

Supervisor Ruiz made a motion to approve the Construction Agreement as presented by staff and to authorize the Chairman to sign on behalf of Santa Cruz County; second by Chairman Maynard; motion carried.

Meeting adjourned at 10:15 a.m.

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors
October 25, 2004
3:30 p.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; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Suzie Sainz, Natalie Tejada, Sarah Wright, Carol DeFazio, Hector Simon, Ron Morriss.

DISCUSSION/POSSIBLE ACTION REGARDING ISSUES RELATED TO EARLY VOTING: Suzanne Sainz, Recorder, informed the Board that the current situation in the County Recorder's Office as it relates to early voting is that existing staff levels could not keep up with the requests for Early Ballots along with assisting people wishing to vote early in person and regular day to day activities; the office was overwhelmed with requests for early ballots; 3 temporary employees were hired to assist; however, the time required to train the new employees also created a strain on existing resources; staff's ability to keep up with the requests for Early Ballots was complicated further when the printer used to generate such ballots broke down along with the computer server; additional problems were created by the post office when several early ballots were delivered to wrong addresses.

Ms. Sainz further stated that all of these problems combined, eventually created an almost insurmountable backlog of early ballots that needed to be mailed out; fortunately, the printer and computer were repaired and with the help from, now trained, new employees the office was able to mail out all the Early Ballots and is now current; the amount of staff time required to address the backlog of ballots was enormous; staff put in several long days during the work week and even worked long hours on weekends to address the backlog; unfortunately, the cost associated with this effort was not budgeted for and must now be addressed by the Board of Supervisors.

Supervisor Ruiz expressed concern regarding individuals receiving early ballots without having requested them and potential lawsuits; Supervisor Ruiz asked for the statutory timeframe to respond to an early ballot request; Attorney Hawn responded that if the request is made within 30 days from the election, the early ballot must be sent out within 48 hours, excluding Saturdays, Sundays and holidays.

Ms. Sainz informed the Board that to date, 4,115 early ballots have been issued, 511 people have voted early in person.

Chairman Maynard asked if other Counties are experiencing similar difficulties; Ms. Sainz responded that other Counties are facing the same situation.

Elections Director, Melinda Meek, informed the Board that staff has developed the following recommendations for voters with early ballots to ensure that all voters are afforded the opportunity to cast their vote: 1. If a voter has requested and received their early ballot, they need to return it to the Recorder's Office no later than Thursday 10/28. Ballots mailed after that date run the risk of not being received in time and will possibly not be counted; 2. If a voter does not wish to return their ballot by mail, they can hand deliver their completed early ballot to the Recorder's Office until 7:00 p.m. on Election Day; 3. On Election Day, a voter with an Early Ballot can drop off their completed ballot at any polling place within Santa Cruz County until the polls close; 4. On Election Day, if a voter who has requested or received an Early Ballot, but lost it or does not have it, can go to their designated polling place and vote a Provisional Ballot.

Ms. Sainz stated that off-site Early Voting will be available tomorrow from 2:00 – 4:00 p.m. at the Mariposa Community Health Center and from 5:00 p.m. – 7:00 p.m. at City Hall. County Manager, Greg Lucero, stated that the total costs are unknown at this time but are not expected to exceed \$5,000 and requested that the Board authorize the expenditure of up to \$5,000 to cover the cost of work time associated with the 2004 General Election early voting process.

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

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors
October 26, 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, Arizona. Present: John Maynard, Chairman; Robert Damon, Vice-Chairman; Manuel

Ruiz, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Gloria S. Gonzalez, Deputy Clerk. Also present: Mayra Ochoa, Carol DeFazio, Pam Patton, Jose Sergio Arellano, Ivan Hernandez, Sheriff Tony Estrada, John DeStefano, Marcelino Varona, Patti Lewis, Lee Ann Ayers, Louis Chaboya, Lt. Gerardo Castillo, Gary Shadrack, Sgt. David Aho, Karl O. Moyers, Frank Corrales, Tom Evans, William E. Sanchez, Viviane Huerta-Itule, Ruben Fuentes, Irma Maytorena, John Hays, Glen Sampson and Rosa Elvira Padilla.

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

ADOPTION OF AGENDA: County Manager, Greg Lucero, requested that Action Item E-2 (Intergovernmental Agreement-Pima County to provide sewer services to Amado Territory Ranch) be tabled indefinitely.

Supervisor Ruiz made a motion to adopt the Agenda, tabling Action Item E-2 (Intergovernmental Agreement-Pima County to provide sewer services to Amado Territory Ranch) and to deviate from Agenda sequence as necessary; second by Vice-Chairman Damon; motion carried unanimously.

CALL TO THE PUBLIC: Pam Patton, Chairwoman of the Friends of the Courthouse, thanked the Board for their continuous support and stated that over 500 people attended the 1904 Courthouse Centennial Celebration; she thanked County employees, Gloria S. Gonzalez, Melinda Meek, Jesse Espinoza, Ramon Bustos, Frank Vasquez, Sergio Gradillas, Ernesto Ramirez, Mary Dahl, the Courthouse Preservation Commission and Friends of the Courthouse for their support.

Rosa Padilla, Chairwoman of the Courthouse Preservation Commission reiterated what Ms. Patton's comments.

Lee Ann Ayers stated that everyone involved in the Centennial Celebration did an outstanding job.

CURRENT EVENT AND ACTIVITIES REPORTS:

BOARD OF SUPERVISORS: Supervisor Ruiz congratulated the Friends of the Courthouse and the Courthouse Preservation Commission, thanked Lois Morris for coordinating the programs, Mr. Ojeda and his History Class for coordinating the time capsule project, Axel Holm, Director of the Pimeria Alta Historical Society; he reported that he and Mr. Lucero attended the GSA Meeting in Tucson last Wednesday afternoon; GSA will be hosting a meeting on December 15, 2004 to get public input; he attended the Small Counties Meeting; he attended a Nogales/Santa Cruz Port Authority Meeting at the Chamber of Commerce on Thursday and will be meeting again next month.

Vice-Chairman Damon reported that he was in Cancun last week; congratulated Rosa Elvira Padilla and Pam Patton for their outstanding work on the 1904 Courthouse Centennial Celebration; he attended the Red Ribbon luncheon yesterday and congratulated Sheriff Estrada on its success.

Chairman Maynard reported that he attended the Centennial Celebration at the 1904 Courthouse on Sunday and thanked all the students involved with the time capsule project; he attended a private park dedication at the Barrio de Tubac in honor of Anza on Saturday; he attended the Humane Society Annual Pets Lovers Party; the Board met yesterday with the County Recorder, Suzie Sainz, that brought clarification to the early voting ballots and the vote by mail ballots; thanked Sheriff Estrada and his staff for the Red Ribbon Luncheon yesterday.

Supervisor Ruiz thanked Axel Holm, master of ceremony for the Centennial Celebration for doing a wonderful job.

MANAGER: County Manager, Greg Lucero, reported that he attended the GSA Meeting where the Mariposa Port of Entry project was discussed, the County will host the next GSA meeting at the Board's Meeting Room on November 15, 2004; he and the City Manager met with the governor's office to schedule a Town Hall Meeting in January 2005 that will focus on transportation, commerce and tourism; he met with County Recorder, Elections Director and County Attorney regarding the early ballot issues; he met with the Border Trade Alliance President; he attended the Small Counties Meeting, health and increases in State Retirement contributions were discussed.

FINANCE: Senior Accountant, Mayra Ochoa, reported \$6,114,332 in the General Fund; \$996,962 in the Road Fund; \$444,376 in the Flood Control District Fund; \$9,086,500 total for all funds; \$7,003,090 estimated end of the month balance, compared to \$3,872,447 cash at October 2003, a difference of \$3,130,643.

HEALTH AND ENVIRONMENT: Personnel Director, Carlos Rivera, reported that the Nogales Wash is being maintained at acceptable levels; the State received approximately 24,000 flu vaccines, but it is not known how the vaccines will be allocated; he recommended that individuals contact their health care physicians or call the local health department.

SHERIFF: Sheriff Estrada recognized Lt. Ruben Fuentes, Detention Facility Commander, and Jail Supervisor, Sergio Arellano; he introduced Corrections Academy graduate Ivan Hernandez.

Sheriff Estrada recognized Sgt. David Aho for his outstanding accomplishments as a member of the Santa Cruz County Sheriff's Dept.

Lt. Jerry Castillo presented Sgt. Aho with a plaque from MADD (Mothers Against Drunk Drivers) and a special recognition from Governor Napolitano.

Chairman Maynard congratulated Sgt. Aho on behalf of the Board and all the citizens of Santa Cruz County for doing a wonderful job.

Sheriff Estrada thanked the Board for the training budget the Sheriff Dept. was provided with.

Sheriff Estrada reported that the current jail population is 78, 73 males and 5 females; 27 inmates have been sentenced to the County jail and 4 to the Arizona Department of Corrections; 75 have been charged with felonies and 3 with misdemeanors; 21 (27%) are undocumented aliens; 6 have been committed to the County jail on a daily basis and 2 on a weekly basis; 59 persons were booked in during the past week; 147 total calls for service were received, of which 4 were 911 calls.

Sheriff Estrada thanked the Board for attending the Red Ribbon Luncheon and Jan Smith Florez, the speaker for the event; he stated that over 200 persons attended the luncheon.

ACTION ITEMS:

DEDICATION OF THE ALL HAZARD WEATHER RADIO DONATED BY THE NATIONAL WEATHER CENTER: Emergency Services Director, Louie Chaboya, introduced Tom Evans, Warning Coordination Meteorologist for the National Weather Service.

Mr. Evans stated that the National Weather Service provides critical weather warnings through the NOAA Weather Radio and the Emergency Alert System; he explained that having a radio receiver would automatically alert you to the weather dangers in nearly all of the populated areas in the United States; the goal of the NWS is that NOAA Weather Radios can become as common as smoke detectors; NOAA's goal is to provide at least 95% of each state populated areas with this service; the next step in preparedness for severe weather is for our community to become storm ready, a program which helps emergency managers enhance the plan for being prepared during critical weather situations when severe weather is imminent an informed decision can lead to appropriate action; the NWS is now providing 24 hours a day weather information to Santa Cruz County; he presented the Board with a NOAA Weather Radio receiver.

Chairman Maynard thanked Mr. Evans on behalf of the Board.

DISCUSSION AND POSSIBLE ACTION RE: IMPLEMENTATION OF THE 2004 SANTA CRUZ COUNTY CLASSIFICATION AND COMPENSATION PLAN: Personnel Director, Carlos Rivera, stated that Public Sector Personnel Consultants submitted a position classification and compensation analysis reviewing the positions and responsibilities of County employees; he met with Elected Officials and Department Heads and discussed different alternatives available that were recommended by the Consultants. The Salary Administration Plan encompasses a market increase based upon the analysis for those affected positions with an increase of 3.5%, 2.5% and 1.5% for those respective employees with over 1 year in grade of their current position provided that they are in a banded group of 85-89%, 90-94% and 95-99% of the compa ratio which is the ratio of the employee's existing salary as compared to the midpoint of the range of the employee's classification; in addition a shift differential of \$0.25 and \$0.45 for swing and graveyard shifts for non-exempt Sheriff's Deputies, a special assignment allowance of \$70.00 monthly for eligible non-exempt Deputies in Metro, STAR (Special Tactics and Response Team) and CID (Criminal Investigation Division) and a 2.5% increase for the non-classified grant employees that have been employed longer than one year; the cost to the County for the implementation of the salary plan is \$498,500.00.

Mr. Rivera reviewed with the Board the requirements for establishing a Policy in order to provide merit increases.

County Manager Lucero stated that in previous years the program was not fully implemented and a policy had not been established

Supervisor Ruiz recommended that a Policy be established to determine County employees future salary increases to compensate those that go above and beyond in performing their duties.

Chairman Maynard concurred with what Supervisor Ruiz stated and asked Mr. Rivera and Mr. Lucero if additional funds could be applied to the increase; Mr. Lucero replied that the increase would affect another budget item to make up the difference and would not be a one-time expense and would have to be factored into next year's budget.

Supervisor Ruiz stated that as a Board, the decision taken was done in good faith and recommended to stay within the budget.

Supervisor Ruiz made a motion to approve the implementation of the 2004 Santa Cruz County Classification and Compensation Plan to become effective October 21, 2004 as recommended by staff; second by Vice-Chairman Damon; motion carried unanimously.

REQUEST APPROVAL OF RESOLUTION #2004-33 AUTHORIZING SANTA CRUZ COUNTY TO ENTER INTO A LEASE PURCHASE WITH CATERPILLAR FINANCIAL SERVICES FOR THE LEASE PURCHASE OF A WHEEL LOADER: Solid Waste Department Manager, Karl Moyers, requested that the Board authorize the Solid Waste Division to purchase a new Cat 928 Wheeled Loader for a total cost of \$124,175.70, which would replace the current John Deere 444 Wheeled Loader with more than 16,000 hours of operation that was red tagged for unsafe operation; RDO presented a repair estimate of over \$20,000 and valued the John Deere 444 at \$1,500, which is the scrap metal price of the equipment; the County is currently renting a 544 Wheeled Loader from Neff Rental at a cost of \$3,200 per month. Mr. Moyers reviewed with the Board the terms and conditions of the lease agreement for the 928 Wheeled Loader.

Attorney Hawn recommended that the County Manager execute all the documents on behalf of the Board.

Chairman Maynard asked Mr. Moyers for his recommendation; Mr. Moyers recommended that the Board authorize the lease.

Supervisor Ruiz stated that even though the County is incurring some debt for the next five years, it would be beneficial to the County.

County Manager Lucero stated that Mr. Moyers is managing the enterprise fund in a cost efficient manner, because whatever expenses he incurs, he has to generate a profit margin to keep the landfill up and going.

Supervisor Ruiz made a motion to approve Resolution 2004-33 and allow the County Manager to execute the documents necessary to complete the purchase of the transaction on behalf of the Board; second by Vice-Chairman Damon; motion carried unanimously.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ARIZONA STATE PARKS GRANT PARTICIPANT AGREEMENT FOR THE RONALD R. MORRIS PARK IMPROVEMENTS IN THE AMOUNT OF \$50,000 AND AUTHORIZE THE COUNTY MANAGER TO SIGN PURSUANT TO RESOLUTION NO. 2004-03: Mary Dahl, Community Development Department Director, stated that last spring the Board approved Resolution 2004-03 authorizing the submittal of the Heritage Fund application through the local Regional and State Parks Heritage Fund Program, the County was awarded \$50,000 and along with the County's match which was budgeted for this year, will be used to install a restroom facility and drinking fountain for the park.

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

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ARIZONA STATE PARKS GRANT PARTICIPANT AGREEMENT FOR THE 1904 COUNTY COURTHOUSE IN THE AMOUNT OF \$98,925 AND AUTHORIZE THE COUNTY MANAGER TO SIGN THE

AGREEMENT AND REQUIRED PRESERVATION EASEMENT PURSUANT TO RESOLUTION NO. 2004-05: Mary Dahl, Community Development Department Director, stated that through the Historic Preservation Program the County was awarded \$98,925 and the County match commitment is for \$98,927 which will be used to rehabilitate the portico, entrance structures, restore and stabilize the retaining walls and provide for architectural and engineering services for the project; one of the requirements for receiving historic preservation grant funds is that the County grants a 20 year preservation easement to the State.

Supervisor Ruiz made a motion to approve the Arizona State Parks Grant Participant Agreement for the 1904 Courthouse to start the preservation project and authorize the County Manager to sign the Agreement and the Preservation Easement pursuant to Resolution No. 2004-05; second by Vice-Chairman Damon.

Under discussion, Chairman Maynard asked Ms. Dahl what happened to Resolution 2004-05; Ms. Dahl replied that the Board approved Resolution 2004-05 to proceed with the Historic Preservation Heritage Fund grant application.

Motion carried unanimously.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SUBSTITUTION ASSURANCE AGREEMENT FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS (TRUST NO. T-1354) BETWEEN BARRIO COMMERCIAL PROPERTIES, LLC, TITLE GUARANTY AGENCY OF ARIZONA AND THE COUNTY FOR PLAZA DE ANZA COMMERCIAL SUBDIVISION: Mary Dahl, Community Development Department Director, stated that the Plaza de Anza is a commercial Planned Area Development subdivision situated in the Barrio de Tubac that is under construction adjacent to the Village of Tubac north side of the Barrio, consisting of 5.26 acres creating seven lots for mixed commercial use; the final plat was approved by the Board in March 2004; the developers (San Miguel Partners) are selling the project to another entity (Barrio Commercial Properties, LLC), resulting in the transfer of responsibilities for the subdivision improvements from the current owner to the new owner.

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

BOND FOR DUPLICATE WARRANT #4-556569 payable to Macmillan/McGraw-Hill Companies, dated 1/28/04 in the amount of \$1,837.10 was approved as submitted. (MR/RD;c.u.)

Meeting adjourned at 10:55 a.m. (RD/MR;c.u.)

Melinda Meek
Clerk of the Board

John Maynard
John Maynard, Chairman

Board of Supervisors
November 2, 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, Arizona. Present: John Maynard, Chairman; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Gloria S. Gonzalez, Deputy Clerk. Also present: Jennifer St. John, Lt. Raul Rodriguez, Leonard Fontes, Patti Lewis, George McQueen, Louis Chaboya, Ben Stepleton and John Hays.

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

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

CALL TO THE PUBLIC: Nogales International reporter, Sarah Wright, introduced George McQueen, who will be covering the Board Meetings.

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.)

CURRENT EVENTS AND ACTIVITIES REPORTS:

BOARD OF SUPERVISORS: Chairman Maynard reported that he attended the CDBG Meeting on Saturday.

MANAGER: County Manager, Greg Lucero, reported that he attended the Insurance Pool Meeting last week, which focused on how to reduce the workers compensation cost; he attended the County Managers Meeting.

FINANCE: Finance Director, Jennifer St. John, reported \$6,640,359 in the General Fund; \$1,237,002 in the Road Fund; \$527,425 in the Flood Control District Fund; \$10,384,228 total for all funds; \$7,906,479 estimated end of the month balance, compared to \$4,571,190 cash at November 2003, a difference of \$3,335,289.

HEALTH AND ENVIRONMENT: Health Department Director, Ben Stepleton, reported that the Nogales Wash is being maintained at acceptable levels; there have been 387 confirmed cases of the West Nile Virus in Arizona; flu vaccines will be available until further notice.

SHERIFF: Lt. Raul Rodriguez reported that the current jail population is 82, 75 males and 7 females, 24 inmates have been sentenced to the County jail and 3 to the Arizona Department of Corrections; 5 have been charged with misdemeanors; 22% are undocumented aliens; 3 have been committed to the County jail on a daily basis and 3 on a weekly basis. 60 persons were booked in during the past week.

Lt. Rodriguez reported that the Sheriff's Department participated in the Halloween festivities by giving out candy and patrolling the streets.

ACTION ITEMS:

REQUEST APPROVAL OF REVISED SECOND ADDENDUM TO LEASE AGREEMENT WITH RIO RICO PROPERTIES, INC. FOR RIO RICO LIBRARY FACILITIES: Attorney Hawn reminded the Board that they acted a few weeks ago to approve the Second Addendum; Rio Rico Properties now wishes to add an additional "Whereas" to reflect the date of the original Agreement; the additional "Whereas" section has been added and appears on the Revised Second Addendum; the terms and conditions of the lease remained unchanged.

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

REQUEST APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT ROTATIONAL DISTRIBUTION FUNDING EXTENSION AGREEMENT WITH CITY OF NOGALES AND TOWN OF PATAGONIA: County Manager, Greg Lucero informed the Board that the Method of Distribution Agreement expires at the end of this year; the City of Nogales has taken the position that they would like to see the method of distribution changed to be more effective of population; there are three entities involved in this process and nobody was willing to change their position; as a compromise, he suggested that the Agreement remain as is at least for another year to allow the County to receive funding; the other 2 entities agreed.

Mr. Lucero requested that the Board approve the Extension Agreement which would extend the method of distribution for at least another year to allow Santa Cruz County to receive CDBG funding for the upcoming year.

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 Animal Control Officer position. (RD/MR; c.u.)

DEMANDS were approved as submitted in the total amount of \$575,748.89 of which \$214,883.37 are 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:** \$214,883.37; **Bad Check Collection:** \$2,879.53; **Cost of Prosecution:** \$1,572.57; **Case Management:** \$3,646.75; **School Forest Fees Fund:** \$47,997.61; **Early Learn-Learning Together:** \$5,230.35; **Community Technology CTR P:** \$2,368.19; **Law Library:** \$4,942.95; **Old Courthouse Fund:** \$2,937.22; **Road:** \$51,049.97; **Waste Tire Grant (ADEQ):** \$3,698.52; **Animal Control:** \$1,297.95; **Anti-Racketeering #2:** \$7,347.95; **Sheriff A.C.J.C. Grant:** \$1,541.18; **HIDTA 13:** \$9,429.26; **PIC-ACT:** \$1,306.06; **Community Punishment Program:** \$1,395.50; **Federal Seizure Fund:** \$42,405.06; **Gear Up:** \$7,127.61; **Title V:** \$2,531.25; **T.B. Grant Fund:** \$5,696.08; **Juv. Det. Special SVCS (School):** \$20,112.95; **Flood District:** \$1,313.42; **Rehabilitation Services AD:** \$1,037.40; **Cultural Youth at Risk:** \$4,347.14; **W.I.A. Youth Program:** \$6,799.35; **W.I.A. Adult:** \$11,407.31; **W.I.A. Dislocated Worker:** \$7,568.10; **W.I.A. Administration:** \$1,277.29; **Projects with Industries:** \$2,877.28; **Work Incentive Grant:** \$1,441.25; **Phase1-Taxiway Lighting Design:** \$12,600.00; **Phase1-Apron Design:** \$14,500.00; **E3S10-Drainage/Erosion Design:** \$1,500.00; **Landfill:** \$62,020.35

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

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

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors

November 9, 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; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Mary Dahl, Mayra Ochoa, Ben Stepleton, Felipe Fuentes, Ruben Fuentes.

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

ADOPTION OF AGENDA: Supervisor Ruiz made a motion to adopt the Agenda as posted 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: The Board congratulated each other and the other elected officials recently re-elected/elected at the 11/2/04 General Election and the Elections & Records staff.

Supervisor Ruiz reported the he attended a Weed & Seed Meeting last Thursday and the Border Counties Coalition Meeting in Sierra Vista this past weekend.

Chairman Maynard reported that he attended a National Heritage Area Designation Meeting; the Boy Scouts began work on the first leg of a 1-mile hiking and/or jogging trail along Pendleton, West of Pendleton between the fence line and Pendleton, North of Rio Rico Drive.

MANAGER: County Manager, Greg Lucero, reported that he attended the SEAGO Admin Council Meeting last week where he was elected Secretary/Treasurer and the Border Counties Coalition Meeting in Sierra Vista this past weekend.

FINANCE: Senior Accountant, Mayra Ochoa, reported \$7,076,670 in the General Fund; \$1,201,523 in the Road Fund; \$550,973 in the Flood Control District Fund; \$10,802,575 total for all funds; \$7,647,670 estimated end of month balance, compared to \$4,571,190 cash at November 2003, a difference of \$3,076,480.

HEALTH AND ENVIRONMENT: Health Department Director, Ben Stepleton, reported that the Nogales Wash is ok.

SHERIFF: Lt. Ruben Fuentes congratulated the Board on their re-election and informed the Board that the Sheriff and Major Romo are in Laughlin attending the Western States Sheriff's Association Conference made up of 13 participating States; Sheriff Estrada was selected as 1 of 3 Sheriff's to represent the State of Arizona.

Lt. Fuentes reported that the current jail population is 77, 69 males and 8 females; 18 inmates have been sentenced to the County jail and 2 to the AZ Department of Corrections; 73 have been charged with felonies and 4 with misdemeanors; 19 (24%) are undocumented aliens; 6 have been committed to the County jail on a daily basis and 2 on a weekly basis. 42 persons were booked in during the past week; 61 total calls for service were received, of which 4 were 911 calls (being verified).

ACTION ITEMS:

PURCHASE OF TRUCK FOR THE PARKS DIVISION: Community Development Department Director, Mary Dahl, requested authorization from the Board to purchase a much-needed truck for the Parks Division through State Contract; \$22,000 was included in the current fiscal year budget for the Department.

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

RELEASE OF CERTIFICATE OF DEPOSIT TO TUBAC MANAGEMENT CO. L.L.C.: Community Development Department Director, Mary Dahl, reminded the Board that in February, they authorized the release of 52 lots in the Tubac Golf Resort Homes subdivision in exchange for the posting of 2 CDs that ensure that certain improvements are made to the development's wastewater collection and treatment facility; the Tubac Management Co. intends to centralize all of its wastewater treatment and disposal in a single facility and abandon the older wetlands systems; prior to doing so, they want to develop the 52-lot subdivision.

An amendment was developed to provide for the County to hold CDs to ensure that certain improvements were made in a timely manner and limiting the number of building permits issued within the subdivision.

The lift station obligation has been met which has been inspected and approved by the AZ Department of Environmental Quality and Tubac Management Co. is requesting that the CD in the amount of \$48,100 be released.

Ms. Dahl recommended that the Board release the CD in the amount of \$48,100.

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

AUTHORIZATION TO PURCHASE VEHICLE & FURNITURE FROM CAPITAL OUTLAY: County Assessor, Felipe Fuentes, requested that this item be tabled to allow him to further discuss the item with the Finance Director.

County Manger, Greg Lucero, stated that these items were budgeted and that the Board could act on the item at this time and staff can work out the phasing of the purchase.

Supervisor Ruiz made a motion to authorize the purchase of a vehicle and furniture from Capital Outlay as requested by the Assessor and that he meet with the Manager & Finance Director and work out the details; second by Vice-Chairman Damon; motion carried unanimously.

TAX VALUATION ADJUSTMENTS #0150061-01-4 PUC – Thomson Multimedia, Inc., Resolution No: M20040900001; 0100044-01-0 PUC – Irbinkas Heather Ramsey & Jonas Antanas, Resolution No: T20040900001; 0300015-01-0 PUC – Roberts Howard R and Elizabeth M, Resolution No: T20040900002 were approved as submitted by the County Assessor's Office. (MR/RD; c.u.)

CANVASS OF THE 11/2/04 GENERAL ELECTION RESULTS: Supervisor Ruiz made a motion to approve the Canvass of the results of the 11/2/04 General Election as presented by the Elections Director; second by Vice-Chairman Damon; motion carried unanimously.

Meeting adjourned at 10:00 a.m.

2:30 p.m.

BOARD OF EQUALIZATION

The Board met as the Board of Equalization at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, Arizona. Present: John Maynard, Chairman; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor, (not present); Gloria S. Gonzalez, Deputy Clerk of the Board. Also present: Felipe Fuentes, Pablo Ramos, Gabriela Vasquez, Miguel A. Carrillo, Kenneth Jeffery Spencer, Chaun Lee Copas, Phillip C. von Micka-Reichenberg, Patricia Scarboro, Carmen Notorfrancesco, Michael E. Johnson, Lee Ann Ayers, Edmo Acuna and Joe A. Escalada.

The Meeting was called to order at 2:30 p.m.

Proceedings were as follows: **ROBERT J. BEAN FAMILY TRUST:** Parcel #115-20-304 Assessor's recommendation FCV \$222,822 (RD/JM; motion carried); **PHILLIP C.VON MICKA-REICHENBERG:** Parcel #132-04-095 Assessor's recommendation FCV \$300,662 (RD/JM; motion carried); **MICHAEL JOHNSON:** Parcel #109-47-022B Board's recommendation FCV \$188.00 (JM/RD;

motion carried); **ROBERT & SUSAN MAURER**: Parcel #122-08-007 Assessor's recommendation FCV \$319,428 (RD/JM; motion carried); **DORA MAE LOWE SPENCER**: Parcel #109-66-026 Board's recommendation FCV \$22,591 (JM/RD; motion carried); **DORA MAE LOWE SPENCER**: Parcel #109-66-027 Board's recommendation FCV \$10,000 (JM/MR; motion carried); **DORA MAE LOWE SPENCER**: Parcel #109-67-032 Board's recommendation FCV \$1,238 (JM/RD; motion carried); **DORA MAE LOWE SPENCER**: Parcel #109-66-025 Board's recommendation FCV \$69,107 (JM/RD; motion carried); **MARIO J. AND PATRICIA C. SCARBORO**: Parcel #109-30-003 Assessor's recommendation FCV \$296,038 (RD/JM; motion carried); **CARMEN AND JOANN NOTORFRANCECO**: Parcel #125-01-273 Board's recommendation FCV \$98,000 (JM/RD; motion carried); **LUIS MORENO JR.**: Parcel #113-45-266 Assessor's recommendation FCV \$238,299 (RD/JM; motion carried); **LAWYER'S TITLE OF ARIZONA #8045-T**: Parcel #102-06-023 Assessor's recommendation FCV \$280,600 (RD/JM; motion carried); **LAWYERS TITLE OF ARIZONA 8045-T**: Parcel #102-06-025 Assessor's recommendation FCV \$10,000 (RD/JM; motion carried); **LAWYERS TITLE OF ARIZONA #8045-T**: Parcel #102-06-026 Assessor's recommendation FCV \$10,000 (RD/JM; motion carried); **LAWYERS TITLE OF ARIZONA #8045-T**: Parcel #102-06-028 Board's recommendation FCV \$139 (JM/RD; motion carried); **LAWYERS TITLE OF ARIZONA #8045-T**: Parcel #102-06-027 Assessor's recommendation FCV \$231,000 (RD/JM; motion carried).

Meeting adjourned at 4:03 p.m. (RD/JM; motion carried)

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors

November 16, 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; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Mary Dahl, Ben Stepleton, Sheriff Estrada, Carol DeFazio, Lt. Gerardo Castillo, Louis Chaboya, Susan Handley, Alma Para, Edmundo Enriquez, Jo E. Ayon; Deputy Fernando Ayon, Deputy Oscar Pena, Gisela E. Pena and Sarah Wright.

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

ADOPTION OF AGENDA: County Manager, Greg Lucero, requested that the Board table Action Item #1 (vehicles, furniture/equipment auction) until 12/7/04.

Supervisor Ruiz made a motion to adopt the Agenda, tabling Action Item #1 (vehicles, furniture/equipment auction) until 12/7/04; second by Vice-Chairman Damon; motion carried unanimously.

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Supervisor Ruiz reported that on Saturday evening, he attended a function at the Tubac Center for the Arts.

Chairman Maynard reported that he spent the weekend with his 14-month old grandson.

MANAGER: None

FINANCE: Finance Director, Jennifer St. John, reported \$8,388,540 in the General Fund; \$1,049,145 in the Road Fund; \$662,258 in the Flood Control District Fund; \$12,307,194 total for all funds; \$8,819,082 estimated end of month balance, compared to \$4,974,588 cash at November 2003, a difference of \$3,844,494.

HEALTH AND ENVIRONMENT: Health Department Director, Ben Stepleton, reported that the Nogales Wash chlorination program continues to function well; an additional 1000 doses of the flu vaccine will be delivered in the next 1-2 weeks.

SHERIFF: Sheriff Estrada congratulated the Board on their re-election.

Sheriff Estrada recognized Dispatcher Alma Para and Deputies Fernando Ayon and Oscar Pena for their response to an emergency call for help which resulted in the saving of 5 lives in the Rio Rico area.

Sheriff Estrada introduced and congratulated Edmundo Enriquez who recently graduated from the Corrections Officers Training Academy.

Sheriff Estrada reported that the current jail population is 74, 65 males and 9 females; 16 inmates have been sentenced to the County jail; 71 have been charged with felonies and 3 with misdemeanors; 22 (30%) are undocumented aliens; 5 have been committed to the County jail on a daily basis and 2 on a weekly basis. 36 persons were booked in during the past week; 168 total calls for service were received, of which 38 were 911 calls.

Sheriff Estrada further reported that 2 dead bodies, believed to be illegal border crossers, were recently discovered in Santa Cruz County.

ACTION ITEMS:

SUBSTITUTION ASSURANCE AGREEMENT FOR LOS PASEOS (LOTS 1-103): Community Development Department Director, Mary Dahl, informed the Board that Los paseos is a residential subdivision in the Pena Blanca Highlands; a tentative plat for 331 lots was received in 2000; a final plat was approved in December 2000 for 103 lots, but the project has not been built.

Ms. Dahl stated that the initial developer sold the development to CountryWalk Homes, who defaulted on the sale; the initial developer got the property back; a new developer (Nogales Housing Alliance) has emerged and is purchasing the entire project; since there are still improvements to be made, all of the original 103 lots are still held by the County in Trust.

In order to facilitate the sale, the Substitute Assurance Agreement needs to be executed between the new developer, the County and the title company.

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

APPLICATION FOR LIQUOR LICENSE: Chef Warren's Border House Bistro, L.L.C., Tubac, AZ: The License having been duly posted and no objections received, Supervisor Ruiz made a motion to approve the Application for Liquor License for Chef Warren's Border House Bistro, L.L.C. in Tubac, AZ; second by Vice-Chairman Damon; motion carried unanimously.

BOND FOR DUPLICATE WARRANT #1-199710 payable to Jorge Andres Tolano, dated 10/29/04 in the amount of \$118.90 was approved as submitted. (RD/MR; c.u.)

DEMANDS were approved in the total amount of \$631,756.68 of which \$165,197.13 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:** \$165,197.13; **Bad Check Collection:** \$2,707.66; **Retrieval Conversion Fund:** \$2,570.94; **Exercises:** \$24,087.34; **Assessor's Ret & Conversion:** \$10,000.00; **Early Learn-Learning Together:** \$3,310.86; **Community Technology CTR P:** \$1,024.17; **Road:** \$83,286.94; **Animal Control:** \$1,382.52; **Anti-Racketeering #2:** \$10,561.18; **HIDTA 13:** \$3,452.80; **Juvenile Probation Fees:** \$3,343.27; **Jail Enhancement:** \$8,779.29; **T.B. Grant Fund:** \$7,060.00; **Flood District:** \$4,509.76; **Flood Reserve:** \$224,264.28; **Cultural Youth at Risk:** \$7,012.44; **W.I.A. Adult:** \$2,031.92; **W.I.A. Dislocated Worker:** \$2,143.47; **W.I.A. Administration:** \$1,360.46; **Projects with Industries:** \$6,335.00; **Landfill:** \$48,397.42

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

Meeting adjourned at 10:00 a.m.

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman

Board of Supervisors

November 23, 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; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Sheriff Estrada, Lt. Raul Rodriguez, Victor Gabilondo, Mary Dahl, Rick Hindmann, James Menlove, Carol DeFazio, Leonard Fontes, Marcelino Varona, Jr., Daniel Doyle and Sarah Wright.

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

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: None

REPORTS:

BOARD OF SUPERVISORS: Supervisor Damon announced the birth of his 7th grandchild, a granddaughter from his daughter and son-in-law, Bettina & Doug.

Chairman Maynard reported that he attended a Santa Cruz Valley Citizens Council Meeting last week regarding the upcoming historic district public hearing; he attended the Citizens Corps Meeting at the County Complex; on Friday, he attended the Esplendor Resort opening (formerly the Rio Rico Resort); he attended an Empire Ranch Foundation Board Meeting and a Sonoita Crossroads Forum Meeting over the weekend; he reported that Jim Mummert and Lou Myers recently underwent surgery and asked that they be kept in thoughts and prayers.

MANAGER: County Manager, Greg Lucero, reported that the legislature is going to be more conservative with their budget this year and will be cutting taxes and shifting costs to the local governments; the State Retirement contribution will increase 2½% effective 07/05.

FINANCE: Finance Director, Jennifer St. John, reported \$8,666,924 in the General Fund; \$966,047 in the Road Fund; \$705,940 in the Flood Control District Fund; \$12,488,681 total for all funds; \$8,966,520 estimated end of month balance, compared to \$5,919,390 cash at November 2003, a difference of \$3,047,130.

Miss St. John also reported that at approximately 32% into the fiscal year, approximately 21% has been collected and spent.

Vice-Chairman Damon recognized 2 former City of Nogales Mayors: Marcelino Varona, Jr., and Daniel Doyle who are in attendance at this morning's Board meeting.

HEALTH AND ENVIRONMENT: None

SHERIFF: Sheriff Estrada reported that the current jail population is 88, 76 males and 12 females; 20 inmates have been sentenced to the County jail and 2 to the AZ Department of Corrections; 80 have been charged with felonies and 8 with misdemeanors; 24 are undocumented aliens; 2 have been committed to the County jail on a daily basis and 2 on a weekly basis. 56 persons were booked in during the past week; 157 total calls for service were received, of which 40 were 911 calls.

ACTION ITEMS:

RESOLUTION #2004-35 SUPPORTING SERVICES OF CARE GIVERS: Supervisor Ruiz made a motion to adopt Resolution #2004-35 supporting services of care givers; second by Vice-Chairman Damon; motion carried unanimously.

JUSTICE OF THE PEACE PRO TEMPORE: Vice-Chairman Damon made a motion to appoint Alfred Islas as Justice of the Peace Pro Tempore for Precinct No. 1; second by Supervisor Ruiz; motion carried unanimously.

APPROVAL TO PURCHASE 6 POLICE VEHICLES FROM STATE CONTRACT: Sheriff Estrada stated that the Board appropriated \$150,000 from Capital Outlay to purchase 6 police vehicles to replace others that have in excess of 100,000 miles and requested authorization to purchase 3 sedans and 3 SUVs from State Contract.

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

HIDTA XIV IGA REPROGRAM OF MONIES: Lt. Raul Rodriguez, Metro Task Force, requested that the Board approve the Intergovernmental Agreement reprogram of monies for HIDTA XIV (contract #01-11-S-134372-1003); the money will be reprogrammed from the Nogales Police Department's budget which was unspent; Santa Cruz County's funding will increase by \$16,571 from \$380,968 to \$397,539; the funding will be used to cover facility expenses.

Lt. Rodriguez requested that the Board approve the reprogram monies.

Supervisor Ruiz made a motion to approve the Intergovernmental Agreement Reprogram as presented by Lt. Rodriguez; second by Vice-Chairman Damon; motion carried unanimously.

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

The Board recessed the Regular Meeting to convene in Executive Session (Property acquisition for Old Tucson Road Improvement) at 9:45 a.m. and reconvened at 10:00 a.m. (MR/RD; c.u.)

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

PUBLIC HEARING
10:00 a.m.

ORDINANCE #2004-04: THE SANTA CRUZ COUNTY BUILDING SAFETY CODE: Community Development Department Director, Mary Dahl, informed the Board that the Planning & Zoning Commission held a public hearing on this issue on 10/28/04 and voted unanimously to recommend that the Board adopt the Ordinance as presented; this Ordinance consolidates a series of Ordinances adopted by the Board in the past related to building safety codes and adopts the 2003 family of International Codes and National Electric Code; Arizona Revised Statutes provides authority to the Board of Supervisors to adopt the Codes.

Vice-Chairman Damon asked Bob Banzhof, Building Department Director, if he has met with local builders concerning this Ordinance; Mr. Banzhof responded no.

Chairman Maynard asked how this Ordinance will impact current building permit fees; Mr. Banzhof responded that the proposed fees use the same valuation table used by the City of Nogales. Mr. Banzhof stated that the City of Nogales and the Town of Patagonia charge 65% of the building permit fee for a plan review fee; the County will continue to charge 25%.

PUBLIC COMMENT:

Daniel Doyle made reference to the City of Nogales' Building Safety Code and stated that if Sherman Montgomery and Mike Karam aren't here to complain, it must be ok.

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

ACTION ITEMS CONTINUED:

ORDINANCE #2004-04 SANTA CRUZ COUNTY BUILDING SAFETY CODE: Community Development Department Director, Mary Dahl, stated that if approved, the Ordinance would become effective 1/1/05.

Vice-Chairman Damon made a motion to approve Ordinance #2004-04; second by Supervisor Ruiz; motion carried unanimously.

Meeting adjourned at 10:15 a.m.

Melinda Meek
Clerk of the Board

John Maynard
John Maynard, Chairman

Board of Supervisors
November 30, 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; Holly Hawn & Mike Masee, Attorneys; Melinda Meek, Clerk. Also present: Carlos Rivera, Mayra Ochoa, Ken Zehentner, Gary Rose, Kenneth Biddle, Cynthia Rose, Carol DeFazio, Mindy Maddock, Jim Lamb, Lisa Sharp, John Ford, Sheriff Estrada, Tina Totty, David Perkins, Carlton Troy, Sherry Hun, Marilynn Lowder, Earl Wilson, Ruben F. Fuentes, Ramon Romo, Jim Barr, Garry Hembree, Nohe Garcia, Felipe Fuentes Jr., Bruce Pheneger, David Munger, Allan Troy, Catherine Troy, Lincoln Wilson, Nancy Valentine, Ann Groves, Marc Mauseth, Bill Greent, Carol Cullen, Kim Etherington, Christine Sisco, Leila Pearsall, Charles Ciruli, Charles Dean Miller, Don & Rebecca Richardson, Sally Day Hanson, Don Rubidoux.

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

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

CALL TO THE PUBLIC: Tina Totty, President-Elect, Santa Cruz County Board of Realtors, expressed concern regarding research & recording methods used in the Recorder's Office; their main concern is the length of time that it takes to get a document recorded. The Board of Realtors is requesting assistance from the Board of Supervisors in upgrading the methods currently being used.

Chairman Maynard requested that Mrs. Totty meet with the County Manager concerning this matter.

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

FLOOD CONTROL:

DRAINAGE FACILITY AND WATERWAY AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR CHULA VISTA FLOOD CONTROL PROJECT: Ken Zehentner informed the Board that this License Agreement grants the County the right to construct, maintain and use the drainage facility needed for the Chula Vista Flood Control Project; originally, Union Pacific requested \$143,200 for the License Agreement; the County had the property appraised, which was approved by the Corps of Engineers, in the amount of \$15,100 which is reflected in the Agreement; the Agreement contains a provision that states if there is a problem with stability of their trackage as a result of the County's construction, the County will be responsible for correcting the situation.

Mr. Zehentner requested that the Board approve the Agreement and authorize the Chairman to sign.

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

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

REPORTS:

BOARD OF SUPERVISORS: Supervisor Ruiz announced that a Public Hearing will be held this evening from 5:00 p.m. – 7:00 p.m. in the Board of Supervisors' Meeting Room regarding the Mariposa Port-of-Entry and invited the public to attend.

MANAGER: County Manager, Greg Lucero, reported that the Nogales/Santa Cruz County Port Authority met last week and formalized their 501(C6) status; the City of Tucson's, Tucson/Mexico Office Awards Luncheon will be held next week or the week after and is working on a Corridor Study looking at a transportation corridor from the Border up through, to and including Pima County and will be approaching the County to participate.

FINANCE: Senior Accountant, Mayra Ochoa, reported \$8,646,211 in the General Fund; \$1,164,160 in the Road Fund; \$718,321 in the Flood Control District Fund; \$12,640,832 total for all funds; \$9,096,152 estimated end of month balance, compared to \$5,919,390 cash at November 2003, a difference of \$3,176,762.

HEALTH & ENVIRONMENT: Health & Human Services Department Director, Carlos Rivera, reported that there are no new developments in the fecal counts in the wash; the 1st round of flu vaccines were received and distributed to Carondelet, Patagonia and Nogales clinics and another 1,000 doses will be distributed to the County – date & cost unknown.

SHERIFF: Sheriff Estrada reported that the current jail population is 92, 81 males and 11 females; 17 have been sentenced to the County jail and 5 to the AZ Department of Corrections; 85 have been charged with felonies and 7 with misdemeanors; 26 (28%) are undocumented aliens; 3 have been committed to the County jail on a daily basis and 2 on a weekly basis. 46 persons were booked during the past week; 141 total calls for service were received, of which 41 were 911 calls.

ACTION ITEMS:

MARIPOSA PORT OF ENTRY FEASIBILITY STUDY PRESENTATION: County Manager, Greg Lucero, introduced Dave Perkins, Kimberly Horn & Associates, who were hired to prepare the feasibility study for the Mariposa Port of Entry.

Mr. Perkins introduced Rudy Perez, the AZ Department of Transportation Project Manager; informed the Board that the Study is being jointly funded by the AZ Department of Transportation and the General Services Administration; the Study began in October and is scheduled to be completed in Spring 2005; this evening's Public Meeting will begin the 1st round of 2 rounds of Public Meetings and will be held from 5:00 p.m. – 7:00 p.m. to allow for public input; the purpose of the study is to prepare documents for Customs, Border Protection and the General Services Administration to determine needs for improvements to the Port.

CHANGE ORDER NO. 1 FOR CONTRACT #B-09-04-CO09, PAVEX CORPORATION, FOR BRACKER SCHOOL SIDEWALK PROJECT: Public Works Director, Victor Gabilondo, informed the Board that on 9/21/04, construction inspectors on the project found discrepancies in the construction compared to the approved plans; the County issued a stop order to the Contractor; negotiations with the contractor ensued, a solution was reached and the Contractor resumed work on 11/5/04, 35 days later; the Change Order extends the construction contract an additional 35 days at no cost.

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

AZ DEPARTMENT OF HEALTH SERVICES DIRECT GRANT FOR LOCAL HEALTH WORK: Supervisor Ruiz made a motion to submit the required application materials and accept the ADHS Direct Grant in the amount of \$35,407.69; second by Vice-Chairman Damon; motion carried unanimously.

AZ DEPARTMENT OF HEALTH SERVICES PER CAPITA GRANT FOR LOCAL HEALTH WORK: Supervisor Ruiz made a motion to submit the required application materials and accept the ADHS Per Capita Grant in the amount of \$2,625; second by Vice-Chairman Damon; motion carried unanimously.

INTERGOVERNMENTAL AGREEMENT WITH AZ DEPARTMENT OF REVENUE FOR PROPERTY TAX DATA PROCESSING SYSTEM: Vice-Chairman Damon made a motion to approve the IGA with the AZ Department of Revenue to provide data processing services; second by Supervisor Ruiz; motion carried unanimously.

TAX VALUATION ADJUSTMENTS # 117-01-457-4 – Nogales Main Street Association, Resolution No: S20020000145; 117-01-457-4 – Nogales Main Street Association, Resolution No: S20030000105; 102-01-103-8 - Rodriguez Luz Araceli, Resolution No: S20020000146; 102-01-103-8 – Rodriguez Luz Araceli, Resolution No: S20030000107; 102-01-103-8 – Rodriguez Luz Araceli, Resolution No: S20040000124; 117-01-001-3 – Valenzuela Edmundo, Resolution No: S20020000147; 117-01-001-3 – Valenzuela Edmundo, Resolution No: S20030000110; 108-06-015-3 – Fawcett Stephen Paula Trustees/The Fawcett Family Living Trust, Resolution No: S20030000106; 108-06-015-3 – Fawcett Stephen Paula Trustees/The Fawcett Family Living Trust, Resolution No: S20040000119; 101-39-107-4 – Camerlin John Joseph, Resolution No: S20030000108; 101-32-050-0 – Salazar Alma H/Heredia Socorro, Resolution No: S20030000109; 113-45-036-5 – Chamberlain Norberto G & Margarita, Chamberlain Norberto M & Amalia, Resolution No: S20030000111; 113-45-036-5 – Chamberlain Norberto G & Margarita, Chamberlain Norberto M & Amalia, Resolution No: S20040000143; 103-06-091-8 – Diaz Enrique & Josefina J JT, Resolution No: S20030000112; 103-09-003-2 – Minim Sisters of Mary Immaculate, Resolution No: S20030000113; 124-03-025-01 – Rio Rico Properties/Avatar, Resolution No: S20040000001; 101-39-135-5 – More for Kids Resolution No: S20040000002; 102-19-093-5 – Fernandez Revocable Trust, Resolution No: S20040000003; 115-09-134-6 – Soto Carlos & Irma E, Resolution No: S20040000004; 133-03-192-8 – Lee Jeffrey Alden & Christine Helen, Resolution No: S20040000005; 112-07-145-1 – EBK Trust Company/The Scaffer Homes, Resolution No: S20040000006 ; 115-07-048-4 – GA Construction Company Inc/An Arizona Corporation, Resolution No: S20040000007; 116-12-352-7 – Mitrevski Tracy Lynn, Resolution No: S20040000113; 101-34-056-4 – Rodriguez Ruben P & Blanca R, Resolution No: S20040000114; 115-03-069-3 – Volkart Robert E & Ana L, Resolution No: S20040000115; 114-01-100-6 – Yepiz Hector & Armida, Resolution No: S20040000116; 114-02-235-8 – Hodge Cecilia, Resolution No: S20040000117; 117-01-457-4 – Nogales Main Street Association, Resolution No: S20040000118; 114-02-211-8 – Kelley Dennis E & Joan A, Resolution No: S20040000120; 115-06-374-B-5 – Castro Robert A & Denise A, Resolution No: S20040000121; 112-43-011-A-8 – Noon Ranch LLC, Resolution No: S20040000122; 112-43-011-9 – Noon Muriel B Trustee, Noon Muriel B Living Trust, Resolution No: S20040000123; 114-01-251-1 – Esquer Manuel & Patricia B, Resolution No: S20040000125; 101-32-035-7 – Valencia A Carlota, Resolution No: S20040000126; 101-36-086-7 – Duarte Mercedes M, Resolution No: S20040000127; 103-13-109-8 – Morales Idefonso A & Manuela, Resolution No: S20040000128; 108-07-036-7 – Sterling Robert H Jr, Resolution No: S20040000129; 113-01-005-C-4 – Clayton Olson James, Resolution No: S20040000148; 113-07-005-D-1 – Kirkham & Hoge LTD Employee Retirement/Kirkham Dan B, Resolution No: S20040000149; 113-07-005-E-0 – Trujillo Grace Ward, Resolution No: S20040000150; 113-01-005-B-5 – Findcisen Charles W & Barbara Reid, Resolution No: S20040000151; 114-04-110-4 – Felix Alba, Resolution No: S20040000152; 112-44-151-5 – Title Guaranty Agency of Arizona Trust #1341, Resolution No: S20040000153; 112-43-270-4 – Malaspina Richard & Teresa C, Resolution No: S20040000154; 129-08-212-7 – Fechner Wallace E, Resolution No: S20040000155; 116-01-353-8 – Gute Johann, Resolution No: S20040000157; 116-01-354-1 – Gute Johann & Leticia, Resolution No: S20040000158; 114-04-117-5 – Lawyers Title of Arizona TR#7773-T/Avatar, Resolution No: S20040000159; 115-08-226-A-6 – Rio Rico Utilities, Resolution No: S20040000160; 101-25-208-A-2 – Pena Jose Luis & Carmen V, Resolution No: S20040000161; 108-57-002-A-2 – Stock Margaret J, Resolution No: S20040000162; 113-40-011-7 – Canez Rogelio M & Maria, Resolution No: S20040000163; 105-20-196-4 – Bojorquez Josefina P, Resolution No: S20040000165; 112-37-043-B-3 – Urena Richard & Fernandina, Resolution No: S20040000166; 112-37-043-A-4 – Felix Jose & Gloria ½, Urena Richard & Fernandina ½, Resolution No: S20040000167; 101-39-129-8 – Rakickas Bertha S & Samantha S, Resolution No: S20040000130; 101-39-121-4 – Heredia Bernardo O & Irma R, Resolution No: S20040000131; 114-51-054-1 – Hutson Donald R & Kate G, Resolution No: S20040000132; 112-35-003-3 – Lopez Refugio M & Herminia M, Resolution No: S20040000133; 103-06-140-7 – Castellanos Jose M, Resolution No: S20040000134; 105-24-031-0 – Guerra Amaro Refugio, Resolution No: S20040000135; 101-39-046-0 – Teyechea Jose B III/Teyechea Annie M, Resolution No: S20040000136; 105-27-001-H-4 – Lopez Ronald E & Rosalie J, Resolution No: S20040000137; 115-12-244-0 – Mockry Elmer, Resolution No: S20040000139; 101-43-088-3 – CFC Enterprises Inc., Resolution No: S20040000141; 101-34-082-9 – Nido Veronica, Resolution No: S20040000142; 112-27-013-9 – Alvord Donald H & Elaine L, Resolution No: S20040000144; 112-27-005-B-4 – Gallo Karen/Johnson Leslea, Resolution No: S20040000145; 115-07-199-9 – Kessler Linda Kay TR, Resolution No: S20040000146; 101-30-066-1 – Gomez Alfonso, Resolution No: S20040000147; 0250028-01-6 PUC – CEF Lease Residual Holding LLC, Resolution No: M20040900002; 9150180-01-3 PUC – General Electric Capital Technology, Resolution No: M20020900013; 9750434-01-3 PUC – General Electric Capital Technology, Resolution No: M20020900014; 9750435-01-6 PUC – General Electric Capital Technology, Resolution No: M20020900015; 972-90-100 – Qwest Corporation, Resolution No: 1999000080; 972-90-101 – Qwest Corporation, Resolution No: 1999000081; 972-90-150 – Qwest Corporation, Resolution No: 1999000082; 972-90-200 – Qwest Corporation, Resolution No: 1999000083; 972-90-600 – Qwest Corporation, Resolution No: 1999000084; 972-90-601 – Qwest Corporation, Resolution No: 1999000085; 972-90-630 – Qwest Corporation, Resolution No: 1999000086; 972-92-500 – Qwest Corporation, Resolution No: 1999000087; 972-92-800 – Qwest Corporation, Resolution No: 1999000088; 972-92-801 – Qwest Corporation, Resolution No: 1999000089; 972-92-830 – Qwest Corporation, Resolution No: 1999000090; 972-93-500 – Qwest Corporation, Resolution No: 1999000091; 972-93-501 – Qwest Corporation, Resolution No: 1999000092; 972-93-502 – Qwest Corporation, Resolution No: 19999000093 were approved as submitted by the County Assessor's Office. (MR/RD; c.u.)

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

PUBLIC HEARING

10:00 a.m.

Chairman Maynard informed the public that those interested in addressing the Board in this Public Hearing will be allowed to speak only once for a period of no more than 3 minutes; requested that similar comments not be repeated – the speaker may stand, state their name, their position in the matter (for or against) and that their comments were stated by a previous speaker; and expressed the desire to limit the Public Hearing to 1 hour.

ORDINANCE NO: 2004-05: ARTICLE 21 (HISTORIC ZONE) OF THE SANTA CRUZ COUNTY ZONING AND DEVELOPMENT CODE: Community Development Department Director, Mary Dahl, stated that this Ordinance would have the effect of deleting all provisions of Article 21, readopting Article 21 with text changes and readopting the current boundaries of the Tubac Historic Zone.

Ms. Dahl provided the following background: the Planning & Zoning Commission held a public hearing on this issue on 11/23/04 and heard testimony from approximately 25 members of the public; many spoke in favor of the readoption of Article 21; some spoke in opposition citing various problems with the Article such as unfair treatment, the County not enforcing the Code, overly restrictive treatment of applicants by the Tubac Historic Zone Advisory Board, etc.

At the end of the 2-hour Public Hearing, the Commission concluded that the Historic Zone Article and the Tubac Historic Zone were necessary and voted unanimously to recommend adoption. In response to issues raised, the Commission also voted unanimously to request that the Board direct staff to form a committee to evaluate Article 21 and recommend additional changes to the Commission for their recommendation to the Board.

Ms. Dahl noted that the following documents were previously provided to the Board for review: the old Ordinance, the new Ordinance, a list of changes and all comments received from the public.

Supervisor Ruiz stated that he received several calls and met with Tubac residents who expressed concern regarding the following issues: intrusion of private property rights, overly restrictive requirements, the makeup of the Advisory Board, the applicant's recourse if the Advisory Board does not approve the permit, threats of lawsuit and the potential cost to taxpayers for litigation. Supervisor Ruiz requested that Ms. Dahl address the concerns.

Ms. Dahl responded that a Tubac Historic Zone Design Guideline Book is incorporated into Article 21 with this Ordinance which guides the Advisory Board in making their recommendations to the Director; the Advisory Board's responsibility is to review plans and make recommendations to the Community Development Department Director who is not under any obligation to accept those recommendations; the Board of Supervisors appoints the members to the Advisory Board; all zoning restricts what can be done with and on private property to some extent and the Historic Zone is a design-type of restriction placed on those properties within the historic area; the Director's decision is appealable to the Board of Adjustment, and the Board of Adjustment's decision is appealable to the Superior Court.

Chairman Maynard asked if the Board could take action today on the recommendation from the Commission to form a committee to evaluate Article 21; Attorney Masee responded that it would not be appropriate to take action on the matter today, however, the Board could direct staff to place an item on a future Agenda to make recommendations regarding the formation and makeup of the committee.

PUBLIC COMMENT:

Kenneth Biddle, owner of 3 commercially zoned lots in Tubac, made the following comments: he asked for a clear definition of the word "historical"; nothing in the business district of Tubac has ever been a dig or foundation; this is a bunch of bologna; this is not a committee, rather a HomeOwners Association; it is against the Constitution to delegate what can and can't be done on private property.

Cynthia Rose made the following comments: most individuals in favor of the Ordinance could not have read it and completely understood every section and that reasons in opposition are valid; the Advisory Board members should be elected rather than appointed; changes in the Ordinance are more than just verbiage as suggested by Ms. Dahl; the portion of the Ordinance that deals with temporary use of individual, personal or private property exceeds what the County should restrict and will have a negative impact on every business in the Tubac Village; Section 2129 is "unfathomable"; the Ordinance has not been fairly presented to the people in the Tubac Village; lawsuits will follow; she requested that the Board table the matter for a few months and rewrite the Ordinance allowing for more public input from only those inside the Village; the Ordinance invades her privacy and constitutional rights as a citizen of the United States.

Gary Rose, Tubac Village resident and business owner, made the following comments: he asked what the urgency is in adopting this Ordinance in November, 2004; he agrees with the recommendation to create an Advisory Committee to evaluate the Article; the Historic Zone is mistitled, that is what the Ordinance used to be before the temporary use section was added; he has minor concerns regarding the Historic Zone Ordinance as it creates a CC & R capability; he suggested that the Board evaluate the Ordinance further prior to acting on it.

Mindy Maddock, Tubac resident, made the following comments: historical designations assist in raising property values; it is the Board's job is to set guidelines and restrictions and in doing so, the Board will be "bullied" and frivolous lawsuits will be filed by those in opposition; she encouraged the Board to stand up to the bullies.

Earl Wilson made the following comments: property values will not be hurt by adopting this Ordinance and urged the Board to support and vote in favor of Ordinance No 2004-05.

Marilynn Lowder, Tubac resident, made the following comments: all prosperous art communities that she has visited, have established guidelines for architecture, signage and protection of historical buildings and areas; the CC & R's for businesses and residents in the Barrio de Tubac are far more restrictive than the proposed Ordinance for the Tubac Village; her experience has been that the Advisory Board is fair and reasonable in every way; expressed hope that the Ordinance will be reestablished as is.

Catherine Troy, Troy's Corner, made the following comments: Troy's Corner has been forced to make several changes to its establishment because of the guidelines; after being harassed extensively by the

Advisory Board, she was forced to contact a lawyer in Nogales to obtain a copy of the original Ordinance; asked what period of historic time the guidelines require; her family has invested close to \$3 million and she doesn't want anybody else telling her what she can and cannot do on her property.

Allan Troy made the following comments: he is the largest commercial propertyowner in Tubac with 9 stores representing 16 merchants; they host the Santa Cruz County Tubac Visitor Center, approved by the State of Arizona; he is opposed to the Ordinance because it is tailored to the special interest groups for their own specific agendas; there are at least 3 members of the Advisory Board that have County violations on their property; there are over 170 violations in Tubac and the political will of the Board of Supervisors has not been expressed to correct the violations; the Board of Supervisors should not delegate its authority to a group that is not skilled or professional with the exception of Bruce Pheneger; he objects to the fact that he, as a propertyowner, cannot vote; Section 2106 does not outline qualification procedures in electing or selecting persons to represent the Village.

Marc Mauseth made the following comments: he lives in an area of Tubac which is not included in the historic zone; he owns and operates a business within the historic zone; his personal opinion is that the historic zone is bad for commercial values and business; he is against the Ordinance because it has been arbitrarily and capriciously dealt with ever since its alleged enactment 22 years ago; what is being proposed is far more than a minor procedural problem, rather an embarrassment of good government; there is no reason to adopt the Ordinance today; the Board is taking the advice of a lame duck County Attorney, which is bad advice; he does not agree with most of the advice of the outgoing County Attorney; the Board should put the issue on hold and listen to the advice of the incoming County Attorney; there are 4 different laws that impact the procedures used in adopting the Ordinance today: 1- Ordinance 81-4 is still in effect, 2- the new Ordinance implements procedures and defines the Zone, 3- A.R.S. 11-829(G) & 11-830, 4- the Open Meeting Law; the 2 Supervisors who do not represent District 3 tend to say they don't care about the mess in Tubac as it doesn't affect them.

Lincoln Wilson, propertyowner within the designated Tubac Historic Zone, made the following comments: he is in support of the proposed Ordinance No. 2004-05 and strongly encouraged the Board to vote for the passage of the Ordinance today.

David Munger, Tubac resident for 28 years, made the following comments: 371 people signed a petition in favor of the Ordinance; the Santa Cruz Valley Citizens Council held a meeting with over 100 people in attendance who voted in favor of the Ordinance – 2 abstained; the Chamber Board, the Arts Center and the Historical Society all voted unanimously in favor of the Ordinance; property values will not be hurt because of this Ordinance; denied allegations that the Advisory Board pays preference to one group over another.

Bruce Pheneger, Historic downtown Tubac resident, made the following comments: preservation makes good economic sense; downtown Tubac will have a very high viability because of the continuation of the Tubac Golf Resort and the new Brasher Development.

Ann Groves made the following comments: she and her husband have owned a home and 2 successful businesses in the Historic Zone for almost 20 years; the controversy is over the Special Event Ordinance and not the Historic Zone; she requested that the Board support the Tubac Historic Zone and thanked them for the Special Events Ordinance.

Bill Green made the following comments: his experience with the Tubac Historic Zone Advisory Board has been positive; his business is a success because of the historic nature of Tubac; he urged the Board not to kill the goose that laid the golden egg – preserving the historic nature of Tubac is Santa Cruz County's goose that laid the golden egg and it is the Board's job to protect it and not let selfish interests do it in.

Garry Hembree, Tubac Chamber of Commerce President, made the following comments: the Chamber of Commerce Board voted unanimously to support and approve the Ordinance; the Ordinance has been in existence in Tubac for over 22 years; because of the Special Events Ordinance, the Tubac Chamber was able to put \$90,000 back into the community last year; he urged the Board to reaffirm the Ordinance and pass it.

Christine Sisco made the following comments: she is a multiple businessowner in Santa Cruz County including a Gallery in Tubac and a ½ acre of real property that the Gallery sits on; she was going to present a short statement opposing the passage of the Ordinance until it could be analyzed and the impact on businesses, property and homeowners could be determined; her daughter told her this morning how well Patagonia works together as a unit for the businesses and the community; Tubac is divided – the Chamber Board dictates what is going to happen to the businessowners; she is not against a Historical Zone, but is against all the other attachments to the Ordinance that should be separated; she requested that the Board delay action until it can be analyzed.

Don Rubidoux made the following comments: suggested that the Board not take action today, rather make a motion to direct the Planning & Zoning Department to hold public hearings for at least a couple of weeks to hear both sides and report those findings to the Board.

Lisa Sharp, Tubac resident, made the following comments: if the historic value of Tubac is removed, a major portion of Tubac's and Santa Cruz County's economic viability will drop significantly; she urged the Board to abide by the Comprehensive Plan.

Nancy Valentine made the following comments: she is in support of the Ordinance with the understanding that it reaffirms the existence of regulations of the Historic Zone, Article 21 and the Historic Zone boundaries for Tubac which were established in 1986 with the design criteria subsequently ratified in 2001; also with the understanding that per the statement of the County Community Development Department in a 11/8 letter, changes are defined as largely administrative in nature and are intended to improve and clarify the regulations for the Historic Zones in the County; she is concerned that by readopting/reaffirming the Ordinance, given current litigation associated with it, the County is putting the Historic Zone at risk of being struck down; she supports the Ordinance in the context of it reflecting what the Ordinance has been intended to do since 1986.

Carol Cullen made the following comments: she and her husband are propertyowners inside the Tubac Historic Zone; she provided the Board with her professional background; she restated the Chamber's

position in support of Ordinance No. 2004-05; at a 11/17/04 Board Meeting, the Chamber Directors unanimously approved the readoption of this Ordinance; the Chamber has had more than 1 month to review the proposed Ordinance and compare it with the previous Ordinances and found no substantive differences or modifications; the Chamber supports it and encourages the Board to do the same; Tubac's property values have not been hurt or diminished because of these Ordinances.

Charles Ciruli made the following comments: he is in favor of the Ordinance; he was involved in the development of the Ordinance that was adopted 22 years ago; the main issue of controversy is the Special Events Ordinance and not the Historical Ordinance; he encouraged the Board to vote in favor of the Ordinance.

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

ACTION ITEMS CONTINUED:

ORDINANCE NO. 2004-05: ARTICLE 21 (HISTORIC ZONE) OF THE SANTA CRUZ COUNTY ZONING AND DEVELOPMENT CODE AS AMENDED, DELETING ALL PREVIOUS PROVISIONS SET FORTH IN ARTICLE 21, AND READOPTING CURRENT BOUNDARIES OF THE TUBAC HISTORIC ZONE (CASE NO. PZ-04-26): Community Development Department Director, Mary Dahl, reiterated that the Planning & Zoning Commission's recommendation to the Board was unanimous to adopt the Ordinance.

Vice-Chairman Damon made a motion to approve Ordinance No. 2004-05; second by Supervisor Ruiz.

Under discussion, Chairman Maynard noted that the majority of public comment made today was in favor of the Ordinance; he read every letter and email sent to him regarding this issue and the majority of them were also in favor of the Ordinance; he believes that the proposed Ordinance is not a significant change to what is already in place, rather a reaffirmation and is in favor of it.

Supervisor Ruiz thanked everyone for their comments; he believes that the community of Tubac needs to begin a healing process and begin working for the good of the entire community; he thanked the Planning & Zoning Commission, who are members appointed by the Board of Supervisors, for listening to similar comments regarding this issue; he denied allegations that he and Vice-Chairman Damon don't care what happens throughout the community; he has no problem in supporting the Ordinance and asked the Planning & Zoning Commission to panel a Committee to begin reviewing concerns from Tubac residents.

Motion carried unanimously.

The Meeting adjourned at 11:30 a.m. (MR/RD; c.u.)

STUDY SESSION

2:00 p.m.

The Board met in a Study Session 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; Melinda Meek, Clerk of the Board. Also present: John Hays, Victor Gabilondo, Jeannette Martinez.

CALLE AZULEJO DRAINAGE PROJECT PROPERTY ACQUISITION: Floodplain Coordinator, John Hays, informed the Board that the Rio Rico Villas #13 Subdivision, especially in the area from Camino Hombre De Oro to Via Lechuza, has experienced periodic flooding problems during the monsoons over the past 30+ years.

In Fiscal Year 03-04, the Flood Control District contracted with C.L. Williams Consulting to perform a conceptual study of the Calle Azulejo area to determine the most effective method of dealing with the flooding problems; the result was a 2-part approach – construction of a retention/detention basin upstream of the Vista Montana Subdivision along Camino Hombre De Oro and the reconstruction of Calle Azulejo.

In order to perform the project, 2 parcels have been identified that the County will need to acquire; both parcels have been appraised and offers have been made to the propertyowners; both propertyowners declined the County's offer, however, one propertyowner indicated that they would give the property to the County for payment of back taxes; the other will need to be acquired through the condemnation process.

Funding for the project was discussed. Staff will place the item on a future Agenda for the Board's consideration.

Study Session adjourned at 2:35 p.m.

Melinda Meek

Clerk of the Board

John Maynard

John Maynard, Chairman