comprehensive Plan, commended the Planning & Zoning Commission, particularly Bill Branan, for their efforts and stated that while it is "not perfect", it is a great plan.

Bill Branan thanked everyone involved in developing the proposed Comprehensive Plan; stated that the entire process was an open one and that good will was displayed by all; encouraged everyone involved in developing the Plan to remain involved.

Pam Patton stated that implementation of impact fees will be required in order for the Plan to be successful and that the formation of a Historic Commission will play an important role; encouraged the formation of a Library Funding District.

Greg Keller, AZ State Land Department, stated that he has worked with the Land Department for 20 years and during that time has had the occasion of traveling around the State meeting with Planning Commissions, Boards of Supervisors, City Councils and especially Planning Staff; complimented the Santa Cruz County Planning staff, legal staff and Planning Commission for their level of sophistication and hard work put into the document.

The Board adjourned the Public Hearing and reconvened the Regular Meeting. (MR/RD; c.u.)

**ACTION ITEMS CONTINUED:**

**RESOLUTION #2004-11 ADOPTING THE 2004 COMPREHENSIVE PLAN (CASE NO. CP2004-15):** Community Development Department Director, Mary Dahl, informed the Board that State law requires that the Comprehensive Plan be adopted by Resolution of the Board of Supervisors and requested that the Board adopt Resolution #2004-11.

Supervisor Ruiz made a motion to approve Resolution #2004-11, a Resolution of the Santa Cruz County Board of Supervisors adopting the 2004 Santa Cruz County Comprehensive Plan; second by Vice-Chairman Damon.

Under discussion, the Board thanked all that worked on the Comprehensive Plan: the Planning & Zoning staff & Commission, citizens and residents.

Motion carried unanimously.

**APPLICATION FOR FIREWORKS DISPLAY, TUBAC GOLF RESORT, 7/7/04:** Rod Syler, President of the Tubac Golf Resort, requested approval of the Application for Fireworks Display for the Tubac Golf Resort on July 4<sup>th</sup>.

Chief Keeley, Tubac Fire District, informed the Board that he and staff members met with Tubac Golf Resort staff last week; worked with staff at length and he believes that they have a defensible position; the Fire District will have 6 extra people on duty and an ambulance, a brush truck and a fire engine at the event.

The Tubac Fire District has provided a letter to the Tubac Golf Resort in support of their request for a Fireworks Display that reserves the right to cancel the event up to 24 hours prior to display time based on weather conditions; Chief Keeley stated that if something catastrophic happens during the event, the event will be stopped.

The Clerk noted that the Application requires the Sheriff's approval and informed the Board that the Sheriff has signed the Application.

Supervisor Ruiz made a motion to approve the Application for a Fireworks Display for the Tubac Golf Resort conditionally that Chief Keeley and the Tubac Fire District are comfortable with the way things are happening, if not, he has the power to stop the display; second by Vice-Chairman Damon; motion carried unanimously.

**SANTA CRUZ CONTRACT AMENDMENT WITH AZ DEPT OF ECONOMIC SECURITY FOR WIA SERVICES:** WIA Director, Nils Urman, stated that this Contract Amendment includes all additional funds.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

**RESOLUTION #2004-16 SUPPORTING SANTA CRUZ COUNTY WORKFORCE DEVELOPMENT'S GRANT APPLICATION TO THE US DEPT OF HOUSING DEVELOPMENT FOR THE YOUTH BUILD PROGRAM:** WIA Director, Nils Urman, informed the Board that the US Housing and Urban Development has a grant application process called Youth Build that provides funds to work with disadvantaged youth; the program allows youth to gain building skills while continuing to work on their academic course work; they will be partnering with the Nogales Housing Authority in rehabilitating some of their units.

Supervisor Ruiz made a motion to approve Resolution #2004-16 supporting the Santa Cruz County Workforce Development's Grant Application to the US Department of Housing Development for the Youth Build Program; second by Vice-Chairman Damon; motion carried unanimously.

**RESOLUTION #2004-17 SUPPORTING THE SANTA CRUZ COUNTY SUPERINTENDENT OF SCHOOLS' GRANT APPLICATION TO THE US DEPT OF EDUCATION OFFICE OF SAFE AND DRUG FREE SCHOOLS, EMERGENCY RESPONSE AND CRISIS MANAGEMENT GRANT:** Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

**RESOLUTION #2004-18 SUPPORTING THE "SEEDS OF CHANGE" (COMMUNITY INITIATIVE) TO ESTABLISH AN ON-LINE GRANTS REGISTRY SYSTEM FOR SANTA CRUZ COUNTY:** WIA Director, Nils Urman, informed the Board that this voluntary grant registry

submitting a Health & Human Services Grant Application called JOLI (Job Opportunities for Low Income Individuals) to work with individuals to develop their own micro business opportunities.

Supervisor Ruiz made a motion to approve Resolution #2004-20 supporting the Nogales Community Development Corporation's grant Application to the Department of Health and Human Services, Job Opportunities for Low-Income Individuals (JOLI); second by Vice-Chairman Damon; motion carried unanimously.

Meeting adjourned at 11:00 a.m.

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors

July 2, 2004

9:30 a.m.

The Board met in a Special Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: John Maynard, Chairman; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor; Greg Lucero, County Manager; Martha Chase, County Attorney; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, John Hays, Tivo Romero, Sheriff Estrada, Frank Corrales, Augustin Huerta, Mary Helen Maley, Delfina E. Bauch, Beth Castro Daley, Patti Lewis, Ron Morriss.

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

**ADOPTION OF TENTATIVE BUDGET FOR FY 2004-2005:** County Manager, Greg Lucero, presented the Board with the proposed Tentative Budget for FY 04-05 and stated the following amounts as contained in Schedule A: 03-04 adopted budgeted expenditures/expenses- General Fund: \$20,678,700/ total all funds: \$44,343,850; 03-04 actual expenditures/expenses-General Fund: \$17,696,950/total all funds: \$34,375,912; 7/1/04 fund balance/net assets-General Fund: \$5,398,968/total all funds: \$11,237,701; 04-05 primary direct property tax revenues-General Fund: \$8,299,918/total all funds: \$10,720,328; 04-05 estimated revenues other than property taxes-General Fund: \$10,344,776/\$34,404,561; 04-05 interfund transfers in-General Fund: \$563,926 – out-\$665,937/total all funds: in-\$1,391,697 – out-\$1,391,697; 04-05 total financial resources available-General Fund: \$23,941,651/total all funds: \$56,362,590; 04-04 budgeted expenditures/expenses-General Fund: \$23,941,651/total all funds: \$56,362,589.

Mr. Lucero provided the following proposed increased amounts by department: Assessor: \$88,846 total, \$41,296 salaries, \$47,550 operating; County Attorney: \$80,491 total, \$68,956 salaries, \$11,535 operating; Board of Supervisors: \$15,679 total, \$174,467 salaries, (\$158,788) operating; Airport: (\$17,650) total, \$0 salaries; (\$17,650) operating; Clerk of Superior Court: \$40,723 total, \$39,723 salaries, \$1,000 operating; Elections: \$63,781 total, (\$1,219) salaries, \$65,000 operating; Emergency Services: \$30,549 total, \$1,793 salaries, \$28,756 operating; Finance: \$19,297 total, \$30,235 salaries, (\$10,938) operating; Grounds & Maintenance: \$250,582 total, \$20,094 salaries, \$230,488 operating; Justice Court #1: \$17,324 total, \$17,529 salaries (\$205) operating; Justice Court #2: \$6,599 total, \$4,299 salaries, \$2,300 operating; Information Technology: \$91,593 total, \$80,973 salaries, \$10,620 operating; Security: \$0; Building Codes: \$36,490 total, \$27,581 salaries, \$8,909 operating; Planning & Zoning: \$15,712 total, \$17,064 salaries, (\$1,352) operating; Recorder: \$49,486 total, \$21,036 salaries, \$28,450 operating; Superior Court: \$76,427 total, \$78,927 salaries, (\$2,500) operating; Treasurer: \$84,814 total, \$62,409 salaries, \$22,405 operating; Probation: \$86,403 total, \$59,614 salaries, \$26,789 operating; Juvenile Detention: \$5,987 total, (\$14,113) salaries, \$20,100 operating; Constable #1: (\$15,868) total, \$4,707 salaries, (\$20,575) operating; Sheriff: \$153,923 total, \$99,863 salaries, \$54,060 operating; Constable #2: \$2,742 total, \$742 salaries, \$2,000 operating; Medical Assistance: \$0; Public Fiduciary: \$46,771 total, \$23,220 salaries, \$23,551 operating; ALTC: \$100,064 total, \$0 salaries, \$100,064 operating; AHCCCS: \$92,488 total, \$0 salaries, \$92,488 operating; Mental Health Services, Rio Rico Landfill, Tubac/Amado Landfill, Sonoita/Elgin Landfill and Debt Reserve: \$0; Parks: \$48,568 total, \$51,668 salaries, (\$3,100) operating; School Superintendent: \$7,602 total, \$5,502 salaries, \$2,100 operating; Drug Education: \$9,002 total, \$5,502 salaries, \$3,500 operating; County Capital Projects: \$0; Total: \$1,483,315 total, \$921,868 salaries, \$561,447 operating.

Chairman Maynard asked how many new employees are being proposed: Mr. Lucero responded that a total of 9 new bodies are included in the proposed tentative budget.

Mr. Lucero explained that if the proposed tentative budget is approved today, it sets the cap for how much can be spent; the cap cannot be increased; it can be adjusted within funds and can only decrease. Mr. Lucero stated that staff is recommending that salary adjustments, additional personnel and capital purchases be held back until November when the property tax revenues come in and staff is able to determine the amount of available cash flow. Mr. Lucero informed the Board that some exceptions will be made if it would be more cost advantageous to act now rather than to delay.

Chairman Maynard asked if the additional personnel will be hired within the next 60 days or within a 6-month period; Mr. Lucero stated that it is his recommendation to hold back on the majority of the additional personnel until November to determine the amount of available cash flow.

Beth Castro Daley congratulated the Board on their \$4 million surplus; asked which line item addresses improvements, such as streets and roadways; Mr. Lucero responded that those items are covered in the County Road Fund, which is a special fund; Ms. Daley asked that the Board consider restoring funding to the non-profit organizations and that local car dealers be allowed to bid when new vehicles are being purchased by the County; Mr. Lucero responded that the County procures vehicles through the State Contract, but if local vendors can match the price, they are purchased locally.

Mr. Lucero stated that only 25% of property taxes collected last year went to the General Fund; the majority of it goes to School, Fire and other Special Districts.

Caesar Ramirez, County Treasurer, thanked the Board for the increases in his department and encouraged all to purchase locally.

Suzie Sainz, County Recorder, thanked the Board for approving her budget; asked if she will be notified in November when she can fill her new full-time position; Mr. Lucero responded that staff proposed only a part-time position for the Recorder's Office; Ms. Sainz requested consideration of a full-time position. Chairman Maynard suggested that Ms. Sainz meet with Jennifer & Mr. Lucero to discuss the issue.

Mr. Lucero thanked all department heads that worked with staff in assisting in the preparation of the tentative budget; thanked Jennifer and her staff for their effort and hard work in preparing the balanced tentative budget.

The Board thanked all involved in the budget process.

Supervisor Ruiz made a motion to approve the Tentative Budget as presented by staff for Fiscal Year 2004-2005; second by Vice-Chairman Damon; motion carried unanimously.

**RESOLUTION #2004-22:** Clerk of the Board/Elections Director, Melinda Meek, stated that State Statutes provide that if the number of persons who file nominating petitions for an election to fill Precinct Committeeman positions is less than or equal to the number of positions available, the Board may cancel the election for those positions and appoint the persons who filed to fill those positions; this provision applies to all 24 precincts in Santa Cruz County and are listed on Exhibit A; candidates appointed pursuant to this statute have all of the powers and duties of the office as if elected.

Supervisor Ruiz made a motion to approve Resolution #2004-22 cancelling the election of Precinct Committeeman for the 9/7/04 Primary Election and appointing all candidates that field to run for Precinct Committeeman; second by Vice-Chairman Damon; motion carried unanimously.

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

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors

July 6, 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; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor; Greg Lucero, County Manager; Melinda Meek, Clerk. Also present: Mayra Ochoa, Carol DeFazio, Axel Holm, Leonard Fontes, Ricardo de la Riva, Marcelino Varona, Jr., Cecilia Brown, John Hays, Sheriff Estrada, Randy Williams, Larry Tiffin, Arturo Garino, Marshall Magruder, Ben Stepleton, Viviane H. Itule, Rudy Molera, Ron Morriss, Ruben F. Fuentes, Victor Gabilondo, Mary Dahl.

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

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

**CALL TO THE PUBLIC:** Marcelino Varona, Jr., Nogales Unified School District #1, expressed appreciation to County Manager Lucero and Alberto Verdugo for their assistance on a construction project for the School District.

Marshall Magruder addressed the Board regarding property taxes and the transmission line issue.

Carol DeFazio, on behalf of the Rio Rico Propertyowners Association, expressed appreciation to Marshall Magruder for his hard work on the utility rates issue.

Axel Holm reminded the Board about the 8/16/04 luncheon with the Candidates for the upcoming election; requested all to attend the City of Nogales Council Meeting tomorrow (Wednesday) at 6:00 p.m. in support of the Chamber's request for \$50,000 in funding to operate the Visitor's Center; introduced Ana Lourdes Morales, new Office Manager at the Chamber.

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

**FLOOD CONTROL:**

**DIRECTOR'S/PROJECT REPORT:** Submitted in writing.

**MONTHLY REPORT FROM CITY OF NOGALES:** None

**MONTHLY REPORT FROM THE TOWN OF PATAGONIA:** None

**PUBLIC COMMENT:** None

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

**REPORTS:**

**BOARD OF SUPERVISORS:** Vice-Chairman Damon reported that the County received a press release last week from Congressman Grijalva congratulating the County for being awarded \$1.5 million for the Nogales Wash project; Vice-Chairman Damon thanked the Nogales International for publishing the press release.

Supervisor Ruiz reported that he is meeting with people interested in the Nogales Port Authority, namely with representatives from Lewis & Rocca law firm.

Chairman Maynard reported on 4<sup>th</sup> of July festivities throughout the County and thanked all who volunteered to assist with the 4<sup>th</sup> of July luncheon at the County Complex and Department Heads for allowing their employees to assist.

**MANAGER:** County Manager, Greg Lucero, thanked Dr. Varona for his comments under Call to the Public and stated that staff has been meeting with the City of Nogales on consolidation issues.

**FINANCE:** Senior Accountant, Mayra Ochoa, reported \$7,958,667 in the General Fund; \$1,371,320 in the Road Fund; \$563,221 in the Flood Control District Fund; \$11,300,700 total for all funds; \$7,092,065 estimated end of month balance, compared to \$4,152,659 cash at July 2004, a difference of \$2,939,406.

**HEALTH AND ENVIRONMENT:** Health Department Director, Ben Stepleton, provided the Board with an update on the Nogales Wash and the West Nile Virus.

**SHERIFF:** Sheriff Estrada reported that the current jail population is 90, 83 males and 7 females; 32 inmates have been sentenced to the County jail and 2 to the AZ Department of Corrections; 82 have been charged with felonies and 8 with misdemeanors; 18 (20%) are undocumented aliens; 5 have been committed to the County jail on a daily basis and 11 on a weekly basis. 50 persons were booked in during the past week; 168 total calls for service were received, of which 46 were 911 calls.

Sheriff Estrada further reported that the Southern AZ DUI Task Force was in operation over the 4<sup>th</sup> of July weekend – no major incidents occurred in the County; the Sheriff's Department was involved in 2 pursuits involving vehicles transporting drugs in the Lochiel/Elgin area; the Sheriff's Office participated in all 3 4<sup>th</sup> of July parades in the County.

**ACTION ITEMS:**

**SEAGO BASIC SERVICE CONTRACT SFY2004-2005:** Supervisor Ruiz made a motion to approve; second by Vice-Chairman Damon; motion carried unanimously.

**IGA WITH COCHISE COUNTY COMMUNITY COLLEGE DISTRICT FOR AN EDUCATIONAL PROGRAM IN SANTA CRUZ COUNTY 7/1/04 – 6/30/05:** County Manager, Greg Lucero, explained that this is the same service agreement that the Board approved last year; the cost for the service is approximately \$200,000; Cochise County Community College is preparing other options for the County to consider such as ITV Services which offers smaller classrooms via television and a science lab for the Nursing program; the other options will be presented to the Board for consideration at a later date.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

**LETTER OF SUPPORT FOR SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM (SEACAP):** Cecilia Brown informed the Board that the Community Action Agency, which serves Graham, Greenlee, Cochise and Santa Cruz Counties, is facing a possible funding cut in an amount of over \$100,000 and requested that the Board prepare a letter supporting the SEACAP.

Supervisor Ruiz made a motion authorizing the Chairman to sign the letter on behalf of the County, urging DES Director Burns to reconsider funding cuts and requesting that funds be restored to SEACAP; second by Vice-Chairman Damon.

Under discussion, Chairman Maynard asked if the other Counties served by SEACAP are adopting similar letters of support; Mrs. Brown responded yes.

County Manager, Greg Lucero, recommended that the letter be directed to the Governor and copies provided to Director Burns and Santa Cruz County's legislators.

Supervisor Ruiz amended his motion that the letter be directed to Governor Napolitano and that copies be sent to DES Director Burns and Santa Cruz County's legislators; second by Vice-Chairman Damon; motion carried unanimously.

**FY2004 VICTIMS' RIGHTS PROGRAM FUNDING AWARD AGREEMENT NO. 2005-055 WITH THE AZ ATTORNEY GENERAL'S OFFICE:** Sheriff Estrada stated that this grant is in the amount of \$5,200 and offsets a portion of the salary of the Victims' Rights Coordinator who provides notification to victims.

Supervisor Ruiz made a motion to approve; second by Vice-Chairman Damon; motion carried unanimously.

**PERSONNEL:** The Board waived the hiring freeze to fill a vacant Deputy Sheriff position. (RD/MR; c.u.)

**RESOLUTION #2004-21:** Public Works Director, Victor Gabilondo, explained that the Board approved a similar document in May of this year, approving a Joint Project Agreement with ADOT and the Kino Springs developer to improve Kino Springs Drive's intersection with SR 82 by realigning it and building a bridge over Proto Wash; the developer will fund the project and ADOT will construct it as part of the bridge replacement project.

Since then, the developer has renegotiated some of the provisions with ADOT to clarify its potential exposure if there are unforeseen cost-overruns; the new language limits the developer's exposure only to those costs attributable to plan defects and the County's exposure is only for those changes requested or approved by the County.

Mr. Gabilondo requested that the Board approve Resolution #2004-21 authorizing the Chairman to sign the Joint Project Agreement.

Supervisor Ruiz made a motion to approve Resolution #2004-21 authorizing the Chairman to sign for Santa Cruz County; second by Vice-Chairman Damon; motion carried unanimously.

**AMENDMENT TO LICENSING AGREEMENT WITH RIO RICO PROPERTIES FOR ENCROACHMENT ON COUNTY RIGHT-OF-WAY:** Public Works Director, Victor Gabilondo, stated that this document amends the Licensing Agreement dated 2/11/03 to allow encroachments on right-of-way for monument signage, trail signage, trails, landscaping, irrigation, flags and street lighting.

Vice-Chairman Damon made a motion to approve the Amendment; second by Supervisor Ruiz; motion carried unanimously.

**RENEWAL OF AIRPORT FBO SERVICES LEASE AGREEMENT WITH TIFFIN AVIATION SERVICES, INC.:** Community Development Department Director, Mary Dahl, informed the Board that the original Lease Agreement was approved in 1994, subsequently renewed in 1999 and provides for 1 additional 5-year renewal. The new Agreement is current with existing facilities and services and minor changes were made to the insurance coverage to require unimpaired general liability

insurance. No changes are being proposed in the amount of revenue that flows to the County from the fixed base operator activities; approximately \$8,600 per month is received for FBO-related activities.

Supervisor Ruiz made a motion to approve the Lease Renewal Agreement as presented; second by Vice-Chairman Damon; motion carried unanimously.

**RENEWAL OF AIRPORT MANAGEMENT SERVICES AGREEMENT WITH TIFFIN AVIATION SERVICES, INC.:** Community Development Department Director, Mary Dahl, stated that the original Airport Management Services Agreement was also approved in 1994, subsequently renewed in 1999 and provides for 1 additional 5-year renewal. The new Agreement is current with existing facilities and services and minor changes were made to the insurance coverage to require unimpaired general liability insurance. The County will continue to pay Tiffin Aviation Services, Inc. \$11,000 for the services.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

**DEMANDS** were approved in the total amount of \$314,873.15 of which \$98,602.11 is from the General Fund. (MR/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:** \$98,602.11; **Retrieval Conversion Fund:** \$2,969.00; **Exercises:** \$5,040.60; **School Forest Fees Fund:** \$7,506.87; **Early Learn-Learning Together:** \$6,740.72; **Community Technology CTR Prog:** \$2,878.16; **Road:** \$76,241.14; **Anti-Racketeering #2:** \$1,083.97; **HIDTA 14:** \$3,508.91; **Attorney's Enhancement Fund:** \$2,778.00; **Jail Enhancement:** \$3,657.62; **Juvenile Education Fund:** \$1,001.46; **B.J.A. Bullet Proof Vest:** \$1,175.80; **DOJ Bullet Proof Vest Fund:** \$1,175.79; **Underage Drinking Program:** \$2,477.30; **Flood District:** \$2,029.50; **Cultural Youth at Risk:** \$16,399.29; **W.I.A. Youth Program:** \$24,522.03; **WTW Competitive Grant:** \$10,029.81; **W.I.A. Adult:** \$9,018.59; **W.I.A. Dislocated Worker:** \$4,880.25; **W.I.A. Administration:** \$3,340.23; **Projects with Industries:** \$15,073.17; **Work Incentive Grant:** \$1,805.00; **Landfill:** \$3,759.98

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

Meeting adjourned at 10:30 a.m.

Melinda Meek  
Clerk of the Board

John Maynard  
John Maynard, Chairman